

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

JULY 9, 2013

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

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

5:30 P.M. CALL TO ORDER:

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

APPROVAL OF MINUTES:

June 11, 2013

PUBLIC COMMENTS:

STAFF COMMENTS:

OTHER:

Oath of Office - Peter Luttrupp

DISCUSSION:

Lighting

Deer fencing

ADMINISTRATIVE ITEMS:

1. Applicant: Whitehawk, LLC
Location: Lot 5, Blk 1 Bellerive 1st Addition
Request: A proposed 4-lot preliminary plat "Whitehawk Addition"
SHORT PLAT, (SS-4-13)

PUBLIC HEARINGS:

1. Applicant: Port of Hope Centers
Location: 218 N. 23rd
Request: A proposed Criminal Transitional Facility special use permit
In the C-17 zoning district.
QUASI-JUDICIAL, (SP-3-13)

2. Applicant: The Church of Christ
Location: 3620 Howard Street
Request: A proposed Religious Assembly special use permit in the
MH8 zoning district.
QUASI-JUDICIAL, (SP-4-13)

ADJOURNMENT/CONTINUATION:

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

Motion by _____,seconded by _____ , to adjourn meeting; motion carried unanimously.

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



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**PLANNING COMMISSION
MINUTES
JUNE 11, 2013
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Brad Jordan, Chairman
Heather Bowlby, Vice-Chair
Peter Luttropp
Tom Messina
Lou Soumas
Grant Conery, Student Rep.

STAFF MEMBERS PRESENT:

Dave Yadon, Planning Director
Shana Stuhlmiller, Public Hearing Assistant

COMMISSIONERS ABSENT:

Amy Evans
Rob Haneline

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Luttropp, seconded by Messina, to approve the minutes of the Planning Commission meeting on May 14, 2013. Motion approved.

Commissioner Luttropp stated that during public comment at last month's meeting, a citizen requested a couple items for the planning commission to consider for discussion: lighting regulations for residential neighborhoods and a request for an ordinance modification to adjust the allowable fence height of 6 feet for the deer problem in this area. He requested that the commission schedule a discussion on these items.

Chairman Jordan suggested staff add a discussion item to the July 9th agenda for lighting and if staff could provide a report on the type of lighting regulations the city is currently using.

PUBLIC COMMENTS:

None

PUBLIC HEARINGS:

1. Applicant: Coeur d'Alene School District #271
Location: 310 N. 9th Street
Request: A variance for the front and side setbacks
LEGISLATIVE (V-1-13)

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

Commissioner Soumas inquired regarding the applicant's proposed setback.

Planner Yadon stated that the applicant is proposing an 8.92 foot setback on the north side (Indiana Avenue).

Public testimony open:

Scott Fischer, 1834 E. Sundown, Coeur d'Alene, stated that currently there are 350 students attending Sorenson and the demolition of the school districts central office will provide more space for the playground that was lacking. He explained that the school has other deficiencies, such as the lack of an adequate kitchen with no cafeteria, as well as insufficient classroom space. He explained that the floor plan requires that the addition be located on the north side of the site, which will provide an adequate, secure front entry to the building. He added they are also including a second level that will provide additional classrooms with a daylight basement. He stated that a new front entry is proposed for the school which was not part of the existing school. He stated that this expansion is necessary and feels it will provide the school with the added space to provide future growth for the school.

Commissioner Soumas inquired if the school district intends to add additional staff because of the addition of a new kitchen.

Mr. Fischer estimated that maybe 2-3 people will be needed and since the district office building has been demolished, parking will not be a concern for additional employees.

Brian Martin, 5679 16th, explained that before the district office was demolished, they had an additional 28 to 30 people to provide parking for and now since that building is gone; it has made a big impact for the school. He added that the existing school was at a 144% capacity with no way to expand. He feels this remodel will be a positive impact for the school and the children who attend.

Commissioner Soumas inquired if the trees along Indiana Avenue will be removed.

Mr. Martin answered that some will stay and that the older pines will be removed.

Chairman Jordan stated that the city has been trying to retain schools downtown and feels any incentives given is a plus for the community. He feels that a school promotes a healthy community.

Public testimony closed

DISCUSSION:

Commissioner Luttrupp stated he is happy to see the community working together.

Commissioner Bowlby stated she likes the design of the school and feels the school has a new focal point because of the new entry for the school. She added that she likes the improved playground.

Motion by Soumas, seconded by Bowlby, to approve Item V-1-13. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Soumas	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

ADJOURNMENT:

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

The meeting was adjourned at 6:28 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



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TO: Planning Commission
FROM: Christopher H. Bates, Engineering Project Manager
DATE: July 9, 2013
SUBJECT: **SS-4-13, Whitehawk Addition**

DECISION POINT

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

GENERAL INFORMATION

1. Applicant: Cliff Mort
Whitehawk, LLC
1950 W. Bellerive Lane
Suite #108
Coeur d'Alene, ID 83814
2. Request: Approval of a four (4) lot residential subdivision.
 - a. Lot 1 – 9,053 sq.ft.
 - b. Lot 2 – 8,168 sq.ft.
 - c. Lot 3 - 9,797 sq.ft.
 - d. Lot 4 - 11,947 sq.ft.
3. Location: In the Bellerive subdivision, on the southwest side of Bellerive Lane adjacent to the Spokane River.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is C-17PUD, 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. The PUD designation allowed a comprehensive plan for the overall development which provided the blueprint for the subdivision. Any deviation from the plan would require Planning Commission approval.
2. Land Use:
 - a. The surrounding properties are combination of single family, multi-family condominium and retail uses.
 - b. Per the International Fire Code (IFC) 2009 edition, appendix D107.1, which has been adopted by the City of Coeur d'Alene, ".....where the number of dwelling units exceeds 30, (the development) shall be provided with separate and approved fire apparatus access roads.....". The original developer of the parent Bellerive subdivision development defaulted on the responsibility to construct a secondary access to the development from Lacrosse Avenue, therefore, only a limited number of building permits (6) remain available for construction in the development. Upon the issuance of the sixth permit, building construction will not be permitted until the secondary access is constructed. The City Legal Department assumed the responsibility of obtaining crossing agreements from the adjoining railroads for the road construction, but has yet to accomplish that task.

3. Infrastructure: Utilities, Streets, & Storm Water Facilities

Utilities: Sewer & Water

The sewer and water utility main lines are existing and installed in Bellerive Lane along the subject property's frontage. Information available from the previous engineering "as-built" plans shows that there are sewer lateral services installed that would be able to serve proposed Lots 1, 2, & 4. Also, water service laterals are installed that would provide service to proposed Lots 2, 3 & 4. Therefore, prior to final plat approval, a sanitary sewer lateral will be required to be installed to serve Lot 3, and, a domestic water service will be required to be installed to serve Lot 1. Both of these services will be required to be installed prior to final plat approval.

Streets: Bellerive Lane fronting the subject property is a thirty two foot (32') private roadway, approved through the existing PUD on the "parent" development. The roadway section is fully constructed, with exception of sidewalk, which currently terminates on an adjacent parcel +/- 235' away. Per City Code (12.28.210) sidewalk will need to be installed along the frontage of proposed lots prior to final plat approval.

Street Access: There are no restrictions on driveway access to the lots in the proposed development.

Fire: There are two (2) existing hydrants adjacent to proposed Lots 1 & 3 that meet the spacing requirements of the City Fire Department for the development.

Storm Water: Existing storm drainage facilities are in place for the street drainage, and, the residential construction can drain their impervious surfaces into the on-site landscaping. Drainage from existing or newly constructed structures must be retained on the respective lots and cannot drain to any adjoining lots.

Proposed Conditions:

1. Install a sanitary sewer lateral service to Lot 3, and, a water lateral service to Lot 1, prior to final plat approval.
2. Install City standard five foot (5') sidewalk along the entire proposed development frontage prior to final plat approval. Said sidewalk is to be curb adjacent.

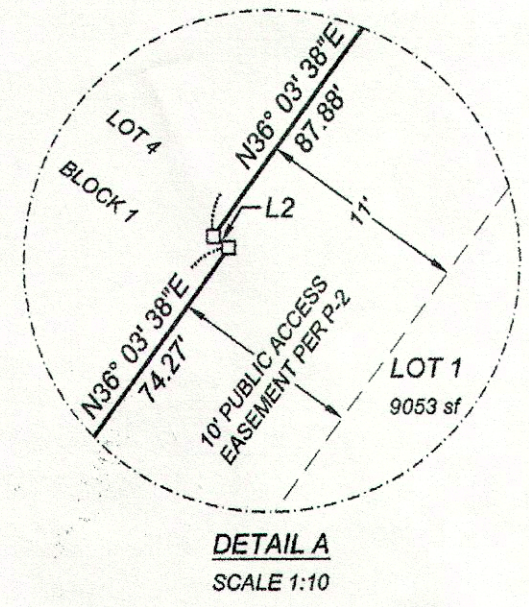
DECISION POINT RECOMMENDATION

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

WHITEHAWK ADDITION

A REPLAT OF LOT 5, BLOCK 1 OF BELLERIVE 1ST ADDITION LYING IN THE SOUTH HALF OF SECTIONS 10 AND 11, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

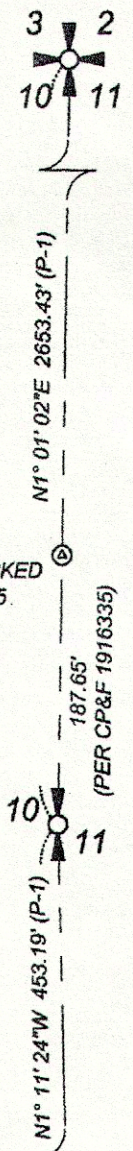
BOOK: _____ PAGE: _____
INSTRUMENT No. _____



NORTHEAST CORNER
FOUND 3" BRASS CAP PER
CP&F'S 838326, 1310215,
1859765 & 2189634000

WITNESS CORNER
FOUND 2" ALUMINUM CAP MARKED
PLS 8575 PER CP&F 1916335

EAST QUARTER CORNER
CP&F 1287350, DESTROYED



BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS N36° 03' 38"E, SHOWN HEREON AND ON (P-1) AS THE EAST LINE OF LOT 4, BLOCK 1 OF BELLERIVE 1ST ADDITION.

NOTE

THERE WAS NO ATTEMPT MADE TO SHOW ALL OF THE PHYSICAL FEATURES OF THIS PROPERTY, NOR ANY EASEMENTS OF RECORD, EXCEPT FOR THOSE SHOWN HEREON.

REFERENCE DOCUMENTS

- (P-1) PLAT OF BELLERIVE PREPARED BY JUB ENGINEERS, INC. AND FILED AT BOOK J OF PLATS, PAGE 311, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-2) PLAT OF BELLERIVE 1ST ADDITION PREPARED BY TAYLOR ENGINEERING, INC. AND FILED AT BOOK K OF PLATS, PAGE 133, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-3) PLAT OF BELLERIVE 2ND ADDITION PREPARED BY TAYLOR ENGINEERING, INC. AND FILED AT BOOK K OF PLATS, PAGE 158, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-4) PLAT OF BELLERIVE 3RD ADDITION PREPARED BY INLAND NORTHWEST CONSULTANTS AND FILED AT BOOK K OF PLATS, PAGE 281, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (R-1) RECORD OF SURVEY PREPARED BY TATE ENGINEERING AND FILED AT BOOK 24 OF SURVEYS, PAGE 464, RECORDS OF KOOTENAI COUNTY, IDAHO.

LEGEND

- SET 1/2" X 24" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182" PROPERTY BOUNDARY LINE
- FOUND 5/8" STEEL PIN WITH YELLOW PLASTIC CAP MARKED "PLS 4565" SECTION LINE
- FOUND 5/8" REBAR WITH ORANGE PLASTIC CAP MARKED "PLS 4346" ADJACENT LOT LINE
- ⊙ FOUND 5/8" REBAR WITH 2-1/2" ALUMINUM CAP MARKED "PLS 4346" EXISTING EASEMENT LINE
- △ CALCULATED POINT, NOTHING FOUND OR SET SECTION TIE LINE
- (C) CALCULATED TIE LINE EXISTING CENTER LINE

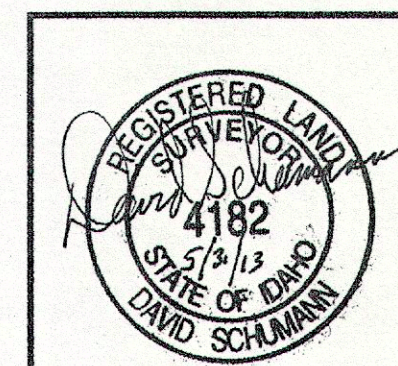
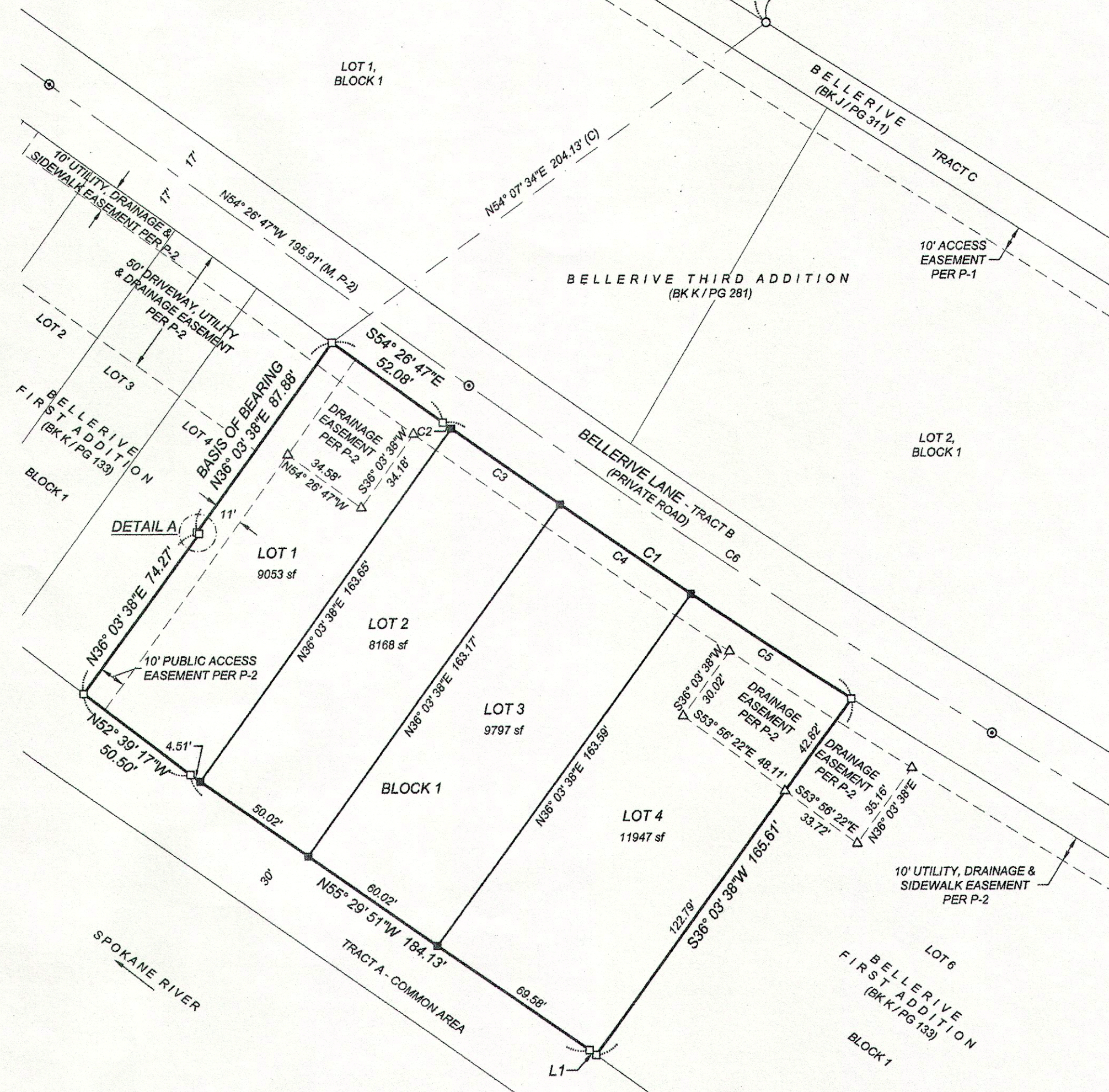
Line Table		
Line #	Length	Direction
L1	3.10	N54° 27' 50"W
L2	1.00	N53° 56' 29"W

Curve Table					
Curve #	Length	Radius	Delta	Chord	Bearing
C1(M, P-2)	186.72'	3317.00'	3°13'31"	186.70'	S56° 03' 32"E
C2	3.92'	3317.00'	0°04'04"	3.92'	S54° 28' 48"E
C3	50.01'	3317.00'	0°51'50"	50.01'	S54° 56' 45"E
C4	60.04'	3317.00'	1°02'13"	60.04'	S55° 53' 47"E
C5	72.76'	3317.00'	1°15'24"	72.76'	S57° 02' 35"E
C6(M, P-2)	237.57'	3300.00'	4°07'29"	237.52'	S56° 30' 31"E

PRELIMINARY



SCALE: 1" = 40'



CHECKED BY: DES
DRAFTED BY: SMA
SCALE: 1" = 40'
DATE: 5/30/2013
JOB NO: LCE 13-055

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WHITEHAWK ADDITION

A REPLAT OF LOT 5, BLOCK 1 OF BELLERIVE 1ST ADDITION LYING IN THE SOUTH HALF OF SECTIONS 10 AND 11, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK: _____ PAGE: _____

INSTRUMENT No. _____

CITY COUNCIL CERTIFICATE

THIS PLAT HAS BEEN ACCEPTED AND APPROVED BY CITY COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO, DATED THIS _____ DAY OF _____, 20__.

CITY OF COEUR D'ALENE - MAYOR

CITY OF COEUR D'ALENE - CLERK

CITY OF COEUR D'ALENE - CITY ENGINEER

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE TAXES DUE FOR THE PROPERTY DESCRIBED IN THE OWNERS CERTIFICATE AND DEDICATION HAVE BEEN PAID THROUGH _____, 20__.

DATED THIS _____ DAY OF _____, 20__.

KOOTENAI COUNTY TREASURER

KOOTENAI COUNTY RECORDER

THIS PLAT WAS RECORDED AT THE REQUEST OF WHITE HAWK, LLC FOR RECORD IN THE OFFICE OF THE RECORDER OF KOOTENAI COUNTY, IDAHO, THIS _____ DAY OF _____, 20__, AT _____ M. IN BOOK _____ OF PLATS, PAGES _____, AS INSTRUMENT NUMBER _____.

DEPUTY

CLIFFORD T. HAYES, KOOTENAI COUNTY RECORDER

HEALTH DISTRICT APPROVAL

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED BASED ON A REVIEW BY A QUALIFIED LICENSED PROFESSIONAL ENGINEER (QLE) REPRESENTING CITY OF COEUR D'ALENE AND THE QLE APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF THE SANITARY RESTRICTIONS. WATER AND SEWER EXTENSIONS HAVE BEEN COMPLETED AND SERVICES CERTIFIED AS AVAILABLE. SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

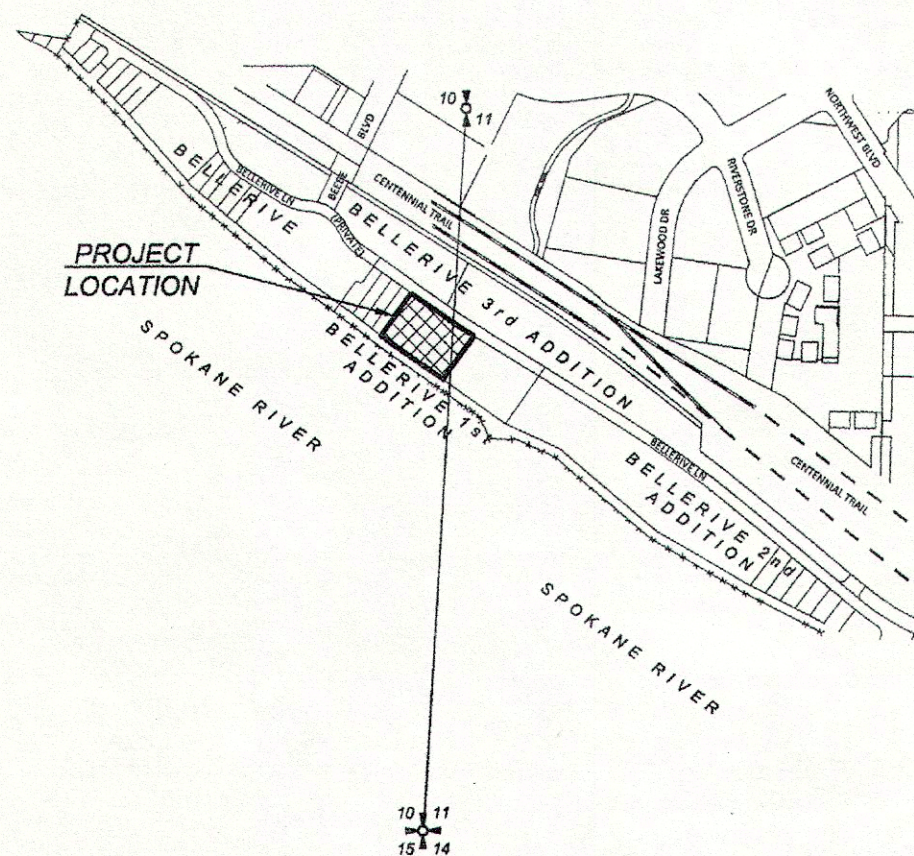
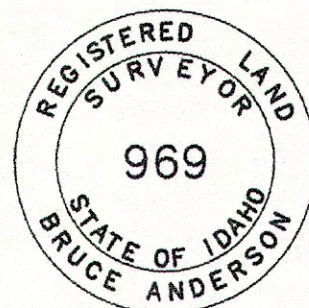
DATED THIS _____ DAY OF _____, 20__.

PANHANDLE HEALTH DISTRICT 1

COUNTY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREIN PLAT AND CHECKED THE PLAT COMPUTATIONS AND HAVE DETERMINED THAT THE REQUIREMENTS OF THE STATE CODE PERTAINING TO PLATS AND SURVEYS HAVE BEEN MET.

DATED THIS _____ DAY OF _____, 20__.



VICINITY MAP

SCALE 1" = 600'

NOTARY PUBLIC CERTIFICATE

STATE OF IDAHO, COUNTY OF KOOTENAI, SS.

ON THIS _____ DAY OF _____, IN THE YEAR 20__, BEFORE ME

_____ PERSONALLY APPEARED

_____ KNOWN OR IDENTIFIED TO ME TO BE A

MANAGER THAT EXECUTED THE INSTRUMENT OR THE PERSON WHO

EXECUTED THE INSTRUMENT ON BEHALF OF SAID LIMITED LIABILITY

COMPANY, AND ACKNOWLEDGED TO ME THAT SUCH MANAGER EXECUTED

THE SAME.

NOTARY PUBLIC

MY COMMISSION EXPIRES ON _____

SURVEYOR'S CERTIFICATE

I, DAVID SCHUMANN, PROFESSIONAL LAND SURVEYOR #4182, STATE OF IDAHO, DO HEREBY CERTIFY THAT THE PLAT OF THE LANDINGS AT WATERFORD TENTH ADDITION IS BASED UPON AN ACTUAL FIELD SURVEY OF THE LAND AND BUILDING DESCRIBED HEREON, AND THAT ALL CORNERS ARE SET AS SHOWN ON THIS PLAT.

DATE

OWNER'S CERTIFICATE AND DEDICATION

BE IT KNOWN BY THESE PRESENTS THAT WHITE HAWK, LLC, A NEVADA LIMITED LIABILITY COMPANY, DOES HEREBY CERTIFY THAT IT OWNS AND HAS LAID OUT THE LAND EMBRACED WITHIN THIS PLAT TO BE KNOWN AS WHITEHAWK ADDITION, BEING A REPLAT OF LOT 5, BLOCK 1 OF BELLERIVE FIRST ADDITION, LYING IN SOUTH HALF OF SECTIONS 10 AND 11, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER WITNESS CORNER BEING A 2 INCH ALUMINUM CAP PER CP&F 1916335, RECORDS OF KOOTENAI COUNTY FROM WHICH THE NORTHEAST CORNER BEARS N01° 01' 02"E, 2465.78 FEET; THENCE ALONG THE EAST LINE OF THE SOUTH-EAST QUARTER OF SECTION 10, S01° 01' 02"W, 187.65 FEET TO THE EAST QUARTER CORNER OF SECTION 10; THENCE S01° 11' 24"E, 453.19 FEET TO A 5/8 INCH STEEL PIN WITH YELLOW PLASTIC CAP MARKED PLS 4346 ON THE NORTH LINE OF TRACT C OF THE PLAT OF BELLERIVE FILED UNDER BOOK J OF PLATS, PAGE 311, RECORDS OF KOOTENAI COUNTY; THENCE S54° 07' 34"W, 204.13 FEET TO A 5/8 INCH REBAR WITH ORANGE PLASTIC CAP MARKED PLS 4346 AT THE NORTHWEST CORNER OF SAID BELLERIVE FIRST ADDITION, SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE ALONG THE NORTH LINE OF SAID LOT 5, BLOCK 1, S54° 26' 47"E, 52.08 FEET TO A 5/8 INCH REBAR WITH ORANGE PLASTIC CAP MARKED PLS 4346;

THENCE CONTINUING ALONG SAID NORTH LINE, ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 3317.00 FEET, AN ARC LENGTH OF 186.72 FEET, A CENTRAL ANGLE OF 3° 13' 31" WITH A LONG CHORD BEARING S56° 03' 32"E, 186.70 FEET TO A 5/8 INCH REBAR WITH ORANGE PLASTIC CAP MARKED PLS 4346 AT THE NORTHEAST CORNER OF SAID LOT 5, BLOCK 1;

THENCE ALONG THE EAST LINE OF SAID LOT 5, BLOCK 1, S36° 03' 38"W, 165.61 FEET TO A 5/8 INCH REBAR WITH ORANGE PLASTIC CAP MARKED PLS 4346 AT THE SOUTHEAST CORNER OF SAID LOT 5, BLOCK 1;

THENCE ALONG THE SOUTH LINE OF SAID LOT 5, BLOCK 1, N54° 27' 50"W, 3.10 FEET TO A 5/8 INCH REBAR WITH ORANGE PLASTIC CAP MARKED PLS 4346;

THENCE CONTINUING ALONG SAID SOUTH LINE, N55° 29' 51"W, 184.13 FEET TO A 5/8 INCH REBAR WITH ORANGE PLASTIC CAP MARKED PLS 4346;

THENCE CONTINUING ALONG SAID SOUTH LINE, N52° 39' 17"W, 50.50 FEET TO A 5/8 INCH REBAR WITH ORANGE PLASTIC CAP MARKED PLS 4346 AT THE SOUTHWEST CORNER OF SAID LOT 5, BLOCK 1;

THENCE ALONG THE WEST LINE OF SAID LOT 5, BLOCK 1, N36° 03' 38"E, 74.27 FEET TO A 5/8 INCH REBAR WITH ORANGE PLASTIC CAP MARKED PLS 4346;

THENCE CONTINUING ALONG SAID WEST LINE, N53° 56' 29"W, 1.00 FEET TO A 5/8 INCH REBAR WITH ORANGE PLASTIC CAP MARKED PLS 4346;

THENCE CONTINUING ALONG SAID WEST LINE, N36° 03' 38"E, 87.88 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINING 38965 SQUARE FEET OF LAND, MORE OR LESS.

BE IT FURTHER KNOWN THAT:

SANITARY SEWER FOR THIS PLAT IS TO BE SUPPLIED BY THE CITY OF COEUR D'ALENE;

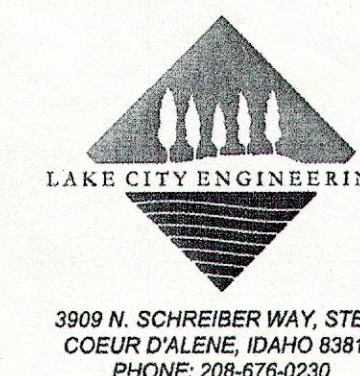
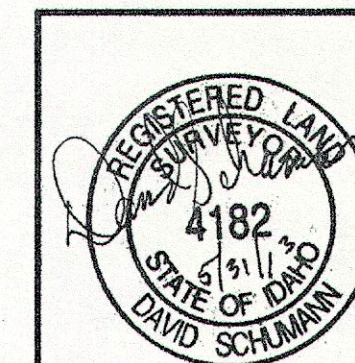
DOMESTIC WATER FOR THIS PLAT IS TO BE SUPPLIED BY THE CITY OF COEUR D'ALENE;

LOTS WITHIN THIS PLAT ARE SUBJECT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS OF RECORD WITH THE KOOTENAI COUNTY RECORDERS OFFICE, TOGETHER WITH ANY AND ALL AMENDMENTS MADE THEREAFTER.

MANAGER
WHITE HAWK, LLC

DATE

PRELIMINARY



CHECKED BY:	DES
DRAFTED BY:	SMA
SCALE:	N.T.S.
DATE:	5/30/2013
JOB NO:	LCE 13-065

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Existing Lighting Regulations

Neighborhood Commercial

17.05.1070: BASIC DEVELOPMENT STANDARDS; DESIGN STANDARDS:

- F. Lighting greater than one foot-candle is prohibited. All lighting fixtures shall be a "cutoff" design to prevent spillover.
- H. Signs shall not be internally lighted, but may be indirectly lighted. (Ord. 3288 §54, 2007)

17.05.1270: BASIC DEVELOPMENT STANDARDS; DESIGN STANDARDS:

Community Commercial

- F. Lighting greater than two (2) foot-candles is prohibited. All lighting fixtures shall be a "cutoff" design to prevent spillover.

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

- A. In Manufacturing Zoning District: In a manufacturing zoning district any excessive humidity in the form of steam or moist air, intense heat, intense cold, intense glare, intense dust, or intense smoke produced by an activity within the district shall not be detrimental beyond the boundary of the district.
- B. All Other Zoning Districts: In all other zoning districts, any use of property producing excess humidity in the form of steam or moist air, or producing intense heat, intense cold, intense glare, intense dust, or intense smoke shall be carried out within a completely enclosed structure so that neither a public nuisance nor hazard is created at or beyond lot lines of the lot involved. (Ord. 1691 §1(part), 1982)

Commercial Business Parks

17.07.765: LIGHTING

Each building site shall have adequate Lighting for the structures, parking and storage areas, walkways and vehicle entrances and exits. Lighting shall be shielded to avoid casting glare on adjoining building sites. (Ord. 1994 §23, 1987)

- C. Lighting: To diminish the amount of glare and spillover from lighting, the following standards shall apply:

1. Intensity: Exterior lighting fixtures shall not exceed one foot-candle in intensity.
2. Cutoffs Required: Lighting fixtures shall be equipped with cutoff elements to direct light downward.

Pocket Residential

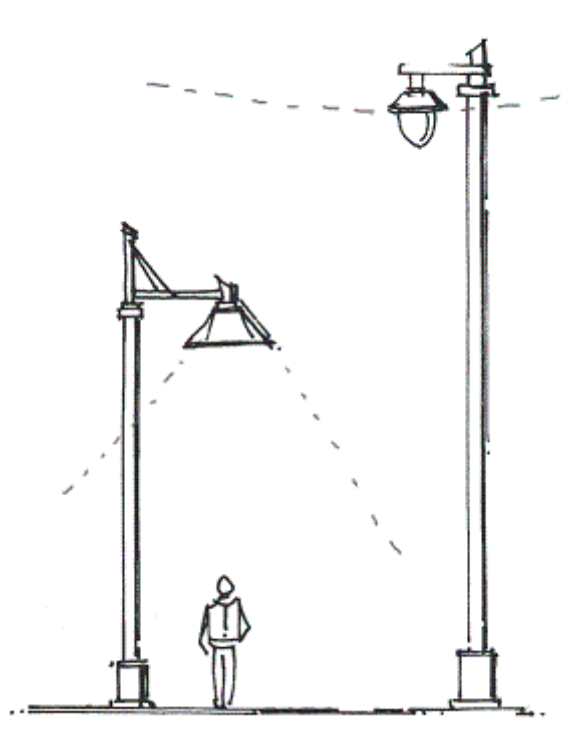
17.07.1020: DESIGN STANDARDS:

Cutoff Fixture vs. Noncutoff Fixture

C. Lighting To diminish the amount of glare and spillover from lighting, the following standards shall apply:

1. Intensity: Exterior lighting fixtures shall not exceed one foot-candle in intensity.
2. Cutoffs Required: lighting fixtures shall be equipped with cutoff elements to direct light downward.

Cutoff Fixture vs. Noncutoff Fixture



Wireless Communication facilities

17.08.825: SITE DEVELOPMENT STANDARDS:

D. Color And Lighting:

1. Antenna arrays located on an existing structure shall be placed in such a manner so as to not be visible from a ground level view adjacent to the structure. If, however, circumstances do not permit such placement, the antenna array shall be placed and colored to blend into the architectural detail and coloring of the host structure.
2. Support towers, etc., shall be painted a color that best allows it to blend into the surroundings. The use of grays, blues and greens might be appropriate, however, each case should be evaluated individually. For support towers, only such lighting as is necessary to satisfy FAA requirements is permitted. Where possible, waivers to FAA coloring and lighting requirements should be sought. White strobe lighting will not be allowed, unless specifically required by the federal aviation administration (FAA). Security lighting for the equipment shelters or cabinets and other on the ground ancillary equipment is also permitted, as long as it is appropriately down shielded to keep light within the boundaries of the site.

(Parking lots for M, LM and residential districts not subject to design standards/guidelines)

17.44.320: LIGHTING

Any lights used to illuminate parking spaces or driveways shall be designed and located to direct light into the interior of the property. (Ord. 1764 §2(part), 1982)

C-17 & C-17L Commercial Design Guidelines

I. SITE DESIGN

H. Lighting

Intent: To prevent glare and spillover of lighting toward adjacent properties, especially residential areas.

1. All lighting fixtures shall be equipped with a "full cut-off," either an external housing or internal optics, that directs light downward.
2. Multiple, shorter poles (12'-18') are preferable to fewer and taller poles. No poles shall be over 30'.



examples of cut-off lighting fixtures

2010 Coeur d'Alene Commercial Zones Design Guidelines 4.7.10

DOWNTOWN DESIGN GUIDELINES

LIGHTING INTENSITY

In order to conserve energy, prevent glare and reduce atmospheric light pollution while providing sufficient site lighting for safety and security:

1. All fixtures must be shielded to prevent light trespassing outside the property boundaries.
2. All fixtures used for site lighting shall incorporate shields to minimize up-light spill and glare from the light source.
3. Flashing lights are prohibited with the following exception:
 - a. Low-wattage holiday and special occasion accent lights.
4. Lighting directed upwards above the horizontal plane (up-lighting) is prohibited, with the exception of Government Flags.



VII. DESIGN STANDARDS

D. LIGHTING INTENSITY

In order to conserve energy, prevent glare and reduce atmospheric light pollution while providing sufficient site lighting for safety and security, the following requirements must be met:

1. General Requirements:
 - a. Light Trespass:
All fixtures must be shielded to prevent light trespassing outside the property boundaries.
 - b. Minimize Up-Light Spill/Glare:
All fixtures used for site lighting shall incorporate shields to minimize up-light spill and glare from the light source.
 - c. Flashing Lights Prohibited:
Flashing lights are prohibited with the following exception:
 - i. Low wattage holiday and special occasion accent lights.
 - d. Up-Lighting Prohibited:
Lighting directed upwards above the horizontal plane (up-lighting) is prohibited, with the following exception:
 - i. Up-lighting of government flags. Government flags used for advertisement are discouraged.



Cut Off Fixture



Signage Lighting



Example of Atmospheric Light Pollution

**PLANNING COMMISSION
STAFF REPORT**

FROM: SEAN E. HOLM, PLANNER
DATE: JULY 9TH, 2013
SUBJECT: SP-3-13 – SPECIAL USE PERMIT REQUEST FOR PORT OF HOPE TO
ALLOW THE OPERATION OF A CRIMINAL TRANSITION FACILITY.
LOCATION: 218 N. 23RD STREET – APPROX 0.842 OF AN ACRE

DECISION POINT:

Port of Hope Centers, Inc. is requesting a Special Use Permit allowing a criminal transition facility in the C-17 (Commercial) zoning district to operate a residential re-entry service for federal offenders.

Applicant: Port of Hope Centers, Inc.
218 N. 23rd St.
Coeur d'Alene, ID 83814

GENERAL INFORMATION:

Port of Hope has been providing drug and alcohol treatment at their current location since April of 1991 and transitional housing for their clients since 1998. Currently in process of re-bidding a third 5-year term contract for services, the city was made aware of the level of service provided by the applicant and required special use permit approval to comply with city code.

17.03.040: GENERAL DESCRIPTION OF CIVIC ACTIVITIES:

F. Criminal transitional facility: Providing transitional living accommodations for three (3) or more residents who are on probation or parole for a felony. ***The maximum number and type of offenders, based on the offenses committed, the extent of supervision required, and the length of allowable transition period shall be set by special use permit.*** (Emphasis added)

- The applicant was asked to provide a review of the establishment subject to the prior general description of civic activities, specifically regarding the emphasized section above, which is attached on the following pages.

17.05.520: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in a C-17 district shall be as follows:

- Adult entertainment sales and service
- Auto camp
- Criminal transitional facility
- Custom manufacturing
- Extensive impact
- Residential density of the R-34 district as specified
- Underground bulk liquid fuel storage - wholesale
- Veterinary hospital
- Warehouse/storage
- Wireless communication facility



Port of Hope
218 N 23rd
CDA, ID 83814

Dear Mr Holm,

Per our conversation, the following is Port of Hope's response to your questions.

-The maximum number of offenders and types of offenders: The current Request for Proposal is for a projected minimum of 21 beds and a maximum of 43 beds. Out of those 43, approximately 55% will be in house and 45% will be monitored in their homes under home confinement. Our current in house population is 25 beds and 7 on home confinement. Our current population consists of approximately 85% drug related crimes (manufacturing, possession and distribution), the remaining 15% consists of theft, mail fraud, pornography, robbery, crimes on an Indian Reservation and assault type charges.

-Extent of Supervision: Port of Hope supervises the offenders 24 hours a day, seven days a week. The Port of Hope RRC has an accountability program in place that enables the RRC Staff to know the whereabouts of offenders at all times. The RRC Promotes honesty, integrity, and professionalism of all facility employees in order to ensure a safe and secure facility and maintain public confidence in our program. Port of Hope has a camera surveillance system with camera's in all the common areas inside the facility and the surrounding outside parameter. The RRC has camera monitors mounted in key areas to assist in accountability and to help maintain the integrity of our program. The RRC also has a secured entry where all offenders must be buzzed in/out by staff as well as outside visitors. The RRC is equipped with an alarm system which monitors building exits and windows. Port of Hope utilizes a computerized software program (Safe Keep) to track offender movement, head counts, medication, employment, etc. The system alerts staff when an offender is one (1) minute late and continues to alert staff until the offender returns or key staff locate the offender. Port of Hope has implemented GPS (Veritracks) on all offenders placed in the Home Confinement component as well as offenders that are found to be at risk for non-compliance with accountability. All offenders are breathalyzed every time they return to the facility and randomly within the facility. All offenders receive urinalysis testing randomly at a five percent ratio and a minimum of four (4) times monthly if they have a drug and alcohol component. Weekly, each offender is required to submit an Itinerary which outlines their schedule for the coming week. Included on the itinerary are employment schedules, recreation, worship services, aftercare plans and other program needs. The RRC Director reviews each itinerary for completeness and authorization. Offenders are not allowed to deviate from the Itinerary unless they receive pre-authorization. Offenders are given a RRC contact number and required to call in their movement. The telephone is monitored by RRC staff and has Caller Identification. Offenders are required to call in while seeking employment, or attending program needs. RRC staff randomly return calls to offenders and inspect all sites to verify their location. A list of pre-approved locations is then placed in each offenders file. Each offender signs in and

out of the facility utilizing a signature pad linked to Safe Keep that is controlled by the RRC Staff. Each time the offender leaves the facility the RRC Staff records the time out, destination, purpose and authorized return time. Port of Hope strives at maintaining a link between the RRC and the surrounding community. Port of Hope makes a conscious effort to stay in continuous communication with local businesses and areas that the offenders frequent. We stand behind our accountability program and our mission to help offenders reentry to the community.

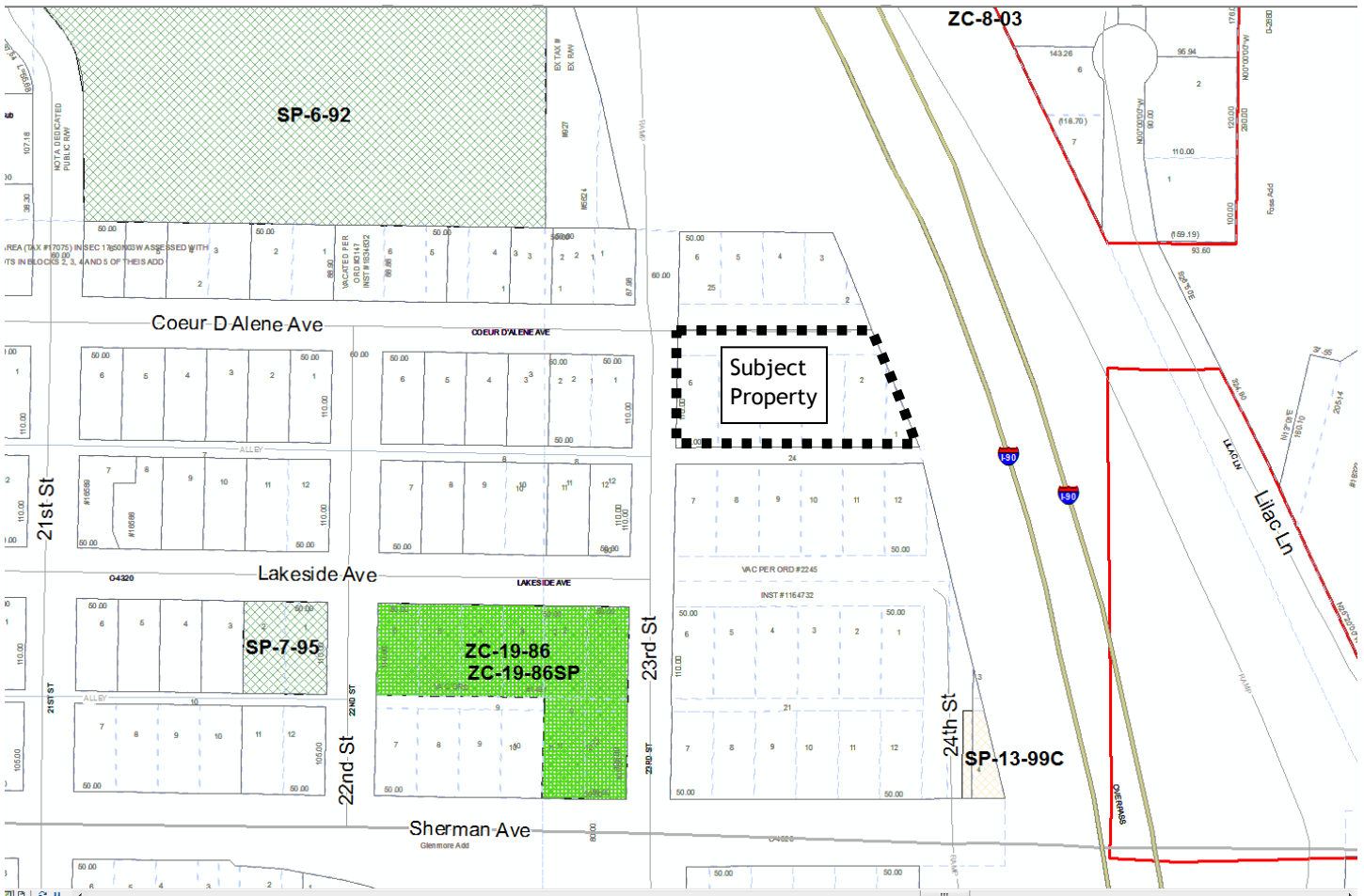
Maximum length of Stay: The typical offender resides at the Port of Hope for 90-180 days. During the initial 60-90 days, the offender is required to obtain employment, attend treatment and develop a residence. After approximately 90 days, if appropriate, the offender is placed on home confinement for the remainder of their stay.

Sincerely,



Tamara Chamberlain
Executive RRC Director

Prior Land Use Actions in Area:



- Zone Changes/Special Use Permit:
 ZC-19-86SP R-17 to C-17 and Auto camp SUP 10.7.86 Approved

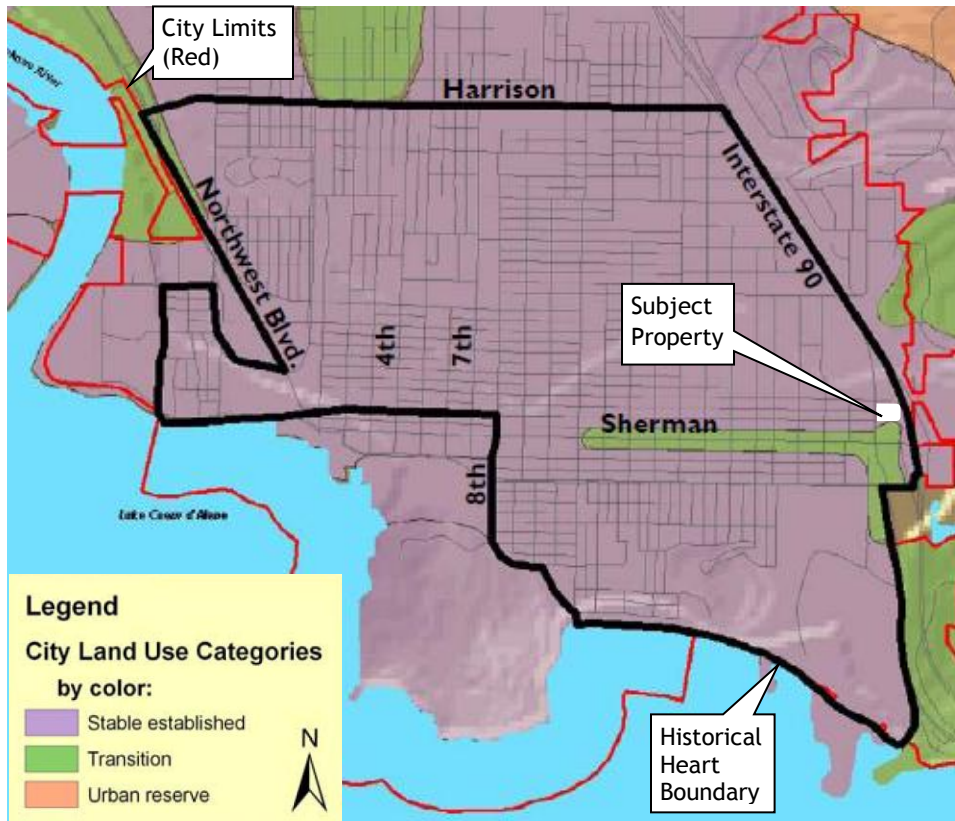
- Special Use Permits:
 SP-6-92 Community Education (SD#271) 7.14.92 Approved
 SP-7-95 Parking Lot 7.11.95 Approved
 SP-13-99C Wireless Tower N/A Withdrawn

- Zone Changes/Special Use Permit:
 ZC-8-03 R-3 to R-12 11.12.03 Denied

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 City Comprehensive Plan Map designates this area as stable established:



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

Land Use: Historical Heart

Historical Heart Today:

The historical heart of Coeur d'Alene contains a mix of uses with an array of historic residential, commercial, recreational, and mixed uses. A traditional, tree-lined, small block, grid style street system with alleys is the norm in this area. Neighborhood schools and parks exist in this location and residents have shown support for the long term viability of these amenities. Focusing on multimodal transportation within this area has made pedestrian travel enjoyable and efficient.

Widely governed by traditional zoning, there are pockets of infill overlay zones that allow development, based on Floor Area Ratio (FAR). Many other entities and ordinances serve this area to ensure quality development for generations to come. Numerous residential homes in this area are vintage and residents are very active in local policy-making to ensure development is in scale with neighborhoods.

Historical Heart Tomorrow

Increased property values near Lake Coeur d'Alene have intensified pressure for infill, redevelopment, and reuse in the areas surrounding the downtown core. Stakeholders must work together to find a balance between commercial, residential, and mixed use development in the Historic Heart that allows for increased density in harmony with long established neighborhoods and

uses. Sherman Avenue, Northwest Boulevard, and I-90 are gateways to our community and should reflect a welcoming atmosphere. Neighborhoods in this area, Government Way, Foster, Garden, Sanders Beach, and others, are encouraged to form localized groups designed to retain and increase the qualities that make this area distinct.

The characteristics of Historical Heart neighborhoods will be:

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

Significant Comprehensive Plan Goals and Objectives for Consideration:

Objective 1.06

Urban Forests:

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

Objective 1.14

Efficiency:

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

Objective 1.16

Connectivity:

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

Objective 2.01

Business Image & Diversity:

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

Objective 2.02

Economic & Workforce

Development:

Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.

Objective 2.05

Pedestrian & Bicycle

Environment:

Plan for multiple choices to live, work, and

recreate within comfortable walking/biking distances.

Objective 3.01

Managed Growth:

Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.

Objective 3.05

Neighborhoods:

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

Objective 3.06

Neighborhoods:

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

Objective 3.07

Neighborhoods:

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

Objective 4.01

City Services:

Make decisions based on the needs and desires of the citizenry.

Objective 4.06

Public Participation:

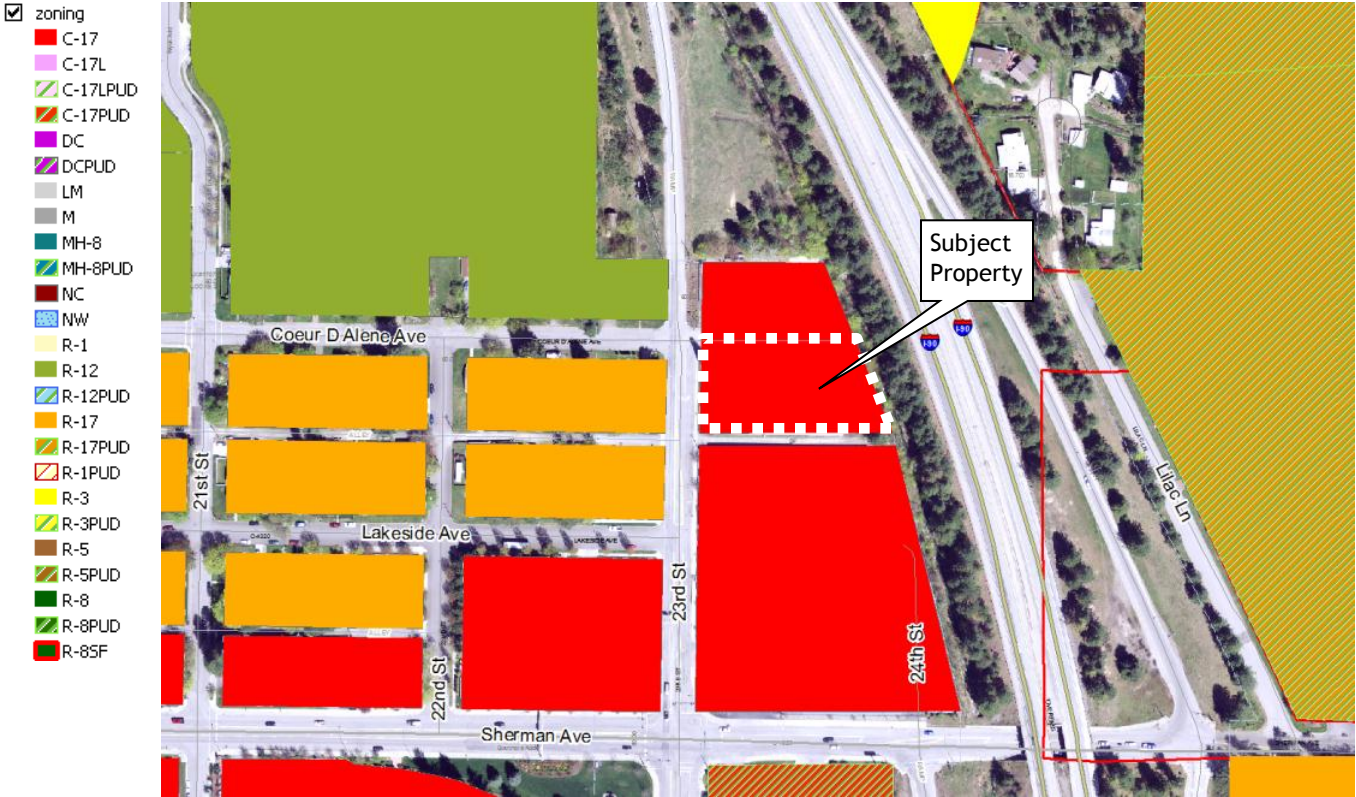
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

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

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

Zoning:

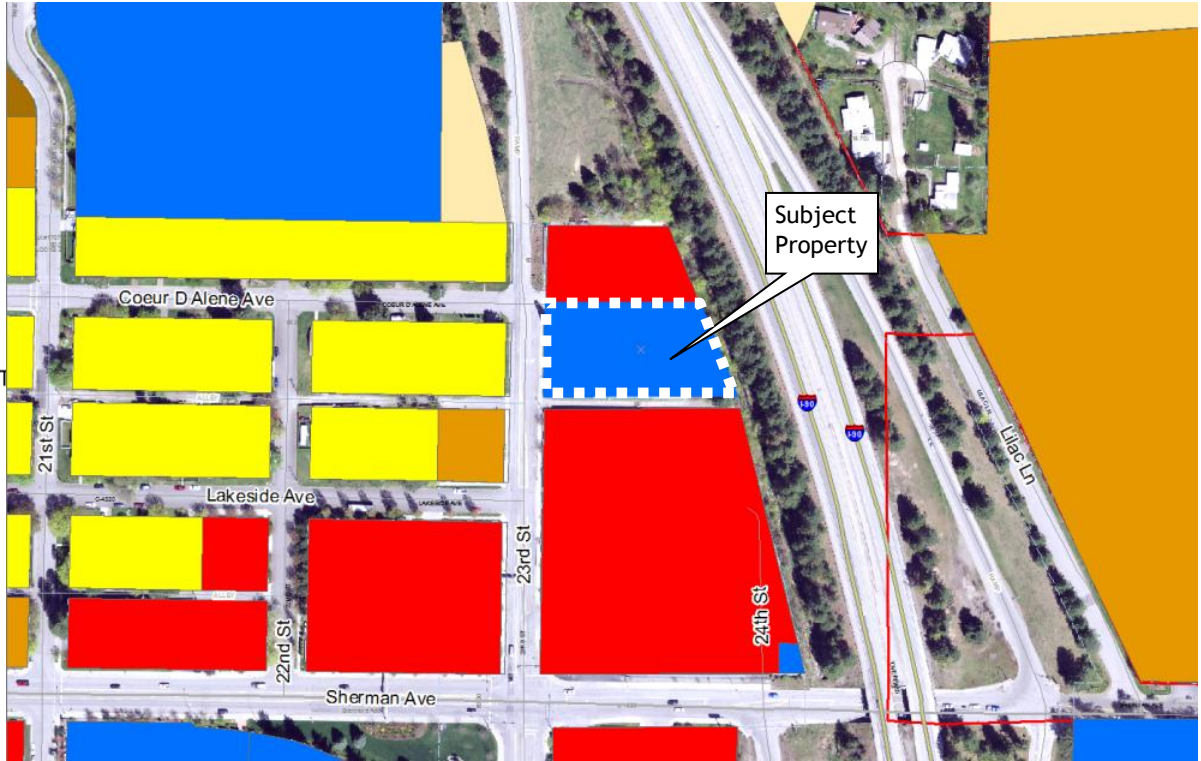
- Subject Property is Zoned C-17.



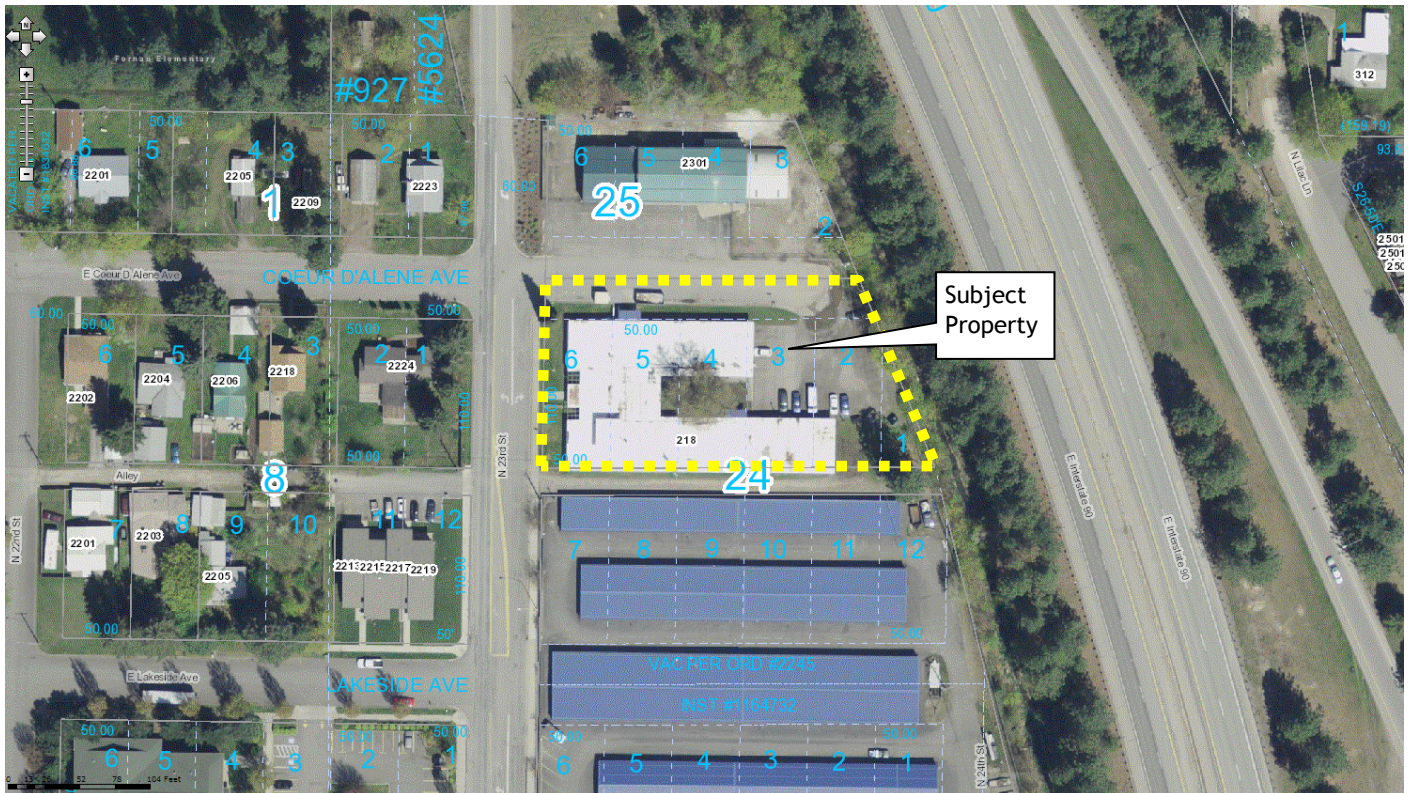
Generalized land use pattern:

- Existing land uses in the area include: Civic (Elementary school), single family (Attached & detached), duplex, multi-family, commercial, and vacant land.

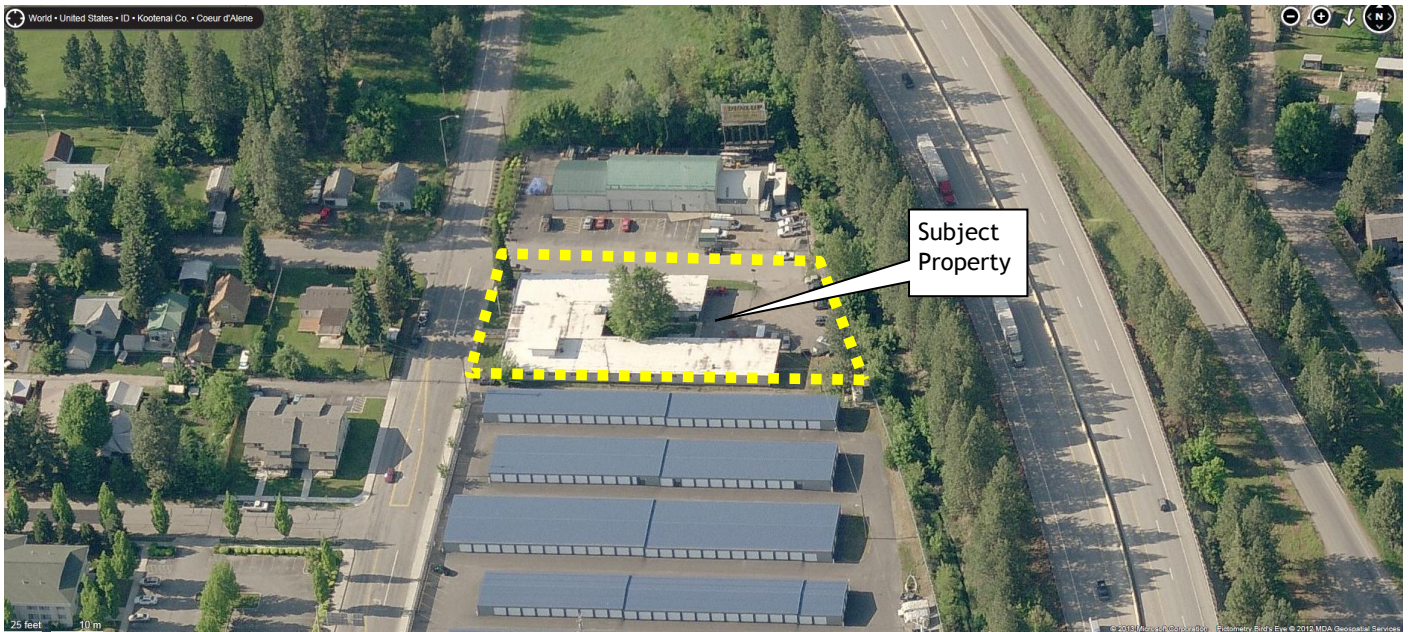
- Land Use
- SFA
- SFD
- DUPLEX
- MH
- MHP
- MFD
- CIVIC
- COMM
- MFGR
- AGRICULT
- VACANT



Aerial view:



Oblique view:



Site Pictures:
Port of Hope from Coeur d'Alene Ave & 23rd St. (Looking SE)



Entrance for Port of Hope along 23rd St.



Mini storage located south of subject property separated by alley



4-plex along 23rd St. (looking SW from Port of Hope)



Single family homes across the street from subject property (West)



Another view of single family home from Coeur d'Alene Ave & 23rd St (Looking South)



Another view of single family home from Coeur d'Alene Ave & 23rd St (Looking NW)



"Shannon Industrial: Plumbing & Heating" a commercial use north of subject property



North side of Port of Hope along vacated portion of Coeur d'Alene Ave. (Looking East)



View of north side of subject property along vacated ROW (Looking West)



View of subject property along vacated ROW (Looking Southwest)



Looking north from Sherman Avenue up 23rd St. toward subject property (I-90 exit)



Evaluation: The Planning Commission must determine, based on the information before them, whether the design and planning of the site is compatible with the location, setting, and existing uses on adjacent properties.

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: No comment/objection for the special use permit.
- Submitted by Terry Pickel, Assistant Water Superintendent

SEWER: No comment/objection for the special use permit.
- Submitted by James (Jim) Remitz, Utility Project Manager

STREETS: The ITE Trip Generation Manual does not have a categorization for this type of use; therefore, an estimate of potential daily traffic generation cannot be arrived at. Due to the fact that the facility has been operating in its current capacity since 1991, and there have not been traffic related problems, it is a logical extension to presume that the situation will continue without any due impact on the surrounding neighborhood. Also, the fact that the facility is situated on a street that has signal controlled access, and, is adjacent to the City's main east/west arterial roadway, rapid dispersion of vehicles to be expected.
- Submitted by Chris Bates, Engineering Project Manager

FIRE: No comment/objection for the special use permit.
- Submitted by Bobby Gonder- Fire Inspector/Investigator

Evaluation: The Planning Commission must determine, based on the information before them, whether the location, design, and size of the proposal are such that the development will be adequately served by existing streets, public facilities and services.

D. Proposed Conditions:

Allowances to be set by Special Use Permit in addition to findings:

1. Maximum number and type of offenders based on the offenses committed
2. Extent of supervision required
3. Length of allowable transition period

E. Ordinances and Standards Used In Evaluation:

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

ACTION ALTERNATIVES:

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

JUSTIFICATION:

Proposed Activity Group: Transitional and Drug + Alcohol Rehabilitation

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

A. A description of your request; Port of Hope has been providing Drug + Alcohol Treatment at our current location since April of 1991 and Transitional housing since 1998. We ARE IN
(cont)

B. Explain how your request conforms to the 2007 Comprehensive Plan;
Port of Hope has been an active member of this Community since 1984 and in our current location since 1991. We believe our programs have and will
(cont)

C. Explain how the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties;
Since Port of Hope has been in its current location since 1991, we have an established relationship with our current adjacent properties (Shannon Plumbing,
(cont)

D. Explain how the location, design, and size of the proposal will be adequately served by existing streets, public facilities and services;
Port of Hope has been operating at its current location. No expansion or changes are being requested.

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

Port of Hope has been at this location since April 1991 as a Drug + Alcohol Treatment Center. We have been a Transitional Center for The Bureau
(cont)

Port of Hope Centers, Inc
Special Use Permit (Con't)

Justification (Continued):

- A. The process of rebidding a third 5-year term with the transitional housing program and was informed that we would now need a special use permit. Port of Hope will not be making any changes to our current building, site or program. We are requesting the Special Use Permit based on our existing building and programs.

- B. Continue to build our communities economy, protect our existing neighborhoods and contribute to protecting our natural environment. Port of Hope has provided stable, year-round employment for residents of this community and encouraged their involvement in community activities. Port of Hope will not be making any changes to our lot or building structure in order to continue services. Port of Hope meets the following goals and objectives of the 2007 Comprehensive Plan:

GOAL #1-Natural Environment

Objective 1.06

Urban Forests:

Port of Hope is currently occupying the old Forest Service building and has continued to preserve the trees surrounding the property that were planted by the Forest Service. The property is backed by a natural tree barrier leading up to the interstate and is protected by a fence. Port of Hope continues to enhance the existing landscaping and planting of native species.

Objective 1.12

Community Design:

Port of Hope has been located in this facility providing treatment and transitional services for 22 plus years and are well established within this community at it's current location. Should we have to relocate our facility to another area, it would greatly impact the land use of another urban area and add to sprawling.

Objective 1.14

Efficiency:

In our 22 years at this facility, Port of Hope has continually renovated or remodeled to make the most efficient use of this infrastructure within it's existing land use without impact on the environment or natural terrain. Relocating would add to the impacts of use of undeveloped areas.

Objective 1.16

Connectivity:

Port of Hope has a sidewalk on N. 23rd street that connects with our neighbors (Sherman Self Storage), as well as sidewalks on the other side of the street. With

sidewalks on the connecting streets in the neighborhood there is easy access to public transportation. Our residents are required to utilize the sidewalks and remain on the main arterial. We promote bicycle transportation and provide bicycles for many of our occupants. Our staff are dedicated to keeping the sidewalks clear in the winter months and in good repair for easy access by all residents of the neighborhood.

GOAL #2-Economic Environment

Objective 2.01

Business Image & Diversity:

As a Drug & Alcohol Treatment Center and a Residential Re-entry Center for the Bureau of Prisons, we are a service industry that is important to the community. The services Port of Hope provides are both complementary and supportive to health care and educational activities while preserving this communities quality of life. Port of Hope is a diverse business that strives to maintain a positive image in this community and continues to provide services that are compatible with the neighborhood at it's current location.

Objective 2.02

Economic & Workforce Development:

Port of Hope provides year-round stable jobs with livable wages to many residents of this community which contributes to the overall economic health of Coeur d' Alene. As our resident population grows, our need for more staff increases, which further supports the local workforce. As part of their contracts, RRC residents are required to obtain and maintain gainful employment. Many of our residents gain employment with businesses on Sherman Avenue as well as elsewhere in Coeur d' Alene which gives support to the diverse mix of businesses in our area. Staff work with all residents on development employment skills, life skills and financial management skills. Port of Hope provides needed housing to residents until they are self sufficient, productive members of society.

GOAL #3-Home Environment

Objective 3.01

Managed Growth:

Port of Hope currently provides suitable housing for both drug & alcohol rehabilitation residents and residential re-entry residents to assist them in their life changes and to match the needs of a changing population.

Objective 3.05

Neighborhoods:

Many of our neighbors have resided in their homes for as long or longer than we have resided in our current facility (22 years plus). Port of Hope has coexisted with our neighbors, without any problems, for over 22 years at this location. Our

well established existence in this facility has preserved this neighborhood from incompatible land use or development.

Objective 3.06

Neighborhoods:

Port of Hope's facility is located within the neighborhood in a way that protects the residential character by providing transition boundaries. Our current property is bordered by businesses on both sides, interstate along the back portion of the lot, and a main street in front. Many of our neighbors feel safer with our presence because we operate 24 hours a day, seven days a week so there are always staff here. We have 28 interior and exterior surveillance cameras and add these to the Sherman Self Storage surveillance cameras and we provide a safer neighborhood.

Objective 3.07

Neighborhoods:

Our Sidewalk connects with our neighbors on both sides of the street making it easier and safer for our residents and the residents of the neighborhood to get to and from the Sherman Avenue corridor and public transportation.

Objective 3.08

Housing:

Port of Hope currently provides quality housing for all income and family status categories. Without Port of Hope's presence, many residents would be homeless and on the streets of this community.

Objective 3.11

Historic Preservation:

Our facility was originally owned by the Department of Forestry. Our presence here for over the past 22 years has preserved the large one-of-a-kind tree that the Forestry Department grafted back in the 1960's.

GOAL #4-Administrative Environment

Objective 4.01

City Services:

Port of Hope, as a drug & alcohol rehabilitation center and a residential re-entry center, has provided a much needed service that meets the needs and desires of the citizenry. Our mission statement includes "to protect and serve the people and needs of our community" and Port of Hope has served over 60,000 residents of this and neighboring communities.

Objective 4.06

Public Participation:

Informing the community about our programs and their importance is achieved through mailings, the internet, and most importantly, with regular meetings with

various community based groups where public involvement in decision-making processes is promoted.

Land Use: Historical Heart

Our present facility location meets the Historical Heart neighborhood characteristics by encouraging growth that compliments and strengthens our existing neighborhood while providing pedestrian connectivity. Our commercial building size will remain lower in scale than in the downtown core which also fulfills the needs of the Historic Heart neighborhood.

- C. Sherman Self Storage and LaQuinta who employs some of our residents). Our building is set on the property in a manner that allows for a privacy screening from the street view. Our residents and employees park in the back and on the dead end street. The main entrance and courtyard are in the back of the building. The trees provide a screen from the freeway to our backyard.

- E. Since 1998. We have been performing these services without any issues or concerns from our community and remain dedicated to providing these services without impacting our neighbors. We believe that Port of Hope has and will continue to be an asset to the community and the overall growth and protection of this community. We have always made sure that we had the proper zoning and made notifications to local officials of our programs. Port of Hope only recently learned of the need for a Special Use Permit and that is why we are requesting your consideration.

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

A. INTRODUCTION

This matter having come before the Planning Commission on July 9, 2013 and there being present a person requesting approval of ITEM: SP-3-13, a Special Use Permit allowing a criminal transition facility in the C-17 (Commercial) zoning district to operate a residential re-entry service for federal offenders

APPLICANT: PORT OF HOPE CENTERS INC.

LOCATION: 218 N. 23RD STREET – APPROX 0.842 OF AN ACRE

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 Civic (Elementary school), single family (Attached & detached), duplex, multi-family, commercial, and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established.
- B3. That the zoning is C-17.
- B4. That the notice of public hearing was published on, June 22, 2013, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on June 26, 2013, which fulfills the proper legal requirement.
- B6. That 29 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on June 21, 2013.
- B7. That public testimony was heard on July 9, 2013.

- 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 **PORT OF HOPE CENTERS, LLC** for a special use permit, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

1. Maximum number and type of offenders based on the offenses committed
2. Extent of supervision required
3. Length of allowable transition period

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

ROLL CALL:

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

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN

**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI STROUD, PLANNER
DATE: JULY 9, 2013
SUBJECT: SP-4-13 – REQUEST FOR A RELIGIOUS ASSEMBLY SPECIAL USE PERMIT
IN AN MH-8 ZONING DISTRICT
LOCATION: A +/- 1.435 AC PARCEL AT THE SOUTHEAST CORNER OF BOSANKO
AVENUE AND HOWARD STREET

DECISION POINT:

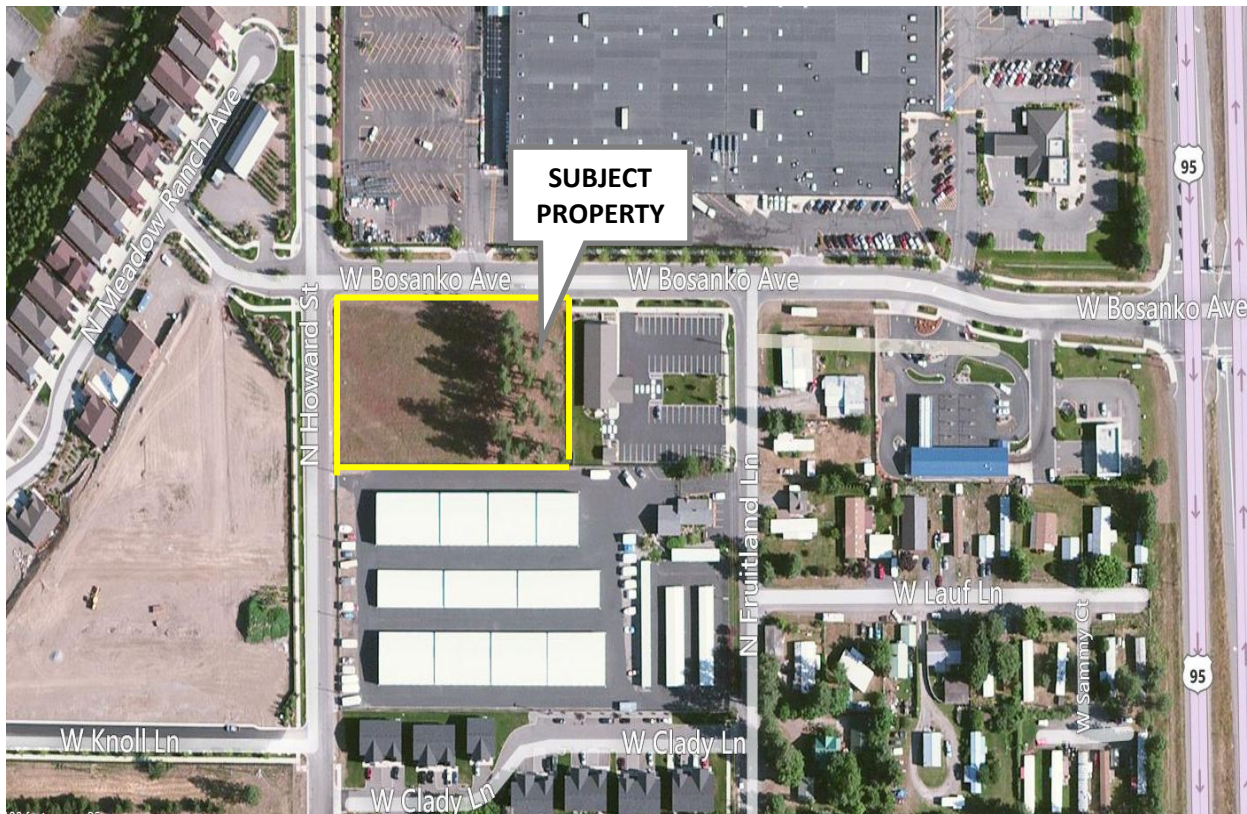
The Church of Christ is requesting a Religious Assembly Special Use Permit in the MH-8 (Mobile Home at 8 units/acre) zoning district to allow the construction of a one-story, 8000 sf. church with a 81 space paved parking lot.

APPLICANT/OWNER:

The Church of Christ at Coeur d'Alene
917 N. 4th Street
Coeur d'Alene, ID 83814

GENERAL INFORMATION:

A. Aerial view:



B. Site Photos:

Looking north toward Fred Meyer



Looking south toward the existing mini-storage facility



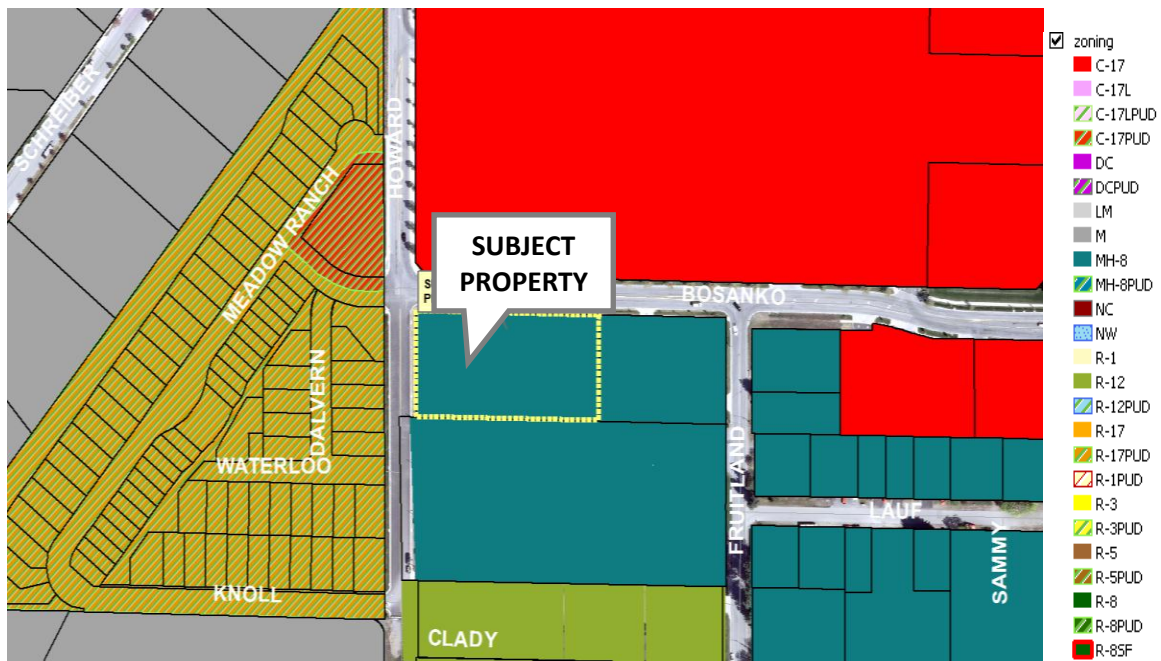
Looking east toward the existing Jehovah's Witness Church



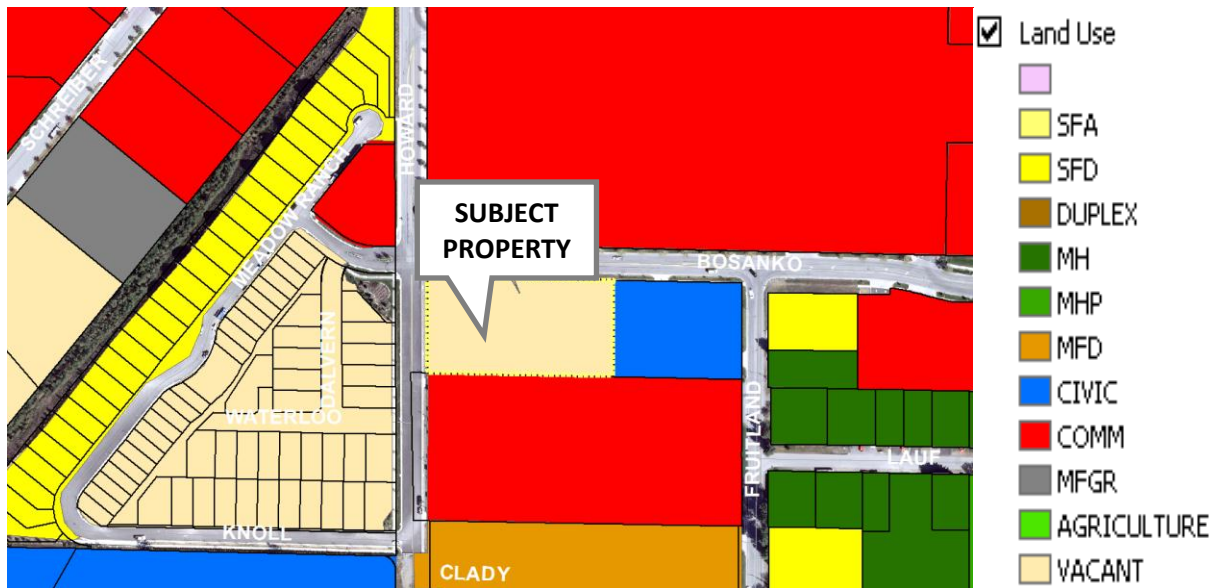
Looking west toward Meadow Ranch Subdivision



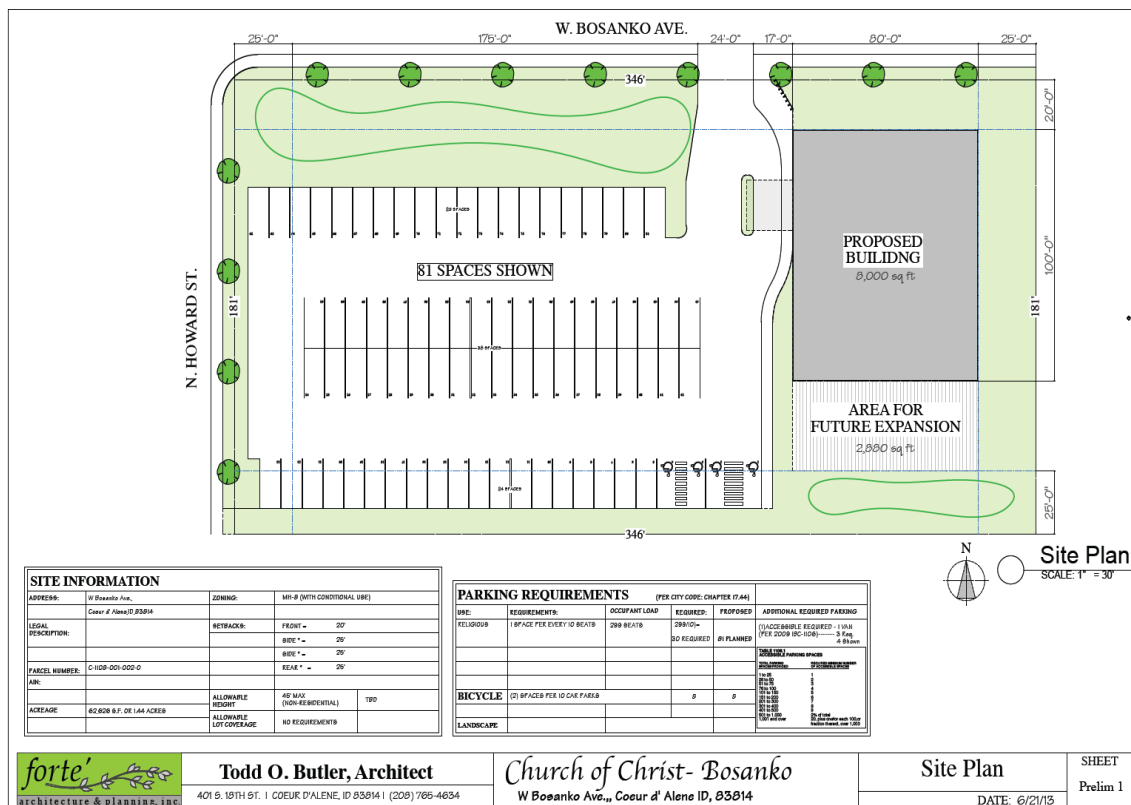
C. Zoning:



D. Land Use:



E: Conceptual Site Plan:

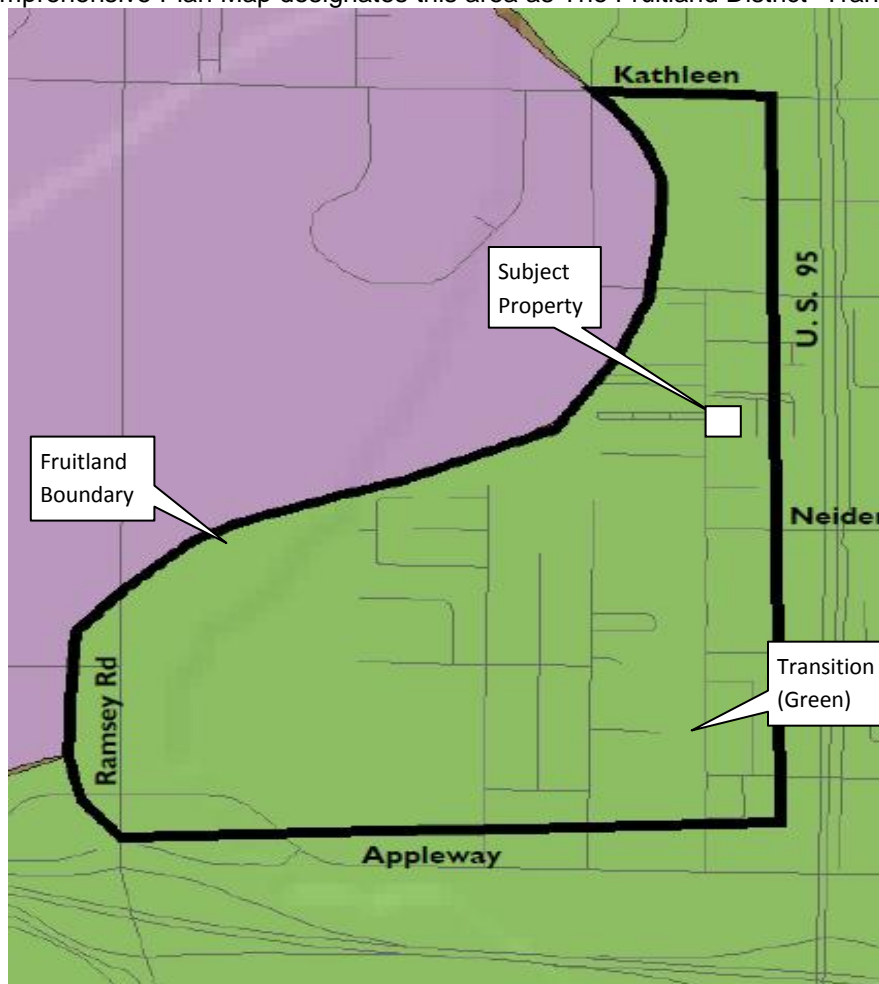


- F. Existing land uses in the area include residential - single-family, duplexes & mobile homes, commercial- sales and service, civic and vacant land.
- G. The subject property is vacant and relatively flat.
- H. Previous actions on adjoining property:
 1. SP-4-97 – A mini-storage special use permit was approved on July 8, 1997 on the adjoining property to the south.
 2. SP-7-06 – A religious assembly special use permit was approved on June 13, 2006 on the adjoining property to the east.

PERFORMANCE ANALYSIS:

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

The Comprehensive Plan Map designates this area as The Fruitland District- Transition, as follows:



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

Legend
City Land Use Categories
by color:

- Stable established
- Transition
- Urban reserve

N

Fruitland is generally known as the area bordered by commercial uses along US 95, Kathleen Avenue to the north, commercial uses on Appleway Avenue south, and the area separated by manufacturing and residential along the west.

The Fruitland area is home to diverse land uses. Commercial uses are common near major corridors transitioning to single-family housing with pockets of multi-family housing and mobile home parks.

Manufactured homes are prevalent in areas removed from the US 95 corridor, and continued growth provides affordable housing for residents. Fruitland has the largest concentration of mobile home zoned property within city limits.

Topography is generally flat and development opportunities exist. A recent wastewater main extension north to Bosanko provides opportunity for development.

Fruitland Tomorrow

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

The characteristics of Fruitland neighborhoods will be:

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

The characteristics of Fruitland commercial areas will be:

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

Significant Comprehensive Plan policies for consideration:

Objective 1.11

Community Design:

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

Objective 1.12

Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14

Efficiency:

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

Objective 2.01

Business Image & Diversity:

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

Objective 2.02

Economic & Workforce Development:

Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.

Objective 3.05

Neighborhoods:

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

Objective 4.01

City Services:

Make decisions based on the needs and desires of the citizenry.

Objective 4.06

Public Participation:

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

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

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

The proposed design of the building is one story structure. The subject property is adjacent to commercial uses (North - Fred Meyer, South - mini-storage) and residential uses on the west side of Howard Street (Meadow Ranch Subdivision).

Evaluation: Based on the information presented, the Planning Commission must determine if the request is compatible with surrounding uses, is designed appropriately to blend in with the area and consider any impacts from the operation of the use that may adversely impact the adjoining residential neighborhood.

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 service is currently unavailable to the vacant lot proposed for a religious assembly under special use permit. Water service must be installed at the time of construction.

Comments submitted by Terry Pickel, Assistant Water Superintendent.

SEWER:

Wastewater has no comment/objection to the request.

Comments submitted by Jim Remitz, Capital Program Manager

STORMWATER:

City Code requires a stormwater management plan to be submitted, and these issues will be addressed with any building permit submittal for the subject property

TRAFFIC:

Based upon the gross square footage of the proposed building, the ITE Trip Generation Manual estimates the project may generate approximately 290 trips per activity on a Sunday. Peak hour generation on a Sunday is approximately 94 trips, and, peak hour trips on a typical weekday amount to only 7 trips.

Evaluation

The adjacent and/or connecting streets will accommodate the additional traffic volume. The proposed use is situated adjacent to two (2) major signalized intersections and principal arterial roadways that will adequately regulate the traffic movements to and from the site. Also, the adjacent local streets provide numerous connections to access and depart from the area.

STREETS:

The subject property is bordered by Howard Street on the west which is a primary north/south collector street between W. Appleway Avenue and Kathleen Avenue and, by Bosanko Street on the north which links directly to U.S. Hwy. 95.

Evaluation:

All of the adjoining streets have been constructed to, and meet, current City standards for width and right-of-way. No changes or alterations will be required. Frontage improvements (i.e. drainage swales, sidewalk, etc.) will be addressed during the building permit process for the subject property.

Access to the subject property will be restricted to the Bosanko Street frontage, and, the preferred location of any approach would be directly across from the ingress/egress location for the Fred Meyer parking lot to the north. Positioning the approaches directly across from each other will reduce the turning movement conflicts that can arise from offset approaches.

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.

Comments submitted by Chris Bates, Engineering Project Manager

FIRE:

Access is good but fire sprinklers and fire alarms may be needed due to total occupant load. These notes were given to the applicant during the project review

Comments submitted by Bobby Gonder-Fire Inspector/Investigator

D: PROPOSED CONDITION:

1. Position the location of the ingress/egress access point, directly across from the access point to the north to reduce the potential for turning movement conflicts.

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.

JUSTIFICATION:

Proposed Activity Group; religious assembly

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

A. A description of your request; Special Use Permit
For a church in the MH-8 zoning
district.

B. Explain how your request conforms to the 2007 Comprehensive Plan;
The subject property is in the transition area.

C. Explain how the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties;
The proposed use will have a low impact
on the surrounding neighborhood. There is
a mixture of commercial, multi-family &
residential uses in the area.

D. Explain how the location, design, and size of the proposal will be adequately served by existing streets, public facilities and services;
A project review was held & no significant
issues were brought to our attention.

E. Any other information that you feel is important and should be considered by the Planning Commission in making their decision.
We feel this usage for this property will
meet our needs and be of value
to the neighborhood and city as well.

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

A. INTRODUCTION

This matter having come before the Planning Commission on July 9, 2013, and there being present a person requesting approval of ITEM SP-4-13, a request for a Religious Assembly Special Use Permit in the MH-8 (Mobile Home at 8 units/acre) zoning district to allow the construction of a one-story, 8000 sf. church with a 81 space paved parking lot.

APPLICANT: THE CHURCH OF CHRIST AT COEUR D'ALENE

LOCATION: A +/- 1.435 AC PARCEL AT THE SOUTHEAST CORNER OF BOSANKO AVENUE
AND HOWARD STREET

**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, duplexes & mobile homes, commercial- sales and service, civic and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is MH-8.
- B4. That the notice of public hearing was published on, June 22, 2013, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on June 26, 2013, which fulfills the proper legal requirement.
- B6. That 76 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on June 21, 2013.
- B7. That public testimony was heard on July 9, 2013.

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 **THE CHURCH OF CHRIST AT COEUR D'ALENE** for a special use permit, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

1. Position the location of the ingress/egress access point, directly across from the access point to the north to reduce the potential for turning movement conflicts.

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

ROLL CALL:

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

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN