

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

**MAY 14, 2019**

**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:** Messina, Fleming, Ingalls, Luttrupp, Mandel, Rumpler, Ward

**PLEDGE:**

**APPROVAL OF MINUTES:**

April 4, 2019, Workshop  
April 9, 2019

**PUBLIC COMMENTS:**

**COMMISSION COMMENTS:**

**STAFF COMMENTS:**

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

1. Applicant: John Hern  
Location: 6215 N. Atlas Road  
Request:
  - A. A proposed 11.73 acre annexation from County Industrial to City C-17 LEGISLATIVE, (A-2-19)
  - B. A proposed Warehouse Storage/ Custom Manufacturing special use permit in the C-17 zoning district  
QUASI-JUDICIAL, (SP-3-19)

**ADJOURNMENT/CONTINUATION:**

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

***\*The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact Shana Stuhmiller at (208)769-2240 at least 72 hours in advance of the meeting date and time.***



# MINUTES



**PLANNING COMMISSION  
MINUTES  
APRIL 4, 2019, WORKSHOP  
LOWER LEVEL – COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT:**

Tom Messina, Chairman  
Jon Ingalls, Vice-Chair  
Lynn Fleming  
Peter Luttrupp  
Lewis Rumpler  
Brinnon Mandel

**STAFF MEMBERS PRESENT:**

Hilary Anderson, Community Planning Director  
Shana Stuhlmiller, Public Hearing Assistant  
Bobby Gonder, Fire Department  
Lee Brainard, Police Department

**COMMISSIONERS ABSENT:**

Mike Ward

**CALL TO ORDER:**

The meeting was called to order by Chairman Messina at 11:00 a.m.

**WORKSHOP:**

Atlas Mill Project Preliminary Design and Development Standards

Hilary Anderson, Community Planning Director provided the following statements:

- She stated that Mr. Boyd will provide some background and updates on public space for Atlas Waterfront, and Don Vehige, GGLO, will provide the bulk of the presentation including updates on what has been done since the last workshop.
- She introduced Phil Boyd.

Phil Boyd, Welch-Comer Engineers, provided the following statements:

- He thanked the commission for a great response by providing comments at the last workshop, with those comments incorporated into another version of the Development Standards.
- He commented that they have met with the Parks and Recreation Commission, and also at a Parks & Recreation/City Council joint meeting, and a City Council/Ignite joint workshop, with the objective to each of these meetings being to solicit public input. He commented that ignite might provide additional funding for the public space in the Atlas area.
- The City Council determined that ignite could add additional funding to the Atlas Mill property by providing the following: water dog park, converting an old beach area to a beach, putting in an accessible kayak launch, adding a playground, putting in an underpass on the Centennial Trail that would go under Suzanne, a water feature, future dock access, additional water accesses, food truck area, a vendor building that would double as a police building, and a park maintenance building. All buildings would have a historic nature to reflect the former mill site.

Commissioner Fleming commented that at Honeysuckle Beach in Hayden Lake, they provided a loop that separates swimmers from boats, and he inquired if this is something the city could do on their beach.

Mr. Boyd explained that in this area along the water there are a number of pilings that exist and they intend to take advantage of those pilings to help separate swimmers from boaters and also intend to put in log booms, provided they can get permits from the Department of Lands.

Don Vehige, GGLO Design, provided the following statements:

- He gave a presentation on density done well and explained the meaning of density at 34 units per acre. He then provided a list of various projects done in the Northwest and how 34 units was projected on those properties.
- He noted that a typical block length in these cities was 6.5 acres.
- He compared the lots in Coeur d'Alene and said they are similar to what is in Seattle, which are typically 40 foot wide lots and Coeur d'Alene is 50 feet.
- He showed different photos of townhouses in various towns and noted that those homes are anywhere between 20-24 feet wide.
- He referenced another type of townhouse project that was a GGLO project developed in the 1990's and is a good model showing the location of the townhouses around the perimeter. He noted that it was one of the first urban projects to go in downtown Redmond.
- He defined what makes a development "livable" is how it addresses the street and how it creatively uses the spaces in between the buildings.

Ms. Anderson stated that 34 units per acre has been a topic recently for the Planning Commission and Council in regard to density and questioned what the density would equate to for townhouses if it is all single family ownership, and if that density includes the stacked flats for apartments.

Mr. Vehige answered that it does, and continued:

- He showed various photos from Belmont Dairy which has some very tall, skinny townhouses with no elevator, and noted that the units are about 21 feet wide by 30 to 32 feet deep, and all have garages located behind fronting on a pedestrian street. He commented that it could be a good model for Atlas Mill site.
- He explained the definition of "Stacked Flats" and showed a photo of a development in Rainier and explained that the project had a density of 66 units/acre with limited parking.
- He stated that for the Atlas Mill site they will be looking at the lower scale for each one of those examples to provide a livable community.

Chairman Messina asked if the proposed residential homes would be built close to the river and, if so, will the height of the homes be stepped back from the water.

Mr. Vehige explained that the idea is to provide a two story building along Riverfront Drive to help provide a street wall. He said that he would like the homes built to three stories and a mixed use building with a height of four stories. He commented that he would like to hear suggestions on what would be an appropriate step up in height when going from building to building.

Ms. Anderson explained that one benefit of the site is that there is a natural topography that gives them the opportunity to provide views from the various blocks as you go away from the river. She explained that density can be a "scary" word and that the Atlas Mill property is 48 acres across the whole site, so 17 units/acre across the entire site could be "clustered" together so you won't be exceeding 17 units/acre. She added that they are going to be able to shift the units to keep the density, but clustering to keep the open space along the riverfront.

Chairman Messina inquired how staff would handle the issue if a developer wanted to make changes to the Design Standards.

Ms. Anderson explained that staff has discussed how to build assurance with the plan, but allow some flexibility and work with ignite to keep track of the units.

Chairman Messina stated that he hopes that from doing these workshops the final product will look like what was agreed upon. He stated that his concern is they have done this before for other projects and been disappointed in the past on the final product.

Mr. Vehige explained the reason why they are getting “tailored” standards for certain blocks and suggested that after the workshop, the commission look at the Design Standards on their own and send comments back to them.

Commissioner Luttrupp inquired if Mr. Vehige was involved with any of the projects that were being discussed today.

Mr. Vehige pointed out the projects he worked on personally, including the development of design guidelines for a community in Seattle.

Commissioner Luttrupp commented that he feels assured that someone from the team has worked on a similar plan that has experience.

Mr. Vehige continued his presentation.

- He stated that their mission is to create a public realm that people love, and when thinking about the Atlas Mill property they focused on providing a central greenspace or a manmade water feature.
- He stated that they would like to create public squares for different activities that people might want to attend.
- They want to create great streets, including the space between buildings that could be used for recreation.
- He also said they want to provide some civic identity/anchor like city hall, or adding a Starbucks where there is a community meeting building.
- In regard to connecting to surrounding neighborhoods and amenities, he said that they have built it into the master plan for Atlas Waterfront development, connecting to the Centennial Trail, Riverstone etc.
- They want to provide easy access to bike and transit routes. He explained that bikes are a big part of connectivity with the transit lines/center and the trails and that this plan is providing a lot of access.
- They want to help develop a mix of uses and housing types to include retail, office and a range of different housing types.
- They have looked at developing ground level activities that engage the sidewalk, different kinds of street frontages, retail, restaurant or residential, and how they can establish a sense of community.
- In regard to parking, they need to be smart showing on street parking to serve retail and maybe having a parking structure underground or something less expensive. He suggested a wrapped parking structure with residential surrounding it, or concealing parking behind the units to create a great streetscape.
- They want to be good neighbors, and he suggested courthouses and townhouses that surround a courtyard. He further said that a shared courtyard would say “community,” and added that vegetation can provide a privacy transition from the shared space to the units beyond.
- They want to creatively modulate building mass & height. He showed examples of two similar buildings, and explained that one building has more ins and outs where modulation counts and they are using it to create a more unique roofscape.

Commissioner Rumpler asked what drove the distinction between the two buildings -- was it the architect or builder, and he also asked how they got two different projects.

Mr. Vehige explained that it was the architect and developer and that this was part of a master plan neighborhood which had more robust standards in place and a better design team and inspired developer. The other building ... not so much.

Commissioner Rumpler asked if they have presented the Design Standards to the local developers to get some input.

Ms. Anderson explained that they have it in the schedule to meet with local and nationwide developers to get their feedback on the overall site plan and the Development Standards, to make sure they are going to have something viable.

Commissioner Ingalls said that they need to ensure that each block develops to its maximum density and that the sum of the maximum density is ok with the entire project.

Ms. Anderson stated that is true and, if you multiply it by 17 units/acre, then that is the total capacity and she doubts that each block will be developed to the full density.

Commissioner Ingalls asked if a developer buys and leaves some density on the table, would that density will be moved over to the next block.

Commissioner Mandel said that the later developer would have less to work with and if the incentive is to maximize the revenue on the development, then the earlier developments might have more density. She asked if her explanation was correct.

Mr. Vehige stated that there are only a few blocks where this can happen.

Chairman Messina said that they can't control all the density and questioned if the developer can pick the design and layout and would the density stay the same.

Ms. Anderson said they can look at this further as to what makes sense.

Commissioner Mandel said that she noted on page 9, Phase 1, that the phase looks denser than the other phases.

Mr. Vehige stated that it is illustrative and explained that it is a phasing diagram on top of the other previous plan that is getting revised. He said they would probably need to come up with a phasing graphic that is a bit more generic to eliminate the confusion.

Commissioner Mandel stated that if she was a developer, would look at the phasing diagram and try and get in on Phase 1.

Mr. Boyd explained that phasing is driven by infrastructure and where the district boundaries are, and that the River District and the Lake District have a certain amount of funding in them that could be used to build the initial infrastructure. He explained that in Phase 1 they build the infrastructure, the blocks get sold, and then they would take that revenue from Phase 1 as "seed money" to be used for Phase 2.

Commissioner Luttrupp asked what happens when there is more than one proposal.

Mr. Boyd explained that their next step is to talk to the development community and show them how they plan to do this. He commented that in regard to the discussions they have had so far early on, some developers would want to take it all and that becomes a question to ignite as to whether they want to give

all those blocks to one person, or disperse them to others. He stated that some people may not have the capital to take them on.

Commissioner Luttrupp asked if the determination will be made through either council or ignite.

Mr. Boyd stated it would be ignite to make the selection.

Ms. Anderson stated that because of time, they need to get through the presentation and that if the commissioners have any questions or feedback, they can provide them to Ms. Anderson and they will get any additional materials presented today to the commissioners.

Commissioner Rumpler said that he feels this is not the first time this challenge has been given to the community. He commented that they are talking about a multi-phased master plan development and feels that they don't have to invent the solution. Someone else has had the same question and, if that is true, the last person in will not have the same advantage as the first person.

Mr. Boyd commented that they have talked about that with their team and how they present this in a business-type way. He said that Heartland, their real estate advisor, commented that they will provide long term advisory services.

Mr. Vehige continued his presentation.

- In regard to frontage types, he said that they have changed and are still based on the same principals and explained there are A, B, C and D types.
- He explained that the A and B buildings face the street and showed various photos of what those homes could look like.
- Frontage types C homes will have front loaded garages and he showed some examples and noted that the primary goal is not to have a street dominated by garages. They want street trees and good curb appeal.
- Frontage type D is retail mixed use building or office. He stated that the success of these buildings is how they engage the streets.
- He explained the differences from the last map, including expanding the flexibility for where they could have retail and office mixed with retail in the western front entry.
- He stated that the diagrams have been cleaned up and revised. The potential block configurations are meant to provide examples of what they could do within the standards. He stated that the photos shown are not the only solutions and that there are others out there.

#### Development Blocks

- More flexibility in terms of density and layout was added for Block 3 and 4. Block 4 has streets on two sides on the south and east side and a slope on the north side with potentially a walkway. He stated that it is difficult to have a more regular series of development standards applied to this uphill portion.
- Block 5 is a unique block with a unique shape and has streets along four sides and a mid-block connection. The setbacks and building separations have the flexibility and type of building proposed along Riverfront Drive.
- In regard to uses, there is potential for some retail or restaurant office spaces to share some required parking on the street. Some of the blocks are kind of tight and Mr. Vehige questioned the flexibility that can be provided to relieve some pressure on parking.
- All of the blocks except Block 10 have a more robust take more detailed standards, such as Block 6 which has a unique block shape where the standards are trying to adapt the flexibility and the expectations to the different site conditions.
- Block 7 and 8 are both most likely front-loaded residential building blocks and that is why they are grouped together. They will have a more simple building type.
- In Block 8, there is the option to minimize alleys which they have limited to that block, and if

someone wants to develop at a slightly higher density there might be the potential to bring an alley in Block 8.

- Block 9 is a different block in that it has access and visibility and potential access from Seltice and a wider range of uses.
- Block 10 needs more work.
- Block 11 and 12 are two blocks that go hand-in-hand, and which are located at the western end of the site. It has some flexibility to Block 9, but less so because the site is narrow.
- He stated that the Building types have not changed since the last time they were presented.

Mr. Vehige concluded his presentation.

Chairman Messina asked if there will be parking along Riverfront Drive and, if so, will it be for residential only or will the public will be allowed. He said that at the last meeting, they had a number of city staff and had questions/comments, and if they were addressed. He asked, in regard to walkways and streetscapes, if there were going to be some requirements to have more landscaping than the normal requirement. He said that at the last Parks & Recreation Commission meeting it was mentioned that the docks could be used for commercial businesses and noted that he is concerned with the safety of those rentals close to public access.

Ms. Anderson explained that two of those items have been discussed related to street trees, landscaping, and timing. They have discussed riverfront parking on the street and noted that it is critical to notify anyone who lives there that it will be for public use for the project.

Commissioner Mandel mentioned the importance of protecting or making sure that they get the riverfront drive blocks correct and questioned if the design standards for blocks 1, 2, and 3 are similar and should they be more particular about setbacks and street scapes.

Mr. Vehige explained that it has been a challenge, and what is in the handout that Mr. Boyd gave the commissioners is more generic and is intended to facilitate discussion about some of the details, rather than walking through page by page and trying to hit more things that are more common. He stated that when you look at Block 1, 2, and 3, they are similar and intended to be more detailed and more pointed towards getting the character they are hoping for.

He stated that there are no changes for carports and garages and the commission may want to look at accessory structures.

Retail and restaurant are limited to free standing buildings to two stories, or 30 feet, and any office buildings are to three stories, or 45 feet.

In regard to lot size requirements, they are generalized and vary from block to block. For single family houses, they are proposing a minimum lot width of 35' feet and 75' feet for the depth. There is a limited amount of space from the street, riverfront drive, the river, and Seltice.

Duplexes are being conceived as a fee simple side-by-side duplex like a two unit town house with a 25 foot minimum width. Where that comes from is a narrow unit with a 5 foot set back and similar depth.

Townhouses would have a minimum width of 20 feet.

In regard to multi-family, they may need to look at a minimum lot size of 1.5 times the footprint of the building. Looking at small multifamily buildings that they have proposed, the standard seems to work.

Commissioner Fleming said that she sees a problem with side yard setbacks with roof overhangs that have been a challenge. She is concerned about water table issues with some of the lots and asked if they are able to do basements because they have the window well issue, which is a fire exit issue.



Mr. Vehige explained that they would see more of that detail when they get into the blocks.

In regard to fences, the front character reduces to 3.5 feet which creates a more friendly area and keeping side/rear fences to 6 feet.

In regard to parking, there is a minimum of two off-street spaces per single family duplex and townhouse, and they may want to maximize townhouse parking. They may allow one additional parking stall beside the garage, or having an Accessory Dwelling Unit (ADU) may require one extra parking stall.

In regard to multi-family parking, they are proposing one per unit for a studio, 1.5 for one bedroom and two per unit for two bedrooms. He commented that they have been discussing this with Heartland and have been planning to have an average of 1.25 stalls per unit off street for the multifamily. He commented that they would like feedback from the commission and if there is a problem they can go back to the city standards.

Commissioner Rumpler said that if they are basing this on a smaller car and state, Idaho is not Portland. They have to shape the parking spot to their local realities and even with multi-family housing, North Idaho would be trucks.

Mr. Vehige stated that he was not talking about parking lot size and was not concerned about size and is confident they can accommodate the larger sizes of stalls and parking spaces, whether it's on the surface or in the buildings.

Commissioner Rumpler said that the size of the stall has to be larger and has an effect.

Ms. Anderson said that they did talk about that earlier this week and the plan is to do the 9 foot by 20 foot stall, which is their standard size in the city to make sure they are not creating an issue by having parking spaces that only accommodate a small car.

Commissioner Ingalls stated for him to make this project successful is to allow this project to have some "breathing" room to be successful and that parking is a big concern.

Commissioner Fleming commented about perpendicular parking like downtown Wenatchee that has some retail on the street, allowing perpendicular parking away from the view. He commented that they don't leave parking on the view side of the street but perpendicular parking could work and that they did perpendicular parking on East Sherman and it was a big hit.

Mr. Vehige stated that he appreciated all the comments and in terms of diagonal parking, they have been talking bring more perpendicular parking in the block area.

Commissioner Luttrupp commented that maybe staff can get examples from different areas so they can discuss.

Commissioner Rumpler said the street parking in Kendall Yards has the street parking as parallel with no diagonal parking at all. He said that parking configuration can affect the quality of place and if you can't find somewhere to park, the quality of the whole experience can fall short.

Commissioner Mandel asked if the parking courts enable more cars or is a way to hide the parking.

Mr. Vehige explained that it all depends on if they are combining parking with tuck-under garages that could give them more parking. They need to study it further and bring back more examples.

Chairman Messina said that if there are more questions, please send them to staff.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

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

Motion by Luttropp, 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 Luttropp, 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 15<sup>th</sup> at the intersection of 4<sup>th</sup> 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 4<sup>th</sup> 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 with 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 foot print 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 it 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 Luttrupp 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 Luttrupp 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 then 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 Luttrupp	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 though 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 Luttrupp 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 Luttrupp 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 Luttrupp 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 Luttrupp 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 Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 4 to 1 vote.

**ADJOURNMENT:**

Motion by Luttrupp, 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



# **PUBLIC HEARINGS**



**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** SEAN E. HOLM, SENIOR PLANNER  
**DATE:** MAY 14, 2019  
**SUBJECT:** A-2-19 – ZONING PRIOR TO ANNEXATION OF +/-11.74 ACRES FROM COUNTY LIGHT INDUSTRIAL TO C-17  
**LOCATION:** TWO PARCELS, IN AGGREGATE MEASURING +/- 11.74 ACRES LOCATED NEAR THE SOUTHWEST CORNER OF THE INTERSECTION OF ATLAS ROAD AND HANLEY AVENUE

**APPLICANT:**

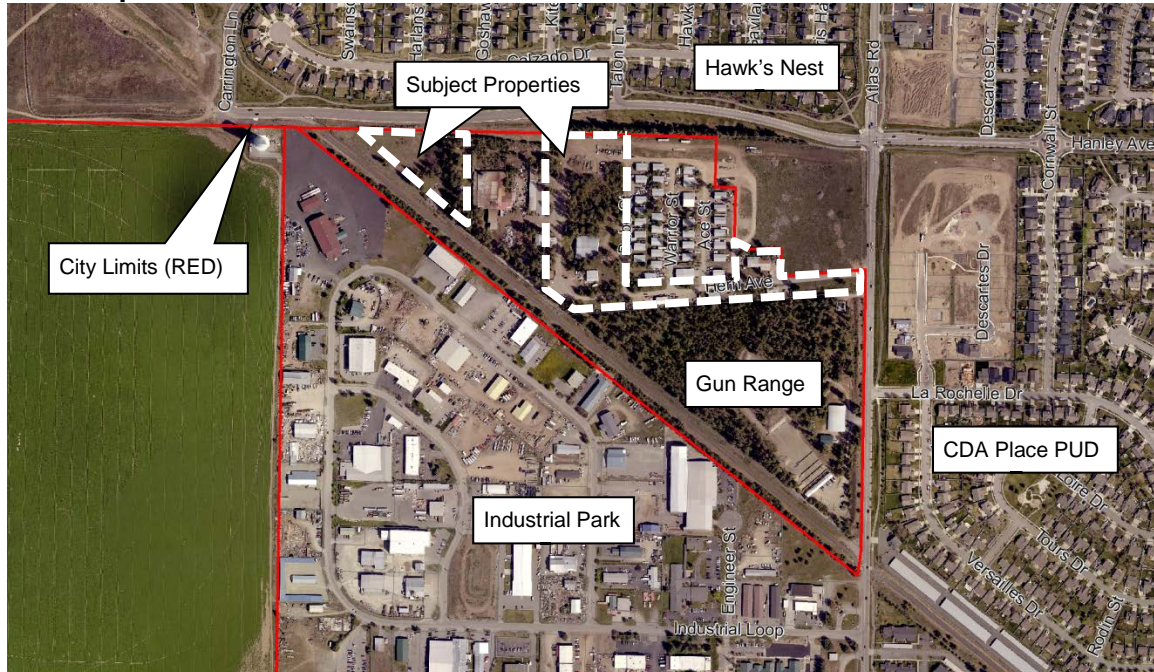
*Owner:* John Hern  
P.O. Box 1060  
CDA, ID 83816

*Consultant:* Tri-State Consulting Engineers  
1859 N. Lakewood Dr.  
CDA, ID 83814

**DECISION POINT:**

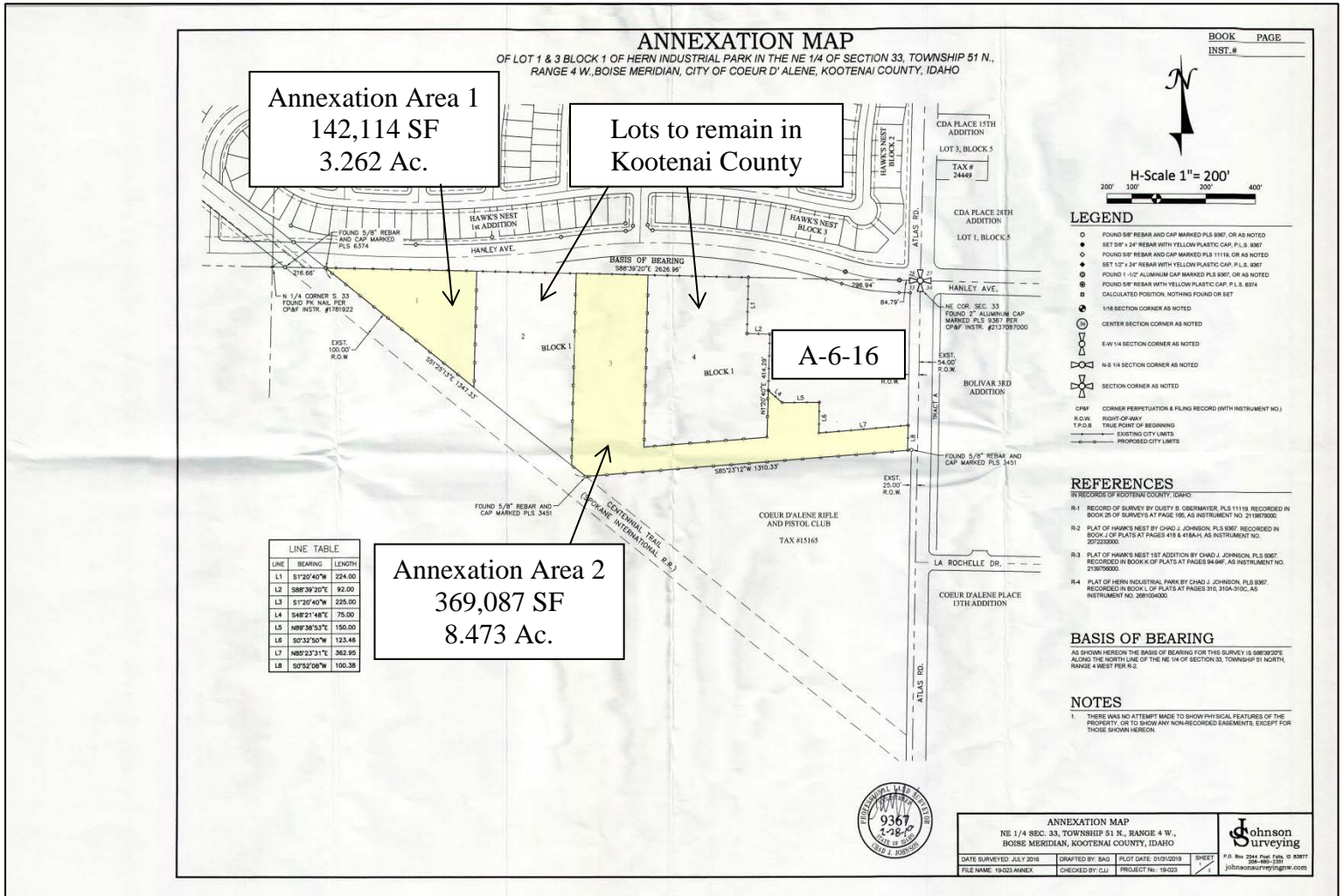
Tri-State Consulting Engineers, on behalf of the owner John Hern, are requesting approval of a proposed +/- 11.74 acre annexation from Kootenai County Light Industrial to City C-17 zoning district (Commercial at 17 units/acre). Two parcels make up the request; the first measuring 3.262 acres, and the second 8.473 acres. Please refer to the area map and annexation map below for visualization. Note that this request has been filed in conjunction with a special use permit for existing uses.

**Area Map:**





# Proposed Annexation Map:



## GENERAL INFORMATION:

John Hern, represented by Tri-State, is proposing to annex +/- 11.74 acres as shown on the annexation map above. Prior to this request, the City of Coeur d'Alene approved annexation of a vacant 7.46 acre parcel at the southwest corner of Hanley Avenue and Atlas Road (A-6-16). The property owned by Mr. Hern that remained in Kootenai County has been subsequently short platted into four lots. That property is currently zoned County Light Industrial. The applicant is requesting annexation of two of the four parcels with a C-17 zoning designation. Planning Commission's findings tonight will act as a recommendation to City Council.

*Proposed C-17 Zoning District:*

**17.05.490: GENERALLY:**

- A. The C-17 district is intended as a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) units per gross acre.
- B. This district should be located adjacent to arterials; however, joint access developments are encouraged.
- C. A variance may be granted to partially waive off street parking and/or lot coverage requirements for commercial developments utilizing common parking facilities.
- D. Residential developments in this district are permitted as specified by the R-17 district.

**17.05.500: PERMITTED USES; PRINCIPAL:**

Principal permitted uses in a C-17 district shall be as follows:

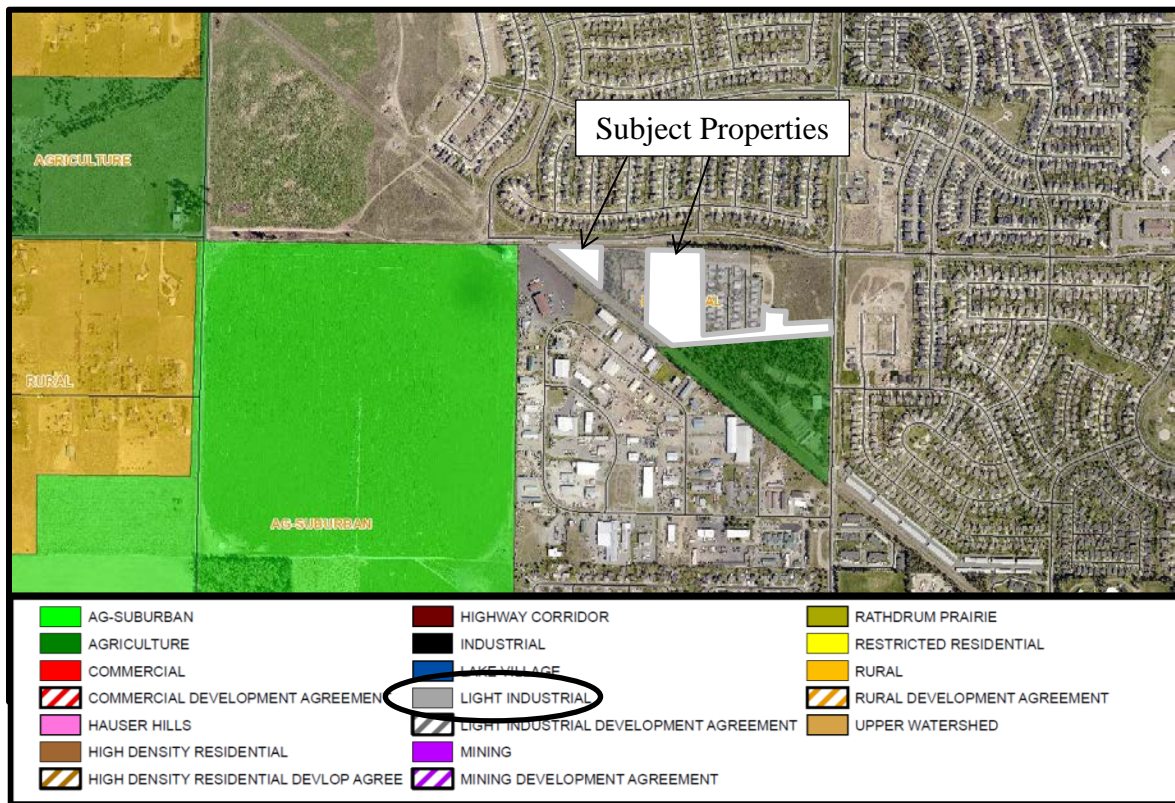
- Administrative offices.
- Agricultural supplies and commodity sales.
- Automobile and accessory sales.
- Automobile parking when serving an adjacent business or apartment.
- Automobile renting.
- Automobile repair and cleaning.
- Automotive fleet storage.
- Automotive parking.
- Banks and financial institutions.
- Boarding house.
- Building maintenance service.
- Business supply retail sales.
- Business support service.
- Childcare facility.
- Commercial film production.
- Commercial kennel.
- Commercial recreation.
- Communication service.
- Community assembly.
- Community education.
- Community organization.
- Construction retail sales.
- Consumer repair service.
- Convenience sales.
- Convenience service.
- Department stores.
- Duplex housing (as specified by the R-12 district).
- Essential service.
- Farm equipment sales.
- Finished goods wholesale.
- Food and beverage stores, on/off site consumption.
- Funeral service.
- General construction service.
- Group assembly.
- Group dwelling - detached housing.
- Handicapped or minimal care facility.
- Home furnishing retail sales.
- Home occupations.
- Hospitals/healthcare.
- Hotel/motel.
- Juvenile offenders facility.
- Laundry service.
- Ministorage facilities.
- Multiple-family housing (as specified by the R-17 district).
- Neighborhood recreation.
- Noncommercial kennel.

- Nursing/convalescent/rest homes for the aged.
- Personal service establishments.
- Pocket residential development (as specified by the R-17 district).
- Professional offices.
- Public recreation.
- Rehabilitative facility.
- Religious assembly.
- Retail gasoline sales.
- Single-family detached housing (as specified by the R-8 district).
- Specialty retail sales.
- Veterinary office.

**17.05.510: PERMITTED USES; ACCESSORY:**

- Accessory permitted uses in a C-17 district shall be as follows:
- Accessory dwelling units.
- Apartment for resident caretaker watchman.
- Outside area or buildings for storage and/or preparation of merchandise or goods necessary for and incidental to the principal use.
- Private recreation (enclosed or unenclosed).
- Residential accessory uses as permitted by the R-17 district.

**CURRENT KOOTENAI COUNTY ZONING:**



**REQUIRED FINDINGS FOR ANNEXATION:**

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

**2007 COMPREHENSIVE PLAN- LAND USE CATEGORIES:**

- The subject property is contiguous with existing city limits
- The City Comprehensive Plan Map designates this area as: **Atlas-Prairie:**

**Atlas-Prairie Comprehensive Plan Map:**



**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.

## **Land Use: Atlas-Prairie**

### **Atlas-Prairie Today:**

This area consists largely of prairie farmland and native conifer forest. The northern tier of the district contains a rapidly developing, suburban subdivision. This area lies over the Spokane Valley-Rathdrum Prairie Aquifer, and also holds the last, large tract of vacant land within the Area of City Impact (ACI).

Farmland is broken into parcels ranging from approximately 23 to 160+ acres. Subdivisions are developing with approximately three houses per acre (3:1). The remaining parcels provide opportunities for large-scale master planning.

Public infrastructure for development is not present in some locations and would require extensions from existing main lines.

### **Atlas-Prairie Tomorrow:**

Generally, this area is envisioned to be a residential area, lower in density, that develops with interconnected neighborhoods providing a mix of housing choices.

### **The characteristics of Atlas-Prairie neighborhoods will be:**

- That overall density may approach four to five residential units per acre (4-5:1), however, pockets of higher density housing and multi-family units are appropriate incompatible areas.
- Annexing requires careful evaluation of infrastructure needs.
- Open space, parks, and pedestrian and bicycle connections will be provided.
- Developments adjacent to the Area of City Impact (ACI) boundary will provide for a distinctive entrance to the city.
- Neighborhood service nodes where appropriate.
- The street network will be interconnected, defining and creating smaller residential blocks and avoiding cul-de-sacs.
- A bypass study is underway to determine how traffic will be distributed to ease pressure from US 95.

## **COMPREHENSIVE PLAN GOALS & OBJECTIVES:**

- **Objective 1.02 - Water Quality:**  
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- **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 1.13 - Open Space:**  
Encourage all participants to make open space a priority with every development and annexation.
- **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 2.02 - 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 3.05 - Neighborhoods:**  
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- **Objective 3.16 - Capital Improvements:**  
Ensure infrastructure and essential services are available prior to approval for properties seeking development.
- **Objective 3.18 - Transportation:**  
Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.
- **Objective 4.02 - City Services:**  
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling and trash collection).
- **Objective 4.06 - Public Participation:**  
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

**Evaluation:** *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.*

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

**STORMWATER:**

Stormwater will be addressed as the area proposed for annexation develops. It is anticipated that the development will typically utilize curb adjacent swales to manage the site runoff. All stormwater must be contained on-site. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction.

*-Submitted by Chris Bosley, City Engineer*

**STREETS:**

The subject site is currently developed. The site has frontage along the west side of Atlas Road. Any necessary improvements to this site would be addressed during the site development process. The Streets and Engineering Department has no objection to this annexation request.

*-Submitted by Chris Bosley, City Engineer*

**WATER:**

The property for proposed annexation lies within the City of Coeur d’Alene water service area. There is sufficient capacity within the public water system to provide adequate domestic, irrigation and fire flow service to the subject parcel. Any proposed development of the parcel will require extension of the public water utilities at the owner/developer’s expense.

*-Submitted by Kyle Marine, Assistant Water Superintendent*

**WASTEWATER:**

The nearest public sanitary sewer is located at the Southwest Corner of Atlas Road and Prairie Trail Right-of-Way. At no cost to the City, a public sewer extension conforming to City Standards and Policies will be required prior issuance of any building permits.

The Subject Property is within the City of Coeur d’Alene Area of City Impact (ACI) and in accordance with the 2013 Sewer Master Plan; the City’s Wastewater Utility presently has the wastewater system capacity and willingness to serve this annexation request as proposed. Any increase in density may require hydraulic modeling the sewer flows acceptable to the Wastewater Utility and upsizing of public sewer.

**PARKS (TRAILS):**

The Trails and Bikeways Masterplan calls for a paved 10’ to 12’ shared-use asphalt path to be built along the east side of the development in either the private property or the right of way along the west side of Atlas Road. This trail would be built instead of a sidewalk. The width should match the width of the trail north of Hanley.

The plan also calls for a paved trail to be built on the south side of Hanley starting from the end of the existing trail to the east and connecting to the existing Prairie Trail to the west. The width of the trail needs to match the width of the existing trail on the south side of Hanley. The applicant agreed to build this prior to occupancy.

*-Submitted by Monte McCully, Trails Coordinator*

**FIRE:**

The Fire Department works with the Engineering, Water and Building Departments to ensure the design of any proposal meets mandated safety requirements for the city and its residents.

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site

Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The CD'A FD can address all concerns at site and building permit submittals.

*-Submitted by Bobby Gonder, Fire Inspector / IAAI – CFI*

**Evaluation:** *Planning Commission must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

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

**PHYSICAL CHARACTERISTICS:**

The subject property is relatively flat with Atlas Road to the east and Hanley Avenue to the north. Multiple uses will remain in the county that are industrial in nature and are primarily located in pole type structures. A stick built office structure will remain in the county along with the foundry. The site as it remained in the county following annexation approval of A-6-16 was recently short platted into four lots. Two of the four lots make up this request for annexation into city limits.

**PHOTOS OF SUBJECT PROPERTY:**

W. Hern Ave. looking east toward Atlas Rd. from interior:





*West Hern Ave. looking west toward the foundry (property pin):*



Looking north toward West Hanley from West Hern Avenue near the scale (property pin):



*Further north from West Hern Avenue where asphalt terminates looking north:*



*Western portion of request "triangle piece" looking northwest toward West Hanley Avenue and Hawk's Nest development (property stake):*



*Looking east toward Atlas Road on north end of property (parallel with Hanley Avenue):*



**Evaluation:** *Planning Commission must determine, based on the information before them, whether or not the physical characteristics of the site make it suitable for the request at this time.*

**Finding #B11:**

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

**TRAFFIC:**

The proposed annexation would likely not adversely affect the surrounding area with regard to traffic, assuming that the use would be for a mini storage unit as described by the applicant. The ITE Trip Generation Manual predicts 0.85 trips per 1000 square feet of Industrial Park building (existing use) while a Mini Warehouse building (the most similar land use code to mini storage facilities defined in the ITE Trip Generation Manual) would generate only 0.29 trips per 1000 square feet. Atlas Road has the available capacity to accommodate additional traffic generated from the subject site.

*-Submitted by Chris Bosley, City Engineer*

**NEIGHBORHOOD CHARACTER:**

This area is eclectic in the uses that make up the area. Some of the uses include: Single family housing to the north and east, a gun range to the south of the Prairie

Trail as well as the Industrial Park. The subject property and associated county area owned by the applicant is used as a foundry with various other industrial uses which are appropriately zoned in the county for such uses (County Light Industrial).

See also the "Atlas-Prairie" descriptions from the 2007 Comprehensive Plan listed in Finding #B8 as well as the photos of subject property. A land use and zoning map are provided below to assist in depicting the context of the area.

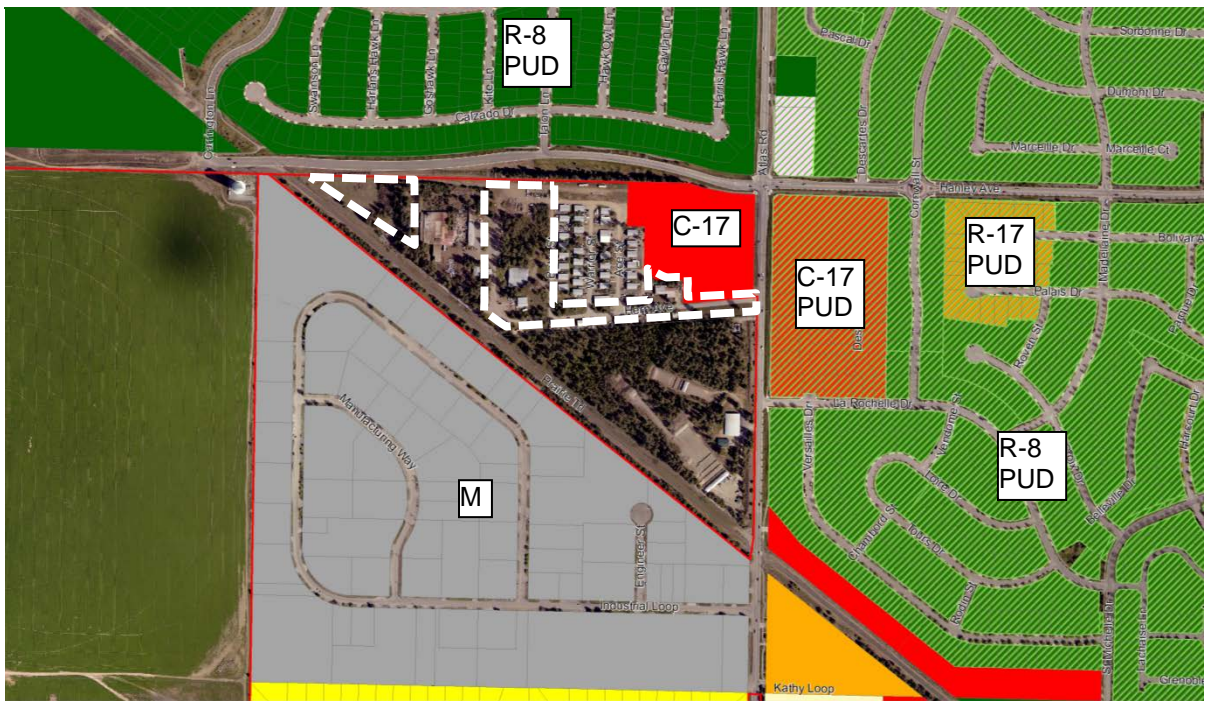
**GENERALIZED LAND USE PATTERN:**

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



**EXISTING ZONING:**

- zoning
- C-17
- C-17L
- C-17LPUD
- C-17PUD
- DC
- DC PUD
- LM
- M
- MH-8
- MH-8PUD
- NC
- NW
- R-1
- R-12
- R-12PUD
- R-17
- R-17PUD
- R-1PUD
- R-3
- R-3PUD
- R-5
- R-5PUD
- R-8
- R-8PUD
- R-8SF



**Evaluation:** *Planning Commission must determine, based on the information before them, whether or not the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and)/(or) existing land uses.*

**STAFF COMMENTS TO CONSIDER FOR ANNEXATION AGREEMENT:**

Staff recommends the following items be addressed in the annexation agreement:

**PLANNING:**

1. Any structures within the subject properties that do not meet the uses by right for the requested C-17 zoning designation be converted to a use as allowed in C-17, obtain approval of a special use permit as defined in code to validate non-conforming use(s), or be demolished.
2. The applicant has expressed a need to use the proposed annexation properties as staging for construction activities. This is allowed by code, however, at the time of certificate of occupancy issuance for new development, the site(s) must be at a minimum cleared and graded, saving any trees onsite where feasible.
3. Any commercial standards deviation request resulting in blank walls and/or absence of glazing along a street frontage must provide a dense, continuous, irrigated landscape buffer to mitigate.

**PARKS:**

4. A paved 10' trail along the south side of Hanley will be required to be built prior to certificate of occupancy. The entire trail must be built from the existing terminus to the existing Prairie Trail to the west, preventing piecemeal patchwork of trail improvements.
5. The applicant must work with the city to provide an acceptable form of perpetual protection of the trail location, if needed. This may be in the form of an easement or conveyance of additional right-of-way, or other means approved by the City Attorney. Any cost associated with this requirement will be borne by the developer.

**ADMINISTRATION & FINANCE:**

6. Annexation fees for this request and A-6-16 must be resolved to the satisfaction of the city at the time of annexation recordation.

**WASTEWATER:**

7. Extension of the public sewer "To and Through" subject properties, per code and policies of the city, must be provided.

**WATER:**

8. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permit.
9. All water rights associated with the parcels to be annexed shall be transferred to the City at the owner's expense.

**ORDINANCES & STANDARDS USED FOR EVALUATION:**

2007 Comprehensive Plan  
Transportation 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  
2017 Coeur d'Alene Trails and Bikeways Master Plan

**ACTION ALTERNATIVES:**

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

A decorative border composed of a grid of purple diamonds in various shades, surrounding a central light purple rectangular area.

**APPLICANT'S  
NARRATIVE**



## ANNEXATION JUSTIFICATION

The subject property proposed for annexation consists of lots 1 and 3 of the Hern Industrial Park Plat located in the boundaries of Kootenai County. This particular area is the undeveloped parcel that fronts W. Hanley Avenue. Per the 2007 Comprehensive Plan Category it is considered “Transitional” which seems logical in this area of the City. With the large amount of housing developments that surround the subject property to the north (Hawks Nest, The Trails and The Landings) and east (Coeur d’Alene Place), a commercial development in this area is an improvement that is much needed and can support these neighborhoods.

We are located in the Ramsey – Woodland neighborhood area and, as previously mentioned, there is a large number of homes in this immediate area which could utilize the services provided within our development plan.

This property does not appear to be identified with any Special Areas for consideration during planning.

## GOALS AND POLICIES

**Goal #2: Economic Environment** – this goal mentions the desire to preserve the city’s quality workplaces and encourages economic growth per objective 2.02. This parcel, along with our development plan, shall create jobs and provide a service not only for the local neighbors but for the entire city.

**Goal #3: Home Environment** – With residential neighbors surrounding the subject property to the north and east, we feel that per objective 3.06 we can provide a service to them that is within walking/biking distance or on the way home for that fill up of gas or loaf of bread. Additional commercial/retail capacity is envisioned here as well to support these existing neighborhoods.





February 26, 2019

City of Coeur d'Alene  
710 E. Mullen Avenue  
Coeur d'Alene, Idaho 83814

**Attn:** Mr. Steve Widmyer, Mayor and Council Members

**Re:** Annexation Request

Dear Mr. Mayor and Members of the Council:

On behalf of our client Jack Hern we are formally requesting annexation of a Kootenai County parcel of land into the City of Coeur d'Alene. We understand there will be fees and agreements to be created and we are willing to provide these requirements.

The subject property is located along the south side of W. Hanley Avenue just south of the City subdivision known as Hawks Nest. The parcel numbers are 0L3100010010, 0L3100010030 and it is approximately 11.735 acres in size.

During the pre-annexation meeting with City staff, we provided a conceptual plan of our potential development scope that includes mini storage units on lot 1 of the recently recorded plat known as Hern Industrial Park and lot 3 will be annexed for development purposes in conjunction with a piece of land previously annexed into the City a few years ago. A C-17 zoning classification was deemed appropriate for this plan.

In addition, we propose to keep Hern Avenue a private roadway which currently serves the industrial park. We will be applying for a short plat on lot 3 upon annexation in conjunction with our existing annexed property as previously mentioned. We ask this for the purposes of extending city water and sewer with the necessary roadway infrastructure in Hern Avenue at that time.



Please accept our request for annexation into the City of Coeur d'Alene. We are ready to begin the process toward improving this area of the City with our development plan. Thank you in advance for your consideration and we look forward to working with you during this process.

Sincerely,  
Tri-State Consulting Engineers, Inc.

Steven W. Syrcle, P.E.  
Principal Engineer



CC: Jack Hern; file

2-28-19

**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** SEAN E. HOLM, SENIOR PLANNER  
**DATE:** MAY 14, 2019  
**SUBJECT:** SP-3-19 – SPECIAL USE PERMIT REQUEST FOR WAREHOUSE/STORAGE AND CUSTOM MANUFACTURING ON A PARCEL IN CONJUNCTION WITH ANNEXATION  
**LOCATION:** A SINGLE PARCEL MEASURING +/- 8.473 ACRES LOCATED NEAR THE SOUTHWEST CORNER OF THE INTERSECTION OF ATLAS ROAD AND HANLEY AVENUE

**APPLICANT:**  
*Owner:* John Hern P.O. Box 1060 CDA, ID 83816  
*Consultant:* Tri-State Consulting Engineers 1859 N. Lakewood Dr. CDA, ID 83814

**DECISION POINT:**  
Tri-State Consulting Engineers, on behalf of the owner John Hern, are requesting approval for a special use permit for existing uses currently operating onsite. The request is for two uses: Warehouse/storage and custom manufacturing. A map showing the locations of these existing buildings can be found under finding #B8B on page 6. Note that this request has been filed in conjunction with an annexation request (A-2-19).

**Area Map:**



**GENERAL INFORMATION:**

The applicant is requesting these uses to comport with the request for annexation which includes a designation of C-17 zoning filed in conjunction with this application. As such, the existing identified buildings and uses require a special use permit to continue their operation under a commercial designation. See page 6 for the map showing location and uses.

*C-17 Zoning District:*

**17.05.490: GENERALLY:**

- A. The C-17 district is intended as a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) units per gross acre.
- B. This district should be located adjacent to arterials; however, joint access developments are encouraged.
- C. A variance may be granted to partially waive off street parking and/or lot coverage requirements for commercial developments utilizing common parking facilities.
- D. Residential developments in this district are permitted as specified by the R-17 district.

**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.

**REQUIRED FINDINGS:**

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

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

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this area as **Atlas-Prairie:**



**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.

**Land Use: Atlas-Prairie**

**Atlas-Prairie Today:**

This area consists largely of prairie farmland and native conifer forest. The northern tier of the district contains a rapidly developing, suburban subdivision. This area lies over the Spokane Valley-Rathdrum Prairie Aquifer, and also holds the last, large tract of vacant land within the Area of City Impact (ACI).

Farmland is broken into parcels ranging from approximately 23 to 160+ acres. Subdivisions are developing with approximately three houses per acre (3:1). The remaining parcels provide opportunities for large-scale master planning.

Public infrastructure for development is not present in some locations and would require extensions from existing main lines.

**Atlas-Prairie Tomorrow:**

Generally, this area is envisioned to be a residential area, lower in density, that develops with interconnected neighborhoods providing a mix of housing choices.

**The characteristics of Atlas-Prairie neighborhoods will be:**

- That overall density may approach four to five residential units per acre (4-5:1), however, pockets of higher density housing and multi-family units are appropriate incompatible areas.
- Annexing requires careful evaluation of infrastructure needs.
- Open space, parks, and pedestrian and bicycle connections will be provided.
- Developments adjacent to the Area of City Impact (ACI) boundary will provide for a distinctive entrance to the city.
- Neighborhood service nodes where appropriate.
- The street network will be interconnected, defining and creating smaller residential blocks and avoiding cul-de-sacs.
- A bypass study is underway to determine how traffic will be distributed to ease pressure from US 95.

**COMPREHENSIVE PLAN GOALS & OBJECTIVES:**

- **Objective 1.02 - Water Quality:**  
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- **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 1.13 - Open Space:**  
Encourage all participants to make open space a priority with every development and annexation.
- **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 2.02 - 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 3.05 - Neighborhoods:**  
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- **Objective 3.16 - Capital Improvements:**  
Ensure infrastructure and essential services are available prior to approval for properties seeking development.

- **Objective 3.18 - Transportation:**  
Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.
- **Objective 4.02 - City Services:**  
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling and trash collection).
- **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.*

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

As mentioned above under the “general information” portion of this staff report, this request is unique in so far as the uses and buildings currently exist on the parcel, rather than a proposed use to be constructed in the future. The applicant’s request to legitimize the uses in conjunction of a request for annexation with a C-17 zoning designation is the driver for this request. There are plans in the near future to redevelop the site under allowed C-17 uses, in which case the buildings and uses would be demolished (or converted), and the site would ultimately conform with the zoning, if approved. In the meantime, this avenue would allow the applicant to continue to operate, whilst plans, financing, and entitlements are sought for the parcel(s).

This area is eclectic in the uses that make up the area. Some of the uses include: Single family housing to the north and east, a gun range to the south of the Prairie Trail as well as the Industrial Park. The subject property and associated county area owned by the applicant is used as a foundry with various other industrial uses which are appropriately zoned in the county for such uses (County Light Industrial).

See also the “Atlas-Prairie” descriptions from the 2007 Comprehensive Plan listed in Finding #B8A as well as the photos of subject property. A land use and zoning map are provided below to assist in depicting the context of the area.

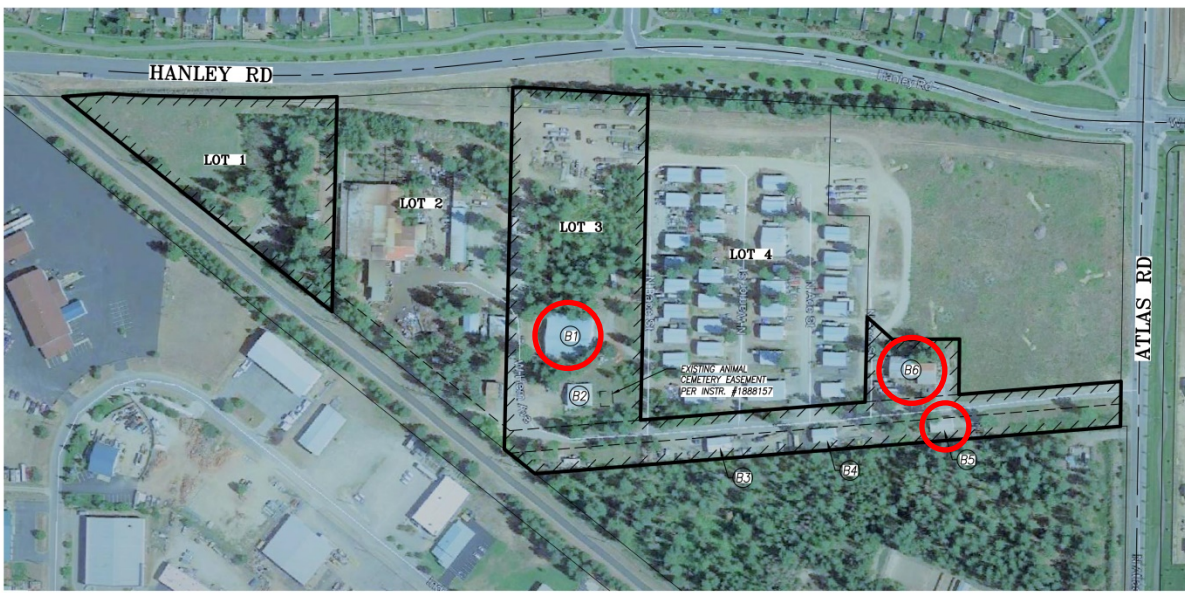
**Map Depicting Existing Buildings for Special Use Permit:**



**ENGINEERS PLANNERS**  
 1850 Lakewood Dr.  
 Suite 103  
 Coeur d'Alene, ID 83814  
 Office (208) 665-9502  
 Fax (208) 665-9107

LOT USAGE EXHIBIT FOR:  
**HERN ANNEXATION**  
 A DEVELOPMENT LOCATED IN THE CITY OF COEUR D'ALENE, IDAHO

DESIGNED: CMC  
 CHECKED: SWS  
 SCALE: H: 1" = 200'  
 V: N/A  
 SHEET: **1**



- BUILDING LEGEND**
- (B1) STORAGE FACILITY
  - (B2) SHIPPING & RECEIVING
  - (B3) MAINTENANCE SHOP FOR TRUCKING COMPANY -NO FUEL OR OIL STORAGE ON SITE
  - (B4) SAND BLASTING SHOP FOR POWDER COATER
  - (B5) FARM EQUIPMENT STORAGE
  - (B6) METAL FABRICATION & STORAGE

Scale 1" = 200'

**GENERALIZED LAND USE PATTERN:**

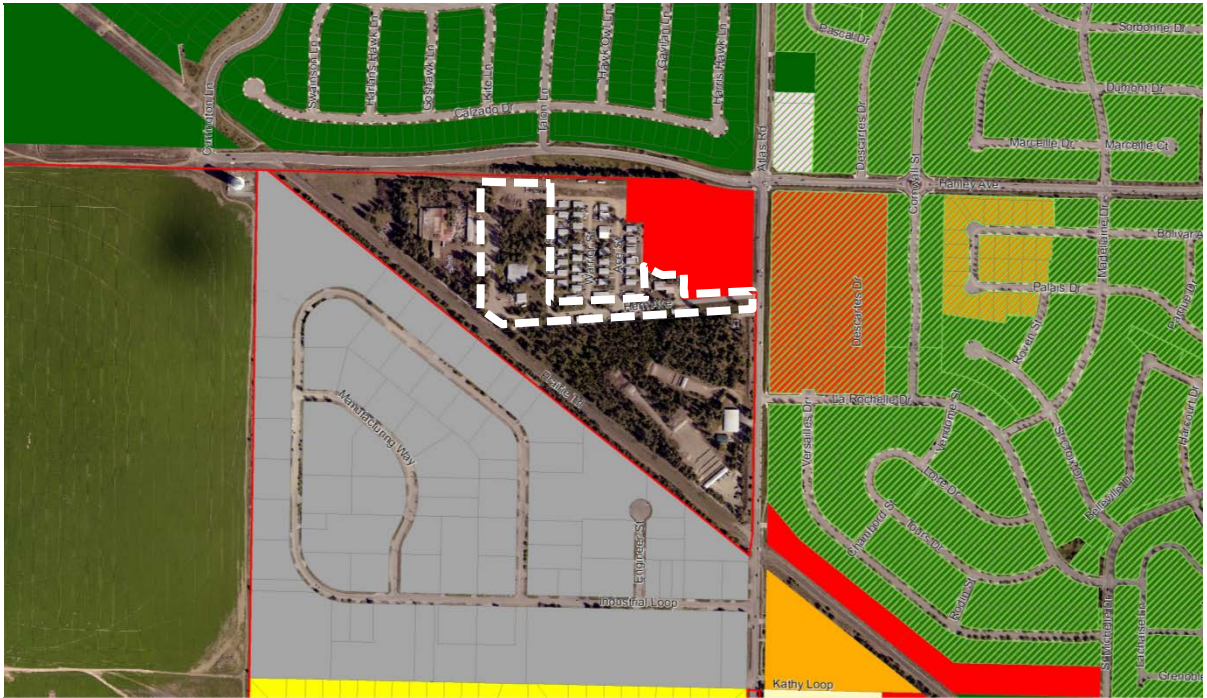
- Land Use
- SFA
  - SFD
  - DUPLEX
  - MH
  - MHP
  - MFD
  - CIVIC
  - COMM
  - MFGR
  - AGRICULTURE
  - VACANT



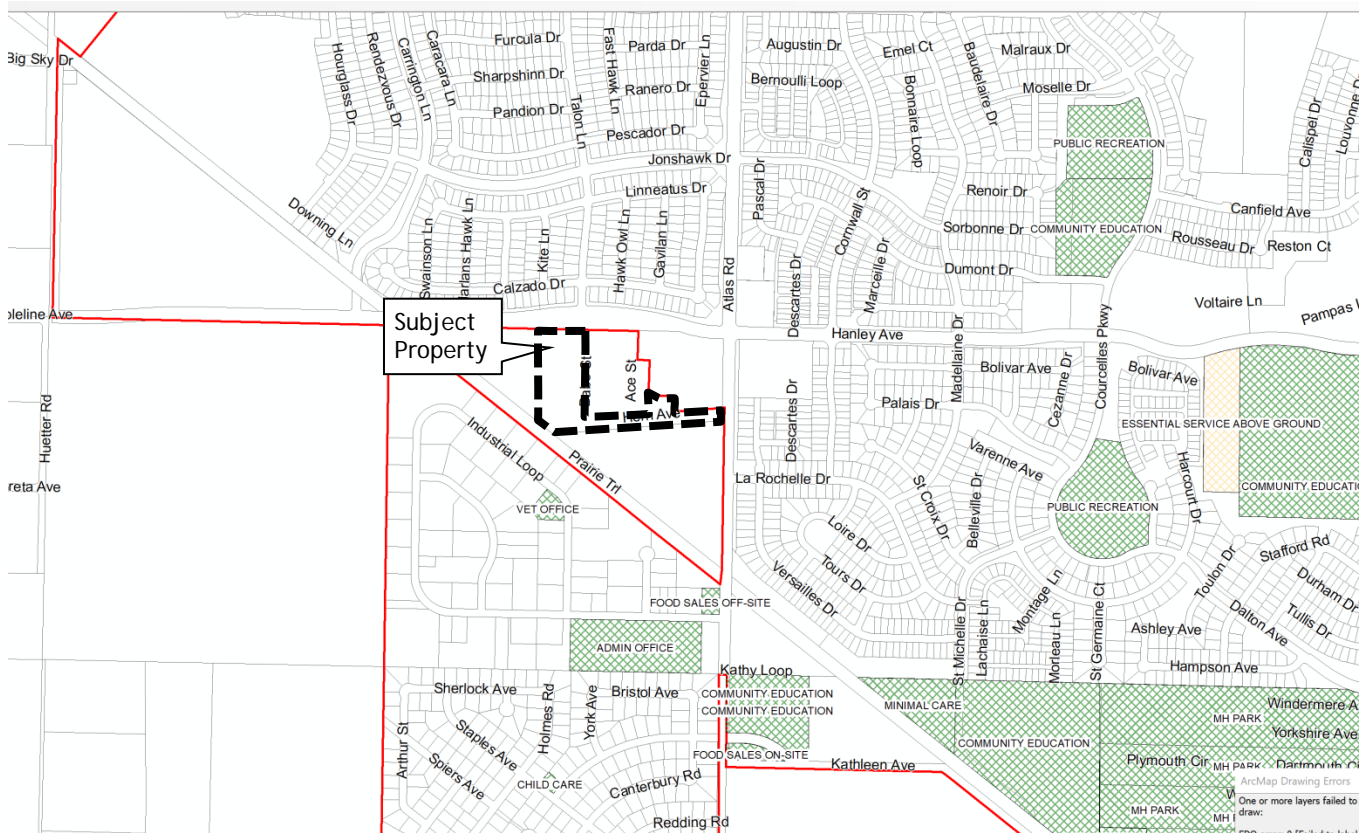


## EXISTING ZONING:

- zoning
- C-17
  - C-17L
  - C-17LPUD
  - C-17PUD
  - DC
  - DCPUD
  - LM
  - M
  - MH-8
  - MH-8PUD
  - NC
  - NW
  - R-1
  - R-12
  - R-12PUD
  - R-17
  - R-17PUD
  - R-1PUD
  - R-3
  - R-3PUD
  - R-5
  - R-5PUD
  - R-8
  - R-8PUD
  - R-8SF



## OTHER SPECIAL USE PERMITS IN THE AREA:



**Photo(s) of Site & Buildings (see conditions for reference to structure longevity):**  
*Please refer to the existing structure exhibit on page 6 for location on subject parcel*

Farm equipment storage building south of Hern Avenue (Building B5):



Sand blasting & powder coating building south of Hern Avenue (Building B4)



Maintenance shop for vehicles south of Hern Avenue (Building B3)



Metal fabrication and storage building north of Hern Avenue nearest to Atlas Road (Building B6)



Shipping and receiving structure north of Hern Avenue west of lot 4 (Building B2)



Storage facility building north of Hern Avenue west of lot 4 (Building B1)



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

**Finding #B&C:**

**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.**

**STAFF COMMENTS:**

STORMWATER:

Stormwater treatment and containment will be addressed during any future development and construction on the subject property. City Code requires stormwater to remain on site and for a stormwater management plan to be submitted and approved prior to any construction activity on the site. No development is occurring with the SUP.

*-Submitted by Chris Bosley, City Engineer*

STREETS:

The subject property is bordered by Atlas Road to the west and Hanley Ave to the north. Hanley Avenue meets the City standards. Any improvements to Atlas Road will be addressed during future development.

*-Submitted by Chris Bosley, City Engineer*

TRAFFIC:

The proposed project is expected to have no impacts on the adjacent transportation network. No changes to the existing use are proposed with this SUP. Therefore, no changes to traffic are expected. Streets and Engineering has no objections to the proposed SUP.

*-Submitted by Chris Bosley, City Engineer*

WATER:

The property requesting special use consideration lies within the City of Coeur d'Alene water service area. There is sufficient capacity within the public water system to provide adequate domestic, irrigation and fire flow service to the subject parcel.

*-Submitted by Kyle Marine, Assistant Water Superintendent*

WASTEWATER:

A Project Review Meeting will be required to determine if any pretreatment requirements will apply to this SUP. Any industrial wastewater generated within this SUP may be subject to pretreatment requirements.

Compliant to City Code 13.12 and upon completion and City approval of the proposed Public Sewer System, all existing septic systems shall be abandoned per City of Coeur d'Alene and Panhandle Health District Requirements; and pending any pretreatment requirements, shall connect to the newly installed public sewer.

*-Submitted by Mike Becker, Utility Project Manager*

FIRE:

The Fire Department works with the Engineering, Water and Building Departments to ensure the design of any proposal meets mandated safety requirements for the city and its residents:

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The CD'A FD can address all concerns at site and building permit submittals.

*-Submitted by Bobby Gonder, Fire Inspector / IAAI – CFI*

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

**PROPOSED CONDITIONS:**

**PLANNING:**

1. This Special Use Permit shall apply to the existing structures as identified in this staff report only. No expansion of these facilities will be allowed. When the structures are demolished, this SUP shall expire, and the land shall revert to a C-17 zoning designation sans special uses. Any future special uses would require a new hearing.
2. The applicant must remove the following buildings within two (2) years of approval (refer to building exhibit on page 6):
  - a. All structures south of Hern Avenue (B3, B4, B5)
  - b. Metal fabrication and storage (B6)
3. The storage facility as well as shipping and receiving (B1, B2) will remain until redevelopment occurs on that portion of property; west of lot 4 and north of Hern Avenue, at which time the structures shall be removed.
4. Outdoor storage of goods and materials not associated with the approved use(s) is prohibited.

**WATER:**

5. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building perming.
6. All water rights associated with the parcel shall be transferred to the City at the owner's expense

**WASTEWATER:**

7. A Project Review Meeting will be required where the Applicant must comply with all of the City's Sewer Use Ordinances.
8. This project will be required to connect to the public sewer system in accordance with the City's Wastewater Codes and Sewer Policies.

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

**ORDINANCES AND STANDARDS USED IN EVALUATION:**

2007 Comprehensive Plan  
Transportation 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  
2017 Coeur d'Alene Trails and Bikeways Master Plan

**ACTION ALTERNATIVES:**

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

A decorative border composed of a grid of purple diamonds in various shades, surrounding a central light purple rectangular area.

**APPLICANT'S  
NARRATIVE**



## Special Use Permit Application Narrative

**For:  
John Hern**

### Overview

Tri-State Consulting Engineers, Inc. has been retained to represent John Hern in the annexation of two lots recently created by the Hern Industrial Park Short Plat. That annexing includes a proposed zoning of C-17. This zoning is perfect for the proposed future uses of the land. However, one of the lots has buildings on it with established uses that don't comply with the standard uses allowed by the proposed zoning being requested. This Special Use Permit (SUP) will bring those uses into compliance with that zoning until such a time as those buildings are demolished as a part of the lot's future development.

### Property Description

The lot with the existing building on it is known as Lot 3, Block 1, Hern Industrial Park, Parcel #OL310-001-001-0. It is accessed off of Atlas Rd via an existing private road, Hern Ave. Attached to this application is an exhibit showing the lot layout and location of the existing buildings for clarity.

### Existing Uses

The above-mentioned exhibit identifies six building on lot 3 with their current uses. They are as follows:

- B1) Storage Facility: This building is used as a warehouse/storage facility for the foundry located on the adjacent lot. Due to the subdivision of the property this can no longer be considered an accessory building to the foundry so this SUP would allow its continued use as such.
- B2) Shipping & Receiving: This building is used to receive supplies and materials for use by the foundry and to prepare products for shipment from the foundry. This administrative use is allowed under the proposed zoning.
- B3) Maintenance Shop: This building is used by a local trucking company for routine maintenance on its trucks. No fuel or oil is stored on site. This fleet maintenance use is allowed under the proposed zoning.
- B4) Sand Blasting Shop: This building is used to prepare projects for powder coating. An SUP in the proposed zoning allows for custom manufacturing which we believe



powder coating falls under therefore the current tenants would be able to continue using it.

- B5) Farm Equipment Storage: A local farmer is currently using this building for storing his equipment due to an unfortunate loss of his on-site storing area. This use falls under warehouse/storage so just like building B1 an SUP is required for its continued use as such.
- B6) Metal Fabrication & Storage: This building is used for the storing of products and materials and the fabrication of metal through various means. As stated with building B4 custom manufacturing is allowed under a SUP so this permit would allow this tenant to remain.

### **Proposed Use**

The necessity for this SUP is temporary due to the proposed development of this lot. Upon annexation of lot 3 a commercial development shall be submitted that would include the dedication and improvement Hern Ave along with all of the lot east of lot 4, block 1 of the Hern Industrial Park. This development and dedication would require the demolition of buildings B3-B6. The other two buildings shall remain for the time being but future development of the remainder of lot 3 will require their removal as well.

### **Summary**

The purpose of this application is to request a Special Use Permit to allow the continued use of six existing buildings located on a lot we are proposing for annexation into the City of Coeur d'Alene. The proposed SUP would be temporary, in place until such a time as the proposed commercial developments replace them during construction and Hern Avenue is Dedicated to the city.

