

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

**FEBRUARY 13, 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:**

January 9, 2007

**PUBLIC COMMENTS:**

**COMMISSION COMMENTS:**

**STAFF COMMENTS:**

**ADMINISTRATIVE ITEMS:**

1.     Applicant:     Black Rock  
       Request:     Required change to phasing plan for  
                      "Bellerive PUD"  
                      ADMINISTRATIVE, (I-4-06)

**PUBLIC HEARINGS:**

1.     Applicant:     SMS Investments, LLC  
       Location:     7677 N. Ramsey Road  
       Request:     Proposed zoning prior to Annexation from County  
                      Agricultural to City R-8 (Residential at 8 units/acre)  
                      QUASI-JUDICIAL, (A-1-07)
  
2.     Applicant:     Greenstone – Kootenai, Inc.  
       Location:     7174 N. Atlas Road  
  
       Request:  
  
          A.     A proposed 42.3 acre PUD "Sorbonne Addition"  
                  in the C-17L (Commercial Limited at 17 units/acre)  
                  zoning district  
                  QUASI-JUDICIAL, (PUD-2-05m)  
  
          B.     A proposed 242-lot preliminary plat "Sorbonne Addition"  
                  in the C-17L (Commercial Limited at 17 units/acre)  
                  zoning district  
                  QUASI-JUDICIAL, (S-3-07)

3.     Applicant:     Steve Widmyer  
       Location:     3514 N. Fruitland Lane  
       Request:     A proposed zone change from MH8  
                         (Mobile Home at 8 units/acre) to R-12  
                         (Residential at 12 units/acre) and  
                         C-17 (Commercial at 17 units/acre)  
                         QUASI-JUDICIAL, (ZC-2-07)
4.     Applicant:     JHM Investments  
       Location:     W. Pinegrove & Canfield Avenue  
       Request:
- A.     A proposed 10-acre PUD "Sherwood Forest PUD"  
                 In the C-17L (Commercial Limited at 17 units/acre)  
                 zoning district.  
                 QUASI-JUDICIAL, (PUD-2-07)
- B.     A proposed 32-lot preliminary plat "Sherwood Forest PUD"  
                 In the C-17L (Commercial Limited at 17 units/acre)  
                 zoning district.  
                 QUASI-JUDICIAL, (S-4-07)

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



# **M I N U T E S**

**PLANNING COMMISSION  
MINUTES  
JANUARY 9, 2007  
CITY COUNCIL CHAMBERS**

**COMMISSIONERS PRESENT**

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

**STAFF MEMBERS PRESENT**

John Stamsos, Associate Planner  
Shana Stuhlmiller, Public Hearing Assistant  
Warren Wilson, Deputy City Attorney  
Gordon Dobler, Engineering Services Director  
Tami Stroud, Assistant Planner

**COMMISSIONERS ABSENT**

Brad Jordan

**CALL TO ORDER**

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

**APPROVAL OF MINUTES:**

Chairman Bruning suggested a change on page two regarding the discussion of the Sorenson School.

Commissioner Bowlby noticed that on page three, a sentence was not finished and would like to add that a height of thirty-two feet was decided for both new zoning districts. She continued that on page six, her comments in the discussion section were not correct, and would like to reflect that she concurred with what was expressed by Chairman Bruning regarding Riverstone.

**Motion by Rasor, seconded by Souza, to approve the amended minutes of the Planning Commission Meeting on December 12, 2006. Motion approved.**

**PUBLIC COMMENTS:**

Rita Snyder, 818 Front Avenue, Coeur d'Alene, representative for the East Mullan Historic District Neighborhood Association requested that they would like to be placed on the agenda for the workshop scheduled on February 1<sup>st</sup> with the City Council and Planning Commission to discuss the Comprehensive Plan. She explained that they would like at least 10 minutes to do a presentation on the impact of the Downtown East Infill Overlay District in the neighborhood.

**COMMISSION COMMENTS:**

Commissioner Souza commented that she recently attended the Affordable Housing workshop and felt the information presented was fascinating.

She added that if the Commission concurred, she would draft a letter to Council to support a request that a percentage of money from LCDC be contributed to the Affordable Housing dilemma.

The Commission concurred.

**Motion by Souza, seconded by Bowlby, to draft a letter to the City Council regarding funds contributed by LCDC for the Affordable Housing dilemma. Motion approved.**

**STAFF COMMENTS:**

Associate Planner Stamsos announced that a workshop has been scheduled with the City Council and Planning Commission on February 1<sup>st</sup> to discuss the Comprehensive Plan. He commented that Commissioner Jordan's dad passed away on Sunday and that staff has sent a card and flowers to express our condolences to the family.

**DISCUSSION:**

1. Public Hearing Notices

Associate Planner Stamsos gave a brief explanation of the four different samples of the Public Hearing Notice to the Commission.

After a lengthy discussion, the Commission felt what was lacking from the current notice is a formal invitation to the public to attend the hearing, and would like to see that wording added. Commissioner Souza noticed that the map on the back of the notice does not identify the streets around the property, and felt by adding those streets, would be helpful to someone not familiar with the City to locate where the property is located. She added that if the Commission concurred and would take a copy of the Public Hearing Notice home so that she could further identify where the notice can be improved.

The Commission concurred.

**ADMINISTRATIVE ITEMS:**

1.      Applicant:      Ruen-Yeager & Associates  
         Location:      1411 Kaleigh Ct  
         Request:      Proposed 2 unit Condominium Plat "Leslie Condominiums"  
                              SHORT PLAT (SS-1-07)

Engineering Services Director Dobler presented the staff report and then asked if the Commission had any questions.

Commissioner Bowlby inquired if any of these units are new or existing, and questioned if staff felt this was the appropriate forum to bring up the subject of displacement.

Deputy City Attorney Wilson commented that this type of question should be addressed at an Affordable Housing Forum and if there are further questions, to contact Troy Tymesen, who is the representative from the City involved with this study.

**Motion by Razor, seconded by Souza, to approve Item SS-1-07. Motion approved.**

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)

Engineering Services Director Dobler presented the staff report and then asked if the Commission had any questions.

There were no questions for staff.

**Motion by Razor, seconded by Messina, to approve Item SS-2-07. Motion approved.**

3.     Applicant:     River House Development, Inc.  
       Location:     1950 Bellerive Lane  
       Request:      Proposed 44-unit Condominium Plat "Riverfront House"  
                       SHORT PLAT (SS-3-07)

Engineering Services Director Dobler presented the staff report and then asked if the Commission had any questions.

There were no questions for staff.

**Motion by Razor, seconded by Souza, to approve Item SS-3-07. Motion approved.**

4.     Applicant:     Riverstone West, LLC  
       Location:     3513 W. Seltice  
       Request:      Proposed landscaping plan  
                       ADMINISTRATIVE (LS-1-07)

Assistant Planner Stroud presented the staff report and then asked if the Commission had any questions.

Chairman Bruning questioned if the City's Urban Forester, Karen Haskew, reviewed the proposed landscaping plan.

Assistant Planner Stroud responded that she met with Ms. Haskew earlier and that the landscaping plan met the City requirements.

**Motion by Razor, seconded by Messina, to approve Item LS-1-07. Motion approved.**

### **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)

Associate Planner Stamsos presented the staff report, gave the mailing tally as 2 in favor, 0 opposed, and 3 neutral and answered questions from the Commission.

There were no questions for staff.

**Public testimony opened.**

Howard Gould, Applicant representative, City of Coeur d'Alene, Parks Department, 710 Mullan Avenue, Coeur d'Alene, commented that the staff report was well done, explained the project and then asked if the Commission had any questions.

Commissioner Bowlby inquired if a fence will be placed around the property and if a vegetative buffer will be added to disguise the appearance of the building facing the existing residences.

Mr. Gould answered that landscaping is proposed for the entire property and that a fence will be added including access gates.

Commissioner Rasor questioned if this project will have an impact to the neighborhood.

Mr. Gould explained that if this request is approved the neighborhood will be getting a nice building located on a piece of property that is currently vacant and described as an "eyesore" in the neighborhood. He added that by constructing a new building, it would be an enhancement for the neighborhood.

Commissioner Bowlby questioned the hours of operation.

Mr. Gould explained that the building proposed will be used only for storage and that staff will be there from 7:00 a.m. to 4:00 p.m.

Steven Foxx, 1113 C Street, Coeur d'Alene, commented if 40 notices were sent, questioned why he was not notified and that he is fortunate that a neighbor saw the notice so he could be here tonight. He continued that he is concerned that there will not be enough parking proposed to accommodate City staff and explained that currently City staff has been parking on the street. He commented that a big steel building next to a daycare is a concern and would rather have a home on this lot rather than a building. He added that if this project is approved, to please make this a nice looking building.

Commissioner Souza questioned if there has been a problem in the past with staff using the existing space for parking.

Mr. Foxx commented that in the past, there have not been any problems with parking and explained that with an already existing daycare in the area, he does not want to see this become a problem.

Andy Bjuraström, 1024 C Street, Coeur d'Alene, commented that he owns the daycare in the area and is relieved to see this property being developed. He added that recently he has talked with staff regarding the parking for this project and explained that his staff has been using the vacant lot for parking. He inquired if the applicant would consider providing parking outside the fence, so his staff can still continue to use the available parking. He commented that he is aware that the daycare promotes a lot of traffic and wants to continue to be a good neighbor.

#### **REBUTTAL:**

Howard Gould explained that there are five parking spaces proposed and if there is any available space it will be used to park the bigger trucks.

Chairman Bruning inquired where the employees are currently parking.

Mr. Gould answered that staff is parking along C Street during working hours.

Commissioner George inquired how many additional people would be hired for the summer.

Doug Eastwood, City Parks Director, commented that they estimate to hire close to 26 people for the summer.

Commissioner Souza inquired if the applicant would consider the request by Mr. Bjuraström to provide additional parking in the back for his employees.

Mr. Eastwood commented that staff would consider angled parking in the back to accommodate the request by Mr. Bjuraström.

Commissioner Souza commented that providing additional parking would help cut down the amount of traffic in the neighborhood.

Mr. Bjuraström commented that he appreciates the Parks Department for always finding ways to work with the neighborhood and feels that if this project is approved, it will be a win/win for the neighborhood.

**Public testimony closed.**

**Motion by Razor, seconded by George, to approve Item SP-1-07. Motion approved.**

ROLL CALL:

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

Motion to approve carried by a 5 to 0 vote.

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)

Associate Planner Stamos presented the staff report, gave the mailing tally as 1 in favor, 0 opposed, and 3 neutral and answered questions from the Commission.

Commissioner Bowlby inquired if there is anything in our code that regulates adult daycares.

Associate Planner Stamos commented that there is nothing in our code and explained that the City Clerk oversees the licensing for daycares in the City, and if there were any regulations they would come from that department.

Commissioner Souza commented that she has worked with Alzheimer's patients and understands the special care needed for these patients, especially when they try to escape.

**Public testimony opened.**

Mark Chavez, applicant, 4281 W. Lennox Loop, Coeur d'Alene, gave a brief history of his background in the medical field and commented that he and his wife have a combined 10 years experience as registered nurses. He explained that their goal is to provide an environment that is safe for the patient plus a service to individuals who can function, but require a little more care than what an individual family member can provide. He commented that this service would become more popular in the following years. He then asked if the Commission had any questions.



Chairman Bruning inquired if the applicant will be providing 24-hour care.

Mr. Chavez commented that operating hours are regulated by the State, which limits the hours to a maximum of fourteen.

Commissioner Souza inquired how many bathrooms are provided in the home.

Mr. Chavez explained that there are two bathrooms and feels that this is an adequate number to accommodate the twenty-two people requested in the application. He added that their goal is to restrict the number of patients in order to provide quality care.

Commissioner Souza questioned if other agencies will be overseeing the care of these patients.

Mr. Chavez commented that the State will be involved and once licensed they can apply for Medicaid.

Chairman Bruning inquired if there are any plans to put a fence up around the home to provide the neighborhood the assurance of minimizing any potential problems in the future.

Mr. Chavez answered that there is a six-foot fence in the back of the home, with future plans to put an alarm on the front door to prevent patients from leaving.

Commissioner Souza commented that she is familiar with the home in the neighborhood and noticed that there is only a four-foot fence on the west side of the property and is concerned for the patient's safety.

Mr. Chavez explained that they were waiting on tonight's decision before proceeding with any more upgrades to the property.

Commissioner Souza commented that she feels a condition should be added that a six-foot fence be added around the entire home to prevent any potential problems. She explained that there is a lot of traffic in this area and by providing a taller fence, assures that the applicant is concerned with the safety of the patient.

Commissioner Bowlby inquired if the applicant will be overseeing the day-to-day care of the patients.

Mr. Chavez explained that he and his wife will hire qualified people to oversee the day-to-day care of the patients and that their involvement will be to see that the job is done.

**Motion by Souza, seconded by Bowlby, to approve Item SP-2-07. Motion approve**

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner George	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

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)

Associate Planner Stamsos presented the staff report, gave the mailing tally as 0 in favor, 0 opposed, and 3 neutral and answered questions from the Commission.

Commissioner Souza inquired if Beehive Homes is considered a civic use.

Associate Planner Stamsos concurred that it is.

Commissioner Bowlby inquired if staff is concerned with the zoning of this property, currently owned by the Catholic Church.

Deputy City Attorney Wilson commented that staff does not see any problems with this request since the church signed the application giving their authority.

**Public testimony open.**

Gary Graham, 604 S. Canal Street, Coeur d'Alene, commented that they love Coeur d'Alene and how staff has been great to work with in the past. He explained that they plan to add various water features to the property including a barbecue to be used by the residents and staff. He commented that from listening to previous testimony from the couple requesting the adult day care, he understands the special needs for the care of Alzheimer's patients and appreciates their efforts to provide that service.

**Motion by Bowlby, seconded by Souza, to approve Item ZC-1-07. Motion approved.**

**ROLL CALL:**

Commissioner Bowlby	Voted	Aye
Commissioner George	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

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)

Associate Planner Stamsos presented the staff report, gave the mailing tally as 2 in favor, 1 opposed, and 3 neutral and answered questions from the Commission.

Engineering Services Director Dobler explained that when this request was approved last year, it was approved with a standard 36-foot wide street. He added that recently staff went out to review the conditions of the site and found that because the property is steep, suggested that the street be reduced to 32 feet rather than the standard 36 feet. He added that a 32-foot street would work by posting signs along the street not allowing parking on the side of the street. He commented that they have discussed this with the adjoining neighbors and they do not have a problem with this request.

**Motion by Rasor, seconded by Souza, to approve Item S-1-07. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner George	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

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)

Associate Planner Stamsos presented the staff report, gave the mailing tally as 1 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 more of a housekeeping item, that if approved, will provide a phasing plan showing a timeline for lenders of when the project will be completed.

Chairman Bruning inquired when the screening for the mechanical equipment located on top of the cinemas would be completed.

Mr. Craven responded that as soon as there are masons available that project would be completed.

**Motion by Rasor, seconded by Souza, to approve Item S-2-07. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner George	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

Commissioner Souza inquired if there will be any available money to complete the necessary updates for the subdivision and lighting standards listed on the report card provided in the packet.

Associate Planner Stamsos commented that he would have to take that question back to staff and get that information back to the Commission with either a report or an e-mail.

Commissioner Souza commented that the landscaping regulations should also be included and how the tree retention portion is important so that developers will be required to leave a certain percentage of trees on the property when proposing a project.

**ADJOURNMENT:**

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

The meeting was adjourned at 8:30 p.m.

Respectfully submitted by John Stamos, Associate Planner

Prepared by Shana Stuhlmiller, Public Hearing Assistant



# **NOT-INTERPRET**

## MEMORANDUM

TO: PLANNING COMMISSION  
FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER  
DATE: FEBRUARY 13, 2007  
RE: I-4-06 - INTERPRETATION OF PHASING PLAN FOR "RIVERWALK PUD"  
(PUD-1-04m) AND "RIVERWALK" PRELIMINARY PLAT (S-4-05) NOW CALLED  
"BELLERIVE PUD"

### DECISION POINT:

Determine whether the requested change from two phases to three phases is or is not a major departure from the approved "Riverwalk PUD" (PUD-1-04) or a substantial change from the "Riverwalk" Preliminary Plat (S-4-05) and modified by Planning Commission interpretation (I-5-05) on July 27, 2005.

### HISTORY:

- On March 8, 2005, the Planning Commission approved the "Riverwalk PUD" and "Riverwalk" Preliminary Plat, which included two phases.
- On July 27, 2005, The Planning Commission approved an interpretation that moved the boundary between phase one and two. (See map on page 3)

### PERFORMANCE ANALYSIS:

The applicant has contacted the City staff to discuss the above change to the approved plans, as follows:

- Change the phasing to include three phases as shown on page 2.
- The total number of dwelling units in phases 1 and 2 would total 144 out of the total number dwelling units approved for the project of 412.
- In developing a third phase, it is recommended by staff that some of the conditions approved with the original approval be revised to reflect changed conditions created by an additional phase, as follows:
  1. ~~Completion and submission for review of a capacity report for the sanitary sewer lift station by the developer's engineer. Should the report determine that the City WWTP forty (40) minute response time is exceeded due to the increase in residential units, upgrades will be required to be completed to the satisfaction of the WWTP, at no cost to the City.~~
  2. All water line that is removed to satisfy the redesigned alignment will be required to be properly disposed of and not reused. All piping removed must be replaced with new waterline.
  3. The two existing outfalls will need to be maintained and protected during the development of the subject property and access for maintenance of these outfalls by the City Street Department shall be maintained. Any relocation of these outfalls must be approved by the City Engineer, and, if additional width is required beyond the proposed twenty feet (20'), dedication will be required.
  4. ~~The City will obtain public crossing agreements with the BNSF and UP railroads for a public grade crossing at Lacrosse Avenue. Applicant agrees that it will ensure that~~

~~construction of the crossing is commenced when the necessary public crossing agreements have been obtained and building permits for 255 units in the PUD have been issued or within three years after the public crossing agreements have been obtained, whichever occurs first. Once the public crossing agreements have been obtained, no Certificates of Occupancy for any units over the 255 limit will be issued until construction of the Lacrosse Avenue crossing is completed.~~

4. The developer will be required to extend the existing Lakewood Drive and Lacrosse Avenue across the BNSF railroad tracks to Bellerive Lane with Phase 3 of the Bellerive development. Lacrosse Avenue shall be constructed to a thirty six foot (36') wide roadway, from Bellerive Lane to the existing edged of asphalt west of Northwest Boulevard. Roadway improvements shall include but not be limited to, concrete curb & gutter, paving and appurtenances, street illumination, stormwater drainage facilities, sidewalk on one side and all engineering design costs. Lakewood Drive shall be constructed to match the existing street section and shall include but not be limited to, concrete curb & gutter, paving and appurtenances, street illumination, stormwater drainage facilities, and sidewalk. Both roadways will be required to provide design considerations and improvements that facilitate the bike/ped Centennial Trail facility. All design must be completed to City standards, and approved by the City Engineer. All construction costs will be the responsibility of the developer.
5. An easement allowing the public the right to access and use the boardwalk along the shoreline of the Spokane River shall be required on the final plat and construction of the board walk including connection to public access points shown on the plan shall be simultaneous with the completion of the buildout of each phase.
6. The City will obtain public crossing agreements with the BNSF and UP railroads for both the Lacrosse Avenue and Lakewood Drive crossing locations. The agreements shall be obtained prior to the recordation of the 3<sup>rd</sup> phase of the Bellerive plat. The City shall use its best efforts to obtain the crossing agreements by December 31, 2007. In the event that the City is unable to obtain the agreements from the railroad by that time, the City will not delay approval of the phase 3 plat
7. The developer shall enter into an agreement and install bonding for the construction of the improvements on both Lacrosse Avenue and Lakewood Drive prior to the recordation of the Phase 3 final plat for the Bellerive development. The improvement of the crossings shall be constructed within three (3) years of the date of recordation of the Phase 3 final plat or the issuance of the 255th certificate of occupancy, whichever comes first.
8. In order to be in conformance with the current Uniform Fire Code, the developer will be required to provide a second ingress/egress point of access to the development, prior to recording the Phase II final plat. This condition can be satisfied by either extending Lacrosse Avenue or Lakewood Drive to Bellerive Lane, or, by obtaining written permission from the appropriate parties to use the existing haul road adjacent to the railroad tracks, including a minimum 30 day notice to the City should the permission be revoked for any reason.
9. Bellerive enters into a contract with the City prior to the recordation of the Phase II plat, stating that in the event of termination of Bellerive's right to use the haul road Bellerive will make improvements to the Centennial Trail to allow access by the largest emergency vehicles. This would involve some minor widening of the trail where it crosses the UP railroad near Harbor Center.

M.C. 16.10.030(B) indicates that the approval of a preliminary plat does not constitute acceptance of the subdivision, rather it authorizes the developer to prepare the final plat "along the lines" indicated in the

- Has the number of lots increased or decreased substantially?
- How similar is the layout of streets and the circulation pattern?
- Would the proposed changes create additional negative impacts that the public did not have a chance to comment on through the hearing process?
- Overall, does the proposed final plat “look like” the approved preliminary plat?

If the changes are determined to not be a substantial change from the approved PUD and preliminary plat, the three phases would be approved and incorporated into the final PUD plan and preliminary plat..

1. Determine whether the requested change is or is not a substantial change from the approved "Riverwalk PUD" (PUD-1-04) and the "Riverwalk" Preliminary Plat (S-4-05).

**LEGEND**

Lot No. 13

Proposed Water Line  
Proposed Sewer Line  
Installed Sewer Line  
Installed Water Line  
Existing Contour Line  
Proposed ROW  
Proposed Lot Line  
Proposed Easement

**DEVELOPER**  
NW PROPERTIES, L.L.C.  
P.O. BOX 3070  
COEUR D'ALENE, IDAHO 83816  
PHONE: (208) 665-2005

**ENGINEER**  
J-U-B ENGINEERS, INC.  
7825 Meadowlark Way  
COEUR D'ALENE, IDAHO 83815

**NOTES**

- Riverview Lots will be constructed with 38 to 50 units per lots with a maximum total of 152 units.
- Lots 15, 16, 17, 18, and 20 to be either single family Boardwalk Home or Courtyard Homes. Maximum of 8 Boardwalk homes or 16 Courtyard units per lot. Applicant desires flexibility during development depending upon market conditions.
- Riverview Homes to be multiunit buildings with first retail space. Lots to have a maximum of 20 units.
- Boardwalk Homes with detached garage may include a Carriage Home over the garage with a maximum of 12 total Carriage Homes.
- Total number of units to be any combination of each unit as indicated with a maximum total number of units of 412 or less.

**SITE INFORMATION**

Zone: C-17/R-17  
Site Size: 24.40 Acres  
Open Space Required: 2.44 Acres  
Open Space Provided: 4.49 Acres  
Allowable Residential: 412 Units

**Proposed Residential:**

Proposed Residential	Approximate # of Units
Riverfront Lodge	100 units
Riverview Lofts	40 units
Riverview Lofts	152 units
Courtyard Homes	78 units
Boardwalk House	30 units
Carriage Homes	12 units
<b>Total Units</b>	<b>412 units</b> Maximum

**PHASE 1 & 2 BOUNDARY**

**EXHIBIT #6**

**REVISIONS**

NO.	DATE	DESCRIPTION
1	SEP 7 2019	FINAL

**REVISIONS**  
REVISED SEPTEMBER 7, 2019

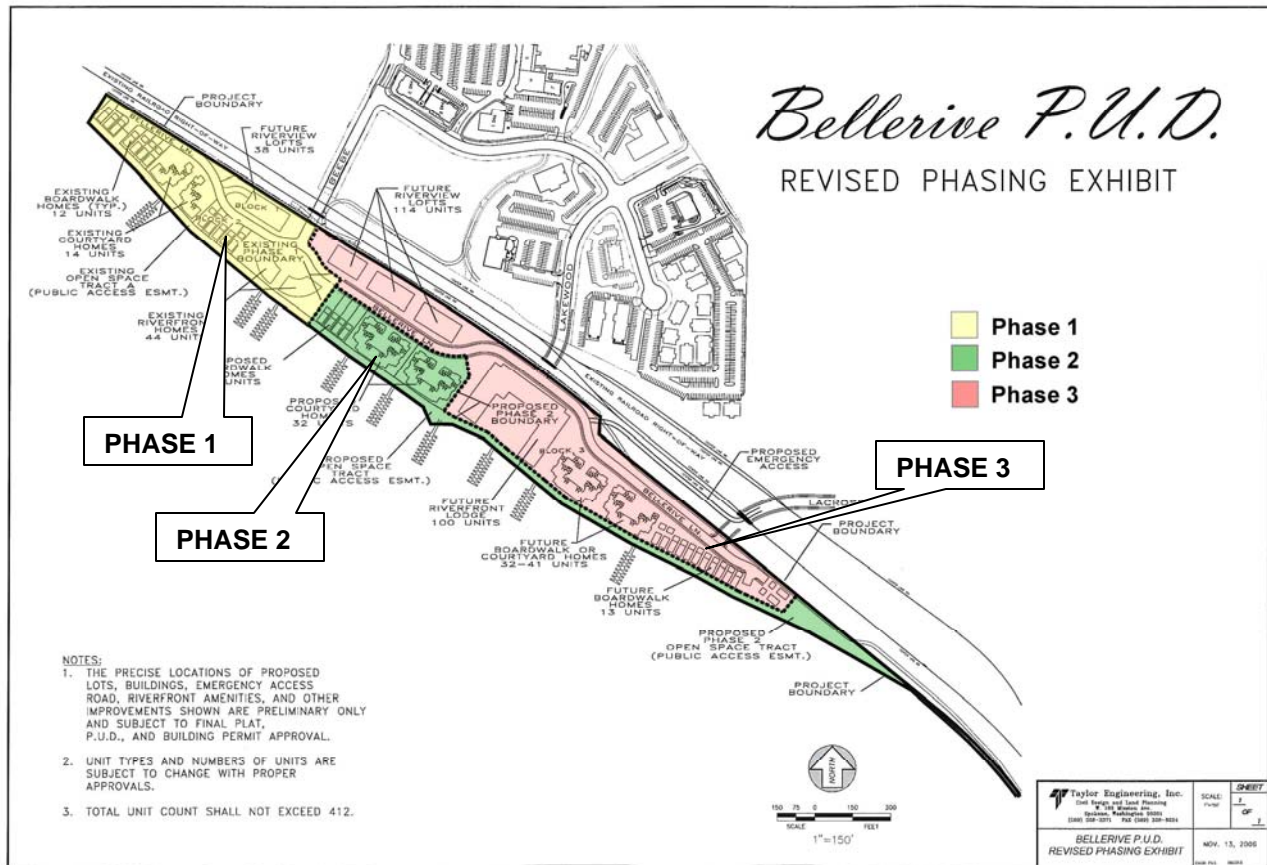
**JUB ENGINEERS, INC.**  
7825 Meadowlark Way  
Coeur d'Alene, Idaho 83815  
Phone: (208) 665-2005

**SUBMITTED**  
AUGUST 19, 2005

**RIVERWALK PLANNED UNIT DEVELOPMENT - FINAL**  
PART OF SEC 10, 11 AND 14.1, 50' N, R 4 W  
COUNTY OF COEUR D'ALENE, KOOTENAI CO. IDAHO



B. Proposed change to three phases:



**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER  
DATE: FEBRUARY 13, 2007  
SUBJECT: A-1-07 – ZONING PRIOR TO ANNEXATION FROM COUNTY AGRICULTURAL  
TO R-8  
LOCATION: +/- 5.19 ACRE PARCEL AT 7677 NORTH RAMSEY ROAD

**DECISION POINT:**

SMS Investments, LLC is requesting Zoning Prior to Annexation from County Agricultural to City R-8 (Residential at 8 units/acre) for a +/- 5.19 acre parcel that includes the Ramsey Road right-of-way adjoining the parcel requesting annexation.

**GENERAL INFORMATION:**

A. Site photo



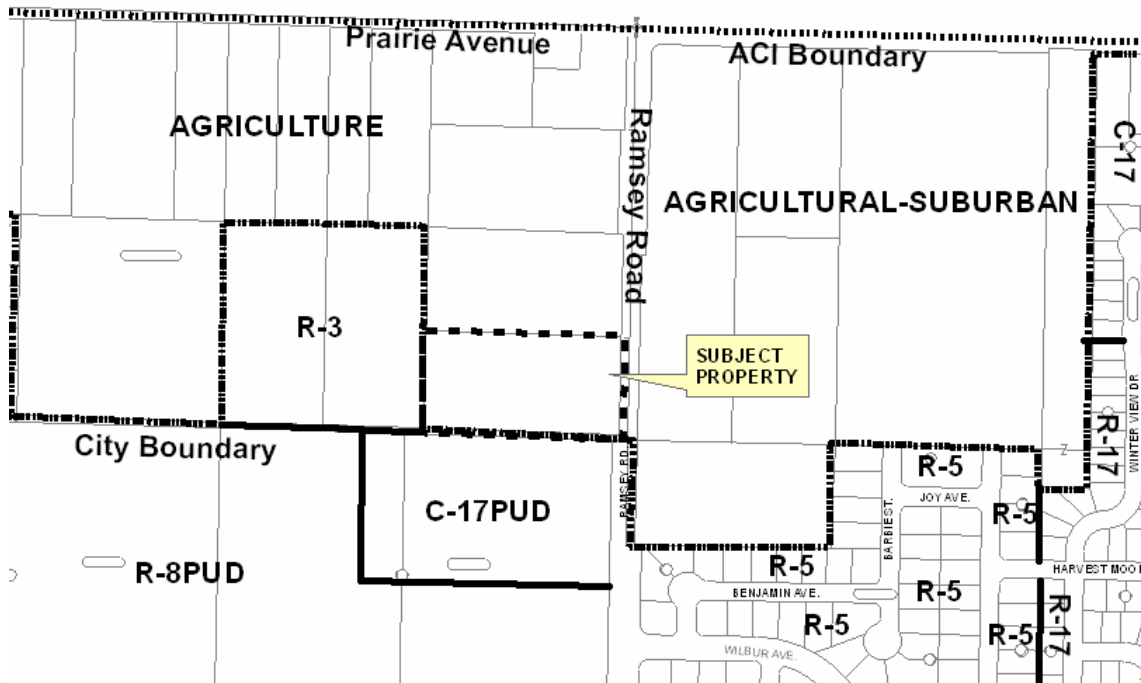
B. Subject property.



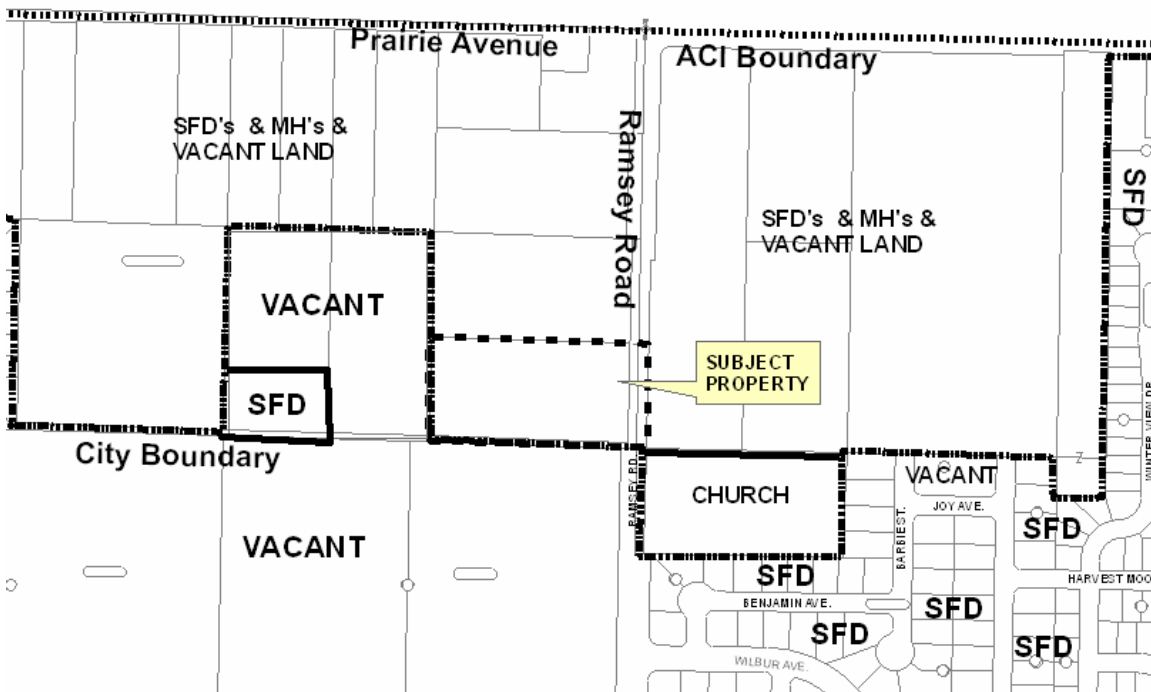
C. Looking North on Ramsey Road.



D. Zoning.



E. Generalized land use.



- F.     Applicant/        SMS Investments, LLC  
       Owner            P. O. Box 1438  
                              Coeur d'Alene, ID 83816
- G.     The subject property contains a single-family dwelling.
- H.     Land uses in the area include residential – single-family and mobile homes, church, agriculture and vacant land.
- I.     Prior actions on subject property:
1.        A-5-06 - Zoning prior to annexation - R-3 requested - application withdrawn by applicant on September 15, 2006.
- J.     Prior actions on surrounding property:
1.        A-3-05, PUD-3-05 & S-7-05 - "Ramsey Cove" zoning prior to annexation, subdivision and PUD was approved at an R-3 zoning on May 24, 2005.

**PERFORMANCE ANALYSIS:**

A.     Zoning:

The requested R-8 district is intended as a residential area that permits a mix of housing types at a density not greater than eight (8) units per gross acre with a minimum lot size of 5,500 sq. ft. and 50 feet of frontage on a public street and the following uses:

**Permitted uses:**

1.        Single-family detached housing.
2.        Duplex housing.
3.        Cluster housing.
4.        Essential service (underground).
5.        "Home occupation" as defined in this title.
6.        Administrative.

**Uses allowed by special use permit:**

1.        Public recreation facilities, whether or not buildings are involved.
2.        Neighborhood recreation.
3.        Community education.
4.        Religious assembly.
5.        Convenience sales.
6.        Essential service (aboveground).
7.        Restriction to single-family only (see district column).

8. A two (2) unit per gross acre density increase (see district column).
9. Group dwelling-detached housing.
10. Community organization.
11. Community assembly.
12. Childcare facility.
13. Juvenile offenders facility.
14. Boarding house.
15. Handicapped or minimal care facility.
16. Noncommercial kennel.
17. Commercial film production.

The zoning pattern (see zoning map on page 2) shows R-8, R-8PUD, and R-5 zoning in the incorporated areas and Agricultural and Agricultural-Suburban zoning in the County areas surrounding the subject property.

The R-3 zone is a residential zone that allows single-family detached housing at a density of 3 units/acre with a minimum lot size of 11,500 sq. ft. and 75 feet of frontage on a public street.

The R-5 zone is a residential zone that allows single-family detached housing at a density of 5 units/acre with a minimum lot size of 8,500 sq. ft. and 50 feet of frontage on a public street.

The R-8 zone is a residential zone that allows single-family, duplex, and cluster housing at a density of 8 units/acre with a minimum lot size of 5,500 sq. ft. and 50 feet of frontage on a public street.

The County Agricultural-Suburban zone is a residential zone that allows approximately 5 units/acre with a minimum lot size of 8,250 sq. ft. for lots created before February 8, 2005 and 2 acres after this date.

The Agricultural zone is suitable for farming and forestry uses and allows a single-family dwelling or class A or B manufactured home on less than 5 acres.

Evaluation: The Planning Commission, based on the information before them must determine if the R-8 zone is appropriate for this location and setting.

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

1. The portion of the subject property to be annexed is within the Area of City Impact Boundary.
2. The City Comprehensive Plan Map designates the subject property as 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:**

- 4A: "Establish limits and priorities of urban services."
- 4A1: "Initial limits should be based upon existing capabilities."
- 4B1: "Annexations should be made within the adopted city impact area."
- 4B2: "Annexations should be effected in a manner that promotes an orderly growth pattern."
- 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."
- 6A: "Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses."
- 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.”

51A: “Protect and preserve neighborhoods, both old and new.”

3. 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.

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

SEWER: Public sewer is available for connection and of adequate capacity to support this annexation request.

Evaluation: Public sewer is available for connection to the applicant's property at the intersection of Wilbur Avenue and Ramsey Road. This connection conforms to the sewer master plan for this area. Specific details will be worked out in the subdivision application.

Comments submitted by Don Keil, Assistant Wastewater Superintendent

**WATER:**

This area appears to fall within the boundaries of the Hayden Lake Irrigation District and the applicant will need to pursue water supply with them. We do have a new main in the area but would have to have approval from HLID to provide service.

Comments submitted by Terry Pickel, Assistant Wastewater Superintendent

**STORMWATER:**

Stormwater issues will be addressed at the time of development on the subject property.

**TRAFFIC:**

Utilizing the stated area of 4.96 acres and the requested R-8 zoning, it may be possible to place 39 residential units on the subject property, if it were developed to the maximum density. Utilizing average peak hour average daily trips of 0.90, the ITE Trip Generation Manual estimates that approximately 35.7 adts at peak hour may be generated.

**STREETS:**

The proposed area of annexation adjoins a portion of Ramsey Road which is currently under the jurisdiction of the Lakes Highway District; however, the annexation request does include the adjoining roadway.

**Evaluation:**

The roadway fronting the subject property has the capacity to handle the traffic from the proposed development. Any necessary improvements would be addressed at the time of



development of the site.

Submitted by Chris Bates, Engineering Project Manager

**FIRE:**

The Fire Department will address issues such as water supply, fire hydrants, Fire department access, etc., 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 (make) (do not make) it suitable for the request at this time.**

The subject property is relatively flat with no physical constraints.

Evaluation: The physical characteristics of the site appear to be suitable for the request at this time.

**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 surrounding area contains existing single-family and mobile homes on larger parcels in the County areas (Agricultural-Suburban – 5 units/acre) and developing single-family neighborhoods in City areas including Coeur d'Alene Place (R-8PUD), Sunshine Meadows (R-8), and Legacy Place (R-5). The subject property also has frontage on Ramsey Road, which is designated as a minor arterial on the Transportation plan.

Evaluation: The subject property is in an area of developing single-family neighborhoods with densities lower or comparable to the R-8 zoning requested by the applicant.

**F. Items recommended for an Annexation Agreement.**

None.

**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:pcstaffreportsA107]

## Annexation of SMS Investment Property and Compliance with the Comprehensive Plan:

The goals are shown in *italics* and how the project meets the goals is below.

*To Guide future planned growth in order to enhance the quality and character of the community while providing and improving the amenities and services available to Coeur d'Alene Residents.*

The proposed project is contiguous with existing boundaries of the City of Cda and is within the adopted city impact area.

The project is adjacent to the new traffic improvements on Ramsay Road and the applicant has provided right of way for that development. This includes the development of the bike/pedestrian path.

*To maintain and provide for the healthy social and economic well being of the residents*

The proposed project with pay capitalization fees and user fees for the services it is using.

*Public Services should fulfill present needs and anticipated future needs*

The project is within the planning area for the water and sewer system and has been included in the anticipated future needs

*Provide and maintain adequate recreation and facilities for Coeur d'Alene Residents*

The proposed development will provide "payment in leau of parkland improvements"  
The city has adopted a policy of concentrating the efforts on parks

*Environmental Quality and our natural resources are important assets of Coeur d'Alene and should be preserved.*

The project provides for central sewer collection as it is located over the aquifer and the development will need to comply with the storm water ordinance to preserve the natural resources in the area. The project is located close to schools and connects into the bike path system provide alternatives for transportation.

*Urban development should occur at a minimum impact to the general public and individual property owners while ensuring the wise use of Coeur d'Alene land resources.*

The project provides for right of way for the future development of city streets that provides a benefit for all the residents.

*Provide for safe and efficient circulation of vehicular traffic*

The project provides for additional right of way and improvements to Ramsay Road and the extension of another east/west collector this improves traffic situations for everyone.

*To maintain and promote the residential character of Coeur d'Alene while providing a variety of housing situations*

The proposed town home development provides alternative housing situations for the residents.

*To insure the safety of residents and the protection of property*


This project will provide a close knit community that can provide neighborhood watch type programs.

*Preserve, protect and enhance areas of public interest and/or scenic beauty*

By restricting the height to two story buildings the preservation of the natural vistas will be provided for.

*Coeur d'Alene visual and physical environment should be comfortable, rich in variety, of unique and identifiable character, expressive of the city's function, history, technology, culture, and natural setting capable of being shaped by its inhabitants.*

The people of Coeur d'Alene are what provide for this goal. By providing economic opportunity and preservation of the natural beauty the residents become the driving force for the continued beauty and enjoyment of the Coeur d'Alene area.



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

**A. INTRODUCTION**

This matter having come before the Planning Commission on February 13, 2007, and there being present a person requesting approval of ITEM A- 1-07, a request for zoning prior to annexation from County Agricultural to City R-8 (Residential at 8 units/acre)

LOCATION: +/- 5.19 acre parcel at 7677 North Ramsey Road

APPLICANT: SMS Investments, LLC

**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 mobile homes, church, agriculture and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is County Agricultural
- B4. That the notice of public hearing was published on January 27, 2007, and February 6, 2007, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That 6 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 26, 2007, and \_\_\_\_\_ responses were received: \_\_\_\_\_ in favor, \_\_\_\_\_ opposed, and \_\_\_\_\_ neutral.
- B7. That public testimony was heard on February 13, 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 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 **SMS INVESTMENTS, LLC** for zoning prior to annexation, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Suggested provisions for inclusion in an Annexation Agreement 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. STAMSOS, ASSOCIATE PLANNER  
DATE: FEBRUARY 13, 2007  
SUBJECT: PUD-2-05m – MODIFY "COEUR D'ALENE PLACE" PLANNED UNIT  
DEVELOPMENT  
S-3-07 – 244-LOT "SORBONNE ADDITION" PRELIMINARY PLAT  
SUBDIVISION  
LOCATION – +/- 42.3-ACRES AT THE NORTHEAST CORNER OF ATLAS ROAD  
AND HANLEY AVENUE

**SITE PHOTOS:**

A. Aerial photo.



- B. Subject property from Hanley Avenue and Cornwall Street.



- C. Subject property from Atlas Road and Hanley Avenue.



**DECISION POINT:**

Kootenai-Greenstone is requesting the following:

- A. Preliminary Plat approval of "Sorbonne Addition" a 244-lot subdivision in 4 phases in the R-8PUD (Residential at 8 units/acre) and C-17L (Commercial Limited at 17 units/acre) zoning districts and modification to the existing "Coeur d'Alene Place PUD" to reduce lot sizes, lot frontage, rear yard setbacks and street width.

The proposed development includes:

1. 83 single-family lots on public streets.
  2. 76 single-family lots for active seniors (Lots fronting on Bernoulli Loop and Gassendi Drive) built as a gated community on private streets with an internal pathway system that will connect with the overall trail system in the "Coeur d'Alene Place development.
  3. 81 townhouse lots built as single-family attached housing on lots as small as 1,600 sq. ft. with 20 feet of frontage. The structures will be built as tri-plexes with each unit having a separate lot.
  4. The overall density of the proposed subdivision is 5.8 units per gross acre.
- B. Additional modification to the following provisions of the zoning and subdivision ordinances through the existing "Coeur d'Alene Place PUD" is requested:

Zoning Ordinance:

1. Reduce minimum lot size from 2,700 sq. ft. to 1,600 sq. ft. for townhouse lots.
2. Reduce lot frontage to 20-feet for townhouse lots.
3. Zero foot rear yard setbacks for town house lots.

Subdivision Ordinance:

4. 28-foot private street for "cluster housing areas" with no sidewalks.
- C. Evaluation: The Commission should bear in mind that a PUD is intended to provide for flexibility and diversity of use by removing the limitations in the typical lot-by-lot approach to development. It is not intended to be a means to waive certain development regulations. The Commission must, therefore, determine if the concept of the proposal is unique enough that it merits the flexibility afforded by the PUD regulations.

In making this determination, the Planning Commission should decide if the modifications requested represent a substantial change over what would be allowed if the regulations were applied on a lot-by-lot basis.

The chief benefits of the PUD modifications for the applicant are:

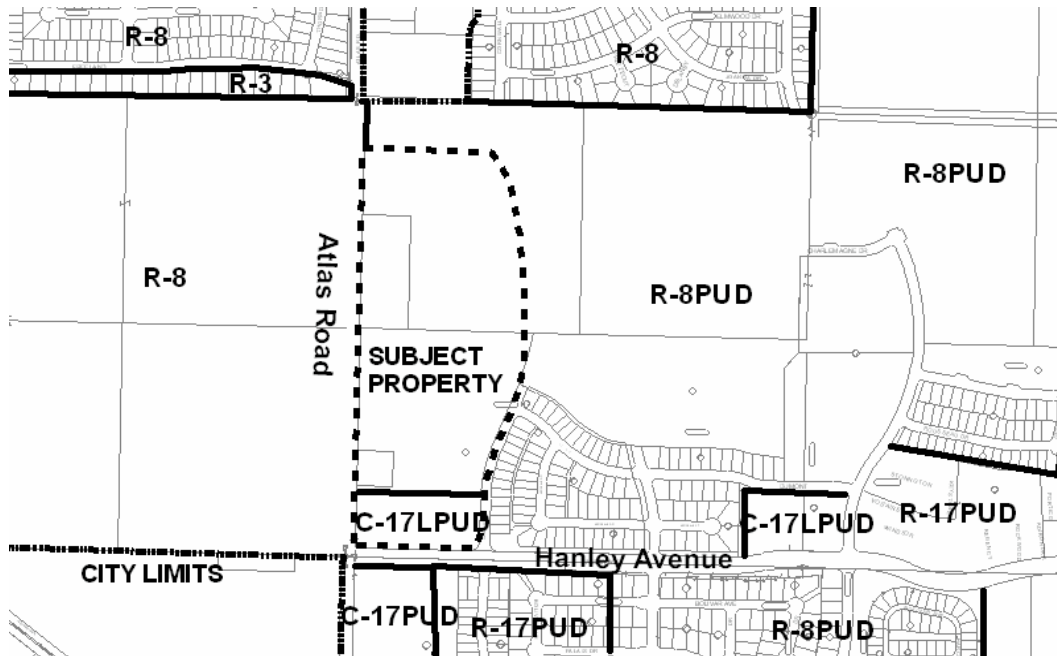
- For a portion of the development, the requested modifications would allow the applicant to build 28-foot streets with no sidewalks.
- The requested zoning and subdivision modifications would allow the applicant to offer a more affordable housing type to the general public.

The Commission must decide if this request meets the intent of the PUD regulations and in so doing may wish to consider that certain benefits accrue to the city and the public by virtue of a planned unit development:

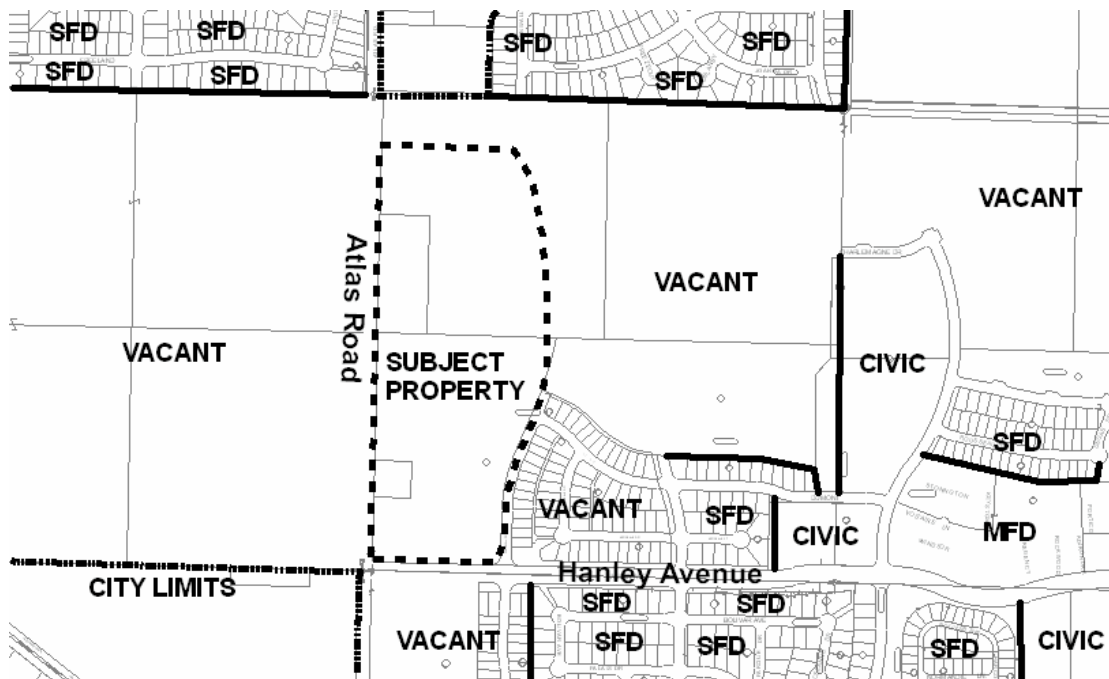
- Ability to add conditions to an approval.
- Ability to lock in development plans for the future.
- Ability to negotiate solutions that benefit all.

#### GENERAL INFORMATION:

##### A. Zoning:



##### B. Generalized land use pattern:



C. Proposed PUD plan:



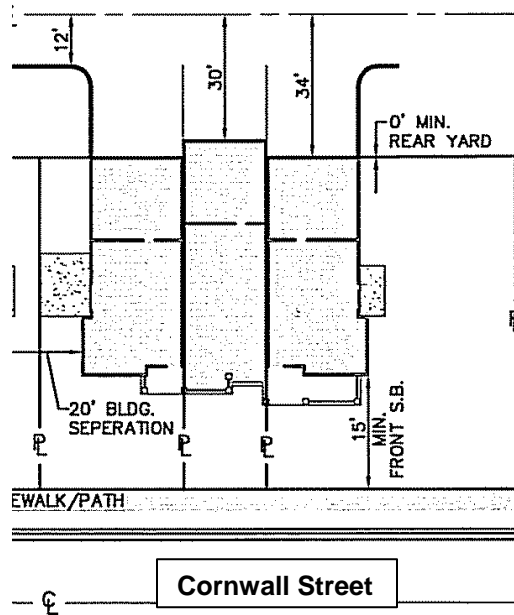




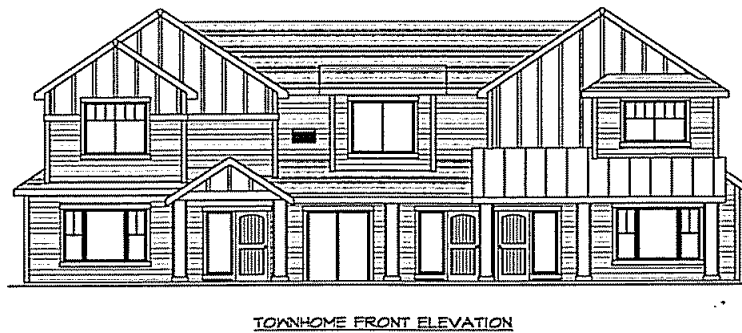


F. Typical townhouse layout plan - three units per structure.





G. Townhouse building elevations.



F. Applicant: Greenstone-Kootenai

1421 N. Meadowwood Lane, Suite 200  
Liberty Lake, Washington 99019

- G. Owner: Schneidmiller Land Co.  
1924 Northwest Boulevard  
Coeur d'Alene, ID 83814
- H. Land uses in the area include residential - single-family, multi-family, civic and vacant land.
- I. The subject property is vacant land.

## **PERFORMANCE ANALYSIS:**

### **Planned Unit Development Findings:**

A. **Finding #B8A: The proposal (is) (is not) in conformance with the Comprehensive Plan.**

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

**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 to be considered:**

- 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."
- 4C4: "Residential and mixed use development should be encouraged."
- 4C5: "New development should provide for bike paths and pedestrian walkways in accordance with the transportation plan and bike plan."
- 6A3: "Commercial development should be limited to collector and arterial streets."

- 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."
- 14A5: "Assess and design the future needs of City services for those areas outside of the present city limits, but within the planning area."
- 15D: Police and fire protection should be expanded, improved, and located as directed by population and planning area.
- 15D1: "Plan growth direction and acquire land for the establishment of facilities. Location of facilities within residential areas should be avoided, whenever feasible."
- 15G: "City government should be responsive to the needs and desires of the citizenry."
- 18A: "Acquire suitable recreation land."
- 18B1: "Parks, open space, and recreational facilities should be provided for neighborhoods as well as for the community."
- 23B1: "New developments should be required to be within an existing sewage service area or provide a system that does not pollute the aquifer."
- 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."
- 42B2: "Expansion of the City should be based on conformance to the urban service area."
- 46A: "Provide for the safe and efficient circulation of vehicular traffic."
- 51A4: "Trees should be preserved and protected by support of the Urban Forestry Program and indiscriminate removal discouraged."
- 51A5: "Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects."

**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."

**Coeur d'Alene Bikeways Plan:**

**MISSION:**

The essence of the City bicycle plan is to provide bike lanes on arterial and major collector streets to provide direct, continuous, and convenient transportation access to all parts of the community.

**GOAL:**

The plan should be used to require dedication of right-of-way with land partitions or street construction with all new subdivisions, roadway improvement projects and wherever possible with land use applications.

This practical solution will provide bicycles and pedestrians with access into all residential, commercial and industrial areas of the community thereby encouraging use of bicycles for all type of trips, to decrease reliance on the automobile and to provide low cost transportation options for people without cars – the young, the elderly, the poor and the disabled. To coordinate the City of Coeur d'Alene Bicycle Plan with other cities, districts and state agencies to develop a regional network of bicycle transportation facilities.

The applicant has provided a trail map that provides connectivity throughout the development.

3. 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 site planning (is) (is not) compatible with existing uses on adjacent properties.**

The request is part of and consistent with the Coeur d'Alene Place Master Plan approved in 1998 and revised in 2005.

Evaluation: The Planning Commission must determine, based on the information before them, that the request is compatible with uses on adjacent properties in terms of density, design, parking, open space and landscaping.

**C. Finding #B8C: The proposal (is) (is not) compatible with natural features of the site and adjoining properties.**

The subject property is relatively flat and has no physical features that need to be preserved or that would minimize development. In the northern portion of the development there is, however, a large area of native conifers that should be preserved, wherever possible.

**D. Finding #B8D: The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing public facilities and services.**

See Preliminary plat finding #B8B.

- E. **Finding #B8E: The proposal (does) (does not) provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.**

Open space and trails are provided throughout the Coeur d'Alene Place development as part of the recreation component in the master plan and this phase of the overall development is consistent with that plan.

Evaluation: The Planning Commission must determine that the open space is accessible to all users of the development and usable for open space and recreational purposes.

- F. **Finding #B8F: Off-street parking (does) (does not) provide parking sufficient for users of the development.**

All uses within Coeur d'Alene Place meet on-site parking requirements and this will continue as further development occurs.

Evaluation: All uses within the development have complied with on-site parking requirements.

- G. **Finding #B8G: That the proposal (does) (does not) provide for an acceptable method for the perpetual maintenance of all common property.**

A Homeowner's Association was created with the original PUD to maintain all common property and this has not changed.

- H. **Finding #B8H: That the proposal (would) (would not) adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character (and) (or) existing land uses.**

The proposed development is single-family and townhouse development which is compatible with adjoining single-family neighborhoods.

#### **Preliminary plat Findings:**

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

Per Gordon Dobler, City Engineer, the preliminary plat submitted contains all of the general information required by Section 16.12.020 of the Municipal Code, General Requirements.

- B. **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:**

1. Sanitary sewer is available to the proposed subdivision.

Evaluation: The existing main size is adequate to serve the proposed subdivision. The developer is proposing to extend the internal network of sanitary main lines within the development to provide service to the proposed lots.

2. The 2005 PUD revision required that with the commencement of Phase 4, that the developer extend the sanitary sewer in Marne Drive (Cornwall Street) to the northerly boundary of the development and make the sanitary connection to the sanitary lines in the Sunshine Meadows development.

Evaluation: The current PUD/Subdivision request is a replating of the area encompassing the previously approved Phase 4 and the westerly portion of Phase 1. The condition attached to the 2005 PUD approval, was that the developer extend the sanitary sewer in "Marne Drive" (now named Cornwall Street) to the northerly boundary of the development, and, that they will be required to make the connection to the sanitary main in the Sunshine Meadows development, resulting in the elimination of the sanitary sewer lift station. Approval of this current revision will require that the Coeur d'Alene Place developer extend the sanitary sewer to the northerly boundary of the development with their Phase 1 improvements and complete the sanitary sewer connection that was required with the 2005 PUD revision approval. This sanitary connection will be required to be completed prior to the final approval of the Phase 1 plat for the subject property. All improvements will be installed at no cost to the City.

3. The proposed subdivision is planning to create four (4) separate commercial lots out of the one (1) lot from the prior revision. No sewer or water utility services are shown to these proposed lots or to the adjacent City lot that would contain the future fire station.

Evaluation: The developer will be required to include utility service to these proposed lots fronting on Atlas Road that will satisfy the Wastewater/Water utility departments. The service must come from locations internally due to the "no cut" requirements for Atlas Road.

4. All public sanitary sewer mains constructed out of the public right-of-way will be required to be placed within twenty foot (20') single or thirty foot (30') joint utility easements.

#### WATER:

City water is available to the proposed subdivision.

- Evaluation:
1. The "high zone" has sufficient capacity to serve the area and there are adequate mains in Hanley, Atlas and Cornwall, however, only a small number of lots front on the streets with existing service. There is an existing eight inch water main line located in Cornwall Street that will serve as the point of connection/extension for the main line that will serve the proposed subdivision; however, the development will require additional utilities to adequately serve all of the proposed lots.
  2. A secondary connection will be required for redundancy in the water system serving the proposed Bernoulli Loop lots; therefore, due to the "no cut" policy for the recently reconstructed Atlas Road, a main extension will be required at the intersection of Madellaine Dr. and Cornwall Street. This connection will be required to extend between the proposed Lots 27 and 28, Block 5 and the open space in Tract F. This water main will be required to be placed into a paved pedestrian walkway, and will require a twenty foot (20') utility easement placed over it. The construction of the main out of the "Sorbonne Addition" will be required with the Phase 1 improvements and the secondary connection

will be required when the intersection of Madellaine and Cornwall is completed.

3. All public water mains constructed out of the public right-of-way will be required to be placed within twenty foot (20') single or thirty foot (30') joint utility easements.

#### STORMWATER:

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

- Evaluation:
1. The Atlas road improvements by an adjoining developer preceded the construction of this current phase of the Coeur d'Alene Place development. The approved design for Atlas Road utilized roadside swales, therefore, the Coeur d'Alene Place/Sorbonne development will be required to develop and maintain the curbside facilities utilizing the existing curb drainage aprons that have been installed that meets the criteria of the City Engineer. Also, no final plat will be approved for the Sorbonne Addition until all reimbursements have been made for the previously installed Atlas Road improvements.
  2. The Sorbonne submittal shows centralized swale locations; however, more detail will be required to determine the adequacy of the proposal.
  3. All drainage facilities located within the development and along the Atlas Road frontage will be the responsibility of the Sorbonne Addition/Coeur d'Alene Place Homeowners Association to maintain.

#### TRAFFIC;

The ITE Trip Generation Manual estimates the project, 242 lots at total build out, will generate approximately 2,311 trips per day. The initial Phase 1 with 135 proposed lots will generate 1,289 trips per day.

- Evaluation:
- The recently completed traffic signal at the intersection of Hanley Avenue and Atlas Road will aid in the controlled movement of traffic out of the development. In order to maximize the flow of traffic from the proposed subdivision and allow for sufficient access to the site, Cornwall Street will be required to be built to the Sorbonne Drive intersection and the extension of Sorbonne Drive to Atlas Road will be required to be built with the Phase 1 improvements.

#### STREETS:

1. The proposed subdivision is bordered by Atlas Road on the west, Hanley Avenue on the south and the partially completed Cornwall Street to the east.

- Evaluation:
- Both the Atlas Road and Hanley Avenue sections and a portion of the Cornwall Street section are built to current required standards. Cornwall Street will be required to be constructed full width to the intersection with Sorbonne Drive as part of the Phase 1 improvements. From this point, the balance of the full right-of-way will be required to be dedicated to the constructed portion of Cornwall Street in the Sunshine Meadows development to the north. This dedication will be required with the final plat approval of Phase 1 of the Sorbonne development. The remainder of the Cornwall Street section will be required to be constructed with the Phase 3 improvements.

2. Secondary vehicular access is required for all developments that exceed 30 units, per the Fire Code adopted by the City.

Evaluation: The Bernoulli Loop portion of the development will require the construction of a secondary emergency access off of Atlas Road. This access may be gated and must satisfy the criteria established by the City Fire Department for accessibility and vehicular support.

3. The cluster developments shown in Blocks 2 and 3 of Phases 1 and 2 are accessed via common roadway/driveway and this access way also serves as the road frontage for a portion of the residences.

Evaluation: A common access easement for ingress and egress will required to be placed on the final plat document for all phases utilizing this type of facility. Street names approved by Kootenai County will be required for any access way that has residences utilizing it, and, all will be required to be dedicated as Tracts on the final plat documents.

4. To avoid turning movement conflicts on Atlas Road, access to the proposed commercial lots 1 through 4 will be restricted to the common lot line of lots 3 and 4.

Evaluation: An access easement will be required across all lots.

#### SUBDIVISION IMPROVEMENTS:

1. Mid-block pedestrian access will need to be provided where block lengths exceed 1,000 feet.

Evaluation: Per Code Section 16.20.200, any block that exceeds 1000 feet in length is required to have a mid-block pedestrian access point. A paved pedestrian access will be required in Tract F connecting Bernoulli Loop to Cornwall Street and Madellaine Drive.

2. Lot frontages on the proposed cluster developments are less than the minimum required. A deviation will need to be approved for this.

#### 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.

#### FIRE PROTECTION

10. A fire hydrants shall be installed at all locations required by the City Fire Department.

#### GENERAL

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

Submitted by Chris Bates, Engineering Project Manager

#### FIRE:

The Fire Dept. will address issues such as water supply, fire hydrants, FD access, etc. prior to any site development.

Submitted by Dan Cochran, Deputy Fire Chief

#### PARKS:

I have reviewed the plans and have no issues.

Submitted by Doug Eastwood, Parks Director

#### POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

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

See Finding #B8A in Planned Unit Development Findings.

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

The request would implement another phase of the Coeur d'Alene Place Master Plan and provide a variety housing options for the community.

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.

- E. **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.

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

All lots in the proposed subdivision meet the minimum site performance standards of the underlying zoning districts or the deviations approved through the PUD, as follows:

Zoning Ordinance:

R-8 and C-17L zones residential performance standards

1. Lot Area  
A minimum lot size of 1,600 sq. ft.
2. Lot Frontage  
Reduce lot frontage to zero feet for lots on private streets and 20-feet for townhouse lots.
3. Setbacks.  
Rear yards - Zero setbacks from rear property line for town house lots.

Subdivision Ordinance:

4. 28-foot private street for "cluster housing areas" with no sidewalks.

Evaluation: The Planning Commission must determine if the new set of standards requested through the PUD are appropriate in the existing R-8PUD and C-17LPUD zoning districts.

- G. **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.**

See PUD finding

- H. Proposed conditions:

1. Extension of the sanitary sewer to the northerly boundary of the development with their Phase 1 improvements and completion of the sanitary sewer connection in Cornwall Street that was required with the 2005 PUD revision approval. This sanitary connection will be required to be completed prior to the final approval of the Phase 1 plat for the subject property. All improvements will be installed at no cost to the City.
2. The developer will be required to include utility service to the proposed lots that front on Atlas Road that will satisfy the Wastewater/Water utility departments. The service must

come from locations internally due to the “no cut” requirements for Atlas Road.

3. All public sanitary sewer and water mains constructed out of the public right-of-way will be required to be placed within twenty foot (20') single or thirty foot (30') joint utility easements.
4. A secondary connection will be required for redundancy in the water system serving the proposed “Bernoulli Loop” lots. A main extension will be required at the intersection of Madellaine Dr. and Cornwall Street. This connection will be required to extend in the open space in Tract “F”. This water main will be required to be placed into a paved pedestrian walkway, and will require a twenty foot (20') utility easement placed over it. The construction of the main out of the “Sorbonne Addition” will be required with the Phase 1 improvements, and the secondary connection will be required when the intersection of Madellaine and Cornwall is completed.
5. The approved design for Atlas Road utilized roadside swales, therefore, the Coeur d'Alene Place/Sorbonne development will be required to develop and maintain the curbside facilities utilizing the existing curb drainage aprons that have been installed. Also, no final plat will be approved for the Sorbonne Addition until all reimbursements have been made for the previously installed Atlas Road improvements.
6. All drainage facilities located within the development and along the Atlas Road frontage will be the responsibility of the Sorbonne Addition/Coeur d'Alene Place Homeowners Association to maintain.
7. To maximize the flow of traffic from the proposed subdivision and allow for sufficient access to the site, Cornwall Street will be required to be built to the Sorbonne intersection and the Sorbonne Drive connection with Atlas Road will be required to be built with the Phase 1 improvements.
8. Cornwall Street will be required to be constructed full width to the intersection with Sorbonne Drive with the Phase 1 improvements and the balance of the full right-of-way will be required to be dedicated to the constructed portion of Cornwall Street in the Sunshine Meadows development to the north. This dedication will be required with the final plat approval of Phase 1 of the Sorbonne development. The remainder of the Cornwall Street section will be required to be constructed with the Phase 3 improvements.
9. A common access easement for ingress and egress will be required to be placed on the final plat document for all phases utilizing this type of facility. Street names approved by Kootenai County will be required for any access way that has residences utilizing it and all will be required to be dedicated as “Tracts” on the final plat documents.
10. A paved pedestrian access will be required in tract F connecting the Bernoulli Loop to Cornwall Street and Madellaine Drive.
11. Access to the commercial lots fronting Atlas Road will be restricted to the common lot line of lots 3 and 4. An access easement will be required across lots 1 through 4.

I. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.  
Transportation Plan  
Municipal Code.  
Idaho Code.

Wastewater Treatment Facility Plan.  
Water and Sewer Service Policies.  
Urban Forestry Standards.  
Transportation and Traffic Engineering Handbook, I.T.E.  
Manual on Uniform Traffic Control Devices.  
Coeur d'Alene Bikeways Plan

**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:\pcstaff\frpts\PUD205m&S307]



December 27, 2006

John Stamsos  
City of Coeur d'Alene  
Planning Department  
710 Mullan  
Coeur d'Alene, ID 83814

**RE: Transmittal of Sorbonne Addition at Coeur d'Alene Place Subdivision and Planned Unit Development Applications.**

Dear John,

Enclosed herewith you will find the applications and submittals for the *Sorbonne Addition* subdivision and PUD which we are pleased to submit to the City for its review and approval.

The Sorbonne Addition is located east of Atlas Road, north of Hanley Avenue within the approved Coeur d'Alene Place PUD Master Plan. The proposal represents a minor modification to the approved PUD plan and development standards and requires review through the Plan Commission public hearing process to address these modifications together with the proposed subdivision which had not been included in the prior applications. We have included, for reference, a copy of the most recent approved amendment to the Coeur d'Alene Place PUD together with the proposed amendments for the Sorbonne Addition.

Overall, we believe that you will find that the Sorbonne Addition is very much consistent with the Coeur d'Alene Place Master Plan concept and represents a logical and positive progression for this community and the City of Coeur d'Alene in light of changing trends and demands in the housing market.

Enclosed you will find the following:

- *Completed Subdivision Application*
- *Completed PUD Application*
- *Application fees (Greenstone-Kootenai Check #5101 for \$13,050.00)*
- *Eight full size sets of the preliminary plat maps and PUD drawings*
- *One reduced set of the preliminary plat maps and PUD drawings*
- *List of Owners of the property within 300 feet of the external boundaries.*
- *List of Residents of the property not owner occupied within 300 feet of the external boundaries.*
- *Title report with the correct ownership, easements and encumbrances prepared by Pioneer Title Company of Kootenai County.*
- *Proposed Sorbonne Addition PUD site standards.*
- *Legal Description for Sorbonne Addition*

The Sorbonne Addition incorporates a mixture of housing styles including traditional single family detached housing (84 lots), single family detached housing designed for the active senior/"empty nester" lifestyle (73 lots) together with townhouses (attached single family – 81 lots) and four lots for future retail uses in the existing C-17L zone at the corner of Hanley and Atlas Road totaling about 1.6 acres.

The net residential density is about 6.9 units per acre and is consistent with the R-8 zoning classification and the previous Coeur d'Alene Place approvals for cluster and single family housing. The gross density is 5.7 units per acre.


The traditional single family component of the Sorbonne Addition will be of the same character and quality as the newer phases of Coeur d'Alene Place while the active senior/"empty nester" will also be very similar to the existing "Parkside" neighborhood in Coeur d'Alene Place.

The townhome product will be a new product type within the Coeur d'Alene Place community and deserves some additional explanation: The townhomes are in essence "attached" single family residences clustered in buildings consisting of three separate units within each building. Each unit will occupy its own separate, individual lot and all of the units will have individual building entrances and attached two car garages. In addition to the attached garages, each unit will have two parking spaces directly outside of the garage door for guest or visitor parking. The units and their respective lots are intended to be offered for sale as fee simple real estate. The common areas within tracts and the landscaped areas surrounding each building will be maintained collectively by the homeowners association. Access to the garages will be via a common driveway running along the rear of and between buildings, much like an alley.

The project is expected to be developed in at least three phases, with construction commencing as soon as practical in the Spring of 2007. The roads will be public except within the active senior/"empty nester" segment where they are to be private.

We look forward to your review of our application and thank you for your consideration. If you have any comments or questions or need more information, please feel free to call me at (509) 458-5860.

Sincerely,



Andrew Worlock  
Greenstone Corporation

Enclosures.

C: File

***SORBONNE ADDITION***  
**at Coeur d'Alene Place**  
**P.U.D. SITE STANDARDS\***  
**December 2006**

1. Lot Area: Title 17.05.150

In the identified "cluster housing areas" (R-8 zone) a minimum lot area of 2,700 square feet is approved for either attached or detached units.

**The Sorbonne Addition proposes a minimum lot size of 1,600 s.f. for the townhome lots.**

2. Lot Frontage: Title 17.05.150

In the identified "cluster housing areas" (R-8 zone) a minimum lot frontage of 30 feet is approved for either attached or detached units.

**The Sorbonne Addition proposes a minimum lot frontage of 20 feet for the townhome lots.**

In the identified "single-family housing areas" (R-8 zone) a minimum lot frontage of 40 feet is approved and will be retained for either attached or detached units.

5. Setbacks: Title 17.05.160; 17.05.320, 17.06.495

Throughout the entire P.U.D. site plan (R-8 and R-17 zones) the following setback standards are approved:

Front Yard:      15 feet from back of sidewalk to the face of the house.  
                         18 feet from back of sidewalk to the face of the garage.

Side Yard:        Zero setback. Minimum building separation as required by Uniform Building Code Standards

Flanking  
Street:            15 feet from back of sidewalk or curb if no sidewalk is required

Rear Yard:        For front loaded - 20 feet from rear property line.  
                         For alley loaded - 4 foot minimum setback from paved edge of alley.  
   18 foot minimum driveway approach to garage.  
                         Zero (0) feet from rear property line if lot backs to private alley or public or private open space area **and for Townhomes.**

\*NOTE: The Modifications for the Sorbonne Addition are shown in bold. All other standards are as approved via the Coeur d'Alene Place PUD as previously amended

6. Sidewalks:

Public

Streets: Sidewalks shall be waived along street frontage where lot has access to rear yard or sideyard pathway on community open space

Private

Streets: Internal pathway system shall substitute for street frontage sidewalks

7. Roadways: Title 16.24.010

Public road width of 32 feet is approved for minor "urban residential" streets. The use private roads are approved for all roadways within designated "cluster housing areas."

Use of private "alleys" are approved with a 16 foot paved width and located with a 24 foot right of way.

Proposed Addition:


Public road width of 30 feet for minor "urban residential" streets. The use of 28 foot private roads for all roadways within designated "cluster housing areas." Private "alley" with a minimum 12 foot paved width and located with a minimum 16 foot right of way.

8. Curbs: Title 16.24.020

The use of standard Type "R" rolled curb is allowed for all "urban residential streets."

No curb shall be required for private roads.





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

**A. INTRODUCTION**

This matter having come before the Planning Commission on February 13, 2007, and there being present a person requesting approval of ITEM PUD-2-05m a request for a planned unit development known as "Coeur d'Alene Place PUD"

LOCATION: +/- 42.3-acres at the Northeast corner of Atlas Road and Hanley Avenue

APPLICANT: Kootenai-Greenstone

**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, multi-family, civic and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is R-8PUD (Residential at 8 units/acre) and C-17L (Commercial Limited at 17 units/acre).
- B4. That the notice of public hearing was published on January 27, 2007, and February 6, 2007, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on February 5, 2007, which fulfills the proper legal requirement.
- B6. That 55 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 26, 2007, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on February 13, 2007.
- B8. Pursuant to Section 17.07.230, Planned Unit Development Review Criteria, a planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **(is) (is not)** in conformance with the Comprehensive Plan. This is based upon the following policies:

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

**Criteria to consider for B8B:**

- |                            |                |
|----------------------------|----------------|
| 1. Density                 | 6. Open space  |
| 2. Architectural style     | 7. Landscaping |
| 3. Layout of buildings     |                |
| 4. Building heights & bulk |                |
| 5. Off-street parking      |                |

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

**Criteria to consider for 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 the existing street system accommodate the anticipated traffic to be generated by this development?
4. Can police and fire provide reasonable service to the property?

B8D The proposal **(does) (does not)** provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes. This is based on

B8E Off-street parking **(does)(does not)** provide parking sufficient for users of the development. This is based on

B8F That the proposal **(does) (does not)** provide for an acceptable method for the perpetual maintenance of all common property. This is based on

B8G That the proposal **(would) (would not)** adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character **(and) (or)** existing land uses because

**Criteria to consider for B8G:**

1. **Will the change in traffic flow adversely affect the livability of the surrounding neighborhood?**
2. **Does the proposed development "fit" with the surrounding area in terms of density, layout & appearance?**
3. **Is the proposed development compatible with the existing land use pattern? i.e. residential, commercial, residential w churches & schools**

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **KOOTENAI-GREENSTONE** for approval of the planned unit development, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied 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.

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CHAIRMAN JOHN BRUNING



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

**A. INTRODUCTION**

This matter having come before the Planning Commission on February 13, 2007, and there being present a person requesting approval of ITEM S-3-07 : a request for "Sorbonne Addition" a 242-lot subdivision in 4 phases in the R-8PUD (Residential at 8 units/acre) and C-17L (Commercial Limited at 17 units/acre) zoning districts.

LOCATION: +/- 42.3-acres at the Northeast corner of Atlas Road and Hanley Avenue

APPLICANT: Kootenai-Greenstone

**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, multi-family, civic and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is R-8PUD (Residential at 8 units/acre) and C-17L (Commercial Limited at 17 units/acre).
- B4. That the notice of public hearing was published on January 27, 2007, and February 6, 2007 , which fulfills the proper legal requirement.
- B5. That the notice was not required to be posted on the property.
- B6. That 55 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 26, 2007, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on February 13, 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
- 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:
- 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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **KOOTENAI-GREENSTONE** 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.

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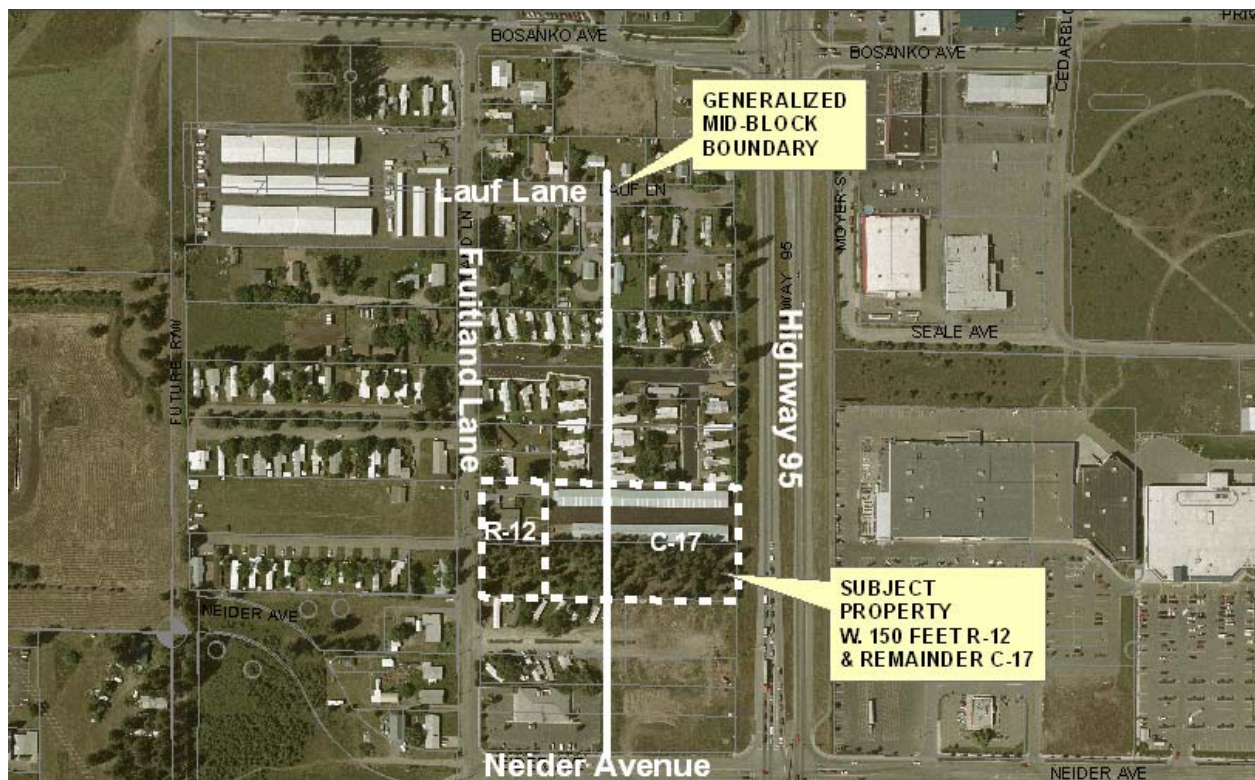
CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER  
DATE: FEBRUARY 13, 2007  
SUBJECT: ZC-2-07 – ZONE CHANGE FROM R-12 TO C-17  
LOCATION: 3 PARCELS TOTALLING +/- 3.5 ACRES AT 3514 NORTH FRUITLAND LANE

**SITE PHOTOS:**

A. Subject property



B. Subject property starting at tree line from Neider Avenue.



C. Subject property from Fruitland Lane.



**DECISION POINT:**

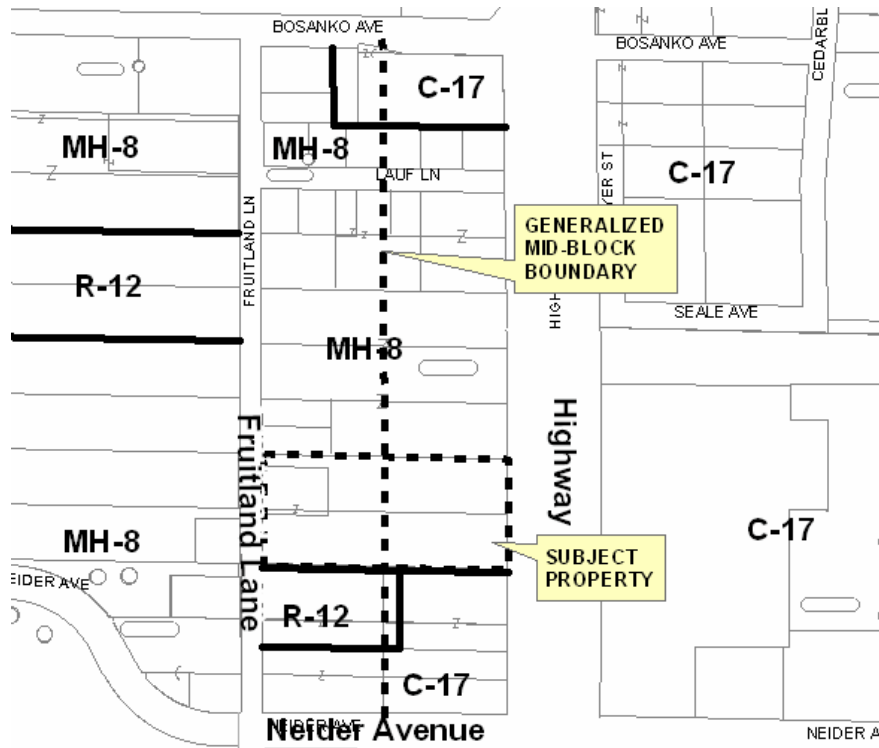
Steve Widmeyer is requesting a zone change from MH-8 (Mobile Home at 8 units per gross acre) to R-12



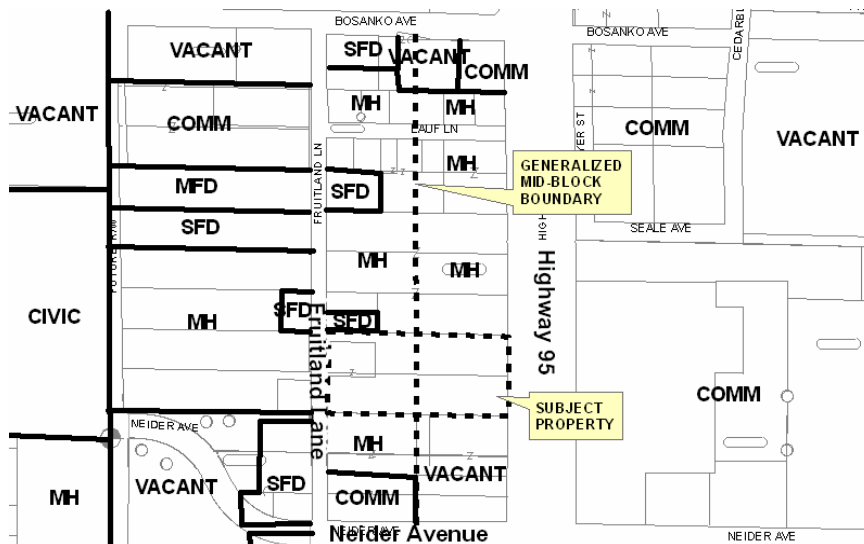
(Residential at 12 units per gross acre) and C-17 (Commercial at 17 units per gross acre).

**GENERAL INFORMATION:**

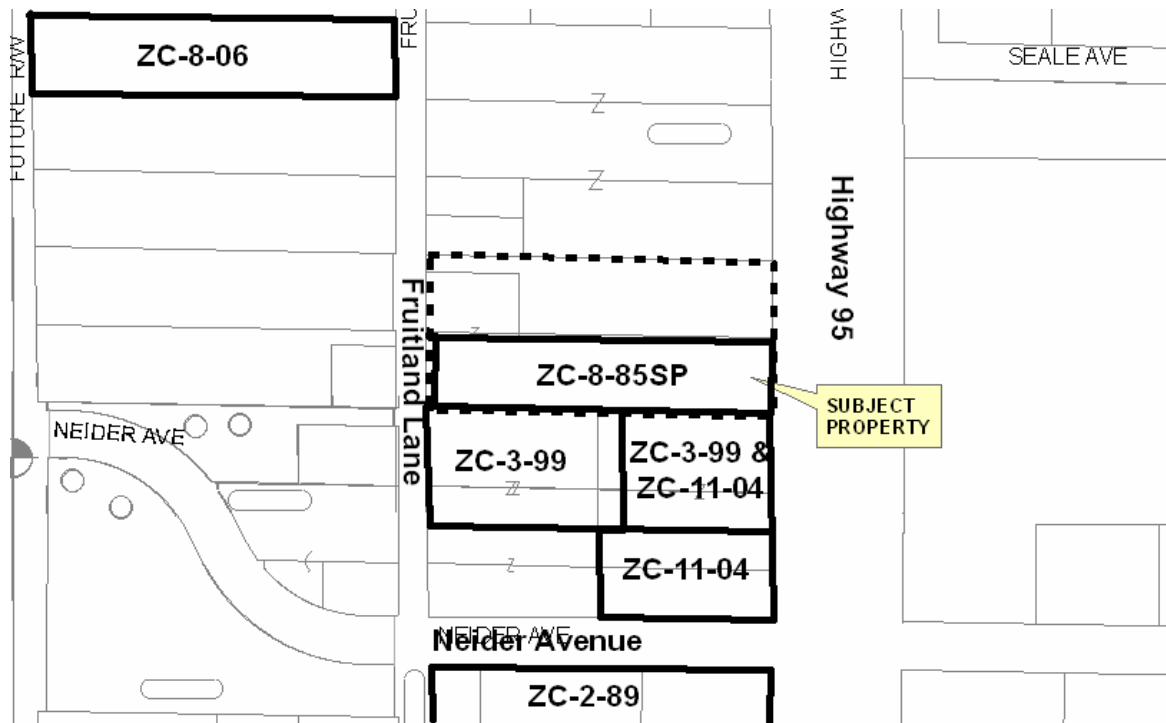
A. Zoning:



B. Land use:



C. Recent zone changes



- D. Applicant/ Owner Steve Widmeyer  
c/o Miller Stauffer architects  
701 Front Avenue, Suite 301  
Coeur d'Alene, ID 83814
- E. Land uses in the area include residential - single-family, duplex, multi-family mobile homes, commercial – retail sales and service, and vacant land.
- F. The subject property contains a single-family dwelling, mini-storage and vacant land. The southern parcel contains a stand of mature Ponderosa Pine.
- G. Previous actions on the subject property:
1. ZC-8-85SP - Zone Change from R-12 to MH-8 and a mini-storage Special Use Permit approved August 6, 1985. The mini-storage use was never utilized so that approval lapsed on August 6, 1986.
- H. Previous actions in surrounding area:
1. ZC-2-89 - R-12 to C-17
  2. ZC-3-99 - R-12 to C-17 - The zone change was approved by the Planning Commission and City Council but the zone change ordinance was never adopted by Council because the applicant could not comply with the following condition requiring access to Neider Avenue:
    - A. Access to the subject property shall be restricted to Neider Avenue and an ingress/egress easement (24' minimum width) shall be acquired by the applicant across the parcel to the south that has frontage on Neider Avenue, prior to adoption of the zone change ordinance. This point of access shall not be closer than 150' from the end of the radius at the intersection of Neider Avenue and Hwy. 95 to preclude interference with

eastbound left turn movements.

3. ZC-11-04 - R-12 to C-17
4. ZC-8-06 - MH-8 to R-12

**PERFORMANCE ANALYSIS:**

A. Zoning:

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

**R-12 zone:**

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

**Principal permitted uses:**

1. Single-family detached housing.
2. Duplex housing.
3. Cluster housing.
4. Essential service (underground).
5. Home occupations.
6. Administrative.

**Uses allowed by Special Use Permit:**

1. Public recreation, whether or not buildings are involved.
2. Neighborhood recreation.
3. Community education.
4. Religious assembly.
5. Convenience sales.
6. Essential service (aboveground).
7. Restriction to single-family only (see district column).
8. Community assembly.
9. Commercial recreation.
10. Two (2) unit per gross acre density increase (see district column).
11. Group dwelling-detached housing.
12. Community organization.

13. Childcare facility.
14. Juvenile offenders facility.
15. Boarding house.
16. Handicapped or minimal care facility.
17. Noncommercial kennel.
18. Commercial film production.

**C-17 zone:**

This 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; however, joint access developments are encouraged.

**Principal permitted uses:**

1. Single-family detached housing (as specified by the R-8 District).
2. Duplex housing (as specified by the R-12 District).
3. Cluster housing (as specified by the R-17 District).
4. Multiple-family (as specified by the R-17 District).
5. Home occupations.
6. Community education.
7. Essential service.
8. Community assembly.
9. Religious assembly.
10. Public recreation.
11. Neighborhood recreation.
12. Commercial recreation.
13. Automobile parking when serving an adjacent business or apartment.
14. Hospitals/health care.
15. Professional offices.
16. Administrative offices.
17. Banks and financial institutions.
18. Personal service establishments.
19. Agricultural supplies and commodity sales.
20. Automobile and accessory sales.
21. Business supply retail sales.
22. Construction retail sales.
23. Convenience sales.
24. Department stores.
25. Farm equipment sales.
26. Food and beverage stores, on/off site consumption.
27. Retail gasoline sales.
28. Home furnishing retail sales.
29. Specialty retail sales.
30. Veterinary office.
31. Hotel/motel.
32. Automotive fleet storage.
33. Automotive parking.
34. Automobile renting.
35. Automobile repair and cleaning.
36. Building maintenance service.

37. Business support service.
38. Communication service.
39. Consumer repair service.
40. Convenience service.
41. Funeral service.
42. General construction service.
43. Group assembly.
44. Laundry service.
45. Finished goods wholesale.
46. Group dwelling-detached housing.
47. Mini-storage facilities.
48. Noncommercial kennel.
49. Handicapped or minimal care facility.
50. Rehabilitative facility.
51. Child care facility.
52. Juvenile offenders facility.
53. Boarding house.
54. Commercial kennel.
55. Community organization.
56. Nursing/convalescent/rest homes for the aged.
57. Commercial film production.

**Uses allowed by special use permit:**

1. Veterinary hospital.
2. Warehouse/storage.
3. Custom manufacturing.
4. Extensive impact.
5. Adult entertainment sales and service.
6. Auto camp.
7. Residential density of the R-34 district as specified.
8. Underground bulk liquid fuel storage-wholesale.
9. Criminal transitional facility.
10. Wireless communication facility.

The zoning pattern (see zoning map on page 3) in the surrounding area shows MH-8 and R-12 zoning to the north and west and C-17 zoning to the east and south.

Evaluation: The Planning Commission, based on the information before them, must determine if the R-12 and C-17 zones are appropriate for this location and setting.

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

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map designates this area as a Transition Area. It is also adjacent to Highway 95, which is a High Intensity Corridor, 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.
- Discourage uses that are detrimental to neighboring uses.
- Encourage commercial clusters that will serve adjacent neighborhoods vs. city as a whole.
- Pedestrian/bicycle connections.

#### **High Intensity Corridors:**

“These corridors are established as the primary areas where significant auto oriented community sales / service and wholesale activities should be concentrated.”

- Encourage auto oriented commercial uses abutting major traffic corridors.
- Residential uses up to 34 du/ac may be encouraged. Low intensity residential uses are discouraged.
- The development should be accessible by pedestrian, bicycle and auto.
- Residential uses may be allowed but not encouraged. Low intensity residential uses are discouraged.
- Encourage manufacturing / warehousing uses to cluster into district served by major transportation corridors.
- Arterial / collector corridors defined by landscaping / street trees.
- Development may be encouraged to utilize large areas adjacent to these 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:**

- 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.”
- 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.”
- 6A5: “Encourage renewal and enhancement of commercial sales and service corridors.”

- 46A: "Provide for the safe and efficient circulation of vehicular traffic."
- 47C1: "Locate major arterials and provide adequate screening so as to minimize levels of noise pollution in or near residential areas."
- 47C2: "Encourage alternate access for properties located on arterial streets."
- 48E: "Encourage development of circulation patterns and/or parking that would make pedestrian-oriented business districts feasible."
- 51A: "Protect and preserve neighborhoods both old and new."
- 51A4: "Trees should be preserved and protected by support of the Urban Forestry Program and indiscriminate removal discouraged."
- 51A5: "Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects."
- 51A5b: "As a general rule, commercial to residential zoning boundaries should be at mid-block. The importance of both commercial use and residential use must be weighed in the decision-making. Boundaries that do go beyond mid-block must complement the residential uses with characteristics such as increased setbacks, street trees, landscaped buffers, etc."
- 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 applicability of comp plan policy # 51A5b, which states:

"As a general rule, commercial to residential zoning boundaries should be at mid-block. The importance of both commercial use and residential use must be weighed in the decision-making. Boundaries that do go beyond mid-block must complement the residential uses with characteristics such as increased setbacks, street trees, landscaped buffers, etc."

As shown on the zoning map on page 3, the mid-block line splits the block between Fruitland Lane and Highway 95 in half and when a parcel such as the one in this request straddles the boundary, the policy applies and it becomes a matter of determining whether or not it is appropriate to allow commercial zoning beyond this boundary and if so, how far should it encroach into the adjoining residential neighborhood.

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.

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

WATER:

Water is available to the subject property.

Evaluation: There is currently a 12" C900 main in Fruitland with only two 1" services stubbed at Fruitland for this address. The additional density will require the probable installation of new public utilities to adequately provide the required fire flow and domestic services required for future development. In order to loop the system an easement across various properties will be necessary. There is an additional 12" stub at the southeast corner of 401 Neider Ave.

Comments submitted by Terry Pickel, Assistant Water Superintendent

**SEWER:**

Public sewer is available for connection.

Evaluation: Public sewer is available for connection in Fruitland Lane. Applicants request for rezone involves property at 3514 Fruitland and perhaps the mini-storage lot that is currently not connected to public sewer.

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.

**TRAFFIC:**

Although there is no change in the proposed use at this time this proposed rezoning would, in theory, allow other uses that could generate additional traffic.

**Evaluation:**

Any change in use and related traffic impacts are evaluated prior to issuance of building permits. The Development Impact Fee Ordinance requires any extraordinary traffic impacts to be mitigated by the applicant as a condition of permit issuance. Therefore, potential traffic impacts need not be addressed at this time.

**STREETS:**

1. The subject property is bordered by Fruitland Lane and US Hwy 95.

Evaluation: Fruitland Lane is a below standard, low volume, local residential roadway with a twenty eight foot (28') paved section, and, US Hwy 95 is a controlled access State thoroughfare that does not allow individual approach access. Dedication of an additional five feet (5') of right-of-way will be required on the Fruitland Lane frontage, and, the owner will be required to enter into a frontage improvement agreement with the City for future roadway improvements on the subject frontage.

2. Mention is made of utilizing the adjoining property to the south for access with an easement for ingress/egress.

Evaluation: The subject property to the south has a site design and parking layout that has City Engineering design approval for the building permit on the site. The noted sixty foot (60') easement in the zone change application may impact that approved design and would be required to be reviewed for impacts prior to approval for access by the City.

#### SUBDIVISION IMPROVEMENTS:

The applicant has indicated that the subject property will be diversified into residential and commercial uses. If the applicant elects to alter the subject property lot configuration during the development process, subdivision issues may arise that result in the need to complete the platting process on the subject property.

#### 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.

##### STREETS

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

##### STORMWATER

5. 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

6. A fire hydrants shall be installed at all locations specified by the City Fire Department.

Submitted by Chris Bates, Engineering Project Manager

##### FIRE:

The Fire Department will address issues such as water supply, fire hydrants, Fire department access, etc., 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 subject property is in a neighborhood that is a mix of single-family dwellings, mobile homes, mobile home parks, mini-storage and vacant land. While new apartment and condominium uses are occurring on the west side of Fruitland Lane, the neighborhood to the north of the subject property is still an established area that is predominately mobile homes and mobile home parks. The request would extend commercial zoning further into an established residential neighborhood. In the area between Neider and Bosanko, the only commercial zoning is at the intersections of Neider and Highway 95 and Bosanko and Highway 95.

Evaluation: The planning Commission must determine whether R-12 and C-17 zoning is suitable for this property and compatible with the surrounding neighborhood.

**F. Proposed conditions:**

Engineering:

1. Dedication of an additional five feet (5') of right-of-way will be required on the Fruitland Lane frontage, and, the owner will be required to enter into a frontage improvement agreement with the City for future roadway improvements on the subject frontage.
2. Review of impacts to the adjoining property to the south and the approved site plan for that property, will be required prior to allowing any access across this property to the area of request.
3. Alteration of the existing lot lines with development may result in the need to complete the subdivision process of the subject property. This issue will be required to be addressed by the developer prior to any development of the subject property.

**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.

[D:staffrptsZC207]

## Zone Change – US 95 & Neider

### Justification

The subject property is located just north of the intersection of Highway 95 & Neider, across the street from K-Mart. The three lot parcel is currently zoned MH-8. It is fifty percent vacant and fifty percent developed as a mini storage facility with a caretaker's residence. The 3.36 acre parcel has two hundred sixty feet (260') of frontage on Highway 95 and two hundred sixty feet of frontage on Fruitland. The adjacent parcels are zoned C-17 to the south and MH-8 to the north and west. All current access to the property is via Fruitland Avenue. It is one of the few parcels fronting the Highway 95 corridor that does not have a commercial designation. It is likely that this parcel has remained undeveloped to this point in time because of its commercial exposure and residential access. We believe that we have a land use approach that would put this valuable land into service while providing protections for the existing neighborhoods. The approach includes three elements which specifically address access and buffers.

First, the applicant has negotiated a commercial width (60') access easement through the commercial property to the south for access onto Neider Avenue. This easement will facilitate all regular commercial traffic to and from the site onto a commercial feeder away from the existing residential developments. The location of this easement also works well in regards to vehicular stacking as it provides more than one hundred fifty feet (7 cars) to the 95 intersection and stop light.

Second, we propose to revise the MH-8 designation on the west to an R-12 as a buffer to the single-family on Fruitland. This designation would be consistent with the existing zoning to the south while acting as a transition from the proposed commercial zone. To the remaining MH-8.

Third, by ordinance the side yard between commercial and residential zones requires the commercial to provide distance and buffer. Ordinance 17.06.475 requires a ten foot side yard set back for commercial uses abutting residential uses and ordinance 17.06.830 requires a five foot high and wide vegetative buffer or a five foot sight obscuring fence. We propose to provide both.

The final make-up of the zone change would be:

1. 450' x 260' commercial zone fronting US 95 and accessed off of Fruitland.
2. A 150' x 260' R-12 zone with access off Fruitland

Lot lines would be adjusted to follow the new zoning designations.


## Zone Change – US 95 & Neider

### Comprehensive Plan Goals & Policies Supporting the Request

The subject property is adjacent to existing C-17 on the south and NAS 260' of frontage on a high traffic commercial arterial. Existing zoning has precluded development of this infill parcel as it is only marginally suited to expansion of existing neighborhood residential development.

Comprehensive plan goals and policies supporting this zone change include:

1. 4C2 Transportation – The proposed zone change will take advantage of existing commercially developed streets and services.
2. 6A3 Commercial Development on Arterials – Encourage commercial development on arterials.
3. 29/32/52B5 Transition – The comprehensive plan map designates this general area as in transition. This particular request will complete the transition of vacant and under utilized parcels making way for the rapidly developing US 95 commercial corridor east of the subject.
4. 53C3 Multi-family as a buffer – The proposed assembled parcel has a multi-family component in a buffer location between the proposed commercial and existing single-family residential.
5. 53D2 Discourage Sprawl– This is an underutilized parcel (s) with fully developed commercial neighbors and existing infrastructure.



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

**A. INTRODUCTION**

This matter having come before the Planning Commission on, February 13, 2007, and there being present a person requesting approval of ITEM ZC-2-07, a request for a zone change from MH-8 (Mobile Home at 8 units per gross acre) to R-12 (Residential at 12 units per gross acre) and C-17 (Commercial at 17 units per gross acre).

LOCATION: 3 parcels totaling +/- 3.5 acres at 3514 North Fruitland Lane

APPLICANT: Steve Widmeyer

**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, duplex, multi-family mobile homes, commercial – retail sales and service, and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is MH-8 (Mobile Home at 8 units per gross acre)
- B4. That the notice of public hearing was published on, January 27, 2007, and, February 6, 2007, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, February 5, 2007, which fulfills the proper legal requirement.
- B6. That 76 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, January 26, 2007, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on February 13, 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 **STEVE WIDMYER** 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.

---

CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER  
DATE: FEBRUARY 13, 2007  
SUBJECT: PUD-2-07 – "SHERWOOD FOREST PUD" PLANNED UNIT  
DEVELOPMENT  
S-4-07 – 32-LOT "SHERWOOD FOREST" PRELIMINARY PLAT  
SUBDIVISION  
LOCATION – +/- 10-ACRE PARCEL IN THE VICINITY OF WEST  
PINEGROVE DRIVE AND CANFIELD AVENUE

**SITE PHOTOS:**

A. Aerial photo



B. Subject property



C. Pictures of the surrounding area.



SOUTH - CONDOMINIUMS



WEST - SINGLE FAMILY HOMES



NORTHWEST - TRI-PLEX RESIDENCES



NORTHEAST - APARTMENTS

## DECISION POINT:

- A. JHM Investments is requesting Preliminary Plat approval of "Sherwood Forest PUD", a 32-lot subdivision on a private street in the C-17L (Commercial Limited at 17 units/acre) zoning district and approval of "Sherwood Forest PUD" Planned Unit Development a residential and commercial development on a 24 foot private street consisting of 21 single-family +/- 7,200 sq. ft. lots in the western portion of the development adjacent to West Pinegrove Drive and 8 commercial lots adjacent to Wilbur Avenue. A total of 3.95 acres (+/- 39% of the gross area of the 10 acre subject property) of open space is proposed and will have a system of walking paths through out the development and a park/picnic area in the middle of the development. A homeowner's association will manage, control and maintain the use of all common areas.

The proposed development includes:

1. 21 - +/- 7,200 sq. ft. residential lots.
2. 8 commercial lots with +/- 3,200 sq. ft. buildings and adjacent parking lots.
3. 3.95-acres of usable open space area, which is 39% of the 10-acre total area of the subject property. (Open space less designated swales and streets).
4. The development would be served by a private street with 24 feet of pavement, rolled curb & gutter, 4-foot wide sidewalks on both sides and intermittent areas of off street parking between the curb and right-of-way line.
5. The parking requirement would be two parking spaces per unit for the residential units and a reduced parking requirement of one space per 250 sq. ft. of gross floor area for all commercial uses.
6. For the residential lots, there would be a common driveway at the property line to access the two adjoining lots.
7. Tree preservation is a goal of this development.

- B. The following modifications to various provisions of the Zoning and Subdivision Ordinances are requested through the PUD to facilitate this request:

Zoning Ordinance:

1. Zero street frontage for all lots.  
(This is required because the development is on a private street.)
2. Reduce building setbacks:  
Front yard – From 20-feet to 0-feet  
Side yards – From 5/10-feet to 0-feet  
Rear yard – From 25-feet to 20-feet
3. Reduce driveway standards, as follows:  
Reduce 5 foot setback from property lines to 0 feet  
Reduce 10 foot separation between driveways to 0 feet  
(This is required to accommodate a common driveway at the property line between two lots.)

4. Reduce minimum lot size for commercial lots from 5,500 sq. ft. to 4,646 sq. ft.
5. Reduce the parking requirement for commercial uses on the commercial lots to an overall requirement of 1 space per 250 sq. ft. of gross floor area rather than a requirement based on the activity group.

Subdivision Ordinance:

1. Private street with reduced street standards:  
24 foot street with turnouts and rolled curbs to allow parking in back of the curb in some areas and 8 foot sidewalks along the entire street on both sides in a 60 foot right-of-way.  
(The standard street is 60-feet of right-of-way, 36-foot wide paved street with curb, gutter and 5-foot sidewalks and swales on both sides).

**NOTE: The above deviations are the only ones requested. All other zoning and subdivision ordinance requirements apply.**

- C. Evaluation: The Commission should bear in mind that a PUD is intended to provide for flexibility and diversity of use by removing the limitations in the typical lot-by-lot approach to development. It is not intended to be a means to waive certain development regulations. The Commission must, therefore, determine if the concept of the proposal is unique enough that it merits the flexibility afforded by the PUD regulations.  
In making this determination, the Planning Commission should decide if the modifications requested represent a substantial change over what would be allowed if the regulations were applied on a lot-by-lot basis.

Since the proposal adheres to most site performance standards, the chief benefits of this PUD for the applicant are:

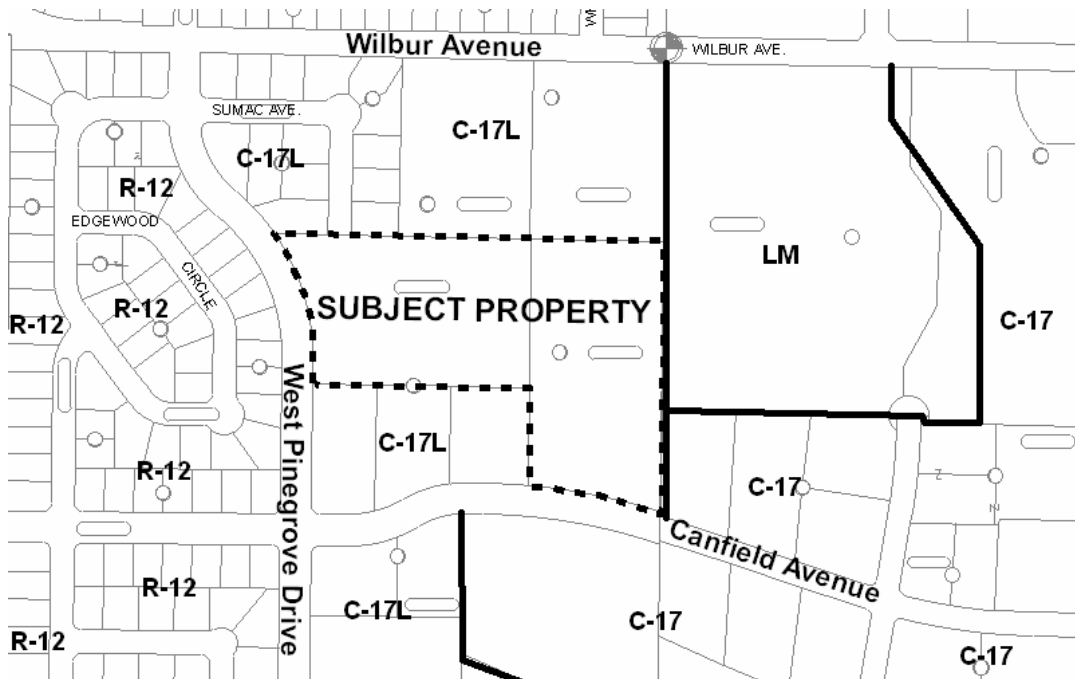
- A mixed residential and commercial development that could be identified as "infill development."
- A low density development that uses common driveways to the single-family lots in order to preserve as many trees as possible.
- A private street development with streets built to design standards that are less than what is required in the Subdivision Ordinance including the concept of providing car parking in designated areas along the street that are between the curb and right-of-way line rather than on the street.
- A reduced parking requirement for commercial uses.

The Commission must decide if this request meets the intent of the PUD regulations and in so doing may wish to consider that certain benefits accrue to the city and the public by virtue of a planned unit development:

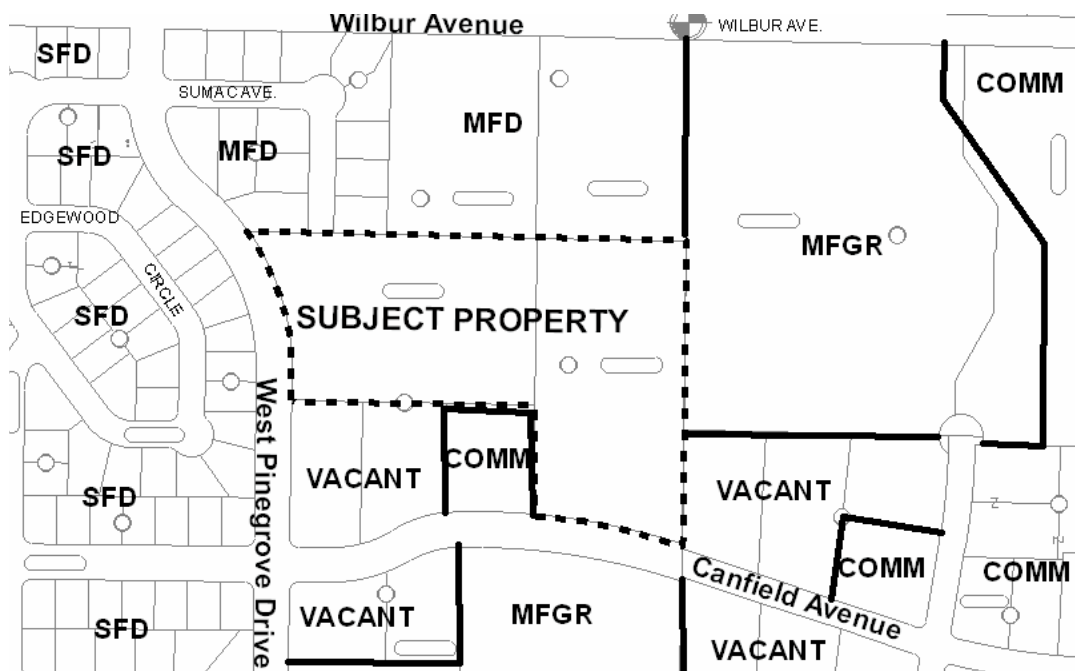
- Ability to add conditions to an approval.
- Ability to lock in development plans for the future.
- Ability to negotiate solutions that benefit all.

**GENERAL INFORMATION:**

A. Zoning



B. Generalized land use pattern:



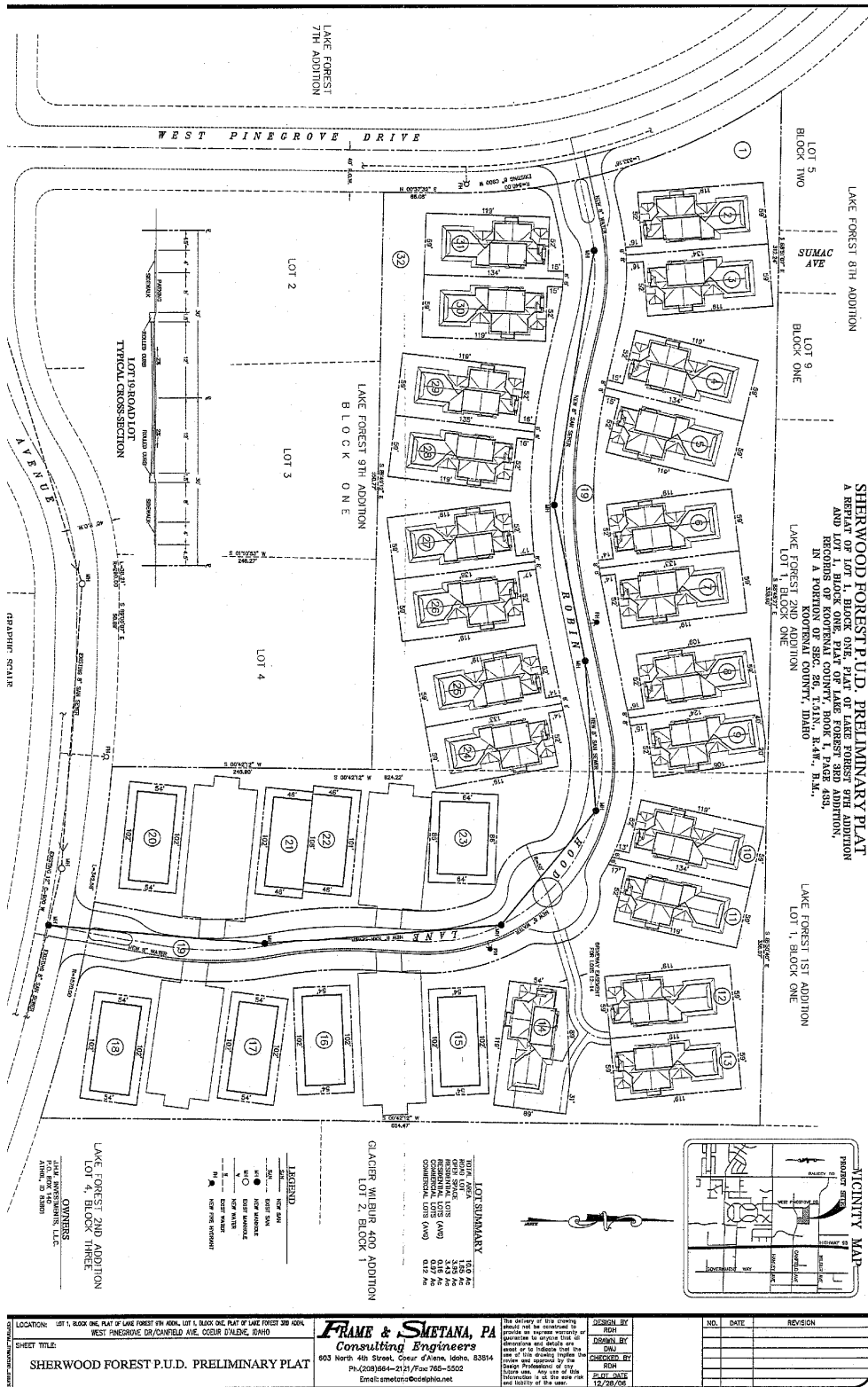


C. Site Plan "Sherwood Forest PUD"

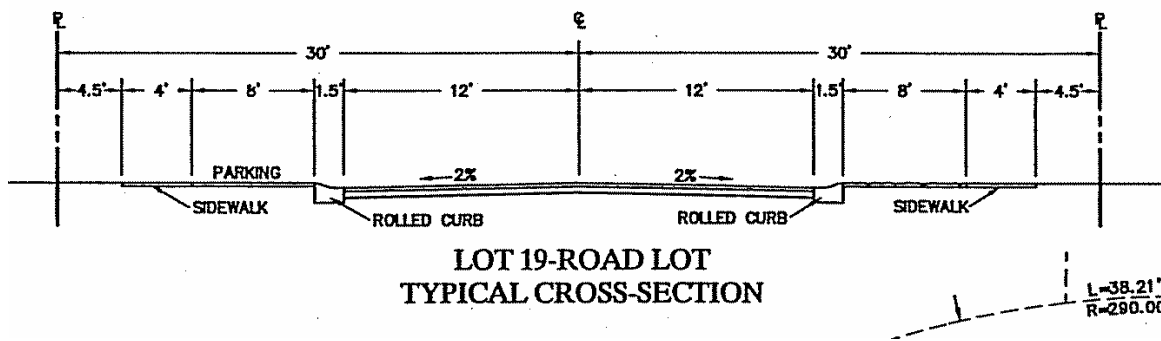
 Sherwood Forest P.U.D.  
Scale: 1" = 80'-0"

Miller Strauffer  
Architects  
701 Front Ave, Suite 301  
Coeur d'Alene, ID 83814

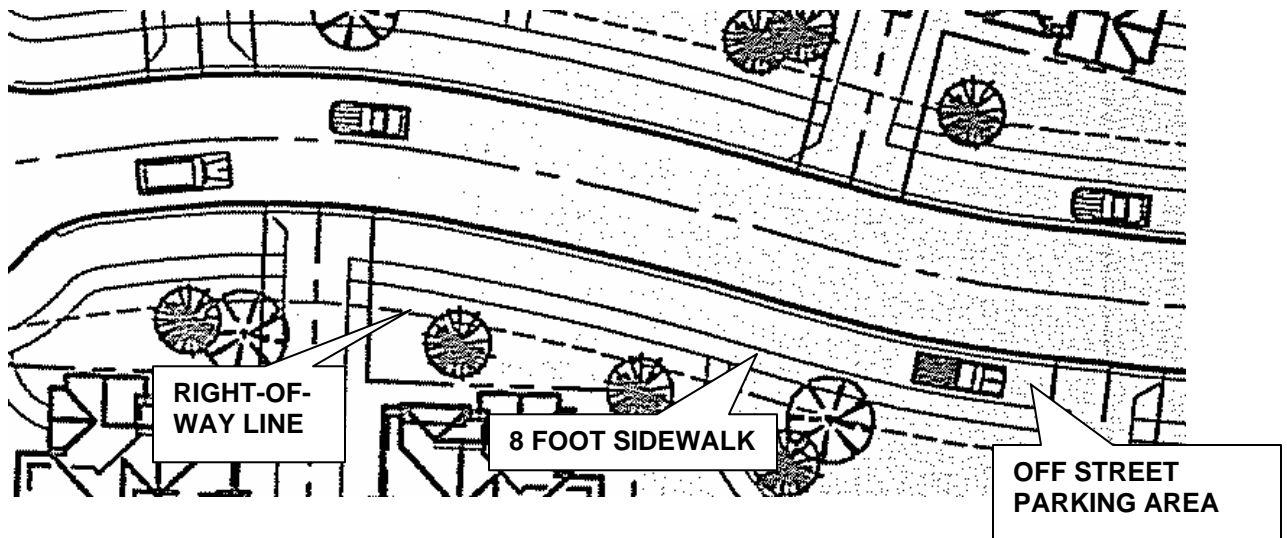




E. Profile of private street. (Robinhood Lane)



F. Typical parking area between curb and right-of-way line.



G. Typical building elevations.



- H. Applicant: JHM Investments, LLC  
P. O. Box 190  
Athol, ID 83801
- I. Owner: David Rucker  
554 Lincoln Drive  
Ventura, CA 93001
- J. Land uses in the area include residential - single-family, duplex, multi-family, commercial sales and service, manufacturing and vacant land.
- K. The subject property is vacant with a tree cover of Ponderosa Pine and other conifers.

**PERFORMANCE ANALYSIS:**

**Planned Unit Development Findings:**

**A. Finding #B8A: The proposal (is) (is not) in conformance with the Comprehensive Plan.**

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

**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 your consideration:**

- 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."
- 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."
- 46A: "Provide for the safe and efficient circulation of vehicular traffic."
- 51A: "Protect and preserve neighborhoods both old and new."
- 51A4: "Trees should be preserved and protected by support of the Urban Forestry Program and indiscriminate removal discouraged."
- 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."

#### 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."

Coeur d'Alene Bikeways Plan:

MISSION:

The essence of the City bicycle plan is to provide bike lanes on arterial and major collector streets to provide direct, continuous, and convenient transportation access to all parts of the community.

GOAL:

The plan should be used to require dedication of right-of-way with land partitions or street construction with all new subdivisions, roadway improvement projects and wherever possible with land use applications.

This practical solution will provide bicycles and pedestrians with access into all residential, commercial and industrial areas of the community thereby encouraging use of bicycles for all type of trips, to decrease reliance on the automobile and to provide low cost transportation options for people without cars – the young, the elderly, the poor and the disabled. To coordinate the City of Coeur d'Alene Bicycle Plan with other cities, districts and state agencies to develop a regional network of bicycle transportation facilities.

3. 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 site planning (is) (is not) compatible with existing uses on adjacent properties.**

The request is surrounded by single-family, multi-family, commercial and manufacturing uses and will have an architectural style that will blend into these uses and open space areas that will make the overall development less dense than surrounding uses.

Evaluation: The Planning Commission must determine, based on the information before them, that the request is compatible with uses on adjacent properties in terms of density, design, parking, and open space and landscaping.

C. **Finding #B8C: The proposal (is) (is not) compatible with natural features of the site and adjoining properties.**

The subject property is relatively flat with no significant topographic features. There are, however, a number of significant trees spread throughout the property.

D. **Finding #B8D: The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing public facilities and services.**

See Preliminary plat finding #B8B.

E. **Finding #B8E: The proposal (does) (does not) provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all**

**users of the development and usable for open space and recreational purposes.**

The subject property for the PUD is 10 acres and the required 10% open space requirement would be 1 acre free of buildings, streets, driveways, parking areas, swales and be accessible to all users of the development, and usable for open space and recreational purposes.

There is 3.95 acres of usable open space or 39.5% of the entire property with the recreational amenities including 4 foot walking paths throughout the development and a passive park/picnic area with a child play area, picnic area that may include a BBQ, picnic tables, horse shoe pit and exercise station.

Evaluation: The Planning Commission must determine that the open space is accessible to all users of the development and usable for open space and recreational purposes.

**F. Finding #B8F: Off-street parking (does) (does not) provide parking sufficient for users of the development.**

The single-family residential parking requirement is two spaces per dwelling unit or 42 spaces for the 21 dwellings shown.

The applicant is requesting as a deviation through the PUD to reduce the following commercial parking requirements:

- Retail sales 1 space per 250 sq. ft. of gross floor area
- Commercial service 1 space per 300 sq. ft. of gross floor area
- Restaurants 1 space per 100 sq. ft. of gross floor area

To a requirement for all commercial activities of 1 space per 250 sq. ft. of gross floor area.

The number of spaces required for the 25,700 sq. ft. of commercial space shown would be 103.

Evaluation: The total number of spaces required would be 145 and the total number of spaces provided include 42 residential spaces in garages, 92 spaces in parking lots adjacent to the commercial buildings and approximately 26 spaces along the private street for a total of 160 spaces.

**G. Finding #B8G: That the proposal (does) (does not) provide for an acceptable method for the perpetual maintenance of all common property.**

A homeowner's association will own and maintain all common areas.

Pursuant to Section 17.07.235 of the Planned Unit Development Regulations, "the Planning Commission can require the formation of a homeowners association to perpetually maintain all open space areas. The association shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain the open space. The association shall perpetually exist and can only be terminated by a majority vote of the members and consent of the City Council shall terminate it".

Evaluation: As a condition of approval of the PUD, the Planning Commission should require the formation of a property owners association to ensure the maintenance of all common open space areas.

- H. **Finding #B8H: That the proposal (would) (would not) adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character (and) (or) existing land uses.**

The proposed development is a single-family and commercial development in an area of residential, commercial and manufacturing uses, will have an architectural style that blends in with the surrounding area and is accessed from to major streets in the area that can handle traffic generate by this development.

Evaluation: The proposed development appears to be compatible with the surrounding uses and would not adversely impact traffic on adjoining streets.

**Preliminary Plat Findings:**

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

Per Gordon Dobler, City Engineer, the preliminary plat submitted contains all of the general information required by Section 16.12.020 of the Municipal Code, General Requirements.

- B. **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: The proposal to extend the an eight inch (8") sanitary main line from the existing manhole located in Canfield Avenue through the development will meet the requirements of the Wastewater Department. Since the roadway through the development is proposed to be private, water and sewer utilities will require a twenty foot (20') single or thirty foot (30') dual utility easement to be dedicated on the final plat.

Comments submitted by Don Keil, Assistant Wastewater Superintendent

**WATER:**

City water is available to the proposed subdivision.

Evaluation: There are existing 8" and 12" water mains located in West Pinegrove Drive and Canfield Avenue respectively. An eight inch (8") main through the development connecting these two lines will be required. Since the roadway through the development is proposed to be "private", water and sewer utilities will require a twenty foot (20') single or thirty foot (30') dual utility easement to be dedicated on the final plat.

Comments submitted by Terry Pickel, Assistant Water Superintendent



## STORMWATER:

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. The stormwater management plan, with swale location, sizing and justifications, is required to be a component of any infrastructure plan submittal for the subject property. All swale upkeep and maintenance will be the responsibility of the homeowners/property owners association for the subdivision. If there is no homeowners association, all stormwater maintenance will be the responsibility of the individual lot owners.

## TRAFFIC:

Due to the proposed residential/commercial use, the development will have fluctuating traffic flows depending on the time of day and the uses that occupy the commercial sites. The ITE Trip Generation Manual estimates that the residential portion of the project may generate approximately 19 trips per day during the peak hour periods and that the commercial (based on general commercial) may generate 38 trips per day during the peak hour periods.

Evaluation: The adjacent and connecting streets will accommodate the additional traffic volume. The numerous routes that can provide access into and out of the development, as well as all adjacent major intersections being signalized, will provide adequate distribution of traffic flows.

## STREETS:

1. The proposed subdivision is bordered by West Pinegrove Drive and Canfield Avenue.

Evaluation: Both roadways have sufficient right-of-way and are fully developed to current City standards.

2. The proposal is requesting a twenty four foot (24') roadway section with rolled curb and parking "behind" the curb. The parking would be achieved by driving up the curb to park in specified areas.

Evaluation: The Engineering Department does not sanction this proposal and prefers a thirty two foot (32') private street section with parking on one side. This would facilitate parking, stormwater drainage facility location and snow removal.

3. The proposed driveways are common driveways located on the common lot line.

Evaluation: Common access easements for these driveways will be required to be noted in the owner's certificate and placed on the final plat document.

4. The submitted proposal shows a meandering sidewalk set back from the roadway.

Evaluation: If the sidewalk is out of the proposed right-of-way/road section, it will be required to be placed within an easement to the dedicated to the homeowners association.

## 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.

#### FIRE PROTECTION

10. A fire hydrants shall be installed at all locations deemed necessary by the City Fire Department.

#### GENERAL

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

Submitted by Chris Bates, Project Manager

#### FIRE:

The Fire Department will address issues such as water supply, fire hydrants, Fire department access, etc., 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

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

See Finding #B8A in Planned Unit Development Findings.

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

The subject property is within the corporate limits and will create a 34-lot subdivision on private streets that will provide an alternative form of housing for the Coeur d'Alene area.

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.

E. **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.

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

The subject property is zoned C-17L and will not change with this request. Residential uses allowed in this zone include single-family, duplexes, cluster and multi-family housing up to 17units/acre. The applicant is requesting 21 single-family lots with an overall residential density of 2.1 units per gross acre, which is a much lower density than the 170 units allowed by right for this parcel.

The minimum lot size in the C-17L zone is 5500 sq. ft. per unit for both residential and commercial lots and through a requested deviation in the PUD commercial lot sizes would be reduced to 4,646 sq. ft. The residential lots are all proposed to be 7,200 sq. ft.

There would also be reduced building setbacks for the residential lots, as follows:

Front yard – From 20-feet to 0-feet  
Side yards – From 5/10-feet to 0-feet  
Rear yard – From 25-feet to 20-feet

The development is proposed on private streets, which would allow development with zero frontage rather than the 50 feet of frontage required on a public street.

If the requested PUD is approved, a new set of development standards would be created for the items below. Except for these modifications, all other applicable development standards in the C-17L zone would apply to this project.

Zoning Ordinance:

1. Zero street frontage for all lots.
2. Reduced building setbacks:  
Front yard – From 20-feet to 0-feet  
Side yards – From 5/10-feet to 0-feet  
Rear yard – From 25-feet to 20-feet

3. Reduced driveway standards, as follows:  
Reduce 5 foot setback from property lines to 0 feet  
Reduce 10 foot separation between driveways to 0 feet
4. Reduced minimum lot size for commercial lots from 5,500 sq. ft. to 4,646 sq. ft.
5. Reduce the parking requirement for commercial uses on the commercial lots to an overall requirement of 1 space per 250 sq. ft. of gross floor area rather than a requirement based on the activity group.

Subdivision Ordinance:

1. Private street with reduced street standards:  
24 foot street with turnouts and rolled curbs to allow parking in back of the curb in some areas and 8 foot sidewalks along the entire street on both sides in a 60 foot right-of-way.

Evaluation: The Planning Commission must determine if the new set of standards requested through the PUD are appropriate in the eC-17L zoning district.

- G. **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.**

See PUD finding B8H.

- H. Proposed conditions:

Planning

1. Formation of a homeowners association with CC&R's that includes detailed maintenance responsibilities of all private infrastructure (roads, drainage structures, street lighting, and all open space areas etc.), prior to recordation of the final plat.

Engineering

2. Sewer and water utilities will be required to be placed in twenty foot (20') single or thirty foot (30') dual utility easements. The easements will be required to be a component of the final plat document.
3. A stormwater management plan, with swale location, sizing and justifications is required to be a component of any infrastructure plan submittal for the subject property. All swale upkeep and maintenance will be the responsibility of the homeowners/property owners association for the subdivision. If there is no homeowners association, all stormwater maintenance will be the responsibility of the individual lot owners.
4. The street section will be required to be a thirty two foot (32') section with parking restricted to one side.
5. All sidewalk constructed out of the road right-of-way section will be required to be placed in an easement dedicated to the homeowners association.

I. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.  
Transportation Plan  
Municipal Code.  
Idaho Code.  
Wastewater Treatment Facility Plan.  
Water and Sewer Service Policies.  
Urban Forestry Standards.  
Transportation and Traffic Engineering Handbook, I.T.E.  
Manual on Uniform Traffic Control Devices.  
Coeur d'Alene Bikeways Plan  
Kootenai County Assessor's Department property records

**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:\pcstaff\frpts\PUD207&S407]

## Sherwood Forest PUD

### Narrative

#### Concept – See fold out Site Plan

The subject 10 acre parcel is approximately ½ mile west of US 95 on Canfield Avenue. The site is currently unimproved and almost entirely forested. The proposed concept is to create a mixed use development of up scale single-family housing with limited commercial office structures in a forested setting. The development will grow around a winding 24' wide private street with surmountable curbs & intermittent on street parking turnouts. The street will have decorative entrances at Canfield and Pinegrove Drive and retain a significant amount of the native forest throughout its length. The 1200' long private drive will provide frontage for 29 single family and limited commercial lots. The residential pads would average 60' in width and 120' in depth, approximately 7200 S. F. each, and the commercial pads would average 60' wide and 100' deep. The west entrance, from Pinegrove, will directly serve the single family residences. Each pair of residences will share a single driveway which would access all garages and off street parking at the back of each lot. No garage doors or off street parking will be visible from the street. The east entrance will be the primary access for the limited commercial pads that will have shared parking areas. The commercial and residential areas will be divided by a roundabout and passive park/picnic grounds near the center of the development. The split of use between residential and commercial is approximately 65/35. The concept emphasizes less asphalt (without compromising parking count) and more trees. This allows a limited density (3 units per acre) development to feel even more spacious. The concept is also a proactive response to sustainable design in regards to stormwater impacts, heat islands and air quality. The common open space proposed as part of this PUD is more than 50% of total land area and the impervious development is limited to less than 40% of the total land area.

#### Facilities Character (See character photos)

Sherwood Forest is planned to reflect the rustic character of the Pacific Northwest. The facilities, both residential and commercial, will be detailed with timbers, stone and shingle roofing. The narrow street and back side garages will promote a pedestrian friendly neighborhood. The building pads are designed to preserve and protect the mature evergreen forest currently covering the site. The Homeowner's Association will insure that the forest is not only preserved, but maintained in a healthy state.

#### Requested Variances from Development Standards

1. 24 wide private streets with turnouts instead of 36' curb to curb.
2. Surmountable curbs with parking behind curb. Instead of vertical curbs with on street parking.
3. 20' rear yard set back instead of 25'.

4. Commercial parking for commercial, pads at 1 space per 250 sq. ft. of gross floor area without restriction. Instead of parking based on occupancy.

Proposed uses and activities:

Proposed uses include single family residential mixed with professional service commercial sharing a private street.

Physical land alteration required by development:

The land as it exists is generally flat and fully forested with a mixture of fir and pine. The development concept and CC&R's would leave a significant amount of the native forest at the perimeter of all building pads and along the private street. This would be protected by the CC&R's.


Infrastructure

The proposed development is an infill project. It is bordered on 2 sides by relatively new streets and a full complement of underground utilities. The existing street and utilities would be looped via a 24' wide curbed and paved private road, providing vehicular and utility access to all 29 lots.

Property Owner's Association

The development concept requires a fairly intensive involvement by the property owners associations. Tasks proposed to be undertaken by the association include:

1. Snow Plowing.
  - A. Private Street
  - B. Common sidewalks
  - C. Commercial Parking areas
2. Landscape maintenance
  - A. All grounds not fenced. This is everything but the small fenced back yards (fenced areas are limited to 500 sf in the rear of each home). See also proposed subdivision plat.
  - B. Tree maintenance
  - C. Decorative gateways



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

**A. INTRODUCTION**

This matter having come before the Planning Commission on February 13, 2007, and there being present a person requesting approval of ITEM PUD-2-07 a request for a planned unit development known as "Sherwood Forest PUD"

LOCATION – +/- 10-acre parcel in the vicinity of West Pinegrove Drive and Canfield Avenue

APPLICANT: JHM Investments

**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, duplex, multi-family, commercial sales and service, manufacturing and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is C-17L (Commercial Limited at 17 units/acre)
- B4. That the notice of public hearing was published on January 27, 2007, and, February 6, 2007, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on February 5, 2007, which fulfills the proper legal requirement.
- B6. That 270 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 26, 2007, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on February 13, 2007.
- B8. Pursuant to Section 17.07.230, Planned Unit Development Review Criteria, a planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **(is) (is not)** in conformance with the Comprehensive Plan. This is based upon the following policies:

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

**Criteria to consider for B8B:**

- |                            |                |
|----------------------------|----------------|
| 1. Density                 | 6. Open space  |
| 2. Architectural style     | 7. Landscaping |
| 3. Layout of buildings     |                |
| 4. Building heights & bulk |                |
| 5. Off-street parking      |                |

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

**Criteria to consider for 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 the existing street system accommodate the anticipated traffic to be generated by this development?
4. Can police and fire provide reasonable service to the property?

B8D The proposal **(does) (does not)** provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes. This is based on

B8E Off-street parking **(does)(does not)** provide parking sufficient for users of the development. This is based on

B8F That the proposal **(does) (does not)** provide for an acceptable method for the perpetual maintenance of all common property. This is based on

B8G That the proposal **(would) (would not)** adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character **(and) (or)** existing land uses because

**Criteria to consider for B8G:**

1. Will the change in traffic flow adversely affect the livability of the surrounding neighborhood?
2. Does the proposed development "fit" with the surrounding area in terms of density, layout & appearance?
3. Is the proposed development compatible with the existing land use pattern? i.e. residential, commercial, residential w churches & schools

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **JHM INVESTMENTS** for approval of the planned unit development, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied 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.

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CHAIRMAN JOHN BRUNING



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

**A. INTRODUCTION**

This matter having come before the Planning Commission on February 13, 2007, and there being present a person requesting approval of ITEM S-4-07 : a request for preliminary plat approval of "Sherwood Forest PUD", a 32-lot subdivision on a private street in the C-17L (Commercial Limited at 17 units/acre) zoning district.

LOCATION – +/- 10-acre parcel in the vicinity of West Pinegrove Drive and Canfield Avenue

APPLICANT: JHM Investments

**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, duplex, multi-family, commercial sales and service, manufacturing and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is C-17L (Commercial Limited at 17 units/acre)
- B4. That the notice of public hearing was published on January 27, 2007, and, February 6, 2007, which fulfills the proper legal requirement.
- B5. That the notice was not required to be posted on the property.
- B6. That 270 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 26, 2007, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on February 13, 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?

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **JHM INVESTMENTS** 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.

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CHAIRMAN JOHN BRUNING

УШПЗ-УСВ РПИ-О

# 2005 Planning Commission Retreat Priorities Progress

FEBRUARY 2007

.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." **Note: The PC is encouraged to select what "color" is appropriate.**

## **Administration of the Commission's Business**

▪ Follow-up of Commission requests & comments		Public Hearing Notices to PC 1/9
▪ Meeting with other boards and committees		Park/rec Committee workshop 12-2:00 p.m. September 18th
▪ Goal achievement		Checklist of projects
▪ Building Heart Awards		Discussed 7/18 No awards will be given this year.
• Speakers		ULI educational opportunities provided. Council sponsored Idaho Smart Growth presentation held.
• Public Hearings		March 13, 3 items scheduled

## **Long Range Planning**

▪ <b>Comprehensive Plan Update</b>		Completed workshop with Council and PC next step 2 <sup>nd</sup> mtg w/ CC
▪ Education Corridor		Meeting October completed(Souza) Workshop w/prop river corridor owners took place in January 06. Master planning in progress by consultant (MIG)
▪ Neighborhood Parks & Open Space		Coordinate w/ P&R & Open Space Comm. Nothing new Consultant doing masterplan
▪ Neighborhood Planning		Discussed neighborhood designation in Complan.

## **Public Hearing Management**

▪ Continued work on Findings and Motions		Warren and Plg staff to review
▪ Public hearing scheduling		Chrman Bruning consulted on agenda

## **Regulation Development**

<b>Downtown Design Regs Hght</b>		Council Hearing hearing July 5th. Approved. Chrman Bruning and Commissioner Souza attend
<b>Cluster Housing standards</b>		Council approved on 11.21.06 Ord being drafted
<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 approved. Ord being drafted
<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>		
East Infill Overlay		CC/ PC mtg w/ Mark Hinshaw 2.23