

**PLANNING COMMISSION AGENDA**  
**CITY COUNCIL CHAMBERS**

**JANUARY 9, 2007**

**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:** Bruning, Bowlby, George, Jordan, Rasor, Messina, Souza, McCloskey, (Student Rep)

**APPROVAL OF MINUTES:**

December 12, 2006

**PUBLIC COMMENTS:**

**COMMISSION COMMENTS:**

**STAFF COMMENTS:**

**DISCUSSION:**

1. Public Hearing Notices

**ADMINISTRATIVE ITEMS:**

1. Applicant: Ruen-Yeager & Associates  
Location: 1411 Kaleigh Ct  
Request: Proposed 2 unit Condominium Plat "Leslie Condominiums"  
SHORT PLAT, (SS-1-07)
2. Applicant: Ruen-Yeager & Associates  
Location: 1387 Kaleigh Ct  
Request: Proposed 2-unit Condominium Plat  
"Idaho Pacific West LLC Condos"  
SHORT PLAT, (SS-2-07)
3. Applicant: River House Development, Inc.  
Location: 1950 Bellerive Lane  
Request: Proposed 44-unit Condominium Plat "Riverfront House"  
SHORT PLAT, (SS-3-07)
4. Applicant: Riverstone West, LLC  
Location: 3513 W. Seltice  
Request: Proposed landscaping plan  
ADMINISTRATIVE, (LS-1-07)

**PUBLIC HEARINGS:**

1. Applicant: City of Coeur d'Alene, Parks Department  
Location: Southeast corner of Short and C Streets  
Request: A proposed essential service special use permit  
In the R-12 (Residential at 12 units/acre) zoning district  
QUASI-JUDICIAL, (SP-1-07)
  
2. Applicant: Cammie and Marc Chavez  
Location: 2260 W. Fairway Drive  
Request: A proposed community education special use permit  
In the R-12 (Residential at 12 units/acre) zoning district  
QUASI-JUDICIAL, (SP-2-07)
  
3. Applicant: Beehive Homes  
Location: 2100 Sherman Avenue  
Request: A proposed zone change from R-17 (Residential at 17  
Units/acre) to C-17L (Commercial Limited at 17 units/acre)  
QUASI-JUDICIAL, (ZC-1-07)
  
4. Applicant: Shefoot Investments, LLC  
Location: 19th Street and Nettleton Gulch RD  
Request: A proposed 5-lot preliminary plat "Shefoot"  
QUASI-JUDICIAL, (S-1-07)
  
5. Applicant: Riverstone Center and Riverstone Center W. LLC  
Location: A section of Riverstone and Beebe Boulevard  
Request: A proposed 10-lot preliminary plat "Village at Riverstone"  
QUASI-JUDICIAL, (S-2-07)

**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 Stuhmiller at (208)769-2240 at least 24 hours in advance of the meeting date and time.***



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**PLANNING COMMISSION  
MINUTES  
DECEMBER 12, 2006  
CITY COUNCIL CHAMBERS**

**COMMISSIONERS PRESENT**

John Bruning, Chairman  
Heather Bowlby  
Melinda George  
Brad Jordan  
Tom Messina  
Scott Rasor  
Mary Souza  
Annie McCloskey, Student Representative

**STAFF MEMBERS PRESENT**

Dave Yadon, Planning Director  
John Stamos, Associate Planner  
Shana Stuhlmiller, Public Hearing Assistant  
Warren Wilson, Deputy City Attorney  
Gordon Dobler, Engineering Services Director

**COMMISSIONERS ABSENT**

There were none.

**CALL TO ORDER**

Chairman Bruning called the meeting to order at 5:30 p.m.

**APPROVAL OF MINUTES:**

Chairman Bruning commented that a citizen who testified at last months hearing brought forward corrections to her testimony that she would like included in the minutes for November 14, 2006.

Commissioner Souza commented that she also had some corrections to the minutes for November 14, 2006, which she had discussed earlier with staff.

Motion by Rasor, seconded by Bowlby, to approve the amended minutes of the Planning Commission Meeting held on November 14, 2006. Motion approved.

**COMMISSION COMMENTS:**

Commissioner Souza commented that from listening to previous testimony, and from watching the past Planning Commission meetings on channel 19, noticed that numerous people who testified complained that the Public Hearing notices sent to the neighborhood were confusing. She recommended that as a Commission, we should review these forms with staff to see if these notices could be modified so they are not confusing.

The Commission concurred.

**Motion by Souza, seconded by Bowlby, for staff to bring forward examples of public hearing notices sent to the public to be reviewed with staff at the next Planning Commission Meeting scheduled on January 9, 2006. Motion approved.**

**STAFF COMMENTS:**

Associate Planner Stamos announced that at the City Council Meeting held on December 5, 2006 approved the request of Active West Development for a PUD, Subdivision, Special Use Permit and a zone change by a 4-2 vote. He explained that this item was denied by the Planning Commission on August 8, 2006 and later appealed by the applicant. He commented that the next Comprehensive Plan Workshop is scheduled for Thursday, December 14<sup>th</sup> starting at 5:00 p.m.

Planning Director Yadon announced that Planning Commission has received a draft copy of the Affordable Housing Study, and that a workshop will be held on December 19<sup>th</sup> from 12:00p.m. to 2:00 p.m. to address any questions that Council may have for staff.

### **PUBLIC COMMENTS:**

Roger Snyder, 319 Park Avenue, Coeur d'Alene, commented that he is requesting the support of the Planning Commission to help prevent the closure of Sorenson Elementary School and commented that he recently addressed the City Council at an earlier meeting, who offered their support. He continued that there is a meeting with the school board scheduled on Monday, December 20<sup>th</sup> to address questions from the public.

Commissioner Rasor inquired if the committee knew the reasons why the school board wants to close Sorenson Elementary.

Mr. Snyder commented that he believes that the primary reason is financial.

Commissioner Souza inquired if there is any information on the internet by the school district to help explain the reasons why the school should be closed.

Mr. Snyder commented that he is not aware of any information on the internet and explained that recently the committee received a document from the school district giving some information as to why the school should be closed

Commissioner Souza inquired if the committee is aware of what the school board is intending to do with the building, if the school is closed.

Mr. Snyder commented that he has not heard of plans for the building.

Teresa Runge, 905 Boyd, Coeur d'Alene, commented that she is opposed to the closure of Sorenson School and is aware of kids being turned away from the school because of lack of space.

Amy Evans, 517 A Street, Coeur d'Alene, commented that the information recently submitted by the school board is incomplete and feels that the committee has requested facts on the closure and that only speculative data was received. She added that this committee is frustrated and does not want to see this school closed.

Commissioner Souza inquired regarding the process by the school board to decide the closure of the school.

Ms. Evans explained that the next step is a vote of the school board and feels that the meeting held on December 20<sup>th</sup> is an important meeting for the public to attend, so the school board can hear how much this school means to the community.

The Commission concurred by a unanimous vote and will support this request by attending the meeting on December 20<sup>th</sup>.

**ADMINISTRATIVE ITEMS:**

1. Applicant: Riverstone West, LLC  
Request: Modification of Riverstone West 1<sup>st</sup> Addition preliminary plat  
ADMINISTRATIVE (I-5-06)

Associate Planner Stamsos presented the staff report and then asked if the Commission had any questions.

Engineering Services Director Dobler explained that the original plat showed three lots and explained that the applicant is now requesting to combine the lots into one, because there is an unfilled gravel pit where these lots would be located and until this pit is filled it would not even be possible to do surveying to create the lots.

**Motion by Razor, seconded by Souza, to approve Item I-5-06. Motion approved.**

**PUBLIC HEARINGS**

1. Applicant: City of Coeur d'Alene  
Request: New Zoning Districts  
LEGISLATIVE (0-4-06)

Planning Director Yadon presented the staff report and explained that he recently presented these two new zoning districts to the General Services meeting who will support the request.

Commissioner Bowlby questioned if the height requirements listed in both zoning districts should be consistent, and feels that thirty-two feet should be proposed.

Planning Director Yadon explained that in previous discussions, the additional height requested in the commercial district was decided because thirty-two feet is not enough to be creative when designing a building.

Commissioner Messina concurs that the height requirements should be consistent.

Commissioner Souza questioned how the affect of three feet would determine how many stories could be added to the building.

Planning Director Yadon explained that when designing some of these buildings, the intent of the additional height is to provide a mixed use building where commercial is in the bottom and residential at the top.

After further discussion, the Planning Commission agreed that the height for both zoning districts shou

**Motion by Bowlby, seconded by Messina, to approve Item 0-4-06 Motion approved.**

Commissioner Jordan commended his fellow Commissioners for a job well done on their work on this ordinance.

1. Applicant: Riverstone West, LLC  
Location: 2800 Seltice Way  
Request: A proposed PUD "Riverstone West"  
QUASI-JUDICIAL (PUD-4-06)

Associate Planner Stamosos presented the staff report, gave the mailing tally as 0 in favor, 1 opposed, and 0 neutral, and answered questions from the Commission.

Commissioner Messina inquired if Tilford Lane is considered a private street.

Associate Planner Stamosos replied that it was.

Commissioner Bowlby questioned if public access would be allowed if the City owns the park and Tilford Land is considered a private street.

Deputy City Attorney Wilson answered that the City will acquire an easement for public access that this is not an uncommon practice by the City and that is done with many projects. He commented that Marina Drive, for example, is a private street, and that the City has obtained an easement allowing the street to remain open for public access and is confident Riverstone will agree to do the same thing.

Commissioner Messina inquired when this request came before the Planning Commission last month, if there was a decision made for the building heights in this area.

Associate Planner Stamosos answered that last month the applicant requested the height for the buildings to be 220 feet, but has changed that request to 165 feet.

Commissioner Souza questioned if this project is approved, can a condition be added tying the design of the buildings to the approval of the project.

Deputy City Attorney Wilson responded that the approval can only be tied to the building envelopes provided on the site plan. He explained that a condition can be made on the site plan, but not on the design of the buildings.

Dave Guthrie, 104 S. Division Street, Spokane, commented that the last time they were here they had proposed the height of the building to be 220 feet and recently changed that number to 165 feet. He added that he wanted to clarify that Riverstone is not part of downtown, but feels that the same principals should apply in this area. He explained that an easement would be obtained protecting the public access to the park in perpetuity. He commented that what is presented tonight is the height, bulk and scale and that more study to the design of the buildings will be decided later. He commented that this is a great project and by having this approved as a Planning Unit Development allows more open space for the project.

Commissioner Souza commented that it states in the Downtown Design Regulations that developers wanting to increase density need to provide features to help achieve a greater FAR. She questioned what type of features this project would add to justify the additional height requested to the buildings.

Mr. Guthrie explained that the building lots for this project are big compared to the lots downtown, which allows greater FAR's for buildings that are taller. He added that features provided to these buildings are street level retail, cinemas, a public courtyard and various water features providing public art.

Commissioner Bowlby inquired how many units would be in the towers.

Mr. Guthrie explained that there are two buildings proposed on each site with 100 units in each tower and that parking will be provided in the middle that connects with both towers. He continued that there would be a total of 400 units for the four buildings.

Commissioner Souza questioned if the view corridor will change with the addition of these buildings.

Mr. Guthrie explained that the elevation changes between 30 to 55 feet on the property and that the only views affected will be for the people living in the Fairwinds Retirement Community.

John Stone, applicant, S. 104 Division, Spokane, commented that this property has evolved in the prior years from a sawmill and gravel pit to be replaced by a development that will be an asset to the community. He added that this development is based on a vision set years ago and shared by the City to help promote a live, work and walk environment. He commented that staff has been great to work with and looks forward to providing a quality project that the City will be proud of in the future.

Lynn Morris, 304 S. 11<sup>th</sup> Street, Coeur d'Alene, commented that she is opposed to this request because of the additional height requested to the four buildings proposed on the property. She feels that more public input is needed before a decision is made allowing these buildings to be constructed.

Rita Snyder, 818 Front Avenue, Coeur d'Alene, commented that she is concerned that if spot zoning is allowed that a new downtown will be located on Northwest Boulevard.

#### **REBUTTAL:**

Dave Guthrie commented that he has a commitment for the residential housing that is comprised of 70% local and 30% people who live out of town. He commented that in the past year, a lot of fill has been moved in order to develop this project and explained that the placement of the buildings help preserve the open space, and that the project will be an asset to the community.

Jim Rivard commented that from designing the buildings for this project, the view corridors will be affected by other buildings and not primarily from this project. He added that the heights of the buildings have been reduced from 225 feet to 165 feet and that would reduce the impact on views in the area.

Commissioner Bowlby commented that the City is currently working on an Affordable Housing study for downtown and questioned if any of these units will be considered affordable housing.

Mr. Rivard commented that some of the units located in the Village would be smaller and more moderately priced.

Commissioner George inquired what the estimated price would be for these units.

Mr. Rivard answered that the units in the Village will be estimated to be around \$299,000.

#### **Testimony is closed.**

#### **DISCUSSION:**

Commissioner Rasor commented that he supports this request and is amazed that they have taken a gravel pit and transformed the property into a great project. He added that he feels comfortable that they have done the homework to achieve the right tools that will enhance this area. He added that this project may take the pressure off of downtown and commented that this project needs time to "blossom".

Commissioner Jordan commented that he has visited many resorts and found it is not uncommon to see a high-rise building in the area for residential housing. He added that this area is in transition, and feels that this project is a good fit. He commented that maybe in the future the Commission could discuss a way for a C-17 overlay to be added that would address heights in this area.

Commissioner Bowlby commented that she feels comfortable with the placement of the towers on the property and feels that they will not stick out but cautioned the applicant to be careful when designing future buildings in the area.

Commissioner Messina commented that he is excited to see the proposed buildings in this area and feels that this is a planned neighborhood that is not competing with the downtown and will support this project.

Commissioner Souza commented that by approving this request that the community will acquire public access and complimented the applicant on a great design. She added that it is so nice when coming out of the theatre and looking at the views in this area. She continued that she would like to see the towers along the river at a lower height feels that the height will not be an impact and supports the project.

Chairman Bruning commented that he feels the buildings along the river are going to stick out and that another project in the City was a shock after construction. He commented that building height and bulk is a concern, but concurs with the other Commissioners that this is a great project.

Commissioner George commented that this development will be an enhancement to the area.

**Motion by Jordan, seconded by Razor, to approve Item PUD-4-06. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner George	Voted	Aye
Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Razor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 6 to 0 vote.

2, Applicant: Trails Edge Development, LLC  
Location: 1010 and 1014 E. Mullan Avenue  
Request: A proposed 3' foot height variance above the maximum 38 feet allowed in the R-12 (Residential at 12 units/acre) zoning district  
QUASI-JUDICIAL (V-5-06)

Associate Planner Stamosos presented the staff report, gave the mailing tally as 2 in favor, 30 opposed, and 2 neutral and answered questions from the Commission.

Commissioner Bowlby questioned why 38 feet was selected as the maximum height for the Infill Overlay District.

Associate Planner Stamosos commented that it was the recommendation from the consultant Mark Hinshaw that 38 feet would be a good number for the transition from residential to the Downtown Core Zone.

Commissioner Bowlby commented that she vaguely remembers that discussion and feels that maybe this is the wrong number for the maximum height in the area and would like to revisit this topic in the future.

Commissioner Souza questioned what is the maximum height allowed in the R-12 zoning district.

Associate Planner Stamosos answered that the maximum height is 31 ¼ feet.

**Public testimony open.**

Todd Butler, applicant representative, 401 S. 18<sup>th</sup>, Coeur d'Alene, commented that he has lived in this area for many years and when the applicant approached him about this project he was excited. He explained that this property is an area that is in transition and feels that the design of the project will fit nicely with the neighborhood. He distributed renderings of how the buildings will look after construction and explained the intent behind the need for a variance. He commented that the decision to provide underground parking was a challenge and explained that the lots are not very deep, and that trying to put in a ramp was a challenge. He continued that they have recently submitted for building permits with a building 38 feet, but that does not allow a lot of room for the duct work that will be located near the ceiling. He explained that they originally had requested an additional three-feet but after further review of the design of the project, would only need two-feet to accommodate the ductwork and that this is why they are requesting a two-foot variance rather than three-feet.

Commissioner George inquired how many units would be in the building.

Mr. Butler answered that there will be eight units planned in the building.

**Public testimony open.**

Pat Pace, 419 S. 13<sup>th</sup> Street, Coeur d'Alene, commented that she is worried about future height requests in this area and that there needs to be a limit.

Barb Crumpacker, 1015 Lakeside Avenue, Coeur d'Alene, commented that by approving this request, it would be setting precedence and feels that the height of the building should be comparable to the other projects in the neighborhood.

Mike Whallon, 1022 Lakeside Avenue, Coeur d'Alene, commented that these developers are testing the waters to see how much they can get away with and advised the Commission to stick with the reasons why the Infill Regulations were approved for this area.

Denise Lundy, 5196 N. Davenport Street, Dalton Gardens, commented that this project was designed to comply with the Infill Regulations and can sympathize with the neighborhood opposition. She explained that she feels this project will be a win/win project by providing upscale homes in an area that needs improvement. She questioned staff if the Commission approves this request do they feel that this project will set precedence for future projects.

Deputy City Attorney Wilson commented that projects considered by the Commission are reviewed on a case-by-case basis. He added that future projects would need to look the same and have the same conditions in order for a precedence to be set.

Ms. Lundy commented that from listening to previous testimony, the Iceplant project is getting a lot of support from the community and feels that this project will be comparable. She explained that providing parking underground would keep cars off the street and not impact the neighborhood.

Anne Anderson, 1101 Lakeshore Drive, Coeur d'Alene, commented that she appreciates the applicant bringing this project forward and feels that this type of project will revitalize this area of town. She commented that the variance process is a nice option for projects that have special circumstances and feels that the City should not get rid of this tool.

R.J. Obeid, 1103 Lakeshore Drive, Coeur d'Alene, commented that in this neighborhood, there is a lot quality of homes that need work and that the City and neighborhood should be thankful for this type of project that will add character to the area.

He commented that trying to limit heights to the design of a building is a shame and explained that a lot of character is created by the building design and that by setting limits will take away the appeal of a project. He added that he supports the variance process and hopes the City does not take away this tool.

Lynn Morris, 304 S. 11<sup>th</sup>, Coeur d'Alene, commented that she believes that developers have good intentions to develop quality projects, but concurs with Commissioner Bowlby that the height limits in this area should be reviewed.

Rita Snyder, 818 Front Avenue, Coeur d'Alene, commented that staff should review the legal notices before they are mailed and commented that a few of her neighbors who are within the 300 foot radius were not notified of the hearing. She added that the notices are also confusing. She added that parking underground is a design choice and that this is the third request for a variance this year. She commented that if we get rid of all the affordable homes in the area, the children would leave this area and schools like Sorenson will close because of lack of attendance.

Ken Snyder, 818 Front Avenue, Coeur d'Alene, commented that he grew up in this area and remembers The Fort Grounds as not a nice area. He commented that when he moved into his home, it was considered a teardown, and with some work, is now one of the nicest homes in the neighborhood. He commented that by approving this variance a precedence will be set and asked the Commission to enforce the 38 feet in this area.

#### **REBUTTAL:**

Todd Beutler, commented that he feels this project will have minimal impact to this area and is trying to be sensitive to the needs of the surrounding neighborhood. He commented that by setting limits all that can be built are duplexes and tri-plexes with parking on the street. He added that they recently have submitted for building permits with the City for plans with the 38 foot proposed as the height limit, but felt by going through the process to request a two-foot variance would not be an impact to the neighborhood.

Commissioner Bowlby commented that she is undecided if two feet would be an impact to the area, but feels that 38 feet was set as the height limit for this area and it should be honored.

#### **Public testimony closed.**

#### **DISCUSSION:**

Commissioner Messina commented that he is on the fence on approving this request and that designers and developers are aware of this ordinance, but can see both sides.

Commissioner Souza commented that this project has great architecture and visual benefits with parking located underground and feels that this neighborhood will be enhanced by this project. She commented that when the Infill District was proposed it was intended for projects like this to help these neighborhoods. She feels that every project proposed has to be approved on its own merits.

Commissioner Bowlby commented that this is a nice project, but feels that it should conform to the proposed 38 feet mentioned in the Infill Regulations. She added that denying this request is demonstrating that the City is serious about these guidelines.

Deputy City Attorney Wilson noted that there are two findings needed for approval of this variance one that this structure can be erected safely and will this structure impose any major adverse visual impacts if approved. He added that a decision must be based on evidence presented and if changes are to be made than that would require a change to the code.

Commissioner Razor commented that he does not think an additional two feet will be an impact to the area and continued that this is the type of project made for the Infill District. He added that by denying this request would be saying to a developer that staff has provided tools for this type of projects, but when it is time for approval, staff changes their mind and says "just kidding".

**Motion by Razor, seconded by Souza, to approve Item V-5-06. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Nay
Commissioner George	Voted	Aye
Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Razor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 5 to 1 vote.

3. Applicant: Riverstone West, LLC  
Location: 3513 W. Seltice Way  
Request: Proposed 7-lot preliminary plat "Riverstone Plaza"  
QUASI-JUDICIAL, (S-13-06)

Associate Planner Stamosos presented the staff report, gave the mailing tally as 2 in favor, 0 opposed, and 2 neutral and answered questions from the Commission.

Mike Craven, applicant representative, 104 S. Division, Spokane commented that this is a straightforward plat and asked if the Commission had any questions.

Commissioner Razor questioned if the applicant approves of all the conditions listed in the staff report.

Mr. Craven replied that they approve of the conditions listed in the staff report.

**Motion by Bowlby, seconded by George, to approve Item S-13--06. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner George	Voted	Aye
Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Razor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 6 to 0 vote.

4. Applicant: City of Coeur d'Alene  
Request: Amendments to the Subdivision Ordinance  
LEGISLATIVE (0-5-06)

Deputy City Attorney Wilson presented the staff report and explained that this request is to provide the City Council with a recommendation regarding the adoption of the proposed amendments dealing with the processing of condominiums and the review and approval of final plats. He added that he would like to address the review and approval of final plats and then gave a brief history of why this request has come forward. He explained that previously, a developer had submitted a preliminary plat showing bike paths and that those items were omitted when approval of the final plat requested. He added, that by approving this change to the ordinance, it would ensure those things that were promised by the developer and approved on a preliminary plat are included in the final plat.

Commissioner Souza commented that she remembers a previous subdivision where the developer promised to keep the trees on the property and when the project was completed, the trees were gone.

Deputy City Attorney Wilson answered that hopefully those types of incidents will be resolved with the approval of these changes.

Engineering Services Director Dobler commented that the code requires a five-foot sidewalk and explained if there is a deviation indicating a bike path to be added that when the final plat comes forward with those items excluded it makes it difficult for staff to go back to the developer and request those changes. He commented that the changes in this ordinance will be a tool for staff to guarantee that these things promised will be done once the project is completed.

Commissioner Souza questioned if a condition for bike paths needs to be placed on subdivisions coming forward for approval.

Deputy City Attorney Wilson commented that this will not be necessary and explained that these changes to the ordinance will fix that problem.

Engineering Services Director Dobler commented that by approving these changes, it would help staff enforce these issues not shown on the plat, when coming forward for final approval.

Deputy City Attorney Wilson explained to the Commission the changes presented in the staff report regarding condominium plats and then asked if the Commission had any questions.

Commissioner Rasor commented that he would like clarification on the part of the condominium plat definition referring to the division of units and suggested adding something more generic explaining that these units might take a different form rather than a building.

Deputy City Attorney Wilson answered that he feels that this definition is generic and explained that this definition is for a unit of space rather than a form. He explained that the difference between a condominium plat and a regular plat is that the condominium plat is when the air space is divided and with a regular plat the dirt is divided into parcels. He continued explaining the next section of the code section 16.12.060 and then gave a brief history of why this has come forward.

Commissioner Rasor inquired if these certificates will require the signatures of the owners on the plat and questioned if that includes the lenders as well.

Deputy City Attorney Wilson commented that the signature will be required by the lender since he is still considered the owner until the property is paid for by the buyer.

Commissioner Jordan commented that he has not seen other City's require signatures from lenders.

Deputy City Attorney Wilson commented that he is not aware of what other municipalities are doing and commented that this problem is not unique to the City. He explained that there was an incident three years ago where the City was almost in litigation over an issue where the City did not require the signatures of all the property owners, and when the property was divided, the owners of the property defaulted on the property, and the lending institutions involved said they were not notified. He added they were able to work out the problem, but it put the City in an uncomfortable position.

Commissioner Jordan commented that if this problem does not happen often, maybe there is another solution, and feels that the City should not be going in that direction.

Deputy City Attorney Wilson commented that these are only recommendations brought forward from staff and if the Commission feels that one section should be eliminated, that is their right.

Commissioner Bowlby questioned, if conversions would be allowed on new construction with the changes to the ordinance. She added that she is concerned for people who do not have a place to go if a conversion occurs.

Deputy City Attorney Wilson answered that is a concern, and explained that this request is for the formation of the units and that displacement would be addressed as a separate ordinance dealing with affordable housing.

Commissioner Jordan complimented staff on the work to this ordinance but has a concern with the language in 16.12.060 B. He explained that by requiring the signature of all parties' involved, gives the potential to hold the potential buyer hostage.

He commented that he has been in the real estate business for a long time, and that you can not sell a piece of property without the sellers consent, and feels that this request has good intentions, but by approving this request could hold people up trying to put together a transaction.

Deputy City Attorney Wilson commented that he understands the concerns, but explained that he has to look out for the liability for the City, so another incident like what happened three-years ago doesn't happen again. He added that it makes sense to acquire all the signatures on a piece of property so that the City avoids liability.

Commissioner Jordan commented that he understands that the City does not want to be liable and that a lot of municipalities he has been involved with do not have this requirement and does not agree with it.

Engineering Services Director Dobler commented that he disagrees and commented that in California, this type of requirement is put on plats when they are recorded.

Deputy City Attorney Wilson commented that he concurs with Mr. Dobler that this practice happens in other states and it is a difficult situation when you are put in the middle of two lenders asking why this was allowed to happen.

Commissioner Souza concurs with Commissioner Jordan that you should not give the power of approval to the bank.

Commissioner Jordan explained that if you have a several properties with several lenders, and there is a requirement by the City to get all signatures of those involved with the property, it will make it tough for people to subdivide in Coeur d'Alene.

Commissioner Souza commented that Commissioner Jordan represents an industry that is prominent in our area and has been in the business a long time and feels that we should respect what he is saying.

Deputy City Attorney Wilson commented that this is just a recommendation and if the Commission feels that there is a change needed to any section, it is their right to make that change.

Commissioner Messina commented he understands staff's side of the issue and feels that it is up to the Commission to make a recommendation on this issue.

Deputy City Attorney Wilson commented that staff is trying to protect the taxpayers because if an issue like this goes to litigation; it is the taxpayers who will be paying.

Commissioner Bowlby suggested the Commission make a recommendation for Council and that they will see why there is an issue on this topic.

Deputy City Attorney Wilson commented that if the Planning Commission agreed, they could adopt everything in this ordinance excluding the language in 16.12.060. B. He added that the City Council will then decide after reviewing the Planning Commissions recommendation, if they agree with it or not.

**Motion by Jordan, seconded by Razor, to approve Item 0-5-06 excluding 16.12.060 B. Motion approved.**

Commissioner Jordan recommended the following language to 16.12.060 B. He commented that it is not uncommon to have multiple parcels of property which are then assembled together for a subdivision development, and that these multiple parcels may each have security interests from various lenders. He added that in some cases, not all, it will make it difficult for the developer to get the approvals in place to get the subdivision approved, and then to refinance and clear the underlying deeds. He commented that he feels it is the responsibility of the title insurance to track this and solve the problem of liability.

**ADJOURNMENT:**

**Motion by Souza, seconded by Bowlby to adjourn the meeting. Motion approved.**

The meeting was adjourned at 10:15 p.m.

Respectfully submitted by John Stamosos, Associate Planner

Prepared by Shana Stuhlmiller, Public Hearing Assistant



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**TO:** Planning Commission  
**FROM:** Christopher H. Bates, Project Manager  
**DATE:** January 9, 2007  
**SUBJECT:** **SS-1-07, Leslie Condominiums**

---

**DECISION POINT**

Approve or deny the applicant's request for a one (1) building, two (2) unit residential condominium subdivision.

**GENERAL INFORMATION**

1. Applicant: Mike Hathaway  
Ruen-Yeager & Associates  
3201 N Huetter Road  
Suite 102  
Coeur d'Alene, ID 83814
2. Request: Approval of a one (1) building, two (2) unit residential condominium subdivision.
3. Location: Kaleigh Court, north of Spokane Avenue between 7<sup>th</sup> & 9<sup>th</sup> Streets.

**PERFORMANCE ANALYSIS**

1. Zoning: Existing zoning for the subject property is R-12 which is intended to be a residential area that permits a mix of housing types at a density not to exceed 12 units/acre.
2. Land Use: The structure on the subject property is existing and was permitted as a duplex unit.

Infrastructure: Utilities, Streets, & Storm Water Facilities

**Utilities:** Sewer & Water

The existing structure is connected to City sewer and water utilities.

**Streets:** The public street adjoining the subject property is fully developed.

**Fire:** Fire protection was adequately addressed at the time of building construction on the subject property, and, with the underlying subdivision.

**Storm Water:** Street and site drainage were addressed with the underlying development and meet City requirements.

**Proposed Conditions:**

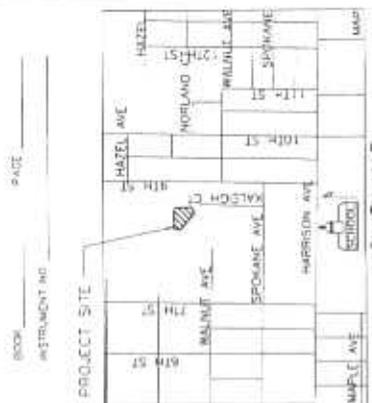
None

**DECISION POINT RECOMMENDATION**

Approve the proposed subdivision plat in its submitted configuration.

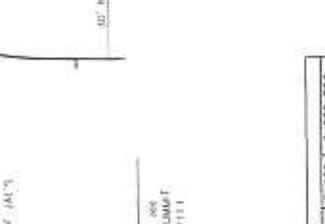
# LESLIE CONDOMINIUMS

LOT 9, BLOCK 1 OF JAE'S PLACE,  
 TOWNSHIP 50 NORTH, RANGE 4 WEST,  
 BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



## SURVEYOR'S NOTES

- AS PER TITLE 33, CHAPTER 12, SECTION 20, SUBSECTION 1, THE PLANNING AND CONSTRUCTION OF THIS CONDOMINIUM SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER.
- AS PER TITLE 33, CHAPTER 12, SECTION 20, SUBSECTION 2, THE PLANNING AND CONSTRUCTION OF THIS CONDOMINIUM SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER.
- AS PER TITLE 33, CHAPTER 12, SECTION 20, SUBSECTION 3, THE PLANNING AND CONSTRUCTION OF THIS CONDOMINIUM SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER.
- AS PER TITLE 33, CHAPTER 12, SECTION 20, SUBSECTION 4, THE PLANNING AND CONSTRUCTION OF THIS CONDOMINIUM SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER.
- AS PER TITLE 33, CHAPTER 12, SECTION 20, SUBSECTION 5, THE PLANNING AND CONSTRUCTION OF THIS CONDOMINIUM SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER.
- AS PER TITLE 33, CHAPTER 12, SECTION 20, SUBSECTION 6, THE PLANNING AND CONSTRUCTION OF THIS CONDOMINIUM SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER.
- AS PER TITLE 33, CHAPTER 12, SECTION 20, SUBSECTION 7, THE PLANNING AND CONSTRUCTION OF THIS CONDOMINIUM SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER.
- AS PER TITLE 33, CHAPTER 12, SECTION 20, SUBSECTION 8, THE PLANNING AND CONSTRUCTION OF THIS CONDOMINIUM SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER.
- AS PER TITLE 33, CHAPTER 12, SECTION 20, SUBSECTION 9, THE PLANNING AND CONSTRUCTION OF THIS CONDOMINIUM SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER.
- AS PER TITLE 33, CHAPTER 12, SECTION 20, SUBSECTION 10, THE PLANNING AND CONSTRUCTION OF THIS CONDOMINIUM SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER.



**BASIS OF BEARING**  
 THE BEARING OF NORTH 50° 42' 30" EAST BETWEEN RALEIGH COURT AND SPOKANE AVENUE ACCORDING TO THE PLAT OF JAE'S PLACE.

**BASIS OF ELEVATIONS**  
 CITY OF COEUR D'ALENE BENCHMARK B-7, NW CORNER OF SUMMIT AVE AND GOVT WAY, ELEVATION: 2210.73 ± 111

CURVE LENGTH	CHORD BEARING	CHORD BEARING
15.860	131.131	98.010717° N

- ## REFERENCES
- PLAT OF JAE'S PLACE RECORDED IN BOOK 4 OF PLAT PAGE 254 AND TYPA RECORDED IN KOOTENAI COUNTY, IDAHO
  - PLAT OF WOODRIDGE ADDITION, RECORDED IN BOOK 6 OF PLAT, PAGE 228 AND 229, RECORDED IN KOOTENAI COUNTY, IDAHO
- ## LEGEND
- SET 3/8" x 30" REBAR WITH A PLASTIC CAP, MARKED "RICH VANCE PLS 11187", UNITS.
  - ROUND 2" ALUMINUM CAP MARKED "101 115 458" UNLESS OTHERWISE NOTED.
  - ROUND 1/2" REBAR WITH CAP MARKED "115 8786".
  - BOUNDARY LINE
  - EXISTING EVIDENCE
  - ROADWAY CENTERLINE
  - PROPERTY LINE

**SURVEYOR'S CERTIFICATE**

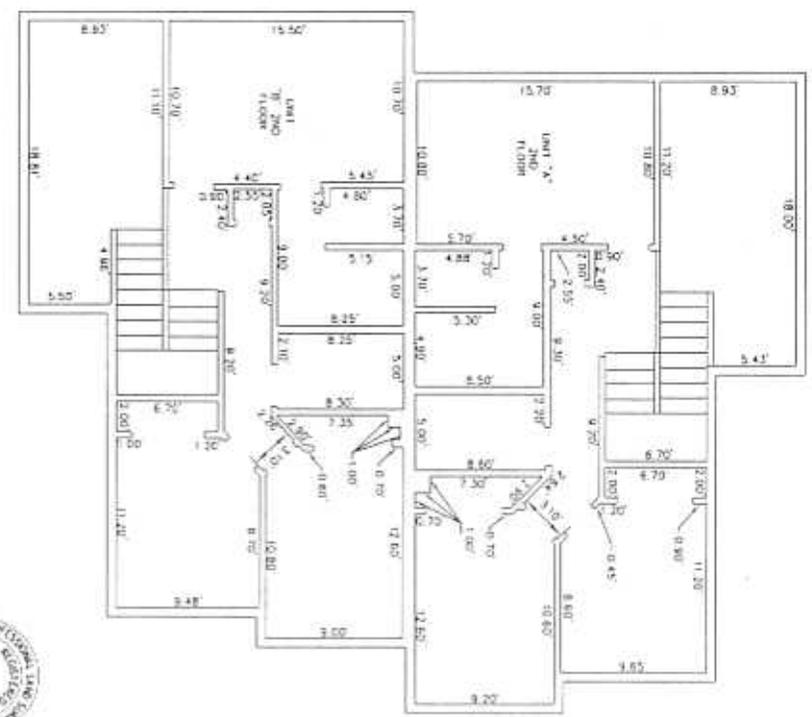
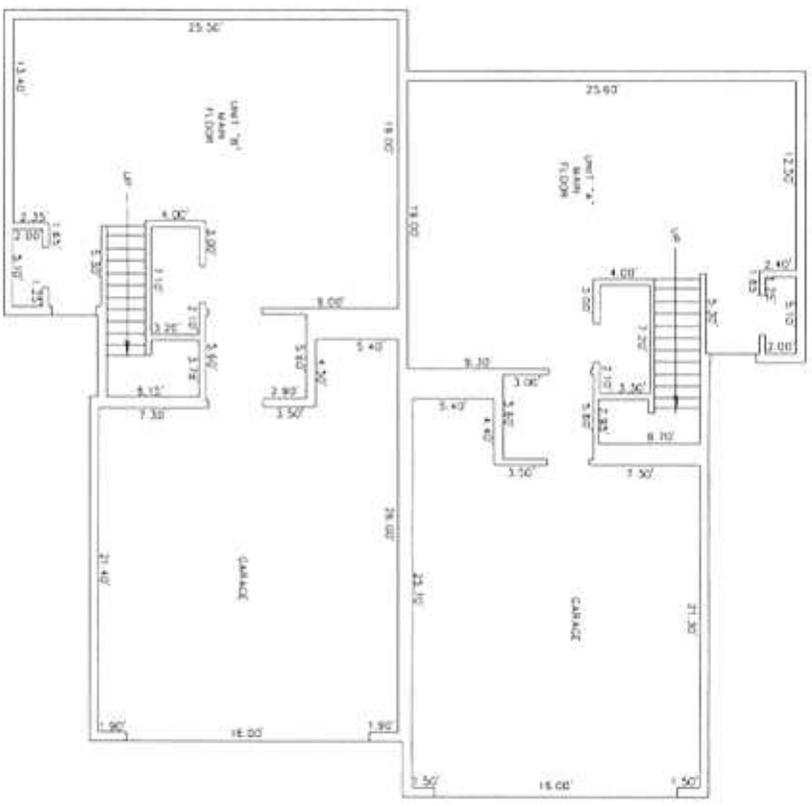
I, DANIEL G. RUIZ, PLS, NO. 1187, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE PLATTED AND RECORDED MAP MADE BY ME OR UNDER MY DIRECT SUPERVISION IN COMPLIANCE WITH THE LAWS OF THE STATE OF IDAHO.

**RUIZ-TEJER & ASSOCIATES, INC.**  
 CONSULTING ENGINEERS - LAND SURVEYORS  
 200 S. 10TH AVE., SUITE 100, COEUR D'ALENE, IDAHO 83814  
 PHONE: (208) 675-1111 FAX: (208) 675-1112

SECTION	TWN	RNG	SCALE	PLAT DATE
12	50N	4W	4W	06/20/23

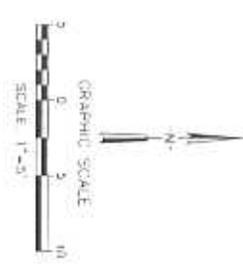
**LESLIE CONDOMINIUMS**  
 LOT 9, BLOCK 1 OF JAE'S PLACE  
 LOCATED IN THE SOUTH-EAST QUARTER OF SECTION 12, TOWNSHIP 50 NORTH, RANGE 4 WEST,  
 BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 INSTRUMENT NO. \_\_\_\_\_



UNIT #	AREA	FLOOR	CEILING
A - GARAGE		2300.50'	3110.00'
A - MAIN FLOOR	645.50 FT. ±	2300.50'	3110.00'
A - 2ND FLOOR	607.50 FT. ±	2307.50'	3117.00'
A - STAIRWELL	57.50 FT. ±	N/A	2119.50'
A - L.C.A.	4374.50 FT. ±	N/A	N/A
B - GARAGE		2305.50'	3120.00'
B - MAIN FLOOR	611.50 FT. ±	2305.50'	3120.00'
B - 2ND FLOOR	512.50 FT. ±	2312.50'	3127.00'
B - L.C.A.	5485.50 FT. ±	N/A	N/A

1 - MAIN FLOOR AREA INCLUDES GARAGE  
 L.C.A. - LINED COMMON AREA



**RUDY-VELGER & ASSOCIATES, INC.**  
 CONSULTING ENGINEERS, ARCHITECTS, SURVEYORS  
 110 WEST 10  
 SPOKANE, IDAHO 83402 (409) 324-1100

SECTION 12	TWN. 50N	RNG. 4W
OWNER	DATE	PROJECT
DESIGNED BY	DATE	PROJECT
CHECKED BY	DATE	PROJECT
SCALE 1" = 5'	DATE	PROJECT



**LESLIE CONDOMINIUMS**  
**LOT 9, BLOCK 1 OF JAE'S PLACE,**  
**LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 50 NORTH, RANGE 4 WEST,**  
**BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO**

**OWNERS' CERTIFICATE AND DEDICATION**

This is to prove that the undersigned group, the name of which is set forth below, has been organized and chartered for the purpose of owning and operating the above described property as a condominium project, and that the undersigned have executed the following Declaration of Condominiums, which is hereby recorded in the public records of Kootenai County, Idaho, under the name of the undersigned, and acknowledged to be their act and deed on the day and date hereinafter set forth.

LOT 9, BLOCK 1, JAE'S PLACE, ACCORDING TO THE PLAN RECORDED IN BOOK 17, OF PLATS AT PAGE 234, RECORDS OF KOOTENAI COUNTY, IDAHO.

BE IT FURTHER KNOWN THAT THE UNDERSIGNED HAVE AND DO HEREBY DEDICATE TO THE CITY OF COEUR D'ALENE, IDAHO, THE FOLLOWING DESCRIBED PROPERTY FOR THE USE AND ENJOYMENT OF THE CITY OF COEUR D'ALENE, IDAHO:

THE LOT-TO-BE DEDICATED GROUP, INC. OWNER: \_\_\_\_\_ DATE: \_\_\_\_\_

**NOTARY PUBLIC CERTIFICATE**

I, \_\_\_\_\_, Notary Public in and for the State of \_\_\_\_\_, do hereby certify that the foregoing Declaration of Condominiums was executed by the undersigned on the day and date hereinafter set forth, and that the same are their act and deed, and that they are duly recorded in the public records of Kootenai County, Idaho, under the name of the undersigned, and acknowledged to be their act and deed on the day and date hereinafter set forth.

NOTARY PUBLIC IN AND FOR THE STATE OF \_\_\_\_\_  
 RESIDING AT \_\_\_\_\_  
 MY COMMISSION EXPIRES \_\_\_\_\_

**CONSENT TO RECORDATION**

I, \_\_\_\_\_, the undersigned, do hereby consent to the recording of the foregoing Declaration of Condominiums, and do hereby acknowledge that the same are my act and deed, and that they are duly recorded in the public records of Kootenai County, Idaho, under the name of the undersigned, and acknowledged to be my act and deed on the day and date hereinafter set forth.

NAME OF \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008  
 ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, Notary Public, do hereby certify that the foregoing Declaration of Condominiums was executed by the undersigned on the day and date hereinafter set forth, and that the same are their act and deed, and that they are duly recorded in the public records of Kootenai County, Idaho, under the name of the undersigned, and acknowledged to be their act and deed on the day and date hereinafter set forth.

NOTARY PUBLIC FOR \_\_\_\_\_  
 RESIDING AT \_\_\_\_\_  
 MY COMMISSION EXPIRES \_\_\_\_\_

**COUNTY SURVEYOR**

I, \_\_\_\_\_, County Surveyor, do hereby certify that the foregoing Declaration of Condominiums was executed by the undersigned on the day and date hereinafter set forth, and that the same are their act and deed, and that they are duly recorded in the public records of Kootenai County, Idaho, under the name of the undersigned, and acknowledged to be their act and deed on the day and date hereinafter set forth.

COEUR D'ALENE COUNTY SURVEYOR



**COUNTY RECORDER'S CERTIFICATE**

I hereby certify that the foregoing Declaration of Condominiums was recorded in the public records of Kootenai County, Idaho, under the name of the undersigned, and acknowledged to be their act and deed on the day and date hereinafter set forth.

COEUR D'ALENE COUNTY RECORDER

**CITY COUNCIL CERTIFICATE**

THE CITY COUNCIL HAS HEREBY APPROVED BY RESOLUTION OF THE CITY OF COEUR D'ALENE, IDAHO, THE RECORDATION OF THE FOREGOING DECLARATION OF CONDOMINIUMS.

CITY OF COEUR D'ALENE, MAYOR \_\_\_\_\_ CITY CLERK \_\_\_\_\_ CITY OF COEUR D'ALENE

**CITY ENGINEER'S CERTIFICATE**

I hereby certify that I have examined the foregoing Declaration of Condominiums and find that the same are in conformity with the laws of the State of Idaho, and that they are duly recorded in the public records of Kootenai County, Idaho, under the name of the undersigned, and acknowledged to be their act and deed on the day and date hereinafter set forth.

CITY OF COEUR D'ALENE, CITY ENGINEER \_\_\_\_\_

**HEALTH DISTRICT APPROVAL**

A health department approval is not required for the recording of the foregoing Declaration of Condominiums, and therefore no such approval is required.

HEALTH DISTRICT APPROVAL DATE \_\_\_\_\_ 2008

SANITARY DISTRICTS SAID TO BE IN FULL FORCE AND EFFECT ON \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008

FINANCIAL DISTRICT APPROVAL DATE \_\_\_\_\_ 2008

**COUNTY TREASURER'S CERTIFICATE**

I hereby certify that the foregoing Declaration of Condominiums was recorded in the public records of Kootenai County, Idaho, under the name of the undersigned, and acknowledged to be their act and deed on the day and date hereinafter set forth.

COEUR D'ALENE COUNTY TREASURER



**DAVID L. BROWN**  
 PROFESSIONAL LAND SURVEYOR  
 No. 11187  
 STATE OF IDAHO  
 COEUR D'ALENE COUNTY

**DAVID L. BROWN & ASSOCIATES, INC.**  
 1000 W. MAIN ST., SUITE 200  
 COEUR D'ALENE, IDAHO 83814  
 (208) 765-1111  
 WWW.DLB-SURVEYORS.COM

SECTION	TWN.	RNG.	BLK.
12	50N	4W	41



**TO:** Planning Commission  
**FROM:** Christopher H. Bates, Project Manager  
**DATE:** January 9, 2007  
**SUBJECT:** **SS-2-07, Idaho Pacific West LLC Condominiums**

---

**DECISION POINT**

Approve or deny the applicant's request for a one (1) building, two (2) unit residential condominium subdivision.

**GENERAL INFORMATION**

1. Applicant: Mike Hathaway  
Ruen-Yeager & Associates  
3201 N Huetter Road  
Suite 102  
Coeur d'Alene, ID 83814
2. Request: Approval of a one (1) building, two (2) unit residential condominium subdivision.
3. Location: Kaleigh Court, north of Spokane Avenue between 7<sup>th</sup> & 9<sup>th</sup> Streets.

**PERFORMANCE ANALYSIS**

1. Zoning: Existing zoning for the subject property is R-12 which is intended to be a residential area that permits a mix of housing types at a density not to exceed 12 units/acre.
2. Land Use: The structure on the subject property is existing and was permitted as a duplex unit.

Infrastructure: Utilities, Streets, & Storm Water Facilities

**Utilities:** Sewer & Water

The existing structure is connected to City sewer and water utilities.

**Streets:** The public street adjoining the subject property is fully developed.

**Fire:** Fire protection was adequately addressed at the time of building construction on the subject property, and, with the underlying subdivision.

**Storm Water:** Street and site drainage were addressed with the underlying development and meet City requirements.

**Proposed Conditions:**

None

**DECISION POINT RECOMMENDATION**

Approve the proposed subdivision plat in its submitted configuration.



# IDAHO PACIFIC WEST LLC CONDOS

LOT 8, BLOCK 1 OF JAE'S PLACE,  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 50 NORTH, RANGE 4 WEST,  
BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
INSTRUMENT NO. \_\_\_\_\_

## OWNERS' CERTIFICATE AND DEDICATION

THE CITY OF COEUR D'ALENE, IDAHO, HAS RECEIVED THE RECORDS OF THE REAL PROPERTY DESCRIBED ON THE DEDICATION, HAS CAUSED THE SAME TO BE SURVEYED AND DIVIDED INTO LOTS AND LOTS OF LOTS, AND HAS CAUSED THE SAME TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF KOOTENAI COUNTY, IDAHO, AT THE REQUEST OF \_\_\_\_\_, DAY OF \_\_\_\_\_, 2006, AT \_\_\_\_\_ M., AND ONLY RECORDED IN PLAT BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, INSTRUMENT NO. \_\_\_\_\_

LOT 8, BLOCK 1, JAE'S PLACE, ACCORDING TO THE PLAT RECORDED IN BOOK "J" OF PLATS AT PAGE 254, RECORDS OF KOOTENAI COUNTY, IDAHO, BE IT FURTHER KNOWN THAT DOMESTIC WATER AND IRRIGATION WATER FOR THIS PLAT ARE TO BE SUPPLIED BY THE CITY OF COEUR D'ALENE, BE IT FURTHER KNOWN THAT SANITARY SEWER FOR THIS PLAT IS TO BE SUPPLIED BY THE CITY OF COEUR D'ALENE.

THE LORHOUSE GROUP, INC. DATE \_\_\_\_\_

## STATE OF IDAHO, COUNTY OF KOOTENAI

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, IN THE YEAR 20\_\_\_\_, I, \_\_\_\_\_, PERSONALLY APPEARED TO \_\_\_\_\_, KNOWN OR BELIEVED TO ME TO BE THE MANAGER OR A MEMBER OF SAID PACIFIC WEST, INC., AN OREGON CORPORATION, THAT EXECUTED THE INSTRUMENT OF THE PERSON WHO RECEIVED THE INSTRUMENT ON BEHALF OF SAID LIMITED LIABILITY COMPANY AND ACKNOWLEDGED TO ME THAT SAID LIMITED LIABILITY COMPANY CREDITED THE DEBT.

NOTARY PUBLIC FOR \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

## CONSENT TO RECORDATION

IN WITNESS WHEREOF, THE UNDERSIGNED BENEFICIARY, UNDER WHOSE CERTAIN TERMS OF TRUST COVERING THE REAL PROPERTY SHOWN HEREON DATED SEPTEMBER 18, 2006, RECORDED OCTOBER 11, 2006, AS INSTRUMENT NUMBER 200600000, RECORDS OF KOOTENAI COUNTY, IDAHO, AND DATED OCTOBER 5, 2006, RECORDED OCTOBER 11, 2006, AS INSTRUMENT NUMBER 200600000, RECORDS OF KOOTENAI COUNTY, IDAHO, HAVE CAUSED THEIR SIGNATURES AS EVIDENCE OF THEIR CONSENT TO THE RECORDED INSTRUMENT TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF KOOTENAI COUNTY, IDAHO.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

AMERICAN BROKERS COMPANY

BY \_\_\_\_\_  
STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_, KNOWN TO ME TO BE THE \_\_\_\_\_ OF THE LORHOUSE GROUP, INC., AND THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT ON BEHALF OF SAID CORPORATION, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC FOR \_\_\_\_\_  
RESIDING AT \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

## COUNTY SURVEYOR

I HEREBY CERTIFY THAT I HAVE EXAMINED THE FOREGOING PLAT AND CHECKED THE PLAT COMPUTATIONS, PLATS AND SURVEYS HAVE BEEN MADE.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006

KOOTENAI COUNTY SURVEYOR



**ROBERT J. VEADAR & ASSOCIATES, INC.**  
CONSULTING ENGINEERS - LAND SURVEYORS  
200 N. MYERS BLVD., SUITE 200  
BOISE, IDAHO 83725-1422  
PHONE: 208-333-7100 FAX: 208-333-7101  
WEBSITE: WWW.RJVEADAR.COM

SECTION	TWN.	RNG.	NEE	PLAT DATE
12	50N	4W		07/21/06
PROJECT NO.				0600000000
DRAWING NO.				0600000000
BY: R. J. VEADAR				DATE: 07/21/06

## CITY COUNCIL CERTIFICATE

THIS PLAT HAS BEEN APPROVED BY CITY COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO, DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

CITY OF COEUR D'ALENE - MAYOR \_\_\_\_\_ CITY OF COEUR D'ALENE - CITY CLERK \_\_\_\_\_

## CITY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED, ACCEPTED AND APPROVED THIS PLAT, DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

CITY OF COEUR D'ALENE - CITY ENGINEER \_\_\_\_\_

## HEALTH DISTRICT APPROVAL

A SANITARY RESTRICTION ACCORDING TO IDAHO CODE 56-1306 IS IMPOSED ON THIS PLAT. NO BUILDING, CHIMNEY OR VENTILATOR SHALL BE ERECTED UNLESS SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED AND LISTED.

THIS PLAT APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

PARAMOUNT HEALTH DISTRICT

SANITARY RESTRICTION SATISFIED AND LISTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

PARAMOUNT HEALTH DISTRICT

## COUNTY TREASURER'S CERTIFICATE

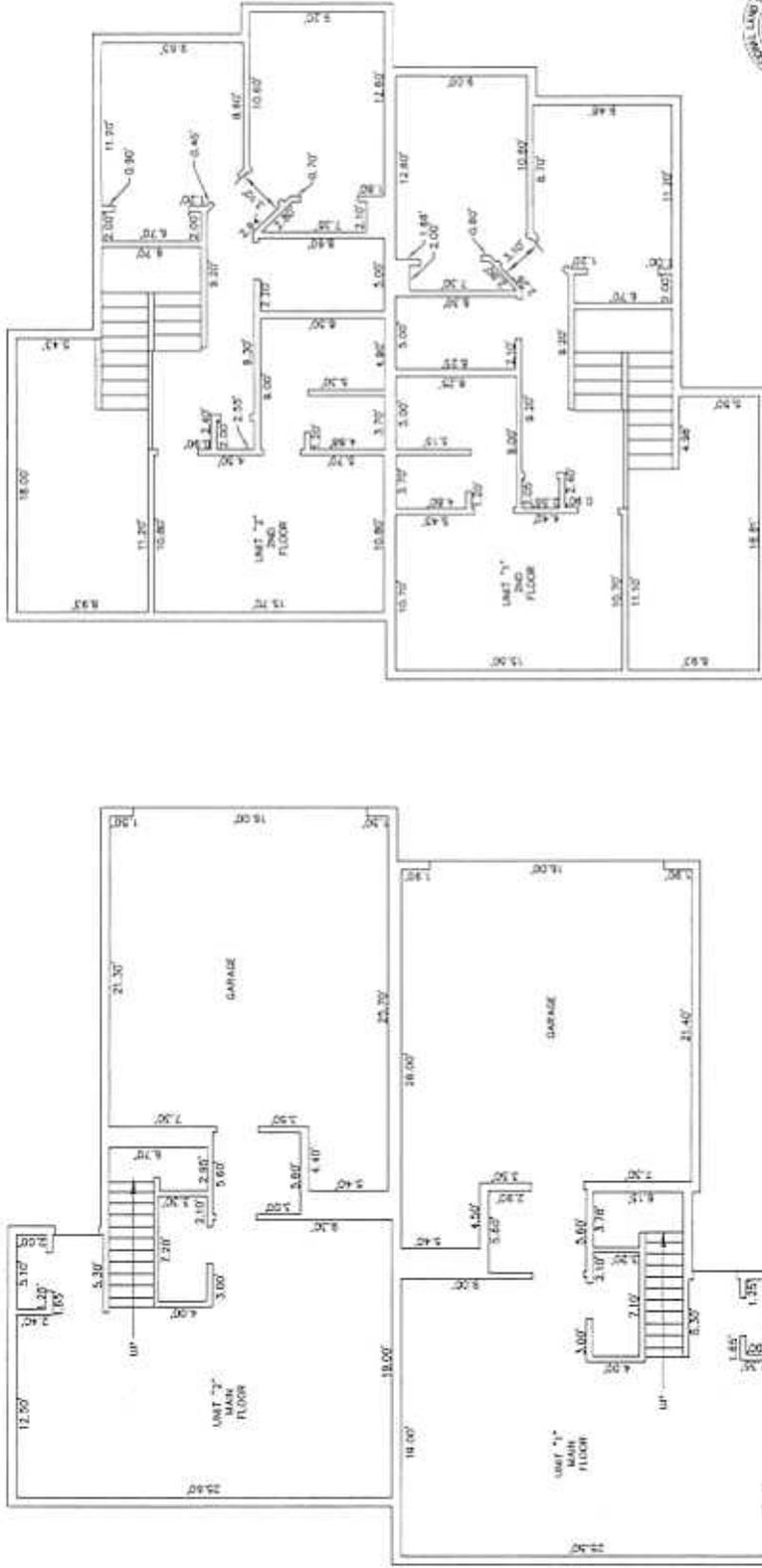
I HEREBY CERTIFY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006, THAT THE REQUIRED TAXES ON THE HEREIN DESCRIBED LAND HAVE BEEN PAID THROUGH \_\_\_\_\_

KOOTENAI COUNTY TREASURER

# IDAHO PACIFIC WEST LLC CONDOS

LOT & BLOCK 1 OF JAE'S PLACE  
 LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 60 NORTH, RANGE 4 WEST,  
 BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 INSTRUMENT NO. \_\_\_\_\_



**RUBEN-TRAZER & ASSOCIATES, INC.**  
 ARCHITECTS  
 300 S. WASHINGTON ST., SUITE 100  
 COEUR D'ALENE, IDAHO 83814  
 PHONE: 208.765.1111  
 FAX: 208.765.1112  
 WWW: WWW.RTARCHITECTS.COM



SECTION	TWN.	RNG.	SCALE	PLAT DATE
12	50N	4W	1" = 3'	08/20/14



UNIT #	AREA	FLOOR ELEVATION	CEILING ELEVATION
A - GARAGE	548 SQ. FT. ±	2003.00'	2010.00'
A - MAIN FLOOR	607 SQ. FT. ±	2003.50'	2010.50'
A - 2ND FLOOR	607 SQ. FT. ±	2203.50'	2210.50'
A - STAIRWELL	32 SQ. FT. ±	N/A	N/A
A - L.C.A.	5,331 SQ. FT. ±	N/A	N/A
B - GARAGE	548 SQ. FT. ±	2003.00'	2010.00'
B - MAIN FLOOR	607 SQ. FT. ±	2003.50'	2010.50'
B - 2ND FLOOR	607 SQ. FT. ±	2203.50'	2210.50'
B - STAIRWELL	32 SQ. FT. ±	N/A	N/A
B - L.C.A.	3,222 SQ. FT. ±	N/A	N/A

A - MAIN FLOOR AREA INCLUDES GARAGE.  
 L.C.A. = LIMITED COMMON AREA

**TO:** Planning Commission  
**FROM:** Christopher H. Bates, Project Manager  
**DATE:** January 9, 2007  
**SUBJECT:** **SS-3-07, Riverfront House**

---

### **DECISION POINT**

Approve or deny the applicant's request for a two (2) building, forty-four (44) unit commercial/residential condominium subdivision.

### **GENERAL INFORMATION**

1. Applicant: Roger A. Nelson  
River House Development, Inc.  
PO Box 3070  
Coeur d'Alene, ID 83816
2. Request: Approval of a two (2) building, forty-four (44) unit commercial/residential condominium subdivision. The structures will have underground parking, with 1<sup>st</sup> floor commercial use, and, four additional floors of residential use.
3. Location: Bellerive Lane at the end of Beebe Boulevard.

### **PERFORMANCE ANALYSIS**

1. Zoning: Existing zoning for the subject property is C-17 (PUD-1-04) which is intended to be a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial uses, as well as residential at density not to exceed 17 units/acre.
2. Land Use: The two (2) structures on the subject property have been permitted through the building permit process and construction activity is underway.

Infrastructure: Utilities, Streets, & Storm Water Facilities

**Utilities:** Sewer & Water

Sewer and water service are provided to the subject property.

**Streets:** The private street adjoining the subject property is fully developed.

**Fire:** Fire protection was adequately addressed with the building permit, and, at the time of infrastructure construction for the underlying subdivision.

**Storm Water:** Street and site drainage were addressed with the underlying development and meet City requirements.

### **Proposed Conditions:**

None

### **DECISION POINT RECOMMENDATION**

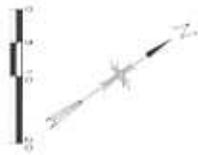
Approve the proposed subdivision plat in its submitted configuration.

ss307pc



# RIVERFRONT HOUSE

CONDOMINIUM #541  
 DEVELOPER: JUB ENGINEERS, INC. 7035 WASHINGTON AVENUE, SUITE 100, WASHINGTON, DC 20004  
 ARCHITECT: JUB ENGINEERS, INC. 7035 WASHINGTON AVENUE, SUITE 100, WASHINGTON, DC 20004



UNIT	CLASS	FLOOR	NET AREA	GROSS AREA
01	RESIDENTIAL	1	1,100	1,100
02	RESIDENTIAL	1	1,100	1,100
03	RESIDENTIAL	1	1,100	1,100
04	RESIDENTIAL	1	1,100	1,100
05	RESIDENTIAL	1	1,100	1,100
06	RESIDENTIAL	1	1,100	1,100
07	RESIDENTIAL	1	1,100	1,100
08	RESIDENTIAL	1	1,100	1,100
09	RESIDENTIAL	1	1,100	1,100
10	RESIDENTIAL	1	1,100	1,100
11	RESIDENTIAL	1	1,100	1,100
12	RESIDENTIAL	1	1,100	1,100
13	RESIDENTIAL	1	1,100	1,100
14	RESIDENTIAL	1	1,100	1,100
15	RESIDENTIAL	1	1,100	1,100
16	RESIDENTIAL	1	1,100	1,100
17	RESIDENTIAL	1	1,100	1,100
18	RESIDENTIAL	1	1,100	1,100
19	RESIDENTIAL	1	1,100	1,100
20	RESIDENTIAL	1	1,100	1,100
21	RESIDENTIAL	1	1,100	1,100
22	RESIDENTIAL	1	1,100	1,100
23	RESIDENTIAL	1	1,100	1,100
24	RESIDENTIAL	1	1,100	1,100
25	RESIDENTIAL	1	1,100	1,100
26	RESIDENTIAL	1	1,100	1,100
27	RESIDENTIAL	1	1,100	1,100
28	RESIDENTIAL	1	1,100	1,100
29	RESIDENTIAL	1	1,100	1,100
30	RESIDENTIAL	1	1,100	1,100
31	RESIDENTIAL	1	1,100	1,100
32	RESIDENTIAL	1	1,100	1,100
33	RESIDENTIAL	1	1,100	1,100
34	RESIDENTIAL	1	1,100	1,100
35	RESIDENTIAL	1	1,100	1,100
36	RESIDENTIAL	1	1,100	1,100
37	RESIDENTIAL	1	1,100	1,100
38	RESIDENTIAL	1	1,100	1,100
39	RESIDENTIAL	1	1,100	1,100
40	RESIDENTIAL	1	1,100	1,100
41	RESIDENTIAL	1	1,100	1,100
42	RESIDENTIAL	1	1,100	1,100
43	RESIDENTIAL	1	1,100	1,100
44	RESIDENTIAL	1	1,100	1,100
45	RESIDENTIAL	1	1,100	1,100
46	RESIDENTIAL	1	1,100	1,100
47	RESIDENTIAL	1	1,100	1,100
48	RESIDENTIAL	1	1,100	1,100
49	RESIDENTIAL	1	1,100	1,100
50	RESIDENTIAL	1	1,100	1,100
51	RESIDENTIAL	1	1,100	1,100
52	RESIDENTIAL	1	1,100	1,100
53	RESIDENTIAL	1	1,100	1,100
54	RESIDENTIAL	1	1,100	1,100
55	RESIDENTIAL	1	1,100	1,100
56	RESIDENTIAL	1	1,100	1,100
57	RESIDENTIAL	1	1,100	1,100
58	RESIDENTIAL	1	1,100	1,100
59	RESIDENTIAL	1	1,100	1,100
60	RESIDENTIAL	1	1,100	1,100
61	RESIDENTIAL	1	1,100	1,100
62	RESIDENTIAL	1	1,100	1,100
63	RESIDENTIAL	1	1,100	1,100
64	RESIDENTIAL	1	1,100	1,100
65	RESIDENTIAL	1	1,100	1,100
66	RESIDENTIAL	1	1,100	1,100
67	RESIDENTIAL	1	1,100	1,100
68	RESIDENTIAL	1	1,100	1,100
69	RESIDENTIAL	1	1,100	1,100
70	RESIDENTIAL	1	1,100	1,100
71	RESIDENTIAL	1	1,100	1,100
72	RESIDENTIAL	1	1,100	1,100
73	RESIDENTIAL	1	1,100	1,100
74	RESIDENTIAL	1	1,100	1,100
75	RESIDENTIAL	1	1,100	1,100
76	RESIDENTIAL	1	1,100	1,100
77	RESIDENTIAL	1	1,100	1,100
78	RESIDENTIAL	1	1,100	1,100
79	RESIDENTIAL	1	1,100	1,100
80	RESIDENTIAL	1	1,100	1,100
81	RESIDENTIAL	1	1,100	1,100
82	RESIDENTIAL	1	1,100	1,100
83	RESIDENTIAL	1	1,100	1,100
84	RESIDENTIAL	1	1,100	1,100
85	RESIDENTIAL	1	1,100	1,100
86	RESIDENTIAL	1	1,100	1,100
87	RESIDENTIAL	1	1,100	1,100
88	RESIDENTIAL	1	1,100	1,100
89	RESIDENTIAL	1	1,100	1,100
90	RESIDENTIAL	1	1,100	1,100
91	RESIDENTIAL	1	1,100	1,100
92	RESIDENTIAL	1	1,100	1,100
93	RESIDENTIAL	1	1,100	1,100
94	RESIDENTIAL	1	1,100	1,100
95	RESIDENTIAL	1	1,100	1,100
96	RESIDENTIAL	1	1,100	1,100
97	RESIDENTIAL	1	1,100	1,100
98	RESIDENTIAL	1	1,100	1,100
99	RESIDENTIAL	1	1,100	1,100
100	RESIDENTIAL	1	1,100	1,100

**PRELIMINARY**

**JUB ENGINEERS, INC.**  
 7035 WASHINGTON AVENUE, SUITE 100  
 WASHINGTON, DC 20004  
 TEL: (202) 462-1100  
 FAX: (202) 462-1101  
 WWW: JUBENGINEERS.COM

**SECTION 10**  
 CONDOMINIUM #541  
 RIVERFRONT HOUSE  
 WASHINGTON, DC 20004

**SCALE: 1/8" = 1'-0"**

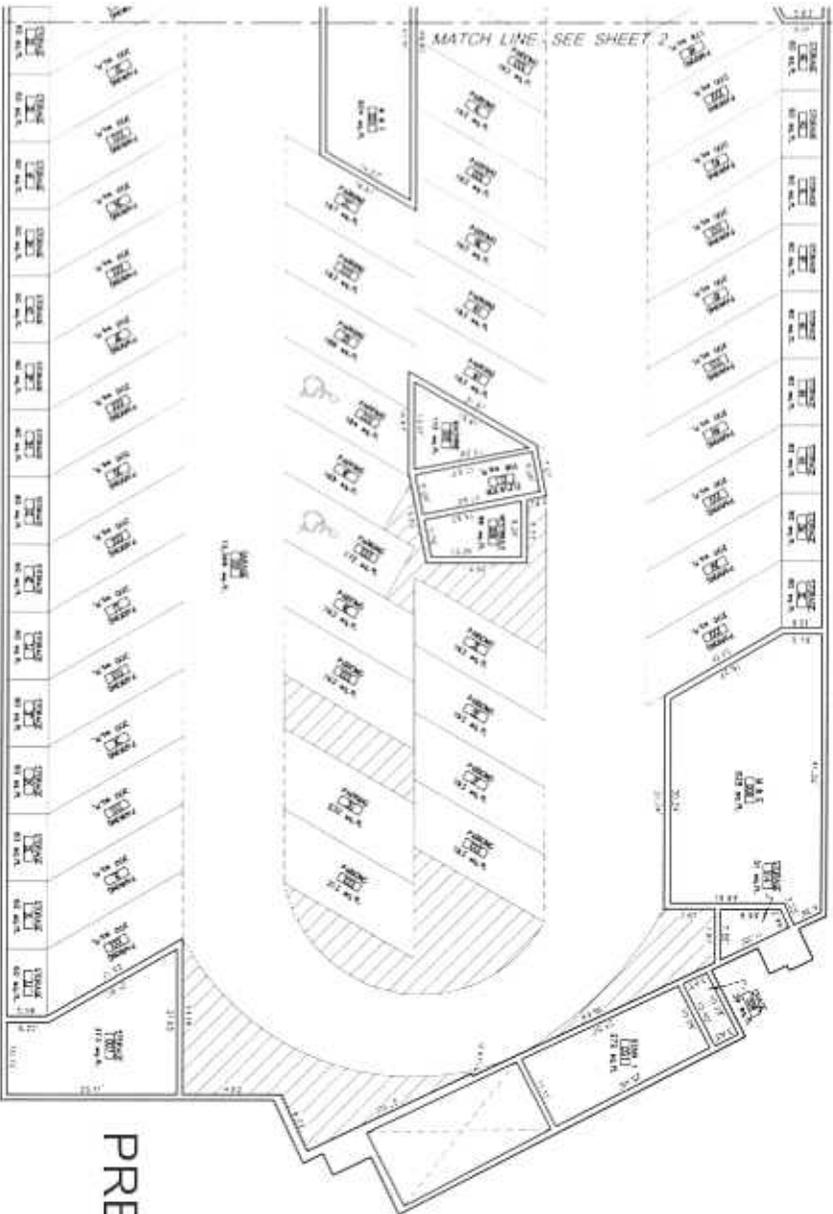
**DATE: 10/15/2008**

**PROJECT NO: 08-001**

MATCH LINE - SEE SHEET 3

# RIVERFRONT HOUSE

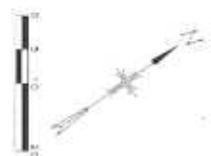
CONDOMINIUM PLAN  
 PROPOSED LOT 6, BLOCK 2, SHELTON'S SUBDIVISION, SECTION 19, TOWNSHIP 30 NORTH,  
 RANGE 4 WEST, 60TH MERIDIAN, IN THE CITY OF COLORADO SPRINGS, PUEBLO COUNTY, COLORADO



UNIT	ROOM	FLOOR FIN.	FINISH HEIGHT
001-001	CL. 1	21.25'-0"	4'-00"-0"
001-002	CL. 2	21.25'-0"	4'-00"-0"
001-003	CL. 3	21.25'-0"	4'-00"-0"
001-004	CL. 4	21.25'-0"	4'-00"-0"
001-005	CL. 5	21.25'-0"	4'-00"-0"
001-006	CL. 6	21.25'-0"	4'-00"-0"
001-007	CL. 7	21.25'-0"	4'-00"-0"
001-008	CL. 8	21.25'-0"	4'-00"-0"
001-009	CL. 9	21.25'-0"	4'-00"-0"
001-010	CL. 10	21.25'-0"	4'-00"-0"
001-011	CL. 11	21.25'-0"	4'-00"-0"
001-012	CL. 12	21.25'-0"	4'-00"-0"
001-013	CL. 13	21.25'-0"	4'-00"-0"
001-014	CL. 14	21.25'-0"	4'-00"-0"
001-015	CL. 15	21.25'-0"	4'-00"-0"
001-016	CL. 16	21.25'-0"	4'-00"-0"
001-017	CL. 17	21.25'-0"	4'-00"-0"
001-018	CL. 18	21.25'-0"	4'-00"-0"
001-019	CL. 19	21.25'-0"	4'-00"-0"
001-020	CL. 20	21.25'-0"	4'-00"-0"
001-021	CL. 21	21.25'-0"	4'-00"-0"
001-022	CL. 22	21.25'-0"	4'-00"-0"
001-023	CL. 23	21.25'-0"	4'-00"-0"
001-024	CL. 24	21.25'-0"	4'-00"-0"
001-025	CL. 25	21.25'-0"	4'-00"-0"
001-026	CL. 26	21.25'-0"	4'-00"-0"
001-027	CL. 27	21.25'-0"	4'-00"-0"
001-028	CL. 28	21.25'-0"	4'-00"-0"
001-029	CL. 29	21.25'-0"	4'-00"-0"
001-030	CL. 30	21.25'-0"	4'-00"-0"
001-031	CL. 31	21.25'-0"	4'-00"-0"
001-032	CL. 32	21.25'-0"	4'-00"-0"
001-033	CL. 33	21.25'-0"	4'-00"-0"
001-034	CL. 34	21.25'-0"	4'-00"-0"
001-035	CL. 35	21.25'-0"	4'-00"-0"
001-036	CL. 36	21.25'-0"	4'-00"-0"
001-037	CL. 37	21.25'-0"	4'-00"-0"
001-038	CL. 38	21.25'-0"	4'-00"-0"
001-039	CL. 39	21.25'-0"	4'-00"-0"
001-040	CL. 40	21.25'-0"	4'-00"-0"
001-041	CL. 41	21.25'-0"	4'-00"-0"
001-042	CL. 42	21.25'-0"	4'-00"-0"
001-043	CL. 43	21.25'-0"	4'-00"-0"
001-044	CL. 44	21.25'-0"	4'-00"-0"
001-045	CL. 45	21.25'-0"	4'-00"-0"
001-046	CL. 46	21.25'-0"	4'-00"-0"
001-047	CL. 47	21.25'-0"	4'-00"-0"
001-048	CL. 48	21.25'-0"	4'-00"-0"
001-049	CL. 49	21.25'-0"	4'-00"-0"
001-050	CL. 50	21.25'-0"	4'-00"-0"
001-051	CL. 51	21.25'-0"	4'-00"-0"
001-052	CL. 52	21.25'-0"	4'-00"-0"
001-053	CL. 53	21.25'-0"	4'-00"-0"
001-054	CL. 54	21.25'-0"	4'-00"-0"
001-055	CL. 55	21.25'-0"	4'-00"-0"
001-056	CL. 56	21.25'-0"	4'-00"-0"
001-057	CL. 57	21.25'-0"	4'-00"-0"
001-058	CL. 58	21.25'-0"	4'-00"-0"
001-059	CL. 59	21.25'-0"	4'-00"-0"
001-060	CL. 60	21.25'-0"	4'-00"-0"
001-061	CL. 61	21.25'-0"	4'-00"-0"
001-062	CL. 62	21.25'-0"	4'-00"-0"
001-063	CL. 63	21.25'-0"	4'-00"-0"
001-064	CL. 64	21.25'-0"	4'-00"-0"
001-065	CL. 65	21.25'-0"	4'-00"-0"
001-066	CL. 66	21.25'-0"	4'-00"-0"
001-067	CL. 67	21.25'-0"	4'-00"-0"
001-068	CL. 68	21.25'-0"	4'-00"-0"
001-069	CL. 69	21.25'-0"	4'-00"-0"
001-070	CL. 70	21.25'-0"	4'-00"-0"
001-071	CL. 71	21.25'-0"	4'-00"-0"
001-072	CL. 72	21.25'-0"	4'-00"-0"
001-073	CL. 73	21.25'-0"	4'-00"-0"
001-074	CL. 74	21.25'-0"	4'-00"-0"
001-075	CL. 75	21.25'-0"	4'-00"-0"
001-076	CL. 76	21.25'-0"	4'-00"-0"
001-077	CL. 77	21.25'-0"	4'-00"-0"
001-078	CL. 78	21.25'-0"	4'-00"-0"
001-079	CL. 79	21.25'-0"	4'-00"-0"
001-080	CL. 80	21.25'-0"	4'-00"-0"
001-081	CL. 81	21.25'-0"	4'-00"-0"
001-082	CL. 82	21.25'-0"	4'-00"-0"
001-083	CL. 83	21.25'-0"	4'-00"-0"
001-084	CL. 84	21.25'-0"	4'-00"-0"
001-085	CL. 85	21.25'-0"	4'-00"-0"
001-086	CL. 86	21.25'-0"	4'-00"-0"
001-087	CL. 87	21.25'-0"	4'-00"-0"
001-088	CL. 88	21.25'-0"	4'-00"-0"
001-089	CL. 89	21.25'-0"	4'-00"-0"
001-090	CL. 90	21.25'-0"	4'-00"-0"
001-091	CL. 91	21.25'-0"	4'-00"-0"
001-092	CL. 92	21.25'-0"	4'-00"-0"
001-093	CL. 93	21.25'-0"	4'-00"-0"
001-094	CL. 94	21.25'-0"	4'-00"-0"
001-095	CL. 95	21.25'-0"	4'-00"-0"
001-096	CL. 96	21.25'-0"	4'-00"-0"
001-097	CL. 97	21.25'-0"	4'-00"-0"
001-098	CL. 98	21.25'-0"	4'-00"-0"
001-099	CL. 99	21.25'-0"	4'-00"-0"
001-100	CL. 100	21.25'-0"	4'-00"-0"

NOT TO SCALE - ARCHITECTURE AND ELECTRICAL

**PRELIMINARY**



**BASEMENT - EAST END**

LOT 6, BLOCK 2, SHELTON'S SUBDIVISION, SECTION 19, TOWNSHIP 30 NORTH, RANGE 4 WEST, 60TH MERIDIAN, IN THE CITY OF COLORADO SPRINGS, PUEBLO COUNTY, COLORADO

**J-U-B ENGINEERS, INC.**  
 1000 UNIVERSITY BLVD.  
 COLORADO SPRINGS, COLORADO 80902

PROJECT NO. 20-0011

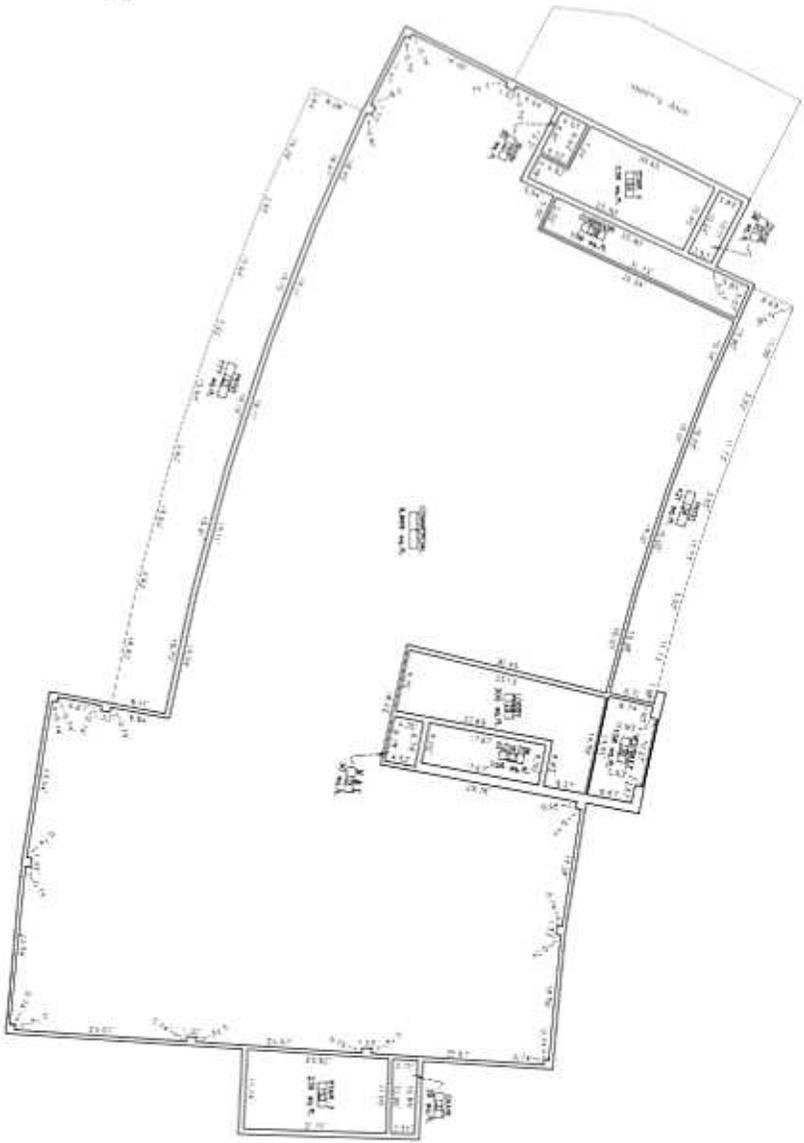
DATE: 11-11-11

SCALE: 1/4" = 1'-0"

DESIGNER: JUB  
 CHECKER: JUB  
 PROJECT MANAGER: JUB

# RIVERFRONT HOUSE

CONDOMINIUM PLAN  
 PROPOSED LOT 2, BLOCK 2, BELLEVUE SUBDIVISION, SECTION 10, TOWNSHIP 20 NORTH,  
 RANGE 4 WEST, 10TH WARDEN IN THE CITY OF COQUITLA, BRITISH COLUMBIA, CANADA



MATCH LINE - SEE SHEET 5

NO.	DESCRIPTION	AREA (SQ. FT.)	CONC. (CU. YD.)
1	FOUNDATION	1,110.00	1.87
2	1ST FLOOR	1,110.00	1.87
3	2ND FLOOR	1,110.00	1.87
4	ROOF	1,110.00	1.87
5	WALLS	1,110.00	1.87
6	CEILING	1,110.00	1.87
7	FLOORING	1,110.00	1.87
8	PAINT	1,110.00	1.87
9	MECHANICAL	1,110.00	1.87
10	ELECTRICAL	1,110.00	1.87
11	PLUMBING	1,110.00	1.87
12	LANDSCAPE	1,110.00	1.87
13	TOTAL	13,320.00	22.45

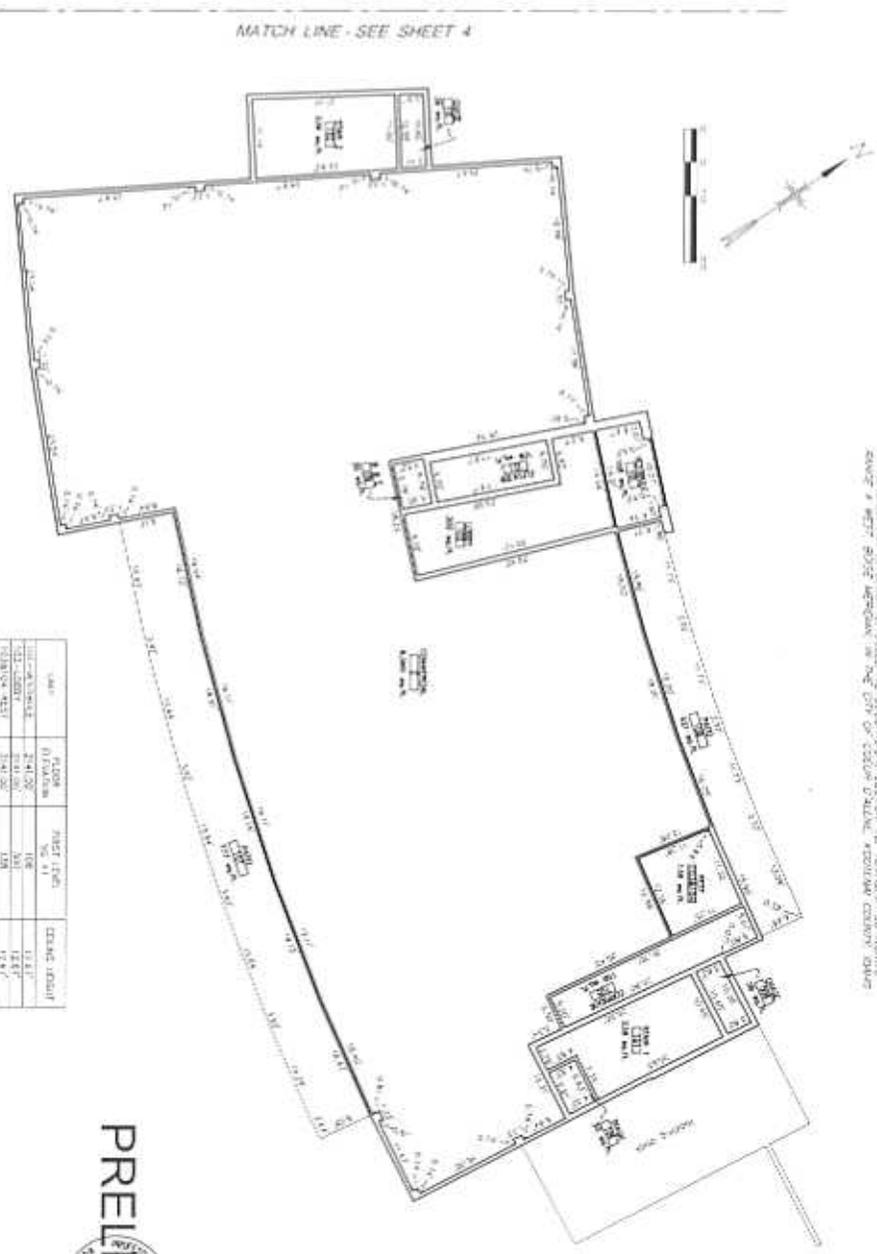
**PRELIMINARY**



<b>JUB ENGINEERS, INC.</b> 1000 WEST 10TH AVENUE VANCOUVER, B.C. V6H 1A5 TEL: 604-275-1111 FAX: 604-275-1112	
<b>1ST FLOOR - BUILDING A</b> LOT 2, BLOCK 2, BELLEVUE SUBDIVISION, SECTION 10, TOWNSHIP 20 NORTH, RANGE 4 WEST, 10TH WARDEN IN THE CITY OF COQUITLA, BRITISH COLUMBIA, CANADA	DATE: 08/11/2011 DRAWN BY: JUB CHECKED BY: JUB SCALE: 1/8" = 1'-0"

# RIVERFRONT HOUSE

CONDOMINIUM PLAN  
 PRELIMINARY 1ST FLOOR 2. SHEDDING STRUCTURE SECTION TO CORNER OF NORTH  
 DRIVE & WEST SIDE APPROXIMATE TO THE CITY OF COCKER DENTAL PROFESSIONAL CENTER DRIVE



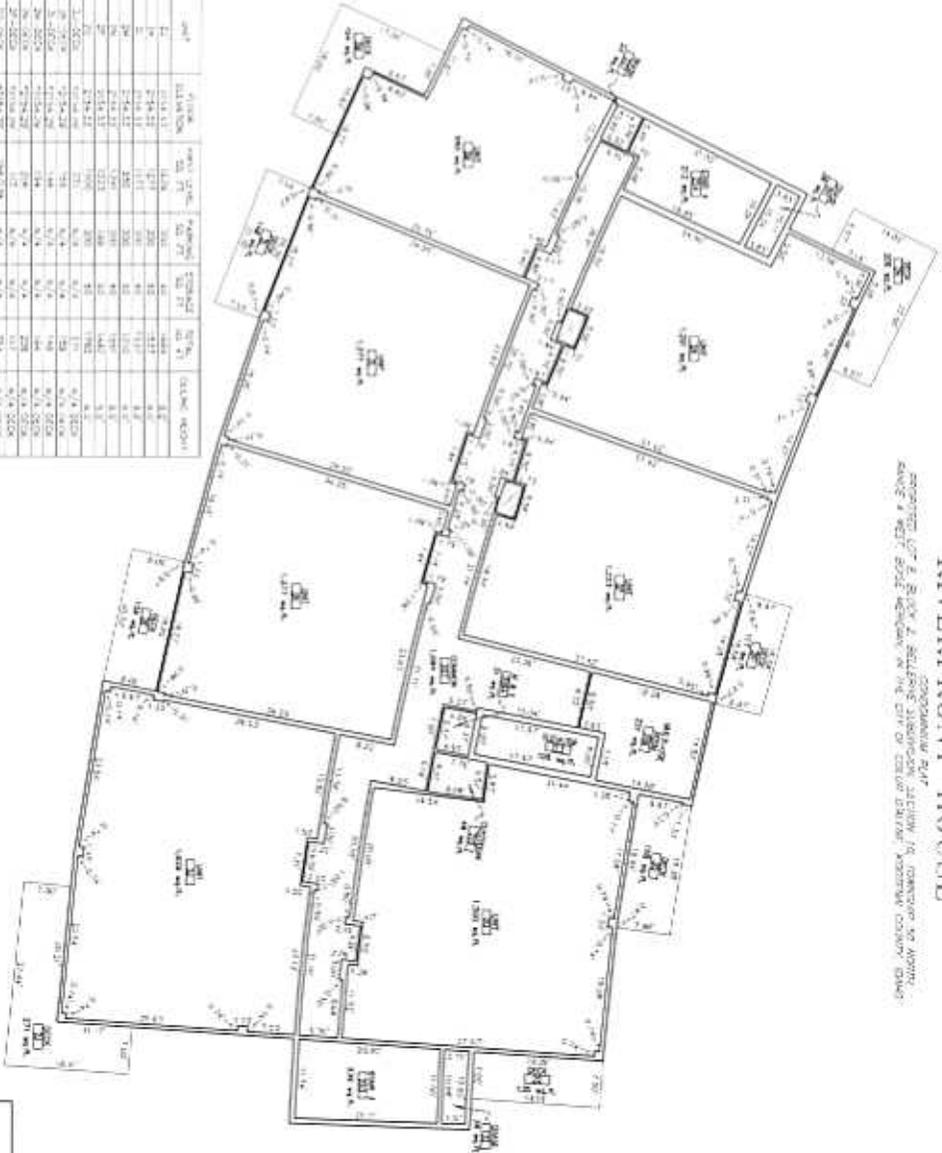
ROOM	FLOOR	AREA (SQ. FT.)	FINISH	CEILING HEIGHT
1ST FLOOR	2,411.00	108	11.1'	11.1'
2ND FLOOR	8,010.00	101	11.1'	11.1'
3RD FLOOR	1,241.00	101	11.1'	11.1'
4TH FLOOR	2,411.00	101	11.1'	11.1'
5TH FLOOR	2,411.00	101	11.1'	11.1'
6TH FLOOR	2,411.00	101	11.1'	11.1'
7TH FLOOR	2,411.00	101	11.1'	11.1'
8TH FLOOR	2,411.00	101	11.1'	11.1'
9TH FLOOR	2,411.00	101	11.1'	11.1'
10TH FLOOR	2,411.00	101	11.1'	11.1'
11TH FLOOR	2,411.00	101	11.1'	11.1'
12TH FLOOR	2,411.00	101	11.1'	11.1'
13TH FLOOR	2,411.00	101	11.1'	11.1'
14TH FLOOR	2,411.00	101	11.1'	11.1'
15TH FLOOR	2,411.00	101	11.1'	11.1'
16TH FLOOR	2,411.00	101	11.1'	11.1'
17TH FLOOR	2,411.00	101	11.1'	11.1'
18TH FLOOR	2,411.00	101	11.1'	11.1'
19TH FLOOR	2,411.00	101	11.1'	11.1'
20TH FLOOR	2,411.00	101	11.1'	11.1'
21ST FLOOR	2,411.00	101	11.1'	11.1'
22ND FLOOR	2,411.00	101	11.1'	11.1'
23RD FLOOR	2,411.00	101	11.1'	11.1'
24TH FLOOR	2,411.00	101	11.1'	11.1'
25TH FLOOR	2,411.00	101	11.1'	11.1'
26TH FLOOR	2,411.00	101	11.1'	11.1'
27TH FLOOR	2,411.00	101	11.1'	11.1'
28TH FLOOR	2,411.00	101	11.1'	11.1'
29TH FLOOR	2,411.00	101	11.1'	11.1'
30TH FLOOR	2,411.00	101	11.1'	11.1'

<b>PRELIMINARY</b> PRELIMINARY	
<b>1ST FLOOR - BUILDING B</b> 1ST FLOOR - BUILDING B SECTION TO CORNER OF NORTH DRIVE & WEST SIDE APPROXIMATE TO THE CITY OF COCKER DENTAL PROFESSIONAL CENTER DRIVE	
<b>JUB ENGINEERS, INC.</b> 7325 Macomber Ave. Columbia, MD 21046	DATE: 08/11/2010 PROJECT NO: 2010-014

SCALE: 1/8" = 1'-0"

# RIVERFRONT HOUSE

CONDOMINIUM PLAN  
 PREPARED BY E. BUCK & ASSOCIATES ARCHITECTS, INC. IN COMPLIANCE WITH  
 CHAPTER 14.01, RCW, AND CHAPTER 19.07, RCW, AND THE CITY OF SEASIDE BUILDING DEPARTMENT ORDINANCE



UNIT	FLOOR	AREA (SQ. FT.)	PERCENTAGE	COMMON AREA
1	2ND	1,124.11	100%	0.00%
2	2ND	1,124.11	100%	0.00%
3	2ND	1,124.11	100%	0.00%
4	2ND	1,124.11	100%	0.00%
5	2ND	1,124.11	100%	0.00%
6	2ND	1,124.11	100%	0.00%
7	2ND	1,124.11	100%	0.00%
8	2ND	1,124.11	100%	0.00%
9	2ND	1,124.11	100%	0.00%
10	2ND	1,124.11	100%	0.00%
11	2ND	1,124.11	100%	0.00%
12	2ND	1,124.11	100%	0.00%
13	2ND	1,124.11	100%	0.00%
14	2ND	1,124.11	100%	0.00%
15	2ND	1,124.11	100%	0.00%
16	2ND	1,124.11	100%	0.00%
17	2ND	1,124.11	100%	0.00%
18	2ND	1,124.11	100%	0.00%
19	2ND	1,124.11	100%	0.00%
20	2ND	1,124.11	100%	0.00%
21	2ND	1,124.11	100%	0.00%
22	2ND	1,124.11	100%	0.00%
23	2ND	1,124.11	100%	0.00%
24	2ND	1,124.11	100%	0.00%
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26	2ND	1,124.11	100%	0.00%
27	2ND	1,124.11	100%	0.00%
28	2ND	1,124.11	100%	0.00%
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30	2ND	1,124.11	100%	0.00%
31	2ND	1,124.11	100%	0.00%
32	2ND	1,124.11	100%	0.00%
33	2ND	1,124.11	100%	0.00%
34	2ND	1,124.11	100%	0.00%
35	2ND	1,124.11	100%	0.00%
36	2ND	1,124.11	100%	0.00%
37	2ND	1,124.11	100%	0.00%
38	2ND	1,124.11	100%	0.00%
39	2ND	1,124.11	100%	0.00%
40	2ND	1,124.11	100%	0.00%
41	2ND	1,124.11	100%	0.00%
42	2ND	1,124.11	100%	0.00%
43	2ND	1,124.11	100%	0.00%
44	2ND	1,124.11	100%	0.00%
45	2ND	1,124.11	100%	0.00%
46	2ND	1,124.11	100%	0.00%
47	2ND	1,124.11	100%	0.00%
48	2ND	1,124.11	100%	0.00%
49	2ND	1,124.11	100%	0.00%
50	2ND	1,124.11	100%	0.00%
51	2ND	1,124.11	100%	0.00%
52	2ND	1,124.11	100%	0.00%
53	2ND	1,124.11	100%	0.00%
54	2ND	1,124.11	100%	0.00%
55	2ND	1,124.11	100%	0.00%
56	2ND	1,124.11	100%	0.00%
57	2ND	1,124.11	100%	0.00%
58	2ND	1,124.11	100%	0.00%
59	2ND	1,124.11	100%	0.00%
60	2ND	1,124.11	100%	0.00%
61	2ND	1,124.11	100%	0.00%
62	2ND	1,124.11	100%	0.00%
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66	2ND	1,124.11	100%	0.00%
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69	2ND	1,124.11	100%	0.00%
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72	2ND	1,124.11	100%	0.00%
73	2ND	1,124.11	100%	0.00%
74	2ND	1,124.11	100%	0.00%
75	2ND	1,124.11	100%	0.00%
76	2ND	1,124.11	100%	0.00%
77	2ND	1,124.11	100%	0.00%
78	2ND	1,124.11	100%	0.00%
79	2ND	1,124.11	100%	0.00%
80	2ND	1,124.11	100%	0.00%
81	2ND	1,124.11	100%	0.00%
82	2ND	1,124.11	100%	0.00%
83	2ND	1,124.11	100%	0.00%
84	2ND	1,124.11	100%	0.00%
85	2ND	1,124.11	100%	0.00%
86	2ND	1,124.11	100%	0.00%
87	2ND	1,124.11	100%	0.00%
88	2ND	1,124.11	100%	0.00%
89	2ND	1,124.11	100%	0.00%
90	2ND	1,124.11	100%	0.00%
91	2ND	1,124.11	100%	0.00%
92	2ND	1,124.11	100%	0.00%
93	2ND	1,124.11	100%	0.00%
94	2ND	1,124.11	100%	0.00%
95	2ND	1,124.11	100%	0.00%
96	2ND	1,124.11	100%	0.00%
97	2ND	1,124.11	100%	0.00%
98	2ND	1,124.11	100%	0.00%
99	2ND	1,124.11	100%	0.00%
100	2ND	1,124.11	100%	0.00%

\* MEASUREMENT FOR ROOMS ARE FROM THE 2000  
 DATE OF REVISION AND DISTINCTION.

MATCH LINE - SEE SHEET 7

**PRELIMINARY**



**JUB**  
 JUB ENGINEERS, INC.  
 700 N. WASHINGTON ST.  
 SEASIDE, CA 94138  
 TEL: (415) 435-1234  
 FAX: (415) 435-1235  
 WWW: www.jub.com

SECTION TO BE SHOWN AT 20' HORIZONTAL SCALE & 1/4" VERTICAL SCALE  
 NORTH ARROW, CITY OF SEASIDE, CALIFORNIA, 2000

DATE: 11-10-10









# RIVERFRONT HOUSE

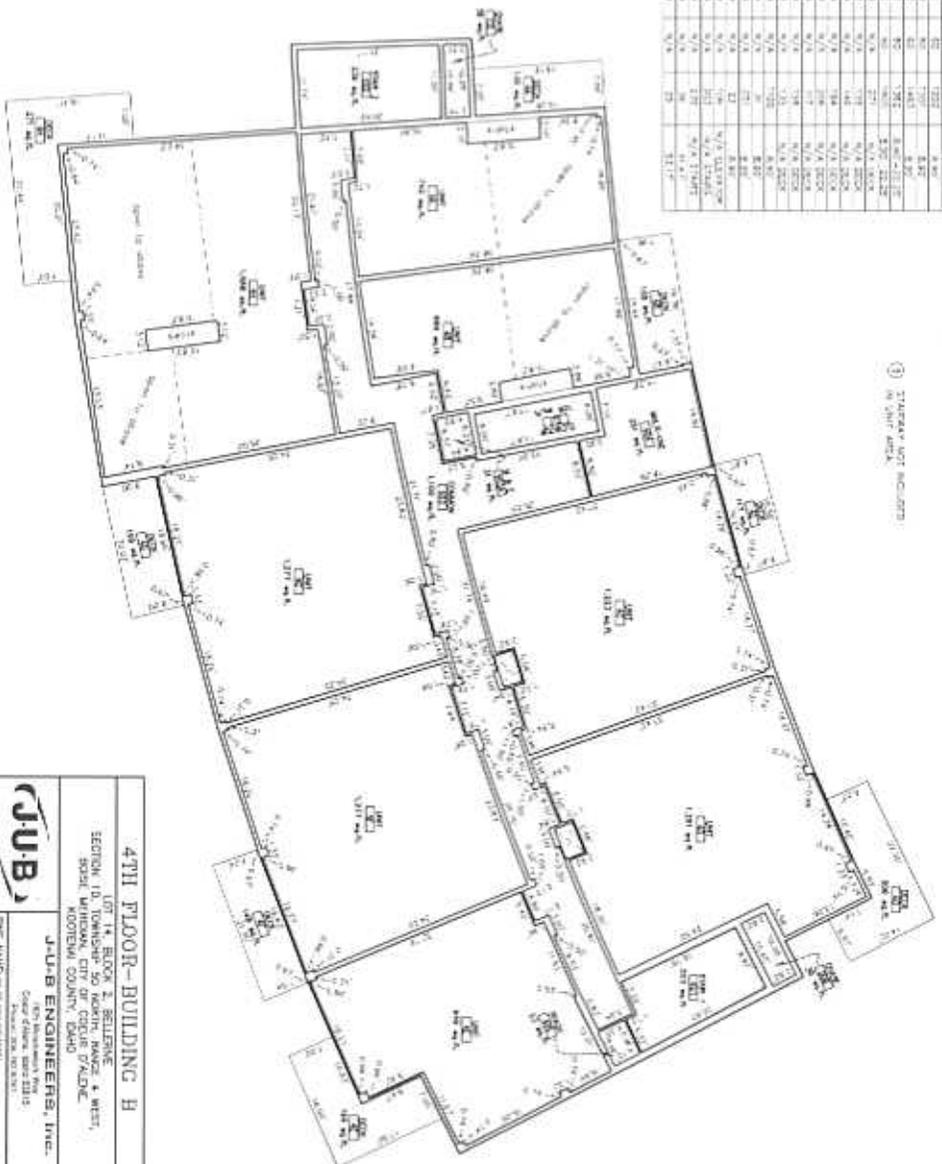
CONTRACT NO. 744  
 PROJECT NO. 101  
 ARCHITECT: J. U-B ENGINEERS, INC.  
 1000 N. W. 10TH AVENUE, SUITE 100, MIAMI, FL 33136  
 DATE: 10/15/10

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	FOUNDATION CONCRETE	100	CU YD	120.00	12000.00
2	FOUNDATION REINFORCING	100	LB	1.50	1500.00
3	FOUNDATION FORMWORK	100	SQ YD	10.00	1000.00
4	FOUNDATION BRICK	100	SQ YD	15.00	1500.00
5	FOUNDATION PLASTER	100	SQ YD	5.00	500.00
6	FOUNDATION PAINT	100	SQ YD	2.00	200.00
7	FOUNDATION TOTAL				20200.00
8	FOUNDATION PERMIT	1	FEES	500.00	500.00
9	FOUNDATION TOTAL				20700.00

**PRELIMINARY**



MATCH LINE - SEE SHEET 10



1. TYPICAL UNIT RECURSIVE  
 IN OTHER AREAS

**4TH FLOOR-BUILDING H**

LOT 14, BLOCK 3, SELENE  
 SECTION 10, TOWNSHIP 20 NORTH, RANGE 4 WEST,  
 SPOT 10, MIAMI, CITY OF CORDON VALDE,  
 MIAMI COUNTY, FLORIDA

**J-U-B ENGINEERS, Inc.**  
 1000 N. W. 10TH AVENUE, SUITE 100  
 MIAMI, FLORIDA 33136  
 TEL: (305) 571-1111  
 FAX: (305) 571-1112

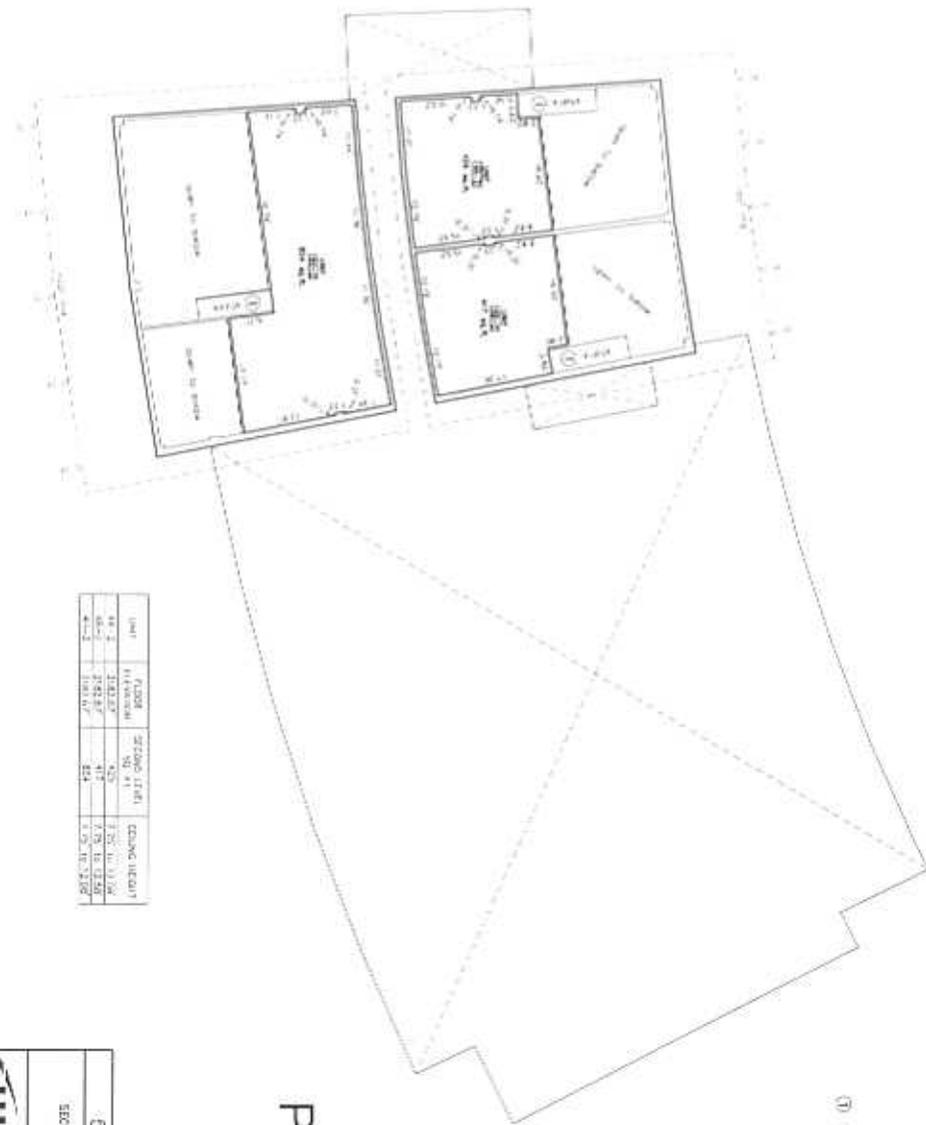
DATE: 10/15/10  
 DRAWN BY: J. U-B  
 CHECKED BY: J. U-B  
 SCALE: 1/4" = 1'-0"



# RIVERFRONT HOUSE

PROPOSED LOT 2, 20' x 70' / CONDOMINIUM UNIT 201, 14' x 28' (APPROX. 20' NORTH) AND 10' x 20' (APPROX. 10' WEST) OF CORNER OF 5TH AVENUE AND 10TH STREET, NORTH DAKOTA COUNTY, IDAHO

MATCH LINE - SEE SHEET 12



UNIT	FLOOR	SECTION LIST	CONING HEIGHT
40-2	5TH FLOOR	NO. 41	12'-0" TO 13'-0"
40-2	5TH FLOOR	412	13'-0" TO 13'-6"
40-2	5TH FLOOR	414	13'-6" TO 13'-0"

(1) DIMENSIONS NOT INDICATED IN THIS AREA



**PRELIMINARY**

## 5TH FLOOR-BUILDING B

LOT 14, BLOCK 2, BELLEVUE SECTION 10, TOWNSHIP 20 NORTH, RANGE 4 WEST, RANGE 10 WEST, NORTH DAKOTA COUNTY, IDAHO



**J-U-B ENGINEERS, INC.**  
1025 West Main Street  
Boise, Idaho 83725  
Phone: 208-333-1111

DATE: 08-13-11	BY: JUB	SCALE: 1"=10'
DATE: 08-13-11	BY: JUB	SCALE: 1"=10'

# RIVERFRONT HOUSE

COMMUNAL SITE  
SECTION 10, BLOCK 2, BELLEME, NEAR 4 WEST, KNOXVILLE, TENNESSEE  
SECTION 10, BLOCK 2, BELLEME, NEAR 4 WEST, KNOXVILLE, TENNESSEE

## OWNER'S CERTIFICATE AND DEDICATION

I, the undersigned, do hereby certify that the above described property is the property of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee.

The City of Knoxville, Tennessee, is hereby authorized to accept the same for the use of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee.

The City of Knoxville, Tennessee, is hereby authorized to accept the same for the use of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee.

## ACKNOWLEDGMENT

I, the undersigned, do hereby certify that the above described property is the property of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee.

## CONSENT TO RECORD

I, the undersigned, do hereby certify that the above described property is the property of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee.

## ACKNOWLEDGMENT

I, the undersigned, do hereby certify that the above described property is the property of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee.

## CITY COUNCIL APPROVAL

The City Council of the City of Knoxville, Tennessee, has approved the above described property for the use of the City of Knoxville, Tennessee.

## CITY ENGINEER

I, the undersigned, do hereby certify that the above described property is the property of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee.

## COUNTY RECORDER

I, the undersigned, do hereby certify that the above described property is the property of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee.

## COUNTY TREASURER

I, the undersigned, do hereby certify that the above described property is the property of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee.

## HEALTH DISTRICT APPROVAL

I, the undersigned, do hereby certify that the above described property is the property of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee.

## COUNTY SURVEYOR

I, the undersigned, do hereby certify that the above described property is the property of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee.

# PRELIMINARY



## SURVEYOR'S CERTIFICATE

I, the undersigned, do hereby certify that the above described property is the property of the City of Knoxville, Tennessee, and that the same is being dedicated to the use of the City of Knoxville, Tennessee.

# PRELIMINARY



**NW PROPERTIES, LLC**  
307 N. BLOOM 2 BELLEME  
SECTION 10, BLOCK 2, BELLEME, NEAR 4 WEST,  
KNOXVILLE, TENNESSEE  
KNOXVILLE, TENNESSEE

**J-U-B ENGINEERS, Inc.**  
ONE CHALK HOLE DRIVE  
KNOXVILLE, TENNESSEE

**J-U-B**  
JULIUS B. BROWN, INC.  
1000 N. BLOOM 2 BELLEME  
SECTION 10, BLOCK 2, BELLEME, NEAR 4 WEST,  
KNOXVILLE, TENNESSEE

DATE: 10/15/2011  
PROJECT NO: 2010-011

**PLANNING COMMISSION  
STAFF REPORT**

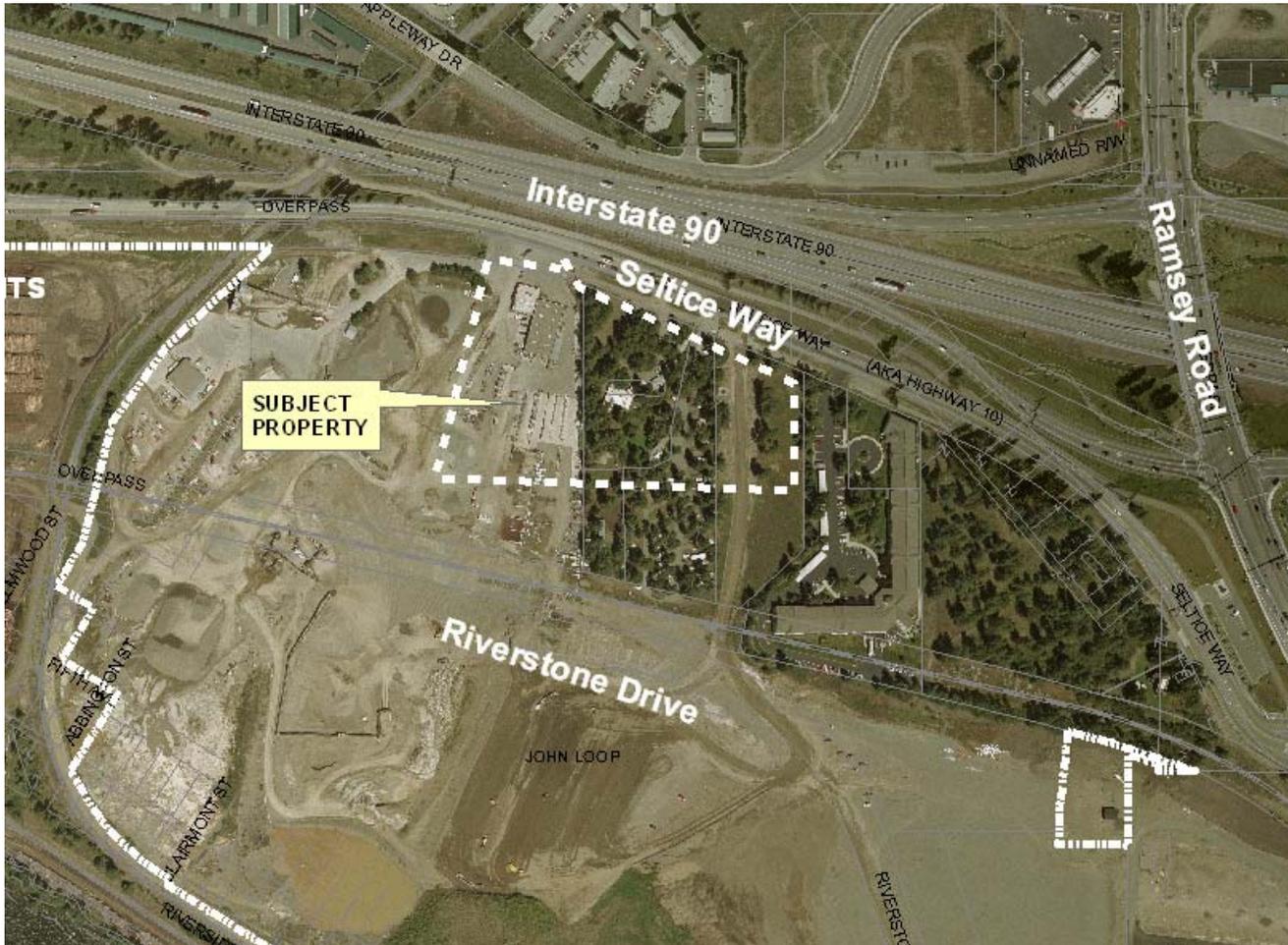
FROM: PLANNING STAFF  
DATE: **JANUARY 9, 2007**  
SUBJECT: LS-1-07 – DETERMINE AMOUNT AND SPACING OF PARKING LOT LANDSCAPING FOR RIVERSTONE PLAZA SHOPPING CENTER .  
LOCATION – 2400-2800 W. SELTICE WAY AND RIVERSTONE DRIVE (CENTRAL PRE-MIX SITE)

**DECISION POINT:**

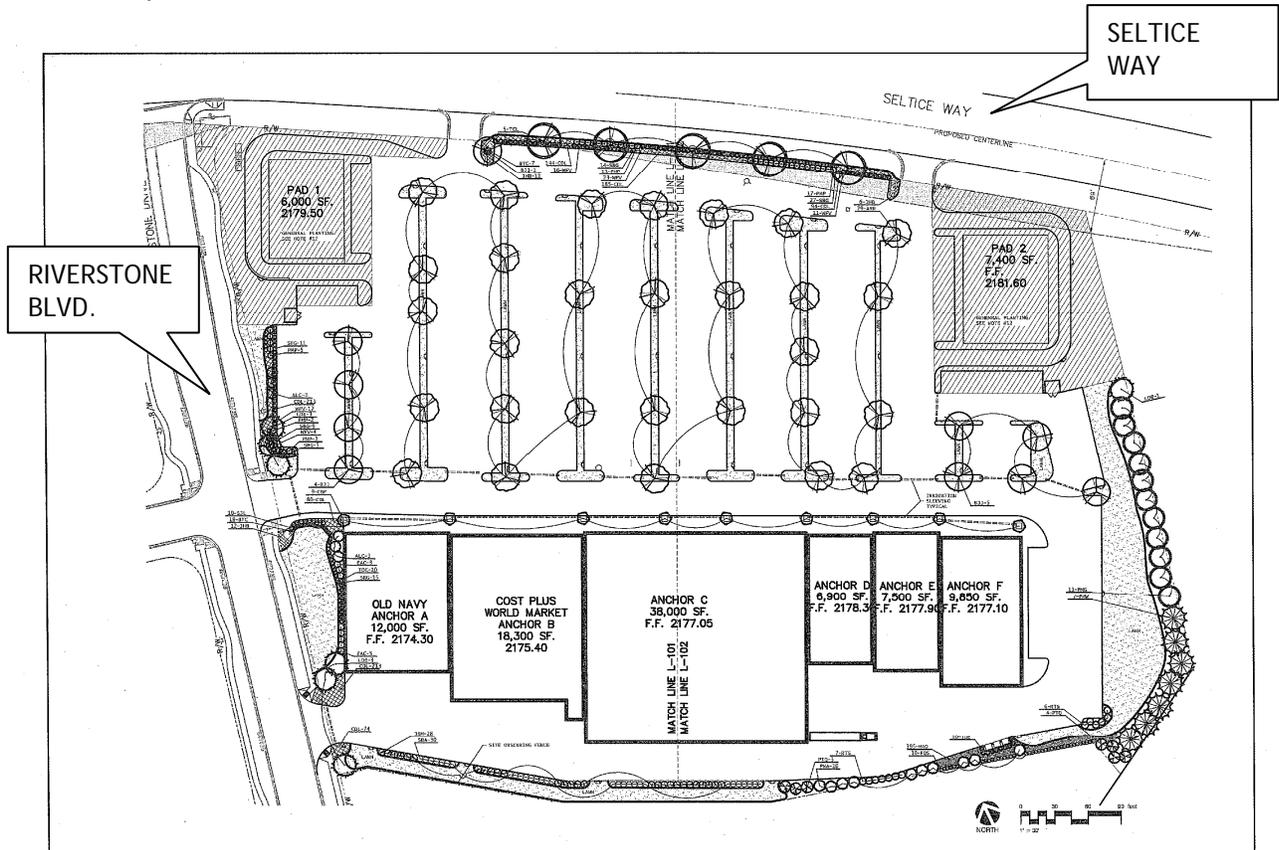
SRM Development is requesting Planning Commission approval of the amount and spacing of landscaping for a parking lot in excess of 300 spaces, pursuant to Section 17.06.835E of the Zoning Ordinance (environmental landscaping, requirements for parking lots).

**GENERAL INFORMATION:**

A. Site photo



B. Site plan:



C. Applicant: SRMFRC, LLC  
104 South Division  
Spokane, WA 99202

E. The applicant has submitted a site plan showing a parking lot with 472 spaces.

**PERFORMANCE ANALYSIS:**

A. The intent of the Landscaping Regulations as they pertain to parking lots is to mitigate the impact of noise, glare, sun, and air pollution through the use of landscaping.

For parking lots containing more than 300 spaces, the Planning Commission must approve the landscaping plan as follows:

1. The amount of landscaping provided.

2. Spacing (maximum distance between landscaped areas).

B. The standards the Planning Commission must use are in Section 17.06.835.E, as follows:

For parking lots with more than three hundred 300 parking spaces, the Planning Commission shall determine the amount and spacing of landscaping required up to a maximum not to exceed 2% additional area per each 100 additional cars or fraction thereof, and no parking space shall be more than 100 feet from a landscaped area.

C. For the proposed plan showing 472 parking spaces, there would be a minimum of 13,593 sq.ft. of parking lot landscaping required with a maximum spacing between landscaped areas of 100 feet.

D. The proposed plan shows approximately 60,264 sq. ft. of landscaping contained in planter islands, perimeter landscaping and swale areas. Landscape islands contain approximately 16,163 sq. ft. (See site plan) The applicant is providing 114 trees throughout the site (41 conifer, 79 deciduous.)

The plan layout shows all parking spaces to be no more than 60 feet from landscaping. The landscape design utilizes a minimum of 135' long by 5.5' wide planter islands within parking rows, and islands at the end of parking rows. The perimeter of the parking lot and large landscaped areas throughout the site to be used for swales. A 300' by 20' buffer is proposed on the East and West property lines with Fairwinds Retirement Home on the East, and Riverstone Boulevard on the West

E. In summary, the proposed plan:

1. Exceeds the minimum amount of required landscaping by approximately 2500 sq. ft.
2. The 100-foot requirement for distance from landscaping is met throughout the parking lot.

**ACTION ALTERNATIVES:**

The Planning Commission must consider this request and by simple motion approve, deny or continue the item for further study. Findings are not required.

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMOS, ASSOCIATE PLANNER  
DATE: JANUARY 9, 2007  
SUBJECT: SP-1-07 – REQUEST FOR AN ESSENTIAL SERVICE SPECIAL USE PERMIT IN AN R-12 ZONING DISTRICT  
LOCATION: A +/- 11,021 SQ. FT. PARCEL AT THE NORTHEAST CORNER OF SHORT AVENUE AND "C" STREET.

**DECISION POINT:**

The City of Coeur d'Alene, Parks department is requesting an Essential Service Special Use Permit in the R-12 (Residential at 12 units/acre) zoning district to allow construction of a 30 foot by 50 foot equipment storage building with 5 paved parking spaces.

**SITE PHOTOS:**

- A. Aerial photo.



B. Subject property looking north from Short Avenue.

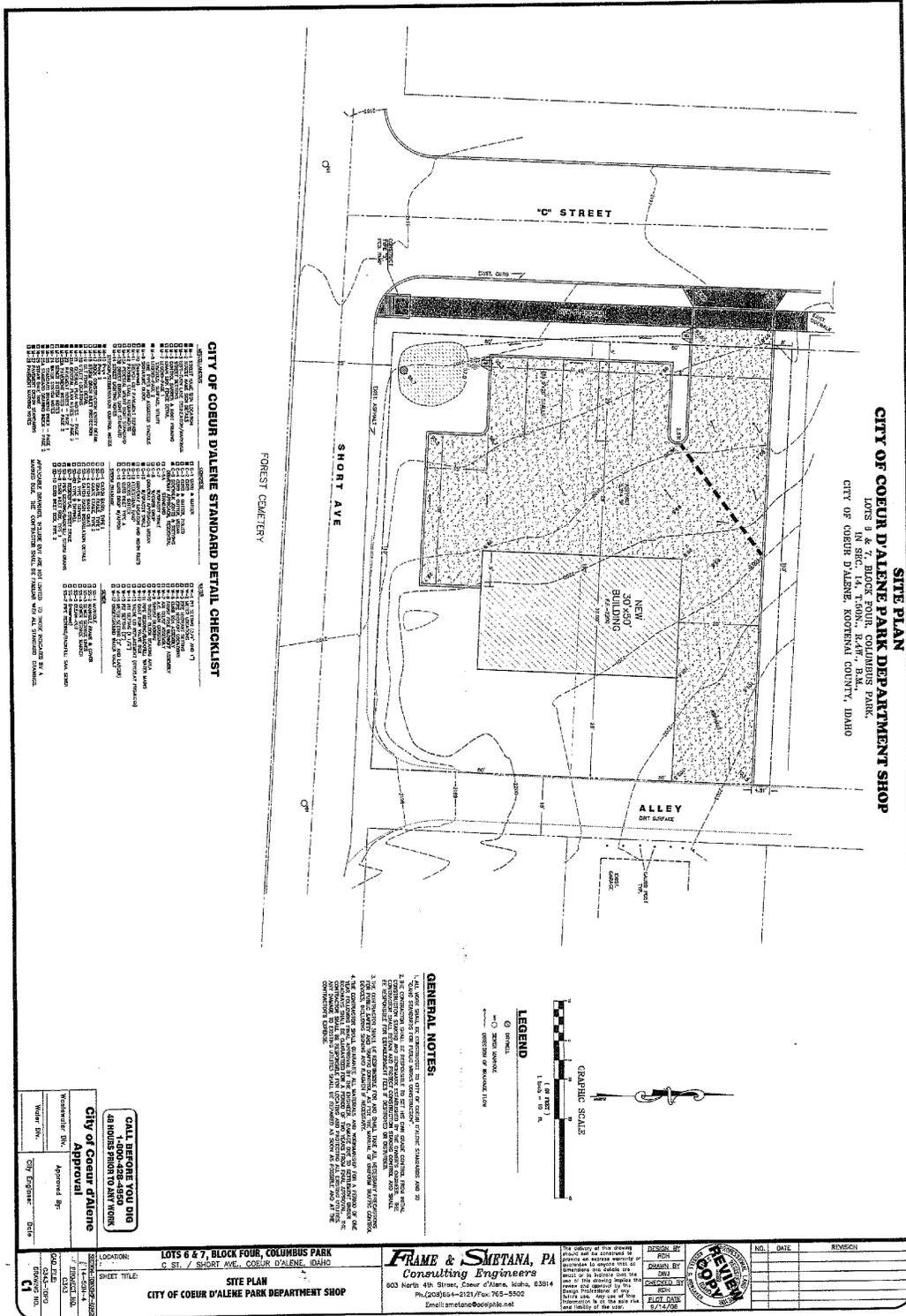


C. Houses to the east of subject property.





C. Site Plan

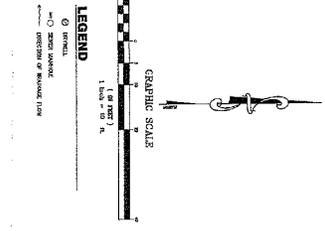


**SITE PLAN**  
**CITY OF COEUR D'ALENE PARK DEPARTMENT SHOP**  
 LOTS 6 & 7, BLOCK FOUR, COLUMBUS PARK,  
 IN SEC. 14, T.50N., R.47E., B.M.,  
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

**CITY OF COEUR D'ALENE STANDARD DETAIL CHECKLIST**

NO.	DESCRIPTION	NO.	DESCRIPTION
1	CONCRETE CURB	11	LANDSCAPING
2	ASPHALT DRIVE	12	LANDSCAPING
3	ASPHALT DRIVE	13	LANDSCAPING
4	ASPHALT DRIVE	14	LANDSCAPING
5	ASPHALT DRIVE	15	LANDSCAPING
6	ASPHALT DRIVE	16	LANDSCAPING
7	ASPHALT DRIVE	17	LANDSCAPING
8	ASPHALT DRIVE	18	LANDSCAPING
9	ASPHALT DRIVE	19	LANDSCAPING
10	ASPHALT DRIVE	20	LANDSCAPING

**GENERAL NOTES:**  
 1. ALL WORK SHALL BE CONFORMANT TO CITY OF COEUR D'ALENE ORDINANCES AND TO THE CITY ENGINEER'S SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY ENGINEER, THE KOOTENAI COUNTY ENGINEER, AND THE IDAHO DEPARTMENT OF TRANSPORTATION.  
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY ENGINEER, THE KOOTENAI COUNTY ENGINEER, AND THE IDAHO DEPARTMENT OF TRANSPORTATION.  
 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND TO ALL ADJACENT PROPERTIES AT ALL TIMES.



**CALL BEFORE YOU DIG**  
 48 HOURS PRIOR TO ANY WORK

**City of Coeur d'Alene**  
 Approved By: \_\_\_\_\_  
 City Engineer: \_\_\_\_\_

LOCATION: **LOTS 6 & 7, BLOCK FOUR, COLUMBUS PARK**  
 603 NORTH 4TH STREET, COEUR D'ALENE, IDAHO

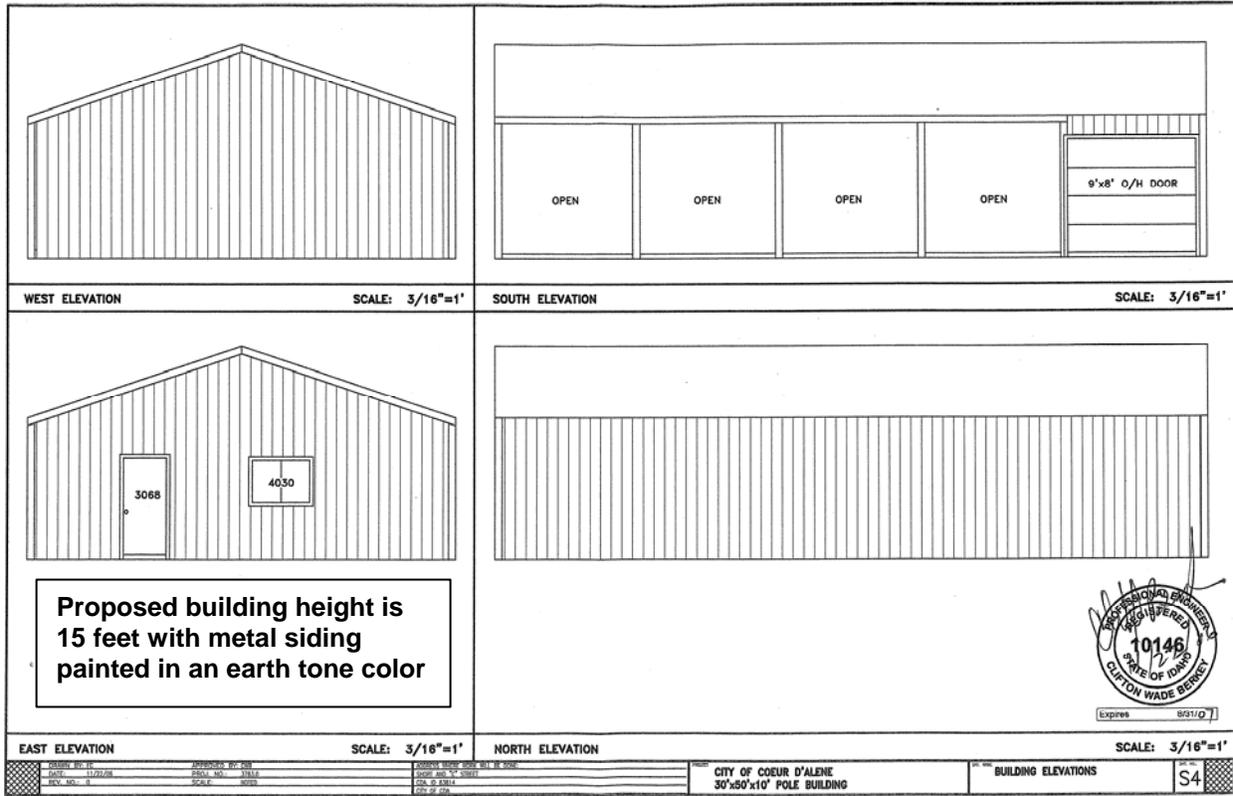
SHEET TITLE: **SITE PLAN**  
**CITY OF COEUR D'ALENE PARK DEPARTMENT SHOP**

**FRAME & SMETANA, PA**  
 Consulting Engineers  
 603 North 4th Street, Coeur d'Alene, Idaho, 83814  
 Ph: 208.665.4121 Fax: 208.765-8500  
 Email: smetana@coeurpa.com

NO.	DATE	REVISION



D. Building elevations:



E. Applicant/ Owner City of Coeur d'Alene, Parks Department  
710 East Mullan Avenue  
Coeur d'Alene, ID 83814

F. Existing land uses in the area include Residential - single-family, duplex, multi-family and civic.

G. The subject property is vacant.

H. Previous actions in the area

- SP-10-88 - Essential Service - Park's Department shops across the street and Forest Cemetery.
- SP-1-90 - Essential Service - Allowed expansion of Park's Department shops.

**PERFORMANCE ANALYSIS:**

A. Zoning:

The requested use is allowed by Special Use Permit in the R-12 zone and must meet the following site performance standards:

- Setbacks:
    - Front yard 20 feet
    - Side yard 25 feet
    - Side street yard 25 feet
    - Rear yard 25 feet
  - Minimum lot size: 50 feet of frontage and 5,500 sq. ft.
  - Building height: 43 3/4 feet
  - Landscaping Ordinance :
    - Buffer yard requirements (50% sight obscuring - 5 foot high, 5 foot wide vegetative buffer or five foot fence) where the use is adjacent to residential uses on the North and East property lines.
    - Parking lot landscaping - 8% of total parking stall area.
    - Street trees on both "C" Street and Short Avenue.
    - Front and side street yard areas along "C" Street and Short Avenue.
  - Parking: One parking space per 1,000 sq. ft. of gross floor area.
- Evaluation: Compliance with site performance requirements is ensured through the building permit process.

**B. Finding #B8A: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.**

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map designates this area as Stable Established, as follows:

**Stable Established:**

“These areas represent the locations where the character of neighborhoods has largely been established and, in general, should be maintained. The street network, number of building lots and general land use are not planned to change greatly within the planning period.”

Page 28 - All requests for zone changes, special use permits etc., will be made considering, but not limited to:

1. The individual characteristics of the site;
2. The existing conditions within the area, and
3. The goals of the community.

**Significant policies for consideration:**

- 4C: “New growth should enhance the quality and character of existing areas and the general community.”

- 6A: "Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses."
- 42A: "The physical development of Coeur d'Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, affects and goals of citizens
- 42A2: "Property rights of citizens should be protected in land use decisions."
- 46A: "Provide for the safe and efficient circulation of vehicular traffic."
- 51A: "Protect and preserve neighborhoods both old and new."
- 51A5: "Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects."
- 62A: "Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects."

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

**B. Finding #B8B: The design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties.**

The storage building proposed for the site will be a tall pole building painted in earth tones to blend in with the residential area to the north and east, five on-site parking spaces and access to C Street. The landscaping requirements indicated on page 5 will also help the project to blend into the surrounding neighborhood.

**C. Finding #B8C: The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing streets, public facilities and services.**

**WATER:**

The water line on "C" Street is only a 1 inch galvanized line and currently feeds a ¾ inch to lot 7, block 4 (one lot north of corner lot) and a 1 inch service to the west of C St. We would not support any additional services to be attached to this line and if a fire hydrant is required, a new main will have to be installed south on "C" Street. If they can use an existing service and there is sufficient fire flow within 250 feet of the property corner, then it may work.

Submitted by Jim Markley, Water Superintendent

**SEWER:**

A City sewer lateral has previously been available to this lot.

Evaluation: The existing lateral is of adequate size to support any additional sewer required from this pole building.

Submitted by Don Keil, Assistant Wastewater Superintendent.  
STORMWATER:

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. The standard plan will be required to show site layout w/ on-site swale locations and include sizing calculations for the IMPERVIOUS AREA.

TRAFFIC:

The ITE Trip Generation Manual estimates the project (1500 s.f. storage building) will generate approximately 0.88 trips per day during the peak hour periods.

Evaluation: The traffic generation from the subject property can be considered insignificant and will not impact the adjacent and/or connecting streets.

STREETS:

The subject property is bordered by "C" Street on the west and Short Avenue on the south.

Evaluation: Both streets are developed, paved sections. "C" Street is built to current standards, however, Short Street is a less than standard width for the entire length between Lincoln Way and Government Way. Sidewalk on the "C" street frontage will be required to be installed with the issuance of the building permit for the subject property; however, no improvements will be required on Short Avenue. Placement of any improvements on the Short Avenue frontage would not be beneficial in the short term and, at some point if the roadway were to be reconstructed, would most likely be torn out due to design issues.

APPLICABLE CODES AND POLICIES:

UTILITIES

All proposed utilities within the project shall be installed underground.

STREETS

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

STORMWATER

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.

Submitted by Chris Bates, Engineering Project Manager

**FIRE:**

The Fire Department will address issues such as water supply, fire hydrants, fire department access prior to any site development.

Submitted by Dan Cochran, Deputy Fire Chief

**POLICE:**

The Police department was contacted and had no concerns.

Submitted by Steve Childers, Captain Police Department

**E. Proposed conditions:**

**Engineering**

1. Installation of standard sidewalk will be required along the "C" Street frontage with the issuance of any building permit for the subject property.

**F. Ordinances and Standards Used In Evaluation:**

Comprehensive Plan - Amended 1995.  
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 request and make appropriate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

[F:staffrptsSP107]

**JUSTIFICATION:**

Proposed Activity Group: Essential Services

Prior to approving a special use permit, the Planning Commission is required to make Findings of Fact. Findings of Fact represent the official determination of the Planning Commission and specify why the special use permit is granted. The **BURDEN OF PROOF** for why the special use permit is necessary rests on the applicant. Your narrative should address the following points:

A. A description of your request: This request is to build a 30' x 50' storage building for use by Parks Department personnel. The building will be built on Lots 6 and 7 which are currently being used by the Parks and Cemetery personnell for storage of equipment and materials.

B. Show the design and planning of the site and if it is compatible with the location, setting and existing uses on adjacent properties:  
The storage building will be a pole barn style with metal siding and roof. It will be painted the same earth tones that are on all other Parks Department buildings. The building will have landscaping, an asphalt driveway and parking. The property will be fenced with access gates.

C. Show the location, design and size of the proposal, and will it be adequately served by existing streets, public facilities and services;  
\_\_\_\_\_  
\_\_\_\_\_

D. Any other justifications that you feel are important and should be considered by the Planning Commission. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**S  
G  
N  
-  
D  
-  
F**

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on January 9, 2007, and there being present a person requesting approval of ITEM SP-1-07, a request for an Essential Service Special Use Permit in the R-12 (Residential at 12 units/acre) zoning district

LOCATION: A +/- 11,021 sq. ft. parcel at the Northeast corner of Short Avenue and "C" Street.

APPLICANT: The City of Coeur d'Alene, Parks department

**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 Residential - single-family, duplex, multi-family and civic.
- B2. That the Comprehensive Plan Map designation is Stable Established
- B3. That the zoning is R-12 (Residential at 12 units/acre)
- B4. That the notice of public hearing was published on, December 23, 2006, and January 2, 2007, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, December 28, 2007, which fulfills the proper legal requirement.
- B6. That 40 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on December 22, 2006, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on January 9, 2007.
- B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **(is) (is not)** in conformance with the comprehensive plan, as follows:

B8B. The design and planning of the site **(is) (is not)** compatible with the location, setting, and existing uses on adjacent properties. This is based on

**Criteria to consider for B8B:**

1. Does the density or intensity of the project "fit " the surrounding area?
2. Is the proposed development compatible with the existing land use pattern i.e. residential, commercial, residential w churches & schools etc?
3. Is the design and appearance of the project compatible with the surrounding neighborhood in terms of architectural style, layout of buildings, building height and bulk, off-street parking, open space, and landscaping?

B8C The location, design, and size of the proposal are such that the development **(will) (will not)** be adequately served by existing streets, public facilities and services. This is based on

**Criteria to consider B8C:**

1. Is there water available to meet the minimum requirements for domestic consumption & fire flow?
2. Can sewer service be provided to meet minimum requirements?
3. Can police and fire provide reasonable service to the property?

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **THE CITY OF COEUR D'ALENE, PARKS DEPARTMENT** for a Essential Service special use permit, 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 George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Razor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning Voted \_\_\_\_\_ (tie breaker)

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

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

\_\_\_\_\_  
CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER  
DATE: JANUARY 9, 2007  
SUBJECT: SP-2-07 – REQUEST FOR A COMMUNITY EDUCATION DAYCARE  
SPECIAL USE PERMIT IN AN R-12 ZONING DISTRICT  
LOCATION – +/- 11,239 SQ. FT. PARCEL AT 2260 WEST FAIRWAY DRIVE

**DECISION POINT:**

Cammie and Marc Chavez are requesting a Community Education Daycare Special Use Permit in the R-12 (Residential at 12 units/acre) zoning district to allow operation of a daycare center for elderly adults who can no longer manage independently thus, providing an opportunity for the care-giver to have a period of respite.

**SITE PHOTOS:**

- A. Aerial photo

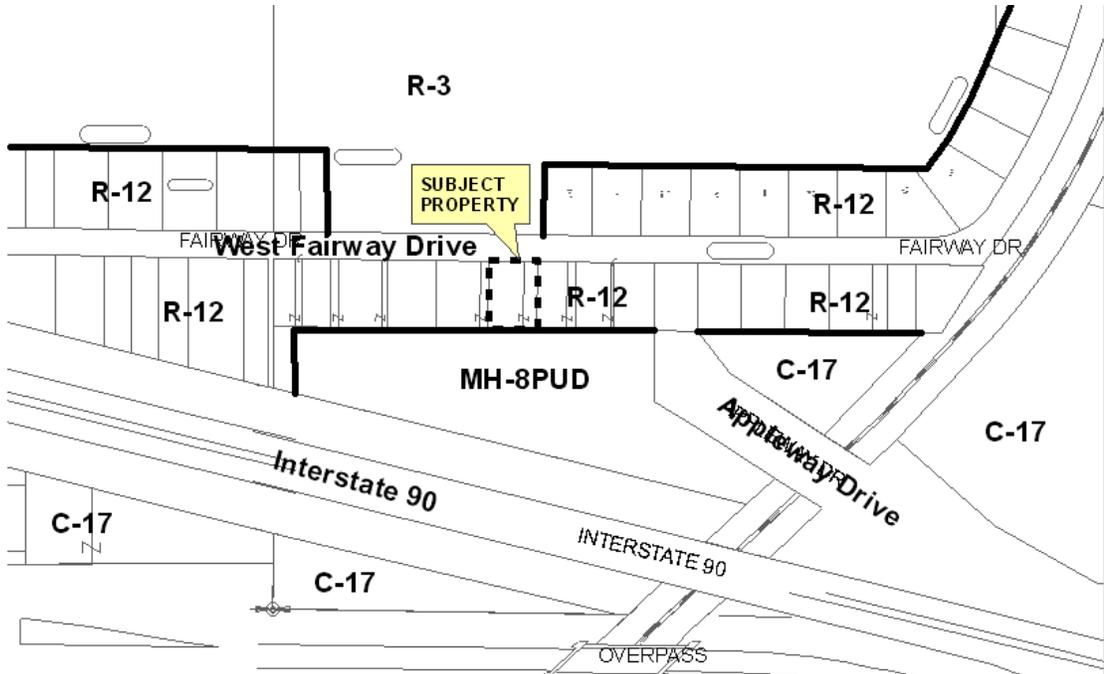


B. House on subject property

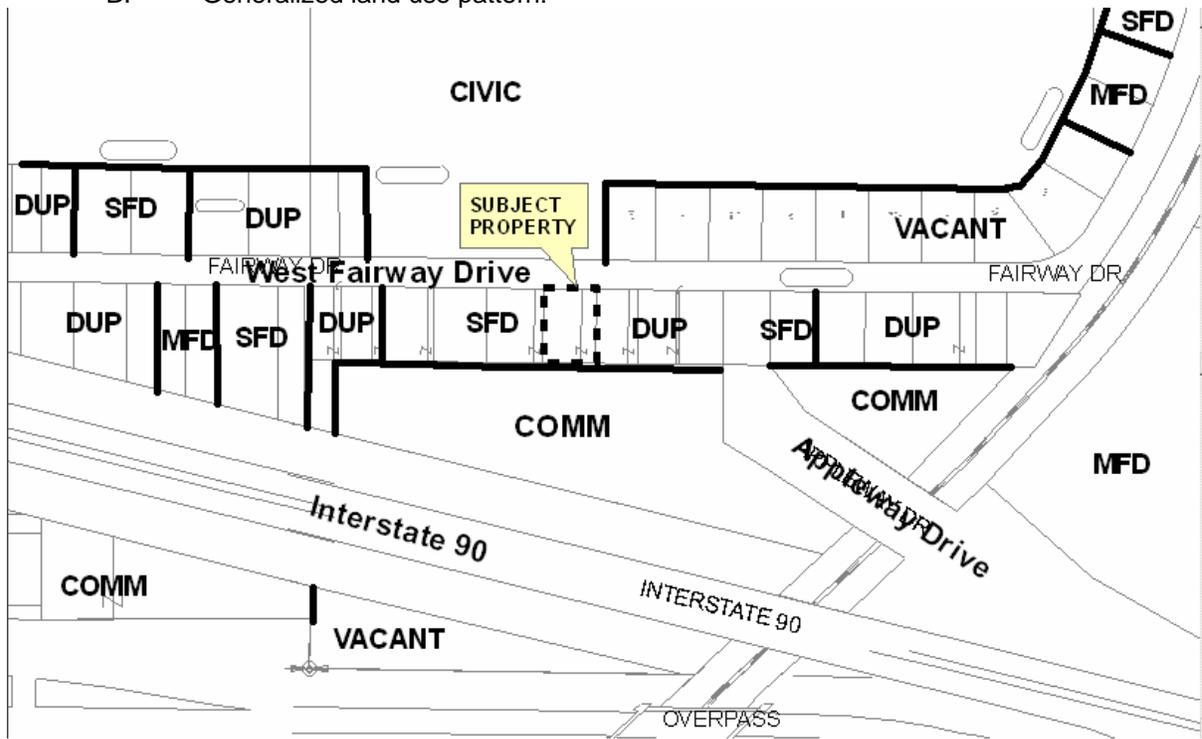


**GENERAL INFORMATION:**

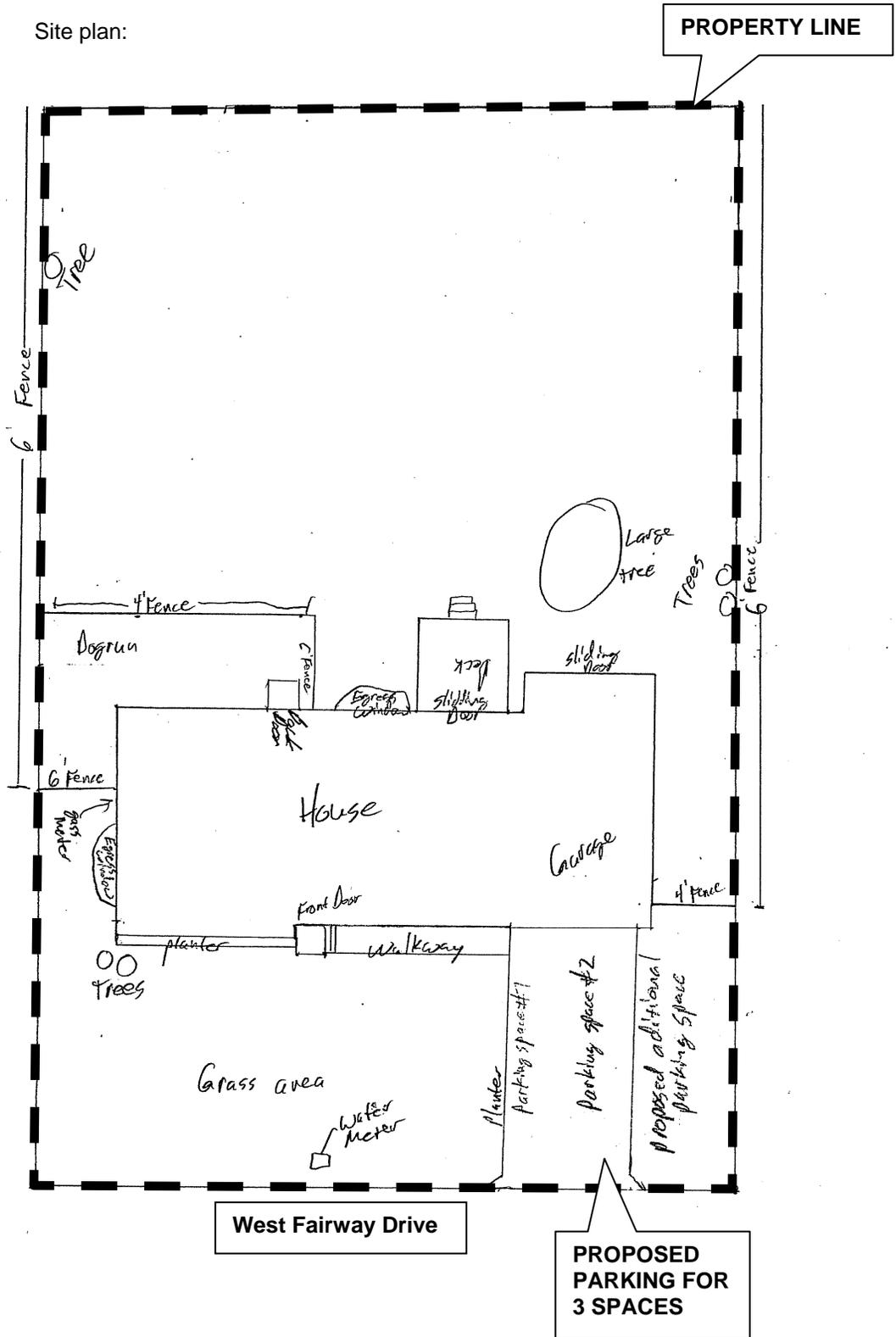
A. Zoning



B. Generalized land use pattern:



C. Site plan:



- D. Applicant/ Owner: Cammie and Marc Chavez  
4281 W. Lennox Loop  
Cœur d'Alene, ID 83815
- E. Existing land uses in the area include residential - single-family, duplex and multi-family, commercial service, civic and vacant lots.
- F. The subject property contains a single-family dwelling.

**PERFORMANCE ANALYSIS:**

A. Zoning:

The requested day care activity is allowed by Special Use Permit in an R-12 zone and is classified as a community education activity.

Evaluation: The requested use is located in an R-12 zone and meets the definition of a community education activity.

B. **Finding #B8A: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.**

- 1. The subject property is within the existing city limits.
- 2. The City Comprehensive Plan Map designates this area as a Transition Area.

**Transition Areas:**

"These areas represent the locations where the character of neighborhoods is in transition and, overall, should be developed with care. The street network, the number of building lots and general land use are planned to change greatly within the planning period."

- Protect and/or enhance the integrity of existing residential areas.
- Encourage residential when close to jobs and other services.
- Discourage uses that are detrimental to neighboring uses.
- Encourage commercial clusters that will serve adjacent neighborhoods vs. city as a whole.
- Pedestrian/bicycle connections.
- Encourage cluster developments to maintain open space and forest lands.
- Overall buildout density approximately = 3 units/acre. Individual lot size will typically not be smaller than 8,000 sq. ft. (5 units/acre). Higher densities and mixed uses encouraged close to abutting transportation corridors.

Page 28 - All requests for zone changes, special use permits etc., will be made considering, but not limited to:

- 1. The individual characteristics of the site;
- 2. The existing conditions within the area, and
- 3. The goals of the community.

**Significant policies for consideration:**

- 6A: "Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses."
- 15G: "City government should be responsive to the needs and desires of the citizenry."
- 42A: "The development of Coeur d'Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, effects and goals of citizens."
- 42A2: "Property rights of citizens should be protected in land use decisions."
- 46A: "Provide for the safe and efficient circulation of vehicular traffic."
- 51A: "Protect and preserve neighborhoods both old and new."
- 62A: "Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects."

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

**B. Finding #B8B: The design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties.**

The proposed use would be conducted in an existing single-family dwelling that would be converted to an adult daycare facility for 17 people, including elderly patients and staff with required parking of 3 spaces.

Evaluation: Based on the information presented, the Planning Commission must determine if the request is compatible with surrounding uses and is designed appropriately to blend in with the area.

**C. Finding #B8C: The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing streets, public facilities and services.**

**WATER:**

Water is available to the site.

Evaluation: Due to Fire Code for an education center, they will be required to add a new fire hydrant and a complete fire sprinkler system to the existing house. There is a 6 inch main on the south side of the street and a 12 inch main on the north side of the street so there is sufficient capacity to accomplish this.

Submitted by Terry Pickel, Assistant Water Superintendent

**SEWER:**

A sewer service (lateral) is currently utilized for this lot.

Evaluation: The existing lateral is of adequate size to support this request.

Submitted by Don Keil, Assistant Wastewater Superintendent

#### STORMWATER:

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

Evaluation: The subject property contains an existing structure and no new construction is planned. No stormwater modifications will be required unless new impervious surface is added to the subject property.

#### TRAFFIC:

The ITE Trip Generation Manual does not have a category similar to the proposed use that can be utilized to estimate the approximate trips per day, unless however, a child day care center is used. In such cases, the number of trips during peak hour periods is 5.16/employee.

Evaluation: The adjacent and/or connecting streets tend to be low volume streets that provide an excellent connectivity to the surrounding area. If the intended use will not generate significantly more volume than a single family dwelling unit, the local streets will accommodate the traffic volume. If there is a continual flow of traffic to the subject property, the typical low volume local street may become congested due to the proximity to the adjacent public golf course.

#### STREETS:

The subject property is bordered by W. Fairway Drive. The current right-of-way width meets City standards and the roadway is fully developed.

Evaluation: No alterations to the roadway will be required.

#### APPLICABLE CODES AND POLICIES:

##### STREETS

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

##### STORMWATER

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.

Submitted by Chris Bates, Engineering Project Manager

#### FIRE:

We will address issues such as water supply, fire hydrants, Fire Department access, prior to any site development.

Submitted by Dan Cochran, Deputy Fire Chief

**POLICE:**

The Police department was contacted and had no concerns.

Submitted by Steve Childers, Captain Police Department

**E. Proposed conditions:**

None proposed.

**F. Ordinances and Standards Used In Evaluation:**

Comprehensive Plan - Amended 1995.

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 request and make appropriate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

[F:staffrptsSP906]

**JUSTIFICATION:**

Proposed Activity Group; Adult Day Care

Prior to approving a special use permit, the Planning Commission is required to make Findings of Fact. Findings of Fact represent the official determination of the Planning Commission and specify why the special use permit is granted. The **BURDEN OF PROOF** for why the special use permit is necessary rests on the applicant. Your narrative should address the following points:

A. A description of your request; AN Adult Day Care helps to meet the needs of older adults & their families by providing day care to elders who can no longer manage independently, or who are isolated & lonely. Our aim is to provide a much needed respite for the care-giver in a home-like setting.

B. Show the design and planning of the site and if it is compatible with the location, setting and existing uses on adjacent properties;  
Adjacent properties are both being used as a duplex, to the best of our knowledge. Behind the property is a mini storage and across the property is the Cd'A public golf course.

Property location provides easy access to clients from the freeway and allows clients to participate in field trips to the golf course, if able.

C. Show the location, design and size of the proposal, and will it be adequately served by existing streets, public facilities and services;

Currently there is room to pave a 3rd parking space, which would allow for 17 persons, including staff. The City of Cd'A requires 60 sq. ft. per person, the current structure exceeds this requirement with the proposed number of clients. Current city street provides easy access to this location.

D. Any other justifications that you feel are important and should be considered by the Planning Commission. According to our research, by 2030 the

older population will double. Life expectancy in the U.S. continues to rise, while 75% of baby boomers are nearing retirement

in the next decade. 22.4 million, or 25% of the U.S. total are already providing care to elderly relatives. We believe that this business is an asset to our community & will provide cost effective care

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on January 9, 2007, and there being present a person requesting approval of ITEM SP-2-07, a request for a Community Education Daycare special use permit in the R-12 (Residential at 12 units/acre) zoning district.

LOCATION – +/- 11,239 sq. ft. parcel at 2260 West Fairway Drive

APPLICANT: Cammie and Marc Chavez

**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 residential - single-family, duplex and multi-family, commercial service, civic and vacant lots.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is R-12 (Residential at 12 units/acre)
- B4. That the notice of public hearing was published on, December 23, 2006, and, January 2, 2007, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, January 1, 2007, which fulfills the proper legal requirement.
- B6. That 19 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on December 22, 2006, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on January 9, 2007.
- B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **(is) (is not)** in conformance with the comprehensive plan, as follows:

B8B. The design and planning of the site **(is) (is not)** compatible with the location, setting, and existing uses on adjacent properties. This is based on

**Criteria to consider for B8B:**

1. Does the density or intensity of the project "fit " the surrounding area?
2. Is the proposed development compatible with the existing land use pattern i.e. residential, commercial, residential w churches & schools etc?
3. Is the design and appearance of the project compatible with the surrounding neighborhood in terms of architectural style, layout of buildings, building height and bulk, off-street parking, open space, and landscaping?

B8C The location, design, and size of the proposal are such that the development **(will) (will not)** be adequately served by existing streets, public facilities and services. This is based on

**Criteria to consider B8C:**

1. Is there water available to meet the minimum requirements for domestic consumption & fire flow?
2. Can sewer service be provided to meet minimum requirements?
3. Can police and fire provide reasonable service to the property?

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **CAMMIE AND MARC CHAVEZ** for a Community Education special use permit, 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 George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Razor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning Voted \_\_\_\_\_ (tie breaker)

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

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

\_\_\_\_\_  
CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION  
STAFF REPORT**

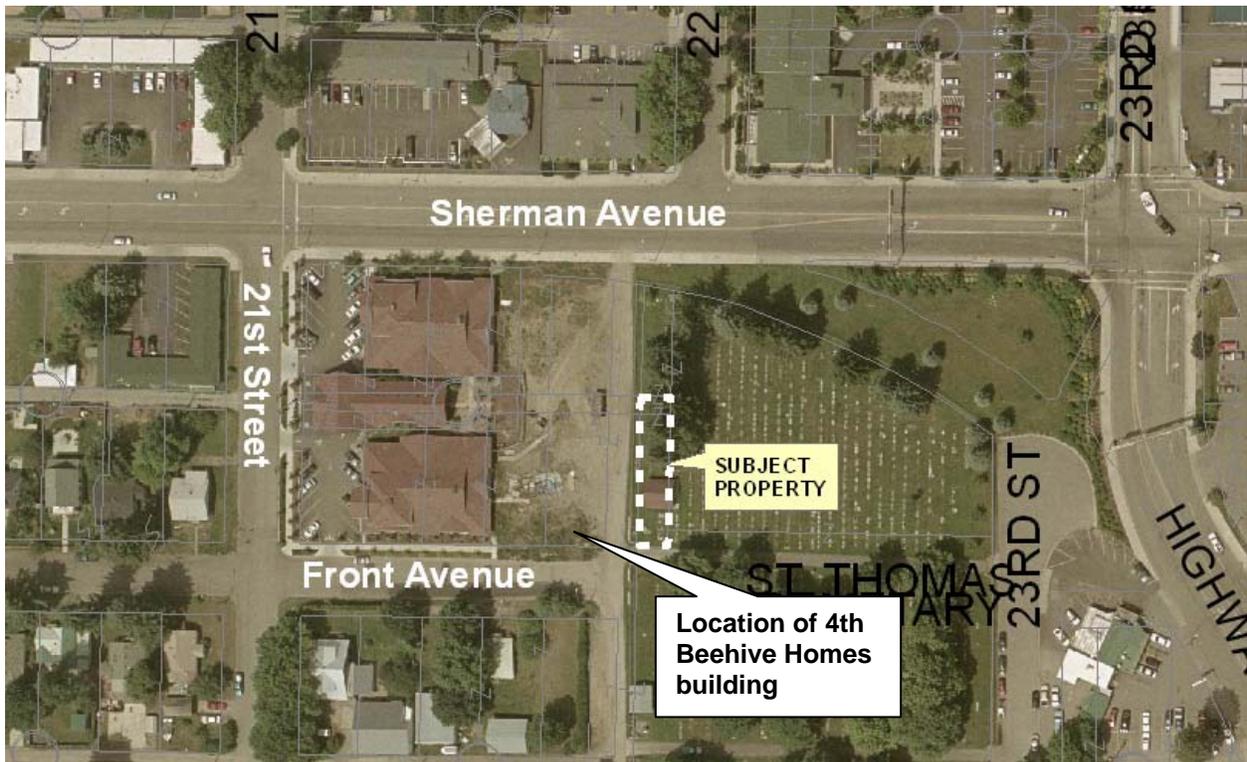
FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER  
DATE: JANUARY 9, 2007  
SUBJECT: ZC-1-07 – ZONE CHANGE FROM R-17 TO C-17L  
LOCATION +/- 2,800 SQ. FT. PARCEL ADJACENT TO ST. THOMAS CEMETERY AND BEEHIVE HOMES.

**DECISION POINT:**

Beehive Homes is requesting a zone change from R-17 (residential at 17 units per gross acre) to C-17L (Commercial Limited at 17 units/acre). The proposed zone change is on property that is part of St. Thomas Cemetery and is requested in order to allow the fourth Bee Hive Homes building proposed to be built next to this parcel to be built closer to the property line than 10 feet. If the subject property remains R-17, the building set back for the building would be 10 feet. If the subject property is re-zoned to C-17L, the building setback would be zero feet. The zoning on the cemetery parcel adjoining the subject parcel to the north is C-17.

**SITE PHOTOS:**

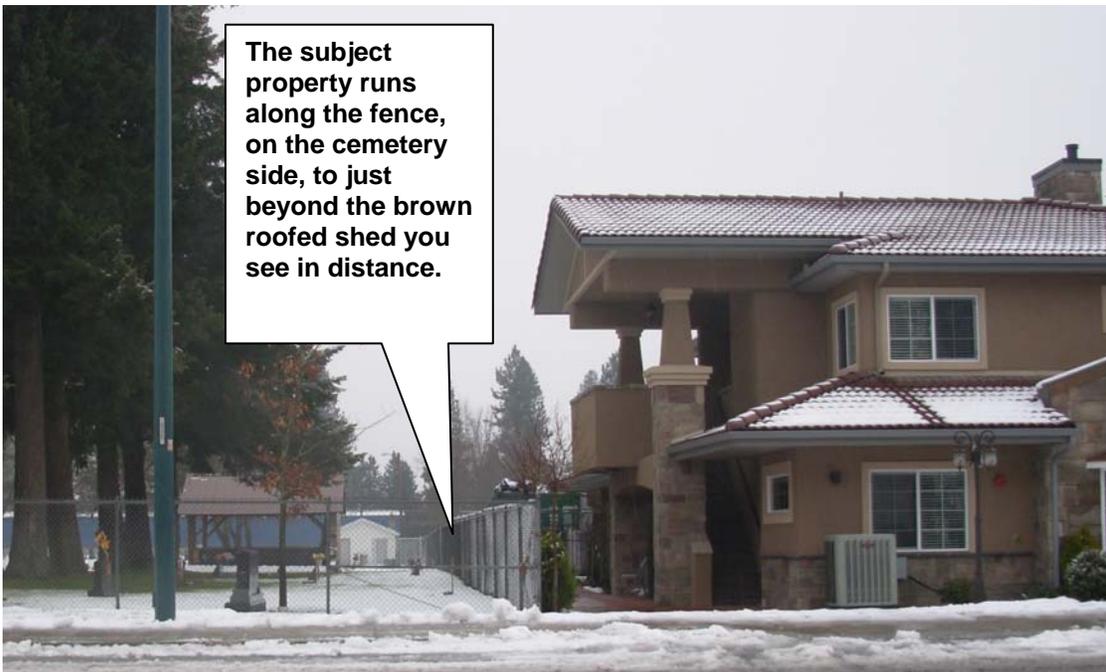
- A. Aerial photo



- B. Subject property on east side of fence running north (24 feet wide by 120 feet long)

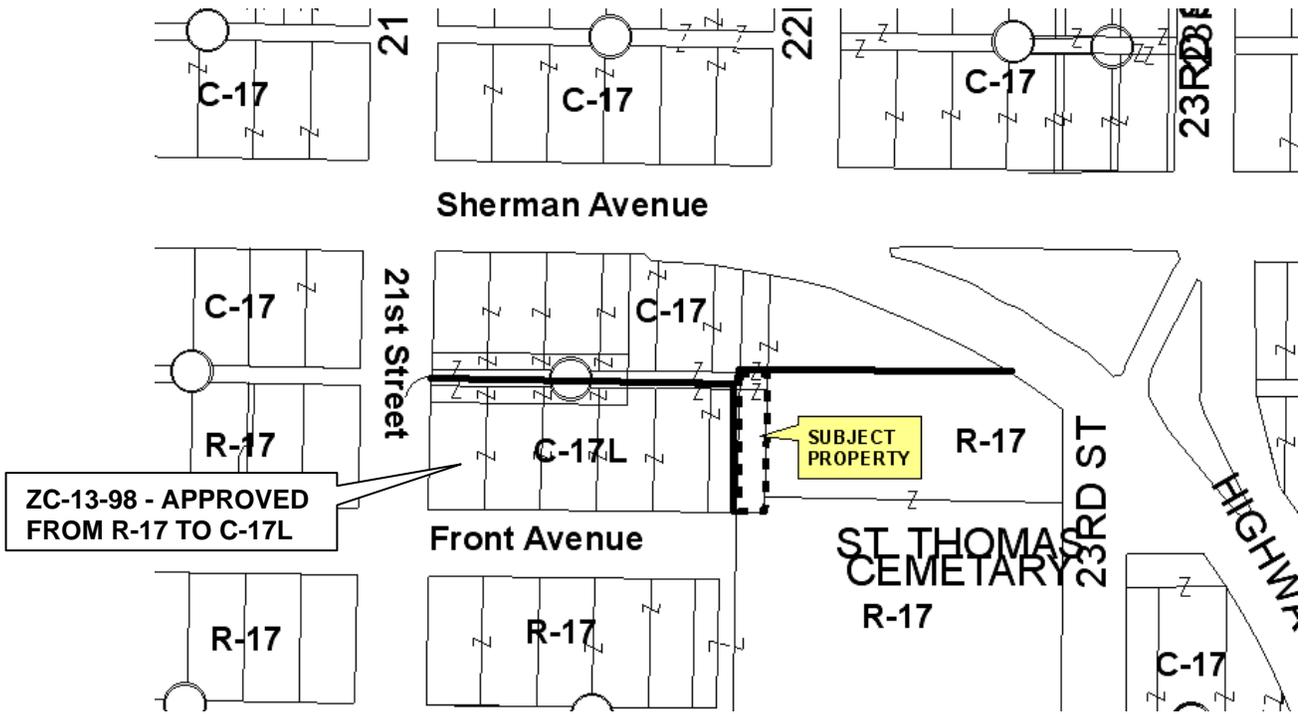


B. Looking at subject property from Sherman Avenue.

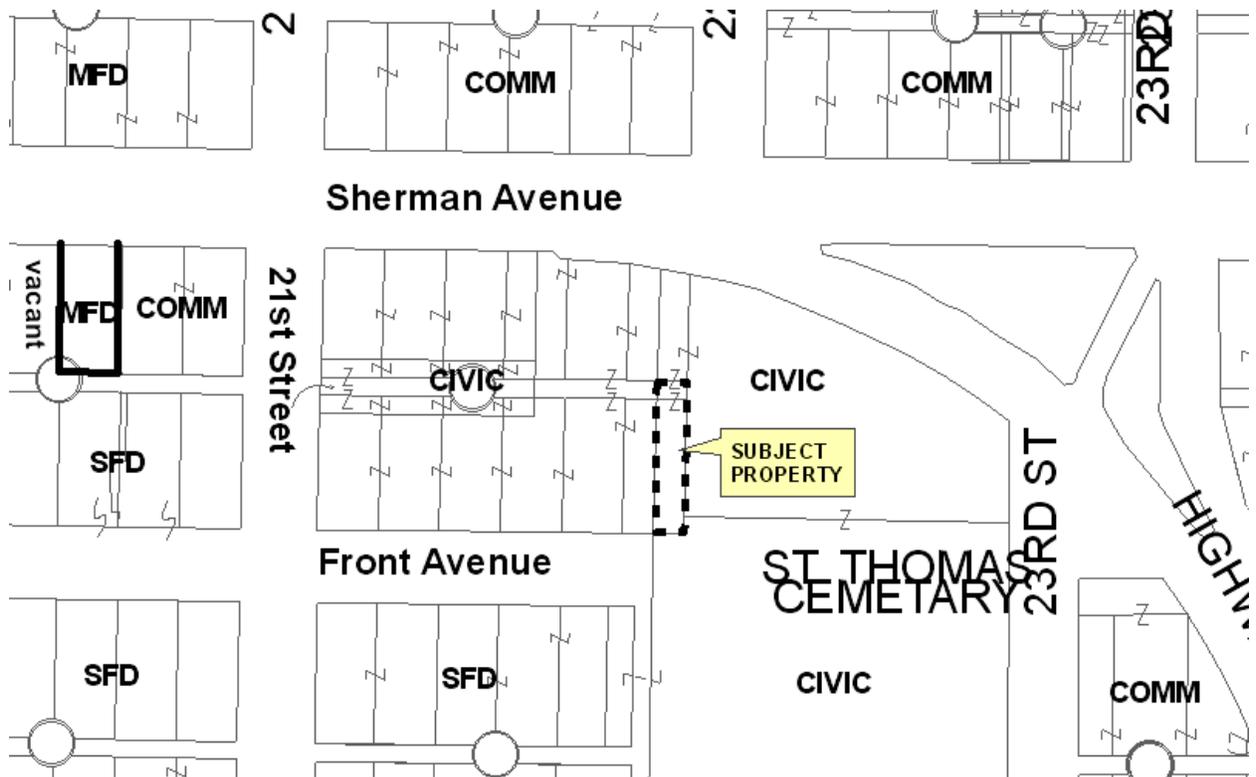


**GENERAL INFORMATION:**

A. Zoning:



B. Generalized land use pattern:



C. Applicant: Beehive Homes

2100 East Sherman Avenue  
Coeur d'Alene, ID 83814

- E. Owner: Roman Catholic Diocese of Boise  
303 Federal Way  
Boise, ID 83705
- F. All property owners have consented to this request
- G. Land uses in the area include residential - single-family and multi-family, commercial – retail sales and service, civic and vacant land.
- H. The subject property is a portion of the St. Thomas Cemetery.
- I. Previous actions in the surrounding area
  - 1. ZC-13-98 - Zone Change from R-17 to C-17L approved by City Council.

**PERFORMANCE ANALYSIS:**

A. Zoning:

Approval of the zone change request would intensify the potential uses on the property by allowing commercial service uses on a parcel that now only allows residential and civic uses.

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

This District is suitable as a transition between residential and commercial zoned areas and should be located on designated collector streets or better for ease of access and to act as a residential buffer.

**Principal permitted uses:**

Single-family detached housing (as specified by the R-8 District).  
Duplex housing (as specified by the R-12 District).  
Cluster housing (as specified by the R-17 District).  
Multiple-family (as specified by the R-17 District).  
Home occupation.  
Community education.  
Essential service.  
Community assembly.  
Religious assembly.  
Public recreation.  
Neighborhood recreation.  
Automobile parking when serving an adjacent business or apartments.  
Hospitals/health care.  
Professional offices.  
Administrative offices.  
Banks and financial establishments.  
Personal service establishment.  
Group dwelling-detached housing.  
Handicapped or minimal care facility.

Child care facility.  
Juvenile offenders facility.  
Boarding house.  
Nursing/convalescent/rest homes for the aged.  
Rehabilitative facility.  
Commercial film production.

**Uses permitted by special use permit:**

Convenience sales.  
Food and beverage stores for off/on site consumption.  
Veterinary office or clinic when completely indoors.  
Commercial recreation.  
Hotel/motel.  
Remaining uses, not already herein permitted, of the C-17 District principal permitted uses.  
Residential density of the R-34 District density as specified.  
Criminal transitional facility.  
Noncommercial kennel.  
Commercial kennel.  
Community organization.  
Wireless communication facility.

The zoning and land use patterns (See page 2) indicate that the majority of the parcels along this portion of the Government Way corridor are either zoned commercial or used for non-residential uses indicating the transition from residential use to commercial use is well established. This lot, however, is the first interior lot with no frontage on Government Way to be proposed for C-17L zoning

Evaluation: The Planning Commission, based on the information before them, must determine if the C-17L zone is appropriate for this location and setting.

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

The subject property is within the existing city limits.

The City's Comprehensive Plan designates this area as Stable Established, as follows:

**Stable Established Areas:**

“These areas represent the locations where the character of neighborhoods has largely been established and, in general, should be maintained. The street network, number of building lots and general land use are not planned to change greatly within the planning period.”

**In reviewing all projects, the following should be considered:**

Page 28 – All requests for zone changes, special use permits etc., will be made considering, but not limited to:

1. The individual characteristics of the site;
2. The existing conditions within the area, and
3. The goals of the community.

**Significant policies for consideration:**

- 4C: "New growth should enhance the quality and character of existing areas and the general community."
- 6A: "Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses."
- 15G: "City government should be responsive to the needs and desires of the citizenry."
- 42A: "The physical development of Coeur d'Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, affects and goals of citizens"
- 42A2: "Property rights of citizens should be protected in land use decisions."
- 51A: "Protect and preserve neighborhoods both old and new."
- 51A5: "Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects."
- 62A: "Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects."
- Evaluation: The Planning Commission must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request.

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

**WATER:**

New mains, fire hydrants and services have been recently installed to provide service to the beehive homes. The property in question will not require any further services.

Submitted by Terry Pickel, Assistant Water Superintendent

**SEWER:**

No comment, no sewer impact or change noted.

Submitted by Don Keil, Assistant Wastewater Superintendent

**STORMWATER:**

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. Any stormwater issues will be addressed at the time of building permit submittal on the subject property.

**TRAFFIC:**

Traffic issues were addressed at the time of the initial development of the subject property.

Evaluation: The subject property and facility are situated adjacent to local signalized intersections Sherman Avenue with the 3-lane center turn lane section, and I-90. Adjacent and/or connecting streets will accommodate the generated traffic volume.

**STREETS:**

The proposed subdivision is bordered by Sherman Avenue, 21<sup>st</sup> Street and Front Street. The current right-of-way widths meet City standards.

Evaluation: No alterations to the roadway sections will be required.

**APPLICABLE CODES AND POLICIES:**

**STREETS**

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

**STORMWATER**

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.

Submitted by CHRIS BATES, ENGINEERING PROJECT MANAGER

**FIRE:**

The Fire Department will address issues such as water supply, fire hydrants, fire department access, prior to any site development.

Submitted by Dan Cochran, Deputy Fire Chief

**POLICE:**

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

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

The subject property is flat with no physical constraints.

Evaluation: There are no physical limitations to future development.

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

The zone change is requested in order to allow the fourth Bee Hive Homes building proposed to be built next to this parcel to be built closer than 10 feet from the property line. If the subject property remains R-17, the building set back for the building would be 10 feet. If the subject property is re-zoned to C-17L, the building setback would be zero feet.

Evaluation: The Planning Commission must determine what affect the proposed zone change will have on the surrounding area.

F. Proposed conditions:

None proposed.

G. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.

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 request and make appropriate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

[F:staffrptsZC107]

**PROPERTY INFORMATION**

- 1. Gross area: (all land involved): 0.064 acres, and/or ±2800 sq.ft.
- 2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): 0.064 acres, and/or ±2800 sq. ft.
- 3. Total length of streets included: N/A ft., and/or N/A miles.
- 4. Total number of lots included: 1
- 5. Average lot size included: \_\_\_\_\_
- 6. Existing land use: CEMETARY
- 7. Existing Zoning (circle all that apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8  
C-17 C-17L C-34 LM M
- 8. Proposed Zoning (circle all the apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8  
C-17 C-17L C-34 LM M

**JUSTIFICATION**

Proposed Activity Group; USE OF PROPERTY WILL NOT CHANGE

Please use this space to state the reason(s) for the requested zone change.

Appropriate Comprehensive Plan goals and policies should be included in your reasons.

PURPOSE OF RE-ZONE IS FOR ADJACENT PROPERTY OWNER  
(TO WEST) TO ACHIEVE A ZERO LOT LINE SETBACK IN LIEU OF  
THE CURRENT 10'-0" SETBACK. THIS ZONE CHANGE WILL ASSIST  
IN THE CONTINUATION OF THE CURRENT CONSTRUCTION PROJECTS.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on January 9, 2007, and there being present a person requesting approval of ITEM ZC-1-07, a request for a zone change from R-17 (residential at 17 units per gross acre) to C-17L (Commercial Limited at 17 units/acre).

LOCATION: +/- 2,800 sq. ft. parcel adjacent to St. Thomas Cemetery and  
Beehive Homes.

APPLICANT: Beehive Homes

**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 - single-family and multi-family, commercial – retail sales and service, civic and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established,
- B3. That the zoning is R-17 (residential at 17 units per gross acre)
- B4. That the notice of public hearing was published on December 23, 2006, and January 2, 2007, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on January 1, 2007, which fulfills the proper legal requirement.
- B6. That 53 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on December 22, 2006, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on January 9, 2007.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

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 and adequate to the property?

B10. That the physical characteristics of the site **(do) (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**

The Planning Commission, pursuant to the aforementioned, finds that the request of **BEEHIVE HOMES** for a zone change, 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 George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning Voted \_\_\_\_\_ (tie breaker)

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

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

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CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMOS, ASSOCIATE PLANNER  
DATE: JANUARY 9, 2007  
SUBJECT: S-1-07 -- 5 LOT PRELIMINARY PLAT SUBDIVISION  
LOCATION – +/- 3.5 ACRE PARCEL IN THE VICINITY OF 19TH STREET AND  
NETTLETON GULCH ROAD ADJACENT TO GREYSTONE SUBDIVISION

**DECISION POINT:**

Shefoot Investments, LLC is requesting Preliminary Plat approval for "Shefoot", a 5-lot subdivision on +/- 3.5 acres. This is a re-plat of the "Shefoot" subdivision (S-8-06) approved on July 11, 2006, in order to approve the design of Shefoot Court to less than the City's design standards.

Within the first +/- 150 feet starting at Nettleton Gulch Road, the applicant's property is only 50 feet wide where it is adjacent to four existing lots. This will reduce the right-of-way for the proposed Shefoot Court to 50 feet rather than the standard 60 feet and result in a street section that is less than the standard street required by the City. The street standards requested by the applicant for this section include a 32 foot paved street with curb and gutter, 5 foot sidewalk and 7 1/2 foot swale on the west side of the street.

A standard street section is a 36 foot wide paved street with curb and gutter, 5 foot sidewalk both sides, 7 1/2 foot swale both sides in a 60 foot right-of-way. (Also, see discussion on streets in utilities section on page 12)

Deviations to the standard street section is the only change to the request (S-8-06) approved by the Planning Commission on July 11, 2006.

**SITE PHOTOS:**

A. Aerial photo:

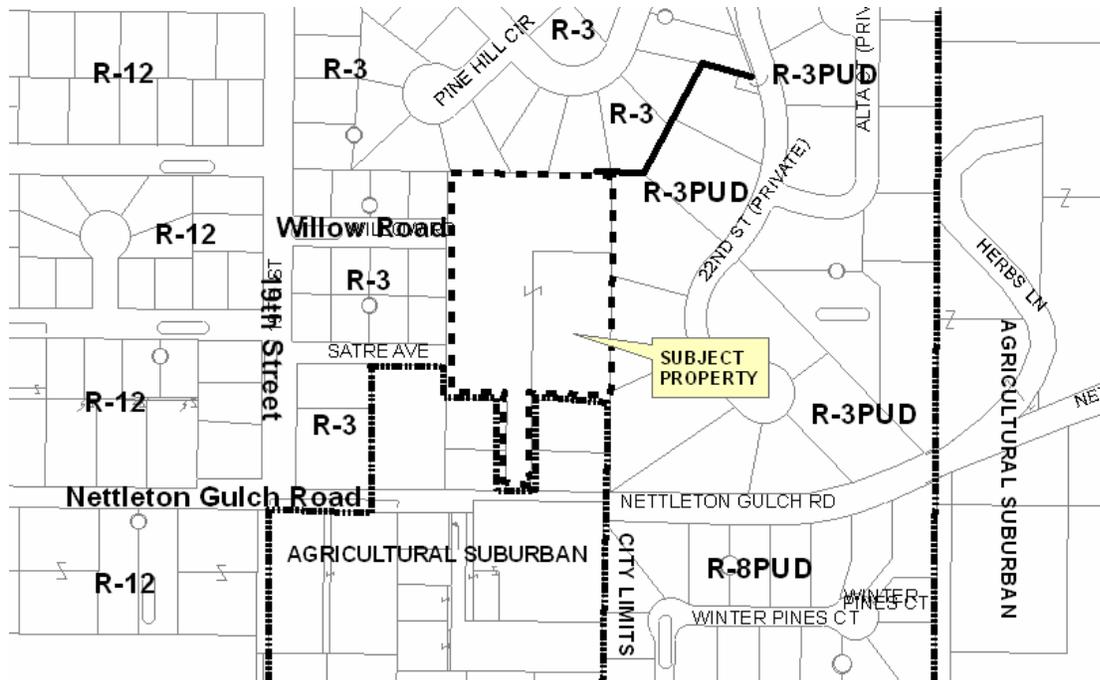


B. Entrance to subject property from Nettleton Gulch Road.



**GENERAL INFORMATION:**

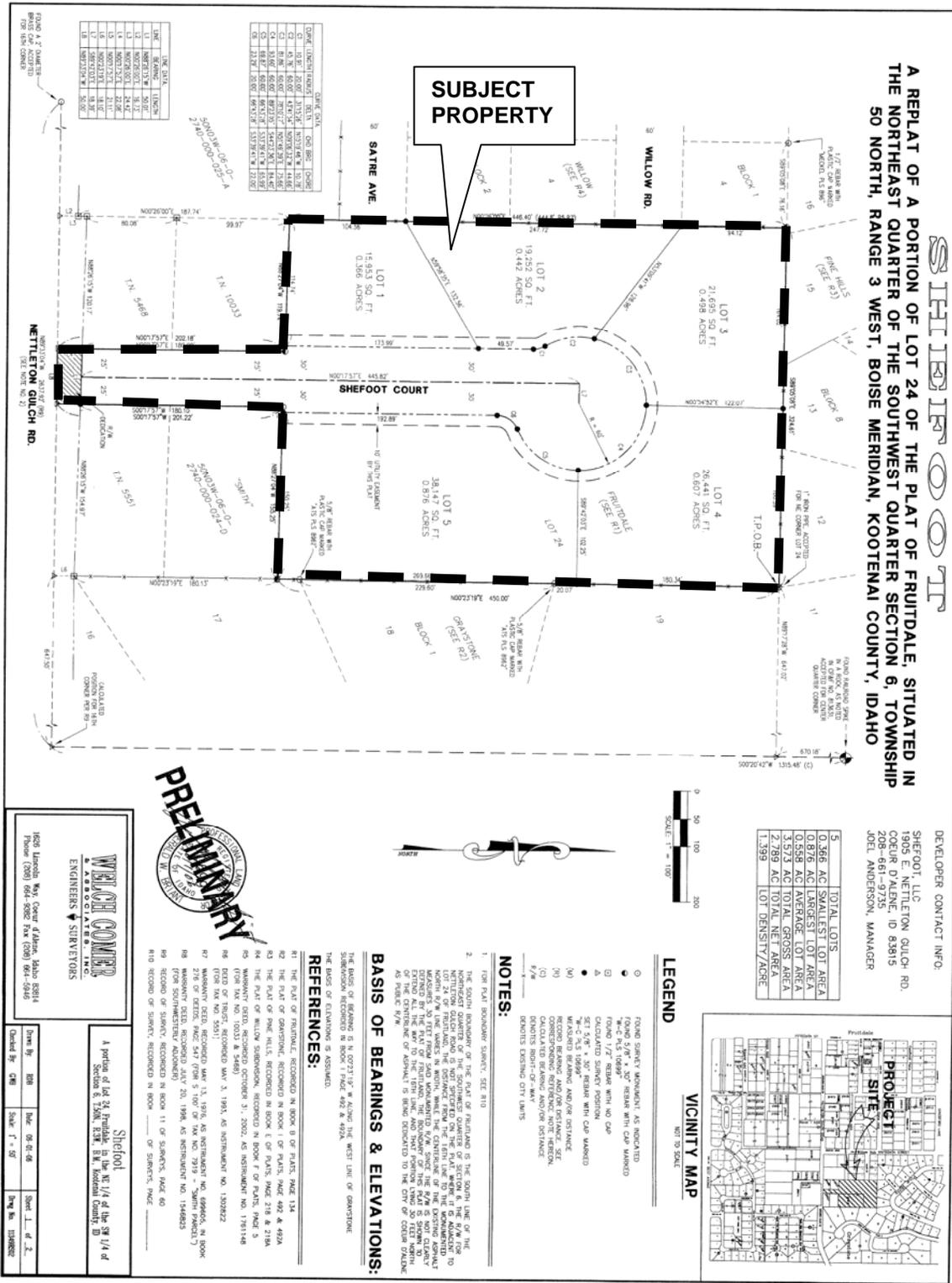
A. Zoning



B. Generalized land use pattern:

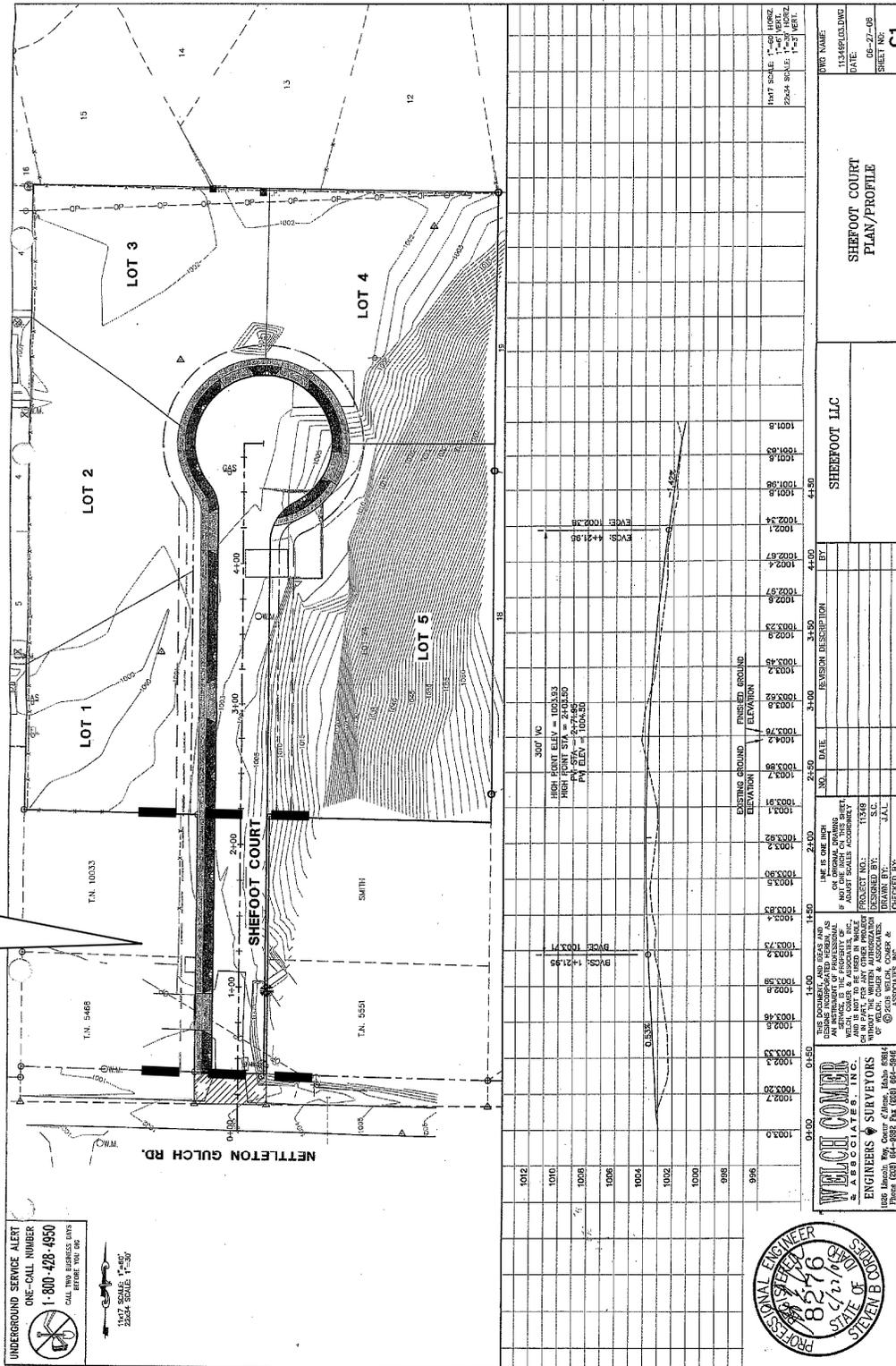


C. Preliminary Plat for "Shefoot"

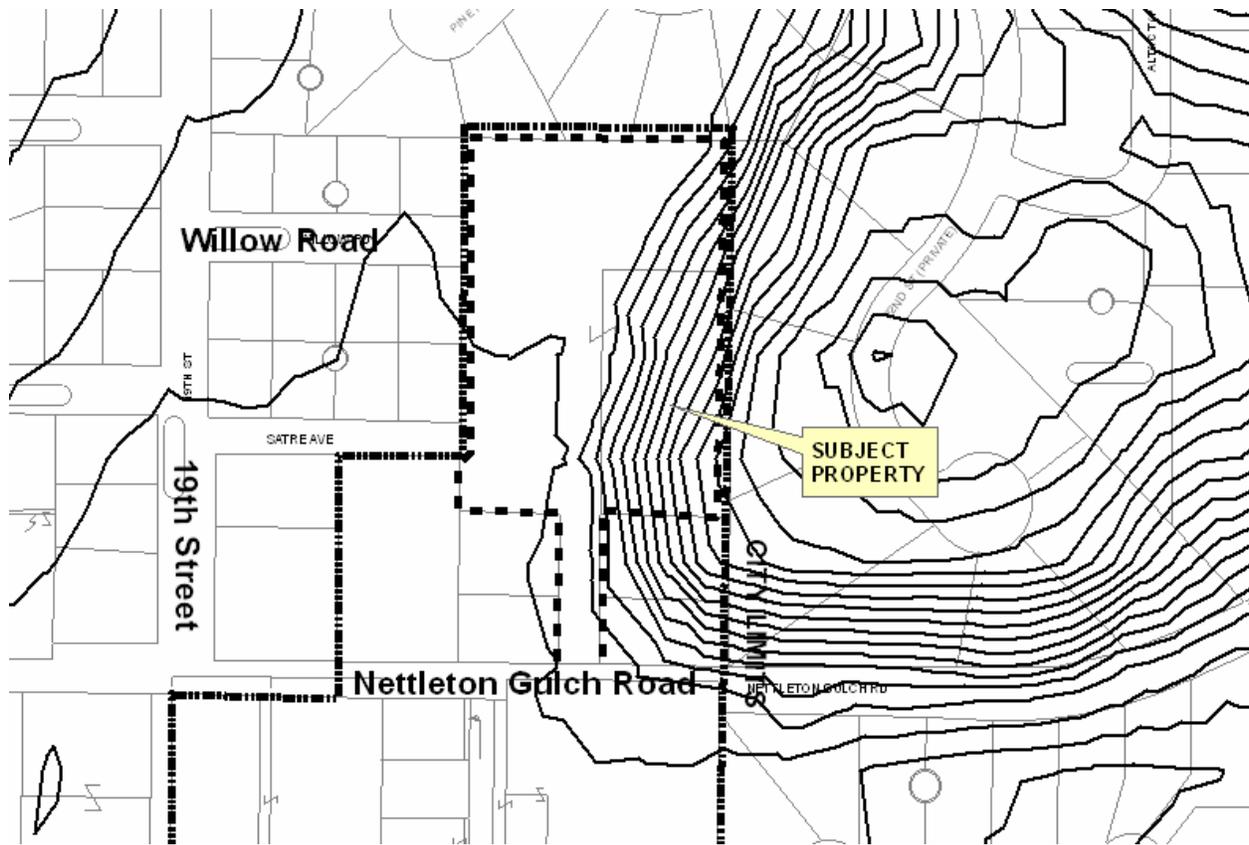


D. Street profile.

THIS PORTION OF THE RIGHT-OF-WAY IS 50 FEET



E. Five foot elevation contours:



F. Applicant/ Property owner Shefoot Investments, LLC  
2863 Sugarpines Drive  
Coeur d'Alene, ID 83815

G. Land uses in the area include single-family dwellings and duplexes.

H. The subject property contains a single-family dwelling with a tree cover of Ponderosa pine and other native conifers.

I. Previous actions on the subject property:

1. A-4-06 & S-8-06 approved by the Planning Commission on July 11, 2006.

**PERFORMANCE ANALYSIS:**

A. Zoning:

The maximum allowable density on the site at 3 units/gross acre would be 14-units. The

proposal is for 5 single-family lots with an average lot size of 24, 306 sq. ft. (lots range in size from 15, 943 sq. ft. to 38, 159 sq. ft.) for an overall density of 1.4 dwelling units per acre.

Evaluation: The zoning is generally compatible with the existing development in the area and the proposed preliminary plat has a density of 1.4 units per acre, which is less than the maximum allowable density in the R-3 zone of 3 units per acre.

**B. Finding #B8A: That all of the general preliminary plat requirements (have) (have not) been met, as attested to by the City Engineer.**

The preliminary plat submitted contained all of the general information required by Section 16.12.020 of the Municipal Code, General Requirements.

**C. Finding #B8B: That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities (are) (are not) adequate where applicable.**

**SEWER:**

Sanitary sewer is available to the proposed subdivision.

Evaluation: There is an existing sanitary main line located at the intersection of 19<sup>th</sup> Street and Nettleton Gulch Road. This line is of adequate size to serve the proposed subdivision; however, the sewer main will need to be extended from this location to the proposed development. Design plans will be required to be submitted and approved prior to any construction activity on the subject property. Service laterals will be required to be installed for the adjoining properties situated between the subject property and Nettleton Gulch Road to provide future connections to the sewer without cutting into the newly constructed street. All sanitary main lines and laterals will be extended at no cost to the City.

**WATER:**

City water is available to the proposed subdivision. There is an existing six inch (6") water main located in Nettleton Gulch Road that serves as a "single feed" that provides water service to the existing residence on the subject property.

- Evaluation:
1. The existing water main is undersized for the development and fire flow necessary to provide service. The developer will be required to replace the existing water main with a City standard eight inch (8") C-900 water main that will be required to make a looping connection to Willow Road, adjoining the subject property.
  2. The loop connection to Willow Road will be required to be placed within a twenty foot (20') easement dedicated to the City, with a ten foot (10') paved pathway over the top, and, fenced along both sides.
  3. The replacement of this six inch (6") line will be required to extend to the

connection point in Nettleton Gulch Road where there is an existing eight inch (8") main at 19<sup>th</sup> Street. The City Water Department will participate in the cost difference between the 6" and the 8" pipe sizing. All cost of installation will be the responsibility of the developer with the City only participating in the pipe upsizing.

4. Fire hydrant installations will be determined during the review of subdivision improvement plans for the subject property.

#### STORMWATER:

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

Evaluation: A detailed stormwater plan with sizing calculations showing swale locations will be required to be submitted with any infrastructure plans for the subject property.

#### TRAFFIC:

The ITE Trip Generation Manual estimates the project will generate approximately 4.5 trips per day during the peak hour periods.

Evaluation: The adjacent and/or connecting streets will accommodate the additional traffic volume.

#### STREETS:

1. The proposed subdivision is bordered by Nettleton Gulch Road to the south. The current right-of-way width varies along its length, as does the jurisdictional control over the roadway (City & Lakes Highway District).

Evaluation: Additional right-of-way (if necessary) on Nettleton Gulch along the subject property's frontage will be required to be dedicated to the City if the existing r/w for the "half section" of roadway is less than thirty feet (30'). The applicant's surveyor will need to present adequate information to the City in order to make that determination.

2. The proposed street accessing the development is situated within a fifty foot (50') right-of-way that widens to the standard sixty feet (60') with a ten foot (10') utility easement after it passes some intervening properties.

Evaluation: The roadway accessing the development through the portion of fifty foot (50') right-of-way is being requested to be a less than standard thirty-two feet (32') wide. This would be feasible if "no parking" is allowed on the roadway. If parking is allowable, emergency fire access may be impeded (26' width is required for fire access), therefore, the 32' width would be feasible w/ the parking restriction. The proposed interior right-of-way meet City standards, however, the utility easement will be required to be widened to fifteen feet (15') in order to accommodate sidewalk. A City standard thirty six foot (36') street width, with a minimum fifty foot (50') radius cul-de-sac will be required to be constructed in the areas of standard right-of-way. The required typical section of will consist of the street/swale section in the r/w and the sidewalk/private utilities in the easement.

3. The narrower fifty foot (50') right-of-way section does not allow for expansion to the east

due to the location existing structures adjoining the right-of-way. Enlargement to the west would result in setback problems with structures to the west. A deviation for this less than standard r/w will be required.

Evaluation: Due to the less than standard right-of-way, the existing structures and hillside, sidewalk will only be required on west side of the roadway and around the "knuckle". Sidewalk will not be required along the portion of Lot 5 out of the knuckle or along the easterly portion of the access roadway.

#### 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. All new streets shall be dedicated and constructed to City of Coeur d'Alene standards.
6. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
7. All required street improvements shall be constructed prior to issuance of building permits.
8. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

##### STORMWATER

9. 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

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

Submitted by Chris Bates, Engineering Project Manager

##### FIRE:

We will address any fire department issues such as water supply and fire department access, prior to any site development.

Submitted by Dan Cochran, Deputy Fire Chief

##### POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

D. **Finding #B8C: That the preliminary plat (is) (is not) in conformance with the**

### **Comprehensive Plan as follows:**

The City Comprehensive Plan Map designates the subject property a Transition Area, as follows:

#### **Transition Areas:**

“These areas represent the locations where the character of neighborhoods is in transition and, overall, should be developed with care. The street network, the number of building lots and general land use are planned to change greatly within the planning period.”

- Protect and/or enhance the integrity of existing residential areas.
- Encourage lower intensity commercial service and manufacturing uses close or abutting major transportation routes.
- Encourage residential when close to jobs and other services.
- Discourage uses that are detrimental to neighboring uses.
- Encourage commercial clusters that will serve adjacent neighborhoods vs. city as a whole.
- Pedestrian/bicycle connections.
- Encourage cluster housing developments to maintain open space and forestlands.
- Overall build-out density approximately 3 dwelling units per acre. Individual lot size will typically not be smaller than 8,000 sq. ft. (5 du's/acre). Higher densities and mixed uses encouraged close or abutting transportation corridors.  
Neighborhood development should consist of:
  - Size of 25 to 65 acres
  - Urban services
  - Sidewalks/bike paths
  - Street trees
  - Neighborhood parks
  - Interconnecting street network

#### **Significant policies:**

- 4C: “New growth should enhance the quality and character of existing areas and the general community.”
- 4C1: Development that proposes to increase the density of a given area may be allowed, provided that the increase maintains the character of the community.”
- 4C3: Population growth should be compatible with preserving Coeur d’Alene’s character and quality of life.”
- 4C5: “New development should provide for bike paths and pedestrian walkways in accordance with the transportation plan and bike plan.”
- 6A: “Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses.”
- 14A3: “All new developments must provide for immediate hook up to the sanitary sewer system.”
- 24C: “Natural vegetative cover should remain as a dominant characteristic of Coeur d’Alene.”
- 42A2: “Property rights of citizens should be protected in land use decisions.”

42B2: "Expansion of the City should be based upon conformance to the urban service area."

42C1: "Providing service to new areas should not be at the expense of areas presently being serviced."

**Transportation Plan policies:**

The Transportation Plan is an addendum to the Comprehensive Plan and is a policy document that is intended to guide decisions that affect transportation issues. Its goal is to correct existing deficiencies and to anticipate, plan and provide for future transportation needs.

31A: "Develop an improved arterial system that integrates with existing street patterns."

33A: "Safe vehicular and pedestrian circulation should be enhanced through careful design and active enforcement."

34A: "Use existing street systems better."

34B: "Reduce automobile dependency by providing bike paths and sidewalks."

38A: "Improve traffic safety by zoning actions and infrastructure improvements."

40A: "New street construction should enhance the visual and physical environment."

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

**E. Finding #B8D. That the public interest (will) (will not) be served.**

The proposed plat is within the Coeur d'Alene Area of City Impact boundary, is requesting an R-3 zoning classification, which has a density that is consistent with the Transition Area designation, is compatible with existing development in the area, is served adequately by public services and facilities and has a street layout plan that adequately connects proposed streets to existing streets.

Evaluation: The Planning Commission must determine, based on the information before them, whether the request will or will not serve the public interest. Specific ways in which this request does or does not should be stated in the finding.

**F. Finding #B8E: That all of the required engineering elements of the preliminary plat (have) (have not) been met, as attested to by the City Engineer.**

A preliminary utility design was submitted indicating that all proposed lots can be served.

G. **Finding #B8F: That the lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.**

All lots within the proposed plat meet the R-3 zone minimum lot size and frontage requirements.

Evaluation: The Planning Commission must determine, based on the information before them, whether the request does or does not meet the minimum requirements of the R-3 zoning district.

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

The subject property is in an established single-family neighborhood, the proposed zoning is R-3, which allows single-family development only and has an overall density of 1.4 dwelling units per acre, which is consistent with the Comprehensive Plan Transition Area designation (Overall build-out density approximately 3 dwelling units per acre. Individual lot size will typically not be smaller than 8,000 sq. ft. (5 du's/acre).

I. Proposed conditions:

**Engineering:**

1. The sanitary sewer main will need to be extended from its location at Nettleton Gulch Road and 19<sup>th</sup> Street to the proposed development. Service laterals will be required to be installed for the adjoining properties situated between the subject property and Nettleton Gulch Road to provide future connections. All sanitary main lines and laterals will be extended at no cost to the City.
2. The developer will be required to replace the existing water main with a City standard eight inch (8") C-900 water main that will be required to make a looping connection to Willow Road adjoining the subject property.
3. The loop connection to Willow Road will be required to be placed within a twenty foot (20') easement dedicated to the City, with a ten foot (10') paved pathway over the top, and, fenced along both sides.
4. The replacement of this six inch (6") line will be required to extend to the connection point in Nettleton Gulch Road where there is an existing eight inch (8") main at 19<sup>th</sup> Street. The City Water Department will participate in the cost difference between the 6" and the 8" pipe sizing. All cost of installation will be the responsibility of the developer with the City only participating in the pipe upsizing.
5. Additional right-of-way (if necessary) on Nettleton Gulch along the subject property's frontage will be required to be dedicated to the City if the existing r/w for the "half section" of roadway is less than thirty feet (30'). The applicant's surveyor will need to present

adequate information to the City in order to make that determination.

6. The proposed utility easement adjoining the right-of-way will be required to be widened to fifteen feet (15') in order to accommodate sidewalk.
  7. A City standard thirty six foot (36') street width, with a minimum fifty foot (50') radius cul-de-sac will be required to be constructed. The required typical section of will consist of the street/swale section in the r/w and the sidewalk/private utilities in the easement. If the thirty-two foot (32') roadway is allowed, it shall be signed by the developer as "no parking" with standard MUTCD signage.
  8. Due to the less than standard right-of-way, the existing structures and hillside, sidewalk will only be required on west side of the roadway and around the "knuckle" cul-de-sac.
- J. Ordinances and Standards Used In Evaluation:
- Comprehensive Plan - Amended 1995.
  - 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 request and make appropriate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

[F:\plgstaff\rrpts\S107]



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

**A. INTRODUCTION**

This matter having come before the Planning Commission on January 9, 2007, and there being present a person requesting approval of ITEM S- 1-07: a request for preliminary plat approval of "Shefoot", a 5 -lot subdivision located in the R-3 (Residential at 3 units/acre) zoning district.

APPLICANT: Shefoot Investments, LLC

LOCATION : +/- 3.5 acre parcel in the vicinity of 19th Street and Nettleton Gulch Road adjacent to Greystone Subdivision

**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 single-family dwellings and duplexes.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is R-3 (Residential at 3 units/acre)
- B4. That the notice of public hearing was published on December 23, 2007, and, January 2, 2007, which fulfills the proper legal requirement.
- B5. That the notice was not required to be posted on the property.
- B6. That 78 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on December 22, 2007, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on January 9, 2007.
- B8. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

B8A. That all of the general preliminary plat requirements **(have) (have not)** been met as attested to by the City Engineer. This is based on

B8B. That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities **(are) (are not)** adequate where applicable. This is based on

B8C. That the preliminary plat **(is) (is not)** in conformance with the Comprehensive Plan as follows:

B8D. That the public interest **(will) (will not)** be served based on

**Criteria to consider for B8D:**

1. Does this request achieve the goals and policies of the comp plan?
2. Does it provide for orderly growth and development that is compatible with uses in the surrounding area?
3. Does it protect the public safety by providing adequate public utilities and facilities to mitigate any development impacts?
4. Does the it protect and preserve the natural beauty of Coeur d'Alene?
5. Does this have a positive impact on Coeur d'Alene's economy?
6. Does it protect property rights and enhance property values?

B8E. That all of the required engineering elements of the preliminary plat **(have) (have not)** been met, as attested to by the City Engineer. This is based on

B8F That the lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district for the following reasons:

**Criteria to consider for B8F:**

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?

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

**Criteria to consider for B10:**

1. Can the existing street system support traffic generated by this request?
2. Does the density or intensity of the project "fit " the surrounding area?
3. Is the proposed development compatible with the existing land use pattern? i.e. residential, commercial, residential w churches & schools etc.
4. Is the design and appearance of the project compatible with the surrounding neighborhood?

- B10. Deviations from Provisions Criteria, Section 16.32.010, Standards for Granting. In specific cases, the Commission may authorize deviations from the provisions or requirements of this title that will not be contrary to public interest; but only where, owing to special conditions pertaining to a specific subdivision, the literal interpretation and strict application of the provisions or requirements of this title would cause undue and unnecessary hardship. No such deviation from the provisions or requirements of this title shall be authorized by the Commission unless they find that all of the following facts and conditions exist:

- A. Exceptional or extraordinary circumstances or conditions applying to the subject subdivision or to the intended use of any portion thereof that does not apply generally to other properties in similar subdivisions or in the vicinity of the subject subdivision. This is based on

- B. Such deviation is necessary for the preservation and enjoyment of a substantial property right of the subdivider or is necessary for the reasonable and acceptable development of the property. This is based on
  
- C. The authorization of such deviation **(will) (will not)** be materially detrimental to the public welfare or injurious to property in the vicinity in which the subdivision is located. This is based on
  
- D. The authorization of such deviation will not adversely affect the Comprehensive Plan.
  
- E. Deviations with respect to those matters originally requiring the approval of the City Engineer may be granted by the Commission only with the written approval of the City Engineer.

C. **ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **SHEFOOT INVESTMENTS, LLC** for preliminary plat of approval as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied to the motion are:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning Voted \_\_\_\_\_ (tie breaker)

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

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

---

CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION  
STAFF REPORT**

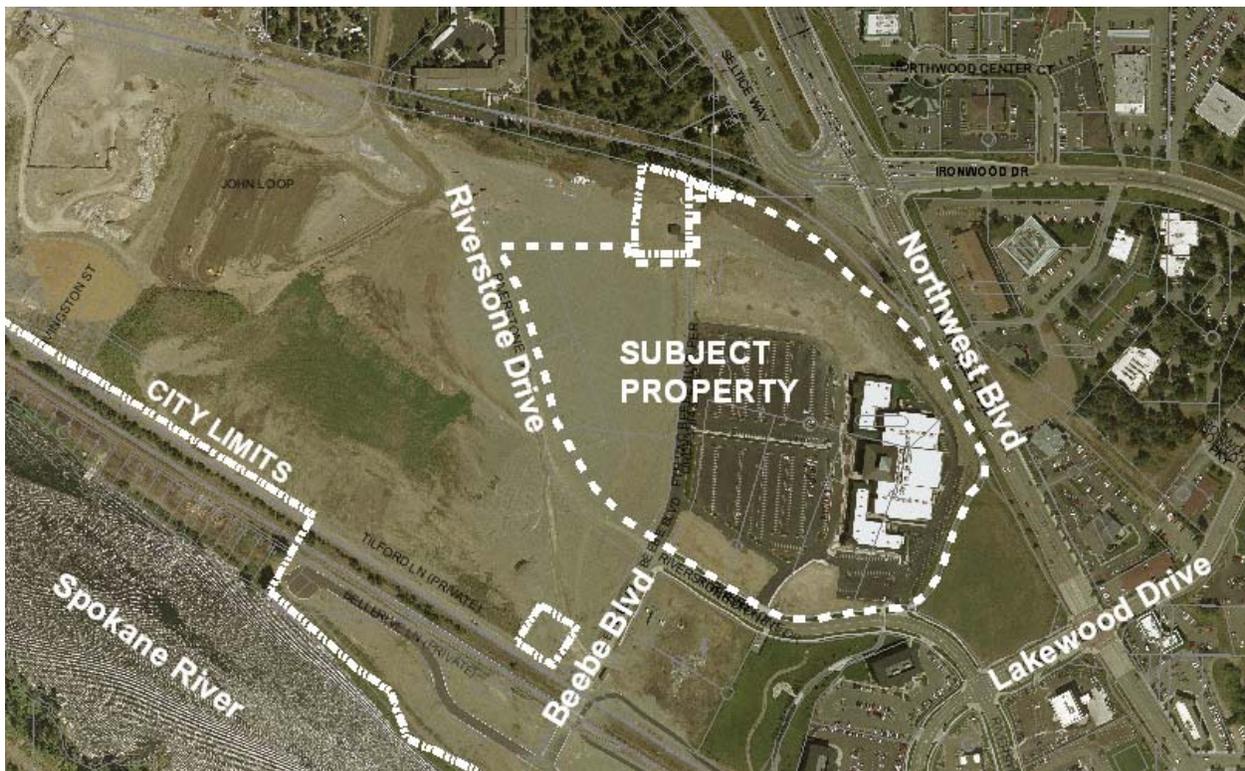
FROM: JOHN J. STAMOS, ASSOCIATE PLANNER  
DATE: JANUARY 9, 2007  
SUBJECT: S-2-07 – 10-LOT PRELIMINARY PLAT SUBDIVISION  
LOCATION: +/- 25.5 - ACRE PARCEL ADJACENT TO RIVERSTONE DRIVE AND BEEBE BOULEVARD.

**DECISION POINT:**

Riverstone Center and Riverstone Center West, LLC is requesting Preliminary Plat approval of “Village at Riverstone”, a 10-lot re-plot of Lots 1 through 5, Block 1, Riverstone, and Lots 1 through 5, Block 1, Riverstone West, and that portion of Beebe Avenue vacated per Ordinance # 3193 and that portion of the Northwest 1/4 of Section 11, Township 50 North, Range 4 in the C-17 (Commercial at 17 units/acre) zoning district.

**SITE PHOTOS:**

A. Aerial view:

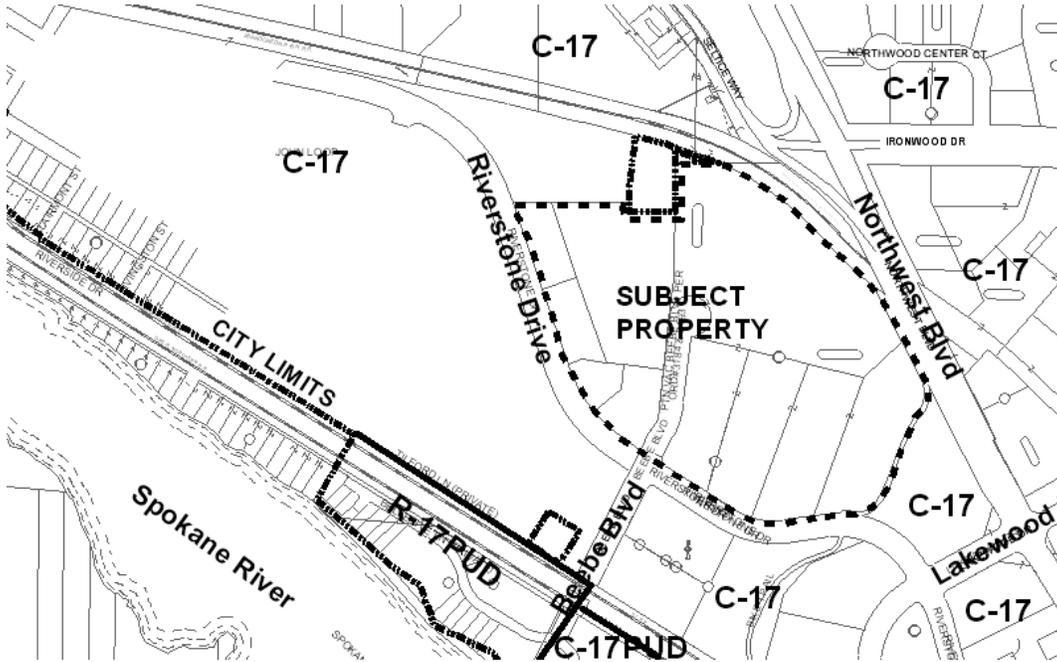


B. Subject property.

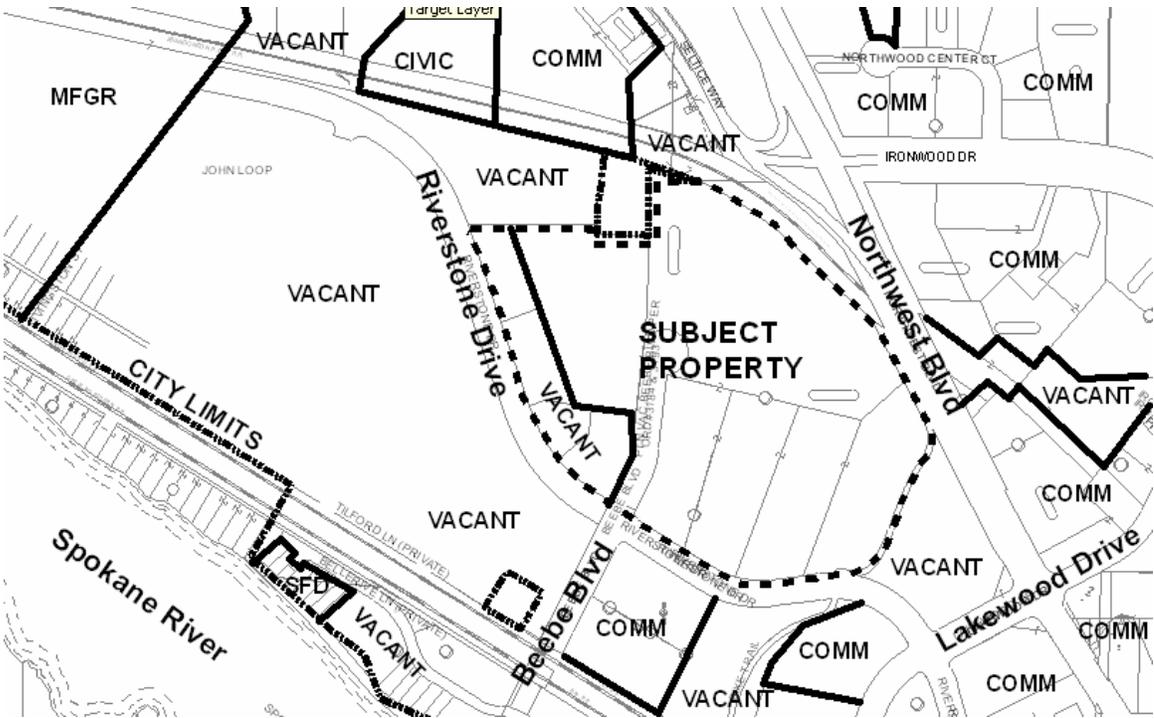


**GENERAL INFORMATION:**

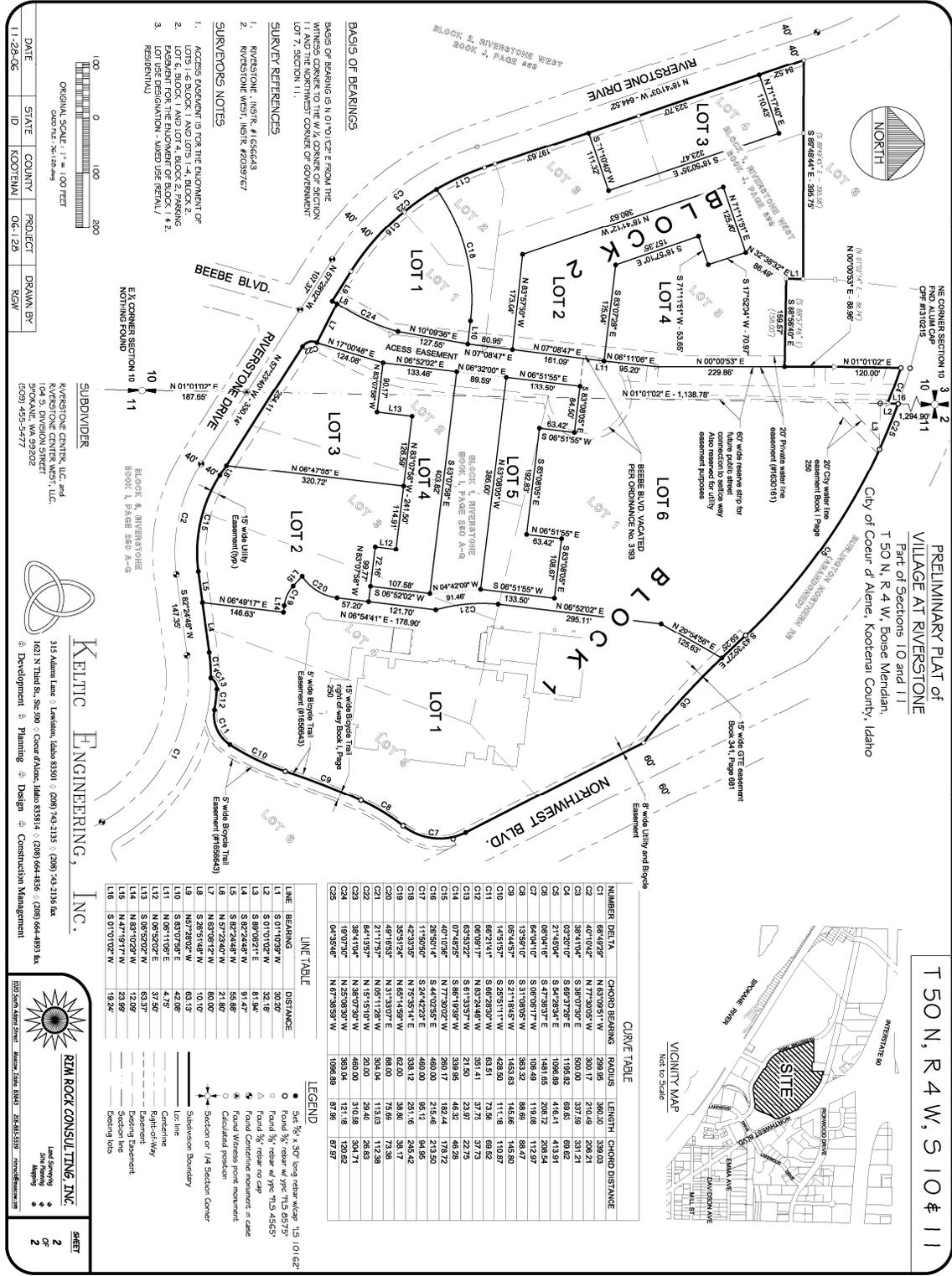
A. Zoning.



B. Generalized land use.

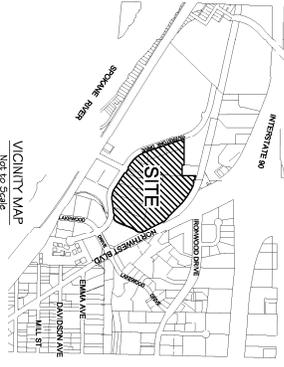


C. "Village at Riverstone" Subdivision :



**PRELIMINARY PLAT OF  
VILLAGE AT RIVERSTONE**  
Part of Sections 10 and 11  
T 50 N, R 4 W, Boise Meridian,  
City of Coeur d'Alene, Kootenai County, Idaho

**T 50 N, R 4 W, S 10 & 11**



**CURVE TABLE**

NUMBER	DELTA	CHORD BEARING	RADIUS	LENGTH	CHORD DISTANCE
C1	68°46'29"	N 63°09'51" W	289.85	300.50	339.03
C2	48°11'42"	N 77°30'05" W	300.17	310.48	326.21
C3	100°00'00"	S 89°46'44" E	300.17	310.48	326.21
C4	03°20'10"	S 69°37'39" E	1156.82	68.65	68.62
C5	21°46'04"	S 54°28'34" E	1066.89	416.41	413.81
C6	08°04'18"	S 47°36'37" E	1481.85	208.72	208.54
C7	08°04'18"	S 09°06'17" W	106.48	119.08	112.87
C8	12°29'19"	S 51°08'05" W	363.32	68.88	68.41
C9	14°51'57"	S 25°51'11" W	428.80	111.18	110.87
C10	68°21'41"	N 83°28'39" W	63.51	73.86	68.52
C11	68°21'41"	N 83°28'39" W	351.41	37.75	37.73
C12	68°21'41"	N 83°28'39" W	21.50	23.87	22.75
C13	63°53'22"	S 61°33'57" W	339.85	46.32	46.23
C14	07°46'25"	S 89°19'39" W	359.85	46.32	46.23
C15	11°50'07"	S 44°42'55" E	460.00	213.46	213.50
C16	28°50'14"	S 24°42'57" E	460.00	94.85	94.85
C17	11°50'07"	S 75°51'14" E	338.12	251.16	245.42
C18	42°51'24"	N 65°14'59" W	62.00	38.80	38.17
C19	32°51'24"	N 51°38'07" E	62.00	38.80	38.17
C20	44°19'52"	N 51°38'07" E	62.00	38.80	38.17
C21	44°19'52"	N 51°38'07" E	62.00	38.80	38.17
C22	64°13'57"	N 15°15'10" W	26.00	28.46	26.83
C23	38°41'04"	N 38°07'30" W	460.00	510.58	504.71
C24	19°07'30"	N 25°08'30" W	383.84	121.18	120.82
C25	04°35'46"	N 67°38'59" W	1066.89	87.86	87.87

**LINE TABLE**

LINE BEARING	DISTANCE
L1	S 01°10'29" W 30.20
L2	S 01°10'29" W 32.18
L3	S 09°05'21" E 81.94
L4	S 82°24'48" W 55.86
L5	S 82°24'48" W 21.80
L6	N 57°23'40" W 80.00
L7	N 57°23'40" W 10.10
L8	S 26°51'46" W 63.13
L9	S 87°28'22" W 4.78
L10	N 06°11'05" E 4.78
L11	N 06°52'02" E 31.50
L12	N 06°52'02" E 63.37
L13	S 06°52'02" W 12.09
L14	N 47°19'17" W 23.99
L15	S 01°01'52" N 19.24

**LEGEND**

- Substation Boundary
- Centerline
- Right-of-Way
- Easement
- Existing Easement
- Section line
- Lotting line

**BASIS OF BEARINGS**  
BASIS OF BEARING IS N 01°01'02" E FROM THE  
WITNESSE CORNER TO THE W.1/4 CORNER OF SECTION  
11 AND THE NORTHWEST CORNER OF GOVERNMENT  
LOT 7, SECTION 11.

**SURVEY REFERENCES**  
1. RIVERSTONE, INSTR #1656648  
2. RIVERSTONE WEST, INSTR #2039767

**SURVEYS NOTES**  
1. ACCESS EASEMENT IS FOR THE ENJOYMENT OF  
LOTS 1-6, BLOCK 1 AND LOTS 1-4, BLOCK 2  
EASEMENT FOR THE ENJOYMENT OF BLOCK 1 & 2  
RESIDENTIAL  
2. LOT USE DESIGNATION - W/ND USE (RETAIL)  
RESIDENTIAL

**DATE** 11-28-06  
**STATE** ID  
**COUNTY** KOOTENAI  
**PROJECT** 06-1128  
**DRAWN BY** KAY

**SCALE** ORIGINAL SCALE: 1" = 100 FEET  
CADD FILE: 06-1128.dwg

**SUBDIVIDER**  
RIVERSTONE CENTER, LLC, and  
RIVERSTONE CENTER WEST, LLC  
5925 S. COEUR AVENUE  
BOISE, IDAHO 83725  
(208) 455-5477

**CLIENT**  
315 Adams Lane | Lewiston, Idaho 83501 | (208) 743-2135 | (208) 743-2138 fax  
1621 N Third St., Ste. 800 | Coeur d'Alene, Idaho 83814 | (208) 664-8438 | (208) 664-4893 fax

**DESIGN SERVICES**  
Development Planning Design Construction Management

**LOGO** KELTIC ENGINEERING, INC.

**LOGO** RSM ROCK CONSULTING, INC.

**SHEET** 2 of 2

D. Applicant: Riverstone Center and Riverstone Center West, LLC  
104 S. Division Street

Spokane, WA 99204

- E. Land uses in the area include residential – commercial retail sales & service, civic, manufacturing and vacant land.
- F. The subject property contains several commercial service uses.

**PERFORMANCE ANALYSIS:**

A. Zoning:

The subject property is zoned C-17 and will not change with this request. The C-17 zoning district is intended as a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) units per gross acre. This District should be located adjacent to arterials. The C-17 zone allows 57 uses by right and 10 uses by special use permit.

The zoning pattern in the area shows C-17 zoning in the "Riverstone" development and the "Riverstone West" development to the west. All lots have frontage on Riverstone Drive or to the abandoned Beebe Boulevard right-of-way, which has a public access easement covering the existing street. There are no minimum lot size or frontage requirements for commercial lots in a C-17 zone but there is a minimum requirement for access which is legal access.

Evaluation: All lots have frontage on either Riverstone Drive or the former Beebe Drive. Riverstone Drive is a major street through the Riverstone and Riverstone West developments and will provide access to both Northwest Boulevard and Seltice Way.

The preliminary plat should be evaluated to determine that it is compatible with the land uses in the area, the surrounding street pattern, and the Comprehensive Plan.

**B. Finding #B8A: That all of the general preliminary plat requirements (have) (have not) been met, as attested to by the City Engineer.**

The preliminary plat submitted contained all of the general information required by Section 16.12.020 of the Municipal Code, General Requirements.

**C. Finding #B8B: That the provisions for streets, alleys, rights-of-way, easements,**

**street lighting, fire protection, planting, drainage, and utilities (are) (are not) adequate where applicable.**

**SEWER:**

Sanitary sewer is available to the proposed subdivision.

**Evaluation:** There are existing eight inch (8") sanitary main lines traversing the subject property that are of adequate size to serve the proposed subdivision. Some realignment and reconstruction will be required to provide service to all of the proposed lots. All sewer mains and laterals are required to be installed prior to final plat approval. No building permits will be issued until sanitary sewer is to the subject lots and service available. All public main lines will be required to be placed into twenty foot (20') single or thirty foot (30') combined utility easements, dedicated to the City.

**WATER:**

City water is available to the proposed subdivision.

**Evaluation:** There is an existing eight inch (8") water main line that traverses the subject property. This line is of adequate size to serve the proposed subdivision. New main lines and lateral services will be extended from this existing network. All water mains and laterals are required to be installed prior to final plat approval. No building permits will be issued until water is to the subject lots and service available. All new water main lines and fire hydrant service lines will be required to be placed in twenty foot (20') single or thirty foot (30') combined utility easements, dedicated to the City.

**STORMWATER:**

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

**Evaluation:** The City Stormwater Ordinance requires that all stormwater be detained on the individual properties and not flow across any adjoining or intervening parcels. If the developer chooses to utilize a community stormwater system to serve the subject property, a cooperative agreement will be required to be completed that details the area to be utilized, method of conveyance of the stormwater to the treatment area, and the financial and maintenance responsibilities of the property owners that utilize the drainage network. This agreement will be required to be a component of any property owner's association for the subject property and will be required to be in place prior to final plat approval. If there is no association, such agreement will be required to be a separately recorded document and attached to the title of the properties. If this is not utilized, each property will be responsible for there own stormwater detention facilities.

**TRAFFIC:**

The non-specified uses for the subject property make it difficult to project traffic

flows from the site, however, the traffic study that was completed for the initial underlying development called for the installation of two traffic signals as traffic levels increase and levels of service decrease. The developer is responsible to install the signals at the intersections of Lakewood/Riverstone Dr., and, Riverstone Dr. /Seltice Way no later than February 2008.

#### STREETS:

The proposed subdivision is bordered by Northwest Boulevard and Riverstone Drive. The current right-of-way widths meet City standards and the roads are fully developed. The lots within the development will be accessed by internal private streets.

Evaluation: The internal roadways serving the subject lots will be "private", owned and maintained by the property owners association and shown as "tracts" on the final plat document. All roadways will have joint ingress/egress easements over them for the use of all property owners and the public. These easements will be required to include reciprocal parking rights for all owners, tenants and the public. All roadways will have street names assigned and posted that have been approved by the Kootenai County Planning Department. Street sign installation will conform to the City Street Name Ordinance # 3033 and Standard Drawings M-1 and M-2. Submission of an approved street name list will be required prior to final plat approval.

#### 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. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
6. All required street improvements shall be constructed prior to issuance of building permits.
7. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

##### STORMWATER

8. 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.

FIRE PROTECTION

9. Fire hydrant(s) shall be installed at locations specified by the City Fire Inspector.

GENERAL

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

Submitted by Chris Bates, Engineering Project Manager

FIRE:

We will address any Fire Department issues such as water supply, fire hydrants and fire department access, prior to any site development.

Submitted by Dan Cochran, Deputy Fire Chief

POLICE:

No further comments.

Submitted by Steve Childers, Captain, Police Department

D. **Finding #B8C: That the preliminary plat (is) (is not) in conformance with the Comprehensive Plan as follows:**

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map designates the subject property as Transition with Northwest Boulevard indicated as a Medium Intensity Corridor, as follows:

**Transition:**

These areas represent the locations where the character of neighborhoods is in transition and, overall, should be developed with care. The street network, the number of building lots and general land use are planned to change greatly within the planning period.

- Protect and/or enhance the integrity of existing residential areas.
- Encourage lower intensity commercial service and manufacturing uses close or abutting major transportation routes.
- Encourage residential when close to jobs and other services.
- Discourage uses that are detrimental to neighboring uses.
- Encourage commercial clusters that will serve adjacent neighborhoods vs. city as a whole.
- Pedestrian/bicycle connections.

**Medium Intensity Corridors:**

"These areas primarily consist of areas where commercial and residential uses may

be encouraged.”

- Residential/commercial mix.
- Possible residential density = 17/34 du/acre
- Encourage lower intensity commercial service and manufacturing uses close or abutting major transportation routes.
- Discourage uses that are detrimental to neighboring stable established neighborhoods.
- Arterial/collector corridors defined by landscaping/street trees.

**Page 28:** All requests for zone changes, special use permits etc., will be made considering, but not limited to:

- The individual characteristics of the site;
- The existing conditions within the area, and
- The goals of the community.

**Significant policies:**

4C: “New growth should enhance the quality and character of existing areas and the general community.”

4C1: “Development that proposes to increase the density of a given area may be allowed, provided that the increase maintains the character of the community.”

4C3: Population growth should be compatible with preserving Coeur d’Alene’s character and quality of life.”

4C5: “New development should provide for bike paths and pedestrian walkways in accordance with the transportation plan and bike plan.”

6A: “Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses.”

6A2: “Encourage high-intensity commercial development, including professional offices, to concentrate in existing areas so as to minimize negative influences on adjacent land uses, such as traffic congestion, parking and noise.

6A3: “Commercial development should be limited to collector and arterial streets.”

14A3: “All new developments must provide for immediate hook up to the sanitary sewer system.”

23B1: “New developments should be required to be within an existing sewage service area or provide a system that does not pollute the aquifer.”

42A2: "Property rights of citizens should be protected in land use decisions."

46A: "Provide for the safe and efficient circulation of vehicular traffic."

51A: "Protect and preserve neighborhoods both old and new."

51A5: "Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects."

52B: "Promote a high standard of landscaping, building design and community development."

62A: "Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects."

**Transportation Plan policies:**

The Transportation Plan is an addendum to the Comprehensive Plan and is a policy document that is intended to guide decisions that affect transportation issues. Its goal is to correct existing deficiencies and to anticipate, plan and provide for future transportation needs.

31A: "Develop an improved arterial system that integrates with existing street patterns."

33A: "Safe vehicular and pedestrian circulation should be enhanced through careful design and active enforcement."

34A: "Use existing street systems better."

34B: "Reduce automobile dependency by providing bike paths and sidewalks."

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

**E. Finding #B8D: That the public interest (will) (will not) be served.**

The proposed plat is a re-plat of the existing Riverstone plat and will provide separate lots for the proposed and existing mixed-use buildings, retail pads and the Regal Cinemas building.

Evaluation: The Planning Commission must determine, based on the information

before them, whether the request will or will not serve the public interest.

- F. **Finding #B8E: That all of the required engineering elements of the preliminary plat (have) (have not) been met, as attested to by the City Engineer.**

A preliminary utility design was submitted indicating that all proposed lots could be served.

- G. **Finding #B8F: That the lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.**

All lots within the proposed plat meet the minimum requirements of the C-17 zoning district.

Evaluation: The Planning Commission must determine, based on the information before them, whether the request does or does not meet the minimum requirements of the C-17 zoning district.

- H. **Finding #B9: That the proposal (would) (would not) adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses.**

The proposed subdivision is in a developing commercial area along the Seltice Way/Northwest Boulevard commercial corridor, which is predominately commercial in use and adjacent to streets that can accommodate traffic generated by this development.

Evaluation: The Planning Commission must determine, based on the information before them, what affect the request would have on traffic, neighborhood character, and existing land uses.

- I. Proposed conditions:

**Engineering:**

1. All sewer mains and laterals are required to be installed prior to final plat approval. No building permits will be issued until sanitary sewer is to the subject lots and service available. All public main lines will be required to be placed into twenty foot (20') single or thirty foot (30') combined utility easements, dedicated to the City.
2. All water mains and laterals are required to be installed prior to final plat approval. No building permits will be issued until water is to the subject lots and service available. All new water main lines and fire hydrant service lines will be required to be placed in twenty foot (20') single or thirty foot (30') combined utility easements, dedicated to the City.
3. If the developer chooses to utilize a community stormwater system to serve the subject property, a cooperative agreement will be required to be completed that details the area to be utilized, method of conveyance of the stormwater to the

treatment area and the financial and maintenance responsibilities of the property owners that utilize the drainage network. This agreement will be required to be a component of any property owner's association for the subject property and will be required to be in place prior to final plat approval. If there is no association, such agreement will be required to be a separately recorded document and attached to the title of the properties. If this is not utilized, each property will be responsible for their own stormwater detention facilities.

4. The internal roadways serving the subject lots will be "private", owned and maintained by the property owners association and shown as "tracts" on the final plat document. All roadways will have joint ingress/egress easements over them for the use of all property owners and the public. These easements will be required to include reciprocal parking rights for all owners, tenants and the public. All roadways will have street names assigned, and posted, that have been approved by the Kootenai County Planning Department. Street sign installation will conform to the City Street Name Ordinance # 3033 and Standard Drawings M-1 and M-2. Submission of an approved street name list will be required prior to final plat approval.

- J. Ordinances and Standards Used In Evaluation:  
Comprehensive Plan - Amended 1995.

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 request and make appropriate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

[F:\pcstaffreportsS207]

**PROPERTY INFORMATION**

- 1. Gross area: (all land involved): 25.491 acres, and/or \_\_\_\_\_ sq.ft.
- 2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): 25.491 acres, and/or \_\_\_\_\_ sq. ft.
- 3. Total length of streets included: 0 ft., and/or \_\_\_\_\_ miles.
- 4. Total number of lots included: 10
- 5. Average lot size included: 2.719 acres
- 6. Existing land use: COMMERCIAL
- 7. Existing Zoning: (circle one) R-1 R-3 R-5 R-8 R-12 R-17 MH-8 C-17  
C-17L C-34 LM M

**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:

The proposed subdivision is for the Village at Riverstone mixed-use center, which will include approximately 210,000 square feet of retail space and approximately 140 residential condominiums located on two stories above the retail.  
The purpose of the subdivision is to create separate lots for the mixed-use buildings, the retail pads and the Regal Cinemas with the surrounding shops (which were the first phase of the project).

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F**

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on January 9, 2007, and there being present a person requesting approval of ITEM S-2-07: a request for preliminary plat approval of "Village at Riverstone", a 10-lot re-plat of Lots 1 through 5, Block 1, Riverstone, and Lots 1 through 5, Block 1, Riverstone West, and that portion of Beebe Avenue vacated per Ordinance # 3193 and that portion of the Northwest 1/4 of Section 11, Township 50 North, Range 4 in the C-17 (Commercial at 17 units/acre) zoning district.

APPLICANT: Riverstone Center and Riverstone Center West, LLC

LOCATION: +/- 25.5 - acre parcel adjacent to Riverstone Drive and Beebe Boulevard.

**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 – commercial retail sales & service, civic, manufacturing and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is C-17 (Commercial at 17units/acre)
- B4. That the notice of public hearing was published on December 23, 2006, and January 2, 2007, which fulfills the proper legal requirement.
- B5. That the notice was not required to be posted on the property.
- B6. That 30 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on December 22, 2006, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on January 9, 2007.

B8. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

B8A. That all of the general preliminary plat requirements **(have) (have not)** been met as attested to by the City Engineer. This is based on

B8B. That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities **(are) (are not)** adequate where applicable. This is based on

B8C. That the preliminary plat **(is) (is not)** in conformance with the Comprehensive Plan as follows:

B8D. That the public interest **(will) (will not)** be served based on

**Criteria to consider for B8D:**

1. Does this request achieve the goals and policies of the comp plan?
2. Does it provide for orderly growth and development that is compatible with uses in the surrounding area?
3. Does it protect the public safety by providing adequate public utilities and facilities to mitigate any development impacts?
4. Does the it protect and preserve the natural beauty of Coeur d'Alene?
5. Does this have a positive impact on Coeur d'Alene's economy?
6. Does it protect property rights and enhance property values?

B8E. That all of the required engineering elements of the preliminary plat **(have) (have not)** been met, as attested to by the City Engineer. This is based on

B8F That the lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district for the following reasons:

**Criteria to consider for B8F:**

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?

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

**Criteria to consider for B9:**

1. Can the existing street system support traffic generated by this request?
2. Does the density or intensity of the project "fit " the surrounding area?
3. Is the proposed development compatible with the existing land use pattern? i.e. residential, commercial, residential w churches & schools etc.
4. Is the design and appearance of the project compatible with the surrounding neighborhood?

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **RIVERSTONE CENTER AND RIVERSTONE CENTER WEST, LLC** for preliminary plat of approval as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied to the motion are:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning Voted \_\_\_\_\_ (tie breaker)

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

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

---

CHAIRMAN JOHN BRUNING



# 2005 Planning Commission Retreat Priorities Progress

JANUARY 2007

<p>.A note on the colors from from Tony Berns: "I use the stop light analogy:          Red is bad – either that initiative has failed, or our Board goal for the year will not be met.          Yellow is caution – could get to "red" if we don't do something pronto.          Green is good.          The other colors like "pending" are place holders until action on those items can occur." <b>Note:The PC is encouraged to select what "color" is appropriate.</b></p>		
<b>Administration of the Commission's Business</b>		
<ul style="list-style-type: none"> <li>▪ Follow-up of Commission requests &amp; comments</li> </ul>		Public Hearing Notices to PC 1/9
<ul style="list-style-type: none"> <li>▪ Meeting with other boards and committees</li> </ul>		Park/rec Committee workshop 12-2:00 p.m. September 18th
<ul style="list-style-type: none"> <li>▪ Goal achievement</li> </ul>		Checklist of projects
<ul style="list-style-type: none"> <li>▪ Building Heart Awards</li> </ul>		Discussed 7/18 No awards will be given this year.
<ul style="list-style-type: none"> <li>• Speakers</li> </ul>		ULI educational opportunities provided. Council sponsored Idaho Smart Growth presentation held.
<ul style="list-style-type: none"> <li>• Public Hearings</li> </ul>		February 13, 6 items scheduled
<b>Long Range Planning</b>		
<ul style="list-style-type: none"> <li>▪ <b>Comprehensive Plan Update</b></li> </ul>		Tentative Workshop with Council/PC on January 31, 12:00p.m.
<ul style="list-style-type: none"> <li>▪ Education Corridor</li> </ul>		Meeting October completed(Souza) Workshop w/prop river corridor owners took place in January 06. Master planning in progress by consultant (MIG)
<ul style="list-style-type: none"> <li>▪ Neighborhood Parks &amp; Open Space</li> </ul>		Coordinate w/ P&R & Open Space Comm. Nothing new Consultant doing masterplan
<ul style="list-style-type: none"> <li>▪ Neighborhood Planning</li> </ul>		Discussed neighborhood designation in Compln.
<b>Public Hearing Management</b>		
<ul style="list-style-type: none"> <li>▪ Continued work on Findings and Motions</li> </ul>		Warren and Plg staff to review
<ul style="list-style-type: none"> <li>▪ Public hearing scheduling</li> </ul>		Chrman Bruning consulted on agenda
<b>Regulation Development</b>		
<b>Downtown Design Regs Hght</b>		Council Hearing hearing July 5th. Approved. Chrmm Bruning and Commissioner Souza attend
<b>Cluster Housing standards</b>		Council approved on 11.21.06
<b>Subdivision Standards</b>		Prelim review began. PC road trip 10/05 Tweaks of condo plats and lot frontages being processed
<b>Revise Landscaping Regulations</b>		Future.
<b>Commercial Zoning</b>		Council Hearing scheduled for January 16,2007
<b>Parking Standards</b>		Future
<b>Lighting standards</b>		in process – Hinshaw included as part of NC & CC
Accessory Dwelling Units		See cluster housing. Approved by Council on 11.21.06
District and Corridor Design Review		Future ?
Home Occupations by SP		Council chose not to pursue
<b>Other Action</b>		
Chairman Bruning retires from 2 <sup>nd</sup> job w/ USFS		Can now devote more time to PC

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## Megan's Law Hits Local Property Prices

### Megan's Law Hits Local Property Prices

*"When a sex offender moves into a neighborhood, houses within a one-tenth mile area around the sex offender's home fall."*

If a registered sex offender, reformed or not, moves into your immediate neighborhood, it's bad financial news. The potential price for your home likely has been trimmed substantially.

Economists Leigh Linden and Jonah Rockoff measure the impact of living in close proximity to such a convicted criminal in *There Goes the Neighborhood? Estimates of the Impact of Crime Risk on Property Values from Megan's Laws* (NBER Working Paper No. 12253). They combine data from the housing market with data from the North Carolina Sex Offender Registry to find that when a sex offender moves into a neighborhood, houses within a one-tenth mile area around the sex offender's home fall by 4 percent on average (about \$5,500), while those further away show no decline in value. "These results suggest that individuals have a significant distaste for living in close proximity to a known sex offender," the authors conclude.

Crime is predominantly a local issue, with the majority of both violent and non-violent offenses taking place less than one mile from a victim's homes. Most government expenditures on police protection are local. They add up to more than \$50 billion a year across the nation. Residents can respond to more crime by voting for anti-crime policies, or by moving away.

One popular anti-crime effort is a body of legislation known as Megan's Laws. In 1994, a seven-year-old girl named Megan Kanka was brutally raped and murdered by her next-door neighbor. The man had been convicted in 1981 for an attack on a five-year-old child and an attempted sexual assault on a seven-year-old. But none of his neighbors knew these facts. Megan's Laws require the notification of the public regarding the location and description of convicted sex offenders. By the imposition of such a post-prison requirement, these laws represent a significant change in the legal practice of dealing with convicted criminals after they have been released from jail. This provision has made these laws extremely controversial and subject to numerous court challenges. Two cases reached the Supreme Court. It upheld the relevant laws as legitimate civil regulation, rather than retroactive criminal punishment, in response to the recidivism threat imposed by sex offenders on the communities in which they live.

A 1994 federal law, the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program, created a mandatory state requirement for the registration of sex offenders. It threatens non-complying states with a reduction of federal grants for state law enforcement efforts. The legislation was extended in 1996 to require the dissemination of information in the registry.

By now, all 50 states maintain a registry making some information available to the public. However, the method of compliance varies significantly. Forty-six provide public Internet access to the offender registry. Louisiana has perhaps the most aggressive notification law. It requires offenders to, "give notice of the crime for which he was convicted, his name, and his address to at least one person in every residence or business within a one mile radius of his residence in a rural area and a three tenths of a mile radius in an urban or suburban area."

In North Carolina, the "Amy Jackson Law" requires all individuals released from prison on or after January 1, 1996 - the date of the law - for offenses of kidnapping, prostitution, sexual exploitation of a minor, or sexually violent offenses against anyone, to register. It applies equally to individuals convicted in other states who move to North Carolina. Offenders are required to register within 10 days of release from prison and for 10 years after being released from prison.

Linden and Rockoff focus on Mecklenburg County where there were 518 registered offenders. They excluded offenders with addresses that could not be located on a map, offenders living in a jail or halfway-house, and offenders who had been living in their current residence for just a short period of time. Some 63 percent of the crimes of the registered sex offenders in that county are classified as Indecent Liberty with a Minor, sometimes referred to as "child molestation," and do not involve physical force or violence. Some 11 percent of the sexual offenses involved force or violence, 10 percent were rape.

The other important source of information came from the Mecklenburg County Division of Property Assessment and Land Record Management. The paper uses very detailed data on the locations of convicted sex offenders and the dates on which they moved into a neighborhood and variations over time in values of homes sold in the specific locations in which an offender chooses to live. The authors estimate that a single offender depresses property values in the immediate vicinity by \$4,500 to \$5,500 per home. Altogether, the presence of sex offenders has shrunk property values in the County by about \$58 million.

Assuming that individuals are reacting to the increased probability of being victimized by a neighboring sex offender, the authors estimate that the victimization costs of sex offenses total more than \$1 million per case. That is far in excess of estimates by economists cited in the criminal justice literature. The authors note that this large figure could be driven partially by individuals overestimating the probability of victimization, or by other costs associated with living near a sex offender (such not allowing children to play outside). Either way, Linden and Rockoff conclude there is a great willingness in the public to pay for policies that would shield residents from sexual offenders

-- David R. Francis

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NPR  
Environment  
**Cul-de-Sacs: Suburban Dream or Dead End?**  
by John Nielsen



Urban planners, anti-sprawl activists and architects, as well as some city managers and mayors, are opposed to cul-de-sacs. But one important group is still in love with the cul-de-sac: homebuyers. Metropolitan Design Center Image Bank, Regents of the University of Minnesota

#### The Cul-de-Sac Myth

Authors William Lucy and David Phillips examine the myth that cul-de-sacs are safer places to live because they prevent through-traffic.

- [Read an excerpt from their book, \*Tomorrow's Cities, Tomorrow's Suburbs\*, \(Requires Adobe Acrobat\)](#)

*Morning Edition*, June 7, 2006 · Next time you take a plane flight, take a look out the window. If you're over a city, you'll see roads that form a grid connecting homes, offices and stores.

But if you are flying over the suburbs, you'll see roads that look like trees. The trunks are great big feeder streets with branches splitting off. At the ends of the branches are what look like circular leaves.

Those are the cul-de-sacs, the dead-end streets that have become a symbol of suburban life. Since the end of World War II, millions of cul-de-sacs have been built on the fringes of American cities.

#### The Lure of the Cul-De-Sac

In recent years, however, the cul-de-sac has fallen out of favor with urban planners and architects. Some cities have even banned them.

To understand why, I recently visited a cul-de-sac in Carderock Springs, Md., where I lived when I was in the sixth and seventh grades.

Traveling with me was Jeff Speck, an urban planner who works at the National Endowment for the Arts.

Behold "the American dream, circa 1960," he said, surveying my old neighborhood. "One, two, three, four, five houses surrounding a circular drive. Each house looks inward at the donut hole of plants in the middle. Each house is very carefully designed with windows on the front and back and not on the sides, so they don't really see each other."

Now, I had some trouble finding my own house because the trees are so much taller now. But some things haven't changed. First, you can still hear the rumble of traffic on the nearby freeway.

"And the other thing we hear are the birds," said Speck. "And that's actually the Scylla and Charybdis of the suburban condition. On the one hand, you do have this feeling of a close contact with nature, because you don't have cars going by every minute within the community. The only cars that come by are going to be the ones that are parking nearby."

### **Suburban Isolation**

On the other hand, there's the problem of having to drive your car almost everywhere. Or, in Speck's words, the uneasy feeling that "your car is no longer an instrument of freedom but a prosthetic device."

Driving is the only way to get from a typical cul-de-sac to a restaurant, a store or your office. And on the roads that funnel back to that main trunk, the traffic is usually awful.

That is one reason urban planners such as Speck do not think much of cul-de-sacs. Neither do anti-sprawl activists, many architects and some city managers and mayors.

If these critics have a leader, it is probably William Lucy, a professor of environmental studies at the University of Virginia. He says a national debate is brewing about the future of the cul-de-sac.

"The era of the cul-de-sac is certainly threatened; it's a battleground," Lucy says. "The professionals tend to think that the connected neighborhood is the good neighborhood. And the developers and the realtors are more of a mixed mind."

Some of the earliest American cul-de-sac communities were built in Radburn, N.J., in the 1920s. By the mid-1950s, they were everywhere. Developers learned that cul-de-sacs allowed them to fit more houses into oddly shaped tracts, and to build right up to the edges of rivers and property lines.

"Going over the lines had two problems," Lucy says. "One, it was expensive to try to traverse the obstacles. Second, it made connection to other neighborhoods or other subdivisions, and that was contrary to the notion of safety."

### **Safety Hype**

Lucy says safety has always been a big selling point for cul-de-sacs. From the beginning, builders noted that they gave fire trucks extra room to turn around, and that they prevented strange cars from speeding by on their way to somewhere else. Ads for cul-de-sacs often pictured children riding bikes and tricycles in the street.

These days, those images seem grimly ironic to people who actually look at safety statistics. For example, Lucy says cul-de-sac communities turn out to have some of the highest rates of traffic accidents involving young children.

"The actual research about injuries and deaths to small children under five is that the main cause of death is being backed over, not being driven over forward," he says. "And it would be expected that the main people doing the backing over would in fact be family members, usually the parents."

Armed with such arguments, critics of the cul-de-sac have won some victories in recent years. In cities such as Charlotte, N.C., Portland, Ore., and Austin, Texas, construction of cul-de-sac-based suburbs has basically been banned. In other places, cul-de-sac communities have been retrofitted with cross streets.

### **Safe in the American Dream**

But one important group still appears to be in love with the cul-de-sac: homebuyers.

Theres Kellermann, a realtor who lives and works in Carderock Springs, says buyers still line up to live on dead streets.

"When I put ads in about a house that has just been listed, if it has a cul-de-sac I say: 'Cul-de-sac location -- location within location,'" says Kellerman. "It has no through street, [so] nobody will race by -- not even the teenagers that go on their little racing sprees, because they can't go anywhere."

A recent study backs up Kellerman. It showed that buyers will pay 20 percent more for a home on a cul-de-sac.

Even cul-de-sac critic Jeff Speck says he understands the attraction. In recent years, he's helped design some well-known grid-like "new towns," where it is possible to walk to places like a corner store. But for some cul-de-sacs -- like the one in Carderock Springs -- Speck says he would do some extra driving.

"I am not embarrassed to say [that] if I could afford this I would happily raise a family in this environment," he says.

And Speck says this isn't just an American dream anymore. He says that in countries like the Philippines and China, and in parts of the Middle East, cul-de-sacs are fast becoming all the rage.