

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

JULY 10, 2012

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

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

5:30 P.M. CALL TO ORDER:

ROLL CALL: Jordan, Bowlby, Evans, Luttrupp, Messina, Soumas, Haneline, Garringer, (Student Rep)

APPROVAL OF MINUTES:

June 12, 2012

PUBLIC COMMENTS:

COMMISSION COMMENTS:

STAFF COMMENTS:

ADMINISTRATIVE ITEMS:

1, Approval of findings for A-4-12

PUBLIC HEARINGS:

1. Applicant: Verdis, Sandy Young
Location: 219 Coeur d'Alene Lk Dr
Request: A proposed Wireless Communication special use permit in the C-17 (Commercial at 17 units/acre) zoning district QUASI-JUDICIAL, (SP-9-12)

ADJOURNMENT/CONTINUATION:

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

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



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**PLANNING COMMISSION
MINUTES
JUNE 12, 2012
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Brad Jordan, Chairman
Heather Bowlby, Vice-Chair
Amy Evans
Peter Luttrupp
Tom Messina
Jake Garringer, Student Rep.

STAFF MEMBERS PRESENT:

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

COMMISSIONERS ABSENT:

Rob Haneline
Lou Soumas

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Messina, seconded by Bowlby, to approve the minutes of the Planning Commission meeting on May 8, 2012 and May 22, 2012. Motion approved.

COMMISSION COMMENTS:

None

STAFF COMMENTS:

Planner Holm announced the up-coming items on the agenda for the July 10, 2012 Planning Commission meeting.

PUBLIC COMMENTS:

None

PUBLIC HEARINGS

1. Applicant: Verdis, Sandy Young
Location: 219 Coeur d'Alene Lake Dr.
Request: A proposed Wireless Communication special use permit in the C-17 (Commercial at 17 units/acre) zoning district
QUASI-JUDICIAL, (SP-9-12)

Motion by Luttropp, seconded by Messina, to continue Item SP-9-12 to the next Planning Commission meeting on July 10, 2012. Motion approved.

2. Applicant: Scott Stephens
Location: 1354 S. Silver Beach
Request: A proposed 0.234 acre annexation from County HDR (High Density Residential) to City R-5 (Residential at 5 units/acre) QUASI-JUDICIAL (A-4-12)

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

Commissioner Bowlby inquired how the County HDR (High Density Residential) zoning district compares to city R-5.

Planner Stroud referred that question to the applicant representative.

Public testimony open:

Brenda Burke, applicant representative, 1820 Seltice Way, stated that the applicant intends to sell his home and because the home was built too close to the property, it makes the home non-compliant with the county. She explained by annexing the property into the city, the home would meet the current setbacks. She added that the staff report indicates that sewer and water is not available, which is fine with the applicant, who is currently using a private well.

Commissioner Messina inquired if the applicant is aware of the condition in the staff report stating that the applicant will be required to provide the public sewer force main from the east side of the Terraces to the subject property. He stated this could be costly.

Deputy City Attorney Wilson explained that the condition is a recommendation to council and if approved will be part of the annexation agreement.

Commissioner Messina inquired if the applicant would receive a Certificate of Occupancy (CO) from the city building department if the property was not in compliance with the county.

Deputy City Attorney Wilson explained that before a CO is issued, the building department will have to do an inspection and that those building permit issues would need to be resolved before an annexation agreement is approved.

Chairman Jordan stated that he is familiar with those homes and questioned how the applicant built the home without permits.

Ms. Burke explained that the applicant built the home without getting the appropriate permits and in order to sell the home, a CO is necessary. She stated the applicant is aware of this mistake and will do the necessary steps to be in compliance which is why this annexation is necessary, so the applicant doesn't have to tear down part of his home.

Commissioner Bowlby inquired if it is unusual for the city to annex a property without utilities?

Deputy City Attorney Wilson stated that this is not an unusual request and cited a few examples in the city.

Commissioner Messina inquired if the applicant's septic system fails, would he be required to use city services.

Deputy City Attorney Wilson commented that if that happens, the city would require the applicant to use city services, with a deadline when that would happen.

Public testimony closed:

DISCUSSION:

Commissioner Bowlby questioned if approving this request will it make problems for the city in the future.

Commissioner Messina stated that he is comfortable with the annexation knowing that the applicant is aware of the condition in the staff report regarding water and sewer. He explained that finding B-8 requires the necessary comp-plan polices supporting an approval and feels that none of the polices listed will support an approval.

Deputy City Attorney Wilson explained that part of the approval is if the zone chosen for the property is appropriate.

Chairman Jordan commented that he would approve this request, as the subject property is surrounded by city property and it makes sense.

Commissioner Messina concurs and feels that the annexation is the right decision, but is having a problem with providing the necessary polices listed in the comprehensive plan to support the approval.

Chairman Jordan suggested if the commission concurs, that staff could prepare the findings.

The commission concurred and would like staff to prepare the findings.

Motion by Messina, seconded by Evans, to approve Item A-4-12 and direct staff to prepare the findings. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

3. Applicant: City of Coeur d'Alene
Location: North side of Seltice Way immediately adjacent to, and to the West of, the newly constructed Mill River Seniors facility.
Request: A proposed annexation from County Light Industrial (LI) to City C-17 (Commercial 17 units/acre) zoning district
QUASI-JUDICIAL (A-2-12)

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

Commissioner Bowlby inquired why this property was not part of the original annexation.

Deputy City Attorney Wilson explained that the city and the applicant have been in the process of a land swap, so the city can obtain this property for the future extension of sanitary sewer infrastructure.

Motion by Messina, seconded by Bowlby, to approve Item A-2-12. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

ADJOURNMENT:

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

The meeting was adjourned at 6:36 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION
STAFF REPORT**

FROM: SEAN E. HOLM, PLANNER
DATE: JULY 10, 2012
SUBJECT: SP-9-12 – REQUEST FOR WIRELESS TELECOMMUNICATIONS SPECIAL
USE PERMIT IN A C-17 ZONING DISTRICT
LOCATION: A +/- 0.44 ACRE PARCEL ON THE NORTHWEST CORNER OF MULLAN AVE
AND COEUR D'ALENE LAKE DRIVE

APPLICANT:
Crown Castle c/o Verdis (Sandy Young)
P.O. Box 580
Coeur d'Alene, ID 83816

PROPERTY OWNER:
CMG Group, LLC
219 Coeur d'Alene Lake Dr.
Coeur d'Alene, Idaho 83814

DECISION POINT:

Crown Castle is requesting approval of a Special Use Permit to construct a new 120' foot wireless telecommunications facility at 219 Coeur d'Alene Lake Dr. in conjunction with the existing hotel/motel use presently in business onsite. The requested use is classified under city code as a ***Civic activity- Essential Service.***

GENERAL INFORMATION:

Crown Castle has an existing telecommunications facility located at the NE corner of 24th and Sherman Ave. Due to issues with the existing property owner (acknowledged in the application), Crown Castle is proposing to dismantle the existing site and start anew on the proposed site located at 219 Coeur d'Alene Lake Drive. The proposed facility will allow for up to four (4) total wireless carriers. Per the application, there will be three (3) colocation spots available.

The existing Hotel/Motel use on site will continue to operate as such. The Holiday Motel currently offers 11 rooms for rent and a caretaker's unit. Current parking code for a hotel/motel use requires one (1) parking stall per room and no parking stalls required for the requested tower. The proposed site plan shows sufficient parking to meet code requirements for both the hotel/motel use and the telecommunications facility. The 0.44 acre parcel is currently zoned C-17 (Commercial at 17 units/gross acre).

The site will operate continually, 24 hours a day for seven days a week. The site will be unmanned, requiring infrequent visits by maintenance personnel, typically once a month. The proposed facility is a passive use; there are no activities that will produce airborne emissions, odor, vibration, heat, glare, or noxious/toxic materials. According to the FCC regulations, this proposal will not create adverse radio interference with residential uses of electronic equipment.

The applicant's narrative is attached for your review.

DENIAL WITHOUT PREJUDICE (CITY COUNCIL APPEAL):

The Planning Department received a letter from the applicant's new consultant Verdis dated February 27, 2012 signed by Sandy Young. The letter requested that City Council deny the request (SP-2-12) without prejudice so that they may revisit Planning Commission with additional information to support their request.

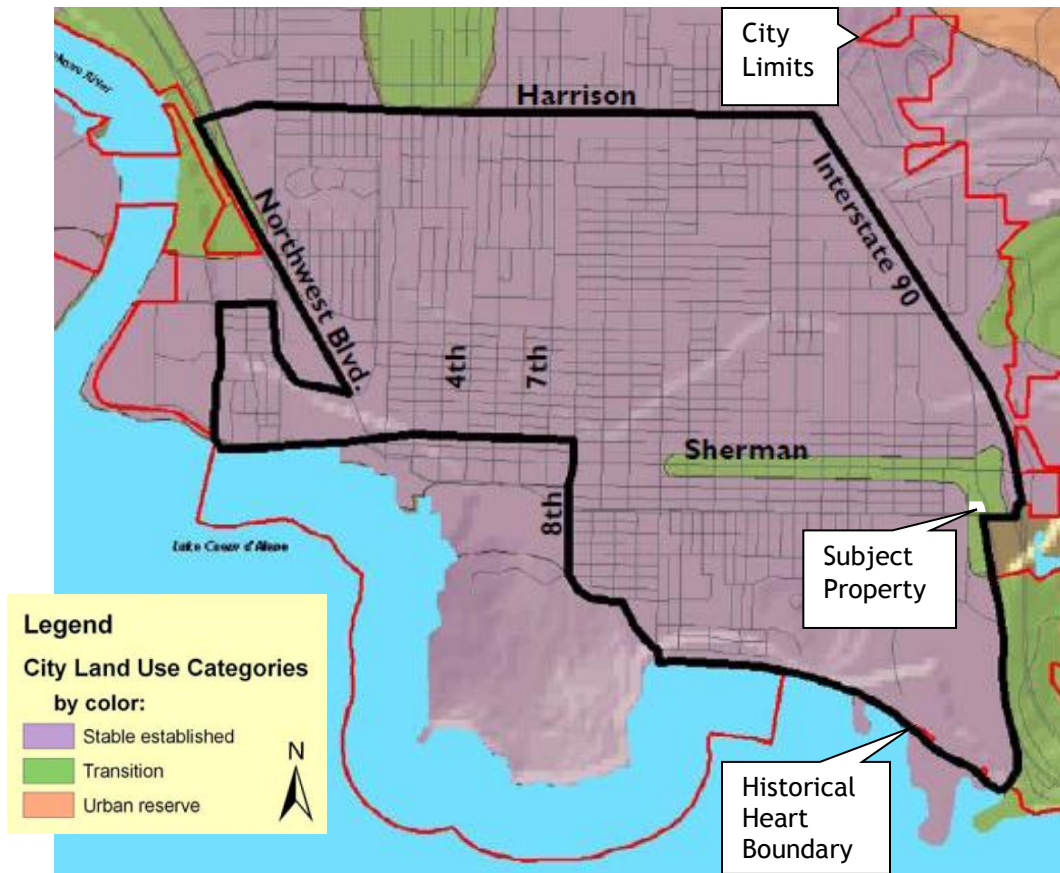
City Council denied the appeal as requested, without prejudice, on March 6th, 2012 with the understanding that the applicant would reapply to Planning Commission.

REQUIRED FINDINGS:

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

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

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this area as Historical Heart - Transition:



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.

Historical Heart Tomorrow

Increased property values near Lake Coeur d'Alene have intensified pressure for infill, redevelopment, and reuse in the areas surrounding the downtown core. Stakeholders must work together to find a balance between commercial, residential and mixed use development in the Historic Heart that allows for increased density in harmony with long established neighborhoods and uses. Sherman Avenue, Northwest Boulevard and I-90 are gateways to our community and should reflect a welcoming atmosphere.

Neighborhoods in this area, Government Way, Foster, Garden, Sanders Beach, and others, are encouraged to form localized groups designed to retain and increase the qualities that make this area distinct.

The characteristics of Historical Heart neighborhoods will be:

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

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

Objective 1.05

Vistas:

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

Objective 1.06

Urban Forests:

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

Objective 1.11

Community Design:

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

Objective 1.12

Community Design:

- Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14

Efficiency:

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

Objective 1.18

Night Sky:

- Minimize glare, obtrusive light, and artificial sky glow by limiting outdoor lighting that is misdirected, excessive, or unnecessary.

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 3.06

Neighborhoods:

- Protect the residential character of neighborhoods by allowing residential/ commercial/ industrial transition boundaries at alleyways or along back lot lines if possible.

Objective 3.05

Neighborhoods:

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

Objective 4.06

Public Participation:

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

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

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

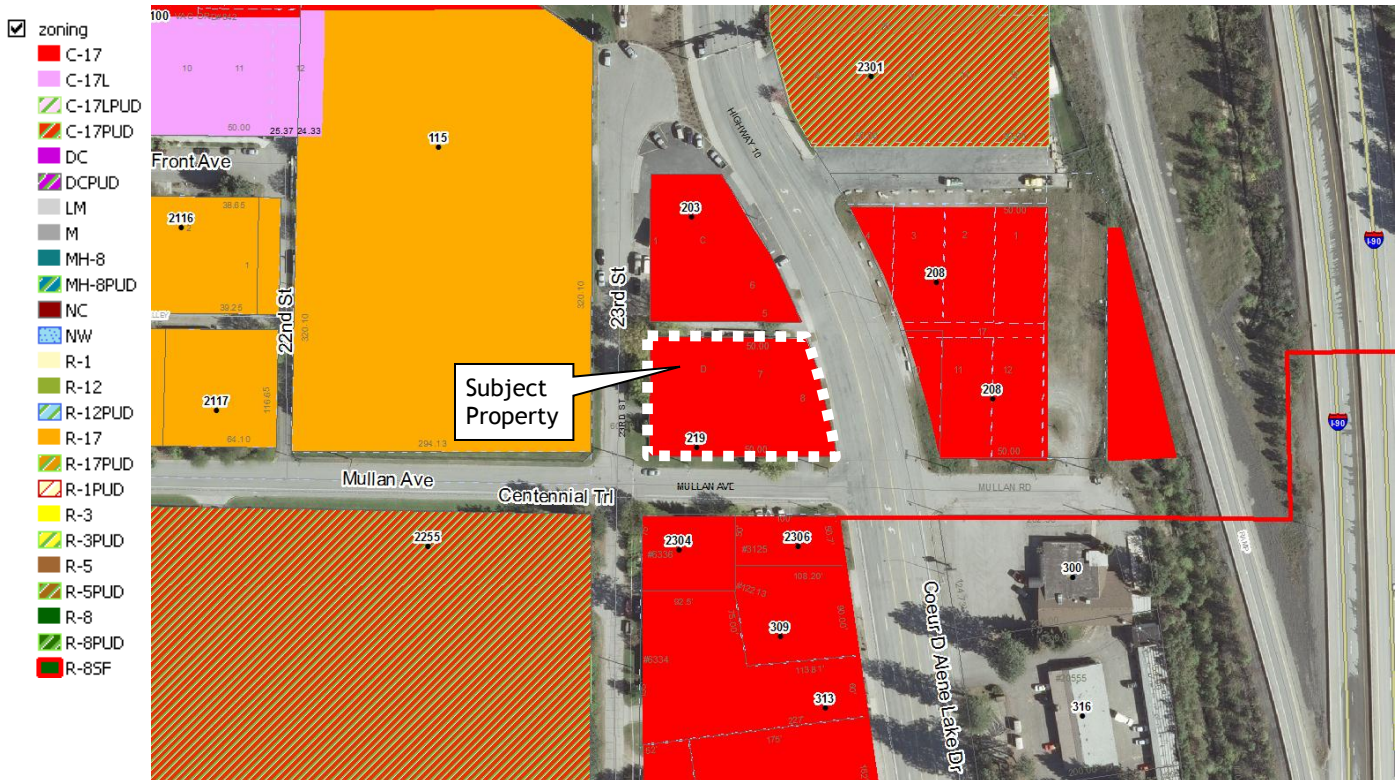
1. Aerial & oblique views:



Oblique view:



2. Zoning:



3. Generalized land use pattern:

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



4. Photo(s) of Site:

Photo of NW corner of subject property (Interior looking NW):



Proposed Location (From 24th St. & Mullan Ave. looking NE):



Existing Wireless Tower site near 24th & Sherman Ave:



5. Context of Area:

The area surrounding the request is generally flat excepting the I-90 elevation change and is made up of a number of different land uses. To the north is a commercial restaurant use, to the east (across Cd'A Lake Dr.) is vacant property, south (across Mullan Ave.) are residential structures, and to the west a (civic) cemetery.

6. Landscaping:

The following code for applies to all proposed wireless towers.

17.08.825: Site Development Standards:

C. Landscaping, Screening and Fencing:

1. In all zoning districts, the following additional landscaping shall be required beyond that which is required for the zone in which it is located:

a. Equipment shelters and cabinets and other on the ground ancillary equipment shall be screened with buffer yard and street tree landscaping as required for the zone in which located.

b. In particular, the ground level view of support towers shall be mitigated by additional landscaping provisions as established through the special use permit process. The use of large trees from the approved urban forestry list of recommended species or native conifers is required at the spacing specified for the specific trees chosen. Alternatively, a landscaping plan may be submitted with the special use permit and, if approved, shall take precedence over the foregoing requirement.

The applicant has provided a proposed landscaping plan, as shown (page 9), with the request that the following design be approved in lieu of the aforementioned Site Development Standards:

EXHIBIT B

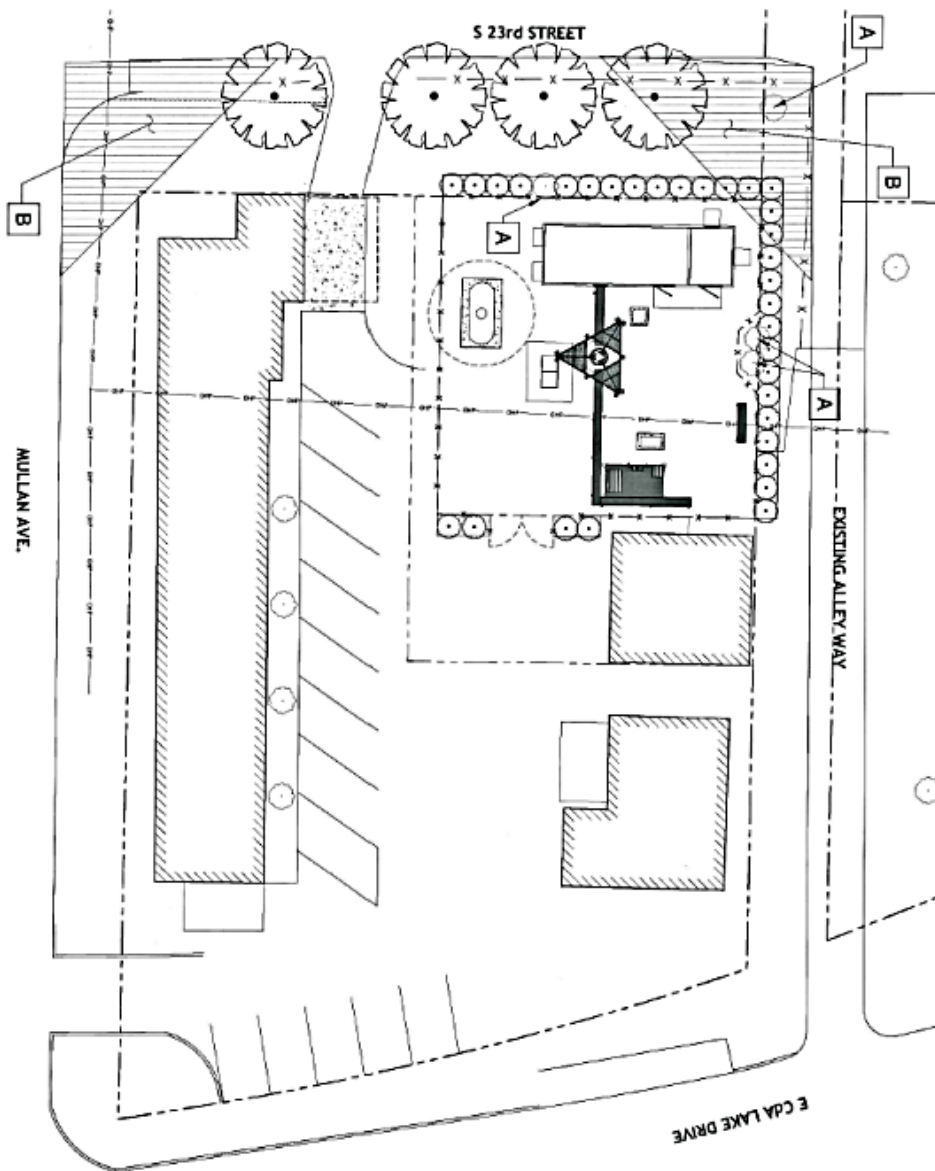
View from Mullan Ave looking north towards existing cell tower



Before



After



PLANT SCHEDULE

SYMBOL	QUANTITY	PLANT SPECIES	SIZE	NOTES
(Circle with X)	4	THORNY PLUM / PRUNUS SPINOSA	1.5' cal	
(Circle with A)	22	SPANISH BROOM / SPARTANUM SPANISH	5' cal	
(Circle with B)	22	ROCK SPIDER / TRICHOPHYLLUM SPIDER	3' cal	

SYMBOL LEGEND

- --- --- EXISTING PROPERTY LINE
- - - - - EXISTING FENCE (TO BE REMOVED)
- --- --- OVERHEAD POWER LINE
- --- --- EXISTING PROPERTY LINE
- - - - - EXISTING PROPERTY LINE
- --- --- PROPOSED FENCELINE (BY OTHERS)
- A EXISTING TREE (PROTECT IN PLACE)
- B 40' CLEAR VIEW TRIANGLE



verdis
LANDSCAPE ARCHITECTURE & PLANNING

200 N. GARDEN STREET
BOZEMAN, MONTANA 59717
PHONE: (406) 552-2222
WWW.VERDISLANDSCAPE.COM

crown castle
COEUR D'ALENE, IDAHO
landscape plan

CONTRACTOR:
CROWN CASTLE
1000 N. MULLAN AVE.
COEUR D'ALENE, IDAHO 83814

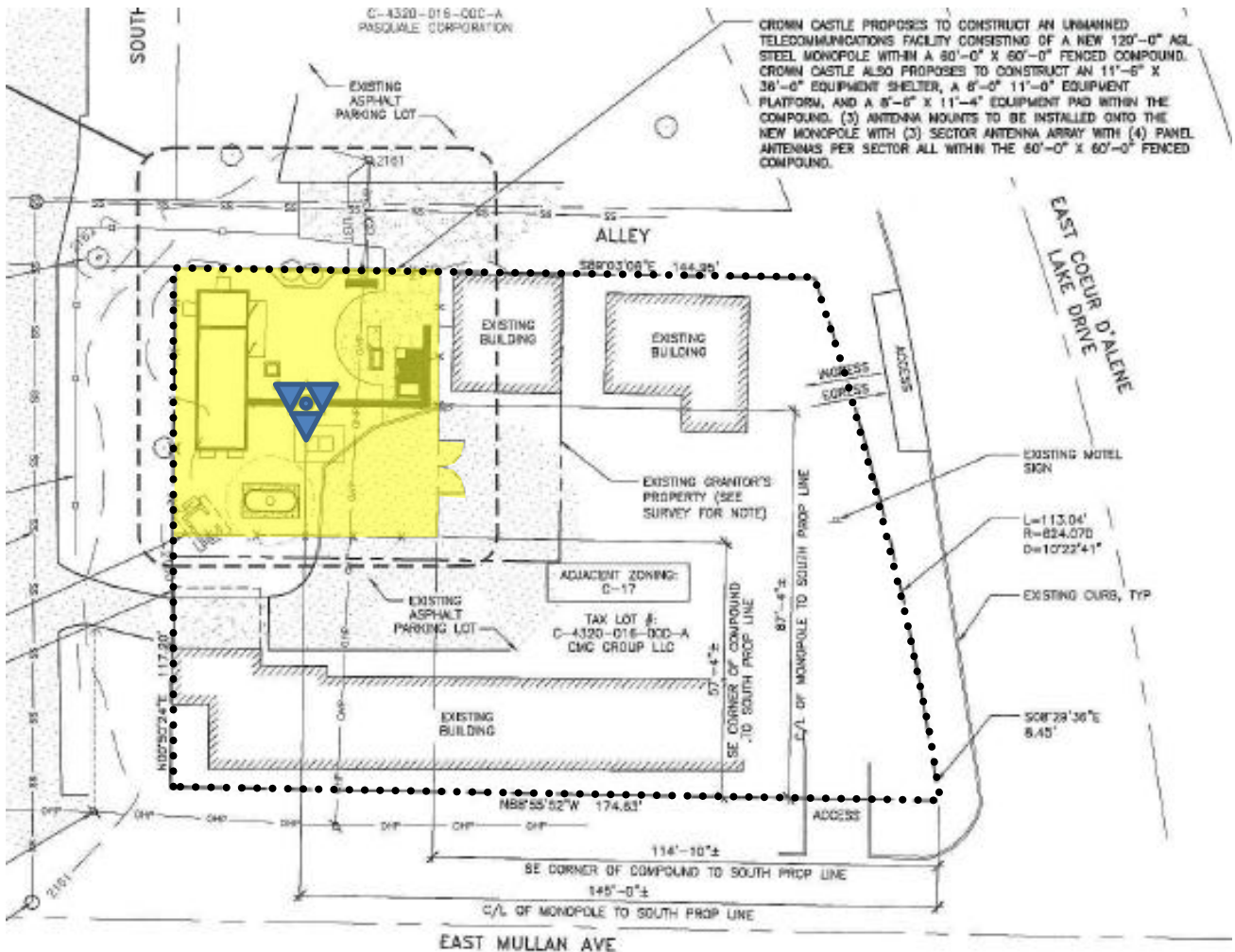
DATE: 7/10/12
SCALE: 1"=20'

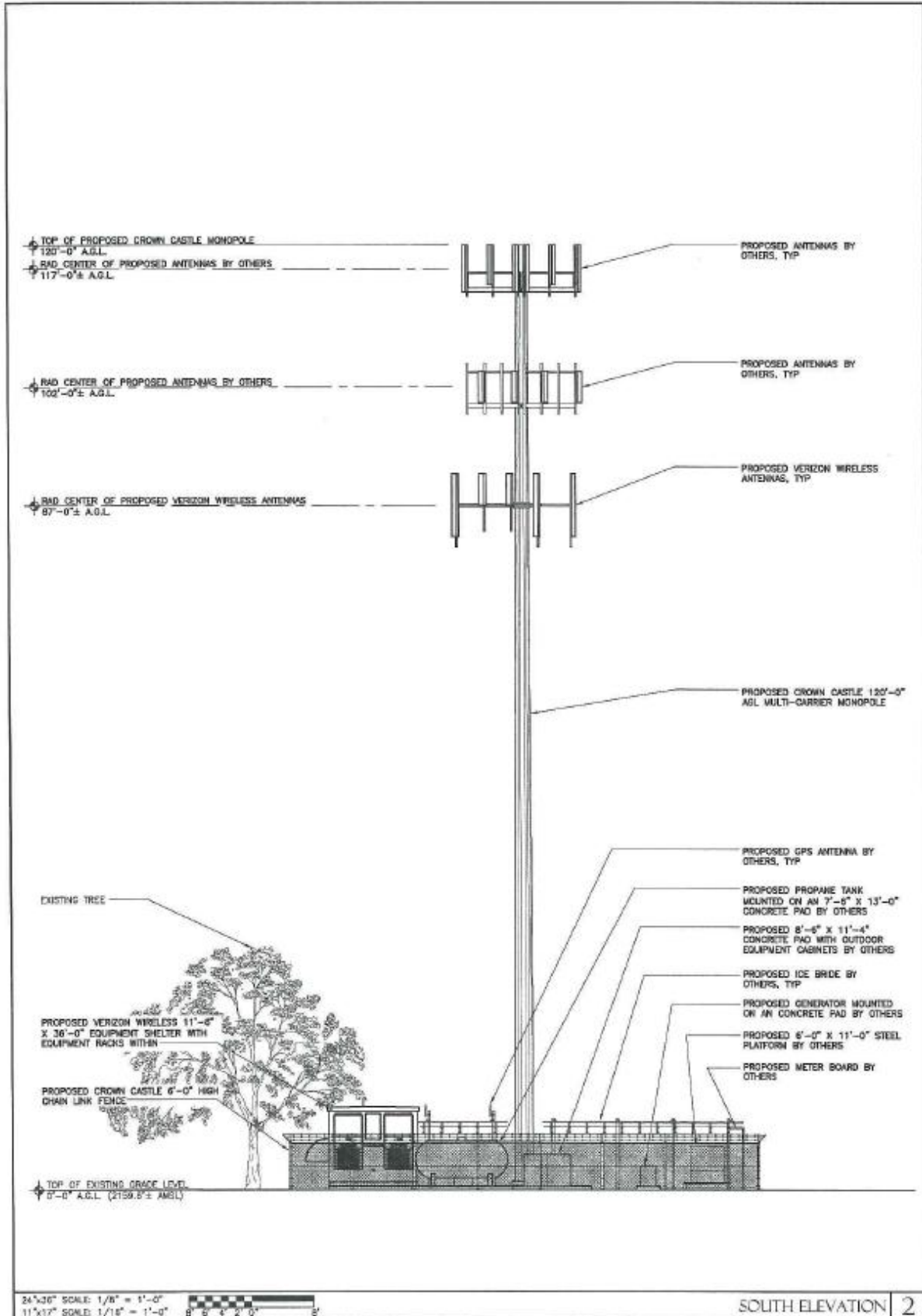
DRAWING SCALE:
DATE: 7/10/12
BY: [Signature]
CHECKED: [Signature]

PROJECT NO.: 11-007
SHEET: L1.0
SHEET 1 OF 2

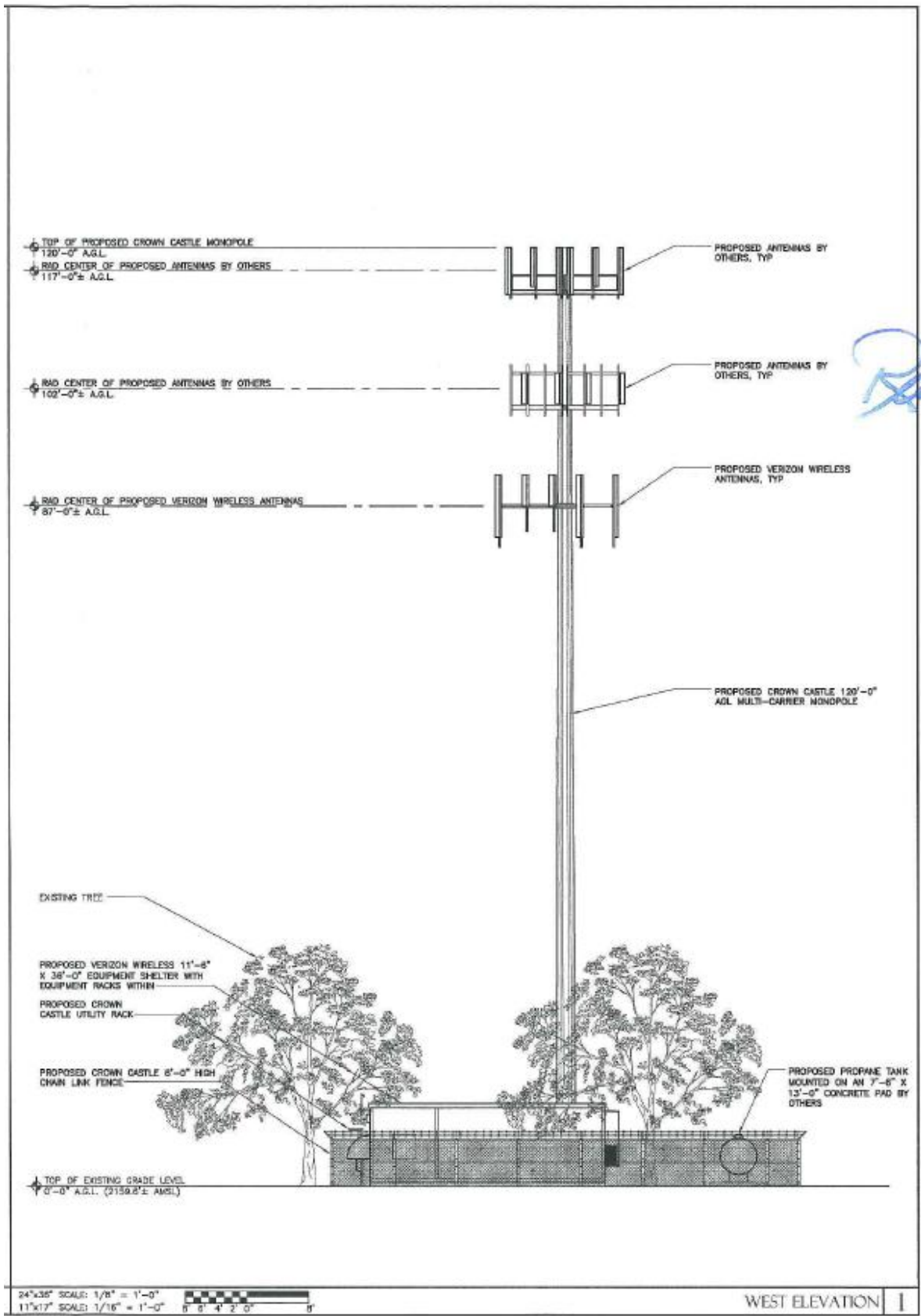
Evaluation: Based on the information presented, the Planning Commission must determine if the request is compatible with surrounding uses and is designed appropriately to blend in with the area.

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

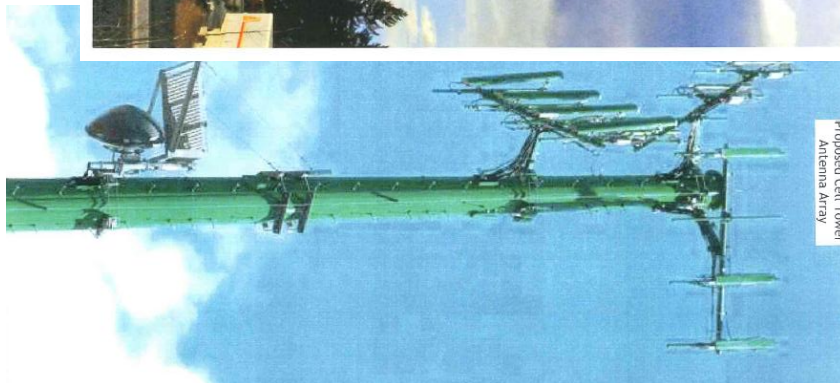




THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY



View from I-90 to proposed new cell tower site



STAFF COMMENTS:

UTILITIES:

Existing water infrastructure is sufficient to support proposed use.

-Submitted by Terry Pickel, Assistant Water Superintendent

ENGINEERING:

No issues.

-Submitted by Chris Bates, Engineering Project Manager

FIRE:

FD will address issues at project review.

-Submitted by Brian Keating, Fire Inspector

WASTEWATER:

This property is adequately served by the Coeur D'Alene Wastewater Collection System and Treatment Plant. Wastewater has no objection to this planning action.

-Submitted by Jim Remitz, Utility Project Manager

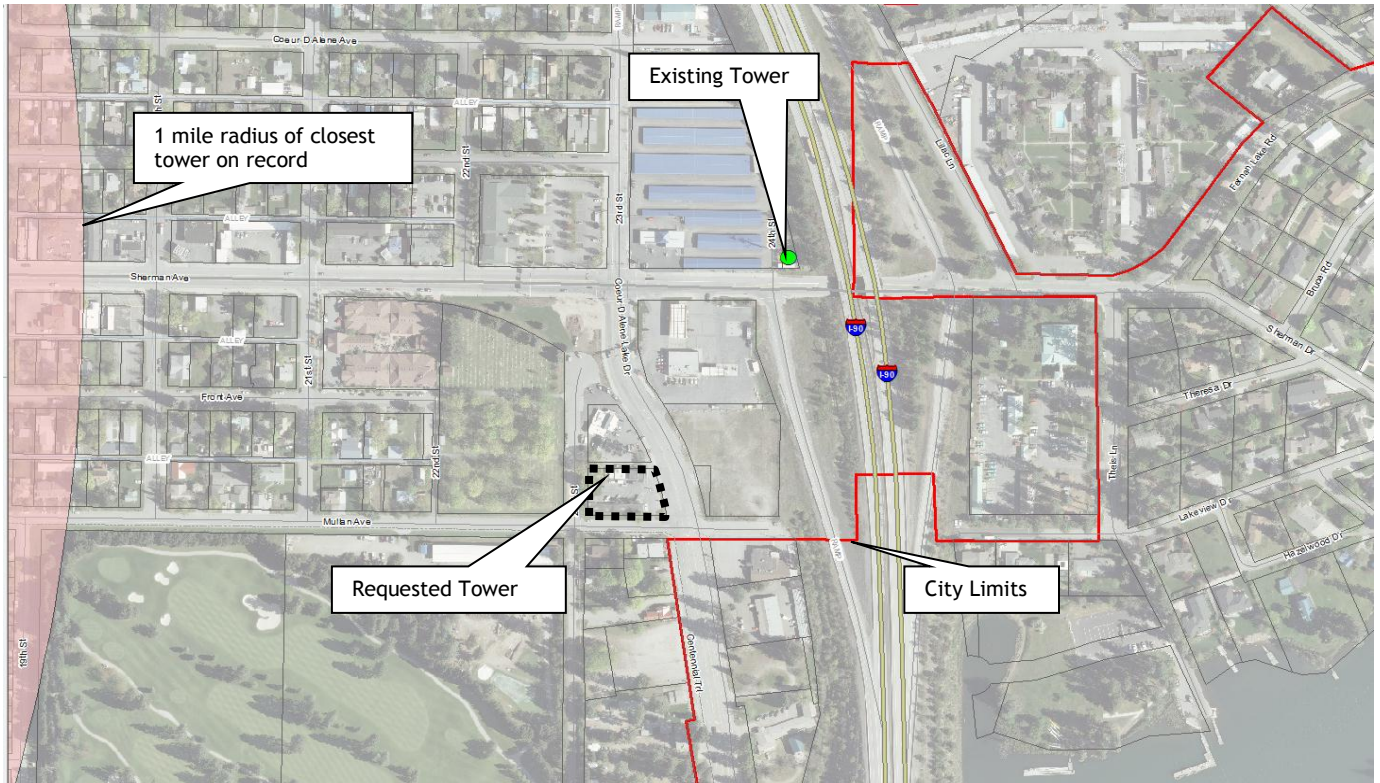
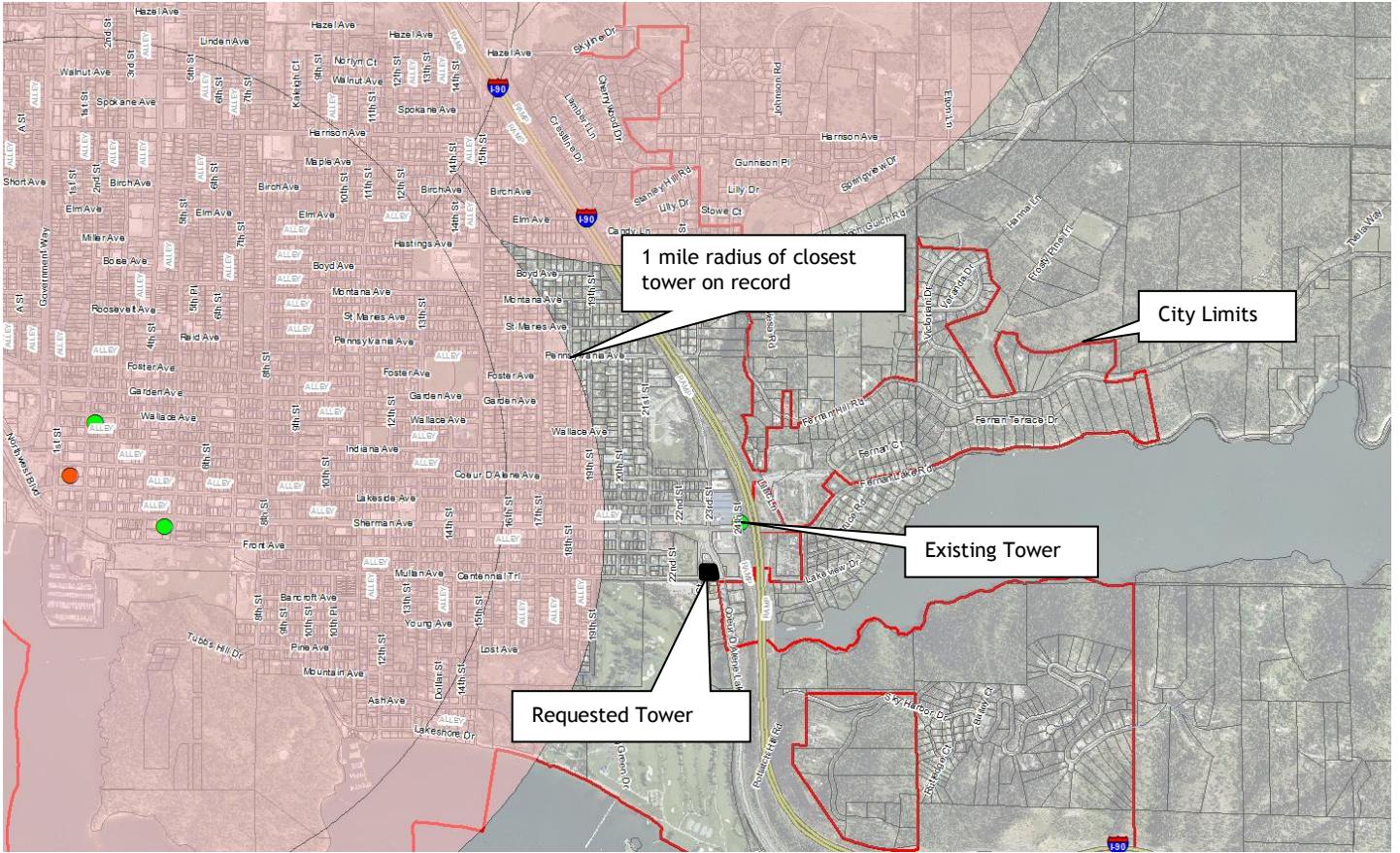
Evaluation: *Planning Commission must determine if the location, design, and size of the proposal are such that the development will or will not be adequately served by existing streets, public facilities and services.*

D. In addition to the findings above, the *Wireless Communication Facilities Regulations* require that:

17.08.825 H. 2.:

No new wireless communication support towers may be constructed within one mile of an existing support tower, unless it can be demonstrated to the satisfaction of the Planning Commission that the existing support tower is not available for colocation of an additional wireless communication facility, or that its specific location does not satisfy the operational requirements of the applicant.

NOTE: The following maps show 1 mile radii of existing towers (note- existing tower to be removed not included as the proposed tower would be a replacement):



APPLICANT'S JUSTIFICATION:

The applicant's supporting statement for the request is attached.

CONDITIONS:**PLANNING:**

1. To ensure compliance with 17.08.825 H.2 the applicant must remove the existing tower along Sherman Ave if/when a building permit or site development application is approved by for the new location according to code.
2. Must adhere to the site and landscaping plans.

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

ORDINANCES AND STANDARDS USED IN EVALUATION:

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

ACTION ALTERNATIVES:

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




602 east garden avenue
p. o. box 580
coeur d' alene, idaho 83816
tel.208.667.1214
fax.208 765.2516

www.verdisnw.com

Memo

To: City of Coeur d'Alene Planning Commission

From: Sandy Young, Principal Planner 

Date: March 30, 2012

Re: Special Use Permit for a Wireless Communication Facility

Verdis has recently been retained by Crown Castle to represent them in their request for approval of a Special Use Permit to relocate an existing Wireless Telecommunication Facility in a C-17 zone.

A similar request was heard by you in a public hearing on January 10, 2012 and denied. On January 23, 2012, Crown Castle's former planning consultant, PTS, submitted a letter to the City Council appealing your decision. In that letter, PTS stated that they believed the Planning Commission had erred in their decision. Neither Crown Castle nor I agree with that statement.

Rather we believe that had you have been given all of the information necessary to make an informed decision, you would have come to a different conclusion. This new application is a second opportunity to present a Special Use Permit application to you, this time in its complete form, with supporting documentation that includes a landscape plan.

On March 6, 2012 the City Council granted my request to deny this application without prejudice so that we were able to return to you without delay.

That being said, in accordance with Chapter 17, Article 17.09.210 of the City's Zoning Ordinance, Crown Castle is requesting approval of a Special Use Permit to allow for the relocation of an existing Wireless Communication Facility from the north side of Sherman Avenue to the south side of Sherman Avenue, a distance of approximately 600 feet.

The relocation of the tower will:

- Vastly improve the visual corridor along I-90 and Sherman Avenue, a designated gateway to Coeur d'Alene;

- Improve the aesthetics of the tower itself, rendering it less visible by updating the type of antennas and by updating the colors of the pole and the antennas;
- Improve a streetscape by adding green space in well-used public area where none now exists;
- Continue to provide essential services to the city with no interruption in coverage;
- And, most importantly, the approval of this relocation request will fulfil the intent of the City's 2007 Comprehensive Plan and the East Sherman Gateway View Corridor, by vastly improving a key vista that greets every traveller along I-90.

Crown Castle understands that this proposal may only be approved if the proposal meets Criteria A, B, and C of Article 17.09.220, Special Use Permit Criteria. This narrative intends to illustrate:

- A. that this proposal is in conformance with the City's 2007 Comprehensive Plan;
- B. that the design and planning of this site are compatible with the location, setting and existing uses on adjacent properties; and
- C. that this development will be adequately served by existing streets, public facilities and services.

The City of Coeur d'Alene's 2007 Land Use Base Map designates this area as a Transition Area, an area that is evolving and should be developed with care. It is an area where the general land use is expected to change within the next 15 years. This application and supporting landscape plan is an example of careful and deliberate planning in an area that will see transition during the life of the Comp Plan.

The Comp Plan Land Use designation for this site is Historical Heart Tomorrow. Historical Heart Tomorrow has been established to allow increased density in harmony with long established neighborhoods. It is the intent of this designation that I-90 and Sherman Avenue be recognized as gateways that offer a welcoming atmosphere into Coeur d'Alene. The granting of this Special Use Permit supports that designation in two ways:

1. It totally eliminates the negative visual impact that now greets every westbound traveler on I-90; and
2. It allows for the placement of public green space in an area where none now exists.

This designation also encourages growth that strengthens existing public open space. The area of 23rd and Mullan has long been used as a starting and a mid-point for many foot races held each year in Coeur d'Alene. The cul de sac at the end of 23rd Street acts as a staging area for smaller annual races, such as the Hangover Handicap on New Year's Day, and is a part of the course for many larger runs, such as Ironman and the CDA Half and Full Marathons. This proposal will offer a landscaped resting place in a well-used race area of the Centennial Trail; an area that is currently in dire need of one.

The Historical Heart Tomorrow designation also encourages both an increase in and the retention of street trees. This proposal promises just that. Crown Castle will retain 3 of 4 existing mature trees on the site while adding four more medium sized blossoming trees that will replace a dilapidated fence that now lines 23rd Street. In addition to the trees, 32 - five gallon sized yews will be planted around the siting area, outside of the sight obscuring fence, in order to provide a vegetative backdrop to the newly planted green space.

Historical Heart Tomorrow is also characterized as a neighborhood where infill regulations provide an opportunity and an incentive for redevelopment and mixed use development—exactly what this Special Use Permit proposes.

In addition to the Historical Heart Tomorrow designation, this proposal is also in conformance with the City's 2007 Comprehensive Plan in that it meets the following applicable Goals and Objectives of the Plan:

Goal #1 Natural Environment

Objective 1.05 Vistas

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

The relocation of this cell tower will open up views of Best Mountain, a designated hillside landmark, to all who live, work and recreate in Coeur d'Alene. Refer to Exhibit A.

Objective 1.06 Urban Forests

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

This proposal minimizes tree removal by leaving 3 of 4 existing, mature trees and adds four new medium sized flowering trees to the site. The proposed trees are of a species that will not require topping.

Objective 1.07 Urban Forests

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

The Subject Site, home to the Holiday Motel, has four mature trees on site. All four encroach into in the right of way on 23rd Street. Three of the four will be maintained thereby restricting tree removal within the right of way. Four flowering Trinity Pear trees, a minimum of 1.5" caliper each, will be planted to enhance the site. Grass and shrubbery will complete the finished look. Refer to Exhibit B.

Objective 1.08 Forests & Natural Habitats

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

Except for the four existing trees, the Holiday Motel site is scarcely vegetated. This proposal intends to enhance the mature trees by adding new trees, along with shrubs and grass at the site. Thirty two 5 gallon yew plants will surround the tower site and grass will be planted to provide a shady, sit-down area for Centennial Trail users.

Objective 1.09 Parks

Provide an ample supply of urbanized open space in the form of squares, beaches, greens and parks whose frequent use is encouraged by placement, design and access.

The grassy, treed area on the west side of this proposed project will provide 3300 square feet of newly created urbanized open space in the form of a green belt whose placement and design will provide relief for Centennial Trail pedestrians and bicyclists.

Objective 1.10 Hillside Protection

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

Best Hill has been recognized as a Unique Are of Coeur d'Alene Requiring Unique Planning and as such it is subject to specific regulations. Allowing the relocation of the existing tower will comply with this Objective by opening up the view of Best Hill for residents and tourists alike.

Approval of this request supports the Comp Plan's statement that, "The protection of hillsides is particularly important to the community because of their panoramic prominence". The intent of the City's Hillside Ordinance is to preserve the visual asset the hillsides represent to the entire community.

In fact the City adopted the policy of protecting the visual beauty of all hillsides in the CDA area by encouraging developers to work hand in hand in a cooperative effort with the City to accomplish these public goals. My request before you is just that.

Objective 1.11 Community Design

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

The landscape plan attached to this application adheres strictly to the City's design standards. We've sought to include input from the City's Urban Forester, to ensure a plan

that will best suit this location. Providing a rest stop for Centennial Trail users supports Objective 1.11 with its concern for urban design and pedestrian access.

Objective 1.12 Community Design

Support the enhancement of existing urbanized areas and discourage sprawl.

Adding a cell tower to a site that is already developed makes good sense. It is a practical use of urban space and discourages sprawl.

Objective 1.14 Efficiency

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

Relocating a tower rather than constructing a new one in a new neighborhood promotes the efficient use of existing infrastructure. Undeveloped areas of the city can thereby be developed with new projects that make the most of the space available. Keeping the tower within its neighborhood is more reasonable than attempting to introduce it into a new neighborhood.

Objective 1.16

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

The addition of green space with tree and shrub cover promotes and enhances bicycle and pedestrian connectivity within the Centennial Trail system.

Objective 1.18 Night Sky

Minimize glare, obtrusive light and light pollution by limiting outdoor lighting that is misdirected, excessive or unnecessary.

There will be no outside lights on the tower. Towers 120 feet high are not subject to FAA lighting standards. The only lighting on site will be security lighting consisting of one, low intensity, downward directed and shielded dusk to dawn light on the equipment shelter. The light will meet the standards of the International Dark Sky Association. Examples are shown in Exhibit C.

Goal #2 Economic Environment

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.

The current property owner of the Holiday Motel seeks to lease space to Crown Castle in an effort to generate additional revenue to supplement his current business income. The approval of this request will allow him to receive additional monies to support his struggling business. The new property owner at the current site does not appear to be interested in further economic gain received by leasing the space to Crown Castle.

This request supports the objective for a diverse mix of businesses and service industries and seeks to protect surrounding uses from encroachment. In exchange for permission to relocate, Crown Castle has offered to improve not only the aesthetics of the tower itself but the area surrounding that tower by introducing a new landscaped area in an urban environment.

Infrastructure is the underlying foundation and basic framework of a city. Balancing infrastructure needs while protecting streetscapes and view corridors is the job of Site Development Standards. The landscape plan for this proposal exceeds the City's requirements for landscaping standards for the zone and the use.

Goal #3 Home Environment

Objective 3.05 Neighborhoods

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

This neighborhood is a balance of commercial, high density residential and industrial uses. The cell tower exists there now. Moving it to a new site 600 feet to the south does not alter the neighborhood except that the siting of the tower will become more in compliance with the City's Comp Plan, the Historical Heart Tomorrow designation, the East Sherman Gateway zone and the City's Site Design Standard Guidelines for all of the reason stated thus far..

Objective 3.06 Neighborhoods

Protect the residential character of neighborhoods by allowing residential/commercial/industrial transition boundaries at alleyways or along back lot line if possible.

This proposal seeks to place the cell tower and equipment area along the back lot line of the property, adjacent to the alleyway.

Objective 3.16 Capital Improvements

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

Adequate wireless communication coverage is imperative for public, private and emergency responders' needs. Relocating this tower brings it closer to the one mile radius line of the next tower thereby ensuring no loss of coverage for persons moving from zone to zone.

Goal #4 Administrative Environment

Objective 4.06 Public Participation

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

This request has met all requirements for public notification. I made contact with the one property owner in the area that had been opposed to this request the first time around in an attempt to answer questions or alleviate concerns.

In addition to complying with the Zoning Ordinance and the 2007 Comp Plan, this proposal seeks to comply with a proposed regulation that is still on the table. The East Sherman Gateway Zone (ESG), a new proposed zoning district for this area of Coeur d'Alene. The C-17 zoning would be changed to ESG zoning, a more appropriate and specific zone for this area of the City.

The intent of this district is to create a diverse and visually appealing entry into the City as you exit from I-90. As you can see by the photos submitted with this application, by moving the existing cell tower you will completely eliminate the sight of the tower, the first sight that greets travelers coming from the east on I-90. The relocate also supports the City's Hillside Ordinance by opening up the view of Best Hill which is now impeded by the tower in its current location.

The 2nd intent of the East Sherman Gateway zone is to encourage infill development and enhance streetscapes. The Comp Plan defines infill development as the process of developing vacant or redeveloping underused parcels within existing urban areas. The improvement of the Holiday Motel site with the additional landscaping, the addition of green space, the removal of a dilapidated fence that now encroaches 20 feet into the public right of way, and the preservation of existing mature trees, all support the intent of the East Sherman Gateway zone, even though it has yet to be adopted by the City.

In addition to conformance with the Objectives and Goals of the City's 2007 Comp Plan and the East Sherman Gateway proposed plan, the Zoning Ordinance states that a Special Use Permit may only be approved if the design and planning of the site are compatible with the location, the setting, and the existing uses on adjacent properties. Photos of the current site and the adjacent properties indicate the compatibility of like community uses. Michael D's Restaurant is directly north of this site, the Holiday Motel which is the site itself, the cemetery to the west and an apartment building to the south all surround this site. The Centennial Trail bisects this area. A large, busy gas station sits directly east of this site and beyond that the freeway. The neighborhood is a mix of commercial and community uses. The addition of a necessary city service is well situated in this neighborhood, especially one that seeks to improve the site and offer community benefits. This cell tower is simply being moved 600 feet. It does not change neighborhoods and seeks to improve the one it's located in.

The appearance of the tower has been designed to be compatible with the surrounding neighborhood. Its architectural style has been updated, the equipment on site has been compacted to fit neatly within a site obscuring fence, and landscaping will be added to enhance the current site. International Dark Sky Lighting Standards will be employed to ensure no light pollution will result from the relocation of the tower.

Lastly, the Zoning Ordinance requires under Article 17.09.220B8C that the development be adequately served by existing streets, public facilities and services. The Holiday Motel is currently served by existing streets, public facilities and services and the addition of a cell tower will not increase the need for public services. The public services needed to serve the tower now are the same services that will be used to serve the tower in its new location.

It is imperative that dependable, continuous telecommunication coverage be afforded to downtown residents, business owners and emergency responders. Crown Castle must relocate their existing cell tower. All attempts to negotiate a new long term lease with the new property owner at their existing site have failed. Essential city services will be impacted if Crown Castle cannot find a site in the immediate area. This site is one of 12 that have been attempted as shown on Exhibit D. By allowing the relocation of this existing tower to the Holiday Motel site, the City will have not only have improved a key visual corridor, it will have added a resting place in a popular recreation area.

This request supports the goals and objectives of the City's Comp Plan, the Historical Heart Tomorrow designation, the Hillside Ordinance, and meets all criteria of the City's Zoning Ordinance, more particularly the Special Use Permit process. Most importantly it supports the City's need for continuous, dependable wireless communication. I ask that you approve Crown Castle's request to relocate a Wireless Communication Facility to a site that will better serve the residents and guests of the City of Coeur d'Alene. Thank you for your consideration of this request.

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

A. INTRODUCTION

This matter having come before the Planning Commission on July 10, 2012, and there being present a person requesting approval of ITEM: SP-9-12, a request for a Wireless Telecommunications Special Use Permit in the C-17 zoning district.

APPLICANT: CROWN CASTLE c/o VERDIS (SANDY YOUNG)

LOCATION: A +/- 0.44 ACRE PARCEL ON THE NORTHWEST CORNER OF MULLAN AVE
AND COEUR D'ALENE LAKE DRIVE

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

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

- B1. That the existing land uses are Residential, Commercial and vacant property.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is C-17 (Commercial at 17 units/acre).
- B4. That the notice of public hearing was published on, April 21, 2012, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on April 30, 2012, 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 April 20, 2012.
- B7. That public testimony was heard on July 10, 2012.
- B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

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

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

Criteria to consider for B8B:

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

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

Criteria to consider B8C:

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

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **CROWN CASTLE c/o VERDIS (SANDY YOUNG)** for a special use permit, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

PLANNING:

1. To ensure compliance with 17.08.825 H.2 the applicant must remove the existing tower along Sherman Ave if/when a building permit or site development application is approved by for the new location according to code.
2. Must adhere to the site and landscaping plans.

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

ROLL CALL:

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

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN