

# AMENDED

## PLANNING COMMISSION AGENDA CITY COUNCIL CHAMBERS

AUGUST 20, 2007

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

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

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

ROLL CALL: Bruning, Bowlby, Luttrupp, Jordan, Rasor, Messina, Souza

### PUBLIC COMMENTS:

### COMMISSION COMMENTS:

### STAFF COMMENTS:

### ADMINISTRATIVE:

1. Applicant: Timothy Rede  
Location: The east 200' feet of the west 350' of lot 20  
Thomas Park addition  
Request: A proposed 3-lot preliminary plat "Nettleton Short Plat"  
SHORT PLAT (SS-15-07)
2. Applicant: Grant Stowe  
Location: A portion of the NE ¼ of sec. 35, T.51N., R.4W.,  
B.M., City of Coeur d'Alene, Kootenai County, ID  
Request: A proposed 4-lot preliminary plat  
"Sunrise Commercial Park 1<sup>st</sup> Addition"  
SHORT PLAT, (SS-16-07)

### PUBLIC HEARINGS:


1. Applicant: Amendola, Andersen & Doty, PLLC  
Location: 702 N. 4<sup>th</sup> Street  
Request: A modification to Section 2 (1) & (2) of ordinance 2615  
allowing for ingress/egress onto Foster Avenue.  
QUASI-JUDICIAL, (ZC-2-94m)
2. Applicant: Michael & Linda Gunderson  
Location: 304 & 306 W. Haycraft Avenue  
Request: A proposed zone change from R-12 (Residential  
at 12 units/acre) to C-17L (Commercial Limited)  
QUASI-JUDICIAL, (ZC-11-07)

2. Applicant: Michael & Linda Gunderson  
Location: 304 & 306 W. Haycraft Avenue  
Request: A proposed zone change from R-12 (Residential at 12 units/acre) to C-17L (Commercial Limited) QUASI-JUDICIAL, (ZC-11-07)
  
3. Applicant: Puran Singh  
Location: 1036 N. 15<sup>th</sup> Street  
Request: A proposed zone change from R-12 (Residential at 12 units/acre) to NC (Neighborhood Commercial) QUASI-JUDICIAL, (ZC-12-07)
  
4. Applicant: Singh & Singh Partnership  
Location: 1003 N. 15<sup>th</sup>  
Request: A proposed zone change from R-12 (Residential At 12 units/acre) to NC (Neighborhood Commercial) QUASI-JUDICIAL, (ZC-13-07)
  
5. Applicant: City of Coeur d'Alene  
Request: A Modification to the East Infill Boundary LEGISLATIVE, (O-1-07c)

**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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**TO:** Planning Commission  
**FROM:** Christopher H. Bates, Project Manager  
**DATE:** August March 20, 2007  
**SUBJECT:** **SS-15-07, Nettleton Short Plat**

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### **DECISION POINT**

Approve or deny the applicant's request for a three (3) lot residential subdivision.

### **GENERAL INFORMATION**

1. Applicant: Timothy Rede  
3504 N. Providence  
Spokane, WA 99207
2. Request: Approval of a three (3) lot residential subdivision, a replat of a portion of Tract 20, Thomas Park Addition.
3. Location: South side of Nettleton Gulch Rd., +/- 150' east of 15<sup>th</sup> St.

### **PERFORMANCE ANALYSIS**

1. Zoning: Existing zoning for the subject property is R-12 which is intended to be a residential district that permits a mix of housing types at a density not to exceed 12 dwelling units per gross acre.
2. Land Use: The subject property has an existing residential structure on proposed Lot 3, and existing garage on proposed Lot 2, with Lot 3 being vacant. The garage on Lot 2 will be required to be removed prior to final plat approval (accessory structures are not allowed w/out a primary dwelling unit on the lot).

Infrastructure: Utilities, Streets, & Storm Water Facilities

**Utilities:** Sewer & Water

Sewer and water utilities are available to the subject property from main locations in Nettleton Gulch Road, however, lateral services will be required to be extended to the proposed lots. Services are required to be extended to the lots prior to final plat approval.

**Streets:** Nettleton Gulch Road adjoins the subject property along the northerly boundary, and, the existing right-of-way is a twenty five foot (25') half section. A dedication of an additional five feet (5.0') will be required along the entire length of the subject property to bring the road r/w to current standards (30' half section). Also, the subject property does not have sidewalk, however, sidewalk is adjacent to the west and will be required to be installed prior to final plat approval. A standard driveway approach will be required on Lot 3 that will meet ADA requirements.

**Fire:** There are fire hydrants situated at multiple points on Nettleton Gulch Road that meet the Fire Department spacing requirements.

**Storm Water:** Street drainage is already managed with the existing stormwater hard pipe system.

**Proposed Conditions:**

1. Removal of the existing garage structure on Lot 2 prior to final plat approval.
2. Installation of sewer and water laterals to Lots 1 and 2 prior to final plat approval.
3. Dedication of an additional five feet (5.0') of right-of-way along the entire length of the subject property (Lots 1-3).
4. Installation of sidewalk along the frontage of all lots, and, installation of a driveway approach for Lot 3 that meets ADA requirements will be required prior to final plat approval.

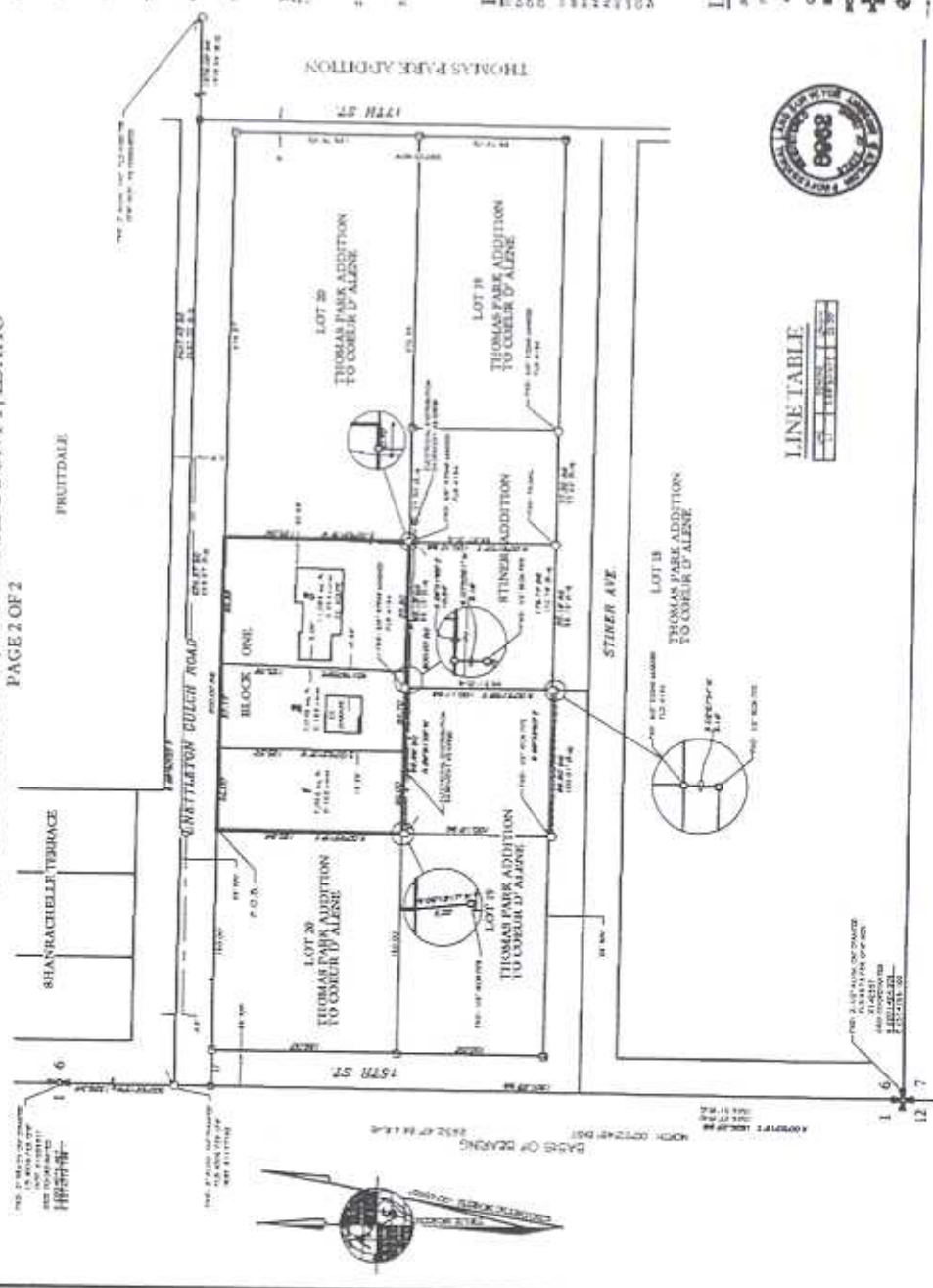
**DECISION POINT RECOMMENDATION**

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

# PLAT OF NETTLETON SHORT PLAT

A PORTION OF TRACT 20, THOMAS PARK ADDITION TO COEUR D'ALENE  
SITUATED IN SECTION 6, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN,  
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

PAGE 2 OF 2



LINE TABLE

1	100.00	100.00
2	100.00	100.00
3	100.00	100.00
4	100.00	100.00
5	100.00	100.00
6	100.00	100.00
7	100.00	100.00
8	100.00	100.00
9	100.00	100.00
10	100.00	100.00



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

### REFERENCES

1. PLAT OF THOMAS PARK ADDITION TO COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY.
2. PLAT OF SHANSCHELLE TERRACE TO COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY.
3. PLAT OF BLOCK ONE, THOMAS PARK ADDITION TO COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY.
4. PLAT OF THOMAS PARK ADDITION TO COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY.
5. PLAT OF THOMAS PARK ADDITION TO COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY.
6. RECORD OF DEEDS IN BOOK 8 OF PLATS OF THIS COUNTY, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY.
7. RECORD OF DEEDS IN BOOK 8 OF PLATS OF THIS COUNTY, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY.
8. RECORD OF DEEDS IN BOOK 8 OF PLATS OF THIS COUNTY, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY.
9. PLAT OF FRUITDALE BY J. W. THOMAS, MAY 1917, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY.

### NOTES

1. THESE PLATS ARE INTENDED TO BE CONSIDERED AS PARTS OF THE THOMAS PARK ADDITION TO COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AND SHALL BE CONSIDERED AS SUCH UNLESS OTHERWISE SPECIFIED.
2. ANY PART OF ANY PREVIOUS PLAT WHICH IS NOT SHOWN ON THIS PLAT AND IS NOT SHOWN IN THE RECORDS OF THIS COUNTY SHALL BE CONSIDERED AS VOID.
3. THIS PLAT IS AN INSTRUMENT SUBMITTED TO THE REGISTERED ENGINEER FOR RECORD BY J. W. THOMAS, MAY 1917, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY, RECORDED IN BOOK 8 OF PLATS OF THIS COUNTY.

### BASIS OF BEARING

THE COORDINATED BEARING SYSTEM AND CITY OF COEUR D'ALENE, IDAHO, IS THE BASIS OF BEARING FOR THIS PLAT. THE BEARING OF EACH COURSE IS GIVEN IN DEGREES, MINUTES AND SECONDS. THE BEARING OF EACH COURSE IS GIVEN IN DEGREES, MINUTES AND SECONDS. THE BEARING OF EACH COURSE IS GIVEN IN DEGREES, MINUTES AND SECONDS. THE BEARING OF EACH COURSE IS GIVEN IN DEGREES, MINUTES AND SECONDS.

### LEGEND

- MONUMENT
- RECORD
- SET BY BY OWNER WITH PLAT
- FOUND BY OWNER
- COMPUTED POINT (NOTHING PLUMED IN NET)
- QUARTER CORNER
- ⊕ SECTION CORNER
- ⊙ CENTER SECTION CORNER
- ⊙ CENTER PLAT

**ADVANCED TECHNOLOGY SURVEYING & ENGINEERING**

REGISTERED PROFESSIONAL ENGINEER

J. W. THOMAS, P.E.

KOOTENAI COUNTY, IDAHO

1000-1210 - FAC (208) 765-1101

5015-07

**TO:** Planning Commission  
**FROM:** Christopher H. Bates, Project Manager  
**DATE:** August March 20, 2007  
**SUBJECT:** **SS-16-07, Sunrise Commercial Park 1<sup>st</sup> Addition**

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### **DECISION POINT**

Approve or deny the applicant's request for a four (4) lot residential subdivision.

### **GENERAL INFORMATION**

1. Applicant: Grant Stowe  
3365 S. Ebert Road  
Coeur d'Alene, ID 83814
2. Request: Approval of a four (4) lot commercial subdivision, a portion of the NE ¼ of, Section 35, T51N, R4W, BM.
3. Location: Between Government Way and Sunshine Street at the east ends of Sunburst & Sunup Avenues.

### **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 has a cell phone tower on Lot 1, Block 1, a storage facility business on Lot 2, Block 1, and, the remainder lots are vacant.

Infrastructure: Utilities, Streets, & Storm Water Facilities

**Utilities:** Sewer & Water

Sewer and water utilities are available to the subject property from main locations in both Sunburst and Sunup Avenues. Utility infrastructure exists to the developed lots, however, utility main extensions (sewer & water) will be required in Sunup Avenue to provide service and allow development of the proposed adjoining lots (L3, B1 & L1, B2). Utility main extensions are required prior to final plat approval, and, these installations must extend to the easterly end of the subject property to accommodate future development to the east. All utility main extensions will be completed by the developer, at no cost to the City.

**Streets:**

The subject property has frontage along both Government Way and Sunup Avenue. The right-of-way for Sunup Avenue meets City standards, however, additional r/w will be required along the Government Way frontage to meet current requirements, and, future design criteria. Sufficient r/w along the Government Way frontage will be required to be dedicated to bring the total width to a forty seven foot (47') half section. Frontage improvements (curb, sidewalk, paving, drainage swale construction) are required along both roadways and must be installed prior to final plat approval. Due to the arterial nature of the roadway, any access on to the Government Way frontage will require the construction, and, utilization of standard urban approaches.

**Fire:** Fire hydrant locations will be addressed by the City Fire Inspector at the time of utility main (water) extension. Hydrants will need to be installed at all locations deemed appropriate by the fire department official.

**Storm Water:** Street drainage will be required to be managed by swale facilities with sizing to be determined by the design engineer.

**Proposed Conditions:**

1. Utility main extensions (sewer & water) will be required in Sunup Avenue prior to final plat approval, at no cost to the City.
2. Dedication of additional right-of-way along the Government Way frontage to bring the half section to forty seven feet (47).
3. Installation of roadway improvements along both Sunup Avenue and Government Way frontages prior to final plat approval, at no cost to the City.

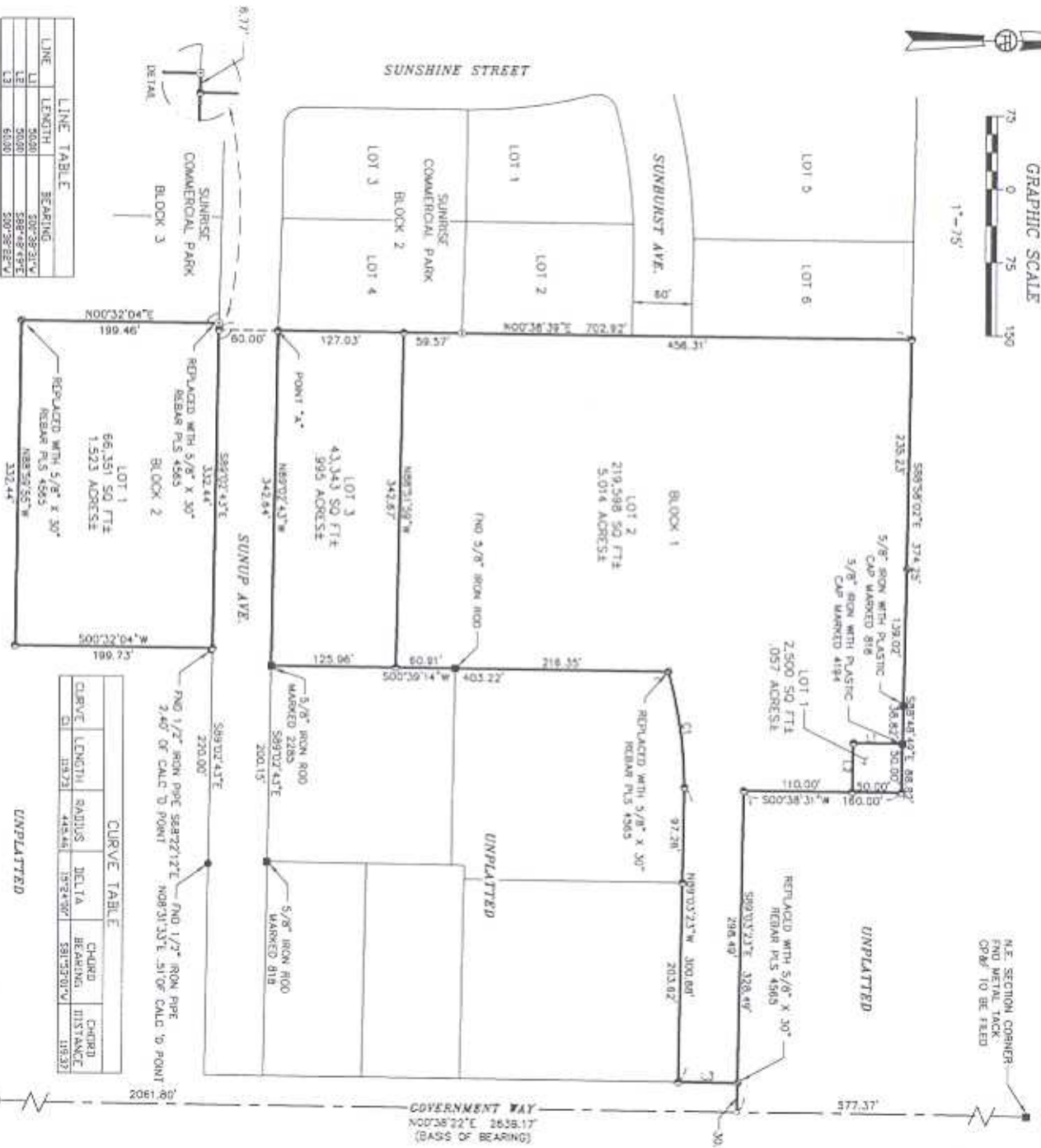
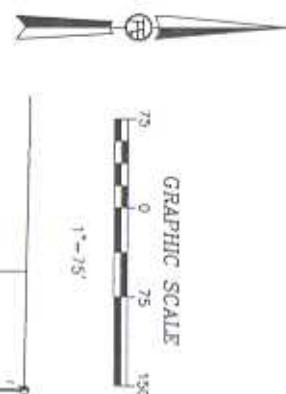
**DECISION POINT RECOMMENDATION**

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



# SUNRISE COMMERCIAL PARK 1ST ADDITION

A PORTION OF THE NE 1/4 OF SEC. 35, T.51N., R.4W., B.M.,  
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



LINE TABLE

LINE	LENGTH	BEARING
L1	50.00	S89°32'30"E
L2	50.00	S89°42'49"E
L3	50.00	S89°52'58"E

CURVE TABLE

CHORD DISTANCE	CHORD BEARING	DELTA	RADIUS	CHORD LENGTH
115.37	S81°13'07"W	137°21'50"	445.46	137.23



**LEGEND**

- ⊙ SET 5/8" X 30" REBAR WITH PLASTIC CAP MARKED, PLUS 4565
- ⊙ FD. 1/2" IRON ROD
- FD. MONUMENT (MATERIAL AND SIZE AS NOTED)
- ⊙ FD. 1/2" IRON ROD WITH PLASTIC CAP MARKED 4564
- FOUND 1/2" IRON PIPE
- CALCULATED POINT (NOTHING FOUND OR SET)

**BASIS OF BEARING**

BASES OF BEARING IS NORTH COUSSEZ?° EAST ALONG THE CENTERLINE OF GOVERNMENT WAY.

**SURVEYS OF RECORD & PRIOR SURVEYS**

1. RECORD OF SURVEY - A PORTION OF M.F.S. OF THE NE 1/4 OF SEC. 35, BLOCK 24, PAGE 84, 2006
2. PLAT OF HANLEY COMMERCIAL CENTER - BLOCK 1, PAGE 21
3. RECORD OF SURVEY - THE SOUTH HALF OF LOTS 49, 50 & 51, PAGE 90, 1924
4. RECORD OF SURVEY - TAX # 10041 & 10037, BOOK 14, PAGE 73
5. RECORD OF SURVEY - OF NORTH 132 FEET OF LOTS 47 & 48 FIRST ADDITION, BOOK 11, PAGE 38, 1923
6. PLAT OF SUNRISE COMMERCIAL PARK, BOOK 1, PAGE 153

**NOTES**

1. ALL DISTANCES ARE IN U.S. FEET.

**TATE ENGINEERING**  
 1103 N. 4TH STREET, COEUR D'ALENE, IDAHO, 83814  
 (208) 676-8708 FAX: (208) 607-2129

PROJECT NO.: 07104 DATE: 07/19/07 SCALE: 1" = 75'  
 DRAWING: 07104SP CHECKED BY: EAW DRAWN BY: DCH PAGE 1 OF 1

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMSOS, SENIOR PLANNER  
DATE: AUGUST 20, 2007  
SUBJECT: ZC-2-94M - MODIFICATION OF CONDITIONS APPROVED WITH ZC-2-94  
LOCATION – +/- 15,769 SQ. FT. PARCEL AT 702 NORTH 4TH STREET

**DECISION POINT:**

Amendola, Anderson & Doty, PLLC & 4th Street, LLC are requesting removal or modification of conditions one, two and four of Zone Change ZC-2-94 in the C-17L (Commercial Limited at 17 units/acre) zoning district pertaining to access from the existing parking lot to Foster Avenue and buffering of said parking lot along Foster Avenue. The applicant's reasons are stated in the narrative. Conditions requested to be removed or modified include:

1. Provide a six (6) foot sight obscuring fence on the east and north ends of the property and along the frontage of Lot 3 together with a solid, dense vegetative screen, including a minimum of five (5) columnar deciduous trees, two (2) inches or more in caliper, planted at a distance between centers as determined by the Urban Forestry Committee.
2. Restrict Lot 3 so as not to allow a curb cut.
4. Restrict signage to 4th Street only.

**NO OTHER CHANGES TO ZC-2-94 ARE REQUESTED WITH THIS APPLICATION.**

**SITE PHOTOS:**

- A. Aerial photo



B. Proposed driveway to Foster Avenue



C. Looking west on Foster Avenue.

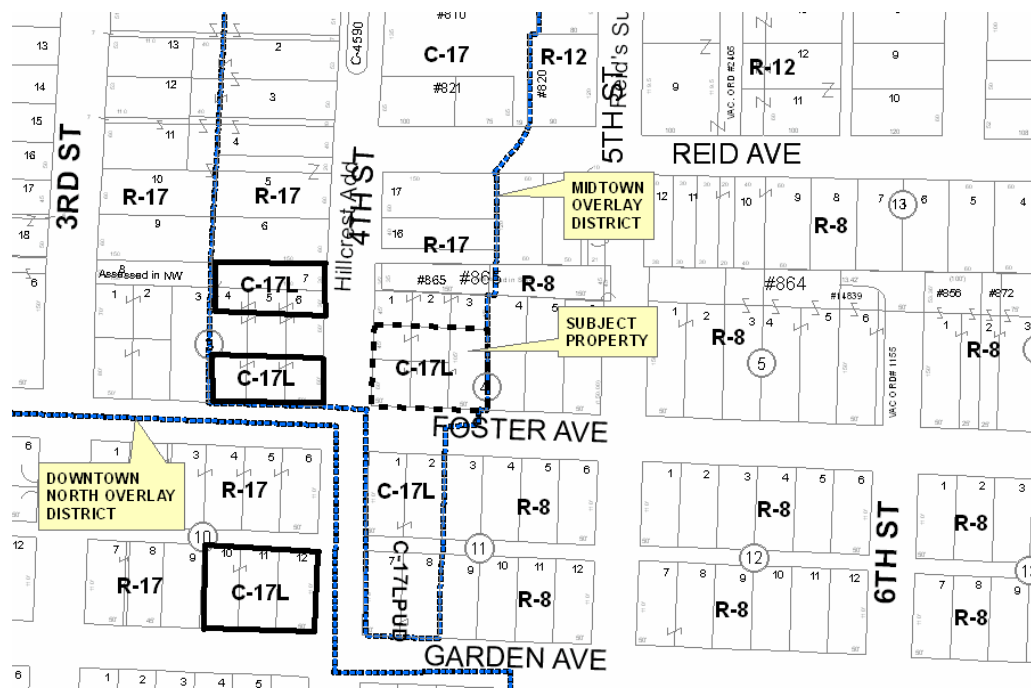


D. Driveway accessing 4th Street.



**GENERAL INFORMATION:**

A. Zoning:



B. Generalized land use pattern:



C. Applicant: Amendola, Anderson & Doty, PLLC & 4th Street, LLC  
 Owner: 702 North 4th Street  
 Coeur d'Alene, ID 83814

D. Land uses in the area include residential - single-family, duplex and multi-family, commercial – retail sales, civic and vacant land.

E. The subject property is occupied by a professional office building.

F. Encroachment permit:

1. On May 25, 2007, The City Engineering Department issued an encroachment permit to work in the public right-of-way to modify the sidewalk, approach and curb for a new driveway into the existing parking lot from Foster Avenue.
2. On June 4, 2007 a stop work order was served by the City's Code Enforcement Officer, halting work on the project, citing violation of conditions one and two of ZC-2-94 as the reason for issuance of the stop work order.

G. Previous actions on subject property:

ZC-2-94 - R-12 to C-17L, with the following conditions:

1. Provide a 6-foot sight-obscuring fence on the east and north ends of the property and along the frontage of Lot 3 together with a solid, dense vegetative screen, including a minimum of five (5) columnar deciduous trees, 2" or more in caliper, planted a distance

between centers as determined by the Urban Forestry Committee.

2. Restrict Lot 3 so as not to allow a curb cut.
3. All exterior lights on the property, including illuminated signs and parking lot lights, shall be turned off by 10:00 p.m. As an alternative, parking lot lights may be movement-activated.
4. Restrict signage to 4th Street only.
5. All refuse areas shall be located and buffered in such a way as to not be visible to residents on adjacent properties to the north and south.

**PERFORMANCE ANALYSIS:**

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

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

**Stable Established Areas:**

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

- For areas below the freeway, overall buildout density approximately = 5 du/acre. Individual lot size is typically not smaller than 5,500 sq. ft. (12 du/acre).
- Encourage residential when close to jobs and other services.
- Discourage uses that are detrimental to neighboring uses.
- Pedestrian/bicycle connections.
- Encourage vacant lot development that is sensitive to neighboring uses.

**3. In reviewing all projects, the following should be considered:**

Page 28 – All requests for zone changes, special use permits etc., will be made considering, but not limited to:

1. The individual characteristics of the site;
2. The existing conditions within the area, and
3. The goals of the community.

**4. Significant policies for consideration:**

4C: “New growth should enhance the quality and character of existing areas and the general community.”

6A: “Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses.”

- 6A2: "Encourage high-intensity commercial development, including professional offices, to concentrate in existing areas so as to minimize negative influences on adjacent land uses, such as traffic congestion, parking and noise.
- 6A3: "Commercial development should be limited to collector and arterial streets."
- 46A: "Provide for the safe and efficient circulation of vehicular traffic."
- 51A: "Protect and preserve neighborhoods both old and new."
- 51A5: "Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects."
- 62A: "Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects."

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

**STORMWATER:**

Stormwater management was previously addressed at the time of construction on the subject property. No alterations are necessary to the site.

**TRAFFIC:**

The ITE Trip Generation Manual estimates the project will generate approximately 68 trips per day or 9.8 trips per day during the peak hour periods (utilizing 19 employees and an average 0.52 trips/employee). Actual counts taken at the sole point of ingress/egress on 4<sup>th</sup> Street averaged 57 trips/day, with the majority of the trips (18 & 10 respectively) occurring during the evening peak hour period.

**Evaluation:** The adjacent and connecting streets will accommodate the noted traffic volume. On an average, the subject property contributes between 3-4 trips/hour to the adjoining streets, which is not a significant increase to traffic volumes.

Foster Avenue is classified as a major collector street per the Kootenai County Transportation Plan (KCAT) 1997-2017 study and its function is to guide traffic to the arterial system. It serves as a main connection between 11<sup>th</sup> Street and Lincoln Way which has the capacity to manage between 5,200 & 8,750 vehicle trips (collector 2 lanes+ parking, level of service A – F). Actual daily counts were 682.5 vehicles eastbound and 775 vehicles westbound, at an average speed of 23 mph, with peak hour trips (7-9 a.m./4-6 p.m.) at 92 eastbound trips and 120 westbound trips.

Access to Foster Avenue would provide options to vehicles utilizing the subject property that are not available at this time.

**STREETS:**

The subject property is bordered by 4<sup>th</sup> Street on the west and Foster Avenue on the south. The current right-of-way widths are City standard sixty feet (60') with street widths of thirty four feet (34') on 4<sup>th</sup> Street, and, forty feet (40') on Foster respectively.

Evaluation: Fourth Street is in need of widening to bring it to a uniform width of forty feet (40') and this may occur when 4<sup>th</sup> Street is reconstructed. Foster Avenue is presently constructed to current collector street width and no changes are anticipated to its street section.

APPLICABLE CODES AND POLICIES:

STREETS:

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

WATER, SEWER, FIRE, POLICE

Not applicable

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

The subject property is level with no significant topographic features.

Evaluation: There are no physical limitations to future development.

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

The subject property is part of the commercial corridor along 4th Street and is adjacent to the residential neighborhood to the east.

Evaluation: The Planning Commission must determine what affect removal or modification of these conditions would have on traffic, neighborhood character and existing land uses.

E. Proposed conditions:

As previously approved in ZC-2-94:

1. Provide a 6-foot sight-obscuring fence on the east and north ends of the property and along the frontage of Lot 3 together with a solid, dense vegetative screen, including a minimum of five (5) columnar deciduous trees, 2" or more in caliper, planted a distance between centers as determined by the Urban Forestry Committee.
2. Restrict Lot 3 so as not to allow a curb cut.
3. All exterior lights on the property, including illuminated signs and parking lot lights, shall be turned off by 10:00 p.m. As an alternative, parking lot lights may be movement-activated.
4. Restrict signage to 4th Street only.
5. All refuse areas shall be located and buffered in such a way as to not be visible to residents on adjacent properties to the north and south.



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.

[F:staffrptsZC294m]

Gary I. Amendola  
Clayton Andersen  
Julie L. Doty\*  
Jennifer K. Brumley-Moore\*  
Clark A. Peterson\*\*  
Tiffany J. Jensen\*

\*Also Admitted in Washington  
\*\*Also admitted in California & Nevada

AMENDOLA  
ANDERSEN &  
DOTY PLLC  
ATTORNEYS AT LAW

702 N. 4<sup>th</sup> Street  
Coeur d'Alene, Idaho 83814  
(208) 664-8225  
Fax: 765-1046  
email: attorney@aadlawoffice.com

July 23, 2007

HAND DELIVERED

Mr. John Stamsos  
Associate Planner  
Planning Department  
City of Coeur d'Alene

RE: Amendment to Zone Change Application Submitted by  
Fourth Street LLC regarding Ordinance No. 2615

Dear Mr. Stamsos:

On June 29, 2007, we submitted a zone change application to the Planning Department requesting the conditions to re-zoning, set forth in Section 2(1) & (2) of Ordinance No. 2615, be removed or modified.

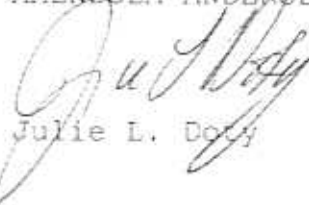
We would also request that Condition #4 of Ordinance No. 2615, "Restrict signage to 4<sup>th</sup> Street only" be removed or modified.

It is our desire to address all of these issues at the same time.

Thank you in advance for your consideration of this request.

Your truly,

AMENDOLA ANDERSEN & DOTY, PLLC



Julie L. Doty

JLD/srp

**PROPERTY INFORMATION**

- 1. Gross area: (all land involved): 3620 acres, and/or \_\_\_\_\_ sq.ft.
- 2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): 3620 acres, and/or \_\_\_\_\_ sq. ft.
- 3. Total length of streets included: N/A ft., and/or \_\_\_\_\_ miles.
- 4. Total number of lots included: 3
- 5. Average lot size included: .121 acres
- 6. Existing land use: Commercial
- 7. Existing Zoning (circle 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
- 8. Proposed Zoning (circle 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** *\*\* We are asking for <sup>the</sup> conditions to rezoning set forth in Section 2 (1) & (2) of ordinance No. 2615, be removed or modified to allow for ingress/egress onto Foster.*

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

Please use this space to state the reason(s) for the requested zone change.

Appropriate Comprehensive Plan goals and policies should be included in your reasons.

*With the growing number of employees of our firm, and customers who visit our firm during business hours Mon. thru Fri, our parking lot is often full. Since we do not have egress out onto Foster and there is nowhere to turn around safely in our parking lot, customers have been seen backing out onto Fourth Street to exit our parking lot. In addition, the Waste Mgmt trucks and <sup>the</sup> large trucks from the company we use to shred our documents have been seen driving past our driveway on Fourth Street and backing into our parking lot. In light of the safety concerns and our desire to free up parking spaces on Foster we applied for <sup>+ were granted</sup> a permit to allow for egress onto Foster. A lot of our employees currently park on Foster in order to have a straight drive to the courthouse. If we had egress onto Foster we could have these employees park **3** in our lot during business hours.*

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on, August 20, 2007, and there being present a person requesting approval of ITEM ZC-2-94m, a request for removal or modification to conditions one, two and four of Zone Change ZC-2-94 in the C-17L (Commercial Limited at 17 units/acre) zoning district

LOCATION: +/- 15,769 sq. ft. parcel at 702 North 4th Street

APPLICANT: Amendola, Anderson & Doty, PLLC

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

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

- B1. That the existing land uses are residential - single-family, duplex and multi-family, commercial – retail sales, civic and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established
- B3. That the zoning is C-17L (Commercial Limited at 17 units/acre)
- B4. That the notice of public hearing was published on, August 4, 2007, and, August 14, 2007, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, August 13, 2007, which fulfills the proper legal requirement.
- B6. That 66 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, August 3, 2007, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on August 20, 2007.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

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

**Criteria to consider for B9:**

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

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

**Criteria to consider for B10:**

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

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

**Criteria to consider for B11:**

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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **AMENDOLA, ANDERSON & DOTY, PLLC** 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 Luttrupp	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____
Chairman Bruning	Voted _____ (tie breaker)

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

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

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CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION  
STAFF REPORT**

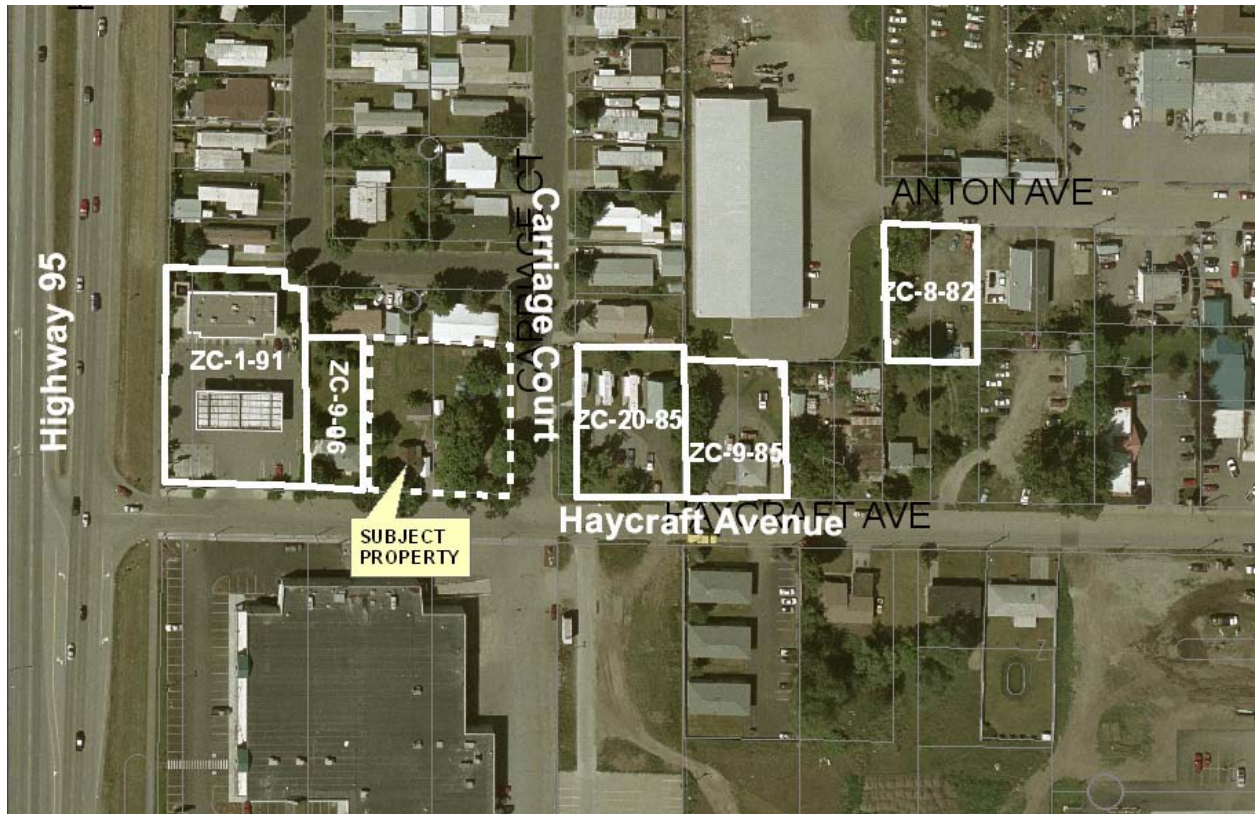
FROM: JOHN J. STAMOS, ASSOCIATE PLANNER  
DATE: AUGUST 20, 2007  
SUBJECT: ZC-11-07 – ZONE CHANGE FROM R-12 TO C-17L  
LOCATION +/- 10,367 SQ. FT. PARCEL AT 304 & 306 W. HAYCRAFT AVENUE

**DECISION POINT:**

Michael and Linda Gunderson are requesting a Zone Change from R-12 (residential at 12 units per gross acre) to C-17L (Commercial Limited at 17 units/acre) at 304 & 306 West Haycraft Avenue.

**SITE PHOTOS:**

A. Site photo



B. Houses on subject property.



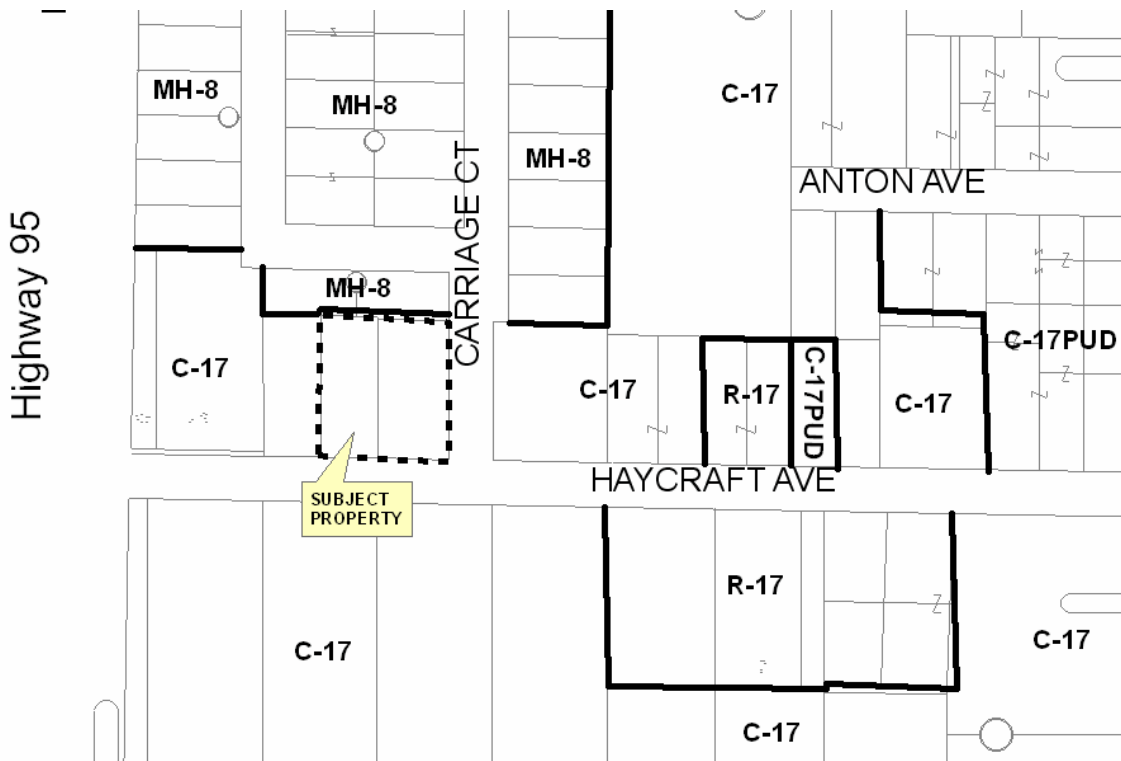


C. Carriage Court on east side of subject property

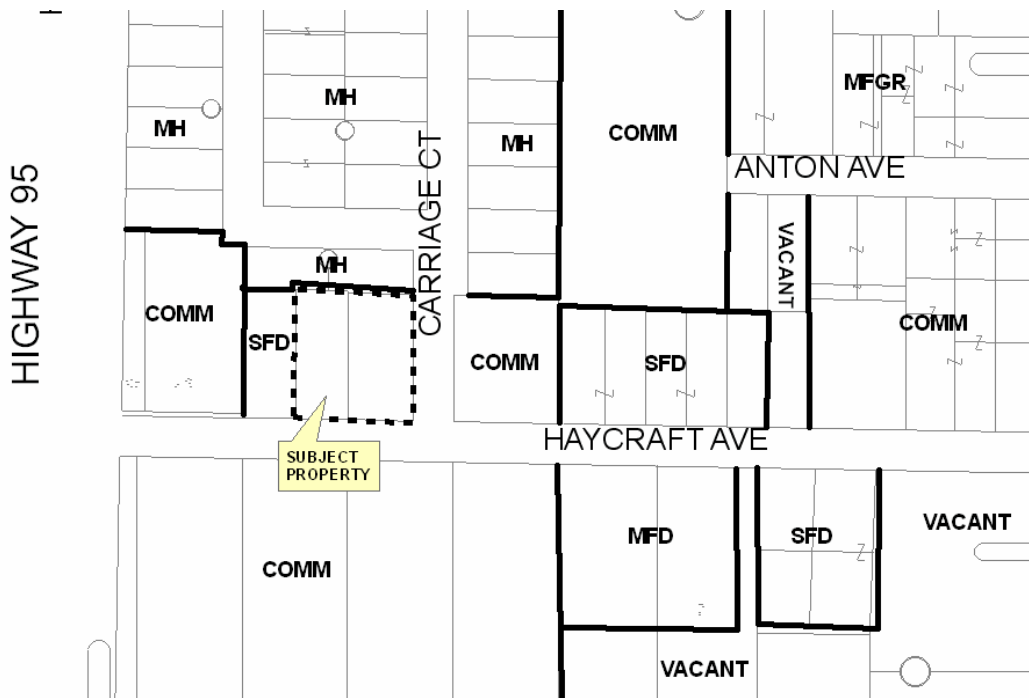


**GENERAL INFORMATION:**

A. Zoning:



B. Generalized land use pattern:



C. Applicant/: Michael and Lynda Gunderson  
 Owner 15509 Lofthill Drive

- D. Land uses in the area include residential - single-family, mobile homes and multi-family, commercial – retail sales and service, manufacturing and vacant land.
- E. The subject property contains a single-family dwelling.
- F. Previous actions on surrounding property (See page 1):
  - 1. ZC-8-82 R-17 to C-17
  - 2. ZC-9-85 R-12 to C-17
  - 3. ZC-20-85 R-12 to C-17
  - 4. ZC-1-91 R-12 to C-17
  - 5. ZC-9-06 R-12 to C-17L

**PERFORMANCE ANALYSIS:**

- A. Zoning:

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

The C-17L District is intended as a low density commercial and residential mix district. This District permits residential development at a density of seventeen (17) units per gross acre as specified by the R-17 District and limited service commercial businesses whose primary emphasis is on providing a personal service.

This District is suitable as a transition between residential and commercial zoned areas and should be located on designated collector streets or better for ease of access and to act as a residential buffer.

**Principal permitted uses:**

- Single-family detached housing (as specified by the R-8 District).
- Duplex housing (as specified by the R-12 District).
- Cluster housing (as specified by the R-17 District).
- Multiple-family (as specified by the R-17 District).
- Home occupation.
- Community education.
- Essential service.
- Community assembly.
- Religious assembly.
- Public recreation.
- Neighborhood recreation.
- Automobile parking when serving an adjacent business or apartments.
- Hospitals/health care.
- Professional offices.
- Administrative offices.
- Banks and financial establishments.
- Personal service establishment.
- Group dwelling-detached housing.
- Handicapped or minimal care facility.
- Child care facility.
- Juvenile offenders facility.
- Boarding house.
- Nursing/convalescent/rest homes for the aged.
- Rehabilitative facility.

Commercial film production.

**Uses permitted by special use permit:**

- Convenience sales.
- Food and beverage stores for off/on site consumption.
- Veterinary office or clinic when completely indoors.
- Commercial recreation.
- Hotel/motel.
- Remaining uses, not already herein permitted, of the C-17 District principal permitted uses.
- Residential density of the R-34 District density as specified.
- Criminal transitional facility.
- Noncommercial kennel.
- Commercial kennel.
- Community organization.
- Wireless communication facility.

The zoning and land use patterns for this area (See page 2) indicate C-17 zoning on both sides of Haycraft Avenue with a mix of commercial and residential uses. The subject property also abuts the Carriage Court mobile home subdivision which is zoned MH-8 and contains 30

Evaluation: The Planning Commission, based on the information before them, must determine if the C-17L zone is appropriate for this location and setting.

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

The subject property is within the existing city limits.

The Comprehensive Plan Map designates this area as "T" (Transition). The subject property is in close proximity to Highway 95 which is designated as an "HIC" (High Intensity Corridor). Descriptions of these two designations are as follows:

**Transition Areas:**

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

- Protect and/or enhance the integrity of existing residential areas.
- Encourage lower intensity commercial service and manufacturing uses close or abutting major transportation routes.
- Encourage residential when close to jobs and other services.
- Discourage uses that are detrimental to neighboring uses.
- Encourage commercial clusters that will serve adjacent neighborhoods vs. city as a whole.

**High Intensity Corridors:**

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

- Encourage auto oriented commercial uses abutting major traffic corridors.
- The development should be accessible by pedestrian, bicycle, and auto.
- Residential uses may be allowed but not encouraged. Low intensity residential uses are

- discouraged.
- Encourage manufacturing/warehousing uses to cluster into districts served by major transportation corridors.
- Arterial /collector corridors defined by landscaping/street trees.
- Development may be encouraged to utilize large areas adjacent to these transportation corridors.

**In reviewing all projects, the following should be considered:**

Page 28 – All requests for zone changes, special use permits etc., will be made considering, but not limited to:

1. The individual characteristics of the site;
2. The existing conditions within the area, and
3. The goals of the community.

**Significant policies for consideration:**

- 4C: “New growth should enhance the quality and character of existing areas and the general community.”
- 6A: “Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses.”
- 6A2: “Encourage high-intensity commercial development, including professional offices, to concentrate in existing areas so as to minimize negative influences on adjacent land uses, such as traffic congestion, parking and noise.
- 6A3: “Commercial development should be limited to collector and arterial streets.”
- 15G: “City government should be responsive to the needs and desires of the citizenry.”
- 42A: “The physical development of Coeur d’Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, affects and goals of citizens
- 42A2: “Property rights of citizens should be protected in land use decisions.”
- 46A: “Provide for the safe and efficient circulation of vehicular traffic.”
- 47C1: “Locate major arterials and provide adequate screening so as to minimize levels of noise pollution in or near residential areas.”
- 51A: “Protect and preserve neighborhoods both old and new.”
- 51A4: “Trees should be preserved and protected by support of the Urban Forestry Program and indiscriminate removal discouraged.”
- 51A5: “Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects.”
- 62A: “Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects.”

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

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

WATER:

Water is available to the subject property.

Evaluation: The property is bordered with a 6" main in Haycraft and each lot has an existing service. Fire services may be required and can be supplied by the current mains.

Submitted by Terry Pickel, Assistant Water Superintendent

SEWER:

Public sewer is available.

Evaluation: Public sewer is available in Haycraft avenue and is of adequate capacity to support the applicants request for this zone change.

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.

TRAFFIC:

There is no defined use for the subject property; therefore, traffic estimates cannot be generated. This proposed rezoning would, in theory, allow other uses that could generate additional traffic and any change in use and related traffic impacts are evaluated prior to issuance of building permits. The Development Impact Fee Ordinance requires any extraordinary traffic impacts to be mitigated by the applicant as a condition of permit issuance. Therefore, potential traffic impacts need not be addressed at this time.

STREETS:

The proposed subdivision is bordered by Haycraft Avenue to the south and Carriage Court to the east. The current right-of-way widths for both Haycraft Avenue and Carriage Court are fifty feet (50') and do not meet City standards.

Evaluation: An additional five feet (5') of right-of-way on Haycraft Avenue must be granted prior to the final approval of the zone change request to allow for any future widening of the roadway as you approach US Hwy. 95. This would be consistent with the additional five feet (5') that was acquired from the Holiday Gas company at the northeast corner of Hwy 95 and Haycraft Avenue.

APPLICABLE CODES AND POLICIES:

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:

Prior to any site development, the Fire Department will address issues such as water supply, fire hydrants and access.

Submitted by Brian Halverson, Fire Inspector

POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

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

The subject property is flat with no physical constraints.

Evaluation: There are no physical limitations to future development.

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

Potential commercial uses could affect traffic on Haycraft Avenue which is in a neighborhood that is in transition from residential to commercial uses.

Evaluation: The Planning Commission must determine if the C-17L zone is appropriate in this location and setting.

F. Proposed conditions:

From Engineering Department

1. Dedicate five feet (5') of right-of-way along the Haycraft Avenue frontage prior to the final approval of the zone change.

G. Ordinances and Standards Used In Evaluation:

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

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

**ACTION ALTERNATIVES:**

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

[F:staffrptsZC1107]



### PROPERTY INFORMATION

- 1. Gross area: (all land involved): 5960 acres, and/or 22,913 sq.ft.
- 2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): \_\_\_\_\_ acres, and/or 22,913 sq. ft.
- 3. Total length of streets included: 301.29 ft., and/or 0.057 miles.
- 4. Total number of lots included: 2
- 5. Average lot size included: 0.29
- 6. Existing land use: RESIDENTIAL
- 7. Existing Zoning (circle 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
- 8. Proposed Zoning (circle 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

Proposed Activity Group; COMMERCIAL BUSINESS

Please use this space to state the reason(s) for the requested zone change.

Appropriate Comprehensive Plan goals and policies should be included in your reasons.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on, August 20, 2007, and there being present a person requesting approval of ITEM ZC-11-07, a request for a zone change from R-12 (residential at 12 units per gross acre) to C-17L (Commercial Limited at 17 units/acre)

LOCATION +/- 10,367 sq. ft. parcel at 304 & 306 W. Haycraft Avenue

APPLICANT: Michael and Linda Gunderson

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

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

- B1. That the existing land uses are residential - single-family, mobile homes and multi-family, commercial – retail sales and service, manufacturing and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is R-12 (residential at 12 units per gross acre)
- B4. That the notice of public hearing was published on, August 4, 2007, and, August 14, 2007, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, August 11, 2007, which fulfills the proper legal requirement.
- B6. That 45 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, August 3, 2007, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on August 20, 2007.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

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

**Criteria to consider for B9:**

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

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

**Criteria to consider for B10:**

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

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

**Criteria to consider for B11:**

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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **MICHAEL AND LINDA GUNDERSON** 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 Luttrupp	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

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

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

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

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CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMOS, SENIOR PLANNER  
DATE: AUGUST 20, 2007  
SUBJECT: ZC-12-07 – ZONE CHANGE FROM R-12 TO NC  
LOCATION – +/- 10,802 SQ. FT. PARCEL AT 1036 NORTH 15TH STREET

**DECISION POINT:**

Puran Singh is requesting a zone change from R-12 (residential at 12 units per gross acre) to NC (Neighborhood Commercial) at 1036 North 15th Street.

**SITE PHOTOS:**

A. Aerial photo



B. Convenience store on subject property.



C. Looking east on Elm Avenue...

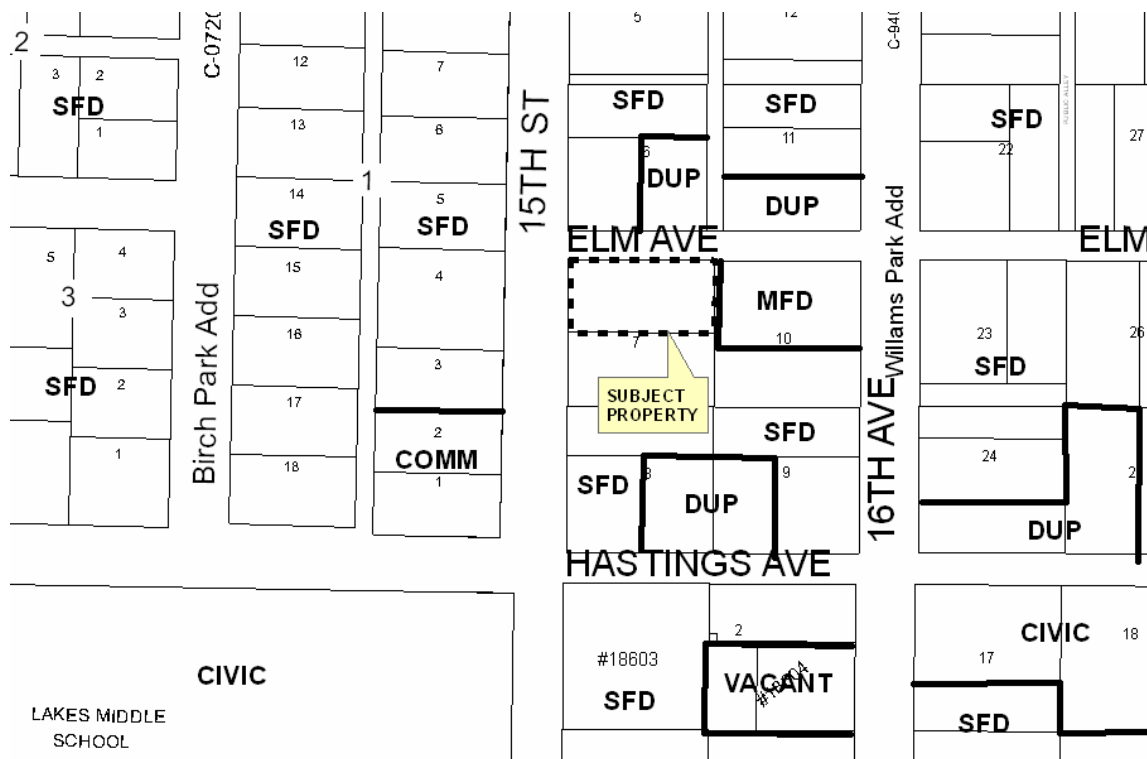


**GENERAL INFORMATION:**

**A. Zoning:**



**B. Generalized land use pattern:**





- C. Applicant: Puran Singh  
Owner 4297 North Echo Glen  
Coeur d'Alene, ID 83815
- D. Land uses in the area include residential - single-family, duplex and multi-family, commercial – retail sales, civic and vacant land.
- E. The subject property is occupied by a convenience store that has been on the subject property since 1907 and is a non-conforming activity in the R-12 zoning district (Convenience sales are allowed in the R-12 zone by Special Use Permit). Other commercial uses are prohibited in residential zones.

**PERFORMANCE ANALYSIS:**

- A. Zoning:

Approval of the zone change request would intensify the potential uses on the property by allowing commercial retail sales and service uses on a parcel that only allows residential and civic uses. This use and the convenience store across the street are the only two commercial uses along 15th Street between Sherman Avenue and Avista, just north of the I-90 freeway. Also, there is no commercial zoning along this same length of 15th Street.

It would also bring the existing nonconforming activity into conformance with the zoning ordinance with respect to use but not in terms of facility requirements such as parking, landscaping and swale requirements. Any expansion, alteration or addition of the facility would require compliance with the above items.

**Neighborhood Commercial District:**

The Neighborhood Commercial District is intended to allow for the location of enterprises that mainly serve the immediate surrounding residential area and that provide a scale and character that are compatible with residential buildings. It is expected that most customers would reach the businesses by walking or bicycling, rather than driving, as follows:

**Principal permitted uses:**

Retail  
Personal Services  
Commercial and Professional Office  
Medical/Dental  
Day Care  
Residential (above the ground floor)  
Parks

**By special use permit:**

Religious Institutions  
Schools

**Prohibited:**

Industrial  
Warehouses

Outdoor storage or Display of Goods, other than plants  
Mini-storage  
Sales, Repair or Maintenance of Vehicles, Boats, or Equipment  
Gasoline Service Stations  
Detention facilities  
Commercial Parking

**Maximum Building Height:**

32 feet

**Maximum Floor Area Ratio:**

Non-Residential: 1.0  
Total: 1.5

**Maximum Floor Area:**

4,000 sq. ft. for Retail Uses  
8,000 sq. ft. for all Non-Residential Uses

**Minimum Parking:**

3 stalls per 1000 sq. ft. of non-residential floor area  
1.5 stalls per dwelling unit

**Setbacks from any adjacent Residential District:**

8 inches of horizontal distance for every foot of building height.

**Limited Hours of Operation:**

Any use within this district shall only be open for business between 6am and 10pm.

**Screening along any adjacent Residential District:**

Minimum 10 foot wide planting strip containing evergreen trees  
(Trees to be at least 15 feet tall at time of planting, and no more than 25 feet apart)

**Landscaping:**

One tree for every 8 surface parking stalls.  
(Trees shall be at least 15 feet tall at time of planting)

**Design Standards:**

- a. At least 50% of any first floor wall facing an arterial street shall be glass.
- b. If a building does not abut the sidewalk, there shall be a walkway between the sidewalk and the primary entrance.
- c. Surface parking should be located to the rear or to the side of the principal building.
- d. Trash areas shall be completely enclosed by a structure of construction similar to the principal building. Dumpsters shall have rubber lids.

- e. Buildings shall be designed with a residential character, including elements such as pitched roofs, lap siding, and wide window trim.
- f. Lighting greater than 1 footcandle is prohibited. All lighting fixtures shall be a “cut-off” design to prevent spillover.
- g. Wall-mounted signs are preferred, but monument signs no higher than 6 feet are allowed. Roof-mounted signs and pole signs are not permitted. \*
- h. Signs shall not be internally lighted, but may be indirectly lighted. \*

\* Sign standards would be incorporated into sign code.

The zoning and land use maps (page 3) show this convenience store and the one at 15th and Hastings as the only two commercial uses or parcels zoned commercial between Sherman Avenue and the Avista facility just north of Interstate 90.

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

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

- 1. The subject property is within the existing city limits.
- 2. The Comprehensive Plan Map designates this area as Stable Established, as follows:

**Stable Established Areas:**

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

- For areas below the freeway, overall buildout density approximately = 5 du/acre. Individual lot size is typically not smaller than 5,500 sq. ft. (12 du/acre).
- Encourage residential when close to jobs and other services.
- Discourage uses that are detrimental to neighboring uses.
- Pedestrian/bicycle connections.
- Encourage vacant lot development that is sensitive to neighboring uses.

**3. In reviewing all projects, the following should be considered:**

Page 28 – All requests for zone changes, special use permits etc., will be made considering, but not limited to:

- 1. The individual characteristics of the site;
- 2. The existing conditions within the area, and
- 3. The goals of the community.

**4. Significant policies for consideration:**

4C: “New growth should enhance the quality and character of existing areas and the

general community.”

6A: “Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses.”

6A2: “Encourage high-intensity commercial development, including professional offices, to concentrate in existing areas so as to minimize negative influences on adjacent land uses, such as traffic congestion, parking and noise.

6A3: “Commercial development should be limited to collector and arterial streets.”

46A: “Provide for the safe and efficient circulation of vehicular traffic.”

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

51A5: “Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects.”

62A: “Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects.”

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

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

**WATER:**

Water is available to the subject property.

Evaluation: The specified property is bordered by a 12” main on two sides and currently has an existing domestic service. Additional services can be available.

Terry Pickel, Assistant Water Superintendent

**SEWER:**

Public sewer is available.

Evaluation: Public sewer is available in both 15<sup>th</sup> Avenue and Elm Street. Both lines are of adequate capacity to support the applicants request for this zone change and no known capacity issues have been noted with the existing store.

Don Keil, Assistant Wastewater Superintendent

**STORMWATER:**

The subject property is currently developed, however, if the site is altered, stormwater issues will be addressed at that time.

TRAFFIC:

The ITE Trip Generation Manual estimates the project may generate approximately 52 trips during the peak hour periods.

Evaluation: The adjoining intersection of 15<sup>th</sup> & Elm is currently a bottleneck for southbound traffic turning eastbound on Elm. Traffic counts from 2006 on Fifteenth Street (completed by Idaho Transportation Dept.) show 7,203 and 5,872 vehicles north and southbound respectively at the 15<sup>th</sup> & Penn intersection. Increasing the use on the subject property may result in additional congestion of the intersection.

STREETS:

The subject property is bordered by 15<sup>th</sup> Street to the west and Elm Avenue to the north. The current right-of-way width for 15<sup>th</sup> Street meets City standards; however, the total right-of-way for Elm Avenue is only thirty feet (30'), which is thirty feet (30') less than standard.

Evaluation: The existing building on the subject property currently encroaches into the front and rear yard setback areas and acquisition of any right-of-way on the Elm Avenue street frontage would exacerbate the problem.

SUBMITTED BY CHRIS BATES, ENGINEERING PROJECT MANAGER

FIRE:

Prior to any site development, the Fire Department will address issues such as water supply, fire hydrants and access.

Submitted by Brian Halverson, Fire Inspector

POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

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

The subject property is level with no significant topographic features.

Evaluation: There are no physical limitations to future development.

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

The subject property is located on 15th Street, which is an arterial street. The existing convenience store is a nonconforming use, was established many years ago and is located adjacent to a residential neighborhood.

Evaluation: The Planning Commission must determine if commercial zoning is appropriate in this location and setting.

**F. Proposed conditions:**

None.

G. Ordinances and Standards Used In Evaluation:

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

**ACTION ALTERNATIVES:**

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

[F:staffrptsZC1207]

**PROPERTY INFORMATION**

1. Gross area: (all land involved): 0.248 acres, and/or 10,802 sq.ft.
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): \_\_\_\_\_ acres, and/or \_\_\_\_\_ sq. ft.
3. Total length of streets included: 73 ft., and/or \_\_\_\_\_ miles.
4. Total number of lots included: 1
5. Average lot size included: 73' x 148'
6. Existing land use: Convenience Store
7. Existing Zoning (circle all that apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8  
C-17 C-17L C-34 LM M
8. Proposed Zoning (circle all the apply): R-1 P-3 R-5 R-8 R-12 R-17 MH-8  
C-17 C-17 C-34 LM M

*Nice*

**JUSTIFICATION**

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

Please use this space to state the reason(s) for the requested zone change.

Appropriate Comprehensive Plan goals and policies should be included in your reasons.

WOULD LIKE TO CONTINUE COMMERCIAL USE PROVIDING A STORE FOR THE NEIGHBORHOOD. POSSIBLY A SANDWICH STORE OR A VARIETY OF THAT.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on, August 20, 2007, and there being present a person requesting approval of ITEM ZC-12-07, a request for a zone change from R-12 (residential at 12 units per gross acre) to NC (Neighborhood Commercial)

LOCATION: +/- 10,802 sq. ft. parcel at 1036 North 15th Street

APPLICANT: Puran Singh

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

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

- B1. That the existing land uses are residential - single-family, duplex and multi-family, commercial – retail sales, civic and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established
- B3. That the zoning is R-12 (residential at 12 units per gross acre)
- B4. That the notice of public hearing was published on, August 4, 2007, and, August 14, 2007, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, August 11, 2007, which fulfills the proper legal requirement.
- B6. That 67 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, August 3, 2007, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on August 20, 2007.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

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

**Criteria to consider for B9:**

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

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

**Criteria to consider for B10:**

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

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

**Criteria to consider for B11:**

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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **PURAN SINGH** 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 Luttrupp	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

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

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

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

---

CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION  
STAFF REPORT**

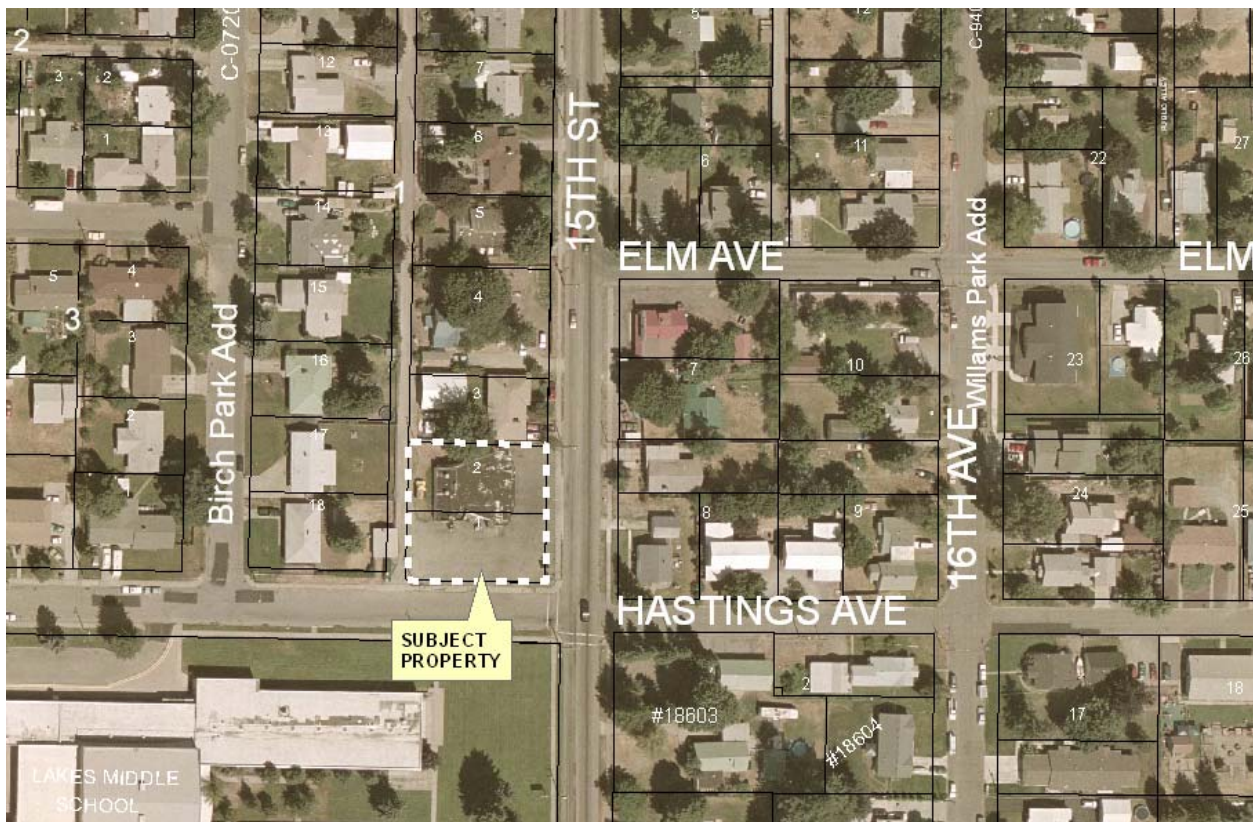
FROM: JOHN J. STAMOS, SENIOR PLANNER  
DATE: AUGUST 20, 2007  
SUBJECT: ZC-13-07 – ZONE CHANGE FROM R-12 TO NC  
LOCATION – +/- 16,204 SQ. FT. PARCEL AT 1003 NORTH 15TH STREET

**DECISION POINT:**

Singh & Singh Partnership is requesting a zone change from R-12 (residential at 12 units per gross acre) to NC (Neighborhood Commercial) at 1003 North 15th Street.

**SITE PHOTOS:**

A. Aerial photo



B. Convenience store on subject property.

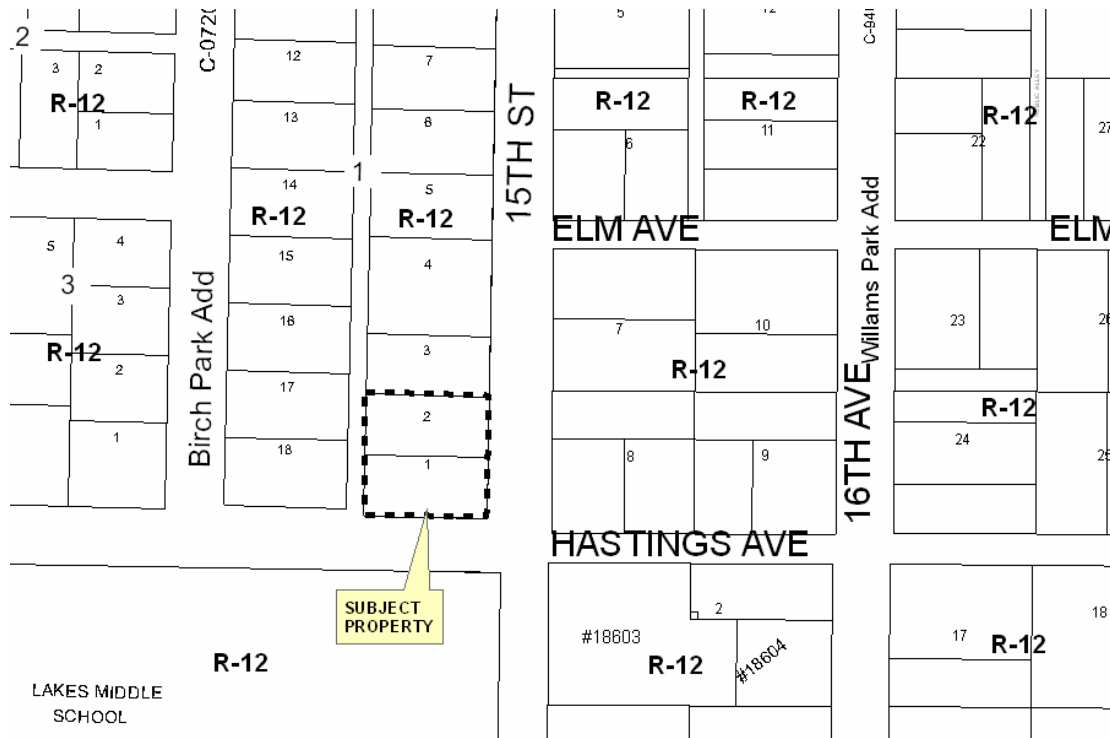


C. Looking north on 15th Street.

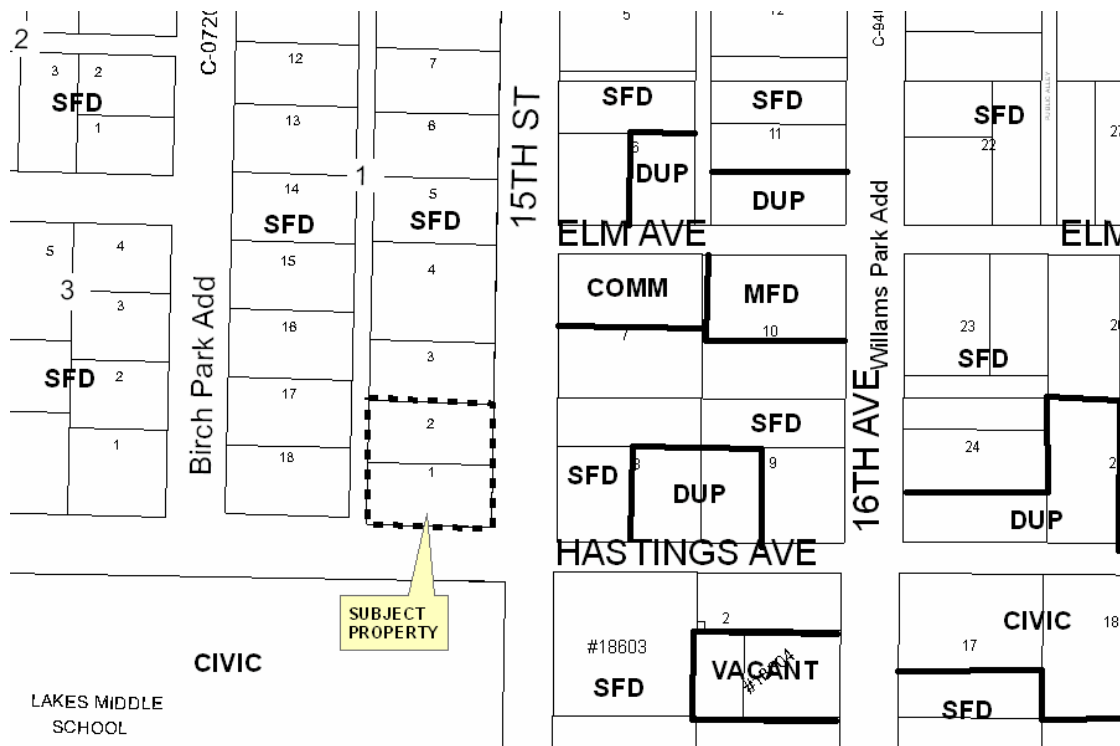


**GENERAL INFORMATION:**

**A. Zoning:**



**B. Generalized land use pattern:**



- C. Applicant: Singh & Singh Partnership  
Owner 4297 North Echo Glen  
Coeur d'Alene, ID 83815
- D. Land uses in the area include residential - single-family, duplex and multi-family, commercial – retail sales, civic and vacant land.
- E. The subject property is occupied by a convenience store that that has been on the subject property since 1964 and is a non-conforming activity in the R-12 zoning district (Convenience sales are allowed in the R-12 zone by Special Use Permit). Other commercial uses are prohibited in residential zones.

**PERFORMANCE ANALYSIS:**

- A. Zoning:

Approval of the zone change request would intensify the potential uses on the property by allowing commercial retail sales and service uses on a parcel that only allows residential and civic uses. This use and the convenience store across the street are the only two commercial uses along 15th Street between Sherman Avenue and Avista, just north of the I-90 freeway. Also, there is no commercial zoning along this same length of 15th Street.

It would also bring the existing nonconforming activity into conformance with the zoning ordinance with respect to use but not in terms of facility requirements such as parking, landscaping and swale requirements. Any expansion, alteration or addition of the facility would require compliance with the above items.

**Neighborhood Commercial District:**

The Neighborhood Commercial District is intended to allow for the location of enterprises that mainly serve the immediate surrounding residential area and that provide a scale and character that are compatible with residential buildings. It is expected that most customers would reach the businesses by walking or bicycling, rather than driving, as follows:

**Principal permitted uses:**

Retail  
Personal Services  
Commercial and Professional Office  
Medical/Dental  
Day Care  
Residential (above the ground floor)  
Parks

**By special use permit:**

Religious Institutions  
Schools

**Prohibited:**

Industrial  
Warehouses  
Outdoor storage or Display of Goods, other than plants  
Mini-storage  
Sales, Repair or Maintenance of Vehicles, Boats, or Equipment

Gasoline Service Stations  
Detention facilities  
Commercial Parking

**Maximum Building Height:**

32 feet

**Maximum Floor Area Ratio:**

Non-Residential: 1.0  
Total: 1.5

**Maximum Floor Area;**

4,000 sq. ft. for Retail Uses  
8,000 sq. ft. for all Non-Residential Uses

**Minimum Parking:**

3 stalls per 1000 sq. ft. of non-residential floor area  
1.5 stalls per dwelling unit

**Setbacks from any adjacent Residential District:**

8 inches of horizontal distance for every foot of building height.

**Limited Hours of Operation:**

Any use within this district shall only be open for business between 6am and 10pm.

**Screening along any adjacent Residential District:**

Minimum 10 foot wide planting strip containing evergreen trees  
(Trees to be at least 15 feet tall at time of planting, and no more than 25 feet apart)

**Landscaping:**

One tree for every 8 surface parking stalls.  
(Trees shall be at least 15 feet tall at time of planting)

**Design Standards:**

- a. At least 50% of any first floor wall facing an arterial street shall be glass.
- b. If a building does not abut the sidewalk, there shall be a walkway between the sidewalk and the primary entrance.
- c. Surface parking should be located to the rear or to the side of the principal building.
- d. Trash areas shall be completely enclosed by a structure of construction similar to the principal building. Dumpsters shall have rubber lids.
- e. Buildings shall be designed with a residential character, including elements such as pitched roofs, lap siding, and wide window trim.



- f. Lighting greater than 1 footcandle is prohibited. All lighting fixtures shall be a “cut-off” design to prevent spillover.
- g. Wall-mounted signs are preferred, but monument signs no higher than 6 feet are allowed. Roof-mounted signs and pole signs are not permitted. \*
- h. Signs shall not be internally lighted, but may be indirectly lighted. \*

\* Sign standards would be incorporated into sign code.

The zoning and land use maps (page 3) show this convenience store and the one at 15th and Hastings as the only two commercial uses or parcels zoned commercial between Sherman Avenue and the Avista facility just north of Interstate 90.

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

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

- 1. The subject property is within the existing city limits.
- 2. The Comprehensive Plan Map designates this area as Stable Established, as follows:

**Stable Established Areas:**

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

- For areas below the freeway, overall buildout density approximately = 5 du/acre. Individual lot size is typically not smaller than 5,500 sq. ft. (12 du/acre).
- Encourage residential when close to jobs and other services.
- Discourage uses that are detrimental to neighboring uses.
- Pedestrian/bicycle connections.
- Encourage vacant lot development that is sensitive to neighboring uses.

**3. In reviewing all projects, the following should be considered:**

Page 28 – All requests for zone changes, special use permits etc., will be made considering, but not limited to:

- 1. The individual characteristics of the site;
- 2. The existing conditions within the area, and
- 3. The goals of the community.

**4. Significant policies for consideration:**

4C: “New growth should enhance the quality and character of existing areas and the general community.”

6A: “Promote the orderly development of land use at locations that are compatible

with public facilities and adjacent land uses.”

6A2: “Encourage high-intensity commercial development, including professional offices, to concentrate in existing areas so as to minimize negative influences on adjacent land uses, such as traffic congestion, parking and noise.

6A3: “Commercial development should be limited to collector and arterial streets.”

46A: “Provide for the safe and efficient circulation of vehicular traffic.”

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

51A5: “Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects.”

62A: “Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects.”

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

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

WATER:

Water is available to the subject property.

Evaluation: The specified property is bordered by a 12” main on two sides and currently has an existing domestic service. Additional services can be available.

Terry Pickel, Assistant Water Superintendent

SEWER:

Public sewer is available.

Evaluation: Public sewer is available in both 15<sup>th</sup> Avenue and Elm Street. Both lines are of adequate capacity to support the applicants request for this zone change and no known capacity issues have been noted with the existing store.

Don Keil, Assistant Wastewater Superintendent

STORMWATER:

The subject property is currently developed, however, if the site is altered, stormwater issues will be addressed at that time.

TRAFFIC:

The ITE Trip Generation Manual estimates the project (if gas pumps were installed) may generate approximately 18.5 trips/fueling station during the peak hour periods. This could result in up to 74

total trips during peak hours for a two pump set up with four fueling stations.

Evaluation: Traffic counts from 2006 on Fifteenth Street (completed by Idaho Transportation Dept.) show 7,203 and 5,872 vehicles north and southbound respectively at the 15<sup>th</sup> & Penn intersection. The 15<sup>th</sup> Street and Hastings Avenue intersection (which the use adjoins) is very congested during the school year in the A.M. and P.M. periods. Increasing the use on the subject property may result in additional congestion of the intersection.

**STREETS:**

The subject property is bordered by 15<sup>th</sup> Street to the east and Hastings Avenue to the south. The current right-of-way width for 15<sup>th</sup> Street and Hastings Avenue meet City standards.

Evaluation: No alterations to the adjoining streets are planned at this time.

SUBMITTED BY CHRIS BATES, ENGINEERING PROJECT MANAGER

**FIRE:**

Prior to any site development, the Fire Department will address issues such as water supply, fire hydrants and access.

Submitted by Brian Halverson, Fire Inspector

**POLICE:**

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

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

The subject property is level with no significant topographic features.

Evaluation: There are no physical limitations to future development.

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

The subject property is located on 15th Street, which is an arterial street. The existing convenience store is a nonconforming use, was established many years ago and is located adjacent to a residential neighborhood.

Evaluation: The Planning Commission must determine if commercial zoning is appropriate in this location and setting.

**F. Proposed conditions:**

None.

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

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

**ACTION ALTERNATIVES:**

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

[F:staffrptsZC1307]

**STAMSOS, JOHN**

---

**From:** John Corcoran [johncorcoran@remax.net]  
**Sent:** Wednesday, July 18, 2007 8:40 AM  
**To:** STAMSOS, JOHN  
**Subject:** File # ZC 1307

John,

Ive discussed the change our application from C-17 to NC with my clients on Taj C Store. They are in agreement that NC would be their desired zone change.

Thank you in Advance,

John

**PROPERTY INFORMATION**

1. Gross area: (all land involved): 0.372 acres, and/or 16,204 sq.ft.
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): \_\_\_\_\_ acres, and/or \_\_\_\_\_ sq. ft.
3. Total length of streets included: 127 ft., and/or \_\_\_\_\_ miles.
4. Total number of lots included: 2
5. Average lot size included: 64' x 127.5
6. Existing land use: Convenience Store
7. Existing Zoning (circle all that apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8  
C-17 C-17L C-34 LM M
8. Proposed Zoning (circle all the apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8  
C-17 C-17L C-34 LM M

**JUSTIFICATION**

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

Please use this space to state the reason(s) for the requested zone change.

Appropriate Comprehensive Plan goals and policies should be included in your reasons.

THE LOCATION IS PERFECT FOR A CONVENIENCE STORE WITH A GAS STATION THAT WOULD BE AN EVENTUAL GOAL.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on, August 20, 2007, and there being present a person requesting approval of ITEM ZC-13-07, a request for a zone change from R-12 (residential at 12 units per gross acre) to NC (Neighborhood Commercial)

LOCATION: +/- 16,204 sq. ft. parcel at 1003 North 15th Street

APPLICANT: Singh & Singh Partnership

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

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

- B1. That the existing land uses are residential - single-family, duplex and multi-family, commercial – retail sales, civic and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established
- B3. That the zoning is R-12 (residential at 12 units per gross acre)
- B4. That the notice of public hearing was published on, August 4, 2007, and, August 14, 2007, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, August 11, 2007, which fulfills the proper legal requirement.
- B6. That 61 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, August 3, 2007, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on August 20, 2007.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:



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

**Criteria to consider for B9:**

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

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

**Criteria to consider for B10:**

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

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

**Criteria to consider for B11:**

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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **SINGH AND SINGH PARTNERSHIP** 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 Luttrupp	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

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

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

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

---

CHAIRMAN JOHN BRUNING

Date: August 20, 2007

To: Planning Commission

From: David Yadon, Planning Director

Subject: **Item O-1-07 C Amendment to Zoning Code** – Infill Development DO-E, Boundary

**Decision Point**

The Planning Commission is asked to consider amending the DO-E (Design Overlay – East) boundary

**History**

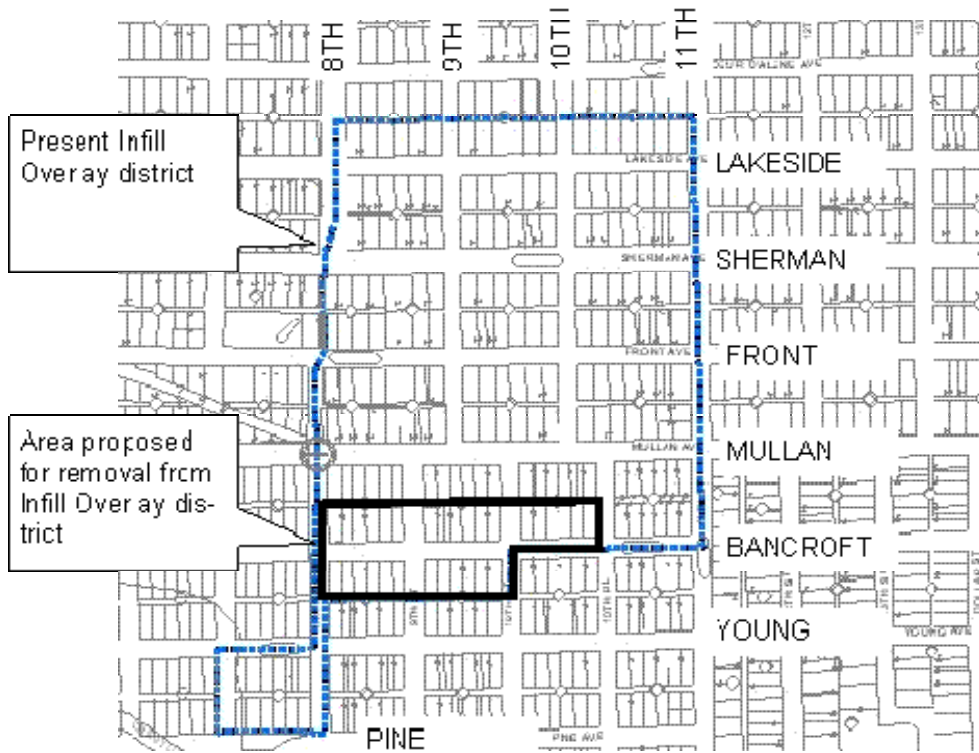
The City Council previously approved two amendments to the regulations concerning allowed heights and a roof pitch design guideline. Following that decision, the council directed staff to set up a series of workshops on the East Mullan Infill Overlay regulations to bring all interested parties to the table to address their concerns

The City Council, Planning Commission, Design Review Commission and neighborhood residents recently met with consultant Mark Hinshaw to review the merit of suggested changes to the DO-E (Design Overlay – East) infill district.

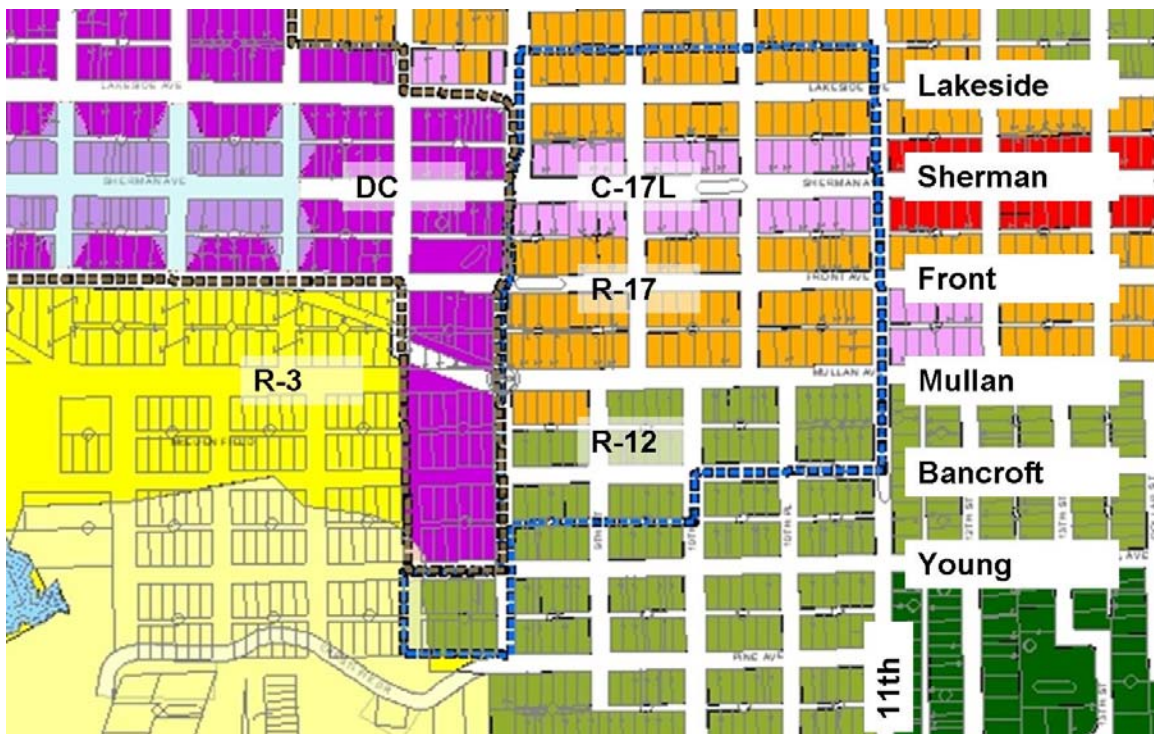
The extent of the district boundary was discussed focusing on the amount of R-12 zoned property currently within the southern portion of the district. Mr. Hinshaw advised that where you draw the boundary is always a difficult decision and that the council could consider reducing the area covered by the infill regulations.

The council asked that the boundary issue be placed on a separate track that would proceed now and that staff bring back a proposal of other issues for consideration at a future workshop prior public hearing.

The following map depicts the proposed boundary change:



The underlying zoning:



**Financial Analysis**

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

**Performance Analysis**

Comprehensive Plan policies applicable to this issue include: 51A, 63D1, D12, D16, 64D16, 65.

**Quality of Life Analysis**

The amendment is intended to protect existing neighborhood housing within and adjacent to the (Design Overlay – East)

**Decision Point Recommendation**

The Planning Commission is asked to consider the proposed amendment.



**УШУН - ШУН ШУН**

# 2007 Planning Commission Priorities Progress

AUGUST 2007

<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." <b>Note: The PC is encouraged to select what "color" is appropriate.</b></p>		
<b>Administration of the Commission's Business</b>		
<ul style="list-style-type: none"> <li>▪ Follow-up of Commission requests &amp; comments</li> </ul>		Mayor response to letter to CC on workforce housing rec by PC
<ul style="list-style-type: none"> <li>▪ Meeting with other boards and committees</li> </ul>		Park/rec Comm workshop 6/07. Sign Bd 06, CC 3/07
<ul style="list-style-type: none"> <li>▪ Goal achievement</li> </ul>		Checklist of projects w/updated 2/07
<ul style="list-style-type: none"> <li>▪ Building Heart Awards</li> </ul>		Discussed 7/06 No awards will be given.
<ul style="list-style-type: none"> <li>• Speakers</li> </ul>		Wastewater & LCDC completed
<ul style="list-style-type: none"> <li>• Public Hearings</li> </ul>		September 11, 1 item Comprehensive Plan
<b>Long Range Planning</b>		
<ul style="list-style-type: none"> <li>▪ <b>Comprehensive Plan Update</b></li> </ul>		Public Hearing scheduled September 11th
<b>Public Hearing Management</b>		
<ul style="list-style-type: none"> <li>▪ Continued work on Findings and Motions</li> </ul>		Warren and Plg staff to review
<ul style="list-style-type: none"> <li>▪ Public hearing scheduling</li> </ul>		Chrman Bruning consulted on agenda
<b>Regulation Development</b>		
<b>1. Subdivision Standards</b>		Pending – some research begun
<b>2. Revise Landscaping Regulations</b>		w/Urban Forestry
<b>3. Expansion of Design Review</b>		w/ Design Review Commission CC & PC wkshps completed. Legal reviewing/developing draft ord.
<b>4. Commercial Zoning Districts</b>		Hgts/Commercial Zoning study of E Sherman assigned by council.
<b>5. Off-Street Parking Standards</b>		
<b>6. Workforce &amp; Affordable Housing</b>		City staff & consultant working on various aspects ie Community Development Block Grant.
<b>Misc Zoning Ord. Updates</b>		
<ul style="list-style-type: none"> <li>• Non-Conforming Use Reg cleanup</li> <li>• Average Finish Grade</li> <li>• Screening of rooftop equipment</li> <li>• Mediation – state law</li> <li>• Planned Unit Development Standards</li> <li>• Lighting</li> <li>• Surface Water, Irrigation – ID law</li> <li>• Re-codification or re-org to Unified Development Code</li> </ul>		Fort Grounds Example, research begun  CC Approved 5/1       Research begun
<b>Other Code Provisions under Development Supported by Commission</b>		
<ul style="list-style-type: none"> <li>• Variance criteria</li> <li>• Design Review Procedure</li> <li>• Downtown Design Review – cleanup</li> <li>• Height Projections</li> </ul>		CC approved hgt 5/1 Procedure developed. Wkshop w/CC TBA 6/07 Draft prepared. Wkshp w/downtown TBA
<b>Other Action</b>		
Infill East Revisions		Public Hearing scheduled 8-20-07 on approval for a modification to the East Infill Boundary (O-1-07c)

**The Seattle Times**

seattletimes.com

Wednesday, June 13, 2007 - 12:00 AM

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## Walkability helps older adults stay healthy, studies say

**By Marsha King**  
*Seattle Times staff reporter*

The speed limit is 25 mph in front of Elizabeth Grein's house in Kent, but at times you'd never know it. Drivers use her street as a shortcut and sometimes take the corner so fast she has almost been hit twice going to the mailbox.

"We don't have sidewalks, and so I don't feel safe walking," says Grein, 70, who has had two knee replacements since she retired from various jobs and from volunteering in the public school district.

In contrast, Fordie Ross goes on a three- to four-mile walk almost daily around his Beacon Hill neighborhood, where every street has sidewalks and intersections have stop signs.

"Safe? Oh, yes. I've never had any safety problems," says the 93-year-old Ross, a retired food-bank director who wears a hearing aid.

Such dramatically different attitudes about taking a simple walk matter a lot these days as the nation wrestles with one of its biggest public-health challenges: how to keep older adults healthy, active and living independently at home as long as they can.

Until now, the main strategy has been through programs that emphasize exercise, nutrition and managing chronic disease. Or to fit a home with so-called universal-design features such as bathtub grab bars.

But studies are starting to show a neighborhood's walkability — how well its streets connect and whether it has sidewalks, nearby shopping and welcoming public places — helps or hinders how well its residents age.

"We're pretty confident at this point that a part of healthy aging is independence and actually being able to get places without relying on other people," said Larry Frank, an expert on urban land use and an associate professor at the University of British Columbia. Frank is helping complete several research studies on the link between physical activity and neighborhoods in King County.

The connection between environment and function in older adults is prompting collaborations across the country — among urban planners, university researchers, public-health officials and citizen activists. What's happening in the Puget Sound area is at the heart of the effort.

"We've come to the conclusion if you build things so that people can live their whole lives in a place and still be



DEAN RUTZ / THE SEATTLE TIMES

It's a steep climb up the sidewalk to 93-year-old Fordie Ross' home in Beacon Hill. His walking is currently part of a Stanford University study that attempts to find the impact of community on healthy aging.



active, then you don't have to retrofit and rebuild and start all over again," said Rosemary Cunningham, strategic planning manager with the city of Seattle's Aging and Disability Services.

### **Making changes**

Real change, however early or small, is occurring in places such as Bainbridge Island, where the City Council is starting to write standards that look at everything from the width of sidewalks and streets to how close buildings can be to curbs.

Priority will be placed on connecting streets to each other so people can actually walk, rather than drive, to destinations such as the grocery store.

The city has installed new highway signs that read "Bainbridge Shares the Road," with illustrations that encourage drivers to watch out for pedestrians, cyclists, equestrians and people using wheelchairs.

"If you design things for people with difficulties, you're actually making them work for everybody," said Bainbridge activist Don Willott, a member of the non-motorized transportation advisory committee. "A runner benefits from a sidewalk that doesn't dip down at driveways, the same as someone using a walker."

In Seattle, the redeveloped Northgate neighborhood — home to a few retirement communities — will be safer to walk. A new, 141-unit senior residence will be connected by pathways to retail shops and the transit center. The perspective of older adults and children also will be included in the city's soon-to-be written pedestrian master plan.

But even so, "We've got a lot more to do to make the city accessible," said Seattle City Councilman Tom Rasmussen.

### **Moving more**

Twice last year, for a full week each time, Elizabeth Grein and Fordie Ross wore pager-sized devices on their hips that recorded their every step — from walking to the fridge to getting the mail and going to the grocery store.

They also had to keep logs and answer questions about their emotions and attitudes about aging, exercise and work around the house.

It was all part of a four-year research project involving about 1,000 older adults in the King County and Baltimore areas and funded by the National Institutes of Health.

The goal is to find out whether seniors who live in walkable communities are more physically able to get out of the house and, once they're outside, have a destination they can get to safely.

"The more we can understand about this interplay between people's neighborhood and their health behavior, the more we'll be able to optimize neighborhoods," said Abby King, the study's principal investigator and a professor at Stanford University.

Stanford is conducting the study along with San Diego State University and the University of Washington. Larry Frank's team is a major collaborator.

Grein says if her Kent neighborhood had sidewalks, she probably would get out and walk. But just participating in the study has helped.

"If I want to live a better quality of life, I've got to move more," she said. "Nobody can give that one to you. You have to work for it."

So she exercises more inside, has started gardening and hopes to participate in a fundraising walk.

Ross simply expects to keep up the good work. He has been sick in bed only two days in his life and expects to feel as fine tomorrow as he did today.

Besides the exercise, walking gives him an excuse to scope out the neighbors' yards and chat with them along the way.

"Ninety percent of the people I observe are friendly. ... And you know it makes your walking easier, because it takes the task off your mind," he said.

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