

**PLANNING COMMISSION
MINUTES
APRIL 9, 2019
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Tom Messina, Chairman
Jon Ingalls, Vice-Chair
Lynn Fleming
Michael Ward
Peter Lutropp
Brinnon Mandel

STAFF MEMBERS PRESENT:

Hilary Anderson, Community Planning Director
Tami Stroud, Associate Planner
Mike Behary, Associate Planner
Shana Stuhlmiller, Public Hearing Assistant
Randy Adams, Deputy City Attorney

COMMISSIONERS ABSENT:

Lewis Rumpler

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Lutropp, seconded by Fleming, to approve the minutes of the Planning Commission meeting on February 28, 2019. Motion approved.

Motion by Lutropp, seconded by Mandel, to approve the minutes of the Planning Commission meeting on March 12, 2019. Motion approved.

ELECTIONS:

Chair and Vice-Chair

Motion by Ingalls, seconded by Fleming, to nominate Tom Messina as Chairman. Motion approved.

Motion by Lutropp, seconded by Mandel, to nominate Jon Ingalls as Vice Chair. Motion approved.

COMMISSION COMMENTS:

None.

STAFF COMMENTS:

Hilary Anderson, Community Planning Director provided the following statements.

- She stated that May they have an Annexation and Special Use Permit, and explained that they were going to hear the Annexation request this evening, but it made sense to move the annexation to May since the special use permit and annexation are tied together.
- She thanked the Commission for participating in the Atlas Workshop last week, which was a great discussion. She said that she received everyone's comments on feedback and questions for Welch-Comer and GGLO and that staff will schedule another workshop to focus on those questions received from the last workshop.
- She stated that there will be a pilot project for resident only parking at Midtown for portions of Montana, Reid and Roosevelt that will go into effect in a couple of weeks. She added that they are sending out letters this week to homes that are within the boundary of the pilot project and once they have 66% participation per block, it will go into effect on that block. They are going to test it and report back to council within 6 months and the pilot program could go for up to a year to see how well it is working, or if there are any issues. There will be a construction project starting on April 15th at the intersection of 4th and Roosevelt and they will be installing the Pedestrian Activated Rectangular Rapid Flashing Beacons at Roosevelt and Montana.
- Update on the Comprehensive Plan - The Selection team reviewed the four proposals and thanked Chairman Messina for being part of the selection committee. They are moving forward with contract negotiations and will look at scope and are anxious to start working with the firm.

PUBLIC COMMENT:

None.

ADMINISTRATIVE ITEM: *ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS.**

1. Applicant: Lanzce Douglass
Request: To request a 1-year extension for SP-1-17 (R-34 Density Increase Special Use Permit), 2772 W. Seltice Way.

Ms. Anderson, Community Planning Director stated that the Atlas Mill Development Corporation is requesting a one (1) year extension of SP-1-17 (R-34 Density Increase Special Use Permit) approved January 10, 2017, which went into effect on June 4, 2017 when the annexation agreement and annexation ordinance were recorded.

Ms. Anderson provided the following statements:

- The above-noted special use permit is set to expire on June 4, 2019. Due to active and ongoing dialogue with the City on a possible land swap involving the subject property, the applicant is requesting an extension of the SUP approval for one (1) year to **June 4, 2020**, which would allow additional time to come to mutually agreeable terms with the City.
- She stated that, if approved, the following conditions still pertain:
 1. Traffic islands will be required to prohibit left turns on Seltice Way.
Acceleration/Deceleration lanes will not be required.
 2. Sidewalk connections to the proposed shared-use path on Seltice Way will be routed to avoid crossing the parking lot areas.
 - 3 Any improvements required to meet service delivery and fire flow will be the responsibility of the developer at his/her expense.

4. The applicant will need to demonstrate that the peak wastewater flows generated from the increased density will not compromise the public sewer main's downstream capacity all the way to the Wastewater Treatment Plant.

Ms. Anderson concluded her presentation.

Motion by Fleming, seconded by Mandel, to approve a one year extension request for SP-1-17, Motion approved.

PUBLIC HEARINGS: ***ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS.

1. Applicant: Ben Widmyer
Location: 215 W. Mill, 1715, 1705 and 1719 N. Govt Way and 208 W. Davidson
Request: An R-34 Density Increase special use permit in the R-17 & C-17L
zoning district.
QUASI-JUDICIAL (SP-1-19)

Mike Behary, Associate Planner, stated that Miller Stauffer, representing Benjamin Widmyer, is requesting approval of a special use permit to allow a density increase to R-34 that will allow a mixed use development with commercial units located on the first floor and 43 residential multi-family units located above the commercial units.

Mr. Behary provided the following statements:

- The existing site is made up of six individual parcels.
- He referenced an aerial photo showing the property which is located by Government Way that is considered an arterial road.
- The six parcels contain four single family dwellings, one office building, and one vacant lot. The applicant has acquired each one of these properties over time and is now ready to move forward with the proposed mixed use development.
- The applicant is proposing to demolish the existing structures on the site and build a five story mixed use building with commercial uses located on the first floor and residential units located above the commercial units.
- The proposed special use request will allow for a total of 43 multi-family units on the site. The current zoning allows for a total of 22 multi-family units on this size of a parcel.
- The proposed mixed use building will be five stories tall and will be allowed a maximum height of 63 feet in accordance with the proposed R-34 zoning height restrictions for mixed use structures.
- Mr. Behary provided photos showing the location of the property including an aerial photo.
- He explained the site plan submitted by the applicant including building elevation.
- He provided a zoning map showing the surrounding zoning of the property.
- He explained the findings needed for approval.
- He stated that the Comprehensive Plan designates the area as Appleway-North 4th Street, Stable Established.
- He provided a map showing the other approved Special Use Permits in the area.
- He included various photos of the site.
- He noted in the staff report the various staff comments and added that this application has been routed through the various city departments and that each department has indicated there are adequate public facilities and public utilities available to serve the proposed request.
- He stated there are 10 conditions if the project is approved.

Mr. Behary concluded his presentation

Commission Comments

There were no questions for staff.

Public Testimony open.

Mike Walker, applicant representative from Miller Stauffer, provided the following statements:

- He showed a photo of the overall site of the property.
- He showed the adjacent uses surrounding the property
- He referenced the code section for R-34 and stated that the property is close to parks, schools, etc.
- He showed an aerial view of the property and noted that Winton School is within the vicinity.
- He showed some site photos of the property.
- He noted that there are some existing commercial properties surrounding the property with Idaho Youth Ranch close by.
- He showed a rendering of the site plan and said they are proposing putting the building up against Government Way with parking behind the building which will act as a buffer between the higher density use along Government Way.
- He showed renderings of the buildings with a tree canopy along Government Way with patio style homes on the lower levels and a terrace.
- He stated that on Mill they are proposing some commercial use.
- He stated that they want to step back from Government Way as they go up in height, which would be appropriate for this type of development.
- He stated that the project is perfect for R-34 since it provides a good transitional buffer between the commercial across from Government Way and the R-12 which is on the other side of the site.
- He stated that the project will help provide needed housing in an area close to the medical district within biking distance to the CBD, Education Corridor, and Riverstone.
- The city has established two bike lanes that go down Government Way.
- He commented that they feel the density would not create any burden to city services.

The applicant concluded his presentation.

Commission Comments.

Commissioner Ingalls stated that they have received a written comment from someone living on Davidson directly to the west and explained that this person is in favor of this project, but only if the parking next to him on the west could be set back 10 feet to the east.

Mr. Walker stated they were aware of this situation and they intend to create a buffer strip between the project and the single family development. He commented that they had planned to do a site-obscuring fencing with heavy vegetation trees to help screen the parking lot from the single family residences.

Commissioner Ingalls inquired if they could fix the layout of the parking, so that when cars are coming into the parking lot their lights don't shine into the neighbors' homes, and if they would consider providing a 100% site obscuring fence with a landscape buffer. He inquired if the applicant would have any objections to adding that as another condition.

Mr. Walker said they feel it would be a reasonable condition and that it is their intent is to be a good neighbor. He commented that when designing the project, they discussed trying to create some site obscuring items to help eliminate any unnecessary noise.

Commissioner Ward asked if staff would explain what the lighting standards are for a parking lot and stated that as he had driven around, he noticed different styles of lighting in other parking lots around the city.

Mr. Behary stated that lighting is required to be directed face down onto the parking lot, so the light won't spill over to the adjoining properties.

Commissioner Fleming inquired how many parking spaces will be available since they had a lot of snow this year, and he questioned where the snow will go, especially if there are a lot of cars in the parking lot.

Mr. Walker explained that it is a preliminary design and when they get to the building permit process, they will be required to look at the area for storm water, which always adds more greenspace. He commented that it is a balancing act between the number of units, what type of units, and how many spaces they will provide. He explained that they will be providing compact spaces and looking at strategies of tucking the parking underneath the building and providing more trees.

Commissioner Mandel noted that on Condition #8 it says that the project is 50,000 sq. or larger and asked what the size would be for the building.

Mr. Behary said that they haven't provided the exact dimensions of the building.

Mary Jo Kringas said that from looking at the plan and if the use is for 34 units, the parking is showing only 45 spaces. She feels that the parking lot is not adequate for that size of a building, and that there will be a lot of parking on the street, and that she would like clarification on how many spaces are allowed. She stated that a four-story building is too high, and explained that one of the reasons most of them have moved in this area is, because they love the views. She commented that by placing a four-story building on a major road, it will diminish appreciation of where we live for the people driving or walking it.

Terry Godbout commended Mr. Walker and said that his firm has done a great job with the architecture for the building and he likes the way they broke up the façade on Government Way by stepping the top back. He said that he does question the math and suggested that if R-34 is a buffer between C17 and R-12, wouldn't a buffer somewhere between 12 and 17 be a better fit than an R-34. He commented that, in his opinion, the project and the other project represent "spot zoning". He feels that if this is approved, they will be establishing precedence by allowing R-34 as norm with developers in the community.

Danny Griffin stated that he is curious as to what type of housing this will be and if it will be low income. He explained that the house next to him is partial commercial and it doesn't have enough parking and people are having to park along the street, which forces him to park down the street to get to his house when he goes home because the parking spot in front of this house is taken.

Isaac Shannon said he is not against this project, but would rather see it done right and is worried about the parking.

Eric Swanbeck stated that he moved here 15 years ago, and has seen Coeur d'Alene grow and high-rises going up and that we used to be a community that advertises the beauty of our area. He lives behind the property and bought a house in a single story neighborhood and since he has been here, feels that he is being "squeezed" out from all sides with the hospital coming one way and this project is coming the other way. He stated that he is not in favor of this project.

Rebuttal:

Mike Walker provided the following statements:

- He stated that they are determined to protect the views and be responsive to the height of the building.
- He commented that their intent is to create something that has a different feel with patio-style homes with terraces and gardens.
- Parking on the site plan shows they have 93 spaces and, depending on the variety of different unit types of apartments, that may include one and two bedroom apartments. They can work with the parking lot so it isn't so big and include landscaping.

Commissioner Messina commented that the C-17L zone states that the height limit for a building is 45 feet, with 63 foot height allowed in an R-34 zone. He said that he appreciates the applicant providing a buffer since the building will be next to Government Way.

Mr. Walker said they can look at parking alternatives. He commented that they would like to see the parcel stand on its own and that is why they have tried to minimize the footprint and push it to Government Way. He explained that with R-34 zoning there are good setbacks associated with it and they plan to take advantage of it with planting strips and more trees to provide a noise buffer.

Commissioner Fleming asked if it would be an affordable housing project.

Mr. Walker stated that this has not been determined.

Commissioner Fleming said that that is something they hear every day -- that there is not enough affordable housing.

Mr. Walker commented that the owner is in the process of looking at an affordable housing project for the city.

Commissioner Lutropp inquired how many R-34 projects they currently have in the city.

Ms. Anderson stated they have one on Coeur d'Alene Lake Drive. Without looking at a map it is difficult to say how many are in the city, but there are a number of R-34 projects.

Mr. Adams stated earlier there was a question asked if this project would be considered "spot zoning," and explained that it would not because R-34 is not a zone, it is a district, and that is why a special use permit is required, rather than a zone change.

Public testimony closed.

Discussion:

Commissioner Ingalls stated that as they go forward, they will be seeing more and more infill projects and it is important not to close the door on this project, but to make sure the project is done well. He said that he was born here and thinks back on what the city used to be which is not realistic since growth and vibrancy are keeping this town alive, which go hand-in-hand, and he feels that 2019 Coeur d'Alene is better. He is not in favor of a "no" mindset or having a "growth" moratorium and feels they should be looking for quality projects and that this project has it. He commented that he thinks they should ask for a condition that requires a site obscuring fence and a landscape buffer on the west property line, and is confident that what the team puts together will be a quality project.

Chairman Messina said that he concurred and that the city is growing and kind of "boxed in" land-wise so, unfortunately, they will be going up instead of out. He stated that they have to look at not trying to stop growth, but to do smart growth and look for quality projects.

Commissioner Lutropp said they are getting ready to redo the Comprehensive Plan which will include

public input and he encouraged everyone to please attend when they have workshops. He commented that he is confident they can come up with something that is more understandable for everyone. He further said that he doesn't share the opinion of Commissioner Ingalls that they are "locked in" and feels they have the ability to grow out with the annexation process.

Commissioner Mandel commented that she understands and appreciates the residents in the area and their concerns. She said that one of the tasks for them is to identify opportunities to confront the growth and identify where they can do smart density. She explained that the transition and buffer zones and C-17L offer them the opportunity and they have been educating themselves on principals of good density and she feels they still have a lot to understand. She said that she drives around the area where the hearings are and compares what it looks like now and, if approved, how the permitted uses in the C-17L could have an impact to the surrounding residents. She said that the task for them is to determine if the R-34 would be significantly worse if approved, or if the impact is dramatically different than what currently exists in the zoning, and she further said that she supports the request.

Motion by Ingalls, seconded by Ward, to approve Item SP-1-19 Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttropp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 6 to 0 vote.

2. Applicant: Glacier 1940 Riverstone, LLC
Location: 1940 Riverstone
Request: A proposed R-34 Density Increase special use permit in the C-17
Zoning district.
QUASI-JUDICIAL (SP-2-19)

Tami Stroud, Associate Planner presented the staff report and stated that Glacier 1940 Riverstone, LLC is requesting approval of a special use permit to allow a density increase to R-34 density that will allow a proposed 65 unit multi-family apartment building in the C-17 Commercial Zoning District.

Ms. Stroud provided the following statements:

- The subject property is located in the Riverstone Development, next to the Riverstone pond, between the Pinkerton office building and Anthony's restaurant.
- The property consists of two lots totaling 2.4 acres. The applicant is proposing a total of 65 residential units above a subterranean parking garage on the subject site. In addition, they are proposing additional surface parking including some carports.
- The gross area of the five story structure is approximately 70,000 square feet, which sits above the +/- 15,000 square foot underground parking garage.
- The apartment units will be comprised of one and two bedroom layouts.
- The current zoning allows for a total of 82 residential units on this size of a parcel
- The proposed structure is five stories tall and will be allowed a maximum height of 63 feet in accordance with the proposed R-34 zoning height restrictions for multi-family structures.
- The subject property is vacant and has been since the original platting of the Riverstone development in 2005.

- She presented a photo showing the property.
- She referenced the applicant's site plan and various renderings of the building floor plan.
- She presented renderings of the various building elevations.
- She stated that the zoning around the property is C-17.
- She went through the findings for approval.
- She stated that pursuant to the Comprehensive Plan the area is designated Spokane River District Tomorrow – Transition.
- The proposed building will have to meet all the required building setbacks and maximum building height requirements for multi-family structures.
- Anthony's restaurant abuts the property on the east side, and there is an office use to the west of the subject property. Riverstone is a mixed use development that includes a variety of uses ranging from single-family dwellings, multi-family, mixed uses, professional and medical offices, and senior apartments.
- There are two hotel structures within the development that are five-stories tall in proximity of the subject property, as well as the mixed use/condo development along Main Street that is +/- 64' at its highest point.
- She explained on a map the approved special use permits and location.
- She presented various site photos of the property.
- She referenced the various staff comments in the staff report.
- She stated that there are 4 proposed conditions for approval.

Ms. Stroud concluded her presentation.

Commission Comments

There were no questions for staff.

Public Testimony open.

Ryan Nipp, applicant, provided the following statements:

- He discussed who they are and what they do and that they have been doing business for over 40 years.
- He commented that their goal is to develop high quality projects which will add value to the other commercial neighborhoods and they take pride in the projects they create.
- He showed various photos of the properties they have developed and currently own and manage.
- He showed a photo of the site overlooking the pond and showed a 3D elevation of the proposed apartment complex and commented that he is very excited. He explained that they have identified a project and use that is economically viable, yet minimizes the impact to the infrastructure and traffic.
- Project details – The property is on 2.4 acres and is a 5-story apartment building, 63 feet in height and approximately 70,000 square feet and they are looking at 65 units with an underground parking garage.
- He stated that they are proud of the design and shape of the building with a great landscaping area and generous setbacks. He said the rear setback, which is closer to the pond, is at a minimum of 50 feet and greater, and noted that they wanted to set it back to provide generous landscaping to soften the area. He stated that 39% of the site will be landscaped.
- He stated that they realize connectivity to the park is important and will have pedestrian access for the residents and a bike path connecting the Riverstone Trail.
- He noted that they are located in the River District and stated uses such as various commercial, residential and mixed uses.
- He described how the project is compatible with Riverstone and believes they are going to deliver

a high quality project with a unique building footprint and shape, multiple roof lines, abundant decks, generous glass and beautiful landscaping.

- In regard to building heights, they are proposing 63 feet which compares to the Hampton Inn and Suites at 74 feet, The Village at Riverstone at 64 feet, the Pinkerton Building at 55 feet, and Staybridge Suites at 59 feet and feel that their building will blend nicely with the other buildings in the area.
- He stated they will be accessing Riverstone Drive to reach two arterials -- Seltice Way, and to the east Northwest Boulevard, which are both signalized intersections.
- He provided a chart showing traffic impacts for apartments versus office and stated that they purchased this property many years ago, thinking it would be intended to be a commercial project like an office, and as time went on they felt apartments would be a better fit. He said that their underlying zone on this property is C-17 and by right they could do 17 units/acre with building heights of 45' feet. He explained that with a special use permit they are requesting an R-34 density to allow 34 units/acre at maximum building heights of 63 feet. He explained that with this project, they are proposing 27 units per acre at 63 feet, so we are in between R-17 and R-34. He said that is not their intent to max out their project.
- In regard to parking, he explained that the project will require 111 parking stalls and that they will provide 133. As a comparison, if they were to build an office building of the same size as the apartments, which are 70,000 sq., it would require 212 parking stalls, at three stalls per 1000 square feet which is the requirement per the city code.
- In regard to a traffic study, they hired JUB to do a trip generation report to look at traffic and he showed a table that included the site in the recent traffic study done by Welch Comer.
- He noted that they are zoned C-17, which allows higher density uses, and that the definition for the Spokane River District promotes residential, urban scale higher densities. Riverstone infrastructure accommodates the development as confirmed by staff and Mr. Nipp commented that, when done, he feels that this will be a high quality project that will benefit the community.

Mr. Nipp concluded his presentation.

Commission Comments.

Commissioner Mandel commented that she sees some inconsistencies in that they have identified Riverstone and Johns Loop as arterials, but staff has identified them as local streets.

Ms. Anderson explained that there was a misunderstanding and that the applicant initially thought those roads were arterials and they didn't realize there were different designations. Staff notified them after checking on what those classifications of those roads were with KMPO (Kootenai Metropolitan Planning Office) and they have been corrected. She stated in the applicant's presentation they show the two arterials that are in proximity of the property which are Seltice and Northwest Boulevard.

Commissioner Mandel questioned if the findings would change in terms of proximity to arterials and the sufficient width of the streets.

Ms. Anderson explained that you don't have to be on an arterial, you just have to be in proximity.

Mary Jo Kringas stated that she has great respect for Parkwood Properties and loves their buildings and commented that they are beautiful. She noted the problem is the building is massive and, if constructed, the views will be obstructed, and she noted that the other commercial properties in this area have been ethical in terms of limiting their height. She stated that she owns a property in Bellerive and is representing her HOA (Homeowners Association) who has submitted a letter stating that if this project is approved, there are going to be some problems. She said that she wonders why nobody else in her community showed up for this hearing and hopes that there is some independent thinking among the commission, but is not feeling encouraged to come back to future meetings where it seems projects are being "rubber stamped." She feels that the job of the city Planning Department is to be advocates for these projects and is sure that the developers are ethical and the people hired for the traffic studies are giving them the full

story, but noted that, honestly, there is due diligence required to make sure they are getting it right.

Chairman Messina commented that they encourage public testimony and listen to both sides and assured Ms. Kringas that her opinions are heard but, unfortunately, sometimes a decision is made differently than what someone was expecting.

Ms. Kringas stated she understands but asked the commission to realize that the zoning in the neighborhood was chosen for a reason and, in her opinion, if you want to deviate from that it should be for a good reason. She stated that another commercial project in the area would not be a great idea, so she personally thinks residential use would be great

Karen Hansen stated that she feels the same way and inquired how many people signed up on the signup sheet that were in opposition.

Chairman Messina stated there was 10 people and explained that even though there were 10 people on the signup sheet, they may have indicated they didn't want to speak.

Ms. Hanson stated that the people who were opposed feel the commission is not listening.

Chairman Messina explained that after a hearing, they do have a discussion and a project may or may not be approved because of the reasoning and sometimes the decisions made are not agreeable to everyone. He said that they do the best they can with the information provided.

Ms. Hanson said that it is frustrating because they show up to these meetings and what she heard the people who signed up on the sheet were opposed and at the last hearing, the project was approved even through there was a lot of opposition and feels like they are going to pass this one too.

Chairman Messina said that he doesn't know how the commission will vote on the project and explained that just because someone states on the signup sheet that they are opposed doesn't mean that they are not listening.

Ms. Hanson asked the commission what due diligence each of the commissioners has done for the project.

Commissioner Lutropp commented that they go through a process and look at different polices in the Comprehensive Plan that the project meets or doesn't meet. He stated that they rely on staff to give them information on each of the applications and believes that staff is impartial.

Ms. Hanson stated that every one of the people who testified at the last hearing stated they didn't want the project, but it was approved.

Commissioner Mandel explained that they follow a process and are provided with criteria that have to be met based on city code. She commented that when they make motions they cite findings that are based on certain zoning requirements and certain findings from staff. She explained that the commission was penalized the other day in the Coeur d'Alene Press for a variance that was denied by the commission for 10' inches because they couldn't meet the requirements of the findings. She said that staff provides them with a packet including data points from the city, public, applicants and public comments and said that it is their responsibility to make the findings that are based on objective criteria.

Karen Schomer stated that she concurred with previous testimony and is uncomfortable getting up and speaking. She explained that the majority of the public doesn't understand the zoning designations and are trying to figure it out. She feels that the commission is experts, and if people are opposed, their opinions should matter. She commented that she lives in Riverstone and has been to all the meetings for the area and the traffic is terrible. She commented that the building is beautiful but is too tall and that the applicant compared the building to the other tall buildings in the area but didn't do a comparison for the

smaller buildings. People like to walk in the area and, if approved, it will destroy the area.

Chairman Messina commented that zoning is complicated and that they try to do a comparison on what the owner can do, by right, and they understand that the public doesn't understand zoning and they try to do comparisons. He noted that it is very complex and understands that people get nervous when presenting to the commission.

Curt Katzer thanked the commission for their hard work and said he is a resident in the Riverstone area. He commented that it is a great looking building and feels it might be too tall and that traffic on Riverstone Drive is getting worse. He asked if the schools are informed when the developments are presented.

Chairman Messina said that it is not that they don't include the schools, but the school district has to do their due diligence to acquire land and not wait until the schools are overcrowded.

Ms. Anderson explained that the school district does get notified of each project but they did not receive a comment for either of the projects presented tonight. She noted that they have been working with the school district and meeting on a regular basis and letting them know about future projects. She added that she has suggested that the school district go to the state legislators and try and get impact fees for schools since the state of Idaho does not allow that. She commented that it is tricky and that staff, the commission, and Council all understand the burdens on the school district, but they are trying to work with them and it is something the city can't govern and is up to the school district to do these things.

Elaine Price stated she appreciates the commission stating that they are more concerned about what the citizens are saying. She said they need to look at growth as, not controlled, but managed. She feels that it is the responsibility of the cities to look at the streets for traffic impact. She commented that she thought the city had boundaries and the city wasn't going to grow too big and never imagined they would be going taller, and is concerned they don't have enough affordable housing.

Brian Donnell thanked the commission for what they do. He fears that Coeur d'Alene is becoming too big and is concerned about growth. He stated that he agrees that the building is big, but also heard an ultimatum that if it is not approved, they will build a large commercial building which will have a worse impact to the community. He stated that he doesn't understand why they don't have an impact fee for developers.

Bill Farrar thanked the commission for all their hard work. He explained that he is new to Coeur d'Alene and lives in Bellerive and takes pride in what happens in this area and doesn't want things to change. He said there has been increased traffic in the area and it is becoming difficult for him to walk from his residence to Main Street. He thinks it is a beautiful building and that we could do worse since the applicant is proposing less units than R-34 density allows.

Rebuttal:

Ryan Nipp provided the following statements:

- He stated that growth is hard and they are developers and are in the business of making money versus losing money and that it is difficult as they purchased a property in Riverstone at a price that requires higher density. He explained that higher density requires more parking, taller buildings, and to identify as a project that is economically viable, it has to be a denser project.
- He appreciates the compliments on the design of the project and said that it means a lot because they care about the community.
- He explained that when they purchased the property it did require a higher density and by right with C-17 zoning they don't have to get approvals and may proceed with building permits for a 10 story office building with 3 parking decks generating 2000 daily trips a day, they we have a right to do, and the reason they chose the route they chose is because they are listening to the public and are concerned about traffic and it is their best solution for reducing the impact to traffic.

- He commented that, yes, the building is five stories, but they have to have that for the viability of the project.

Chairman Messina inquired how wide each building is and how far the building setback is from the walking path.

Mr. Nipp explained that the distance between walking paths is 50 feet back and the width is 200 feet, and that their building is set back farther from the property line. He stated that there is a manmade stream that runs between Anthony's and the property that flows into the pond. He said that the project will have some great landscaping and look nice.

Commissioner Ingalls commented the building is beautiful; however, even though it is beautiful, that is not a finding. He explained that their findings tonight have to do with cohesion with the Comprehensive Plan and if this fits in pockets of denser housing. He remembers back to SRM's original aerial exhibits for Riverstone which showed a tower taller than this building, and asked if the applicant has seen those photos.

Mr. Nipp answered that he has seen the original photos and saw a 27 story office building where McDonalds is located.

Commissioner Ingalls explained that to approve the project, it has to be in cohesion with the Comprehensive Plan, compatible with surrounding properties, and they have to determine whether the infrastructure and utilities can support the project. He asked about the demographic for the apartments.

Mr. Nipp explained that they are in the process of doing a feasibility study and the units will range from 600 square feet to 900-1,000 square feet. They are one bedroom and some two bedrooms and the top floor might be a larger unit. Based on the market rates it will not be family-oriented and could be retirees so it would not be a strong demand on a school.

Commissioner Fleming asked if they thought about lowering the outside fringe so that there are more open views because you will not see the pond except for a small view through Anthony's. She feels that if the building was on the opposite side of the street up against the hill bank, there would be no problem but this one is a barrier and is a big concern. She explained that when the River's Edge project was proposed, there would be nothing but walls of buildings and you would never see the river. She feels the traffic is addressed and thinks people need to go slower. She suggested putting the building lower and maybe some stacking.

Mr. Nipp stated he understands the concerns and they tried three story and four story, narrower end, and this is the design that got them to the point that it is economically feasible. He said they will listen to the comments and, to be honest, the width and shape they needed allowed them to be economically viable, yet still have a setback of 50' and still have a lot of landscaping and enough available parking. He commented that next door at Anthony's it is lower with a wider lot that allows more views from that property.

Commissioner Lutropp commented that he sees more open space in the area and towards Seltice there are apartment houses and feels that Riverstone is a success. He stated that it takes time to get where we are at today and how growth happens. He explained in comparing this R-34 to the previous request, it was a different environment and this is more appropriate.

Mr. Nipp commented that it would be great to make the building narrow and add another story and create views, but they maxed to 63' feet.

Commissioner Fleming said that the building is too bulky and is not convinced that there is not a better way to do this.

Public testimony closed.

Discussion:

Commissioner Ingalls said that he agrees with Commissioner Lutropp that R-34 in this location is a better fit than the previous project and that they need to look at the findings and if this project is compatible with the site. He said it is well supported.

Chairman Messina said that he concurred that the design of the building is very attractive but to put a taller building in and build to the maximum height in C-17 he feels is not a very good choice.

Commissioner Ward stated that he was looking at what uses are that are allowed in the C-17 zoning and there is a lot that can be done and he pointed out that it falls on them to try and do the right thing, and if they avoid it tonight, it could allow something else that is worse. He stated that he is in favor of this project.

Commissioner Mandel said to find opportunities where density makes sense. She concurred with Commissioners Ingalls and Lutropp that the project does seem more compatible with the surroundings and the commitment to landscaping, style and design is appreciated. Riverstone, as noted in the Spokane River District, is intended to be mixed use and she commented that she would support the request and that she does take seriously comments from the public and understands the concerns with traffic and parking. She feels from the data presented that this project will not have an impact.

Motion by Ward, seconded by Ingalls, to approve Item SP-2-19 Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	No
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Lutropp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 4 to 1 vote.

ADJOURNMENT:

Motion by Lutropp, seconded by Mandel to adjourn the meeting. Motion approved.

The meeting was adjourned at 7:57 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant