

PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS

AUGUST 22, 2006

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, George, Jordan, Rasor, Messina, Souza,

PUBLIC COMMENTS:

COMMISSION COMMENTS:

STAFF COMMENTS:

ADMINISTRATIVE:

1. Applicant: Sheldon Jackson, Pend Oreille Associates, LLC
Location: 3836 N. Fruitland Lane
Request: Proposed 2-lot preliminary plat "Bosanko Plaza"
SHORT PLAT, (SS-21-06)
2. Applicant: City of Coeur d'Alene
Request: Determination of spacing for the landscaping plan
for the Lake City Community Church
ADMINISTRATIVE, (LS-1-06)

PUBLIC HEARINGS:

1. Applicant: Thomas Walsh
Location: 1027 Sherman Avenue
Request: A proposed 9-foot variance to increase the
building height from 38 to 47 feet.
QUASI-JUDICIAL, (V-2-06)
2. Applicant: Becky Randles
Location: 307 Haycraft
Request: Proposed zone change from R-12 (Residential at 12 units/acre)
to C-17L (Commercial Limited)
QUASI-JUDICIAL, (ZC-9-06)
3. Applicant: Lake City Community Church
Location: 6000 N. Ramsey Road
Request: A proposed Religious Assembly special use permit
in the R-12 (Residential at 12 units/acre) zoning district
QUASI-JUDICIAL, (SP-11-98m)

4. Applicant: Riverstone West LLC & Riverstone Center, LLC
Location: 1650, 1651 and 1751 Main Street
Request: A proposed variance to allow an increase in height of approximately 9-feet above what is allowed in the R-17 zoning district.
QUASI-JUDICIAL, (V-3-06)
5. Applicant: City of Coeur d'Alene
Request: Cluster housing Regulations
LEGISLATIVE, (O-3-06)

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 22, 2006
SUBJECT: **SS-21-06, Bosanko Plaza**

DECISION POINT

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

GENERAL INFORMATION

1. Applicant: Sheldon Jackson
Pend Oreille Associates, LLC
406 E. 14th St
Spokane, WA 99202
2. Request: Approval of a two (2) lot commercial development.

Lot 1: 24,892 square feet
Lot 2: 33,724 square feet
3. Location: Southwest corner of Bosanko Avenue and US Hwy. 95.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is C-17 which is intended to be a broad spectrum commercial district that includes limited service, wholesale/retail and heavy commercial in addition to allowing residential development at 17 units/acre.
2. Land Use: There is a commercial building (auto service facility) located on Lot 1, and, Lot 2 has a car wash facility under construction.

Infrastructure: Utilities, Streets, & Storm Water Facilities

Utilities: Sewer & Water

Sewer and water service is available to both lots.

Streets: The public streets adjoining the subject property are fully developed. Final street section requirements (sidewalk) were addressed on the building permit for the subject property.

Fire: There is an existing fire hydrant adjacent to the subject property that meets the criteria of the City Fire Department.

Storm Water: Street drainage is managed by the existing stormwater facilities in the adjoining street and the buildings drain into the on-site landscaping and parking lot drainage swales.

Proposed Conditions:

None

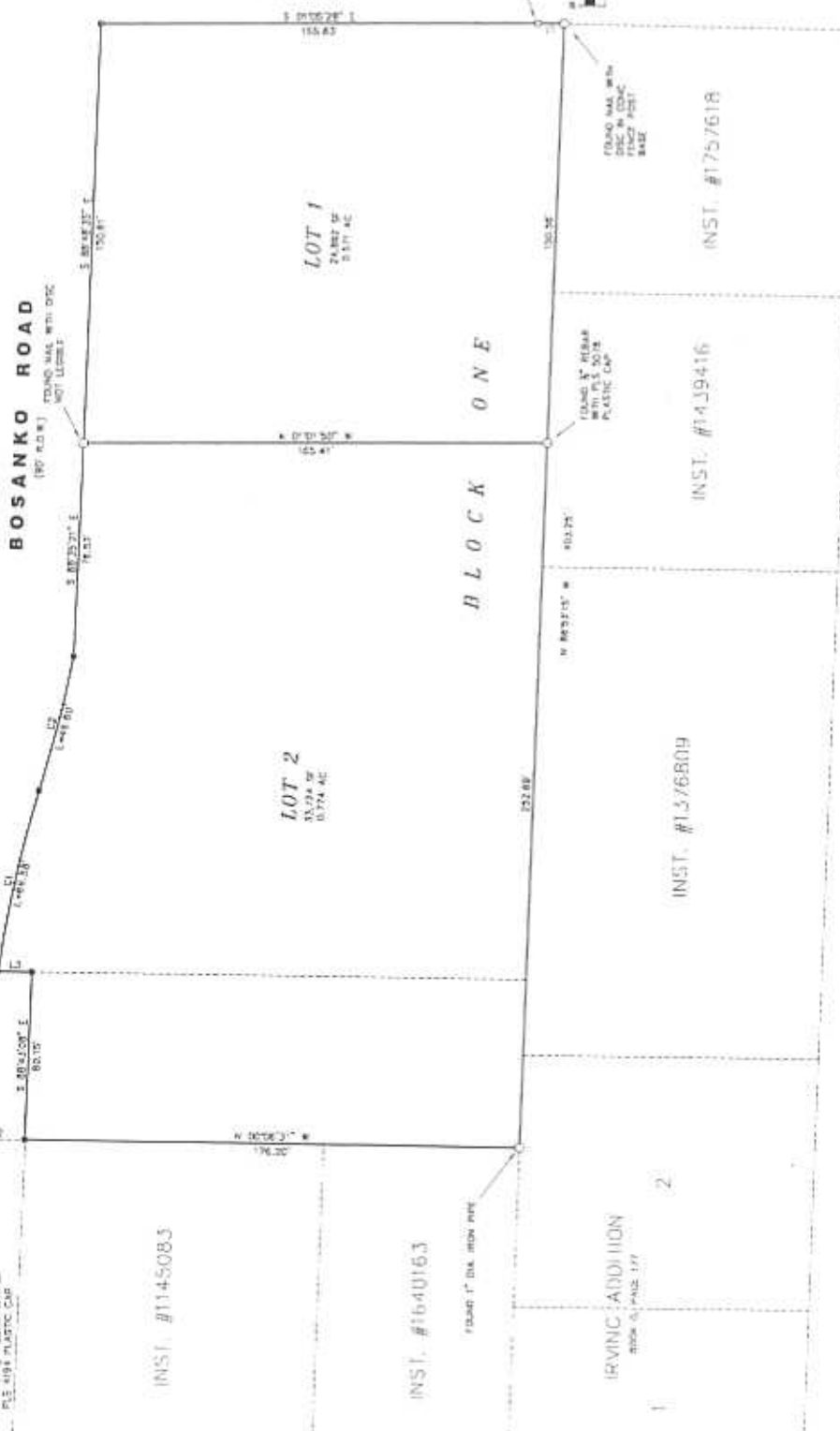
ss2106pc

DECISION POINT RECOMMENDATION

Approve the proposed subdivision plat in its submitted configuration.

BOSANKO PLAZA

A PORTION OF TRACT 7B OF FRUITLAND ADDITION TO THE CITY OF COEUR D'ALENE, IN THE NE 1/4 SEC. 2, T.50N., R.4W., B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



US HIGHWAY 95
(120 R.O.W.)



LEGEND
 9 P.L.S. CORNERS AS NOTED
 0 FOUND SURVEY PINS AS NOTED
 ● SET 3/8" REBAR WITH PVC CAP MARKED "PLS 5189"
 ● SET 1/4" NAIL AND DISC MARKED "PLS 5189"
 ● FOUND R.O.W. MONUMENT

BASIS OF BEARING
 NORTH LINE OF ACS SEC. 3 - PER CITY OF COEUR D'ALENE
 HAD 1935 ADJUSTMENT - S 89°45'7"E

REFERENCES
 RECORD OF SURVEY - BOOK 17, PAGE 195
 RECORDED COPY OF SURVEY - BOOK 19, PAGE 280
 PLAN OF RECORDED SECTION - BOOK 4, PAGE 42



LINE LENGTH	BEARING
1.37	S 89°45'7" W
1.5	S 89°45'21" W
1.5	N 89°45'31" W

CURVE LENGTH	RADIUS	TANGENT DIST.	DELTA	BEARING	CHORD
1.5	100.00	1.49	17°15'00"	S 72°30'00" W	0.48
1.5	100.00	1.49	17°15'00"	N 72°30'00" W	0.48



PLAT OF
 BOSANKO PLAZA

SCALE 1" = 30'
 DRAWN BY DWL
 DATE 11/15/08

2-SON-1W M46

FRANK & SMETANA, P.A.
 Consulting Engineers

1 OF 2

**PLANNING COMMISSION
STAFF REPORT**

FROM: PLANNING STAFF
DATE: **AUGUST 22, 2006**
SUBJECT: LS-1-06 – DETERMINE AMOUNT AND SPACING OF PARKING LOT LANDSCAPING
FOR LAKE CITY COMMUNITY CHURCH .
LOCATION – 6000 NORTH RAMSEY, ACROSS FROM LAKE CITY HIGH SCHOOL

DECISION POINT:

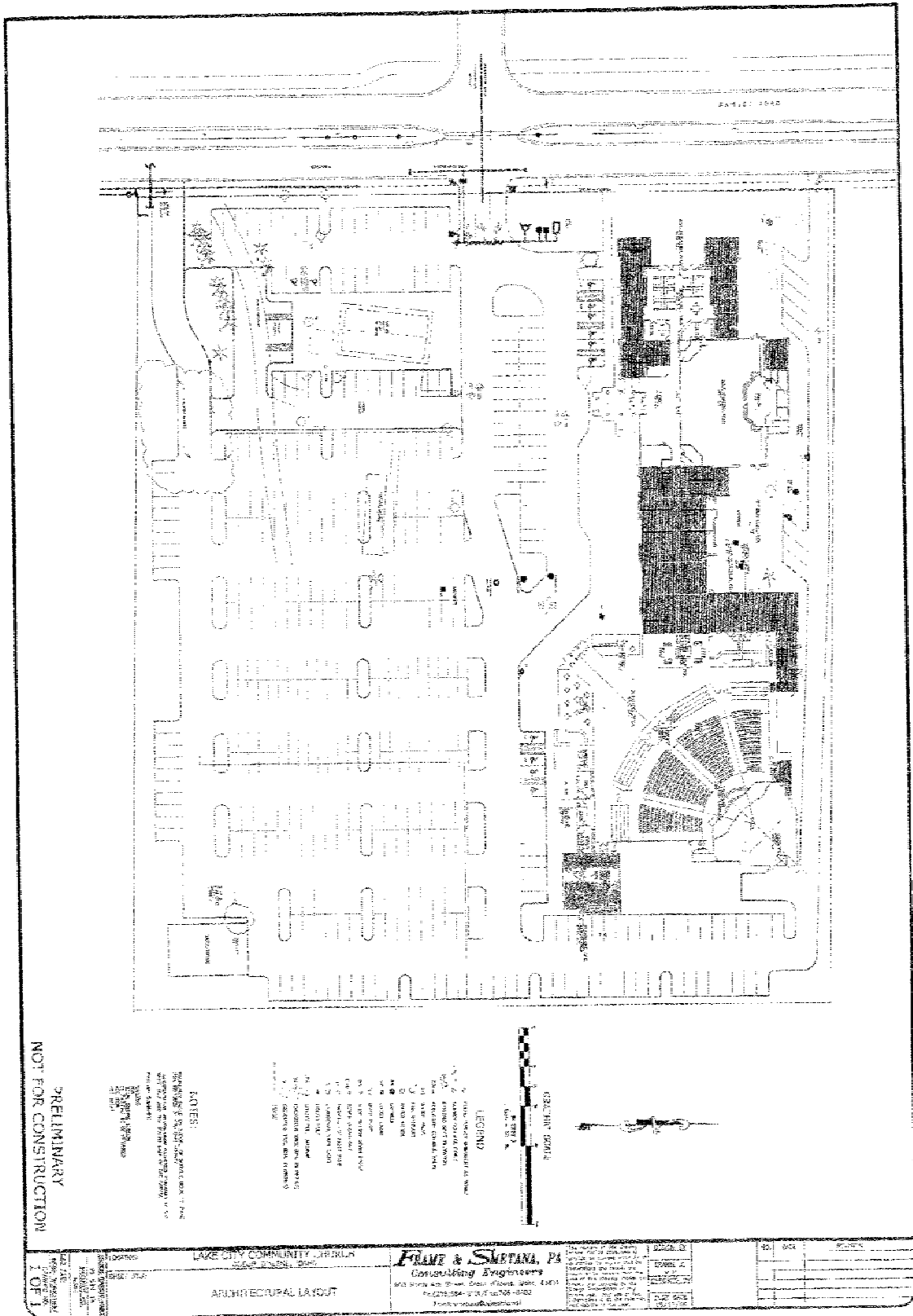
Lake City Community Church is requesting Planning Commission approval of the amount and spacing of landscaping for a parking lot in excess of 300 spaces, pursuant to Section 17.06.835E of the Zoning Ordinance (environmental landscaping, requirements for parking lots).

GENERAL INFORMATION:

- A. Site photo



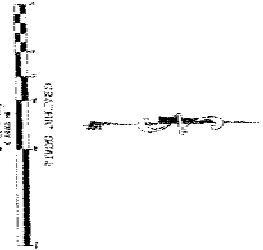
B. Site plan:



PRELIMINARY
 NOT FOR CONSTRUCTION

NOTES:
 1. THIS DRAWING IS TO BE USED IN CONJUNCTION WITH THE SITE PLAN AND THE SITE PLAN SHALL BE THE GOVERNING DOCUMENT.
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE LATEST EDITIONS OF THE INTERNATIONAL PLUMBING CODE (IPC).
 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODE (IMC) AND THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC).
 4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE CODE (IFC) AND THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC).
 5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL SAFETY CODE (ISC) AND THE LATEST EDITIONS OF THE INTERNATIONAL SAFETY AND HEALTH CODE (ISHC).

- LEGEND**
- 1. EXISTING CONSTRUCTION
 - 2. NEW CONSTRUCTION
 - 3. EXISTING CONSTRUCTION TO REMAIN
 - 4. EXISTING CONSTRUCTION TO BE DEMOLISHED
 - 5. EXISTING CONSTRUCTION TO BE RECONSTRUCTED
 - 6. EXISTING CONSTRUCTION TO BE REFINISHED
 - 7. EXISTING CONSTRUCTION TO BE REPAIRED
 - 8. EXISTING CONSTRUCTION TO BE RESTORED
 - 9. EXISTING CONSTRUCTION TO BE REFINISHED AND RESTORED
 - 10. EXISTING CONSTRUCTION TO BE REFINISHED AND REPAIRED
 - 11. EXISTING CONSTRUCTION TO BE REFINISHED AND RESTORED AND REPAIRED
 - 12. EXISTING CONSTRUCTION TO BE REFINISHED AND RESTORED AND REPAIRED AND RESTORED



LAKE CITY COMMUNITY CENTER ARCHITECTURAL LAYOUT		FRANK & SMETANA, PA Consulting Engineers 1000 North 10th Street, Suite 1000, Erie, PA 16501 Tel: 814-833-1234 Fax: 814-833-5678 frank@frankandsmetana.com		SHEET NO. PROJECT NO. DATE	DRAWN BY CHECKED BY DATE	APPROVED BY DATE
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- C. Applicant: Lake City Community Church
6000 Ramsey Road
Coeur d'Alene, ID 83814
- E. The applicant has submitted a site plan showing a parking lot with 424 spaces.
- F. The subject property has an existing buffer on the south side between the residential uses and the existing church.

PERFORMANCE ANALYSIS:

- A. The intent of the Landscaping Regulations as they pertain to parking lots is to mitigate the impact of noise, glare, sun, and air pollution through the use of landscaping.

For parking lots containing more than 300 spaces, the Planning Commission must approve the landscaping plan as follows:

1. The amount of landscaping provided.
2. Spacing (maximum distance between landscaped areas).

- B. The standards the Planning Commission must use are in Section 17.06.835.E, as follows:

For parking lots with more than three hundred 300 parking spaces, the Planning Commission shall determine the amount and spacing of landscaping required up to a maximum not to exceed 2% additional area per each 100 additional cars or fraction thereof, and no parking space shall be more than 100 feet from a landscaped area.

- C. For the proposed plan showing 424 parking spaces, there would be a minimum of 9158 sq. ft. of parking lot landscaping required with a maximum spacing between landscaped areas of 100 feet.

- D. The proposed plan shows approximately 42,689 sq. ft. of landscaping contained in planter islands, perimeter landscaping and swale areas. Landscape islands contain approximately 10,272 sq. ft. (See site plan)

The plan layout shows all parking spaces to be no more than 65 feet from landscaping. The landscape design utilizes 10 ft. By 30 ft. planter islands within parking rows, islands at the end of parking rows, 5 to 8 foot wide landscaped areas around the perimeter of the parking lot and large landscaped areas throughout the site to be used for swales.

- E. In summary, the proposed plan:

1. Exceeds the minimum amount of required landscaping by approximately a 5 to 1 margin.
2. The 100-foot requirement for distance from landscaping is met throughout the parking lot.

ACTION ALTERNATIVES:

The Planning Commission must consider this request and by simple motion approve, deny or continue the item for further study. Findings are not required.

[D:staffrptsLS102]

**PLANNING COMMISSION
STAFF REPORT**

FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER
DATE: AUGUST 8, 2006
SUBJECT: V-2-06 - 9-FOOT HEIGHT VARIANCE IN THE DOWNTOWN EAST INFILL OVERLAY DISTRICT IN THE C-17L ZONE
LOCATION – +/- 9,790 SQ. FT. PARCEL AT THE NORTHWEST CORNER OF 11TH STREET AND SHERMAN AVENUE.

DECISION POINT:

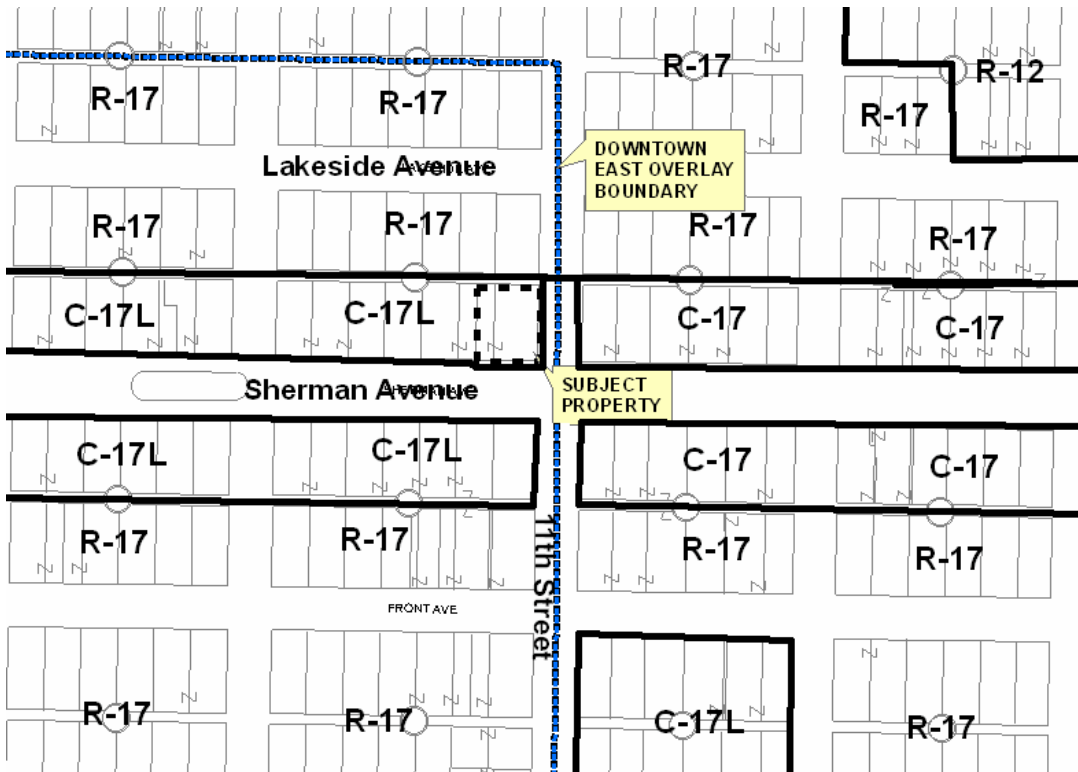
Thomas G. Walsh, is requesting approval of a 9 foot height variance from the allowed height of 38 feet for principal structures in the Downtown East Overlay District in the C-17L (Commercial Limited at 17 units/acre) zoning district to allow construction of a 47 foot tall mixed use building. (Commercial and Residential condominiums)

GENERAL INFORMATION:

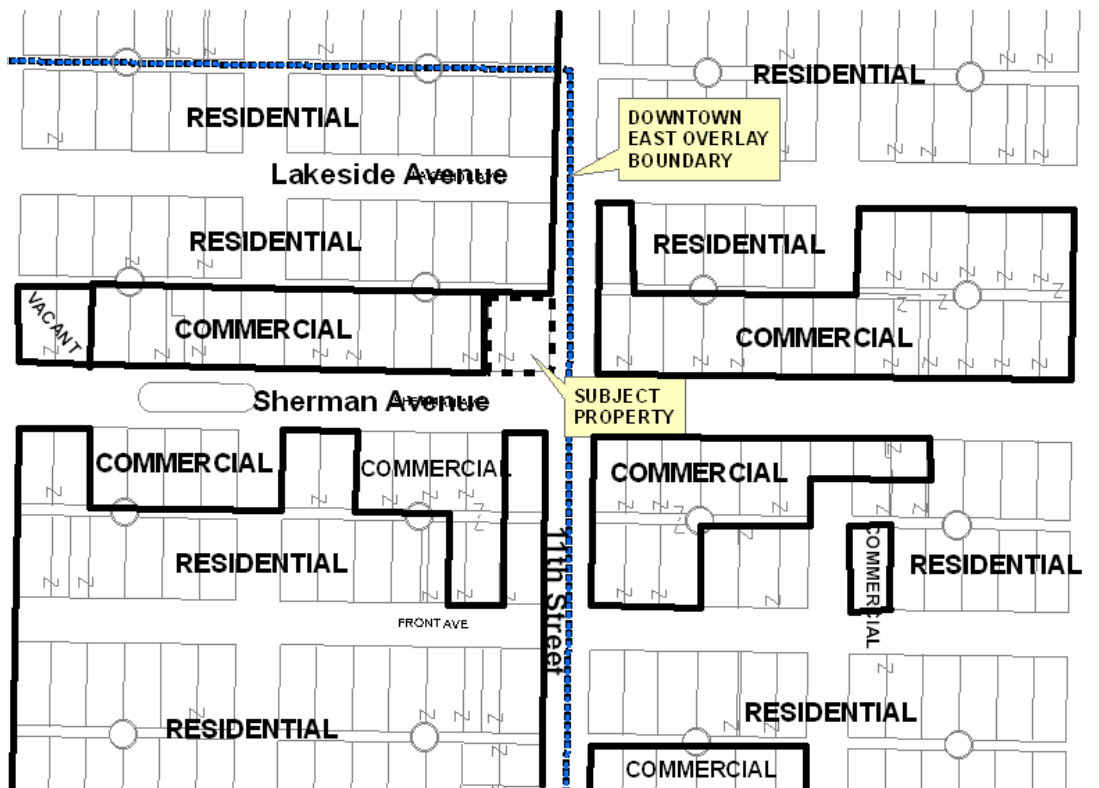
- A. Site photo



B. Zoning:

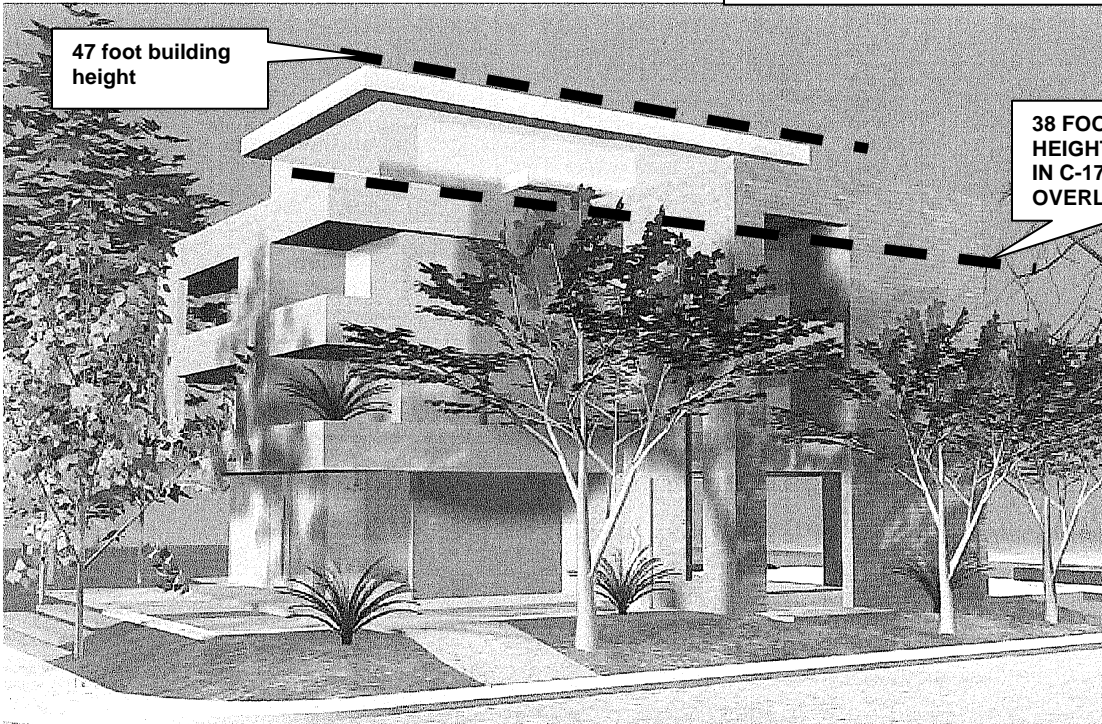


C. Generalized land use pattern:



The visual impact of the 9 feet above the 38 foot allowable height is what you must consider in making your decision on this variance request

D. Building elevation - 11th Street

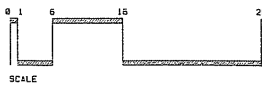
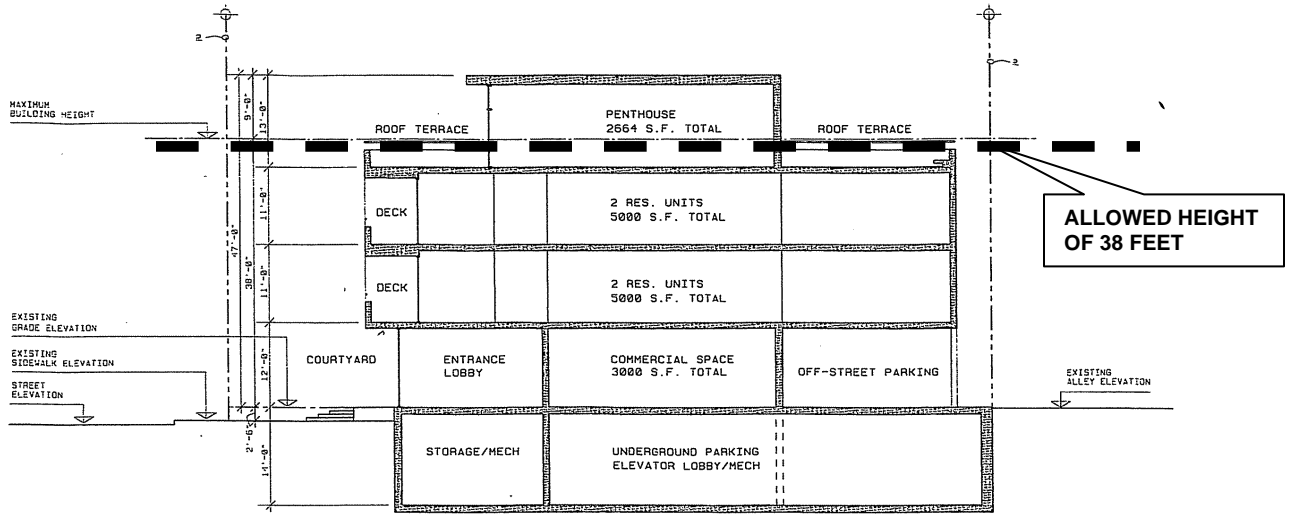


47 foot building height

38 FOOT MAXIMUM HEIGHT ALLOWED IN C-17L DOE OVERLAY ZONE

E. Building elevation:

Building height 47 feet to penthouse

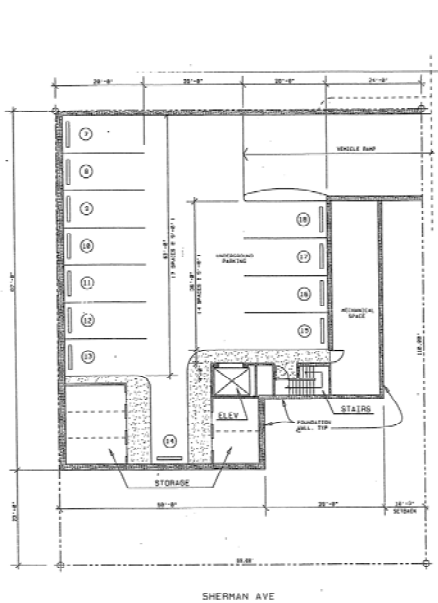


SCHEMATIC BUILDING SECTION

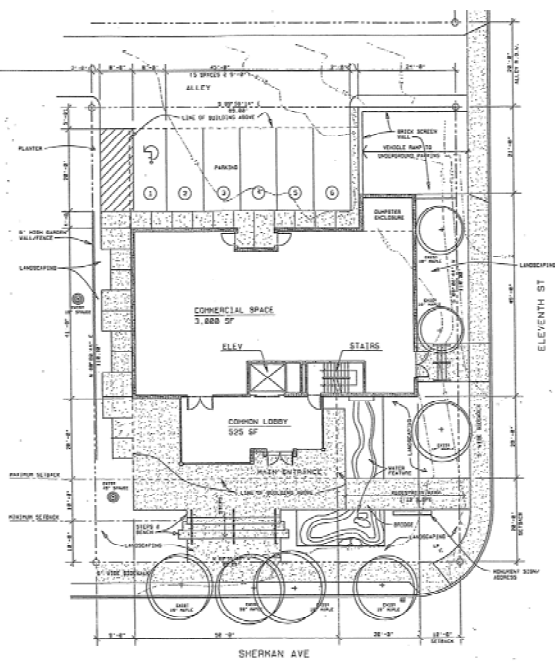
MAPLEWOOD

1027 SHERMAN AVENUE, COEUR D'ALENE, IDAHO

F. Site plan for your information



SCHEMATIC LOWER LEVEL PLAN



SCHEMATIC SITE/FLOOR PLAN



MAPLEWOOD

1027 SHERMAN AVENUE, COEUR D'ALENE, IDAHO

G. Existing building on subject property



H. East on Sherman Avenue.



I. West on Sherman Avenue - north side.



J. Applicant: Thomas G. Walsh
Owner 1027 Sherman Avenue
Coeur d'Alene, ID 83814

K. Land uses in the area include residential - single-family, duplex, Multi-family and commercial sales and service.

M. The subject property contains a dental office.

PERFORMANCE ANALYSIS:

A. Zoning:

The purpose and intent of the Infill Regulations adopted by the City Council in 2004, is as follows:

To establish infill overlay districts and to prescribe procedures whereby the development of lands within these infill overlay districts can occur in a manner that will encourage infill development while protecting the surrounding neighborhoods. It is the intent of these development standards to encourage a sensitive form of development and to allow for a reasonable use that complements the visual character and the nature of the city.

B. Required Findings:

The subject property is zoned C-17L and within the Downtown East Infill Overlay District. Principal structures in the DO-E district can only exceed the maximum allowed height of 38 feet upon findings that:

1. The structure may be safely erected and maintained at such height considering surrounding conditions and circumstances, and

2. The structure will not impose major adverse environmental and specifically adverse visual impacts.

C. **Finding #1: The Structure may be safely erected and maintained at such height considering surrounding conditions and circumstances.**

The structure must be designed by an Idaho licensed architect to the requirements of the International Building Code.

D. **Finding #2: The structure will/will not impose major adverse environmental, and specifically, adverse visual impacts.**

In the area surrounding the subject property, there is a mix of single-family, multi-family and commercial buildings none taller than approximately 35 feet.

The subject property is at the edge of the DO-E Overlay District boundary and adjacent to R-17 and C-17 zoning districts. Here are the allowable heights in zones adjacent to the subject property:

- To the north - R-17DO-E - 38-feet.
- To the east - R-17 - 43 3/4-feet.
- To the east - C-17 - residential - 43 3/4-feet and commercial - none.
- To the south - C-17LDO-E - 38-feet
- To the west - C-17DO-E - 38-feet.

In determining if the proposed 93 foot height of the structure will impose a major adverse environmental/visual impact, the Commission can only consider the impact of that portion of the structure over 38 foot, which is the allowed height in the DO-E overlay district.

Evaluation: The proposed building would be 55 feet or 4 stories taller than the 38 foot maximum allowed in the DO-E Overlay District.

E. **Comprehensive Plan Policies:**

Significant Comprehensive Plan policies for consideration:

- 4C: New growth should enhance the quality and character of existing areas and the general community.
- 4C3: Population growth should be compatible with preserving Coeur d'Alene's character and quality of life.
- 42A: The development of Coeur d'Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, effects and goals of citizens.
- 42A2: Property rights of citizens should be protected in land use decisions.
- 51A: Protect and preserve neighborhoods, both old and new.
- 51A1: Residential areas should be protected and preserved.
- 51A5: "Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects."
- 52B: "Promote a high standard of landscaping, building design and community development."

F. Proposed Conditions:

None.

G. Ordinances and Standards Used in Evaluation:

Comprehensive Plan – Amended 1995.

Municipal Code

Idaho Code

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:pcstaffrptsV106]

JUSTIFICATION:

Proposed Activity Group; Multiple Family Residential (Condominium) & Administrative & Professional offices

Attach site and/or building plans which illustrate the request.

A variance may be requested from a provision of the zoning ordinance with respect to a modification of the requirements of lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other provisions affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots.

A variance shall not be considered a right or special privilege, but may be granted only upon a showing of undue hardship because of characteristics of the site and that the granting of a variance rests with the applicant. Prior to approving a variance, the Planning Commission is required to make Findings of Fact. Findings of Fact represent the official determination of the Planning Commission and specify why the special use permit is granted. The **BURDEN OF PROOF** for why the variance is necessary rests on the applicant. Your narrative should address the following points:

A. A description of your request; A variance to allow an increase in the maximum allowable building height from 38 feet to 47 feet from finish grade.

B. The undue hardship caused by the physical characteristics of the site;
The subject property is a 89'x110' (9,790 SF) corner lot located at 11th St. & Sherman Ave. Site constraints require a small building footprint in order to preserve large trees and large corner cut-off area for open space.

C. The compatibility of this request with the public interest;
An increase in building height will provide more lot area for landscaped open space with public amenities including water feature, preservation of grand scale trees, landscaped court yard, street scape features, alley enhancements and underground parking.

D. Any other justifications that you feel are important and should be considered by the Planning Commission. This project would be a good example of mixed use in fill development that encourages a "live, work,walk" philosophy. The additional 9 foot height increase would occur at a penthouse level that is stepped back from the building perimeter or edge that is less than 38 feet in height. A stepped back penthouse level provides space meeting allowable building floor area while minimizing impact of building height and providing landscaped open space for resident and public benefit.

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

A. INTRODUCTION

This matter having come before the Planning Commission on, August 8, 2006, and continued to August 22, 2006, there being present a person requesting approval of a 9 foot height variance from the allowed height of 38 feet for principal structures in the Downtown East Overlay District in the C-17L (Commercial Limited at 17 units/acre) zoning district

LOCATION: +/- 9,790 sq. ft. parcel at the northwest corner of 11th Street and Sherman Avenue.

APPLICANT: Thomas G. Walsh

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

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

- B1. That the existing land uses are residential - single-family, duplex, Multi-family and commercial sales and service.
- 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, July 22, 2006, and, August 1, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, July 31, 2006, which fulfills the proper legal requirement.
- B6. That 54 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, July 21, 2006, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on August 22, 2006.

B8. Pursuant to Section 17.06.330, Exceptions to height maximums by variance, a variance may be granted when:

B8A. The structure may be safely erected and maintained at such height considering surrounding conditions and circumstances.

B8B. The structure will not impose major adverse environmental and specifically adverse visual impacts.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **THOMAS G. WALSH** for a variance, 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 George	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. STAMSOS, ASSOCIATE PLANNER
DATE: AUGUST 22, 2006
SUBJECT: ZC-9-06 – ZONE CHANGE FROM R-12 TO C-17L
LOCATION: +/- 10,367 SQ. FT. PARCEL AT 307 W. HAYCRAFT AVENUE

DECISION POINT:

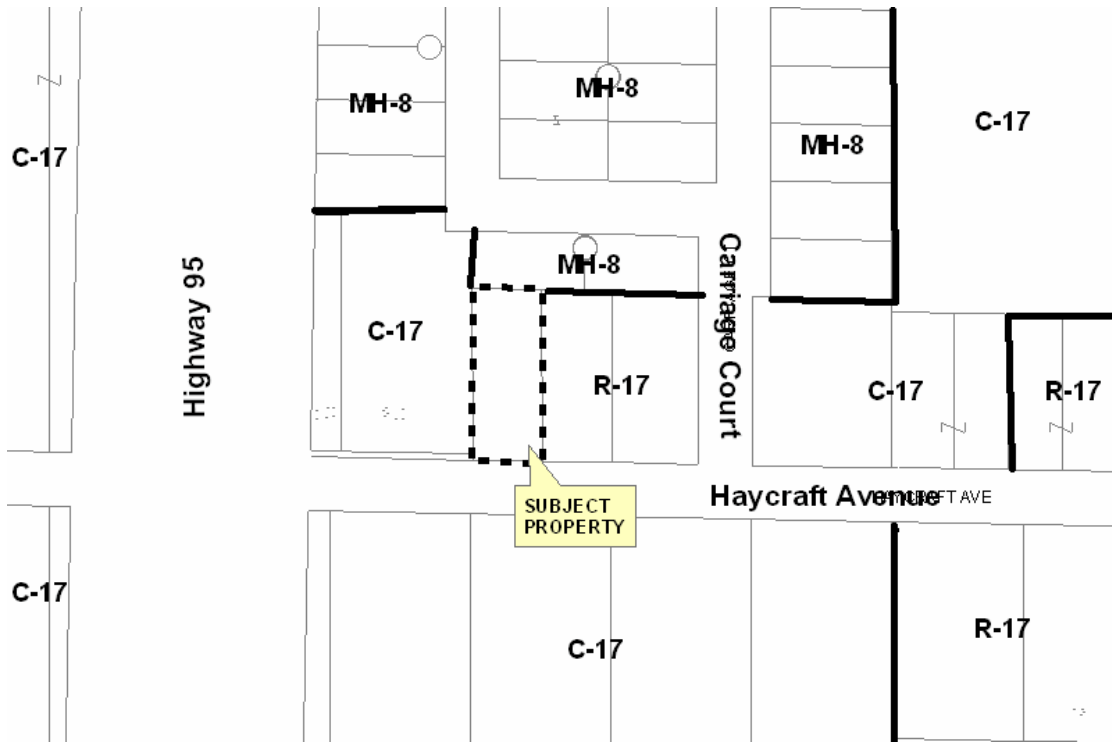
Becky Rundles is requesting a Zone Change from R-12 (residential at 12 units per gross acre) to C-17L (Commercial Limited at 17 units/acre) at 307 West Haycraft Avenue.

GENERAL INFORMATION:

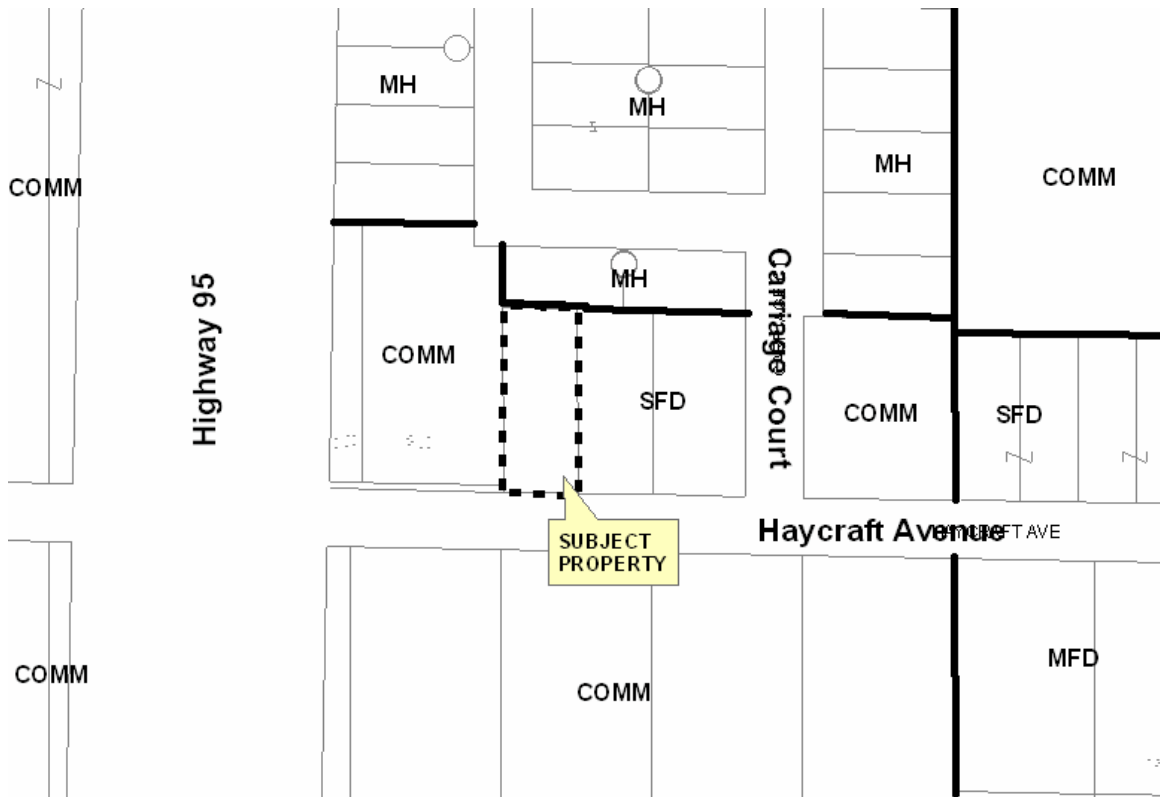
- A. Site photo



B. Zoning:



C. Generalized land use pattern:



- D. Applicant: Becky Randles c/o Holiday Companies
6744 W. Eden Court
Rathdrum, ID 83858
- E. Owner: Elmer O. Nipp
307 W. Haycraft Avenue
Coeur d' Alene, ID 83814
- F. Land uses in the area include residential - single-family, mobile homes and multi-family, commercial – retail sales and service, and vacant land.
- G. The subject property contains a single-family dwelling.

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: There are no existing services listed for this address but there is a 6” main in Haycraft and an 8” main running down the west property line of lot 12.

Submitted by Terry Pickel, Assistant Water Superintendent

SEWER:

Sewer is available in Haycraft Avenue.

Evaluation: Public sewer is available and of adequate capacity to support this zone change request.

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. This will be addressed at the time of permit submittal on the subject property.

TRAFFIC:

Although there is no change in the proposed use at this time this proposed re-zoning would, in theory, allow other uses that could generate additional traffic.

Evaluation: 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 on the south and US Hwy 95 on the west.

Evaluation: The streets adjoining the subject property are fully developed with no changes required at this time. Should the applicant submit a building permit or site development permit for the subject property, development issues would be subsequently addressed.

APPLICABLE CODES AND POLICIES:

UTILITIES

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

STREETS

3. Any required street improvements shall be constructed prior to issuance of building permits.
4. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

STORMWATER

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

Submitted by CHRIS BATES, ENGINEERING PROJECT MANAGER

FIRE:

The standard Fire Dept. issues of access, water supplies, etc. will be addressed at the plan review phase. However, the bigger issue is the ability of the Fire Dept. (and other city services) to meet the increased demands on services such developments bring to the table, without increasing personnel and equipment.

Submitted by Dan Cochran, Deputy Fire Chief

POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

- D. **Finding #B10: That the physical characteristics of the site (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.**

In the applicant's narrative, the indicated use is to provide land in order to expand the existing

parking lot and improve access for the convenience store on the adjoining property. This will affect traffic on Haycraft Avenue which is in an area of mixed commercial and residential uses.

Evaluation: With approval of the zone change to C-17L, there will be a more intense use on the subject property that could have an adverse impact on the surrounding neighborhood in terms of increased traffic on Haycraft Avenue and the remaining residences in the area.

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:staffrptsZC906]

PROPERTY INFORMATION

- 1. Gross area: (all land involved): .238 acres, and/or _____ 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: _____ ft., and/or _____ miles.
- 4. Total number of lots included: ONE
- 5. Average lot size included: 65' x 159'
- 6. Existing land use: residential; single dwelling
- 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
BJR

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 land will be used to augment and supplement the parking and access to the existing Holiday Stationstore. The growing number of businesses, in that general area, will also benefit as increased access to Holiday will decrease traffic congestion at Hwy 95 and Haycraft.

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

A. INTRODUCTION

This matter having come before the Planning Commission on August 22, 2006, and there being present a person requesting approval of ITEM ZC-9-06, 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) zoning district.

LOCATION: +/- 10,367 sq. ft. parcel at 307 W. Haycraft Avenue

APPLICANT: Becky Rundles

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, 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 5, 2006, and August 15, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on August 11, 2006, which fulfills the proper legal requirement.
- B6. That 41 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on August 4, 2006, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on August 22, 2006.
- 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 **BECKY RUNDLES** 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 George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Razor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning Voted _____ (tie breaker)

Commissioners _____ were absent.

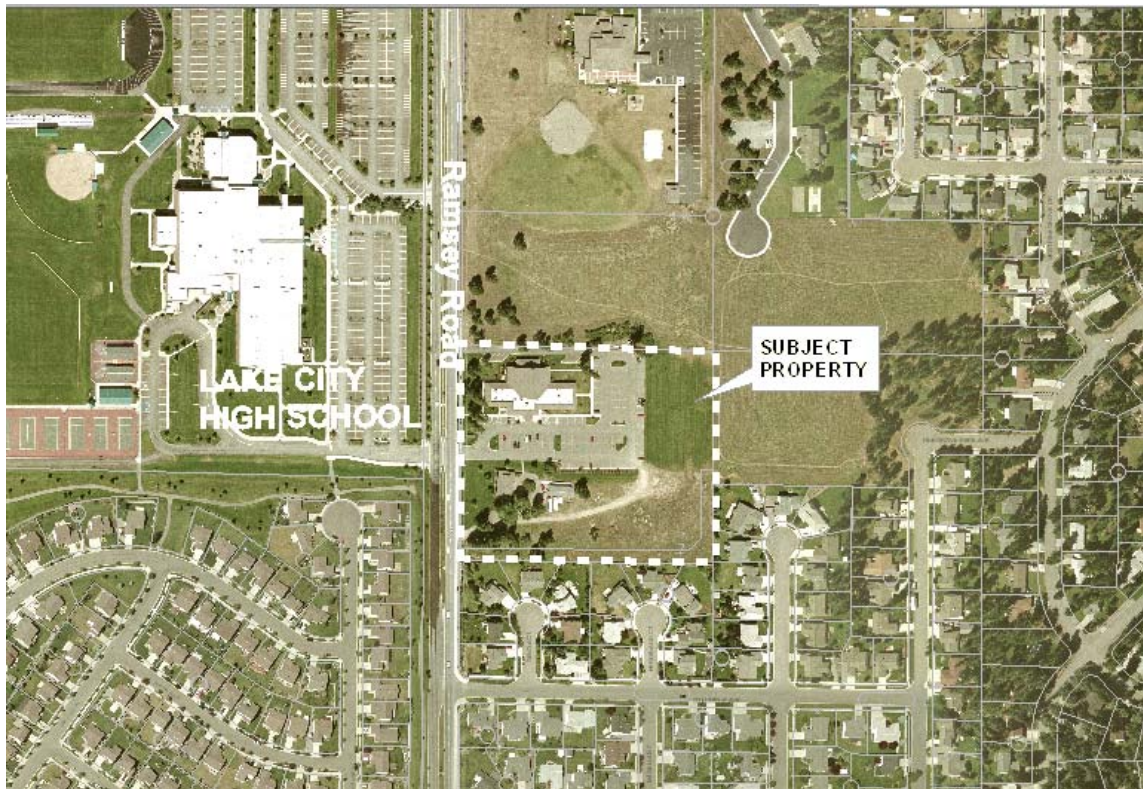
Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION
STAFF REPORT**

FROM: JOHN J. STAMOS, ASSOCIATE PLANNER
DATE: AUGUST 22, 2006
SUBJECT: SP-11-98m – REQUEST TO MODIFY CONDITION # 7 OF SP-11-98
LOCATION: A +/- 7.5 ACRE PARCEL AT 6000 N. RAMSEY ROAD

SITE PHOTO:



DECISION POINT:

Lake City Community Church is requesting to modify condition # 7 of SP-11-98 a Religious Assembly Special Use Permit in the R-12 (Residential at 12 units/acre) zoning district to allow the expansion of the existing church.

The church expansion can only be accomplished if the Planning Commission approves the replacement of the original site plan with the new site plan or removes condition # 7 from the approval of SP-11-98m.

Condition # 7 reads as follows:

"The development conform substantially to the site plan as presented."

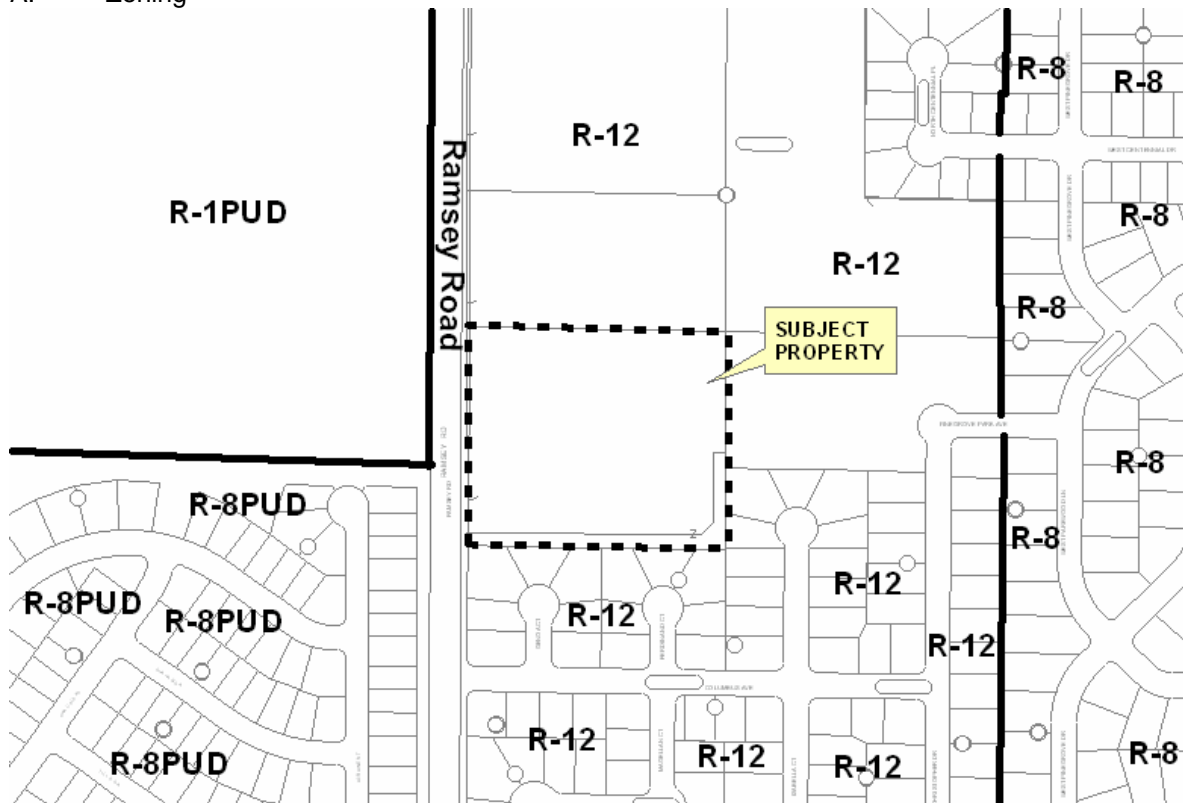
The major changes between the original site plan approved with SP-11-98 and the proposed site plan

submitted with SP-11-98m include:

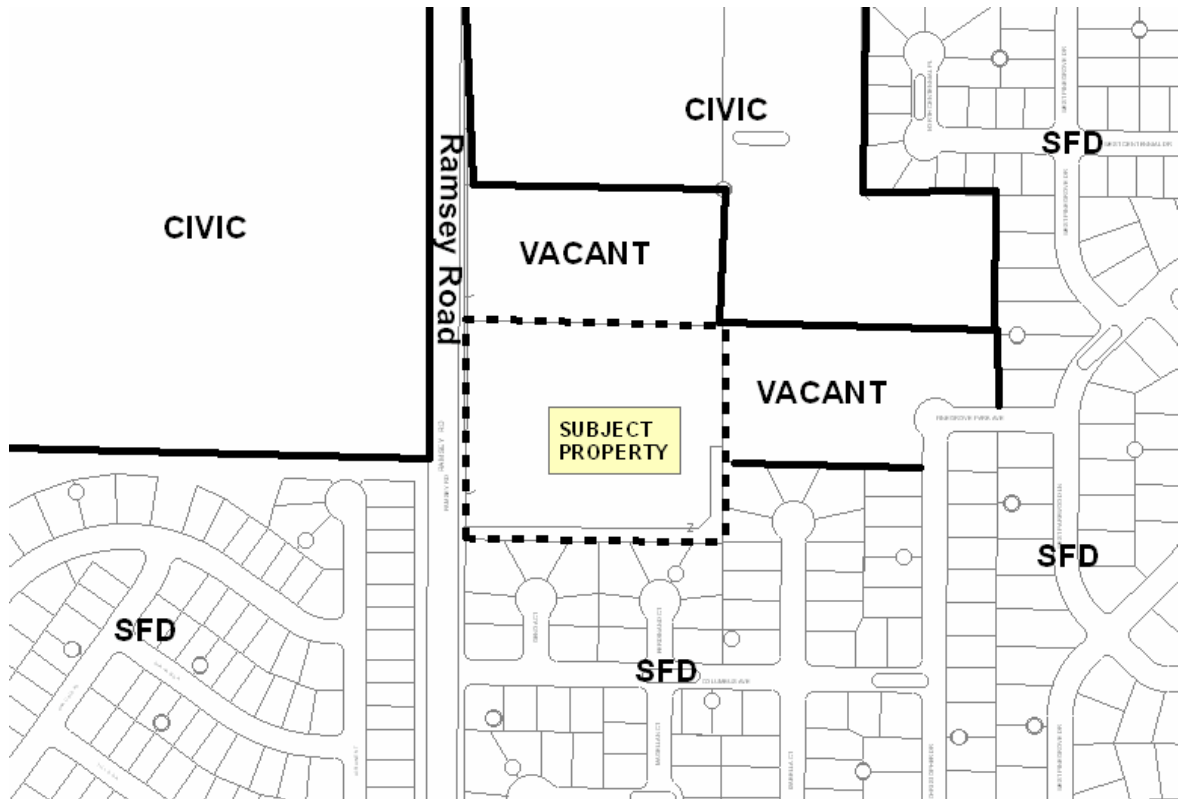
- Expand the existing building from 16,000 sq. ft. to a proposed 61,000 sq. ft. in three phases.
- Expand parking lot from +/- 128 spaces to 424 spaces (Because there are more than 300 spaces, the approval of the parking lot landscaping plan is before the Planning Commission tonight for administrative approval)
- The height of the existing building is +/- 25 feet and the proposed building +/- 40 feet.
- The areas designated for recreation fields and future development will be replaced with the new building and parking lot.
- The existing house will be retained.
- The buffer yard shown in the original plan along the south edge of the parking lot will be replaced by the required buffer yard along the south property line varying in width between 10 feet and 35 feet.

GENERAL INFORMATION:

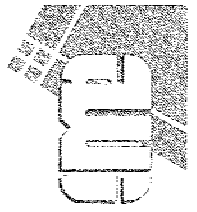
A. Zoning



B. Land use



D. Site plan approved with SP-11-98

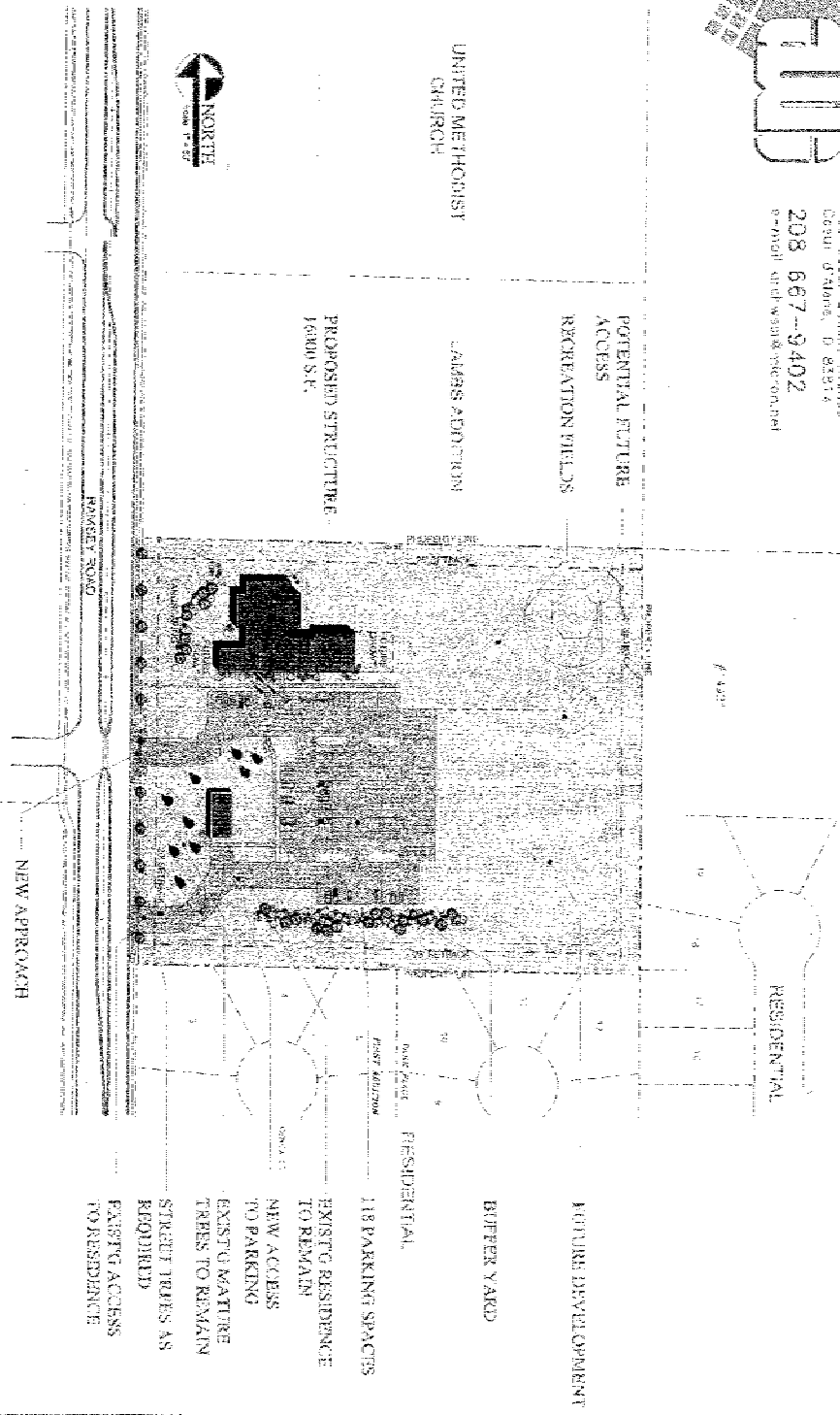


ARCHITECTS WEST Inc.
 403 Cecil D'Alene Avenue
 Coeur d'Alene, ID 83814
 208 667-9402
 e-mail: archwest@archwest.com



NEW LIFE COMMUNITY CHURCH

COEUR D'ALENE, IDAHO



UNITED METHODIST
 CHURCH

LANDS ADDITION

POTENTIAL FUTURE
 ACCESS
 RECREATION FIELDS

PROPOSED STRUCTURE
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NEW APPROACH

SCHREIBER
 PROPERTY

REQUIRE DEVELOPMENT

BUFFER YARD

RESIDENTIAL

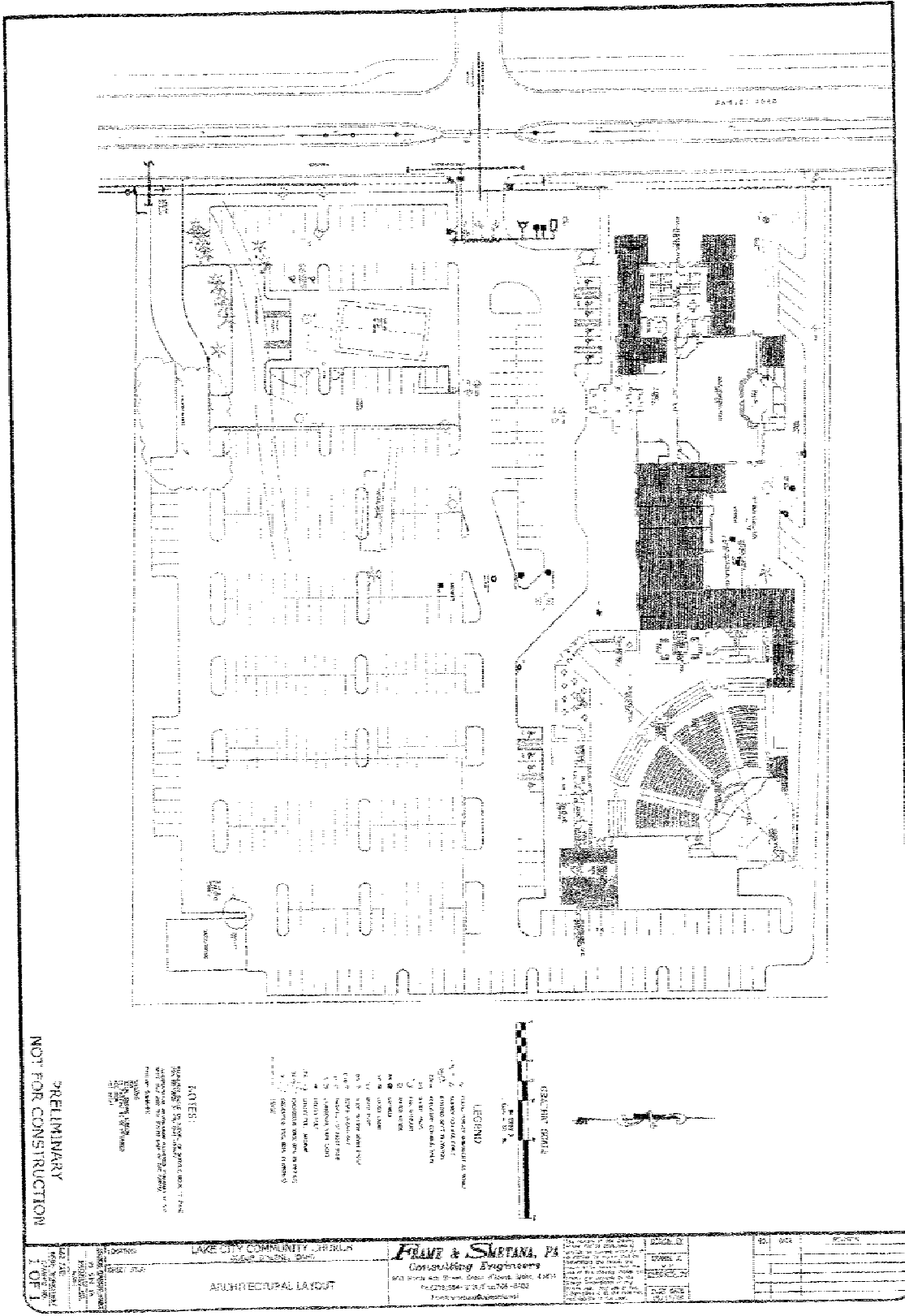
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5. APPROVAL 2. APPROB 3. 1976

E. Proposed site plan



PRELIMINARY
 NOT FOR CONSTRUCTION
 1 OF 3

NOTES:
 1. THIS DRAWING IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION.
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.
 3. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 4. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY THE OWNER OR ANY OTHER PARTY.
 5. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR THE CONSTRUCTION OF ANY WORK NOT SHOWN ON THIS DRAWING.
 6. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR THE PERFORMANCE OF ANY WORK NOT SHOWN ON THIS DRAWING.
 7. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR THE SAFETY OF ANY PERSON OR PROPERTY.
 8. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR THE ENVIRONMENTAL IMPACT OF ANY WORK NOT SHOWN ON THIS DRAWING.
 9. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR THE SOCIAL OR ECONOMIC IMPACT OF ANY WORK NOT SHOWN ON THIS DRAWING.
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 18. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR THE ECONOMIC VIABILITY OF ANY WORK NOT SHOWN ON THIS DRAWING.

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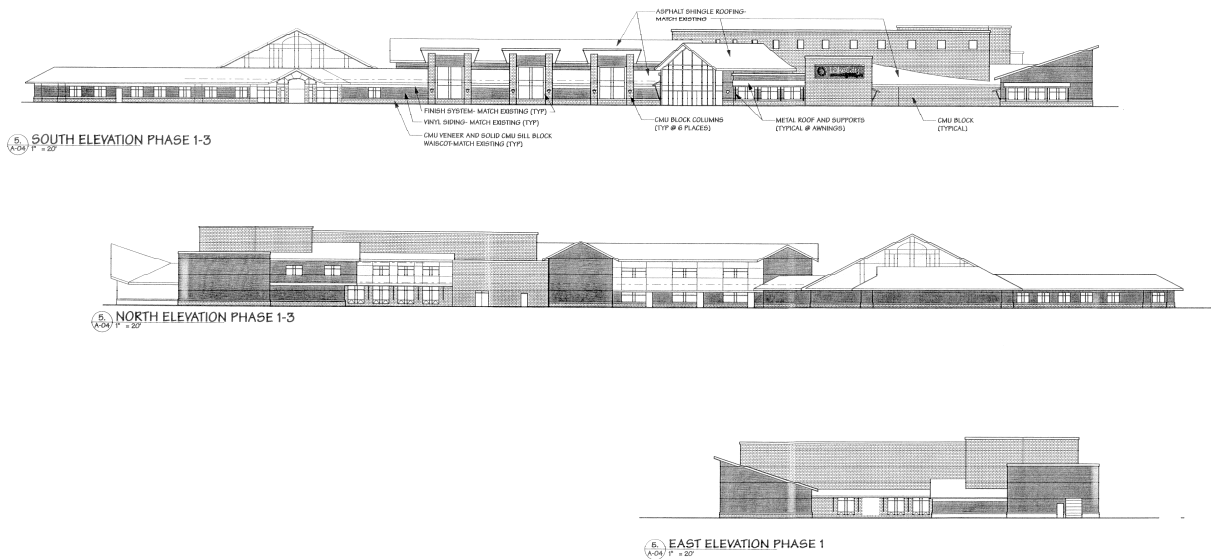


LAKE CITY COMMUNITY CENTER
 ARCHITECTURAL LAYOUT

FRANK & SMETANA, PA
 Consulting Engineers
 1000 W. 10th Street, Suite 2000, Erie, PA 16591
 Tel: 814.338.2200 Fax: 814.338.2202
 Frank@frankandsmetana.com

DATE:	08/22/2006
PROJECT:	LAKE CITY COMMUNITY CENTER
DRAWN BY:	J. SMETANA
CHECKED BY:	F. FRANK
SCALE:	AS SHOWN
PROJECT NO.:	06-001
DRAWING NO.:	06-001-001

E. Elevations for proposed building.



F. Applicant: Lake City Community Church
6000 North Ramsey Road
Coeur d'Alene, ID 83814

F. Existing land uses in the area include residential - single-family, civic and vacant land...

G. The subject property contains a church.

H. Previous actions on the subject property:

1. SP-11-98 – A Religious Assembly Special Use Permit was approved by the Planning Commission on October 13, 1998 with conditions.
2. SP-11-98 - An appeal of the Planning Commission's decision was filed by the applicant on October 16, 1998.
3. SP-11-98 - A Religious Assembly Special Use Permit was approved by the City Council on December 1, 1998 with the following conditions:

Utilities

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

Streets

3. An encroachment permit shall be obtained prior to any work being performed

in the existing right-of-way.

4. Construction of a southbound left turn pocket in the existing median on Ramsey Road at the main entrance to the subject property. Plan submission for approval is required prior to construction.

Stormwater

5. 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.

Subdivision

6. Completion of a subdivision plat for the subject property if Lot 4, Block 1, of Lamb's Addition is being split.

Planning

7. The development conform substantially to the site plan as presented.
8. Outdoor lighting of the playfield shall not be allowed.
9. There shall be no outdoor speakers, pagers, telephones or other amplification devices that would produce unwanted noise in the adjacent residential neighborhood.
10. Lighting of the parking lot shall consist of low-level (one foot candle), and shall be directed inward to the parking area and away from the adjacent residential neighborhood.

Note: When the City Council approved the request, they approved all of the original conditions except for the following condition pertaining to screening:

There shall be a vegetative screen at the boundary of existing residential lots, consisting of 50% evergreen trees not less than 4 feet high and deciduous trees not less than 2" spaced at 20-foot intervals. Evergreen and deciduous shrubs not less than 4 feet high shall also be densely planted at 3-foot centers.

PERFORMANCE ANALYSIS:

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

1. The subject property is within the existing city limits.
2. The Comprehensive Plan Map designates this area as a Transition Area, 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 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.
- Pedestrian/bicycle connections.
- Encourage cluster developments to maintain open space and forest lands.
- Overall buildout density approximately = 3 units/acre. Individual lot size will typically not be smaller than 8,000 sq. ft. (5 units/acre). Higher densities and mixed uses encouraged close to abutting 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.”

15G: “City government should be responsive to the needs and desires of the citizenry.”

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

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

51A: “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.

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

There has been a church on the existing property since 1998. This proposed plan would increase the size and bulk of the existing building, increase the number of parking spaces and provide three access points to Ramsey Road from the property.

The subject property is in a single-family area but has three other significant civic uses in the area including Children's Village and the Methodist Church to the north and Lake City High School across the street.

Evaluation: Based on the information presented, the Planning Commission must determine if the request is compatible with the surrounding area.

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

WATER:

Water is available and adequate to serve the site.

Evaluation: The proposed new facilities will be adequate to supply the proposed site expansion. We have requested that a main be stubbed to the east property line to provide water to the neighboring property. An additional fire loop proposed should provide sufficient water flow. The existing 12" main in Ramsey will adequately supply the entire project.

Comments submitted by Terry Pickel, Assistant Water Superintendent.

SEWER:

Sewer is available in Ramsey Road.

Evaluation: Public sewer is available and of adequate capacity to support this Special Use Permit request.

Comments 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. A stormwater management plan completed by an Idaho licensed landscape architect or engineer is a required component of any permit application for development. The submittal must include a stamped calculation sheet detailing the site analysis. At project completion, percolation test results must be submitted and any swale failing the required test must be reconstructed.

TRAFFIC:

The ITE Trip Generation Manual estimates the project may generate approximately 105 peak hour (10 a.m.- 12 p.m. & 7 p.m.-11 p.m.) trips on weekdays, 253 peak hour (5-8 p.m.) trips on Saturdays, and, 740 trips during the Sunday peak hour period (9 a.m.-1 p.m.)

Evaluation: Due to the "off hour" peak hour periods for a church type facility, the adjacent and/or connecting streets should accommodate the additional

traffic volumes. Southbound traffic leaving the site may have periods of delay, however, the adjacent traffic signal at the intersection of Hanley Avenue and Ramsey Road should provide sufficient gaps that would allow vehicular movement to the south.

STREETS:

1. The subject property is bordered by Ramsey Road on the westerly boundary and the road section is fully developed.

Evaluation: Any street improvements that may be required or necessary will be addressed at the time of site development plan submittal. All new access points must be approved by the City Engineer and, if allowed, must be constructed as urban approaches in order to facilitate turning movements out of or into the traffic flow.

APPLICABLE CODES AND POLICIES:

UTILITIES

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

STREETS

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

STORMWATER

6. 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.

Comments submitted by Chris Bates, Engineering Project Manager

FIRE:

The standard Fire Dept. issues of access, water supplies, etc. will be addressed at the plan review phase. However, the bigger issue is the ability of the Fire Dept. (and other city services) to meet the increased demands on services such developments bring to the table, without increasing personnel and equipment.

Comments submitted by Dan Cochran, Deputy Fire Chief

POLICE:

I have no comments at this time.

Comments submitted by Steve Childers, Captain, Police Department

D. Proposed conditions:

1. All new access points must be approved by the City Engineer and, if allowed, must be constructed as urban approaches in order to facilitate turning movements out of or into the traffic flow.

E. 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.

Coeur d'Alene Bikeways Plan.

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:pcstaffrptsSP1198m]

Justification

Having outgrown its present facility, Lake City Community Church plans a phased building program, adding an approximately 44,800 square foot sanctuary complex, and approximately 33,190 square feet of new and remodeled office/classroom/restroom and ancillary space. In addition, the parking lot will be expanded to accommodate approximately 475 vehicles, with appropriate lighting, landscaping, and storm/snow facilities. Although the site work is anticipated to be completed with Phase One, total build out will occur over a five to ten year period.

The proposed expansion is in response to ever increasing spiritual and secular needs of the community, and will significantly enhance the church's ability to address those needs. The expansion is designed to compliment the existing facility and neighborhood, as well as being located so as to have a minimal impact upon adjoining residential properties. Landscaped buffers have been provided along the entire perimeter, and the parking lot has extensive tree cover planned.

To date, two Pre-application reviews have been conducted by City staff, with no significant obstacles or objections to the proposal brought forth.

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

A. INTRODUCTION

This matter having come before the Planning Commission on August 22, 2006, and there being present a person requesting approval of ITEM SP-11-98m, a request to modify condition # 7 of SP-11-98 a Religious Assembly Special Use Permit in the R-12 (Residential at 12 units/acre) zoning district

LOCATION: A +/- 7.5 acre parcel at 6000 N. Ramsey Road

APPLICANT: Lake City Community Church

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

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

- B1. That the existing land uses are residential - single-family, civic and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is R-12 (Residential at 12 units/acre)
- B4. That the notice of public hearing was published on, August 5, 2006, and, August 15, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, August 10, 2006, which fulfills the proper legal requirement.
- B6. That 54 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on _____ and _____ responses were received: _____ in favor, _____ opposed, and _____ neutral.
- B7. That public testimony was heard on August 22, 2006.

B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

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

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

Criteria to consider for B8B:

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

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

Criteria to consider B8C:

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

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **LAKE CITY COMMUNITY CHURCH** for a Religious Assembly special use permit, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Razor	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**

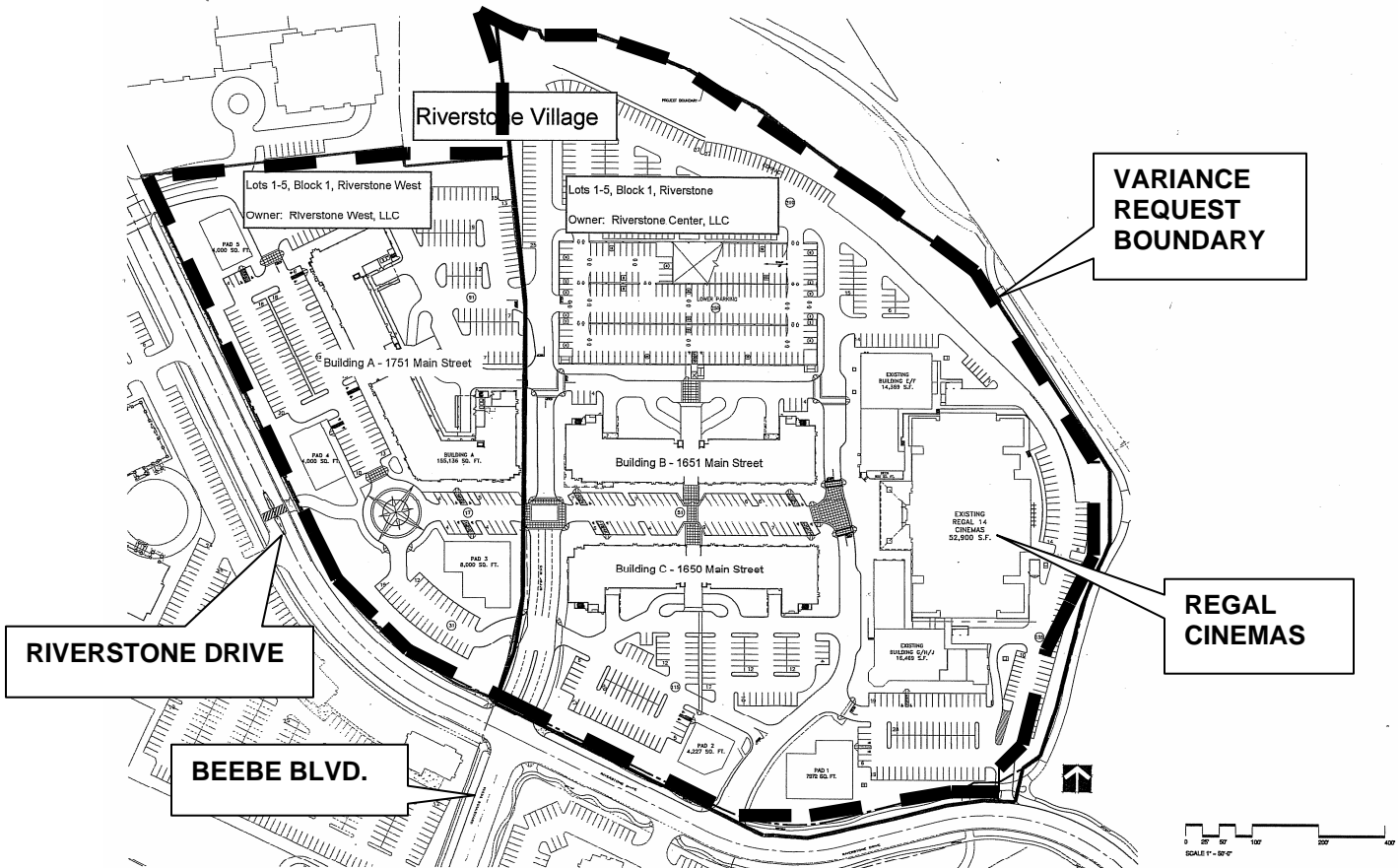
FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER
DATE: AUGUST 22, 2006
SUBJECT: V-3-06 - 9-FOOT HEIGHT VARIANCE IN THE C-17 ZONING DISTRICT
LOCATION – ADJACENT TO THE INTERSECTION OF RIVERSTONE DRIVE AND BEEBE BOULEVARD

DECISION POINT:

Riverstone West, LLC and Riverstone Center, LLC, are requesting approval of a 9 foot height variance from the allowed height of 43 3/4 feet for multi-family uses in the C-17 (Commercial at 17 units/acre) zoning district to allow construction of mixed use buildings as high as 52 1/4 feet. If approved, this variance would apply to all existing or future buildings constructed within the boundaries of this request.

GENERAL INFORMATION:

A. Site plan:



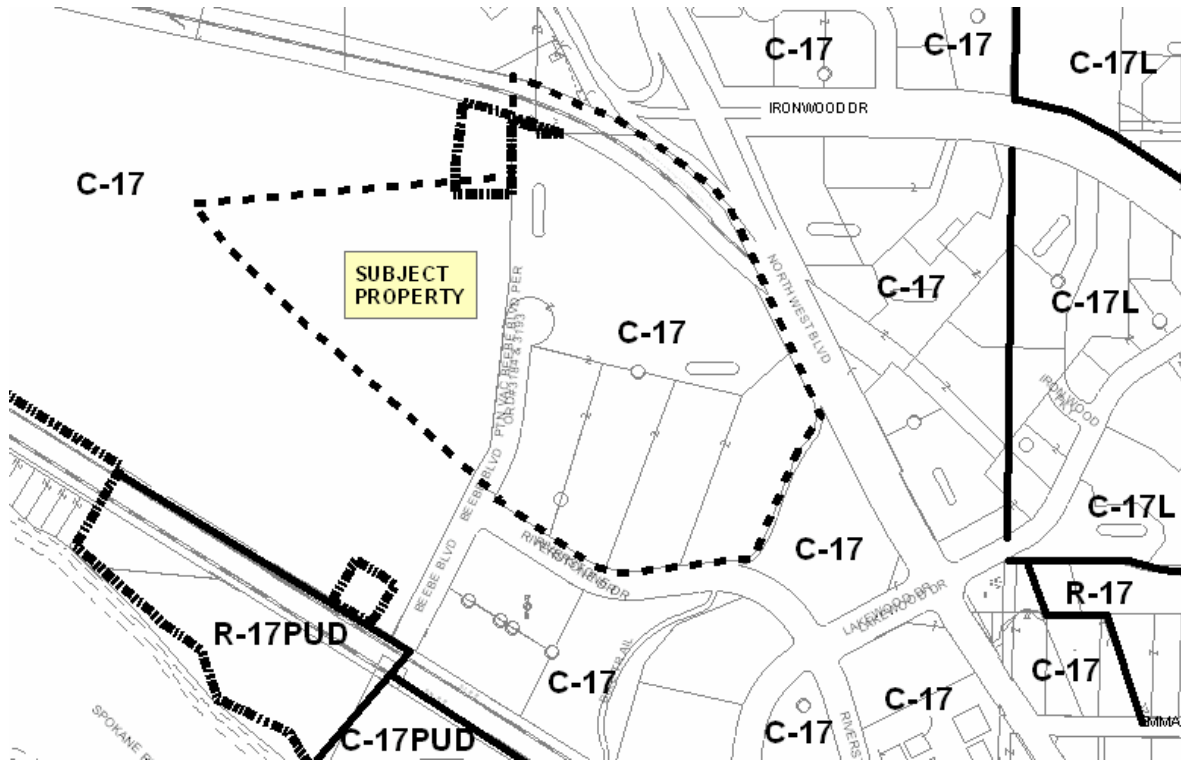
Riverstone Village- Coeur D'Alene, ID

SITE PLAN

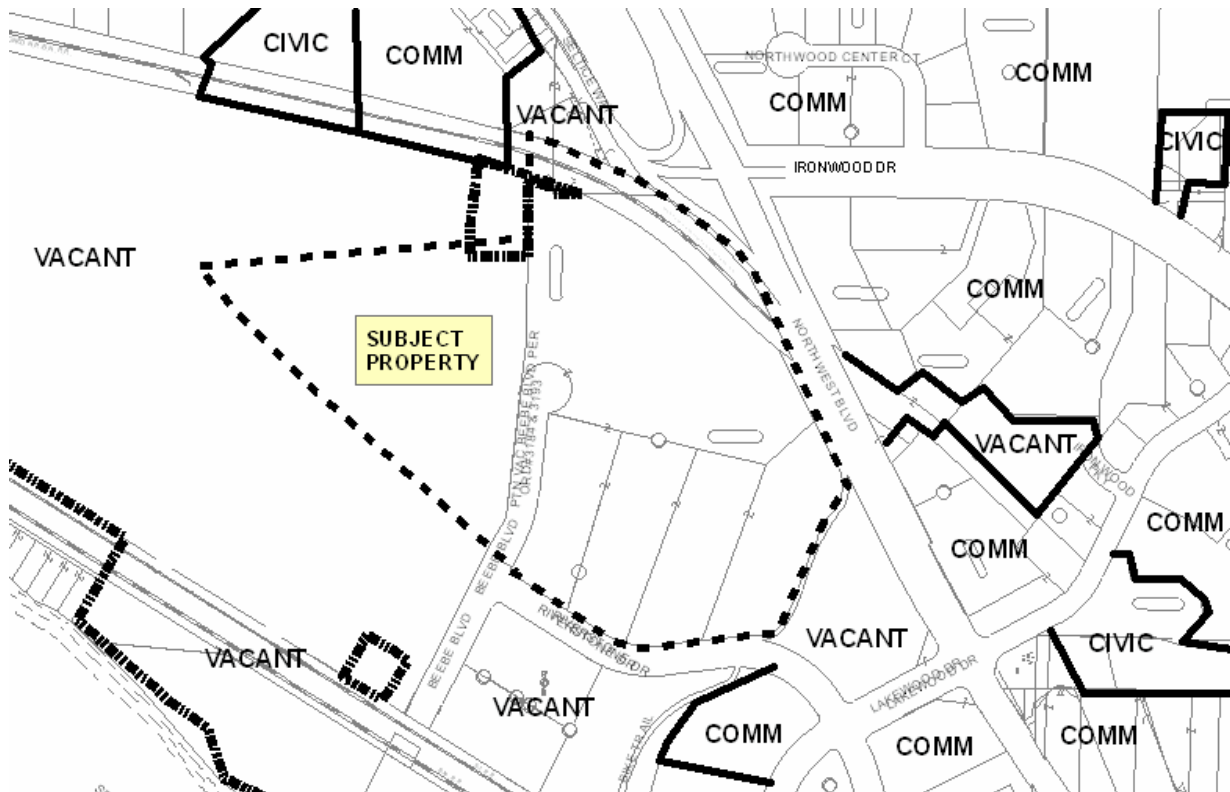
SA1



B. Zoning:

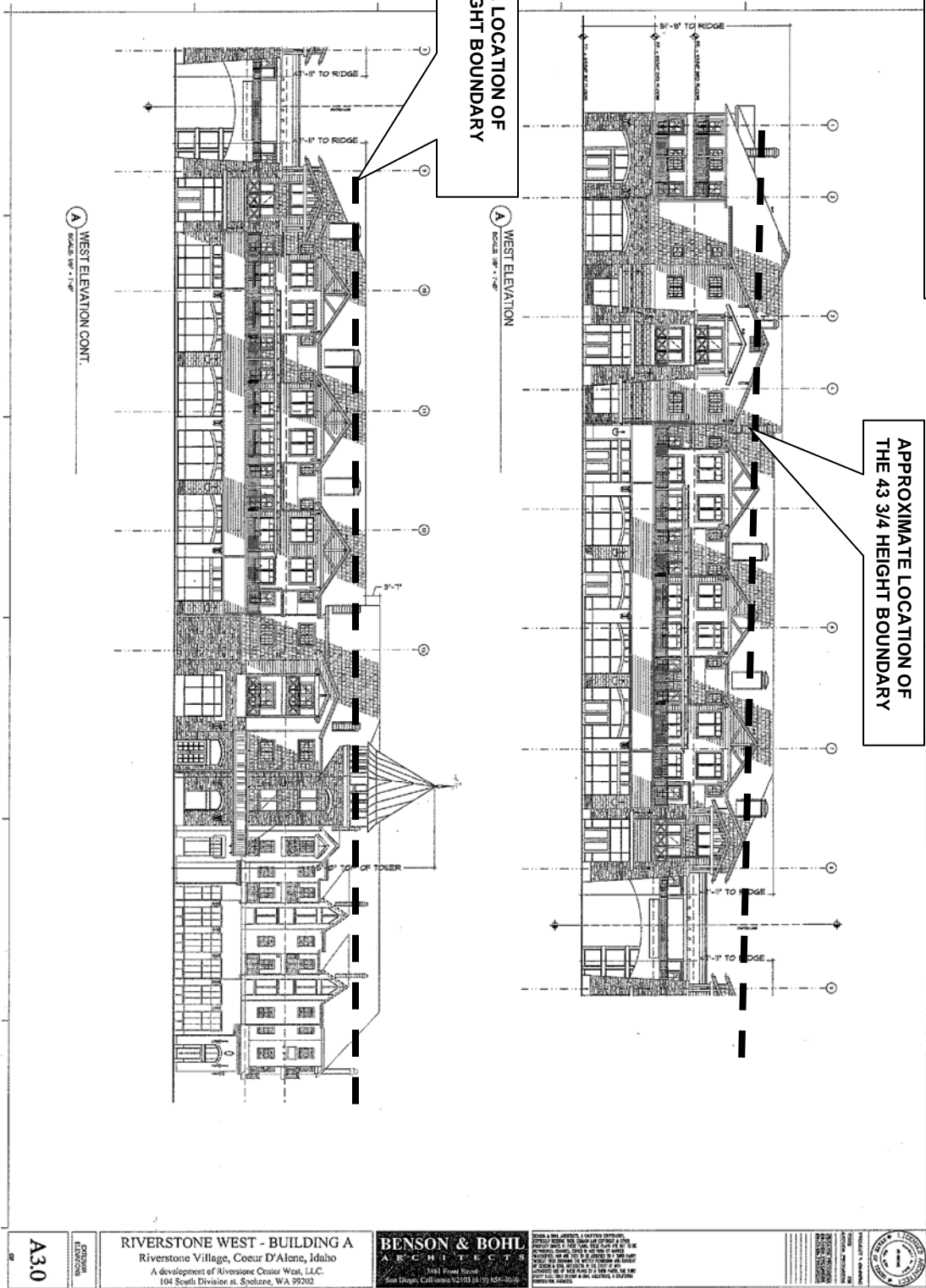


C. Generalized land use pattern:



The visual impact of the 9 foot variance above the 43 3/4 foot allowable height is what you must consider in making your decision on this variance request

D. Proposed building elevation



- E. Applicant: Riverstone West, LLC and Riverstone Center, LLC
Owner 104 South Division Street
Spokane, WA 99202
- F. Land uses in the area include residential - commercial sales and service, civic and vacant land.
- G. The area of request contains a commercial building containing the Regal Cinemas, adjoining commercial spaces.

PERFORMANCE ANALYSIS:

- A. Zoning:

The subject property is zoned C-17 Commercial. In this zoning district there is a height requirement of 43 3/4 feet for multi-family uses and no height requirement for commercial uses. In mixed-use residential and commercial buildings the height requirement is determined by which uses occupies the greatest square footage in the building. Within the area of request, the buildings proposed will have a larger residential component than commercial so the 43 3/4 foot height would apply.

Approval of the requested 9 foot height variance would allow a building height of 52 3/4 feet with approval based on making the following two findings:

- B. **Finding #1: The Structure may be safely erected and maintained at such height considering surrounding conditions and circumstances.**

The structure must be designed by an Idaho licensed architect and built to the requirements of the International Building Code.

- C. **Finding #2: The structure will/will not impose major adverse environmental, and specifically, adverse visual impacts.**

The area of request is in the Riverstone development, which has several buildings up to 3 stories in height and is adjacent to Northwest Boulevard and the Ironwood area with buildings in the 3 story range.

In determining if the request will impose a major adverse environmental/visual impact, the Commission can only consider the impact of the 9 foot portion of the structure over 43 3/4 feet.

Evaluation: The requested variance would allow a building height of up to 52 3/4 feet, which is similar in height to other buildings in the area, most of which are commercial buildings with no height limit.

- D. **Comprehensive Plan Policies:**

Significant Comprehensive Plan policies for consideration:

- 4C: New growth should enhance the quality and character of existing areas and the general community.
- 4C3: Population growth should be compatible with preserving Coeur d'Alene's character and quality of life.

42A: The development of Coeur d'Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, effects and goals of citizens.

42A2: Property rights of citizens should be protected in land use decisions.

51A: Protect and preserve neighborhoods, both old and new.

52B: "Promote a high standard of landscaping, building design and community development."

F. Proposed Conditions:

None.

G. Ordinances and Standards Used in Evaluation:

Comprehensive Plan – Amended 1995.

Municipal Code

Idaho Code

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:pcstaffrptsV106]

BENSON & BOHL
A R C H I T E C T S

July 3, 2006

Mr. John Stamos, Associate Planner
CITY OF COEUR D'ALENE
710 E. Mullan Avenue
Coeur d'Alene, Idaho 83814

RE: Riverstone Village Buildings A, B & C
Coeur d'Alene, Idaho
Project No. 06005C

Dear Mr. Stamos:

This letter is intended to provide the background and justification for the request for variance for building height filed by Riverstone West LLC and Riverstone Center, LLC for the new Riverstone Village Mixed Use Development.

Background

The commercial center and first phase of this development was known as the Coeur d'Alene Company stores when it was submitted and approved for construction in the summer of 2004. This center, which includes a 14 screen Regal Cinema and single story retail shop buildings, was completed and opened for business in August 2005.

Soon after the grand opening of the first phase, preliminary plans for future phases of the development had been filed for project review with the City of Coeur d'Alene, and our project review meeting with City staff was held on October 10, 2005. At that meeting, we reviewed our September 30, 2005 preliminary plans for the new expanded development now known as the Riverstone Village, and our submittal included preliminary design drawings for three new multi-story mixed-use buildings. At the time, City staff's comments on incorporating multi-family residential into the center were very positive and no major issues with the architectural design were noted. Comments received at that meeting did include a requirement for processing a variance for the building height due to the three story Main Street buildings proposed.

As illustrated in our original September 30, 2005 project review set, the concept for the expanded Riverstone Village includes a new Main Street shopping area that is defined by two levels of multi-family residential units over street level commercial shop space. The new Main Street concept was designed to frame and center on the 65' high entry canopy of the existing Regal theaters to the east, and the new lake and park being created to the west beyond Riverstone Drive.

Site and building designs have proceeded in accordance with the original design submittal, and at this time, the overall site civil package for the expanded Riverstone Village projects has been submitted for City review and portions of the new site work are underway, including the new single level parking deck. Construction documents are nearing completion for the first of the three Riverstone Mixed-Use buildings and a concrete package for Building A been this week for plan check submittal. A Variance Request submittal for Buildings A, B & C is now timely.

Variance Request and Justifications

The applicant requests a variance from the 43.75 feet (3 1/2 story) maximum height required for the multiple family use.

Based on the building design submitted herewith for Riverstone Mixed-Use Building A, the eave height of the mixed-use buildings would vary between 48'-0" and 52'-3" above the first finish floor, with decorative architectural tower elements extending up to 65' high. Excluding the tower elements, this Variance request is for an increase in height of approximately 9'-0" above the height allowed by the R-17 zoning, which is the zoning standard being applied to these mixed-use buildings.

To create the appropriate scale along the shopping street and an exciting and viable Main Street-style project, the design consolidates commercial and residential uses into three story buildings to spatially define the main shopping street. The three story Main Street buildings allow the perimeter of the development to be used for circulation and parking, free-standing pad buildings, and landscape areas. The current design provides an industry standard 18' floor to floor clearance within the commercial space and 9' clear within the second and third floor residential units.

Justifications for the increase in the height limit include the following:

- Limiting the three story mixed-use buildings to the 43.75' height limit is infeasible, as it would deliver impractically low clear heights within both the commercial and residential portions of the project without the deletion of the full dimensional roof forms currently provided in the design. The full dimensional roofs are an important aesthetic design element.
- The ridge heights proposed for the Riverstone Building A are consistent with the existing first phase of the center to which it relates, where 5/12 slope roof forms are used, and the height of the main entry roof at the theater entrance reaches 65' high.
- The building heights proposed in the design are consistent with and conform to the height limits imposed for a combination Type I/Type V-B by the International Building Code, 2003 edition as adopted by the City of Coeur d'Alene, Idaho.
- With a roof plate height of approximately 35' on the third residential level, the majority of the roof height above the original Ordinance height of 43.75' occurs at the center line of the building, which would relate well to the scale of the theater from the perimeter of the project and when viewed at a distance, but the additional height allowed by this Variance would not impose on or be inconsistent with much lower + 35' eave heights visible from street level within the project

Conclusions

Taken in context with the overall master plan for the Riverstone Village development, the height variance requested is consistent with what we believe are good planning principles for an inwardly oriented mixed-use development. The overall building heights, forms and streetscapes created within the Riverstone Village center will create a unique living, shopping, and entertainment district for the Coeur d'Alene area.

We respectfully request your favorable consideration of the Applicants Variance request.

Sincerely,

Randall A. Bohl

Randall A. Bohl, AIA
Idaho Registered Architect # AR-984160

CC: Mike Craven
Richard H. Benson

Attachments:

Site Plan, Sheet A-1
Building A Elevation Sheets A3.0 – A3.2

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

A. INTRODUCTION

This matter having come before the Planning Commission on, August 22, 2006, and there being present a person requesting approval of ITEM V-3-06, a request for a 9 foot height variance from the allowed height of 43 3/4 feet for multi-family uses in the C-17 (Commercial at 17units/acre) zoning district

LOCATION: Adjacent to the intersection of Riverstone Drive and Beebe Boulevard

APPLICANT: Riverstone West, LLC and Riverstone Center, LLC

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

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

- B1. That the existing land uses are Land uses in the area include residential - single-family, duplex, Multi- family and commercial sales and service.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is C-17 (Commercial at 17units/acre)
- B4. That the notice of public hearing was published on, August 5, 2006, and, August 15, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, August 11,2006, which fulfills the proper legal requirement.
- B6. That 153 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, August 4, 2006, and _____ responses were received: _____ in favor, _____ opposed, and _____ neutral.
- B7. That public testimony was heard on August 22, 2006.

B8. Pursuant to Section 17.06.330, Exceptions to height maximums by variance, a variance may be granted when:

B8A. The structure may be safely erected and maintained at such height considering surrounding conditions and circumstances.

B8B. The structure will not impose major adverse environmental and specifically adverse visual impacts.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **RIVERSTONE WEST, LLC AND RIVERSTONE CENTER, LLC** for a variance, 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 George	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 22, 2006

To: Planning Commission

From: David Yadon, Planning Director

Subject: **Item O-3-06 Amendment to Zoning Code** – Pocket Housing, Accessory Dwelling Units, Accessory Structure Height,

Decision Point

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

1. Replace Cluster Housing with Pocket Residential regulations and design standards
2. Provide for Accessory Dwelling Units in residential zones;
3. Reduce the allowed height for Accessory Structures in residential districts from 25 feet to 18 feet.
4. Clean up height maximums in residential and commercial districts
5. Eliminate section 17.06.490: MINIMUM SPACE BETWEEN OPPOSITE WALLS ON SAME LOT. Spacing requirements would be governed by building and other code provisions

History

The Planning Commission has had several code amendments on the “priority list” for some time. The following amendments from that list were prepared by City staff and Consultant Mark and reviewed by the Planning Commission at a workshop on July 5, 2006.

Item O-3-06 A Replace Cluster Housing with Pocket Residential regulations and design standards.

This amendment replaces Cluster Housing which is an allowed housing type in the R-8, R-12, R-17 and commercial zoning districts. The Commission has noticed that as there is more pressure to develop infill lots for “cluster housing”, the resulting effect on the surrounding neighborhoods has not always been acceptable. In addition, the cluster housing definition has been difficult to administer over the years and has been subject to a number of Planning Commission interpretations or discussions. The Pocket Residential purpose is therefore to:

- Encourage greater efficiency of land use by allowing compact infill development on aggregate sites.
- Stimulate new housing that is compatible in scale and character to established surrounding residential areas.
- Produce a broader range of building forms for residential development.
- Expand opportunities for home ownership, including both condominium and fee simple.
- Ensure that residents of such housing enjoy a high quality environment, with permanence, stability and access to green space.

Item **O-3-06 B** Provide for Accessory Dwelling Units in residential zones;
In an effort to address housing affordability and a changing demographic, the option of allowing for Accessory Dwelling Units (ADU)
The purpose of these regulations are to:

- Provide homeowners with a means of obtaining, through tenants in either the ADU or the principal unit, rental income, companionship, security, and services.
- Add affordable units to the existing housing.
- Make housing units available to moderate-income people who might otherwise have difficulty finding homes within the (city/county).
- Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.
- Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood

Item **O-3-06 C** Reduce the allowed height for Accessory Structures in residential districts from 25 feet to 18 feet for high pitched roofs and 14 feet for low pitched roofs. This is the existing standards for a detached garage.

This amendment is intended to address the scale of structures that can be constructed in the rear yard. The Planning Commission has observed that over the last several years, large accessory structures have been constructed in rear yards that in many cases overwhelm the scale of the home on the lot and surrounding neighbors. The proposed amendment addresses height but not overall size of the structure.

Item **O-3-06 D** Clean up height maximums in residential and commercial districts
This amendment is intended to set height limits at whole numbers rather than the fractional numbers in existing code.

Item **O-3-06 E** This amendment would eliminate section 17.06.490: MINIMUM SPACE BETWEEN OPPOSITE WALLS ON SAME LOT. Spacing requirements would be governed by building and other code provisions. Also clarifying that the minimum distance between a principle and accessory structure is determined by the applicable building code.

17.06.630: ACCESSORY STRUCTURE CRITERIA:

- A. A structure shall be considered to be accessory to and shall not be subject to the same site performance standards as the principal structure on the same lot if one or more of the following conditions applies:
1. The structure is detached and separated from the principal structure by ~~six feet (6')~~ the minimum distances specified by the adopted building code or more.
 2. The structure is attached to the principal structure by a breezeway roof with an intervening space of a minimum distance specified by the adopted building code ~~five feet (5')~~ or more, and the space is open on at least two (2) sides.
 3. The structure is a private storage garage, fuel storage shed, private noncommercial greenhouse, or a child's playhouse, per subsection 17.06.495C1 of this chapter.

Financial Analysis

There is no significant financial impact associated with the proposed amendments. Additional time is necessary to administer the issuance of Accessory Dwelling Unit Permits.

Performance Analysis

The proposed amendment is consistent with Comprehensive Plan policies including 51A1, 5, 63D1, 64D16, 65.

Quality of Life Analysis

The amendment will provide new opportunities to provide housing and other structures that are compatible with existing neighborhoods.

Decision Point Recommendation

The Planning Commission is asked to consider the proposed amendments.