

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

**FEBURARY 14, 2012**

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

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

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

**ROLL CALL:** Jordan, Bowlby, Evans, Luttropp, Messina, Soumas, Garringer,(Student Rep)

**APPROVAL OF MINUTES:**

January 10, 2012

**PUBLIC COMMENTS:**

**COMMISSION COMMENTS:**

**STAFF COMMENTS:**

Neighborhood Associations – Dave/Renata

**ADMINISTRATIVE ITEMS:**

- 1, Approval of findings for SP-4-12 and ZC-1-12
  
2. Applicant: Tom Andrel  
Request: Amendment to phasing plan for "The Landings at Waterford ADMINISTRATIVE, (I-1-12)
  
3. Applicant: City of Coeur d'Alene, Water Department  
Location: SW quarter of Section 34, Township 51, N. range 4 W, Boise Meridian  
Request: A proposed 2-lot preliminary plat " Trinity Corners" SHORT PLAT (SS-2-12)
  
4. Applicant: Coeur d'Alene School District No. 271  
Location: 2101 N. St. Michelle Drive  
Request: A proposed 2-lot preliminary plat " Woodland Corner" SHORT PLAT, (SS-3-12)

**PUBLIC HEARINGS:**

1. Applicant: Gina and Tom Sampson  
Location: 1825 N. Government Way  
Request: A Food/Beverage, On/Off site Consumption, special use permit  
In C-17L (Commercial Limited) zoning district  
QUASI-JUDICIAL, (SP-5-12)
  
2. Applicant: Tricksters Brewing Company  
Location: 3850 N. Schreiber Way  
Request: A Food/Beverage, On/Off site Consumption, special use permit  
In the M (Manufacturing) zoning district  
QUASI-JUDICIAL, (SP-6-12)
  
3. Applicant: Stu and Callie Cabe  
Location: 802 E. Young  
Request: A requested zone change from R-12 (Residential at 12 units/acre) to  
R-12 DO-E zoning district  
QUASI-JUDICIAL, (ZC-2-12)

**ADJOURNMENT/CONTINUATION:**

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

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



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**PLANNING COMMISSION  
MINUTES  
JANUARY 10, 2012  
LOWER LEVEL – COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT:**

Brad Jordan, Chairman  
Amy Evans  
Peter Luttrupp  
Tom Messina  
Peter Luttrupp  
Lou Soumas  
Jake Garringer, Student Rep

**STAFF MEMBERS PRESENT:**

Sean Holm, Planner  
Tami Stroud, Planner  
Shana Stuhlmiller, Public Hearing Assistant  
Warren Wilson, Deputy City Attorney  
Dave Yadon, Deputy City Administrator

**COMMISSIONERS ABSENT:**

Heather Bowlby, Vice-Chair

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

Motion by Luttrupp, seconded by Messina, to approve the minutes of the Planning Commission meeting on December 13, 2011. Motion approved.

**COMMISSION COMMENTS:**

There were none.

**STAFF COMMENTS:**

There were none.

**PUBLIC COMMENTS:**

John Kelly introduced himself as the future chairman of the City Ped/Bike committee and remarked that he looked forward to working with the Planning Commission in the future.



**ADMINISTRATIVE ITEMS:**

- 1. Applicant: Fraternal Order of Eagles, INC.  
Location: Cherry Hill North  
Request: A proposed 2-lot preliminary plat "Cherry Hill North"  
SHORT PLAT (SS-1-12)

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 Messina, seconded by Soumas, to approve Item SS-1-12. Motion approved.**

**PUBLIC HEARINGS**

- 1. Applicant: Mort Construction  
Location: 3987 N. Player Drive  
Request: A request for an Assisted Living special use permit in the R-12 zoning district  
QUASI-JUDICIAL (SP-1-12)

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

Commissioner Luttrupp inquired about the letter from Yellowstone Pipeline stating concerns that their pipeline runs through this property. He questioned if this project should be continued so the applicant can respond.

Deputy City Attorney Wilson stated that this is a "generic" letter that this agency sends out notifying them that their pipeline is on their property and those issues are addressed when a building permit is issued.

Commissioner Soumas inquired how the R-12 zoning relates to the 32 residents allowed in the two buildings.

Deputy City Attorney Wilson explained that a minimal care facility allowed by a special use permit in the R-12 zoning district is subject to different standards than what would be allowed in the R-12 zone.

Commissioner Messina stated in the R-12 zone that the applicant would be allowed to build 12 residences on the property and that per each residence; it would probably have two to three people per residence, compared to a minimal care facility that would allow 32 residents in two houses.

**Public Testimony open:**

Cliff Mort, applicant, 1950 W. Bellervie Lane, presented a PowerPoint that explained the project and stated that the two buildings will be designed to look like two large houses. He added that each home will have 16 bedrooms designed to have kitchen facilities similar to an apartment. He feels the design of the home would complement the other homes in the area. He addressed traffic concerns and explained that this project would produce less traffic because most of the residents do not drive and would have guests

visiting from time to time. He stated that he was contacted by Yellowstone Pipeline Company and discussed their concerns regarding this project with them.

Drew Dittman, 3909 N. Schreiber Way, stated that he is the engineer for the project and also met with both agencies. He added that they determined by reviewing the site plan and building layout, that this project will not have any impact to the gas lines.

Mr. Mort commented that he feels this project will be a good fit with the neighborhood and asked if the commission had any questions.

Commissioner Messina inquired regarding the number of staff the applicant intends to have on-site.

Mr. Mort stated that he would estimate four per shift with a total of eight.

Commissioner Messina inquired if the special use permit was not granted, how many homes the applicant could put on the property.

Mr. Mort estimated 18 homes.

Commissioner Messina stated that would be an estimate of 54 people compared to 32 that the applicant has proposed for this project.

Ellie Honstead, 3870 Nicklaus Drive, commented that she moved to this area because of the trees and by approving this project, it will eliminate that charm. She questioned how many trees will be eliminated and if this project is approved, what the impact will be to the existing home's property taxes. She added traffic is a concern since the Prairie Trail crosses Player Drive and is used throughout the day by children going to and from school. She stated she is opposed.

Patrick McGaughey, 3828 Palmer Drive, commented that it looks like a good project, but has concerns regarding security and safety.

Jim Duff, 3882 Player Drive, commented that he became aware of this request 48 hours ago because a neighbor told him a sign was posted on the lot, so he went down to see the notice and confirmed that it was posted, but hidden behind a tree and hard to see. He stated that he is concerned with the egress and ingress and the added traffic on Player Drive.

Gary Hebner, 3837 Palmer Drive, commented that he is opposed to the request for issues that have previously been stated and that this lot is heavily treed and would hate to lose them.

Commissioner Messina commented that he appreciates the comments from the neighborhood and feels that his project would have less impact than what could be on this property not allowed by a special use permit. He explained that under the current zone the applicant could put twelve homes on the property without a special use permit.

Mr. Hebner feels that the lot is small and doubts that many homes could fit. He hopes that the applicant will give consideration and respect to this neighborhood and feels that the job of the planning commission is to base their decision by what the Comprehensive Plans vision is for this area.

Gordon Ramsden, 2120 Hogan Street, commented that he concurs with the previous testimony and is concerned with the existing gas line that runs through the property.

Lynette Burns, 3940 N. Nicklaus Drive, commented that she is opposed based on the number of schools in the area, and the safety of children who use the Prairie Trail. She stated that she is more concerned with the businesses on the corner of Ramsey and Kathleen not removing the snow on the sidewalk, so the children have to walk in the road.

Ann Sedgwick, 3961 N. Nicklaus Drive, stated she is opposed because of the traffic this project will generate, if approved.

Dean McConnachie, 732 Canal Street, commented that he is a local real estate agent and feels that this project will be a good fit for the area.

Janet Morse, 3909 Jonquil Court, commented that she is opposed to the request based on traffic and children's safety. She feels that every time a project is proposed more trees are removed.

Leora Coyne, 3837 Palmer Drive, commented that her mom lives in an assisted living facility and on a number of times she has been visiting, fire trucks and ambulances were called because of an emergency.

James Costello, 2830 W. Tours Drive, feels that an R-12 is an inappropriate zone.

#### **REBUTTAL:**

Mr. Mort stated that he appreciates the comments from the residents and would like to address some of the questions brought forward from previous testimony. He explained that the picture shown of the buildings on the presentation looked bigger and explained that the foot print of the two buildings is smaller based on staff recommendations in order to save as many trees possible on the property. He explained when this project was presented to him; he looked at various sites in the city and chose this one based on the neighborhood. He added when these homes are built this will resemble two big homes and designed to blend with the existing homes. He added that based on the traffic reports in the staff report, that this project will generate less traffic than a single family home. He stated that they intend to make the parking lot bigger to accommodate emergency services and feels that this project will be a good fit for the area.

Commissioner Evans inquired if the applicant could estimate how many trees will be removed from the property.

Mr. Mort stated that they will leave as many trees as possible depending on the foot print of the building. He explained that there are trees that are between the property and the Prairie Trail that will not be removed and used as a buffer.

Commissioner Evans inquired if some of the residents will drive and what the schedule will be for staff.

Mr. Mort explained that he feels staff will come and go during off hours and not interfere with schools in the area.

Commissioner Luttrupp inquired if a condition could be added stating that the applicant intends to keep as many trees as possible on the property.

Deputy City Attorney Wilson explained that he would not recommend that based on the ability for staff to regulate and added that when the applicant submits for a permit that there are design guidelines that staff looks at for residential neighborhoods.

Commissioner Luttrupp inquired if the applicant could promise to do his best to keep as many trees on the property.

Mr. Mort commented that when designing his projects, he tries to save as many trees as possible. He feels that if trees are removed because of the project, in past projects he has planted replacement trees.

Commissioner Luttrupp inquired if staff could explain the traffic counts listed in the staff report.

Engineering Service Director Dobler commented based on the ITE Trip Generation Manual the project may generate approximately 42 trips per day. He added this was based on 2.66 ADT's per bed. This would generate less than 1% of the traffic from Player Drive to Kathleen Avenue.

Chairman Jordan stated in the past when a request is presented on vacant land that is heavily treed, it always gets people's attention.

**Public Testimony closed:**

**Discussion:**

Commissioner Luttrupp feels that this project is excessive and will not support.

Commissioner Soumas inquired if there are any regulations stating that the applicant has the right to clear-cut trees on his property.

Planner Stroud responded that there are not any regulations stating that the applicant cannot clear-cut his property.

Commissioner Soumas commented that he feels by denying this request, it will be going against the property rights of the applicant. He explained that many of the issues brought forward tonight are about traffic and safety which the Planning Commission does not address. He suggested that if the neighborhood has issues to contact the appropriate city agency with their concerns. He added that he is in favor of this request.

Commissioner Messina concurs with Commissioner Soumas and feels that by approving this project, it will not generate additional traffic. He explained that he has noticed other assisted living facilities in the city where the parking lots are not full. He feels the trees that are along the Prairie Trail will be a great buffer for this project and that when the applicant applies for a permit; they will have to comply with the City landscape ordinance.

Commissioner Evans concurs and supports this request and suggested if there are concerns with the Prairie Trail to attend the Ped/Bike meeting on Wednesday, January 11<sup>th</sup>.

Chairman Jordan suggested a couple of conditions as part of the motion. He explained that he will not be voting but in the past, this has been done with other projects. He suggested: 1. Retain as many trees as possible, and 2. Discuss with City staff a new location for the ingress and egress.

Deputy City Engineer Wilson suggested omitting the condition for tree retention because it is hard for staff to monitor and that by adopting the site plan, it would cover most of the issues.

**Motion by Soumas, seconded by Messina, to approve Item SP-1-12. Motion approved.**

ROLL CALL:

Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Nay
Commissioner Soumas	Voted	Aye

Motion to approve carried by a 3 to 1 vote. Motion approved.

2. Applicant: Crown Castle c/o Sunny Ausink  
Location: 219 Coeur d'Alene Lake Drive  
Request: A request for a Wireless Communication special use permit  
In the C-17 zoning district  
QUASI-JUDICIAL (SP-2-12)

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

Commissioner Messina commented on page seven of the staff report, it shows a picture of the lot where the existing tower is surrounded by trees. He inquired if those trees be removed.

Planner Holm commented that the applicant is here to answer that question.

**Public testimony:**

Amanda Martin, applicant representative, 5017 46<sup>th</sup> Avenue, Seattle, explained that trees will need to be removed because of shading caused by the tower. She they will also place a chain link fence around the property.

Commissioner Messina inquired if the applicant will be required to landscape the lot.

Planner Holm stated that once the applicant applies for a permit, there are design guidelines that will trigger those landscaping requirements for approval.

Chairman Jordan inquired what will be used as a buffer.

Ms. Martin commented that they are proposing a six-foot tall chain-link fence that will act as a landscape buffer to screen the property. She added that any new landscaping will be difficult to keep alive because of the shading from the tower.

Commissioner Luttrupp inquired what will be the color chosen for the proposed tower.

Ms. Martin explained that the color will be similar to the existing tower.

Commissioner Luttrupp commented that some of these towers are not appealing to look at and inquired if there is another design.

Ms. Martin explained that in other cities, they designed towers that look similar to a tree and blended nicely with the area. She feels that a tree design would not be appropriate for this site because it is a vacant lot.

Commissioner Evans commented that she rides her bike in this area often and does notice the existing tower when riding, but feels the placement of the new tower will be sitting at the entry to the city, and the first thing people see when they come to Coeur d'Alene. She understands that cell towers are needed in order to get better coverage, but feels that this tower could be placed somewhere else and not in the center of town.

Brian Adams, applicant representative, 13305 NE Woodenville, Washington, commented that he feels since this is a new tower, he would choose a darker color that would blend better with the area and not stand out.

Commissioner Soumas inquired if the applicant had other choices in case this request is not approved.

Mr. Adams explained that they did research this area and found this to be the best spot with the zoning needed to place a cell tower.

Ron Ayers, 319 Coeur d'Alene Lake Drive, commented that he owns a hotel across from the applicant's property and is opposed to the request. He explained a couple years ago the city proposed a study to be done in this area in order to promote growth. He explained that this is a gateway into the city and until that study is done feels that this is not the right spot for a cell tower.

Joel Hazel, attorney for Crown Castle, explained that due to legal issues with the existing property owner, the applicant has chosen to relocate to another site. He stated that they are hopeful to win the lawsuit with the existing owner and be able to extend the existing contract.

Commissioner Luttopp inquired how the applicant found the current location.

Mr. Hazel explained that because of the legal issues with the existing owner, the applicant approached the owners of surrounding areas to place a new tower and was met by resistance caused from the existing owner. He feels he found this location with a lot of hard work.

Commissioner Messina inquired what happens if this application is denied.

Mr. Hazel explained that they would have to take down the tower and customers who use their cell phones would be affected.

Commissioner Evans inquired what will be the height of the new tower.

Ms. Martin answered that the proposed tower will not exceed 150 feet and that they are proposing 120 feet would be perfect. She explained that wireless companies prefer to go as tall as they can in order to get the best coverage for their customers.

Commissioner Soumas inquired what are the requirements allowed to place a new cell tower from an existing tower.

Ms. Martin stated that new wireless towers may not be constructed within one mile of an existing support tower.

**Public Testimony closed:**

**Discussion:**

Commissioner Messina commented that he lives outside this area and has noticed when driving into the city, he has never noticed the existing tower. He feels that the location of the new tower will be noticed and be an "eye sore" and not attractive to this part of town.

Commissioner Soumas commented that the city has been working with the business owners in this area to discuss ideas on how to generate business and understands why cell towers are needed, but feels this proposal is premature until those changes happen.

Commissioner Luttrupp concurs and feels that a cell tower will be out of place in this area.

**Motion by Soumas, seconded by Evans, to deny Item SP-2-12. Motion approved.**

ROLL CALL:

Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Soumas	Voted	Aye

Motion to deny carried by a 4 to 0 vote.

- 3. Applicant: Fort Grounds, LLC
- Location: 705 N. River Avenue
- Request: A request for a Food and Beverage, On/Off site consumption  
Special use permit in the C-17L zoning district  
QUASI-JUDICIAL (SP-3-12)

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

Commissioner Soumas inquired if the special use permit required by the applicant formerly allowed the existing use on the property.

Planner Holm answered that is correct.

**Public testimony open:**

Bruce Cyr, applicant, 180 N. Forest Drive, commented that the Fort Grounds Tavern has been in this area for many years and at the request of staff, applied for a special use permit so the use is legal.

**Motion by Soumas, seconded by Luttrupp, to approve Item SP-3-12. Motion approved.**

ROLL CALL:

Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Soumas	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

4. Applicant: Ron Glauser  
Location: 2101 N. St. Michelle Drive  
Request:
- A. A proposed Minimal Care Facility special use permit in the R-1 (Residential at 1 unit/acre) zoning district QUASI-JUDICIAL (SP-4-12)
  - B. A proposed zone change from R-1 (Residential at 1 unit/acre) to R-8 (Residential at 8 units /acre) zoning district. QUASI-JUDICIAL (ZC-1-12)

Planning Director Yadon presented the staff report, gave the mailing tally as: 17 in favor, 106 opposed, and 1 neutral and answered questions from the Commission.

Commissioner Luttrupp inquired what the red represents on the land use map.

Planner Yadon answered the color represents the area zoned commercial.

Commissioner Luttrupp inquired about the previous request presented last year, and questioned how has this request changed since last year.

Planner Yadon answered that the zone requested is different and so is the applicant.

Commissioner Soumas inquired what the traffic counts for this area are.

Planner Yadon stated per the City Engineer, that during peak hour, traffic may average 14 trips based on a peak hour rate of 0.18 at full build-out and that the adjacent and /or connecting streets should accommodate the additional traffic volume.

**Public testimony open:**

Valeri Zaharie Glauser, applicant, 5743 E. Shoreline Drive, introduced the other members of her team: Ron Glauser, contractor, and Minny and Fred Weber. She explained that they are proposing an assisted building facility with five homes and an attached office on the property. The facility would have a French country design with a total of 80 residents and will resemble their other assisted living facility, The Four Seasons, in Coeur d'Alene. She explained that when they were looking at areas for another facility, they wanted an area with residential homes and a park-like surrounding. She presented a PowerPoint showing photos of their other facility that is on 2.74 acres with four homes and a barn used for storage. She added when they built that facility, it did not have any trees or flowers. She stated that when this project was proposed many years ago, the school and area residents were also concerned with the amount of traffic that would be generated and has proven that this facility has been a win/win for the community and the school.

Mindy Weber, partner and health care provider for the project, 2900 Government Way #78, read a letter submitted by the school district in support of this project. She stated that there has been a lot of thought to the design of this project especially parking, and because of that, incorporated additional parking going over what staff recommended for the project. She stated that shifts start at 6:00 a.m. to 8:00 a.m. with 10 to 12 employees on-site, with another shift change between 3:00 and 4:00 p.m. She explained that they designed their shift schedule to not coincide with the school's schedule. The majority of the residents get visitors on the weekend rather than during the week. She feels that an assisted living facility will be a



good fit on this property. She stated that they are allowed 16 residents per home which is the maximum required by the State of Idaho.

Commissioner Soumas inquired what will be the structure indicated in the red area on the site plan.

Ms. Zaharie stated that structure will be used for storage and an overflow parking area for those events during the year - like the 4<sup>th</sup> of July and other holidays - to be used by guests visiting the facility during those times.

Commissioner Soumas inquired how the additional traffic generated from this facility will impact the surrounding neighborhood.

Ms. Zaharie explained that in their other facility they don't get many visitors and if they do, it is usually on the weekend. She stated during the week it is quiet and people who do visit, parking is available. She stated that with the other facility they have not had a problem with parking and explained when a resident is accepted at the facility, the resident is told that they are not allowed to drive.

Commissioner Messina inquired how many residents they have at their other facility, The Four Season.

Ms. Zaharie stated that they have 54 residents, 12 caregivers and 6 administrative people.

David Vaughn, 5811 St. Croix, commented that he feels that the city notification procedure is insufficient and questioned why he didn't get a notice. He inquired if the city has guidelines for groundwater and is concerned that this facility would be an impact to the existing traffic problem.

Rodger Mott, 5783 St Croix, commented that from looking at the site plan submitted, that the ingress/egress for the facility is adjacent to the school, that could be a problem with pickups and drop offs at the school.

Mike Bacon, 2899 Versailles, commented that after hearing the applicant's presentation, feels that this is a nice looking facility, but in the wrong location. He presented a picture of the area showing how traffic is congested early in the morning by people going to work, and by approving this project, will make the problem worse. He understands from hearing the applicant's testimony that this would be a great project and commented if they had to lose to a project, this would be a better project than the one proposed last year.

Commissioner Soumas commented that the applicant stated that the residents are not allowed to drive.

Mr. Bacon commented that he is concerned with the people who visit the facility and the impact of traffic in the area and emergency services responding to an emergency.

Joshua Peterson, 5770 N. La Rochelle Drive, stated that he is concerned that once the zone is approved, it stays with the property forever and questioned what happens if the applicant changes their mind and the project doesn't happen.

Andrew Break, 2536 Versailles, commented that he is a single parent and is concerned with the amount of traffic this project will generate, if approved. He feels this is a great project but not appropriate for this area.

Lori Varbero, 901 S. Four Winds Road, stated that she works at the Four Seasons as the business manager and stated that this is a great facility and wants her mom to live here. She feels that the applicant will provide a facility that will enhance this neighborhood and is a win/win for the community.

Gary Weber, 2590 W. Versailles, commented that he has concerns with the already congested traffic in the area and removing the trees on the lot.

James Costello, 2830 W. Tours Drive, commented he has two children and is concerned if the applicant will sell the property once approved.

Rodger Martinson, 5822 Belleville Drive, commented that he feels the facility would be an asset to the area but has concerns with traffic if this project is approved.

Dean McConnachie, 732 S. Canal Street, feels this project will be an asset to the neighborhood and when completed, enhance the community.

Todd Butler, 401 S. 18<sup>th</sup>, commented that he designed the site plan for the project and feels that this zone change is compatible with this area. He stated that the applicant has done a similar project in other areas and all of them have been a success. He feels that the applicant's are conscious to the neighbors and will be a good fit for this neighborhood.

**REBUTTAL:**

Ms. Zaharie clarified that this is a different request than what was presented last year. She explained that they have laundry facilities on-site and have a food delivery service that comes during the week that are flexible on the time they deliver. She stated that the storage units located on the property will remain and act as a buffer between the facility and the treed area on the lot.

She explained that emergency services do come to the facility, but not on a regular basis. She stated that they will provide overflow parking to be used for those times when the facility has an event requiring more parking than what is existing. She commented that they are "tree huggers" and will want to protect the outer perimeter trees. The landscaping will be beautiful. She stated this will be an upscale facility and that their livelihood depends on the success of this project. She added that this will be a family owned and operated business.

Commissioner Luttrupp inquired if the applicant knew what the times will be for the deliveries to the facility.

Ms. Zaharie explained that they work with a lot of the big food reps and they want our business so they will work with our hours and will be able to schedule deliveries to not interfere with the schools schedule.

Chairman Jordan stated that in previous testimony, he heard concerns that the ingress/egress for this project is the same as the school.

Ms. Zaharie commented that they are not opposed to changing the ingress and egress and would discuss with city staff.

**Public Testimony closed:**

**Discussion:**

Commissioner Soumas stated that he feels that the zoning is appropriate for this property and will approve this request.

Chairman Jordan inquired if a condition should be added to solve the problem with the ingress/egress.

Deputy City Attorney Wilson suggested a condition stating that if approved, they will work with the city engineer on this issue. He suggested to the Planning Commission if they would like for him to do the findings and bring them back to the next meeting in February for approval.

Motion by Luttopp, seconded by Messina, to authorize staff to prepare findings for item's SP-4-12 and ZC-1-12. Motion approved.

Conditions to be added to Item SP-4-12:

**The residents to not exceed 80.**

**Ingress and egress change to comply with city engineer.**

**Save as many native trees on the property as possible.**

**Motion by Luttropp, seconded by Evans, to approve Item SP-4-12. Motion approved.**

ROLL CALL:

Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttropp	Voted	Aye
Commissioner Soumas	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

**Motion by Luttropp, seconded by Messina, to approve Item ZC-1-12. Motion approved.**

ROLL CALL:

Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttropp	Voted	Aye
Commissioner Soumas	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

5. Applicant: City of Coeur d'Alene  
Request: Change to Plat Expiration  
LEGISLATIVE (0-1-12)

Deputy City Attorney Wilson presented the staff report and answered questions from the Commission.

Commissioner Soumas inquired if there was a deadline when submitting a request for an extension.

Deputy City Attorney explained that for the developer to get an extension he would have to submit a letter to the Planning Commission stating why an extension is needed. He added this is presented at the next scheduled Planning Commission meeting for approval.

**Motion by Soumas, seconded by Messina, to approve Item 0-1-12. Motion approved.**

**ADJOURNMENT:**

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

The meeting was adjourned at 11:00 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

DATE: February 14, 2012  
TO: Planning Commission  
FROM: Planning Department  
RE: **I-1-12** Interpretation of phasing plan for Landings at Waterford Preliminary Plat

**DECISION POINT:**

Drew Dittman P.E. is requesting the following changes to The Landings at Waterford Preliminary Plat approved by the Planning Commission on March 25, 2003:

Adjust the phasing plan to coordinate future phases with the appropriate owner.

**HISTORY:**

- On March 23, 2003, the Planning Commission approved The Landings at Waterford Preliminary Plat and phasing plan.
- On June 14, 2011, the Planning Commission approved a revised phasing plan to reflect ownership and market changes. That plan is shown below. The shaded areas indicate phases that have proposed changes.

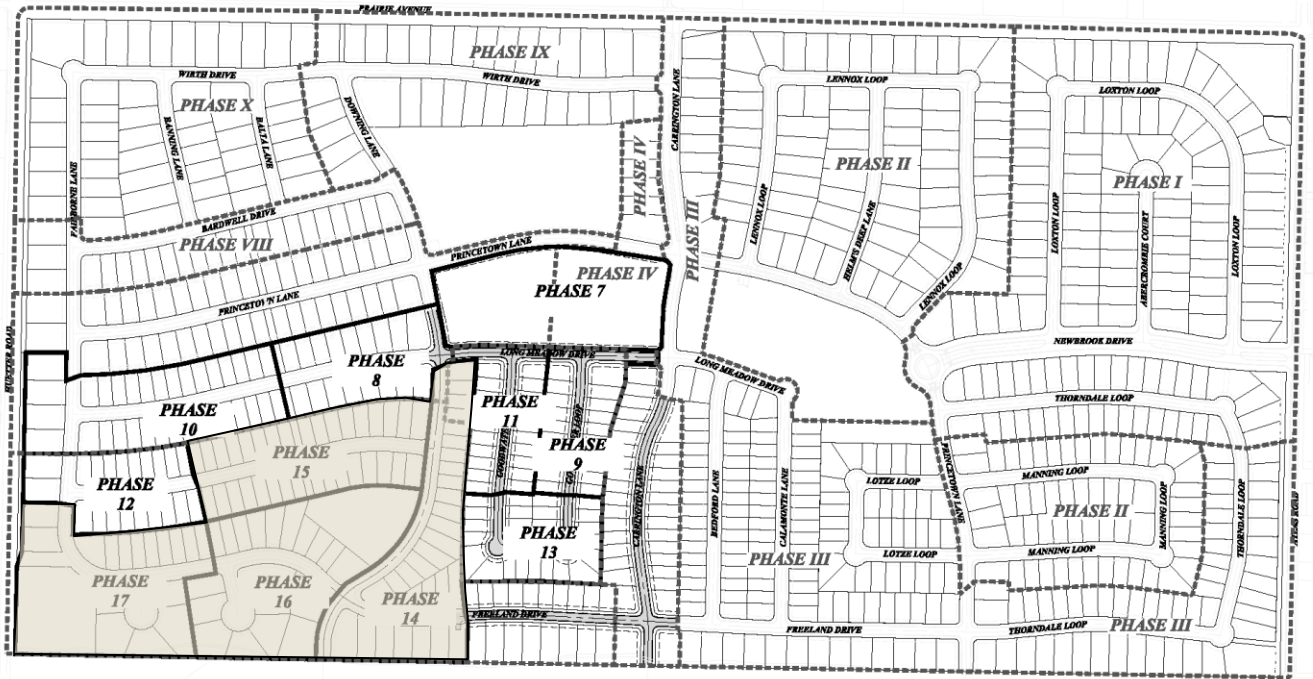
**PERFORMANCE ANALYSIS:**

The applicant has contacted the City staff to discuss the changes as outlined in his letter.

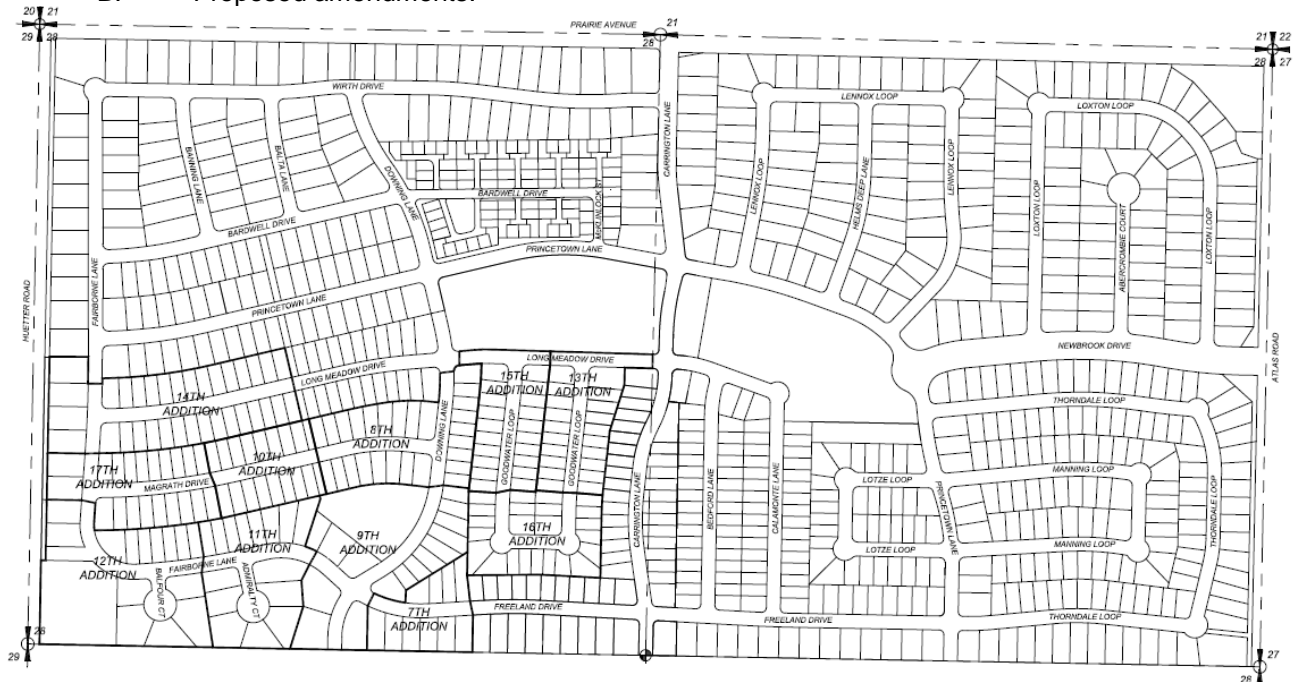
The Engineering and Planning Departments have evaluated the proposal and do not have any concerns with the proposed changes.

The approved phasing plan and proposed changes are provided in the following maps:

A. Existing phasing plan:



B. Proposed amendments.



**DECISION POINT RECOMMENDATION:**

Approve or deny the requested changes to the approved phasing plan.

City of Coeur d'Alene  
710 E. Mullan Avenue  
Coeur d'Alene, Idaho 83815

February 8, 2012

ATTN: Mr. Dave Yadon  
*Planning Director*

**RE: The Landings at Waterford**

Dear Dave:

Enclosed with this letter please find a Revised Phasing Plan and Ownership Map for the remainder of the Landings at Waterford Subdivision. As of today, there have been 7 phases of The Landings Subdivision constructed. The attached Phasing Plan shows that there are 11 phases remaining for ultimate build-out.

The purpose of this Revised Phasing Plan is to coordinate future phases with the appropriate owner. Recently Tom Anderl and John Magnuson have reacquired a portion of The Landings project through foreclosure. They will be holding their interest under Mulligan Investments, LLC. The remaining portion of The Landings project is still owned by Prairie Landings, LLC. The future phases shown on the attached Revised Phasing Plan represent each property owner's interest in the remaining lots.

Mulligan Investments, LLC will own Lot 2, Block 3 of the Landings at Waterford 6<sup>th</sup> Addition, shown on the Revised Phasing Plan as 7<sup>th</sup> Addition through 12<sup>th</sup> Addition. Prairie Landings, LLC retains ownership of Lots 1 & 3, Block 3 of said 6<sup>th</sup> Addition, which is shown as 13<sup>th</sup> Addition through 17<sup>th</sup> Addition.

Thank you for your time and consideration in this matter. Please feel free to contact me if you have questions regarding any of the above.

Regards,



Drew C. Dittman, P.E.  
*Principal*

cc: Mr. Tom Anderl – B.T.T.A., LLC  
Mr. John Magnuson – B.T.T.A., LLC

encl

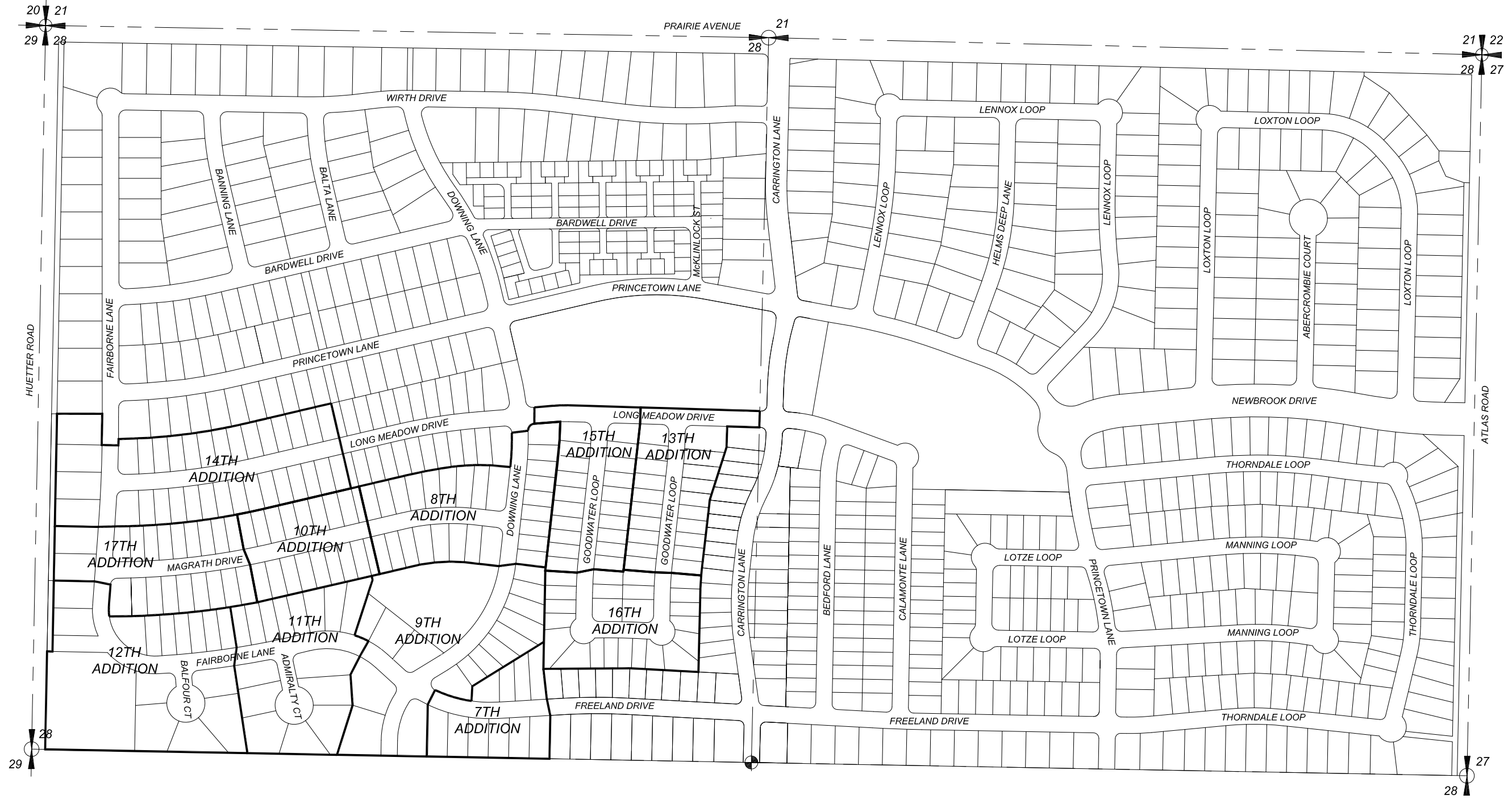




# THE LANDINGS AT WATERFORD

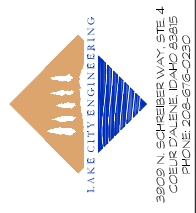
REVISED PHASING PLAN

FEBRUARY 2012



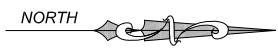
Lake City, Plotted: Feb 08, 2012 - 7:09pm, L:\2012\12-010\ACAD\12-010\_BASE\_MAP.dwg

NO.	DESCRIPTION	INITIAL	DATE



THE LANDINGS AT WATERFORD  
 REVISED PHASING PLAN - FEBRUARY 2012  
 COEUR D'ALENE, IDAHO

DESIGNED BY: DCD  
 DRAFTED BY: DCD  
 DATE: 2/8/12  
 JOB NO: 12-010



SCALE: 1" = 400'





# Kootenai County, Idaho

MapTile Location within Township

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36



THIS DRAWING IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES CONTAINED HEREIN.

### Map Revisions

- 01/12/09 - GJC  
C-J343-002-020-0 platted into PRINCETOWN AT WATERFORD (09)
- 10/05/09 - GJC  
C-J343-007-022-0 platted into LANDINGS AT WATERFORD 5TH ADDITION (10)
- 12/04/09 - ET  
C-K215-004-029-B out of 029-0 (now -A) as Tax#22518 (10)
- 11/21/11 - GJC  
C-K215-004-029-A & 029-B platted into LANDINGS AT WATERFORD 6TH ADDITION (12)

### Notes:

- PRINCETOWN AT WATERFORD TR
- C-K182-000-00A-0 0.1919 Ac
- C-K182-000-00B-0 0.1802 Ac
- C-K182-000-00C-0 0.1114 Ac
- C-K182-000-00D-0 0.1114 Ac
- C-K182-000-00E-0 0.1114 Ac
- C-K182-000-00F-0 0.1115 Ac
- C-K182-000-00G-0 0.0283 Ac
- C-K182-000-00H-0 0.0903 Ac
- C-K182-000-00I-0 0.0339 Ac
- C-K182-000-00J-0 0.0903 Ac
- C-K182-000-00K-0 0.3463 Ac
- C-K182-000-00L-0 0.2836 Ac
- C-K182-000-00M-0 0.3463 Ac
- C-K182-000-00N-0 0.5215 Ac
- C-K182-000-00O-0 0.0291 Ac

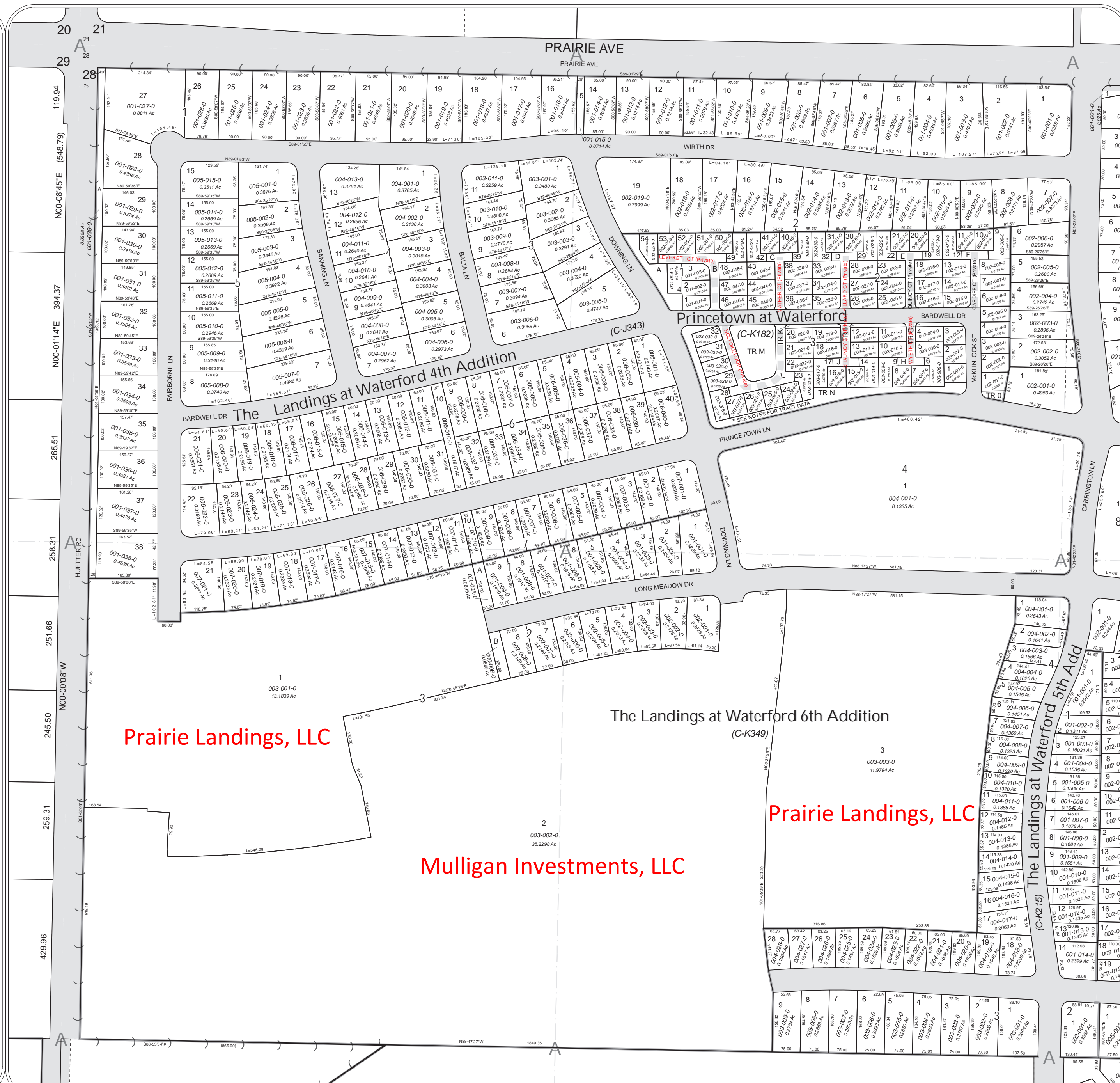
Parcel areas have been calculated by traverse closure when sufficient information has been available. Area shown is Net Assessable Area, Right-of-Way, where applicable, has been subtracted. Distances and curve lengths less than 50' may not be shown due to scale limitations. Dimensions in parenthesis denote record and/or platted lot dimensions.

LOCATION OF ROADS SHOWN ARE BASED ON ADDRESSABLE ROAD INFORMATION AND MAY OR MAY NOT BE PUBLIC.

Parcel Identification Number (PIN) are comprised as follows:  
Platted: Sub-code and Parcel ID# ex. C-3510 and 021-999-C Resulting PIN = C-3510-021-999-C or C3510021999C  
Unplatted: TwpRngSec and Parcel ID# ex. 50N03W-16 and 7950 Resulting PIN = 50N03W-16-7950 or 50N03W167950

### Legend

- (C-5357) Sub-code
- 001-001-A Parcel ID# (PIN)
- TaxParcels
- LegalAreas
- Road RW
- Private Roads
- Plat Boundaries
- Railroad
- City Limits
- GCDB\_Corners
- GCDB\_Lines




Prairie Landings, LLC

Mulligan Investments, LLC

Prairie Landings, LLC





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**TO:** Planning Commission  
**FROM:** Christopher H. Bates, Engineering Project Manager  
**DATE:** February 14, 2012  
**SUBJECT:** **SS-2-12, Trinity Corners**

**DECISION POINT**

Approve or deny the applicant's request for a two (2) lot residential / commercial subdivision.

**GENERAL INFORMATION**

1. Applicant: City of Coeur d'Alene Water Department  
3820 Ramsey Road  
Coeur d'Alene, ID 83815
  
2. Request: Approval of a two (2) lot residential / commercial subdivision.
  - a. Lot 1 – 7.28 acres (residential @ R-1)
  - b. Lot 2 – 0.96 acres (limited commercial – C17L)
  
3. Location: Northeast and southeast corners of Kathleen Avenue at Atlas Road.

**PERFORMANCE ANALYSIS**

1. Zoning: Existing zoning for the subject property is split. The northerly parcel (Lot 1) is R-1, and, the southerly parcel (Lot 2) is C-17L (Limited Commercial).
  
2. Land Use: Lot 1 of the subject property is fully developed with the Holy Family Catholic School situated on it (allowed by special use permit). Lot 2 is presently vacant.
  
3. Infrastructure: Utilities, Streets, & Storm Water Facilities

**Utilities:** Sewer & Water

The subject property and the existing structures on the proposed lots are served by City sewer and water facilities located in Kathleen Avenue.

**Streets:** Kathleen Avenue that divides the subject property is a fully developed road section. No alterations will be required.

**Street Access:** Access points to the northerly lot are defined and existing, and any access to Lot 2 will be addressed at the time of building permit submittal for the site. Access would be reviewed by the City Engineer at the time of application due to the proximity to the traffic signal and the presence protected turning movement lanes.

**Fire:** Existing fire suppression facilities meet the requirements of the City Fire Inspector, therefore no new hydrant installations will be required.

**Storm Water:** Any development on the subject property will be required to adhere to all requirements of the City Stormwater Ordinance, and, the approved Best Management Practices (BMP's) that have been adopted by the City. The subject

property currently manages their on-site and off-site stormwater with existing infiltration swales.

**Proposed Conditions:**

No Conditions

**DECISION POINT RECOMMENDATION**

Approve the proposed subdivision plat in its submitted configuration.

# TRINITY CORNERS

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 31 NORTH, RANGE 4 WEST, BOISE MERIDIAN  
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

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

## BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 34, SHOWN HEREON AND ON (R) AS SOUTH 00°00'00" WEST. ALL DISTANCES ARE PLANE COORDINATE SYSTEM, NAD 83, FOR THE DAHO WEST ZONE. ALL DISTANCES SHOWN ARE GROUND DISTANCES.

## REFERENCE DOCUMENTS

- (P1) RECORD OF SURVEY PREPARED BY WELCH, COVER & ASSOCIATES, INC. AND RECORDED AT BOOK 10 OF SURVEYS, PAGE 18A, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P2) AMENDED RECORD OF SURVEY PREPARED BY MECKEL ENGINEERING & SURVEYING, INC. AND RECORDED AT BOOK 28 OF SURVEYS, PAGE 44, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P3) ATLAS LAND TITLE SURVEY PREPARED BY MECKEL ENGINEERING & SURVEYING, INC. AND RECORDED AT BOOK 23 OF SURVEYS, PAGE 151, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P4) PLAT OF COEUR D'ALENE PLACE PREPARED BY INLAND PACIFIC ENGINEERING AND RECORDED AT BOOK 6 OF PLATS, PAGE 210, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P5) WARRANTY DEED RECORDED AS INSTRUMENT NO. 158191, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P6) CERTIFICATE OF LIABILITY DEED RECORDED AS INSTRUMENT NO. 16188, RECORDS OF KOOTENAI COUNTY, IDAHO.

## NOTES

1. THERE IS AN INSTRUMENT ON FILE TO SHOW ALL OF THE PHYSICAL FEATURES OF THIS PROPERTY, PERTAINING HERETO, EXCEPT FOR THOSE SHOWN HEREON.

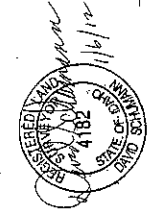
## LEGEND

- △ CALCULATED POINT, NOTHING SET
- FOUND MONUMENT AS NOTED
- 3/4" x 3/4" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 187"
- PLAT REFERENCE
- SURVEY REFERENCE
- DEED REFERENCE
- MEASURED VALUE
- TP08 TRUE POINT OF BEGINNING

## PRELIMINARY

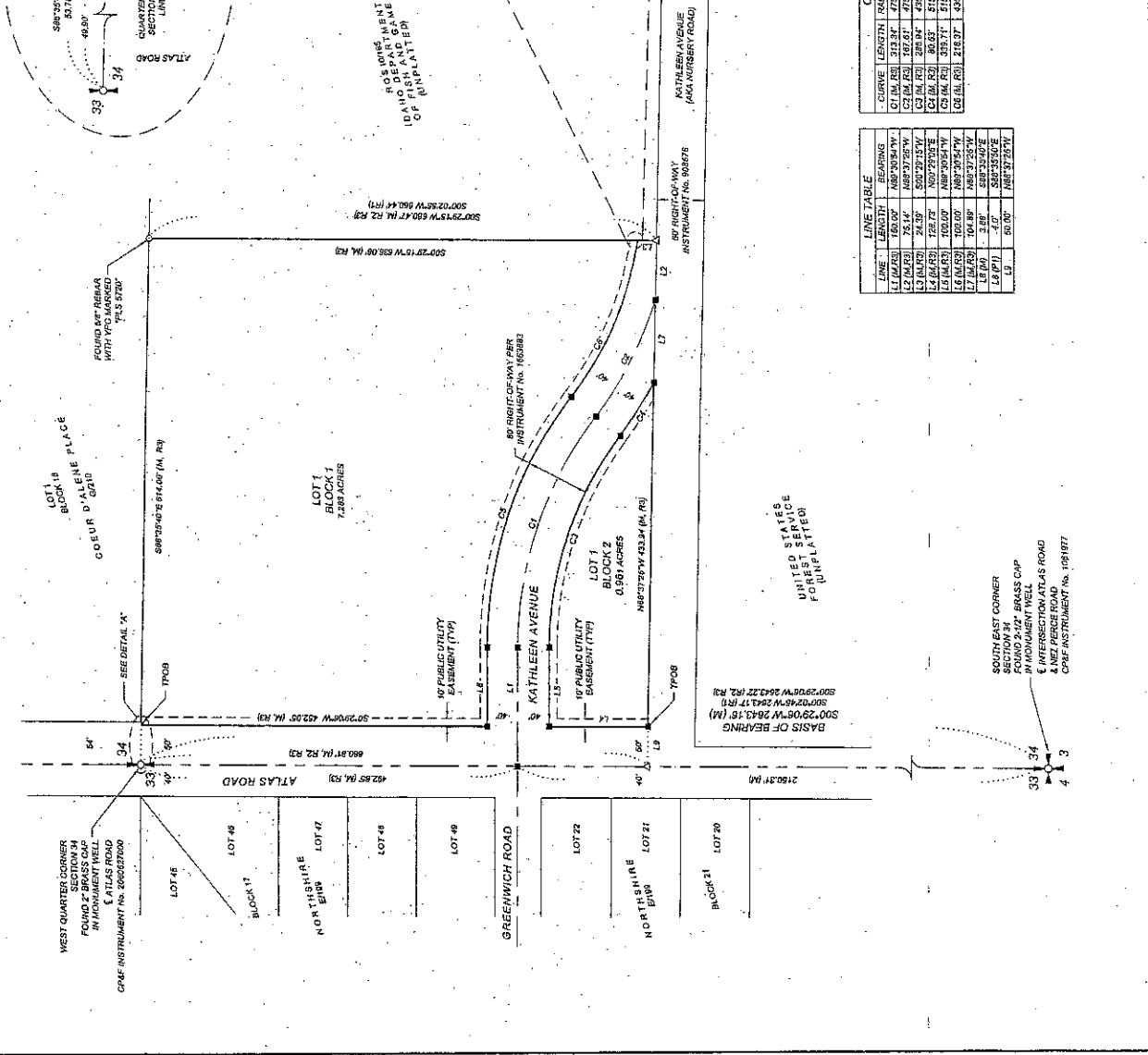
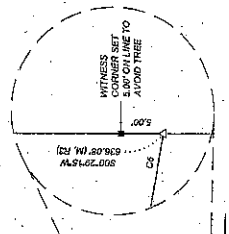
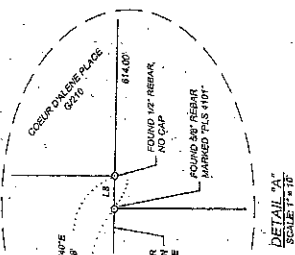


SCALE: 1" = 100'  
1 2



DRAWING BY: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_  
SCALE: 1" = 100'  
DATE: 10/20/12  
JOB NO. 14355

LANCASTER ENGINEERS  
3909 N. SCHREIBER WAY, STE 4  
COEUR D'ALENE, ID 83815  
208.676.6238



CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1 (M. R2)	313.54	475.00	37°47'37"	507.59	N07°29'07"W
C2 (M. R2)	192.61	475.00	20°10'04"	165.74	S01°49'52"E
C3 (M. R2)	248.94	475.00	37°47'37"	281.78	N79°07'05"W
C4 (M. R2)	86.07	475.00	6°59'17"	85.54	S85°12'25"E
C5 (M. R2)	353.71	475.00	37°47'37"	533.58	N07°29'07"W
C6 (M. R2)	213.37	475.00	28°49'45"	210.92	N05°03'07"W

LINE	LENGTH	BEARING
L1 (M. R2)	160.00	N80°30'45"W
L2 (M. R2)	75.14	N89°17'26"W
L3 (M. R2)	24.59	S00°29'15"W
L4 (M. R2)	128.79	N07°29'07"E
L5 (M. R2)	102.00	N89°30'55"W
L6 (M. R2)	101.89	N87°32'24"W
L7 (M. R2)	101.89	N87°32'24"W
L8 (M. R2)	3.88	S85°34'40"E
L9 (M. R2)	4.07	S85°35'50"E
L10 (M. R2)	50.00	N89°17'26"W

55-2-12



# TRINITY CORNERS

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 61 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK PAGE  
INSTRUMENT NO.

## CITY COUNCIL CERTIFICATE

THIS PLAT HAS BEEN APPROVED BY THE CITY COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

CITY OF COEUR D'ALENE - MAYOR

CITY OF COEUR D'ALENE - CLERK

CITY OF COEUR D'ALENE - CITY ENGINEER

## KOOTENAI COUNTY RECORDER

THIS PLAT WAS FILED AT THE REQUEST OF MICHAEL WAGNER FOR RECORD IN THE OFFICE OF THE RECORDER OF KOOTENAI COUNTY, IDAHO, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, AT \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ OF PLATS, PAGES \_\_\_\_\_ AS INSTRUMENT NUMBER \_\_\_\_\_

KOOTENAI COUNTY RECORDER

## COUNTY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREN PLAT AND CHECKED THE PLAT COMPUTATIONS AND HAVE DETERMINED THAT THE REQUIREMENTS OF THE STATE CODE PERTAINING TO PLATS AND SURVEYS HAVE BEEN MET.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.



DATE

## SURVEYOR'S CERTIFICATE

I, DAVID SCHIDMANI, PROFESSIONAL LAND SURVEYOR #1192, STATE OF IDAHO, DO HEREBY CERTIFY THAT THE PLAT OF TRINITY CORNERS IS BASED UPON AN ACTUAL FIELD SURVEY OF THE LAND DESCRIBED HEREON, AND THAT ALL CORNERS ARE SET AS SHOWN ON THIS PLAT, IN ACCORDANCE WITH IDAHO CODE 94-503 & 504-1201.



PRELIMINARY

DATE 11/12

## COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE TAXES DUE FOR THE PROPERTY DESCRIBED IN THE OWNERS CERTIFICATE AND DEDICATION HAVE BEEN PAID THROUGH \_\_\_\_\_ ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

KOOTENAI COUNTY TREASURER

## NOTARY PUBLIC CERTIFICATE

STATE OF IDAHO, COUNTY OF KOOTENAI, SS. \_\_\_\_\_ IN THE YEAR 2012, BEFORE ME \_\_\_\_\_ KNOWN OR IDENTIFIED TO ME TO BE THE PERSON SUBSCRIBED HEREIN WHO EXECUTED THE INSTRUMENT AND THE STATEMENTS THEREIN CONTAINED ARE TRUE.

NOTARY PUBLIC

MY COMMISSION EXPIRES ON \_\_\_\_\_

## OWNER'S CERTIFICATE AND DEDICATION

BE IT KNOWN BY THESE PRESENTS THAT THE ROMAN CATHOLIC DIOCESE OF BOISE, A SINGLE DIRECTOR IDAHO CORPORATION, HAS OWNED, OCCUPIED AND HAD CUT THE LAND DESCRIBED WITHIN THIS PLAT TO BE KNOWN AS TRINITY CORNERS, BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 61 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS THE FOLLOWING 2 PARCELS:

PARCEL 1 (BLOCK 1)

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 34, SAID POINT MARKED BY A 1" ALUMINUM CAP, PER OREGON INSTRUMENT NUMBER 280627030, FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 34 BEARS SOUTH 17°29'00" WEST 2643.16 FEET;

THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34, SOUTH 88°35'00" EAST 68.96 FEET TO A 90° REBAR WITH PLASTIC CAP MARKED "PLS 4187"; THE TRUE POINT OF BEGINNING OF PARCEL 1;

THENCE CONTINUING ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34, SOUTH 87°31'00" EAST 614.00 FEET TO A 90° REBAR WITH PLASTIC CAP MARKED "PLS 4187";

THENCE SOUTH 10°23'15" WEST 88.96 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF MATILEEN AVENUE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING THREE COURSES:

1) 124.37 FEET ALONG A NON TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 43.04 FEET, A CENTRAL ANGLE OF 24°19'45" AND A LONG CHORD THAT BEARS NORTH 65°05'20" WEST 218.68 FEET, TO A 90° REBAR WITH PLASTIC CAP MARKED "PLS 4187";

2) 339.71 FEET ALONG A REVERSE CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 512.00 FEET, A CENTRAL ANGLE OF 37°47'37" AND A LONG CHORD THAT BEARS NORTH 70°37'08" WEST 333.85 FEET, TO A 90° REBAR WITH PLASTIC CAP MARKED "PLS 4187";

3) NORTH 87°30'24" WEST 160.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF ATLAS ROAD, SAID POINT MARKED BY A 90° REBAR WITH PLASTIC CAP MARKED "PLS 4187";

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY NORTH 00°29'06" EAST 482.60 FEET TO THE TRUE POINT OF BEGINNING;

SAID PARCEL CONTAINS 7.283 ACRES, MORE OR LESS.

PARCEL 2 (BLOCK 2)

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 34, SAID POINT MARKED BY A 1" ALUMINUM CAP, PER OREGON INSTRUMENT NUMBER 280627030, FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 34 BEARS SOUTH 17°29'00" WEST 2643.16 FEET;

THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34, SOUTH 07°29'00" WEST 663.81 FEET;

THENCE NORTH 87°27'27" WEST 540.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF ATLAS ROAD, SAID POINT MARKED BY A 90° REBAR WITH PLASTIC CAP MARKED "PLS 4187"; THE TRUE POINT OF BEGINNING OF PARCEL 2;

THENCE NORTH 87°37'30" WEST 443.34 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF MATILEEN AVENUE, SAID POINT MARKED BY A 90° REBAR WITH PLASTIC CAP MARKED "PLS 4187";

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING THREE COURSES:

1) 80.63 FEET ALONG A REVERSE CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 616.00 FEET, A CENTRAL ANGLE OF 00°39'12" AND A LONG CHORD THAT BEARS NORTH 81°12'33" WEST, 80.54 FEET TO A 90° REBAR WITH PLASTIC CAP MARKED "PLS 4187";

2) 285.24 FEET ALONG A REVERSE CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 436.00 FEET, A CENTRAL ANGLE OF 37°37'37" AND A LONG CHORD THAT BEARS NORTH 10°37'35" WEST, 281.76 FEET TO A 90° REBAR WITH PLASTIC CAP MARKED "PLS 4187";

3) NORTH 87°30'24" WEST 160.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF ATLAS ROAD, SAID POINT MARKED BY A 90° REBAR WITH PLASTIC CAP MARKED "PLS 4187";

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY SOUTH 00°29'06" WEST 126.73 FEET TO THE TRUE POINT OF BEGINNING;

SAID PARCEL CONTAINS 0.851 ACRES, MORE OR LESS.

BE IT FURTHER KNOWN THAT:

SANITARY SEWER FOR THIS PLAT IS TO BE SUPPLIED BY THE CITY OF COEUR D'ALENE.

DOMESTIC WATER FOR THIS PLAT IS TO BE SUPPLIED BY THE CITY OF COEUR D'ALENE.

THE 10' PUBLIC UTILITY EASEMENT SHOWN ALONG MATILEEN AVENUE AND ATLAS ROAD IS HEREBY DEDICATED TO THE CITY OF COEUR D'ALENE FOR USE AS THE SAME.

ROMAN CATHOLIC DIOCESE OF BOISE, OWNER

DATE

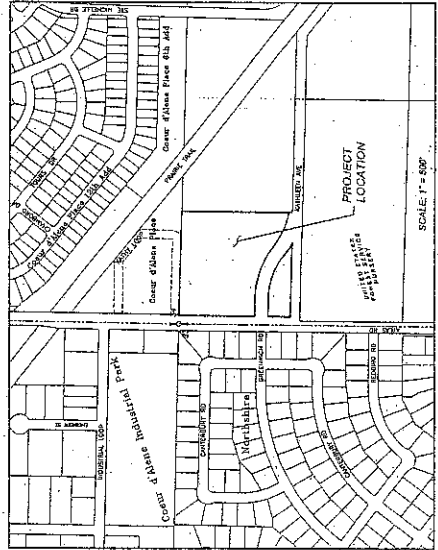
PLAT NO. 11-053, 10/08/2012 - 2/25/99



DRAWING BY:	POOL, SHI
CHECKED BY:	DES
SCALE:	AS SHOWN
DATE:	10/20/12
JOB NO.:	11-053

2

2



**TO:** Planning Commission  
**FROM:** Christopher H. Bates, Engineering Project Manager  
**DATE:** February 14, 2012  
**SUBJECT:** **SS-3-12, Woodland Corner**

**DECISION POINT**

Approve or deny the applicant's request for a two (2) lot residential subdivision.

**GENERAL INFORMATION**

1. Applicant: Coeur d'Alene School District 271  
311 N. 10<sup>th</sup> Street  
Coeur d'Alene, ID 83814
  
2. Request: Approval of a two (2) lot residential subdivision.
  - a. Lot 1 – 5.0 acres
  - b. Lot 2 – 24.0 acres
  
3. Location: East and west sides of Ste. Michelle Drive, adjacent to Kathleen Avenue.

**PERFORMANCE ANALYSIS**

1. Zoning: Existing zoning for the subject property is R-1, however, proposed Lot 1 has applied for a zone change to R-8, has received approval from the Planning Commission and is pending action by the City Council.
  
2. Land Use: Lot 1 of the subject property is vacant, and, Lot 2 is fully developed with the Woodland Middle School situated on it.
  
3. Infrastructure: Utilities, Streets, & Storm Water Facilities

**Utilities:** Sewer & Water

Proposed Lot 1 has an eight inch (8") water main extended on to the site that should provide adequate service for fire suppression and domestic potable water needs. Should additional service be required due to site development needs, connections would need to be made into the main line in Ste. Michelle Drive. Installation of any fire hydrants or main line extensions will require placement of an easement in favor of the City over the main lines and hydrant extensions.

There is no sanitary lateral connection on to proposed Lot 1, therefore, service will be required to be extended on to the site prior to final plat approval. The point of connection will be required to be the existing manhole situated in the adjoining Ste. Michelle Drive on the sites easterly boundary.

Proposed Lot 2 is fully developed and is being served by City sewer and water facilities located in Ste. Michelle Drive.

**Streets:** Ste. Michelle Drive that divides the subject property is a fully developed road section. Sidewalk does not exist along the street frontage of Lot 1, therefore,

installation will be required prior to final plat approval. The east side of Ste. Michelle has a ten foot (10') meandering bike/ped trail along the full length of Lot 2. No street improvements will be required along the Lot 2 frontage.

**Street Access:** Access points to Lot 2 are defined and existing. Any access to Lot 1 will be addressed at the time of building permit submittal for the site. Access would be reviewed by the City Engineer at the time of application, and balanced with the existing access point to the middle school to the east.

**Fire:** Fire suppression for Lot 1 will be addressed at the time of site development due to the unknown nature of the final type of development. Should additional fire suppression facilities be required to be installed, they will be required to be placed in an easement to the City in order to guarantee access, operation and maintenance of them. Fire suppression facilities are installed and of sufficient nature to serve the developed Lot 2.

**Storm Water:** Any development on the subject property will be required to adhere to all requirements of the City Stormwater Ordinance, and, the approved Best Management Practices (BMP's) that have been adopted by the City. Lot 1 is undeveloped and will be required to install stormwater facilities at the time of development. Developed Lot 2 currently manages their on-site and off-site stormwater with existing infiltration swales.

#### **Proposed Conditions:**

1. Extend sanitary sewer lateral service on to Lot 1 prior to final plat approval. The connection for the lateral extension will be required to be the manhole situated in Ste. Michelle Drive. Any connection for the sanitary lateral must be approved by the City Engineer and the City Wastewater Department.
2. Sidewalk installation along the street frontage of vacant Lot 1 will be required prior to final plat approval.
3. All points of ingress/egress to Lot 1 will require approval of the City Engineer prior to installation.
4. Hydrant installation for fire suppression service on Lot 1 will be addressed at the time of site development, and, any installed hydrants will be required to be placed in an easement to the City to provide for access, operation and maintenance.
5. An easement in favor of the City will be required to be placed over any water line on the subject property that is deemed to be a water mainline by the City Water Department. The easement will be required to provide for access, operation and maintenance.

#### **DECISION POINT RECOMMENDATION**

Approve the proposed subdivision plat in its submitted configuration with the attached conditions.



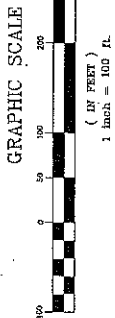
LOT 19, BLOCK ONE  
COEUR D'ALENE PLACE SIXTH ADDITION

LOT 1  
218,481 SF  
50,038 acres

LOT 2  
1,045,442 SF  
24,000 acres

LOT 3  
1,045,442 SF  
24,000 acres

**WOODLAND CORNER**  
IN A PORTION OF THE S½ SEC. 34,  
T.51N., R.4W., B.M.,  
IN THE CITY OF COEUR D'ALENE,  
KOOTENAI COUNTY, IDAHO

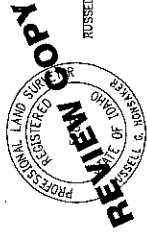
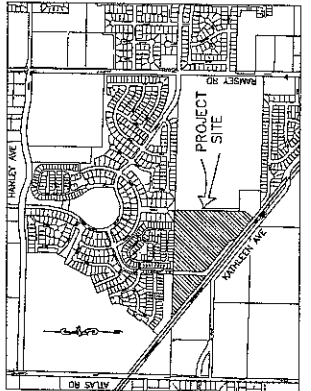


- LEGEND**
- P.L.S.S. CORNERS AS NOTED
  - FOUND SURVEY PINS AS NOTED.
  - SET 5/8" REBAR WITH PVC CAP MARKED "PLS 5269".

**REFERENCES**  
PLAT OF COEUR D'ALENE PLACE THIRD ADDITION - BOOK G, PAGE 403  
PLAT OF COEUR D'ALENE PLACE SIXTH ADDITION - BOOK I, PAGE 145  
RECORD OF SURVEY - BOOK 20, PAGE 448  
RECORD OF SURVEY - BOOK 21, PAGE 145

**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA	CHRD BRG	CHORD
C1	175.18	150.00	82°49.41"	S 24°36'59" E	158.04
C2	193.43	150.00	88°28.19"	N 18°11'00" W	108.58
C3	212.45	150.00	92°49.41"	S 24°36'59" E	144.15
CA	97.38	70.00	50°38.00"	N 62°48'18" W	84.81

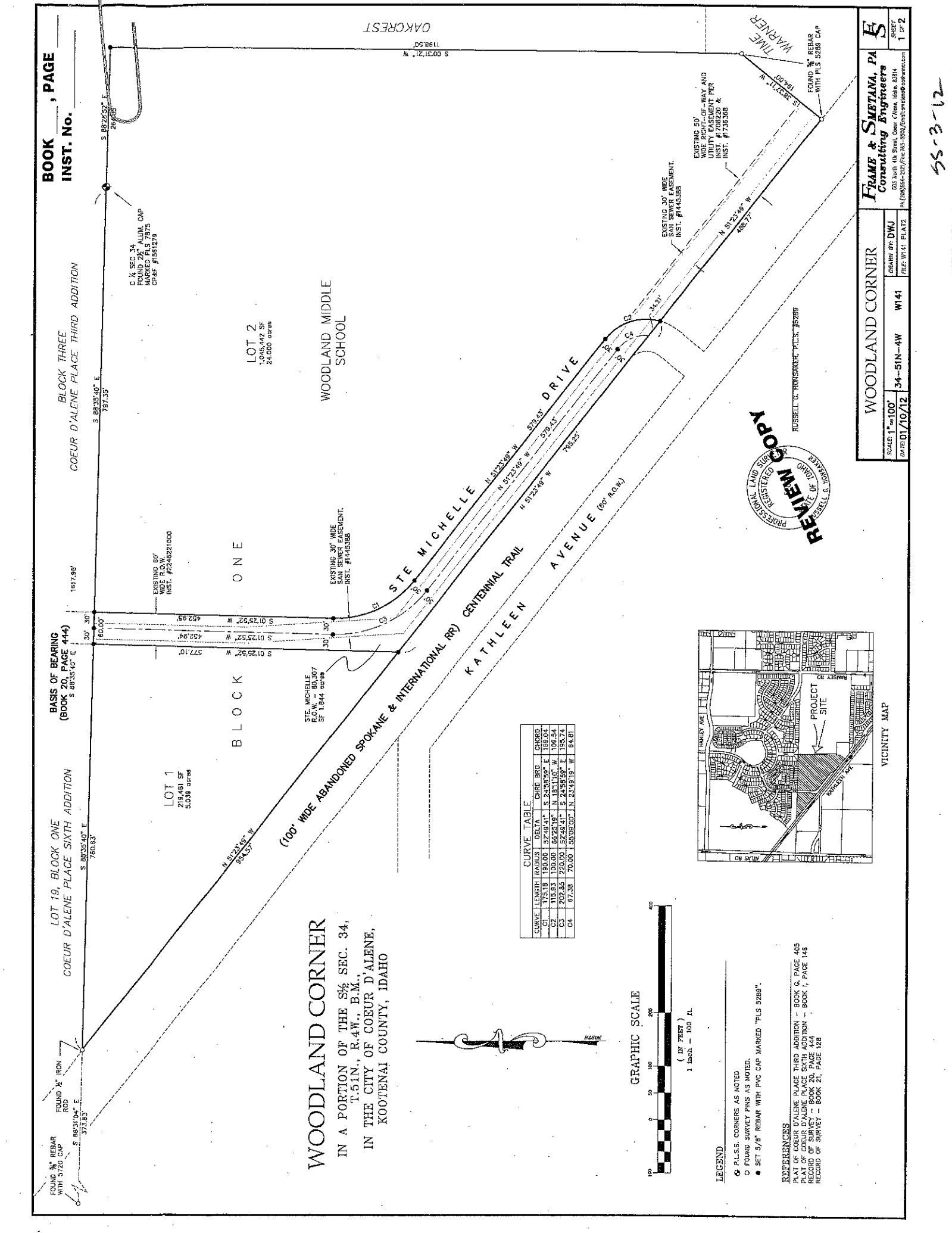


RUSSELL C. TRONSKAREK, P.L.S. #79285

**WOODLAND CORNER**  
SCALE: 1" = 100'  
DATE: 01/10/12  
DRAWN BY: DWJ  
REG. W141 PLAT 2

**FRANK & SMETANA, PA**  
Consulting Engineers  
803 Park Ave. Ste. 400, Idaho Falls, ID 83414  
PH: (208) 746-2227 / FAX: (208) 746-3300 / FRANK@FRANKSMETANA.COM

55-3-12



**WOODLAND CORNER**  
 IN A PORTION OF THE S½ SEC. 34,  
 T.51N., R.4W., B.M.,  
 IN THE CITY OF COEUR D'ALENE,  
 KOOTENAI COUNTY, IDAHO

BOOK \_\_\_\_\_, PAGE \_\_\_\_\_  
 INST. No. \_\_\_\_\_

**OWNER'S CERTIFICATE**

BE IT KNOWN THAT SCHOOL DISTRICT NO. 271 OF KOOTENAI COUNTY, IDAHO COMMONLY REFERRED TO AS COEUR D'ALENE SCHOOL DISTRICT NO. 271, A BODY CORPORATE AND POLITICAL, THE RECORD OWNER OF THE REAL PROPERTY DESCRIBED IN THIS CERTIFICATE, HAS CAUSED THE SAME TO BE SURVEYED AND DIVIDED INTO LOTS AND BLOCK AS SHOWN HEREON TO BE KNOWN AS WOODLAND CORNER, BEING A PORTION OF THE SOUTH HALF OF SECTION 34, TOWNSHIP 51, RANGE 4 WEST, B.M., IN THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS ( THE BASIS OF BEARING BEING THE AMENDED RECORD OF SURVEY - ANNEXATION, BOOK 20, PAGE 444):

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 34, SAID CORNER BEING S 88°35'40" E, 2656.04 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 34, AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE ALONG THE NORTH BOUNDARY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, S 88°28'52" E, 264.05 FEET TO THE EAST BOUNDARY LINE OF QUIT CLAIM DEED #1334095, RECORDS OF KOOTENAI COUNTY; THENCE ALONG THE SAID EAST BOUNDARY LINE, S 00°31'21" W, 1198.50 FEET; THENCE LEAVING THE SAID EAST BOUNDARY LINE, S 38°37'11" W, 194.00 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE ABANDONED SPOKANE AND INTERNATIONAL RAILROAD; THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, N 57°23'49" W, 2238.59 FEET TO THE NORTH BOUNDARY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE ALONG THE SAID NORTH BOUNDARY LINE, S 88°35'40" E, 1617.98 FEET TO THE TRUE POINT OF BEGINNING; CONTAINING APPROXIMATELY 30.882 GROSS ACRES, MORE OR LESS, LESS THE 60 FOOT RIGHT-OF-WAY OF STE. MICHELLE DRIVE AS DESCRIBED IN INSTRUMENT NUMBER 2248221000, RECORDS OF KOOTENAI COUNTY.

SANITARY SEWER SERVICE TO EACH LOT PLATTED HEREIN SHALL BE PROVIDED BY THE CITY OF COEUR D'ALENE.  
 WATER SERVICE TO EACH LOT PLATTED HEREIN SHALL BE PROVIDED BY THE CITY OF COEUR D'ALENE.

HAZEL E. BAUMAN, SUPERINTENDENT,  
 SCHOOL DISTRICT NO. 271 OF KOOTENAI COUNTY, IDAHO

**STATE OF IDAHO, COUNTY OF KOOTENAI, SS**

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ IN THE YEAR \_\_\_\_\_, BEFORE ME  
 PERSONALLY APPEARED HAZEL E. BAUMAN, KNOWN OR IDENTIFIED TO ME TO BE THE SUPERINTENDENT OF SCHOOL DISTRICT NO. 271 OF KOOTENAI COUNTY, IDAHO, THAT EXECUTED THE INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SUCH SCHOOL DISTRICT EXECUTED THE SAME.

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

**SURVEYOR'S CERTIFICATE**

I, RUSSELL G. HONSAKER, P.L.S. No. 5289, STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO AS PERTAINING TO PLATS AND SURVEYS.

RUSSELL G. HONSAKER, P.L.S. No. 5289



**CITY COUNCIL APPROVAL**

THIS PLAT APPROVED AND ACCEPTED BY THE CITY COUNCIL OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

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

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

**PANHANDLE HEALTH DISTRICT I**

A SANITARY RESTRICTION ACCORDING TO IDAHO CODE 50-1326 TO 50-1329 IS IMPOSED ON THIS PLAT. NO BUILDING, DWELLING OR SHELTER SHALL BE ERRECTED UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED AND LIFTED.

THIS PLAT APPROVED THIS \_\_\_\_\_, 20\_\_\_\_. PANHANDLE HEALTH DISTRICT  
 DAY OF \_\_\_\_\_  
 SANITARY RESTRICTION SATISFIED \_\_\_\_\_  
 AND LIFTED THIS \_\_\_\_\_, 20\_\_\_\_.  
 DAY OF \_\_\_\_\_ PANHANDLE HEALTH DISTRICT

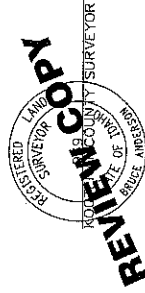
**KOOTENAI COUNTY TREASURER**

I HEREBY CERTIFY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, THAT THE  
 REQUIRED TAXES ON THE HEREIN DESCRIBED LAND HAVE BEEN PAID THRU \_\_\_\_\_

KOOTENAI COUNTY TREASURER \_\_\_\_\_

**KOOTENAI COUNTY SURVEYOR**

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE SAME FOR  
 RECORDING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.



**KOOTENAI COUNTY RECORDER**

I HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE  
 RECORDER OF KOOTENAI COUNTY, IDAHO, AT THE REQUEST OF THIS \_\_\_\_\_ AT \_\_\_\_\_ M.  
 AND DULY RECORDED IN PLAT BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, INST. # \_\_\_\_\_  
 FEE \$ \_\_\_\_\_

KOOTENAI COUNTY RECORDER \_\_\_\_\_

WOODLAND CORNER

SCALE NONE DATE: 01/10/12 34-51N-4W W141 FILE: W141.P12.dwg

FRANK & SMETANA, PA  
 Consulting Engineers  
 809 North 4th Street, Coeur d'Alene, IDAHO  
 Ph: (208)861-2323 / Fax: 865-5509 / Email: frank@frankandsmetana.com

**PLANNING COMMISSION  
STAFF REPORT**

FROM: TAMI STROUD, PLANNER  
DATE: FEBRUARY 14, 2012  
SUBJECT: SP-5-12 – REQUEST FOR A FOOD AND BEVERAGE SALES/OFF-SITE CONSUMPTION SPECIAL USE PERMIT IN A C-17L ZONING DISTRICT  
LOCATION: A +/- .49 ACRE PARCEL 1825 N. GOVERNMENT WAY

**Applicant/  
Owner** Tom & Gina Sampson  
7815 W. Highland Drive  
Coeur d’Alene, ID 83814

**DECISION POINT:**

Tom and Gina Sampson are requesting approval of a Food and Beverage Sales/off-Site Consumption Special Use Permit in the C-17L (Commercial Limited) zoning district. It would allow the operation of a coffee stand with one drive up window.

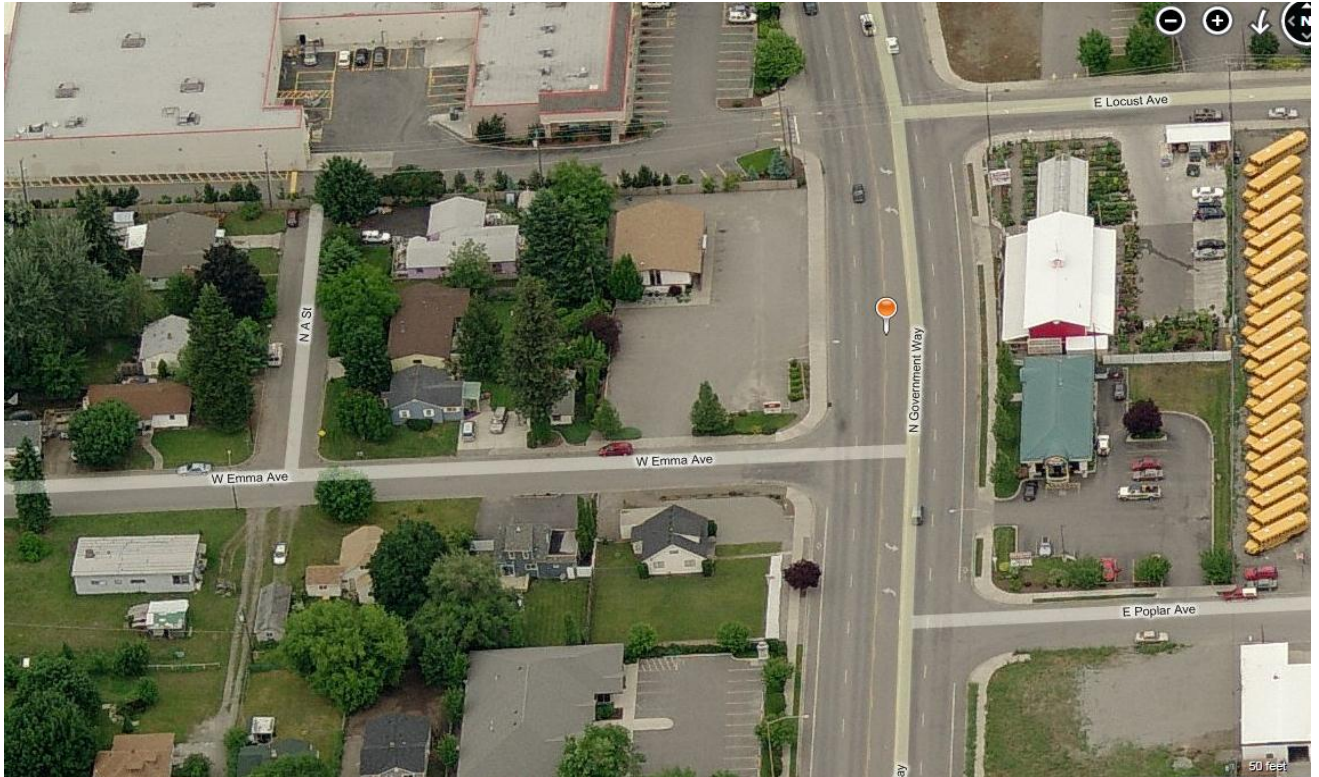
**SITE PHOTOS:**

A. Aerial photo:



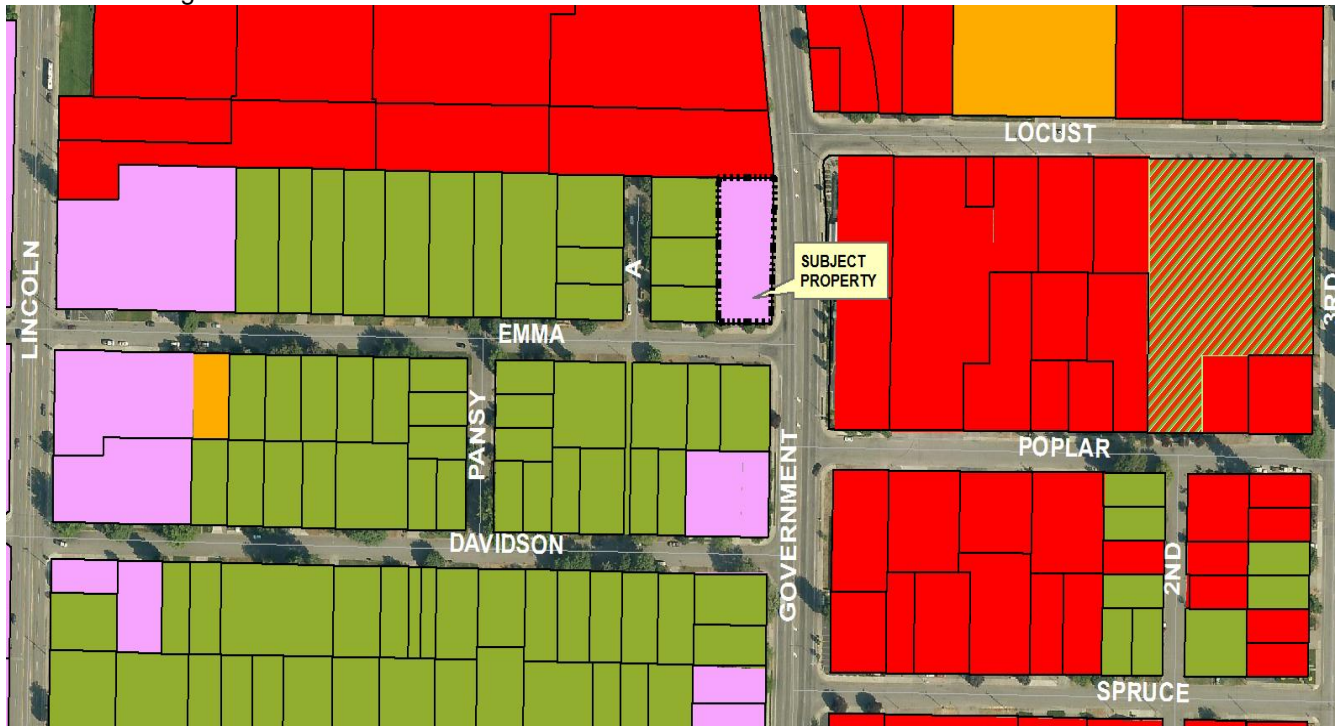


B. Subject property at Emma Avenue and Government Way.

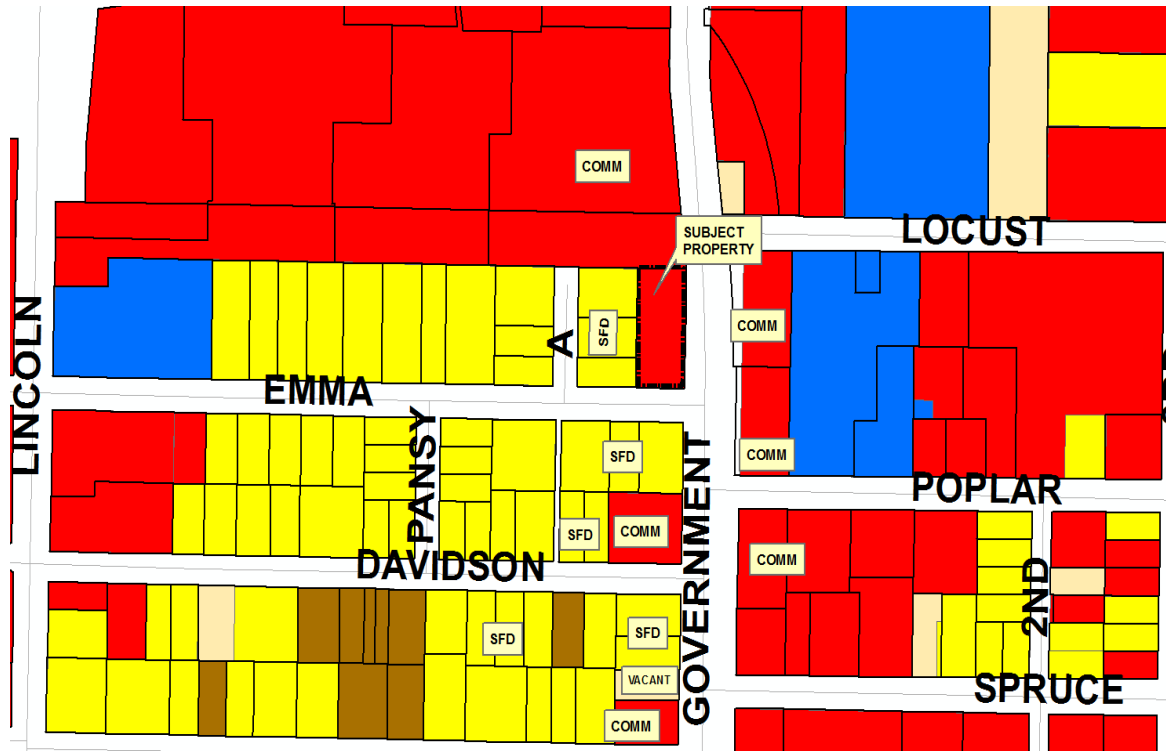


GENERAL INFORMATION:

A. Zoning:

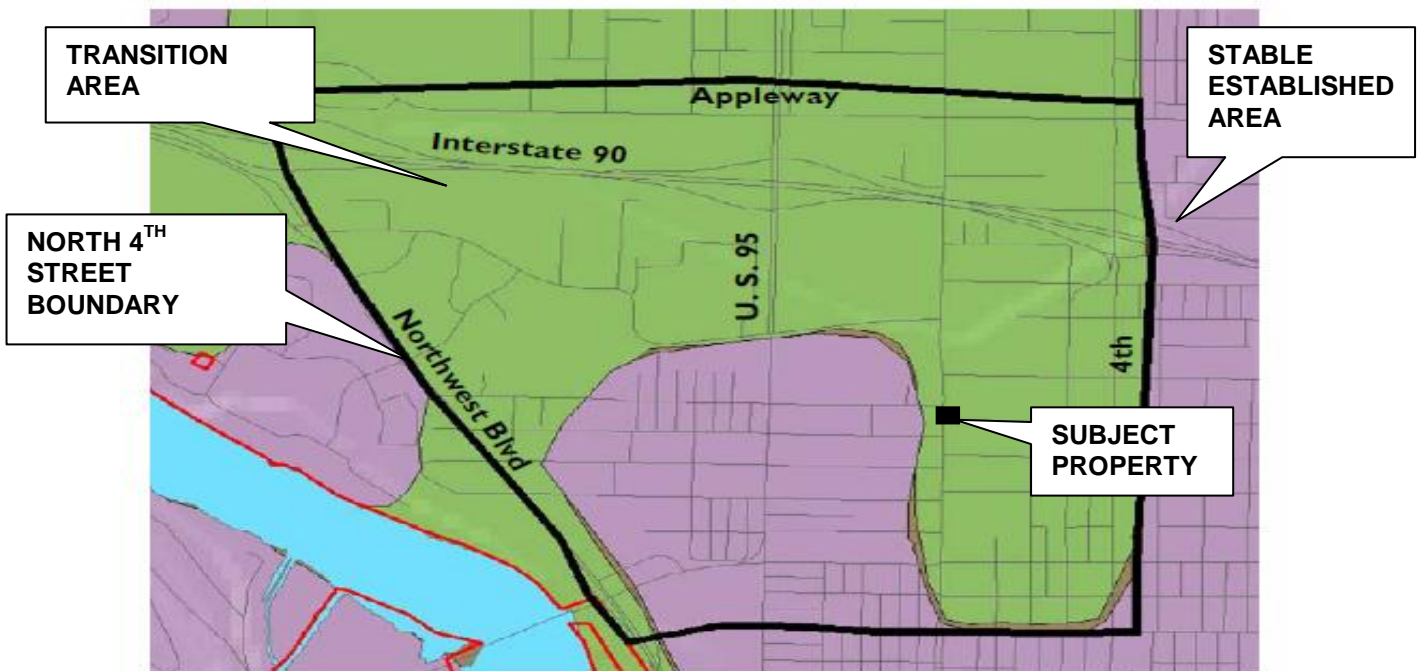


B. Generalized land use pattern:

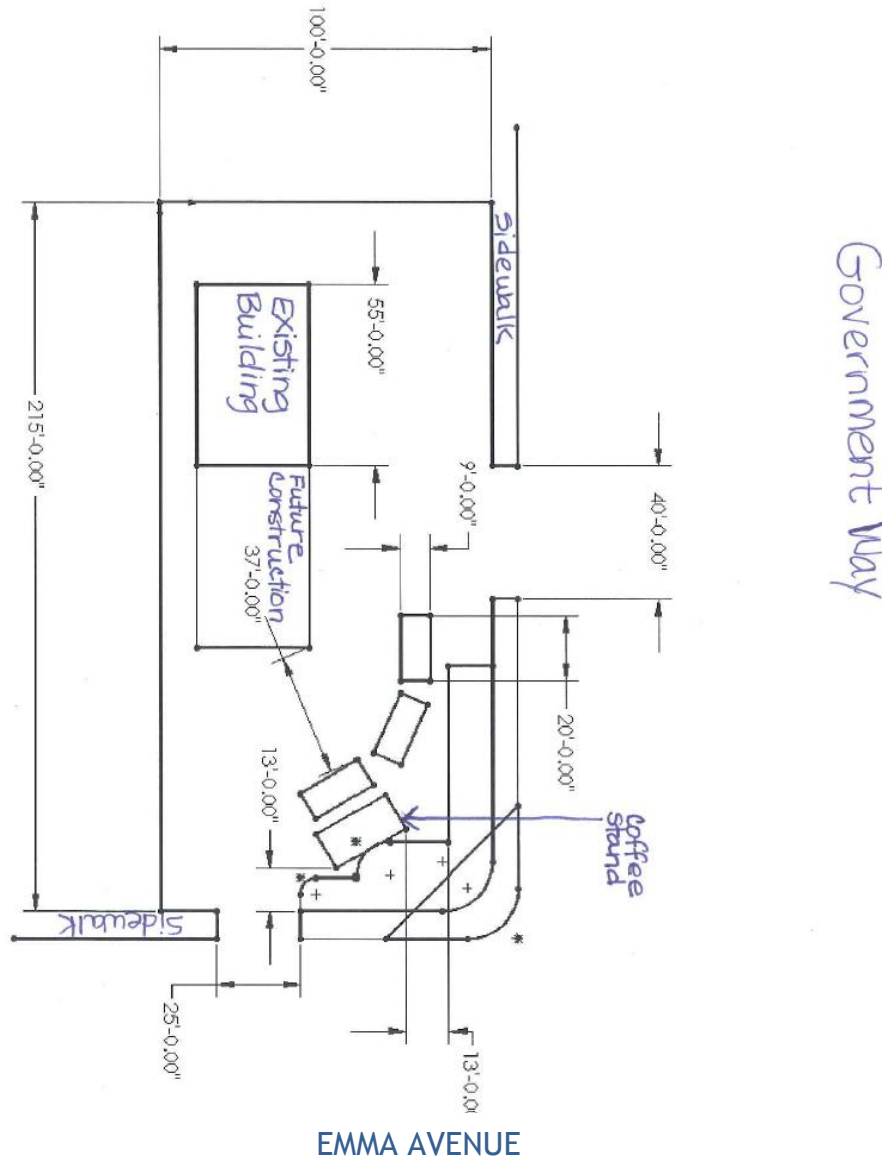


C. 2007 Comprehensive Plan designation –Appleway- North 4<sup>th</sup> Street:

### Land Use: Appleway - North 4<sup>th</sup> Street



C. Site plan:



D. Applicant:/ Tom & Gina Sampson  
 Owner 7815 W. Highland Drive  
 Coeur d'Alene, ID 83814

E. Existing land uses in the area include residential – single-family, duplex, commercial and vacant land.

F. The subject property has an existing commercial structure on it.

**PERFORMANCE ANALYSIS:**

A. Zoning:

The requested Food and Beverage Off-Site Consumption activity is allowed by Special Use Permit in a C-17L zone and is classified as a commercial sales activity.

Evaluation: The requested use is located in a C-17L zone and meets the definition of a Food and Beverage Off-Site Consumption activity.

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

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map designates this area as Appleway-North 4<sup>th</sup> Street. The description of this designation is as follows:

**Transition:**

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

**Appleway - North 4th Street Tomorrow:**

Generally, this area is expected to be a mixed use area. The stable/ established residential area will remain. The west Ironwood corridor will require careful evaluation of traffic flow. Ironwood will be connected to 4th Street, enabling higher intensity commercial and residential uses.

**The characteristics of Appleway - North 4th Street neighborhoods will be:**

That overall density will approach six units per acre (6:1) with infill and multi-family housing located next to arterial and collector streets.

- That pedestrian and bicycle connections will be provided.
- Street widening and potential reconfiguration of US 95 should be sensitive to adjacent uses.
- Uses that strengthen neighborhoods will be encouraged.

**The characteristics of Appleway - North 4th Street commercial will be:**

- That commercial buildings will remain lower in scale than in the downtown core.
- Streetscapes should be dominated by pedestrian facilities, landscaping, and buildings.
- Shared-use parking behind buildings is preferred.

**Significant policies for consideration:**

- Objective 1.08 – Forests & Natural Habitats:

Preserve native tree cover and natural vegetative cover as the city's dominant characteristic.

- Objective 1.11 - Community Design:

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

- Objective 1.12 - Community Design:  
Support the enhancement of existing urbanized areas and discourage sprawl.
- Objective 1.14 - Efficiency:  
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
- Objective 2.01 - Business Image & Diversity:  
Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.
- Objective 2.02 - Economic & Workforce Development:  
Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.
- Objective 2.05 – Pedestrian & Bicycle Environment:  
Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.
- Objective 3.02- Managed Growth:  
Coordinate planning efforts with our neighboring cities and Kootenai County, emphasizing connectivity and open spaces.
- Objective 3.16 – Capital Improvements:  
Ensure infrastructure and essential services are available for properties in development.
- Objective 4.02 – City Services  
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling, and trash collection).

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

The subject property is at the edge of an established residential neighborhood and the commercial corridor along Government Way, as shown by the zoning and land use patterns in the surrounding area. (See the zoning and generalized land use pattern map)

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

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



#### WATER:

Service is currently provided to the main building on the lot. They can connect to the existing building or choose to have a separate service installed if so desired where additional cap fees and backflow protection would be required.

Submitted by Terry Pickel, Assistant Water Superintendent

#### SEWER:

Adequate wastewater collection facilities are available for the proposed use. The proposed structure shall tie into the existing service lateral serving the lot and will be subject to a sewer cap fee.

Submitted by Jim Remitz, Utility Project Manager

#### STORMWATER:

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

#### Evaluation

The proposed facility is being constructed on a site that is currently 100% impervious and has existing on-site drainage, therefore, it will be required that the new facility if constructed, be set up in such a manner that all runoff generated by it be directed to the existing storm drainage facilities.

#### TRAFFIC:

The ITE Trip Generation Manual does not have a category that would provide estimates for the projected use, however, observation of existing facilities of this type indicate that the traffic activity is intermittent, and that due to the location on a major arterial roadway with multiple points of ingress/egress, the adjoining streets will accommodate the traffic flows.

#### STREETS:

The subject property is bordered by Government Way on the east and Emma Avenue on the south. The current right-of-way widths meet City standards and the roads are fully developed. No alterations will be required for the roadways, and if any site alterations are necessary, they will be addressed at the time of building permit application.

#### APPLICABLE CODES AND POLICIES

##### Utilities

All proposed utilities within the project shall be installed underground. 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.

##### Streets

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

Stormwater

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

Submitted by Chris Bates, Engineering Project Manager

**FIRE:**

The Fire Department has no issues with the request.

Submitted by Bryan Keating, Fire Inspector

**D. Proposed conditions:**

None.

**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.

**JUSTIFICATION:**

Proposed Activity Group; \_\_\_\_\_.

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

A. A description of your request; A 12x24 Coffee Stand with one drive thru window, and one walk-up window at Southeast corner of property.

B. Explain how your request conforms to the 2007 Comprehensive Plan;  
The project falls within Appleway & 4th St designation, where there is a diverse mix of residential, medical, commercial + warehousing land uses.

C. Explain how the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties;  
In the construction, we will conform to the Commercial design standards required by code.

D. Explain how the location, design, and size of the proposal will be adequately served by existing streets, public facilities and services;  
Government way, Appleway, + 4th Street all have the capacity for any traffic.

E. Any other information that you feel is important and should be considered by the Planning Commission in making their decision.  
Objective 2.04: Downtown and neighborhood Service Modes.  
Objective 3.06: Neighborhoods

(see reverse side →)

We desire to modernize the appearance of the outdated existing building and incorporate consistent modernized design into newly constructed facilities on the property, while adhering to all guidelines and A.D.A. requirements.

**S  
G  
N  
-  
D  
-  
F**

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on February 14, 2012, and there being present a person requesting approval of ITEM SP-5-12, a request for a Food and Beverage Sales/off-Site Consumption Special Use Permit in the C-17L (Commercial Limited) zoning district.

APPLICANT: GINA AND TOM SAMPSON

LOCATION: 1825 N. GOVERNMENT WAY

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

**(The Planning Commission may adopt Items B1 to B7.)**

- B1. That the existing land uses are residential – single-family, duplex, commercial and vacant land
- B2. That the Comprehensive Plan Map designation is Appleway-North 4<sup>th</sup> Street
- B3. That the zoning is C-17L (Commercial Limited) zoning district
- B4. That the notice of public hearing was published on, January 28, 2012, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on February 6, 2012, which fulfills the proper legal requirement.
- B6. That 24 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, January 27, 2012, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on February 14, 2012.
- B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

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

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

**Criteria to consider for B8B:**

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

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

**Criteria to consider B8C:**

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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **GINA AND TOM SAMPSON** For a special use permit, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Evans	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Soumas	Voted _____

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

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

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

\_\_\_\_\_  
CHAIRMAN BRAD JORDAN



**PLANNING COMMISSION  
STAFF REPORT**

FROM: SEAN E. HOLM, PLANNER  
DATE: FEBRUARY 14, 2012  
SUBJECT: SP-6-12 – REQUEST FOR A FOOD AND BEVERAGE ON/OFF-SITE  
CONSUMPTION SPECIAL USE PERMIT IN A MANUFACTURING (M) ZONING  
DISTRICT  
LOCATION: A +/- 1.642 ACRE PARCEL LOCATED AT 3850 N SCHREIBER WAY IN  
COMMERCE PARK

**APPLICANT:**

Trickster's Brewing Co., LLC  
c/o Matt Morrow  
3850 N Schreiber Way  
Coeur d'Alene, ID 83814

**PROPERTY OWNER(S):**

Ron Toews  
3856 Schreiber Way  
Coeur d'Alene, ID 83815

**DECISION POINT:**

Trickster's Brewing Co., LLC is requesting approval of a Food and Beverage On/Off-Site Consumption Special Use Permit in a Manufacturing (M) zoning district. The request, if granted, would allow the applicant to sell beer and related items from the N Schreiber Way location identified above.

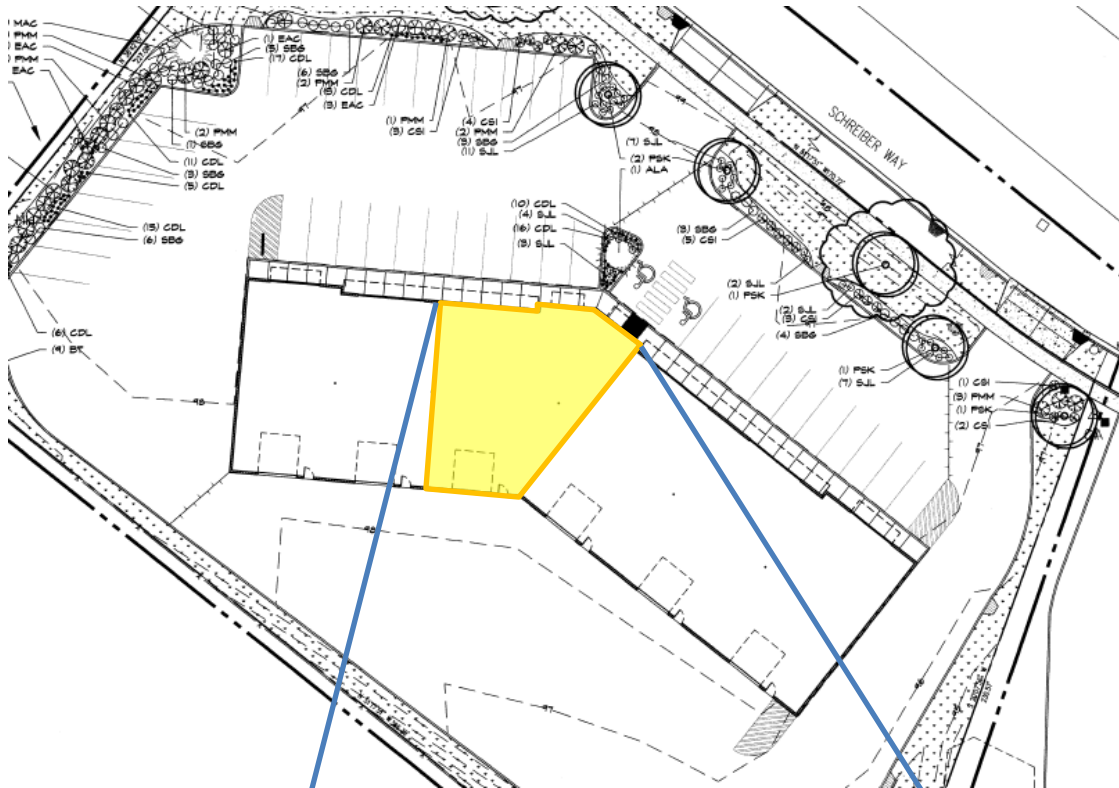
**GENERAL INFORMATION:**

The applicant has applied for this special use permit to be able to sell retail beer from the business in conjunction with the manufacturing use allowed by right. Staff worked with the applicant to discern that the sales manner in which the applicant seeks to distribute their product would require a special use permit.

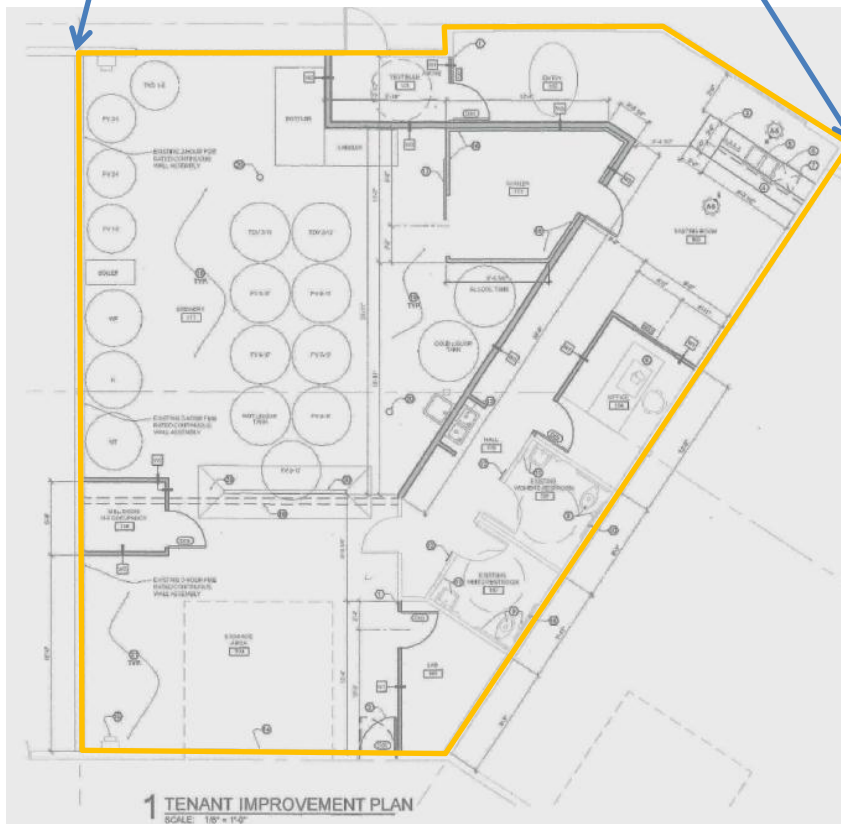
To explain how staff arrived at this conclusion the business aspects of a nearby similar use must be explained. Coeur d'Alene Cellars located at 3980 N. Schreiber Way is a comparable use but the retail sales element is different. Coeur d'Alene Cellars is allowed to sell wine to customers that attend a wine tasting event, without a special use permit, as it was determined by staff that this function is accessory to the operation. Trickster's Brewing Co. would like to offer the general public an opportunity to purchase their wares without having to attend an "event" (although the applicant has expressed they will have tasting events) like the aforementioned business model.

Parking requirements for food & beverage use is currently one stall for every two-hundred square feet (1:200). The external parking capacity provided onsite measured (1:300) at the time of building permit. There are six large roll-up doors at the rear of each suite for deliveries/loading. The structure met required parking code when approved in 2005 when built as a shell. Since then, parking requirements have changed for uses normally located in a manufacturing zone, and depending on the specific wholesale/industry use in play, can measure anywhere from one stall per five-hundred sq. ft. (1:500) for finished goods to one stall per thousand sq. ft. (1:1000) for light manufacturing. The structure as a whole measures 12.696 gross sq. ft. providing 42 parking stalls (not including internal parking/loading).

Site plan showing area of request (Suite within structure):



Floor plan:

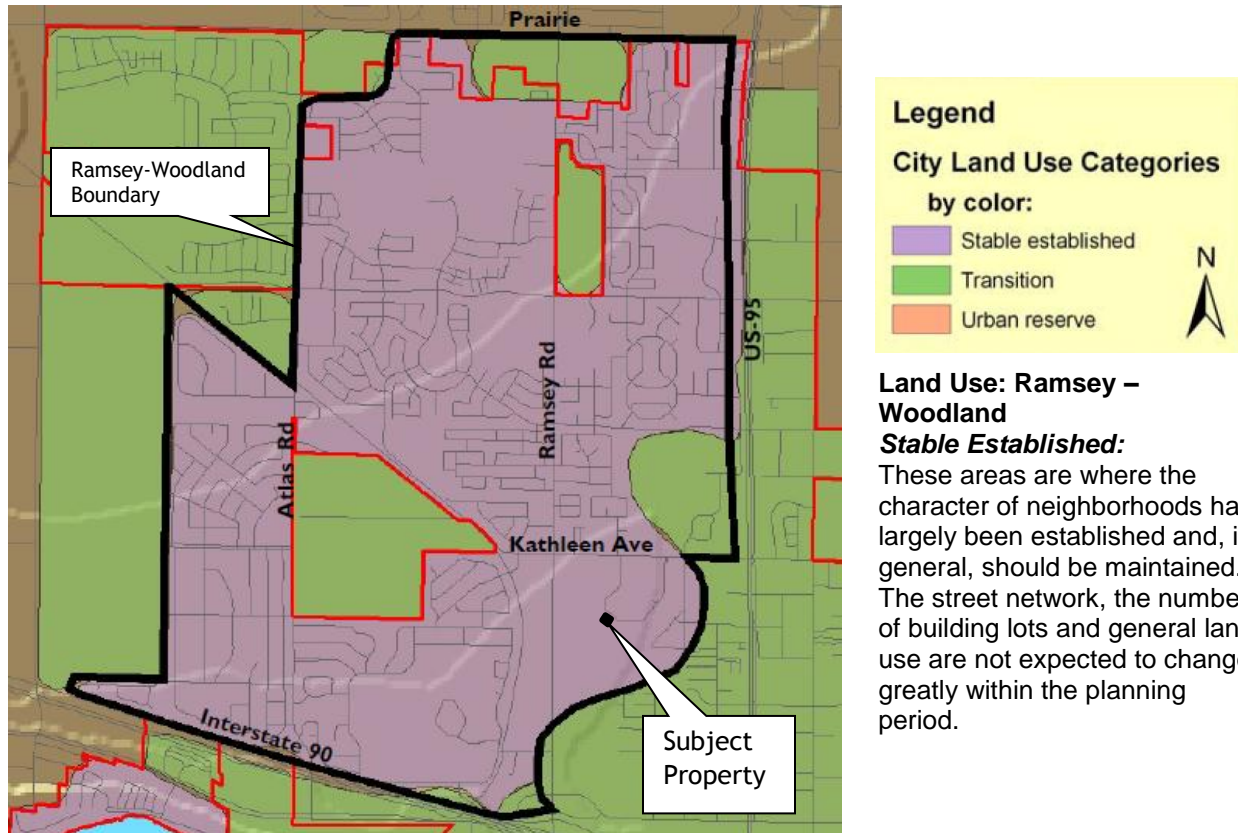


**REQUIRED FINDINGS:**

Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

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 Ramsey-Woodland~ Stable Established:



**Ramsey - Woodland Today:**

The development pattern in this area is mixed with established subdivisions, such as Coeur d'Alene Place, that are continuing to expand to the north. Passive and active parks have also been provided for the residents of these housing developments. Industrial uses are prominent to the west of Atlas Road with a mix of residential zoning on the south side of Hanley Avenue. Neighborhood service nodes can be found throughout the Ramsey-Woodland area.

**Ramsey - Woodland Tomorrow**

Characteristics of the neighborhoods have, for the most part, been established and should be maintained. Development in this area will continue to grow in a stable manner. Lower density zoning districts will intermingle with the existing Coeur d'Alene Place Planned Unit Development (PUD) providing a variety of housing types. The northern boundary is the edge of the community, offering opportunities for infill.

**The characteristics of Ramsey – Woodland neighborhoods will be:**

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Pedestrian and bicycle trails.
- Parks just a 5-minute walk away.
- Neighborhood service nodes where appropriate.
- Multi-family and single-family housing units.

**2007 Comprehensive Plan Goals and Objectives that apply:**

**Objective 1.12**

**Community Design:**

Support the enhancement of existing urbanized areas and discourage sprawl.

**Objective 1.14**

**Efficiency:**

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

**Objective 2.01**

**Business Image & Diversity:**

Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.

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

**1. Location, setting, adjacent uses, & previous actions:**

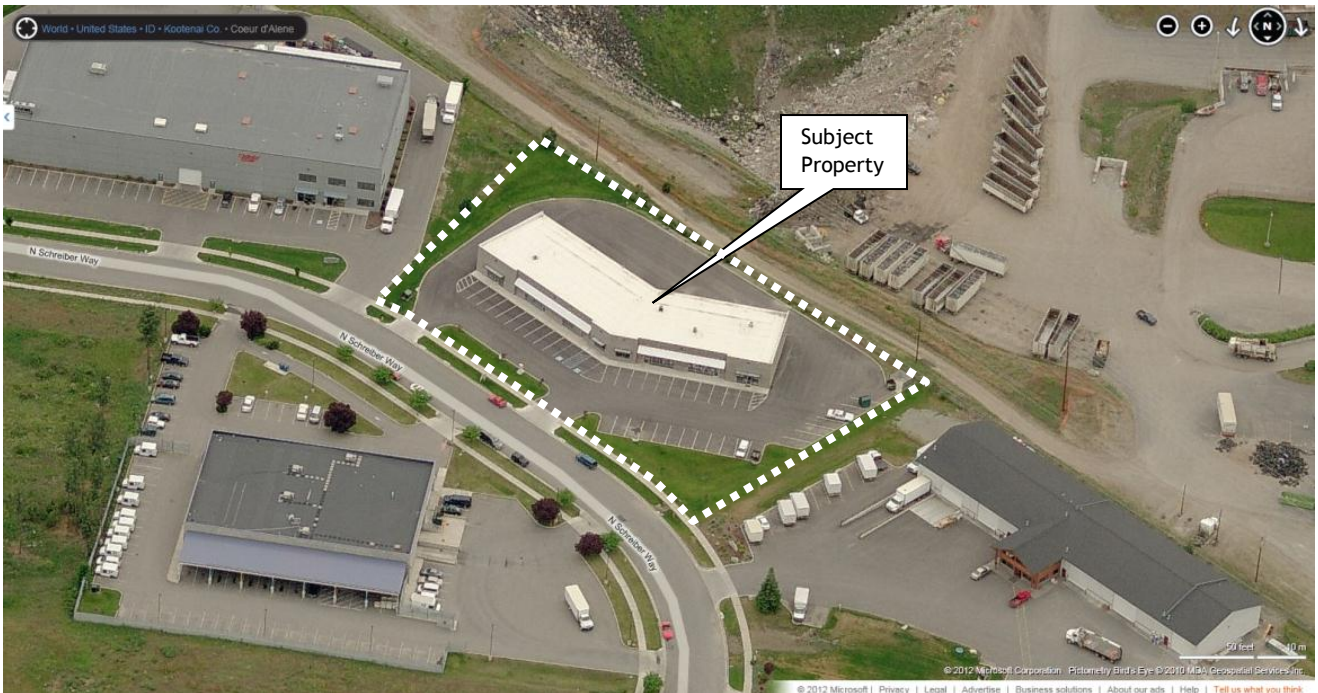
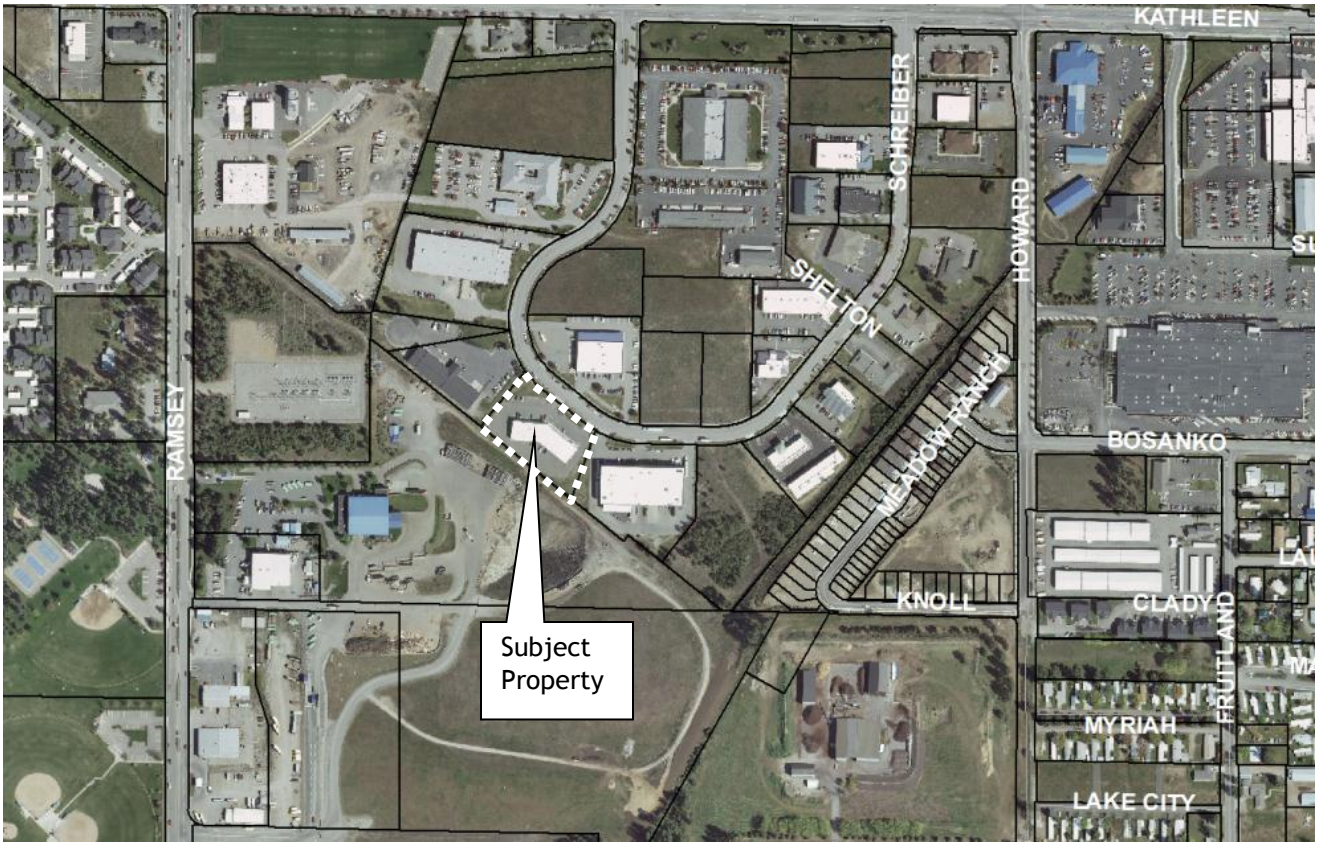
The area surrounding the request is relatively flat excepting the property to the east as it rises to where Meadow Ranch is located. The vicinity yields two zones: Manufacturing (M) and Light Manufacturing (LM) located to the north of the request (as shown on the zoning map above).

Quite an array of uses are located in the area of Schreiber Way: The BLM office, an insurance agency, the CDA Police Dept., Coeur d’Alene Cellars (wine), hardware sales, Beverage distributorship, USPS, printers, tile store and construction services are examples of businesses operating in the immediate vicinity of this request.





2. Aerial & oblique photos:



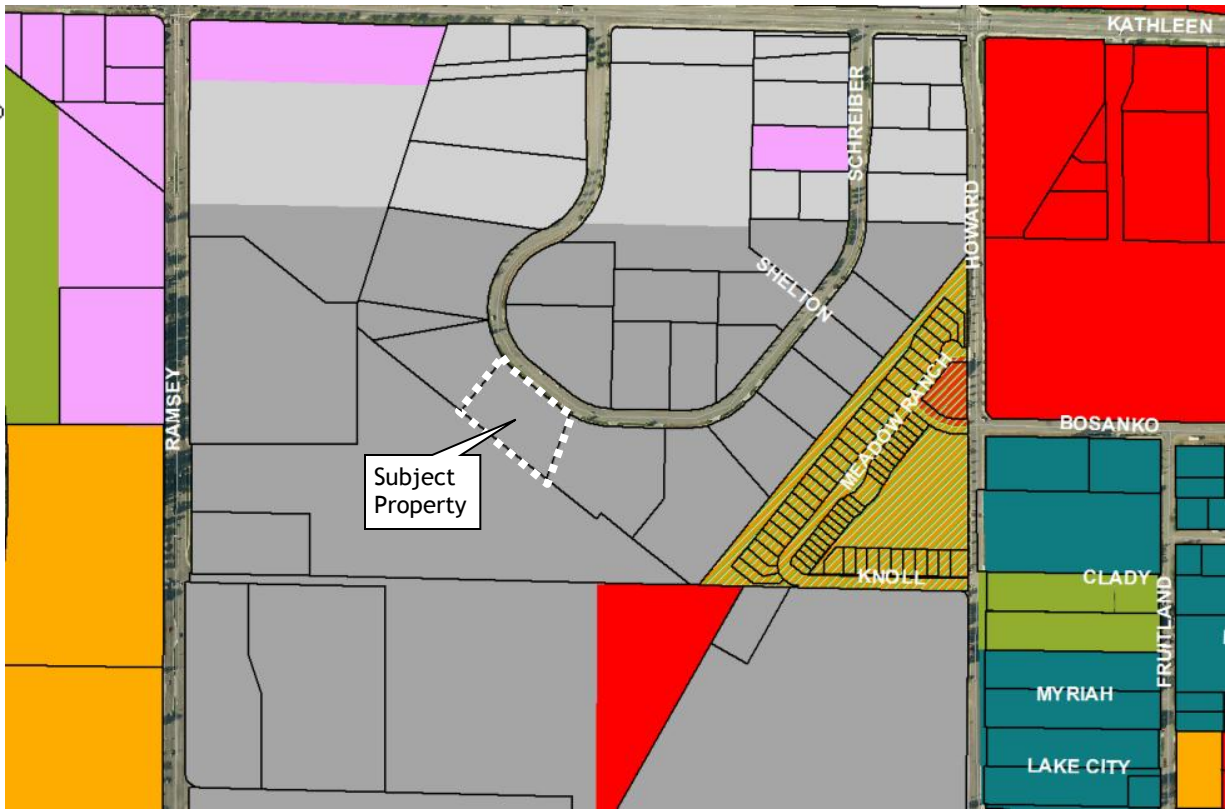


4. Photos of site:



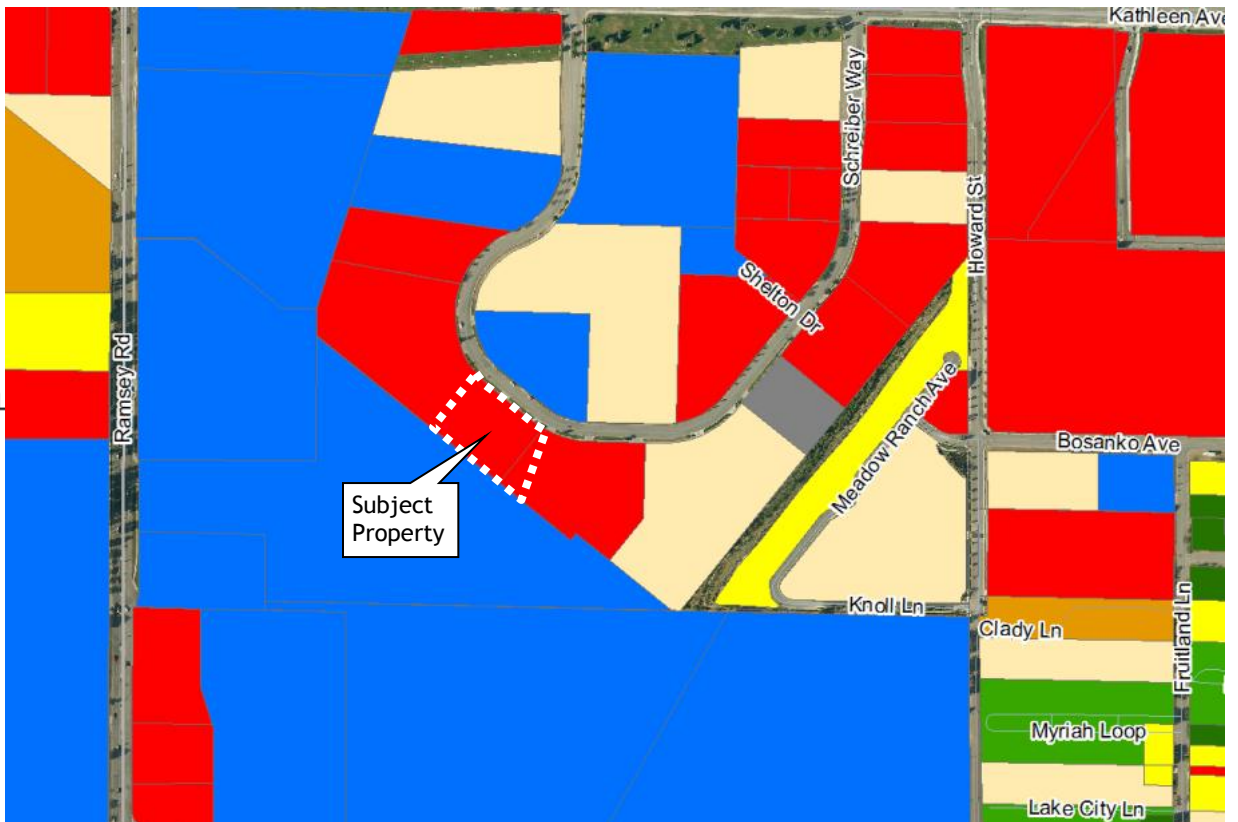
3. Zoning:

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



4. Generalized land use:

- Land Use
- SFA
- SFD
- DUPLEX
- MH
- MHP
- MFD
- CIVIC
- COMM
- MFGR
- AGRICUL
- VACANT





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

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

**STAFF COMMENTS:**

**WATER:** Service is already provided to the building. Backflow protection is a requirement of the TI permit.

*-Submitted by Terry Pickel, Assistant Water Superintendent*

**STORM WATER:** The subject property is fully developed and has existing on-site drainage, therefore, unless additional impervious surfaces will be created with the proposed tenant improvement, no changes will be required. City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site.

**TRAFFIC:** Utilizing the ITE Trip Generation Manual, “specialty retail center” category, and, the P.M. peak hour generator, a facility of this type and at least 2800 square feet , may generate 14 ADT’s during the peak hour period. Due to the location of the facility in a low traffic manufacturing area, and fact that the adjoining street connects to a major arterial roadway that is signalized at two opposing points, traffic generation will not be an issue and the adjoining streets will accommodate the traffic flows.

**STREETS:** The subject property is bordered by Schreiber Way on the north which is the loop street that traverses the manufacturing subdivision and has two points of connection to Kathleen Avenue. The current right-of-way width meets City standards, and the road section is fully developed. No alterations will be required for the roadway, and if any site alterations are necessary, they will be addressed at the time of building permit application.

*-Submitted by Chris Bates, Engineering Project Manager*

**FIRE:** No issues.

*-Submitted by Brian Keating, Fire Inspector*

**WASTEWATER:** The existing wastewater collection and treatment system is adequate to serve the proposed use. On site consumption shall be limited to a “tasting” room. If the brewing product is to be sold and consumed on site, a sewer cap fee adjustment will be required.

*-Submitted by Jim Remitz, Utility Project Manager*

**Evaluation:** *Planning Commission must determine if the location, design, and size of the proposal are such that the development will or will not be adequately served by existing streets, public facilities and services.*

**CONDITIONS:**

No staff conditions proposed.

The Planning Commission may, as a condition of approval, establish reasonable requirements to mitigate any impacts that would adversely affect the surrounding neighborhood. Please be specific, when adding conditions to the motion.

**ORDINANCES AND STANDARDS USED IN EVALUATION:**

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

**ACTION ALTERNATIVES:**

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

**JUSTIFICATION:**

Proposed Activity Group; F-2 Manufacturing / M Retail Sales, Brewery with tasting room, Retail Sales of Products & merchandise.

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

A. A description of your request; We would like to sell our product as retail out of our tasting room.

B. Explain how your request conforms to the 2007 Comprehensive Plan; No detrimental effects to the goals stated in the 2007 comprehensive plan. No change to the existing site or buildings scale & the industrial / Retail sales nature of a brewery appears to comply to the Fruitland Area of the comprehensive plan.

C. Explain how the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties; see Attached

D. Explain how the location, design, and size of the proposal will be adequately served by existing streets, public facilities and services; see Attached

E. Any other information that you feel is important and should be considered by the Planning Commission in making their decision. The proposed use seems to be perfect for the surrounding area & building type. Also, similar uses are already operating in the area.

Special Use Permit Application – Answers to Justification questions C and D

- C. The existing design and planning of the site and its adjacent uses are ideal for this type of occupancy. The sale of alcohol for on or off site consumption will not have a negative effect on the character of the adjacent businesses or the existing site design. Multiple similar uses are already operating the area and the proposed use doesn't appear to be in conflict with any other existing uses on adjacent properties. Most businesses in the area have a similar manufacturing and sales function. Businesses in the immediate vicinity include a winery, a beer distributor and the Idaho Wine Merchants office.
- D. The location, design and size of this proposal is ideal for the immediate area in which the building is located. The site has adequate access for pedestrians and vehicles. Parking appears to be adequate as well. The industrial nature of Schreiber Way is ideal for large truck access and it appears that the proposed use is similar to what was intended for the original building and area.. Businesses in the immediate vicinity provide similar services

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on February 14, 2012, and there being present a person requesting approval of ITEM SP-6-12, a request for a Food and Beverage On/Off-Site Consumption Special Use Permit in a Manufacturing (M) zoning district.

**APPLICANT:** Trickster's Brewing Co., LLC

**LOCATION:** A +/- 1.642 ACRE PARCEL LOCATED AT 3850 N SCHREIBER WAY  
INCOMMERCE PARK

**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 mixed residential and Industrial.
- B2. That the Comprehensive Plan Map designation is Stable Established
- B3. That the zoning is M (Manufacturing)
- B4. That the notice of public hearing was published on, January 28, 2012, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on January 31, 2012, which fulfills the proper legal requirement.
- B6. That 14 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 27, 2012, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on February 14, 2012.
- B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

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

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

**Criteria to consider for B8B:**

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

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

**Criteria to consider B8C:**

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



**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **TRICKSTERS BREWING CO., LLC** for a special use permit, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

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

**ROLL CALL:**

Commissioner Bowlby	Voted _____
Commissioner Evans	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Soumas	Voted _____

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

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

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

\_\_\_\_\_  
CHAIRMAN BRAD JORDAN

**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** SEAN E. HOLM, PLANNER  
**DATE:** FEBRUARY 14, 2012  
**SUBJECT:** ZC-2-12 - ZONE CHANGE FROM R-12 TO R-12 DO-E  
**LOCATION:** +/- 0.152 ACRE PARCEL AT 802 E. YOUNG AVE.

**APPLICANT:**  
Stu & Callie Cabe  
501 S. 7<sup>th</sup> St.  
Coeur d'Alene, ID 83814

**DECISION POINT:**

Stu and Callie Cabe are requesting approval of a Zone Change from R-12 (Residential at 12 units/acre) to R-12 DO-E (Residential at 12 units/acre included in the Downtown-East infill overlay district). The request would change the development rights of the property to what is currently allowed within the DO-E district. The R-12 zoning would still dictate the uses allowed by right.

**BACKGROUND INFORMATION:**

The subject property is located at the southeast corner of S. 8<sup>th</sup> St. & E. Young Ave. It is comprised of a lot and a half and measures 60' x 110' in size (6600 sq. ft.).

According to the applicant the property was constructed in 1900. The property was converted sometime (no records found) into a four-plex and is currently billed as multi-family for utilities. The garage was built in 1959 according to permit records.

There are no known previous action(s) on this parcel.

**GENERAL INFORMATION:**

The DO-E designation would change the development rights of the property from traditional R-12 to R-12 DO-E. The infill overlay district has unique rules for development. The amount of structure square footage allowed on the property is determined by the size of the parcel which can be influenced by providing specific major or minor amenities to obtain "bonus" floor area. This is known as Floor Area Ratio (FAR).

Based on current standards the following breakdown will highlight the major differences in development for the subject property:

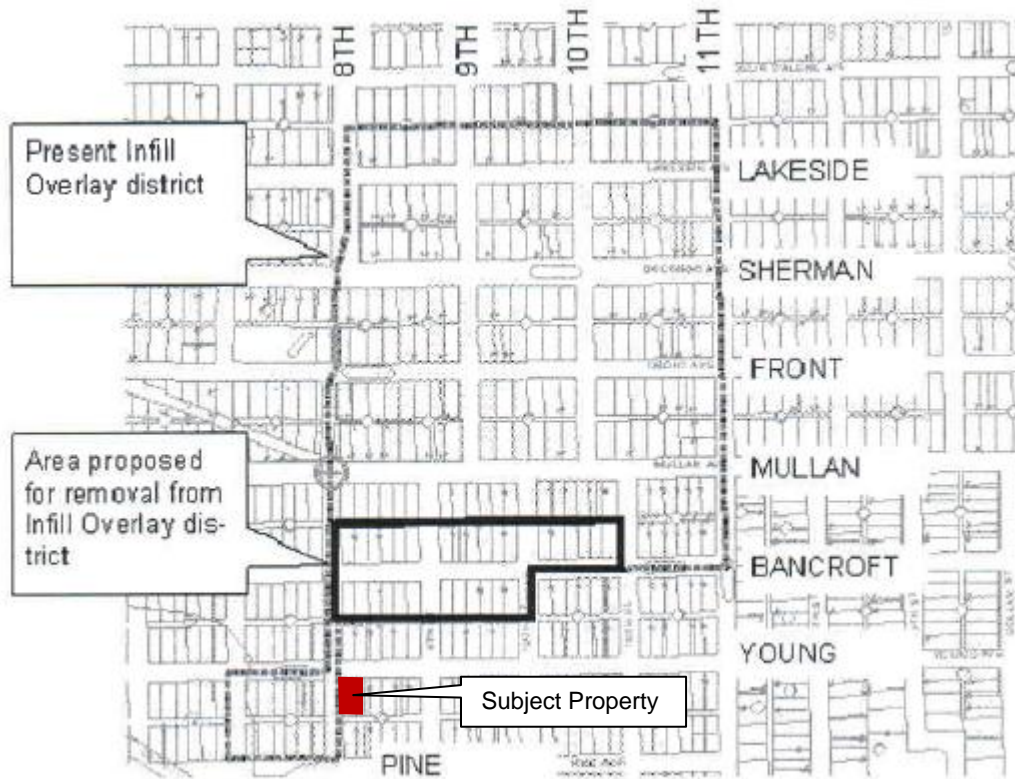
***Current R-12***

Single Family  
2 off-street paved parking stalls  
32 foot max height  
No roof pitch requirement (principal)  
20' front & 10' side yard setback

***Proposed R-12 (DO-E)***

Limited by FAR (0.5- 1.0 multiplier)  
Parking provided per code for each unit  
35 foot max height  
4/12 to 12/12 pitch required for new construction  
10' front & 10' street side yard setback

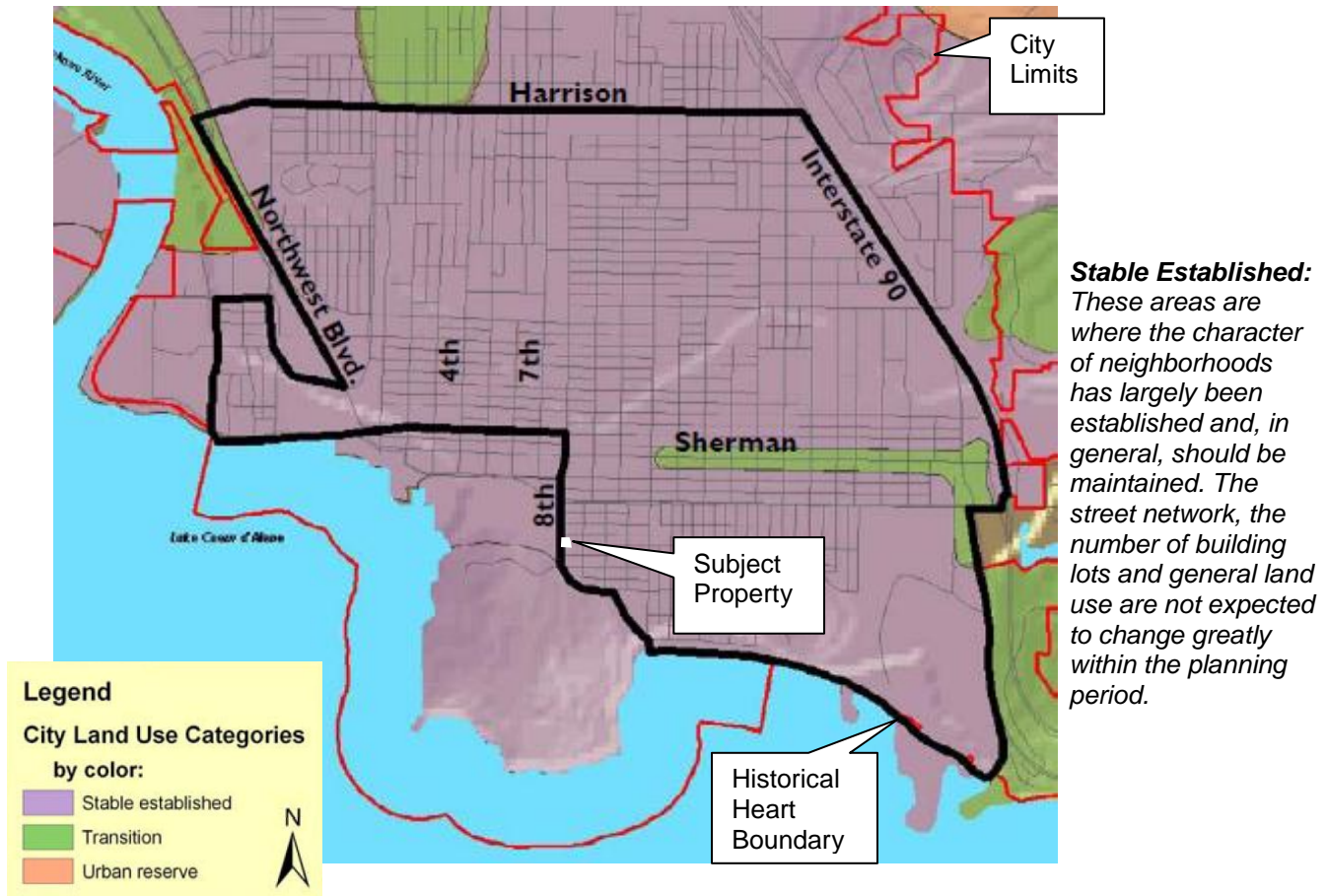
The property has been adjacent to the DO-E boundary since its creation in 2004. The boundary was adjusted in 2007 as shown below:



The applicant's justification for the zone change request is attached for your review.

**REQUIRED FINDINGS:**

- A. **Finding #B8:** That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.
1. The subject property is within the existing city limits.
  2. The City Comprehensive Plan Map designates this area as Historical Heart – Stable Established:



**Historical Heart Tomorrow**

Increased property values near Lake Coeur d’Alene have intensified pressure for infill, redevelopment, and reuse in the areas surrounding the downtown core. Stakeholders must work together to find a balance between commercial, residential and mixed use development in the Historic Heart that allows for increased density in harmony with long established neighborhoods and uses. Sherman Avenue, Northwest Boulevard and I-90 are gateways to our community and should reflect a welcoming atmosphere. Neighborhoods in this area, Government Way, Foster, Garden, Sanders Beach, and others, are encouraged to form localized groups designed to retain and increase the qualities that make this area distinct.

**The characteristics of Historical Heart neighborhoods will be:**

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

## **COMPREHENSIVE PLAN GOALS & OBJECTIVES:**

### ***Goal #1: Natural Environment***

Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d'Alene.

#### **Objective 1.05**

##### **Vistas:**

Protect the key vistas and view corridors of the hillsides and waterfronts that make Coeur d'Alene unique.

#### **Objective 1.06**

##### **Urban Forests:**

Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.

#### **Objective 1.12**

##### **Community Design:**

Support the enhancement of existing urbanized areas and discourage sprawl.

#### **Objective 1.14**

##### **Efficiency:**

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

### ***Goal #2: Economic Environment***

Our Comprehensive Plan preserves the city's quality workplaces and encourages economic growth.

#### **Objective 2.05**

##### **Pedestrian & Bicycle Environment:**

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

### ***Goal #3: Home Environment***

Our Comprehensive Plan preserves the qualities that make Coeur d'Alene a great place to live.

#### **Objective 3.01**

##### **Managed Growth:**

Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.

#### **Objective 3.05**

##### **Neighborhoods:**

Protect and preserve existing neighborhoods from incompatible land uses and developments.

#### **Objective 3.07**

##### **Neighborhoods:**

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

#### **Objective 3.10**

##### **Affordable & Workforce Housing:**

Support efforts to preserve and provide affordable and workforce housing.

#### **Objective 3.11**

##### **Historic Preservation:**

Encourage the protection of historic buildings and sites.

### ***Goal #4: Administrative Environment***

Our Comprehensive Plan advocates efficiency and quality management in city government.

#### **Objective 4.06**

##### **Public Participation:**

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

### **Evaluation:**

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

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

SEWER:

The existing wastewater collection and treatment system is adequate for the proposed zone change for this parcel.

*-Submitted by Jim Remitz, Utility Project Manager*

WATER:

Service is already provided to the lot.

*-Submitted by Terry Pickel, Assistant Water Superintendent*

STORMWATER:

Off-site stormwater is currently contained in the City hard pipe system located in the adjoining streets. Any requirements for on-site containment would be addressed at the time of building permit submittal for the site. No changes are required at this time.

STREETS:

All streets adjoining the subject property are developed to City standards. Any alterations or improvements that may be required would be addressed at the time of building permit submittal for the site. No changes are required at this time.

*-Submitted by Chris Bates, Engineering Project Manager*

FIRE:

The Fire Department has no issues with the zone change request.

*-Submitted by Brian Keating, Fire Inspector*

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

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

There are no topographical or other physical constraints that would make the subject property unsuitable for the request.



AERIAL & OBLIQUE PHOTOS:





PHOTOS OF SUBJECT PROPERTY:

Front of residential property (Young Ave & 7<sup>th</sup> St looking SE)



Front of residential property showing garage at rear (Young Ave. looking south)



Side of residential property (7<sup>th</sup> St looking east)



Rear of residential property (7<sup>th</sup> St & alley looking NE)



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

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

TRAFFIC:

The proposed zone change will not impact traffic generation from the subject property.

NEIGHBORHOOD CHARACTER:

From 2007 Comprehensive Plan:

**Historical Heart Today**

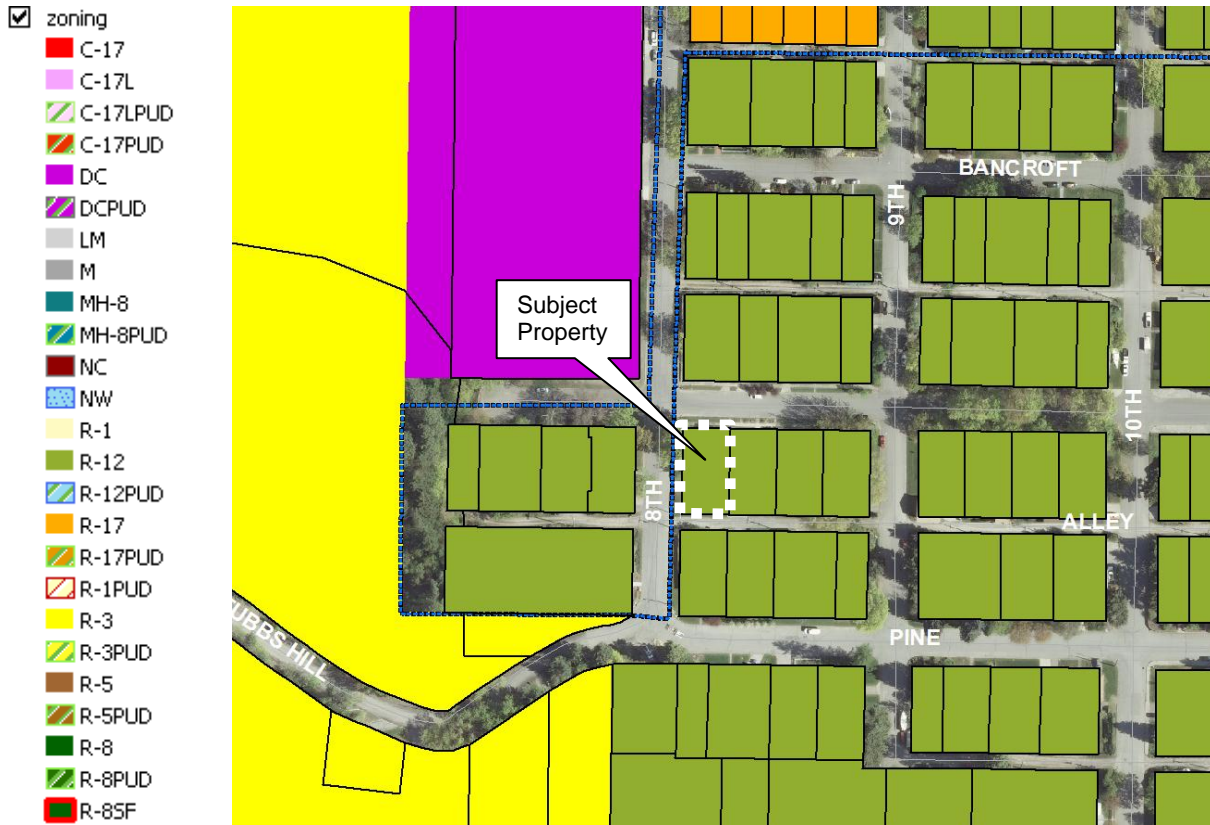
The historical heart of Coeur d'Alene contains a mix of uses with an array of historic residential, commercial, recreational, and mixed uses. A traditional, tree-lined, small block, grid style street system with alleys is the norm in this area. Neighborhood schools and parks exist in this location and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

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

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



ZONING:



Zoning ordinance considerations:

Approval of the zone change request could intensify the potential use of the property by increasing the allowable density by right from 1 unit to a Floor Area Ratio (FAR) as defined in the infill overlay codes.

R-12 Zoning District:

Uses permitted by right:

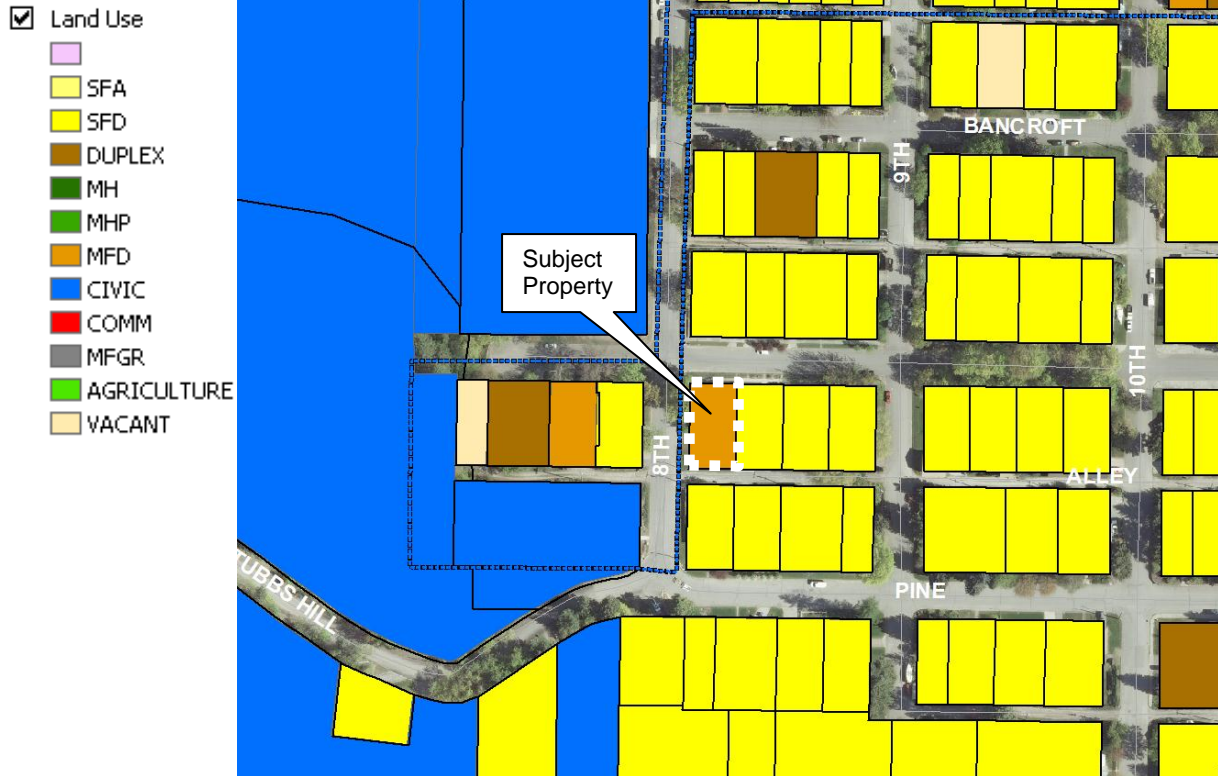
- Administrative
- Duplex housing
- Essential service (underground)
- Home occupation
- Neighborhood recreation
- Pocket residential development
- Public recreation
- Single-family detached housing

Uses permitted by special use permit:

- Boarding house
- Childcare facility
- Commercial film production

- Commercial recreation
- Community assembly
- Community education
- Community organization
- Convenience sales
- Essential service (aboveground)
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility
- Noncommercial kennel
- Religious assembly
- Restriction to single-family only

GENERALIZED LAND USE PATTERN:



Existing/adjacent land uses:

- Residential – single-family, multi-family
- Civic – Tubbs Hill, City Hall, McEuen Field
- Vacant parcels

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

**APPLICABLE CODES AND POLICIES:**

**UTILITIES:**

All proposed utilities within the project shall be installed underground.

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.

**STREETS:**

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

**STORMWATER:**

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

**PROPOSED CONDITIONS:**

None

**ORDINANCES & STANDARDS USED FOR EVALUATION:**

2007 Comprehensive Plan  
Transportation Plan  
Municipal Code  
Idaho Code  
Wastewater Treatment Facility Plan  
Water and Sewer Service Policies  
Urban Forestry Standards  
Transportation and Traffic Engineering Handbook, I.T.E.  
Manual on Uniform Traffic Control Devices  
2010 Coeur d'Alene Trails Master Plan

**ACTION ALTERNATIVES:**

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



December 29, 2011  
City of Coeur D Alene Planning Commission  
Planning Department  
710 E. Mullan Avenue  
Coeur D Alene, Idaho 83814

Stu Cabe  
501 South 17th Street  
Coeur d Alene, Idaho 83814

PHONE  
503.730.2659 cell  
208.292.4516 home

EMAIL  
stucabe@aol.com

Dear Planning Commission,

We are applying for a zone change from R-12 to DC (DO-E) at the following address:

**802 East Young Avenue  
Coeur D Alene, Idaho 83814**

This property was built in 1900 and has had many different looks in it's nearly 112 year existence. It began as a single family home, then became a duplex, and for more than 4 decades, it has been used as a non-conforming 5-Plex. The house has a long history of poor maintenance, transient living and neighbor frustration. As the new owners, it is our intention to forever change the way in which this property is used (and viewed), transitioning it from the "eyesore of the neighborhood" to the shining jewel it once was.. 80% of the original exterior structure will remain in tact, preserving the architectural design of its era, maintaining the overall integrity and history of the time period in which it was built. And although it will never be original, it can once again be exceptional.

It is our intention to repurpose this property into a professional grade duplex, with a high quality one bedroom suite on each level. Based upon the 2007 Comprehensive plan, this type of property fits perfectly into the city plans for growth and expansion within the design of the city's over arching goals. By re-zoning from R-12 to DC (DO-E), the property at 8th and young is afforded setback flexibility, long term conforming to city ordinances and a variety of living possibilities removing the need for variances, special requests and non-conforming living conditions. The current DC (DO-E) city zoning is literally **across the street**, and in the past, this property was actually INCLUDED in the DC (DO-E). It is very much in line with surrounding properties and is by know means an anomaly.

Preliminary discussions with personnel in the city building/planning department (Keith Clemans and Sean Holm) have proven positive, if not supportive, in exploring the re-zoning process as they (Keith and Sean) are very familiar with this particular property and its long history with the city. Last year, a conversation with the city attorney also proved positive as the city attorney was in support of our plans to build a duplex, even under the restricted R-12 zoning. Re-zoning to DC (DO-E) is a natural fit for both short and long term use of this property under the 2007 Comprehensive pan as supported in the next paragraph.



### **Objective 3.11**

#### **Historic Preservation:**

##### **Encourage the protection of historic buildings and sites.**

*It is our intention to maintain better than 80% of the original structure of this building, keeping true to the era and time period in which it was built (1900's). Re-Zoning will promote reconstruction to be done correctly, allowing for the flexibility to enhance the structure both esthetically and functionally without the limitations of R-12 zoning. The plans for this homes reconstruction will show that the historic look and feel will remain in tact as intended by the owner, the architect and engineer.*

#### **Objective 3.09 Housing:**

##### **Establish incentives and proscriptive ordinances to ensure the beauty, safety, and value of our neighborhoods.**

*For over 4 decades, this residence has been the "eyesore" of the neighborhood with deferred maintenance, piece meal remodeling and a transient rental history. A zone change to DC (DO-E) would allow for proper repurposing, conforming to all current city ordinances and increasing the safety of the neighborhood while taking its place as one of the outstanding properties in the neighborhood. It will most certainly increase the value and prestige of all of the surrounding properties.*

#### **Objective 3.07 Neighborhoods:**

##### **Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.**

*The location of this property promotes and supports a "pedestrian" lifestyle. Walking to shops, attractions and all recreational opportunities will be encouraged. Perhaps the single greatest reason for the rezoning of 8th and young is the Mceuen Park revitalization project. This home will be a **prominent and visible structure** from the park as it sits across the street and will be highly recognizable as the "little white house on the hill". Re-zoning this property will compliment the diverse mix of retail, commercial, multi-family and single family neighborhood climate in existence while simultaneously supporting the rich and eclectic neighborhood in which it resides.*

#### **Objective 3.05 Neighborhoods:**

##### **Protect and preserve existing neighborhoods from incompatible land uses and developments.**

*This property has a long history as "non-conforming" multi family housing. The rezoning of this property to DC (DO-E) will preserve and protect Objective 3.05 by maintaining the nature of neighborhood living as compatible with the surrounding properties while preventing future non-conforming living.*

**Objective 3.10  
Affordable & Workforce Housing:**

**Support efforts to preserve and provide affordable and workforce housing.**

*Re-zoning of this property and the subsequent construction of duplex housing allow for a variety of housing options, from short term workforce housing to long term traditional rental property. This particular design allows for a duplex or single family home through the use of an accessible door, giving it multiple living possibilities.*

In conclusion, we are requesting the re-zoning of the property at 8th and Young from R-12 to DC (DO-E) in support of the 2007 Comprehensive Plan for the next 20 years. The short and long term use of this property is better met with this re-zoning change and will allow for remodeling/reconstruction to be done correctly from the beginning without limiting, if not debilitating compromise. Overall compliance is met and will continue to be for years to come.

Thank you very much.

Sincerely,

Stu and Callie Cabe

208-292-4516

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on, February 14, 2012, and there being present a person requesting approval of a Zone Change from R-12 (Residential at 12 units/acre) to R-12 DO-E (Residential at 12 units/acre included in the Downtown-East infill overlay district)

**APPLICANT: Stu & Callie Cabe**

**LOCATION: +/- 0.152 ACRE PARCEL AT 802 E. YOUNG AVE.**

**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 historic residential, commercial, recreational, and mixed uses
- B2. That the Comprehensive Plan Map designation is Historical Heart –Stable Established.
- B3. That the zoning is R-12 (Residential at 12 units/acre)
- B4. That the notice of public hearing was published on, January 28, 2012, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, January 28, 2012, which fulfills the proper legal requirement.
- B6. That 24 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, January 27, 2012 , and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on February 14, 2012.
- 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 **STU AND CALLIE CABE** 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 Evans	Voted _____
Commissioner Luttropp	Voted _____
Commissioner Messina	Voted _____
Commissioner Soumas	Voted _____

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

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

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

\_\_\_\_\_  
CHAIRMAN BRAD JORDAN