

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

**MARCH 11, 2008**

**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, Luttrupp, Rasor, Messina, Satterly, (Student Rep)

**APPROVAL OF MINUTES:**

February 12, 2008

**PUBLIC COMMENTS:**

**COMMISSION COMMENTS:**

**STAFF COMMENTS:**

**OTHER:**

1. Approval of findings for A-1-08, ZC-1-08, PUD-1-08 and S-1-08, Pennsylvania Highlands

**PUBLIC HEARINGS:**

1. Applicant: City of Coeur d'Alene  
Request: Off-street parking for court houses  
LEGISLATIVE, (0-3-08)
  
2. Applicant: Copper Basin Construction  
Location: S. of Prairie between Atlas and Huetter Road  
  
Request:
  - A. A proposed 9.64 acre PUD "Princetown at Waterford"  
QUASI-JUDICIAL, (PUD-2-08)
  
  - B. A proposed 90-lot preliminary plat "Princetown at Waterford"  
QUASI-JUDICIAL, (S-2-08)

3. Applicant: Copper Basin Construction  
Location: The S.E. corner of Government Way and Summit Avenue  
Request: A proposed 12-lot preliminary plat "The Cottages on Gov't Way" in the R-12 (Residential at 12 units/acre) zoning district QUASI-JUDICIAL, (S-3-08)
4. Applicant: Maggie's Place, Idaho, INC.  
Location: 622 N. 19<sup>th</sup> Street  
Request: A Group Dwelling special use permit in the R-12 (Residential at 12 units/acre) zoning district. QUASI-JUDICIAL, (SP-1-08)

**ADJOURNMENT/CONTINUATION:**

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

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



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**PLANNING COMMISSION  
MINUTES  
FEBRUARY 12, 2008  
CITY COUNCIL CHAMBERS**

**COMMISSIONERS PRESENT**

Brad Jordan, Chairman  
Heather Bowlby, Vice-Chair  
Peter Luttropp  
Tom Messina  
Scott Rasor

**STAFF MEMBERS PRESENT**

John Stamos, Senior Planner  
Shana Stuhlmiller, Public Hearing Assistant  
Warren Wilson, Deputy City Attorney  
Gordon Dobler, Engineering Services Director

**COMMISSIONERS ABSENT**

None

**CALL TO ORDER**

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

**APPROVAL OF MINUTES:**

Motion by Luttropp, seconded by Bowlby, to approve the minutes of the Planning Commission meetings held on December 11, 2007 and January 8, 2008. Motion approved.

**COMMISSION COMMENTS:**

Commissioner Luttropp welcomed everyone to tonight's meeting and commented how nice the room is compared to the Council Chambers at City Hall.

**STAFF COMMENTS:**

None

**PUBLIC COMMENTS:**

None

**PRESENTATION:**

1. Affordable Housing – Kootenai Perspectives, Phil Boyd & Bruce Cyr

Bruce Cyr, representative for Kootenai Perspectives, gave a brief presentation on how this committee was formed and the goals they hope to accomplish. He explained that the committee has partnered with Jobs Plus to help people locate affordable housing who live and work in the area. He noted that the average annual income in Coeur d'Alene is around \$47,000 with 30% of that used for utilities and living expenses, and commented that the process was done in two phases to collect this data.

He explained that the first phase was to poll the various cities asking for those cities to define their needs

with the second phase to locate the developers interested in helping with the project. He commented that they recently received those reports back and will have a report available in the following month.

**ADMINISTRATIVE ITEMS:**

1. Applicant: Doerfler/Donahoe  
Request: To request an extension for PUD-3-07 & S-5-07  
"Ramsey Cove PUD"

Senior Planner Stamosos gave a brief staff report outlining the reasons the applicant has requested this extension and asked if the Commission had any questions.

The Commission did not have any questions for staff.

**Motion by Razor, seconded by Messina, to approve an extension for PUD-3-07 & S-5-07. Motion approved.**

Chairman Jordan announced that staff has requested items 0-1-08 and 0-2-08 be moved to the top of the agenda and would require a motion made by the Commission.

**Motion by Bowlby, seconded by Luttropp, to move items 0-1-08 and 0-2-08 forward. Motion approved.**

**PUBLIC HEARINGS**

1. Applicant: City of Coeur d'Alene  
Request: Expanded role of Design Review Commission for projects  
In Downtown Core and the East, North, and Midtown Infill Overlay  
Districts.  
LEGISLATIVE (O-1-08)

Planning Director Yadon presented the staff report and answered questions from the Commission.

The Commission did not have any questions for staff.

Public testimony open:

Susie Snedaker complimented staff and the Design Review Commission on the time and work to the Design Review Regulations and feels the document was "well done". She noted that after reviewing the document, she had concerns with the section outlining the public notice process and public input. She explained that if a property is in escrow for ninety days and a future buyer is not aware that this property is in this process, she questioned how they would be notified of the request. She also noted that the wording for the appeals process needed to be more clearly defined.

Planning Director Yadon explained that an agenda will be posted to the city's website listing the name of the applicant and the address of the property to be reviewed with a notice published in the paper. He added that notices are sent to people living within the 300' radius, and that a copy of the public hearing notice is required to be posted on the property. He commented that a notice could be sent to everyone living in the City and feels that there will always be somebody complaining that they did not receive a notice.

Commissioner Bowlby concurs with previous testimony from Ms. Snedaker regarding the appeals process

and feels the language used on how people submit for an appeal is not clear. She commented that she agrees with staff regarding the public notice process and feels the process is sufficient.

**Motion by Razor, seconded by Luttropp, to approve Item 0-1-08. Motion approved.**

2. Applicant: City of Coeur d'Alene  
Request: Proposed amendments to the existing Downtown Design Regulations  
LEGISLATIVE (O-2-08)

Planning Director Yadon presented the staff report and answered questions from the Commission.

Commissioner Bowlby commented that she is concerned how the width of the sidewalk is reduced in the summer on Sherman Avenue from businesses that place their chairs and tables out on the sidewalk.

Planning Director Yadon commented that guidelines for placement of outside furniture are not part of our zoning jurisdiction. He explained that City Council has been working on this issue for awhile with local businesses that use outside furniture. He commented that some of the proposed regulations will not be for existing business, but will be for new projects.

**Motion by Razor, seconded by Messina, to approve Item 0-2-08. Motion approved.**

1. Applicant: Pennsylvania Avenue, LLC  
Location: 415 Lilac Lane & 2310 Pennsylvania Avenue  
Request:
- A. Zoning Prior to Annexation from County Agricultural-Suburban to R-8 (Residential at 8 units/acre) for a +/- 1.9 acre parcel  
QUASI-JUDICIAL (A-1-08)
  - B. A zone change from R-3 (Residential at 3 units/acre) to R-8 (Residential at 8 units/acre) for a 9.7 acre parcel  
QUASI-JUDICIAL (ZC-1-08)
  - C. A proposed 11.6 acre PUD "Pennsylvania Highlands"  
QUASI-JUDICIAL (PUD-1-08)
  - D. Preliminary Plat known as "Pennsylvania Highlands" an 11-lot subdivision  
In the R-8 (Residential at 8 units/acre) zoning district.  
QUASI-JUDICIAL (S-1-08)

Senior Planner Stamsos presented the staff report, gave the mailing tally as 4 in favor, 24 opposed and 4 neutral and answered questions from the Commission.

Commissioner Razor inquired how much of the property will be used as useable space.

Senior Planner Stamsos pointed out the areas on the map intended for useable space and that the applicant's project is within those guidelines.

Commissioner Bowlby commented that she is concerned with the condition from fire stating that it would not be able to meet the four minute response time.

Commissioner Luttrupp questioned if the City was compromising safety by allowing the applicant to deviate from the standards with a PUD.

Engineering Services Director Dobler answered that he has reviewed this plan and felt if safety was a concern would not allow this project to go forward.

Commissioner Luttrupp noted that private streets would be maintained by a Homeowners Association, and questioned if staff, in the future, would feel comfortable maintaining these streets.

Engineering Services Director Dobler explained that if a project is proposing private streets, approval is based on if the City could maintain them in the future.

Commissioner Bowlby commented that she is concerned with how steep some of the grades are on some of the lots proposed for this project.

Commissioner Rasor commented that he is aware that half of Lilac Lane is in the county and the other half is in the City, and questioned if the entire road is paved.

Engineering Services Director Dobler commented that he is not familiar with that road and thought the entire road was paved.

Commissioner Luttrupp commented that he is concerned with the impact of additional traffic on Pennsylvania Avenue and feels Lilac Lane would be better choice for people to use when leaving this project.

Commissioner Bowlby explained that in a previous hearing on this property there was public testimony from people who live on Lilac Lane protesting the use of this street because of the potential for excess traffic. She continued that the Planning Commission, during discussion with the applicant, decided that Lilac Lane should be used only for emergency purposes, so those people who live on Lilac Lane can maintain their privacy.

**Public testimony open:**

Stan Huffaker, applicant representative, 315 Garden Avenue, Coeur d'Alene, presented a PowerPoint presentation highlighting his project and commented that this is not the first time this has been before the Commission and has worked with staff for over two years to get to where they are tonight. He added this parcel is unique that it sits next to the freeway with a creek running through the property, making this property a challenge with staff requesting some upgrades, so in exchange, they are asking for a few modifications in exchange for staff's requests.

He explained that their goal is to target people who make between \$30,000 to \$45,000, which is considered "the working class". He added that these are the people in the middle income bracket and not poor enough to qualify for low income housing. He commented that he defines "middle income" people as teachers, nurses and working professionals who want to live here but can't find affordable housing and are forced to look to other areas.

He commented that this project will be the first affordable housing project for the City of Coeur d'Alene. He explained some of the modifications requested for this project, such as needing 0 setbacks because the bay windows designed on the houses project into the right of way and are necessary for the architectural design of the project. He continued that additional parking will be provided on site, so people living in the units will not have to park in the street. He commented that the buildings on the upper part of the project were placed to free up more open space. He added that they are requesting a deviation for the height of the buildings, so cars are able to park under their homes.

He commented that Lilac Lane will only be used as an emergency access since the Fire Department requires two ways to exit the property which is a logical solution and the main reason why an emergency gate will be used. He added that the emergency gate will guarantee that the people living on this street will have their privacy.

Commissioner Luttrupp inquired why this project was denied in 2003.

Mr. Huffaker answered that the project was denied because of density. He added that this project is smaller compared to the one submitted in 2003.

Commissioner Luttrupp inquired if the applicant could estimate the price range for the homes to be built on the property.

Mr. Huffaker answered that the units would be in a price range between \$125,000 and \$175,000 with the monthly rents for the rental units between \$700 to \$900 per month.

Commissioner Bowlby questioned how the surrounding neighborhood might benefit.

Mr. Huffaker explained that this community will benefit by providing a quality project that will enhance this property with the amenities outlined in the PUD and that it will also provide quality housing for middle income people who can not find other affordable housing in the area.

Commissioner Bowlby inquired if the applicant feels that the R-8 zoning is compatible with the R-3 zoning in this area.

Mr. Huffaker explained that the R-8 zoning was requested in order to build cluster and multifamily housing allowed in this zoning district. He noted that the actual density planned for this project when completed will be 6.5 units per acre less than what is allowed in the R-8 zoning district. He added that the property sits next to the interstate making this the logical density for the property and feels it would not be an attractive area for the placement of single family homes.

Commissioner Rasor questioned if the applicant had a chance to meet with the neighbors since there has been a lot of opposition regarding this project.

Mr. Huffaker commented that he is aware of a letter sent out from one of the neighbors living on Fernan Hill containing some false allegations about this project. He added that he contacted the person who sent out that letter requesting a meeting and was declined.

Commissioner Messina inquired if the proposed project will be the actual development built if it is approved.

Mr. Huffaker commented that this is a proposed PUD, and if approved will be built as presented tonight. He noted that if there are any modifications in the future it would have to come back to the Planning Commission for approval.

Commissioner Luttrupp commented that this is an important project for the City and feels that maybe the applicant might want to continue this item in order to work out some of these issues presented by the neighborhood in opposition.

Mr. Huffaker explained that they have been working with staff for years and they have invested a lot of money on various plans, and feels that they can not go any further until they know if this project is something the city wants.

Chairman Jordan commented that he feels a decision should be made on land use and not workforce housing which are two different subjects.



### **Public testimony open.**

Jim Purtee, 2905 Fernan Hill, Coeur d'Alene, commented that he is opposed for reasons of increased traffic and zoning. He explained that the comprehensive plan states that the zoning in this area should be R-3. He urged the commission to comply with the Comprehensive Plan.

Armando Hurtado, 2795 Fernan Hill, Coeur d'Alene, commented that he is in opposition and one of the 400 people who signed a petition stating that they feel the same way. He added that when he moved here, he wanted a safe place for his family to live and feels by approving this project it will threaten his family's safety. He commented that he also used the Comprehensive Plan, which states this area should remain an R-3, as a tool to guide him when choosing this area.

Dan Shaw, 2904 E. Fernan Hill, Coeur d'Alene, commented that he feels the developer is trying to do the right thing and supports affordable housing, but feels this is the wrong area. He explained that this would go against policies in the Comprehensive Plan by destroying the trees in the area and increasing light pollution to the night sky.

Shelly Hurtado, 2795 Fernan Hill, Coeur d'Alene, stated she is opposed because of the added traffic to the area and that the developers are violating the Comprehensive Plan.

Dianna Gissell, 2630 Fernan Hill, Coeur d'Alene, commented that she is opposed and that her house sits above this project. She added that she fears this will turn into a transitional housing project where people come and go. She commented that she is also concerned with the loss of the views and wildlife.

Norm Gissell, 2630 Fernan Hill, Coeur d'Alene, commented that he is opposed because of the increase to density and feels that the Comprehensive Plan should not be "pieced out". He added that they moved to this area because of the neighborhood and feels that if people will only be living in these units one to two years; it is not a long time to get to know your neighbors.

Judy Glenn, 2910 Fernan Hill, Coeur d'Alene, commented that they located their business in Coeur d'Alene because of the quality of life and the lower cost to do business. She feels if this project is approved, it will take away those benefits.

Kevin McClelland, 922 Veranda, Coeur d'Alene, commented that he feels the true heart of a neighborhood is the neighbors and that the decision to buy a home is emotional and feels if this project is approved it will allow the developer to take away his investment value. He added our homes are our investment and does not feel the zone should be changed.

Craig Shaw, 2906 Fernan Hill, Coeur d'Alene, commented that he is opposed to the R-8 zoning and feels it should remain an R-3.

Marlee Shaw, 2906 Fernan Hill, Coeur d'Alene, commented that she did meet with Mr. Huffaker at his house and then read into the record the e-mail correspondence between Mr. Huffaker and herself. She feels this project should be denied based on the 400 signatures collected in opposition to this project. She urged the Commission to stand behind what was written in the Comprehensive Plan regarding the zoning in this area. She commented that the applicant is not telling the truth and that he is taking our rights away as homeowners for his own greed.

Meredith Bryant, 1988 E. Gunther Avenue, Coeur d'Alene, commented that she is in favor of this project and has been working with Habitat for Humanity and is involved with Kootenai Perspectives. She commented that a workforce housing project would be an asset for the city and is amazed at the number of people who came out tonight in opposition to the project. She explained that the people she knows that

represent the workforce community would have been happy to show up, but are probably in bed from working one or two jobs to pay their bills. She commented that it is not fair to call these people “faceless and nameless” as mentioned in earlier testimony. She added that she is aware of many projects like this one throughout the country and is surprised how long some of these people have lived in these residences, more than the one to two years as mentioned in previous testimony.

Steve Syrcle, Tri-State Engineers, 1400 Northwood Center Court, Coeur d’Alene, commented that he is the engineer for the project and feels that the staff report as presented states the facts. He added that all the services will be provided for this project and that the R-8 zoning is appropriate for this area since the west side of the property is R-12 and R-3 to the east. This would be a natural transition.

Christine Fueston, 3201 N. Huetter Road, Coeur d’Alene, commented she was involved with the traffic study and found that 48 trips a day were projected for this project. She commented that the study also projected what would happen to the traffic on this road 20 years in the future, and found that it would be rated a level C, which is acceptable.

David Armes, 2738 N. Timber Ridge Road, Rathdrum, commented that he was hired by the applicant to identify the wetlands on the property and from his study found them acceptable. He feels the project proposed would be a benefit to the community.

Steve Huffaker, 2220 Pennsylvania Avenue, Coeur d’Alene, commented that he has a home in this area where the creek runs up to his backyard. He commented that by approving this project, it will fix this problem. He commented that most of the people who have testified live in the county. He added that he works with people who can’t afford a home and feels this project will be a benefit to this community.

Dick Edinger, representative for the Eastside Highway District, commented that he met with Mr. Huffaker a few years ago and told him that he needed to see a copy of this plan. He added that he talked with the applicant again in December 2007 and was told there would be a plan and has not seen any. He referenced a letter that he wrote to the Commission dated February 6, 2008 and explained that they have concerns with the intersection at Lilac Lane and Sherman Avenue. He commented that a portion of Lilac Lane is under Eastside Highway jurisdiction and feels that this portion should be constructed to Highway District standards to make sure it is passable in extreme weather conditions as in the event of an emergency.

Rick Seward, 1315 N. Hill Road, Coeur d’Alene, commented that he is in favor of this project because of the replacement of the culvert and bridge that would help with his drainage issues on his property.

Troy Murphy, 2116 Boyd, Coeur d’Alene, commented he is opposed and is concerned with the amount of traffic this project will generate at the corner of Boyd Avenue and 15<sup>th</sup> Street. He commented that he had worked three jobs to afford his home and feels that this project would be a major impact to his investment if approved.

Ben Glass, 808 22<sup>nd</sup> Street, Coeur d’Alene, commented that he is concerned with the amount of traffic this project would generate. He added that he is part of the “working class” that can afford a home.

Susie Snedaker, 822 Hastings, Coeur d’Alene, commented she is involved with Kootenai Perspective and supports the need for affordable housing. She commented that she understands that staff feels the roads are adequate for traffic but feels that until you live in this neighborhood, you are not aware of the real impact. She added that she is also against the proposed zoning for this property.

Mavis Fisher 413 N. 17 Street, Coeur d’Alene, commented that in her neighborhood there has been a problem with drug labs and feels if this project is approved it will elevate the problem and the possibility that her taxes will go up because of overcrowding of schools.

Gary Hall, 5662 St. Germaine, Coeur d’Alene, commented he is an employer and a father and concerned

about his family especially his teenage daughter trying to find affordable housing. He added that he feels this project should be close to downtown and supports this project.

James Catalano, 2680 Fernan Hill, Coeur d'Alene, commented that he was offended by the letter sent out by the applicant and is opposed to the zone change.

Katherine Dickson, 2680 Fernan Hill, Coeur d'Alene, commented that she has lived here for 17 years and does not want an 82-unit building looking right into their window. She added that by approving this project, it will take away the views and the reason they chose this property 17 years ago.

Maralee Foss, 401 Lilac Lane, Coeur d'Alene, commented that her family has lived on this street for 66 years. She commented that she is surprised to see how many people are in opposition to this project and noted in 2003, when this project was first presented, the only people who showed up at that hearing was her family. She explained that her family has fought the applicant on this project and is surprised to see the people who live on the "hill" upset because "a little slice of their heaven" is being threatened. She explained that through the years, pieces of their property have been taken away because of the construction of the freeway and Lake Villa Apartments. She commented that they have discussed this project with the applicant and will only approve it their conditions are met, such as denying access on Lilac Lane and transitional housing.

Ron Brunel, 1917 Pennsylvania Ave, Coeur d'Alene, Mr. Brunel testified that he lives in close proximity to the entrance to the development and is opposed to the development because of safety concerns with traffic. He testified that he spoke with several people who live on Pennsylvania and they also oppose the development. He testified that the density is too high and that it will impact his property values.

Edwin Neeland, 720 N. City View Drive, Coeur d'Alene, Mr. Neeland testified that there are plenty of places to build work force housing in areas zoned for that type of density and he is concerned with school overcrowding.

Donna Favre, 1036 N. 23<sup>rd</sup>, Coeur d'Alene, Ms. Favre testified that she is concerned with traffic created by this project and the limited numbers of accesses from the neighborhood under the freeway.

Frank Favre, 1026 N. 23<sup>rd</sup>, Coeur d'Alene, Mr. Favre testified that he is also concerned with the traffic volume.

Stan Schedler, 2675 Fernan, Coeur d'Alene, commented that he is opposed because he feels the project has changed from what was submitted in 2003 and has concerns with traffic.

Chris Copstead, 502 N. 20<sup>th</sup> Street, Coeur d'Alene, commented that he has lived at his residence for 20 years and is opposed to this request. He explained that with the additional homes, he is concerned with the amount of traffic it will generate and for the safety of the children who will be walking on that street to get to school.

#### **REBUTTAL:**

Stan Huffaker commented that he did meet with Mrs. Shaw and decided at a later date he would meet with her group. He explained that he contacted Mrs. Shaw to set up that meeting and was told that they did not want to meet with him. He commented that he has worked with staff through the years on various issues on this project. He added that he feels that the Comprehensive Plan encourages change and feels this project fits those guidelines perfectly. He continued that a traffic study was done and was told that the traffic counts would be low if this project was approved. He added that he also has spoken to Fernan School about this project and if it would be an impact on the district and was told that the school is not overcrowded. He added that this is an older established neighborhood and the addition of younger kids would be a benefit to the neighborhood. He explained that the development will be gated so traffic can not

go through and agreed that Lilac Lane will only be used only for emergency purposes.

He commented that most of the trees will be left since some of this property is within the Hillside Ordinance guidelines and would like some feed back on the 82-units, which can be negotiable if something needs to be changed. He concluded that this has been a hard project but feels that this project if approved, it will be a benefit to the community.

Commissioner Messina inquired if the applicant could envision this as a single-family project.

Mr. Huffaker commented that he could not do this project as a single-family project for reasons that the lots would need to be bigger and require more cuts to the hillside. He added that the costs associated with the development of a new project are overwhelming. He explained that the R-12 zoning is needed to help recapture some of those costs.

Commissioner Messina inquired that if this was a single-family development, would there be more buildings on the property than what the applicant is proposing.

Mr. Huffaker concurred and added there would also be more traffic.

Commissioner Bowlby commented that she is having a problem with the R-8 zoning for this project and is also concerned with the potential of forest fires in this area. She commented that she likes that this is a PUD and relieved that if there are significant changes, it will need to come back to the Commission for a public hearing. She added that she would rather see this zoned an R-5, than R-8.

**Public testimony closed.**

**DISCUSSION:**

Commissioner Luttrupp commented that he supports workforce housing and is encouraged with the process to get projects started in the City. He added that the Planning Commission took a long time preparing the Comprehensive Plan and agrees with the zoning associated with this area. He commented that this is not the time to change the zoning for this area.

Commissioner Razor commented that from hearing testimony tonight, that the opposition is more about the zoning than workforce housing, which everybody agrees the city needs. He noted that one of the findings the Planning Commission has to consider is the policy protecting the neighborhood and feels if the zoning is approved, it would go against that policy.

Commissioner Bowlby commented that she came to this meeting with an open mind and has to concur with the other commissioner's that it is our responsibility to help protect the areas listed in the Comprehensive Plan, such as the Cherry Hill and Fernan Hill bench, which states that this should remain an R-3 zone. She added that she would have to agree with what it states in the Comprehensive Plan and feels this request should be denied.

Commissioner Jordan commented that he agrees with the need for Workforce Housing, but he can also be sympathetic to the developer. He commented that he understands both sides.

**Motion by Bowlby, seconded by Razor, to deny Item A-1-08. Motion approved.**

**ROLL CALL:**

|                      |       |     |
|----------------------|-------|-----|
| Commissioner Bowlby  | Voted | Aye |
| Commissioner Messina | Voted | Nay |
| Commissioner Razor   | Voted | Aye |

Commissioner Luttrupp            Voted   Aye

Motion to deny carried by a 3 to 1 vote.

**Motion by Bowlby, seconded by Razor, to deny Item ZC-1-08. Motion approved.**

ROLL CALL:

|                       |       |     |
|-----------------------|-------|-----|
| Commissioner Bowlby   | Voted | Aye |
| Commissioner Messina  | Voted | Nay |
| Commissioner Razor    | Voted | Aye |
| Commissioner Luttrupp | Voted | Aye |

Motion to deny carried by a 3 to 1 vote.

**Motion by Bowlby, seconded by Razor, to deny Item PUD-1-08. Motion approved.**

ROLL CALL:

|                       |       |     |
|-----------------------|-------|-----|
| Commissioner Bowlby   | Voted | Aye |
| Commissioner Messina  | Voted | Nay |
| Commissioner Razor    | Voted | Aye |
| Commissioner Luttrupp | Voted | Aye |

Motion to deny carried by a 3 to 1 vote.

**Motion by Bowlby, seconded by Razor, to deny Item S-1-08. Motion approved.**

ROLL CALL:

|                       |       |     |
|-----------------------|-------|-----|
| Commissioner Bowlby   | Voted | Aye |
| Commissioner Messina  | Voted | Nay |
| Commissioner Razor    | Voted | Aye |
| Commissioner Luttrupp | Voted | Aye |

Motion to deny carried by a 3 to 1 vote.

ADJOURNMENT:

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

The meeting was adjourned at 1:15 a.m.

Respectfully submitted by John Stamsos, Senior Planner

Prepared by Shana Stuhlmiller, Public Hearing Assistant

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on February 12, 2008, and there being present a person requesting approval of ITEM A-1-08, a request for Zoning Prior to Annexation from County Agricultural-Suburban to R-8 (Residential at 8 units/acre).

LOCATION: +/- 2.24 - acre parcel between Pennsylvania Avenue, Fernan Hill Road, Lilac Lane and Interstate 90

APPLICANT: Pennsylvania Avenue, LLC

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

- B1. That the existing land uses are residential - single-family and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition/Stable Established.
- B3. That the zoning is R-3 (Residential at 3 units/acre).
- B4. That the notice of public hearing was published on January 26, 2008, and February 5, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, February 4, 2008, which fulfills the proper legal requirement.
- B6. That 253 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 25, 2008 and 31 responses were received: 3 in favor, 24 opposed, and 4 neutral.
- B7. That public testimony was heard on February 12, 2008 including:

**John Stamosos, Senior Planner:**

Mr. Stamosos presented the staff report and indicated that the proposal contains a request for zoning prior to annexation at R-8 (Residential at 8 units per acre), a request for a zone change from R-3 (Residential at 3 units per acre) to R-8, an 11 lot subdivision request and an 82 unit Planned Unit Development on the subject property for an overall density of 7.1 units per acre. Mr. Stamosos indicated that portions of the property fall within the flood plain for French Gulch Creek and the majority of the property would fall within the City's Hillside Overlay Zone. He further indicated noted that the zoning for properties within the City limits on the east side of the freeway is largely R-3 with an R-17 (Residential at 17 units per acre) PUD located directly south of the subject property. He also noted that the property falls within two land use areas in the 2007 comprehensive plan and one special area. The majority of the property is within the Cherry Hill land use area with a smaller portion in the Fernan Hill Bench Planning area. Mr. Stamosos pointed out that the proposed PUD meets the requirements for open space in the City code.

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Mr. Dobler indicated that he was not concerned that the deviations requested through the PUD would not create a safety concern and that the private streets proposed in the PUD are designed so that, if necessary, the City could maintain the streets if they became public. He also indicated that Lilac Lane is under the jurisdiction of East Side Highway District who would have to approve any access to the development from Lilac Lane. He has reviewed the traffic study prepared by the applicant for the ingress and egress from Pennsylvania Avenue and the impact created by this proposal would not exceed the designed level of service thresholds for the impacted streets and intersections.

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Mr. Purtee indicated that he is opposed to this proposal because of concerns of increased traffic and zoning density. He explained that the comprehensive plan states that the zoning in this area should be R-3 and 20 other provisions of the Comprehensive Plan would be violated if the project was approved. He urged the Commission to comply with the Comprehensive Plan.

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**Katherine Dickson, 2680 Fernan Hill Road:**

Ms. Dickson testified that she has lived here for 18 years and does not want an 82 units looking right into their window. She added that by approving this project will take away the views and the reason they chose this property 18 years ago.

**Marilee Foss, 401 Lilac Lane:**

Ms. Foss testified that her family has lived on this street for 66 years. She commented that she is surprised to see how many people in opposition of this project and noted in 2003 when this project was first presented the only people who showed up at that hearing was her family. She further testified that she has discussed this project with the applicant and supports it only if the conditions, such as denying access on Lilac Lane, are met.

**Stan Schedler, 2675 Fernan Hill Road:**

Mr. Schedler testified that he is opposed to this project. He noted that the project has changed over time. He felt that this project will lower his property value and indicated that the applicant may sell the property after getting the project approved.

**Ron Brunel, 1917 Pennsylvania Ave:**

Mr. Brunel testified that he lives in close proximity to the entrance to the development and is opposed to the development because of safety concerns with traffic. He testified that he spoke with several people who live on Pennsylvania and they also oppose the development. He testified that the density is too high and that it will impact his property values.

**Edwin Neeland, 720 N. City View Drive:**

Mr. Neeland testified that there are plenty of places to build work force housing in areas zoned for that type of density and he is concerned with school overcrowding.

**Donna Favre, 1036 N. 23<sup>rd</sup>:**

Ms. Favre testified that she is concerned with traffic created by this project and the limited numbers of accesses from the neighborhood under the freeway.

**Frank Favre, 1026 N. 23<sup>rd</sup>:**

Mr. Favre testified that he is also concerned with the traffic volume.

**Chris Copstead, 502 N. 20<sup>th</sup> Street:**

Mr. Copstead testified that he has lived at his residence for 20 years and is opposed to this request. He explained that with the additional homes he is concerned with the amount of traffic it will generate and the safety of the children who will be walking on that street to get to school.

B8. That this proposal **is not** in conformance with the Comprehensive Plan.

The project as proposed meets many of the objectives identified by the City in the 2007 Comprehensive Plan such as provision of workforce housing (Objectives 3.08 & 3.10) neighborhood and community design (Objectives 1.11, 1.12, 2.05 & 3.07) and protection of the urban forest (Objectives 1.06 & 1.07). However, the density of the proposal greatly exceeds the density envisioned for this area in the Comprehensive Plan. The subject property lies within two separate land use areas: Fernan Hill Bench and Cherry Hill. For these areas, the plan envisions overall densities of one unit per five acres (Fernan Hill Bench area) or one unit per acre (Cherry Hill area). However, for both areas, the plan indicates that density up to three units per acre may be appropriate where site access is gained without significant site disturbance, terrain is relatively flat, natural landforms permit development and where development will not significantly impact views and vistas. The proposed project meets many, if not all, of these requirements. As such, up to three units per acre may be appropriate in this location. The project as proposed would have a density of 7.1 units per acre. That level of density is more than double what the comprehensive plan envisions and as such, the proposal is not in conformance with the comprehensive plan.

B9. That public facilities and utilities **are** available and adequate for the proposed use.

Water and sewer service can be provided to the subject property as outlined in the staff report. There was little or no testimony received on this point. Testimony was received regarding whether the street system is adequate to support the development as proposed. The applicant prepared a traffic impact study along with traffic counts that was reviewed and approved by the City Engineer. The study indicates that the development will not significantly impact traffic in this area. With additional anticipated growth factored in, the level of service would still fall within the "C" category, which is within the acceptable range of service. While there was testimony over concerns of traffic impact, we find that the best evidence of traffic impact that will be created by this development is the traffic study. As such, we find that the public facilities and utilities are available and adequate for the proposed use.

B10. That the physical characteristics of the site **do** make it suitable for the request at this time.

The topography and tree cover of the site help to buffer this development from the surrounding single family neighborhoods and the freeway. Testimony was received that the roofs of the highest buildings on the site would still be below the level of Fernan Hill Road. Additionally, testimony was received that the project would improve the wetlands/flood plain located on the property in a manner that will alleviate flood concerns in the area. We rely on this evidence and find that the physical characteristics of the site do make it suitable for the request at this time.

B11. That the proposal **would** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **and** existing land uses.

The project site is more closely connected with the single family neighborhood to the north than the R-17 zoned apartments to the south of the property and the R-12 zoned properties across the freeway because of access to the site and existing barriers such as the freeway. In fact, the proposed development would limit access from the development to the area of the apartments. As

such, the relevant neighborhood for determining compatibility is the residential area to the north. As discussed, we have found that the topography and tree cover of this site help to buffer the surrounding neighborhoods from this project and that the traffic in the area should not be significantly impacted by this development. However, as discussed above, the proposed density for this project is significantly higher than the single family areas to the north of the subject property. As such, we find that the requested R-8 zoning is incompatible with the surrounding neighborhood with regard to density and existing land uses and would adversely impact the surrounding neighborhoods.

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **PENNSYLVANIA AVENUE, LLC** for zoning prior to annexation, as described in the application, should be **denied**.

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

**ROLL CALL:**

|                       |                           |
|-----------------------|---------------------------|
| Commissioner Bowlby   | Voted _____               |
| Commissioner Luttrupp | Voted _____               |
| Commissioner Messina  | Voted _____               |
| Commissioner Rasor    | Voted _____               |
| Chairman Jordan       | Voted _____ (tie breaker) |

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

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

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CHAIRMAN BRAD JORDAN

**D. ORDINANCES AND STANDARDS USED IN EVALUATION**

Comprehensive Plan - 2007.

Transportation Plan.

Municipal Code.

Idaho Code.

Wastewater Treatment Facility Plan.

Water and Sewer Service Policies.

Urban Forestry Standards.

Transportation and Traffic Engineering Handbook, I.T.E.

Manual on Uniform Traffic Control Devices.

Coeur d'Alene Bikeways Plan.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on, February 12, 2008 and there being present a person requesting approval of ITEM ZC-1-08, a request for a zone change from R-3 (Residential at 3 units/acre) to R-8 (Residential at 8 units/acre).

LOCATION: +/- 11.6 - acre parcel between Pennsylvania Avenue, Fernan Hill Road, Lilac Lane and Interstate 90

APPLICANT: Pennsylvania Avenue, LLC

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

- B1. That the existing land uses are residential - single-family and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition/Stable Established.
- B3. That the zoning is R-3 (Residential at 3 units/acre).
- B4. That the notice of public hearing was published on January 26, 2008, and February 5, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, February 4, 2008, which fulfills the proper legal requirement.
- B6. That 253 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 25, 2008 and 31 responses were received: 3 in favor, 24 opposed, and 4 neutral.
- B7. That public testimony was heard on February 12, 2008 including:



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Mr. Stamosos presented the staff report and indicated that the proposal contains a request for zoning prior to annexation at R-8 (Residential at 8 units per acre), a request for a zone change from R-3 (Residential at 3 units per acre) to R-8, an 11 lot subdivision request and an 82 unit Planned Unit Development on the subject property for an overall density of 7.1 units per acre. Mr. Stamosos indicated that portions of the property fall within the flood plain for French Gulch Creek and the majority of the property would fall within the City's Hillside Overlay Zone. He further indicated noted that the zoning for properties within the City limits on the east side of the freeway is largely R-3 with an R-17 (Residential at 17 units per acre) PUD located directly south of the subject property. He also noted that the property falls within two land use areas in the 2007 comprehensive plan and one special area. The majority of the property is within the Cherry Hill land use area with a smaller portion in the Fernan Hill Bench Planning area. Mr. Stamosos pointed out that the proposed PUD meets the requirements for open space in the City code.

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Mr. Brunel testified that he lives in close proximity to the entrance to the development and is opposed to the development because of safety concerns with traffic. He testified that he spoke with several people who live on Pennsylvania and they also oppose the development. He testified that the density is too high and that it will impact his property values.

**Edwin Neeland, 720 N. City View Drive:**

Mr. Neeland testified that there are plenty of places to build work force housing in areas zoned for that type of density and he is concerned with school overcrowding.

**Donna Favre, 1036 N. 23<sup>rd</sup>:**

Ms. Favre testified that she is concerned with traffic created by this project and the limited numbers of accesses from the neighborhood under the freeway.

**Frank Favre, 1026 N. 23<sup>rd</sup>:**

Mr. Favre testified that he is also concerned with the traffic volume.

**Chris Copstead, 502 N. 20<sup>th</sup> Street:**

Mr. Copstead testified that he has lived at his residence for 20 years and is opposed to this request. He explained that with the additional homes he is concerned with the amount of traffic it will generate and the safety of the children who will be walking on that street to get to school.

B8. That this proposal **is not** in conformance with the Comprehensive Plan.

The project as proposed meets many of the objectives identified by the City in the 2007 Comprehensive Plan such as provision of workforce housing (Objectives 3.08 & 3.10) neighborhood and community design (Objectives 1.11, 1.12, 2.05 & 3.07) and protection of the urban forest (Objectives 1.06 & 1.07). However, the density of the proposal greatly exceeds the density envisioned for this area in the Comprehensive Plan. The subject property lies within two separate land use areas: Fernan Hill Bench and Cherry Hill. For these areas, the plan envisions overall densities of one unit per five acres (Fernan Hill Bench area) or one unit per acre (Cherry Hill area). However, for both areas, the plan indicates that density up to three units per acre may be appropriate where site access is gained without significant site disturbance, terrain is relatively flat, natural landforms permit development and where development will not significantly impact views and vistas. The proposed project meets

many, if not all, of these requirements. As such, up to three units per acre may be appropriate in this location. The project as proposed would have a density of 7.1 units per acre. That level of density is more than double what the comprehensive plan envisions and as such, the proposal is not in conformance with the comprehensive plan.

B9. That public facilities and utilities **are** available and adequate for the proposed use.

Water and sewer service can be provided to the subject property as outlined in the staff report. There was little or no testimony received on this point. Testimony was received regarding whether the street system is adequate to support the development as proposed. The applicant prepared a traffic impact study along with traffic counts that was reviewed and approved by the City Engineer. The study indicates that the development will not significantly impact traffic in this area. With additional anticipated growth factored in, the level of service would still fall within the "C" category, which is within the acceptable range of service. While there was testimony over concerns of traffic impact, we find that the best evidence of traffic impact that will be created by this development is the traffic study. As such, we find that the public facilities and utilities are available and adequate for the proposed use.

B10. That the physical characteristics of the site **do** make it suitable for the request at this time.

The topography and tree cover of the site help to buffer this development from the surrounding single family neighborhoods and the freeway. Testimony was received that the roofs of the highest buildings on the site would still be below the level of Fernan Hill Road. Additionally, testimony was received that the project would improve the wetlands/flood plain located on the property in a manner that will alleviate flood concerns in the area. We rely on this evidence and find that the physical characteristics of the site do make it suitable for the request at this time.

B11. That the proposal **would** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **and** existing land uses.

The project site is more closely connected with the single family neighborhood to the north than the R-17 zoned apartments to the south of the property and the R-12 zoned properties across the freeway because of access to the site and existing barriers such as the freeway. In fact, the proposed development would limit access from the development to the area of the apartments. As such, the relevant neighborhood for determining compatibility is the residential area to the north. As discussed, we have found that the topography and tree cover of this site help to buffer the surrounding neighborhoods from this project and that the traffic in the area should not be significantly impacted by this development. However, as discussed above, the proposed density for this project is significantly higher than the single family areas to the north of the subject property. As such, we find that the requested R-8 zoning is incompatible with the surrounding neighborhood with regard to density and existing land uses and would adversely impact the surrounding neighborhoods.

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **PENNSYLVANIA AVENUE, LLC** for a zone change, as described in the application should be **denied**.

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

**ROLL CALL:**

|                       |                           |
|-----------------------|---------------------------|
| Commissioner Bowlby   | Voted _____               |
| Commissioner Luttrupp | Voted _____               |
| Commissioner Messina  | Voted _____               |
| Commissioner Razor    | Voted _____               |
| Chairman Jordan       | Voted _____ (tie breaker) |

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

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

---

CHAIRMAN BRAD JORDAN



**D. ORDINANCES AND STANDARDS USED IN EVALUATION**

Comprehensive Plan - 2007.

Transportation Plan.

Municipal Code.

Idaho Code.

**Wastewater Treatment Facility Plan.**

Water and Sewer Service Policies.

Urban Forestry Standards.

Transportation and Traffic Engineering Handbook, I.T.E.

Manual on Uniform Traffic Control Devices.

Coeur d'Alene Bikeways Plan.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on February 12, 2008, and there being present a person requesting approval of ITEM PUD-1-08: a request for a planned unit development known as Pennsylvania Highlands PUD.

LOCATION: +/- 11.6 - acre parcel between Pennsylvania Avenue, Fernan Hill Road,  
Lilac Lane and Interstate 90

APPLICANT: Pennsylvania Avenue, LLC

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

- B1. That the existing land uses are residential - single-family and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition/Stable Established.
- B3. That the zoning is R-3 (Residential at 3 units/acre).
- B4. That the notice of public hearing was published on January 26, 2008, and February 5, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, February 4, 2008, which fulfills the proper legal requirement.
- B6. That 253 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 25, 2008 and 31 responses were received: 3 in favor, 24 opposed, and 4 neutral.
- B7. That public testimony was heard on February 12, 2008 including:

**John Stamsos, Senior Planner:**

Mr. Stamosos presented the staff report and indicated that the proposal contains a request for zoning prior to annexation at R-8 (Residential at 8 units per acre), a request for a zone change from R-3 (Residential at 3 units per acre) to R-8, an 11 lot subdivision request and an 82 unit Planned Unit Development on the subject property for an overall density of 7.1 units per acre. Mr. Stamosos indicated that portions of the property fall within the flood plain for French Gulch Creek and the majority of the property would fall within the City's Hillside Overlay Zone. He further indicated noted that the zoning for properties within the City limits on the east side of the freeway is largely R-3 with an R-17 (Residential at 17 units per acre) PUD located directly south of the subject property. He also noted that the property falls within two land use areas in the 2007 comprehensive plan and one special area. The majority of the property is within the Cherry Hill land use area with a smaller portion in the Fernan Hill Bench Planning area. Mr. Stamosos pointed out that the proposed PUD meets the requirements for open space in the City code.

**Gordon Dobler, City Engineer:**

Mr. Dobler indicated that he was not concerned that the deviations requested through the PUD would not create a safety concern and that the private streets proposed in the PUD are designed so that, if necessary, the City could maintain the streets if they became public. He also indicated that Lilac Lane is under the jurisdiction of East Side Highway District who would have to approve any access to the development from Lilac Lane. He has reviewed the traffic study prepared by the applicant for the ingress and egress from Pennsylvania Avenue and the impact created by this proposal would not exceed the designed level of service thresholds for the impacted streets and intersections.

**Stan Huffaker, 315 Garden Avenue:**

Mr. Huffaker, who represented the applicant, indicated that the subject property is unique that it sits next to the freeway with a creek running through the property, making this property a challenge to develop. He explained that the goal of the development is to develop work force housing for those who make between 30 to 45,000 dollars. He added that these are the people in the middle, who make too much money to qualify for low income housing, but cannot afford adequate housing such as entry level police officers, firefighters, teachers, nurses and working professionals. For sale units would be priced between \$125,000 and \$175,000 dollars with rental units between \$700 to \$950 dollars a month.

Mr. Huffaker explained that parking will be provided on site, so people living in the units will not have to park in the street and that they are requesting a deviation for the height of the upper buildings, so parking can be placed under the buildings. He further indicated that the buildings in the project have been clustered in order to provide more open space for the development. He commented that Lilac Lane will only be used as an emergency access to provide the required secondary access for the Fire Department. Mr. Huffaker testified that because of the tree cover on the property and the fact that the site is down hill from the homes along Fernan Hill Road the project will be largely screened from view from the homes on Fernan Hill Road. He also noted that none of the private road ways would exceed 8%

grade and that improvements would be made to the flood plain to expand its capacity to handle flood waters and to make it more aesthetically pleasing. He further explained that a traffic study confirmed that the increased traffic from this proposal would not have a negative impact.

Mr. Huffaker indicated that this proposal has less density than the proposal that was denied in 2003. Mr. Huffaker explained that R-8 zoning was requested to enable the applicant to build cluster and multifamily housing allowed in this zoning district. He noted that the actual density planned for this project is less than what is allowed in the R-8 zoning district. He added that the property sits next to the freeway, which would not be attractive for single family homes making this the logical density for the subject property.

**Jim Purtee, 2905 Fernan Hill Road:**

Mr. Purtee indicated that he is opposed to this proposal because of concerns of increased traffic and zoning density. He explained that the comprehensive plan states that the zoning in this area should be R-3 and 20 other provisions of the Comprehensive Plan would be violated if the project was approved. He urged the Commission to comply with the Comprehensive Plan.

**Armando Hurtado, 2795 Fernan Hill Road:**

Mr. Hurtado testified that he is in opposition and one of the 400 people who signed a petition stating that they feel the same way. He quoted passages from the Comprehensive Plan regarding the importance of protecting property rights and existing neighborhoods. He added that when he moved here wanted a safe place for his family to live and feels this project will threaten his family's safety. He commented that he also used the City's zoning guidelines and Comprehensive Plan as a tool to guide him when choosing this area to live in. He testified that the area should remain an R-3.

**Dan Shaw, 2904 Fernan Hill Road:**

Mr. Shaw testified that he feels the developer is trying to do the right thing and supports affordable housing, but feels this is the wrong area. He explained that this would go against policies in the Comprehensive Plan regarding protecting trees and the environment and views and vistas.

**Shelly Hurtado, 2795 Fernan Hill Road:**

Ms. Hurtado testified she is opposed because of the added traffic to the area and that the developers are violating Comprehensive Plan policies regarding the Fernan Hill Bench and North East Hillside areas such as density of no more than 3 units per acre, traffic concerns and views and vistas.

**Dianna Gissell, 2630 Fernan Hill Road:**

Ms. Gissell testified that she is opposed and that her house sits above this project. She added

that she fears this will turn into a transitional housing project where people come and go. She commented that she is also concerned with the loss of the views and wildlife and the density above the 3 units per acre contemplated by the Comprehensive Plan.

**Norm Gissell, 2630 Fernan Hill Road:**

Mr. Gissell testified that that approving the project would transfer property value from his home to the project. He added that they moved to this area because of the neighborhood and feels that if people will only be living in these units one to two years is not along time to get to know your neighbors. He felt that the Comprehensive Plan policies regarding density limits density to 3 units per acre.

**Judy Glenn, 2910 Fernan Hill Road:**

Ms. Glenn testified that they located their business to Coeur d'Alene because of the quality of life and the lower cost to do business. They made the decision on where to live based in part on protected low density zoning.

**Kevin McClelland, 922 Veranda Drive:**

Mr. McClelland testified that he feels the true heart of a neighborhood is the neighbors and that the decision to buy a home is emotional and feels this project, if approved, will allow the developer to take away his investment. He added our homes are our investment and does not feel the zone should be changed.

**Craig Shaw, 2906 Fernan Hill Road:**

Mr. Shaw testified that he is opposed to the R-8 zoning and feels it should remain an R-3 and that the impact to the neighborhood of the 3 year build out of the project is unacceptable. He further testified that there are many negative impacts to the neighborhood.

**Marlee Shaw, 2906 Fernan Hill Road:**

Ms. Shaw testified that she did meet with Mr. Huffaker at his house and read into the record the e-mail correspondence between Mr. Huffaker and herself. She feels this project should be denied based on the 400 signatures collected in opposition to this project. She urged the Commission to stand behind what was written in the Comprehensive Plan regarding the zoning in this area which should remain an R-3. She commented that she feels the applicant is not telling the truth and that he is taking our rights away as homeowners for his own greed.

**Meredith Bryant, 1988 E. Gunther Avenue:**

Ms. Bryant testified that she is in favor of this project and has been working with Habitat for Humanity and involved with Kootenai Perspectives. She commented that a Workforce

housing project would be an asset for the City. She explained that the people she knows that represent the workforce community would have been happy to show up, but are probably in bed from working one to two jobs to pay the bills. She commented that it is not fair to call these people “faceless and nameless” as mentioned in earlier testimony. She added that she is aware of many projects like this one throughout the country and surprised how long some of these people have lived in these residences more than one to two years as mentioned in previous testimony.

**Steve Syrcle, Tri-State Engineers, 1400 Northwood Center Court:**

Mr. Syrcle testified that he is the engineer for the project and feels that the staff report presented by staff states the facts. He added that all the services will be provided for this project and that the R-8 zoning is a natural transition from the R-17 zoning to the south, the R-12 zoning to the west and the R-3 to the east.

**Christine Fueston, 3201 N. Huetter Road:**

Ms. Fueston testified she performed the traffic study for the project. The study identified that this type of project would create less traffic than a development of single family homes. She commented that the study also projected what would happen to the traffic on this road 20 years in the future, and found that with traffic generated by the project and additional from anticipated growth; the traffic would be a level C which is an acceptable rating. The delay created by this project would be less than 2 seconds per vehicle.

**David Armes, 2738 N. Timber Ridge Road, Rathdrum:**

Mr. Armes testified that he was hired by the applicant to identify the wetlands on the property and ways to mitigate impacts from development. He indicated that the wetland is in bad shape and that the improvements planned through the development will improve the flood plain and wetlands.

**Steve Huffaker, 2220 Pennsylvania Avenue, Coeur d’Alene:**

Mr. Huffaker testified that he has a home in this area where the creek runs up to his backyard and that this project will fix that problem. He commented that most of the people who have testified live in the county not the City. He added that he works with people who can’t afford a home and feels this project will be a benefit to this community.

**Dick Edinger, South 2837 Silver Beach Road:**

Mr. Edinger testified on behalf of Eastside Highway District. He indicated that the Highway District has not yet seen the plan for the subject property but they have concerns with the intersection at Lilac Lane and Fernan Hill Road. They would like a condition that Lilac lane be paved and other conditions of the Highway District are met.

**Ron Jones, 3106 Fernan Hill Road:**

Mr. Jones testified that all of the issues raised by people at the hearing are valid reasons.

**Rick Seward, 1315 N. Hill Road:**

Mr. Seward testified that he serves on the County flood Mitigation Committee and believes this project will improve drainage in this area.

**Troy Murphy, 2116 Boyd Ave:**

Mr. Murphy testified that he is opposed and is concerned with the amount of traffic this project may generate at the corner of Boyd Avenue and 15<sup>th</sup> Street. He commented that he had worked three jobs to afford his home.

**Ben Glass, 808 N. 22<sup>nd</sup> Street:**

Mr. Glass testified that he is concerned with the amount of traffic this project would generate in front of his house. He added that he is part of the “working class” and that he was able to afford a home.

**Susie Snedaker, 422 Hastings Ave:**

Ms. Snedaker testified that she is involved with Kootenai Perspectives and supports the need for affordable housing. She commented that she understands that staff feels the roads are adequate for traffic but feels until you live in this neighborhood are not aware of the impact and the City has not done its own traffic counts. She added that she is also against the proposed zoning for this property to protect the stable established neighborhood.

**Mavis Fisher, 413 N. 17 Street:**

Ms. Fisher testified that in her neighborhood there had a problem with drug labs they worked to correct that. She testified that she was concerned with the ability to get the residents of the proposed development in and out of the development and school overcrowding.

**Gary Hall, 5662 St. Germaine:**

Mr. Hall testified that he is an employer and a father and concerned about his family especially his teenage daughter trying to find affordable housing. He supports this project and feels that projects of this type should be located near downtown.

**James Catalano, 2680 Fernan Hill Road:**

Mr. Catalano testified that he is opposed to changing the zoning for this property. He questioned the validity of the traffic study. He further testified that the site is not heavily forested. He was also concerned that the apartments would be rented out to low income people.

**Katherine Dickson, 2680 Fernan Hill Road:**

Ms. Dickson testified that she has lived here for 18 years and does not want an 82 units looking right into their window. She added that by approving this project will take away the views and the reason they chose this property 18 years ago.

**Marilee Foss, 401 Lilac Lane:**

Ms. Foss testified that her family has lived on this street for 66 years. She commented that she is surprised to see how many people in opposition of this project and noted in 2003 when this project was first presented the only people who showed up at that hearing was her family. She further testified that she has discussed this project with the applicant and supports it only if the conditions, such as denying access on Lilac Lane, are met.

**Stan Schedler, 2675 Fernan Hill Road:**

Mr. Schedler testified that he is opposed to this project. He noted that the project has changed over time. He felt that this project will lower his property value and indicated that the applicant may sell the property after getting the project approved.

**Ron Brunel, 1917 Pennsylvania Ave:**

Mr. Brunel testified that he lives in close proximity to the entrance to the development and is opposed to the development because of safety concerns with traffic. He testified that he spoke with several people who live on Pennsylvania and they also oppose the development. He testified that the density is too high and that it will impact his property values.

**Edwin Neeland, 720 N. City View Drive:**

Mr. Neeland testified that there are plenty of places to build work force housing in areas zoned for that type of density and he is concerned with school overcrowding.

**Donna Favre, 1036 N. 23<sup>rd</sup>:**

Ms. Favre testified that she is concerned with traffic created by this project and the limited numbers of accesses from the neighborhood under the freeway.

**Frank Favre, 1026 N. 23<sup>rd</sup>:**

Mr. Favre testified that he is also concerned with the traffic volume.

**Chris Copstead, 502 N. 20<sup>th</sup> Street:**

Mr. Copstead testified that he has lived at his residence for 20 years and is opposed to this



request. He explained that with the additional homes he is concerned with the amount of traffic it will generate and the safety of the children who will be walking on that street to get to school.

B8. A planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **is not** in conformance with the Comprehensive Plan.

The project as proposed meets many of the objectives identified by the City in the 2007 Comprehensive Plan such as provision of workforce housing (Objectives 3.08 & 3.10) neighborhood and community design (Objectives 1.11, 1.12, 2.05 & 3.07) and protection of the urban forest (Objectives 1.06 & 1.07). However, the density of the proposal greatly exceeds the density envisioned for this area in the Comprehensive Plan. The subject property lies within two separate land use areas: Fernan Hill Bench and Cherry Hill. For these areas, the plan envisions overall densities of one unit per five acres (Fernan Hill Bench area) or one unit per acre (Cherry Hill area). However, for both areas, the plan indicates that density up to three units per acre may be appropriate where site access is gained without significant site disturbance, terrain is relatively flat, natural landforms permit development and where development will not significantly impact views and vistas. The proposed project meets many, if not all, of these requirements. As such, up to three units per acre may be appropriate in this location. The project as proposed would have a density of 7.1 units per acre. That level of density is more than double what the comprehensive plan envisions and as such, the proposal is not in conformance with the comprehensive plan.

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

As noted above, the project density exceeds what the comprehensive plan envisions for this area. As such, the design and planning of the site are not compatible with existing uses on adjacent properties. Otherwise, the style, layout of the buildings, provisions for off-street parking, landscaping and open space are appropriate for the location.

B8C. The proposal **is** compatible with natural features of the site and adjoining properties. In the case of property located within the hillside overlay zone, does not create soil erosion, sedimentation of lower slopes, slide damage, or flooding problems; prevents surface water degradation, or severe cutting or scarring; reduces the risk of catastrophic wildfire in the wildland urban interface; and complements the visual character and nature of the city.

The topography and tree cover of the site help to buffer this development from the surrounding

single family neighborhoods and the freeway. Testimony was received that the roofs of the highest buildings on the site would still be below the level of Fernan Hill Road. Additionally, testimony was received that the project would improve the wetlands/flood plain located on the property in a manner that will alleviate flood concerns in the area and that roads would not exceed 8%, which would minimize cutting and scarring of the hillside. We rely on this evidence and find that the proposal is compatible with the natural features of the site and adjoining properties.

B8D. The location, design, and size of the proposal are such that the development **will** be adequately served by existing streets, public facilities and services.

Water and sewer service can be provided to the subject property as outlined in the staff report. There was little or no testimony received on this point. Testimony was received regarding whether the street system is adequate to support the development as proposed. The applicant prepared a traffic impact study along with traffic counts that was reviewed and approved by the City Engineer. The study indicates that the development will not significantly impact traffic in this area. With additional anticipated growth factored in, the level of service would still fall within the "C" category, which is within the acceptable range of service. While there was testimony over concerns of traffic impact, we find that the best evidence of traffic impact that will be created by this development is the traffic study. As such, we find that the location, design and size of the proposal are such that the development will be adequately served by existing streets, public facilities and services.

B8E. The proposal **does** provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.

The staff report indicates that the project includes 7.2 acres (62% of the project site) of open space, which includes both natural open areas and a play area. This is far in excess of the required 10% open space and meets the requirement that the area be usable for open space and recreation.

B8F. Off-street parking **does** provide parking sufficient for users of the development.

The staff report indicates that the code requirement for off street parking for this development would be 212 parking spaces. The site plan indicates that the project will provide 215 spaces. As such we find that there is sufficient off street parking provided for users of the development.

B8G. That the proposal **does** provide for an acceptable method for the perpetual maintenance of

all common property.

Had the development been approved, the approval would have been conditioned on the creation of an owner's association to maintain all common property. As such, we find that the proposal provided an acceptable method for the perpetual maintenance of common properties.

B8H. That the proposal **would** adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character **and** existing land uses.

The project site is more closely connected with the single family neighborhood to the north than the R-17 zoned apartments to the south of the property and the R-12 zoned properties across the freeway because of access to the site and existing barriers such as the freeway. In fact, the proposed development would limit access from the development to the area of the apartments. As such, the relevant neighborhood for determining compatibility is the residential area to the north. The topography and tree cover of this site help to buffer the surrounding neighborhoods from this project and, as established by the traffic study, traffic in the area should not be significantly impacted by this development. However, as discussed above, the proposed density for this project is significantly higher than the single family areas to the north of the subject property. As such, we find that the proposed subdivision, at the requested density, is incompatible with the surrounding neighborhood with regard to density and existing land uses and would adversely impact the surrounding.

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **PENNSYLVANIA AVENUE, LLC** for planned unit development as described in the application should be **denied**.

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

Order.

ROLL CALL:

|                       |                           |
|-----------------------|---------------------------|
| Commissioner Bowlby   | Voted _____               |
| Commissioner Luttrupp | Voted _____               |
| Commissioner Messina  | Voted _____               |
| Commissioner Rasor    | Voted _____               |
| Chairman Jordan       | Voted _____ (tie breaker) |

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

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

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CHAIRMAN BRAD JORDAN

**D. ORDINANCES AND STANDARDS USED IN EVALUATION**

Comprehensive Plan - 2007.

Transportation Plan.

Municipal Code.

Idaho Code.

Wastewater Treatment Facility Plan.

Water and Sewer Service Policies.

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Transportation and Traffic Engineering Handbook, I.T.E.

Manual on Uniform Traffic Control Devices.

Coeur d'Alene Bikeways Plan.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on February 12, 2008, and there being present a person requesting approval of ITEM S-1-08: A request for preliminary plat approval of Pennsylvania Highlands, an 11 lot subdivision located in the R-8 (Residential at 8 units/acre) zoning district.

LOCATION: +/- 11.6 - acre parcel between Pennsylvania Avenue, Fernan Hill Road, Lilac Lane and Interstate 90

APPLICANT: Pennsylvania Avenue, LLC

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

- B1. That the existing land uses are residential - single-family and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition/Stable Established.
- B3. That the zoning is R-3 (Residential at 3 units/acre).
- B4. That the notice of public hearing was published on January 26, 2008, and February 5, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, February 4, 2008, which fulfills the proper legal requirement.
- B6. That 253 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 25, 2008 and 31 responses were received: 3 in favor, 24 opposed, and 4 neutral.
- B7. That public testimony was heard on February 12, 2008 including:

**John Stamos, Senior Planner:**

Mr. Stamosos presented the staff report and indicated that the proposal contains a request for zoning prior to annexation at R-8 (Residential at 8 units per acre), a request for a zone change from R-3 (Residential at 3 units per acre) to R-8, an 11 lot subdivision request and an 82 unit Planned Unit Development on the subject property for an overall density of 7.1 units per acre. Mr. Stamosos indicated that portions of the property fall within the flood plain for French Gulch Creek and the majority of the property would fall within the City's Hillside Overlay Zone. He further indicated noted that the zoning for properties within the City limits on the east side of the freeway is largely R-3 with an R-17 (Residential at 17 units per acre) PUD located directly south of the subject property. He also noted that the property falls within two land use areas in the 2007 comprehensive plan and one special area. The majority of the property is within the Cherry Hill land use area with a smaller portion in the Fernan Hill Bench Planning area. Mr. Stamosos pointed out that the proposed PUD meets the requirements for open space in the City code.

**Gordon Dobler, City Engineer:**

Mr. Dobler indicated that he was not concerned that the deviations requested through the PUD would not create a safety concern and that the private streets proposed in the PUD are designed so that, if necessary, the City could maintain the streets if they became public. He also indicated that Lilac Lane is under the jurisdiction of East Side Highway District who would have to approve any access to the development from Lilac Lane. He has reviewed the traffic study prepared by the applicant for the ingress and egress from Pennsylvania Avenue and the impact created by this proposal would not exceed the designed level of service thresholds for the impacted streets and intersections.

**Stan Huffaker, 315 Garden Avenue:**

Mr. Huffaker, who represented the applicant, indicated that the subject property is unique that it sits next to the freeway with a creek running through the property, making this property a challenge to develop. He explained that the goal of the development is to develop work force housing for those who make between 30 to 45,000 dollars. He added that these are the people in the middle, who make too much money to qualify for low income housing, but cannot afford adequate housing such as entry level police officers, firefighters, teachers, nurses and working professionals. For sale units would be priced between \$125,000 and \$175,000 dollars with rental units between \$700 to \$950 dollars a month.

Mr. Huffaker explained that parking will be provided on site, so people living in the units will not have to park in the street and that they are requesting a deviation for the height of the upper buildings, so parking can be placed under the buildings. He further indicated that the buildings in the project have been clustered in order to provide more open space for the development. He commented that Lilac Lane will only be used as an emergency access to provide the required secondary access for the Fire Department. Mr. Huffaker testified that because of the tree cover on the property and the fact that the site is down hill from the homes along Fernan Hill Road the project will be largely screened from view from the homes on Fernan Hill Road. He also noted that none of the private road ways would exceed 8%

grade and that improvements would be made to the flood plain to expand its capacity to handle flood waters and to make it more aesthetically pleasing. He further explained that a traffic study confirmed that the increased traffic from this proposal would not have a negative impact.

Mr. Huffaker indicated that this proposal has less density than the proposal that was denied in 2003. Mr. Huffaker explained that R-8 zoning was requested to enable the applicant to build cluster and multifamily housing allowed in this zoning district. He noted that the actual density planned for this project is less than what is allowed in the R-8 zoning district. He added that the property sits next to the freeway, which would not be attractive for single family homes making this the logical density for the subject property.

**Jim Purtee, 2905 Fernan Hill Road:**

Mr. Purtee indicated that he is opposed to this proposal because of concerns of increased traffic and zoning density. He explained that the comprehensive plan states that the zoning in this area should be R-3 and 20 other provisions of the Comprehensive Plan would be violated if the project was approved. He urged the Commission to comply with the Comprehensive Plan.

**Armando Hurtado, 2795 Fernan Hill Road:**

Mr. Hurtado testified that he is in opposition and one of the 400 people who signed a petition stating that they feel the same way. He quoted passages from the Comprehensive Plan regarding the importance of protecting property rights and existing neighborhoods. He added that when he moved here wanted a safe place for his family to live and feels this project will threaten his family's safety. He commented that he also used the City's zoning guidelines and Comprehensive Plan as a tool to guide him when choosing this area to live in. He testified that the area should remain an R-3.

**Dan Shaw, 2904 Fernan Hill Road:**

Mr. Shaw testified that he feels the developer is trying to do the right thing and supports affordable housing, but feels this is the wrong area. He explained that this would go against policies in the Comprehensive Plan regarding protecting trees and the environment and views and vistas.

**Shelly Hurtado, 2795 Fernan Hill Road:**

Ms. Hurtado testified she is opposed because of the added traffic to the area and that the developers are violating Comprehensive Plan policies regarding the Fernan Hill Bench and North East Hillside areas such as density of no more than 3 units per acre, traffic concerns and views and vistas.

**Dianna Gissell, 2630 Fernan Hill Road:**

Ms. Gissell testified that she is opposed and that her house sits above this project. She added



that she fears this will turn into a transitional housing project where people come and go. She commented that she is also concerned with the loss of the views and wildlife and the density above the 3 units per acre contemplated by the Comprehensive Plan.

**Norm Gissell, 2630 Fernan Hill Road:**

Mr. Gissell testified that that approving the project would transfer property value from his home to the project. He added that they moved to this area because of the neighborhood and feels that if people will only be living in these units one to two years is not along time to get to know your neighbors. He felt that the Comprehensive Plan policies regarding density limits density to 3 units per acre.

**Judy Glenn, 2910 Fernan Hill Road:**

Ms. Glenn testified that they located their business to Coeur d'Alene because of the quality of life and the lower cost to do business. They made the decision on where to live based in part on protected low density zoning.

**Kevin McClelland, 922 Veranda Drive:**

Mr. McClelland testified that he feels the true heart of a neighborhood is the neighbors and that the decision to buy a home is emotional and feels this project, if approved, will allow the developer to take away his investment. He added our homes are our investment and does not feel the zone should be changed.

**Craig Shaw, 2906 Fernan Hill Road:**

Mr. Shaw testified that he is opposed to the R-8 zoning and feels it should remain an R-3 and that the impact to the neighborhood of the 3 year build out of the project is unacceptable. He further testified that there are many negative impacts to the neighborhood.

**Marlee Shaw, 2906 Fernan Hill Road:**

Ms. Shaw testified that she did meet with Mr. Huffaker at his house and read into the record the e-mail correspondence between Mr. Huffaker and herself. She feels this project should be denied based on the 400 signatures collected in opposition to this project. She urged the Commission to stand behind what was written in the Comprehensive Plan regarding the zoning in this area which should remain an R-3. She commented that she feels the applicant is not telling the truth and that he is taking our rights away as homeowners for his own greed.

**Meredith Bryant, 1988 E. Gunther Avenue:**

Ms. Bryant testified that she is in favor of this project and has been working with Habitat for Humanity and involved with Kootenai Perspectives. She commented that a Workforce

housing project would be an asset for the City. She explained that the people she knows that represent the workforce community would have been happy to show up, but are probably in bed from working one to two jobs to pay the bills. She commented that it is not fair to call these people “faceless and nameless” as mentioned in earlier testimony. She added that she is aware of many projects like this one throughout the country and surprised how long some of these people have lived in these residences more than one to two years as mentioned in previous testimony.

**Steve Syrcle, Tri-State Engineers, 1400 Northwood Center Court:**

Mr. Syrcle testified that he is the engineer for the project and feels that the staff report presented by staff states the facts. He added that all the services will be provided for this project and that the R-8 zoning is a natural transition from the R-17 zoning to the south, the R-12 zoning to the west and the R-3 to the east.

**Christine Fueston, 3201 N. Huetter Road:**

Ms. Fueston testified she performed the traffic study for the project. The study identified that this type of project would create less traffic than a development of single family homes. She commented that the study also projected what would happen to the traffic on this road 20 years in the future, and found that with traffic generated by the project and additional from anticipated growth; the traffic would be a level C which is an acceptable rating. The delay created by this project would be less than 2 seconds per vehicle.

**David Armes, 2738 N. Timber Ridge Road, Rathdrum:**

Mr. Armes testified that he was hired by the applicant to identify the wetlands on the property and ways to mitigate impacts from development. He indicated that the wetland is in bad shape and that the improvements planned through the development will improve the flood plain and wetlands.

**Steve Huffaker, 2220 Pennsylvania Avenue, Coeur d’Alene:**

Mr. Huffaker testified that he has a home in this area where the creek runs up to his backyard and that this project will fix that problem. He commented that most of the people who have testified live in the county not the City. He added that he works with people who can’t afford a home and feels this project will be a benefit to this community.

**Dick Edinger, South 2837 Silver Beach Road:**

Mr. Edinger testified on behalf of Eastside Highway District. He indicated that the Highway District has not yet seen the plan for the subject property but they have concerns with the intersection at Lilac Lane and Fernan Hill Road. They would like a condition that Lilac lane be paved and other conditions of the Highway District are met.

**Ron Jones, 3106 Fernan Hill Road:**

Mr. Jones testified that all of the issues raised by people at the hearing are valid reasons.

**Rick Seward, 1315 N. Hill Road:**

Mr. Seward testified that he serves on the County flood Mitigation Committee and believes this project will improve drainage in this area.

**Troy Murphy, 2116 Boyd Ave:**

Mr. Murphy testified that he is opposed and is concerned with the amount of traffic this project may generate at the corner of Boyd Avenue and 15<sup>th</sup> Street. He commented that he had worked three jobs to afford his home.

**Ben Glass, 808 N. 22<sup>nd</sup> Street:**

Mr. Glass testified that he is concerned with the amount of traffic this project would generate in front of his house. He added that he is part of the “working class” and that he was able to afford a home.

**Susie Snedaker, 422 Hastings Ave:**

Ms. Snedaker testified that she is involved with Kootenai Perspectives and supports the need for affordable housing. She commented that she understands that staff feels the roads are adequate for traffic but feels until you live in this neighborhood are not aware of the impact and the City has not done its own traffic counts. She added that she is also against the proposed zoning for this property to protect the stable established neighborhood.

**Mavis Fisher, 413 N. 17 Street:**

Ms. Fisher testified that in her neighborhood there had a problem with drug labs they worked to correct that. She testified that she was concerned with the ability to get the residents of the proposed development in and out of the development and school overcrowding.

**Gary Hall, 5662 St. Germaine:**

Mr. Hall testified that he is an employer and a father and concerned about his family especially his teenage daughter trying to find affordable housing. He supports this project and feels that projects of this type should be located near downtown.

**James Catalano, 2680 Fernan Hill Road:**

Mr. Catalano testified that he is opposed to changing the zoning for this property. He questioned the validity of the traffic study. He further testified that the site is not heavily forested. He was also concerned that the apartments would be rented out to low income people.

**Katherine Dickson, 2680 Fernan Hill Road:**

Ms. Dickson testified that she has lived here for 18 years and does not want an 82 units looking right into their window. She added that by approving this project will take away the views and the reason they chose this property 18 years ago.

**Marilee Foss, 401 Lilac Lane:**

Ms. Foss testified that her family has lived on this street for 66 years. She commented that she is surprised to see how many people in opposition of this project and noted in 2003 when this project was first presented the only people who showed up at that hearing was her family. She further testified that she has discussed this project with the applicant and supports it only if the conditions, such as denying access on Lilac Lane, are met.

**Stan Schedler, 2675 Fernan Hill Road:**

Mr. Schedler testified that he is opposed to this project. He noted that the project has changed over time. He felt that this project will lower his property value and indicated that the applicant may sell the property after getting the project approved.

**Ron Brunel, 1917 Pennsylvania Ave:**

Mr. Brunel testified that he lives in close proximity to the entrance to the development and is opposed to the development because of safety concerns with traffic. He testified that he spoke with several people who live on Pennsylvania and they also oppose the development. He testified that the density is too high and that it will impact his property values.

**Edwin Neeland, 720 N. City View Drive:**

Mr. Neeland testified that there are plenty of places to build work force housing in areas zoned for that type of density and he is concerned with school overcrowding.

**Donna Favre, 1036 N. 23<sup>rd</sup>:**

Ms. Favre testified that she is concerned with traffic created by this project and the limited numbers of accesses from the neighborhood under the freeway.

**Frank Favre, 1026 N. 23<sup>rd</sup>:**

Mr. Favre testified that he is also concerned with the traffic volume.

**Chris Copstead, 502 N. 20<sup>th</sup> Street:**

Mr. Copstead testified that he has lived at his residence for 20 years and is opposed to this

request. He explained that with the additional homes he is concerned with the amount of traffic it will generate and the safety of the children who will be walking on that street to get to school.

B8. In order to approve a preliminary plat, the Planning Commission must make the following findings:

B8A That all of the general preliminary plat requirements **have** been met as attested to by the City Engineer.

The staff report establishes that all of the general preliminary plat requirements have been met as attested by the City Engineer.

B8B. That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities **are** adequate where applicable.

Water and sewer service can be provided to the subject property as outlined in the staff report. There was little or no testimony received on this point. Testimony was received regarding whether the street system is adequate to support the development as proposed. The applicant prepared a traffic impact study along with traffic counts that was reviewed and approved by the City Engineer. The study indicates that the development will not significantly impact traffic in this area. With additional anticipated growth factored in, the level of service would still fall within the "C" category, which is within the acceptable range of service. While there was testimony over concerns of traffic impact, we find that the best evidence of traffic impact that will be created by this development is the traffic study. With regards to drainage, we are satisfied, based on the testimony received regarding improvements to the flood plain area, that the project will improve drainage in the area. There was little or no testimony received regarding the adequacy street lighting, fire protection, easements and/or plantings. However, the staff report indicates that these areas are adequate. As such, we find that the provisions for streets, alleys, rights of way, easements, street lighting, fire protection, planting, drainage and utilities are adequate.

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

The project as proposed meets many of the objectives identified by the City in the 2007 Comprehensive Plan such as provision of workforce housing (Objectives 3.08 & 3.10) neighborhood and community design (Objectives 1.11, 1.12, 2.05 & 3.07) and protection of the urban forest (Objectives 1.06 & 1.07). However, the density of the proposal greatly exceeds the density envisioned for this area in the Comprehensive Plan. The subject property lies within two separate land use areas: Fernan Hill Bench and Cherry Hill. For these areas, the plan envisions overall densities of one unit per five acres (Fernan Hill Bench area) or one unit per acre (Cherry Hill area). However, for both areas, the plan indicates that density up to three units per acre may be appropriate where site access is gained without significant site disturbance, terrain is

relatively flat, natural landforms permit development and where development will not significantly impact views and vistas. The proposed project meets many, if not all, of these requirements. As such, up to three units per acre may be appropriate in this location. The project as proposed would have a density of 7.1 units per acre. That level of density is more than double what the comprehensive plan envisions and as such, the proposal is not in conformance with the comprehensive plan.

B8D. That the public interest **will not** be served.

Because we find that the preliminary plat does not conform with the Comprehensive Plan, we also find that it is not in the public interest because the plan was developed to reflect the goals of the citizens of Coeur d'Alene.

B8E. That all of the required engineering elements of the preliminary plat **have** been met, as attested to by the City Engineer.

The staff report establishes that all of the required engineering elements of the preliminary plat have been met as attested by the City Engineer.

B8F. That the lots proposed in the preliminary plat **do not** meet the requirements of the applicable zoning district.

The applicant requested a zone change from R-3 to R-8 for a portion of the subdivision area and zoning prior to annexation of R-8 for the remainder of the subdivision area. Those requests have been denied. As such, the subdivision, as designed, does not meet the minimum criteria for the R-3 zoning district. This type of development is not allowed in the R-3 district and the density is in excess of that allowed in the R-3 district.

B9. That the proposal **would** adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses.

The project site is more closely connected with the single family neighborhood to the north than the R-17 zoned apartments to the south of the property and the R-12 zoned properties across the freeway because of access to the site and existing barriers such as the freeway. In fact, the proposed development would limit access from the development to the area of the apartments. As such, the relevant neighborhood for determining compatibility is the residential area to the north. The topography and tree cover of this site help to buffer the surrounding neighborhoods from this project and, as established by the traffic study, traffic in the area should not be significantly impacted by this development. However, as discussed above, the proposed density for this project is significantly higher than the single family areas to the north of the subject property. As such, we find that the proposed subdivision, at the requested density, is incompatible with the surrounding neighborhood with regard to density and existing land uses and would adversely impact the surrounding.

## C. **ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **PENNSYLVANIA AVENUE, LLC** for preliminary plat of approval as described in the application should be **denied**.

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

**ROLL CALL:**

|                       |                           |
|-----------------------|---------------------------|
| Commissioner Bowlby   | Voted _____               |
| Commissioner Luttrupp | Voted _____               |
| Commissioner Messina  | Voted _____               |
| Commissioner Rasor    | Voted _____               |
| Chairman Jordan       | Voted _____ (tie breaker) |

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

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

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CHAIRMAN BRAD JORDAN

**D. ORDINANCES AND STANDARDS USED IN EVALUATION**

Comprehensive Plan - 2007.

Transportation Plan.

Municipal Code.

Idaho Code.

Wastewater Treatment Facility Plan.

Water and Sewer Service Policies.

Urban Forestry Standards.

Transportation and Traffic Engineering Handbook, I.T.E.

Manual on Uniform Traffic Control Devices.

Coeur d'Alene Bikeways Plan.



**PLANNING COMMISSION  
STAFF REPORT**

DATE: MARCH 11, 2008  
TO: PLANNING COMMISSION  
FROM: SEAN HOLM, PLANNER  
SUBJECT: ITEM O-3-08: MODIFICATION OF CODE REGARDING CIVIC USE PARKING REQUIREMENTS

**DECISION POINT**

The purpose of this amendment is to modify the existing civic use parking requirements used to determine the number of stalls required for a courthouse.

**HISTORY**

The proposal is a private party request filed on February 1<sup>st</sup>, 2008 by Marian Kessel, on behalf of JDL Enterprises, LLC. The request is that Planning Commission should determine the required number of spaces needed for a courthouse, rather than apply current code, in which the civic administrative standard governs. Current code requires one parking stall per each 300 square feet of structure.

The following is the proposed code language *(NOTE: Bold code item below (letter O.) is the proposed change)*

**17.44.050: CIVIC USES:**

Unless otherwise allowed by the relevant zoning or overlay district, the following off street parking is required for the specified civic uses:

***Civic Uses Requirement***

|                           |  |
|---------------------------|--|
| A. Administrative         | 1 space for each 300 square feet of gross floor area.  |
| B. Community organization | 1 space for each 300 square feet of gross floor area.  |
| C. Community assembly:    | 1. Open space areas of passive use character, including such facilities in a park:<br>1 space for each 5,000 square feet of passive recreational area or as prescribed by the planning director or director's designee pursuant to section 17.44.220 of this chapter.<br>2. Enclosed spaces:<br>a. Public meeting halls:<br>1 space for each 4 seats in assembly rooms.<br><br>b. Museum, art galleries, observatories:<br>1 space per 1,000 square feet of gross floor area.<br><br>c. Libraries:<br>1 space per 300 square feet of gross floor area. |

|                                |   |
|--------------------------------|---|
| <p>D. Community education:</p> | <ol style="list-style-type: none"> <li>1. Childcare facility<br/>1 space for each 4 beds.</li> <li>2. Juvenile offenders facility<br/>1 space for each 4 beds.</li> <li>3. Daycare facilities, nursery schools:<br/>Where the number of occupants (children plus employees) is less than 13, 2 off street parking spaces shall be provided. Where the number of occupants is equal to or greater than 13, 1 off-street parking space for each 5 persons or fraction thereof shall be provided.</li> <li>4. Elementary schools, junior high schools, intermediate schools: <ol style="list-style-type: none"> <li>a. For permanent buildings:<br/>2 spaces for each classroom or teaching station, plus 1 space for every 8 seats in the largest assembly or meeting room.</li> </ol> <p><i>Exception: In the case of permanent school building(s), required off-street parking must meet the requirements of this code, unless the school enters into an agreement with the city to install the improvements. The agreement shall provide that the improvements will be installed within five (5) years of the city council approval of the agreement, and the school shall secure the agreement by a performance bond or other sufficient security acceptable to the city attorney. Such bonding or security shall be for one hundred fifty percent (150%) of the estimated costs of the improvements as determined by the city engineer.</i></p> <ol style="list-style-type: none"> <li>b. For portable classrooms:<br/>Off street parking for these portable classrooms will not be required if the criteria are met as follows: <ol style="list-style-type: none"> <li>(1) The school is a tax supported school accredited by the Idaho department of education.</li> <li>(2) The school is nonprofit.</li> <li>(3) Portable classroom facilities shall not be considered an intensification of use as long as the added gross area does not exceed 12 percent of the gross floor area of the permanent school building(s). In addition, 3 classrooms or teaching stations may be added above the 12 percent to an elementary school.</li> <li>(4) The portable classrooms or other like facilities substituted or used in lieu of or for the original portable classroom(s) are temporary and "temporary" is defined as remaining at the school for a period of time not in excess of 5 years.</li> </ol> </li> </ol> </li> <li>5. High schools**<br/>5 spaces per teaching station; plus 1 space for every 8 seats in largest assembly hall. However, the exceptions of subsection D4b of this section shall apply.</li> <li>6. Colleges, universities, and vocational schools**<br/>As determined by the planning commission in conjunction with a recommendation from the planning</li> </ol> |
|--------------------------------|---|

|   |   |
|---|---|
|   | director or director's designee.<br><br><i>** Alternative parking arrangements proposed by the specific school, college, etc., may be acceptable as determined by the planning director or director's designee pursuant to section 17.44.220 of this chapter.</i> |
| E. Hospitals/health care:                     | 1. Outpatient clinics<br>1 space for each 250 square feet of gross floor area.<br><br>2. Hospitals<br>3.25 spaces per bed.  |
| F. Nursing/convalescent, rest homes and aged: | 1 space for every 2 beds; plus 1.5 spaces per dwelling unit when applicable.  |
| G. Rehabilitative facilities:                 | (greater than 2 persons)<br>1.75 spaces for every bed.  |
| H. Criminal transitional facility:            | (greater than 2 persons)<br>1 space for each 4 beds.  |
| I. Handicapped or minimal care:               | facility (greater than 8)<br>1 space for every 4 beds or 1 for each 2 living units, whichever is greater.   |
| J. Religious assembly:                        | 1 space for each 6 seats in largest worship hall.   |
| K. Neighborhood recreation:                   | None required.  |
| L. Public recreation:                         | As determined by the planning commission upon recommendation of the planning director or director's designee.   |
| M. Essential services:                        | 1 space per building or 1 space per employee on the largest work shift, whichever is greater.   |
| N. Extensive impact:                          | As required by the city council.  |
| <b>O. Courthouse:</b>                         | <b>As determined by the Planning Commission upon recommendation of the Planning Director or director's designee.</b>  |

### **FINANCIAL ANALYSIS**

There is no financial impact associated with the proposed amendment.

### **PERFORMANCE ANALYSIS**

2007 Comprehensive Plan excerpts:

#### **The city seeks to accomplish its vision by:**

- Establishing standards and services that promote quality of life and facilitate commerce
- Organizing resources to accomplish goals
- Facilitating communication to promote unity and involvement

#### **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.

#### **Our goals and objectives will be implemented by:**

**Codes & ordinances** - (Existing, revised, or new): It is a priority to keep our code up-to-date by providing rational laws that govern future development.

**QUALITY OF LIFE ANALYSIS**

The amendment will allow flexibility in determining total required parking spaces for courthouses. However, landscaping code, setbacks, and ADA standards still apply. No negative quality of life issue will arise, unless an inadequate amount of parking is approved, which would force overflow parking into adjacent business/residential parking areas.

**DECISION POINT RECOMMENDATION**

Amend the code to modify the civic parking requirements to allow Planning Commission to determine the required parking for a courthouse use.

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMSOS, SENIOR PLANNER  
DATE: MARCH 11, 2008  
SUBJECT: PUD-2-08 – “PRINCETOWN AT WATERFORD” PLANNED UNIT DEVELOPMENT  
S-2-08 – 90-LOT “PRINCETOWN AT WATERFORD” PRELIMINARY PLAT SUBDIVISION  
LOCATION – +/- 9.64 ACRE PARCEL AT THE NORTHEAST CORNER OF DOWNING LANE AND PRINCETOWN LANE

**SITE PHOTOS:**

A. Aerial photo



B. Looking east at subject property from Downing Lane.



C. Looking north at subject property from Princetown Lane.



**DECISION POINT:**

- A. Copper Basin Construction is requesting Preliminary Plat approval of “Princetown at Waterford”, a 90-lot subdivision on both public and private streets built in the R-17 (Residential at 17 units/acre) zoning district and approval of “Princetown at Waterford PUD” Planned Unit Development.

The proposed development includes:

1. A work force housing project with 90 lots ranging in size from 2,516 sq. ft. to 4,054 sq. ft. for a density of 9.3 units per gross acre.
2. The development would be served by a combination of public and private streets, as follows:
  - a. Bardwell Drive – A public street in a 40 foot right-of-way, 34 feet paved street, curb & gutter, no sidewalks and parking on both sides.
  - b. McKlinlock Street – A public street in a 40 right-of-way, 30 foot paved street, rolled curbs, 5 foot sidewalk & planting strip on one side.
  - c. All other streets will be paved private streets 25 feet wide with no curbs, sidewalks or planting strips. (6 of these streets will be dead end “hammer head” streets.)
3. 1.2 - acres of open space area, which is 12.5% of the 9.64-acre total area of the subject property. The recreational amenities provided in the open space appear to be sidewalks or pedestrian trails along Downing Lane, Bardwell Drive and some of the private streets and a “tot lot” playground in the block surrounded by Holyoke Loop.

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

Zoning Ordinance:

- Zero street frontage for all lots.  
(This is required because the development is on a private street.)
- Reduce building setbacks:  
  
Front yard – From 20-feet to 5-feet  
Side yards – From 5/10-feet to 5-feet  
Rear yard – From 25-feet to 10-feet
- Reduce minimum lot size:  
  
From 5,500 sq. ft. to 2,512 sq. ft.

Subdivision Ordinance:

- Build the streets in the development to the following standards:  
  
Bardwell Drive – A public street in a 40 foot right-of-way, 34 foot paved street, curb & gutter, no sidewalks and parking on both sides.

McKlinlock Street – A public street in a 40 right-of-way, 30 feet paved street, rolled curbs, 5 foot sidewalk & planting strip on one side.

All other streets will be paved private streets 25 feet wide with no curbs, sidewalks or planting strips. (6 of these streets will be dead end “hammer head” streets.)

(The standard street section is a 60-foot right-of-way, 36-foot wide paved street with curb, gutter and 5-foot sidewalks and swales on both sides).

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

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

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

- A work force housing development.
- A single-family development on less than standard lots sizes and setbacks.
- A development built on a combination of public and private streets built to less than city standards.

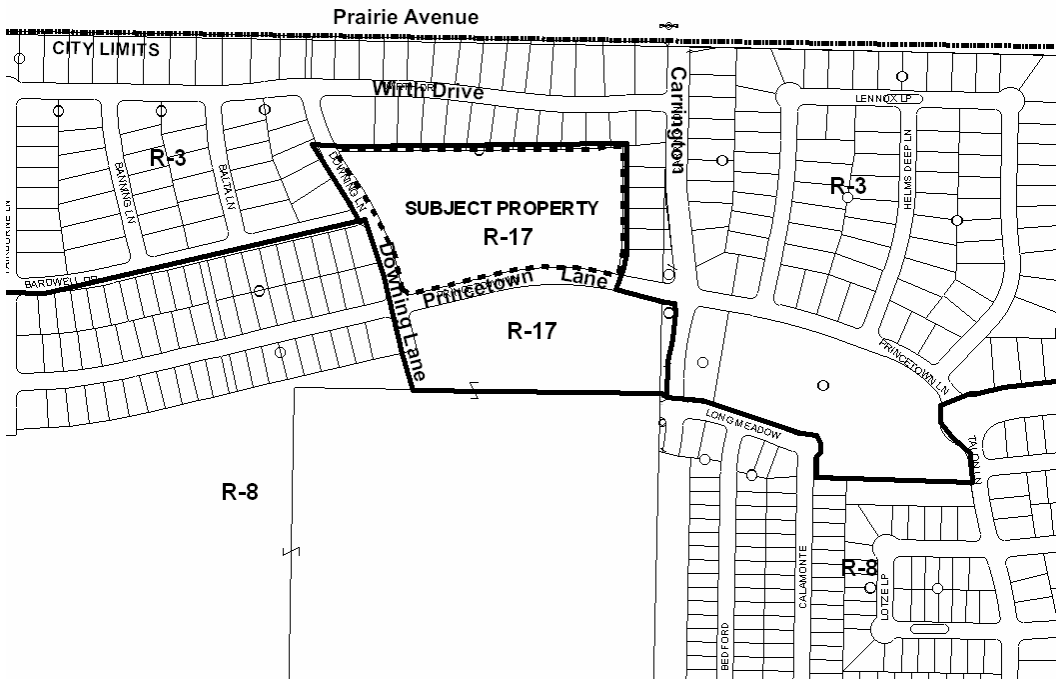
The Commission must decide if this request meets the intent of the PUD regulations and in so doing may wish to consider that certain benefits accrue to the city and the public by virtue of a planned unit development:

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

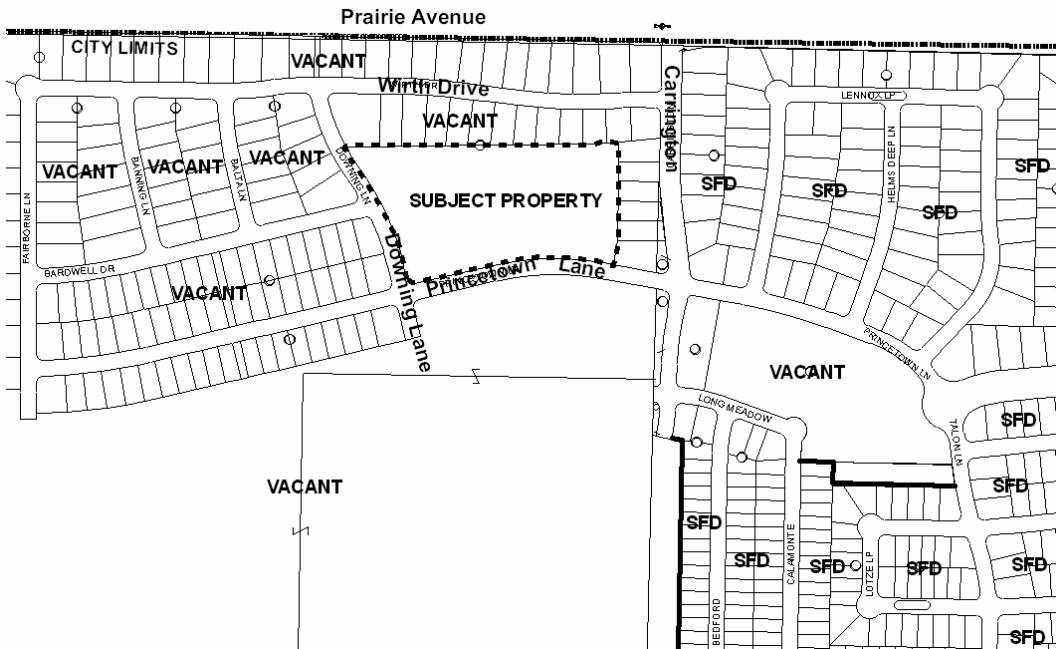


**GENERAL INFORMATION:**

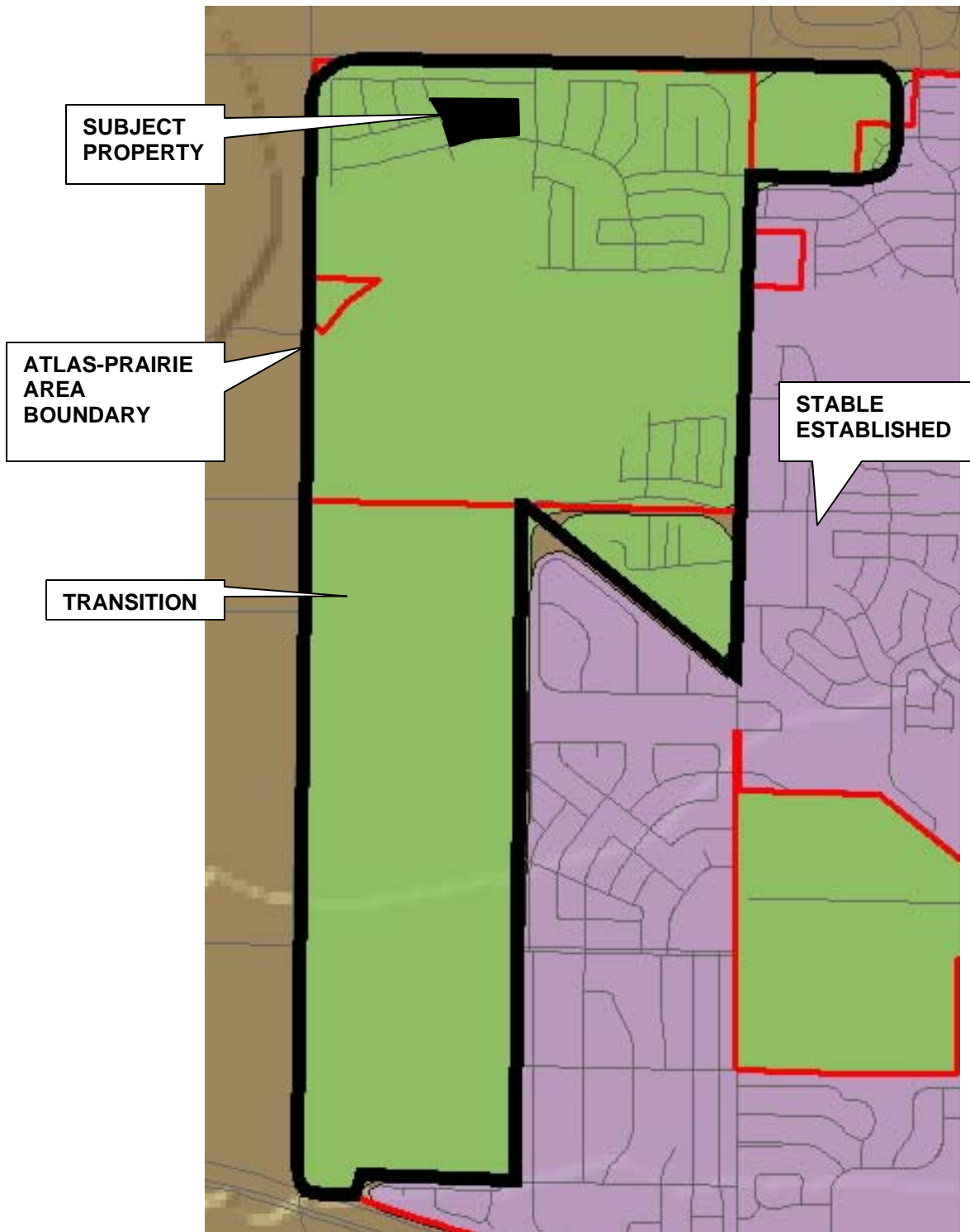
**A. Zoning**



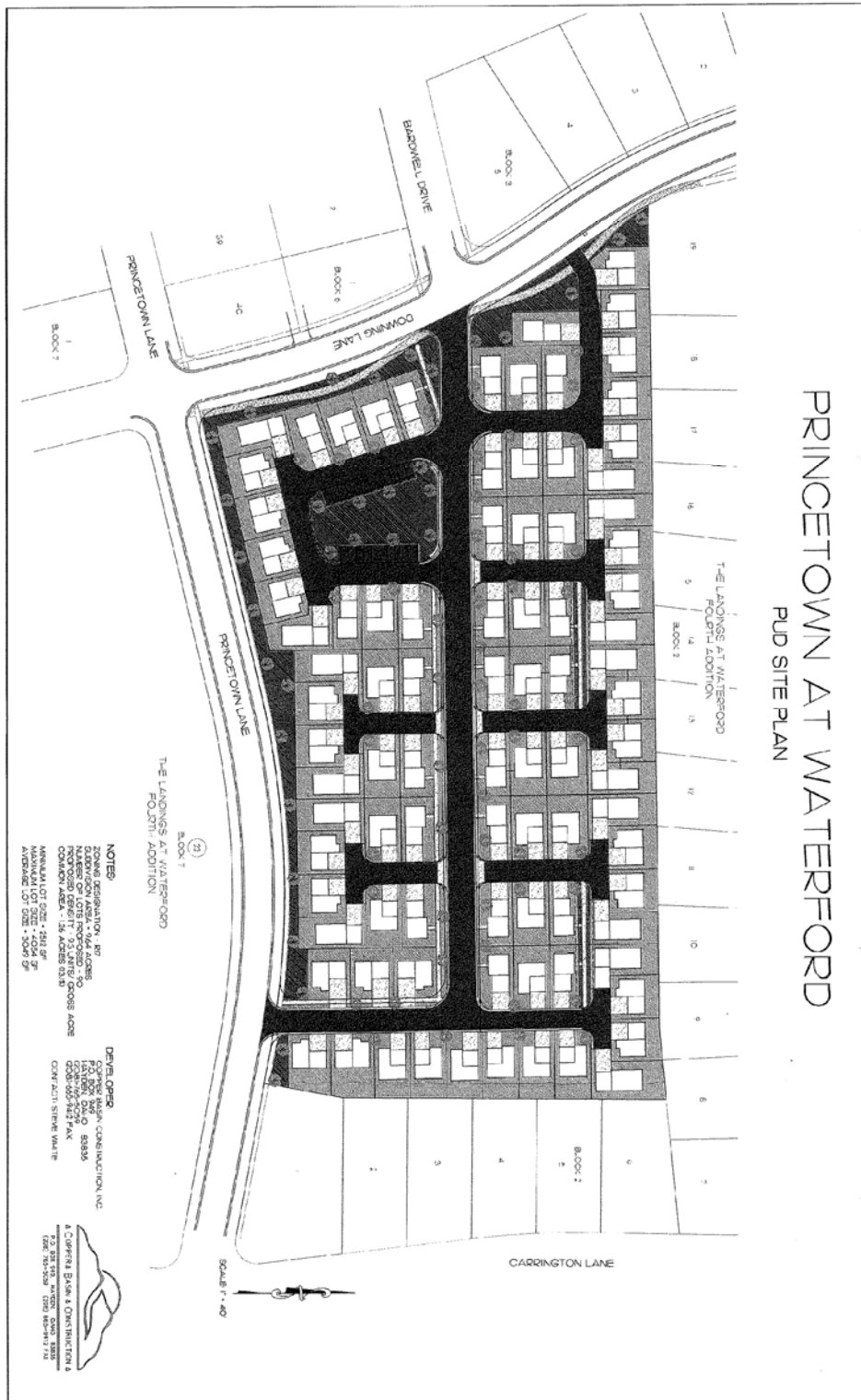
**B. Generalized land use pattern:**



C. 2007 Comprehensive plan – Transition – Atlas-Prairie



D. Site Plan "Princetown at Waterford PUD"



PRINCETOWN AT WATERFORD  
PUD SITE PLAN

THE LANDINGS AT WATERFORD  
FOURTH ADDITION

Block 1

NOTES

ZONING DESIGNATION: R2  
 LOT AREA: 15,000 SQ. FT.  
 NUMBER OF UNITS PROPOSED: 50  
 COMMON AREA: 15,000 SQ. FT.  
 MAXIMUM LOT SIZE: 4,000 SQ. FT.  
 AVERAGE LOT SIZE: 3,000 SQ. FT.

DESIGN OPER:

FOR MORE INFORMATION, CONTACT:

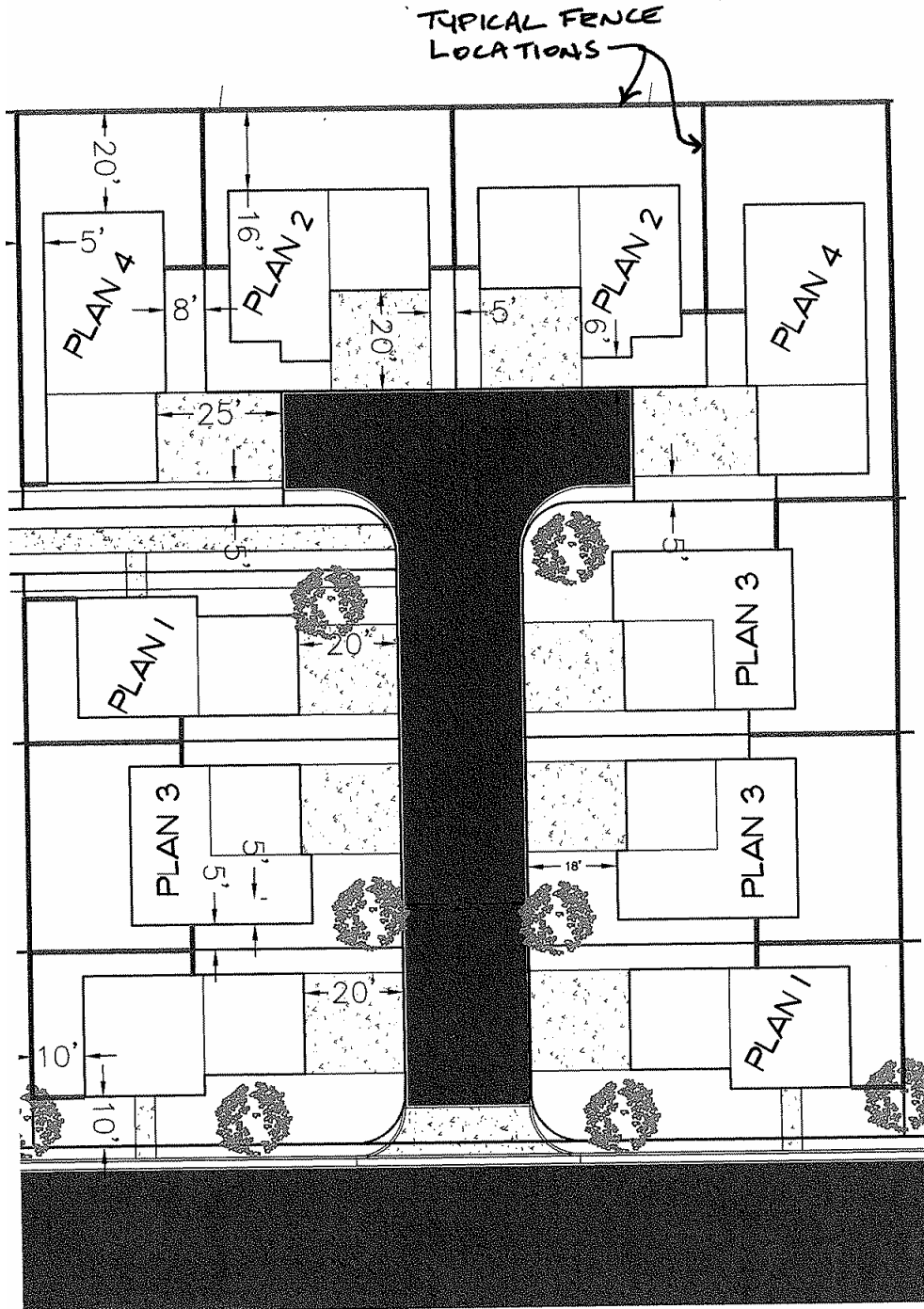
CONSTRUCTION INC.  
 10000 W. 10TH AVE. SUITE 100  
 DENVER, CO 80233  
 (303) 555-7427 FAX  
 WWW.ACTI-SITE.COM

7230 S. 10TH AVE. SUITE 100  
 DENVER, CO 80231  
 (303) 555-7427 FAX  
 WWW.ACTI-SITE.COM

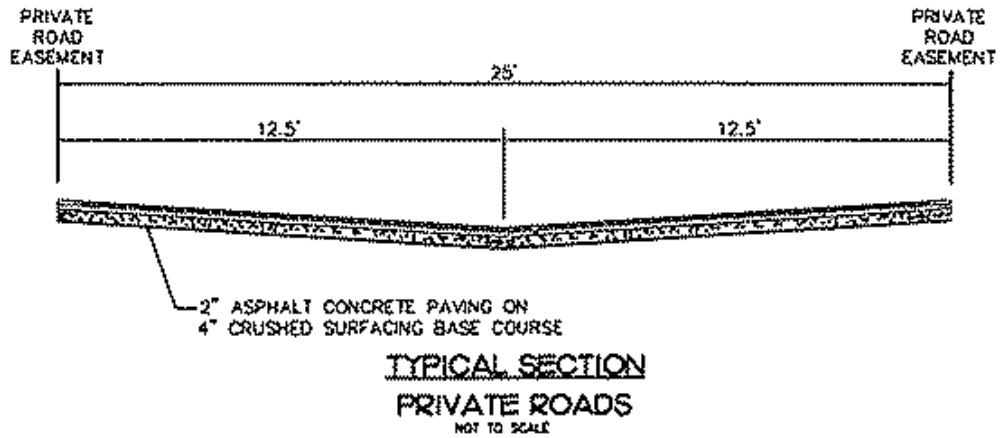
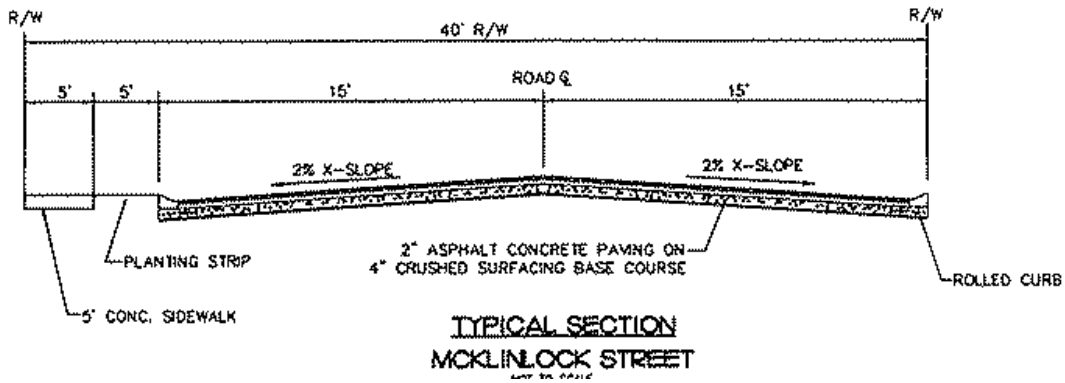
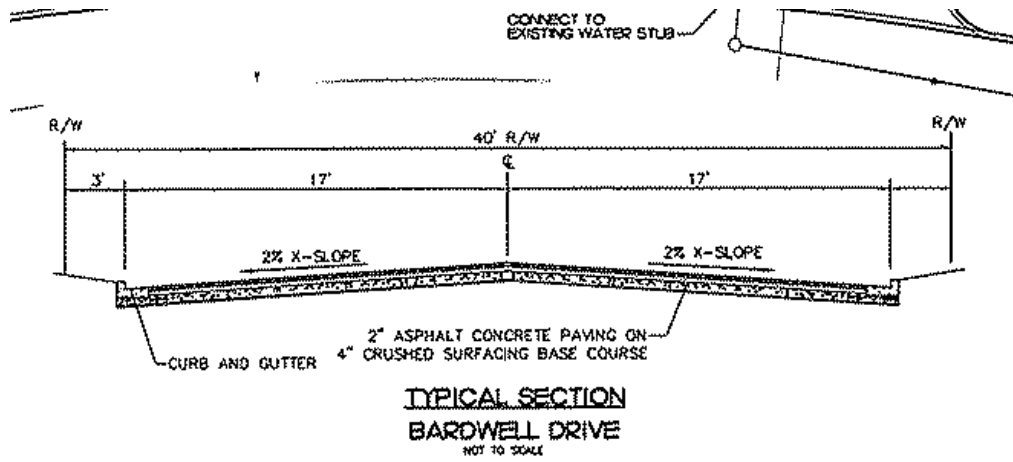
E. "Prince at Waterford" Preliminary Plat



F. Typical layout on "hammer head" streets.



G. Typical street sections:



H. Applicant: Copper Basin Construction  
P. O. Box 949  
Hayden, ID 83835

I. Owner: Crystal Creek, LLC  
P. O. Box 949  
Hayden, ID 83835

J. Land uses in the area include residential - single-family and vacant land.

K. The subject property is vacant undeveloped land.

**PERFORMANCE ANALYSIS:**

**Planned Unit Development Findings:**

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

1. The subject property is within the existing city limits.
2. The 2007 Comprehensive Plan Map designates this area as a Transition Area in the Atlas-Prairie area, as follows:

**Transition Areas:**

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

**Atlas-Prairie Area:**

Generally, this area is envisioned to be a residential area, lower in density, that develops with interconnected neighborhoods providing a mix of housing choices.

The characteristics of Atlas-Prairie neighborhoods will be:

- That overall density may approach four to five residential units per acre (4-5:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Annexing requires careful evaluation of infrastructure needs.
- Open space, parks, and pedestrian and bicycle connections will be provided.
- Developments adjacent to the Area of City Impact (ACI) boundary will provide for a distinctive entrance to the city.
- Neighborhood service nodes where appropriate.
- The street network will be interconnected, defining and creating smaller residential blocks and avoiding cul-de-sacs.

- A bypass study is underway to determine how traffic will be distributed to ease pressure from US 95.

**Significant policies for your consideration:**

- Objective 1.02 - Water Quality:  
  
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- Objective 1.11- Community Design:  
  
Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.
- Objective 1.12 - Community Design:  
  
Support the enhancement of existing urbanized areas and discourage sprawl.
- Objective 1.13 - Open Space:  
  
Encourage all participants to make open space a priority with every development and annexation.
- Objective 1.14 - Efficiency:  
  
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
- Objective 1.16 - Connectivity:  
  
Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trail systems.
- Objective 2.02 - 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 3.01 - 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 3.14 - Recreation:

Encourage city-sponsored and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities, hiking and biking pathways, open space, passive parks, and water access for people and boats.

➤ Objective 3.08 - Housing:

Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.

➤ Objective 3.10 - Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

➤ Objective 3.16 - Capital Improvements:

Ensure infrastructure and essential services are available prior to approval for properties seeking development.

➤ Objective 3.18 - Transportation:

Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.

➤ 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).

Transportation Plan policies:

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

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

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

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

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

The request is surrounded by single-family development and will have an architectural style that will blend into these uses and open space areas that will make the overall development compatible with the surrounding uses.

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

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

The subject property is relatively flat with no significant topographic features.

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

See Preliminary plat finding #B8B.

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

The subject property for the PUD is 9.64 acres and the required 10% open space requirement would be .96 acre free of buildings, streets, driveways, parking areas, swales and be accessible to all users of the development, and usable for open space and recreational purposes.

The proposed plan shows 1.22 acres of open space or 12.7% of the entire property consisting of open space areas abutting Downing Lane showing landscaping and a walking path, Princetown Lane showing landscaping, along Bardwell Drive and connections between some of the "Hammer head" streets showing sidewalks and the block bounded by Holyoke Loop showing a tot lot but also containing parking and swale areas. (See PUD plan on page 7)

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

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

The single-family residential parking requirement is two spaces per unit, which is met with a two car garage shown for each unit. In addition, the plan proposes 40 on street parking spaces on Bardwell Drive and 22 off-street spaces in the open space area bounded by Holyoke Loop for a total of 62 guest parking spaces.

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

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

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

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

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

The proposed development is a single-family development within the Landings at Waterford single-family subdivision, will have an architectural style that blends in with the surrounding area and is adjacent to major streets in the area that can handle traffic generated by this development.

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

**Preliminary Plat Findings:**

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

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

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

SEWER:

Gravity sanitary sewer is not currently available to the proposed subdivision.

Evaluation:

1. The proposed development is intending to utilize the "gravity" sewer connection in Downing Lane along the westerly boundary of the subject property in lieu of the private sanitary sewer lift station in the southwest corner of the subject property. Due to the incompleteness of the gravity main line which exits in the "Landings" development and traverses the "Hawk's Nest" development to the south, no construction will be allowed until the connecting line to the south and

the associated lift station are “on-line”. Until this utility connection takes place, gravity sewer is not available.

2. The change from one large 9.6 acre lot into many small lots creates issues for proper sewer design. A change from a previously planned private plumbing of apartments to public plumbing of small lots within this small parcel creates the issue of odor generation and high city maintenance costs as the public eight-inch pipe will not have enough connections to properly flow. The concept design shown has very short sanitary runs, terminating in a large amount of dead-end manholes (9). To reduce the odor potential and the high maintenance load of the dead-end manholes, a new sewer design must be shown with a reduced number of dead-end lines and dead-end manholes. Additionally a minimum of 2% grade to any public pipes within this proposed subdivision will be required.
3. The proposed streets accessing the single family units are proposed to be “private”, therefore, the public utilities located in them will be required to be placed within an easement, dedicated to the City, including but not limited to access, maintenance and replacement. The requirement for single utility easements is twenty feet (20’), and, dual utility easements thirty feet (30’).

Comments submitted by Don Keil, Assistant Wastewater Superintendent

**WATER:**

City water is available to the proposed subdivision. There are several eight inch (8”) water main extensions onto the subject property that can serve as connection and extension points.

**Evaluation:**

1. The Water Department will require the use of eight inch (8”) water mains throughout the proposed development. Any water main lines that are not located within accessible rights-of-way will be required to be placed within a City standard twenty foot (20’) easement for single utilities or thirty foot (30’) easement for dual utilities.
2. Looping of the water main will be required throughout the development on runs that have fire hydrants situated on them to insure adequate fire flows.
3. Cross country water main lines may be possible if placed within the required easements, however, no structures, driveways, trees or other intensive landscaping will be allowed to be placed over them due to future line maintenance/replacement needs. Any situation of this nature is subject to the approval of the City Water Department, without whose permission, will not be allowed.
4. The City Water Department will also require the placement of meter settings in the front of each property to negate the use of gang meter settings with extremely long service laterals to individual residences.

Comments submitted by Terry Pickel, Assistant Water Superintendent

**STORMWATER:**

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

subject property utilizing one drainage swale for the site, while at the same time using both public and private roadways.

Evaluation:

1. City Code requires that public and private stormwater facilities are kept separate. If the development utilizes both public and private roadways, there will be a need for separate drainage swale facilities. This will be required of any submittal for the subject property.
2. Use of centrally located drainage swales will be required over the use of curb adjacent swales to facilitate maintenance.

TRAFFIC:

Utilizing an average peak hour factor of 0.90 for the A.M. /P.M. generation periods, the ITE Trip Generation Manual estimates the project may generate approximately 81 trips during the peak hour periods.

Evaluation: At the present time, there are two points of access for all traffic accessing the subject development. Access will be available to either Prairie Avenue to the north or Atlas Road to the east. At subsequent build out of the surrounding area, access will eventually be available to Hanley Avenue on the south, through the adjoining subdivision (Hawks Nest).

STREETS:

The proposed subdivision is bordered by local streets Downing and Princetown Lanes, whose rights-of-way widths meet current City standards. The development as submitted, is proposing the use of internal streets that are both public and private, with substantially reduced right's-of- way (40 feet vs. standard 60 feet), reduced public street widths of 30 feet and 34 feet curb to curb and "private" roads (20 feet) that are less than allowable.

Evaluation:

1. The proposed interior streets do not meet City standards.
2. The proposal of a 34 foot wide public street with allowed parking on both sides would leave a remainder of 18 feet for two nine foot (9') travel lanes. This is less than the City allowed width of 12 feet for travel aisles which is typically used. If the reduced street width is utilized parking would only be allowed on one side and would have a restriction placed upon it that would not allow parking during the winter months due to snow plowing and snow storage problems.
3. The proposed thirty foot (30') street would not be allowed. The proposed thirty four foot (34') standard would be required for use with the same restrictions placed upon it.
4. The submitted development is proposing private roads that are twenty five feet (25') wide and serve as common driveways; however, the submitted plan schematic shows these as twenty foot (20') lanes. This is substandard per City Code and would not meet the requirements of the City Fire Department or Fire Code if there are fire hydrants located on them (26 foot minimum width). Also, enforcement of parking, obstruction, signage, encroachment or other restrictions

or regulations on private roads is not within the jurisdiction of the City police or Code Enforcement and is the responsibility of the developments homeowners association (HOA).

#### FIRE PROTECTION:

The developer is proposing “hammer heads” at the end points of the private streets that have a total length of fifty five feet (55’).

#### Evaluation:

1. The “hammer heads” as proposed, do not meet the requirements of the City Fire Department. Fire Department criteria requires that the legs of the “T” style hammer head turn-around, each be sixty feet (60’) for a total of one hundred twenty feet (120’).

#### SUBDIVISION IMPROVEMENTS:

1. Proposed internal street lighting is not City standard, therefore if allowed, all installation, repair and/or replacement will be the responsibility of the homeowners association (HOA) for the subject development. All non-City street lighting is required to be installed outside the limits of the right-of-way.

#### APPLICABLE CODES AND POLICIES:

##### UTILITIES

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

##### STREETS

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

STORMWATER

9. A stormwater management plan shall be submitted and approved prior to start of any construction and the plan shall conform to all requirements of the City. All public and private drainage facilities are required to be separate.

FIRE PROTECTION

10. A fire hydrant(s) shall be installed at all locations deemed necessary by the City Fire Inspector.

GENERAL

11. The final plat shall conform to the requirements of the City.
12. The Covenants, Conditions, and Restrictions and/or Articles of Incorporation of the homeowners association shall be subject to review for compliance with the conditions herein by the City Attorney.

Submitted by Chris Bates, Project Manager

FIRE:

This project exceeds 2.5 miles from fire station #1. Any building heights exceeding 35 feet in this project area will affect future ISO ratings. The fire department will address other issues such as water supply, hydrants and access prior to any site development and upon receipt of additional information of this project.

Submitted by Glenn Lauper, Deputy Fire Chief

POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

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

See PUD Findings #B8A pages 11-13...

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

The subject property is within the corporate limits and will create a 90-lot subdivision on private streets that will provide an alternative form of housing for the Coeur d'Alene area.

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

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

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

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

The subject property is zoned R-17 and will not change with this request. Residential uses allowed in this zone include single-family, duplexes, pocket and multi-family housing up to 17units/acre. The applicant is requesting 90 single-family lots with an overall residential density of 9.3 units per gross acre, which is a much lower density than the 168 units allowed by right for this parcel.

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

Zoning Ordinance:

- Zero street frontage for all lots.  
(This is required because the development is on a private street.)
- Reduce building setbacks:  
  
Front yard – From 20-feet to 5-feet  
Side yards – From 5/10-feet to 5-feet  
Rear yard – From 25-feet to 10-feet
- Reduce minimum lot size:  
  
From 5,500 sq. ft. to 2,512 sq. ft.

Subdivision Ordinance:

- Build the streets in the development to the following standards:  
  
Bardwell Drive – A public street in a 40 foot right-of-way, 34 foot paved street, curb & gutter, no sidewalks and parking on both sides.  
  
McKlinlock Street – A public street in a 40 right-of-way, 30 feet paved street, rolled curbs, 5 foot sidewalk & planting strip on one side.  
  
All other streets will be paved private streets 25 feet wide with no curbs, sidewalks or planting strips. (6 of these streets will be dead end “hammer head” streets.)

Evaluation: The Planning Commission must determine if the new set of standards requested through the PUD are appropriate in the R-17 zoning district for this location and setting.

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

See PUD finding B8H.



H. Proposed conditions:

Planning

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

Engineering

1. Gravity sanitary sewer is not available to the subject property, therefore, the sanitary sewer gravity main line that will be utilized by the proposed development will be required to be constructed and operational prior to the issuance of any building permits for the subject property.
2. A new sewer design acceptable to the City Wastewater Department must be shown with a reduced number of dead-end lines and dead-end manholes. Additionally to reduce the odor generation problem from dead end lines with low sanitary flows, a minimum of 2% grade to any public short run, dead end pipes within this proposed subdivision will be required.
3. Any sanitary utility lines located outside of the public rights-of-way will be required to be placed within twenty foot (20') wide single utility easements or thirty foot (30') wide dual utility easements.
4. Water mains will be required to be eight inch (8") diameter throughout the development and looping will be required to facilitate adequate fire flows.
5. Cross country water main lines may be possible if placed within the required easements, however, no structures, driveways, trees or other intensive landscaping will be allowed to be placed over them due to future line maintenance/replacement needs. Any situation of this nature is subject to the approval of the City Water Department, without whose permission, will not be allowed.
6. Water meter placement will be required to be at the front of the individual lots. Gang metering with long service laterals will not be allowed.
7. Use of centralized swales will be required for street drainage to facilitate maintenance.
8. The public streets shown as Bardwell Drive and McKlinlock Street will be required to be City standard thirty six feet wide in the standard right-of-way and built to City standards. The private streets will be required to be the minimum twenty five (25') feet shown and twenty six feet (26') if there is a fire hydrant present.
9. No parking will be allowed on less than standard width streets and appropriate signage will be required.
10. Hammer head style turnarounds are required to meet the criteria of the City Fire inspector with a minimum length of sixty feet (60') from the centerline for each segment.
11. Lot frontages, if reduced, must meet the minimum allowable for a sixteen foot

(16') driveway approach. This would require the minimum allowable frontage to be thirty-two feet (32').

12. All street lighting installed that is not City standard, will be required to be installed, repaired and/or replaced at the applicable homeowners association expense. The city will not be responsible for any costs associated with non standard lighting.

I. Ordinances and Standards Used In Evaluation:

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

**ACTION ALTERNATIVES:**

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

[F:\pcstaff\rpts\PUD208&S208]

# Princetown at Waterford

## A Workforce Housing Project

### **Project Overview**

Princetown at Waterford is Located within the Residential Development of The Landings at Waterford. The Landings is located South of Prairie Ave. and between Atlas and Huetter Roads. This particular 9.64 Acre Parcel was originally planned as a Multifamily Site with an approval of up to 132 units by the original developers of the Landings at Waterford. The site is located in Phase IV of the Landings, and is within 350 feet of the Future 3 acre park that was donated to the city by the Developers several years ago.

The existing zoning of R-17, coupled with the Close proximity to a park and existing transportation and utilities network, make this, in our opinion, an excellent location for a high density single family affordable housing project such as this proposal. Rather than develop this site as a Multifamily Rental or Condo Project, an efficient and affordable alternative will provide ownership opportunities for the workforce of Coeur d'Alene.

With an overall density of 9.3 units per acre, for a total of 90 Single Family Residential houses, this proposal is "Outside the Box" for our region. High land costs as well as high development costs for roads and infrastructure require us to look at alternatives that will help reduce these costs and therefore reduce the price per home. The design is predicated upon efficiency, in that the amount of land and infrastructure is minimized by planning the development around the housing units, instead of designing small lots then finding floors plans that fit on them in a traditional type of development. The repeating pattern of development allows for a minimal amount of road improvements.

Traffic will be handled internally by a Public Road, as requested by Staff, that connects to both Princetown Lane and Downing Lane. The proposed Bardwell Drive and McKlinlock Street are 40' right-of-ways. A series of private "Hammer Heads and Loops" will serve as the main access points for the majority of homes in the project. Bardwell Drive will be 34' curb to curb and will allow for parking on both sides. No driveways will front on Bardwell Drive, which will allow for approximately 40+ on street guest parking spaces. In addition to the on street parking, an additional 22 off-street parking spaces will be provided in the open space inside Holyoke Loop. Creating 62+/- guest parking spaces within the project. Additional on street parking is available on both Princetown lane and Downing Lane. Each residence will also have a two car garage and a 2 car driveway.

Open Space for the PUD will total 1.26 Acres. Generally, the open space is located around the perimeter of the project and will serve as a Buffer for the project from the existing Single Family Residences. Located within and adjacent to this perimeter

landscape area are existing walking trails and sidewalks that will serve the neighborhood with connectivity to the future park as well as the walking trail system. Located within the project is a small park area within Holyoke Loop that will contain a "Tot Lot" playground for the residents.

### **Housing Types**

In a project of this type, each lot is designed to accommodate a particular floor plan. This project has a total of 4 floor plans ranging in size from 1314 SF 2 Bedroom, 2.5 Baths to a 1931 SF 4 Bedroom 2.5 Bath Home. Each plan is designed to maximize efficiency as well as livability at an affordable price. Options on the floor plans will allow purchasers to increase the number of bedrooms on 3 of the plans by converting the loft areas. Each Home will have an attached 2 car garage and 2 car driveway. A preliminary set of Floor Plans and Elevations is included.

All homes within the development will have vinyl siding and 25 year comp roofing. No T-111 or other forms of cheap siding will be used. New vinyl products such as shake and batten board will allow a mixture of textures that will produce a visibly appealing project that will maintain its quality for years to come.

In a development of this type, with small lots and reduced setbacks, privacy fencing is a crucial part to creating a sense of space. All fencing within the project will be included with the home and will be of Vinyl Composition. The location of fencing is depicted on the site drawing. In addition to the interior fencing, the existing block wall fencing that exists on the North and East boundaries of this parcel will be extended along Princetown and Downing Lanes.

### **Site Performance**

The requested variances from the standards in this PUD proposal are as follows:

Minimum Lot size - reduced to 2512 SF

Minimum Lot Frontage - reduced to 23'

Setbacks all sides - reduced to 5' with a minimum 20 foot driveway

Street lighting - Due to the higher density, use of smaller "Town and County" Street lighting is requested in place of standard overhead lighting to reduce the glare and impact upon the residents.

### **Home Owner's Association**

A non-profit Home Owner's Association will be created to maintain the common areas and private roads within the project. The Association will be responsible for maintaining the landscaping of the open space and the snow removal and storage of the private roads. The association shall be governed by a board of directors comprised of residents within

the project. Fees for the association are anticipated to be approximately \$45.00 per month, which shall cover the above mentioned costs as well as establish a fund for future road and fence maintenance.

### **Services**

Each home within the project shall be served by city water and sewer on an individual connection. All franchise utilities are also available to the Site. Garbage collection will be handled by Waste Management; a copy of the plan has been given to them for their input. Collection can either be handled at central dumpster points or by individual cans as Waste Management sees best fits their needs.

### **Phasing**

Since this is a small compact site, all improvements will be installed in the first phase of development.

### **Synopsis**

As a workforce housing project, we feel this proposal is foreword thinking and combines good design with an excellent location. Walking trails, City parks, good transportation and no offsite improvements all combine to create a project that fills a need within our region, while not creating any negative drawbacks. Since this site is an existing R-17 parcel that could be developed as an apartment project, the existing residents in the area benefit from a Single Family Residential development as their neighbor, with home owner's that have a vested interest in their community. Affordable pricing of homes starting in the low \$130's, means our local workforce will have options other than renting in our current real estate environment.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on March 11, 2008, and there being present a person requesting approval of ITEM PUD-2-08 a request for a planned unit development known as "Princetown at Waterford PUD".

LOCATION: +/- 9.64 acre parcel at the northeast corner of Downing Lane  
and Princetown Lane

APPLICANT: Copper Basin Construction

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

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

- B1. That the existing land uses are residential - single-family and vacant land
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is R-17.
- B4. That the notice of public hearing was published on February 23, 2008 and March 4, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on March 3, 2008, which fulfills the proper legal requirement.
- B6. That 15 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on February 22, 2008 and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on March 11, 2008.
- B8. Pursuant to Section 17.07.230, Planned Unit Development Review Criteria, a planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the Planning Commission:

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

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

|                                      |                         |    |             |
|--------------------------------------|-------------------------|----|-------------|
| <b>Criteria to consider for B8B:</b> |                         |    |             |
| 1.                                   | Density                 | 6. | Open space  |
| 2.                                   | Architectural style     | 7. | Landscaping |
| 3.                                   | Layout of buildings     |    |             |
| 4.                                   | Building heights & bulk |    |             |
| 5.                                   | Off-street parking      |    |             |

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

|                                      |   |
|--------------------------------------|---|
| <b>Criteria to consider for B8C:</b> |   |
| 1.                                   | Is there water available to meet the minimum requirements for domestic consumption & fire flow?         |
| 2.                                   | Can sewer service be provided to meet minimum requirements?   |
| 3.                                   | Can the existing street system accommodate the anticipated traffic to be generated by this development? |
| 4.                                   | Can police and fire provide reasonable service to the property?   |



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

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

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

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

**Criteria to consider for B8G:**

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

**C. ORDER: CONCLUSION AND DECISION**

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

Special conditions applied are:

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

**ROLL CALL:**

|                       |             |
|-----------------------|-------------|
| Commissioner Bowlby   | Voted _____ |
| Commissioner Luttrupp | Voted _____ |
| Commissioner Messina  | Voted _____ |
| Commissioner Rasor    | Voted _____ |

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

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

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

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

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on March 11, 2008, and there being present a person requesting approval of ITEM S-2-08: a request for preliminary plat approval of "Princetown at Waterford", a 90-lot subdivision on both public and private streets built in the R-17 (Residential at 17 units/acre) zoning district.

LOCATION: +/- 9.64 acre parcel at the northeast corner of Downing Lane  
and Princetown Lane

APPLICANT: Copper Basin Construction

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

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

- B1. That the existing land uses are residential - single-family and vacant land
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is R-17.
- B4. That the notice of public hearing was published on February 23, 2008 and March 4, 2008, which fulfills the proper legal requirement.
- B5. That the notice was not required to be posted on the property.
- B6. That 15 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on February 22, 2008 and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on March 11, 2008.
- B8. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

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

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

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

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

**Criteria to consider for B8D:**

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

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

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

**Criteria to consider for B8F:**

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

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

**Criteria to consider for B9:**

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

**C. ORDER: CONCLUSION AND DECISION**

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

Special conditions applied to the motion are:

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

ROLL CALL:

|                       |             |
|-----------------------|-------------|
| Commissioner Bowlby   | Voted _____ |
| Commissioner Luttrupp | Voted _____ |
| Commissioner Messina  | Voted _____ |
| Commissioner Rasor    | Voted _____ |

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

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

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

---

CHAIRMAN BRAD JORDAN

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMOS, SENIOR PLANNER  
DATE: MARCH 11, 2008  
SUBJECT: S-3-08 – 12-LOT “THE COTTAGES ON GOVERNMENT WAY”  
PRELIMINARY PLAT SUBDIVISION  
LOCATION – +/- .97 ACRE PARCEL AT THE SOUTHEAST CORNER OF  
GOVERNMENT WAY AND SUMMIT AVENUE

**SITE PHOTOS:**

A. Aerial photo





- B. Looking south at subject property from Summit Avenue.



- C. Looking north at subject property from Government Way.

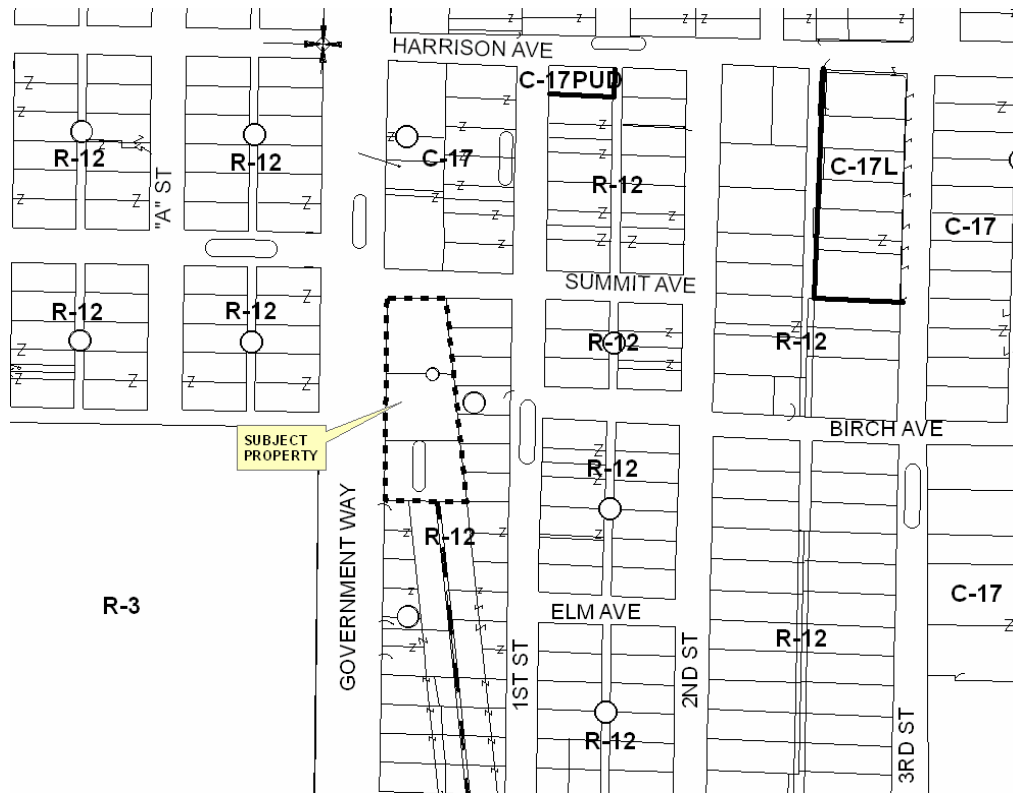


**DECISION POINT:**

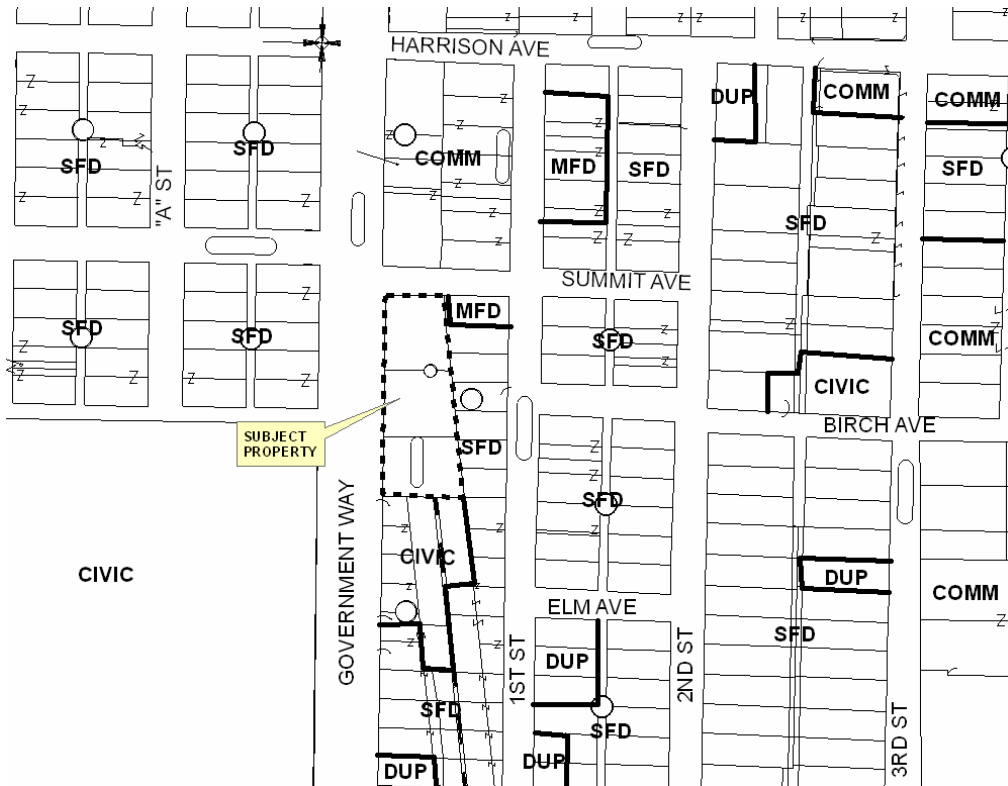
- A. Copper Basin Construction is requesting Preliminary Plat approval of "The Cottages on Government Way", a 12-lot subdivision in the R-12 (Residential at 12 units/acre) zoning district with lot sizes ranging between 2,896 sq. ft. and 4,874 sq. ft. and an overall density of 12 units per gross acre.

**GENERAL INFORMATION:**

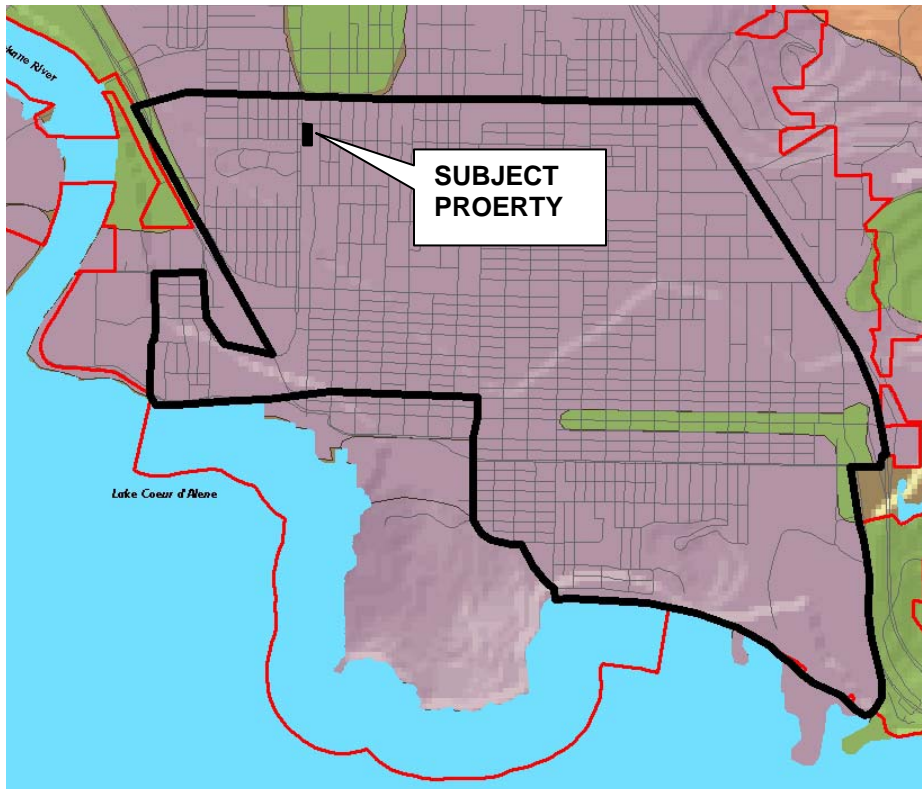
- A. Zoning



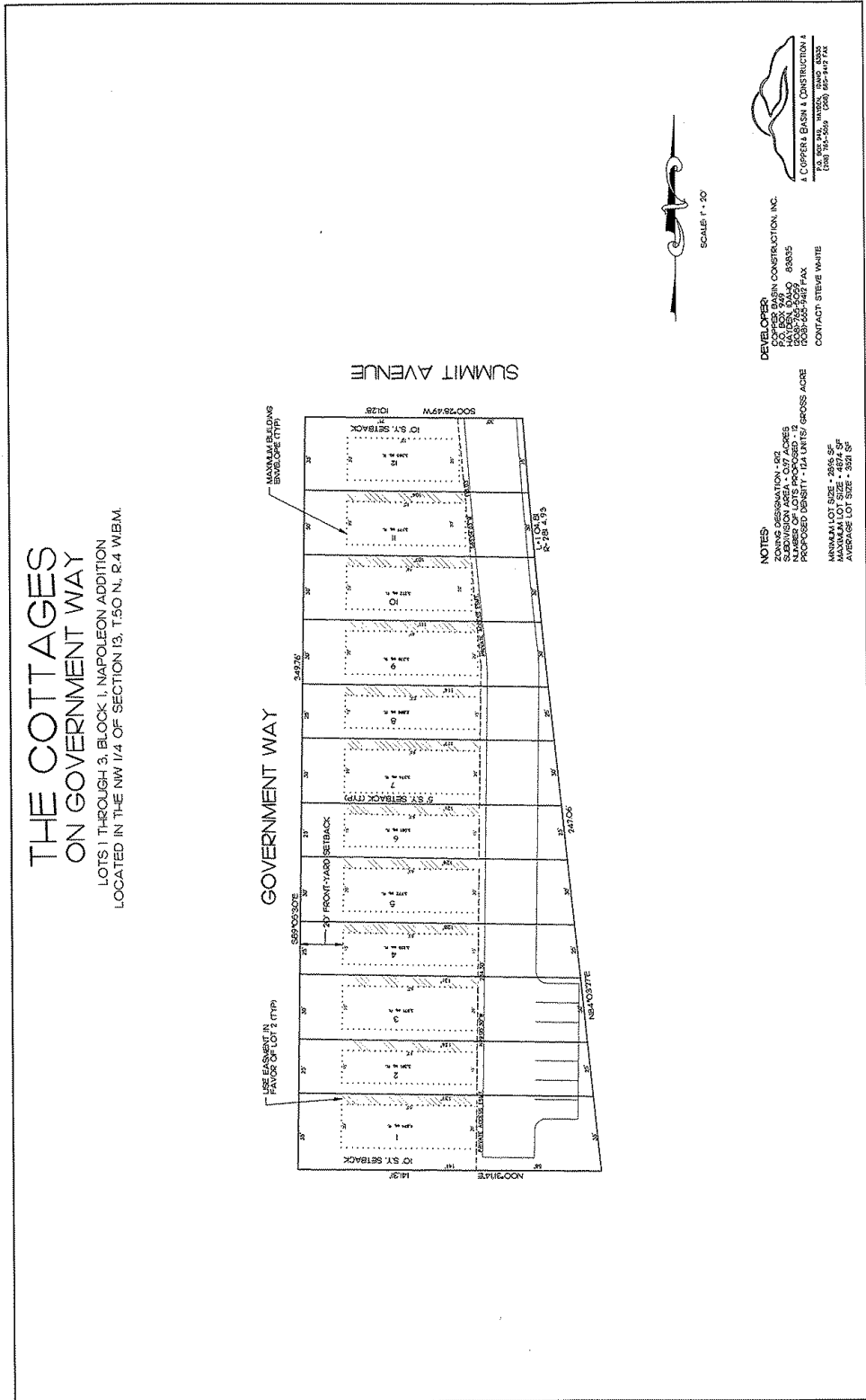
B. Generalized land use pattern:



C. 2007 Comprehensive plan – Stable Established – Historical Heart



D. Site Plan "The Cottages on Government Way"



- E. Applicant: Copper Basin Construction  
P. O. Box 949  
Hayden, ID 83835
- F. Owners John Giddings  
1880 Grandview Drive  
Coeur d'Alene, ID 83815  
  
James P. Kenney  
P. O. Box 536  
El Granada, CA 94018
- G. Land uses in the area include residential - single-family, duplex and multi-family, civic, commercial and vacant land.
- H. The subject property is vacant undeveloped land.

**PERFORMANCE ANALYSIS:**

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

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

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

**WATER:**

Water service is available to the subject property.

Evaluation: There is a 6 inch main in Government Way that is looped to an 8 inch supply to the north and several 6 inch mains to the south. This should provide adequate domestic and fire flow to the plat. If additional fire flow is required, the developer will be required to upsize the main.

Submitted by Terry Pickel, Assistant Water Superintendent

**SEWER:**

Sewer is available to the subject property.

Evaluation: City sanitary sewer is available under the north bound Government way lane, south of Summit Avenue. The current 3 lots have existing sanitary sewer laterals to the property. Additional sanitary lateral taps can be made on the City main by following City and Wastewater guide lines and requirements.

Submitted by Don Keil, Assistant Wastewater Superintendent

#### STORMWATER:

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. All on-site storm drainage will be required to be managed and contained in on-site drainage swales. The maintenance of these swales will be the responsibility of the homeowners association (HOA) for the subject property. The off-site roadway stormwater is managed by the existing City hard pipe system.

#### TRAFFIC:

The ITE Trip Generation Manual estimates the project may generate approximately 6.4 trips per day during the peak hour periods (7-9 a.m./4-6 p.m.).

Evaluation: The adjacent and connecting streets will accommodate the additional traffic volume. The proximity to the Government Way/Harrison signalized intersection and the local street network will provide multiple routes to and from the subject property.

#### STREETS:

The proposed subdivision is bordered by Government Way on the west and Summit Avenue on the north. Access to the development is shown from Summit Avenue with no access onto the Government Way frontage.

#### Evaluation:

1. The noted streets are fully paved sections; however, the curb line on the Summit Avenue frontage will be required to be replaced. Also, utility installation on the Government Way frontage may require the replacement of the curb line.
2. Installation of utility service laterals from the main lines in Government Way may require the reconstruction of the northbound lane adjoining the subject property. If the developer utilizes multiple service installations in lieu of a single service installation, reconstruction of the adjoining street will be required. Multiple service cuts with street patches will not be allowed.
3. Sidewalk installation will be required on both street frontages with pedestrian ramp installation at the corner of Government Way and Summit Avenue.
4. Any redesign of the proposal that shifts the access point from Summit Avenue to the Government Way frontage would require the utilization of a common approach for the development. Individual driveways onto Government Way will not be allowed.

#### APPLICABLE CODES AND POLICIES

##### UTILITIES

1. All proposed utilities within the project shall be installed underground.
2. All water and sewer facilities shall be designed and constructed to the requirements of the City of Coeur d'Alene. Improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.

3. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.
4. All required utility easements shall be dedicated on the final plat.

#### STREETS

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

#### STORMWATER

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

#### FIRE PROTECTION

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

#### GENERAL

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

Submitted by Chris Bates, Project Manager

#### FIRE:

The fire department will address other issues such as water supply, hydrants and access prior to any site development and upon receipt of additional information of this project.

Submitted by Glenn Lauper, Deputy Fire Chief

#### POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

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

1. The subject property is within the existing city limits.
2. The 2007 Comprehensive Plan Map designates this area as a Stable Established Area in the Historical Heart area, as follows:

#### **Transition Areas:**

These areas are where the character of neighborhoods has largely been

established and, in general, should be maintained. The street network, the number of building lots and general land use are not expected to change greatly within the planning period.

**Historical Heart Area:**

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.

**Significant policies for your consideration:**

- Objective 1.02 - Water Quality:  
  
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- Objective 1.11- Community Design:  
  
Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.
- Objective 1.12 - Community Design:  
  
Support the enhancement of existing urbanized areas and discourage sprawl.
- Objective 1.13 - Open Space:



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

➤ Objective 1.14 - Efficiency:

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

➤ Objective 1.16 - Connectivity:

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

➤ Objective 2.02 - 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 3.01 - 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 3.08 - Housing:

Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.

➤ Objective 3.10 - Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

➤ Objective 3.16 - Capital Improvements:

Ensure infrastructure and essential services are available prior to approval for properties seeking development.

➤ Objective 3.18 - Transportation:

Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.

➤ 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).

Transportation Plan policies:

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

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

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.

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

The subject property is within the corporate limits, is in conformance with the Comprehensive Plan, will create a 12-lot subdivision "infill development" using the newly adopted Pocket Housing Regulations that will provide another form of housing for the Coeur d'Alene area.

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

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

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

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

The subject property is zoned R-12 and will not change with this request. Residential uses allowed in this zone include single-family, duplexes and pocket housing up to 12units/acre. The applicant is requesting 12 single-family lots with an overall residential density of 12 units per gross acre.

This is a project that will utilize the City's Pocket Development Regulations and will allow lot sizes smaller than the 3,500 sq ft. minimum lot size allowed in the R-12 zone because in the pocket housing regulations there is no minimum lot size.

The purpose and intent of the pocket housing regulations are as follows:

1. Encourage greater efficiency of land use by allowing compact infill development on aggregate sites.

2. Stimulate new housing that is compatible in scale and character to established surrounding residential areas.
3. Produce a broader range of building forms for residential development.
4. Expand opportunities for home ownership, including both condominium and fee simple.
5. Ensure that residents of such housing enjoy a high quality environment, with permanence, stability and access to green space.

Evaluation: The lots proposed in the preliminary plat meet the minimum lot size requirements for pocket housing in an R-12 zone.

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

This is a pocket housing development with 12 dwelling units on individual lots in an area of single-family, duplex and multi-family development and is adjacent to Government Way and Summit Avenue both of which can accommodate any future traffic from this project.

**H. Proposed conditions:**

Engineering

1. Should additional water supply be necessary for either service needs or fire flow requirements, the developer will be required to upsize the main and/or install fire hydrants at no cost to the City.
2. A stormwater plan utilizing standard swales will be required to manage the on-site impervious areas.
3. Curb and sidewalk installations will be required along both the Summit Avenue and Government Way frontages. Subdivision improvement plans will be required to be submitted and approved prior to any construction on the subject property.
4. Individual driveways onto the Government Way frontage will not be allowed. Any access must be a common access utilized by the entire development.
5. Multiple utility service lateral installation along the Government Way frontage will require the total resurfacing /reconstruction of the northbound lane adjoining the subject property. This work will be completed by the developer at no cost to the City.

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

Comprehensive Plan - Amended 1995.  
 Transportation Plan  
 Municipal Code.  
 Idaho Code.  
 Wastewater Treatment Facility Plan.  
 Water and Sewer Service Policies.  
 Urban Forestry Standards.  
 Transportation and Traffic Engineering Handbook, I.T.E.

Manual on Uniform Traffic Control Devices.  
Coeur d'Alene Bikeways Plan  
Kootenai County Assessor's Department property records

**ACTION ALTERNATIVES:**

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

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on March 11, 2008, and there being present a person requesting approval of ITEM S-3-08: a request for preliminary plat approval of "The Cottages on Government Way", a 12-lot subdivision in the R-12 (Residential at 12 units/acre) zoning district.

APPLICANT: Copper Basin Construction

LOCATION – +/- .97 acre parcel at the Southeast Corner of Government Way and Summit Avenue

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

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

- B1. That the existing land uses are single-family, duplex and multi-family, civic, commercial and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established
- B3. That the zoning is R-12 (Residential at 12 units/acre)
- B4. That the notice of public hearing was published on February 22, 2008, and March 4, 2008, which fulfills the proper legal requirement.
- B5. That the notice was not required to be posted on the property.
- B6. That 90 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on February 22, 2008, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on March 11, 2008.
- B8. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

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

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

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

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

**Criteria to consider for B8D:**

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

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

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

**Criteria to consider for B8F:**

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

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

- Criteria to consider for B9:**
1. **Can the existing street system support traffic generated by this request?**
  2. **Does the density or intensity of the project "fit " the surrounding area?**
  3. **Is the proposed development compatible with the existing land use pattern? i.e. residential, commercial, residential w churches & schools etc.**
  4. **Is the design and appearance of the project compatible with the surrounding neighborhood?**

**C. ORDER: CONCLUSION AND DECISION**

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

Special conditions applied to the motion are:

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

**ROLL CALL:**

|                       |             |
|-----------------------|-------------|
| Commissioner Bowlby   | Voted _____ |
| Commissioner Luttrupp | Voted _____ |
| Commissioner Messina  | Voted _____ |
| Commissioner Rasor    | Voted _____ |

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

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

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

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CHAIRMAN BRAD JORDAN



**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMOS, SENIOR PLANNER  
DATE: MARCH 11, 2008  
SUBJECT: SP-1-08 – REQUEST FOR A GROUP DWELLING SPECIAL USE PERMIT IN AN R-12 ZONING DISTRICT  
LOCATION: A +/- 17,860 SQ. FT. PARCEL AT 622 NORTH 19<sup>TH</sup> STREET

**DECISION POINT:**

Maggie's Place Idaho, Inc. is requesting approval of a Group Dwelling Special Use Permit in the R-12 (Residential at 12units/acre) zoning district. It would provide a home for not more than 12 pregnant mothers who would live there during their pregnancies and up to six months after their child's birth.

**SITE PHOTOS:**

A. Site photo.



B. House on subject property.

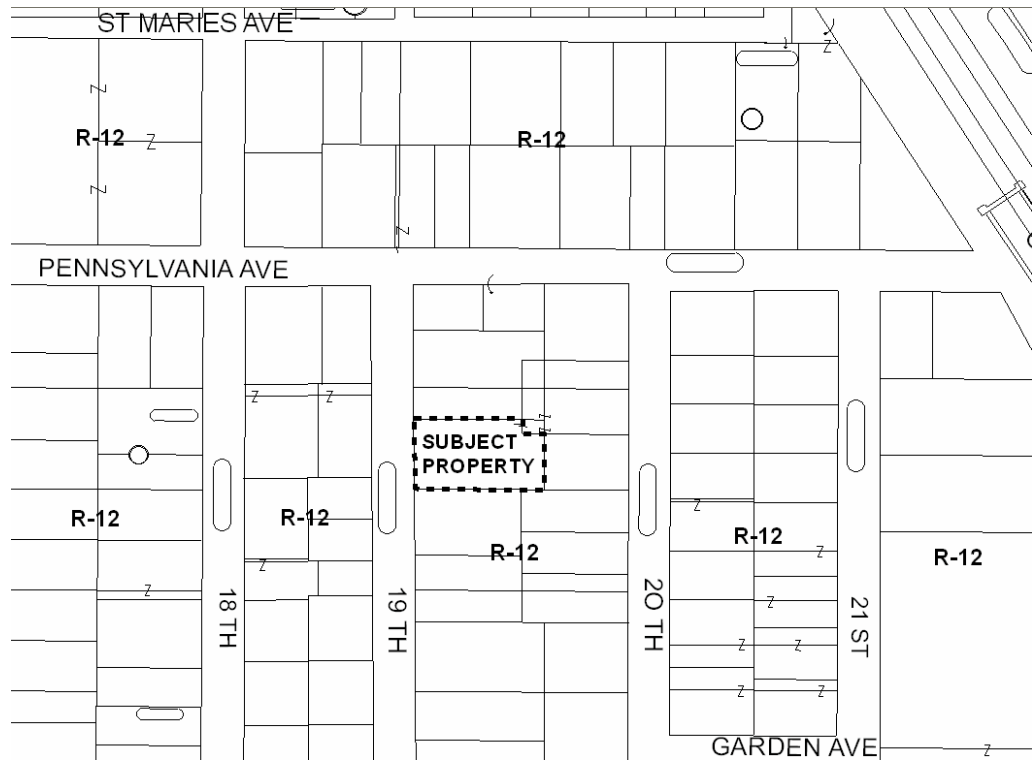


B. House on subject property.

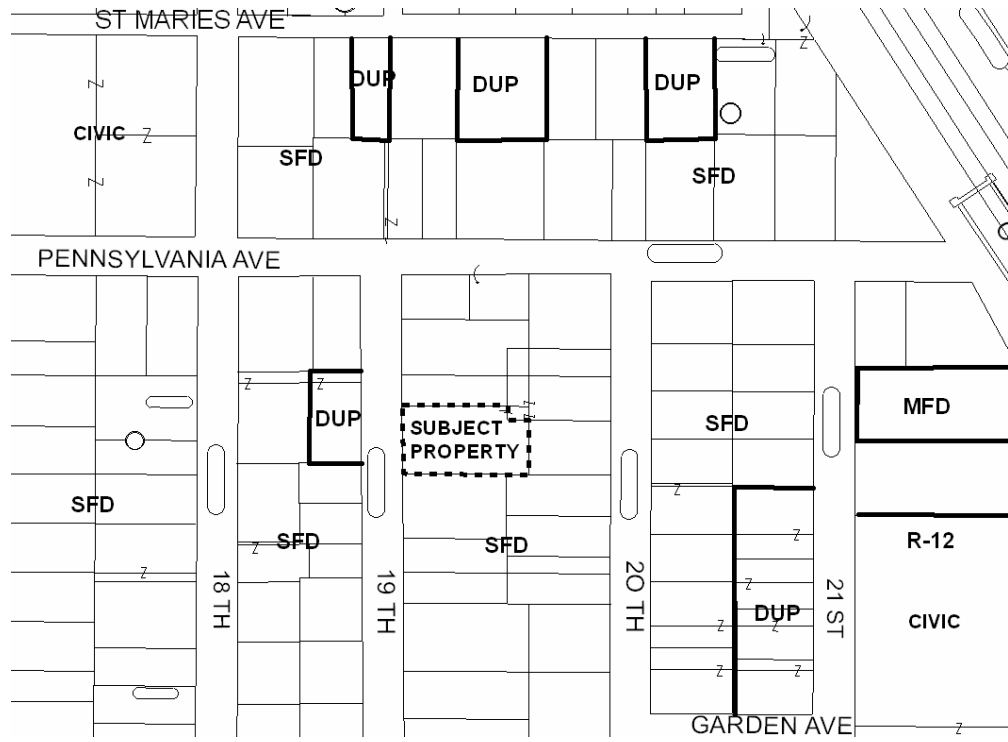


**GENERAL INFORMATION:**

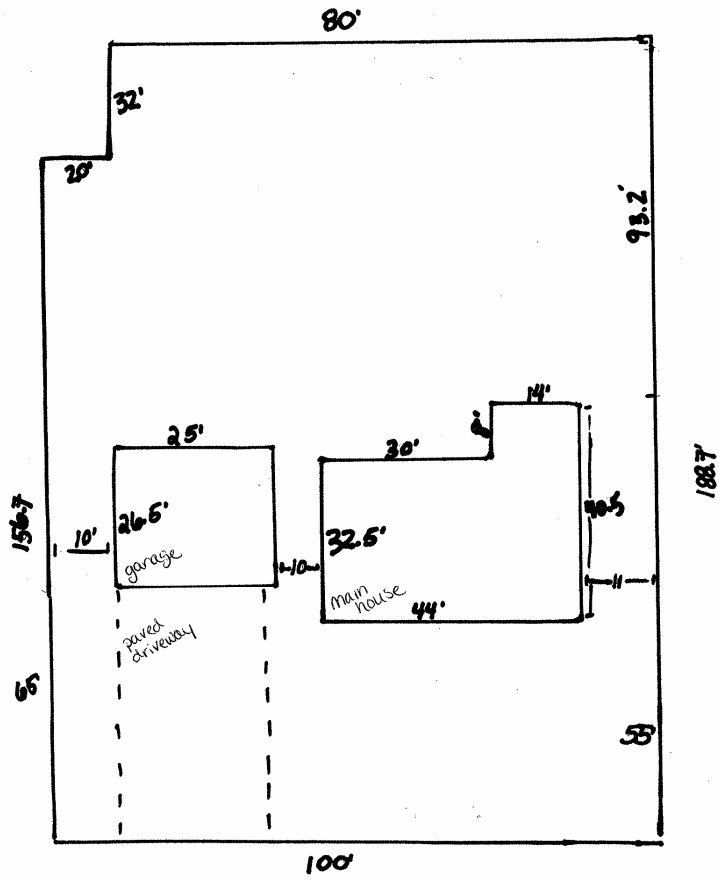
A. Zoning



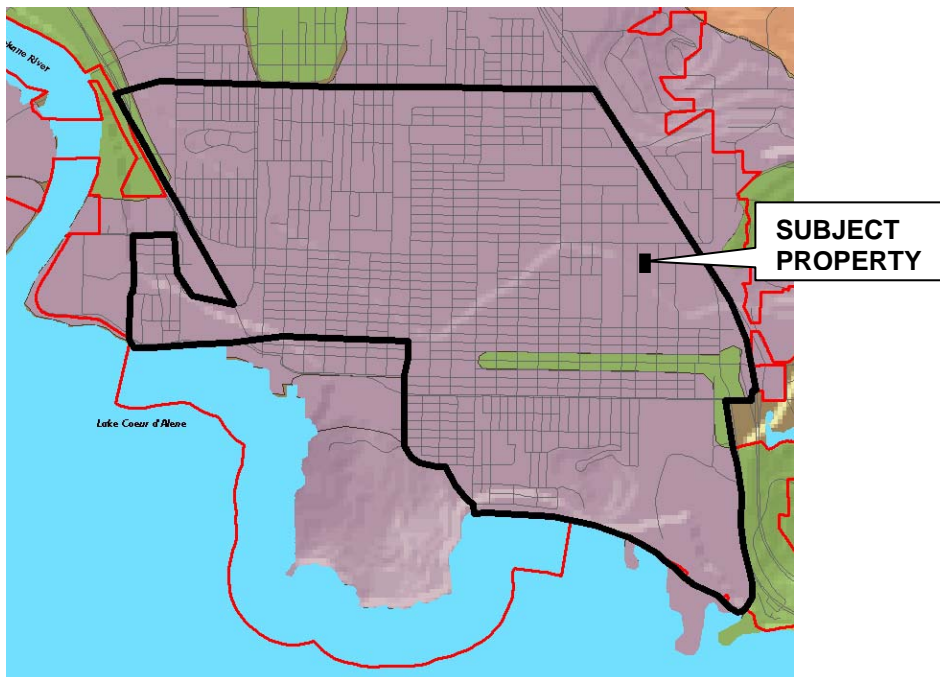
B. Generalized land use pattern:



C. Site plan.



D. 2007 Comprehensive plan – Stable Established – Historical Heart



- D. Applicant/ Owner: Maggie's Place Idaho, Inc.  
P. O. Box 3665  
Coeur d'Alene, ID 83816
- E. Existing land uses in the area include residential – single-family, duplex and multi-family and civic.
- F. The subject property contains single-family dwelling.

**PERFORMANCE ANALYSIS:**

- A. Zoning:

The requested group dwelling activity is allowed by special use permit and must comply with the following definitions for group dwellings:

Section 17.03.030.B.b, Group dwelling detached housing: One dwelling unit occupied by a group as defined in subsection 17.02.45.K of this title.

Section 17.02.045.K, Dwelling Unit, Group: "Group dwelling unit" means a dwelling unit occupied by more than eight (8) persons unrelated by blood, marriage, or adoption, and living together as an independent housekeeping unit whether operated as a business or not, but excluding criminal transitional facilities, juvenile offenders facilities and other institutional arrangements involving the provision of a special kind of care or forced residence

The applicant's narrative indicates that this group dwelling would be for up to 12 pregnant women who would live there during their pregnancies and for up to 6 months after they have given birth.

Evaluation: The application meets the definitional requirement for a group dwelling.

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

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

**Transition Areas:**

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

**Historical Heart Area:**

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.

**Significant policies for your consideration:**

- Objective 2.05 - Pedestrian & Bicycle Environment:  
  
Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances
  
- 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 4.01 - City Services:  
  
Make decisions based on the needs and desires of the citizenry.
  
- 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 proposed use would be located in an existing single-family dwelling in a stable established neighborhood, is in an area that is zoned R-12 and in a neighborhood that is predominately single-family dwellings.

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:

Water is available to the subject property.

Evaluation: The 6" main in 19<sup>th</sup> St. should provide adequate service to the referenced property. There are existing fire hydrants at the north and south ends of the block the property resides on. The existing service should be adequate for the domestic requirements.

Submitted by Terry Pickel, Assistant Water Superintendent

SEWER:

Public Sewer is presently serving this address and is of adequate capacity to support this Special Use Permit.

Submitted by Don Keil, Assistant Wastewater Superintendent

TRAFFIC, STREETS AND STORMWATER:

No comments.

Submitted by Chris Bates, Engineering Project Manager

FIRE:

The Fire Department will address other issues such as water supply, hydrants and access prior to any site development and upon receipt of additional information on this project.

Submitted by Glenn Lauper, Deputy Fire Chief

POLICE:

The Police department was contacted and had no concerns.

Submitted by Steve Childers, Captain Police Department

E. Proposed conditions:

None.

F. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.

Municipal Code.

Idaho Code.

Wastewater Treatment Facility Plan.

Water and Sewer Service Policies.

Urban Forestry Standards.

Transportation and Traffic Engineering Handbook, I.T.E.

Manual on Uniform Traffic Control Devices.

**ACTION ALTERNATIVES:**

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

## **Burden of Proof**

Maggie's Place Idaho wishes to be granted a special use permit to open a group dwelling unit which will be a house of hospitality for expectant women who are living alone or on the streets. We request permission to have at most twelve women living in our home. There will always be a combination of program participants and staff members residing in the home together. Program participants who live in the home are required to be at least eighteen years old, clean from drugs and alcohol for at least thirty days (Maggie's Place conducts random drug tests), not currently involved in an active domestic violence situation, not diagnosed with a serious mental illness, and pregnant at the time of admittance into the home. Modeled after our three other homes operating in Arizona, mothers can move into the home anytime during their pregnancy and stay until six months after their child's birth. We are not a family shelter and only provide housing for the woman seeking a home and the child born to her during her stay at Maggie's Place. It is important for our community to be small and intimate in order to create a safe, family-like environment for the guests being served.

Maggie's Place Idaho's request to become a group dwelling unit conforms to the 2007 Comprehensive Plan in that it will provide "a suitable housing form within an existing neighborhood to match the needs of the growing population," as stated in Objective 3.01. We wish to help women become self-sufficient and contributing members of society and will do this by providing them with a home that will give them a sense of worth and honor. We seek to meet the needs of this part of the population while respecting the desire to keep Coeur d'Alene a safe, beautiful, family-oriented city.

The location intended for this site will need no modifications. The home is adequate to house twelve adults. The driveway is capable of holding nine vehicles and the garage two. The house and garage have adequate storage capacity for the goods needed to supply the size program we intend to run.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on, March 11, 2008, and there being present a person requesting approval of ITEM SP-1-08, A Group Dwelling Special Use Permit in the R-12 (Residential at 12units/acre) zoning district.

LOCATION: A +/- 17,860 sq. ft. parcel at 622 North 19<sup>th</sup> Street

APPLICANT: Maggie's Place Idaho, Inc

**B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON  
(The Planning Commission may adopt Items B1 to B7.)**

- B1. That the existing land uses are residential – single-family, duplex and multi-family and civic.
- B2. That the Comprehensive Plan Map designation is Stable Established
- B3. That the zoning is R-12 (Residential at 12units/acre)
- B4. That the notice of public hearing was published on, February 23, 2008, and, March 4, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, March 3, 2008, which fulfills the proper legal requirement.
- B6. That 48 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, February 22, 2008, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on March 11, 2008.
- 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 **MAGGIE'S PLACE IDAHO, INC** for a Group Dwelling 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 Luttrupp | Voted _____ |
| Commissioner Messina  | Voted _____ |
| Commissioner Rasor    | Voted _____ |

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

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

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

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CHAIRMAN BRAD JORDAN

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# 2008 Planning Commission Priorities Progress

MARCH 2008

|   |  |  |
|---|--|--|
| <p>.A note on the colors from from Tony Berns: "I use the stop light analogy:<br/>         Red is bad – either that initiative has failed, or our Board goal for the year will not be met.<br/>         Yellow is caution – could get to "red" if we don't do something pronto.<br/>         Green is good. he other colors like "pending" are place holders until action on those items can occur." <b>Note: The PC is encouraged to select what "color" is appropriate.</b></p> |  |  |
| <b>Administration of the Commission's Business</b>  |  |  |
| <ul style="list-style-type: none"> <li>▪ Follow-up of Commission requests &amp; comments</li> </ul>   |  | No new requests.   |
| <ul style="list-style-type: none"> <li>▪ Meeting with other boards and committees</li> </ul>  |  | Park/rec Comm workshop 6/07.<br>Sign Bd 06, CC 3/07  |
| <ul style="list-style-type: none"> <li>▪ Goal achievement</li> </ul>  |  | Checklist of projects w/updated 2/07   |
| <ul style="list-style-type: none"> <li>▪ Building Heart Awards</li> </ul>   |  | Discussed 7/06 No awards will be given.  |
| <ul style="list-style-type: none"> <li>• Speakers</li> </ul>  |  | Wastewater & LCDC completed  |
| <ul style="list-style-type: none"> <li>• Public Hearings</li> </ul>   |  | April 8th, 6 Items   |
| <b>Long Range Planning</b>  |  |  |
| <ul style="list-style-type: none"> <li>▪ <b>Comprehensive Plan Update</b></li> </ul>  |  | Approved by City Council on November 20, 2007  |
| <b>Public Hearing Management</b>  |  |  |
| <ul style="list-style-type: none"> <li>▪ Continued work on Findings and Motions</li> </ul>  |  | Warren and Plg staff to review   |
| <ul style="list-style-type: none"> <li>▪ Public hearing scheduling</li> </ul>   |  | Chrman Jordan consulted on agenda  |
| <b>Regulation Development</b>   |  |  |
| <b>1. Subdivision Standards</b>   |  | Pending – some research begun  |
| <b>2. Revise Landscaping Regulations</b>  |  | w/Urban Forestry & rfq/p being drafted   |
| <b>3. Expansion of Design Review</b>  |  | CChearing scheduled March 18, 2008.  |
| <b>4. Commercial Zoning Districts</b>   |  | Hgts/Commercial Zoning study of E Sherman assigned by council in progress.   |
| <b>5. Off-Street Parking Standards</b>  |  | Rfq/p drafted.   |
| <b>6. Workforce &amp; Affordable Housing</b>  |  | City staff & consultant working on various aspects ie Community Development Block Grant.   |
| <b>Misc Zoning Ord. Updates</b>   |  |  |
| <ul style="list-style-type: none"> <li>• Non-Conforming Use Reg cleanup</li> <li>• Average Finish Grade</li> <li>• Screening of rooftop equipment</li> <li>• Mediation – state law</li> <li>• PUD Standards</li> <li>• Lighting</li> <li>• Surface Water, Irrigation – ID law</li> <li>• Re-codification or re-org to Unified Development Code</li> </ul>   |  | <p>Fort Grounds Example, research continuing.<br/>           Commercial design guidelines review w/M. Hinshaw<br/>           CC Approved 5/1</p> <p>Commercial design guidelines review w/M. Hinshaw</p> <p>Research begun</p> |
| <b>Other Code Provisions under Development Supported by Commission</b>  |  |  |
| <ul style="list-style-type: none"> <li>• Variance criteria</li> <li>• Design Review Procedure</li> <li>• Downtown Design Review – cleanup</li> <li>• Height Projections</li> </ul>  |  | <p>CC approved hgt 5/1<br/>           CC Hearing March 18, 2008<br/>           CC Hearing March 18, 2008</p>   |
| <b>Other Action</b>   |  |  |
| Infill East Revisions   |  | City Council approved East Infill Boundary<br>Work continues on revised guidelines   |