

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

APRIL 8, 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, Evans, Luttrupp, Rasor, Messina, Satterly, (Student Rep)

APPROVAL OF MINUTES:

March 11, 2008

PUBLIC COMMENTS:

COMMISSION COMMENTS:

STAFF COMMENTS:

OTHER:

1. Approval of findings for:
 - a. PUD-2-08, S-2-08 , "Princetown at Waterford"
 - b. S-3-08, "The Cottages on Government Way"
 - c. SP-1-08, "Mary's Place"

ADMINISTRATIVE ITEMS:

1. Applicant: Riverstone West, LLC
Request: Proposed 3- lot preliminary plat "Riverstone Phase III Short Plat"
SHORT PLAT, (SS-1-08)

2. Applicant: City of Coeur d'Alene
Location: Lot 1 Block 1 Clark Addition
Request: A proposed 1-lot preliminary plat "Final Short Plat Braunson Addition"
SHORT PLAT, (SS-2-08)

PUBLIC HEARINGS:

1. Applicant: City of Coeur d'Alene
Request: A proposed amendment to the off-street parking requirements for Hotel and Motel parking
LEGISLATIVE, (0-4-08)
2. Applicant: City of Coeur d'Alene
Request: Modification to Infill Overlay Regulations
LEGISLATIVE, (0-1-07d)
3. Applicant: City of Coeur d'Alene
Request: Amendment to Zoning Performance Standards"
LEGISLATIVE, (0-5-08)
4. Applicant: City of Coeur d'Alene
Request: Parks by right
LEGISLATIVE, (0-6-08)
5. Applicant: Mica Creek, LLC
Location: SW corner of Kathleen & Schreiber Avenue
Request: A proposed Professional Office special use permit in the LM (light manufacturing) zoning district
QUASI-JUDICIAL, (SP-3-08)
6. Applicant: City of Coeur d'Alene
Location: 3285 Fruitland Lane

Request:
 - A. A proposed 3.20 acre PUD " Braunsen Subdivision"
QUASI-JUDICIAL, (PUD-3-08)
 - B. A proposed zone change from MH8(Mobile Home at 8 units/acre) to R-17 (Residential at 17 units/acre) zoning district
QUASI-JUDICIAL, (ZC-2-08)
7. Applicant: Carol Allen
Location: 380 Neider Avenue
Request: A proposed Off-Site Consumption special use permit in the C-17L (Commercial limited) zoning district
QUASI-JUDICIAL, (SP-2-08)

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



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**PLANNING COMMISSION
MINUTES**

MARCH 11, 2008

**COEUR D'ALENE PUBLIC LIBRARY
COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Brad Jordan, Chairman
Heather Bowlby, Vice-Chair
Peter Luttrupp
Tom Messina
Scott Rasor
Juliana Satterly, Student Rep.

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 Rasor, seconded by Bowlby, to approve the minutes of the Planning Commission meeting held on February 12, 2008.

PUBLIC COMMENTS:

None

COMMISSION COMMENTS:

None

STAFF COMMENTS:

None

OTHER:

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

Motion by Rasor, seconded by Bowlby, to approve the findings for Items ZC-1-08, PUD-1-08, A-1-08

& S-1-08, Pennsylvania Highlands. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Messina	Voted	Nay
Commissioner Rasor	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 3 to 1 vote.

PUBLIC COMMENTS:

None

PUBLIC HEARINGS:

1. Applicant: City of Coeur d'Alene
Request: Off-street parking for court houses
LEGISLATIVE (0-3-08)

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

Commissioner Bowlby inquired if this is a request to change the existing code.

Senior Planner Stamos explained that this request is to authorize staff to make a change to the existing code,

John Manning, ALES Architects, explained that they are requesting this code change, because they feel there are differences in the parking requirements for a federal courthouse compared to other civic uses. He added that a federal courthouse use is based on a light occupancy rate compared to other civic uses.

Commissioner Bowlby inquired if this is a request for the federal courthouse being constructed in the city.

Planner Holmes replied that this is a request for a modification that will cover all courthouses.

Deputy City Attorney Wilson explained that currently this code is general and does not divide the uses in categories.

Commissioner Luttrupp commented that he feels that this should be specific and say "Federal Courthouses".

Chairman Jordan commented he concurs with staffs recommendations to leave the request as "Courthouses"

Motion by Luttrupp, seconded by Messina, to approve Item 0-3-08. Motion approved.

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)

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

Commissioner Luttrupp inquired if the amount of open space for this development includes swales.

Senior Planner Stamsos answered that when open space is calculated swales are subtracted.

Commissioner Luttrupp noted after reviewing the plat map, he feels the calculations for open space does not exclude the swales.

Senior Planner Stamsos commented that upon his review of the site plan, he found that after the swales were deducted, the applicant would have less open space than what is required.

Engineering Services Director Dobler commented that he had some last minute revisions and passed out copies to the Commission. He explained that there were problems with the connection to the sewer and how those issues were worked out to eliminate the possibility of odors trapped in the dead end lines located in the hammerhead cul-de-sacs. He added that this design is not the ideal way the City would want future sewer systems but that the applicant has agreed to a condition stating that when the lines are placed, that a 2% grade will be required for all pipes located in the dead end streets. This would provide adequate slope to help eliminate future odor problems.

Commissioner Rasor inquired about snow removal.

Engineering Services Director Dobler explained when the snow is removed on public streets the snow is plowed to the side of the street, and since these are private streets there would not be enough room to move that snow to the side of the street. He added that the applicant would be the best person to address that question.

Commissioner Bowlby questioned how many streets located in Coeur d'Alene are 30' feet wide. She continued that she is aware of only one located off of Locust, west of 15th Street.

Engineering Services Director Dobler answered that he is not aware of many subdivisions in the City with streets that are narrow. He recalled that when Greystone Subdivision was approved; they proposed 30' foot wide streets and they have not had any problems.

Commissioner Bowlby commented that she is concerned with the potential of odors in the area and commented that she lives in an area with this problem and questioned if staff looked at another way to loop the sewer lines so they would not dead end.

Engineering Services Director Dobler commented that staff looked at other ways to mitigate this problem and what the applicant has submitted will work, but does not want this design to set precedence for future developments.

Commissioner Luttrupp commented that he was concerned with the condition from the Fire Department stating that they will not have ample turn-around in the hammerheads.

Engineering Services Director Dobler commented that he recently met with the Fire Department and was told that they would not have their trucks park on the street in case of an emergency, but rather they would drag a hose down to the homes in the cul-de-sac.

Commissioner Luttrupp questioned that with the Fire Department having to make that adjustment, should that be a concern and will public safety be in jeopardy.

Engineering Services Director Dobler commented that staff is saying there maybe some obstacles but not deal killers.

Commissioner Bowlby commented that she has concerns if this project is compatible with the neighborhood.

Deputy City Attorney Wilson commented that when this property was originally annexed, this parcel was intended for multi-family homes.

Public Testimony open:

Steve White, Applicant, 10895 Point Hayden Drive, presented a PowerPoint presentation to the Commission and explained that this parcel was excluded from the original CC&R's for the Landings. He added that recently he received a letter from the President of the Homeowners Association stating that this piece of land will be covered under the original CC&R's. He commented that he is aware of rumors that this project is intended for low income housing, and stated that is not true. He explained that this will be a single family housing project with homes estimated to start at \$150,000 to \$200,000, which is intended to fall in the category of "Affordable Housing", and not considered low income subsidized housing. He challenged the Commission to "look outside the box" and feels that this parcel has everything including an adequate infrastructure that will provide a development that is affordable. He explained that the zoning on the property allows the homes to be "clustered" allowing more homes to be placed on a piece of property to make the homes more affordable, and by having the homes close together helps promote a sense of community appealing to many first time home buyers. He commented that staff has been great to work with on this project and hopefully all issues have been worked out to make this project a success. He explained that the design of the project will allow a "tot lot" that will be a benefit to the families who live in this community with children. He pointed out the open space area on the map and commented that it fits nicely next to the walking trail. He stated that the existing block wall will also be continued around this development.

Commissioner Luttrupp inquired if swales and buffering were excluded from the open space and if this issue of being below the 10% that is required was discussed with the applicant.

Senior Planner Stamosos replied that there were various meetings between staff and the applicant regarding different issues, but the applicant felt that he wanted to bring this request forward to the Planning Commission for their decision.

Commissioner Luttrupp questioned if this plan is adequate based on staff's analysis of inadequate open space.

Deputy City Attorney Wilson commented that a decision needs to be made by the Commission on the plan submitted by as to whether or not it meets the 10% open space requirement is useable open space for recreational purposes.

Mr. White explained that the design of this project is tight to help cut costs to provide a project that is affordable to the future home buyer. He commented that some of the areas designated for open space may be useable and some may not be. He added that one bonus is that there will be an eight acre park constructed not far from this development that can be used by this neighborhood. He added that he envisions this neighborhood to be for young families with small children.

Commissioner Bowlby inquired regarding the height of the wall surrounding the development.

Mr. White estimates that the wall is six-feet high.

Commissioner Bowlby requested if the applicant could locate the area on the map where the swale is located, and if the swale located in the tot lot is appropriate where young children play.

Mr. White explained that the swale will have adequate drainage and not have standing water and will be safe.

Commissioner Rasor questioned if a condition can be placed stating that the open space requirement needs to be provided before the final plat is approved.

Deputy City Attorney Wilson suggested that the Commission take a break so staff can do some calculations regarding open space so he can answer Commissioner Rasor's question.

The Commission took a break at 8:00 p.m.

Senior Planner Stamsos commented that after they reviewed the calculations for open space and eliminating the swale and parking area in the "tot lot" block that the project would still meet the 10% required for open space.

Commissioner Luttrupp questioned if sidewalks should be considered useable open space.

Commissioner Messina commented that he feels sidewalks should be included, since some people would consider that to be used as part of their recreational activities. He added that he feels there is not a clear definition of useable recreation space, and until that is done, feels sidewalks should be included.

Commissioner Rasor commented that he understands the applicant's frustrations on trying to provide a home that is affordable, but realizes the rules can not be bent.

Deputy City Attorney Wilson concurred and added that in order for the rules to be changed the code would need to be modified.

Commissioner Messina inquired if the prices of the homes mentioned previously by the applicant in testimony could be included as a condition of approval.

Deputy City Attorney Wilson commented that would not be appropriate and explained that the basis of a condition is to be used as a tool to make the findings, and feels that price is not a tool.

Mr. White commented that he feels that this project as presented will be a better design than what was originally intended for this parcel, which was multi-family. He added that he feels this development will blend nicely with the existing homes in the area. He commented that they are in agreement with the conditions presented by staff.

Commissioner Bowlby commented that she is concerned with the potential problems with odors caused from the sewers in the dead end streets, and the use of private roads not built to City standards.

Mr. White explained that this is a unique property that sits on a slope, allowing the sewer line to be placed underground at an angle to help with the flow of the lines to the sewer. He noted that throughout the Landings Subdivision there are other dead end streets similar to this design, and is not aware of any problems with odors.

Commissioner Rasor inquired about snow removal and how it will be handled on private streets.

Mr. White commented that this has been a bad year compared to previous years, and if we continue to have winters with this much snow, it will need to be removed with a truck.

Greg Gervais, 4773 Mill River Court, Coeur d'Alene, commented that he is in favor of this project and that prices are comparable to condominiums for sale in Post Falls for \$129,000.

Steve Cobb, 12525 Diamond Drive, Hayden commented that developments in this area that offer big lots, built on pretty streets are great, but most people can not afford homes in these neighborhoods. He added that he appreciates this project and hopes to see more projects like this in the future.

Bruce Cyr, 180 N. Front Drive, Coeur d'Alene commented that he applauds the PUD process, as it is a good tool for this type of housing. He thanked the developers for providing a project in this price range.

REBUTTAL:

Mr. White commented that he invites the Commission to think outside of the box and approve this project.

Public Testimony closed:

DISCUSSION:

Commissioner Bowlby commented that she feels her concerns have been addressed from the additional discussion on the sewer system, and feels that this project will be an asset to the community.

Commissioner Luttrupp commented that he feels that this project is a good fit for the area and the appropriate design to provide affordable housing for this area.

Commissioner Rasor commented that he applauds the applicant for trying to fill a niche. He commented that this applicant has done other projects in the City and is confident that this will be a quality project. He added that the project that was denied last month did not fit the guidelines of the Comprehensive Plan or the zoning and feels that this project is different and meets those concerns.

Commissioner Messina commented that he approves of this project and compliments the applicant for the design. He added this is the American dream, to own a house, and by providing projects like this one is a positive step towards that dream.

Motion by Bowlby, seconded by Messina, to approve Item PUD-2-08. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

Motion by Bowlby, seconded by Messina, to approve Item S-2-08. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

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)

Senior Planner Stamosos presented the staff report, gave the mailing tally as 5 in favor, 5 opposed, and 2 neutral, and answered questions from the Commission.

Commissioner Luttrupp inquired where the access is located on the property.

Senior Planner Stamosos responded that access is located off of Summit Avenue.

Public Testimony open:

Steve White, applicant representative, 10895 N. Point Hayden, Coeur d'Alene, complimented staff on a great staff report, and agrees with the conditions presented by staff. He explained that this development is designed for 12 single-family homes that will front Government Way with the design similar to an "old town" feel. He added that they plan to have a Homeowners Association and feels that this project will blend well with the community. He noted that this is not an affordable housing project, but more of an upscale project and asked if the Commission had any questions.

Commissioner Bowlby inquired if the applicant felt the market was strong enough to support this type of development.

Mr. White commented that he feels the market is strong and feels that this development will be a success.

Allen Dodge, 1055 Government Way, Coeur d'Alene, commented that he lives across the street from this property and feels that this development will be an improvement to what is currently on that site which is weeds. He added that he would have one suggestion and that is to provide adequate lighting that would not be intrusive to other neighbors.

Greg Gervais, 4773 Mill River Court, Post Falls, commented that he feels the ordinance that was recently approved by the City on pocket housing has been a great tool, and appreciates the City for approving this ordinance.

REBUTTAL:

Steve White commented that he will provide low-level site-specific lighting that will not be intrusive to the other neighbors, and is in agreement with the conditions listed in the staff report.

Commissioner Messina requested that the applicant position the lighting on the side of the garage to face downward, so the lights will not disturb the surrounding neighbors.

Public testimony closed.

Motion by Razor, seconded by Luttrupp, to approve Item S-3-08. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Razor	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

4. Applicant: Maggie's Place, Idaho, Inc.
Location: 622 N. 19th Street
Request: A Group Dwelling special use permit in the R-12 (Residential at 12 units/acre) zoning district.
QUASI-JUDICIAL (SP-1-08)

Senior Planner Stamsos presented the staff report, gave the mailing tally as 27 in favor, 5 opposed, and 4 neutral and answered questions from the Commission.

Commissioner Razor inquired if there has been a similar project approved in the past.

Senior Planner Stamsos answered that this project is similar to the Children's Village approved in the 1990's.

Commissioner Bowlby inquired if this request is approved, and they decide at a later date to relocate, what are the other uses that would be allowed under this special use permit.

Senior Planner Stamsos commented that a criminal transition use would not be allowed and a use similar to the Anchor House would be allowed.

Public Testimony open:

Gail Pearson, applicant representative, 622 N. 19th Street, Coeur d'Alene, explained the history behind the concept of Mary's House and that this is the first home located in Coeur d'Alene with three others in Arizona. She then passed out pictures of the existing homes in Arizona as well as the one in Coeur d'Alene. She explained that this is a home for expecting mothers and not a shelter, where the staff lives in

the home with the expectant mothers. The staff is very dedicated to these women, and have sacrificed their personal lives to help. She commented that the women accepted must be 18 years or older, drug free, and not coming from a background of violence. A background check is done before they are accepted into the home, and then staff works one on one with them to establish their goals. She added a healthy lifestyle is enforced and that the women are required to work at least 40 hours a week through volunteer programs.

She passed out a copy of a petition with over 160 names in support of this home, and explained that the home was donated by a man whose wife passed away who believed in supporting a home for expectant mothers. She added that they have had support from many of the professionals in the city that frequently called their home to see if they have any vacancies.

She commented that she would like to address the numerous concerns they have heard regarding this home. She explained that the goal is to run a peaceful home, that has established curfews with rules that are enforced and if broken, the resident is asked to leave. She noted that traffic was brought up as a concern since traffic will be equivalent to the activities performed by a normal residential home. She added that if additional parking is needed it will be provided from the area church that supports this home. She addressed the rumor that property values will go down for the surrounding neighborhood and that they have made many improvements to the home that makes this home more valuable helping the other homes in the area.

She commented that every Saturday, the women are required to do some deep cleaning inside and out to promote a healthy lifestyle. She noted that this is not a rehab facility and will not admit women who have been involved with drugs. She added that when these women are admitted, they are given a drug test and later if they break the rules and drugs are found they will be asked to leave. The curfew is 10:00 p.m. and their boyfriends or husbands are not allowed in the home after that time. She concluded that these women come to Maggie's Place seeking a life changing experience where they have otherwise been abandoned and have no support. She added that they believe that pregnant women should not be on the street and that these women and their unborn babies deserve a better way of life.

Joe Mikitosh, President of Maggie's Place, 226 G. Grisold Road, Phoenix, Arizona, commented that the homes located in Phoenix are a success and feels if this home is approved, he is confident that it will also be a success. He added that they have been through this process a few times when they have branched out in other cities and is aware of the concerns by the neighborhoods. He commented that they are sympathetic to those concerns and wish to be a good neighbor. He added that the house is beautiful and the goal for staff is for these women to live in a safe environment.

Commissioner Luttrupp inquired if this home is just for women in this area.

Ms. Pearson replied that they will take requests for women all over the state.

Commissioner Luttrupp inquired about the rules for the women who live in the home and what are the consequences if the rules are violated.

Ms. Pearson explained that when these women are admitted they are given an eight page letter listing all of rules, and in that letter, it states if those rules are broken they will be asked to leave. She added that this has happened and there are no exceptions.

Steve Cobb, 12525 Diamond Drive, Hayden, commented that he supports this request and would invite the Commission to see this house and to see what a great place it will be for these moms.

David Compton, 2314 W Dalton, Coeur d'Alene, commented that he is a local doctor and feels that there is a great need for this service. He sees a lot of women need this service. He added that he recently met with the ladies who run this home and was impressed to see how professional these women were who run this home.

Evelyn Montreuil, 1528 Woodland Drive, Coeur d'Alene, commented that she is a retired registered nurse worked in obstetrics, and is overjoyed to see this service was going to be in our community. She commented that through her job, she has met many women who did not have any support and by not having any choices like this home, would have had successful pregnancies and given the tools to take care of their babies. She commented the women who run this home are heroines.

Margaret Ogram, 11354 Avondale Loop, Hayden, commented that she has met with the women who ran this home and was impressed. She added they are highly qualified. She commented that in the past, she has done volunteer work at Mary's House and has seen the rules enforced. She urged the Commission to approve this request on behalf of the 600 women she knows of through her church that can use this kind of help.

Joanie Wing, 3222 W. Baywood, Coeur d'Alene, commented that she has been a registered nurse for 20 years and feels this community needs this type of home. She added through her job, she has seen women who are pregnant living on the streets, in their car, hotels, and on people's couches. These women are homeless and need prenatal care.

Karen Trusty, 1902 Pennsylvania Avenue, Coeur d'Alene, commented that it is time that the City has a home for unwed mothers and feels it's long overdue. She added that she recently visited this home and was impressed with the ladies who run the facility. She commented they are a great group, and when she was visiting did not feel like she was imposing.

Kathleen Neirinckx, 4691 S. Eyack Road, Coeur d'Alene, commented that she is amazed at the turn out from the community and urged the Commission to approve this request.

Susie Snedaker, 821 Hastings, Coeur d'Alene, commented that she feels this use does impact the neighborhood, because this is a commercial use in a stable established neighborhood. She suggested if this request is approved, that they have a condition stating that in one year, they will have a review. She reminded the Commission that Home Occupation permits are reviewed annually.

Valerie Ordway, 1024 N. 3rd Street, Coeur d'Alene, commented she supports this request and added that in her neighborhood, there is a home for disabled children that has been a great addition. She commented that people who live in this area should not worry and feels that this home will be a great addition to the neighborhood.

Dennis Johnson, 2011 E. Mullan Avenue, Coeur d'Alene, commented that he likes kids and that the City needs a house like Maggie's Place. He added that the women who run this home are exceptional hardworking women. He added they will be good neighbors.

Sean Cahill, 8251 N. Brookside, Hayden, commented that he approves and feels that this will be a great service to our area.

REBUTTAL:

Mr. Pearson commented that they will soon be applying for a Home Occupation permit with the City.

Public testimony closed.

DISCUSSION:

Commissioner Bowlby commented that she is glad to hear that there is strong support for this service to be in our City and is glad to hear testimony on the type of home this will be, and is cautious when approving a group home.

Commissioner Razor commented that a review on this special use permit in a year would be good idea.

Motion by Razor, seconded by Luttrupp, to approve Item SP-1-08. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Razor	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

ADJOURNMENT:

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

The meeting was adjourned at 11:15 p.m.

Respectfully submitted by John Stamosos, 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, 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 19th Street

APPLICANT: Maggie's Place Idaho, Inc

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

- 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 36 responses were received: 27 in favor, 5 opposed, and 4 neutral.
- B7. That public testimony was heard on March 11, 2008 including:

Senior Planner John Stamsos:

Mr. Stamsos presented the staff report and noted that the request is for a special use permit for a group dwelling for expecting mothers in an R-12 zone. The home would house women who are expecting and for up to six months following the birth of the child. The location of the property is in a single family neighborhood. He also testified that the group dwelling use category excludes criminal transitional facilities and other institutional types of forced residences.

Gail Pearson, 622 N. 19th Street:

Ms. Pearson, representing the applicant, testified that the Mary's house would be a home and not a shelter. The applicant is a non-profit organization with three other homes in the phoenix area. She testified that staff lives in the home with the expectant mothers. The staff sacrifices there

home lives and supports these women. The residents must be 18 or older and drug and alcohol free and not running from a domestic violence situation. The staff works one on one with the moms to establish life goals and healthy living is enforced. Drug tests are required for all residents and the property is locked down by 10:00 p.m. Boyfriends and husbands are not allowed in the home. Drug use and threats of violence result in the immediate eviction of the resident. The women are required to work at least 40 hours a week through volunteer programs. This home was donated by a local resident in memory of his wife who passed away. She testified that this project is supported by many doctors and nurses. She testified that the track record of their homes in the Phoenix area has been very positive and presented letters of support from City officials in Phoenix and neighbors to the existing homes. Ms. Pearson testified that the home would generate no more traffic than a single family home. Sufficient parking is available on site to meet the City's parking code and if additional parking is necessary, the church across the street has agreed to share parking. Ms. Pearson presented a study showing that homes of this type do not negatively impact property values in the surrounding area. Additionally, she testified that a significant amount of work has been completed beautifying the home and presented an appraisal report showing that the value of the home had increased following the repair work.

Joe McKinnish, 226 E. Griswold, Road, Phoenix Arizona:

Mr. McKinnish testified that he is the president of Maggie's Place Board of Directors. He testified that they have had success in the homes located in the Phoenix area. He testified that they are aware of the concerns of neighbors and wish to be good neighbors. He added the house is beautiful and we want our staff and the women to live in a safe environment. He gave photographs of all the homes.

Steve Cobb, 12525 Diamond Drive, Hayden:

Mr. Cobb testified that the home is a great place and invited the Commission to visit.

David Compton, 2314 W Dalton Ave:

Mr. Compton testified that he is a local obstetrician and sees a tremendous need for this type of home in this community. He met with the staff to ensure and is fully supportive of this proposal.

Evelyn Montrail, 1528 Woodland Drive, Dalton Gardens:

Ms. Montrail testified that she is a retired registered nurse who worked in obstetrics. She testified that she is overjoyed that this home was being planned. She testified about a woman who became pregnant at 18 and did not have a support structure and chose to abort her child against her wishes.

Margaret Ogram, 11354 Avondale Loop, Hayden:

Ms. Ogram testified that has talked with the staff and they are highly qualified. She does volunteer work at the home and is familiar with their rules, including background checks for volunteers. She is aware through a church group that over 600 women in the Coeur d'Alene area needed some assistance with their pregnancies last year and some could have used this type of service.

Joanne Wing, 3222 Baywoods Road:

Ms. Wing testified that she has worked as a registered nurse for 20 years in obstetrics and the intensive care nursery at KMC. She testified that, based on her work experience, the community needs this type of home. She testified that she has seen women living on the streets, in there cars, storage units etc. and are not getting needed prenatal care. She testified that last year at KMC 66 at risk mothers gave birth who may have benefited from an organization such as Mary's House.

David DeWolfe, 1109 W. Hawthorne Road, Spokane:

Mr. Dewolfe testified that an ounce of prevention is worth more than pound of cure when it comes to expending public resources and noted that this home is a compliment to the neighborhood.

Karen Trusty, 1902 Pennsylvania Ave.:

Ms. Trusty testified that the community needs a home for unwed mothers. She lives in the neighborhood, has volunteered at the house and feels that the staff is great.

Kathleen Merricks, 4691 S. Stack Road:

Ms. Merricks testified that she has lived in Coeur d'Alene for 21 years and is thankful to the community for the support of good projects. She testified that, in her opinion, there is no reason to think the community will stop supporting the Mary House.

Susan Sneadaker, 821 Hastings Avenue:

Ms. Sneadaker testified that she believes that this use will impact the neighborhood because it is a commercial use in a residential neighborhood. She wants to see a yearly review of the special use permit.

Valerie Ordway, 1024 N. 3rd Street:

Ms. Ordway testified that she supports the Mary's House. She added that there is a need for this service in our area. She testified that, in her opinion, the staff will run a safe and healthy home.

Dennis Johnson, 2011 E. Mullan Avenue:

Mr. Johnson testified that the staff of Mary's House is exceptional and that the homes that have been opened in Arizona have been successful. This service is needed in the area and will be run in accordance with the rules that have been successful in Arizona.

Sean Cahill, 8251 N. Brookside, Hayden:

Mr. Cahill testified that Coeur d'Alene does not currently offer a service similar to the Mary's House, which is needed in the community.

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** in conformance with the comprehensive plan, as follows:

We find that the proposal conforms to the Comprehensive Plan. Specifically we find that this project fulfills objectives concerning managed growth (Objective 3.01), protecting neighborhoods (Objective 3.05) and providing quality services (Objectives 4.01 & 4.02).

B8B. The design and planning of the site **is** compatible with the location, setting, and existing uses on adjacent properties.

Because this is a residential use in a residential area and because an existing residence is being used for the group home, there is little doubt that the requested special use is compatible in regards to location, setting and existing uses. In fact, a significant amount of testimony and other evidence was received that the applicant has spent significant time and money upgrading and improving the house they intend to use for the group home, which will help make this an asset to the neighborhood. As such, we find that the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties.

B8C The location, design, and size of the proposal are such that the development **will** be adequately served by existing streets, public facilities and services.

The staff report establishes that there is sufficient water and sewer service available in this location to serve the proposed use. No testimony was received that the street network in this area could not handle any traffic generated by this use. However, testimony was received that this use should not generate much traffic because many of the residents will not have cars. Finally, given the proximity of this property to the downtown and the fact that neither the police nor fire department raised any concerns over their ability to service this property, 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.

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**.

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

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 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

- 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 5 responses were received: 2 in favor, 2 opposed, and 1 neutral.
- B7. That public testimony was heard on March 11, 2008 including:

John Stamsos, Senior Planner:

Senior Planner Stamsos presented the staff report, outlined the proposed development, including revised standards requested through the PUD process. Mr. Stamsos discussed the open space requirements for PUDs. 10% of the project area must be open space that is available for recreational uses by residents of the development. He noted that roughly two thirds of the central open space area, where the tot lot will be located, will be lost to a swale and parking areas. The remainder of the proposed open space areas are located at block ends and around the periphery of the development. After some discussion, Mr. Stamsos concluded that if the Planning Commission determined that the proposed open space met the requirement for being usable open space, the total amount of open space provided would meet the 10% requirement. Mr. Stamsos also testified that in

the past walkway areas have been approved as usable open space.

Gordon Dobler, Engineering Services Director:

Mr. Dobler testified that public sewer will be available for this development by the time improvements are constructed for the development. He also testified that the number of hammer head streets in the development can create issues for sewerage because of the limited flow created by the dead end sewer lines that can lead to odor problems. Some of the issues have been addressed by requiring the developer to increase the slope of the sewer lines to increase the scouring of the line. He testified that staff is concerned with this type of sewer layout in large numbers because of maintenance concerns but in limited numbers they are acceptable. He testified that staff and the applicant are reviewing alternate designs to limit the number of dead end sewer lines in the development. He further testified that water lines in the development also dead end but, given the amount of usage of the water lines, there should be no concerns with the water going septic. He testified that fire department access to the homes at the end of the hammer head streets can be met from the public street and that storm water will be treated in a central swale rather than linear swales in front of the homes, which is an acceptable solution. Mr. Dobler testified that the main public street in the development will be built to a 36 foot street section with a 10 foot utility easement outside of the curb to provide provision for utilities outside the pavement. While this is a deviation from the typical standard for right of way width, the addition of the utility easement provides the necessary width. The smaller public street is narrower (30 feet) but is a short stretch without parking on the street, which provides two adequate travel lanes even with snow.

Steve White, 10895 Hayden Lake Drive:

Mr. White testified that this development would be annexed into the master home owners association for "The Landings," which will ensure a mechanism for maintenance of the private streets and common areas in the development. He further testified that the developer is trying to construct affordable housing, with starting prices in the range of \$130,000 to \$150,000, which requires some compromises on existing standards to cut down on infrastructure costs and increase the efficiency of the design, which decreases the cost of the lot to the future owners. He further testified that the development provides adequate off street parking for the development with 22 parking spaces in the open space area in addition to the parking provided on each lot (2 car garage with a 2 car driveway). Additionally, there are approximately 40 on street parking spots along the main public street. He also testified that at least 10% open space is provided, even excluding the parking and swale areas. The open space consists of a central "tot lot", internal walkways and walking areas/buffer areas around the periphery of the project, which connects to and integrates with the existing open space and infrastructure in the rest of "The Landings." Mr. White testified that in heavy snow years, snow will need to be trucked out of the development and the lighting for the development will not be intrusive and that a wall exists that separates this project from the surrounding areas.

Greg Gervais, 4773 Mill River Court:

Mr. Gervais testified that when prices began to escalate, the applicant built a townhouse project that didn't sell because consumers didn't want to live with a connecting wall. That's why the have designed this project as a single family detached project.

Steve Cobb, 12525 Diamond Drive, Hayden:

Mr. Cobb testified that large lots and streets increases the cost of a development, which can price it out of the reach of the working class.

Bruce Cyr, 180 N. Front Street:

Mr. Cyr testified that he is in favor of the project and that the PUD is the only process that allows for deviations that will allow housing to be developed in a more affordable housing. He further testified that people want single family homes if possible.

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** in conformance with the Comprehensive Plan.

This project is part of the Atlas-Prairie land use area in the Comprehensive Plan. Generally, the Atlas-Prairie land use area anticipates density approaching 4 to 5 units per acre. However, pockets of higher density development are anticipated in compatible areas. In this instance, the subject property is zoned R-17 and was identified as an area for multi-family housing when the subject property was first annexed and zoned. Further, the subject property is buffered from lower density areas by a six foot masonry wall. As such, we find that the proposed density of this project, at 9.3 units per acre, is compatible with the surrounding area and meets the objectives of the Atlas –Prairie land use area. Additionally, this project fulfills several other goals of the Comprehensive Plan including goals for discouraging sprawl (Objective 1.12), promoting efficient use of property (Objective 1.14), encouraging pedestrian and bicycle connectivity (Objectives 1.16 & 2.05) and providing housing for all income levels (Objectives 3.01, 3.08 and 3.10).

B8B. The design and planning of the site **is** compatible with the location, setting and existing uses on adjacent properties.

As discussed above, the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties. We find that the proposed use (single family dwellings) is identical to that on the surrounding properties, albeit at a higher density. Any impacts from the higher density will be offset by the wall and buffering provided by the project. As such, we find that the applicant has established that the requirements of this finding will be met by the proposed development.

B8C The location, design, and size of the proposal are such that the development **will** be

adequately served by existing streets, public facilities and services.

We find, based on the staff report and the testimony of Steve White and Gordon Dobler that the proposed development will be adequately served by existing streets, public facilities and services. Mr. Dobler testified that public sewer will be available to the site prior to the time when the project will need to connect. Additionally, the staff report and Mr. Dobler's testimony establishes that there is sufficient water supply to serve the proposed development and that the existing street network was actually designed to handle higher density from the subject property. Finally, the subject property is in close proximity to a future City park, which will serve the needs of the future residents. We also find that the proposed development can be served by police and fire services.

B8D 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 development provides approximately 12.7 % open space. However, parking and swales must be deducted from this total. Once, those items are deducted, there is still more than 10% open space provided by this development. The more difficult determination is whether the proposed open space is accessible to residents of the development and usable for recreational/open space purposes. We find, in the context of this proposal, that it is. We reach this conclusion because the provided trails and walkways connect with the walkways and trails in the large development, which give the future residents of this development the chance to walk and/or ride bicycles throughout the larger development as well as access to the planned City park.

B8E Off-street parking **does** provide parking sufficient for users of the development.

As noted above, the applicant is providing 22 parking spaces in the open space area in addition to the parking provided on each lot (2 car garage with a 2 car driveway). This is on top of the approximately 40 on street parking spots along the main public street. We find that this number of parking stalls exceeds City code requirements and will provide sufficient off-street parking for users of the development.

B8F That the proposal **does** provide for an acceptable method for the perpetual maintenance of all common property.

Steve White testified on behalf of the developer that the proposed development would be annexed in to the master home owners association for "The Landings". Additionally, he provided written documentation from the home owner's association confirming this arrangement. Being part of the larger association will enable the home owner's association to maintain the common property. Based on this evidence, we find that the proposal does provide for an acceptable method for the perpetual maintenance of all common property.

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

As discussed above, Engineering Services Director Gordon Dobler testified that the roads surrounding the subject property were designed and built to City standards to meet the anticipated traffic from the property when the density was expected to be much greater. The proposed land use (single family dwellings) is the same as the surrounding area. With regard to neighborhood character, the subject property will provide connections to the existing walkways and bike paths, which will benefit the neighborhood. As such, we find that the proposal will not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character and existing land uses.

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**.

Special conditions applied are:

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.
2. 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.
3. 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.
4. 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.
5. Water mains will be required to be eight inch (8") diameter throughout the development.
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 street shown as Bardwell Drive will be required to be City standard thirty six feet wide and built to City standards. McKlintock Street will be thirty feet wide with no parking either side and built to City Standards. A ten foot public utility easement shall be

granted adjacent to the forty foot right-of-way, on both Bardwell Drive and Mcklintock Street. 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 McKlintock Street and appropriate signage will be required.
- 10. 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. Street lighting on Bardwell Dr and McKlintock St shall meet City standards.
- 11. The development must comply with all plans, diagrams specifications and the written narrative contained in the application submitted by the applicant.

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

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 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

- 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 5 responses were received: 2 in favor, 2 opposed, and 1 neutral.
- B7. That public testimony was heard on March 11, 2008 including:

John Stamsos, Senior Planner:

Senior Planner Stamsos presented the staff report, outlined the proposed development, including revised standards requested through the PUD process. Mr. Stamsos discussed the open space requirements for PUDs. 10% of the project area must be open space that is available for recreational uses by residents of the development. He noted that roughly two thirds of the central open space area, where the tot lot will be located, will be lost to a swale and parking areas. The remainder of the proposed open space areas are located at block ends and around the periphery of the development. After some discussion, Mr. Stamsos concluded that if the Planning Commission determined that the proposed open space met the requirement for being

usable open space, the total amount of open space provided would meet the 10% requirement. Mr. Stamos also testified that in the past walkway areas have been approved as usable open space.

Gordon Dobler, Engineering Services Director:

Mr. Dobler testified that public sewer will be available for this development by the time improvements are constructed for the development. He also testified that the number of hammer head streets in the development can create issues for sewerage the development because of the limited flow created by the dead end sewer lines that can lead to odor problems. Some of the issues have been addressed by requiring the developer to increase the slope of the sewer lines to increase the scouring of the line. He testified that staff is concerned with this type of sewer layout in large numbers because of maintenance concerns but in limited numbers they are acceptable. He testified that staff and the applicant are reviewing alternate designs to limit the number of dead end sewer lines in the development. He further testified that water lines in the development also dead end but, given the amount of usage of the water lines, there should be no concerns with the water going septic. He testified that fire department access to the homes at the end of the hammer head streets can be met from the public street and that storm water will be treated in a central swale rather than linear swales in front of the homes, which is an acceptable solution. Mr. Dobler testified that the main public street in the development will be built to a 36 foot street section with a 10 foot utility easement outside of the curb to provide provision for utilities outside the pavement. While this is a deviation from the typical standard for right of way width, the addition of the utility easement provides the necessary width. The smaller public street is narrower (30 feet) but is a short stretch without parking on the street, which provides two adequate travel lanes even with snow.

Steve White, 10895 Hayden Lake Drive:

Mr. White testified that this development would be annexed into the master home owners association for "The Landings," which will ensure a mechanism for maintenance of the private streets and common areas in the development. He further testified that the developer is trying to construct affordable housing, with starting prices in the range of \$130,000 to \$150,000, which requires some compromises on existing standards to cut down on infrastructure costs and increase the efficiency of the design, which decreases the cost of the lot to the future owners. He further testified that the development provides adequate off street parking for the development with 22 parking spaces in the open space area in addition to the parking provided on each lot (2 car garage with a 2 car driveway). Additionally, there are approximately 40 on street parking spots along the main public street. He also testified that at least 10% open space is provided, even excluding the parking and swale areas. The open space consists of a central "tot lot", internal walkways and walking areas/buffer areas around the periphery of the project, which connects to and integrates with the existing open space and infrastructure in the rest of "The Landings." Mr. White testified that in heavy snow years, snow will need to be trucked out of the development and the lighting for the development will not be intrusive and that a wall exists that separates this project from the surrounding areas.

Greg Gervais, 4773 Mill River Court:

Mr. Gervais testified that when prices began to escalate, the applicant built a townhouse project that didn't sell because consumers didn't want to live with a connecting wall. That's why they have designed this project as a single family detached project.

Steve Cobb, 12525 Diamond Drive, Hayden:

Mr. Cobb testified that large lots and streets increases the cost of a development, which can price it out of the reach of the working class.

Bruce Cyr, 180 N. Front Street:

Mr. Cyr testified that he is in favor of the project and that the PUD is the only process that allows for deviations that will allow housing to be developed in a more affordable housing. He further testified that people want single family homes if possible.

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** 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.

We find, based on the staff report and the testimony of Steve White and Gordon Dobler that the proposed development will be adequately served by existing streets, public facilities and services. Mr. Dobler testified that public sewer will be available to the site prior to the time when the project will need to connect. Additionally, the staff report and Mr. Dobler's testimony establishes that there is sufficient water supply to serve the proposed development and that the existing street network was actually designed to handle higher density from the subject property. While Mr. Dobler testified that City Staff would not want to see a significant number of subdivisions with this type of sewer and water layout because of concerns over future maintenance, he indicated that in this instance, the proposed sewer and water systems would be adequate if they are built in compliance with staffs recommended conditions. Finally, the subject property is in close proximity to a future City park, which will serve the needs of the future residents. Adequate drainage will be provided through the use of a centralized swale and a condition has been attached to this approval to ensure that adequate street lighting is provided.

We also find that the proposed development can be served by police and fire services.

B8C. That the preliminary plat **is** in conformance with the Comprehensive Plan.

This project is part of the Atlas-Prairie land use area in the Comprehensive Plan. Generally, the Atlas-Prairie land use area anticipates density approaching 4 to 5 units per acre. However, pockets of higher density development are anticipated in compatible areas. In this instance, the subject property is zoned R-17 and was identified as an area for multi-family housing when the subject property was first annexed and zoned. Further, the subject property is buffered from lower density areas by a six foot masonry wall. As such, we find that the proposed density of this project, at 9.3 units per acre, is compatible with the surrounding area and meets the objectives of the Atlas –Prairie land use area. Additionally, this project fulfills several other goals of the Comprehensive Plan including goals for discouraging sprawl (Objective 1.12), promoting efficient use of property (Objective 1.14), encouraging pedestrian and bicycle connectivity (Objectives 1.16 & 2.05) and providing housing for all income levels (Objectives 3.01, 3.08 and 3.10).

B8D. That the public interest **will** be served.

Because we find that the preliminary plat does conform with the Comprehensive Plan, we also find that it is 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.

We find, based on the staff report, 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** meet the requirements of the applicable zoning district.

Based on the staff report we find that the lots in the proposed subdivision meet the minimum lot sizes for a subdivision in the R-17 zone.

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

Engineering Services Director Gordon Dobler testified that the roads surrounding the subject property were designed and built to City standards to meet the anticipated traffic from the property when the density was expected to be much greater. The proposed land use (single family dwellings) is the same as the surrounding area. With regard to neighborhood character, the subject property will provide connections to the existing walkways and bike paths, which will benefit the neighborhood. As such, we find that the proposal will not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character and existing land uses.

C. **ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **COPPER BASIN CONSTRUCTION** for approval of the preliminary plat, as described in the application should be **approved**.

Special conditions applied are:

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.
2. 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.
3. 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.
4. 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.
5. Water mains will be required to be eight inch (8") diameter throughout the development.
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 street shown as Bardwell Drive will be required to be City standard thirty six feet wide and built to City standards. McKlintock Street will be thirty feet wide with no parking either side and built to City Standards. A ten foot public utility easement shall be granted adjacent to the forty foot right-of-way, on both Bardwell Drive and Mcklintock Street. 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 McKlintock Street and appropriate signage will be required.

- 10. 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. Street lighting on Bardwell Dr and McKlintock St shall meet City standards.
- 11. The development must comply with all plans, diagrams specifications and the written narrative contained in the application submitted by the applicant.

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 _____ 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 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

- 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 12 responses were received: 5 in favor, 5 opposed, and 2 neutral.
- B7. That public testimony was heard on March 11, 2008 including:.

John Stamosos, Senior Planner:

Mr. Stamosos presented the staff report and indicated that this project is a 12 lot subdivision under pocket housing ordinance. Pocket housing ordinance allows lots of this size by right in the subject zone. The project is a single family development fronting Government Way south of Summit Avenue. Vehicular access will be to the rear of the development from Summit Avenue. He testified that the surrounding area is largely single family in nature. He also testified that the proposed number of units does not exceed what is allowed in the underlying zone. Finally he testified that public utilities are available to the site.

Steve White, 10895 Hayden Lake Drive:

Mr. White, representing the applicant, testified that he agrees with the staff report. He testified that there would only be a small impact on traffic because of the limited number of units to be constructed and that sewer and water lines are available in Government Way. The developer will reconstruct the north bound lane of Government Way fronting the development after installing utilities. He also testified that the housing styles were designed to blend in with existing homes. He testified that there would be front porch lights and the developer would be sensitive in providing lighting that didn't negatively impact the neighborhood. Garbage pick up would be picked up on Government Way.

Alan Dodge, 1055 Government Way:

Mr. Dodge testified that he lived across the street from the subject property for 27 years. He is in favor of the project but is concerned by lighting of the project.

Valerie Ordway, 1041 N. 3rd Street:

Ms. Ordway testified that, in her opinion, this will be a wonderful addition to the neighborhood.

Greg Gervais, 4773 Mill River Court:

Mr. Gervais testified that apartments and/or condominiums have been proposed for this property in the past. He thinks this type of use is a better fit for the neighborhood, which was made possible by the pocket housing ordinance.

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** 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.

The staff report establishes that both water and sewer are adequate and available in Government Way. The staff report also establishes that that the street sections are fully developed in this area and will accommodate the expected traffic created by this development. Sidewalks and curbing will be installed as part of the project. Stormwater and fire requirements can be met at the time improvement plans and/or building permits are issued. 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** in conformance with the Comprehensive Plan.

The Comprehensive Plan designates the subject property and surrounding area as part of the stable established land use category and the historic heart special area. Two of the characteristics that the Comprehensive Plan encourages in historic heart neighborhoods are:

- 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.

The proposed development is utilizing the pocket housing regulations adopted by the City to meet the goals mentioned above. Additionally, the applicant testified that the project is designed to blend into the existing neighborhood. This project also meets Comprehensive Plan objectives regarding community design and efficiency (Objectives 1.11, 1.12 & 1.14), connectivity and the pedestrian/bicycle environment (Objectives 1.16 & 2.05), and managed growth and protecting neighborhoods (Objectives 3.01 & 3.05). Based on this analysis, we find that the proposed preliminary plat conforms to the Comprehensive Plan.

B8D. That the public interest **will** be served.

Because we find that the preliminary plat does conform to the Comprehensive Plan, we also find that it is 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.

We find, based on the staff report, 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** meet the requirements of the applicable zoning district.

Based on the staff report we find that the lots in the proposed subdivision meet the minimum lot sizes, frontage requirements and density limits for a subdivision in the R-12 zone under the pocket housing ordinance.

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

As discussed above, the staff report establishes that the street sections in this area are fully developed and will accommodate the modest increase in traffic that may result from this development. The type of development proposed, single family dwellings is the same as that found in the majority of the surrounding area and the testimony from the applicant indicates that the homes have been designed to blend in with the surrounding area. Given that, we find that the proposed preliminary plat will not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and existing land uses.

C. **ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **COPPER BASIN CONSTRUCTION** for approval of the preliminary plat, as described in the application should be **approved**.

Special conditions applied are:

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.

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

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.



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TO: Planning Commission
FROM: Christopher H. Bates, Engineering Project Manager
DATE: April 8, 2008
SUBJECT: **SS-1-08, Riverstone West 2nd Addition**

DECISION POINT

Approve or deny the applicant's request for a three (3) lot commercial development on John Loop and Riverstone Drive.

GENERAL INFORMATION

1. Applicant: Dave Tomson
Riverstone West, LLC
S. 104 Division Street
Spokane, WA 99207
2. Request: Approval of a three (3) lot short plat in the Riverstone development.
3. Location: Along the westerly side of Riverstone Drive and the end of John Loop.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is C-17 which is intended to be a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential at a density not to exceed 17 units/acre.
2. Land Use: The subject property is currently vacant.
3. Infrastructure: Utilities, Streets, & Storm Water Facilities

Utilities: Sewer & Water

The subject property has access to both sanitary sewer and water main lines in John Loop. Both sewer and water main lines will be required to be extended to provide utility service to the proposed Lots 2 and 3. These extensions will be the sole responsibility of the applicant and completed at no cost to the City.

Streets: Riverstone Drive adjoining the subject property is a fully developed street section and improvements are unnecessary. John Loop is partially complete and will require the installation of curb, sidewalk, drainage swales, asphalt and street illumination to the westerly boundary of Lot 1. All construction will be completed at no cost to the City.

Fire: The applicant will be required to construct a turnaround for fire apparatus at the terminal point of John Loop that meets the requirements of the City Fire Inspector. This turn around must be complete prior to any construction on the subject property.

Storm Water: Street drainage is a component of the roadway design, and, a stormwater plan is required to be included with the submission of infrastructure plans for the subject

property. All public and private drainage is to remain separate, and, all drainage facilities are to be constructed by the applicant at no cost to the City.

Proposed Conditions:

1. Install sewer and water utility main lines to the westerly boundary of Lot 2. All installations will be completed at no cost to the City.
2. Construct all roadway section improvements on John Loop to the westerly boundary of Lot 1.
3. Construct a turn around at the terminal end of John Loop that meets the criteria of the City Fire Department.

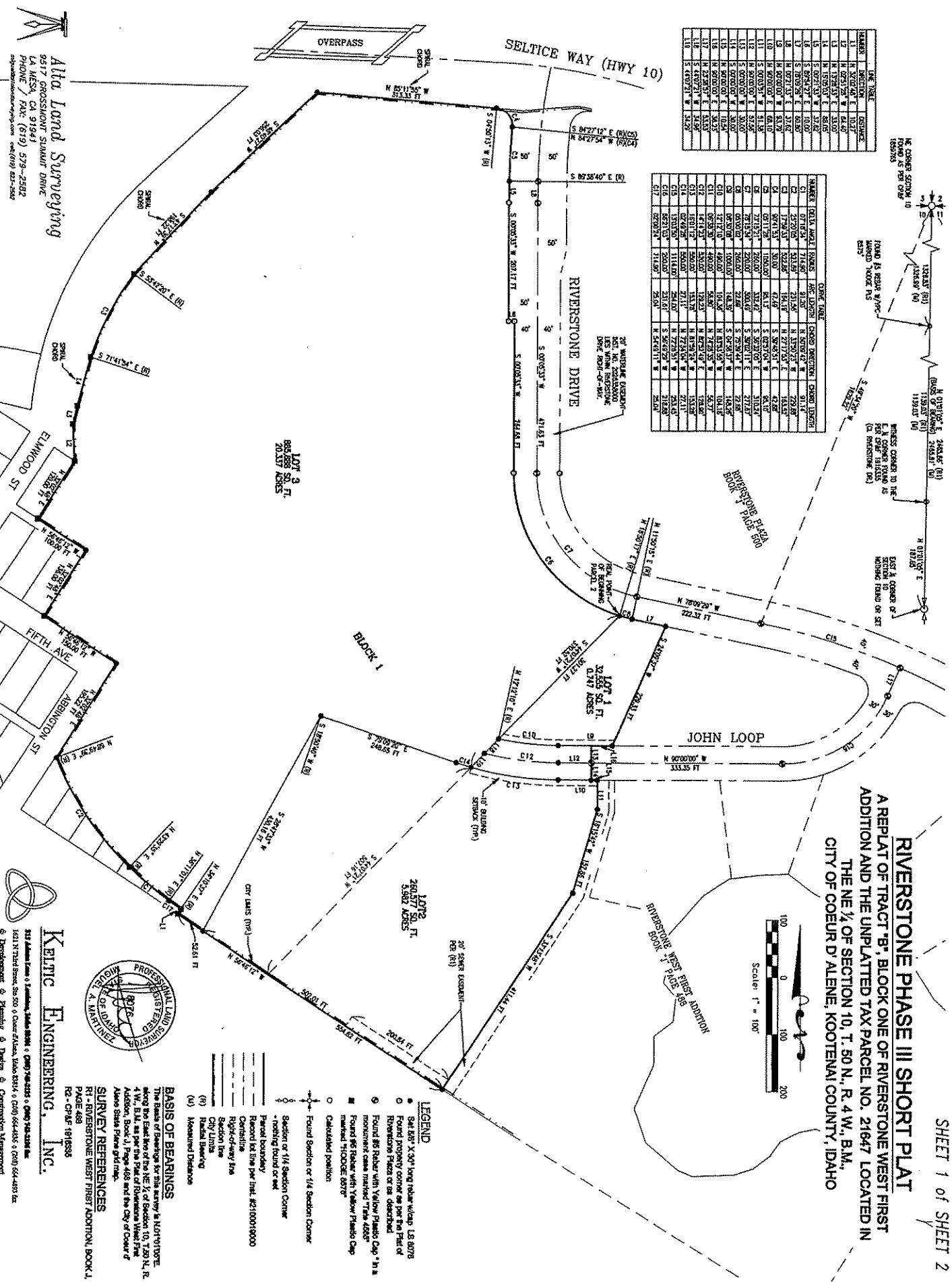
DECISION POINT RECOMMENDATION

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

RIVERSTONE PHASE III SHORT PLAT
 A REPLAT OF TRACT "B", BLOCK ONE OF RIVERSTONE WEST FIRST
 ADDITION AND THE UNPLATTED TAX PARCEL NO. 21647 LOCATED IN
 THE NE 1/4 OF SECTION 10, T. 50 N., R. 4 W., B.M.,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

LINE NUMBER	DIRECTION	DISTANCE
L1	N 30°22'42" E	103.27
L2	N 07°51'25" W	61.41
L3	N 15°24'02" E	30.00
L4	S 02°21'37" E	33.82
L5	S 89°24'37" E	10.00
L6	S 89°24'37" E	60.00
L7	H 07°11'57" E	31.02
L8	H 07°11'57" E	43.79
L9	H 07°11'57" E	43.79
L10	H 07°11'57" E	43.79
L11	S 89°24'37" E	30.00
L12	S 89°24'37" E	30.00
L13	S 89°24'37" E	30.00
L14	S 89°24'37" E	30.00
L15	S 89°24'37" E	30.00
L16	S 89°24'37" E	30.00
L17	S 89°24'37" E	30.00
L18	S 89°24'37" E	30.00

NUMBER	AREA	AREA	PERCENT	CHANGING	CHANGING
1	245,000.00	531.89	21.94	N 52°57'21" E	729.88
2	17,969.54	322.88	18.41	H 27°17'53" E	163.43
3	1,796.95	32.29	1.84	H 27°17'53" E	16.34
4	80,411.26	1,503.00	86.14	S 39°42'31" E	42.87
5	27,113.21	503.00	33.12	S 39°42'31" E	31.12
6	28,123.21	523.00	34.00	S 39°42'31" E	32.00
7	29,133.21	543.00	34.88	S 39°42'31" E	32.88
8	30,143.21	563.00	35.76	S 39°42'31" E	33.76
9	31,153.21	583.00	36.64	S 39°42'31" E	34.64
10	32,163.21	603.00	37.52	S 39°42'31" E	35.52
11	33,173.21	623.00	38.40	S 39°42'31" E	36.40
12	34,183.21	643.00	39.28	S 39°42'31" E	37.28
13	35,193.21	663.00	40.16	S 39°42'31" E	38.16
14	36,203.21	683.00	41.04	S 39°42'31" E	39.04
15	37,213.21	703.00	41.92	S 39°42'31" E	39.92
16	38,223.21	723.00	42.80	S 39°42'31" E	40.80
17	39,233.21	743.00	43.68	S 39°42'31" E	41.68
18	40,243.21	763.00	44.56	S 39°42'31" E	42.56
19	41,253.21	783.00	45.44	S 39°42'31" E	43.44
20	42,263.21	803.00	46.32	S 39°42'31" E	44.32
21	43,273.21	823.00	47.20	S 39°42'31" E	45.20
22	44,283.21	843.00	48.08	S 39°42'31" E	46.08
23	45,293.21	863.00	48.96	S 39°42'31" E	46.96
24	46,303.21	883.00	49.84	S 39°42'31" E	47.84
25	47,313.21	903.00	50.72	S 39°42'31" E	48.72
26	48,323.21	923.00	51.60	S 39°42'31" E	49.60
27	49,333.21	943.00	52.48	S 39°42'31" E	50.48
28	50,343.21	963.00	53.36	S 39°42'31" E	51.36
29	51,353.21	983.00	54.24	S 39°42'31" E	52.24
30	52,363.21	1,003.00	55.12	S 39°42'31" E	53.12
31	53,373.21	1,023.00	56.00	S 39°42'31" E	54.00
32	54,383.21	1,043.00	56.88	S 39°42'31" E	54.88
33	55,393.21	1,063.00	57.76	S 39°42'31" E	55.76
34	56,403.21	1,083.00	58.64	S 39°42'31" E	56.64
35	57,413.21	1,103.00	59.52	S 39°42'31" E	57.52
36	58,423.21	1,123.00	60.40	S 39°42'31" E	58.40
37	59,433.21	1,143.00	61.28	S 39°42'31" E	59.28
38	60,443.21	1,163.00	62.16	S 39°42'31" E	60.16
39	61,453.21	1,183.00	63.04	S 39°42'31" E	61.04
40	62,463.21	1,203.00	63.92	S 39°42'31" E	61.92
41	63,473.21	1,223.00	64.80	S 39°42'31" E	62.80
42	64,483.21	1,243.00	65.68	S 39°42'31" E	63.68
43	65,493.21	1,263.00	66.56	S 39°42'31" E	64.56
44	66,503.21	1,283.00	67.44	S 39°42'31" E	65.44
45	67,513.21	1,303.00	68.32	S 39°42'31" E	66.32
46	68,523.21	1,323.00	69.20	S 39°42'31" E	67.20
47	69,533.21	1,343.00	70.08	S 39°42'31" E	68.08
48	70,543.21	1,363.00	70.96	S 39°42'31" E	68.96
49	71,553.21	1,383.00	71.84	S 39°42'31" E	69.84
50	72,563.21	1,403.00	72.72	S 39°42'31" E	70.72
51	73,573.21	1,423.00	73.60	S 39°42'31" E	71.60
52	74,583.21	1,443.00	74.48	S 39°42'31" E	72.48
53	75,593.21	1,463.00	75.36	S 39°42'31" E	73.36
54	76,603.21	1,483.00	76.24	S 39°42'31" E	74.24
55	77,613.21	1,503.00	77.12	S 39°42'31" E	75.12
56	78,623.21	1,523.00	78.00	S 39°42'31" E	76.00
57	79,633.21	1,543.00	78.88	S 39°42'31" E	76.88
58	80,643.21	1,563.00	79.76	S 39°42'31" E	77.76
59	81,653.21	1,583.00	80.64	S 39°42'31" E	78.64
60	82,663.21	1,603.00	81.52	S 39°42'31" E	79.52
61	83,673.21	1,623.00	82.40	S 39°42'31" E	80.40
62	84,683.21	1,643.00	83.28	S 39°42'31" E	81.28
63	85,693.21	1,663.00	84.16	S 39°42'31" E	82.16
64	86,703.21	1,683.00	85.04	S 39°42'31" E	83.04
65	87,713.21	1,703.00	85.92	S 39°42'31" E	83.92
66	88,723.21	1,723.00	86.80	S 39°42'31" E	84.80
67	89,733.21	1,743.00	87.68	S 39°42'31" E	85.68
68	90,743.21	1,763.00	88.56	S 39°42'31" E	86.56
69	91,753.21	1,783.00	89.44	S 39°42'31" E	87.44
70	92,763.21	1,803.00	90.32	S 39°42'31" E	88.32
71	93,773.21	1,823.00	91.20	S 39°42'31" E	89.20
72	94,783.21	1,843.00	92.08	S 39°42'31" E	90.08
73	95,793.21	1,863.00	92.96	S 39°42'31" E	90.96
74	96,803.21	1,883.00	93.84	S 39°42'31" E	91.84
75	97,813.21	1,903.00	94.72	S 39°42'31" E	92.72
76	98,823.21	1,923.00	95.60	S 39°42'31" E	93.60
77	99,833.21	1,943.00	96.48	S 39°42'31" E	94.48
78	100,843.21	1,963.00	97.36	S 39°42'31" E	95.36
79	101,853.21	1,983.00	98.24	S 39°42'31" E	96.24
80	102,863.21	2,003.00	99.12	S 39°42'31" E	97.12
81	103,873.21	2,023.00	100.00	S 39°42'31" E	98.00
82	104,883.21	2,043.00	100.88	S 39°42'31" E	98.88
83	105,893.21	2,063.00	101.76	S 39°42'31" E	99.76
84	106,903.21	2,083.00	102.64	S 39°42'31" E	100.64
85	107,913.21	2,103.00	103.52	S 39°42'31" E	101.52
86	108,923.21	2,123.00	104.40	S 39°42'31" E	102.40
87	109,933.21	2,143.00	105.28	S 39°42'31" E	103.28
88	110,943.21	2,163.00	106.16	S 39°42'31" E	104.16
89	111,953.21	2,183.00	107.04	S 39°42'31" E	105.04
90	112,963.21	2,203.00	107.92	S 39°42'31" E	105.92
91	113,973.21	2,223.00	108.80	S 39°42'31" E	106.80
92	114,983.21	2,243.00	109.68	S 39°42'31" E	107.68
93	115,993.21	2,263.00	110.56	S 39°42'31" E	108.56
94	116,003.21	2,283.00	111.44	S 39°42'31" E	109.44
95	117,013.21	2,303.00	112.32	S 39°42'31" E	110.32
96	118,023.21	2,323.00	113.20	S 39°42'31" E	111.20
97	119,033.21	2,343.00	114.08	S 39°42'31" E	112.08
98	120,043.21	2,363.00	114.96	S 39°42'31" E	112.96
99	121,053.21	2,383.00	115.84	S 39°42'31" E	113.84
100	122,063.21	2,403.00	116.72	S 39°42'31" E	114.72



Alta Land Surveying
 9517 GROSSMOUNT SUMMIT DRIVE
 LA MESE, CA 91941
 PHONE / FAX: (619) 579-2582
 info@alta-land.com website: (619) 821-8568

KELTIC ENGINEERING, INC.
 512 Adams Street, Suite 100, Coeur d'Alene, ID 83814
 1421 N. Third Street, Ste 200, Coeur d'Alene, Idaho 83814
 (208) 664-4838 (208) 664-4878 fax
 (208) 664-4838 (208) 664-4878 fax
 • Development • Planning • Design • Construction Management



- LEGEND**
- 64.88' X 30' long rubber wheelcap LB 8078
 - Found property corner as per the Plat of Riverstone Phase or as described
 - Found 86 Rubber with Yellow Plastic Cap "B" in monument cases marked "Tas 458"
 - Found 86 Rubber with Yellow Plastic Cap marked "HOCSE 687"
 - Calculated position
 - ⊕ Found Section or 1/4 Section Corner
 - ⊕ Found Section or 1/4 Section Corner - not found or not
 - Parcel boundary
 - Chained line per plat #2100718000
 - Right-of-way line
 - Section line
 - City Limits
 - (R) Radial Bearing
 - (M) Measured Distance
- BASIS OF BEARINGS**
 The Basis of Bearings for this survey is NORTH BY the true meridian of the NE 1/4 of Section 10, T. 50 N., R. 4 W., B.M., as per the Plat of Riverstone West First Addition, Book 1, Page 488 and the City of Coeur d'Alene State Plane grid map.
- SURVEY REFERENCES**
 R1 - RIVERSTONE WEST FIRST ADDITION, BOOK 1, PAGE 488
 R2 - CHAS - 197888

TO: Planning Commission
FROM: Christopher H. Bates, Engineering Project Manager
DATE: April 8, 2008
SUBJECT: **SS-2-08, Braunsen Addition**

DECISION POINT

Approve or deny the applicant's request for a 4 lot residential development on Neider Avenue.

GENERAL INFORMATION

1. Applicant: Troy Tymesen
City of Coeur d'Alene
710 Mullan Avenue
Coeur d'Alene, ID 83814
2. Request: Approval of a four (4) lot residential development (a zone change request from MH-8 to R-17 has been submitted in conjunction w/ this action)
3. Location: South of Neider Avenue extended, between Fruitland Lane and Howard Avenue.
4. History: In 1999, the subject property was platted by the City as a two (2) lot short plat.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is MH-8 (Mobile Home), which is intended as a moderate density residential district for mobile homes at a density of 8 units/acre. A zone change request has been submitted requesting R-17 zoning.
2. Land Use: The 3.2 acre parcel currently has a single family dwelling located on proposed Lot 1, while the remainder of the property is vacant.
3. Infrastructure: Utilities, Streets, & Storm Water Facilities

Utilities: Sewer & Water

The subject property will require the installation of both sanitary sewer, and, water main lines in both of the adjoining streets (Neider & Howard) to provide service to the site.

The applicant will be required to install sanitary sewer in Neider Avenue with a connection into the existing manhole at the intersection Neider Avenue & Fruitland Lane, and, extend the line westerly to provide service for proposed Lot 4 and be available for the lots to the north. Sanitary sewer in Howard Street will need to be extended from the existing manhole adjacent to the southwest corner of the site to the northerly boundary of the subject property.

The applicant will be required to install a looping twelve inch (12") water main extension from the terminal end of the existing six inch (6") main in Howard to the existing twelve inch (12") line at the Neider/Fruitland intersection. Accommodation will need to be made for future extension of the water main to the north from the Howard/Neider intersection.

- Streets:** The public street on the west (Howard) and adjoining right-of-way on the north (Neider) are not developed. The applicant will be required to construct full roadway sections for both Howard and Neider. The Howard Street section will be required to be a forty foot (40') wide street with full curbing (both sides), and, sidewalk along the subject property. The Howard Street section will be required to be constructed from the current end of pavement to the intersection with the Neider Avenue extension. The Neider Avenue section will be required to be a forty foot (40') wide street section with full curbing, and, sidewalk along the subject property. Fruitland Lane on the subject property's easterly boundary will be required to be brought up to current street standards with the installation of curb, sidewalk and pavement widening. Street luminaries will be required at locations specified by the City Engineer.
- Fire:** Hydrant locations will be determined by the City Fire Department at the time of infrastructure plan submittal, and be installed with the water main line extension.
- Storm Water:** Street drainage will be a component of the street design and be addressed with the infrastructure plan submittal. Centralized drainage swale design will be preferred over the use of longitudinal street side swales.

Prior to the approval of the final plat or issuance of any building permits for the subject property, all required infrastructure (sewer, water, streets, etc.) will be installed by the developer and at no cost to the City.

Proposed Conditions:

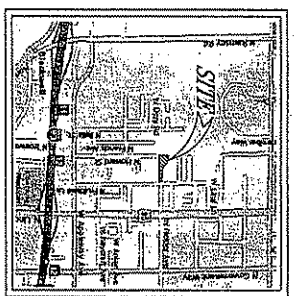
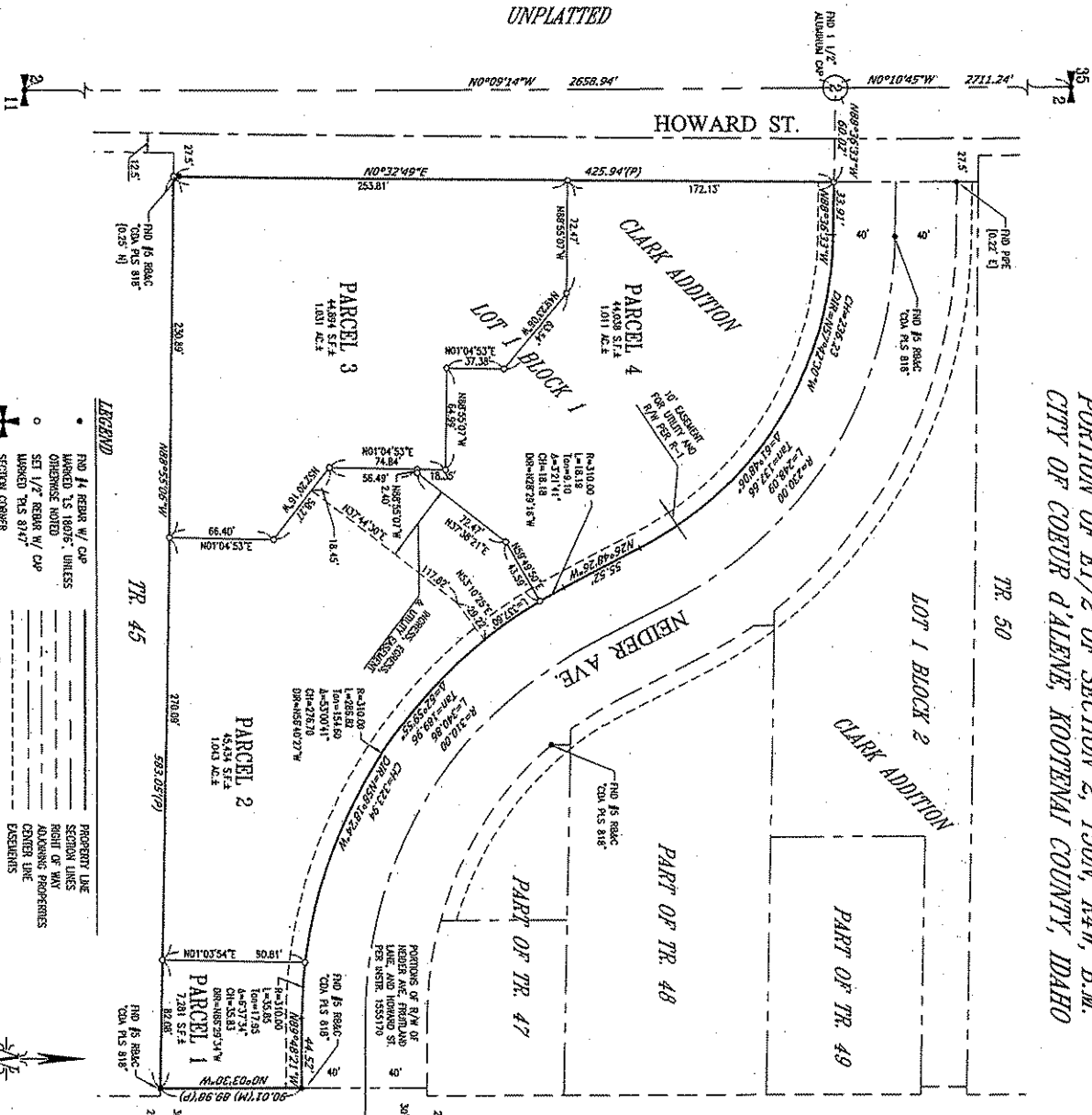
1. Install sanitary sewer main lines and appurtenances in both Neider Avenue and Howard Street to the westerly and northerly boundaries of the subject property.
2. Connect the existing water main lines in Fruitland Lane and Howard Street with a twelve inch (12") loop. Install all appurtenances and fire hydrants necessary in both Neider Avenue and Howard Street, and, "stub out" of Howard Street for future extension to the north.
3. Construct Neider Avenue to a full forty foot (40') road section, and, Howard Street to a full forty foot (40') road section with concrete curbing on both sides and sidewalk along the frontages of the subject property. Both Howard and Fruitland will be required to be constructed from the current end of asphalt to the Fruitland/Howard intersection. Install concrete curb, sidewalk and pavement widening along the Fruitland Lane frontage to meet current City standards.
4. Utilize centralized storm water swale locations in lieu of curbside swales to facilitate maintenance.

DECISION POINT RECOMMENDATION

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

BRAUNSEN ADDITION

A REPLAT OF LOT 1, BLOCK 2 OF CLARK ADDITION (BK "I" P. 187)
 PORTION OF E 1/2 OF SECTION 2, T50N, R4W, B.M.
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



EQUIPMENT & PROCEDURES
 THE SURVEY PERFORMED HEREON WAS BY USE OF A 5 SECOND TOTAL STATION WITH FIELD VISION AND BUBBOL LEVEL. SURVEYING WAS CONDUCTED USING THE STATE OF IDAHO'S 2010 SURVEYING STANDARDS. THE AMOUNT OF ERROR IN EACH SYSTEM IS WITHIN IDAHO STATE REQUIREMENTS.

LEGEND

•	NO 1/4 REBAR W/ CAP MARKED T.S. 18076, UNLESS OTHERWISE NOTED	PROPERTY LINE
○	SET 1/2" REBAR W/ CAP MARKED T.S. 8147	SECTION LINE
⊕	SECTION CORNER	RIGHT OF WAY
⊕	1/4 SECTION	ADJOINING PROPERTIES
⊕	COVERED SECTION	CHAINED LINE
⊕		ESSENTIALS
⊕		FEENCE
⊕		BUILDING
⊕		NOT VISITED THIS SURVEY

ABBREVIATIONS
 REBAR - REBAR AND CAP
 FOUND - FOUND
 REBAR - REBAR
 ROW PER - ROW PER
 TAG & MARK - TAG & MARK
 BOSS OF BOUNDS - BOSS OF BOUNDS
 UNSETTLED - UNSETTLED
 PLAT - PLAT
 PREPARATION - PREPARATION
 O - O
 R - RECORD

BASIS OF BEARINGS
 PER PLAT OF CLARK ADDITION

REFERENCES
 R-1 = PLAT OF CLARK ADDITION

SURVEYORS CERTIFICATE
 I, PETER M. ROUSE, P.L.S. 8747, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS IS A TRUE SURVEY OF THE PLATTED LAND MADE BY ME OR UNDER MY DIRECT SUPERVISION IN COMPLIANCE WITH THE LAWS OF THE STATE OF IDAHO



DATE: 02/01/08
 SCALE: 1" = 40'
 DRAWN BY: SRF
 CHECKED BY: LB
 POINT FILE: 08022

Peter M. Rouse, P.L.S. 8747
 CIVIL ENGINEERS AND LAND SURVEYORS
 11 W. GRANDES ROAD, SPOKANE, WASHINGTON 99218 (509) 487-5261

St. Vincent de Paul
 C/O GOODALE & BARBERI CO.
 SPOKANE, WA 99201

PROJECT NO: 08022
 SHEET 1 OF 2



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PLANNING COMMISSION STAFF REPORT

DATE: APRIL 8th, 2008
TO: PLANNING COMMISSION
FROM: SEAN HOLM, PLANNER
SUBJECT: ITEM O-4-08: MODIFICATION OF CODE REGARDING SERVICE USE
PARKING REQUIREMENTS

DECISION POINT

The purpose of this amendment is to modify the existing service use parking requirements used to determine the number of stalls required for a hotel/motel use.

REQUEST

The proposal is a private party request filed on March 3rd, 2008 by Kent Clausen of KVC Development Co. The request is for Planning Commission to consider reducing the required number of parking spaces needed for hotel/motel development to one stall per sleeping room or unit. This request represents a 20% reduction in parking stalls for the hotel/motel designation.

CURRENT/PROPOSED CODE

17.44.070: SERVICE USES:

Service Activity Requirement:

- Current Code:
D. Hotel/motel 1.25 spaces for each room or unit; plus as required for accessory uses, such as restaurants, meeting halls, etc.
- Proposed Code:
D. Hotel/motel 1 space for each room or unit; plus as required for accessory uses, such as restaurants, meeting halls, etc.

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.

Review of jurisdictions of similar size and geographical proximity yielded the following requirements:

- **Boise, ID** 1 per guestroom
- **Spokane, WA** 1 per guestroom
- **Spokane Valley, WA** 1 per guestroom
- **Bend, OR** 1 per guestroom, + 1 for manager
- **Wenatchee, WA** 1 per guestroom
- **Vancouver, WA** 1 per guestroom
- **Redmond, WA** 1 per rental room

QUALITY OF LIFE ANALYSIS

The amendment will reduce the total required parking spaces for hotel/motel use; however, all other city standards still apply.

DECISION POINT

Endorse or deny the request to amend the code to modify commercial parking requirements for hotel/motel use from 1.25 parking stalls per room to 1.0 parking stalls per room.



February 28, 2008

Mr. Dave Yadon
Director of Planning
Planning Department
City of Coeur d' Alene
Via Fax 208-769-2284

Re: Text Amendment

Dear Mr. Yadon:

I am writing to formally request a text amendment of the current City of Coeur d' Alene Planning ordinance. More specifically, my request is to reduce the off street parking requirement for lodging facilities from the current standard of 1.25 stalls for every guestroom, to a requirement of one stall for each guestroom.

We recently completed construction of and operate the Holiday Inn Express on Seltice Way in the City of Coeur d' Alene. We intend to construct and operate another hotel immediately adjacent to the Holiday Inn Express. We have developed, owned, and operate eleven hotels in Spokane, Spokane Valley, Wenatchee, Coeur d' Alene, Kalispell, Layton, Utah, Henderson, Nevada and Scottsdale, Arizona. We have been operating hotels for over 20 years and it is our experience that a requirement of one stall per guestroom is more than adequate. Even in the event that a hotel is 100% occupied, which only occurs on approximately 15% of the days in a given year, there are still adequate parking stalls because some users of a single automobile will rent more than one guestroom; corporate travelers often occupy one rental car but utilize separate guest rooms, and blocks of rooms may be occupied by those traveling in vans or buses.

I believe the most definitive and compelling data that I can offer to support my contention of the adequacy of a one to one ratio comes in two forms: 1) offsite parking requirements of jurisdictions of similar size and in geographical proximity to Coeur d' Alene; 2) parking requirements mandated by national hotel franchisors who, of course, have a vested interest in assuring that there is adequate parking on any given site. Below is a listing of the off street parking requirements for comparable jurisdictions.

Boise, Idaho – 1 per guestroom
Spokane, Washington – 1 per guestroom
Spokane Valley, Washington – 1 per guestroom
Bend, Oregon – 1 per guestroom, plus one for the manager
Wenatchee, WA – 1 per guestroom

Owners, Operators & Developers of Quality Lodging Facilities.

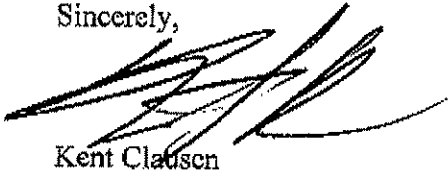
Please find attached excerpts from the Construction and Design Standards of several national franchisors, which all call for one space per guest room.

Choice Hotels – Comfort Inn, Quality Inn, Sleep Inn
Hilton Hotels – Hampton Inn, Embassy Suites, Hilton Garden
Marriott – SpringHill Suites, Residence Inn, Fairfield Inn, Courtyard

We believe and think you will concur that the evidence contained herein is solid, verifiable, third party evidence of the adequacy of a one to one parking ratio. We currently are 1.25 to 1 at the 101 room Holiday Inn Express, and if we are required to provide 1.25 to 1 on a proposed new 100 room hotel, we would in effect have 50 stalls in excess of a one to one ratio. Fifty excess stalls would result in more than 15,000 square feet of unnecessary asphalt.

I thank you in advance for your consideration of this matter and would be willing to provide any other information that you might find useful.

Sincerely,



Kent Clausen

Date: April 8, 2008

To: Planning Commission

From: David Yadon, Planning Director

Subject: Item O-1-07d Amendments to Zoning Code Infill Development Overlay District Regulation Amendments for the DO-E (Design Overlay – East); M (Mid Town Overlay); DO-N (Design Overlay – North);

Decision Point

The Planning Commission is asked to consider the following amendments to the zoning ordinance:

These amendments to the Zoning Code would modify the development standards in the in the following ways:

- For the DO-E (Design Overlay – East) Increase the allowable building height from 35 feet to 38 feet for commercially zoned property and
- Add a design guideline establishing maximum horizontal dimensions minimum separation of buildings facing a street; and
- For all Design Overlay districts – establish side yard setbacks for construction abutting existing single-family residences.

(See map below)

History

The City Council and Planning Commission has previously met with consultant Mark Hinshaw to review the merit of suggested changes to the DO-E (Design Overlay – East) infill district as proposed by the East Mullan Historic District Neighborhood Association (EMHDH) Subsequently, the City Council approved:

- A reduction in the allowable building height from 38 feet to 35 feet
- A design guideline requiring pitched roofs for development
- Removal of the ability to grant height variances city-wide; and
- Modification of the boundary of the DO-E district.

When approving the reduction in building heights in the DO-E district, the Council asked that the Planning Commission and Design Review Commission review and make recommendation on setbacks and what a desirable height limit would be for the commercially zoned property within the DO-E district. The council expressed an interest in both retaining the scale of the neighborhood and viability of the existing buildings on Sherman Avenue.

The Design Review Commission has reviewed staff and consultant Mark Hinshaw's suggested changes to the regulations intended to address the Council's direction. The Commission has also reviewed analysis of computer modeling of possible building scenarios to assess the impacts of various building sizes on neighboring properties. The attached documents reflect the Commission's recommendation

Financial Analysis

There is no significant financial impact associated with the proposed amendments.

Performance Analysis

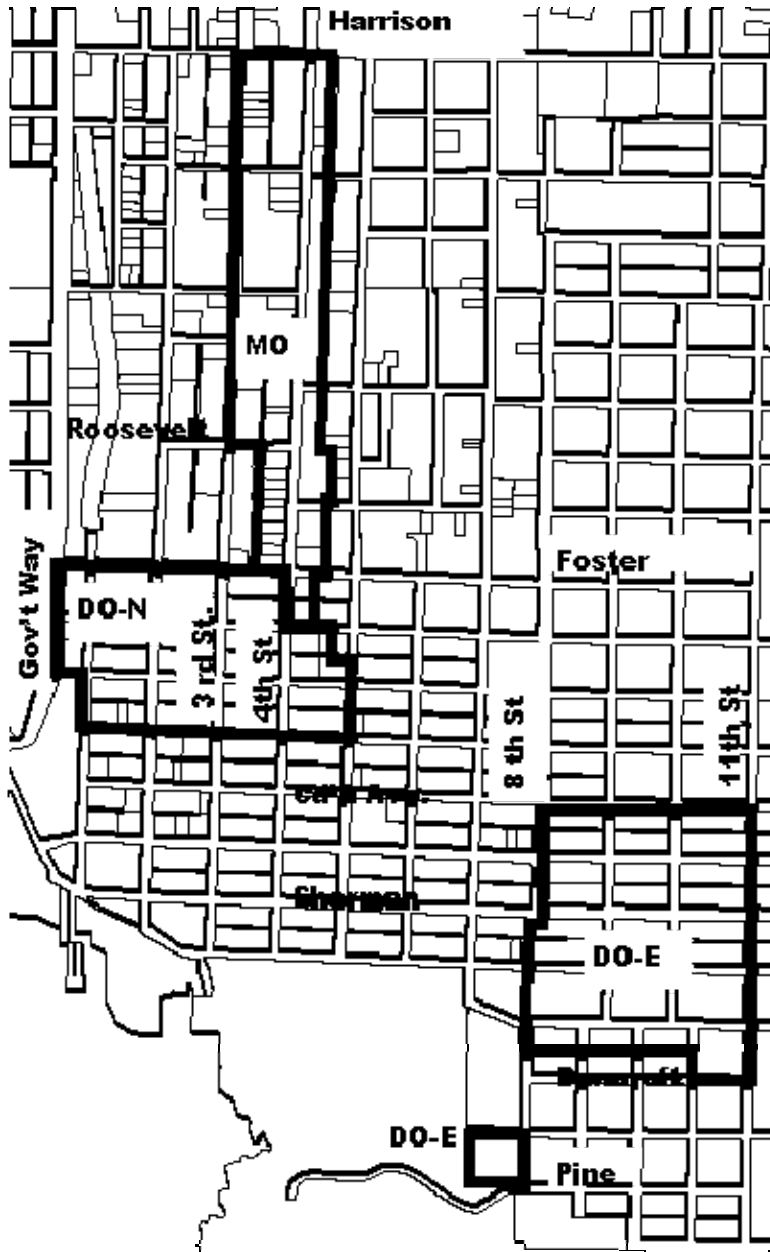
The proposed amendment is consistent with Comprehensive Plan including 1.11, 1.12, 3.01, 3.04, 3.05, 3.06, 3.08, 31, 43

Quality of Life Analysis

The amendment will provide opportunities to provide housing and other structures that are compatible with existing neighborhood within and adjacent to the (Design Overlay – Districts)

Decision Point Recommendation

The Planning Commission is asked to consider the proposed amendments.



DESIGN GUIDELINES—ALL OVERLAY DISTRICTS

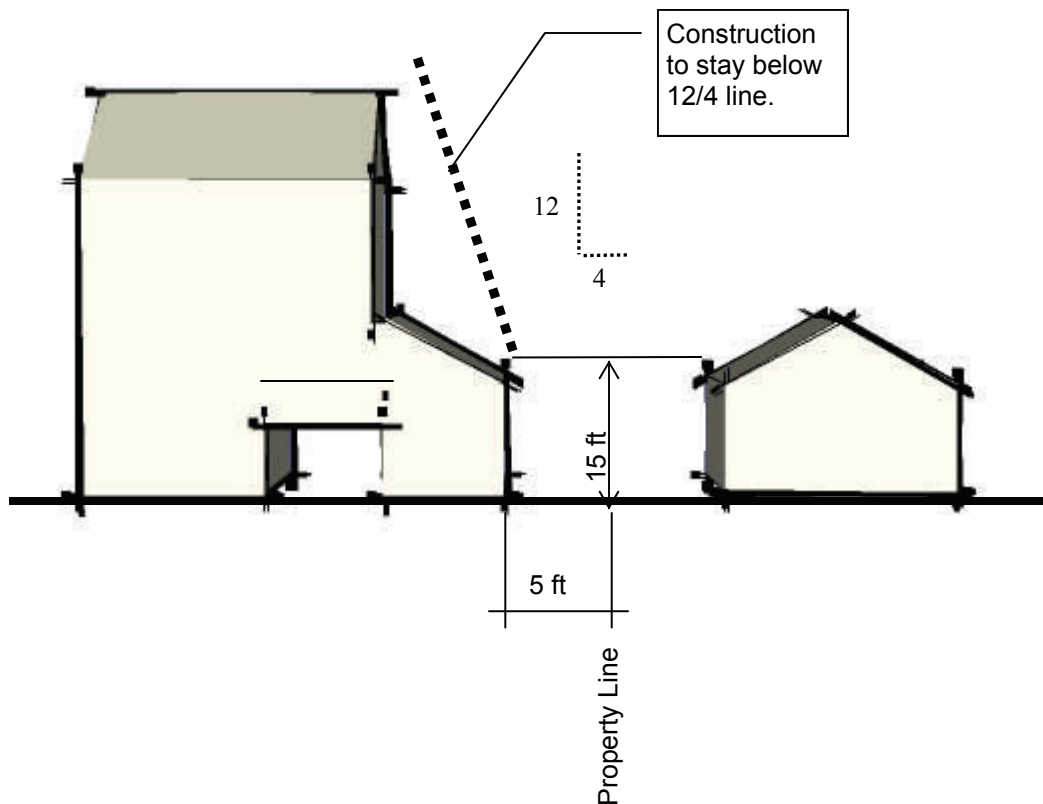
SETBACKS ADJACENT TO SINGLE FAMILY – ALL OVERLAY DISTRICTS

Intent:

To retain the character of existing single family structures.

Standards:

When abutting a side yard of an existing single family residence, a minimum setback of 5 feet should be maintained. In addition, when abutting a single story single family residence, a setback of 4 inches for every for every foot of building height above 15 feet should be provided.



DESIGN GUIDELINES—ALL OVERLAY DISTRICTS

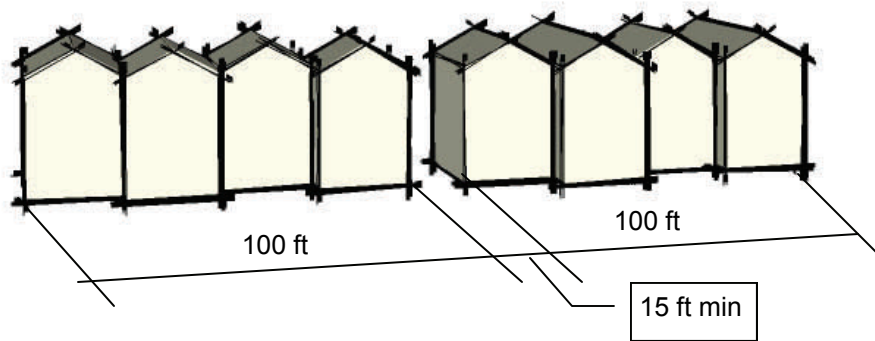
BUILDING BULK AND SPACING – DO-E only

Intent:

To retain the scale of buildings in the neighborhood.

Standards:

1. The maximum horizontal dimension of a building facing a street should be no more than 100 feet.
2. A minimum 15 foot separation should be maintained between buildings that face the street.



17.07.925: BUILDING HEIGHT:

A.Principal Structures: Subject to the provisions of subsection B of this section, the height of principal structures within the infill overlay districts shall not exceed the following:

<u>Overlay District</u>	<u>Maximum Building Height</u>
DO-N	45 feet
DO-E	35 feet
<u>DO-E with underlying commercial zone</u>	<u>38 feet</u>
MO	45 feet

B.Principal Structures Near District Boundaries: The height of principal structures located within fifty feet (50') of districts having a lower height limit shall not exceed the height limit for the adjacent district.

C.Accessory Structures: The height of accessory structures, including detached garages, shall not exceed fourteen feet (14') measured to the high point of a flat or the ridge of a low slope roof or eighteen feet (18') measured to the ridge of a medium to high slope roof. (Ord. 3299 §15, 2007: Ord. 3192 §7, 2004)

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

DATE: April 8, 2008

FROM: Warren Wilson, Deputy City Attorney

SUBJECT: Proposed Code Amendments for Accessory Dwelling Units and
Application of the Zoning Performance Standards. (0-5-08)

DECISION POINT:

Review the proposed code amendments and make a recommendation to the City Council on whether they amendments should be adopted.

HISTORY:

Over the past several months a couple of issues of easily remedied problems have come to the attention of staff. First, in the recently adopted Accessory Dwelling Unit regulations, we require that either the accessory or principal dwelling unit be occupied by the owner or a relative of the owner. We have had an issue with creative individuals transferring a minor (1% or more) ownership stake in the property to a tenant to get around this requirement. To resolve this issue, we are recommending that the code be amended to require that a majority owner or relative live in the accessory or principal dwelling. The second issue involves the impact to existing commercial and/or manufacturing zoned properties when an abutting property is rezoned to residential. Our noise performance standard protects residentially zoned properties only, In other words, uses on surrounding properties cannot create noise above a given level measured from the residential property. A problem arises when a commercial or manufacturing property is rezoned to commercial because the surrounding properties are now subject to restrictions on noise that may not have applied to them prior to the rezone. We are proposing to amend the performance standards to resolve this issue.

FINANCIAL ANALYSIS:

Neither of the proposed changes should result in increased costs to the City.

PERFORMANCE / QUALITY OF LIFE ANALYSIS:

In both instances, the code amendments are aimed at correcting unintended consequences of previously adopted codes. In the case of the accessory dwelling unit amendment, the proposed amendment will ensure that the original intent of the code is being met. In the case of the performance standards, the amendment is aimed at protecting surrounding property owners when the City determines that a zone change on a neighboring property is appropriate.

DECISION POINT/RECOMMENDATION:

Recommend that the City Council adopt the proposed ordinance amendments, which are attached below.

17.06.660: ACCESSORY DWELLING UNITS; BASIC DEVELOPMENT STANDARDS:

A. Maximum Building Height: Maximum building heights for ADUs are:

1. Thirty two feet (32') when built within the buildable area for the principal structure.
2. Fourteen feet (14') when built in the rear yard with a low or no slope roof or eighteen feet (18') when built in the rear yard with a medium or high slope roof.

B. Setbacks: Setbacks for ADUs are:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten feet (10') minimum.
3. Side, Street: The street side yard requirement shall be ten feet (10').
4. Rear: Zero feet (0').

C. Parking: No additional parking beyond that required for the principal dwelling is required.

D. Owner Occupancy: Either the principal dwelling unit or the accessory dwelling unit must be occupied by an a majority owner of the property or an immediate family member of the property owner. "Owner occupancy" is defined as a property owner, as reflected in title records, who makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means, and actually resides at the site more than six (6) months out of any given year.

E. Number Of Occupants: One accessory dwelling unit is permitted as subordinate to an existing single-family dwelling; provided the total number of occupants in both the principal dwelling unit and accessory dwelling unit combined does not exceed the maximum number established for a "family" as defined in section 17.02.055 of this title.

F. Subdivision: Accessory dwelling units shall not be subdivided or otherwise segregated in ownership from the principal dwelling unit.

G.Size And Scale: The square footage of the accessory dwelling unit shall be a minimum of three hundred (300) square feet and a maximum of seven hundred (700) square feet, excluding any garage area; provided, the square footage of the accessory dwelling unit shall not exceed forty percent (40%) of the total square footage of the primary dwelling unit, excluding the garage area, as it exists or as it may be modified.

H.Location: The accessory dwelling unit may be added to or included within the principal unit, or located in a detached structure. Other code standards may apply.

I.Entrances: The single-family dwelling containing the accessory dwelling unit shall have only one entrance on each front or street side of the residence.

J.Additions: Additions to an existing structure or newly constructed detached structures created for the purpose of developing an accessory dwelling unit, shall be designed consistent with the existing roof pitch, siding, and windows of the principal dwelling unit.

K.Conversion Of Existing Structures: Any existing structure that is converted into an accessory dwelling unit must meet all of the requirements of this section.

II. PERFORMANCE STANDARDS REGULATIONS

17.07.105: TITLE AND PURPOSE:

The provisions of this article shall be known as the *PERFORMANCE STANDARDS REGULATIONS*. The purpose of these provisions is to promote the health, safety and general welfare of the residents of the city through limitations on certain nuisance generating characteristics of various activities, including vibration, noise, odor, humidity, heat, cold, glare, dust and/or smoke.

17.07.110: APPLICABILITY:

Any use of property that violates these regulations is prohibited even where it is otherwise permitted by the applicable zone regulations. Uses permitted by special use permit shall conform to these regulations as one component of their conditions.

17.07.115: RESTRICTIONS ON OPERATIONS:

The operation of any use established after the effective date of this zoning Ordinance shall comply with the performance standards here set forth for the zone in which such activity shall be located. No use already established on the effective date of this Zoning Ordinance shall be so altered or modified as to conflict with, or further conflict with, the performance standards here established for the zone in which such use is located. A conforming use that is in compliance with existing zoning ordinances or a legal non-conforming use may be continued and maintained regardless of subsequent zoning changes on surrounding properties that otherwise

would change the manner in which the requirements of this article apply to the pre-existing use.

17.07.120: VIBRATION AND NOISE:

- A. In all zoning districts, any use creating intense earthshaking vibrations or noise such as are created by heavy drop forges or heavy hydraulic surges, shall be set back at least three hundred feet (300') from an abutting residential or commercial zoning district or at least one hundred fifty feet (150') from an abutting manufacturing zoning district, unless such operation is controlled to prevent transmission beyond the lot lines of earthshaking vibrations perceptible to a person of normal sensitivities.
- B. In all districts, the use of property shall not create a noise level for residentially zoned property in excess of the following criteria, measured by an approved and properly calibrated decibel meter:
 - 1. Daytime level (7 o'clock A.M. to 10 o'clock P.M.), sixty five (65) dB;
 - 2. Nighttime level, fifty five (55) dB.

17.07.125: ODOR:

- A. In Manufacturing Zoning District: In a manufacturing zoning district the emission of any noxious, odorous matter which produces a public nuisance or hazard beyond lot lines is prohibited.
- B. All Other Zoning Districts: In all other zoning districts, the emission of noxious odorous matter which is detectable by a person of normal sensitivity at any point along lot lines is prohibited.

17.07.130: HUMIDITY, HEAT, COLD, GLARE, DUST, AND SMOKE:

- A. In Manufacturing Zoning District: In a manufacturing zoning district any excessive humidity in the form of steam or moist air, intense heat, intense cold, intense glare, intense dust, or intense smoke produced by an activity within the district shall not be detrimental beyond the boundary of the district.
- B. All Other Zoning Districts: In all other zoning districts, any use of property producing excess humidity in the form of steam or moist air, or producing intense heat, intense cold, intense glare, intense dust, or intense smoke shall be carried out within a completely enclosed structure so that neither a public nuisance nor hazard is created at or beyond lot lines of the lot involved.

Date: April 8, 2008

To: Planning Commission

From: David Yadon, Planning Director
Doug Eastwood, Parks Director

Subject: **Amendment to Zoning Regulations – Parks Allowed in Residential Zoning Districts**

Decision Point

The Planning is asked to consider allowing public and private parks in residential zoning districts by right.

History

Parks are currently allowed in residential zoning districts by Special Use Permit.

The zoning code classifies what are typically considered parks in the following ways:

Community assembly and cultural/nonassembly: Activities typically performed by, or at the following institutions or installations:

- 1. Open space areas of passive use character,***
- 2. Public meeting halls,*
- 3. Nonprofit museums, art galleries, libraries, and observatories.*

Neighborhood recreation: Activities that include the use of small open spaces for nonstructured or passive recreation, typical of neighborhood or vest pocket parks; these parks, which could be publicly or privately owned and maintained, provide for the low intensity recreational needs of the immediate local vicinity.

Public recreation: Activities typical of institutionally owned structures or public open space for passive or active recreation programs and life sports that include municipal parks, school playgrounds, public beach, YMCA.

For the past few years the Parks and Recreation Commission has discussed the possible need to rework how we provide for park uses in our zoning ordinance. The most recent discussion is highlighted in the recently completed Parks and Recreation Master Plan which states:

- ***Update the Zoning Code.*** The zoning code should be updated to clarify land use regulations for parks, and also specify how land is provided for parks.

Park and Open Space Zoning Designation. During the next major Zoning Code update, a park and open space zoning designation or overlay should be added. Currently, parks are subject to the underlying zoning; some development standards, such as sign regulations, are inappropriate for meeting the needs of park sites. This can result in a longer land use process and development timeline.

The park and open space designation or overlay should be developed jointly by the Parks Department and the Planning Department, with the goal of clarifying park standards and streamlining the park development process.

An amendment that would allow for neighborhood recreation, public recreation and open space would address the Parks and Recreation Master Plan recommendation in the most efficient manner.

Performance Analysis

Comprehensive Plan reference pages including 5, 18, 34, 39, 47, 55 and 86 and Park and Recreation Master Plan excerpt are relevant.

Quality of Life Analysis

The proposed amendment is intended to “make the right thing the easy thing to do.” The “right things” in this case is the provision of parks and open spaces as desired in our plans for Coeur d’Alene.

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Decision Point Recommendation

The Planning Commission is asked to consider allowing public and private parks in residential zoning districts by right.

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**PLANNING COMMISSION
STAFF REPORT**

FROM: JOHN J. STAMOS, SENIOR PLANNER
DATE: APRIL 8, 2008
SUBJECT: SP-3-08 – REQUEST FOR A PROFESSIONAL OFFICE SPECIAL USE PERMIT
IN AN LM ZONING DISTRICT
LOCATION: A +/- 1.7 ACRE PARCEL

DECISION POINT:

Mica Creek, LLC is requesting approval of a Professional Office Special Use Permit in the LM (Light Manufacturing) zoning district. It would allow the construction of a one story +/-17,800 sq. ft. office building.

SITE PHOTOS:

A. Site photo.



B. Subject property from Shreiber Way.

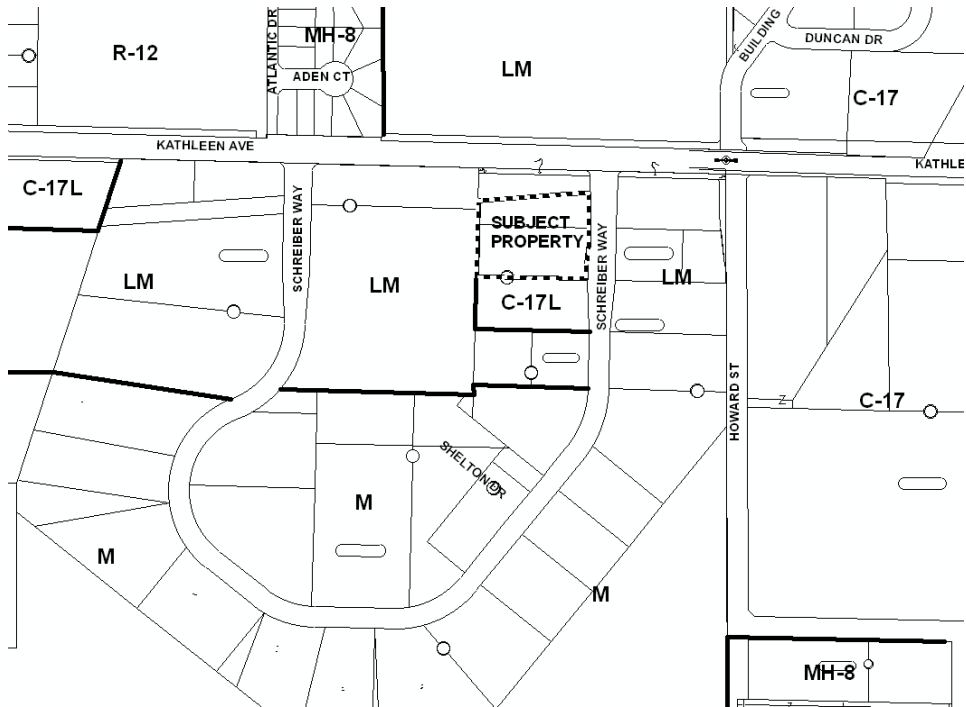


B. Looking north towards Kathleen Avenue.

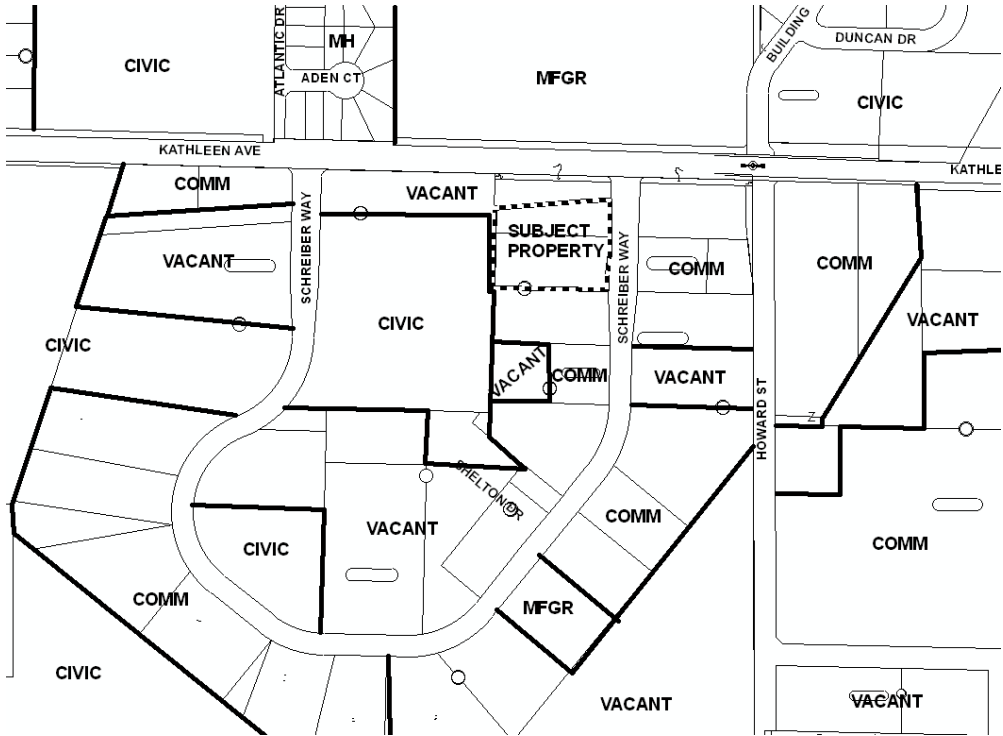


GENERAL INFORMATION:

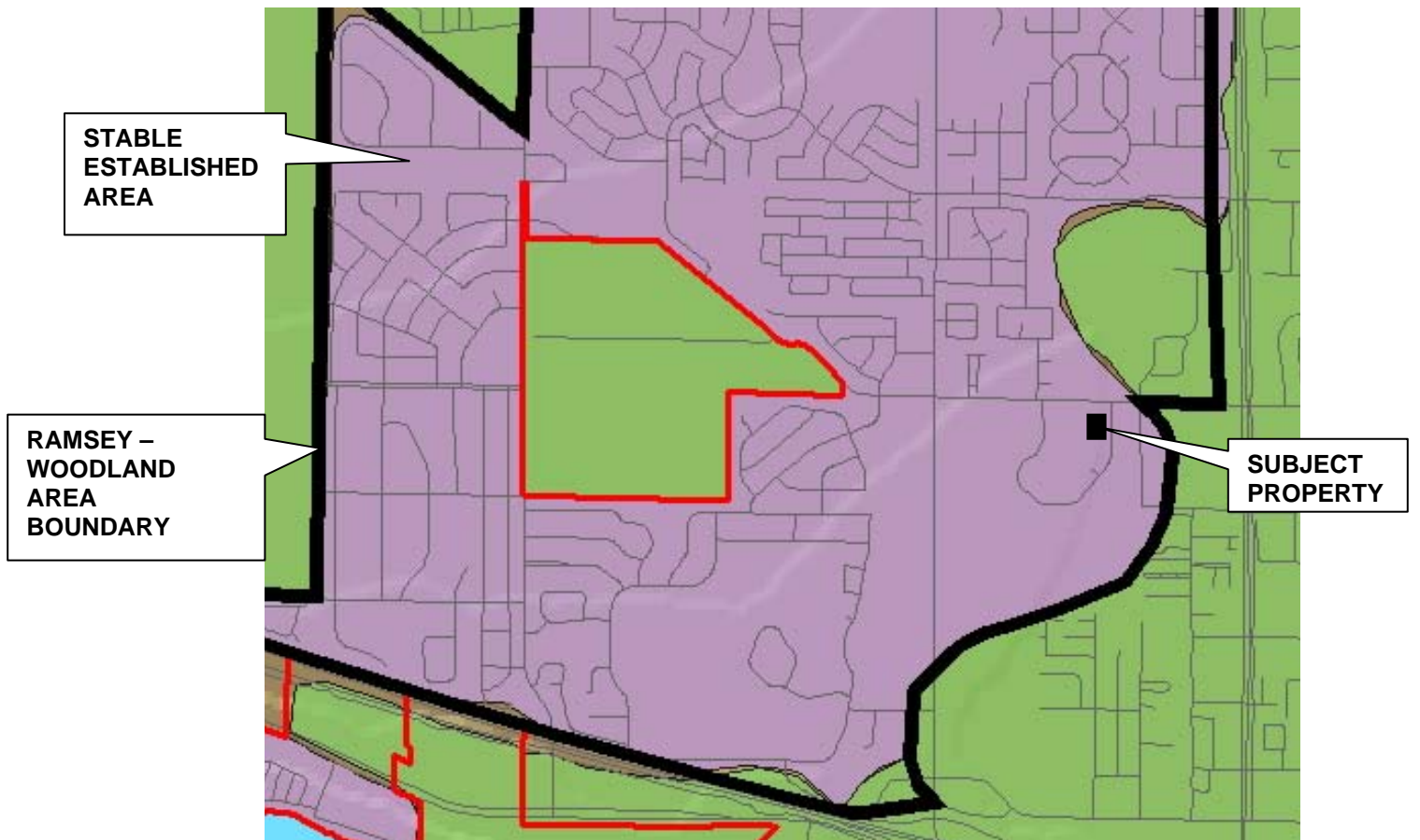
A. Zoning



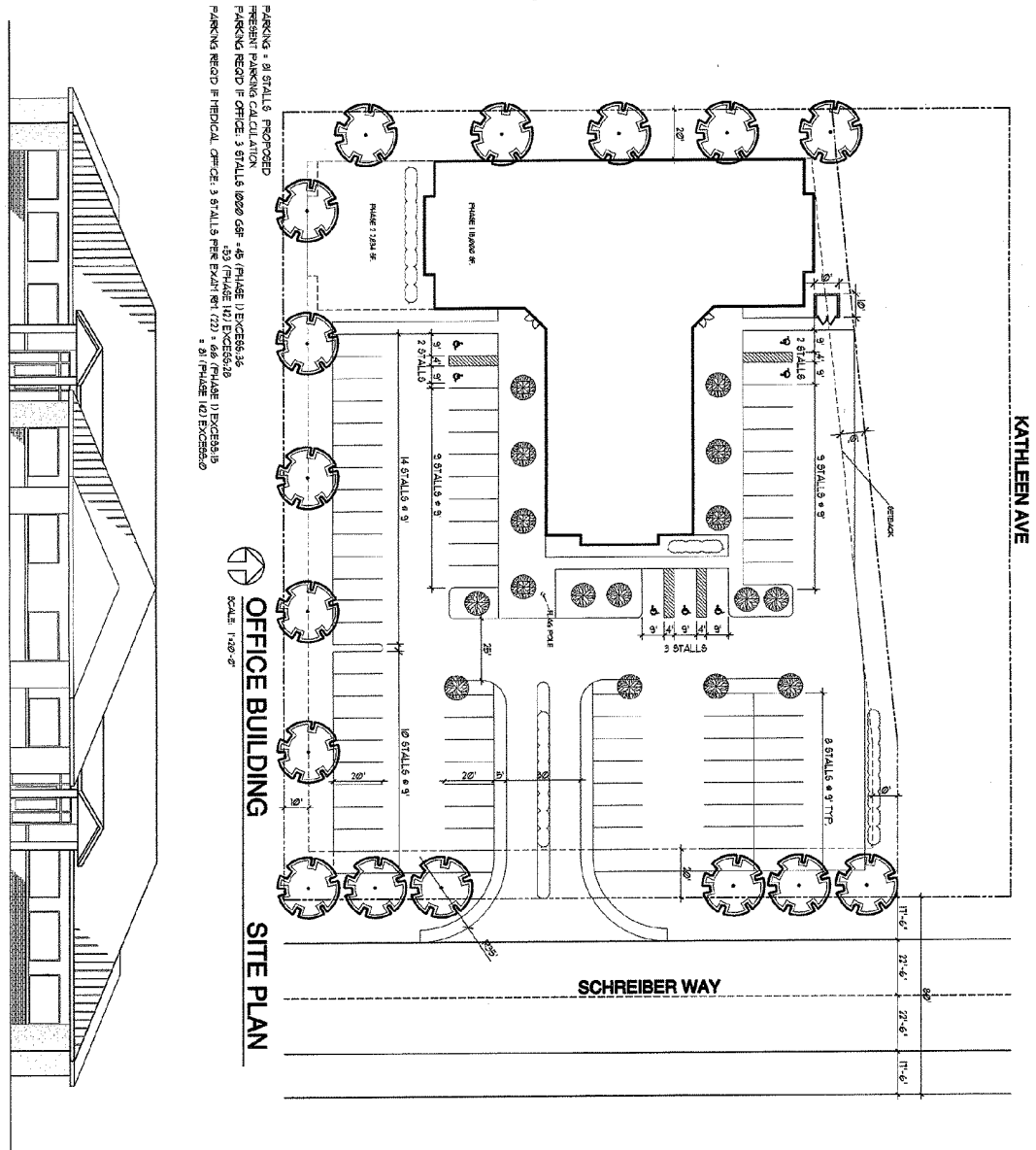
B. Generalized land use pattern:



C. 2007 Comprehensive Plan designation - Stable Established – Ramsey-Woodland Neighborhood



C. Site plan and building elevation



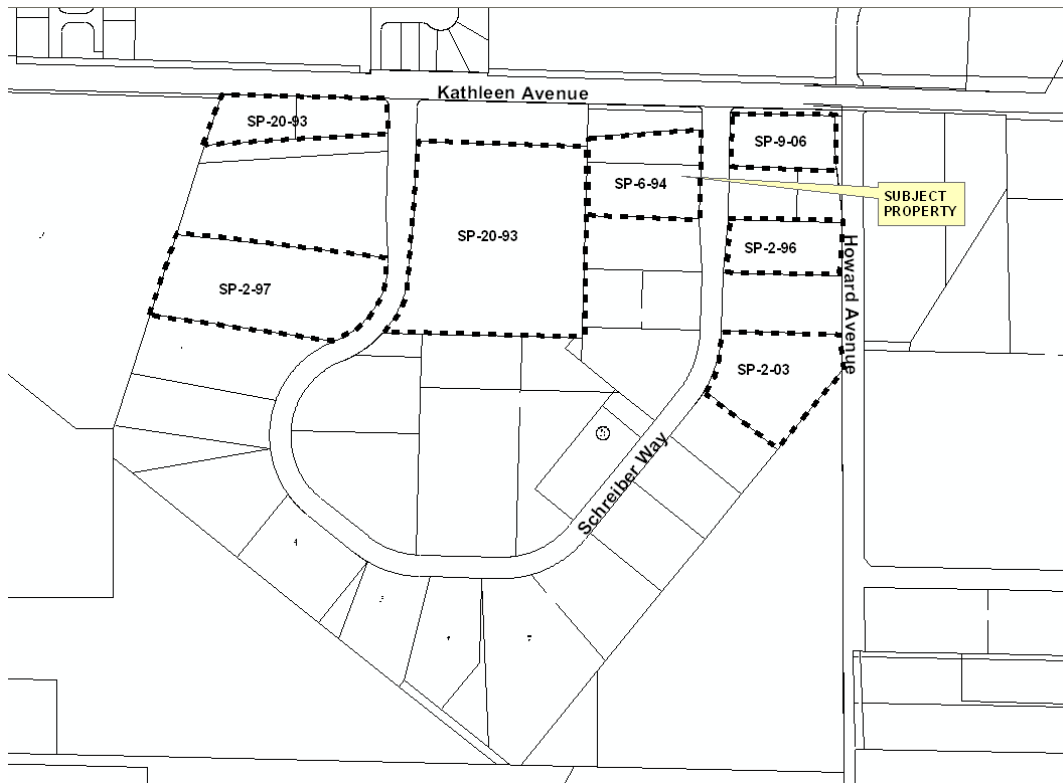
DATE	BY	REVISION

CONFLUENCE OFFICE BUILDING
Coeur d'Alene Idaho

INTEGRATION CREW
SEATTLE, WASH.
ARCHITECTURE & INTERIOR DESIGN
1000 1ST AVENUE, SUITE 200
SEATTLE, WA 98101
TEL: 206.461.1000
WWW.INTEGRATIONCREW.COM

DATE	BY	REVISION

E. Special use permits approved in Commerce Park.



F. Applicant/: Mica Creek, LLC.
Owner 1221 West Emma Avenue
Suite # 200
Coeur d'Alene, ID 83814

G. Existing land uses in the area include residential – mobile homes, commercial, civic, manufacturing and vacant land.

H. The subject property is vacant land.

I. Special use permits approved on subject property

A. SP-4-94 - specialty retail sales – facility was never built so SUP approval expired.

J. There have been six special use permits approved in the surrounding area.

A. SP-2-97 – civic administrative (Coeur d'Alene Police Department).

B. The five others were for professional office SUP's.

PERFORMANCE ANALYSIS:

A. Zoning:

The requested professional office activity is allowed by Special Use Permit in a LM zone and is classified as a commercial service activity.

Evaluation: The requested use is located in a LM zone and meets the definition of a professional office activity.

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

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

Stable Established 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.

Ramsey-Woodland Neighborhood:

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

The characteristics of Ramsey - Woodland neighborhoods will be:

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

Significant policies for your consideration:

- 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 2.01 - Business Image & Diversity

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

➤ Objective 3.16 - Capital Improvements:

Ensure infrastructure and essential services are available for properties in development.

➤ 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 subject property is in an existing industrial/commercial park with several existing office and retail uses, has a building design that is compatible with other buildings in the area and is in close proximity to Kathleen Avenue, which is a main arterial in the area.

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: Domestic, irrigation and fire service is currently stubbed into the two vacant lots at the southwest corner of Schreiber Way and Kathleen Avenue.

Submitted by Terry Pickel, Assistant Water Superintendent

SEWER:

Sewer is available and adequate to support the Special Use Permit.

Evaluation: Sewer service is stubbed to this property.

Submitted by Don Keil, Assistant Wastewater Superintendent

STORMWATER:

City code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. Any alteration to the subject property will require submission of a stormwater plan detailing the treatment for new impervious surfaces.

TRAFFIC:

The use "professional office" is a non specific, generic office description for the use on the subject property. Based on the submitted building foot print and the noted square footage for phases 1 and 2 (+/- 17,834 s.f.), the site may generate 27 average daily trips during the morning and evening peak hour periods.

Evaluation: The subject property is situated at mid block on a major five (5) lane east/west collector street that is signalized on both ends. The subject property does not access directly onto the collector but via a connecting street. The adjoining streets can sustain the increase in traffic that the site may generate.

STREETS:

The adjoining roadways are fully developed therefore, no street improvements will be required.

APPLICABLE CODES AND POLICIES:

UTILITIES

All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.

STREETS

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

STORMWATER

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

Submitted by Chris Bates, Engineering Project Manager

FIRE:

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

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.

JUSTIFICATION:

Proposed Activity Group; professional office building

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

A. A description of your request; We are desirous of building
a professional office building adjacent to the US Forest
Service building on the westerly^{border} of the subject property.

B. Explain how your request conforms to the 2007 Comprehensive Plan;
Our proposed professional office building will utilize
existing infrastructure and will be designed to be compatible
with other adjacent buildings. The natural terrain will be
preserved and the adjacent open space will continue to be
maintained for the benefit of the community.

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

The other buildings that border the subject property
have been approved by a special use permit over the last 10
years (State Farm bldg, USFS, Humanix, Allegra and others).

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

The subject is served by Kathleen Avenue and Schreiber Way.
City services including power and cable are available to the
subject property.

E. Any other information that you feel is important and should be considered by the Planning Commission in making their decision.

There continues to be demand for professional office
space in the Coeur d'Alene area, and our project is an infill
project that will not require extension of city services or
any new infrastructure.

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

A. INTRODUCTION

This matter having come before the Planning Commission on, April 8, 2008, and there being present a person requesting approval of ITEM SP-3-08, a Professional Office Special Use Permit in the LM (Light Manufacturing) zoning district.

LOCATION: A +/- 1.7 acre parcel

APPLICANT: Mica Creek, LLC

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 include residential – mobile homes, commercial, civic, manufacturing and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established
- B3. That the zoning is LM (Light Manufacturing)
- B4. That the notice of public hearing was published on, March 22, 2008, and, April 1, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, March 31, 2008, which fulfills the proper legal requirement.
- B6. That 10 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, March 21, 2008, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on April 8, 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 **MICA CREEK, LLC** for a Professional Office Special Use Permit special use permit, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Evans	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner 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. STAMSOS, SENIOR PLANNER
DATE: APRIL 8, 2008
SUBJECT: ZC-2-08 - ZONE CHANGE FROM MH-8 TO R-17
PUD-3-08 - PLANNED UNIT DEVELOPMENT
LOCATION: +/- 3.25 ACRE PARCEL AT 3285 FRUITLAND LANE

SITE PHOTOS:

A. Aerial photo



- B. Looking west at subject property from Fruitland Lane.



DECISION POINT:

The City of Coeur d'Alene is requesting approval of:

- A. A Zone Change from MH-8 (Mobile Home at 8 units/acre) to R-17 (Residential at 17 units/acre) for the 3.25 acre parcel.
- B. Planned Unit Development approval of lots 2-4, of the proposed Brausen Addition short plat, as follows:
1. A 15 unit residential development on lot 2 (14 dwelling units and a manager's unit) for very low income people with disabilities in a 9,544 sq. ft. two story building.
 2. At a later date, an 18 unit building for very low income senior citizens would be built on each of the remaining two lots (Lots 3 & 4) to complete the project.
 3. A proposed short plat (On the agenda tonight for approval as a short plat – SS-2-08) would create four lots, as follows:

- A. Lot 1 – single-family dwelling.
- B. Lot 2 – building for very low income people with disabilities.
- C. Lots 3 & 4 – buildings for very low income senior citizens.

4. As a part of the PUD, the applicant is requesting the following modification to the Zoning ordinance.

A. Section 17.44.030.E, parking requirements for multi-family uses.

- Reduce the requirement to one space per unit for all units from the existing requirement:
 - Studio units - 1 space per unit and 0.5 visitor space.
 - 1 bedroom units - 1.5 spaces per unit and 0.5 visitor space.
 - 2 bedroom units - 2 spaces per unit and 1 visitor space.
 - 3 bedroom units - 2 spaces per unit and 1 visitor space.
 - More than 3 bedrooms - 0.75 space per bedroom and 0 visitor spaces

C. Evaluation: **The Commission should bear in mind that a PUD is intended to provide for flexibility and diversity of use by removing the limitations in the typical lot-by-lot approach to development.**

It is not intended to be a means to waive certain development regulations. The Commission must, therefore, determine if the concept of the proposal is unique enough that it merits the flexibility afforded by the PUD regulations.

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

The chief benefits of this PUD for the applicant are:

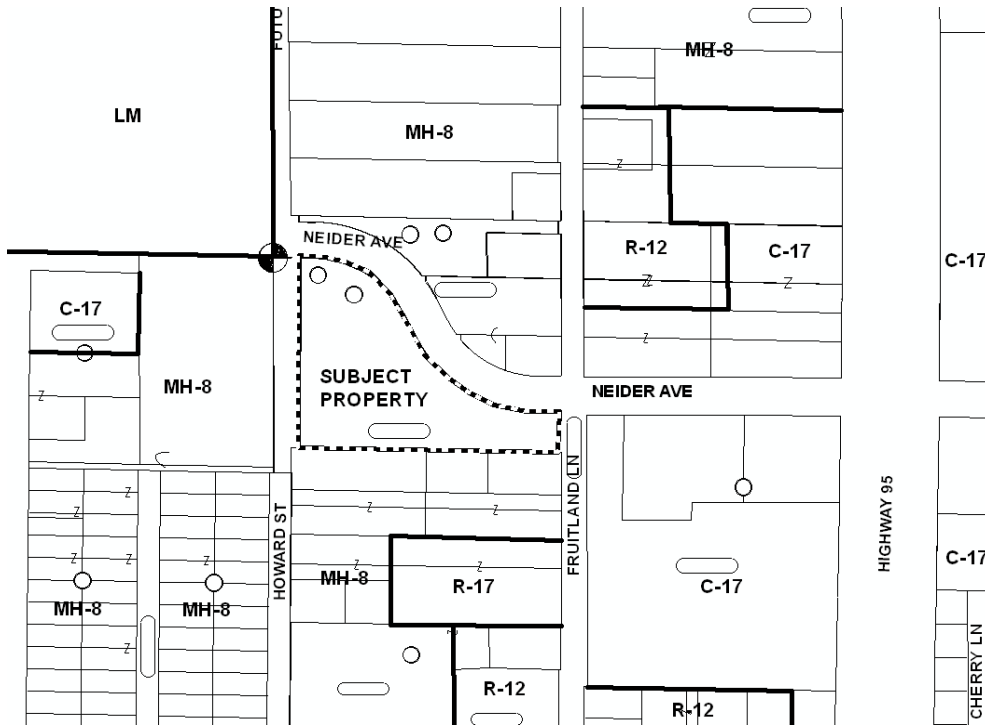
- A development with a one space per unit parking requirement.
- A development with 52% of the property in usable open space rather than the 10% required by code.

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:

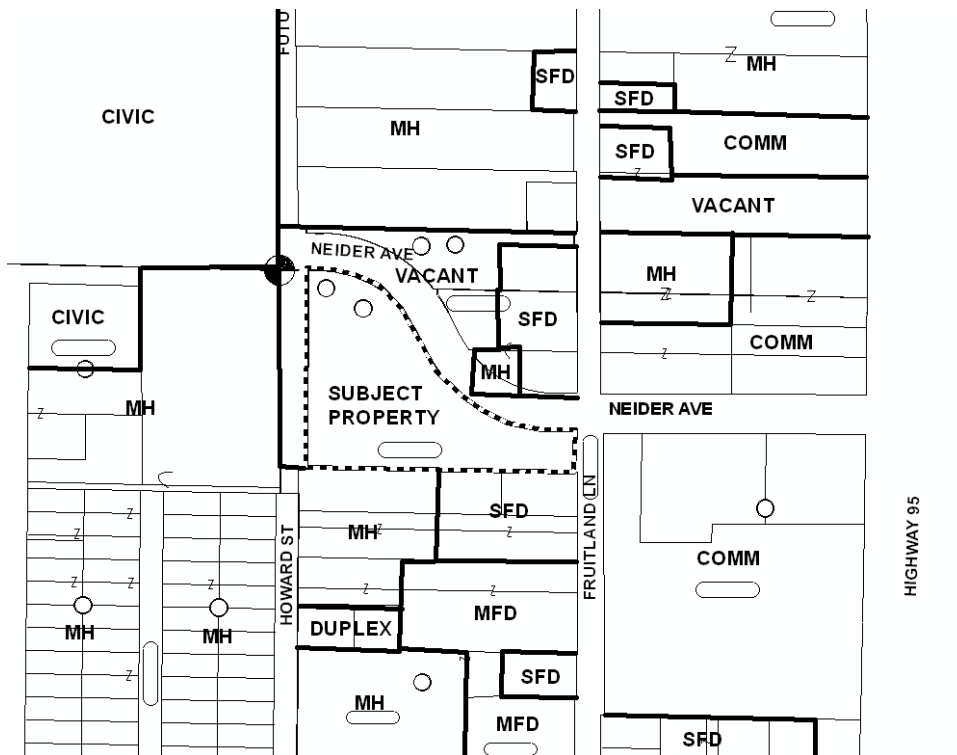
- Preservation of private open space.
- Ability to add conditions to an approval.
- Ability to lock in development plans for the future through the approved final development plan.
- Ability to negotiate solutions that benefit all.

GENERAL INFORMATION:

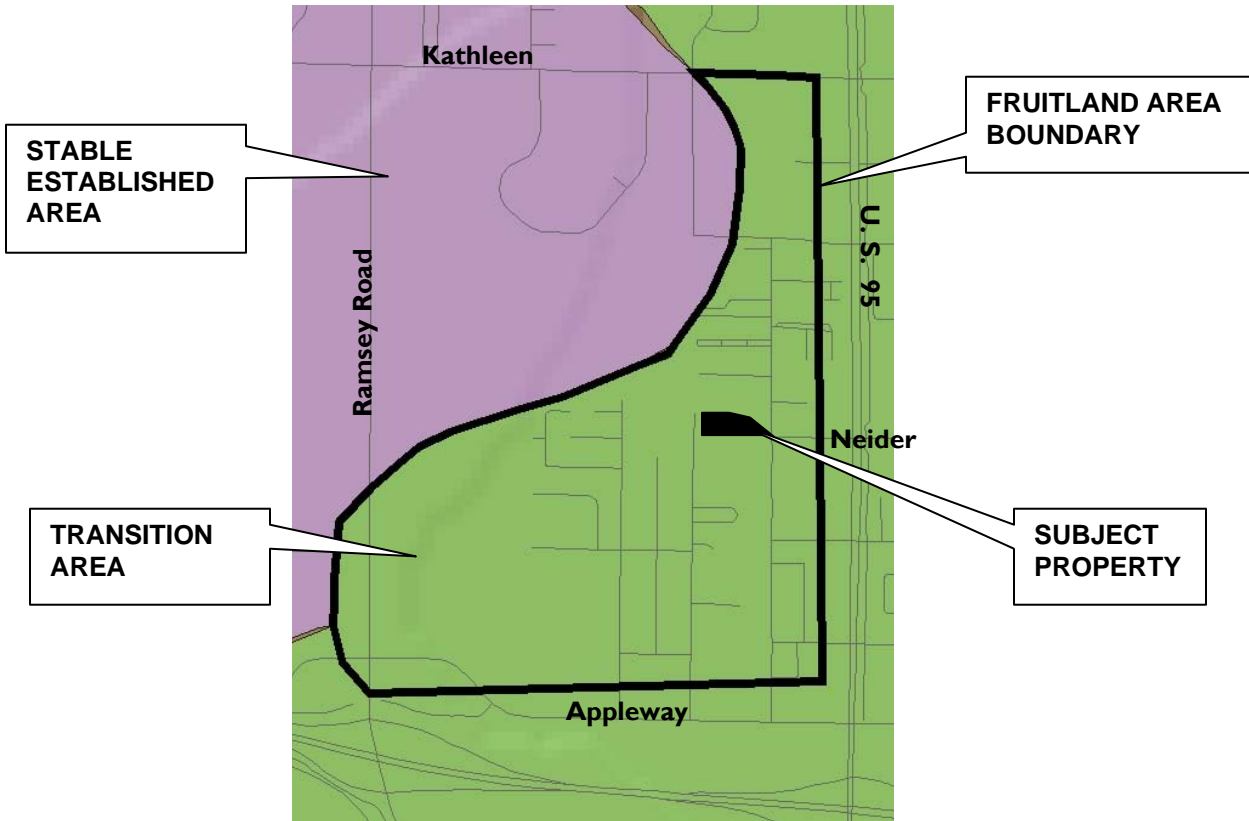
A. Zoning:



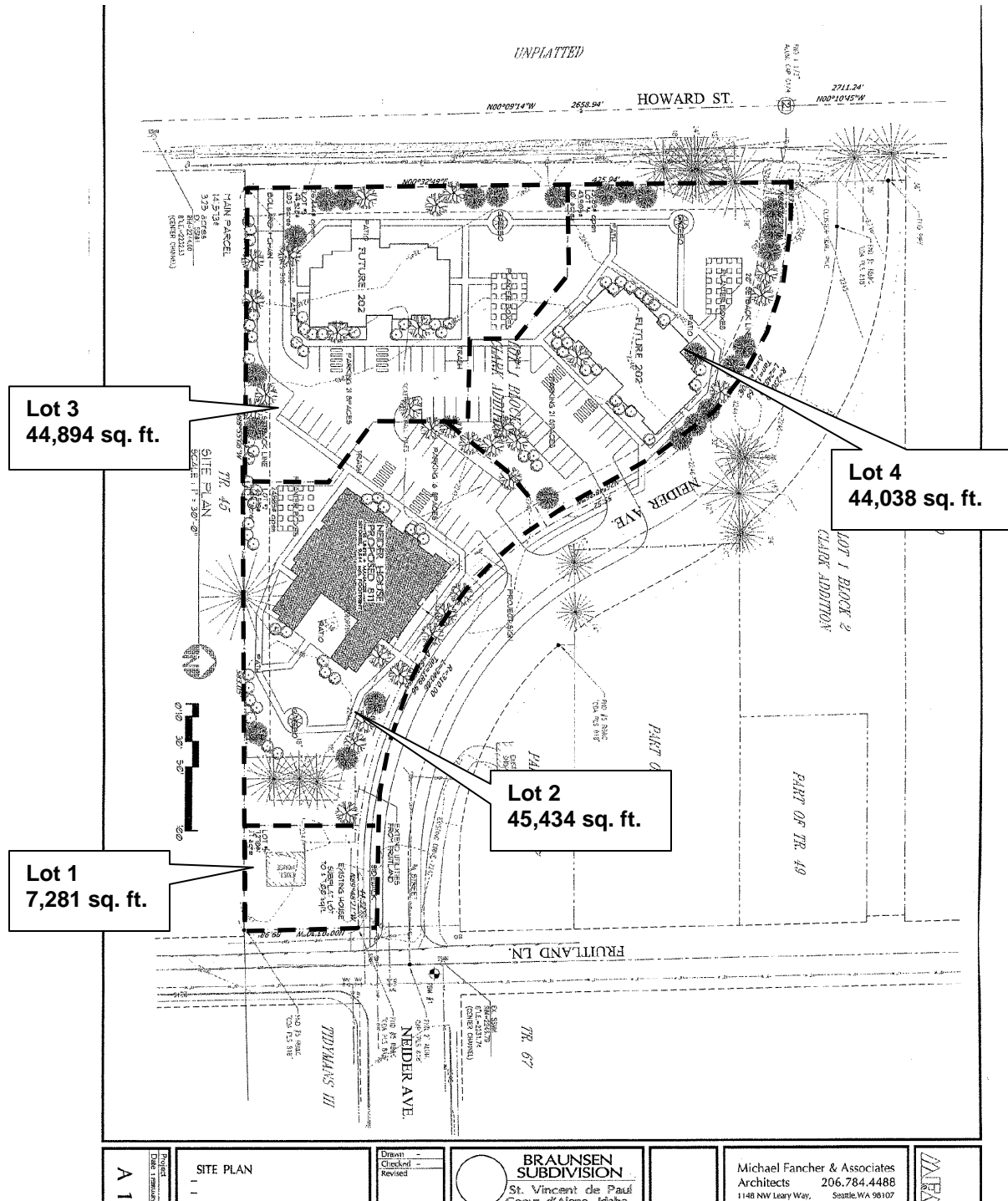
B. Generalized land use pattern:



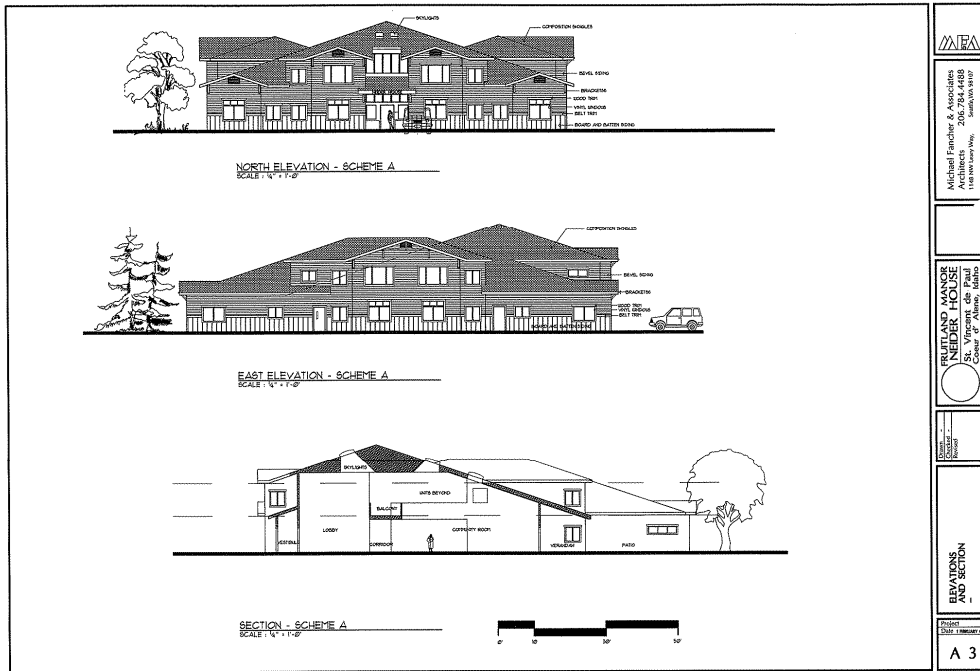
C. 2007 Comprehensive plan designation - Transition – Fruitland Area.



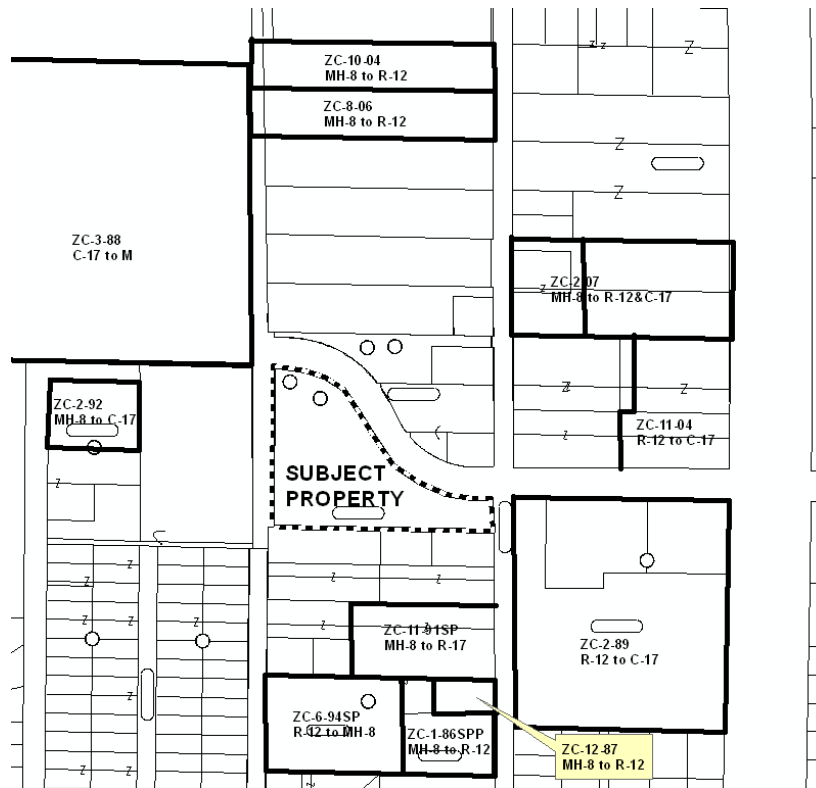
D. Preliminary PUD Plan:



E. Building elevation



F. Zone changes in surrounding area:



- G. Applicant/ Owner City of Coeur d'Alene
710 Mullan Avenue
Coeur d'Alene, ID 83814
- H. Land uses in the area include residential – mobile homes, single-family, duplex and multi-family, commercial, civic and vacant land.
- I. The subject property is predominately undeveloped but does contain a single-family dwelling.
- J. There have been several zone changes in the surrounding area (See map on page 7) from MH-8 to R-12, R-17 or C-17 over the last several years.

PERFORMANCE ANALYSIS:

- A. Zoning ordinance considerations:
 - 1. The requested zoning for the zone change is R-17 (Residential at 17units/acre). This zone allows single-family, duplex, multi-family and pocket housing and requires a minimum lot size of 5,500 sq. ft. for single-family lots, 3500 sq. ft. per unit for duplexes and 2500 sq. ft. per unit for multi-family and pocket housing with 50 feet of frontage on a public street.
 - 2. The allowable density of the 3.25 acre parcel using the existing MH-8 zoning, which allows single-family dwellings and individually sited mobile homes by right and mobile home parks by special use permit would be 28 units or 8 units per acre for single-family dwellings and individually sited mobile homes and 36 units for mobile home parks or 11 units per acre.
 - 3. Using the R-17 zone, the number of allowable dwelling units would be 56 units or 17 units per acre, as follows:
 - a) Lot 1 – 7,281 sq. ft. - 2
 - b) Lot 2 – 45,434 sq. ft.- 18
 - c) Lot 3 – 44,894 sq. ft. -18
 - d) Lot 4 – 44,038 sq. ft. -18
 - 4. The applicant is proposing to create a 7,281 sq ft lot for the existing single-family dwelling, build a 15 unit multi-family dwelling on Lot 2 and build 18 unit multifamily dwellings on each of the two remaining lots.

ZONE CHANGE FINDINGS:

- B. **Finding #B8: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.**
 - 1. The subject property is within the Area of City Impact Boundary.
 - 2. The 2007 Comprehensive Plan Map designates the subject property as Transition and in the Fruitland land use area, as follows:
 - A. Transition.

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.

B. Fruitland Area.

Generally, this area is envisioned as a commercial corridor with adjacent multi-family uses and will maintain a mix of the housing types that currently exist. Commercial and manufacturing will continue to expand and care must be used for sensitive land use transition. A traffic study for US 95 is underway which may affect future development in this area.

The characteristics of Fruitland neighborhoods will be:

- That overall density will approach eight residential units per acre (8:1).
- That single- and multi-family housing should be located adjacent to compatible uses.
- Pedestrian and bicycle connections are encouraged.
- Uses that strengthen neighborhoods are encouraged.

The characteristics of Fruitland commercial areas will be:

- Commercial buildings will remain lower in scale than in the downtown core.
- Native variety trees will be encouraged along commercial corridors.

3. Significant policies:

➤ Objective 1.02 - Water Quality:

Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.

➤ Objective 1.06 - Urban Forests:

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

➤ Objective 1.07 - Urban Forests:

Restrict tree removal in city rights-of-way and increase tree planting in additional rights-of-way.

➤ Objective 1.08 - Forests & Natural Habitats:

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

➤ Objective 1.10 - Hillside Protection:

Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

- 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 1.15 - Natural Terrain:
Wherever possible, the natural terrain, drainage, and vegetation should be preserved with superior examples featured within parks and open spaces
- 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 - 4.01 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).

Transportation Plan policies:

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

- 31A: "Develop an improved arterial system that integrates with existing street Patterns."
- 33A: "Safe vehicular and pedestrian circulation should be enhanced through careful design and active enforcement."
- 34A: "Use existing street systems better."
- 34B: "Reduce automobile dependency by providing bike paths and sidewalks."

4. Evaluation:

- A. The Fruitland land use area has an overall target density for the entire land use area of 8 dwelling units per acre. Based on analysis of existing land use in the Fruitland land use area, the residential density is approximately 2.5 units per acre.
- B. The Planning Commission must determine, based on the information before them, whether the 2007 Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.

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

SEWER:

Sanitary sewer is available to the proposed development.

Evaluation: The applicant will be required to install sanitary sewer in Neider Avenue with a connection into the existing manhole at the intersection Neider Avenue & Fruitland Lane and extend the line westerly to provide service for proposed Lot 4 and be available for the lots to the north. Sanitary sewer in Howard Street will need to be extended from the existing manhole adjacent to the southwest corner of the site to the northerly boundary of the subject property.

WATER:

Water is available to the proposed development.

Evaluation: The applicant will be required to install a looping twelve inch (12") water main extension from the terminal end of the existing six inch (6") main in Howard to the existing twelve inch (12") line at the Neider/Fruitland intersection. Accommodation will need to be made for future extension of the water main to the north from the Howard/Neider intersection.

STORMWATER:

Street drainage will be a component of the street design and be addressed with the infrastructure plan submittal. Centralized drainage swale design will be preferred over the use of longitudinal street side swales.

STREETS:

The public street on the west (Howard) and adjoining right-of-way on the north (Neider) are not developed. The applicant will be required to construct full roadway sections for both Howard and Neider. The Howard Street section will be required to be a forty foot (40') wide street with full curbing (both sides) and sidewalk along the subject property. The Howard Street section will be required to be constructed from the current end of pavement to the intersection with the Neider Avenue extension. The Neider Avenue section will be required to be a forty foot (40') wide street section with full curbing and sidewalk along the subject property. Fruitland Lane on the subject property's easterly boundary will be required to be brought up to current street standards with the installation of curb, sidewalk and pavement widening. Street luminaries will be required at locations specified by the City Engineer.

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

STORMWATER

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

FIRE PROTECTION

10. Fire hydrant(s) shall be installed at all locations as determined by the City Fire Department.

GENERAL

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

Submitted by Chris Bates, Engineering Project Manager

FIRE:

The fire 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 Glen Lauper, Deputy Fire Chief

POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

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

There are no physical constraints such as topography that would make the subject property unsuitable for development.

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

The subject property will be accessed by Neider Avenue and Howard Street, which will both be 40 foot streets capable of handling any traffic generated by this development. The surrounding area is a mixed residential and commercial area that includes several multi-family developments such as the one proposed.

Evaluation: The Planning Commission must determine what affect the proposed R-17 zoning would have on traffic, land uses and the character of the surrounding area.

PLANNED UNIT DEVELOPMENT FINDINGS:

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

See Zone Change finding #B8 on pages 8-11.

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

The design of the initial building would be a two story building with 15 units, paved parking and landscaping. It would be compatible with surrounding uses on adjacent properties, which include single-family dwellings, mobile homes, apartments and commercial uses.

Evaluation: The Planning Commission must determine, based on the information before them, whether the request is or is not compatible with uses on adjacent properties.

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

There are no physical constraints such as topography that would make the subject property unsuitable for development.

- 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 Zone Change finding #B9 on pages 12 & 13.

- 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 parcel is a total of 3.25 acres and is required to provide 10% of the gross area of the parcel, which is .33 acres or 14,165 sq. ft. in open space free of parking lots, driveways and swale areas, accessible to the residents of the development and usable for recreational purposes.

Based on the site plan, the applicant shows 74,518 sq. ft. of open space area or 52% of the parcel square footage consisting of a system of walking paths, gazebos and lawn area.

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 parking code requirement for the entire development would be 2 parking spaces per unit for one bedroom units or a total of 108 spaces. (54 units x 2 = 108 spaces) If the PUD is approved, the requested deviation would require one space per unit or a total 54 spaces. The applicant's site plan shows a total of 58 parking spaces.

Evaluation: The Planning Commission must determine, based on evidence before them that the requested one space per unit requirement is an appropriate number and sufficient to serve the parking needs of the proposed development.

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

The applicant has not indicated that all open space areas will be maintained and managed by a homeowner's association, the Planning Commission can require this as a condition of approval, as follows:

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 homeowners association, pursuant to Section 17.07.235 of the Municipal Code, to ensure the maintenance of all open space areas identified on the preliminary PUD plan.

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.**

See zone change finding # B11 on page 14.

I. Proposed conditions:

Planned Unit Development:

Planning

1. The formation of a homeowners association, pursuant to Section 17.07.235 of the Municipal Code, to ensure the perpetual maintenance of all open space areas.

Engineering:

2. Install sanitary sewer main lines and appurtenances in both Neider Avenue and Howard Street to the westerly and northerly boundaries of the subject property.
3. Connect the existing water main lines in Fruitland Lane and Howard Street with a twelve inch (12") loop. Install all appurtenances and fire hydrants necessary in both Neider Avenue and Howard Street and "stub out" of Howard Street for future extension to the north.
4. Construct Neider Avenue to a full forty foot (40') road section and Howard Street to a full thirty six foot (40') road section with concrete curbing on both sides and sidewalk along the frontages of the subject property. Both Howard and Fruitland will be required to be constructed from the current end of asphalt to the Fruitland/Howard intersection. Install concrete curb, sidewalk and pavement widening along the Fruitland Lane frontage to meet current City standards.
5. Utilize centralized storm water swale locations in lieu of curbside swales to facilitate maintenance.

J. Ordinances and Standards Used In Evaluation:

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

ACTION ALTERNATIVES:

The Planning Commission must consider this request and make separate findings to approve, deny or deny without prejudice the Annexation, Zone Change, Planned Unit Development and Preliminary Plat. The findings worksheets are attached.

PROJECT OVERVIEW:

The subject property located at Neider Avenue and Fruitland Lane, Lot 1, Block 1, Clark Addition, Coeur d'Alene Idaho, Kootenai County, Idaho, and is owned by the City of Coeur d'Alene. The City of Coeur d'Alene reviewed a proposal for specialized need housing from St. Vincent de Paul and agreed to enter into a long term land lease. The project was approved by HUD on October 31, 2007. HUD will provide the lion's share of construction funding (via a capital advance grant) and 40 years of subsidized rental assistance to ensure high standards of operation during that 40 year commitment, with St. Vincent De Paul or a like organization managing the units.

The City of Coeur d'Alene would like to divide the lot into four lots through a short plat, to allow future affordable housing opportunities. One opportunity that may become available in the next couple years is 202 funding for senior housing. This would be another future partnership opportunity with St. Vincent De Paul.

HOUSING TYPES:

Lot 1.

Eastern corner of the property consists of one SFD unit. It is intended to keep that dwelling unit at its current location. The lot will be a minimum of 7,000 sq. ft. to provide a future opportunity of a duplex.

Lot 2.

The center parcel is intended for the Federal Section 811 housing project. The purpose of the program is to expand the supply of supportive housing for very low-income persons with disabilities; particularly those with chronic mental illness. The project will consist of 14 one-bedroom units and 1 two-bedroom manager unit. Units will be 540-550 sq. ft. each.

Annual Income Limit is \$17,550 for one person and \$20,050 for two person households.

The intent of the program will provide independent living and supportive services available through community resources. This will be permanent housing that will remain affordable as the project will be federally subsidized for 40 years. Tenants will contribute only 30% of their adjusted gross incomes for rent and utility combined, no matter how low their income.

The open space, sidewalks, parking lots, landscaping, etc. will be maintained through the federal subsidy.

Lot 3.

The northwestern parcel is intended to be a federal funded Section 202 housing project. The purpose of that program is to supply housing for very low income senior citizens. This project would have similar regulations and funding as the Section 811 project. This project would be approximately 3 years out before construction. If the Section 202 grant is not approved, other partners would be sought to provide affordable housing as designed in the PUD.

Lot 4.

The southwestern parcel is intended to be another Section 202 housing project. There are no immediate plans for this funding. As stated above if the Section 202 grant is not approved, other partners would be sought to provide affordable housing as designed in the PUD.

RELATIONSHIP TO PUBLIC SPACES/FREEWAY

The parcel is located west of the old Tidyman's grocery store and will be abutting Neider Avenue. US 95 is approximately 2 blocks away from this parcel. K-mart is located at the intersection of US 95 and Neider. K-mart is a bus stop for the Citylink public transportation system. Just east of the K-mart is a Safeway shopping center, which is within walking distance of the proposed development.

RECREATIONAL OPPORTUNITIES FOR RESIDENTS

The site map outlines several walking paths intended for the residents of the proposed development. Additionally, outdoor recreational spots such as community planter gardens or gazebos will be included with these projects. Each Federally funded project will include various interior community spaces, of approximately 10% of the total square footage to encourage social interaction and on-site services. A social service coordinator will be employed by the senior properties to line residents to community services for purpose of allowing independence as long as possible and improving the quality of that independent living.

SITE PERFORMANCE

The property is currently zoned MH8. The rezone request is for R-17 (17 units per acre). The parcel is one lot; the short plat is being requested to create four lots. Lots 2, 3, and 4 are requested to be included in the PUD. The parcels included in the PUD equal approximately 3.08 acres. The PUD will allow the City to create a master plan for this parcel that will dictate its future development.

REQUESTED DEVIATION:

The sole deviation requested under the PUD is parking at 1 stall per unit rather than the 2 stall per unit requirement.

Examples of other HUD 811 projects that were successfully developed with a 1 parking stall per unit standard include the following:

Colville, WA 12 units built in 1991

Walla Walla, WA 5 units, built in 1995 and 2006 with 8 units

Vancouver, WA built in 2003

Spokane, WA under construction

SERVICES:

City water, sewer, and garbage services will be available to the site. We will seek Citylink to add this development into their route once lots 3 and 4 are developed.

SYNOPSIS:

This development will add affordable housing units within the city limits of Coeur d'Alene. According the City of Coeur d'Alene Housing needs assessment 861 deeply subsidized units is needed. The 811 project will provide 14 units of deeply subsidized housing, with one additional managers unit. Additionally, the housing needs assessment states that 100 units of senior housing are needed. With the two planned 202 projects, it is hoped to create approximately 34 units of senior units that are also subsidized for 40 years.

PROPERTY INFORMATION

1. Gross area: (all land involved): 3.20 acres, and/or _____ sq.ft.
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): 3.20 acres, and/or _____ sq. ft.
3. Total number of lots included: _____
4. Existing land use: 1 sfd unit, vacant land
5. Existing Zoning (check all that apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8
 NC CC C-17 C-17L DC LM M
6. Proposed Zoning (check all the apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8
 NC CC C-17 C-17L DC LM M

JUSTIFICATION

Please use this space to state the reason(s) for the requested zone change and include comments on the 2007 Comprehensive Plan Category, Neighborhood Area, and applicable Special Areas and appropriate goals and policies and how they support your request.

In December 2006, the City conducted a Housing Needs Assessment. In that assessment, Goal No. 2 states that the City should develop 200 deeply subsidized rental units for the City's lowest income citizens.

Additionally, it is recommended that 100 deeply subsidized rental units be developed for the very low income senior citizens.

The 2007 Comprehensive Plan states under objective 3.01 growth should be managed to be suitable for the existing neighborhood, this development will consist of 2-3 story buildings and will blend in style with the neighborhood.

Objective 3.10 regarding affordable housing relates to this development as rent will be 30% of ones income. Objective 3.17

relating to transportation links is applicable, as Citilink has a stop at K-mart, within a few blocks of this proposed development. The Comprehensive plan holds the Fruitland Lane area out as a transitional area, and states that it is a

diverse area with pockets of multi-family housing and and commercial uses. This proposed development is adjacent to a

C-17 zone and will provide landscape and fencing buffers between the existing lot and abutting properties. Additionally,

there are 6 apartment complexes along Fruitland Lane and abutting Howard Avenue, and several 4-plex and duplex units.

Note: The 2007 Comprehensive Plan is available by going to www.cdavid.org under Departments / Planning

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

A. INTRODUCTION

This matter having come before the Planning Commission on, April 8, 2008, and there being present a person requesting approval of ITEM ZC-2-08, a request for a zone change from MH-8 (Mobile Home at 8 units/acre) to R-17 (Residential at 17 units/acre)

LOCATION: +/- 3.25 acre parcel at 3285 Fruitland Lane

APPLICANT: The City of Coeur d'Alene

**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 include residential – mobile homes, single-family, duplex and multi-family, commercial, civic and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is MH-8 (Mobile Home at 8 units/acre)
- B4. That the notice of public hearing was published on, March 22, 2008, and, April 1, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, March 23, 2008, which fulfills the proper legal requirement.
- B6. That 105 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, March 21, 2008, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on April 8, 2008.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

B9. That public facilities and utilities **(are) (are not)** available and adequate for the proposed use. This is based on

Criteria to consider for B9:

1. Can water be provided or extended to serve the property?
2. Can sewer service be provided or extended to serve the property?
3. Does the existing street system provide adequate access to the property?
4. Is police and fire service available and adequate to the property?

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

Criteria to consider for B10:

1. Topography
2. Streams
3. Wetlands
4. Rock outcroppings, etc.
5. vegetative cover

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

Criteria to consider for B11:

1. Traffic congestion
2. Is the proposed zoning compatible with the surrounding area in terms of density, types of uses allowed or building types allowed
3. Existing land use pattern i.e. residential, commercial, residential w churches & schools etc.

C. ORDER: CONCLUSION AND DECISION

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

Special conditions applied are as follows:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Evans	Voted _____
Commissioner 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 April 8, 2008, and there being present a person requesting approval of ITEM PUD-3-08, a request for a planned unit development known as "Braunsen Subdivision".

LOCATION: +/- 3.25 acre parcel at 3285 Fruitland Lane

APPLICANT: The City of Coeur d'Alene

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 include residential – mobile homes, single-family, duplex and multi-family, commercial, civic and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is MH-8 (Mobile Home at 8 units/acre)
- B4. That the notice of public hearing was published on, March 22, 2008, and, April 1, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, March 23, 2008, which fulfills the proper legal requirement.
- B6. That 105 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, March 21, 2008, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on April 8, 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

Criteria to consider for B8B:

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

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

Criteria to consider for B8C:

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

B8D. The proposal **(does) (does not)** provide adequate private common open space area,

as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes. This is based on

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

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

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

Criteria to consider for B8G:

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

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **THE CITY OF COEUR D'ALENE** 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 Evans	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: APRIL 8, 2008
SUBJECT: SP-2-08 – REQUEST FOR A FOOD AND BEVERAGE OFF-SITE
CONSUMPTION SPECIAL USE PERMIT IN A C-17L ZONING DISTRICT
LOCATION: A +/- .47 ACRE PARCEL

DECISION POINT:

Carol R. Allen is requesting approval of a Food and Beverage Off-Site Consumption Special Use Permit in the C-17L (Commercial Limited) zoning district. It would allow the operation of a coffee stand with two drive up windows.

SITE PHOTOS:

A. Site photo.

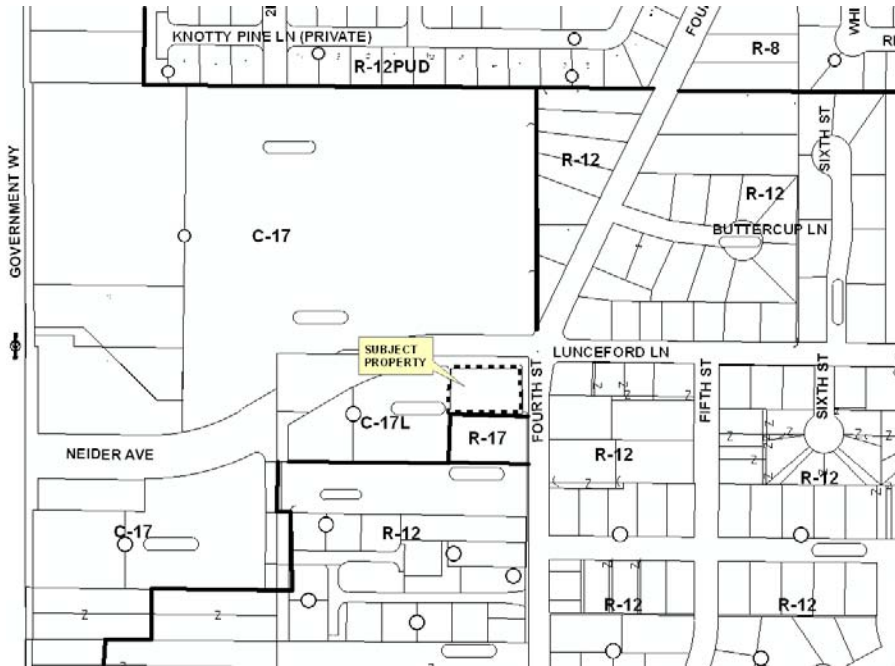


B. Subject property at Neider Avenue and 4th Street.

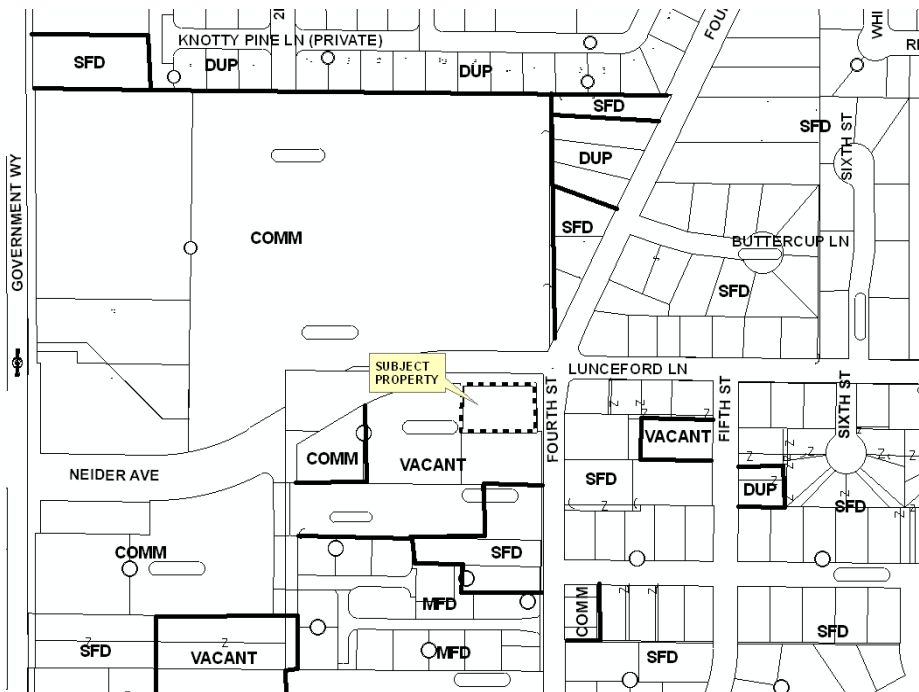


GENERAL INFORMATION:

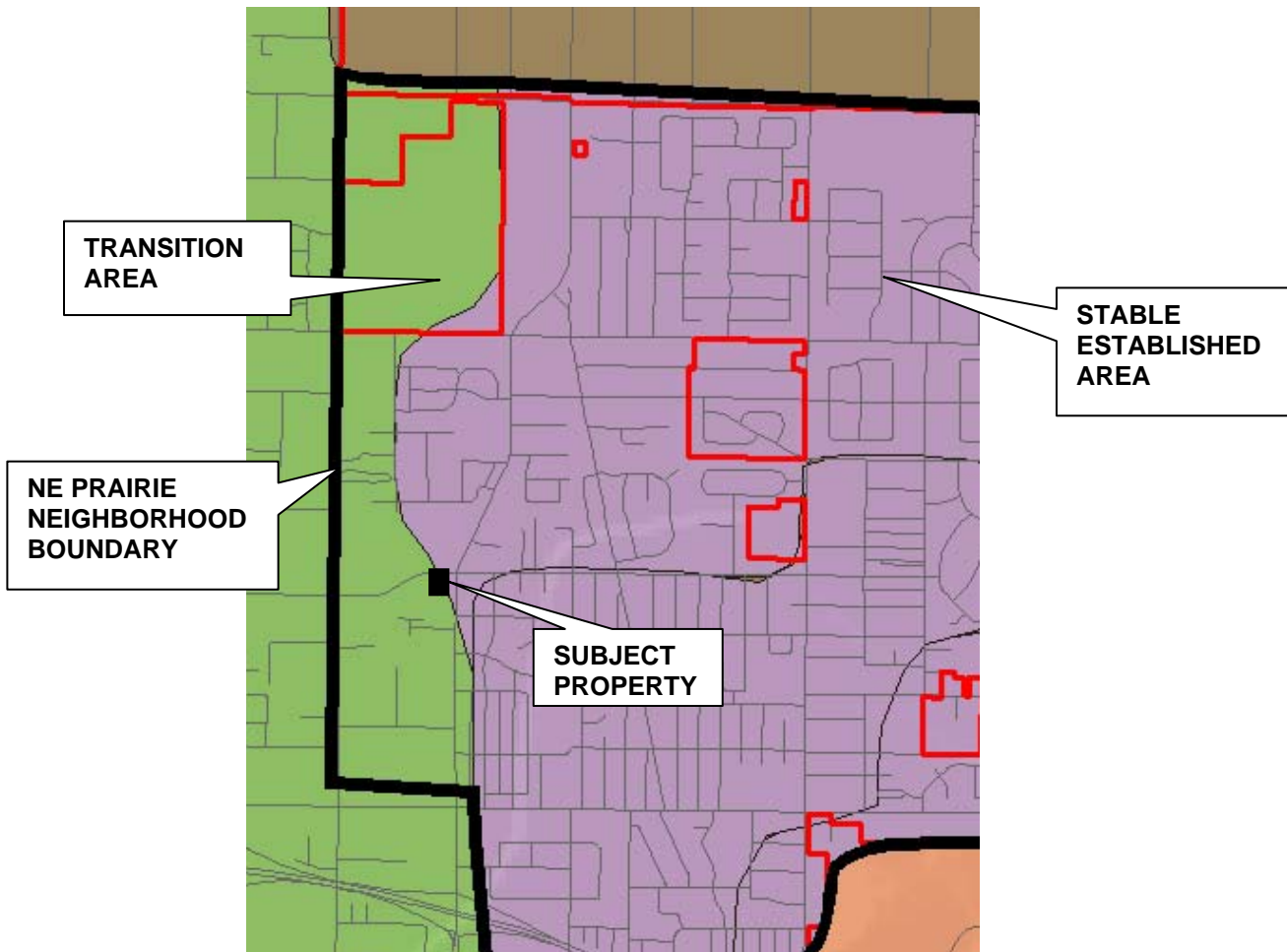
A. Zoning



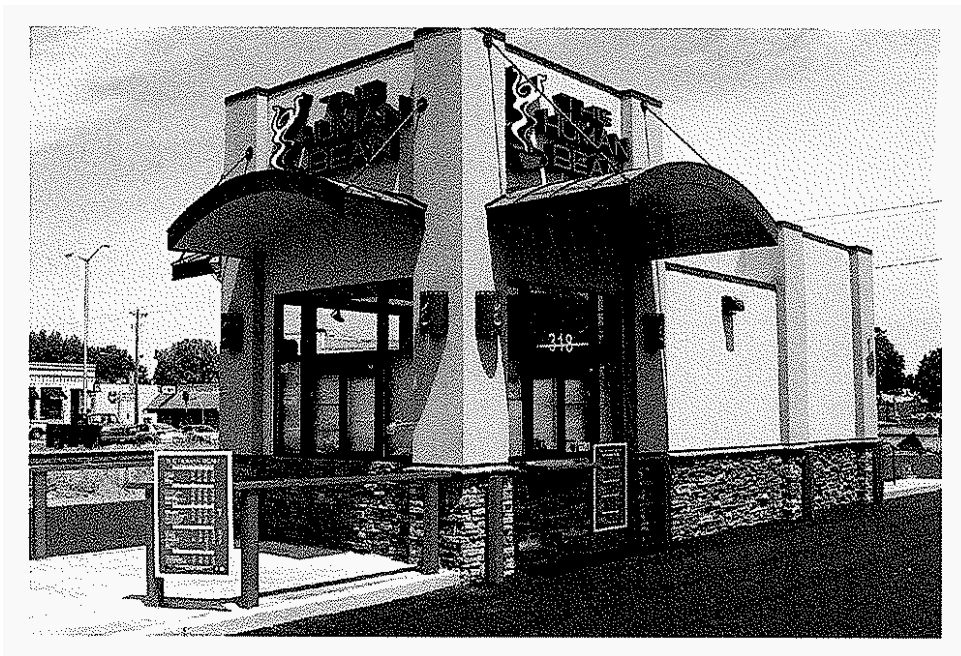
B. Generalized land use pattern:



C. 2007 Comprehensive Plan designation - Stable Established – NE Prairie Neighborhood:



D. Typical building elevation:



F. Applicant: Carol R. Allen
P. O. Box 7607
Brookings, OR 97415

Owner : Griffmill, LLC
c/o Marvin Miller, Managing Partner
701 East Front Avenue, #602
Cœur d'Alene, ID 83814

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

H. The subject property is vacant undeveloped land.

PERFORMANCE ANALYSIS:

A. Zoning:

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

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

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

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

Stable Established 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.

NE Prairie Neighborhood:

It is typically a stable established housing area with a mix of zoning districts. The majority of this area has been developed. Special care should be given to the areas that remain such as the Nettleton Gulch area, protecting the beauty and value of the hillside and wetlands.

The characteristics of NE Prairie neighborhoods will be:

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Commercial uses are concentrated in existing commercial areas along arterials with neighborhood service nodes where appropriate.
- Natural vegetation is encouraged and should be protected in these areas.
- Pedestrian connections and street trees are encouraged in both existing neighborhoods and developing areas.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

Significant policies for your consideration:

➤ 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 2.01 - Business Image & Diversity

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

- Objective 3.16 - Capital Improvements:
Ensure infrastructure and essential services are available for properties in development.
- 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 subject property is in an existing commercial corridor between Neider Avenue and 4th Street with several existing office and retail uses, has a building design that is compatible with other commercial buildings in the area and is at the intersection of 4th Street and Neider Avenue, which is a signalized intersection on two major streets in the area.

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 current domestic and fire protection facilities should be adequate in the area to serve this type of use.

Submitted by Terry Pickel, Assistant Water Superintendent

SEWER:

Sewer is available to the subject property.

Evaluation: The sewer lateral to this lot will support this requested use.

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 drainage is required to be retained on the subject property.

TRAFFIC:

The ITE Trip Generation Manual does not have any category that is applicable to the intended use for the subject property.

Evaluation: Due to the lack of statistical data, vehicle projections cannot be estimated. The proposed use for the subject property would primarily be one of opportunity rather than a destination use therefore; the traffic volumes will vary as the drive by traffic fluctuates. The corner location is at a signalized intersection therefore, restrictions will be placed on vehicle movements to and from the site to limit the interference with the protected turn pockets for left turning traffic.

Access on Neider Avenue is limited to the existing approach that is intended as a shared use approach with the adjoining property to the west. Any access location on the 4th Street frontage will be restricted to the southerly third of the lot. Left turn (northbound) movements onto 4th Street will not be allowed.

STREETS:

1. The proposed subdivision is bordered by Neider Avenue on the north and 4th Street on the east. Both rights-of-way and road sections meet City standards.

Evaluation: Both of the adjoining streets are fully developed road sections therefore, no alterations or improvements to the street are necessary.

2. The access point on Neider Avenue is an approach that is shared with the adjoining property to the west. The existing standard driveway approach will be required to be removed and replaced with a City standard urban approach that has a 30 foot width to facilitate ingress and egress from the subject property.

APPLICABLE CODES AND POLICIES:

UTILITIES

1. All proposed utilities within the project shall be installed underground.
2. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.

STREETS

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

STORMWATER

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

Submitted by Chris Bates, Engineering Project Manager

FIRE:

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

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:

Engineering:

1. Left turn (northbound) movements from the point of ingress/egress on Fourth (4th) Street are prohibited. "No left turn signage" must be installed by the developer.
2. Remove and replace the existing standard driveway approach on the Neider Avenue frontage with a thirty foot (30') City urban approach.

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.

Special Use Permit Narrative

HUMAN BEAN
380 E. Neider Ave., Coeur d'Alene, ID.
A Coffee Stand

Description of Request:

This request is to approve a Special Use Permit for an off-site consumption coffee and snack business. Coffee goods will be prepared onsite while most baked goods will be prepared offsite. Hours of operation are typically 6 a.m. to 8 p.m. in winter, and 5 a.m. to 10 p.m. in summer.

How does your request conform to the 2007 Comp Plan?

1. Goals & Objectives
 - a. Natural Environment – Application will meet urban forest goal 1.07 and improvement will be consistent landscape standards required for commercial development and the cherished “Tree City USA” designation.
 - b. Economic Environment – Application is a commercial use providing year-round employment, business diversity, and is at the periphery of commercial districts. (Goals 2.01 & 2.04)
 - c. Home Environment – Application is adjacent to residential neighborhoods and provides a nearby service that is supportive to the working public. Application is within walking distance of many dwellings. Application provides completion of a segment of infrastructure along the 4th St. frontage. (Goal 3.07 & 3.16)
 - d. Administrative Environment – Not applicable.

2. Proposal meets the NE Prairie Tomorrow characteristic pattern.

How is the design and planning compatible with exist adjacent uses?

Adjacent uses:

- North: Public Street & Costco Wholesale
- West: Vacant C-17L Commercial (Get-n-Go drive-thru is one lot away)
- South: Vacant R-17 (Approved SUP for Global Credit Union)
- East: Public Street (4th Street) and R-17 residences

Application is surrounded on three sides (north, west, south) by other C-17L/Commercial uses. Residential adjacency (east) is separated by a busy public street with street light controlled intersection (lots of start/stops). Applicant's business is not likely to have significant impacts on residents due to existing roadway and traffic control activities.

Site design utilizes one of the common driveways provided in the Alex Addition improvements. Trash receptacle is placed away from the residential adjacency.

Site lighting will face down and meet City standards. Screening of headlights will be done to the extent possible to minimize conflicts with other drivers on public roads.

Explain how the location, design and size of the proposal will be adequately served by existing streets, public utilities, and services.

Location – The application for SUP at this location is appropriate because of the existing frontage streets of Neider Avenue and 4th Street are minor arterials in the City. Vehicle access is excellent on both streets with public facilities previously installed with a City LID.

Design – Site design makes use of existing access on Neider Avenue, and proposes the improvements to 4th Street to include another, possibly right-only, driveway. Access to trash receptacle is wholly on the property with parking and require landscape/stormwater improvements accounted for. Internal lighting is interior and down-cast to minimize impacts to adjacent parcels.

Size/Aesthetic – Proposed structure is rather undersized for the parcel, thus resulting in an oversized proportion of landscaping. Sample building photos show materials and colors consistent with improvements and buildings in the same city block.

Any other information that you feel is important and should be considered by the P&Z Commission in making their decision.

P&Z approved a similar use in this subdivision. Get-n-Go Drive Thru has successfully integrated into the neighborhood and serves the nearby residential community both thru vehicle and pedestrian access.

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

A. INTRODUCTION

This matter having come before the Planning Commission on, April 8, 2008, and there being present a person requesting approval of ITEM SP-2-08, a Food and Beverage Off-Site Consumption Special Use Permit in the C-17L (Commercial Limited) zoning district.

LOCATION: A +/- .47 acre parcel

APPLICANT: Carol R. Allen

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 include residential – single-family, duplex and multi-family, commercial and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established
- B3. That the zoning is C-17L (Commercial Limited).
- B4. That the notice of public hearing was published on, March 22, 2008, and, April 1, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, March 31, 2008, which fulfills the proper legal requirement.
- B6. That 41 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, March 21, 2008 and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on April 8, 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 **CAROL R. ALLEN** for a Food and Beverage Off-Site Consumption special use permit, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Evans	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN

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2008 Planning Commission Priorities Progress

APRIL 2008

<p>.A note on the colors from from Tony Berns: "I use the stop light analogy: Red is bad – either that initiative has failed, or our Board goal for the year will not be met. Yellow is caution – could get to "red" if we don't do something pronto. Green is good. he other colors like "pending" are place holders until action on those items can occur." Note: The PC is encouraged to select what "color" is appropriate.</p>		
Administration of the Commission's Business		
<ul style="list-style-type: none"> ▪ Follow-up of Commission requests & comments 		No new requests.
<ul style="list-style-type: none"> ▪ Meeting with other boards and committees 		Park/rec Comm workshop 6/07. Sign Bd 06, CC 3/07
<ul style="list-style-type: none"> ▪ Goal achievement 		Checklist of projects w/updated 2/07
<ul style="list-style-type: none"> ▪ Building Heart Awards 		Discussed 7/06 No awards will be given.
<ul style="list-style-type: none"> • Speakers 		Wastewater & LCDC completed
<ul style="list-style-type: none"> • Public Hearings 		May 13, 1 Item
Long Range Planning		
<ul style="list-style-type: none"> ▪ Comprehensive Plan Update 		Approved by City Council on November 20, 2007
Public Hearing Management		
<ul style="list-style-type: none"> ▪ Continued work on Findings and Motions 		Warren and Plg staff to review
Regulation Development		
1. Subdivision Standards		Pending – some research begun
2. Revise Landscaping Regulations		w/Urban Forestry & rfq/p being drafted
3. Expansion of Design Review		CC approved on March 18, 2008.
4. Commercial Zoning Districts		PC workshop with Mark Hinshaw scheduled April 9th
5. Off-Street Parking Standards		Rfq/p drafted.
6. Workforce & Affordable Housing		City staff & consultant working on various aspects ie Community Development Block Grant.
Misc Zoning Ord. Updates		
<ul style="list-style-type: none"> • Non-Conforming Use Reg cleanup • Average Finish Grade • Screening of rooftop equipment • Mediation – state law • PUD Standards • Lighting • Surface Water, Irrigation – ID law • Re-codification or re-org to Unified Development Code 		<p>Fort Grounds Example, research continuing. Commercial design guidelines review w/M. Hinshaw CC Approved 5/1</p> <p>Commercial design guidelines review w/M. Hinshaw</p> <p>Research begun</p>
Other Code Provisions under Development Supported by Commission		
<ul style="list-style-type: none"> • Variance criteria • Design Review Procedure • Downtown Design Review – cleanup • Height Projections 		<p>CC approved hgt 5/1 CC approved on March 18, 2008 CC approved on March 18, 2008</p>
Other Action		
Infill East Revisions		City Council approved East Infill Boundary Work continues on revised guidelines