

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

June 11, 2024

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

The Planning and Zoning 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, Luttropp, Coppess, McCracken, Ward

PLEDGE:

APPROVAL OF MINUTES: ***ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.

May 14 2024 – Planning & Zoning Commission Meeting

PUBLIC COMMENTS:

STAFF COMMENTS:

COMMISSION COMMENTS:

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

1. Applicant: Blue Fern Development
Location: 0.7125 +/- acre Spokane Riverfront parcel located at the intersection of W. Shoreview Lane and the terminus of N. Grandmill Lane
Request:
 - A. A proposed modification to the Mill River Planned Unit Development (PUD) QUASI-JUDICIAL (PUD-4-04m.3)
 - B. A replat of Mill River 1st Addition Tax #23312 to Four (4) single family lots and one (1) private recreation tract QUASI-JUDICIAL (S-3-24)

Presented by: Sean Holm, Senior Planner

2. Applicant: Summit Holdings II LLLP
Location: 2501 E Sherman Ave, commonly known as the Lake Villa Apartments
Request: A proposed amendment to the Lake Villa Planned Unit Development (PUD) to allow two new apartment buildings with 21 additional units QUASI-JUDICIAL (PUD-2-24)

Presented by: Mike Behary, Associate Planner

3. Applicant: Weter Bare Land LLC
Location: West of Ramsey Road, south of Lopez Avenue and east of Player Drive
Request: A proposed R-34 Special Use Permit (SUP) to allow multifamily residential at 34 units per acre on a lot zoned C-17 that allows 17 units per acre by right QUASI-JUDICIAL (SP-2-24)

Presented by: Sean Holm, Senior Planner

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 Traci Clark at (208)769-2240 at least 72 hours in advance of the meeting date and time.***

**Please note any final decision made by the Planning and Zoning Commission is appealable within 15 days of the decision pursuant to sections [17.09.705](#) through [17.09.715](#) of Title 17, Zoning.*



MINUTES



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**PLANNING COMMISSION
MINUTES
MAY 14, 2024
LOWER LEVEL – LIBRARY COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Tom Messina, Chairman
Mark Coppess
Lynn Fleming
Sarah McCracken
Phil Ward
Peter Luttropp

STAFF MEMBERS PRESENT:

Hilary Patterson, Community Planning Director
Sean Holm, Senior Planner
Randy Adams, City Attorney
Traci Clark, Administrative Assistant

Commissioners Absent:

Jon Ingalls, Vice-Chair

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Commissioner Ward, seconded by Commissioner Coppess, to approve the minutes of the Planning Commission meeting on April 9, 2024. Motion approved.

PUBLIC COMMENTS:

None.

STAFF COMMENTS:

Hilary Patterson, Community Planning Director, provided the following comments:

- June 11, Planning and Zoning will have 3 public hearings - a Planned Unit Development, a Special Use Permit, and a Combination Planned Unit Development Amendment and Subdivision request. You also have a request this evening to continue the public hearing for the 9-Lot Subdivision by Mr. Kaufman.

COMMISSION COMMENTS:

None.

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

1. Applicant: Todd Kaufman (*Continued from April 9, 2024*)
Location: 2810 N. 17th Street
Request: A Proposed 9-Lot Subdivision
QUASI-JUDICIAL, (S-1-24)

The applicant requested this item be continued to July 9, 2024. The Commission was asked to vote to continue this hearing.

Motion by Commissioner Coppess, seconded by Commissioner Fleming, to continue the hearing for item S-1-24 to the Planning and Zoning Commission meeting on July 9, 2024. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Coppess	Voted	Aye
Commissioner McCracken	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	Aye

Motion to approve carried by a 6 to 0 vote.

2. Applicant: Thomas Hungerford (*Neighborhood Sponsor*)
Location: Nettleton Gulch Road and 17th Street
Request: Proposed SUP restricting 16.64-acres to single family designation
QUASI-JUDICIAL, (SP-1-24)

Presented by: Sean Holm, Senior Planner

Mr. Holm, Senior Planner, provided the following statements:

Thomas Hungerford, neighborhood sponsor, is requesting approval of a single family detached only designation in an R-12 zoning district. If approved, the special use permit request would limit future construction to single family detached residential homes and accessory uses in the subject area.

Mr. Holm provided background information and shared information about prior requests of a similar nature.

He noted that Special Use Permit applications for a single family detached only designation are a rare occurrence in the city. To date, there has been two (2) requests for this specific action: Pinegrove Park (1994) and Ft. Grounds (2013-14). While both of these requests were ultimately approved, there was a difference in the threshold to qualify. Prior to 2013, city code required the neighborhood sponsor to prove there was both 75% of the subject area as well as 75% of the owners in agreement to sign on as "parties to the request". This changed to 66% for both hurdles, in 2013, when City Council approved ordinance 3474. The minimum requirement for one-and-a-half acres (1.5 ac) as a whole remains the same.

The applicant as the neighborhood representative has noted that the Special Use Permit will preserve the Best/Nettleton Gulch area as a transitional space between the rural undeveloped recreational land of Canfield Mountain and the more densely populated, amenity-rich urban fabric of downtown Coeur d'Alene.

The Zoning Code defines residential activities and types of structures as detached housing:

One dwelling unit, freestanding and structurally separated from any other dwelling unit or building, except for an accessory building located on a lot or building site which is unoccupied by any other dwelling unit or main building.

Single-family detached housing: One dwelling unit occupied by a "family" as defined in this title, including manufactured structures and designated manufactured homes as defined in this chapter.

The R-12 zoning district is intended as a residential area that permits a mix of housing types at a density not greater than twelve (12) units per gross acre. In this district a special use permit, as prescribed in chapter 17.09, article III of this title, may be requested by neighborhood sponsor to restrict development for a specific area in single-family detached housing. To constitute neighborhood sponsor, sixty six percent (66%) of the people who own at least sixty six percent (66%) of the property involved must be party to the request. The area of the request must be at least one and one-half (1^{1/2}) gross acres bounded by streets, alleys, rear lot lines or another recognized boundary. Side lot lines may be used for the boundary only if it is also the rear lot line of the adjacent property.

Mr. Holm also noted that all parcels within the subject are currently large enough to qualify for a duplex in R-12.

Commissioner Fleming asked about the two homeowners that removed their names from the request and does that change the numbers on this request of the percentage allowed of homeowners involved.

Mr. Holm explained that they own a sliver of a parcel that is partially in the city limits and mostly in the county. They indicated they were not contacted by Mr. Hungerford. The original application came in with 38 parcels but it was really 38 1/8, the city removed the 1/8 of a parcel. The homeowners in support of the request meet the requirement.

Commissioner Coppess asked Mr. Holm to clarify the meaning of the red blocks on the drawing on the screen. He asked if each individual property owner opposed the request or was it that they did not respond to the request to support the Special Use Permit.

Mr. Holm replied that he can only say by hearsay. He has only heard from the applicant that he made his best attempt to contact everyone, but not everyone was a local owner.

Commissioner McCracken asked how do you verify the signatures that the came in with the application. After tonight, does the city verify the signatures since the count is really close on the one threshold.

Mr. Holm stated the city does have the signatures on file. It was brought to a notary and was based upon the tax record. We have not gone to each individual to verify their signatures.

Mr. Adams, City Attorney, commented that the ordinance is silent. His opinion would be that if someone opposes this and wants to bring forward evidence that a parcel was not properly signed or signed on to it, that would be their burden. This would not be the city's responsibility to verify each signature. The names have been notarized and we can accept this.

Mr. Holm noted that there are three required findings for a special use permit, findings B1 through B3.

Finding B1 is if this proposal (is) (is not) in conformance with the Comprehensive Plan. Mr. Holm presented information about the subject property being within the existing city limits. The City's Future Land Use Map designates this area as **Compact Neighborhood** place type. He shared the Comprehensive Plan maps for transportation, including the existing and planned bicycle network, walking network, transit network. He also shared the Goals and Objectives that staff found applicable to the request.

Finding B2 is if the design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties. Mr. Holm shared details about the properties within the boundaries of the request.

Commissioner Coppess asked about the broader picture regarding the Comprehensive Plan and the designation of the area as a Compact Neighborhood place type. There must have been a reason to designate this area to allow for a variety of housing types. He was wondering if that was done for a specific purpose or done in the broader context to ensure that there is adequate housing available for a full spectrum of people living in the area with different needs and price points. Can the macro picture support changing this compact neighborhood into a single family detached only neighborhood. Probably the answer is yes. At some point, once people realize what is going on and how effective this is in other areas that have similar challenges of not wanting to increase the amount of multifamily residential units in a neighborhood, they will also request this single family detached only designation. His concern is how do we get to a point where we have maxed out our single family detached housing for the comprehensive plan and does the plan provide those details.

Mr. Holm answered the Comprehensive Plan is a guiding document for the 20-year growth horizon. None of the language says it has to happen within any certain time frame, as far as land use decisions. The future land use map does provide what the citizens of Coeur d'Alene have agreed to as to what the future growth pattern and appropriate land uses. The Zoning Code does allow the request for single family detached family only designation. We are taking that code piece and applying it the Comprehensive Plan. Staff is presenting what the Comp Plan envisioned and the request of the neighborhood.

Commissioner McCracken stated that when the Comp Plan was revisited, there were some estimates from KMPO with regard to population growth and there was a board game that she played where the community was trying to fit the population of the growth within the boundaries of the city and what that could look like. There was a pretty decent mix to be able to see that happening.

Ms. Patterson replied that looking over 20 years the population is projected to be over 85,000. Through the Comprehensive Plan process we had thousands of community members help to the mapping that growth Commissioner McCracken was talking about. The community members used planning tiles that correlated to the density or number of dwelling units per acre. That is how the place types came to be. But it is hard to go parcel by parcel. The map was great. It was based on the actual city limits and the Area of City Impact but you cannot drill it all the way down. It just helps provide guidance.

Commissioner Luttrupp stated that the process was helpful for identifying the neighborhoods and that the code allows for neighborhoods to request limiting density and housing types if they want to. Hence this is why this request is before us tonight.

Mr. Holm stated the goal of development is to have a mix of land uses throughout the city with housing and employment while preserving the qualities that make Coeur d'Alene a great place to live. This is a two-sided statement. The Planning Commission must consider what comes before you. There is a balance there. You must consider is the timing correct, is the neighborhood coming before you tonight and the record that is before the Planning Commission. Are each one of you comfortable with approving or denying a request. This evening's request is brought forward by neighbors who have self-identified based upon the subject area that he has laid out on the map. The question before you is should this be

family only detached.

Commissioner Fleming stated the other challenge is there are some duplexes within the boundaries. She asked if they were to be demolished, would they be restricted to only building a single family dwelling.

Mr. Holm replied, yes. What you asked is covered in the non-conforming section of the code. In the city of Coeur d'Alene, if the building is destroyed or damaged by more than 50%, then it does have to be rebuilt to the current standard. Each single family lot could have a home and an ADU (Accessory Dwelling Unit). When this section of the code was written, allowing for single family detached only designation through a Special Use Permit, it did not anticipate ADU's. But he has had long conversations with Mr. Adams determining what would the limit be, what is the allowance in case the questions come up. There is the potential for duplexes to be built on every lot within the boundaries now because of the large lot sizes. Some of the properties are large enough to have two single family homes. The R-12 zoning does limit any R-12 parcel to a maximum of two units without subdivision. If there is 11,000 square feet, there could be two single family homes. If it is under that, they could have a single family home with an ADU.

Commissioner McCracken asked if there could be a subdivision allowed on the larger lots.

Mr. Holm replied yes, it would still come before the Planning and Zoning Commission and would have to meet all the requirements.

Finding B3 is if 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.

All of the City departments sent in their comments and there were no issues with any of the departments or city staff in providing facilities or services.

Mr. Holm noted the action alternatives this evening. The Planning and Zoning Commission must consider this special use permit request, which would limit future construction to single family detached residential homes and accessory uses in the subject area, and make appropriate findings to: approve, deny or deny without prejudice.

Mr. Holm, concluded his presentation.

Commissioner Ward asked about the parcel east of the property that is in the county and what zone is it under.

Mr. Holm stated he is not certain.

Commissioner Ward asked if the properties to the east wanted to become part of the city and have a single-family only designation, how would that work.

Ms. Patterson replied that to be annexed into the city from the county and to be single family only they would want to do the R-1 or R-3 zoning.

Commissioner Ward stated continuing with the darker green areas beyond *(he pointed to the photos that Mr. Holm still had up on the screen)*.

Mr. Holm replied, yes. The area is a PUD (Planned Unit Development) and those are single family homes.

Commissioner Ward asked how much further east the City limits can go, probably not much because of Canfield Mountain.

Mr. Holm stated the Area of City Impact does go out a way. As the land gets steeper it becomes more difficult to service that piece of property with city water pressure, etc.

Commissioner Ward commented the road way system in there does not look very substantial. 15th St. is pretty well developed and progressing from South to North, but once you get to 17th Street it all tapers off and reverts back to more rural type of development.

Mr. Holm stated, that is true. Nettleton Gulch is not near as busy as 15th Street but that is the access to the East.

Commissioner Ward stated there is a huge shortage of housing in the community. He thinks it's important to consider the higher development potential because it's R-12 in an area that is really rural at this point. He said the commission should consider development potential, how do we control that, how do we ensure that the larger lots with single family homes remain to the east, and if we are going to increase any densities are we going to bring it closer to 15th Street. He sees that 17th Street almost comes to a transition point where the commission might consider more intense housing, but he does not see it going much further east with single family only type of development, despite the zoning.

Commissioner Coppess asked Mr. Holm regarding findings B3 if the commission will hear from anyone else from the City in terms of supportability of changing from single family dwelling exclusively.

Mr. Holm replied that there were not representatives from the different departments.

Commissioner Coppess asked for staff to confirm that the departments were ok transitioning to single family dwelling structure for this area. Is that supportable from the city stand point from all public services, water, drainage, safety, traffic, etc.

Mr. Holm replied yes, those are the comments we received back from the departments and are put in the staff report. It can be met for future development as single family.

Chairman Messina asked since this is a Special Use Permit for single family detached only under the R-12 how that would affect the 17 uses that are allowed by right as a principal use, accessory use or through a special use permit. This particular hearing tonight is just for single family homes. Are we doing a condition tying this into single family only and nothing else.

Mr. Holm replied that he was correct. The request tonight is for single family detached with ADUs allowed.

Commissioner McCracken asked if they wanted to get rezoned to a lower density, would that be another option.

Mr. Holm replied with his personal opinion that you cannot tie in other ownerships to that rezone if they do not want to go along with it. This is not a rezone that really affects densities, setbacks, heights, etc. A lot of the elements remain the same, it's the structure type that changes and then the duplex and the square footage per unit of 3500 per duplex that would go away. It is just 5500 square feet per single family home for lot size.

Commissioner Fleming commented that she was a commissioner in Hayden and they had developed co-housing and they took the acreages and used the acreages from multiple single family cottage style homes around a central park space. The city of Coeur d'Alene does not have this here. She hopes this will happen in the future here in Coeur d'Alene. She would prefer that the designation allow for other housing types so some of these folks with these large parcels can have shared green space, cottage homes for grandma or starter homes. This was done up in Hayden so people didn't have to spend a lot of money for that parcel of land but still got open green space and the natural environment. This is not slamming the door on everyone with a picket fence on a 5500 square foot lot. There are people here who don't want to join this, because they want to do more with their land than just this. There is more demand for people to live here. She is more supportive of alternative forms of housing in the City, which is needed desperately. People are not going to be happy when they are told when they can't put a duplex on their

own property.

Commissioner Luttrupp stated this is one thing only that precludes duplexes, this is the single change. This is just the density.

Ms. Patterson would like to clarify this designation would not allow the co-housing and would not allow twin homes. This is single family detached only. It might be helpful, depending on how this will go tonight if the Commission is supportive or if the neighborhood sponsor wants to share if the request includes ADUs as an allowed accessory use. The code is unclear, but we have allowed them in the Fort Grounds. The City Attorney has indicated that it would be helpful to determine if ADUs are permitted as a condition, if it goes forward.

Mr. Adams stated he believes because the code is unclear and the request says single family detached only, that it doesn't clearly note ADUs can also be built. You can add a condition to the Special Use Permit to allow ADU's, but absent that condition it would be his opinion that only single family dwellings would be allowed with this Special Use Permit.

Commissioner Coppess asked if the commission does add a condition, would it have to go back through the hurdles and process of meeting at least 66% approval by all of those within the zone to be qualified as an approval to come before the commission.

Mr. Adams replied he does not know. He would have to look that up in the code.

Commissioner McCracken asked if the density will stay the same as long as they meet the requirements, for example 12 units per 1 acre.

Ms. Patterson replied that is correct. Density, lots size, setbacks, etc. would still apply.

Mr. Holm stated this was at some point a difference of opinions between the prior legal department head and now. With the Fort Grounds, they did not make any special condition to allow for ADUs. It was whether or not an ADU was considered an accessory use as allowed by the R-12 zoning. He asked if this means that homeowners would not be allowed to have a garage because that is an accessory use as well.

Mr. Adams replied, but that is not a dwelling unit.

Chairman Messina stated that this request is for single family detached homes, but doesn't specify ADUs at this time.

Ms. Patterson stated it would be helpful at this time if the applicant who is the neighborhood sponsor to clarify what they discussed as a neighborhood and if everyone expected single family detached with an ADU. This would help to clarify that intent, or if they thought no, this is a single family detached with no ADU units.

Chairman Messina asked if there is any conflict of interest on this particular item with any of the commissioners.

Chairman Messina opened the public hearing and swore in the applicant and the public as a group.

Public testimony open.

Mr. Hungerford, the neighborhood sponsor, introduced himself. He stated when he started this process, he looked at what the code said, he spoke with several people regarding the code, the principle uses listed in R-12, and the accessory uses. There are 17 different uses that can be requested as part of the special use. With that he was told and he was under the impression the whole time that accessory uses

would be allowed. The only thing that the homeowners would be doing is having the single family detached only designation and ADU would still be allowed. This will be a touching point with a lot of the other neighbors. He felt he had done his research and it was going to be allowed under this restriction.

Chairman Messina stated that his impression was to be allowed single family homes with ADUs somewhere on the property.

Mr. Hungerford replied, yes. He spoke with several different people and asked if that was allowed so they have a home or if they build a home then an ADU would still going to be allowed. He discussed this with staff members Sean Holm, and Tami Stroud.

Commissioner Coppess stated to Mr. Hungerford that some people may have different perspectives on that specific topic within your zone and are they part of the 67%.

Mr. Hungerford replied, yes. He spoke with every single person of the 37 except for Mr. Kaufman who owns the large property and 1 duplex owner who lives in California. He sent him a letter and never heard back from him. He was in person with all of the other folks.

Commissioner Coppess clarified all of the green zone folks were all on board with the ADU's.

Mr. Hungerford replied, yes. The four red zones with the duplexes, he personally met with each owner except with the one out of California. He let them know that this is the down side for you. If you do this and this happens. They were gracious to allow time to think about it and have him get back to them, and that is when they decided they did not want to be part of it. He took his time to talk to a lot of people about all of this.

Chairman Messina once again read the single family designation clarification, and wants to know if the commission needs to make a condition with the ADU would be allowed.

Ms. Patterson stated that the testimony that Mr. Holm and Mr. Hungerford provided is correct regarding the ADU's. Planning Department has been telling people and they have been under the impression since the previous legal services director that ADU's are allowed under the single family only special use permit designation. When she discussed this with Mr. Adams this evening, it didn't look as clear as that in the code. The commission has that option to add that as a condition just to make that crystal clear so in the future there is no ambiguity for anyone who is developing on their property.

Mr. Adams clarified that the Commission should add the ADU as a condition because it is unclear. He does not know what do about the percentages. He would go forward with the percentages as they have been presented if someone does objects, we can revisit it. A single family detached house is a permitted use. An ADU is not the same thing.

Mr. Hungerford replied, we have all been under the impression about the ADU's. This may change where people are at on this if ADUs are not allowed. He had a copy of code and showed it to the people when he met with the neighbors and showing what was allowed.

Chairman Messina stated again the commission will put the ADU in as a condition with the findings.

Mr. Adams replied this would be his recommendation because the ordinance is not entirely clear.

Commissioner Luttrupp stated since the applicant and some of the staff told the neighbors that ADU were permitted we will put this as a condition during the findings.

Mr. Hungerford continued with his presentation. He stated that he spoke with his neighbors and they want to keep the characteristics of the neighborhood. Nettleton Gulch does not have HOA. They have no rules. They care about one another. The best avenue for everyone was to just be single family homes to keep

with the infrastructure and natural boundaries by the city streets. He spent a lot of time talking with all the neighbors in detail. There is also compatible growth. He states they are a community that is connected and involved and engaged, and they want to preserve what they have.

Chairman Messina stated this request involves over 16 acres and there are 37 pieces of property that could be designated all single family. The R-12 zoning allows a single family home on 5500 square feet of land, is the intention to build out all of those parcels and more.

Mr. Hungerford replied no. There needs to be housing, we are not saying that we are stopping owners from changing what they can do on their property. We are trying to prevent overcrowding where the infrastructure can't handle all the new houses. The roads cannot handle all the that.

Shannon Sardell, as co-presenter with the applicant, introduced herself. She stated this meets the conformance to the comprehensive plan, well informed citizenry. These maps show single family housing is consistent with the surrounding location and the soft transition to more rural residential to the east. Single family residential will not put undue stress on services. You can see there are no sidewalks. The overlay proposal would not create impacts with vehicular access and traffic. Forest land is on the edge. We feel this will provide the recreational opportunities such as hiking Canfield Mountain. The neighborhood is one of structural transition between the urban core of Coeur d'Alene and the rural amenities beyond it. We want to seek development solutions like additional dwelling units or ADU's. ADU's are not a new concept as they have been around the 20th century and provide additional varied housing types typically smaller in square footage. This would be allowed and we would support this in our proposed overlay. This is more modest housing type and it is more important with the progression towards economic success for young people or as part of the downsizing processing for aging community members. This neighborhood was established in the 50 and 60's and is on the edge of a rural community of the city. The roads do not conform to the 2024 designs standards and the landscape is mature. The single family homes with ADU will not put undue stress. Nettleton Gulch Road is a shared roadway with the bicycle network despite its current heavy use with cars, trucks, trailers and service vehicles heading up to the mountain. Other roadways within this neighborhood do not meet this standard and there are very few sidewalks. The overlay proposal will allow for modest population increases but will not create additional traffic or safety concerns between them. This neighborhood is a significant gateway to the closest rural outdoor mountain experiences on USDA Forest Service Lands for the city. This forest land and the parking area which multiple trail heads are available as advertised in tourist information, outdoor guides and searchable trail enthusiasts including GPS. We feel that the Special Use Permit will preserve the existing neighborhood identity, ensure a high quality of life for its residents, and provide a safe and efficient bike and walking mountain area for its residents.

Chairman Messina asked if this gets approved and someone has enough square footage on a property to put 2 or 3 single family homes do they have to put in new streets, sewer, water, etc.

Mr. Patterson replied if they wanted to subdivide the property, yes. They would have to do that. As Mr. Holm indicated you are only allowed 2 single family homes if the lot is 11,000 sq feet.

Commissioner Coppess asked regarding the findings of fact would it be appropriate to add a new finding A-9 to note this proposal was evaluated for this ownership and property to include conditions of allowing accessory dwelling units on all property. Some wording of that affect in the findings of fact, referring to the staff report, or do we need to say that as described by Mr. Hungerford.

Mr. Adams stated that would be appropriate to put that into the findings and it could be based on the staff report, the presentation by the applicant which has been sworn testimony or anyone else who has testified.

Amber Hicks, stated she agrees with what has been presented tonight. She is a homeowner who lives in the subject project. She had rented on 15th Street in a townhome. The draw of her home now was the single family residence. She states there are a shortage of homes in the community; there are a shortage

of single family residences. She didn't have issues finding rentals. She had a hard time finding affordable homes to buy. She feels this is not restricting the homeowners but preserving what they have. The maps that have been shown show plenty of green parcels and how few duplex properties are currently existing in this area. She would like to point out Gilbert and Haycraft Streets dead end. Most of the roads are very narrow. 17th Street cannot have sidewalks put on it. These are all uncontrolled intersections. She was told by the City Engineer that the neighborhood cannot get sidewalks because the road is too narrow and turns to a single lane. If we continue to allow this compact designation with infill into the lots, it will ramp up a lot more traffic with no safe sidewalk for people to walk on, and cause more safety hazardous for the children that live in the neighborhood.

Chairman Messina asked Mr. Adams regarding the percentage of how the application with the signatures got approved. Are those people that live in the neighborhood.

Mr. Adams replied, yes, the people live in the designated boundary.

Chairman Messina stated if anyone is speaking outside of that general area is opposed to this, they are not part of the tally of getting approval correct.

Mr. Adams replied correct.

Commissioner Coppess would also like to clarify there are two difference qualifiers, one is ownership and the other is people dwelling on the property.

Mr. Holm stated there are three measurement hurdles for this Special Use Permit request. The first is the overall size of properties greater than 1.5 acres. The second is the number of owners. The third represents the property size.

Mike Buzga does not live in the subdivision. He lives right off of Nettleton Gulch and has lived here for 5 years. There are a lot of apartments going up in the city. This proposal is positive because it does not limit housing. It just preserves the neighborhood and makes it more compatible. He wanted to be somewhat rural. We have great neighborhood. Some have referred to this area as an aging neighborhood. Sometimes people think those need to be torn down and rebuilt. Nobody has mentioned we have lots of animals and how the increase of multi-family units changes the neighborhood. It's not compatible and adds more threat to the community. Everyone chose to live here because the way it looks now.

Chairman Messina asked staff if there was going to be an influx of single family homes being built tomorrow; there is a process that will have to happen.

Ms. Patterson stated that is correct. This is different than a zone change, subdivision or a PUD. There is not an intention to develop right now.

Chairman Messina stated that Mr. Hungerford received enough signatures to preserve the neighborhood as single family home. What some would want to do with their property down the road, that would be up to them.

Ms. Patterson replied that is correct.

Todd Kaufman is opposed; he states he was not notified regarding this hearing. He has the largest piece of property in this development. He is going to speak about twin homes. To drive this home, single family residents are the same as twin homes. He has a problem here tonight regarding this hearing. He first heard about this meeting on Friday from Jeramie (Terzulli). He asked if there wasn't a requirement for certified mail notices.

Chairman Messina asked staff to clarify the noticing requirement.

Ms. Patterson stated there is a requirement for noticing. The city receives all of the mailing labels from the title

company. The mailing list is based on the address of record that come from the county. The city is not required to do them certified.

Mr. Kaufman stated he would like to see that list from the title company because he has done the exact same thing lots of times and he never got any notice. Therefore, his attorney Susan is not here tonight. He tried to twin homes on his property. He sat and listened to Mr. Hungerford say that he could put ten houses in this development. This is all about traffic. He can also put 10 single family residents on his piece of property with ADU's as well. He was trying to get 18 twin homes. There would be 18 doors. He had green space, he had a private road that the city did not have to take care of, but you commissioners turned me down twice. His subdivision application is currently in front of this commission. He has vested rights here. His application is to put in a subdivision for 9 duplex lots. This (Special Use Permit) request is spot zoning. This does not change traffic. He can still build single family residences on each lot. Which if there are 10 lots and an ADU in the back yard, he can have 20 rentals if he wants to. He has spent a lot of money chasing this. You commissioners keep kicking the can down the road and Mr. Hungerford's smoke and mirrors of what he is trying to show everyone is going to stop traffic if we have single family residences. This will not change any traffic. He will still build on this lot. He is trying to follow the letter of the law and that is why he is back to duplexes, but now you're trying to change duplexes. He had less density than what he can do now with single family is a 5500 square foot lot, he can put an ADU on it. On a duplex lot he had to have 7000 square feet. This is not going to change anything.

Commissioner Luttrupp stated to Mr. Kaufman that he has had his project for a couple of years. Would Mr. Kaufman be grandfathered in.

Ms. Patterson replied, no. This would affect Mr. Kaufman's property.

Chairman Messina stated if this gets approved as single family homes not duplex.

Mr. Adams states there is not a vested right to build anything in particular at this point.

Mr. Kaufman spoke up and said he disagreed; the application has already been started.

Jeramie Terzulli is neutral. He is Todd Kaufman's representative for the previous applications that have been put before the commission. All of the questions that have come up are the same questions that we have had because this code section is very thin. It looks like it was just stuck in there in the R-12. As far as the application requirements, if he was to bring an application for a zone change or annexation, he would have to hire a surveyor. He has to have a metes and bounds descriptions. There is a much higher bar for that. The applicant was able to just go to the assessor's office and just get records. It seems a little flimsy to be honest. The SUP is being referred to by the applicant's representative as an overlay zone. Title 67 of Idaho State Statute Chapter 65 Local Land Use Planning Act, Section B, states that the governing board shall establish government (that is you the commission) clear and objective standards for the overlay zoning district while ensuring that the application of those standards does not constitute a regulatory taking pursuant to Idaho or Federal Law. He believes the overlay district does entitle no fewer than 5 property owners to request a regulatory taking analysis by the City based on the fact that they are down zoning the property. This was brought up during some of the questions that if more than 50% of the structures are demolished, they will not be able to rebuilt as duplex. Therefore, they are devaluing their properties. He reached out to his insurance agency. He said some special underwriters would have to go onto some of those duplex owners right now to ensure against that. There is going to be some weird caveats if they ever have an insurance claim on those properties. He did reach out to his preferred lender stating that lending options on those non-conforming uses are limited. If property owners are wanting to sell those, they have shrunk those pool of buyers on those to people that want to pay cash and are willing to deal with the fact that they could not build a duplex structure on there if it was to be destroyed. All four of those property owners are entitled to a takings analysis to be provided by the City if they choose. Mr. Kaufman should also be provided that as well by the City. Food for thought, State Statutes do offer very clear direction. You can't approve this if it does constitute a regulatory taking. He would encourage the commission to consult with the city attorney to check the validity of what he has said.

Mr. Adams stated that any property owner can request a taking analysis. He has not received a formal request for one.

Commissioner Fleming asked if the commission can grandfather in the current duplexes as long as they remain as duplexes.

Mr. Adams stated the existing duplex now. They are grandfathered by the ordinance, unless there is a destruction event that exceeds a certain amount. There are also limitations on what structural change can be made and so forth.

Chairman Messina stated they are grandfathered in as duplex because they are duplex presently, but if they are 50% or more destroyed, they have to come back as single family homes. He asked if the commission can do a condition for the duplex saying their exempt being single family homes if they are destroyed more than 50%.

Mr. Adams replied, no, because you cannot change the ordinance, because of the non-conforming uses.

Commissioner Luttrupp asked Mr. Adams if the duplexes are non-conforming.

Mr. Adams replied it will be.

Commissioner Luttrupp stated that the commission has had two cases where the commission has modified the non-conforming saying that if the building is damaged or burnt down, they can rebuild what the building currently is. One was a store and one was a single family resident that was infringing on the water front. We did take action. One was damaged, torn down and rebuilt.

Kyle Holmes stated he has lived in Coeur d'Alene for over forty years. He is pro-development. It is a benefit to us. As Amber and others have hit on tonight, the character of the community is the one thing is what we want to establish. There are tract homes in Post Falls right now with no mature trees. There have been statements made in the past that the homes in this neighborhood are houses reaching their age of uselessness, which could not be farther from the truth. The level of disrespect that comes with that statement towards our neighborhood is humorous. If we all wanted to live in a tract home, we would sell and pay over \$500,000.00 for a house that is a 1/3 that is a size of what we currently live in. We have a beautiful walking neighborhood with big mature trees. He has wonderful neighbors that took care of his wife when he was deployed 4 years ago.

Megan Johns stated she is in favor and is a larger land owner. The special use permit is a reflection of the neighborhood desires both rejecting proposals like Todd Kaufman and to all so it preserves the neighborhood. She was aware that the ADU was allowed this is neighborhood driven request.

Al Mesbah stated that Mr. Kaufman needs to do a lot more work because he is changing our neighborhood. He is not against development. It is how much development. They are trying to protect they neighborhood with this request. The roads are very narrow and cannot handle all the extra housing that could possibly go in with the high density.

A citizen who would not provide his name or sign his name on this sheet stated he was walking by the library and ran into rich dad that lives in the neighborhood. He happened to come in and listen. He has spent a lot of time around attorneys. You are supposed to give notice to the public and due process. You are now adding ADU's to this program. This was not noticed. This needs to be stepped back. This needs to be refiled and re-noticed to everyone. He objects to not giving everyone notice of what was actually happening at this meeting to the public. Maybe we can have a chat with this fine city attorney (*he points to Mr. Adams*). He has spent 25 years in this neighborhood just because he has to go visit rich dad. Maybe over 100 people that go up Nettleton Gulch on Friday riding, drinking and motorcycling or doing whatever they are doing are trying to get back through. It's sketchy traffic. Now you are trying to add ADU's to a spot which obviously you are

developing, but is your surveying and engineering being done to add ADU's. Like this great guy from the city who brought up concerns. This has to be changed immediately. First thing you did here is change the whole process tonight, which requires you to send it back to the people to notice. Let's follow the rules, giving people notice of due process to come here for those hearings. Good luck with this guy (*he points to Mr. Adams again*).

Commissioner Luttrupp stated he has great confidence with the City Attorney and the city management. He thanked the citizen for providing free legal advice. The commission can add conditions. Those are not in the agenda. They are things that come up from the meeting and that is the purpose of the meeting.

Joe Archambault lives in Best Hills Meadows. He is the President of the HOA. He stated he has no problem with single family homes. These folks have a beautiful neighborhood. The lack of affordable housing is the problem. The medium home prices in Coeur d'Alene is about \$850,000.00 and not many people can afford that.

Edwin Ronningen lives outside of the area on Stiner since 1988. With the Kaufman Estates coming, there might be an addition of 9 twin homes or 18 units. There might be 36 vehicles traversing Stiner every day. There are multiple dumps trucks coming and going. There are young families with small children that play in the front yards. He is afraid for their safety. He is worried about the extra traffic this might bring. His house was built in 1970. It is still very useful and he raised his family there.

Mr. Adams asked for a short recess. The commission took a recess and then resumed the hearing.

Public testimony closed.

Chairman Messina closed the hearing and stated that the internal boundaries of the homeowners were not notified. The hearing for item SP-1-24 will be renoticed and the hearing will be conducted on July 9, 2024. The notices will have the additional wording to include ADU (Accessory Dwelling Unit).

3. Applicant: City of Coeur d'Alene
 Request: Amendments to the Coeur d'Alene Municipal Code § 17.09.340 allowing for members of the public to testify during an appeal hearing of a decision of the Design Review Commission (ITEM 0-1-24).

Presented by: Hilary Patterson, Community Planning Director

Ms. Patterson, Community Planning Director, provided the following statements:

The Planning and Zoning Commission is being asked to make a recommendation on an amendment to the Zoning Ordinance, specifically Municipal Code § 17.09.340, regarding the Appeal of a Decision of the Design Review Commission, to allow public testimony at the appeal hearing.

At the April 16, 2024, meeting, the City Council requested an amendment to the City's Municipal Code (M.C.) § 17.09.340 to allow members of the public to also have the right to testify in an appeal hearing of a design review commission decision. The current code limits participation in the appeal hearing to the appellant and applicant, and their representatives, and City Staff. Both City Code and the State Statutes task the Planning and Zoning Commission with making recommendations to the City Council on zoning code amendments and holding a public hearing.

Ms. Patterson stated that Commissioner Ward had requested information about the current appeal hearing for an appeal of a Design Review Commission decision. She explained that she sent out documents to the full commission from the 2008 ordinance that showed the original intent was to limit the testimony to the appellant, the applicant and staff and hold it as a hearing based on the evidence from the original hearing and not as a "de novo" hearing where new information could be received. The city hired a consultant to assist

with developing the procedures that were adopted in 2008.

The amendment allows for members of the public to testify at an appeal hearing on a Design Review Commission decision. It also clarifies other items related to time limits for speakers, that no testimony shall be taken on matters which cannot be modified by the Commission including, but not limited to, Zoning Code requirements, FAR, building height, density, use, parking or traffic impacts, and the timeframe for Council Action.

This item will be going to City Council next Tuesday for action. The Joan Woodard appeal of the Marriott hotel's design has been scheduled for June 4, 2024.

The Planning and Zoning Commission is being asked to make a recommendation to the City Council on the proposed amendment to the Zoning Ordinance to allow public testimony during an appeal hearing of a Decision of the Design Review Commission.

Ms. Patterson, concluded her presentation.

Commission Discussion:

Commissioner Fleming asked on the initial DRC presentation how long does the appellant get to speak.

Ms. Patterson stated the code did not specify. She indicated that staff provides guidance for the appeal hearing and how long the appellant and applicant will have. Typically, the City attorney introduces the item, followed by the appellant, then the applicant presents, and the appellant has a rebuttal before the hearing is closed.

Chairman Messina asked if this will not change what the public can say or not say as far as what is relevant to the Design Review Commissioner criteria that they should only address. He said the commission can't stop them from talking about anything else. He noted for the appeal hearing, the city council can only take in what is relevant to the design review Criteria, even if the public testifies.

Ms. Patterson replied that is correct. There is no new evidence to be presented in the appeal hearing under the current code or under the proposed amendment. The code states testimony it not supposed to be on anything that is not specific to design review commission.

Chairman Messina stated it is hard to limit anyone's comments whether its relevant or not relevant.

Commissioner McCracken asked what if someone appeals one of Planning and Zoning Commission's decisions. Is the appeal process the same or different?

Ms. Patterson stated that the appeal hearings for commission and staff decisions currently do not allow the public to speak, or at least the code doesn't specify the public testimony. The only two appeal hearings in the code that allow public testimony are the Rathdrum Prairie Aquifer section of the code that is relating to someone how is operating a facility over the aquifer and if an administrative decision that it is not appropriate. They can appeal that decision and an appeal that it would go to a hearing officer with public testimony. There is a section of the city code administrative section Rule of Procedures, (M.C. § 1.11.10) seems to imply that the public can testify, but she does not know if that was specific to public hearings or appeal hearings.

Commissioner McCracken asked if this would be the only appeal hearing that would have a different appeal procedure that specifies public testimony,

Mr. Adams stated this is the only one where it specifically says who can testify or speak at an appeal. In a public hearing, Council has generally allowed the public to speak.

Commissioner McCracken asked, wouldn't it be better to match it to the others, where they are silent on who can testify.

Mr. Adams replied maybe, but we drafted this amendment on the direction of City Council and the Mayor.

Commissioner McCracken asked for clarification on the other appeal hearings that don't state the public may testify. Would it be assumed that the public can't testify in those hearings because they are not stated in the ordinance.

Mr. Adams stated it is the opposite. It would be assumed that any public hearing the public could speak unless it specifically states otherwise.

Commissioner Fleming commented that during the DRC, the public does make comments. We give the DRC the responsibility to address the public concern and we should close it. To then have a second chance for the public to testify in an appeal hearing puts shade on the DRC. You have given them the right and the responsibility to see and promote the vision to the city and they should take it on board like this commission does. We don't always win and you should not get a second chance at it. It on the record. You have made response. The DRC has made the decision to close the issue and move on. This is just drawing the process out and it is costing the applicant money now. This denotes the DRC and shades them. It's made to look like we don't respect the DRC to do this all over again with other people that don't do this all the time. The DRC is built with people that do this all the time. They are experienced and knowledgeable. They are there to serve that purpose. Now you're handing it on to people who don't do it all the time.

Chairman Messina asked is this only for the Design Review appeal process. He assumes that the City Council had access to the DRC meeting minutes and they could read all the public comments that were made at that time. He is all for public comments. He has to agree with Commissioner Fleming on this matter. The council had the opportunity to read all the public comments and some of the comments were not relevant at all regarding the design and they will hear those things again. He feels the DRC did their job and listened to all the public testimony at that time and made the correct decision.

Commissioner Ward stated he understands that the City Council will let anyone speak at any public forum generally. But an appeal hearing from the DRC is different and it is not just that someone says it, what they are reviewing is different. The current code states that the City Council reviews the DRC decision and shall be based on the record developed before the Commission with no new evidence being submitted. The public wants to add input if they don't like it. He feels the change is not effective. He said he really does not care if the Council wants to make the change. An appeal on a DRC decision needs to be focused on specific design criteria and if something was done incorrectly Some appeals to the City Council are different. That is what the Commission is talking about. He said that most zoning hearings that he has been involved in, they get to have a brand-new hearing when they get to an appeal to the county commission or city council. This is not the case with the DRC. This is based on the record and the record can be read. The only change that he had read in the ordinance is being proposed is now we include the words and members of the public may participate in the appeal. The reason for the appeal is the same. Does it make the City Council review any better? No. They are still supposed to be ruling based upon the record of the DRC. Just like Chairman Messina stated, a lot of the public will speak and it will be irrelevant to the decision. He has been involved in planning for over 50 years now. he thinks about all the lawyers and the delay just for the Marriott. This might have the developer pay a high interest rate and a lot more money and not be able to stay on schedule so the revenue they may have gained will be a loss. We are now changing the criteria and this is a problem, because this appeal is in the process and a liability for the City. This is a very bad precedent to set.

Commissioner McCracken stated that the appeal hearing item is tabled. She does not like changing the rules while the item is tabled. When they appealed, the rule was clear. The timing is funny on this one.

Mr. Adams stated this is a legal question that has been addressed. There is Idaho Supreme Court precedent that says you can change procedural matters that do not affect the substantive rights of a party and they

would apply. To allow other people to testify does not affect the substantive right of the party. There are just more people talking. If we were to change the standard of the appeal where now you can bring new evidence, etc. That would be changing the substantive right on the appeal. We are just changing who can talk and that is a procedural matter. He does not see that a problem with the amendment.

Commissioner McCracken stated during the meeting they made a motion to allow public comment and were not allowed to do so. The intent was the same.

Commissioner Fleming stated there is a lag time and now the appellant can build their forces to show up in the audience and rig it. She disagrees with the timing of this change. The appellant has an independent thought and they present it to the DRC at that meeting. It should not occur. She feels the appellant may have a problem, but know the DRC role is being torn apart, and sending it out to a dog fight. She feels there should not be a change and it should remain as is.

Commissioner Luttrupp stated the DRC is appointed by the Council and the Council is elected. There is a difference. He agreed that the DRC are very knowledgeable; he would put the City's DRC against anyone in the country. They are great. The local government is great and the public commentary is a great tool to have. He supports the change because Council is recommending it.

Chairman Messina states the public testimony was part of the DRC record and the City Council can read it and to open up to the appeal hearing to have additional public comment, he agrees with Commissioner Fleming, is like changing the rules mid-stream. This is directly related to the DRC and no other appeal process.

Commissioner McCracken stated she doesn't mind public comment if City Council wants to hear it, but she does not like changing the rule for an open hearing while it's tabled. It's not the right process. If is read striking the sentence "although the hearing is open to the member of the public no general comment will be taken", if that sentence is just stricken from the record, then it's the same as the other appeal procedures. This would allow the Council to listen to the public.

Commissioner Fleming stated that is like you are reopening the DRC and you are negating the DRC's role. It is fair game. They had their chance in front of the DRC, and the public does not need to go in front of the council.

Commissioner Ward stated if the council wants this, it's not his job to say you should not do this. But he thinks it should be limited to only apply to future hearing and nothing that is pending. The code change itself the council has asked for it, he would send it forward, with the caveat that he has mentioned.

Public testimony open.

Suzanne Knutson, introduced herself she was at the City Council meeting when the request was made and there were people at the meeting that would have liked to speak. She does not know a lot of the DRC. She believes the appeal process is due process. She does not know if it is a public hearing, she knows they are held at noon in the middle of the day, where a lot of people cannot attend because a lot of people work. She does not think people within 300 feet are notified of that Design Review. She could be wrong, she doesn't know.

Chairman Messina stated he is a member of the DRC and has been for a number of years. The DRC is limited in its scope. The discussions are based on the limited guidelines. The Marriott hearing with the DRC was a 3-hour meeting and there was a lot of public comment. Many of the comments that we heard had no relevance on what the DRC look at on design review. They had made that announcement to focus comments on the design review criteria. The DRC does not stop anyone from speaking but many of the comments had no relevance to the guidelines or design of the building.

Ms. Patterson stated the DRC is a public hearing. It was noticed in the press; mailings were sent out

within 300 feet and the property was also posted. The appeal hearings are not required to be noticed, but we have been doing that to make sure everyone in the public has been notified as well.

Ms. Knudson continued and stated that things that are important to the public were traffic and parking because they are not part of the design review.

Chairman Messina stated that is correct. Those two items have nothing to do with the design review and that is not going to change in the appeal.

Ms. Knudson replied she was wondering if the design review process might actually need to change and not the appeal process.

Chairman Messina replied that can certainly be addressed as a question later on.

Ms. Knudson's question is in 2018 she sat her with 125 other citizens who were not in favor of River's Edge going in off of Seltice and the Planning Commission did not vote on that. It was sent it to City Council. The public did not have an opportunity to appeal anything when that happen. We hear all the time that zoning and codes need to change, etc. Maybe people that are upset about the Marriott didn't live here during the time when the zoning change happened years ago. Now the parking and things have grown rapidly here since that happened. The appeal process is good along with public comment.

Al Mesbah stated that letting the citizens speak and may be disruptive., You are the local government. The decisions should be made at the lowest level of government. The process needs to change. We are here because we love Coeur d'Alene. Make is easier for all the citizens. You are serving the people.

Fred McLaren lives in Parkside. When he looks out of his condo, he will see the roof top of the Marriott. He will lose at least ½ million dollars on his condo. Nothing was addressed regarding the alley, traffic, garbage, cars exiting onto 7th and 6th. He feels that the DRC just does whatever they want. The role should be broader, think about the neighborhood not just one area.

Public testimony closed.

Commission Discussion:

Commissioner Coppers commented about the role of staff and when they comment on a project such as water, safety, traffic, qualified engineers is whether it meets them or not. The DRC has the ability to look at a project and say here is what we are focused on but outside of the scope of those things, he wonders how does the public gets to the point where they are able to interface with the policy makers and express their interests in a manner that informs the public servants in that purview.

Ms. Patterson stated there may be some confusion from the public about their opportunities to participate in the process. We have the public hearings. There is the DRC hearing, Planning and Zoning hearing and City Council hearings. However, the public has concerns might be the code itself and they would be better served to get involved with code changes and updates to the comprehensive plan. This is where we want the community involved to help provide input for how should the community grow, where should development happen, etc. The comprehensive plan includes the goals and the objectives so it helps guide future codes amendments. For things like the Downtown, a lot of the concerns like the Marriott, is not the design review process itself. They may not like that you can go 200 feet tall, you can have the intensity of the development in certain areas. They are concerned with traffic and the traffic is not something to do with the design review commission. Staff had a requirement for the Marriott project to do a traffic study. The traffic study showed that the traffic from that project would be less then what was even modeled by Kootenai Metropolitan Planning Organization. This information can't be shared during the hearing per se because this is not part of the purview of the DRC. Staff has been tasked by council to work on reevaluating the downtown development standard and design review guidelines. This commission will be asked to participate along with the DRC and Historic Preservation Commission to provide input and help evaluate if we should look at height, tower

spacing, setbacks, materials, etc. There is probably a disconnect where the public does not feel they are getting their voices heard. The Downtown development standards exist and the guidelines exist so the developers have the right to build.

Chairman Messina stated this was done many years ago. The Maybe they need to be reevaluated.

Mr. Adams stated the Design Review Commission is not required by state law. It was created by City Council. The design criteria and standards were adopted by City Council. It was all a creature of council's imagination. They can change it if they like it.

Chairman Messina stated the City Council can also dissolve it as well.

Commissioner Luttrupp stated that the Design Review Commissioner is very unique and was generated by public input. It should be recognized that it is a great operation, it might have some faults, but there is nothing like it.

Commissioner McCracken would like to make a motion to modify the ordinance to use the language from the administrative appeal process instead and that the change to the process not apply to the tabled appeal hearing. The hearing should be completed using the process that is in place right now.

Mr. Adams commented that this would be a recommendation. But the City Council may not go along with this recommendation.

Commissioner Luttrupp asked if this is just the approval of what is before us, with the addition of something else.

Commissioner McCracken stated her motion would be to recommend approval of what is before us with the hearing verbiage being consistent to what a Planning Commission appeal would be, as far as allowing the Council to take public comment if they wish. This would make the appeal hearings procedures equally consistent in their verbiage so the hearings are consistently written.

Commissioner Luttrupp replied he does not understand fully the addition, so he will not be supportive of the motion.

Commissioner McCracken asked Mr. Adams to pull the existing code for appeals of the Planning and Zoning Commission's decisions up on the screen.

Staff pulled up the appealing hearing code 17.09.715 B, which reads *City Council Action: The city council shall hold a public hearing. In its review of an administrative appeal, the council shall consider the purpose the intent, as well as the language, of the pertinent provisions, and shall affirm with conditions, modify or reverse the determination or interpretation within forty (40) days of the hearing (Ord. 1691 §1(part). 1982)*

Ms. Patterson noted it does not mention who, if anyone, can testify at the public hearing.

Commissioner Fleming stated the code is too broad. It does not talk about an appellant.

Commissioner McCracken stated the Council has the ability to determine who can testify in an appeal hearing, at their discretion. She thinks the codes should be consistent, rather than creating more inconsistency.

Ms. Patterson clarified the section on the screen is this the language that applies for any decision by the Planning Commission or staff that gets appealed.

Commissioner McCracken replied that is correct. Keeping with appeal decisions regardless of type,

needs to be consistent. The hearing is tabled with a date of June 4.

Ms. Patterson stated the Commission's recommendation will go before City Council May 21. If the recommendation says you are supportive of this with this change but you recommend it would apply hearings after this one and allow this one to take place with the current code provisions, you need to make that clear in your motion.

Commissioner Fleming stated this feels like we are tailoring the code to shut out the Marriott, and this is bothering her. She feels it is very targeted.

Chairman Messina understands changing this code but, again this is mid-stream and he cannot support this motion. He will vote against this.

Commissioner Luttrupp stated he is not in favor of striking this proposed language. The council, in their wisdom, wants to do this. It's in the code that their recommendation has to be considered by us. He would like to follow the Council's wishes and desires; they are the ones that pay the price for poor and good decisions. He trusts them.

Commissioner Coppess stated he is challenged with understanding the purpose behind this specific effort and validity of what Council does with it. This is just a recommendation. They can take it or not take it. His concern is this is a broader issue in terms of how the public interfaces with the commissioners and the Mayor and Council, and how they are able to use the public's ideas to better represent and govern. In this case it might be the Marriott. In another case, it might be Kaufman's Estates. Whatever those things are, he doesn't know that whatever they vote tonight will have any effect on that purpose. He is going to say nay, just because he doesn't have anything with any valid purpose or utility that is going to go forward.

Chairman Messina stated that changing the code for public input is a great thing, but at this moment in time, he agrees with Commissioner Coppess. Since this was brought up at City Council because of an item of appeal and there was no public input under the guidelines. City Council had a discussion and they decided to change in the process midstream on this particular appeal. He thinks public input is great, but it should not apply to this particular appeal. It is fine and dandy if they want to change code, but not at this point in time.

Motion by Commissioner McCracken to approve ordinance bill #19-1005 with replacing section C with the following statement *"City Council Action, the city council shall hold a public hearing. In its review of an administrative appeal, the council shall consider the purpose the intent, as well as the language, of the pertinent provisions, and shall affirm with conditions, modify or reverse the determination or interpretation within forty (40) days of the hearing"* seconded by Commissioner Luttrupp for discussion purposes, to recommend to approve 0-1-24 with amendments. Motion failed.

ROLL CALL:

Commissioner Fleming	Voted	No
Commissioner Coppess	Voted	No
Commissioner McCracken	Voted	No
Commissioner Luttrupp	Voted	No
Commissioner Ward	Voted	No
Chairman Messina	Voted	No

Motion failed by a 6 to 0 vote.

Mr. Adams stated the Commission will need to make another motion since this motion failed. There needs to be a motion to approve as it is written, approve with another change. State law reads you have to make a recommendation.

Ms. Patterson stated you can also recommend no change to the ordinance; you just need to make a

recommendation.

Mr. Adams stated you can also have with substitute motions or continuing motions until you get one that passes.

Motion by Commissioner Luttropp to adopt of the ordinance as originally written, seconded by Commissioner Ward, 0-1-24 amendments. Motion failed.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Coppess	Voted	No
Commissioner McCracken	Voted	No
Commissioner Luttropp	Voted	Aye
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	No

Motion tied by a 3 to 3 vote.

Motion by Chairman Messina, to not recommend this change to Municipal Code § 17.09.340, seconded by Commissioner Fleming, to 0-1-24 amendments. Motion failed.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Coppess	Voted	No
Commissioner McCracken	Voted	No
Commissioner Luttropp	Voted	No
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	Aye

Motion tied by a 3 to 3 vote.

Motion by Commissioner Ward, to approve the ordinance as written, but that the changes would not apply to any current pending appeal, seconded by Chairman Messina, approve 0-1-24. Motion carried.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Coppess	Voted	No
Commissioner McCracken	Voted	No
Commissioner Luttropp	Voted	Aye
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	Aye

Motion to approve carried by a 4 to 2 vote.

Commissioner Luttropp commented that Chairman did a very good job with tonight's meeting.

Charman Messina thanked Commissioner Luttropp and all of the Commission for their great input and he relies on it very heavily.

ADJOURNMENT:


Motion by Commissioner Fleming, seconded by Commissioner McCracken, to adjourn. Motion carried.

The meeting was adjourned at 8:50 p.m.


Prepared by Traci Clark, Administrative Assistant

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PUBLIC HEARING



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STAFF REPORT



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PLANNING AND ZONING COMMISSION

STAFF REPORT

FROM: SEAN E. HOLM, SENIOR PLANNER

DATE: JUNE 11, 2024

SUBJECTS: PUD-4-04m.3- MODIFICATION OF "MILL RIVER" PLANNED UNIT DEVELOPMENT (PUD), AND

S-3-24- REPLAT OF MILL RIVER 1ST ADDITION, TAX #23312 TO FOUR (4) RESIDENTIAL LOTS AND ONE (1) PRIVATE RECREATIONAL TRACT

LOCATION: 0.7125 +/- ACRE SPOKANE RIVERFRONT PARCEL LOCATED AT THE INTERSECTION OF W. SHOREVIEW LANE AND THE TERMINUS OF N. GRANDMILL LANE

APPLICANT/OWNER:

Blue Fern Development
Anna Drumheller, Entitlements Manager
18300 Redmond Way, Suite 120
Redmond, WA 98052

DECISION POINT:

Should the Planning and Zoning Commission approve a proposed Planned Unit Development modification in the Mill River PUD and a four (4) lot, one (1) tract subdivision request, to allow for the construction of waterfront single-family homes including the creation of a private recreational area with a dock?

HISTORY & BACKGROUND INFORMATION:

The Mill River Planned Unit Development is a mixed-use master planned community situated on the former Crown Pacific Mill site. On May 11, 2004, Planning and Zoning Commission held a public hearing for the Mill River PUD, a multi-part request covering 100.29 acres, including: a zone change to R-3, R-8, R-17, C-17 & C-17L, a PUD, and 258-lot phased subdivision comprised of:

- 122 R-8 home sites.
- 22 condos/apartments in C-17 area.
- 14 office condos in C-17 area.
- 100 town homes/condos/apartments in R-17 area.
- Open space and trail system.
- Two private parks of .89 and 1.34 acres in size.
- 1,000-foot long, 1.3-acre waterfront open space area contemplated to be a future charitable donation for a public park.
- 10-acre area of C-17L zoning for a potential large professional office use.

Modifications: (Note: highlighted items apply to this project)

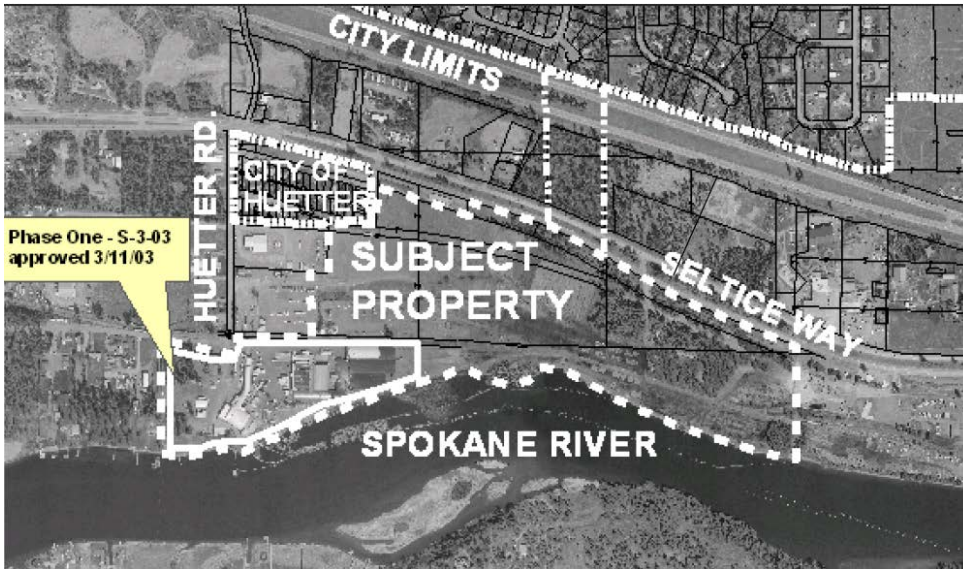
1. Within the waterfront R-3 and R-8 zoning districts, modify the Shoreline Regulations, Prohibited Construction Area measured from the Spokane River Shoreline 40 feet inland to allow for the construction or extension of walkways to docks, patios, sea walls not to exceed 4-feet in height and the re-vegetation of disturbed areas with grassed lawn and vegetation.
2. Within the waterfront C-17 zoning district, modify the Shoreline Regulations, Prohibited Construction Area measured from the Spokane River shoreline 40 feet inland to allow buildings within 25-feet of the Spokane River shoreline.
3. Within the waterfront R-3 and R-8 zoning districts, modify the Shoreline Regulations Overlay Area 30-foot height limit to allow buildings up to a height of 32-feet.
4. Within the waterfront C-17 zoning district, modify the Shoreline Regulations Overlay Area 30-foot height limit to allow 32-foot high, two story buildings.
5. Create lots on a private street rather than a public street in the R-8 and R-17 zoning districts.
6. Create lots that are 25-feet wide, 50-feet deep, and a minimum of 2,500 sq. ft. intended for condominium development in the R-17 zone.
7. Within the two R-8 zoned areas (excluding the waterfront R-8 area), establish the following special setbacks:
 - Front yards on common driveways - 10-feet
 - Interior side yards - 5-feet
 - Side street yards - 10-feet
 - Side street yards for lots adjacent to Burlington Northern
 - Railroad - 10-feet
8. Within the R-3 zoning district (Edgewater at Mill River Plat dated 4/16/04), allow lots with less than the minimum 75-foot frontage on a public street for lots 4 to 6 and 23 to 26.
9. Reduce the parking requirement by 20% for uses located within the waterfront C-17 zoning district.
10. Build the following private streets:
 - A. Two-way - 36-foot wide paved street, no curbs, 8-foot wide parking bays on both sides, 5-foot wide sidewalks on both sides and no tree lawns.
 - B. One-way - 28-foot wide paved street, no curbs, 8-foot wide parking bay on one side, 5-foot wide sidewalks on both sides and tree lawn on one side.
 - C. 40-foot wide streets with 20 or 24 feet of pavement, no curbs, 6-foot wide swales both sides and 5-foot wide sidewalk on one side.
11. Public non-standard street adjacent to the Burlington Northern Railroad:
 - A. 20-foot wide paved street on both sides of the tracks with no curbs.
 - B. Approve a cul-de-sac with a length longer than the 400-foot maximum allowed by code.

Conditions:

1. Creation of a homeowner's association to ensure the perpetual maintenance of all common open space areas.

The Planning and Zoning Commission (and City Council) approved all three requests (PUD, Subdivision, & Zone Change) unanimously in a 6 to 0 vote.

Original Map Showing Area of Request:



NOTE: Phase one was a stand-alone subdivision request approved in 2003, but was included into the PUD request in 2004.

On March 8, 2005, modifications to the Mill River PUD were requested within the R-8 waterfront (shoreline) property, referred to as PUD-4-04m:

The following modifications to the R-8 zoned shoreline portion of the existing PUD were proposed, as follows:

1. Addition of an access gate at the entrance of the private street known as Shoreview Lane.
2. Reduce right-of-way width of Shoreview Lane from 40-feet to 35-feet.
3. Reduce the front yard setback and driveway length from 20-feet to 18-feet for lots 6, 9 & 11.
4. Reduce the front yard setback and driveway length from 20-feet to 15-feet for lot 10.
5. Reduce the front yard setback and driveway length from 20-feet to 6-feet for lot 23. (This lot is located on the radius of a cul-de-sac and the drive way is 6-feet long and 23-feet wide)
6. Reduce the front yard setback and driveway length from 20-feet to 8-feet for lot 24. (This lot is located on the radius of a cul-de-sac and the drive way is 8-feet long and 27-feet wide)

On March 8, 2005, the Coeur d'Alene Planning and Zoning Commission approved the six modifications by a 6-0 vote.

On April 4, 2005, a single modification to the Mill River PUD was requested within the R-3 waterfront (shoreline) property, referred to as PUD-4-04m.1:

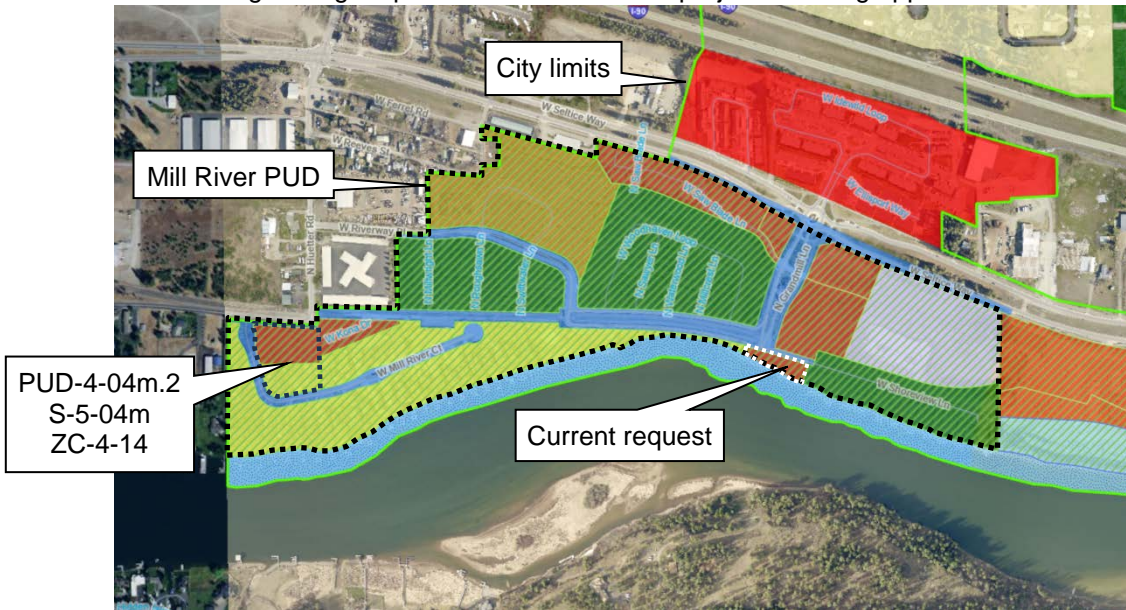
1. Within the 150-foot Shoreline Regulations Overlay District of the R-3 zone, change the maximum height from the modified 32-foot height limit to 37-feet.

On April 4, 2005, the Coeur d'Alene Planning and Zoning Commission approved the request by a 3-2 vote. Please note that in making the motion to approve, the Planning and Zoning Commission applied it to lots 16 and 23, Block 1, Edgewater at Mill River only (in waterfront R-3PUD).

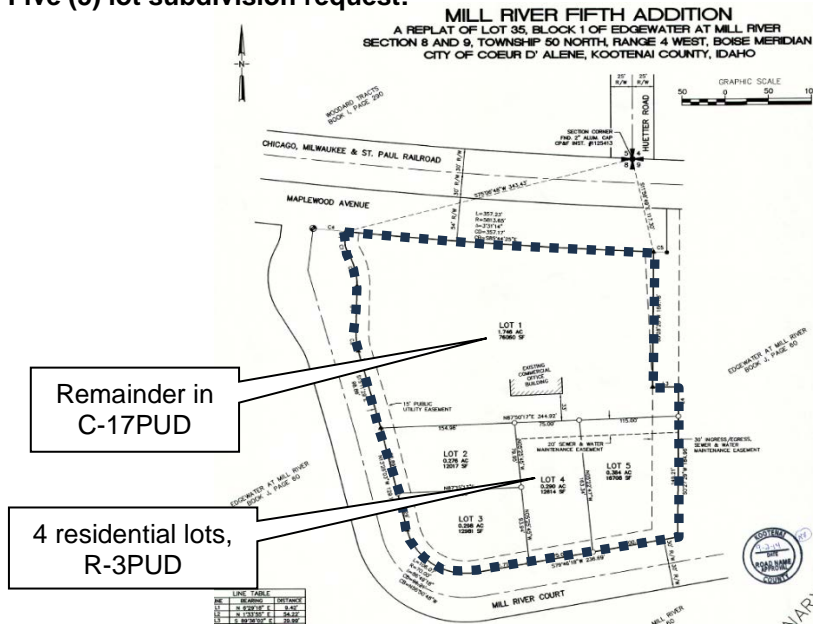
On November 12, 2014, a multi-part application was made requesting approval of a 5-lot preliminary plat to be known as “Mill River 5th Addition”, and a modification to a portion of “Mill River PUD” for a +/-2.993-acre parcel south of Huetter Road and Lying between E. Maplewood Avenue and W. Mill River Ct. These requests were filed in conjunction with a zone change from C-17PUD to R-3PUD. (PUD-4-04m.2, S-5-04m, & ZC-4-14).

1. Propose four (4) additional residential lots in the five (5) lot “Mill River 5th” preliminary plat.
2. Reduce side and rear yard setbacks from 5’ & 10’ to 5’, and from 25’ to 20’, respectively.

The resulting zoning map for the Mill River PUD project following approval:



Five (5) lot subdivision request:



On November 12, 2014, the Coeur d’Alene Planning and Zoning Commission approved both the PUD modification and subdivision request, while recommending approval of the zone change to City Council by a 4 to 0 vote. The City Council approved the zone change December 16, 2014.

Final Development Plan (PUD Project Narrative)

The following language excerpts are pulled from the Mill River PUD Final Development Plan, as updated throughout the years. As you will see, the C-17PUD waterfront parcel consists only of the single parcel being reviewed by the Planning and Zoning Commission tonight. The anticipated uses of all the C-17PUD parcels are listed and remained somewhat flexible, but after almost two decades of no takers, Blue Fern has come forward with this residential and private recreational request.

Overview (Partial)

The Mill River project will contain a blend of commercial and residential uses. Residential zoning includes R-3, R-8 and R-17 zones and will contain 152 single-family residences, and a maximum of 140 multi-family residential units. Houses will be neotraditional in nature and range in price from \$250,000 for a Fort-Ground's style home to \$1.8 million for a waterfront estate along the Spokane River. Commercial properties will be zoned C-17 and C-17L, and are anticipated to be professional offices, small retail outlets, local family-oriented restaurants and multi-family dwelling units.

Development Schedule (Partial)

Mill River First Addition together with River's Edge comprise phase 2 of the development. Mill River First Addition contains 2 commercial lots, and 54 single-family residential lots. The new U.S. Bank Service Call Center is situated on a 10-acre commercial lot that was donated by the project proponents. River's Edge contains 22 river-front single-family residential lots, and 1 commercial river-front lot. This phase of the development is currently under construction, and scheduled to be completed in mid-June. The Final Plat for this phase recorded May 24,2005.

CURRENT REQUEST (PUD & SUBDIVISION):

Excerpt from the applicant's narrative:

This proposal is for a long plat that would create 4 single family residential lots and 1 lot for private recreation and dock access in the Mill River Planned Community.

The project site is located to the south of W Shoreview Ln, along the riverfront. To the east is an existing single family residential subdivision, and the proposed homes would continue the pattern of development along the riverfront in a similar manner. The site is zoned C-17 PUD and is approximately 0.71 acres, allowing for subdivision into 4 single family lots. The project site sits within the broader Mill River Planned Community. Johnson Mill River Park is located approximately 0.25 mile to the west of the project site, with waterfront access. Access to Interstate 90 is located nearest at Northwest Blvd. to the east.

The proposed use is single family residential at a density of 5.63 dwelling units/acre, to be developed in one phase of development. Each of the lots will have one structure, accessed via W Shoreview Ln. Curb, gutter and sidewalk, as well as landscaping, shall be provided along the street frontage. Public water and sewer is available in the street frontage. Individual water and sewer services will be tapped from the public mains and extended to each lot. Dry utilities are available in the street frontage and will be extended to each lot.

PLANNED UNIT DEVELOPMENT MODIFICATION REQUESTS:

The applicant is requesting the following deviations from existing standards:

1. To move the pedestrian sidewalk along W. Shoreview Ln from its current location to instead be adjacent to the road section (curb). The new sidewalk will be a minimum of 6' in width, as reviewed by the City Engineer.
2. To build ground level decks, paths and docks at the rear of the homes within the Shoreline setback/waterway. *See finding B2 for details.*
3. To allow for roof eaves to encroach up to 24" into the 25' shoreline setback.
4. To fence and gate Tract "A" for access to the private recreational area and dock.

AERIAL MAP:



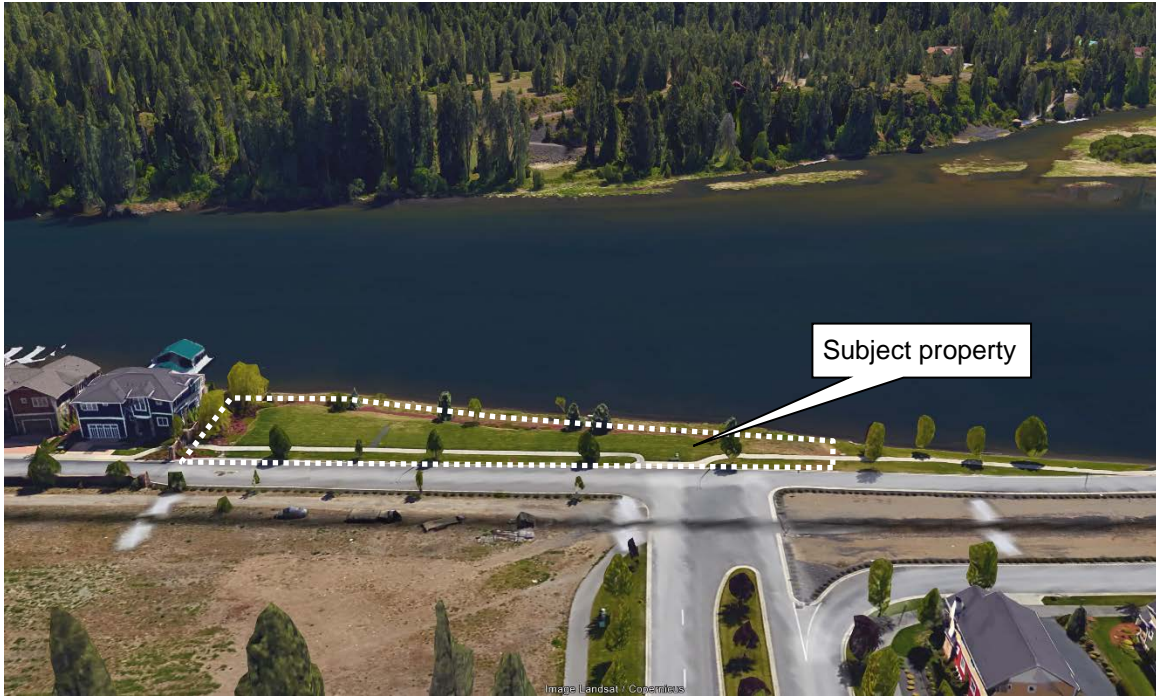
LOCATION MAP:



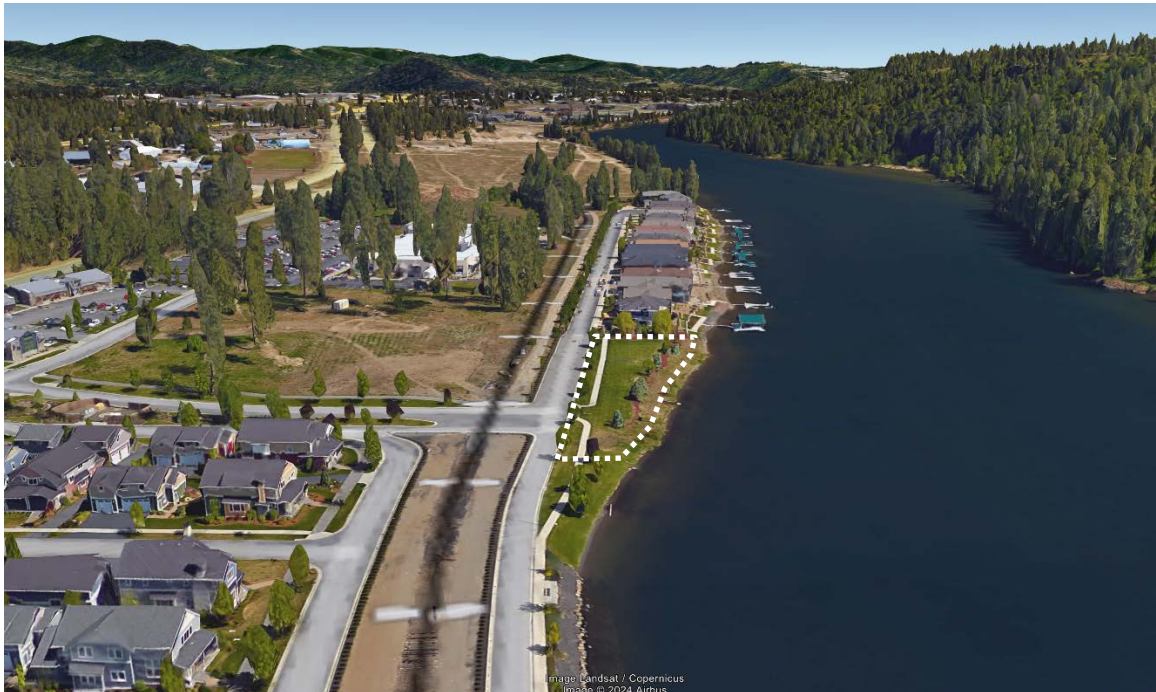
**BIRDS EYE AERIAL PHOTOS (Courtesy of Google Earth Pro):
Looking north by northwest into Mill River:**



Looking south toward the Spokane River and wooded backdrop in the county:



Looking southeast along the Spokane River toward Riverstone:



SUMMARY OF FACTS:

The following facts align with the facts listed in the draft Findings and Order worksheet for the Planning and Zoning Commission's consideration. These facts can be modified and added to as part of the motion associated with the Findings and Order.

- A1.** All public hearing notice requirements have been met for items PUD-4-04m.3 and S-3-24.
- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The notice was published in the Coeur d'Alene Press on May 25, 2024, seventeen days prior to the hearing.
 - Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on May 30, 2024, twelve days prior to the hearing.
 - Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Four-Seven (47) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on May 24, 2024.
 - Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts on May 24, 2024, eighteen days prior to the hearing.
 - Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on May 24, 2024.
- A2.** Public testimony was received at a public hearing on June 11, 2024.
- A3.** The subject property is vacant and is located to the south of the terminus of N. Grandmill Ln. and W. Shoreview Ln. The subject site is 0.7125 acres in area, is waterfront property along the Spokane River, subject to the shoreline ordinance and subsequent PUD modifications.
- A4.** The subject site is currently zoned Commercial at seventeen (17) units per acre in an approved Planned Unit Development (C-17PUD) approved on May 11, 2004.
- A5.** The Mill River PUD is a mix of commercial and residential uses.
- A6.** The Comprehensive Plan Future Land Use Map designation is Planned Development Place Type. The Comprehensive Plan states that the compatible zoning for such Place Type include all zones, subject to approval by a public hearing. Planned Development places are locations that have completed the planned unit development application process. As part of that process, the city and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Large scale Planned developments often have a determined phasing and development plan and may include land uses such as housing, recreation, commercial centers, civic, and industrial parks, all within one contained development or subdivision. Building design and scale, transportation, open space, and other elements are approved through the City of Coeur

d'Alene's PUD evaluation process. The requested PUD amendment consistent with the Comprehensive Plan Planned Development Place Type.

- A7.** The Comprehensive Plan goals and objectives do support this PUD amendment request.
- A8.** The requested deviations as part of this PUD amendment request include: 1) Moving the pedestrian sidewalk along W. Shoreview Ln from its current location to instead be adjacent to the road section (curb); 2) The new sidewalk will be a minimum of 6' in width, as reviewed by the City Engineer. 3) Build ground level decks, paths and docks at the rear of the homes within the Shoreline setback/waterway, as requested; 4) Allowing for roof eaves to encroach up to 24" into the shoreline setback; and to fence and gate Tract "A" for access to the private recreational area and dock. The proposal would result in four single-family residential lots and 1 lot for a private recreational area with docks. The project would utilize Shoreview Lane for access. The applicant has worked with the Mill River Master Association and the Shoreview Lane properties on the design of the homes, relocating the gate pedestal and Fire Department access. The City departments have provided conditions to address compliance with City Code.
- A9.** The natural features of the site and adjoining properties would not be negatively impacted by the requested PUD amendment.
- A10.** The requested modifications to the Mill River PUD would not impact the City's ability to serve the project with facilities and services. All departments have indicated the ability to serve the project and no additional conditions have been added with this amendment.
- A11.** The PUD amendment would not reduce the total open space area. The Mill River neighborhood still meets the required 10% open space requirement.
- A12.** The project would provide parking sufficient for users of the development. The PUD amendment does not include a reduction in the parking required for the single-family use.
- A13.** The proposed project falls within the Mill River PUD, which is governed by the Mill River Property Owners Association. Existing common areas within the larger Mill River neighborhood will continue to be maintained by the Mill River Property Owners Association in accordance with the existing governance documents. The four homes within this proposed project will be subject to the existing Mill River CC&Rs, Bylaws, HOA fees and any applicable assessments. Additionally, this project will include a sub-Home Owners Association that will be responsible for maintaining the private recreation area in perpetuity.
- A14.** The City Engineer has attested that the preliminary formal plat submitted contains all of the elements required by the Municipal Code. The applicant has not requested deviations to the Subdivision Code that haven't already been approved as part of prior approvals.
- A15.** City departments have reviewed the preliminary formal plat for potential impact on public facilities and utilities and have determined that conditions are required to bring the plat into full compliance with code requirements and performance standards. All departments have indicated the ability to serve the project with the additional conditions.
- A16.** The City Engineer has vetted the preliminary plat for compliance with both subdivision

design standards (chapter 16.15) and improvement standards (chapter 16.40).

- A17.** The proposed subdivision meets all subdivision design standards for the C-17 zoning district. The project meets the density allowed in the C-17 zoning district.
- A18.** City staff has proposed fourteen (14) conditions for the preliminary plat to ensure compliance with City Code and performance standards.

PUD FINDINGS:

17.07.230: PLANNED UNIT DEVELOPMENT REVIEW CRITERIA:

A planned unit development may be approved only if the proposal conforms to the following criteria, to the satisfaction of the commission:

REQUIRED FINDINGS (PUD):

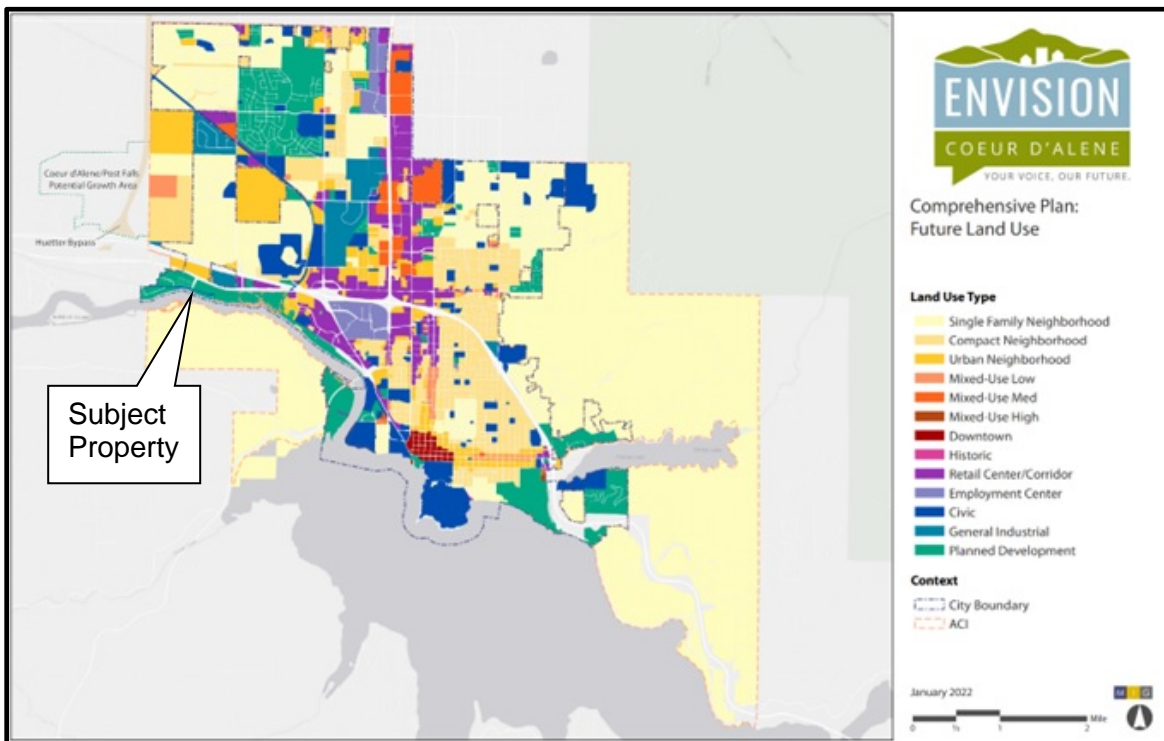
Finding B1: The proposal (is) (is not) in conformance with the Comprehensive Plan.

Use the following information as well as the attached Comprehensive Plan goals and objectives to make findings **A6** and **A7** in the attached findings worksheet.

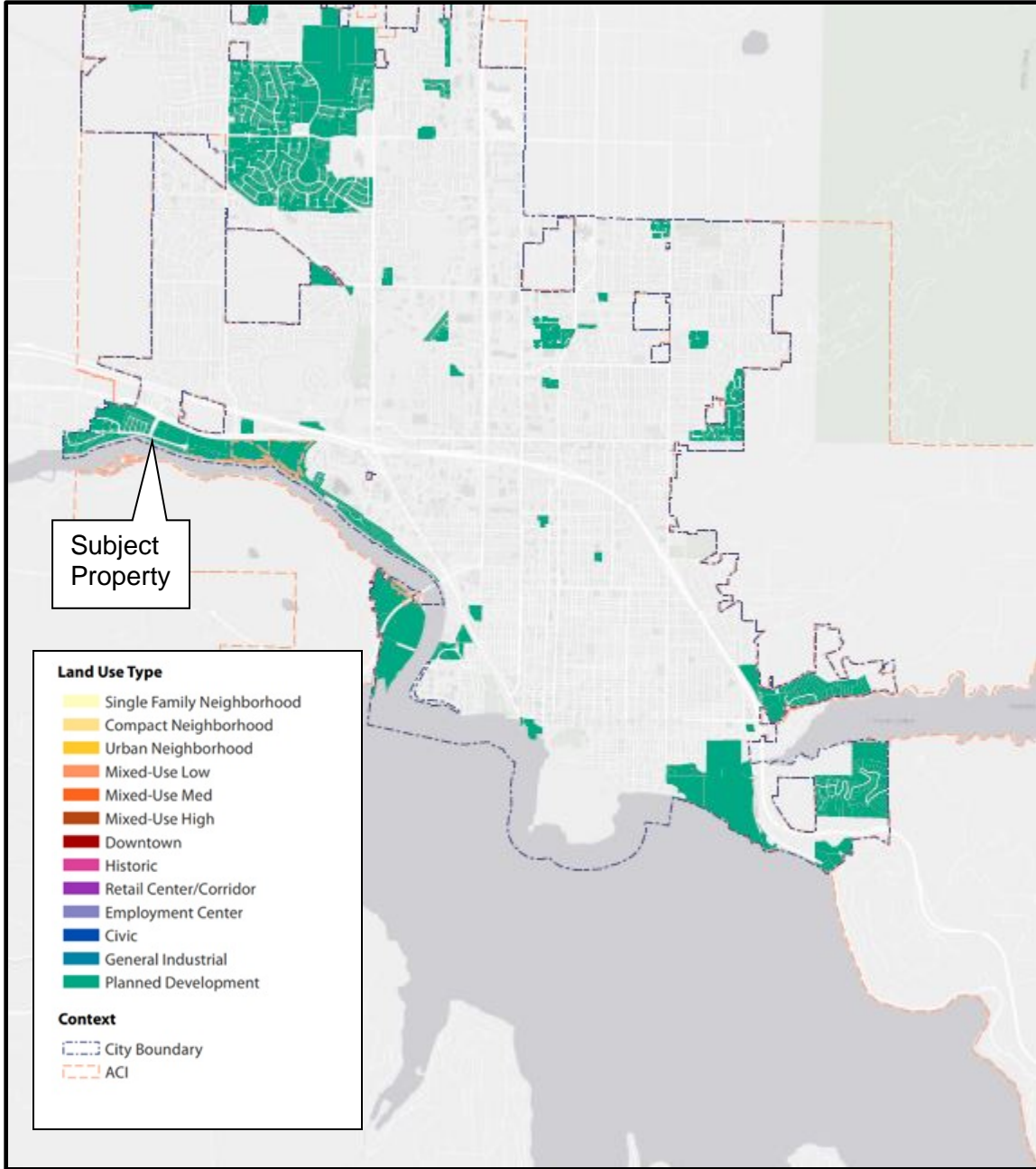
2022-2042 COMPREHENSIVE PLAN- LAND USE CATEGORIES:

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this “Place Type” as: Planned Development

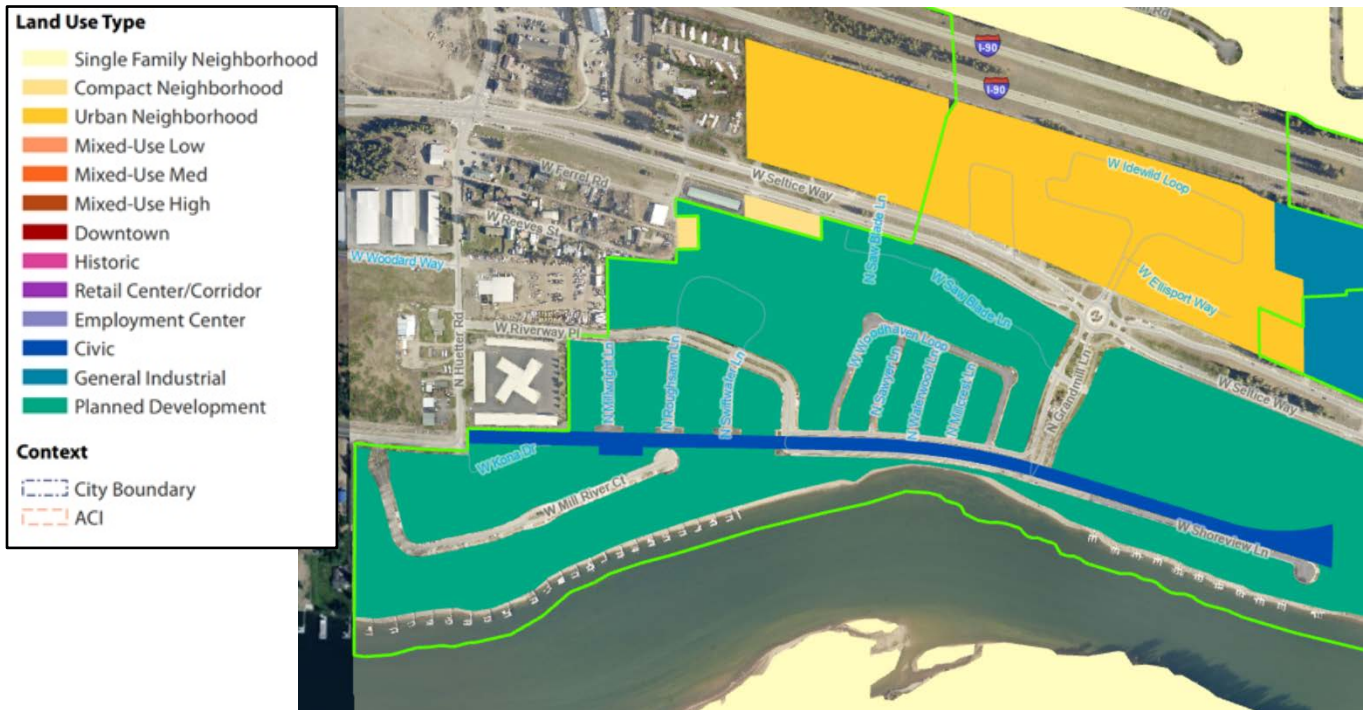
2042 COMPREHENSIVE PLAN MAP:





FUTURE LAND USE: PLANNED DEVELOPMENT (CITY CONTEXT)



FUTURE LAND USE: PLANNED DEVELOPMENT (NEIGHBORHOOD CONTEXT)



Planned Development

Key Characteristics
 Planned Development places are locations that have completed the planned unit development application process. As part of that process the City and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Planned development also often has a determined phasing and development plan and can include land uses such as housing, recreation, commercial centers, and industrial parks, all within one contained development or subdivision. Building design and scale, and transportation, public space and other elements are determined by the City of Coeur d'Alene's PUD evaluation process.

Transportation

- Dependent on PUD approvals it large lots. Access should include pedestrian and bicycle facilities

Typical Uses

- Primary: Dependant on PUD approval agreements
- Secondary: Not applicable

Building Types

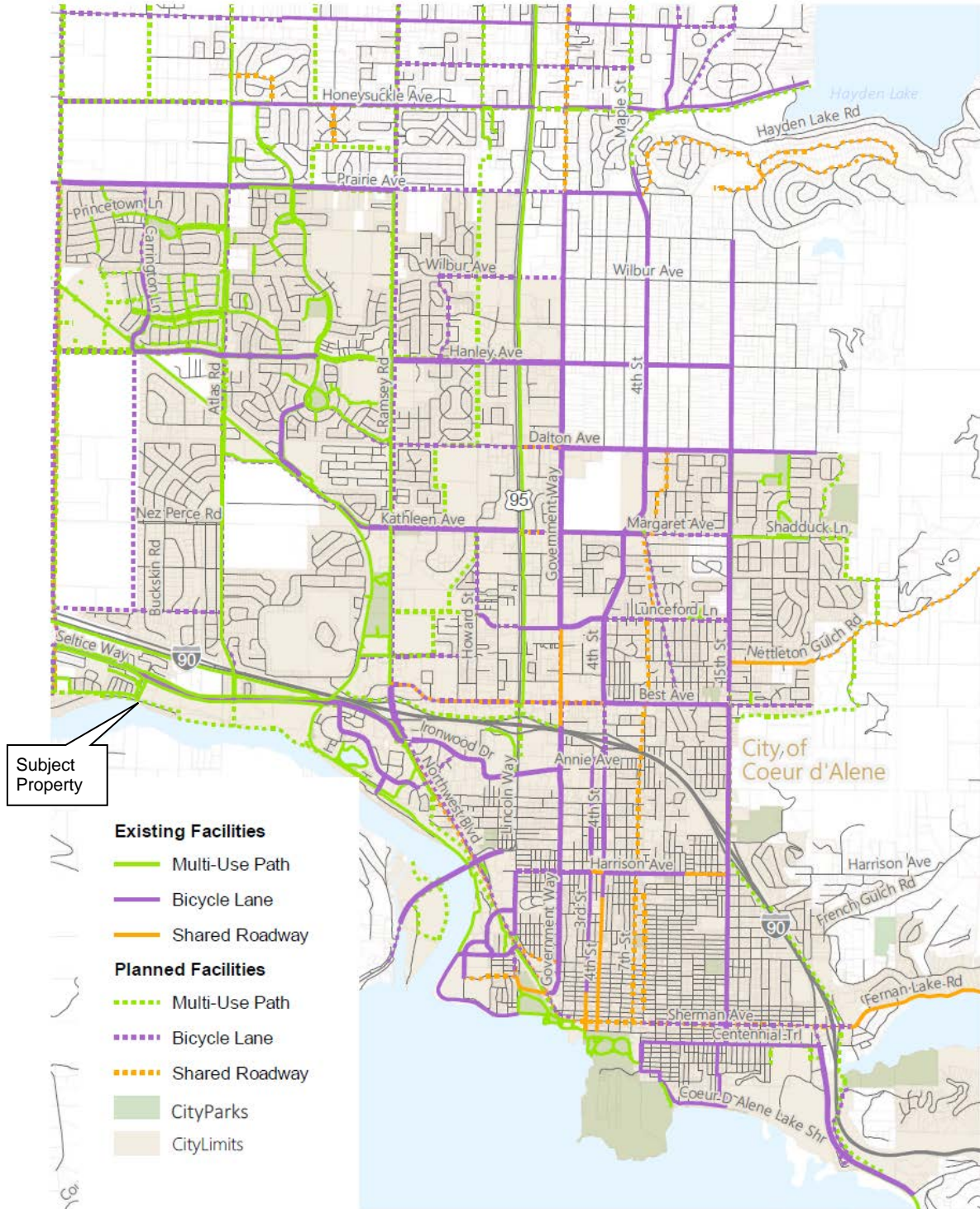
- Varies by PUD

Compatible Zoning

- Not applicable. Planned Development may occur within any Place Type (1.5 acre minimum).

Transportation

Existing and Planned Bicycle Network:



Existing and Planned Walking Network:



Existing Transit Network:



Recreation and Natural Areas

These areas have specific goals and policies that encourage the preservation of Coeur d'Alene's unique natural resources.

Shorelines



The City of Coeur d'Alene is known for its shorelines which measure 9.05 miles and of which 6.23 miles are public (which include NIC beach and the public boardwalks at both Bellerive and the Coeur d'Alene Resort). They are an asset and provide a multitude of benefits. Community pride, economic advantages, transportation, recreation, and tourism are just a few examples of how shorelines affect the use and perception of our city. Public access to and enhancement of our shorelines is a priority. Shorelines are a community benefit and they must be protected. To ensure preservation, the City has an ordinance that protects, preserves, and enhances our visual resources and public access by establishing limitations and restrictions on specifically defined shoreline property located within city limits. To increase desired uses and access to this finite resource, the city will provide incentives for enhancement. Efficient use of adjacent land, including mixed use and shared parking where appropriate, are just a few tools we employ to reach this goal.

Coeur d'Alene Lake and Spokane River

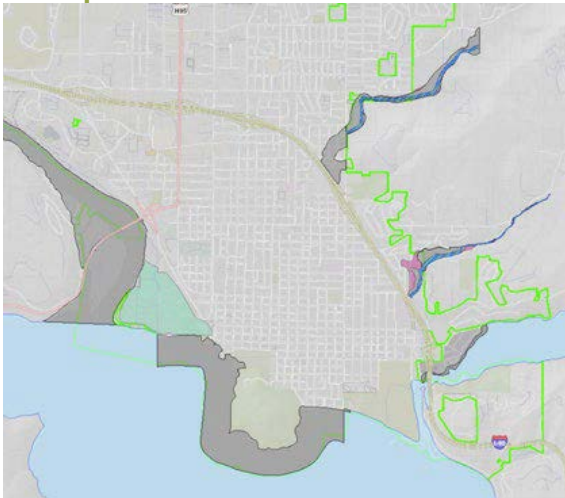


Coeur d'Alene Lake is the City's largest natural and scenic resource and the main driver of recreation and tourism in Coeur d'Alene. Despite its beautiful appearance, millions of tons of historic mine waste contaminate the lakebed sediments of Coeur d'Alene Lake. The Coeur d'Alene Tribe and Idaho Department of Environmental Quality co-manage the lake and the nutrient inputs that affect the water quality. Beginning in 2021, the State of Idaho enlisted the National Academies of Science to conduct a third-party review of water quality data to assess the overall health of the lake. Additionally, the Our Gem Collaborative was formed to preserve lake health and protect water quality by promoting

community awareness of local water resources through education, outreach, and stewardship. The Our Gem Collaborative includes local experts from the University of Idaho Community Water Resource Center, Coeur d'Alene Tribe, Idaho Department of Environmental Quality, Kootenai County, Coeur d'Alene Regional Chamber, and CDA 2030.

The lake offers boating and fishing opportunities as well as access to hiking, camping, and wildlife viewing. Preserving and protecting this asset is a priority for the City as pollution, runoff, and shoreline deterioration threaten to degrade it. The easternmost shorelines of the lake are home to hillsides that are difficult to develop. As the shoreline progresses west, the slope becomes less restrictive giving way to high end condos, a golf course, beaches, marinas, restaurants, the Tubbs Hill recreation area, public parks, a resort, residential homes, and a college campus. The City, in partnership with other agencies and organizations, will need to implement a comprehensive approach to the management of Coeur d'Alene Lake to protect this asset for every generation to follow.

Floodplain



Floods occur naturally and can happen almost anywhere. They are unpredictable and the risk is always changing. Our city uses tools to understand these potential hazards and take actions to protect people's homes and businesses. Heavy rains, poor drainage, and even nearby construction projects can lead to flood damage. FEMA Flood maps are a tool employed to know which areas in the city have the highest risk of flooding.

Views & Vistas

The City of Coeur d'Alene enjoys a rich setting of mountains, hills, rivers, streams, flatlands, and lakes. Preserving views and vistas both to and from these areas will help maintain Coeur d'Alene's identity and ensure these assets remain over time. This includes not only the protection of the areas themselves but ensuring that the built environment does not increasingly limit visual access. Design guidelines and other development standards can help the City meet this goal.

2042 Comprehensive Goals and Objectives that apply:

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and

involvement.

Goal CI 2: Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

Objective CI 2.1: Maintain the community's friendly, welcoming atmosphere and its small-town feel.

Environment & Recreation

Goal ER 1: Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.

Objective ER 1.1: Manage shoreline development to address stormwater management and improve water quality.

Goal ER 2: Provide diverse recreation options.

Objective ER 2.2: Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

Objective GD 1.5

Recognize neighborhood and district identities.

Objective GD 1.7: Increase physical and visual access to the lakes and rivers.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Goal GD 3: Support the development of a multimodal transportation system for all users.

Objective GD 3.1: Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.

Evaluation: *The Planning and Zoning 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 B2: **The design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties.**

Use the following information as well as testimony from the hearing to make finding **A8**.

DESIGN AND PLANNING OF THE SITE:

Language provided in the applicant's narrative and supplemental information:

The single-family residences will be accessed directly from W. Shoreview Ln. each with a garage and main entry fronting the road. Each home will be 2 stories in height and range in size from +/-2,000-2,500 sq. ft. The architecture is designed to fit in with the surrounding

built and natural context, with the rear of the homes overlooking the water. An attached deck and pathway lead down to a dock structure (2 total docks, shared between 2 lots each). A dock, intended solely for the use of the HOA residents and maintained and regulated via the proposal's HOA is located in a private recreation area to the west of the single-family lots.

LOCATION, SETTING, AND EXISTING USES ON ADJACENT PROPERTIES:

The site is at the edge of the Spokane River and is currently vacant. As with any waterfront property, topographical and flood constraints exist where water meets land. The city's shoreline ordinance was modified with the approval of the Mill River PUD as described in the **history & background information** section of this staff report and further described in **Finding B3** below.

There are existing single-family residential uses to the east accessed by gates limiting vehicular and pedestrian traffic. Multi-family condos are anticipated to the north on the other side of W. Shoreview Ln. which is also owned by Blue Fern.

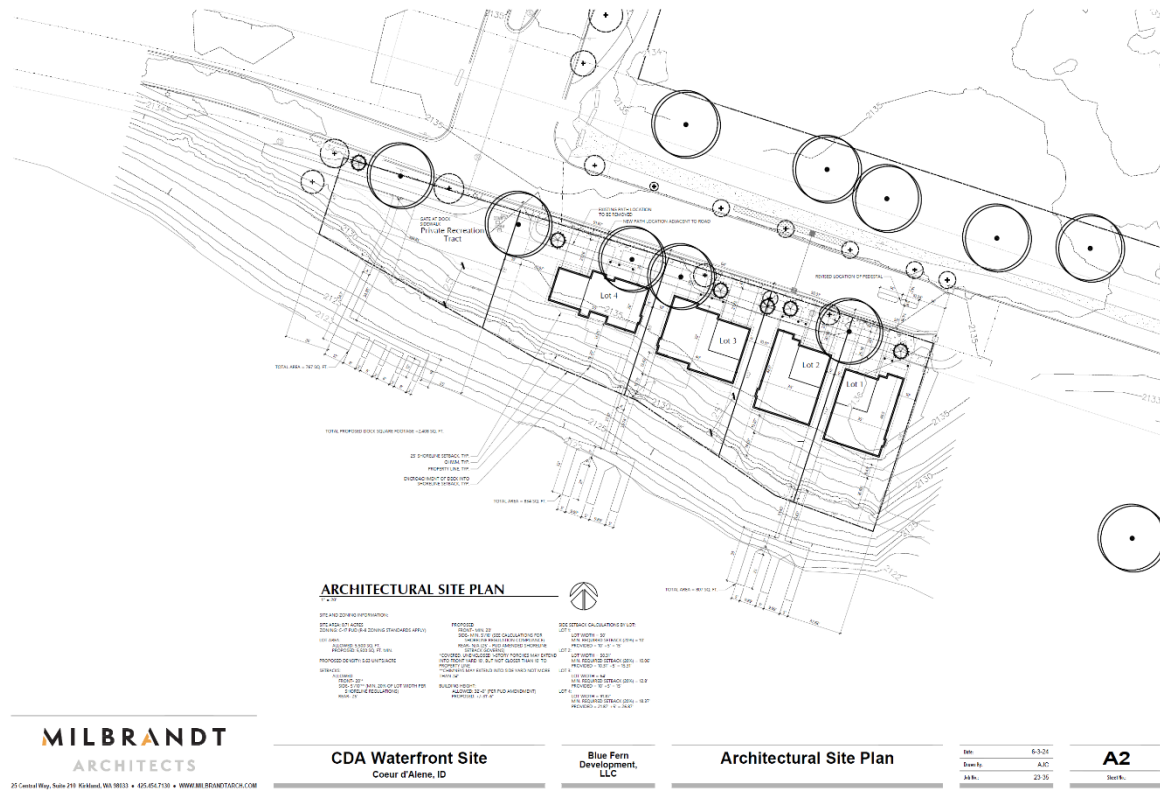
The City of Coeur d'Alene owns the old railroad right-of-way between the two parcels, which will be improved by Blue Fern the full length of their ownership, built to city standards, as a logical expansion of the "Spokane River Trail" system that connects/splits to the Centennial and Prairie trails near Riverstone. A sidewalk also exists along the frontage of the subject property that terminates public access at said gate (east), but is public moving west along the river front to both private/public parks, commonly known as Johnson Mill River Park. where it turns north following W. Riverway Pl. until the edge of city limits.

Note that the sidewalk abutting the subject property will be relocated to the back of curb, a minimum of 6' wide, which will accommodate pedestrians and allow for driveway lengths to meet code while preserving a viable building envelope for the proposed homes. Also, another sidewalk exists along the east side of N. Grandmill Ln. which connects up to the trail system along W. Seltice Way.

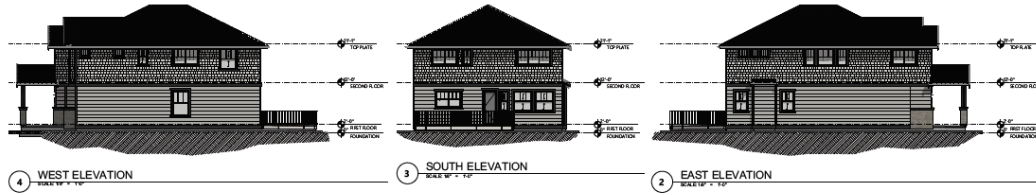
Generalized Land Use Map:



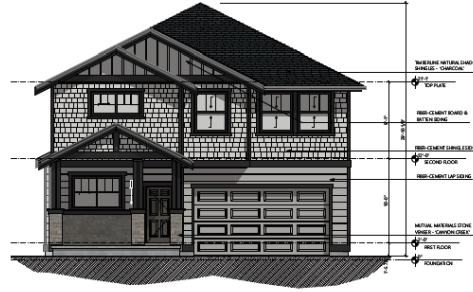
Architectural Site Plan:



Proposed Single-Family Detached Home on Lot 1 (Elevations & Floor Plans):



Perspective - SE View



1 NORTH ELEVATION
SCALE 1/8" = 1'-0"

MILBRANDT
ARCHITECTS
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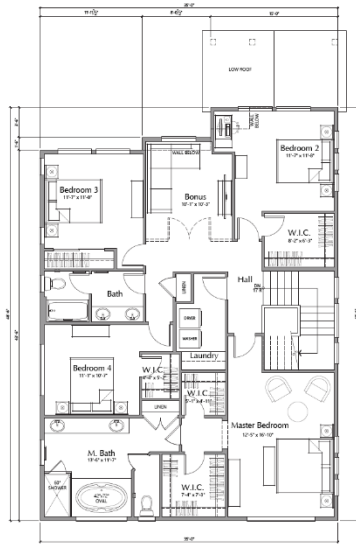
CDA Waterfront Site
Coeur d'Alene, Idaho

Blue Fern
Development, LLC

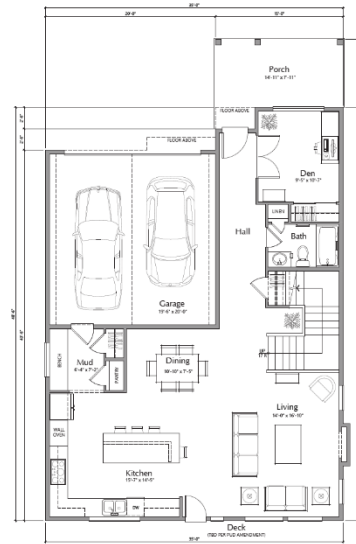
PRESENTATION DRAWINGS
LOT 1 ELEVATIONS

Date: 12-21-2023
Drawn By: AJC
Rev No: 23-05

E-1
Sheet No.:



Plan 1 UPPER LEVEL PLAN
SCALE 1/8" = 1'-0"



Plan 1 MAIN LEVEL PLAN
SCALE 1/8" = 1'-0"

AREA SUMMARY		
Room	Area (SF)	Volume (CF)
1st Floor	1080	10800
2nd Floor	1080	10800
Total SF	2160	21600

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Coeur d'Alene, ID

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House Plan 1
Floor Plans

Date: 12-21-23
Drawn By: AJC
Rev No: 23-05

B1
Sheet No.:

Proposed Single-Family Detached Home on Lot 2 (Elevations & Floor Plans):



Perspective - SE View



1 NORTH ELEVATION
SCALE 1/8" = 1'-0"

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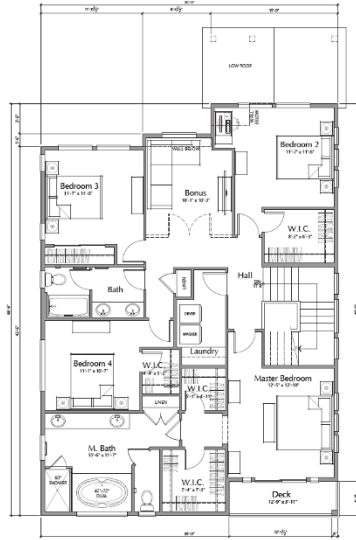
CDA Waterfront Site
Coeur d'Alene, Idaho

Blue Fern
Development, LLC

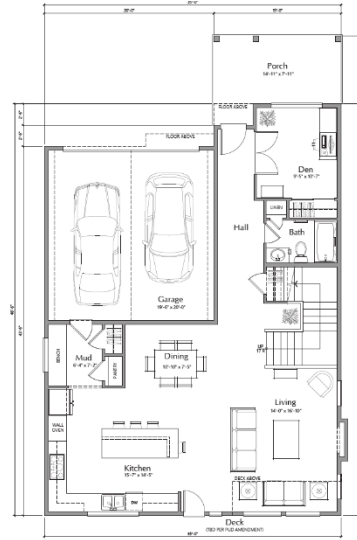
PRESENTATION DRAWINGS
LOT 2 ELEVATIONS

Date: 12-12-2023
Drawn By: AJC
Job No.: 23-28

E-2
Sheet No.:



Plan 2 UPPER LEVEL PLAN
SCALE 1/8" = 1'-0"



Plan 2 MAIN LEVEL PLAN
SCALE 1/8" = 1'-0"

AREA SUMMARY			
	NUMBER OF	CONCRETE SF	WOODEN DECK SF
First Floor	1000	1000	0
Second Floor	1000	1000	0
1000 SF	2000	2000	0

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Coeur d'Alene, ID

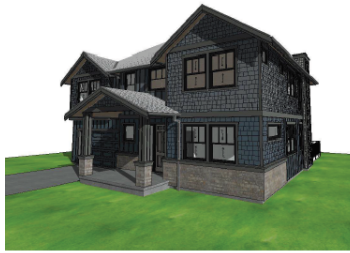
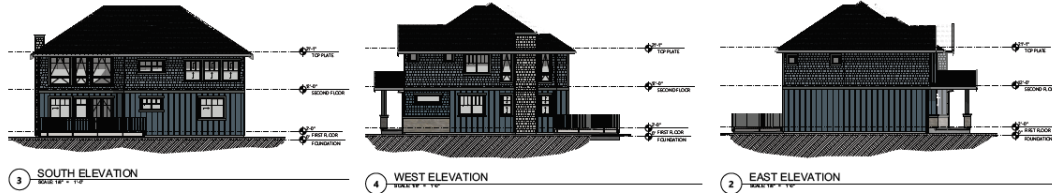
Blue Fern
Development,
LLC

House Plan 2
Floor Plans

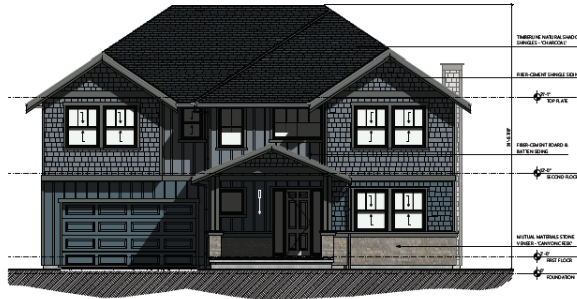
Date: 12-12-23
Drawn By: AJC
Job No.: 23-28

B2
Sheet No.:

Proposed Single-Family Detached Home on Lot 3 (Elevations & Floor Plans):



Perspective - SE View



1 NORTH ELEVATION

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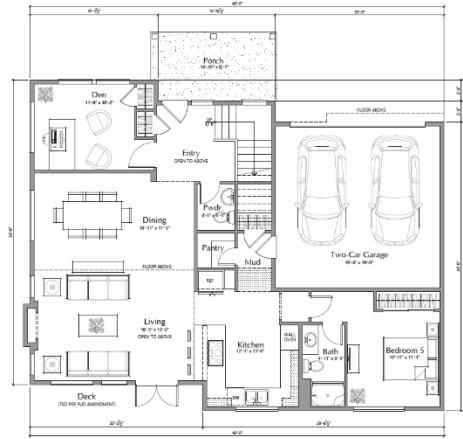
PRESENTATION DRAWINGS
LOT 3 ELEVATIONS

Date: 12-14-23
Drawn By: AUC
Job No.: 23-35

E-3
Sheet No.



HOUSE PLAN 3
UPPER LEVEL PLAN



HOUSE PLAN 3
LOWER LEVEL PLAN

AREA SUMMARY	
Upper Level	1,000 sq ft
Lower Level	1,314 sq ft
Total Area	2,314 sq ft
Garage Area	600 sq ft
Deck Area	100 sq ft

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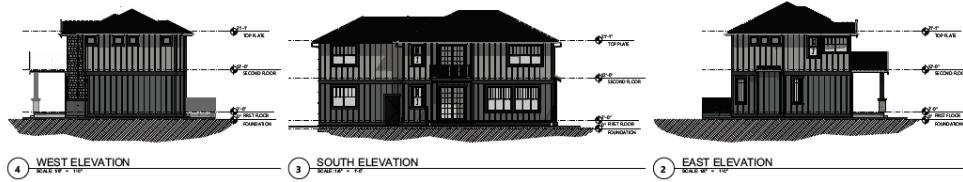
Blue Fern
Development,
LLC

House Plan 3
Floor Plans

Date: 12-21-23
Drawn By: AUC
Job No.: 23-35

B3
Sheet No.

Proposed Single-Family Detached Home on Lot 4 (Elevations & Floor Plans):



Perspective - SE View



1 NORTH ELEVATION
SCALE 1/8" = 1'-0"

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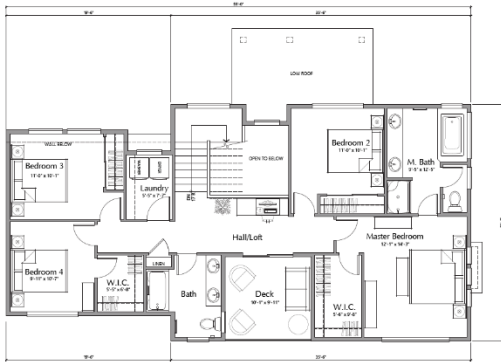
CDA Waterfront Site
Coeur d'Alene, Idaho

Blue Fern
Development, LLC

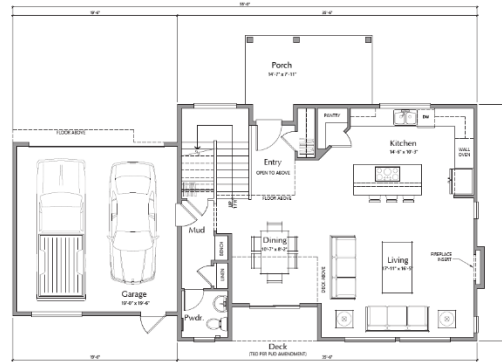
PRESENTATION DRAWINGS
LOT 4 ELEVATIONS

Date: 10-2-2023
Client: AJC
Job No.: 23-05

E-4
Sheet No.:



PLAN 4 UPPER LEVEL PLAN
4800 OPTION 1



PLAN 4 MAIN LEVEL PLAN
4800 OPTION 1

AREA SUMMARY	
Garage	100
Living	196
Dining	100
Kitchen	196
Bedroom	110
Bath	50
Deck	100
W.I.C.	100
W.C.	100
W.B.	100
W.D.	100
W.E.	100
W.S.	100
W.T.	100
W.U.	100
W.V.	100
W.W.	100
W.X.	100
W.Y.	100
W.Z.	100

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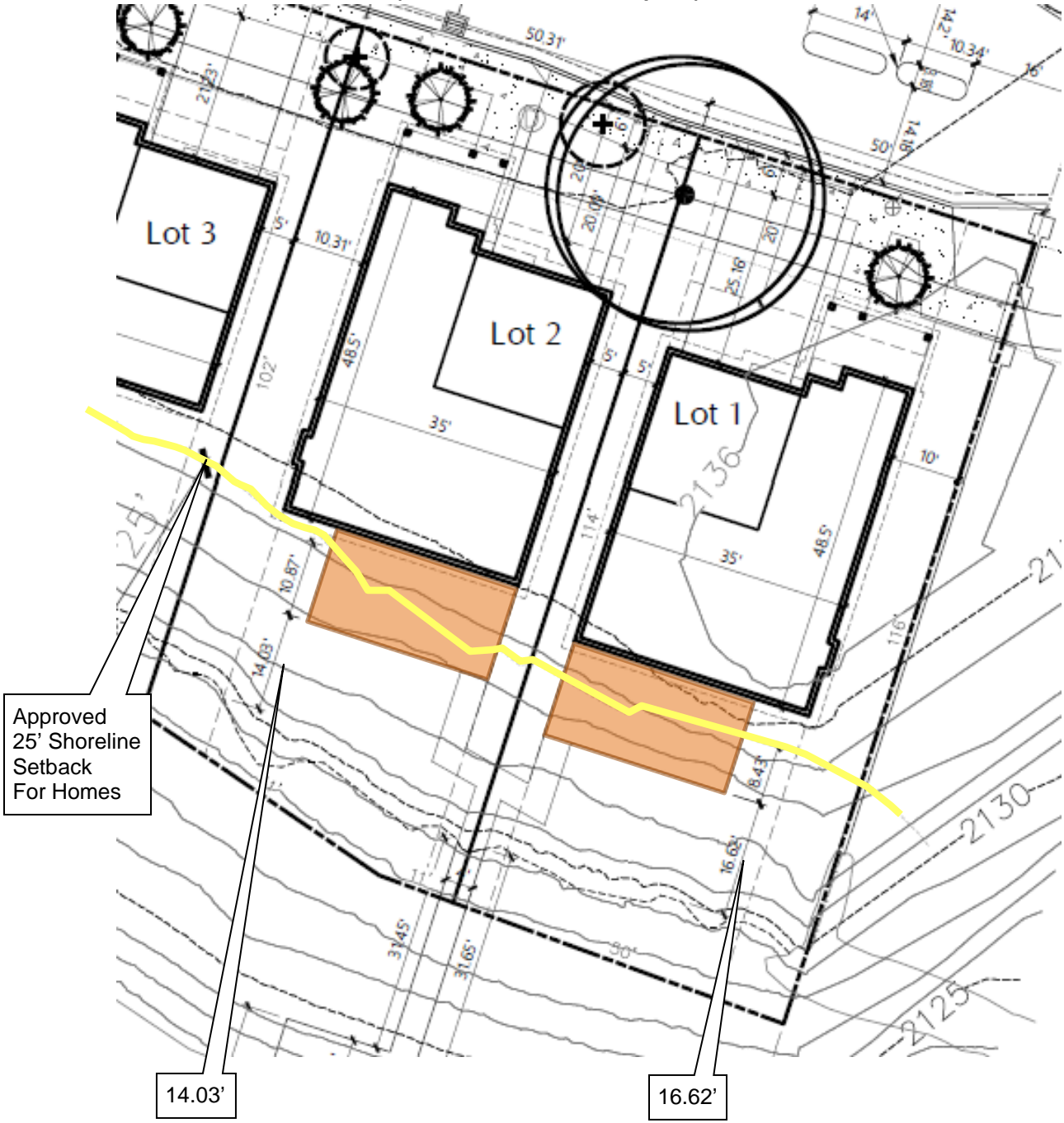
Blue Fern
Development,
LLC

House Plan 4
Floor Plans

Date: 10-2-23
Client: AJC
Job No.: 23-05

B4
Sheet No.:

Zoomed Detail of Lot 1 & 2 (deck encroachment request):

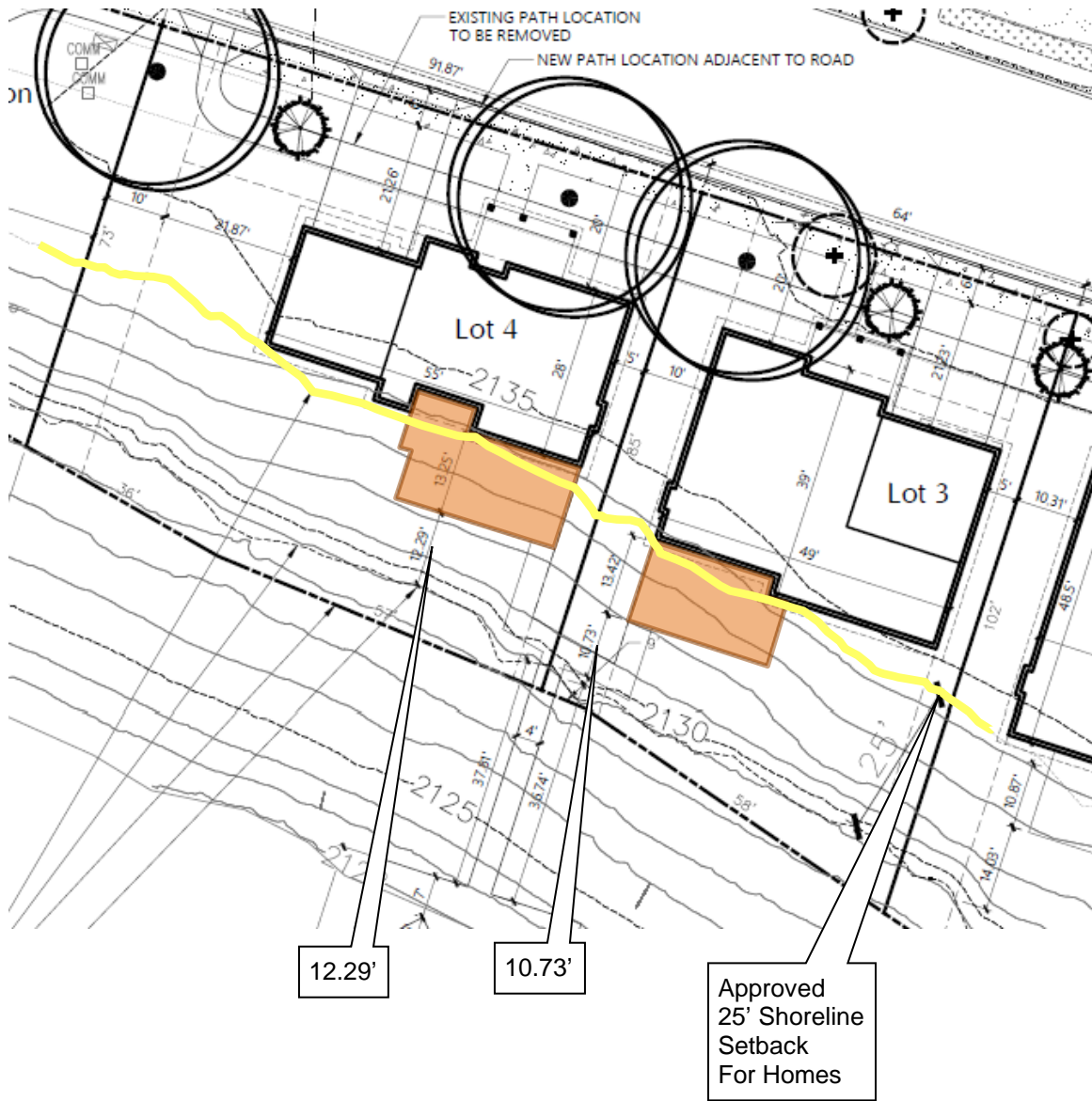


Approved
25' Shoreline
Setback
For Homes

14.03'

16.62'

Zoomed Detail of Lot 3 & 4 (deck encroachment request):



Color Palette for Individual Homes (By Lot):

LOT 1

A-BODY SHERWIN WILLIAMS SW0055 LIGHT FRENCH GRAY
 B-BODY SHERWIN WILLIAMS SW7006 EXTRA WHITE
 C-TRIM SHERWIN WILLIAMS SW6258 TRICORN BLACK
 D-ACCENT SHERWIN WILLIAMS SW7048 URBANE BRONZE
 E-BASE MUTUAL MATERIALS STONE VENEER 'CANYON CREEK'
 F-ROOF TIMBERLINE NATURAL SHADOW - 'CHARCOAL'

LOT 2

A-BODY SHERWIN WILLIAMS SW6180 OAKMOSS
 B-BODY SHERWIN WILLIAMS SW0055 LIGHT FRENCH GRAY
 C-TRIM SHERWIN WILLIAMS SW7069 IRON ORE
 D-ACCENT SHERWIN WILLIAMS SW7048 URBANE BRONZE
 E-BASE MUTUAL MATERIALS STONE VENEER 'CANYON CREEK'
 F-ROOF TIMBERLINE NATURAL SHADOW - 'CHARCOAL'

LOT 3

A-BODY SHERWIN WILLIAMS SW0032 NEDDLEPOINT NAVY
 B-BODY SHERWIN WILLIAMS SW2819 DOWNING SLATE
 C-TRIM SHERWIN WILLIAMS SW7068 GRIZZLE GRAY
 D-ACCENT SHERWIN WILLIAMS SW0055 LIGHT FRENCH GRAY
 E-BASE MUTUAL MATERIALS STONE VENEER 'CANYON CREEK'
 F-ROOF TIMBERLINE NATURAL SHADOW - 'CHARCOAL'

LOT 4

A-BODY SHERWIN WILLIAMS SW7068 GRIZZLE GRAY
 B-BODY SHERWIN WILLIAMS SW7066 GRAY MATTERS
 C-TRIM SHERWIN WILLIAMS SW6258 TRICORN BLACK
 D-ACCENT SHERWIN WILLIAMS SW0055 LIGHT FRENCH GRAY
 E-BASE MUTUAL MATERIALS STONE VENEER 'CANYON CREEK'
 F-ROOF TIMBERLINE NATURAL SHADOW - 'CHARCOAL'

PROPOSED SPEC AT PORCH LIGHT

LED Outdoor Wall Mount

Item ID: 09742
 Finish: Textured Black
 Width: 6.50"
 Height: 7.50"
 Length: 6.50"

This LED outdoor wall downlight features smooth lines, a modern look and a Textured Black finish.

Qty	Type	Stock	Unit	Source	LM	CEC	CSI	Aug. 1/20	Blk.	BlkM
1	LED	11,000	Yes	LED	300.0x4x4	3000 K	90 CRI	4000	Yes	Yes

Details

Height: 6.50"
 Width: 6.50"
 Depth: 6.50"
 Diameter: 6.50"

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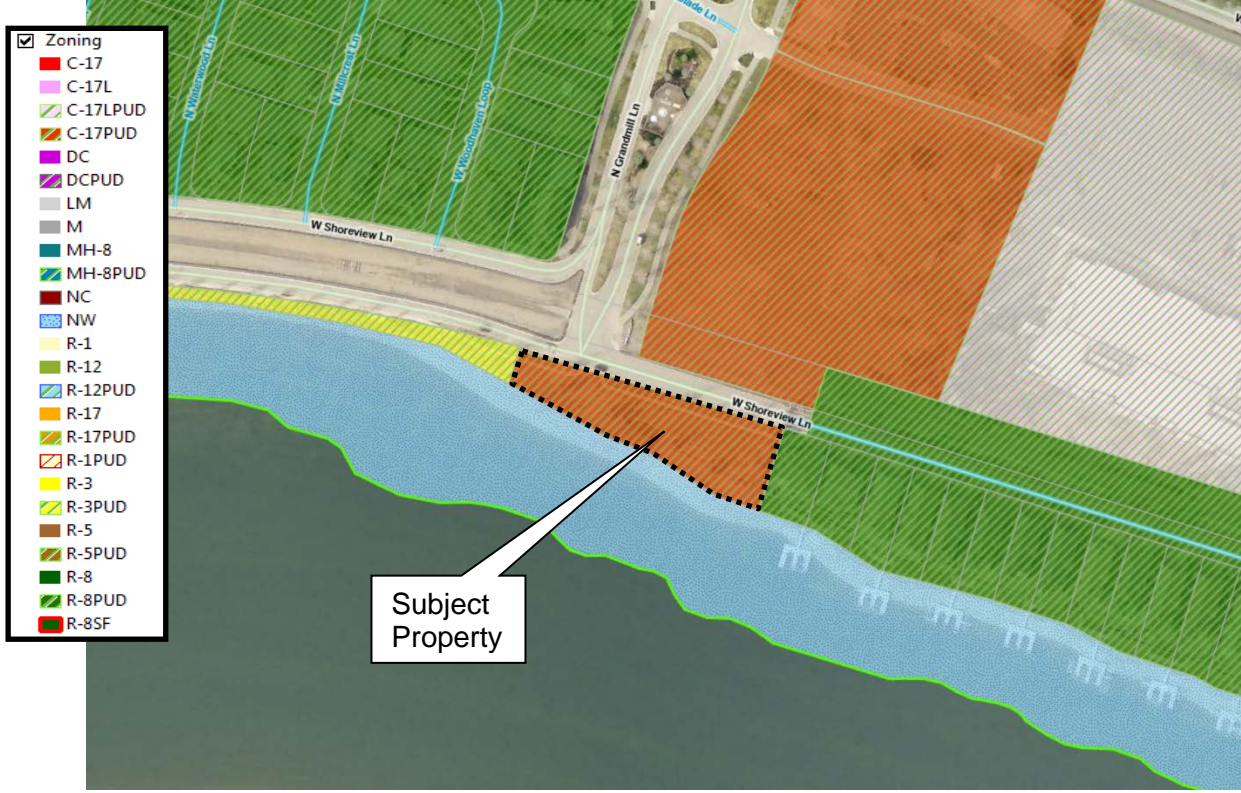
Blue Fern Development, LLC

Color Palettes

Rev: 12-21-23
 Drawn by: A.S.C.
 Date: 12-21-23

E-5

EXISTING ZONING:



SITE PHOTO - 1: View from western edge of subject property toward existing gated homes along W. Shoreview Ln.



SITE PHOTO - 2: View of shoreline, Spokane River, and backdrop of county property.



SITE PHOTO - 3: View of shoreline and homes within gated subdivision in Mill River PUD known as “River’s Edge”.



SITE PHOTO - 4: View looking west from “River’s Edge” into subject property.



SITE PHOTO - 5: “River’s Edge” gates and pedestal to be relocated looking north.



SITE PHOTO - 6: Looking west from “River’s Edge” into subject property showing sidewalk and street trees to be relocated.



SITE PHOTO - 7: Looking south toward the subject property from the boulevard of N. Grandmill Ln.



Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether or not the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties.*

Finding B3: The proposal (is) (is not) compatible with natural features of the site and adjoining properties.

Use the following information as well as testimony from the hearing to make finding **A9**.

FEMA Base Flood Elevation (AE):



**NOTE: AE flood zones are areas that present a 1% annual chance of flooding and a 26% chance over the life of a 30-year mortgage, according to FEMA. These regions are clearly defined in Flood Insurance Rate Maps and are paired with detailed information about base flood elevations. To mitigate this, the City Engineer has added a staff recommended condition #6.*

Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether or not the proposal is compatible with natural features of the site and adjoining properties.*

Finding B4: **The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing public facilities and services.**

Use the following information as well as testimony from the hearing to make finding **A10**.

STORMWATER:

All stormwater must be contained on-site. The existing swale must be relocated if curb-adjacent sidewalk is to be installed. A stormwater management plan meeting the requirements of the City is required.

-Submitted by Chris Bosley, City Engineer

STREETS:

The site has frontage on W Shoreview Lane. Street cuts will need to follow the new Pavement Cut Policy available on the City web site. The current plans do not show acceptable cuts. In general, the proposed street cuts and resulting patches must be combined into two larger patches extending the full width of the street. The sidewalk

shall be 6'-wide if curb-adjacent. The existing pedestrian ramps shall be reconstructed to be ADA compliant. All sidewalk shall be ADA compliant.

-Submitted by Chris Bosley, City Engineer

TRAFFIC:

Using the ITE Trip Generation Manual for Single-Family Detached Housing (Land Use Code 210), traffic from the proposed residential development is estimated to generate 38 trips/day with 3 occurring in the AM Peak Hour and 4 in the PM Peak Hour. The community dock is expected to generate approximately 3 trips/berth/day.

-Submitted by Chris Bosley, City Engineer

WATER:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed short subdivision. There is a 12" C-900 water main on W Shoreview In with a 2" service located on Lot 1.

-Submitted by Glen Poelstra, Assistant Water Department Director

WASTEWATER:

The Subject Property is within the City of Coeur d'Alene and in accordance with the 2023 Sewer Master Plan, the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve the four (4) proposed lots.

-Submitted by Larry Parsons, 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, turning radiuses, no parking-fire lanes, snow storage and gate access), 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.

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

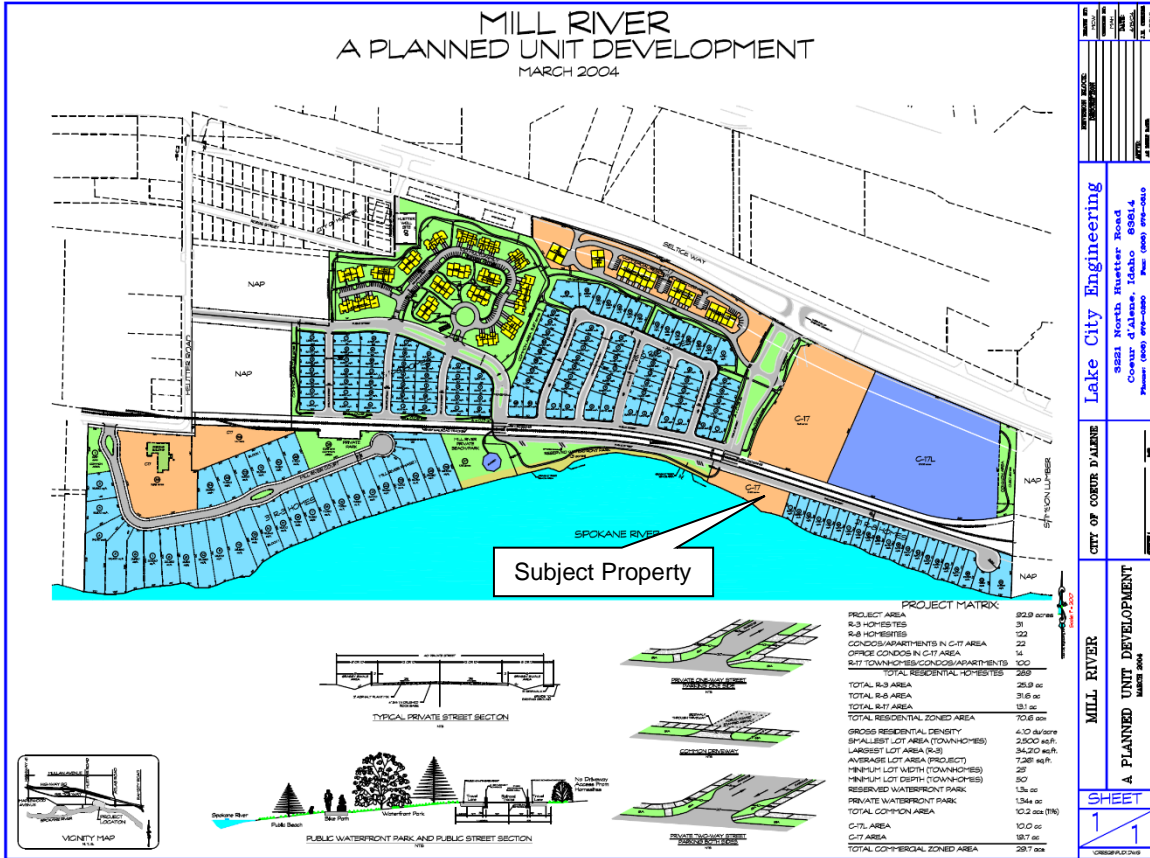
Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether or not the location, design, and size of the proposal are such that the development will be adequately served by existing public facilities and services.*

Finding B5: **The proposal (does) (does not) provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.**

Use the following information as well as testimony from the hearing to make finding **A11**.

In 2004, when the Mill River PUD was approved, the staff report indicated 10 acres of open space (both private and public) and a trail system, representing 11% of the project area. The current subject property indicates no open space for users of the development, as those areas are distributed as shown on the following map.

Original PUD Site Plan Map: Open Space (in green)



Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether or not the proposal provides adequate private common open space area, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.*

Finding B6: Off-street parking (does) (does not) provide parking sufficient for users of the development.

Use the following information as well as testimony from the hearing to make finding **A12**.

There was no request made to seek changes to the city's off-street parking requirements through this PUD process. The four proposed single-family homes would be required to provide two (2) paved off-street parking spaces per unit, which is consistent with code requirements for single-family residential. The applicant will meet the minimum requirements for parking as proposed.

As for the private recreation area, the applicant denotes in the narrative that this area will be for users in their HOA, which is separate from the overall HOA for Mill River. As such, there is no proposed building and not enough boat slips to trigger a "marina" category on the proposed tract,

thus no parking is required. Further, since the end users will also own or lease within the PUD, the on-site parking for the living unit would meet the required parking as described above.

Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether or not the off-street parking provides parking sufficient for users of the development.*

Finding B7: **That the proposal (does) (does not) provide for an acceptable method for the perpetual maintenance of all common property.**

Use the following information as well as testimony from the hearing to make finding **A13**.

The proposed project falls within the Mill River PUD, which is governed by the Mill River Property Owners Association. Existing common areas within the larger Mill River neighborhood will continue to be maintained by the Mill River Property Owners Association in accordance with the existing governance documents. The four homes within this proposed project will be subject to the existing Mill River CC&Rs, Bylaws, HOA fees and any applicable assessments.

Additionally, this project will include a sub-Home Owners Association that will be responsible for maintaining the private recreation area in perpetuity.

Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether or not the proposal provides for an acceptable method for the perpetual maintenance of all common property.*

SUBDIVISION FINDINGS:

REQUIRED FINDINGS:

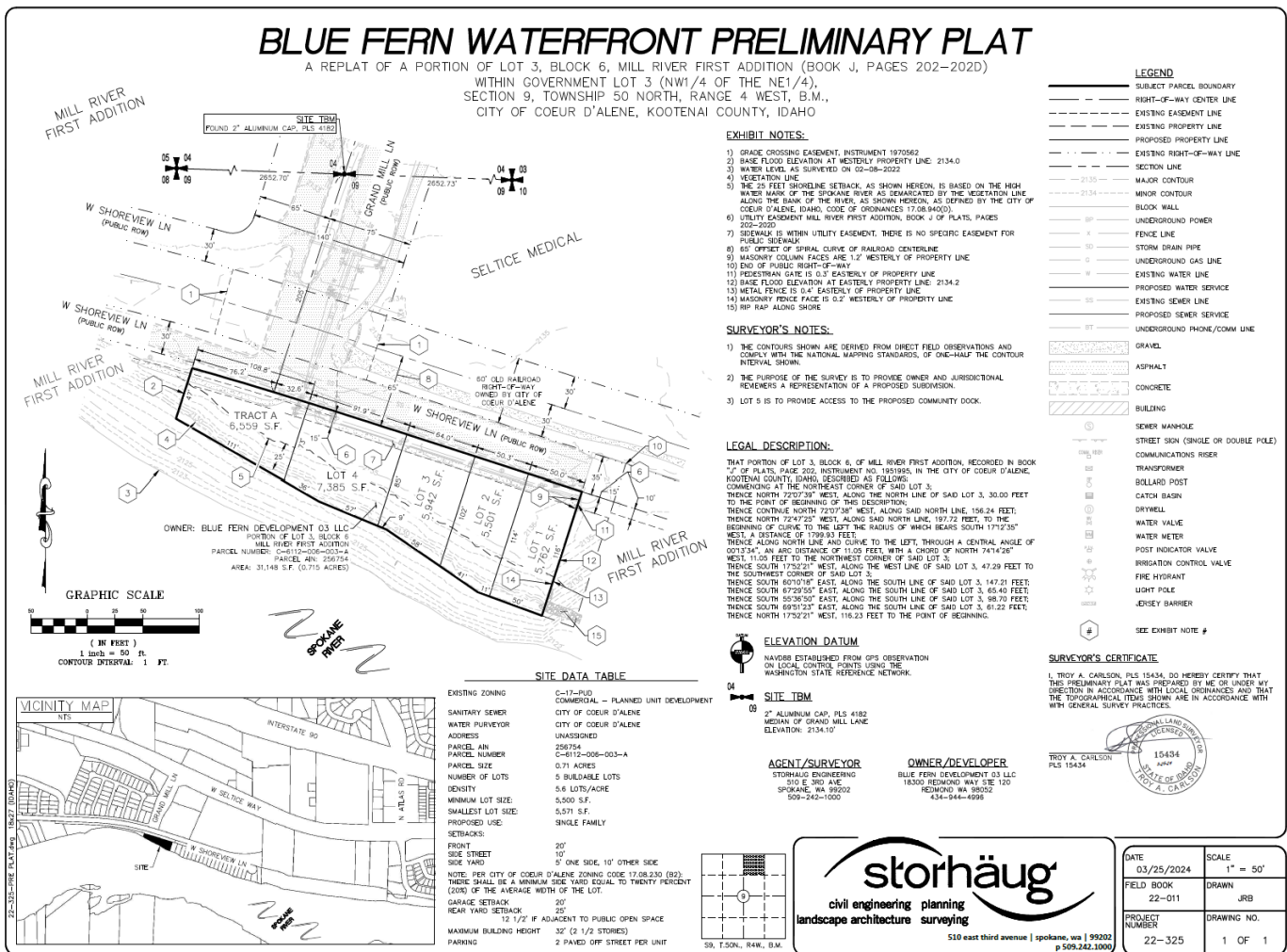
Finding B8: That all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer.

Use the following information as well as testimony from the hearing to make finding A14.

The preliminary plans submitted contain all of the general preliminary plat elements required by the Municipal Code.

-Submitted by Chris Bosley, City Engineer

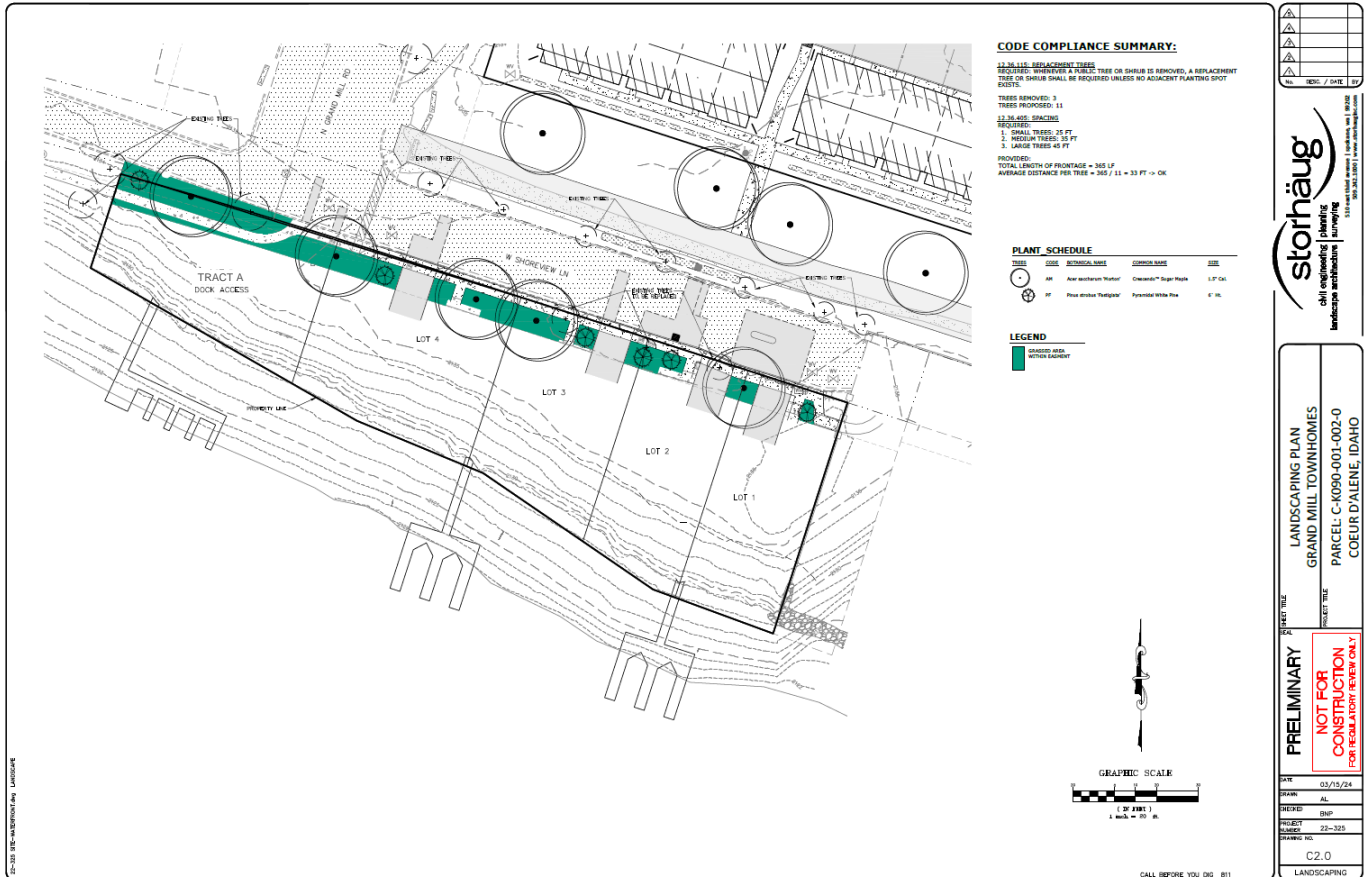
PRELIMINARY PLAT FOR WATERFRONT C-17PUD PARCEL IN "MILL RIVER PUD":



Evaluation: The Planning and Zoning Commission must determine, based on the information before them, whether or not all of the general preliminary plat requirements have been met as attested to by the City Engineer.

Finding B9: That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities (are) (are not) adequate.

Use the following information as well as testimony from the hearing to make finding **A15**.



As mentioned in the applicant's narrative and supporting information, staff comments in the PUD modification request, and the existing land use map, the provisions for this request are almost entirely existing due to prior development. The future trail, sidewalk realignment, and ADA updates will serve to meet this finding. Also see staff proposed conditions which address these items.

Note that the relocation of the sidewalk will require the existing street trees to be relocated and replanted. Trees can be approved for removal to accommodate sidewalk installation. Once all questions and concerns from Engineering have been addressed through final design plans, Parks staff can approve this work.

-Submitted by Nick Goodwin, City's Urban Forester- Parks Dept.

One spot to take note of is the pedestal in W. Shoreview Ln. that acts as the opening mechanism for the gate where preexisting homes in River's Edge gain access to their homes. The existing pedestal is located in a place that would conflict with the driveway of lot#1. The applicant approached the HOA and received approval to relocate the pedestal at the applicant's expense which will allow for safe backing into the street.

Picture of the Gate Pedestal to be Relocated:



Evaluation: *The Planning and Zoning 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 proposed preliminary plat (does) (does not) comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.**

Use the following information as well as testimony from the hearing to make finding **A16**.

Per engineering review, for the purposes of the preliminary plat, both subdivision design standards (chapter 16.15) and improvement standards (chapter 16.40) have been vetted for compliance in light of this request as well as previous PUD and subdivision approvals.
-Submitted by Chris Bosley, City Engineer

Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether the proposed preliminary plat does or does not comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

Finding B11: **The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.**

Use the following information as well as testimony from the hearing to make finding **A17**.

The gross area of the subject property is 0.7125 acres. The overall total number of single family detached units requested is four (4) with one additional tract to be designated as a

private recreation area with an anticipated dock. The existing zoning is C-17PUD, in which city code refers to R-17 & R-8 for residential performance standards, which are in-line with the applicant's request. Single-family homes require 50 feet of frontage on a public street and 5,500 square feet per lot. All four buildable lots proposed meet this standard.

LOT/TRACT	FEET OF FRONTAGE	LOT SIZE (SQ FT)
Lot #1	50'	5,762
Lot #2	50.3'	5,501
Lot #3	64'	5,942
Lot #4	91.9'	7,385
Tract "A"	108.8'	6,559

Note that through the PUD modification tonight, the applicant has asked for some additional allowances to accommodate construction (i.e. Relocating the sidewalk to meet minimum driveway length and deck encroachment near the shoreline). Pre-existing 2004 PUD approvals, specific to this parcel, allowed for increased shoreline structure height from 30' to 32' and this C-17PUD waterfront lot allows a building to be built up to 25' from the shoreline.

Assuming approval of the aforementioned PUD modifications, Planning staff indicates that the proposed buildable lots meet the requirements of the applicable zoning district.

Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether or not the lots proposed in the preliminary plat do or do not meet the requirements of the applicable zoning district*

APPLICABLE CODES AND POLICIES:

Utilities:

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

Streets:

5. All new streets shall be dedicated and constructed to City of Coeur d'Alene standards.
6. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
7. All required street improvements shall be constructed prior to issuance of building permits.

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

Stormwater:

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

Fire Protection:

10. Fire hydrant(s) shall be installed at all locations as determined by the City Fire Inspectors.

General:

11. The final plat shall conform to the requirements of the City.
12. Prior to approval of the final plat, all required improvements must be installed and accepted by the City. The developer may enter into an agreement with the City guaranteeing installation of the improvements and shall provide security acceptable to the City in an amount equal to 150 percent of the cost of installation of the improvements as determined by the City Engineer. The agreement and security shall be approved by the City Council prior to recording the final plat.

PROPOSED CONDITIONS:

Planning:

1. The proposed project falls within the Mill River PUD, which is governed by the Mill River Property Owners Association. Existing common areas within the larger Mill River neighborhood will continue to be maintained by the Mill River Property Owners Association in accordance with the existing governance documents. The four homes within this proposed project will be subject to the existing Mill River CC&Rs, Bylaws, HOA fees and any applicable assessments.
2. The gate and fencing, per the applicant's request, is only for the private recreational parcel. The relocated sidewalk shall remain open to the public.

Engineering:

3. Existing pedestrian ramps shall be realigned to the proposed W. Shoreview Lane crossing and reconstructed to ADA requirements.
4. Street cuts must be combined and extended to the full street width to follow the current Pavement Cut Policy.
5. Sidewalk shall be 6'-wide if curb-adjacent.
6. Flood Hazard Development Permits are required for any building construction on the proposed lots.
7. No mechanical equipment is allowed within the flood plain.

Parks:

8. Street trees can be approved for removal to accommodate sidewalk installation, once all questions and concerns from Engineering have been addressed through final design plans. New street trees will be required.

Water:

9. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
10. Any additional services will have cap fees due at building permitting.

Wastewater:

11. One lateral extension will be needed for each lot, based on Policy #716, ONE PARCEL, ONE SEWER LATERAL.
12. In addition to standard CAP fees, a Mill River surcharge fee of \$450 per SFD will need to be paid for future pump station upgrades all at time of building permit.
13. Cap any unused sewer lateral(s) at the public main.

Fire:

14. With moving the gate controls, FD will require the Knox Keyway (3200 Series) at the entrance gate for Fire Department Access for W. Shoreview Ln.

ORDINANCES & STANDARDS USED FOR EVALUATION:

- 2022-2042 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 Master Plan
- 2021 Parks Master Plan

ACTION ALTERNATIVES:

The Planning and Zoning Commission must consider these two requests and make separate findings to approve, approve with conditions, deny, or deny without prejudice.

Attachments:

- 1- Applicant's Application and Narrative
- 2- Mill River Property Owner's Association (HOA) Approval of Blue Fern waterfront subdivision and home plans
- 3- Rivers Edge Homeowner's Association (HOA) Approval of pedestal relocation and Fire Department turnaround
- 4- Comprehensive Plan Goals & Objectives

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APPLICANT'S APPLICATION

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PLANNED UNIT DEVELOPMENT AMENDMENT APPLICATION

STAFF USE ONLY
Date Submitted: _____ Received by: _____ Fee paid: _____ Project # _____

REQUIRED SUBMITTALS

Application Fee: \$700.00

Publication Fee: \$300.00

Mailing Fee: \$6.00 per hearing

**Public Hearing with the Planning Commission required*

A **COMPLETE APPLICATION** is required at time of application submittal, as determined and accepted by the Planning Department located at <http://cdaid.org/1105/departments/planning/application-forms>.

- Completed application form**
- Application, Publication, and Mailing Fees**
- A report(s) by an Idaho licensed Title Company:** Owner's list and three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:
 1. *All property owners within 300ft of the external boundaries. * Non-owners list no longer required**
 2. *All property owners with the property boundaries.*
- A report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company and a copy of the tax map showing the 300ft mailing boundary around the subject property. The report(s) shall be a full Title Report and include the Listing Packet.
- A written narrative:** Including the development name (*original PUD*), description of modification proposed, and the reason for the modification.
- A legal description:** in MS Word compatible format, together with a meets and bounds map stamped by a licensed Surveyor.
- A plan set map:** Providing sufficient information to identify how the proposed modification differs from the previously submitted/approved PUD request and development plans and a phasing schedule. The respective elements of the development plans that will affect such items as the existing and proposed infrastructure, improvements, building, and landscaping.

DEADLINE FOR SUBMITTALS

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

PUBLIC HEARING NOTICE SIGN TO BE POSTED ON SUBJECT PROPERTY:

The applicant is required to post a public hearing notice, provided by the Planning Department, on the property at a location specified by the Planning Department. This posting must be done one (1) week prior to the date of the Planning Commission meeting at which this item will be heard. An affidavit testifying where and when the notice was posted, by whom, and a picture of the notice posted on the property is also required and must be returned to the Planning Department.

APPLICATION INFORMATION

PROPERTY OWNER: Blue Fern Development 03		
MAILING ADDRESS: 18300 Redmond Way Ste. 120		
CITY: Redmond	STATE: WA	ZIP: 98052
PHONE: 434 944 4996	FAX:	EMAIL: jhnd@bluefern.com
APPLICANT OR CONSULTANT: S Jme ds owner		STATUS: ENGINEER <u>OTHER</u> owner
MAILING ADDRESS:		
CITY:	STATE:	ZIP:
PHONE:	FAX:	EMAIL:

FILING CAPACITY

- Recorded property owner as to of Parcel C6112006003A
- Purchasing (under contract) as of _____
- The Lessee/Renter as of _____
- Authorized agent of any of the foregoing, duly authorized in writing. (Written authorization must be attached)

SITE INFORMATION:

GENERAL LOCATION OR ADDRESS OF THE PROPERTY: Waterfront parcel at N Grandmill & W Shoreview Ln Parcel: C6112006003A
DEVELOPMENT NAME (ORIGINAL PUD): C17 PUD Mill River PUD
DESCRIPTION OF PROJECT/REASON FOR REQUEST: 1) Moving pathway adjacent to sidewalk for driveway depth 2) Construction / extension of walkways to docks within shoreline setback. Not to exceed 41 in height 3) Roof eaves to be within 25' shoreline setback 4) Fence and gate at shared dock access

CERTIFICATION OF APPLICANT:

I, Max Chappron, being duly sworn, attests that he/she is the applicant of
(Insert name of applicant)

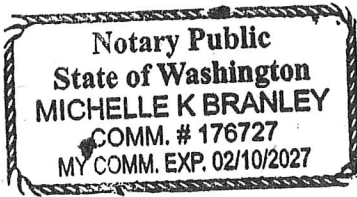
this request and knows the contents thereof to be true to his/her knowledge.

Signed: Max Chappron
(applicant)

Notary to complete this section for applicant:

Subscribed and sworn to me before this 26th day of March, 2024.

Washington
Notary Public for ~~Idaho~~ Residing at: Seattle



My commission expires: February 10, 2027
Signed: Michelle K Branley
(notary)

CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: Max Chappron

Telephone No.: 425-403-0836

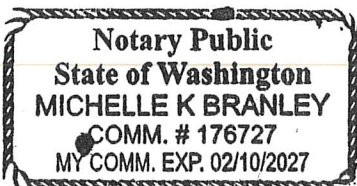
Address: 18300 Redmond Way Ste. 120, Redmond, WA 98052

Signed by Owner: Max Chappron

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this 26th day of March, 2024.

Washington
Notary Public for ~~Idaho~~ Residing at: Seattle



My commission expires: February 10, 2027
Signed: Michelle K Branley

(notary)

For multiple applicants or owners of record, please submit multiple copies of this page.

I (We) the undersigned do hereby make petition for an amendment to the original planned unit development of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS _____ DAY OF _____ 20 _____

June 4, 2024

Coeur d'Alene Mill River Waterfront Subdivision Project Narrative

This proposal is for a long plat that would create 4 single family residential lots and private recreation tract (Tract A) in the Mill River Planned Community.

The project site is located to the south of W Shoreview Ln, along the riverfront. To the east of the site is an existing single family residential subdivision, and the proposed homes would continue the pattern of development along the riverfront in a similar manner. The site is zoned C-17 PUD and is approximately 0.71 acres, allowing for subdivision into 4 single family lots. The project site sits within the broader Mill River Planned Community. Johnson Mill River Park is located approximately 0.25 mile to the west of the project site, with waterfront access. Access to Interstate 90 is located nearest at Northwest Blvd. to the east.

The proposed use is single family residential at a density of 5.63 dwelling units/acre, to be developed in one phase of development. Each of the lots will have one structure, accessed via W Shoreview Ln. Curb, gutter and sidewalk, as well as landscaping, shall be provided along the street frontage. Public water and sewer is available in the street frontage. Individual water and sewer services will be tapped from the public mains and extended to each lot. Dry utilities are available in the street frontage and will be extended to each lot.

The proposed lots and structures shall comply with the required setbacks, building coverage and height, etc. as outlined for R-8 zoning and Shoreline Regulations in the municipal development code. The Shoreline Regulations modify R-8 zoning standards per 17.08.230.B such that new structures shall not exceed 30' in height and the minimum side yard shall be equal to 20% of the average width of the lot. Through the following PUD modifications 2) *"Within the waterfront C-17 zoning district, modify the Shoreline Regulations, Prohibited Construction Area measured from the Spokane River Shoreline 40 feet inland to allow buildings within 25-feet of the Spokane River Shoreline"* and 4) *"Within the waterfront C-17 zoning district, modify the Shoreline Regulations Overlay Area 30-foot height limit to allow buildings up to a height of 32-feet"*, the allowed building height limit is increased to 32' and the prohibited construction area is reduced from 40' to 25'. The side yards meet the required Shoreline Regulations, as demonstrated on the site plan.

The single family residences will be accessed directly from W Shoreview Ln. E with a garage and main entry fronting the road. Each home will be 2 stories in height and range in size from +/-2,000-2,500 sq. ft. The architecture is designed to fit in with the surrounding built and natural context, with the rear of the homes overlooking the water. An attached deck and pathway lead down to a dock structure (2 total docks, shared between 2 lots each). A dock, intended solely for the use of the HOA residents and maintained and regulated via the proposal's HOA is located in Private Recreation Area-Tract A, to the west of the single family lots.

As part of the proposal, a PUD Amendment will be submitted. The requests for amendment are: 1) To move the pedestrian walk along W Shoreview Ln from its current location to instead be adjacent to the road section. The new sidewalk will be a minimum of 6' in width. 2) To build ground level decks, paths and docks at the rear of the homes within the Shoreline setback/waterway. The surface of the deck structure or path structure shall not exceed 4'-0" in height above the adjacent existing grade. Fall protection in the form of guards shall be provided at the code required height of 36", where required. 3)

To allow for roof eaves to encroach no more than 24" into the shoreline setback. 'Roof eaves' is intended to refer exclusively to the overhang of a typical sloping roof truss or rafter beyond the face of the exterior wall. 4) To fence and gate the pedestrian access from the public sidewalk at W Shoreline Ln. to the path and dock provided in the private recreation area. Gate shall be installed parallel to W Shoreview Ln at the intersection of the pedestrian sidewalk and path.

The proposed project falls within the Mill River PUD, which is governed by the Mill River Property Owners Association. Existing common areas within the larger Mill River neighborhood will continue to be maintained by the Mill River Property Owners Association in accordance with the existing governance documents. The four homes within this proposed project will be subject to the existing Mill River CC&Rs, Bylaws, HOA fees and any applicable assessments.

Additionally, this project will include a sub-Home Owners Association that will be responsible for maintaining the private recreation area in perpetuity.

A decorative border composed of a repeating pattern of light purple diamonds with darker purple outlines, arranged in a rectangular frame around the text.

Mill
River
HOA
Approval
Letter

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Mill River Property Owners Association
Board of Directors Meeting
Thursday, January 18th, 2024 at 3:00pm
CDA Public Library – Gozzer Room

MEETING MINUTES – OPEN SESSION

Call to Order The meeting was called to order at 3:06p.m. and a quorum was established. In attendance was Stephen Prince, Mike Philips, Denise Davis and Ed Scott; Board members, Samantha Ruby and Kristine Banister of Northwest Communities (NWC) and 1 association member.

Previous Meeting Minutes were reviewed from October 13th, 2023; open and executive session. Denise made a motion to approve the minutes as written, Ed seconded and motion unanimously carried.

Meeting minutes from the Special Members meeting on November 6th, 2023 were reviewed. Samantha recommended presenting them at the Annual members meeting for membership approval and there was no opposition.

Neighborhood Reports Leslie Thistle reported that all is quiet in Summer Walk and there are a handful of concerns about the GarageTown lights shining into windows. Samantha recommended a photo be provided so it can be provided to GarageTown for consideration. Mike Phillips reported that all is quiet in River Life. A non-compliant arbor was removed. Parking violations are not as much of an issue as in the summer and snow removal services seem to be dialed-in.

Stephen provided an update from River's Edge POA. River's Edge POA Board of Directors is meeting soon and snow removal services have been dialed-in as well.

There was no update from Edgewater or the Condos at Mill River.

Ed Scott entered the meeting.

Architectural Report Samantha reported between October 13th, 2023 and January 18th, 2024 the following projects were reviewed:

Edgewater (Neighborhood Board)

- 11/14/2023 – 4709 Mill River Court – remodel request approved

Commercial (Board of Directors)

- 12/13/22 – preliminary renderings of three-story townhomes with garages from Blue Fern, 2/2/23 and 3/31/23 Engagement with Smith Malek to manage communications with Blue Fern, Blue Fern submitted renderings 6/14/23 and BOD comments sent to Blue Fern 6/30/23, Max with Blue Fern advised amended plans may be ready for review and requested meeting with



BOD, provided Zoom link for 7/13/23 BOD Meeting, to be final approved at 10/13/2023 Meeting, Blue Fern townhomes approved at the 10/13/2023 Board of Directors meeting

- Blue Fern submitted revised townhome plans for review at the 1/18/2024 Board of Directors meeting
- Blue Fern submitted single-family home plans for review at the 1/18/2024 Board of Directors meeting

Landscape Committee Report Leslie reported that she is pursuing options for gaining volunteer interest for work parties because of the high expense of cleanups in the maintenance contract. After discussion, Leslie will determine exact maintenance areas and the scope of work for volunteers. Samantha will email the landscape agreements to the landscape committee and neighborhood Boards.

Financial Report Kristine presented the draft December financial report. This can be finalized after the Board makes a decision on making or not making budgeted reserve transfers.

The association exceeded the budgeted expenses in office supplies and copies, administrative fees with extra meetings, legal fees, irrigation repairs and maintenance, tree and plant removal, park bathroom supplies, park wall repairs, mailbox replacement, park signage and concrete work.

As of December 31, 2023 the association's Operating Account has \$60,791.28, with \$58,908.68 of those funds being 2024 assessments collected, and Reserve Fund has \$166,099.57. As of December 31, 2023 the Master had a net loss of \$24,517.63, Edgewater had a net income of \$996.14, River Life had a net income of \$2,633.70, and Summerwalk had a net income of \$1,223.70.

Stephen made a motion to transfer all reserve contributions due to the neighborhoods' accounts per their budgets. These transfers from the Operating account to the Reserve accounts have \$1,149.34 going to River Life's Reserve Fund, \$465.66 going to Summer Walk's Reserve Fund, and \$541.00 going to Edgewater's Reserve Fund totaling \$2,156.00 to be transferred. This motion also includes the Master's budgeted reserve contribution balance due of \$3,662.76 being placed as a liability on the balance sheet at this time due to low funds.

Ed made a motion to assign a person in the community to manage the landscape maintenance scope of work. After discussion, the motion is tabled until a scope of work is determined.

Old Business

An amendment to the Bylaws was discussed at previous meetings. After discussion this topic is tabled until a purpose to do an amendment is determined.

An amendment to the Declaration was discussed at previous meetings. The discussion will continue once a discussion is had with Blue Fern development on their proposed plans.

Stephen reported that he is meeting with Blue Fern development representatives at their vacant lot on Grand Mill on January 24th and other Board members are welcome to attend.



Samantha presented a revised townhome plan from Blue Fern that was approved in October 2023. The revision includes, "removal of a belly band at the third floor, reduced number of body colors and removed shingles at third floor and continued with board and batten instead". After discussion it was determined that the purpose for the changes needs to be understood and Samantha will inquire with Blue Fern about this.

The four (4) single-family homes plan from Blue Fern was submitted via email prior to the meeting. After review and discussion, Stephen made a motion to approve, Denise seconded and motion unanimously carried. An approval letter will be sent to Blue Fern.

The 2024 budget was distributed to all homeowners on November 1st, 2023 with a notice of increase.

Towing on private streets was previously discussed and Samantha presented a proposed 'private property impound agreement' as requested by the Board. After discussion it was agreed that towing would be a last resort and the towing agreement will no longer be pursued.

Samantha advised that there are homeowner complaints about the lights at the park being on at night. After discussion it was determined that funds could not be spent on reversing the repair on the light timer and the lights should be on to deter vandals.

The purchase and installation of game cameras was previously discussed. After discussion this would no longer be pursued.

The Board discussed the parking resolution.

New Business

Samantha proposed pre-planning the quarterly Board meetings and will choose quarterly dates and notify the Board. A Special members meeting would need to be planned to introduce a Declaration amendment to the membership as well as the Annual membership meeting.

With no other business to come before the Board, Stephen made a motion to adjourn, Ed seconded and motion unanimously carried. The meeting was adjourned at 5:18p.m.

Coeur d'Alene Mill River Waterfront Subdivision

This proposal is for a long plat that would create 4 single family residential lots and a dedicated open space tract in the Mill River Planned Community.

The project site is located to the south of W Shoreview Ln, along the riverfront. To the east of the site is an existing single family residential subdivision, and the proposed homes would continue the pattern of development along the riverfront in a similar manner. The site is zoned C-17 PUD and is approximately 0.71 acres, allowing for subdivision into a maximum of 4 single family lots. The proposed lots and structures shall comply with the required setbacks, building coverage and height, etc. as outlined for R-17 zoning in the municipal development code.

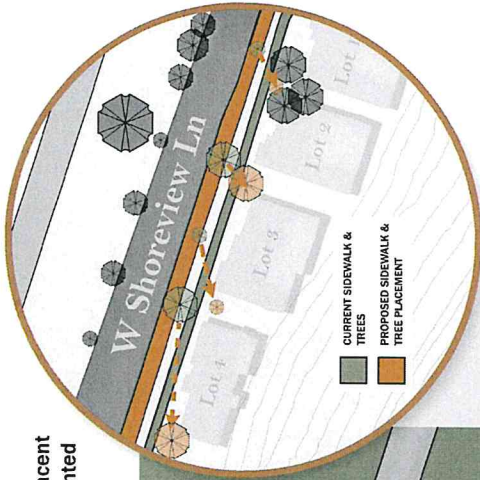
The 4 single family residences will be accessed directly from W Shoreview Ln. E with a garage and main entry fronting the road. Each home will be 2 stories in height and range in size from +/-2,000-2,500 sq. ft. The architecture is designed to fit in with the surrounding built and natural context, with the rear of the homes overlooking the water. An attached deck and pathway lead down to a dock structure (2 total docks, shared between 2 lots each). The dedicated open space tract on the western portion of the parcel includes a community dock that will be maintained and regulated via the proposal's HOA.

As part of the proposal, a PUD Amendment will be submitted. The requests for amendment are: to build ground level decks, paths and docks at the rear of the homes within the shoreline setback/waterway, to allow for roof eaves to encroach marginally into the shoreline setback, to move the pedestrian walk along W Shoreview Ln from its current location to be instead adjacent to the road section, and to fence and gate the dedicated open space tract at the community dock.



*Approved by Mill River PUD
Board of Directors 1/18/24
Sincerely, MRC*

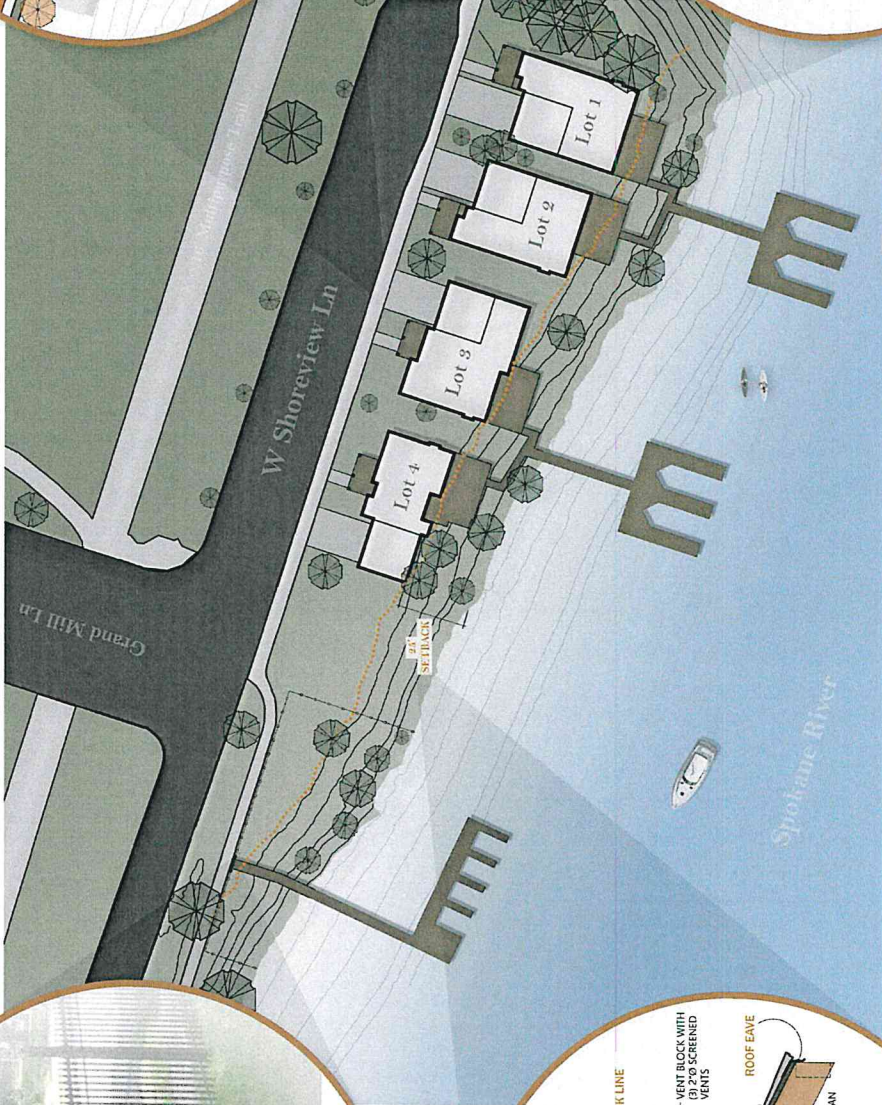
PUD Amendment 1:
 Pathway to be moved adjacent
 to road. Trees to be replanted
 behind the sidewalk.



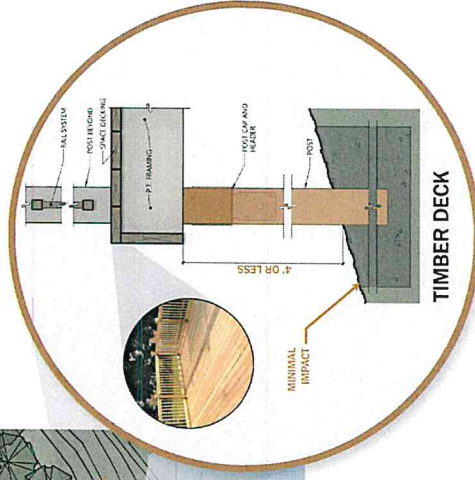
PUD Amendment 4:
 Fence and Gate at
 dedicated open space tract
 and shared dock access.



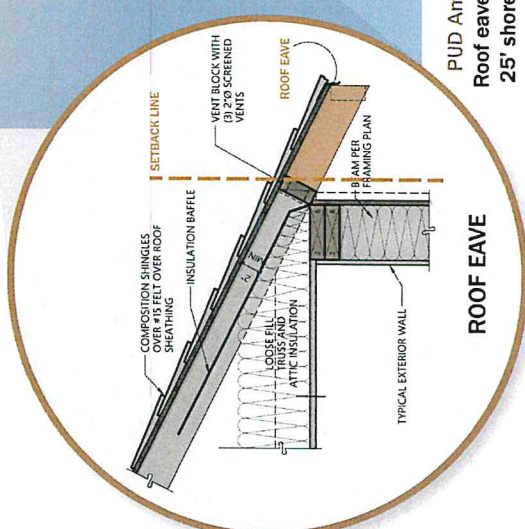
FENCE/GATE



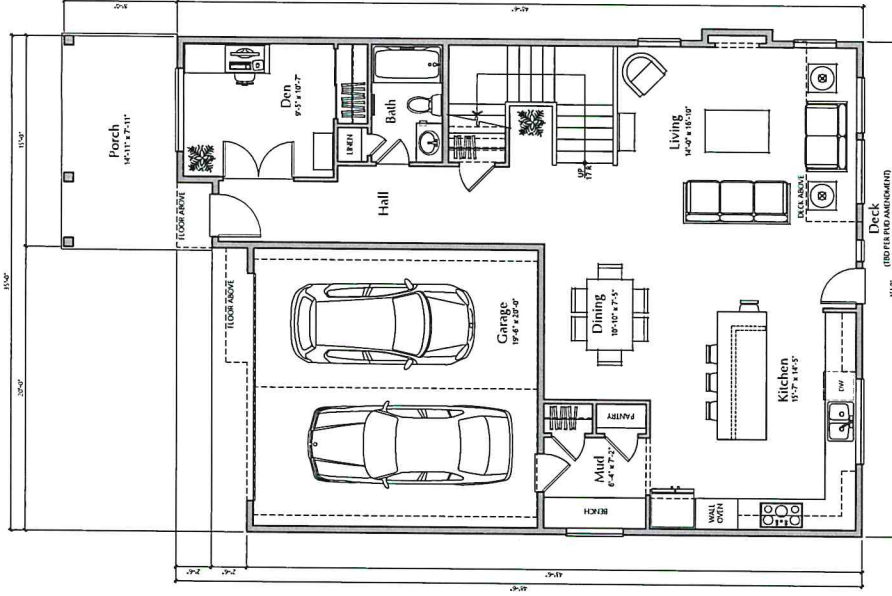
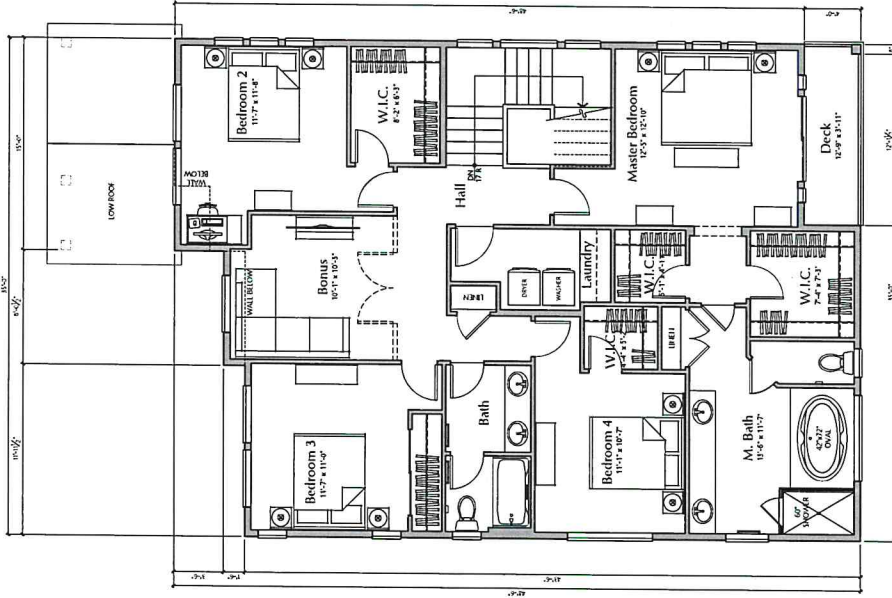
PUD Amendment 2:
 Construction or extension of
 walkways to dock. Not to exceed
 4-feet in height.



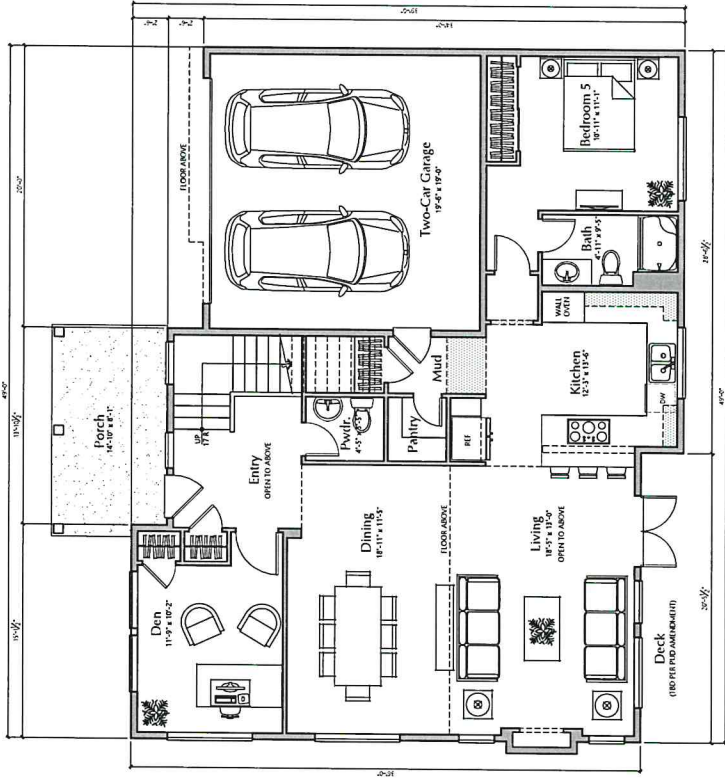
PUD Amendment 3:
 Roof eaves to be within
 25' shoreline setback.



ROOF EAVE

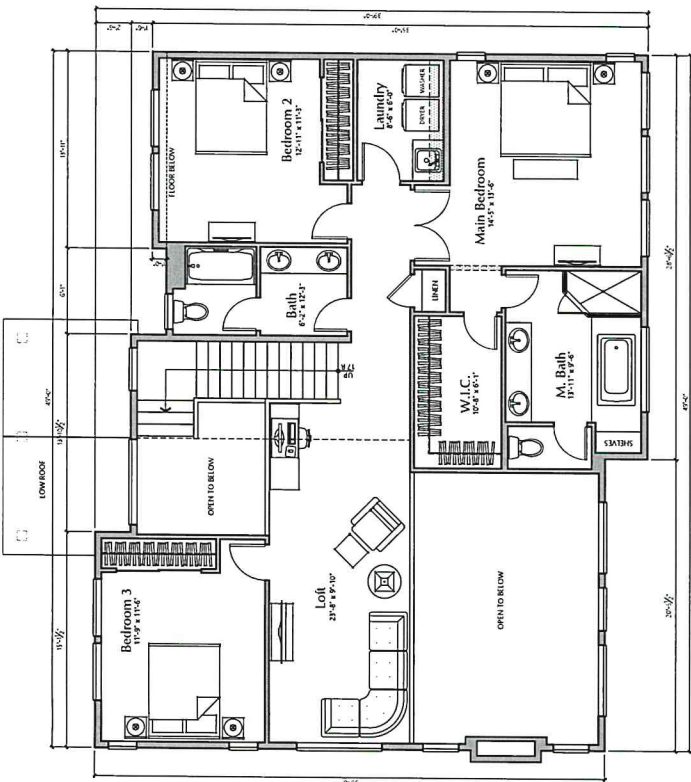


AREA SUMMARY	
Unfinished SF	114
Finished SF	1555
First Floor	1443
Second Floor	112
Total SF	2558
	500

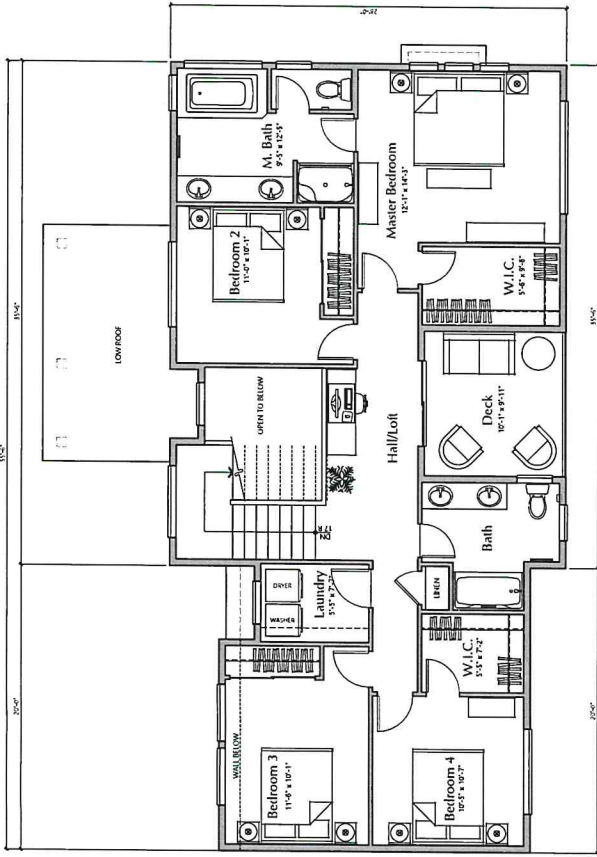


AREA SUMMARY	
Net Area	1,159
Finished Floor	1,241
Second Floor	124
Third Floor	0
Fourth Floor	0
Fifth Floor	0
Sixth Floor	0
Basement	0
Garage	1,159
Total	2,524

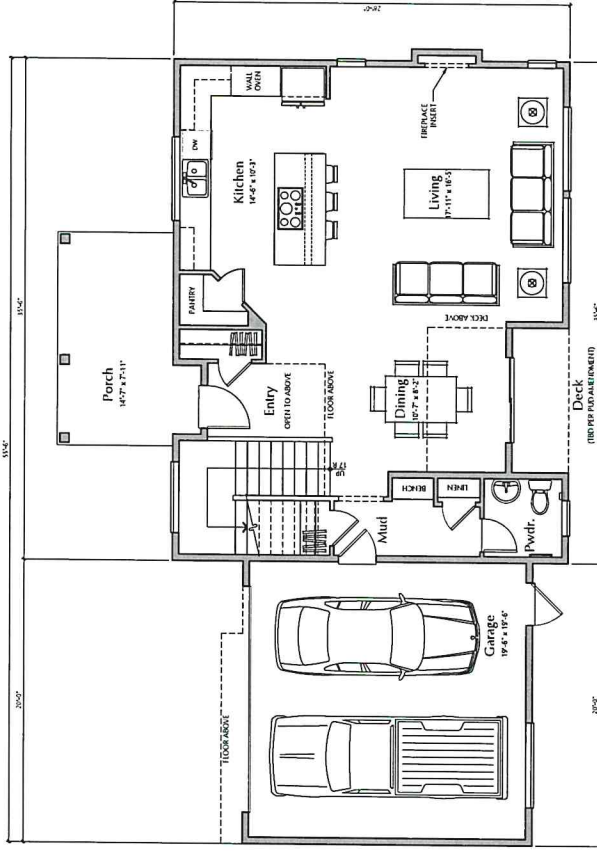
HOUSE PLAN 3 LOWER LEVEL PLAN
1/4" = 1'-0"



HOUSE PLAN 3 UPPER LEVEL PLAN
1/4" = 1'-0"

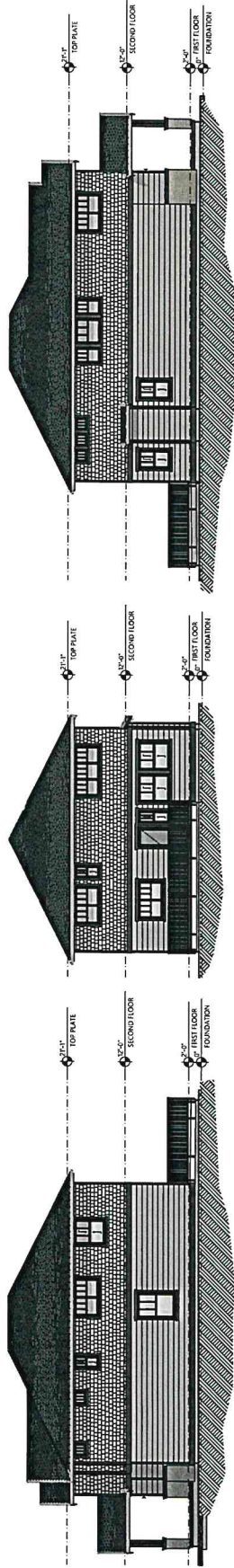


PLAN 4
1/4" = 1'-0"
UPPER LEVEL PLAN
4-810-07/012



PLAN 4
1/4" = 1'-0"
MAIN LEVEL PLAN
4-810-07/012

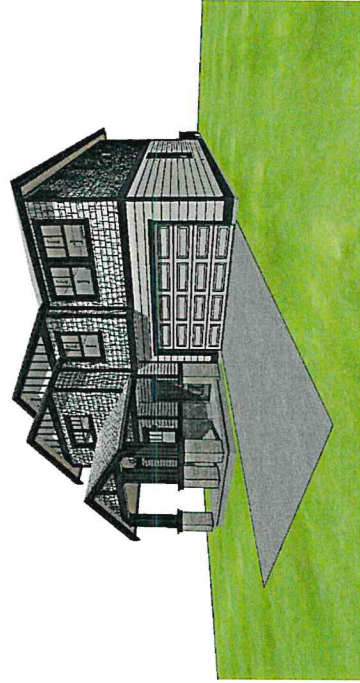
AREA SUMMARY			
	FINISHED SF	UNFINISHED SF	TOTAL SF
FIRST FLOOR	423	558	981
SECOND FLOOR	199	199	398
TOTAL	622	757	1379



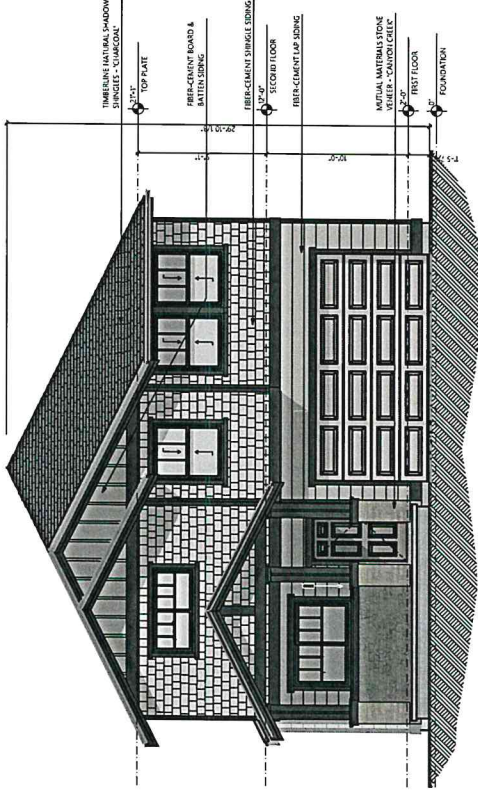
4 WEST ELEVATION
SCALE: 1/8" = 1'-0"

3 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

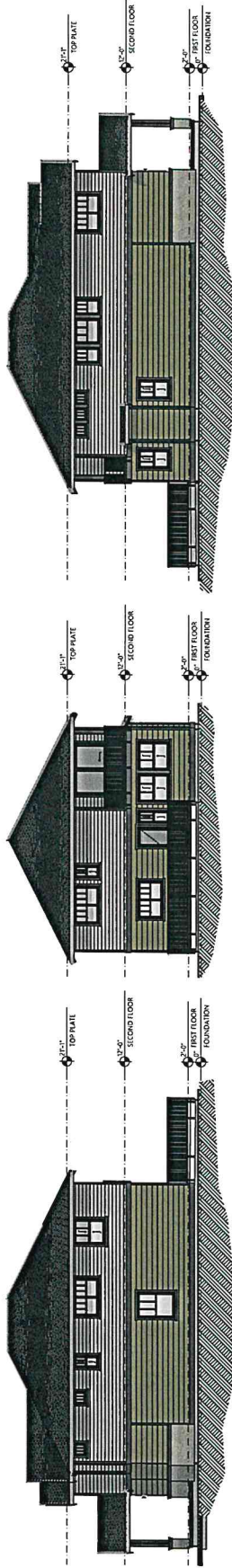
2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



Perspective - SE View



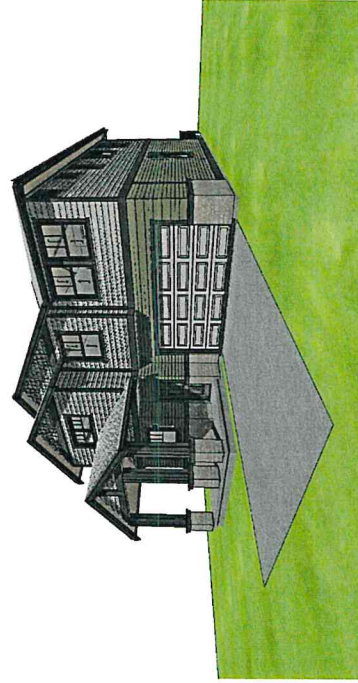
1 NORTH ELEVATION
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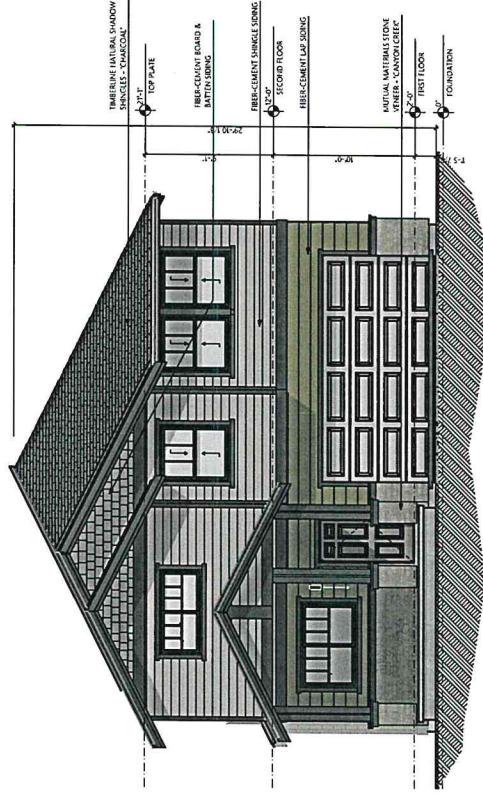
4 WEST ELEVATION
SCALE: 1/8" = 1'-0"

3 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

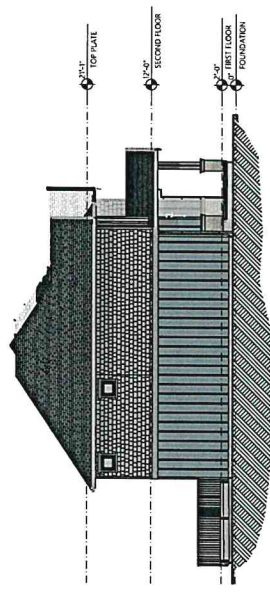
2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



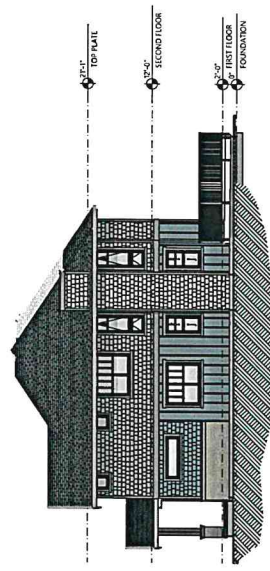
Perspective - SE View



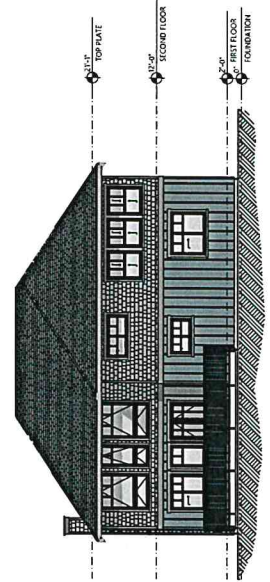
1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



3 SOUTH ELEVATION
SCALE 1/8" = 1'-0"



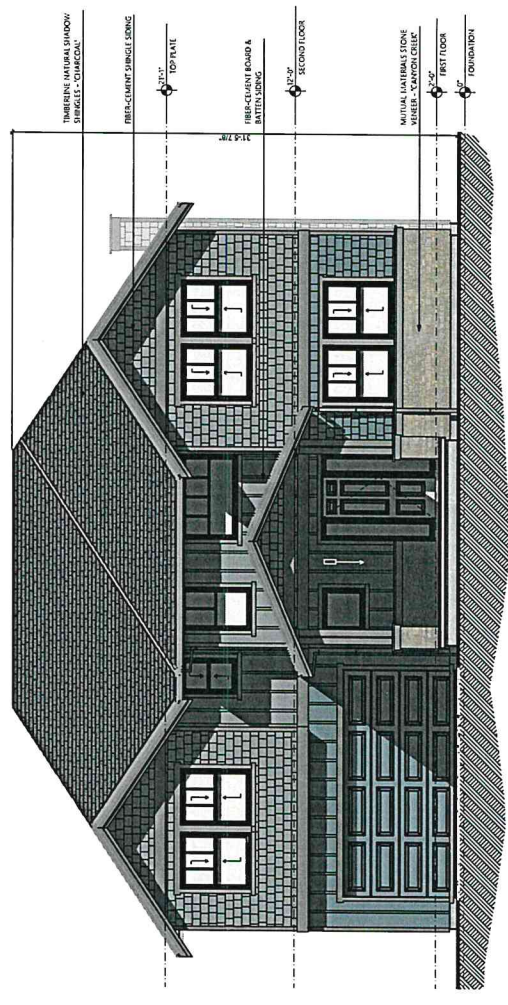
4 WEST ELEVATION
SCALE 1/8" = 1'-0"



2 EAST ELEVATION
SCALE 1/8" = 1'-0"



Perspective - SE View



1 NORTH ELEVATION
SCALE 1/8" = 1'-0"

MILBRANDT
ARCHITECTS

25 Central Way, Suite 210 Kirkland, WA 98033 • 425.454.7130 • WWW.MILBRANDTARCH.COM

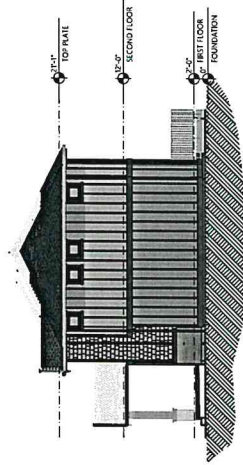
CDA Waterfront Site
Couer d'Alene, Idaho

Blue Fern
Development, LLC

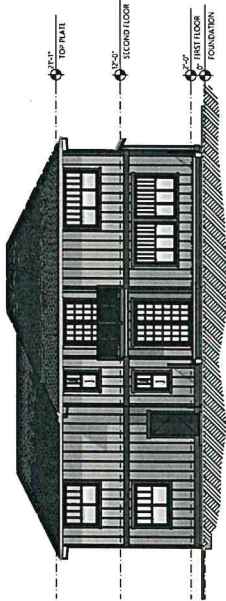
PRESENTATION DRAWINGS
LOT 3 ELEVATIONS

Date: 12-21-2023
Drawn By: A/C
Job No.: 23-315

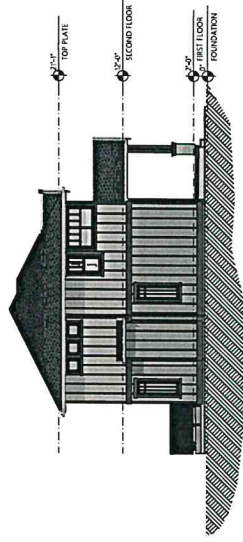
E-3
Sheet No.



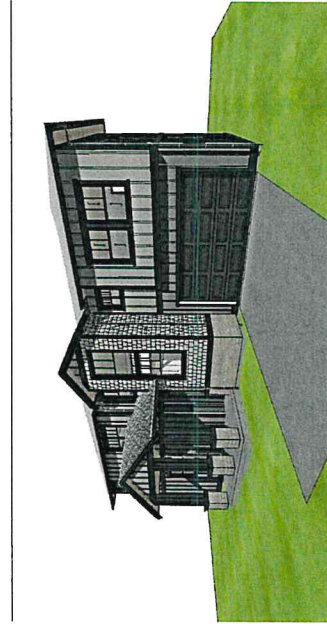
4 WEST ELEVATION
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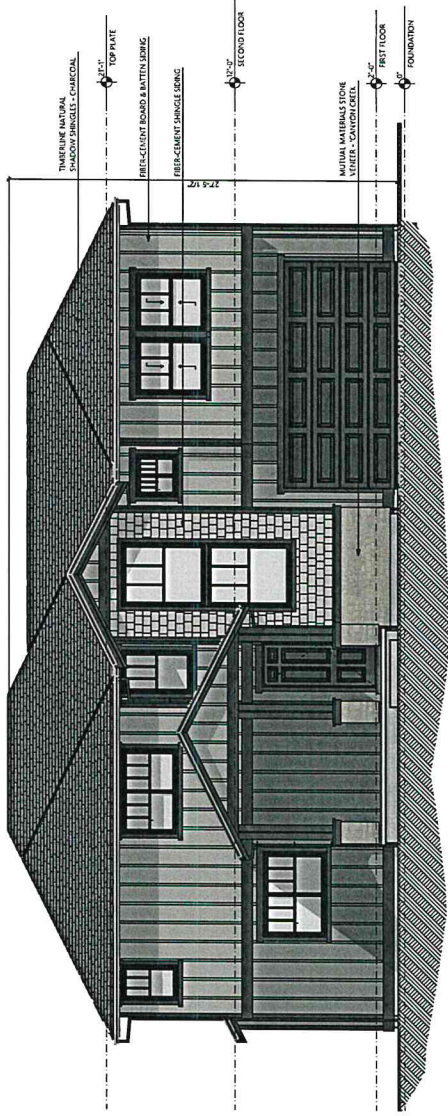
3 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



Perspective - SE View



1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

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Rivers

Edge

HOA

Approval

Letter



The Rivers Edge HOA grants approval of Blue Fern Development's plan to move the gate pedestal directly east and in front of its current location. This will place the western end of the pedestal 14' east of its current location. The pedestal will also be reduced in width by 2'. Blue Fern Development will be responsible for all costs associated with the relocation of the pedestal.

A handwritten signature in blue ink, appearing to read "Stephen Prince", is written over a horizontal line.

X

Stephen Prince
Rivers Edge HOA President

X

Date

2/27/2024



The Rivers Edge HOA grants permission for the future development of the Grandmill Waterfront Homes, located on parcel C6112006003A, to allow the Couer d'Alene Fire Department access via the private portion of West Shoreview Lane for use as a fire turnaround. This portion of private road will only be used for emergency access and will not be accessible by the residents of the Grandmill Waterfront Homes.

X

Stephen Prince
Rivers Edge HOA President

X

2/22/24

Date

From: [Stephen Prince](#)
To: [Anna Drumheller](#)
Cc: [Samantha Ruby](#); [Michelle Branley](#)
Subject: Re: Grandmill Waterfront - Meeting Minutes
Date: Wednesday, March 13, 2024 5:46:17 PM

Anna,

I am remiss in not getting my minutes typed in that we had a Quarterly Board Meeting of Riversedge on January 25 with all Board Members present and voted to approve the fire/access/turnaround. It was Unanimous

We didnt receive the request for pedestal relocation until much later - and this was an email vote with 2 voting for and one abstaining.

Thanks,

Stephen Prince
stephen_r_prince@me.com
509-954-8458

On Mar 13, 2024, at 1:14 PM, Anna Drumheller <anna@bluefern.com> wrote:

Thanks Samantha! Do either of you have minutes for the pedestal relocation and fire access/turnaround approval that occurred separately from the approval of the homes?

Anna Drumheller
Entitlements Manager

[<image001.png>](#)
18300 Redmond Way Suite 120
Redmond, WA 98052
434.944.4996 (cell)
www.bluefern.com

From: Samantha Ruby <samantha@nwcommunities.net>
Sent: Wednesday, March 13, 2024 1:03 PM
To: Anna Drumheller <anna@bluefern.com>
Cc: Stephen Prince <stephen_r_prince@me.com>
Subject: Re: Grandmill Waterfront - Meeting Minutes

Hello Anna,

Attached are the January 18th meeting minutes reflecting the approval of the single-family homes. Please let me know if you have any questions and if any other documents are needed.

Samantha Ruby, CMCA
Community Manager
CEO of Northwest Communities



Northwest Communities

3201 N Huetter Rd Suite 103 | Coeur d'Alene, ID 83814

P.O. Box 2612 | Hayden, ID 83835

Office Phone: (208) 518-1131 ext. 3

www.northwestcommunities.info

On Wed, Mar 13, 2024 at 10:12 AM Anna Drumheller <anna@bluefern.com> wrote:

Hi Stephen and Samantha,
I hope this email finds you well! The City planner has requested that we submit the meeting minutes where approval for the fire turnaround access and pedestal relocation was discussed. If this is on file, would you mind sending them to me when you have a chance? Thanks so much!

Anna Drumheller
Entitlements Manager

[<image001.png>](#)

18300 Redmond Way Suite 120

Redmond, WA 98052

434.944.4996 (cell)

www.bluefern.com

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Comp Plan Goals & Objectives

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COMPREHENSIVE PLAN GOALS AND OBJECTIVES

Community & Identity

- Goal CI 1**
Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.
 - OBJECTIVE CI 1.1**
Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

- Goal CI 2**
Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.
 - OBJECTIVE CI 2.1**
Maintain the community's friendly, welcoming atmosphere and its smalltown feel.
 - OBJECTIVE CI 2.2**
Support programs that preserve historical collections, key community features, cultural heritage, and traditions.

- Goal CI 3**
Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.
 - OBJECTIVE CI 3.1**
Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

- Goal CI 4**
Coeur d'Alene is a community that works to support cultural awareness, diversity and inclusiveness.
 - OBJECTIVE CI 4.1**
Recognize cultural and economic connections to the Coeur d'Alene Tribe, acknowledging that this area is their ancestral homeland.
 - OBJECTIVE CI 4.2**
Create an environment that supports and embraces diversity in arts, culture, food, and self-expression.
 - OBJECTIVE CI 4.3**
Promote human rights, civil rights, respect, and dignity for all in Coeur d'Alene.

Education & Learning

- Goal EL 3**
Provide an educational environment that provides open access to resources for all people.
 - OBJECTIVE EL 3.2**
Provide abundant opportunities for and access to lifelong learning, fostering mastery of new skills, academic enrichment, mentoring programs, and personal growth.
 - OBJECTIVE EL 3.3**
Support educators in developing and maintaining high standards to attract, recruit, and retain enthusiastic, talented, and caring teachers and staff.



Goal EL 4

Support partnerships and collaborations focused on quality education and enhanced funding opportunities for school facilities and operations.



OBJECTIVE EL 4.1

Collaborate with the school district (SD 271) to help identify future locations for new or expanded school facilities and funding mechanisms as development occurs to meet Coeur d'Alene's growing population.



OBJECTIVE EL 4.2

Enhance partnerships among local higher education institutions and vocational schools, offering an expanded number of degrees and increased diversity in graduate level education options with combined campus, classroom, research, and scholarship resources that meet the changing needs of the region.

Environment & Recreation



Goal ER 1

Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.



OBJECTIVE ER 1.1

Manage shoreline development to address stormwater management and improve water quality.



OBJECTIVE ER 1.2

Improve the water quality of Coeur d'Alene Lake and Spokane River by reducing the use of fertilizers, pesticides, herbicides, and managing aquatic invasive plant and fish species.



OBJECTIVE ER 1.3

Enhance and improve lake and river habitat and riparian zones, while maintaining waterways and shorelines that are distinctive features of the community.



OBJECTIVE ER 1.4

Reduce water consumption for landscaping throughout the city.



Goal ER 2

Provide diverse recreation options.



OBJECTIVE ER 2.2

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.



OBJECTIVE ER 2.3

Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.



Goal ER 3

Protect and improve the urban forest while maintaining defensible spaces that reduces the potential for forest fire.



OBJECTIVE ER 3.1

Preserve and expand the number of street trees within city rights-of-way.



OBJECTIVE ER 3.2

Protect and enhance the urban forest, including wooded areas, street trees, and "heritage" trees that beautify neighborhoods and integrate nature with the city.



OBJECTIVE ER 3.3

Minimize the risk of fire in wooded areas that also include, or may include residential uses.



OBJECTIVE ER 3.4

Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

- Goal ER 4**
Reduce the environmental impact of Coeur d’Alene.
 - OBJECTIVE ER 4.1**
Minimize potential pollution problems such as air, land, water, or hazardous materials.
 - OBJECTIVE ER 4.2**
Improve the existing compost and recycling program.

Growth & Development

- Goal GD 1**
Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d’Alene a great place to live.
 - OBJECTIVE GD 1.1**
Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.
 - OBJECTIVE GD 1.3**
Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.
 - OBJECTIVE GD 1.4**
Increase pedestrian walkability and access within commercial development.
 - OBJECTIVE GD 1.5**
Recognize neighborhood and district identities.
 - OBJECTIVE GD 1.6**
Revitalize existing and create new business districts to promote opportunities for jobs, services, and housing, and ensure maximum economic development potential throughout the community.
 - OBJECTIVE GD 1.7**
Increase physical and visual access to the lakes and rivers.
 - OBJECTIVE GD 1.8**
Support and expand community urban farming opportunities.

- Goal GD 2**
Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.
 - OBJECTIVE GD 2.1**
Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.
 - OBJECTIVE GD 2.2**
Ensure that City and technology services meet the needs of the community.

- Goal GD 3**
Support the development of a multimodal transportation system for all users.
 - OBJECTIVE GD 3.1**
Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.
 - OBJECTIVE GD 3.2**
Provide an accessible, safe, efficient multimodal public transportation system including bus stop amenities designed to maximize the user experience.

- Goal GD 4**
Protect the visual and historic qualities of Coeur d’Alene
 - OBJECTIVE GD 4.1**
Encourage the protection of historic buildings and sites.

- Goal GD 5**
Implement principles of environmental design in planning projects.

- OBJECTIVE GD 5.1**
Minimize glare, light trespass, and skyglow from outdoor lighting.

Health & Safety

- Goal HS 1**
Support social, mental, and physical health in Coeur d’Alene and the greater region.

- OBJECTIVE HS 1.1**
Provide safe programs and facilities for the community’s youth to gather, connect, and take part in healthy social activities and youth-centered endeavors.

- OBJECTIVE HS 1.2**
Expand services for the city’s aging population and other at-risk groups that provide access to education, promote healthy lifestyles, and offer programs that improve quality of life.

- OBJECTIVE HS 1.3**
Increase access and awareness to education and prevention programs, and recreational activities.

- Goal HS 3**
Continue to provide exceptional police, fire, and emergency services.

- OBJECTIVE HS 3.2**
Enhance regional cooperation to provide fast, reliable emergency services.

- OBJECTIVE HS 3.3**
Collaborate with partners to increase one on one services.

Jobs & Economy

- Goal JE 1**
Retain, grow, and attract businesses

- OBJECTIVE JE 1.1**
Actively engage with community partners in economic development efforts.

- OBJECTIVE JE 1.2**
Foster a pro-business culture that supports economic growth.

- Goal JE 3**
Enhance the Startup Ecosystem

- OBJECTIVE JE 3.1**
Convene a startup working group of business leaders, workforce providers, and economic development professionals and to define needs.

- OBJECTIVE JE 3.2**
Develop public-private partnerships to develop the types of office space and amenities desired by startups.

- OBJECTIVE JE 3.3**
Promote access to the outdoors for workers and workers who telecommute.

- OBJECTIVE JE 3.4**
Expand partnerships with North Idaho College, such as opportunities to use the community maker space and rapid prototyping (North Idaho College Venture Center and Gizmo) facilities.



PUBLIC COMMENTS



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From: Polak, Chad M
To: [CLARK, TRACI](#)
Subject: FW: THERE WILL BE 3 PUBLIC NOTICES FOR THE P&Z MEETING ON JUNE 11, 2024
Date: Tuesday, May 28, 2024 8:18:49 AM
Attachments: [image001.png](#)
[PUD-2-24 public notice 6-11-24.pdf](#)
[SP-2-24 public notice 6-11-24 final.pdf](#)
[PUD-4-04m.3 & S-3-24 public notice 6-11-24.pdf](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning Traci,

I have reviewed the attached 3 projects and based on the locations, there is no impact to the YPL ROW or pipeline and we do not have any questions/comments.

Sincerely,

Chad M. Polak
Agent, Real Estate Services
O: (+1) 303.376.4363 | M: (+1) 720.245.4683
3960 East 56th Avenue | Commerce City, CO 80022
Phillips 66

From: CLARK, TRACI <TCLARK@cdaid.org>
Sent: Friday, May 24, 2024 10:50 AM
To: CLARK, TRACI <TCLARK@cdaid.org>
Subject: [EXTERNAL]THERE WILL BE 3 PUBLIC NOTICES FOR THE P&Z MEETING ON JUNE 11, 2024

This Message Is From an External Sender

[Report Suspicious](#)

This message came from outside your organization.

Greetings,

Attached is a copy of the public hearing notices for the next **Planning & Zoning** Meeting on **Tuesday June 11, 2024.**

If you have any comments, please let me know.

Traci Clark
Planning Department, City of Coeur d'Alene
Administrative Assistant

208.769-2240

From: Kim Stevenson
To: [CLARK, TRACI](#)
Subject: Item: PUD-4-04m.3 & S-3-24
Date: Wednesday, May 29, 2024 10:47:56 AM
Attachments: [image001.png](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning,

The Coeur d'Alene Airport has no comment regarding this request.

Kind Regards, Kim


COEUR D'ALENE
A I R P O R T

Kim Stevenson
Compliance Administrator
Coeur d'Alene Airport
208-446-1861

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

PUD-4-04m.3

INTRODUCTION

This matter came before the Planning and Zoning Commission on June 11, 2024, to consider PUD-4-04m.3, a modification to the approved Planned Unit Development for Mill River.

APPLICANT: Blue Fern Development

OWNER: Blue Fern Development

LOCATION: 0.7125 +/- ACRE SPOKANE RIVERFRONT PARCEL LOCATED AT THE INTERSECTION OF W. SHOREVIEW LANE AND THE TERMINUS OF N. GRANDMILL LANE

A. FINDINGS OF FACT:

The Planning and Zoning Commission finds that the following facts, A1 through A13, have been established on a more probable than not basis, as shown on the record before it and on the testimony presented at the public hearing.

A1. All public hearing notice requirements have been met for items PUD-4-04m.3 & S-3-24.

- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The Notice was published in the Coeur d'Alene Press on May 25, 2024, seventeen days prior to the hearing.
- Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on May 30, 2024, twelve days prior to the hearing.
- Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Forty-Seven (47) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on May 24, 2024.
- Notice of the public hearing must be given to any pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on May 24, 2024.

- A2. Public testimony was received at a public hearing on June 11, 2024
- A3. The subject property is vacant and is located to the south of the terminus of N. Grandmill Ln. and W. Shoreview Ln. The subject site is 0.7125 acres in area, is waterfront property along the Spokane River, subject to the shoreline ordinance and subsequent PUD modifications.
- A4. The subject site is currently zoned Commercial at seventeen (17) units per acre in an approved Planned Unit Development (C-17PUD) approved on May 11, 2004.
- A5. The Mill River PUD is a mix of commercial and residential uses.
- A6. The Comprehensive Plan Future Land Use Map designation is Planned Development Place Type. The Comprehensive Plan states that the compatible zoning for such Place Type include all zones, subject to approval by a public hearing. Planned Development places are locations that have completed the planned unit development application process. As part of that process, the city and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Large scale Planned developments often have a determined phasing and development plan and may include land uses such as housing, recreation, commercial centers, civic, and industrial parks, all within one contained development or subdivision. Building design and scale, transportation, open space, and other elements are approved through the City of Coeur d'Alene's PUD evaluation process. The requested PUD amendment consistent with the Comprehensive Plan Planned Development Place Type.
- A7. The Comprehensive Plan goals and objectives do support this PUD amendment request.

Goal CI 2

Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

OBJECTIVE CI 2.1

Maintain the community's friendly, welcoming atmosphere and its smalltown feel.

Goal ER 1

Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.

OBJECTIVE ER 1.1

Manage shoreline development to address stormwater management and improve water quality.

Goal ER 2

Provide diverse recreation options.

OBJECTIVE ER 2.2

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

OBJECTIVE ER 2.3

Encourage and maintain public access to mountains, natural areas, parks, and trails that are **easily accessible by walking and biking.**

Goal GD 1

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

OBJECTIVE GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

OBJECTIVE GD 1.3

Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.

OBJECTIVE GD 1.4

Increase pedestrian walkability and access within commercial development.

OBJECTIVE GD 1.5

Recognize neighborhood and district identities.

OBJECTIVE GD 1.7

Increase physical and visual access to the lakes and rivers.

Goal GD 2

Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

OBJECTIVE GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Goal GD 3

Support the development of a multimodal transportation system for all users.

OBJECTIVE GD 3.1

Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.

Goal GD 4

Protect the visual and historic qualities of Coeur d'Alene

Goal JE 1

Retain, grow, and attract businesses

OBJECTIVE JE 1.2

Foster a pro-business culture that supports economic growth.

(The commission should remove or add other goals and objectives here as it finds applicable. The Comp Plan goals and objectives are also included in their entirety as an attachment to the staff report.)

- A8.** The requested deviations as part of this PUD amendment request include: 1) Moving the pedestrian sidewalk along W. Shoreview Ln from its current location to instead be adjacent to the road section (curb); 2) The new sidewalk will be a minimum of 6' in width, as reviewed by the City Engineer. 3) Build ground level decks, paths and docks at the rear of the homes within the Shoreline setback/waterway, as requested; 4) Allowing for roof eaves to encroach up to 24" into the shoreline setback; and to fence and gate Tract "A" for access to the private recreational area and dock. The proposal would result in four single-family residential lots and 1 lot for a private recreational area with docks. The project would utilize Shoreview Lane for access. The applicant has worked with the Mill River Master Association and the Shoreview Lane properties on the design of the homes, relocating the gate pedestal and Fire Department access. The City departments have provided conditions to address compliance with City Code.
- A9.** The natural features of the site and adjoining properties would not be negatively impacted by the requested PUD amendment.
- A10.** The requested modifications to the Mill River PUD would not impact the City's ability to serve the project with facilities and services. All departments have indicated the ability to serve the project and no additional conditions have been added with this amendment.

- A11.** The PUD amendment would not reduce the total open space area. The Mill River neighborhood still meets the required 10% open space requirement.
- A12.** The project would provide parking sufficient for users of the development. The PUD amendment does not include a reduction in the parking required for the single-family use.
- A13.** The proposed project falls within the Mill River PUD, which is governed by the Mill River Property Owners Association. Existing common areas within the larger Mill River neighborhood will continue to be maintained by the Mill River Property Owners Association in accordance with the existing governance documents. The four homes within this proposed project will be subject to the existing Mill River CC&Rs, Bylaws, HOA fees and any applicable assessments. Additionally, this project will include a sub-Home Owners Association that will be responsible for maintaining the private recreation area in perpetuity.

(The commission should add other facts here which it finds are relevant to its decision.)

B. CONCLUSIONS OF LAW:

Based on the foregoing Findings of Fact, the Planning and Zoning Commission makes the following Conclusions of Law.

- B1. This proposal **(is) (is not)** in conformance with the Comprehensive Plan Goals, Objectives, and Future Land Use Map Place Type.
- B2. The design and planning of the site **(is) (is not)** compatible with the location, setting and existing uses on adjacent properties.
- B3. The proposal **(is) (is not)** compatible with natural features of the site and adjoining properties.
- B4. The location, design, and size of the proposal are such that the development **(will) (will not)** be adequately served by existing public facilities and services.
- B5. The proposal **(does) (does not)** provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.
- B6. Off-street parking **(does) (does not)** provide parking sufficient for users of the development.
- B7. That the proposal **(does) (does not)** provide for an acceptable method for the perpetual maintenance of all common property.

C. **DECISION**

The Planning and Zoning Commission, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the requested PUD amendment does comply with the required evaluation criteria **(with conditions) (without conditions)**, and the Planned Unit Development Amendment should be **(approved) (approved with conditions) (denied) (denied without prejudice)**.

Recommended conditions include:

1. The proposed project falls within the Mill River PUD, which is governed by the Mill River Property Owners Association. Existing common areas within the larger Mill River neighborhood will continue to be maintained by the Mill River Property Owners Association in accordance with the existing governance documents. The four homes within this proposed project will be subject to the existing Mill River CC&Rs, Bylaws, HOA fees and any applicable assessments.
2. The gate and fencing, per the applicant's request, is only for the for the private recreational parcel. The relocated sidewalk shall remain open to the public.
3. Existing pedestrian ramps shall be realigned to the proposed W. Shoreview Lane crossing and reconstructed to ADA requirements.
4. Street cuts must be combined and extended to the full street width to follow the current Pavement Cut Policy.
5. Sidewalk shall be 6'-wide if curb-adjacent.
6. Flood Hazard Development Permits are required for any building construction on the proposed lots.
7. No mechanical equipment is allowed within the flood plain.
8. Street trees can be approved for removal to accommodate sidewalk installation, once all questions and concerns from Engineering have been addressed through final design plans. New street trees will be required.
9. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
10. Any additional services will have cap fees due at building permitting.
11. One lateral extension will be needed for each lot, based on Policy #716, ONE PARCEL, ONE SEWER LATERAL.
12. In addition to standard CAP fees, a Mill River surcharge fee of \$450 per SFD will need to be paid for future pump station upgrades all at time of building permit.
13. Cap any unused sewer lateral(s) at the public main.
14. With moving the gate controls, FD will require the Knox Keyway (3200 Series) at the entrance gate for Fire Department Access for W. Shoreview Ln.

The commission may include additional conditions.

Motion by commissioner , seconded by commissioner , to adopt the foregoing Findings and Order and (approve) (approve with conditions) (deny) (deny without prejudice) the request.

ROLL CALL:

COMMISSION MEMBER INGALLS	Voted (Aye) (Nay)
COMMISSION MEMBER LUTTROP	Voted (Aye) (Nay)
COMMISSION MEMBER WARD	Voted (Aye) (Nay)
COMMISSION MEMBER FLEMING	Voted (Aye) (Nay)
COMMISSION MEMBER MCCRACKEN	Voted (Aye) (Nay)
COMMISSION MEMBER COPPESS	Voted (Aye) (Nay)
CHAIRMAN MESSINA	Voted (Aye) (Nay)

Motion to (approve)(approve with conditions)(deny)(deny without prejudice) carried by a to vote.

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

S-3-24

INTRODUCTION

This matter came before the Planning and Zoning Commission on June 11, 2024, to consider S-3-24 a request for a replat of Mill River 1st Addition to four residential lots and one private recreational tract.

APPLICANT: Blue Fern Development

OWNER: Blue Fern Development

LOCATION: 0.7125 +/- ACRE SPOKANE RIVERFRONT PARCEL LOCATED AT THE INTERSECTION OF W. SHOREVIEW LANE AND THE TERMINUS OF N. GRANDMILL LANE

A. FINDINGS OF FACT:

The Planning and Zoning Commission finds that the following facts, A1 through A5 and A14 through A18, have been established on a more probable than not basis, as shown on the record before it and on the testimony presented at the public hearing.

- A1.** All public hearing notice requirements have been met for items PUD-4-04m.3 & S-3-24.
- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The Notice was published in the Coeur d'Alene Press on May 25, 2024, seventeen days prior to the hearing.
 - Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on May 30, 2024, twelve days prior to the hearing.
 - Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Forty-Seven (47) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on May 24, 2024.
 - Notice of the public hearing must be given to any pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on May 24, 2024.

- A2. Public testimony was received at a public hearing on June 11, 2024
- A3. The subject property is vacant and is located to the south of the terminus of N. Grandmill Ln. and W. Shoreview Ln. The subject site is 0.7125 acres in area, is waterfront property along the Spokane River, subject to the shoreline ordinance and subsequent PUD modifications.
- A4. The subject site is currently zoned Commercial at seventeen (17) units per acre in an approved Planned Unit Development (C-17PUD) approved on May 11, 2004.
- A5. The Mill River PUD is a mix of commercial and residential uses.

Note Facts A6 through 13 from the staff report apply to the associated Planned Unit Development Amendment request and do not apply to the Subdivision Findings and Order.

- A14. The City Engineer has attested that the preliminary formal plat submitted contains all of the elements required by the Municipal Code. The applicant has not requested deviations to the Subdivision Code that haven't already been approved as part of prior approvals.
- A15. City departments have reviewed the preliminary formal plat for potential impact on public facilities and utilities and have determined that conditions are required to bring the plat into full compliance with code requirements and performance standards. All departments have indicated the ability to serve the project with the additional conditions.
- A16. The City Engineer has vetted the preliminary plat for compliance with both subdivision design standards (chapter 16.15) and improvement standards (chapter 16.40).
- A17. The proposed subdivision meets all subdivision design standards for the C-17 zoning district. The project meets the density allowed in the C-17 zoning district.
- A18. City staff has proposed fourteen (14) conditions for the preliminary plat to ensure compliance with City Code and performance standards

(The commission should add other facts here which it finds are relevant to its decision.)

B. CONCLUSIONS OF LAW:

Based on the foregoing Findings of Fact, the Planning and Zoning Commission makes the following Conclusions of Law.

- B1. That all of the general preliminary plat requirements **(have) (have not)** been met as attested by the City Engineer.
- B2. That the provisions for sidewalks, streets, alleys, rights-of- way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities **(are) (are not)** adequate.
- B3. That the proposed preliminary plat **(does) (does not)** comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.

- B4. The lots proposed in the proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district.

C. DECISION

The Planning and Zoning Commission, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the requested replat of Mill River 1st Addition **(does) (does not)** comply with the required evaluation criteria **(with conditions) (without conditions)**, and the request should be **(approved) (approved with conditions) (denied) (denied without prejudice)**.

Recommended conditions include:

1. The proposed project falls within the Mill River PUD, which is governed by the Mill River Property Owners Association. Existing common areas within the larger Mill River neighborhood will continue to be maintained by the Mill River Property Owners Association in accordance with the existing governance documents. The four homes within this proposed project will be subject to the existing Mill River CC&Rs, Bylaws, HOA fees and any applicable assessments.
2. The gate and fencing, per the applicant's request, is only for the for the private recreational parcel. The relocated sidewalk shall remain open to the public.
3. Existing pedestrian ramps shall be realigned to the proposed W. Shoreview Lane crossing and reconstructed to ADA requirements.
4. Street cuts must be combined and extended to the full street width to follow the current Pavement Cut Policy.
5. Sidewalk shall be 6'-wide if curb-adjacent.
6. Flood Hazard Development Permits are required for any building construction on the proposed lots.
7. No mechanical equipment is allowed within the flood plain.
8. Street trees can be approved for removal to accommodate sidewalk installation, once all questions and concerns from Engineering have been addressed through final design plans. New street trees will be required.
9. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
10. Any additional services will have cap fees due at building permitting.
11. One lateral extension will be needed for each lot, based on Policy #716, ONE PARCEL, ONE SEWER LATERAL.
12. In addition to standard CAP fees, a Mill River surcharge fee of \$450 per SFD will need to be paid for future pump station upgrades all at time of building permit.
13. Cap any unused sewer lateral(s) at the public main.
14. With moving the gate controls, FD will require the Knox Keyway (3200 Series) at the entrance gate for Fire Department Access for W. Shoreview Ln.


The commission may include additional conditions.

Motion by commissioner , seconded by commissioner , to adopt the foregoing Findings and Order and (approve) (approve with conditions) (deny) (deny without prejudice) the request.


ROLL CALL:

COMMISSION MEMBER INGALLS	Voted (Aye) (Nay)
COMMISSION MEMBER LUTTROP	Voted (Aye) (Nay)
COMMISSION MEMBER WARD	Voted (Aye) (Nay)
COMMISSION MEMBER FLEMING	Voted (Aye) (Nay)
COMMISSION MEMBER MCCRACKEN	Voted (Aye) (Nay)
COMMISSION MEMBER COPPESS	Voted (Aye) (Nay)
CHAIRMAN MESSINA	Voted (Aye) (Nay)

Motion to (approve)(approve with conditions)(deny)(deny without prejudice) carried by a to vote.



STAFF REPORT



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**PLANNING AND ZONING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, ASSOCIATE PLANNER

DATE: JUNE 11, 2024

SUBJECT: PUD-2-24: AMENDMENT OF THE LAKE VILLA PLANNED UNIT DEVELOPMENT (PUD)

LOCATION: 2501 E SHERMAN AVENUE (LAKE VILLA APARTMENTS)

APPLICANT: Summit Holdings, LLC 2501 E Sherman Avenue Coeur d’Alene, ID 83816	ENGINEER: Van Houten Consulting and Design, LLC 401 E Sherman Ave, Suite #208 Coeur d’Alene, ID 83815
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DECISION POINT:

Should the Planning and Zoning Commission approve a requested amendment to the Lake Villa Planned Unit Development (PUD) project to build two additional apartment buildings, creating 21 additional units within the apartment complex with the following modifications?

Principal Buildings: Apartments

- Front Setback of 14’ rather than 20’ as required – existing structures
- Side Interior Setback of 10’ - No modification requested
- Side Street Setback of 5’ rather than 20’ as required – existing and proposed structure
- Rear Setback of 20’ - No modification requested

Accessory Buildings: Carports and Garages

- Front Setback of 20’ - No modification requested
- Side Interior Setback of 2’ rather than 5’ as required – existing structures
- Side Street Setback of 2’ rather than 20’ as required – existing structures
- Rear Setback of 5’ - No modification requested

BACKGROUND INFORMATION:

The subject property is known as the Lake Villa Apartments and is located at the far east end of Sherman Avenue. The subject site consists of 18 acres and has vehicle access of off of N. Lilac Lane, E. Sherman Avenue, N. Fernan Lake Road, and E. Fernan Terrace Drive.

The subject property was annexed into the city in two phases in the following two items, A-6-76 and A-1-78, in 1976 and 1978 respectively. As part of the annexation requests the site was approved for a multi-family planned unit development (PUD). The setbacks noted above in the request already exist within the project and are grandfathered in. Staff suggested that the applicant request the setbacks for formalize them for the PUD amendment and project buildout.

The construction of apartment complex was built according to the following timeline;

1978:	100 units
1980:	65 units
1982:	44 units
<u>1984</u> :	<u>47 units</u>
Total	256 Units = Existing Today

The applicant is now proposing to add two apartment buildings that will provide for 21 additional units bringing the grand total to 277 units.

The existing zoning of the subject site is R-17PUD. The original PUD site plan and subsequent documents allowed for a maximum of 256 units. This new PUD modification request will allow for 277 units on 18 acres, which equates to an overall density of 15.39 units per acres. The R-17 zoning district allows up to 17 units per acre.

The proposed PUD provides garage parking, carport parking, and surface parking for its residents. The minimum required parking for the proposed PUD is 461 parking spaces and the proposed PUD is providing 507 parking spaces. The proposed PUD exceeds the minimum parking requirement by 46 spaces.

The proposed PUD modification request will also bring into compliance the setbacks of some of the apartment buildings, garages, and carports that are located within the required setbacks, as noted above. The setback modification request will also allow the proposed west apartment building to be built within the R-17 street side setback. The proposed east apartment building will meet the R-17 front yard setback. The R-17 setback standards came into place after the property was annexed into the city with the R-17PUD designation.

The subject site has some significant sloping topography on the northern part of the property; however, the majority of the property is relatively flat. The significant sloping part of the property is subject to the Hillside Ordinance regulations. The two proposed apartment buildings are located outside of the hillside area of the property.

The minimum requirement for open space area to be provided in a PUD is 10%. The applicant has provided 16.6% of the total site as open space. The open space consists of a volleyball area, swimming pool, barbecue, and grassy passive recreation areas. The total overall acres of the open space provided is 2.9 acres.

The applicant has indicated in their narrative that they will commit four of the new units for affordable housing. The following is a quote from the applicant's narrative. "The rapid increase in real estate value witnessed in recent years has created a need for affordable housing within the City of Coeur d'Alene. The owners of Lake Villa Apartments recognize this need and are agreeable to assigning four of the new units as affordable to those at the 60% Area Median Income (AMI) level". (See Narrative in Attachment 1)

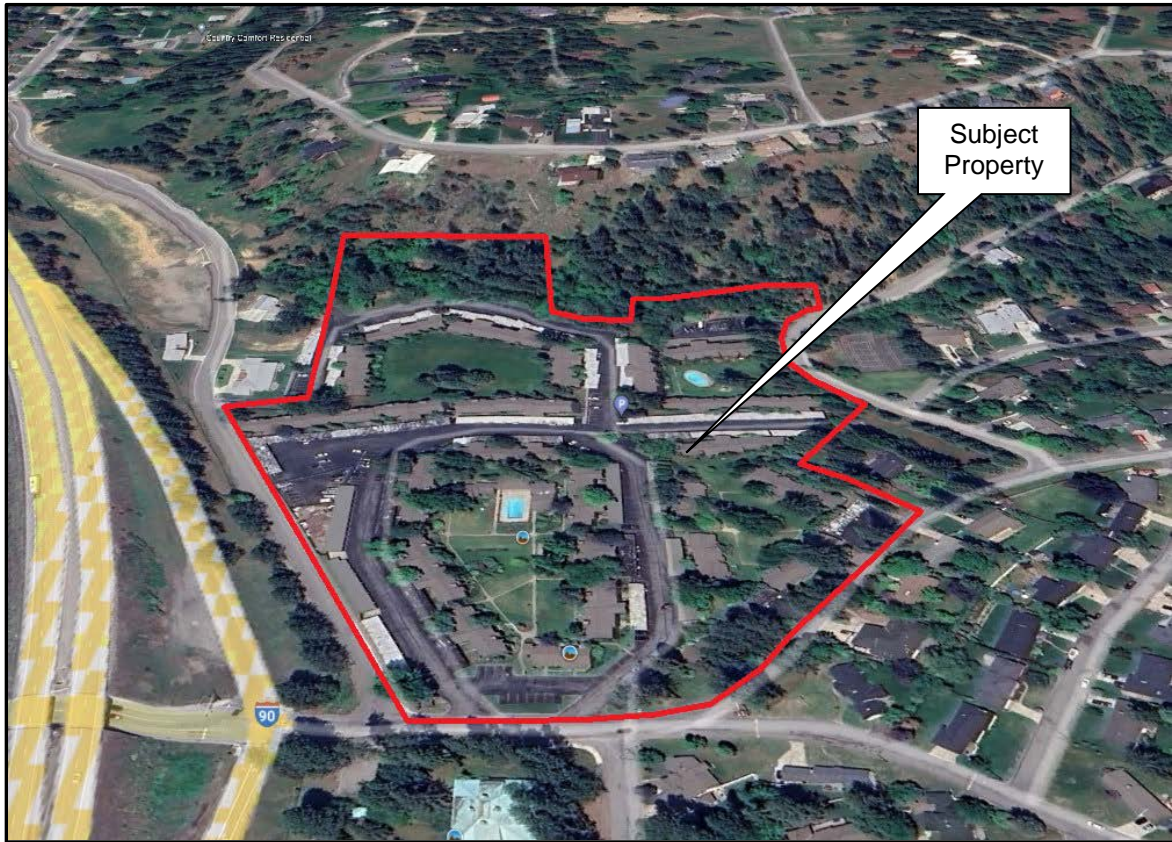
PROPERTY LOCATION MAP:



AERIAL PHOTO:



BIRDSEYE AERIAL: Looking North



SUMMARY OF FACTS:

The following facts align with the facts listed in the draft Findings and Order worksheet for the Planning and Zoning Commission's consideration. These facts can be modified and added to as part of the motion associated with the Findings and Order.

- A1.** All public hearing notice requirements have been met for item PUD-2-24.
- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The Notice was published on May 25, 2024, seventeen days prior to the hearing.
 - Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on May 31, 2024, eleven days prior to the hearing.
 - Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). seventy-eight (78) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on May 24, 2024.
 - Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts on May 24, 2024.
 - Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on May 24, 2024.
- A2.** The total area of the subject property is 18 acres and is zoned R-17PUD. The R-17PUD designation was done as part of annexation of the property in 1976 and 1978. This new PUD modification request will allow for 277 units on 18 acres, which equates to an overall density of 15.39 units per acres.
- A3.** The subject property is developed as a 256-unit multi-family apartment complex, known as the Lake Villa Apartments. The proposed PUD amendment will allow for two more apartment buildings that will add 21 additional units, bringing the grand total of the property to 277 units.
- A4.** The Comprehensive Plan Future Land Use Map designation is the Planned Development Place Type. Planned Development Place Types are locations that have completed the planned unit development application process. As part of the process, the City and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Large scaled Planned Developments often have a determined phasing and development plan and may include land uses such as housing, recreation, commercial centers, civic, and industrial parks, all within one contained development or subdivision. Building design and scale, transportation, open space, and other elements are

approved through the PUD evaluation process. The requested PUD amendment is consistent with the Comprehensive Plan Planned Development Place Type and the project. Planned Developments are allowed in all zoning districts.

- A5.** The Comprehensive Plan goals and objectives do support this PUD amendment.
- A6.** The subject property is bound by single-family homes to the north, single-family homes to the east, single-family homes and the U.S. Forest Service facility is located to the south across Sherman Avenue and Lilac Lane and Interstate 90 are located to the west. Properties in the area are zoned residential or County Ag Suburban. The Lake Villa Apartments began construction in 1978 and completed the last phase in 1984. Surrounding land uses include single-family and commercial. The PUD amendment request would be compatible with the location, setting and existing uses on adjacent properties.
- A7.** The natural features of the site and adjoining properties would not be negatively impacted by the requested PUD amendment.
- A8.** The requested modifications would not impact the City's ability to serve the project with facilities and services. All departments have indicated the ability to serve the project with the additional conditions as stated at the end of the staff report.
- A9.** The project exceeds the 10% open space requirement by providing 16% private open space areas for its users comprised of 2.99 acres of open grassy areas, two pools, a volleyball court and bar-be-queuing areas set amongst a network of pathways and landscaping.
- A10.** The project would provide parking sufficient for users of the development. The applicant is not requesting a reduction in the parking requirement for multi-family housing. The required parking for this facility is 461 parking spaces and the proposed PUD amended is providing 507 parking spaces, which equates to a surplus of 46 parking spaces.
- A11.** The applicant/owners of the property are responsible for providing perpetual maintenance of all common property.

PUD-1-22: PLANNED UNIT DEVELOPMENT FINDINGS:

17.07.230: PLANNED UNIT DEVELOPMENT REVIEW CRITERIA:

A planned unit development may be approved only if the proposal conforms to the following criteria, to the satisfaction of the commission:

REQUIRED FINDINGS (PUD):

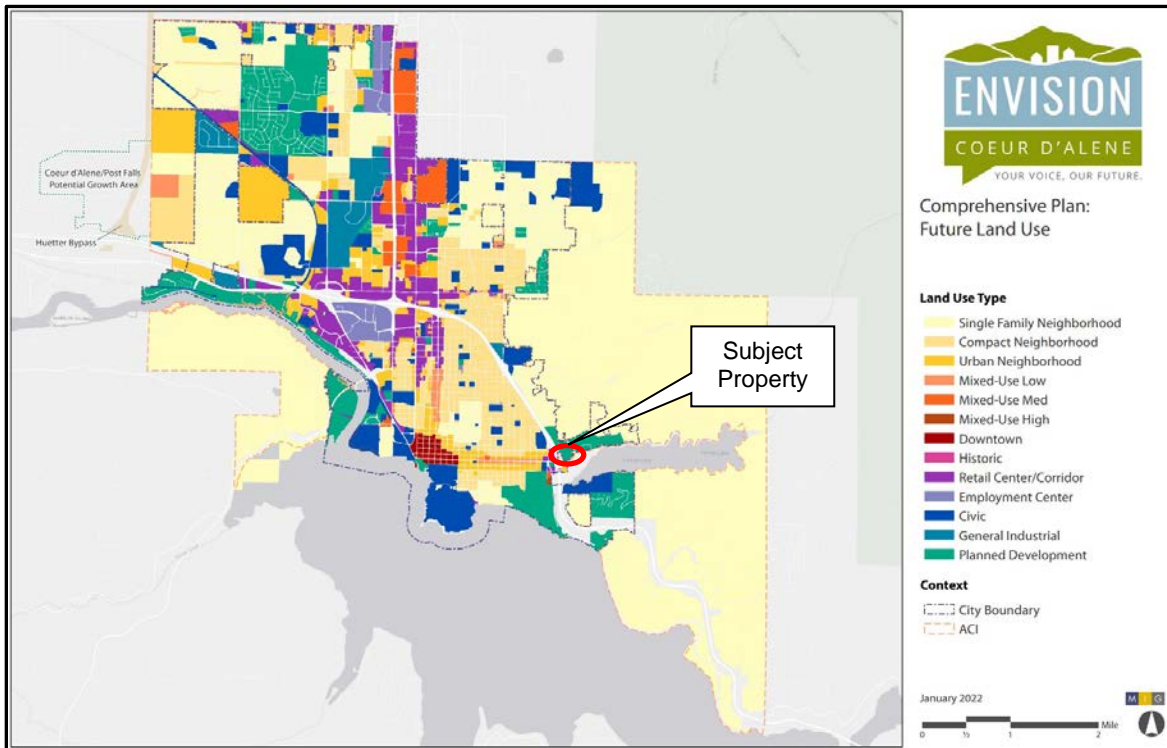
Finding B1: The proposal (is) (is not) in conformance with the Comprehensive Plan.

Use the following information as well as the attached Comprehensive Plan goals and objectives to make findings **A4** and **A5** in the attached findings worksheet.

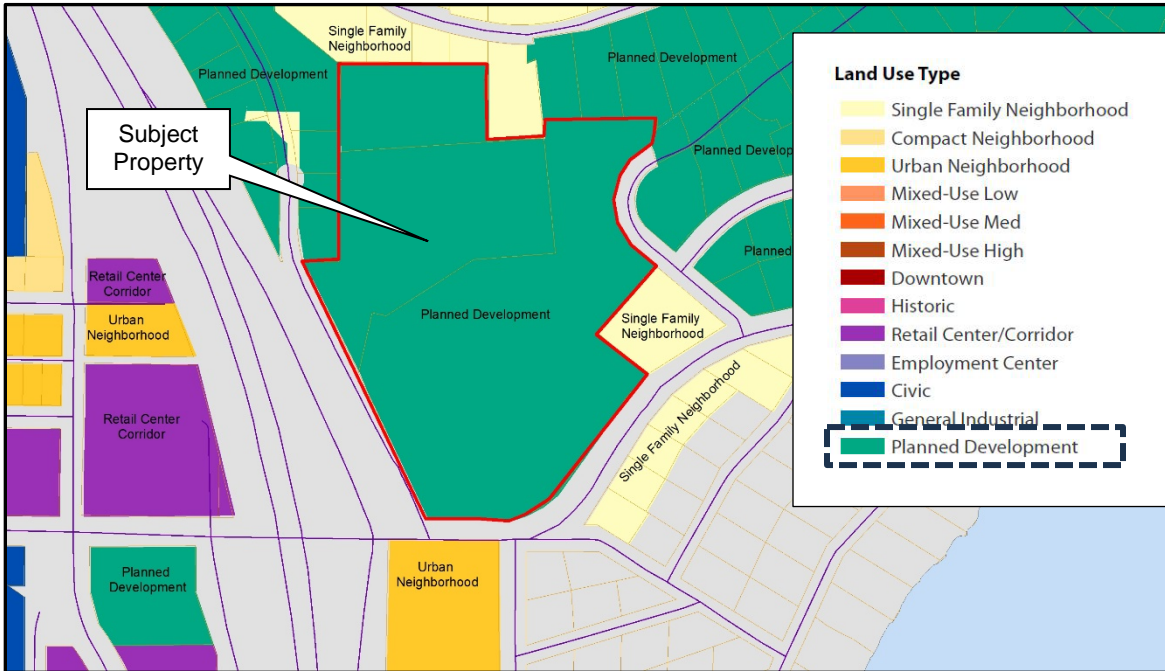
2042 COMPREHENSIVE PLAN LAND USE:

- The subject property is located within the existing city limits.
- The City's Comprehensive Plan designates this "Place Type" as: Planned Development

2042 COMPREHENSIVE PLAN LAND USE MAP:



2042 COMPREHENSIVE PLAN LAND USE MAP: Site Location



2042 Comprehensive Plan Place Types:

The Place Types in this plan represent the form of future development, as envisioned by the residents of Coeur d'Alene. These Place Types will in turn provide the policy level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

Place Type: Planned Development

Planned Development places are locations that have completed the planned unit development application process. As part of that process, the City and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Large scale Planned developments often have a determined phasing and development plan and may include land uses such as housing, recreation, commercial centers, civic, and industrial parks, all within one contained development or subdivision. Building design and scale, transportation, open space, and other elements are approved through the City of Coeur d'Alene's PUD evaluation process.

Compatible Zoning Districts within the "Planned Development" Place Type:

Not applicable. Planned Development may occur within any Place Type (1.5 acre minimum).

Planned Development



Key Characteristics

Planned Development places are locations that have completed the planned unit development application process. As part of that process the City and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Planned development also often has a determined phasing and development plan and can include land uses such as housing, recreation, commercial centers, and industrial parks, all within one contained development or subdivision. Building design and scale, and transportation, public space and other elements are determined by the City of Coeur d'Alene's PUD evaluation process.

Transportation

- Dependent on PUD approvals it large lots. Access should include pedestrian and bicycle facilities

Typical Uses

- Primary: Dependant on PUD approval agreements
- Secondary: Not applicable

Building Types

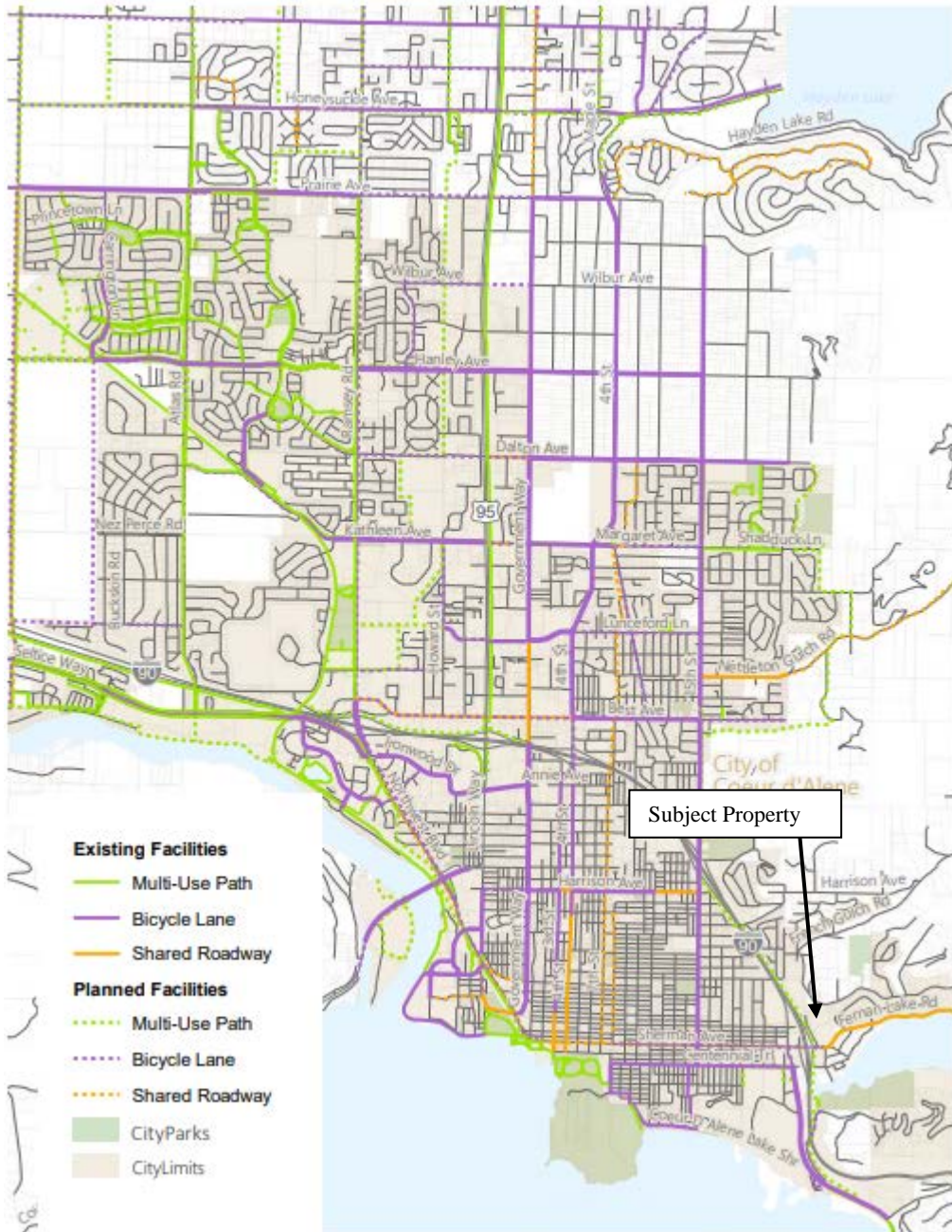
- Varies by PUD

Compatible Zoning

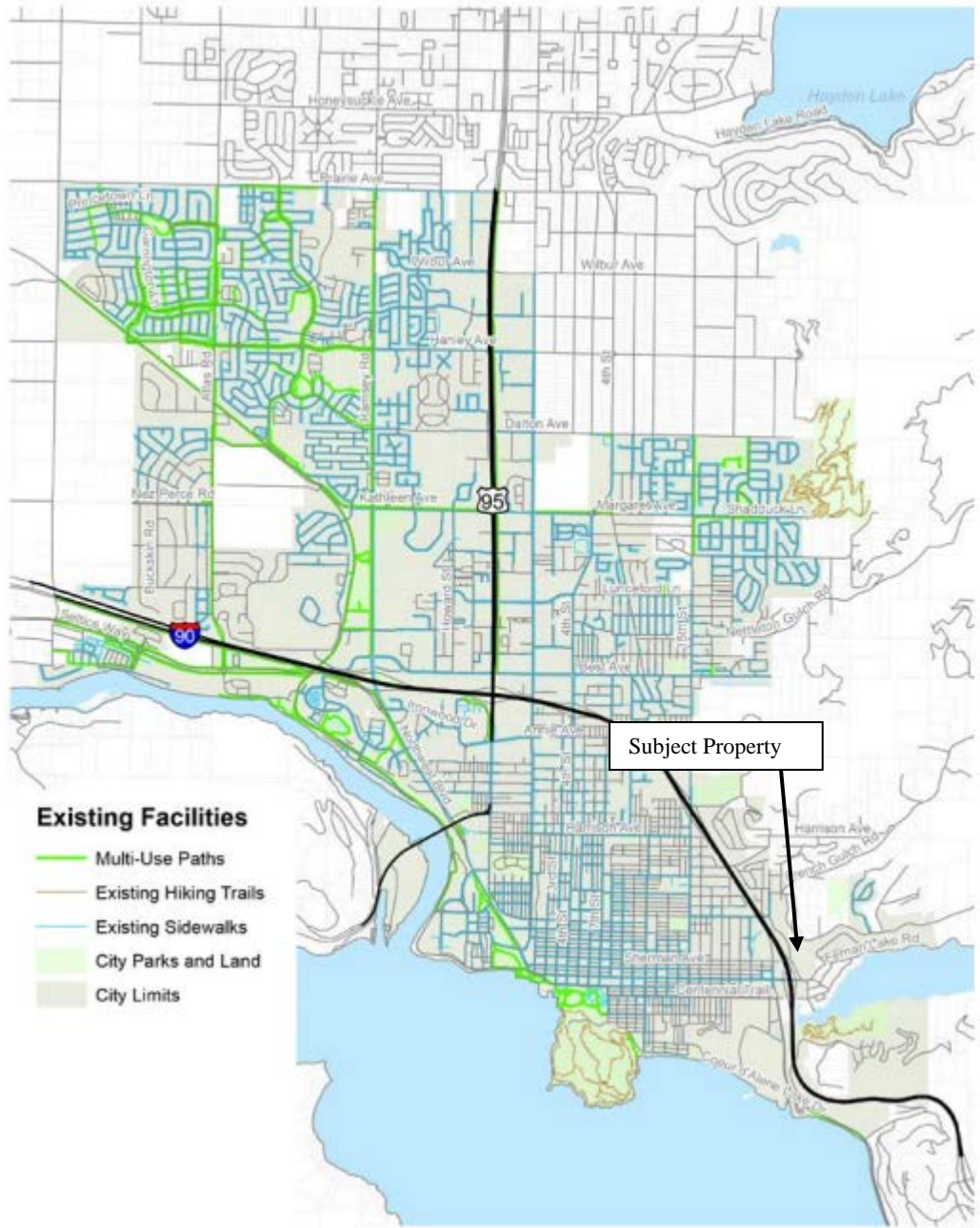
- Not applicable. Planned Development may occur within any Place Type (1.5 acre minimum).

Transportation Exhibits

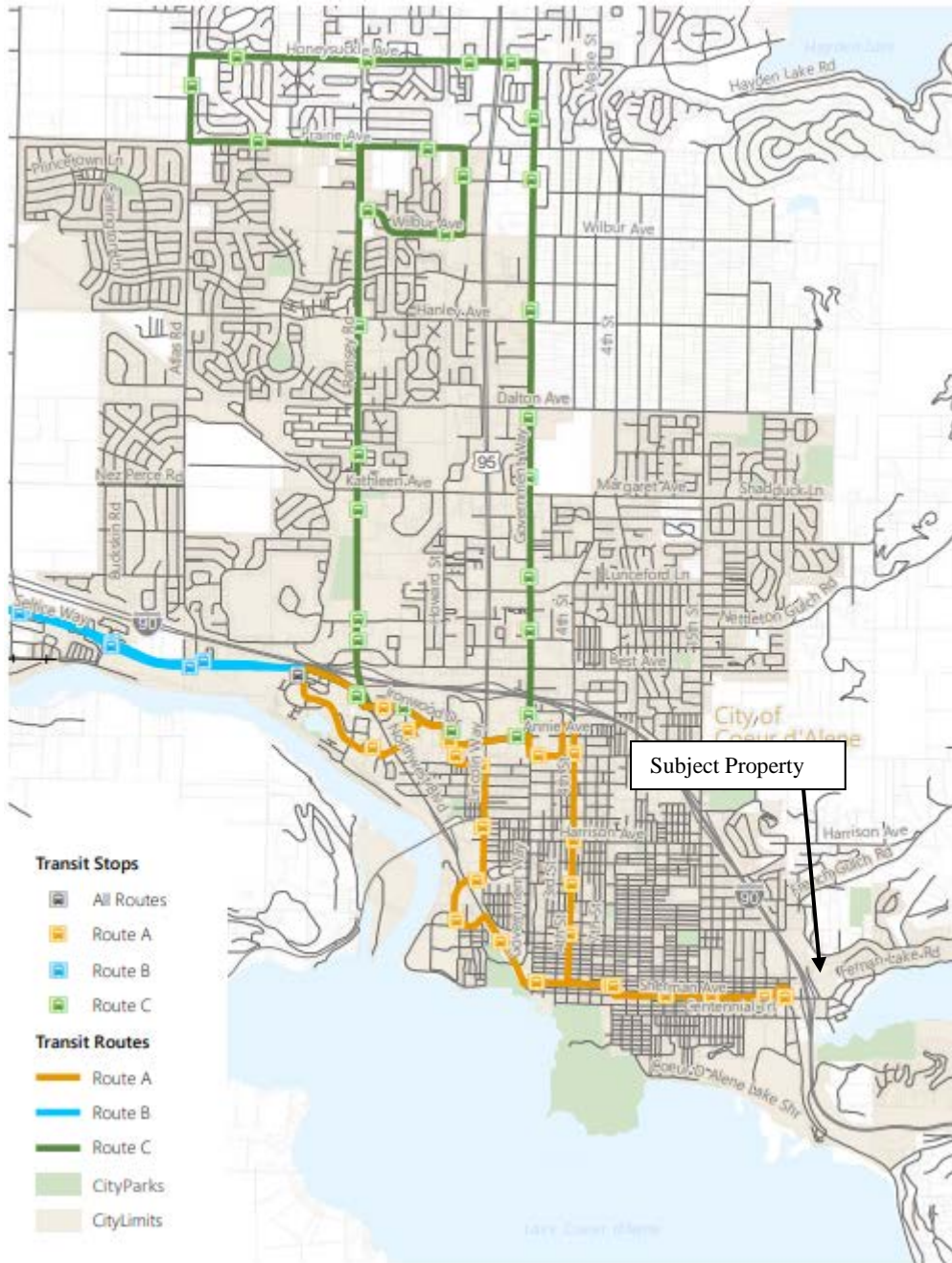
Existing and Planned Bicycle Network



Existing and Planned Walking Network



Existing Transit Network



Comprehensive Plan Policy Framework:

The following is staff's assessment of applicable goals and objectives. For a complete list of possible goals and objectives, see **Attachment 2**.

Goal CI 2

Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

OBJECTIVE CI 2.1

Maintain the community's friendly, welcoming atmosphere and its smalltown feel.

Goal ER 1

Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.

OBJECTIVE ER 1.1

Manage shoreline development to address stormwater management and improve water quality.

Goal ER 2

Provide diverse recreation options.

OBJECTIVE ER 2.2

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

OBJECTIVE ER 2.3

Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.

Goal GD 1

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

OBJECTIVE GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

OBJECTIVE GD 1.4

Increase pedestrian walkability and access within commercial development.

OBJECTIVE GD 1.5

Recognize neighborhood and district identities.

Goal GD 2

Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

OBJECTIVE GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Goal GD 3

Support the development of a multimodal transportation system for all users.

OBJECTIVE GD 3.1

Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.

Evaluation: *The Planning and Zoning 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 B2: The design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties.

Use the following information as well as testimony from the hearing to make finding A6.

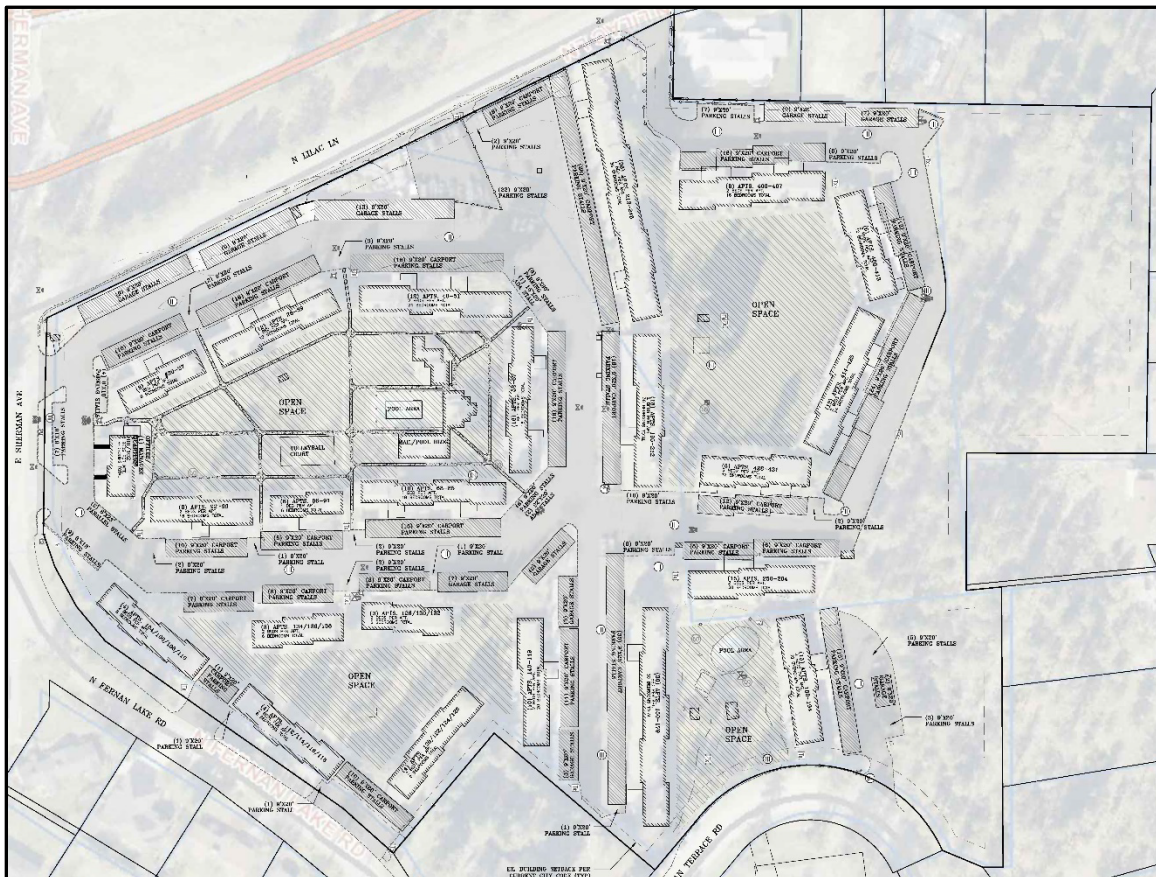
LOCATION, SETTING, AND EXISTING USES:

The subject property is bound by single-family homes to the north, single-family homes to the east, single-family homes and the US Forest Service facility is located to the south, Lilac Lane and Interstate 90 are located to the west. Surrounding land uses include single-family and commercial. The PUD amendment would be compatible with surrounding uses on adjacent properties. See Land Use Map on page 16.

The subject site is zoned R-17PUD. The property to the north of the subject site is zoned R-3, R-3PUD, and County Ag Suburban. The property to the east of the subject site is zoned R-3PUD residential and County Ag Suburban. The property to the south is zoned R-17. The properties to the west are zoned R-3PUD and R-8PUD residential. Properties to the south of Sherman Avenue are within the Village of Fernan Lake. See Zoning Map on page 17.

The proposed building sites are relatively flat and there are no topographical or other physical constraints that would make the subject property unsuitable for the proposed amendment to the planned unit development.

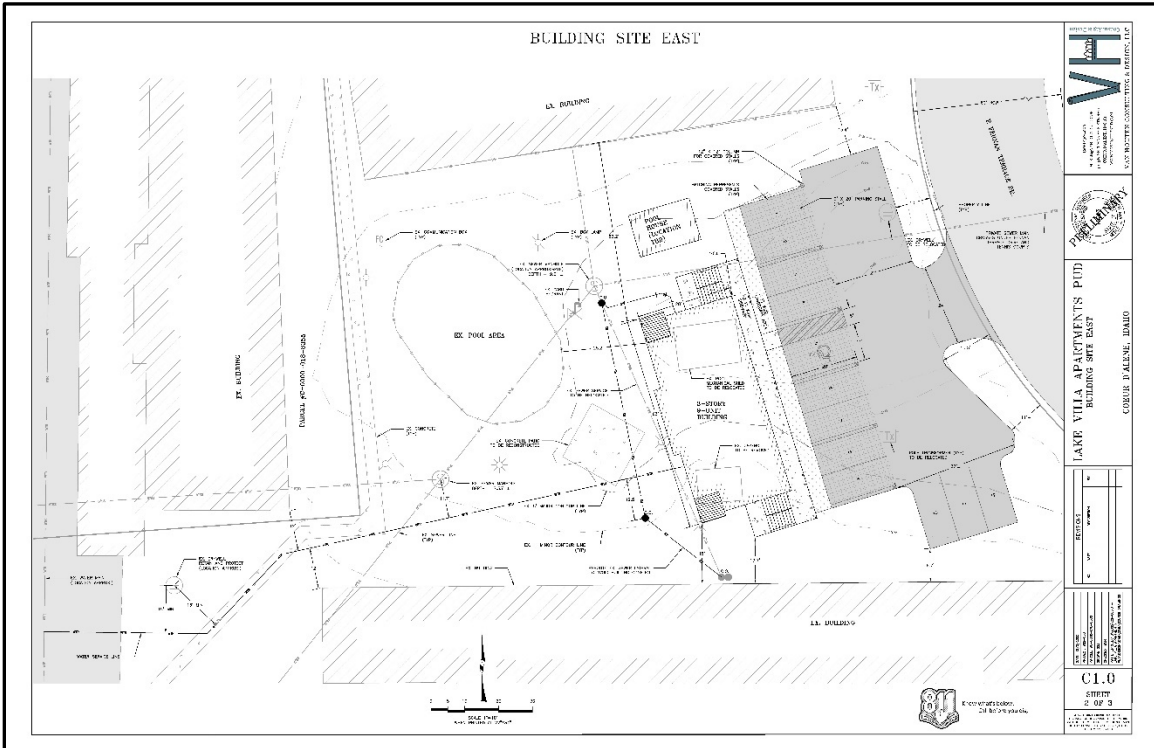
PUD SITE PLAN MAP: Existing Conditions



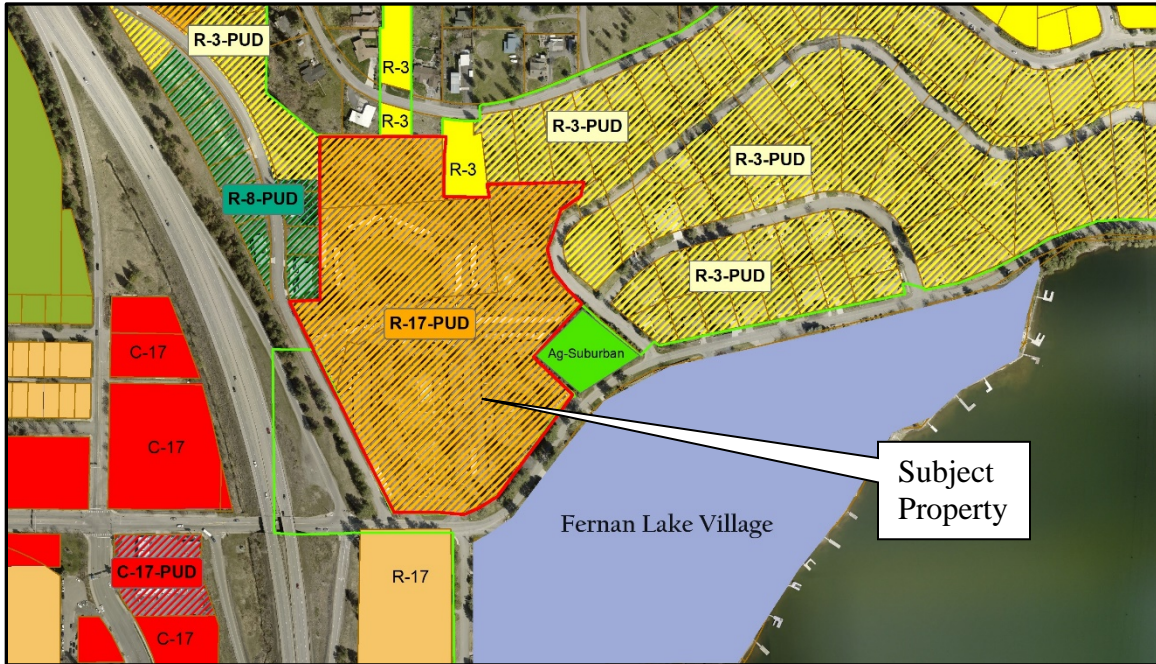
PUD SITE PLAN MAP: Proposed PUD Layout



PUD SITE PLAN MAP: Zoomed-In East Site



EXISTING ZONING:



SITE PHOTO 1: View from Lilac Lane and Serman Avenue looking east.



SITE PHOTO 2: View from Sherman Avenue looking north toward office building.



SITE PHOTO 3: View from the interior of property looking north.



SITE PHOTO 4: View from the interior of property looking northeast toward Volleyball area.



SITE PHOTO 5: View from the interior of property looking west toward shuffle board court area.



SITE PHOTO 6: View from the interior of property looking north toward central swimming pool.



SITE PHOTO 7: View from the interior of property looking north toward carports and garages.



SITE PHOTO 8: View from the interior of property looking west toward east swimming pool.



Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether or not the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties.*

Finding B3: **The proposal (is) (is not) compatible with natural features of the site and adjoining properties.**

Use the following information as well as testimony from the hearing to make finding **A7**.

The topography slopes to the south and west and there is an approximately a hundred and ten-foot elevation drop on the northern part of the subject property. The northern part of the property is undeveloped and does have significant issues with slope associated with this part of the property. The southern part and remainder of the property is relatively flat and that is where the apartment complex is located and where the two proposed apartment buildings are to be built.

The topographical or physical constraints of the subject property is primarily associated with the northern part of the property. The part of the majority of the property that is associated with the apartment complex is relatively flat and is the part of property that is intended to be developed upon. The natural features of the site are consistent with the natural features of the surrounding properties. The following images reflect the proposed building elevations of the two proposed apartment buildings.

APPLICANT'S BUILDING ELEVATION – East Building from interior of site looking east



APPLICANT'S BUILDING ELEVATION – East Building from street looking west



APPLICANT'S BUILDING ELEVATION – West Building from interior of site looking west.



APPLICANT'S BUILDING ELEVATION – West Building from street looking east.



Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether or not the proposal is compatible with natural features of the site and adjoining properties.*

Finding B4: **The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing public facilities and services.**

Use the following information as well as testimony from the hearing to make finding **A8**.

STORMWATER:

All stormwater must be contained on-site. A stormwater management plan meeting the requirements of the city is required.

-Submitted by Chris Bosley, City Engineer

STREETS:

The site has frontage on E Sherman Ave and E Fernan Terrace Road. Sidewalk shall be installed along the Sherman Ave frontage.

-Submitted by Chris Bosley, City Engineer

TRAFFIC:

Using the ITE Trip Generation Manual for Apartments (Land Use Code 220), traffic from the proposed 21-unit development is estimated to generate approximately 140 trips/day with 11 occurring in the AM Peak Hour and 13 in the PM Peak Hour.

-Submitted by Chris Bosley, City Engineer

WATER

The water mains and fire hydrants inside the Lake Villa Apartment complex are private and served by a 6" water service from the Water Dept. It will be the responsibility of the owner to determine if there is an adequate water supply within the complex to serve the additional buildings.

-Submitted by Glen Poelstra, Assistant Director, Water Department

SEWER:

With the replacement of the Fernan Pumpstation and the repaired capacity through the C-2 Sewer Project WW has capacity to handle this expansion. Sewer CAP fees (the current fee is \$6,460.00 per MFD) at time of building permit. Per the City Wastewater 2023 Comp Plan Update the City has the capacity and willingness to serve these proposed new MFDU's.

-Submitted by Larry Parsons, 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. If the FDC and PIV is remote, they will be required to be protected by bollards. This will be addressed at the time of building permit.

-Submitted by Bobby Gonder, Deputy Fire Marshal

POLICE:

The Police Department does not have an issue with the proposed PUD amendment.

-Submitted by Jeff Walther, Police Captain

Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether or not the location, design, and size of the proposal are such that the development will be adequately served by existing public facilities and services.*

Finding B5: **The proposal (does) (does not) provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.**

Use the following information as well as testimony from the hearing to make finding **A9**.

The applicant is proposing 16% open space. The applicant has indicated that the open space will consist of three large areas within the complex that is located on the north, south, and eastern portions of the subject site (see open space exhibits on pages 26). The open space areas consist of a volleyball court, two swimming pools, barbecue areas, and grassy recreation areas. Below is an excerpt from the applicant's narrative in regard to the proposed open space.

Upon construction of the proposed apartment buildings, usable open space on the site will be 2.99 acres or 16.60%. The open space will include open grassy areas, 2 pools, a volleyball court and bar-be-queuing areas set amongst a network of pathways and landscaping.

In February of 2016, the Planning Commission held a workshop to discuss and better define the intent, functionality, use, types, required improvements, and other components of open space that is part of Planned Unit Development (PUD) projects. The workshop discussion was necessary due to a number of requested PUD's and the Planning Commission being asked to approve "usable" open space within a proposed development.

Per the Planning Commission Interpretation (Workshop Item I-1-16 Open Space) the below list outlines what qualifies as Open Space.

- \geq 15 FT wide, landscaped, improved, irrigated, maintained, accessible, usable, and include amenities
- Passive and Active Parks (including dog parks)
- Community Gardens
- Natural ok if enhanced and in addition to 10% improved
- Local trails

Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether or not the proposal provides adequate private common open space area, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.*

Finding B6: **Off-street parking (does) (does not) provide parking sufficient for users of the development.**

Use the following information as well as testimony from the hearing to make finding **A10**.

There was no request made to change the City's off-street parking requirements. The project would provide parking sufficient for users of the development. The applicant is not requesting a reduction in the parking requirement for multi-family housing. The required parking for this facility is 461 parking spaces and the proposed PUD amended is providing 507 parking spaces, which equates to a surplus of 46 parking spaces.

Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether or not the off-street parking provides parking sufficient for users of the development.*

Finding B7: **That the proposal (does) (does not) provide for an acceptable method for the perpetual maintenance of all common property.**

Use the following information as well as testimony from the hearing to make finding **A11**.

The applicant has indicated in their narrative that the common area maintenance will be provide as follows:

"Maintenance and upkeep of all common areas and amenities is performed under the direction of the owner. This includes landscaping, mowing and snow removal, among other tasks. Common area maintenance will not be changed or affected by this proposal".

Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether or not the proposal provides for an acceptable method for the perpetual maintenance of all common property.*

ORDINANCES & STANDARDS USED FOR EVALUATION:

2042 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
2018 Coeur d'Alene Trails Master Plan

PROPOSED CONDITIONS:

1. Four of the new units shall be designated as affordable to those at the 60% Area Median Income (AMI) level. The owner will provide annual reports to the Planning Department consisting of rent rolls and application data for renters qualifying for these units.
2. A lot consolidation of three subject parcels is required to be completed prior to issuance of building permits.
3. Sidewalk shall be installed along the Sherman Ave frontage.
4. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional services will have cap fees due at building permitting.
5. Sewer CAP fees will be due at the time of building permits.

ACTION ALTERNATIVES:

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

Attachments:

Attachment 1 – Applicant’s Application, Narrative, and Site Plan

Attachment 2 – Comprehensive Plan Goals and Objectives



APPLICANT'S APPLICATION

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PLANNED UNIT DEVELOPMENT AMENDMENT APPLICATION

STAFF USE ONLY
Date Submitted: 3/19/24 Received by: [Signature] Fee paid: 1006⁰⁰ Project # TBD

REQUIRED SUBMITTALS

Application Fee: \$700.00
Publication Fee: \$300.00
Mailing Fee: \$6.00 per hearing

PUD-224

**Public Hearing with the Planning Commission required*

A **COMPLETE APPLICATION** is required at time of application submittal, as determined and accepted by the Planning Department located at <http://cdaid.org/1105/departments/planning/application-forms>.

- Completed application form**
- Application, Publication, and Mailing Fees**
- A report(s) by an Idaho licensed Title Company:** Owner's list and three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:
 1. All property owners within 300ft of the external boundaries. *** Non-owners list no longer required***
 2. All property owners with the property boundaries.
- A report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company and a copy of the tax map showing the 300ft mailing boundary around the subject property. The report(s) shall be a full Title Report and include the Listing Packet.
- A written narrative:** Including the development name (*original PUD*), description of modification proposed, and the reason for the modification.
- A legal description:** in MS Word compatible format, together with a meets and bounds map stamped by a licensed Surveyor.
- A plan set map:** Providing sufficient information to identify how the proposed modification differs from the previously submitted/approved PUD request and development plans and a phasing schedule. The respective elements of the development plans that will affect such items as the existing and proposed infrastructure, improvements, building, and landscaping.

Report not submitted [Signature]
on flash drive

DEADLINE FOR SUBMITTALS

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

PUBLIC HEARING NOTICE SIGN TO BE POSTED ON SUBJECT PROPERTY:

The applicant is required to post a public hearing notice, provided by the Planning Department, on the property at a location specified by the Planning Department. This posting must be done one (1) week prior to the date of the Planning Commission meeting at which this item will be heard. An affidavit testifying where and when the notice was posted, by whom, and a picture of the notice posted on the property is also required and must be returned to the Planning Department.

Check for all required PUD submittals: open space, parking, etc. [Signature]

APPLICATION INFORMATION

PROPERTY OWNER: Summit Holdings II LLLP		
MAILING ADDRESS: PO Box 136		
CITY: Coeur d'Alene	STATE: ID	ZIP: 83816
PHONE:	FAX:	EMAIL:
APPLICANT OR CONSULTANT: Van Houten Consulting & Design		STATUS: <u>ENGINEER</u> OTHER
MAILING ADDRESS: 401 1/2 E Sherman Ave. Ste. 208		
CITY: Coeur d'Alene	STATE: ID	ZIP: 83815
PHONE: 208-930-4000	FAX:	EMAIL: merle@vanhoutencd.com

FILING CAPACITY

- Recorded property owner as to of _____
- Purchasing (under contract) as of _____
- The Lessee/Renter as of _____
- Authorized agent of any of the foregoing, duly authorized in writing. *(Written authorization must be attached)*

SITE INFORMATION:

GENERAL LOCATION OR ADDRESS OF THE PROPERTY: 2501 E Sherman Ave. Coeur d'Alene, ID 83816
DEVELOPMENT NAME (ORIGINAL PUD): Lake Villa Apartments
DESCRIPTION OF PROJECT/REASON FOR REQUEST: Add/build two apartment buildings to the existing PUD to create 21 additional units.

CERTIFICATION OF APPLICANT:

I, Benjamin Widmyer, being duly sworn, attests that he/she is the applicant of this
(Insert name of applicant)

request and knows the contents thereof to be true to his/her knowledge.

Signed: [Signature]
(applicant)

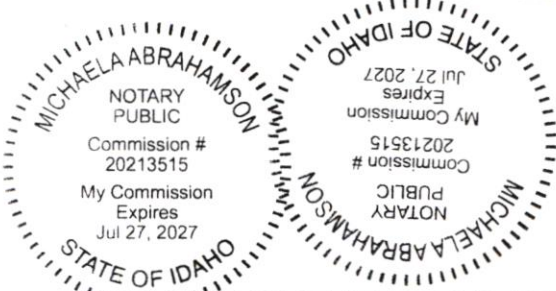
Notary to complete this section for applicant:

Subscribed and sworn to me before this 25th day of March, 2024.

Notary Public for Idaho Residing at: Idaho

My commission expires: 7/27/2027

Signed: Michaela Abrahamson
(notary)



CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: Steve Widmyer Telephone No.: 208 664 5081

Address: 330 E Lakeside Ave Suite 201 Coeur d'Alene, ID 83814

Signed by Owner: [Signature]

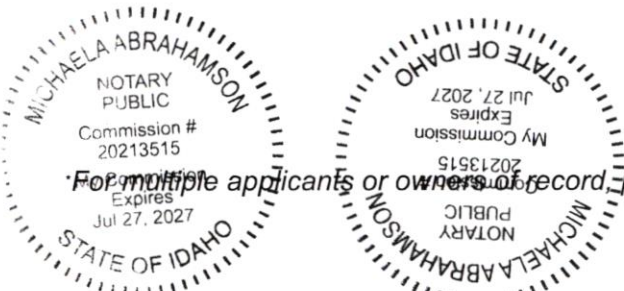
Notary to complete this section for all owners of record:

Subscribed and sworn to me before this 25th day of March, 2024.

Notary Public for Idaho Residing at: Idaho

My commission expires: 7/27/2027

Signed: Michaela Abrahamson
(notary)



For multiple applicants or owners of record, please submit multiple copies of this page.

PLANNED UNIT DEVELOPMENT AMENDMENT APPLICATION

I (We) the undersigned do hereby make petition for an amendment to the original planned unit development of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS 29 DAY OF March 2024

Project Narrative

Lake Villa PUD Amendment

**Planned Unit Development Amendment of:
Parcel #C00000188355, C00000188350 & C00000188500
Kootenai County, Idaho**

For:

**Summit Holdings II, LLLP
2501 E Sherman Ave
Coeur d'Alene, ID 83814**

Prepared by:

Merle Van Houten, P.E., LEED AP

VH VAN HOUTEN
CONSULTING &
DESIGN, LLC

CIVIL ENGINEERS

**Van Houten Consulting and Design, LLC
401 E. Sherman Ave. Ste. #208
Coeur d'Alene, ID 83814
(208) 930-4000**

March 29th, 2024

Project Narrative For Lake Villa PUD Amendment

Project Overview

The City of Coeur d'Alene annexed the subject property and granted the original developers PUD approval for Lake Villa Apartments in the late 1970s. Their vision was to create an apartment complex of multiple cedar-sided two-story buildings separated by open spaces which offered areas for swimming, recreation, and bar-be-queuing amongst a network of pathways and landscaping. Lake Villa would also feature an indoor recreation building, *garages*, covered carports and storage lockers. All shared amenities would be cared for by a full-time resident manager equipped with his own office and maintenance shop. The units were designed as a mix of studio, one-bedroom and two-bedroom apartments with fireplaces, air-conditioning and balconies or patios.

The approval process and construction of the complex was done in phases. The latest phase of the development occurred in 1984 which brought the total unit count to 256 apartments. The apartments and amenities constructed 40+ years ago still offer a high quality of life to the residents of Lake Villa Apartments. There is now a perpetual waitlist of applicants wishing to reside there due to the advancement and success of the original vision.

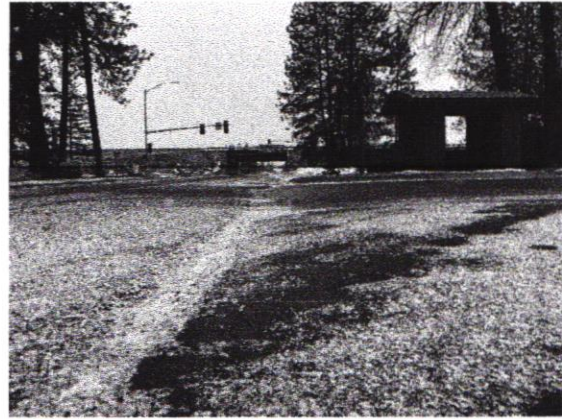
Coeur d'Alene is now widely known to the rest of the country as a highly desirable place to live. The city is faced with an ongoing challenge to accommodate the housing needs of a rapidly growing population. This application for PUD amendment brings forward a proposal to add 21 units to the Lake Villa Apartment Complex located within two new buildings. *Through careful planning and ongoing coordination with City staff, a team of design professionals have created a detailed concept of a new phase of Lake Villa consistent with the aesthetic of the original development and compliant with the conditions of the original PUD approval as well as current City Code.* The following sections provide an in-depth account of the existing conditions within the apartment complex, and the proposed addition of the two new buildings.

Existing Conditions

The subject area is owned by Summit Holdings II, LLLP and currently includes three parcels totaling 18.00 acres with 256 apartment units. The parcels are surrounded by residential properties to the north, east, and south with Lilac Ln. and I-90 to the west. Access to the apartments is obtained from multiple locations including N Lilac Ln., E Sherman Ave., N Fernan Lake Rd. and E Fernan Terrace Rd.



Looking east from Lilac Ln and Sherman Ave. intersection.



Looking toward I-90 from west entrance on Sherman Ave.

Most of the site terrain is relatively flat, but there are some steeper slopes along the northern property lines with grades exceeding 15%. The northern portion of the property lies within the City's Hillside Overlay zone. All the buildings/apartments area located on the relatively flat areas outside of the Hillside Overlay.



Most of the site is relatively flat.

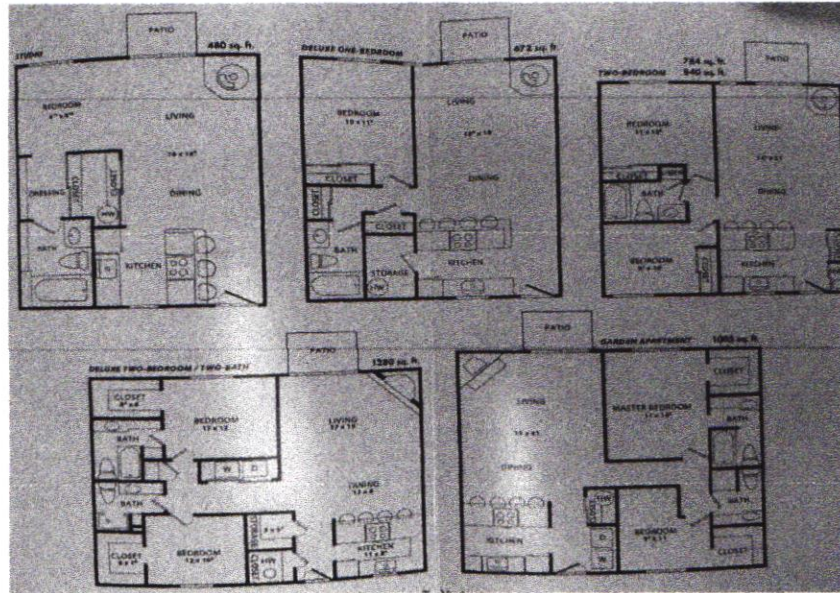


Some slopes along the northern side exceed 15%.

The subject parcel is zoned residential (R-17) and has the following building setbacks; front: 20ft, side interior: 10ft, side street: 10ft and rear 25ft/12.5ft. This zoning designation allows for medium/high residential area and permits a density of 17 dwelling units per gross acre. The subject parcels and buildings were built prior to the current city code. However, the subject parcels are well within the current density limits, assuming lot consolidations of the 3 lots as described later in the Lake Villa PUD Amendment section.

Apartment buildings and units are comprised of various sizes. They vary from 1-room studios, 1-bedroom units, and 2-bedroom units. Combined, there are 256 apartment units and 386 bedrooms on the 18.00-acre area. This results in a current density of 13.21 units/acre. See the table on the right for apartment and unit breakdown.

EXISTING SITE DATA	
APARTMENTS	
STUDIO UNITS:	40
1 BEDROOM UNITS:	86
2 BEDROOM UNITS:	130
BEDROOM TOTAL:	386
APARTMENT TOTAL:	256
DENSITY (APARTMENT UNITS/ACRE):	13.21



Existing floor plans.

Accompanying the apartments are a total of 501 parking spaces which include (93) 9'x20' stalls, (3) 11'x20' ADA stalls with a 5'x20' aisle, (319) 9'x20' carport stalls, (64) 9'x20' garage stalls, (20) 8'x18' compact stalls and (2) 8'x23' parallel parking stalls. Per current City parking requirements, the 384 bedrooms on the site require 429 parking spaces. The existing parking stall count is 501 bringing the current parking space surplus to 72. Most of the parking stalls, including the garages, are accessed via an internal looped 24' wide paved travel way.

PARKING SUMMARY	
9'X20' PARKING STALLS:	93
ADA STALLS 11'X20' STALL W/ 5'X20' AISLE	3
9'X20' CARPORT PARKING STALLS:	319
9'X20' GARAGE STALLS:	64
8'X18' "COMPACT" PARKING STALLS:	20
8'X23' PARALLEL PARKING STALLS:	2
PARKING TOTAL:	501
PARKING REQUIREMENTS: 1 SPACE PER STUDIO UNIT, 1.5 SPACES PER 1 BEDROOM UNIT, 2 SPACES PER 2 BEDROOM UNIT	
TOTAL SPACES REQUIRED:	429
PARKING SPACES SURPLUS:	72

Parking calculations summary.

Usable open space on the site is 3.45 acres or 19.19%. The open space includes open grassy areas, 2 pools, a volleyball court and bar-be-queuing areas set amongst a network of pathways and landscaping.

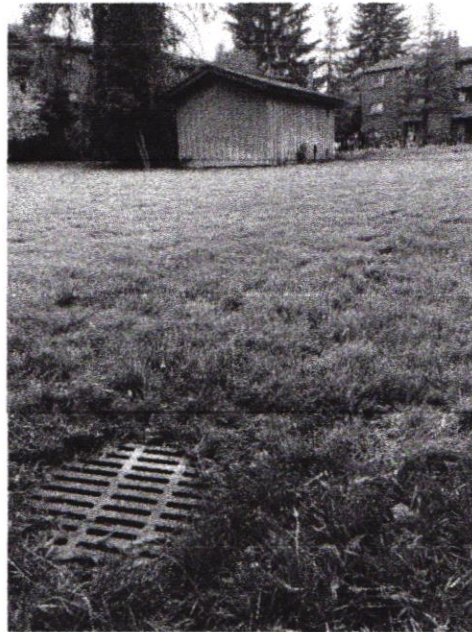
OPEN SPACE	
OPEN SPACE:	150,476 SF/3.45 AC
TOTAL LAKE VILLA PARCEL AREA:	784,080 SF/18.00 AC
OPEN SPACE:	19.19%

Existing open space areas.

Other facilities on site include an office building/shop, a clubhouse, and an outdoor maintenance and storage area. The office building is located on the south side of the parcel where the two main vehicular approaches to the complex access Sherman Ave. The clubhouse is located in the large open space north of the offices and houses indoor amenities such as a game room, large jacuzzi, sauna, lounge, library, gym, TV room and private party and meeting room. The outdoor storage and maintenance area is located along the western boundary of the complex and is currently designated for maintenance equipment and vehicles. A wooden privacy fence separates the storage area from Lilac Lane.

Private water and wastewater main lines are located generally in the center of subject parcels. Many fire hydrants and yard spigots exist along the perimeter of the subject area as well as internally along the looped driveway system/vehicle travel way. All buildings and irrigation on site are controlled with a single large meter in front of the office on Sherman Ave. There are currently no sprinkler systems in any of the buildings, however, there are pull stations on all 3-story buildings and fire extinguishers on the outside of all buildings. The wastewater system is comprised of a network of private service laterals, sewer mains and manholes which all gravity flow to a single manhole on the east side of the property. The manhole outlets to a private sewer main pipe which flows under E Fernan Terrace Drive and the neighboring tennis courts before emptying into a city controlled public manhole in the Fernan Ct right-of-way. It was discovered during this feasibility stage of this project that the sewer line easement for the portion of pipe crossing the road and tennis courts does not reflect the constructed condition and should be revised.

Stormwater runoff facilities were constructed prior to current city standards. Building runoff is routed mainly via gutters to lawn area. Drywells exist at low point within the grassy open spaces. The paved areas feature a network of grated catch basins and drywells, connected with storm pipes, to capture, convey and infiltrate runoff.



Drywell in low point/swale area example.

Some existing structures within the complex fail to comply with today's building setbacks. There are (4) apartment buildings, (2) carports and (5) garages that fail to comply with current building setbacks. These can all be identified on the existing conditions map accompanying this report.

Lake Villa PUD Amendment

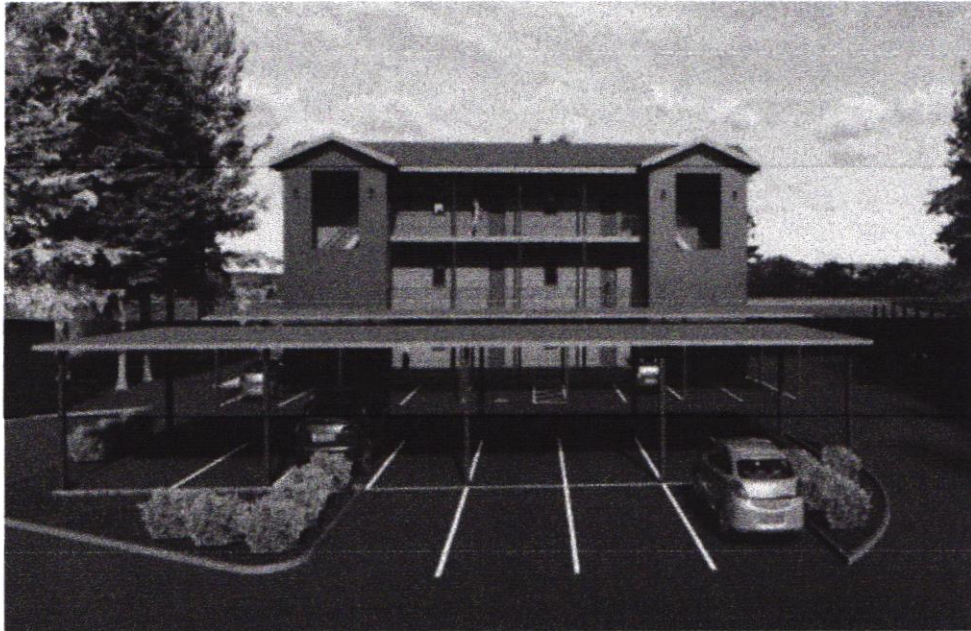
The owner envisions adding two more apartment buildings to the site in a manner that complies with current city code and does not detract from the conditions of the original PUD. A 12-unit apartment is proposed in the vicinity of the maintenance area adjacent to Lilac Lane while a 9-unit apartment is projected near the small pool and Fernan Terrace Drive. There are no improvements planned for the rest of the complex and no zoning changes are required. City staff was consulted prior to making this request in the form of multiple meetings and conversations with the following departments: planning, engineering, water and wastewater. Staff has indicated the City's existing water and sewer systems are capable of handling the increased demand and the proposed vehicular approach on Fernan Terrace Drive is in a suitable location.

West Building:

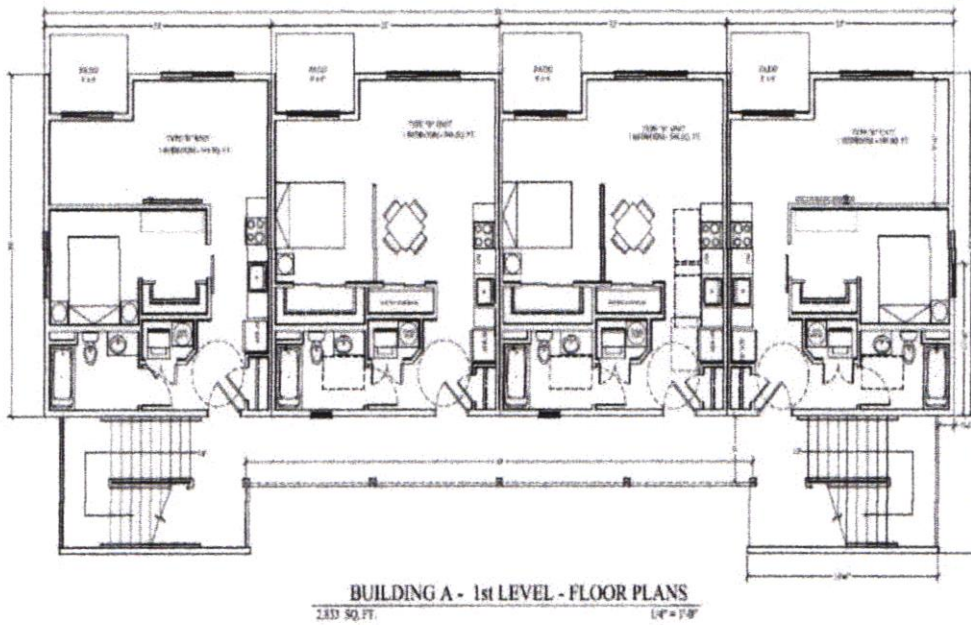
The west apartment building will be comprised of 3 stories with 4 units per level, for a total of (12) units with one bedroom each. The building footprint will be about 26' x 88' and exterior stairways will be constructed at each end. The building will be positioned 12 feet from the property boundary, in compliance with the R-17 side yard setback. The existing wooden privacy fence will be maintained along the Lilac Lane Right-of-Way. No deviations to city code are requested for the west building as part of this proposal.

Parking will be reconfigured to accommodate the new building. The proposed improvements require the removal of (24) 9'x20' parking stalls as well as (8) 9'x20' carport stalls. However, new parking areas will be constructed directly east of the building in the form of (7) 9'x20' parking stalls and (17) 9'x20' carport stalls. With these changes to parking, the Lake Villa Apartments will still have more stalls than city code requires. A complete parking calculation and analysis is provided on page 9. The area south of the building will still be utilized as maintenance storage and have vehicular access. Emergency access to the proposed western building will utilize the existing travel ways within the complex.

Water service will tie into the existing water main east of the building. Sewer service will be gravity-fed and tie to the nearest existing manhole by installing new pipe in the adjacent parking area and replacing existing pipe in the adjacent open space. This will entail routing pipe between existing buildings and under existing sidewalk. Existing pavement, sidewalk, landscaping and dry utilities will be impacted and rebuilt to preconstruction conditions or better.



Front of west apartment building rendering.



BUILDING A - 1st LEVEL - FLOOR PLANS
2,833 SQ. FT. 1/4" = 1'-0"

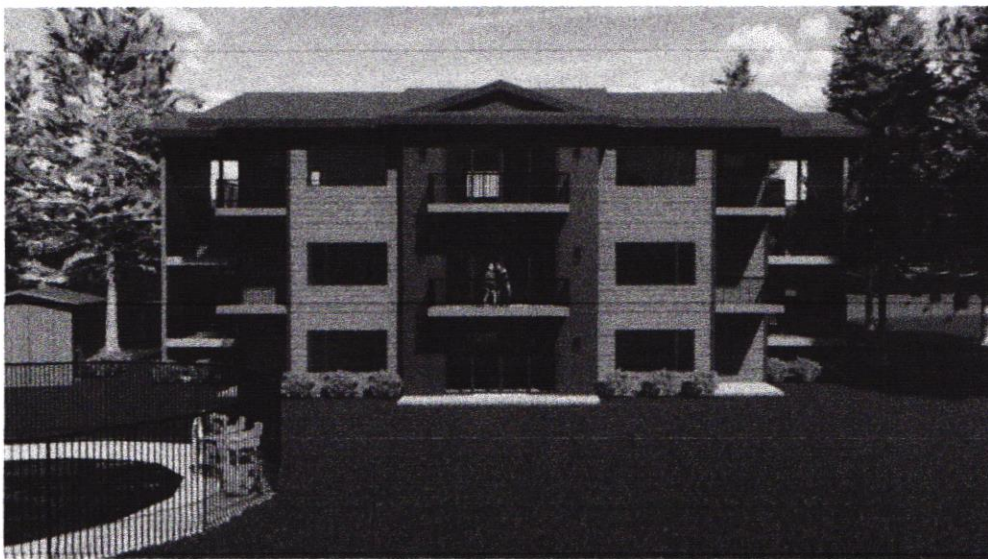
Floor plan concept for west apartment building.

East Building:

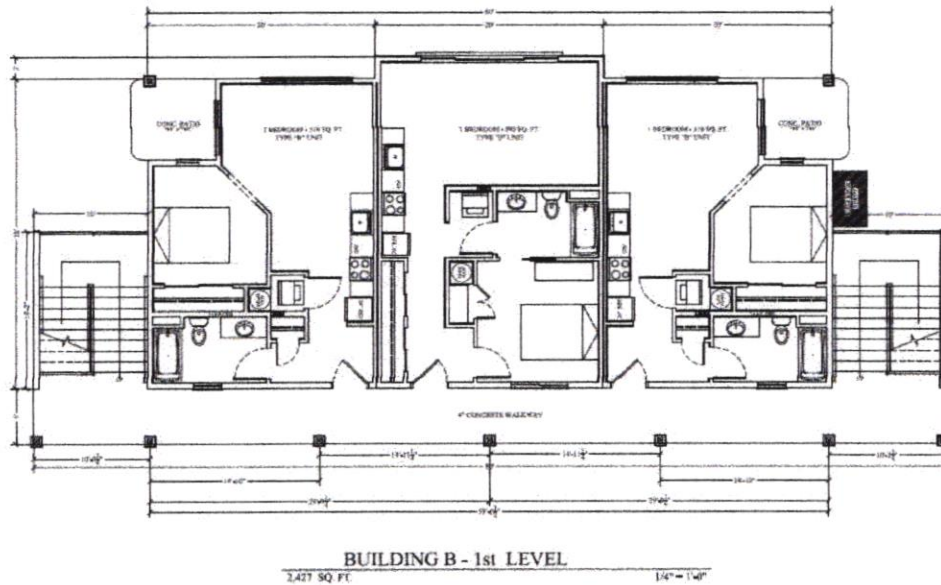
The east apartment building will be comprised of 3 stories with 3 units per level for a total of (9) units with one bedroom each. The building footprint will be about 28' x 63'. It will be oriented to overlook the small outdoor pool to the west and Fernan Terrace Drive to the east. The building will inhabit what currently is the greenspace between the pool and the road. The pool will remain unchanged but the pool equipment shed will be relocated to accommodate the apartment. No deviations to city code are requested for the east building as part of this proposal.

A new approach will be constructed off of Fernan Terrace Drive to access a standalone parking area for the east building. A covered carport will be constructed with (8) 9'x20' standard stalls and (1) 11'x20' ADA carport stall with a 5'x20' aisle. Three more standard stalls will be provided at the south end of the paved area for a total of 12 parking spaces. A complete parking calculation and analysis is provided on page 9. A dumpster pad will be placed at the north end of the parking lot. Trash collectors and emergency vehicles will be able to make a three-point turn to exit back onto Fernan Terrace Drive. Fencing along the road will be revised to accommodate the new approach.

Water service will connect to an existing main in the complex and traverse between two existing buildings serve the new units. The existing sewer main which receives wastewater from the entire complex is located in the northern portion of the subject greenspace area. The location of the proposed west building was entirely based on avoiding disruption to the pipe and manhole. That is the reason why the proposed west building lies south of center in the open space. Sewer service from the building will flow to the existing manhole. Additionally, the sewer service to the existing apartment building directly south of the proposed building will be rerouted to accommodate the proposed development.



Back of east apartment building rendering.



Floor plan concept for east apartment building.

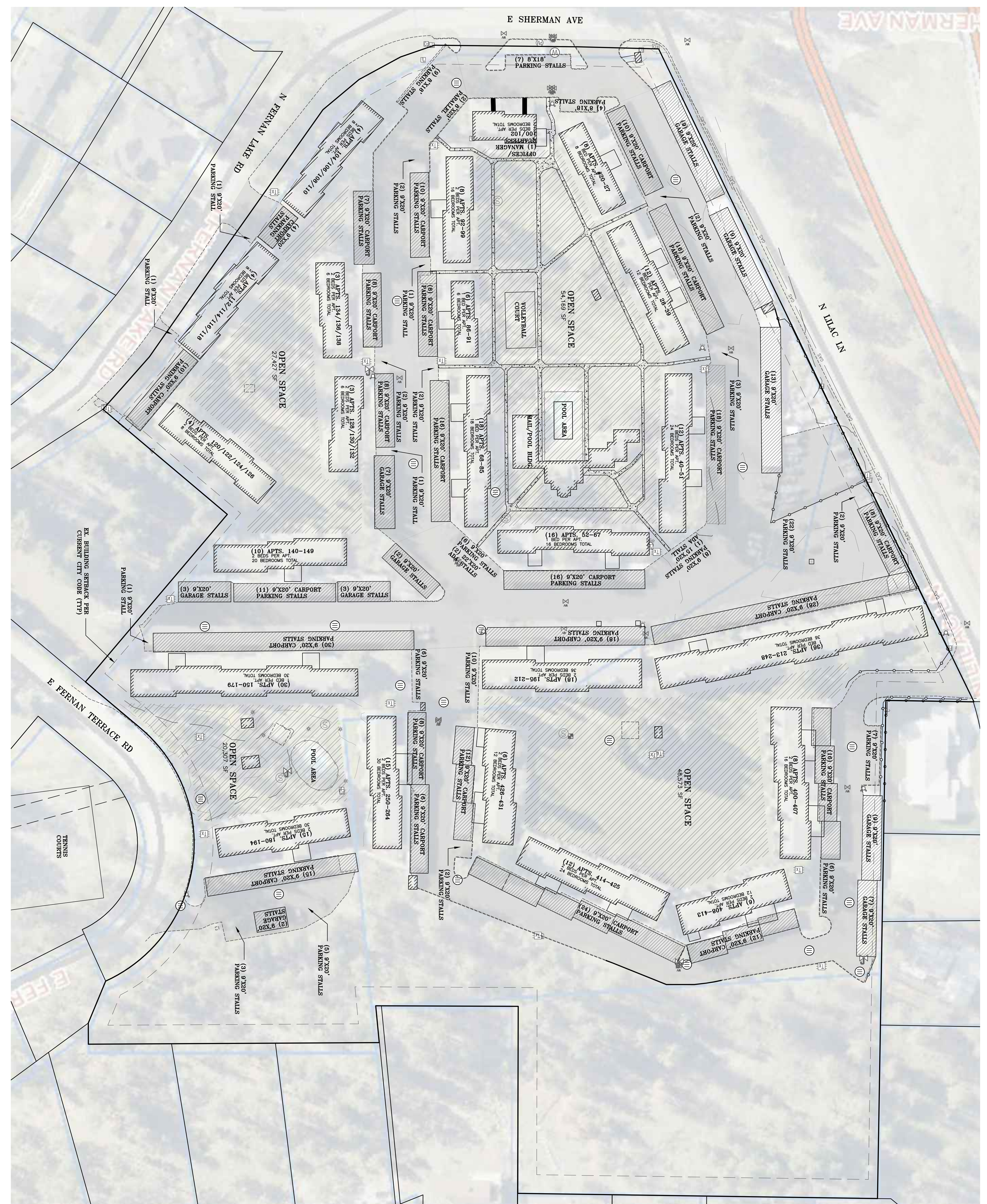
This proposal to amend the Lake Villa Apartment PUD would result in a total of 277 apartment units and 407 bedrooms for the complex. The 507 parking spaces would still exceed city code requirements by 46 stalls. Approximately half of an acre of existing open space will be developed to accommodate the east building, but total open space site wide will remain at 16.60%, exceeding the minimum open space requirement of 10%. There are no proposed changes to existing buildings or PUD amenities and no new code deviations are proposed. Construction will commence as soon as all required permits are obtained, summer 2024. Both buildings will be constructed in a single phase.

The rapid increase in real estate value witnessed in recent years has created a need for affordable housing within the City of Coeur d'Alene. The owners of Lake Villa Apartments recognize this need and are agreeable to assigning four of the new units as affordable to those at the 60% Area Median Income (AMI) level.

The owners understand and agree that a lot consolidation of three subject parcels listed in this application is necessary for compliance with density regulations. Said consolidation is expected to be a condition of CUP amendment approval. The table on the following page presents final site data after the lots are consolidated and the two proposed buildings are constructed.

PROPOSED SITE DATA	
APARTMENTS	
STUDIO UNITS:	40
1 BEDROOM UNITS:	107
2 BEDROOM UNITS:	130
BEDROOM TOTAL:	407
APARTMENT UNIT TOTAL:	277
DENSITY (APARTMENT UNITS/ACRE):	14.29
PARKING SUMMARY	
9'X20' PARKING STALLS:	81
ADA STALLS 11'X20' STALL W/ 5'X20' AISLE	4
9'X20' CARPORT PARKING STALLS:	336
9'X20' GARAGE STALLS:	64
8'X18' "COMPACT" PARKING STALLS:	20
8'X23' PARALLEL PARKING STALLS:	2
PARKING TOTAL:	507
PARKING REQUIREMENTS: 1 SPACE PER STUDIO UNIT, 1.5 SPACES PER 1 BEDROOM UNIT, 2 SPACES PER 2 BEDROOM UNIT	
TOTAL SPACES REQUIRED:	461
PARKING SPACES SURPLUS:	46
OPEN SPACE	
OPEN SPACE:	130,166 SF/2.99 AC
TOTAL LAKE VILLA PARCEL AREA:	784,080 SF/18.00 AC
OPEN SPACE:	16.60%
BUILDING SETBACK DEVIATIONS	
APARTMENT BUILDINGS:	4
CARPORTS:	2
GARAGES:	5
ALLOWABLE DENSITY	
TOTAL PARCEL AREA:	784,080 SF/18.00 AC
MAX DENSITY ALLOWED:	17 UNITS PER AC
MAX UNITS ALLOWED:	306 UNITS

Proposed site data.



SHEET INDEX

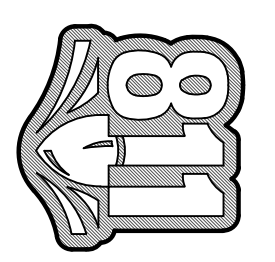
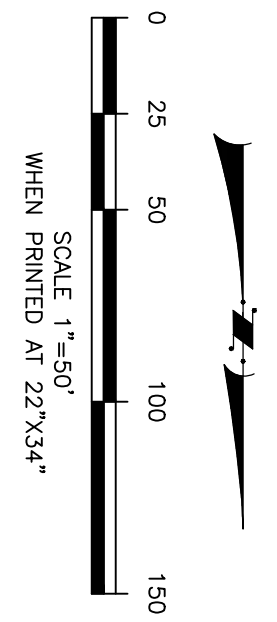
C2.0 EXISTING CONDITIONS MAP

C2.1 PROPOSED SITE MAP

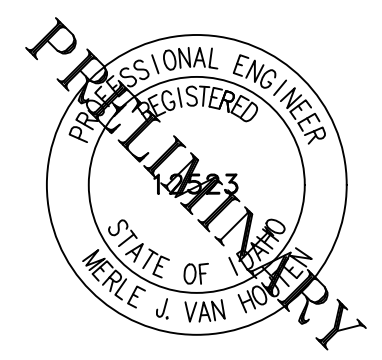
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ALLOWABLE DENSITY	
TOTAL PARCEL AREA:	784,080 SF / 18.00 AC
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BUILDING SETBACK INFO FOR R-17 MULTI-FAMILY

FRONT	20FT
SIDE, INTERIOR	10FT
SIDE, STREET	20FT
REAR	20FT



LAKE VILLA APARTMENTS PUD
EXISTING CONDITIONS MAP
 COEUR D'ALENE, IDAHO



(208) 930-0000
 MERLE@VANHOUTENCD.COM
 401 E. SHERMAN AVE. STE. #211
 COEUR D'ALENE, ID 83814
 WWW.VANHOUTENCD.COM

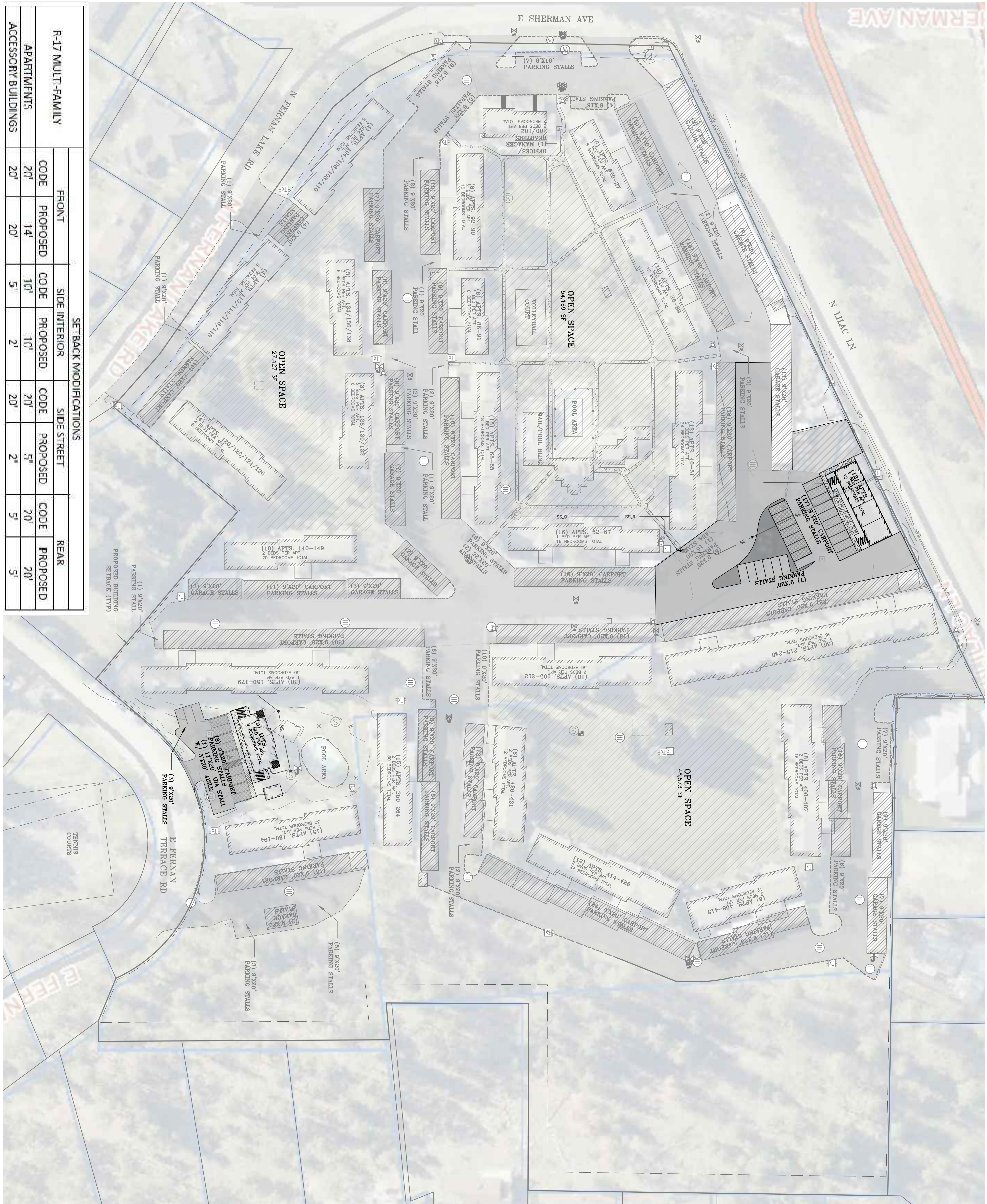
VH Consulting & Design
 VAN HOUTEN CONSULTING & DESIGN, LLC

REVISIONS			
NO.	DATE	DESCRIPTION	BY

DATE: 5/24/2024
PROJECT: #22-083
PARCEL: #C-0000-018-8500
DRAWN: GSJ
CHECKED: MWH
PATH: _PROJECTS\2022\22-0830 - LAKE VILLA APARTMENTS PUD\DESIGN\DWG\CIVIL\SOURCE DRAWINGS

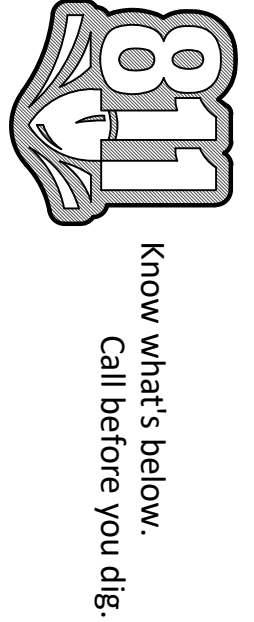
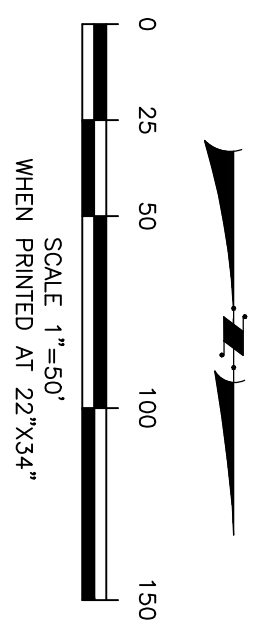
UNAUTHORIZED REPRODUCTION OR TRANSMISSION OF ANY PART OF THIS WORK WITHOUT THE WRITTEN CONSENT OF VAN HOUTEN CONSULTING AND DESIGN, LLC IS STRICTLY PROHIBITED.

C2.0
 SHEET
 1 OF 2



R-17 MULTI-FAMILY	SETBACK MODIFICATIONS			
	FRONT	SIDE INTERIOR	SIDE STREET	REAR
APARTMENTS	CODE 20'	PROPOSED 14'	CODE 10'	PROPOSED 10'
ACCESSORY BUILDINGS	CODE 20'	PROPOSED 20'	CODE 5'	PROPOSED 2'

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CARPORTS:	4
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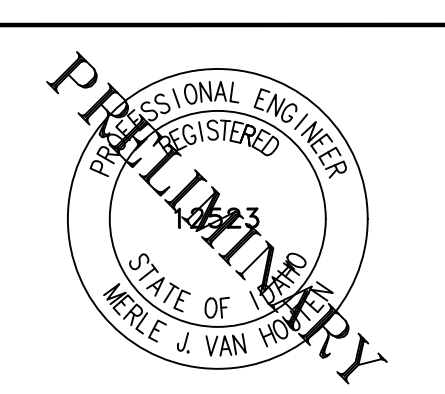
C2.1
SHEET
2 OF 2

DATE:	5/24/2024
PROJECT:	#22-083
PARCEL:	#C-0000-018-8500
DRAWN:	GSJ
CHECKED:	MWH
PATH:	PROJECTS\2022\22-0830 - LAKE VILLA APARTMENTS PUD\DESIGN\DWG\CIVIL\SOURCE DRAWINGS

REVISIONS			
NO.	DATE	DESCRIPTION	BY

LAKE VILLA APARTMENTS PUD
PROPOSED SITE MAP

COEUR D'ALENE, IDAHO



(208) 930-4000
MERLE@VANHOUTENCD.COM
401 E. SHERMAN AVE. STE. #211
COEUR D'ALENE, ID 83814
WWW.VANHOUTENCD.COM

VH Consulting & Design
VAN HOUTEN CONSULTING & DESIGN, LLC



**Comp
Plan
Goals
&
Objectives**

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COMPREHENSIVE PLAN GOALS AND OBJECTIVES

Community & Identity

- Goal CI 1**
Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.
 - OBJECTIVE CI 1.1**
Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

- Goal CI 2**
Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.
 - OBJECTIVE CI 2.1**
Maintain the community's friendly, welcoming atmosphere and its smalltown feel.
 - OBJECTIVE CI 2.2**
Support programs that preserve historical collections, key community features, cultural heritage, and traditions.

- Goal CI 3**
Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.
 - OBJECTIVE CI 3.1**
Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

- Goal CI 4**
Coeur d'Alene is a community that works to support cultural awareness, diversity and inclusiveness.
 - OBJECTIVE CI 4.1**
Recognize cultural and economic connections to the Coeur d'Alene Tribe, acknowledging that this area is their ancestral homeland.
 - OBJECTIVE CI 4.2**
Create an environment that supports and embraces diversity in arts, culture, food, and self-expression.
 - OBJECTIVE CI 4.3**
Promote human rights, civil rights, respect, and dignity for all in Coeur d'Alene.

Education & Learning

- Goal EL 3**
Provide an educational environment that provides open access to resources for all people.
 - OBJECTIVE EL 3.2**
Provide abundant opportunities for and access to lifelong learning, fostering mastery of new skills, academic enrichment, mentoring programs, and personal growth.
 - OBJECTIVE EL 3.3**
Support educators in developing and maintaining high standards to attract, recruit, and retain enthusiastic, talented, and caring teachers and staff.



Goal EL 4

Support partnerships and collaborations focused on quality education and enhanced funding opportunities for school facilities and operations.



OBJECTIVE EL 4.1

Collaborate with the school district (SD 271) to help identify future locations for new or expanded school facilities and funding mechanisms as development occurs to meet Coeur d'Alene's growing population.



OBJECTIVE EL 4.2

Enhance partnerships among local higher education institutions and vocational schools, offering an expanded number of degrees and increased diversity in graduate level education options with combined campus, classroom, research, and scholarship resources that meet the changing needs of the region.

Environment & Recreation



Goal ER 1

Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.



OBJECTIVE ER 1.1

Manage shoreline development to address stormwater management and improve water quality.



OBJECTIVE ER 1.2

Improve the water quality of Coeur d'Alene Lake and Spokane River by reducing the use of fertilizers, pesticides, herbicides, and managing aquatic invasive plant and fish species.



OBJECTIVE ER 1.3

Enhance and improve lake and river habitat and riparian zones, while maintaining waterways and shorelines that are distinctive features of the community.



OBJECTIVE ER 1.4

Reduce water consumption for landscaping throughout the city.



Goal ER 2

Provide diverse recreation options.



OBJECTIVE ER 2.2

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.



OBJECTIVE ER 2.3

Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.



Goal ER 3

Protect and improve the urban forest while maintaining defensible spaces that reduces the potential for forest fire.



OBJECTIVE ER 3.1

Preserve and expand the number of street trees within city rights-of-way.



OBJECTIVE ER 3.2

Protect and enhance the urban forest, including wooded areas, street trees, and "heritage" trees that beautify neighborhoods and integrate nature with the city.



OBJECTIVE ER 3.3

Minimize the risk of fire in wooded areas that also include, or may include residential uses.



OBJECTIVE ER 3.4

Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

- Goal ER 4**
Reduce the environmental impact of Coeur d’Alene.
 - OBJECTIVE ER 4.1**
Minimize potential pollution problems such as air, land, water, or hazardous materials.
 - OBJECTIVE ER 4.2**
Improve the existing compost and recycling program.

Growth & Development

- Goal GD 1**
Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d’Alene a great place to live.
 - OBJECTIVE GD 1.1**
Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.
 - OBJECTIVE GD 1.3**
Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.
 - OBJECTIVE GD 1.4**
Increase pedestrian walkability and access within commercial development.
 - OBJECTIVE GD 1.5**
Recognize neighborhood and district identities.
 - OBJECTIVE GD 1.6**
Revitalize existing and create new business districts to promote opportunities for jobs, services, and housing, and ensure maximum economic development potential throughout the community.
 - OBJECTIVE GD 1.7**
Increase physical and visual access to the lakes and rivers.
 - OBJECTIVE GD 1.8**
Support and expand community urban farming opportunities.

- Goal GD 2**
Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.
 - OBJECTIVE GD 2.1**
Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.
 - OBJECTIVE GD 2.2**
Ensure that City and technology services meet the needs of the community.

- Goal GD 3**
Support the development of a multimodal transportation system for all users.
 - OBJECTIVE GD 3.1**
Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.
 - OBJECTIVE GD 3.2**
Provide an accessible, safe, efficient multimodal public transportation system including bus stop amenities designed to maximize the user experience.

- Goal GD 4**
Protect the visual and historic qualities of Coeur d’Alene
 - OBJECTIVE GD 4.1**
Encourage the protection of historic buildings and sites.

- Goal GD 5**
Implement principles of environmental design in planning projects.

- OBJECTIVE GD 5.1**
Minimize glare, light trespass, and skyglow from outdoor lighting.

Health & Safety

- Goal HS 1**
Support social, mental, and physical health in Coeur d'Alene and the greater region.

- OBJECTIVE HS 1.1**
Provide safe programs and facilities for the community's youth to gather, connect, and take part in healthy social activities and youth-centered endeavors.

- OBJECTIVE HS 1.2**
Expand services for the city's aging population and other at-risk groups that provide access to education, promote healthy lifestyles, and offer programs that improve quality of life.

- OBJECTIVE HS 1.3**
Increase access and awareness to education and prevention programs, and recreational activities.

- Goal HS 3**
Continue to provide exceptional police, fire, and emergency services.

- OBJECTIVE HS 3.2**
Enhance regional cooperation to provide fast, reliable emergency services.

- OBJECTIVE HS 3.3**
Collaborate with partners to increase one on one services.

Jobs & Economy

- Goal JE 1**
Retain, grow, and attract businesses

- OBJECTIVE JE 1.1**
Actively engage with community partners in economic development efforts.

- OBJECTIVE JE 1.2**
Foster a pro-business culture that supports economic growth.

- Goal JE 3**
Enhance the Startup Ecosystem

- OBJECTIVE JE 3.1**
Convene a startup working group of business leaders, workforce providers, and economic development professionals and to define needs.

- OBJECTIVE JE 3.2**
Develop public-private partnerships to develop the types of office space and amenities desired by startups.

- OBJECTIVE JE 3.3**
Promote access to the outdoors for workers and workers who telecommute.

- OBJECTIVE JE 3.4**
Expand partnerships with North Idaho College, such as opportunities to use the community maker space and rapid prototyping (North Idaho College Venture Center and Gizmo) facilities.



PUBLIC COMMENTS



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From: Polak, Chad M
To: [CLARK, TRACI](#)
Subject: FW: THERE WILL BE 3 PUBLIC NOTICES FOR THE P&Z MEETING ON JUNE 11, 2024
Date: Tuesday, May 28, 2024 8:18:49 AM
Attachments: [image001.png](#)
[PUD-2-24 public notice 6-11-24.pdf](#)
[SP-2-24 public notice 6-11-24 final.pdf](#)
[PUD-4-04m.3 & S-3-24 public notice 6-11-24.pdf](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning Traci,

I have reviewed the attached 3 projects and based on the locations, there is no impact to the YPL ROW or pipeline and we do not have any questions/comments.

Sincerely,

Chad M. Polak
Agent, Real Estate Services
O: (+1) 303.376.4363 | M: (+1) 720.245.4683
3960 East 56th Avenue | Commerce City, CO 80022
Phillips 66

From: CLARK, TRACI <TCLARK@cdaid.org>
Sent: Friday, May 24, 2024 10:50 AM
To: CLARK, TRACI <TCLARK@cdaid.org>
Subject: [EXTERNAL]THERE WILL BE 3 PUBLIC NOTICES FOR THE P&Z MEETING ON JUNE 11, 2024

This Message Is From an External Sender

[Report Suspicious](#)

This message came from outside your organization.

Greetings,

Attached is a copy of the public hearing notices for the next **Planning & Zoning** Meeting on **Tuesday June 11, 2024.**

If you have any comments, please let me know.

Traci Clark
Planning Department, City of Coeur d'Alene
Administrative Assistant

208.769-2240

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

PUD-2-24

INTRODUCTION

This matter came before the Planning and Zoning Commission on June 11, 2024, to consider PUD-2-24, a request for an approval of an Amendment to the Lake Villa Planned Unit Development.

APPLICANT: Summit Holdings, LLC

ENGINEER: Van Houten Consulting & Design, LLC

LOCATION: 2501 E. Sherman Ave Coeur d'Alene Id, 83816

A. FINDINGS OF FACT:

The Planning and Zoning Commission finds that the following facts, A1 through A11, have been established on a more probable than not basis, as shown on the record before it and on the testimony presented at the public hearing.

A1. All public hearing notice requirements have been met for item PUD-2-24

- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The Notice was published in the Coeur d'Alene Press on May 25, 2024, seventeen days prior to the hearing.
- Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on May 31, 2024, eleven days prior to the hearing.
- Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Seventy-eight (78) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on May 24, 2024.
- Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts on May 24, 2024.
- Notice of the public hearing must be given to any pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on May 24, 2024.

- A2.** The total area of the subject property is 18 acres and is zoned R-17PUD. The R-17PUD designation was done as part of annexation of the property in 1976 and 1978. This new PUD modification request will allow for 277 units on 18 acres, which equates to an overall density of 15.39 units per acres.
- A3.** The subject property is developed as a 256-unit multi-family apartment complex, known as the Lake Villa Apartments. The proposed PUD amendment will allow for two more apartment buildings that will add 21 additional units, bringing the grand total of the property to 277 units.
- A4.** The Comprehensive Plan Future Land Use Map designation is the Planned Development Place Type. Planned Development Place Types are locations that have completed the planned unit development application process. As part of the process, the City and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Large scaled Planned Developments often have a determined phasing and development plan and may include land uses such as housing, recreation, commercial centers, civic, and industrial parks, all within one contained development or subdivision. Building design and scale, transportation, open space, and other elements are approved through the PUD evaluation process. The requested PUD amendment is consistent with the Comprehensive Plan Planned Development Place Type and the project. Planned Developments are allowed in all zoning districts.
- A5.** The Comprehensive Plan goals and objectives do support this PUD amendment request with the following applicable Goals and Objectives:

Goal CI 2

Maintain a high quality of life for residents and businesses that make Coeur d’Alene a great place to live and visit.

OBJECTIVE CI 2.1

Maintain the community’s friendly, welcoming atmosphere and its smalltown feel.

Goal ER 1

Preserve and enhance the beauty and health of Coeur d’Alene’s natural environment.

OBJECTIVE ER 1.1

Manage shoreline development to address stormwater management and improve water quality.

Goal ER 2

Provide diverse recreation options.

OBJECTIVE ER 2.2

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

OBJECTIVE ER 2.3

Encourage and maintain public access to mountains, natural areas, parks, and trails that are **easily accessible by walking and biking.**

Goal GD 1

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d’Alene a great place to live.

OBJECTIVE GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to

meet city needs.

OBJECTIVE GD 1.3

Promote mixed use development and small-scale commercial uses to ensure that neighborhoods

have services within walking and biking distance.

OBJECTIVE GD 1.4

Increase pedestrian walkability and access within commercial development.

OBJECTIVE GD 1.5

Recognize neighborhood and district identities.

OBJECTIVE GD 1.7

Increase physical and visual access to the lakes and rivers.

Goal GD 2

Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

OBJECTIVE GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Goal GD 3

Support the development of a multimodal transportation system for all users.

OBJECTIVE GD 3.1

Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.

Goal GD 4

Protect the visual and historic qualities of Coeur d'Alene

Goal JE 1

Retain, grow, and attract businesses

OBJECTIVE JE 1.2

Foster a pro-business culture that supports economic growth.

(The commission should remove or add other goals and objectives here as it finds applicable. The Comp Plan goals and objectives are also included in their entirety as an attachment to the staff report.)

- A6.** The subject property is bound by single-family homes to the north, single-family homes to the east, single-family homes and the U.S. Forest Service facility is located to the south across Sherman Avenue and Lilac Lane and Interstate 90 are located to the west. Properties in the area are zoned residential or County Ag Suburban. The Lake Villa Apartments began construction in 1978 and completed the last phase in 1984. Surrounding land uses include single-family and commercial. The PUD amendment request would be compatible with the location, setting and existing uses on adjacent properties.
- A7.** The natural features of the site and adjoining properties would not be negatively impacted by the requested PUD amendment.
- A8.** The requested modifications would not impact the City's ability to serve the project with facilities and services. All departments have indicated the ability to serve the project with the additional conditions as stated at the end of the staff report.

- A9.** The project exceeds the 10% open space requirement by providing 16% private open space areas for its users comprised of 2.99 acres of open grassy areas, two pools, a volleyball court and bar-be-queuing areas set amongst a network of pathways and landscaping.
- A10.** The project would provide parking sufficient for users of the development. The applicant is not requesting a reduction in the parking requirement for multi-family housing. The required parking for this facility is 461 parking spaces and the proposed PUD amended is providing 507 parking spaces, which equates to a surplus of 46 parking spaces.
- A11.** The applicant/owners of the property are responsible for providing perpetual maintenance of all common property.

(The commission should add other facts here which it finds are relevant to its decision.)

B. CONCLUSIONS OF LAW:

Based on the foregoing Findings of Fact, the Planning and Zoning Commission makes the following Conclusions of Law.

- B1. This proposal **(is) (is not)** in conformance with the Comprehensive Plan Goals, Objectives, and Future Land Use Map Place Type.
- B2. The design and planning of the site **(is) (is not)** compatible with the location, setting and existing uses on adjacent properties.
- B3. The proposal **(is) (is not)** compatible with natural features of the site and adjoining properties.
- B4. The location, design, and size of the proposal are such that the development **(will) (will not)** be adequately served by existing public facilities and services.
- B5. The proposal **(does) (does not)** provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.
- B6. Off-street parking **(does) (does not)** provide parking sufficient for users of the development.
- B7. That the proposal **(does) (does not)** provide for an acceptable method for the perpetual maintenance of all common property.

C. DECISION

The Planning and Zoning Commission, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the requested PUD amendment **(does) (does not)** comply with the required evaluation criteria **(with conditions) (without conditions)**, and the request should be **(approved) (approved with conditions) (denied) (denied without prejudice)**.

Recommended conditions include:

1. Four of the new units shall be designated as affordable to those at the 60% Area Median Income (AMI) level. The owner will provide annual reports to the Planning Department consisting of rent rolls and application data for renters qualifying for these units.
2. A lot consolidation of three subject parcels is required to be completed prior to issuance of building permits.
3. Sidewalk shall be installed along the Sherman Ave frontage.
4. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional services will have cap fees due at building permitting.
5. Sewer CAP fees will be due at the time of building permits.

The commission may include additional conditions.


Motion by commissioner , seconded by commissioner , to adopt the foregoing Findings and Order and (approve) (approve with conditions) (deny) (deny without prejudice) the request.

ROLL CALL:


COMMISSION MEMBER INGALLS	Voted	(Aye) (Nay)
COMMISSION MEMBER LUTTROP	Voted	(Aye) (Nay)
COMMISSION MEMBER WARD	Voted	(Aye) (Nay)
COMMISSION MEMBER FLEMING	Voted	(Aye) (Nay)
COMMISSION MEMBER MCCRACKEN	Voted	(Aye) (Nay)
COMMISSION MEMBER COPPESS	Voted	(Aye) (Nay)
CHAIRMAN MESSINA	Voted	(Aye) (Nay)

Motion to (approve)(approve with conditions)(deny)(deny without prejudice) carried by a to vote.

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STAFF REPORT



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**PLANNING AND ZONING COMMISSION
STAFF REPORT**

FROM: SEAN E. HOLM, SENIOR PLANNER
DATE: JUNE 11, 2024
SUBJECT: SP-2-24 - R-34 DENSITY SPECIAL USE PERMIT IN A C-17 ZONE
LOCATION: THREE PARCELS MEASURING 3.116 ACRES IN AGGREGATE LOCATED WEST OF RAMSEY ROAD, SOUTH OF LOPEZ AVENUE, AND EAST OF PLAYER DRIVE, ZONED COMMERCIAL (C-17 & CC)

APPLICANT/OWNER:
Weter Bare Land, LLC
2605 W. Hayden Ave.
Hayden, ID 83835

CONSULTANT:
Stephen Goodmansen,
Bernardo Wills Architects
153 S. Jefferson
Spokane, WA 99201

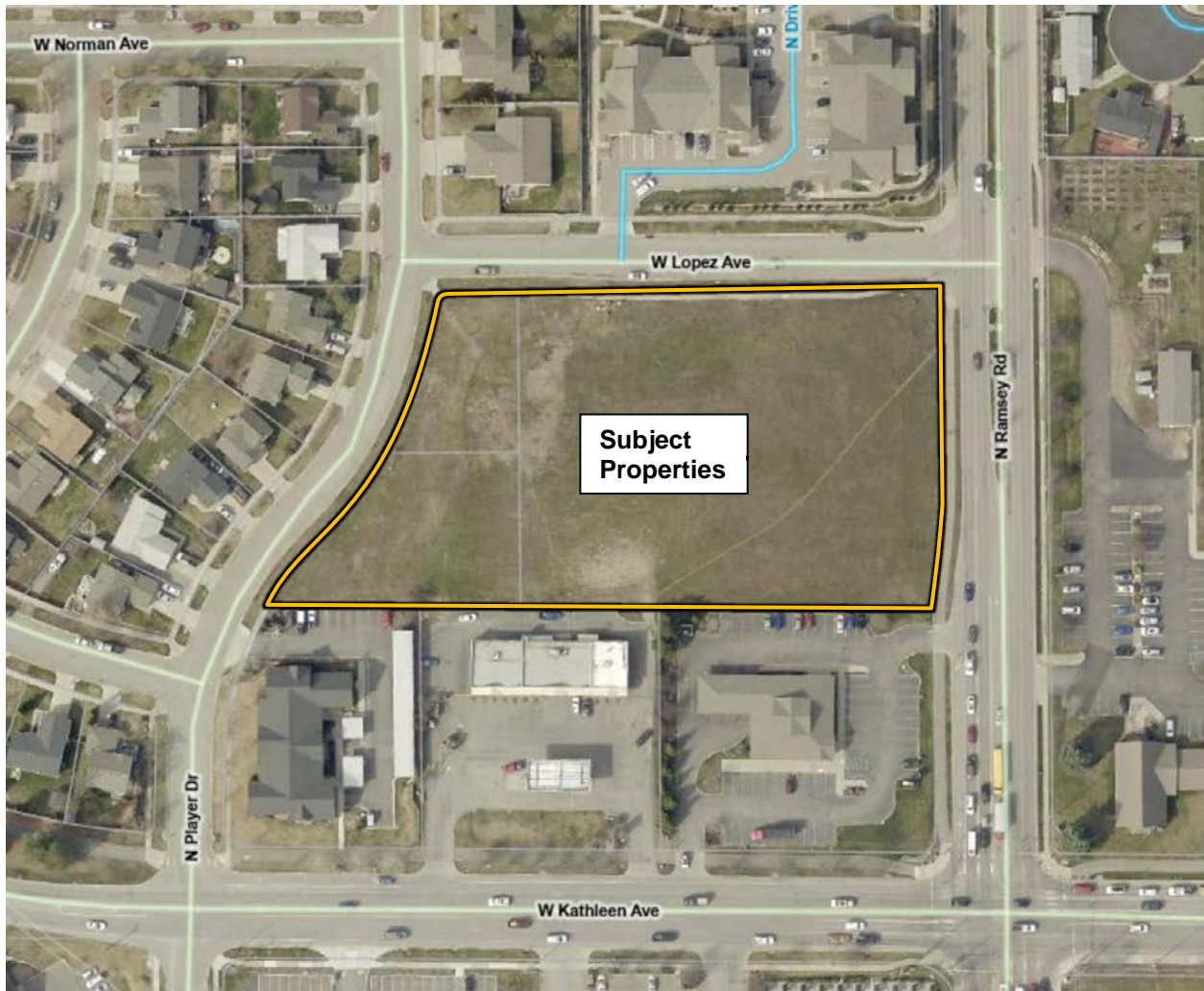
DECISION POINT:

Weter Bare, LLC, represented by Stephen Goodmansen of Bernardo Wills Architects, is requesting consideration of an R-34 Special Use Permit for increased density from R-17 to R-34 (34 units per gross acre) within the C-17 portion of their subject property in the City of Coeur d'Alene.

LOCATION :



SITE PHOTO:

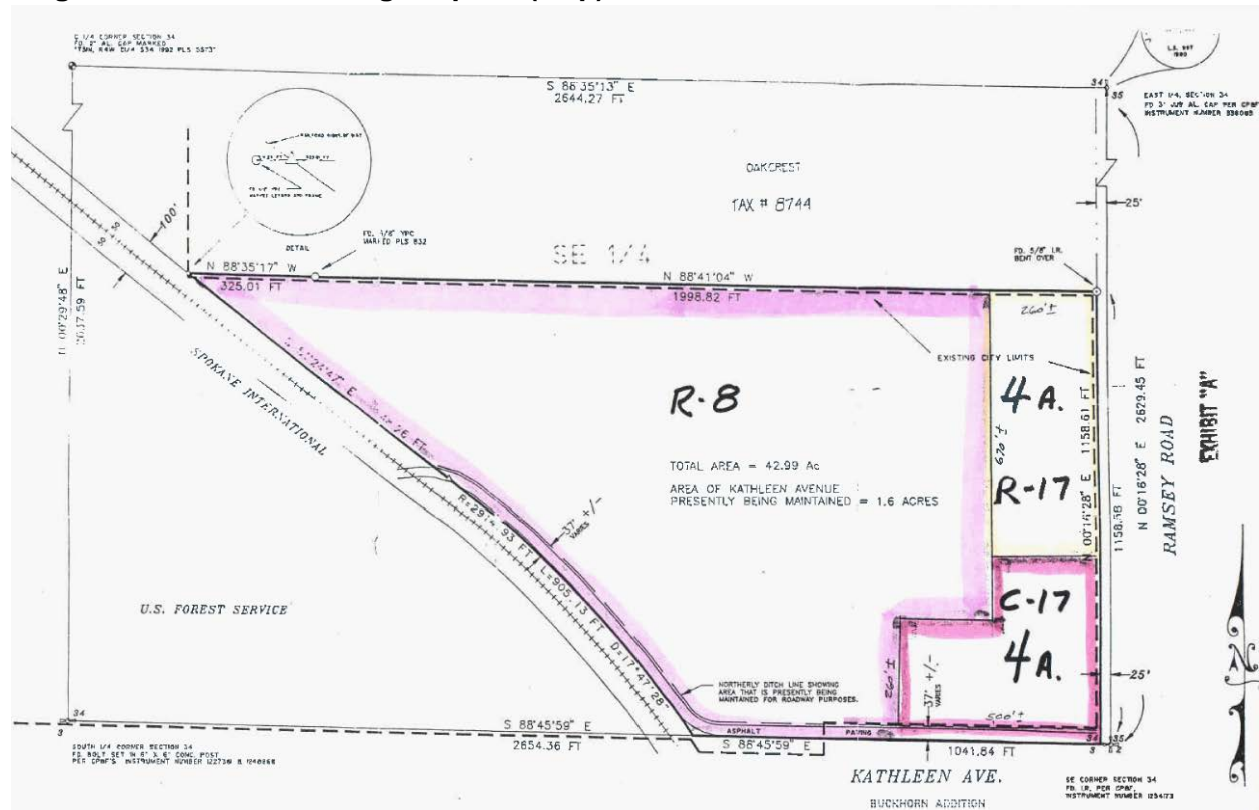


HISTORY & BACKGROUND INFORMATION:

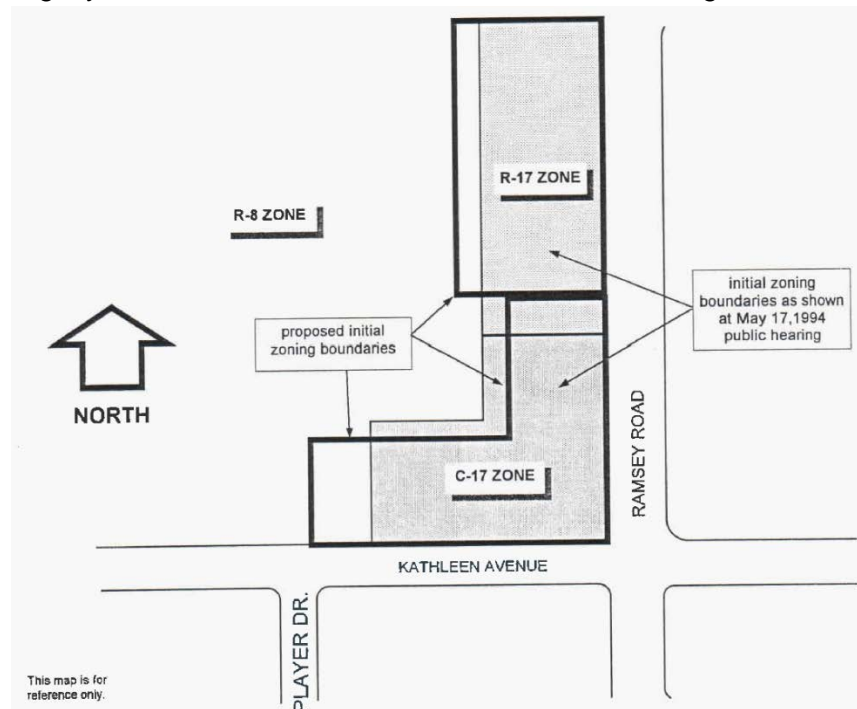
The subject property is currently vacant, and based on the city's aerial photography, has been in its current state for over 30 years. The applicant indicated that he has owned a substantial interest in the area and developed the Fairway Meadows neighborhood to the west, as well as the Fairway Meadows apartments, to the north.

The subject property was annexed into the city in 1994 (A-3-94) as a portion of a larger request of 42 acres +/- which included multiple zones at the time including: R-8, R-17, and C-17.

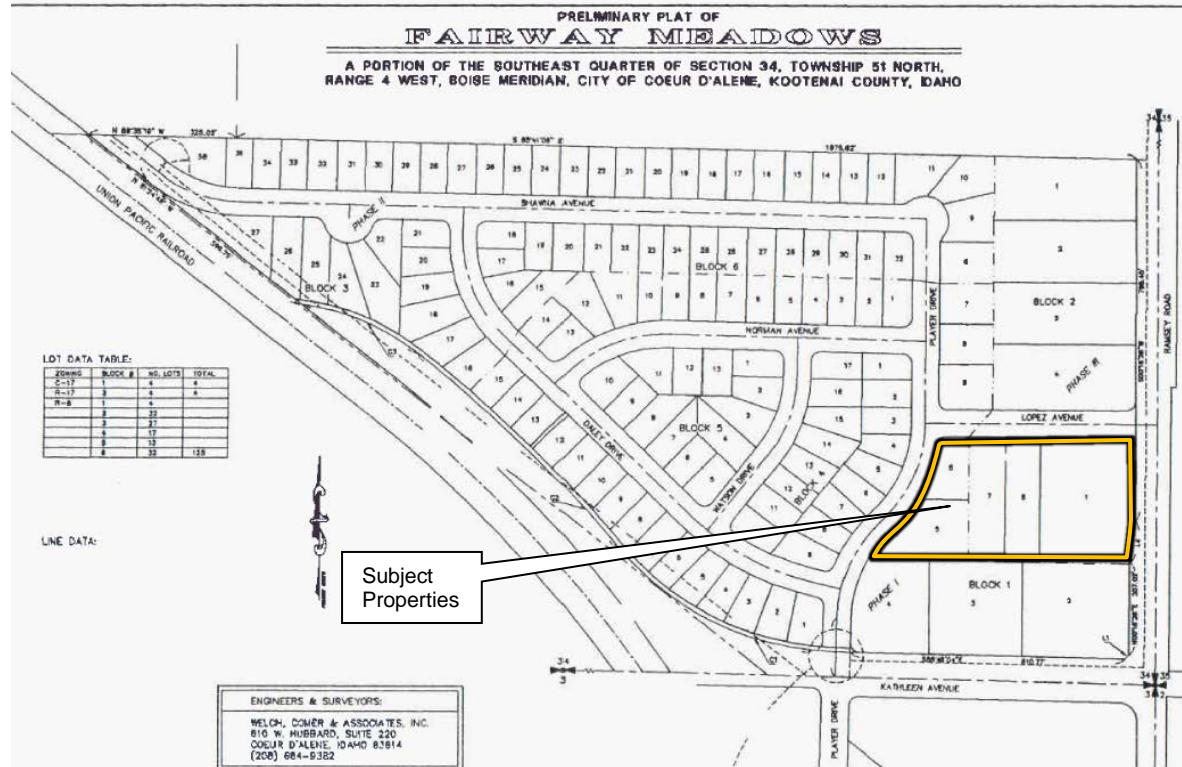
Original Annexation Zoning Request (Map):



Following approval, there appears to be a “reconsideration hearing” (A-3-94R) that was held which slightly altered the zones shown above to the following:



A few months later, in June of 1994, Viking Construction made application for a long plat subdivision (S-5-84) known as “Fairway Meadows” which was approved by the Planning and Zoning Commission on July 12, 1994. This subdivision and subsequent 2nd Addition laid out the vast majority of the street network and established much of what exists today. It was this approval where the subject property extents were defined:



Four years later in 1998, a zone change request from R-8 to C-17 (ZC-3-98) was approved for a portion of the subject property.

Map of Special Use Permits in the Area:



- SP-17-84 COMMUNITY EDUCATION & RELIGIOUS ASSEMBLY
- ZC-4-95SP COMMUNITY ORGANIZATION
- SP-3-92 MOBILE HOME PARK
- SP-9-92 ESSENTIAL SERVICE
- SP-3-04 AUTO REPAIR, FOOD SALES (ON/OFF), SPECIALTY RETAIL SALES
- SP-1-12 ASSISTED LIVING
- SP-4-17 WIRELESS COMMUNICATION
- SP-6-18 VETERINARY CLINIC

SUMMARY OF FACTS:

The following facts align with the facts listed in the draft Findings and Order worksheet for the Planning and Zoning Commission's consideration. These facts can be modified and added to as part of the motion associated with the Findings and Order.

- A1. All public hearing notice requirements have been met for item SP-2-24.
- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The notice was published in the Coeur d'Alene Press on May 25, 2024, seventeen days prior to the hearing.
 - Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on May 31, 2024, eleven days prior to the hearing.
 - Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Sixty-three (63) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on May 24, 2024.
 - Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts on May 24, 2024, eighteen days prior to the hearing.
 - Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on May 24, 2024.
- A2. Public testimony was received at a public hearing on June 11, 2024.
- A3. The subject property is vacant and is located west of Ramsey Road, south of Lopez Avenue, and east of Player Drive. The subject site is 3.116 acres in aggregate. The property is surrounded by residential, commercial and civic uses. Residential uses include the Fairway Meadows Apartments to the north, single family homes in the Fairway Meadows neighborhood to the west, and mobile homes and duplexes northeast and east. The commercial uses are to the south on both sides of Kathleen Avenue. Jenny Stokes field is to the southeast and Ramsey Magnet School east on Kathleen.
- A4. The subject site is currently zoned Commercial at seventeen (17) units per acre and Community Commercial (CC). The C-17 zoned area measures 2.325 ac. which would allow for up to 41 multi-family configured units by right (2,500SF/unit). The CC zoned area measures 0.791 ac. in aggregate on two parcels. The northern parcel measures 0.281 ac. and the southern 0.51 ac. The CC zoning designation development potential is based on a floor area ratio (FAR). The FAR for non-residential uses in a CC District is 1.0 with a total FAR of 1.5 when a ground floor permitted use is combined with a second level residential unit.
- A5. The applicant is proposing a mixed-use structure made up of multi-family units and commercial suites. Per the applicant, the area proposed for the structure is on what is currently zoned C-17, with

the CC zoned property being used as a parking area to help mitigate the impact of development to the single-family homes along N. Player Dr.

- A6. The Comprehensive Plan Future Land Use Map designation is both Urban Neighborhood & Retail Center/Corridor Place Types. The Comprehensive Plan states that the compatible zoning for the Urban Neighborhood Place Type includes R-17, R-34SUP, NC, CC, C-17 and C-17L. The Place Type include all zones, subject to approval by a public hearing. The Comprehensive Plan states that the compatible zoning for the Retail Center/Corridor is C-17 and C-17L.
- A7. The more applicable Place Type for the proposed project is the Urban Neighborhood Place Type. According to the Comprehensive Plan, Urban Neighborhood places are highly walkable neighborhoods with larger multifamily building types, shared greenspaces and parking areas. They are typically served with gridded street patterns, and for larger developments, may have an internal circulation system. Development typically consists of townhomes, condominiums, and apartments, with convenient access to goods, services, and dining for nearby residents. Supporting uses include neighborhood parks and existing recreation facilities, parking, office and commercial development.
- A8. The Comprehensive Plan includes transportation maps showing Existing and Planned Bicycle Networks, Existing and Planned Walking Networks, Existing Transit Networks. The subject property is in an area with existing multi-use paths and is along Transit Route C.
- A9. The staff report includes applicable Comprehensive Plan goals and objectives. The commission will determine if there are other applicable goals and objectives to support their decision from the attached Comprehensive Plan goals and objectives worksheet.
- A10. City departments have indicated the project will be served by existing streets, facilities and services. The project will result in increased traffic along Ramsey and Player Drive. The City Engineer has recommended conditions of approval to mitigate the traffic impacts. The Water and Fire Departments have provided standard conditions to address main extensions and/or fire hydrants, Fire Department access and turning radius requirements, as well as Knox box access, and requirements for fire sprinklers and fire alarms.
- A11. The Commission must make separate findings in order to approve an R-34 density increase. The proposal must be in close proximity to an arterial, shopping, schools and park areas and be zoned C-17. The portion of the project site where the R-34 is requested is zoned C-17, it is located along the west side of Ramsey Road and north of Kathleen Avenue – both arterials, and located near schools, parks trails and commercial uses.

SPECIAL USE PERMIT FINDINGS:

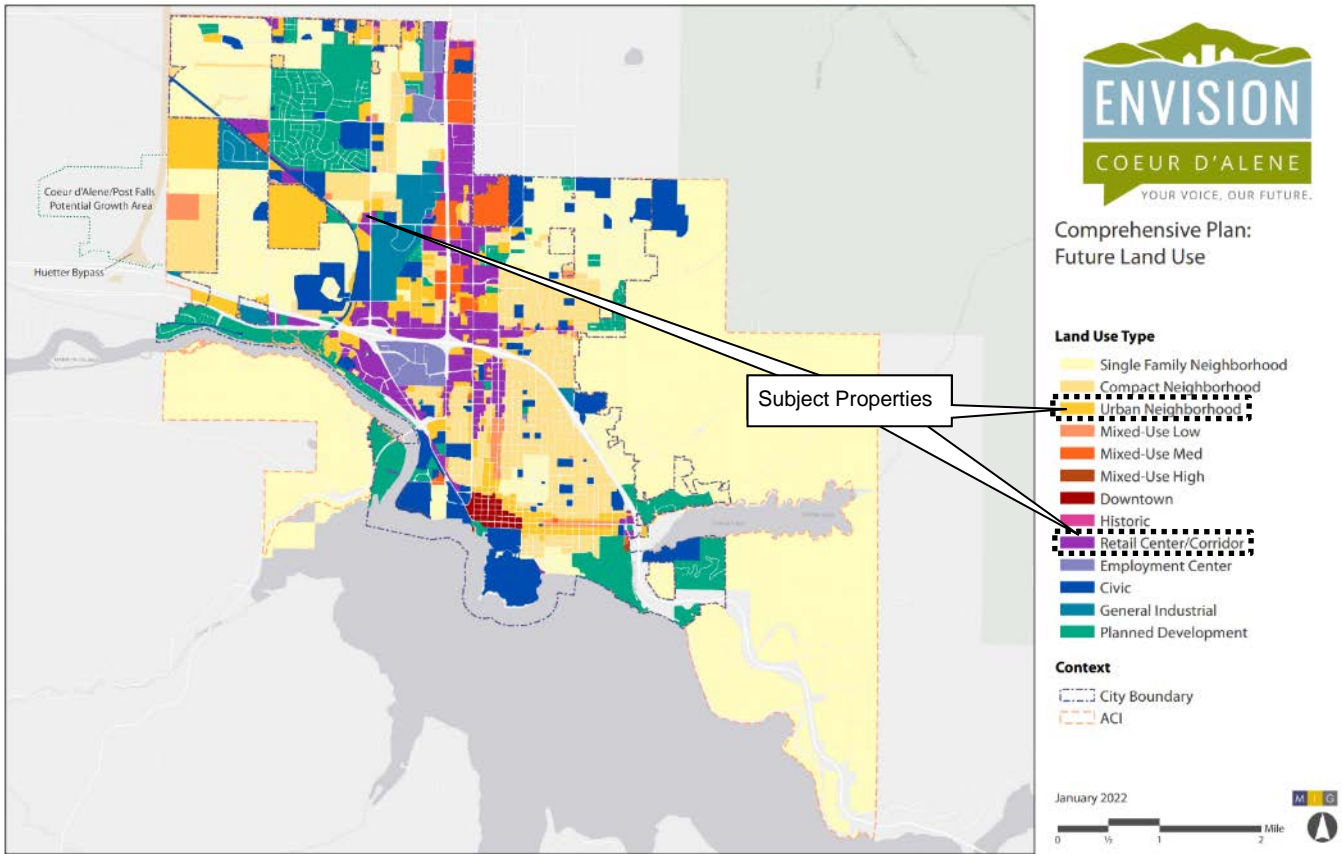
Finding B1: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

Use the following information as well as the attached Comprehensive Plan goals and objectives to make findings A6 through A9 in the attached findings worksheet.

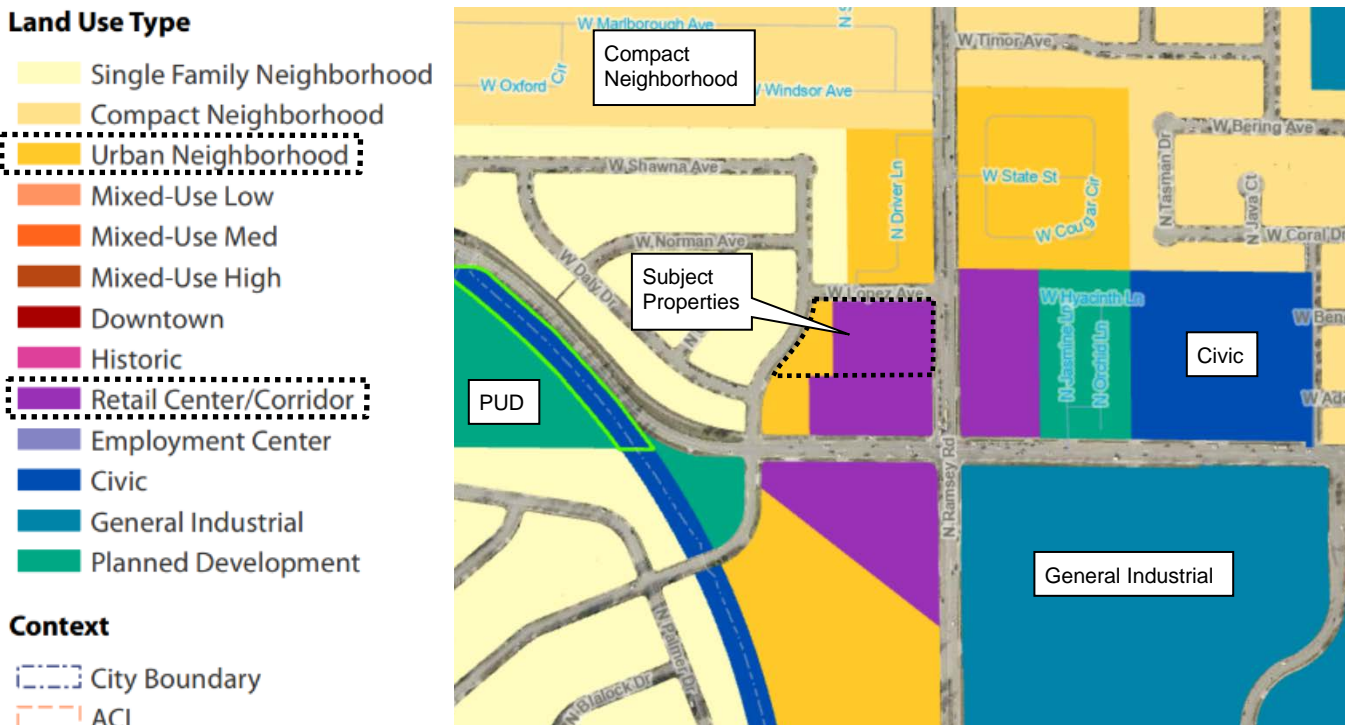
2022-2042 COMPREHENSIVE PLAN- LAND USE CATEGORY:

- The subject property is within city limits.
- The City's 2022-2042 Comprehensive Plan categorizes this area as both Urban Neighborhood & Retail Center/Corridor Place Types.

Future Land Use Map (City Context):



Future Land Use Map (Neighborhood Context):



Place Types

Place Types represent the form of future development, as envisioned by the residents of Coeur d'Alene. These Place Types provide the policy-level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

Urban Neighborhood

Urban Neighborhood places are highly walkable neighborhoods with larger multifamily building types, shared greenspaces and parking areas. They are typically served with gridded street patterns, and for larger developments, may have an internal circulation system. Development typically consists of townhomes, condominiums, and apartments, with convenient access to goods, services, and dining for nearby residents. Supporting uses include neighborhood parks and recreation facilities, parking, office and commercial development.

Compatible Zoning: R-17 and R-34SUP; NC, CC, C17, and C17L

Retail Center/Corridor

Retail Center/Corridor places are primarily car-oriented destinations for retail, services, hotels and motels, and restaurants along major streets. These locations are often developed with large format retail uses with some infill commercial development, typically one to three stories. These places are typically not easily walkable and generally have limited civic or other public uses, but because they are often located along major arterials, they may be served by transit.

Compatible Zoning: C17 and C17L

Urban Neighborhood



Key Characteristics

Urban Neighborhood places are highly walkable neighborhoods with larger multifamily building types, shared greenspaces and parking areas. They are typically served with a gridded street pattern, and for larger developments, may have an internal circulation system. Development typically consists of townhomes, condominiums, and apartments, often adjacent to mixed-use districts. Supporting uses include neighborhood parks and recreation facilities, parking, office and commercial development.

Transportation

- Gridded street pattern with internal streets in building complexes
- Should include high ease-of-use pedestrian and bicycle facilities

Typical Uses

- Primary: Multifamily residential
- Secondary: Neighborhood parks and recreation facilities, parking, office, commercial



Building Types

- Apartments, condominiums, townhomes

Compatible Zoning

- R-17 and R-34SUP; NC, CC, C17, and C17L

Retail Center/Corridor



Key Characteristics

Retail Center/Corridor places are primarily car-oriented destinations for retail, services, hotels and motels, and restaurants along major streets. These locations are often developed with large format retail uses with some infill commercial development, typically one to three stories. These places are typically not walkable and generally have limited civic or other public uses, but because they are often located along major arterials, they may be served by transit.

Transportation

- Often located along or at the intersection of major arterials
- Varied street pattern with more parking to meet commercial needs

Typical Uses

- Primary: Shopping centers, hotels/motels, car sales, restaurants, entertainment, office
- Secondary: Open space and parking

Building Types

- 1-3 stories, strip malls, walking malls, box stores, small format stores, or walkable Main Streets

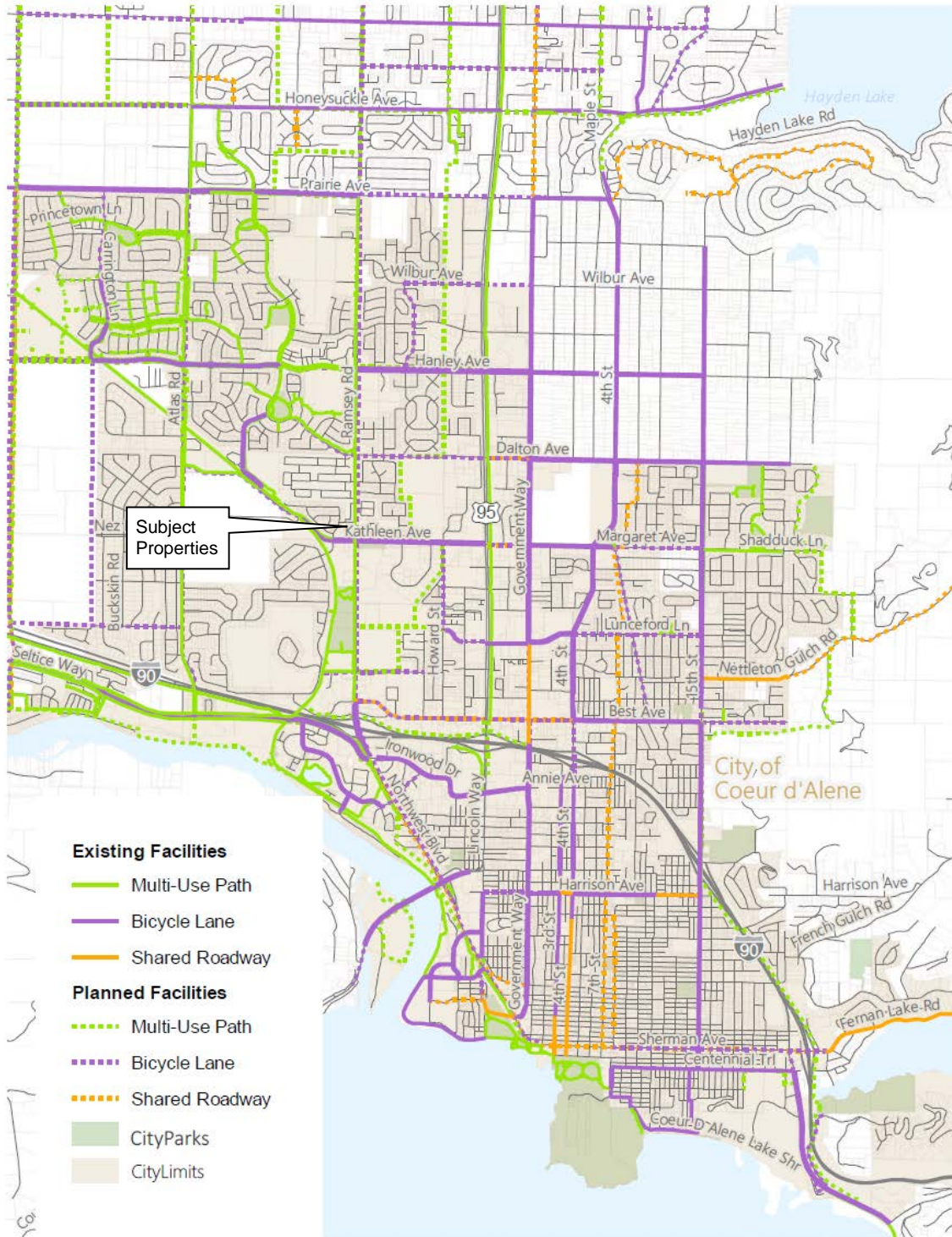


Compatible Zoning

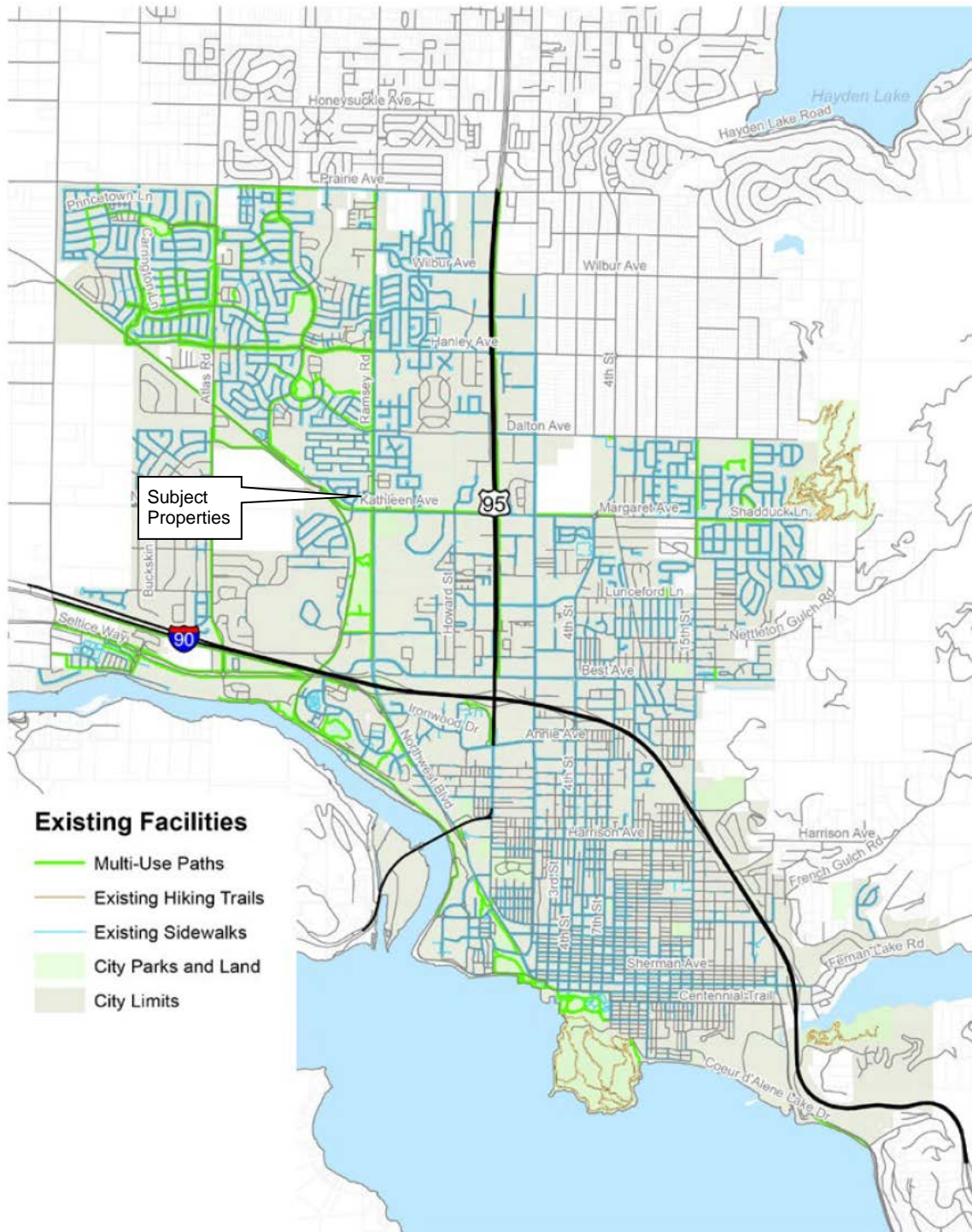
- C17 and C17L

Transportation

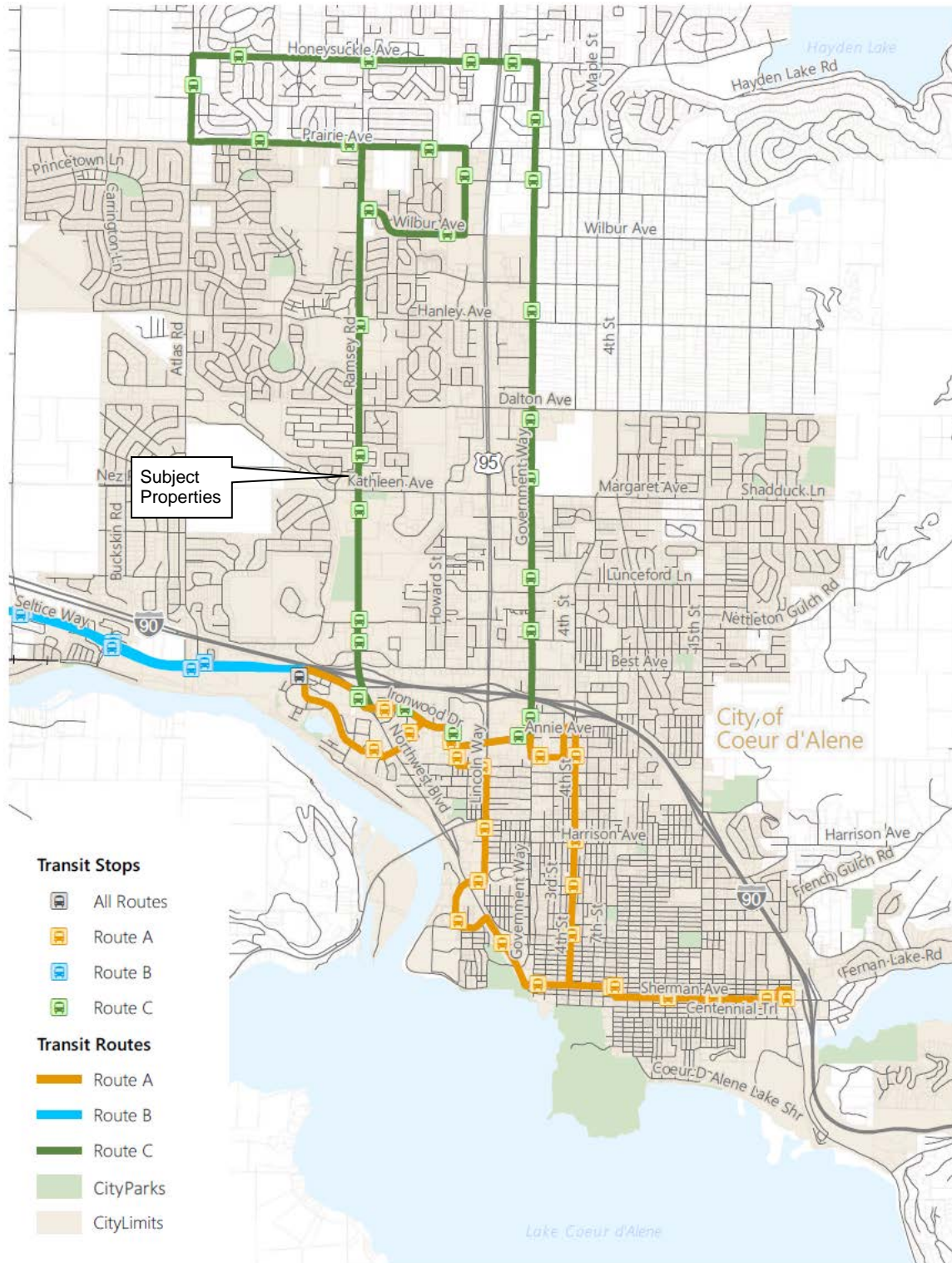
Existing and Planned Bicycle Network:



Existing and Planned Walking Network:



Existing Transit Network:



Comprehensive Plan Policy Framework:

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 2: Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

Goal CI 3: Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

Objective CI 3.1: Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.1: Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

Objective GD 1.4: Increase pedestrian walkability and access within commercial development.

Objective GD 1.5: Recognize neighborhood and district identities.

Objective GD 1.6: Revitalize existing and create new business districts to promote opportunities for jobs, services, and housing, and ensure maximum economic development potential throughout the community.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Jobs & Economy

Goal JE 1: Retain, grow, and attract businesses.

Objective JE 1.2: Foster a pro-business culture that supports economic growth.

Evaluation: *The Planning and Zoning 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 B2: The design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties.

Use the following information as well as testimony from the hearing to make findings A3 through A5 in the attached findings worksheet.

DESIGN & PLANNING OF THE SITE:

The applicant is proposing a mixed-use structure made up of multi-family units and commercial suites. Per the applicant, the area proposed for the structure is on what is currently zoned C-17, with the CC zoned property being used as a parking area to help mitigate the impact of development to the single-family homes along N. Player Dr.

Theoretical Maximums/Limitations of the Site: With & Without Approval of R-34

Existing Site without approval (C-17 & CC):

The C-17 zoned area measures 2.325 ac. which would allow for up to 41 multi-family configured units by right (2,500SF/unit). The commercial element is unlimited except by setbacks, parking, and the ratio of residential to commercial square footage.

The CC zoning designation development potential is based on a floor area ratio (FAR). The FAR for non-residential uses in a CC District is 1.0 with a total FAR of 1.5 when a ground floor permitted use is combined with a second level residential unit. The CC zoned area measures 0.791 ac. in aggregate on two parcels. The northern parcel measures 0.281 ac. and the southern 0.51 ac.

17.05.1220: BASIC DEVELOPMENT STANDARDS; MAXIMUM BUILDING HEIGHT:

The maximum height for all uses shall not exceed thirty two feet (32'). (Ord. 3288 §58, 2007)

17.05.1230: BASIC DEVELOPMENT STANDARDS; MAXIMUM FLOOR AREA:

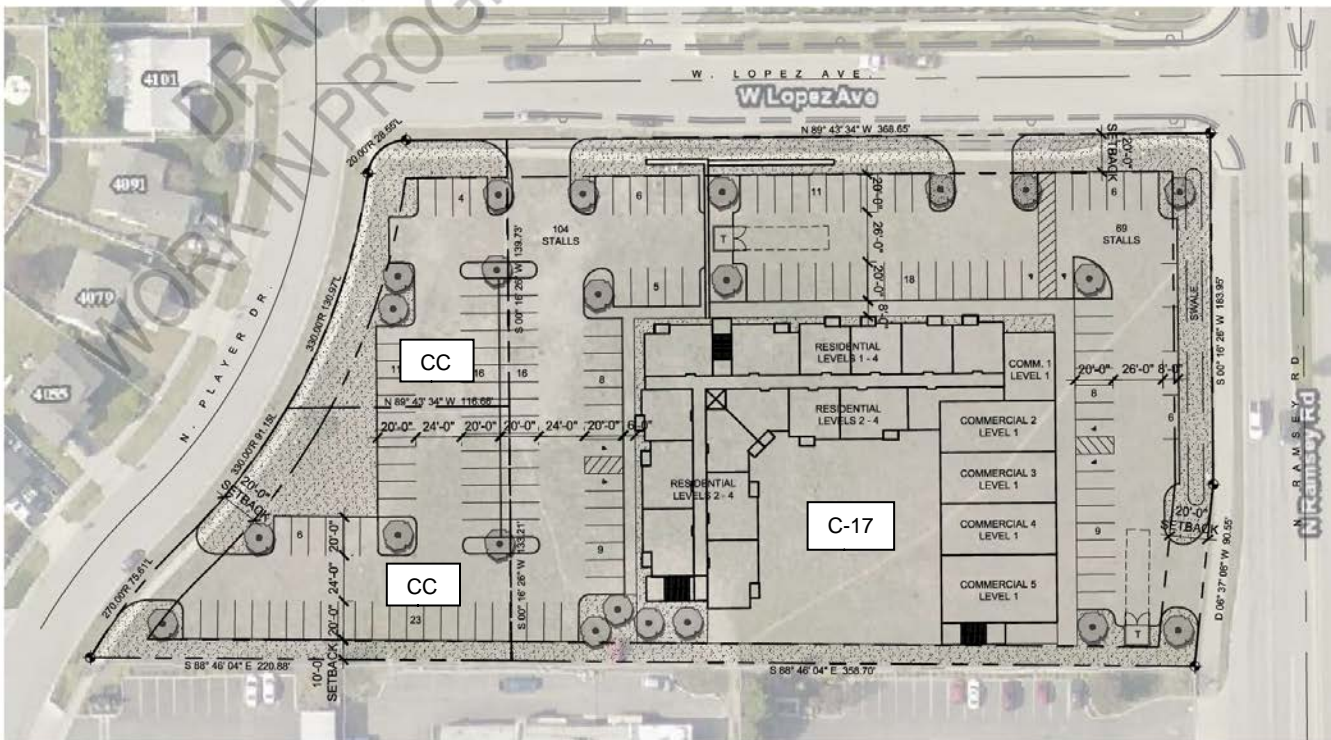
A. Maximum Floor Area Ratio: The floor area ratio (FAR) for nonresidential uses in a CC district is 1.0 with a total FAR of 1.5 when a ground floor permitted use is combined with a second level residential unit.

B. Maximum Floor Area: The maximum floor area shall not exceed ten thousand (10,000) square feet for retail uses. All other nonresidential uses shall not exceed twenty thousand (20,000) square feet. (Ord. 3288 §59, 2007)

CC (lot 1)	Max FAR	Commercial	Residential
12,240.36 SF	1.0 (com) + 0.5 (res)	12,240.36 SF (mix)	6,120.18 SF
CC (lot 2)	Max FAR	Commercial	Residential
22,215.6 SF	1.0 (com) + 0.5 (res)	22,215.6 SF (mix)	11,107.8 SF
Grand Total		34,455.96 SF	17,227.98 SF

NOTE: Comparing these two zones is a bit of apples-to-oranges since C-17 does not limit the size of a multi-family unit, but rather the number; whereas CC is based on FAR and does not limit the number of units, but rather the total square footage that can be built. Also, the maximum height in CC is 32' limiting development potential. Note that an assertive architectural design with a flat-top roof could potentially reach 3-stories. In addition, parking is another limiting factor, and unless the parking is structured below grade, much of the surface area would be occupied by parking lots/landscaping.

**Existing Site with R-34 approval (C-17 area development only):
Conceptual Site Plan:**



Property Summary

THE SUBJECT PROPERTY IS COMPRISED OF THE LOT(S) BELOW:

PARCEL ADDRESS	PARCEL NUMBER	ZONING / FUTURE LAND USE	PARCEL AREA (ASSESSED)
N. RAMSEY RD. AND LOPEZ AVE. LOT 1	C-3179-001-001-0	C-17 / RETAIL CENTER CORRIDOR	±101,277 SF.
N. RAMSEY RD. AND LOPEZ AVE. LOT 4	C-3179-001-004-0	CC / URBAN NEIGHBORHOOD	±22,216 SF.
N. RAMSEY RD. AND LOPEZ AVE. LOT 5	C-3179-001-005-0	CC / URBAN NEIGHBORHOOD	±12,240 SF.
PROPERTY AREA (ASSESSED):			±135,733 SF.
ACRES TOTAL:			±3.12 AC.

Development Info

NEW APARTMENT AND COMMERCIAL BUILDING

FLOOR	AREA	1 PER 330 SF			REQUIRED PARKING PER FLOOR
		1:1	2:2	UNITS / FLOOR	
COMMERCIAL	± 6,912 SF				21
LEVEL 1	± 3,878 SF	3	1	4	6
LEVEL 2	± 20,150 SF	16	9	25	42
LEVEL 3	± 20,150 SF	16	9	25	42
LEVEL 4	± 20,150 SF	16	9	25	42
TOTAL SF = ± 71,240 SF		TOTAL UNITS = 79 UNITS			
TOTAL REQ'D. PARKING:					153 STALLS
PROVIDED ON-SITE PARKING:					162 STALLS

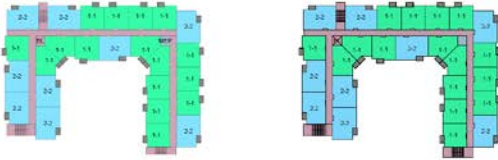
17.44.030: RESIDENTIAL USES:

Unless otherwise allowed by the relevant zoning or overlay district, the following off-street parking is required for all residential uses:

	Residential Uses	Requirement
D.	Multiple-family housing:	
	1. Studio units	1 space per unit
	2. 1 bedroom units	1.5 spaces per unit
	3. 2 bedroom units	2 spaces per unit
	4. 3 bedroom units	2 spaces per unit
	5. More than 3 bedrooms	2 spaces per unit

An R-34 Special Use Permit, if approved, would increase the allowable density of the C-17 2.325-acre parcel from 41 units (@ 2500SF/unit) to a maximum of **79 units (@ 1275SF/unit)**.

Draft Massing Study:

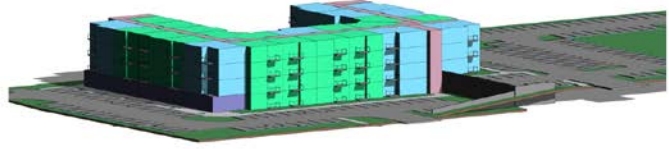


Level 4
1" = 32'-0"

Level 3
1" = 32'-0"



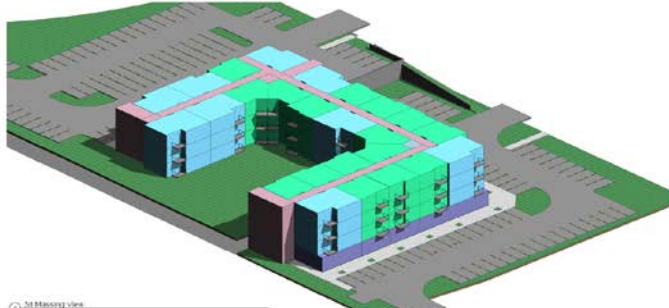
Level 2
1" = 32'-0"



3D Massing View 2



Level 1
1" = 32'-0"



3D Massing View

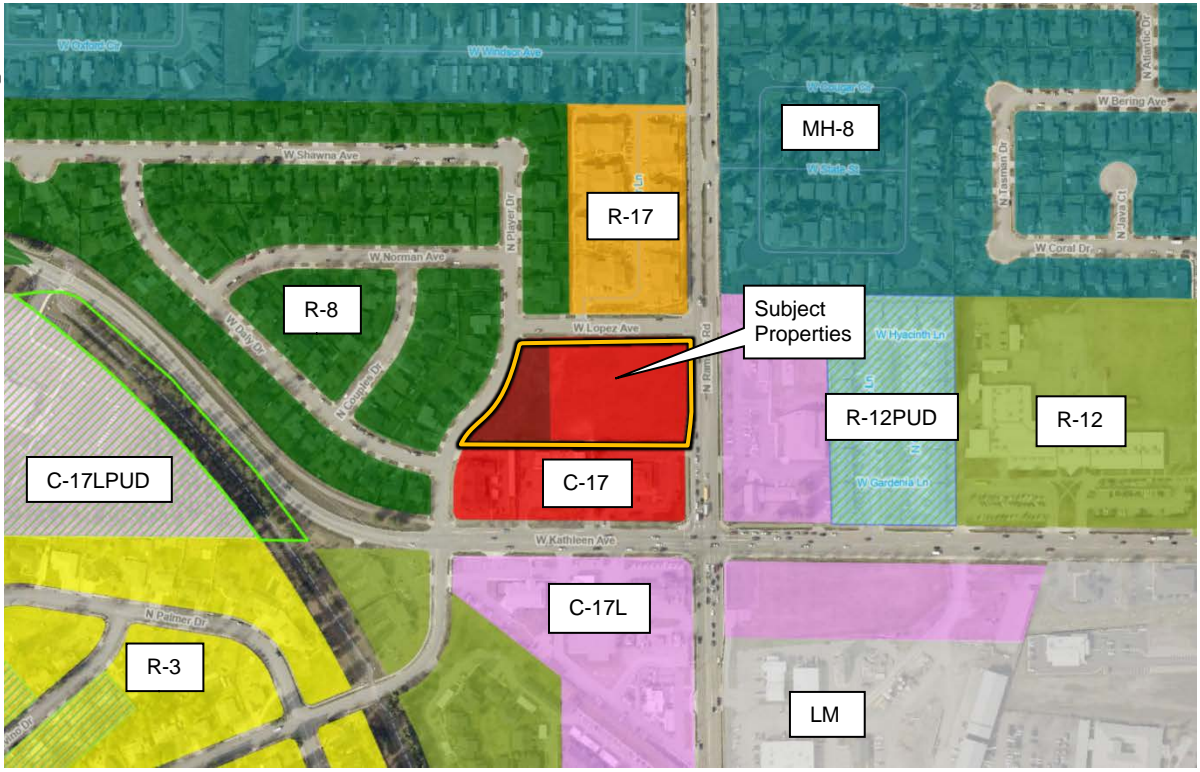
Bernardo Wills

Fairway Apartments
Schematic Floor Plans Concept 4
10/20/2024

A1

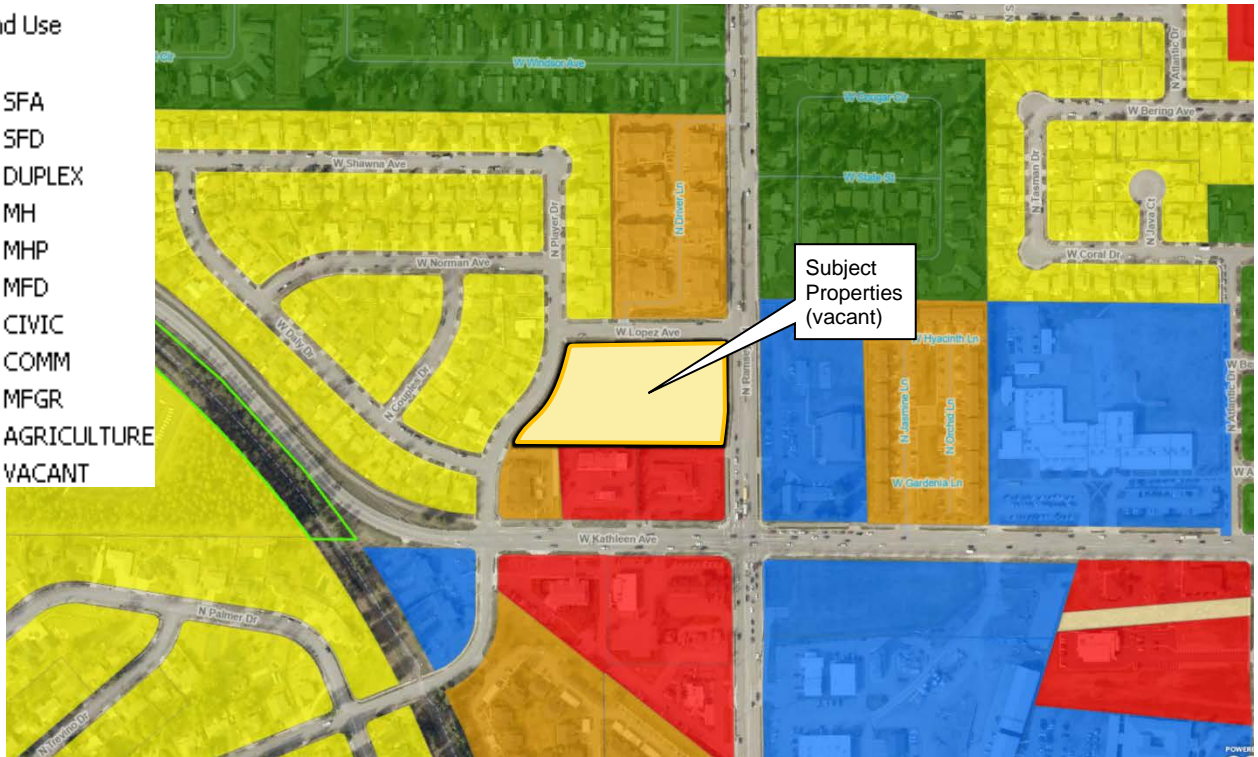
Zoning:

- 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

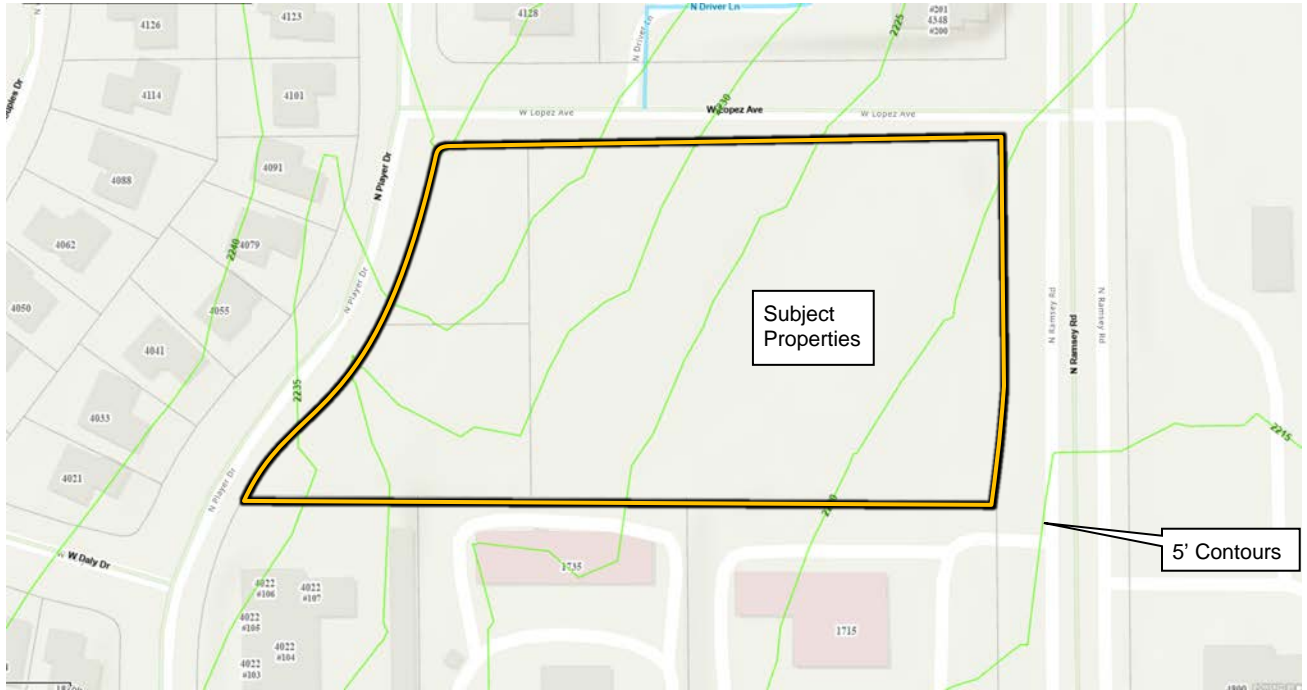


Generalized Land Use:

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



Natural Features & Adjoining Properties (5' Contours in Green):



Site Photos:

Intersection of N. Ramsey Rd. and W. Lopez Ave. looking north toward apartments along trail/sidewalk (arrow showing stormwater):



Looking west along the fence line of Mountain West Bank from the SE corner of the subject properties toward N. Player Dr.:



Looking north along the asphalt trail from the SE corner of the subject properties toward W. Lopez Ave.:



Looking west from the trail along N. Ramsey Rd. across the subject properties showing homes along N. Player Dr. in the background:



Looking SE into subject property from the intersection of W. Lopez Ave. and N. Player Dr.



Intersection of N. Player Dr. and W. Lopez Ave. looking east toward N. Ramsey Rd. showing sidewalk:



Intersection of N. Player Dr. and W. Lopez Ave. looking south toward W. Kathleen Ave. showing commercial uses, apartments, and single-family homes:



Looking south from the western edge of subject properties toward an existing apartment building:



Looking east along southern edge of subject properties that abut commercial uses and an apartment building:



Intersection of N. Ramsey Rd. and W. Lopez Ave. looking south along asphalt path toward signalized intersection of W. Kathleen Ave.:



Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether the design and planning of the site is or is not compatible with the location, setting, and existing uses on adjacent properties. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

Finding B3: **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.**

Use the following information as well as testimony from the hearing to make finding A10 in the attached findings worksheet.

WATER

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed short subdivision.

There are 12" water mains on the west, north, and east sides of the property with an 8" stub, stubbed into the property on the north side. Two fire hydrants border the property on W Lopez and N Player Dr. 4-1" water services with 3/4" meters are serving the property with 2 on the north side and 2 located on the west side.

-Submitted by Glen Poelstra, Assistant Water Director

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 Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance.

-Submitted by Bobby Gonder, Fire Inspector/Investigator

WASTEWATER

The Subject Property is within the City of Coeur d'Alene Area of Service and in accordance with the 2023 Sewer Master Plan the City's Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this SUP request as proposed.

City Sewer is available to the subject property within the sewer main in Ramsey Rd. This project falls under policy #716, One Legal Parcel, One Sewer Lateral. That lateral is available on Ramsey Rd. This would be private sewer. Appropriate sewer CAP fees for Commercial and Residential Multifamily will need to be paid at the time of building permit.

-Submitted by Larry Parsons, Utility Project Manager

STORMWATER

City Code requires that all storm drainage be retained on site and a stormwater management plan to be submitted and approved prior to any construction activity on the site. This issue will be addressed at the time of site development.

-Submitted by Chris Bosley, City Engineer

TRAFFIC

Using Land Use Code 220 – Apartment from the ITE Trip Generation Manual, the proposed 79 apartment units are expected to generate approximately 525 trips per day with 40 occurring in the AM Peak Hour and 49 occurring in the PM Peak Hour. The proposed commercial uses are expected to add a considerable amount of additional traffic (possibly doubling the amount), but without knowing the intended uses, no estimate can be made. Although the surrounding streets have the capacity to accommodate the traffic from the proposed development, the increase in congestion entering and exiting at Player Drive and Lopez Ave will likely be noticeable during peak hours. Left turn queuing from Ramsey Road onto Lopez Ave may, at times, extend into the northbound travel lane due to the minimal left turn pocket available between swales. Relocation of the swales to extend the turn lane is not feasible within the limited right-of-way. The Streets & Engineering Department recommends that the development reconstruct the median swale to provide a minimum of a 100-foot left turn bay plus tapers and create a swale and stormwater easement to accommodate the Ramsey Road stormwater. A stop sign may also be warranted on Lopez Ave at Player Drive to manage the increased neighborhood traffic and reduce conflicts. The proposed west approach on Lopez Ave should be relocated directly across from the Fairway Meadows Apartments approach to address potential left turn conflicts.

-Submitted by Chris Bosley, City Engineer

STREETS

The subject property is bordered by Player Drive to the west, Lopez Ave to the north, and Ramsey Road to the east. Any portions of the sidewalk along the frontages not meeting ADA requirements must be addressed at the time of construction. Right-of-way should be dedicated to the City along Ramsey Road to provide a consistent 100 feet of right-of-way along the Ramsey Road frontage. Ramsey Road and Kathleen Avenue are both considered arterial roads. Player Drive and Lopez Avenue are considered local roads.

-Submitted by Chris Bosley, City Engineer

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

R-34 CRITERIA & SPECIAL USE PERMIT FINDING:

17.05.330: GENERALLY:

- A. The R-34 District is intended as a high-density residential district, permitting thirty-four (34) units per gross acre and increased height, that the City has the option of granting, through the special use permit procedure, to any property zoned R-17, C-17, C-17L or LM. This designation is only allowed through the special use permit and is not a stand-alone zoning district. To warrant consideration, the property must in addition to having the R-17, C-17, C-17L or LM designation meet the following requirements:
1. Be in close proximity to an arterial, as defined in the Coeur d'Alene transportation plan (KMPO's current Metropolitan Transportation Plan), sufficient to handle the amount of traffic generated by the request in addition to that of the surrounding neighborhood; and the project and accessing street must be designed in such a way so as to minimize vehicular traffic through adjacent residential neighborhoods.
 2. Be in close proximity to shopping, schools and park areas (if it is an adult only apartment complex proximity to schools is not required).
 - B. This district is appropriate as a transition between R-17 and commercial/industrial.
 - C. Single-family detached and duplex housing are not permitted in this district.
 - D. Project review (chapter 17.07, article IV of this title) is required for all subdivisions and for all residential, civic, commercial, service and industry uses except residential uses for four (4) or fewer dwellings. (Ord. 3674 §3, 2021: Ord. 3268 §8, 2006: Ord. 2570 §1, 1993: Ord. 1691 §1(part), 1982)

17.05.340: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-34 District shall be as follows:

Essential service.

Multiple-family housing.

Neighborhood recreation.

Public recreation. (Ord. 3560, 2017)

17.05.350: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-34 District shall be as follows:

- Accessory dwelling units.
- Garage or carport (attached or detached).
- Mailroom or common use room for multiple-family development.
- Outside area or building for storage when incidental to the principal use.
- Private recreation facility (enclosed or unenclosed). (Ord. 3560, 2017)

17.05.370: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements in an R-34 District shall be as follows:
MAXIMUM HEIGHT

Structure Type	Structure Location	
	In Buildable Area For Principal Facilities	In Rear Yard
Multiple-family and nonresidential structure	63 feet ¹	n/a
Accessory structure when part of the main structure	Shall be the same as the main structure	n/a
Detached accessory building including garages and carports	32 feet ¹	With low or no slope roof: 14 feet With medium to high slope roof: 18 feet

17.05.390: SITE PERFORMANCE STANDARDS; MINIMUM LOT:

Minimum lot requirements in an R-34 District shall be as follows:

- A. One-thousand two-hundred seventy-five (1,275) square feet per unit for multiple-family at thirty four (34) units per acre. A four (4) unit gross acre density increase may be granted for each gross acre included in the development.
- B. All building lots must have seventy-five feet (75') of frontage on a public street, unless an alternative is approved by the City through the normal subdivision procedure or unless the lot is nonconforming (see section [17.06.980](#) of this title). (Ord. 3560, 2017)

17.05.400: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements in an R-34 District shall be as follows:

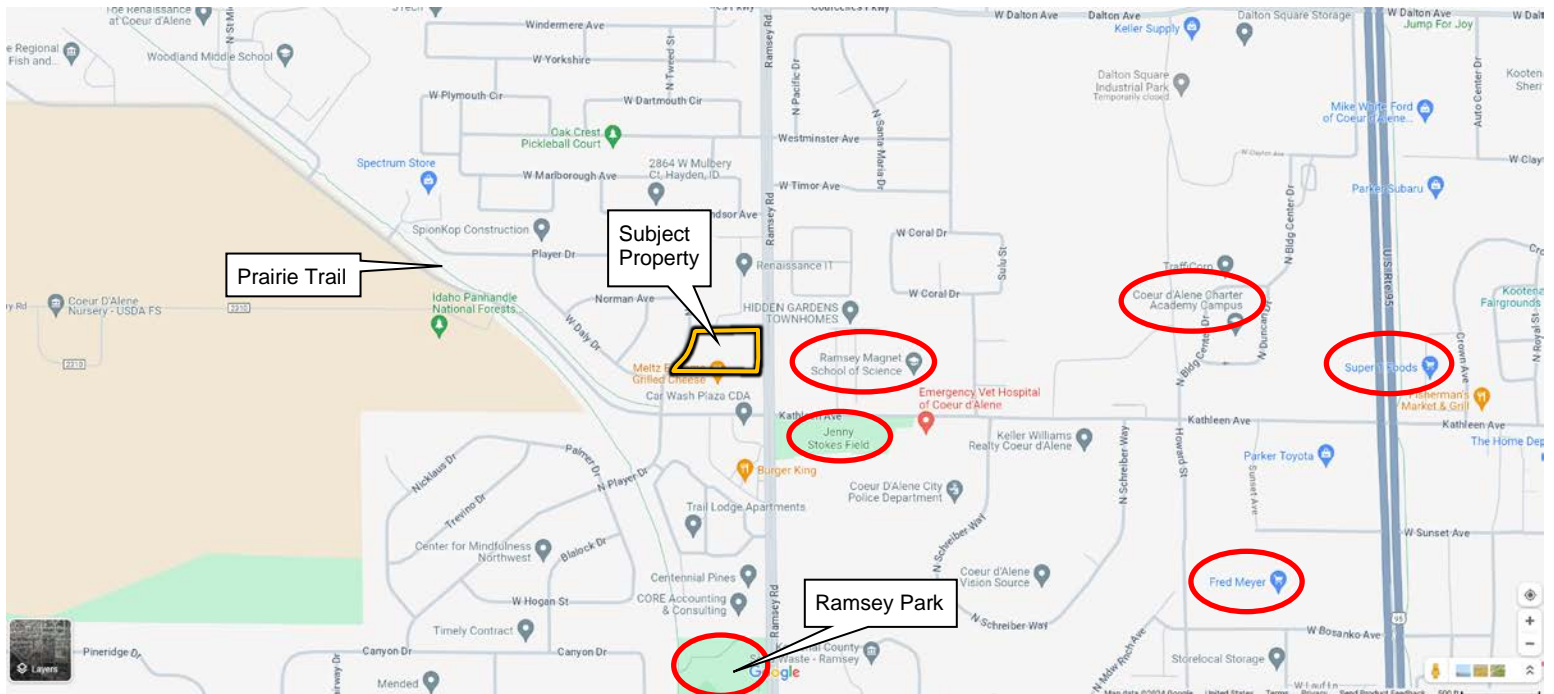
- A. For multiple-family housing at thirty-four (34) units per acre:
 - 1. **Front:** The front yard requirement shall be twenty feet (20').
 - 2. **Side, Interior:** The interior side yard requirement shall be ten feet (10').
 - 3. **Side, Street:** The street side yard requirement shall be twenty feet (20').
 - 4. **Rear:** The rear yard requirement shall be twenty feet (20'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space (see section [17.06.480](#) of this title).
- B. Minimum distances between residential buildings on the same lot shall be determined by the currently adopted Building Code.
- C. There will be no permanent structures erected within the corner cutoff areas.
- D. Extensions into yards are permitted in accordance with section [17.06.495](#) of this title.

Note: If the proposed structure measures 50,000 or more square feet, Design Review will be required.

Finding B4: That the proposal (is) or (is not) in close proximity to an arterial, shopping, schools, and park areas (if it is an adult only apartment complex proximity to schools is not required). (FINDING REQUIRED FOR AN R-34 REQUEST)

Use the following information as well as testimony from the hearing to make finding A11 in the attached findings worksheet.

The property where the density increase is requested is zoned C-17. The project site is located along the western edge of Ramsey Road, which is an arterial road, and north of Kathleen Avenue, also an arterial road. The map below shows the schools, parks, trails and commercial uses within the proximity of the subject property.



Evaluation: The Planning and Zoning Commission must determine, based on the information before them, whether the proposal (is) or (is not) in close proximity to an arterial, shopping, schools, and park areas (if it is an adult only apartment complex proximity to schools is not required). Specific ways in which the policy is or is not supported by this request should be stated in the finding.

PROPOSED CONDITIONS:

Planning:

1. If approved, the maximum height shall be limited to 45' from averaged finished grade, based on the lowest feasible grade along N. Ramsey Rd. and the applicant's property line.
2. All subject properties shall be combined/consolidated with the properties currently zoned Community Commercial (CC); the CC zoned parcels shall be limited to multi-family parking only, as designed.

Engineering:

- 3. Dedicate right-of-way to the City of Coeur d’Alene to create a consistent 100-foot right-of-way along the Ramsey Road frontage.
- 4. Relocate the Ramsey Road median swale adjacent to the property to a new swale within the development and dedicate a stormwater easement, reconstruct Ramsey Road, where the median swale is removed to extend the northbound left-turn lane.
- 5. Install a stop sign on Lopez Ave at Player Drive.

Water:

- 6. 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 permitting.

Fire Department:

- 7. FD minimum access width: 20’ minimum, 26’ maximum.
- 8. Maximum Turning Radiuses is 25’ interior and 50’ exterior.
- 9. Address numbers shall be visible from the street and property.
- 10. Fire hydrant amount and location to be determined at building permit.
- 11. Fire sprinkler and fire alarms are required.
- 12. Knox box is required.
- 13. Locking Knox caps required for the FDC.

ORDINANCES AND STANDARDS USED IN ASSESSMENT:

- 2022-2042 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
- 2021 Parks Master Plan
- 2017 Trails and Bikeways Master Plan

Attachments:

- Applicant’s Application and Narrative
- Comprehensive Plan Goals & Objectives

ACTION ALTERNATIVES:

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

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APPLICANT'S APPLICATION

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SPECIAL USE PERMIT APPLICATION

STAFF USE ONLY
Date Submitted: 4/30/24 Received by: [Signature] Fee paid: 1006.00 Project # SP-2-24 TBD

REQUIRED SUBMITTALS

Application Fee: \$700.00
Publication Fee: \$300.00
Mailing Fee: \$6.00 per hearing

** Public hearing required with the Planning Commission*

A **COMPLETE APPLICATION** is required at time of application submittal, as determined and accepted by the Planning Department located at <http://cdaid.org/1105/departments/planning/application-forms>.

- Completed application form**
- Application, Publication, and Mailing Fees**
- A report(s) by an Idaho licensed Title Company:** Owner's list three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:
 1. All property owners within 300ft of the external boundaries. ** Non-owners list no longer required**
 2. All property owners with the property boundaries.
- A report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company and a copy of the tax map showing the 300ft mailing boundary around the subject property. The report(s) shall be a full Title Report and include the Listing Packet. Explain how the location, design, and size of the proposal will be adequately served by existing streets, public facilities and services.
- A written narrative:** Including a description of the request, how the request conforms to the 2007 Comprehensive Plan, how the design and planning of the site is compatible with the location, setting, and existing uses on adjacent properties. Explain how the location, design, and size of the proposal will be adequately served by existing street, public facilities and services.
- A legal description:** in MS Word compatible format, together with a meets and bounds map stamped by a licensed Surveyor.
- A plan set map:** A site plan with floor plans, and/or building elevations as deemed necessary to demonstrate the characteristics of the proposed use. All plans must be accurately drawn to an acceptable scale and complete with dimensions that show lot size, setbacks, required off-street parking, any landscaping that may be proposed to ensure the compatibility with the abutting properties, and surrounding neighborhood.

DEADLINE FOR SUBMITTALS

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

PUBLIC HEARING NOTICE SIGN TO BE POSTED ON SUBJECT PROPERTY

The applicant is required to post a public hearing notice, provided by the Planning Department, on the property at a location specified by the Planning Department. This posting must be done one (1) week prior to the date of the Planning Commission meeting at which this item will be heard. An affidavit testifying where and when the notice was posted, by whom, and a picture of the notice posted on the property is also required and must be returned to the Planning Department.

APPLICATION INFORMATION

PROPERTY OWNER: WETER BARE LAND LLC		
MAILING ADDRESS: 2605 W HAYDEN AVE		
CITY: Hayden	STATE: Idaho	ZIP: 83835
PHONE: (208) 619-1900	FAX:	EMAIL: jehkiah@vikinghomes.com
APPLICANT OR CONSULTANT: Stephen Goodmansen, Bernardo Wills Architects		STATUS: ENGINEER OTHER Architect
MAILING ADDRESS: 153 S Jefferson		
CITY: Spokane	STATE: WA	ZIP: 99201
PHONE: (509) 838-4511	FAX: (509) 838-4605	EMAIL: sgoodmansen@bernardowills.com

FILING CAPACITY

- Recorded property owner as to of _____
- Purchasing (under contract) as of _____
- The Lessee/Renter as of _____
- Authorized agent of any of the foregoing, duly authorized in writing. *(Written authorization must be attached)*

SITE INFORMATION:

GENERAL LOCATION OR ADDRESS OF THE PROPERTY: SEC of Ramsey Rd and Lopez Ave. Parcel C-3179-001-001-0
GROSS AREA/ACRES): 101,277 SF
EXISTING CITY ZONING (CHECK ALL THAT APPLY): R-1 <input type="checkbox"/> R-3 <input type="checkbox"/> R-5 <input type="checkbox"/> R-8 <input type="checkbox"/> R-12 <input type="checkbox"/> R-1 <input type="checkbox"/> MH-8 <input type="checkbox"/> NC <input type="checkbox"/> C-17 <input checked="" type="checkbox"/> C-17L <input type="checkbox"/> DC <input type="checkbox"/> LM <input type="checkbox"/> M <input type="checkbox"/> NW <input type="checkbox"/>
CURRENT LAND USE: Comprehensive Plan: Retail Center/Corridor
DESCRIPTION OF PROJECT/REASON FOR REQUEST: We wish to increase the multifamily density allowed from 17 units per acre allowed in C-17 to 34 units per acre.

CERTIFICATION OF APPLICANT:

I, Stephen Goodmansen, being duly sworn, attests that he/she is the applicant of this
(Insert name of applicant)

request and knows the contents thereof to be true to his/her knowledge.

Signed: _____
(applicant)

Notary to complete this section for applicant:

Subscribed and sworn to me before this _____ day of _____, 20____.

Notary Public for Idaho Residing at: _____

My commission expires: _____

Signed: _____
(notary)

CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: Wendell Olson Telephone No.: (208) 619-1900

Address: 2605 W HAYDEN AVE

Signed by Owner: [Signature]

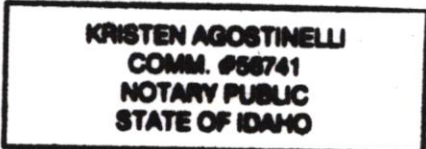
Notary to complete this section for all owners of record:

Subscribed and sworn to me before this 30th day of April, 2024.

Notary Public for Idaho Residing at: Hayden

My commission expires: 10/7/28

Signed: [Signature]
(notary)



*For multiple applicants or owners of record, please submit multiple copies of this page.

CERTIFICATION OF APPLICANT:

I, Stephen Goodmansen, being duly sworn, attests that he/she is the applicant of this
(Insert name of applicant)

request and knows the contents thereof to be true to his/her knowledge.

Signed: [Signature]
(applicant)

Notary to complete this section for applicant:

Subscribed and sworn to me before this 30th day of April, 20 24.

Notary Public for Idaho Residing at: Lean Lake



My commission expires: 02/01/2026

Signed: [Signature]
(notary)

CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: Jehkiah Cornett Telephone No.: (208) 619-1900

Address: 2605 W HAYDEN AVE

Signed by Owner: _____

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this _____ day of _____, 20____.

Notary Public for Idaho Residing at: _____

My commission expires: _____

Signed: _____
(notary)

*For multiple applicants or owners of record, please submit multiple copies of this page.

I (We) the undersigned do hereby make petition for a special use permit of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS 30 DAY OF April 2024

Special use permit narrative for parcel C-3179-001-001-0 to allow for R-34 use.

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 commission:

A. The proposal is in conformance with the comprehensive plan:

The 2022-2042 Comprehensive Plan “Future Land Use” map designates this parcel as Retail Center/Corridor. The characteristics of Retail Center/Corridor are primarily to support car-oriented destinations for retail along major streets. We propose that by providing about 4,000 square feet of retail facing Ramsey, the proposal is in conformance with the comprehensive plan. We propose that by adding a higher density multifamily use to the property it will enhance the retail nature of the commercial district.

The parcels under consideration will be developed together, however they do not share the same designation within the comprehensive plan. The neighboring properties are listed as Urban Neighborhood. Urban Neighborhoods are intended to be highly walkable neighborhoods with larger multifamily building types often adjacent to mixed-use districts. These properties will be developed in support of the residential component to provide parking and green space. We do not propose that the current zoning designation of NC be revised as it is already compatible with the comprehensive plan and proposed use.

We feel that this project is compatible with the following goals set forth within the comprehensive plan:

- Goal CI 2 Maintain a high quality of life for residents and businesses that make Coeur d’Alene a great place to live and visit.
 - OBJECTIVE CI 2.1 Maintain the community’s friendly, welcoming atmosphere and its small-town feel.
- Goal GD 1 Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d’Alene a great place to live.
 - OBJECTIVE GD 1.3 Promote mixed-use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.
 - OBJECTIVE GD 1.4 Increase pedestrian walkability and access within commercial development.
 - OBJECTIVE GD 1.5 Recognize neighborhood and district identities.
 - OBJECTIVE GD 1.6 Revitalize existing and create new business districts to promote opportunities for jobs, services, and housing, and ensure maximum economic development potential throughout the community.
- Goal GD 5 Implement principles of environmental design in planning projects.

- OBJECTIVE GD 5.1 Minimize glare, light trespass, and skyglow from outdoor lighting.

B. The design and planning of the site is compatible with the location, setting and exiting uses on adjacent properties:

The property is currently vacant and not contributing to the designated use. A mixed-use development of the property enhances the commercial district and contributes to the Urban Neighborhood designation of the adjacent properties. We recognize that several single-family homes along Player Drive will have views facing the development. This proposal considers the tension between Urban Neighborhood and Single-Family land uses and intends to soften the transition through the use of landscaping screening. The project is taking advantage of the underlying topography to limit the height of the building as viewed from Player Drive to 3 stories, whereas the views from Ramsey Rd. and Lopez Ave will be 4 stories. There is no incompatibility with the business to the south of the proposed project because they are already retail and commerce oriented.

C. The location, design and size of the proposal are such that the development will be adequately served by existing streets, public facilities and services:

Ramsey Rd is a major arterial and has Kathleen Ave another major arterial as a crossing street to the south. The intersection of Ramsey and Kathleen is controlled by stoplights. Major access to the site is proposed to be from Ramsey Rd for southbound traffic and from Lopez Avenue for northbound traffic. There is a bus route along Ramsey and the nearest bus stop is located on the east side of Ramsey Rd directly adjacent to the property. Due to the location of the site, other public facilities and services are present and readily accessible.

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**Comp
Plan
Goals
&
Objectives**

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COMPREHENSIVE PLAN GOALS AND OBJECTIVES

Community & Identity

- Goal CI 1**
Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.
 - OBJECTIVE CI 1.1**
Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

- Goal CI 2**
Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.
 - OBJECTIVE CI 2.1**
Maintain the community's friendly, welcoming atmosphere and its smalltown feel.
 - OBJECTIVE CI 2.2**
Support programs that preserve historical collections, key community features, cultural heritage, and traditions.

- Goal CI 3**
Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.
 - OBJECTIVE CI 3.1**
Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

- Goal CI 4**
Coeur d'Alene is a community that works to support cultural awareness, diversity and inclusiveness.
 - OBJECTIVE CI 4.1**
Recognize cultural and economic connections to the Coeur d'Alene Tribe, acknowledging that this area is their ancestral homeland.
 - OBJECTIVE CI 4.2**
Create an environment that supports and embraces diversity in arts, culture, food, and self-expression.
 - OBJECTIVE CI 4.3**
Promote human rights, civil rights, respect, and dignity for all in Coeur d'Alene.

Education & Learning

- Goal EL 3**
Provide an educational environment that provides open access to resources for all people.
 - OBJECTIVE EL 3.2**
Provide abundant opportunities for and access to lifelong learning, fostering mastery of new skills, academic enrichment, mentoring programs, and personal growth.
 - OBJECTIVE EL 3.3**
Support educators in developing and maintaining high standards to attract, recruit, and retain enthusiastic, talented, and caring teachers and staff.

**Goal EL 4**

Support partnerships and collaborations focused on quality education and enhanced funding opportunities for school facilities and operations.

**OBJECTIVE EL 4.1**

Collaborate with the school district (SD 271) to help identify future locations for new or expanded school facilities and funding mechanisms as development occurs to meet Coeur d'Alene's growing population.

**OBJECTIVE EL 4.2**

Enhance partnerships among local higher education institutions and vocational schools, offering an expanded number of degrees and increased diversity in graduate level education options with combined campus, classroom, research, and scholarship resources that meet the changing needs of the region.

Environment & Recreation**Goal ER 1**

Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.

**OBJECTIVE ER 1.1**

Manage shoreline development to address stormwater management and improve water quality.

**OBJECTIVE ER 1.2**

Improve the water quality of Coeur d'Alene Lake and Spokane River by reducing the use of fertilizers, pesticides, herbicides, and managing aquatic invasive plant and fish species.

**OBJECTIVE ER 1.3**

Enhance and improve lake and river habitat and riparian zones, while maintaining waterways and shorelines that are distinctive features of the community.

**OBJECTIVE ER 1.4**

Reduce water consumption for landscaping throughout the city.

**Goal ER 2**

Provide diverse recreation options.

**OBJECTIVE ER 2.2**

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

**OBJECTIVE ER 2.3**

Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.

**Goal ER 3**

Protect and improve the urban forest while maintaining defensible spaces that reduces the potential for forest fire.

**OBJECTIVE ER 3.1**

Preserve and expand the number of street trees within city rights-of-way.

**OBJECTIVE ER 3.2**

Protect and enhance the urban forest, including wooded areas, street trees, and "heritage" trees that beautify neighborhoods and integrate nature with the city.

**OBJECTIVE ER 3.3**

Minimize the risk of fire in wooded areas that also include, or may include residential uses.

**OBJECTIVE ER 3.4**

Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

- Goal ER 4**
Reduce the environmental impact of Coeur d'Alene.
 - OBJECTIVE ER 4.1**
Minimize potential pollution problems such as air, land, water, or hazardous materials.
 - OBJECTIVE ER 4.2**
Improve the existing compost and recycling program.

Growth & Development

- Goal GD 1**
Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.
 - OBJECTIVE GD 1.1**
Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.
 - OBJECTIVE GD 1.3**
Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.
 - OBJECTIVE GD 1.4**
Increase pedestrian walkability and access within commercial development.
 - OBJECTIVE GD 1.5**
Recognize neighborhood and district identities.
 - OBJECTIVE GD 1.6**
Revitalize existing and create new business districts to promote opportunities for jobs, services, and housing, and ensure maximum economic development potential throughout the community.
 - OBJECTIVE GD 1.7**
Increase physical and visual access to the lakes and rivers.
 - OBJECTIVE GD 1.8**
Support and expand community urban farming opportunities.
- Goal GD 2**
Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.
 - OBJECTIVE GD 2.1**
Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.
 - OBJECTIVE GD 2.2**
Ensure that City and technology services meet the needs of the community.
- Goal GD 3**
Support the development of a multimodal transportation system for all users.
 - OBJECTIVE GD 3.1**
Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.
 - OBJECTIVE GD 3.2**
Provide an accessible, safe, efficient multimodal public transportation system including bus stop amenities designed to maximize the user experience.
- Goal GD 4**
Protect the visual and historic qualities of Coeur d'Alene
 - OBJECTIVE GD 4.1**
Encourage the protection of historic buildings and sites.

- Goal GD 5**
Implement principles of environmental design in planning projects.

- OBJECTIVE GD 5.1**
Minimize glare, light trespass, and skyglow from outdoor lighting.

Health & Safety

- Goal HS 1**
Support social, mental, and physical health in Coeur d'Alene and the greater region.

- OBJECTIVE HS 1.1**
Provide safe programs and facilities for the community's youth to gather, connect, and take part in healthy social activities and youth-centered endeavors.

- OBJECTIVE HS 1.2**
Expand services for the city's aging population and other at-risk groups that provide access to education, promote healthy lifestyles, and offer programs that improve quality of life.

- OBJECTIVE HS 1.3**
Increase access and awareness to education and prevention programs, and recreational activities.

- Goal HS 3**
Continue to provide exceptional police, fire, and emergency services.

- OBJECTIVE HS 3.2**
Enhance regional cooperation to provide fast, reliable emergency services.

- OBJECTIVE HS 3.3**
Collaborate with partners to increase one on one services.

Jobs & Economy

- Goal JE 1**
Retain, grow, and attract businesses

- OBJECTIVE JE 1.1**
Actively engage with community partners in economic development efforts.

- OBJECTIVE JE 1.2**
Foster a pro-business culture that supports economic growth.

- Goal JE 3**
Enhance the Startup Ecosystem

- OBJECTIVE JE 3.1**
Convene a startup working group of business leaders, workforce providers, and economic development professionals and to define needs.

- OBJECTIVE JE 3.2**
Develop public-private partnerships to develop the types of office space and amenities desired by startups.

- OBJECTIVE JE 3.3**
Promote access to the outdoors for workers and workers who telecommute.

- OBJECTIVE JE 3.4**
Expand partnerships with North Idaho College, such as opportunities to use the community maker space and rapid prototyping (North Idaho College Venture Center and Gizmo) facilities.



PUBLIC COMMENTS



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From: Polak, Chad M
To: [CLARK, TRACI](#)
Subject: FW: THERE WILL BE 3 PUBLIC NOTICES FOR THE P&Z MEETING ON JUNE 11, 2024
Date: Tuesday, May 28, 2024 8:18:49 AM
Attachments: [image001.png](#)
[PUD-2-24 public notice 6-11-24.pdf](#)
[SP-2-24 public notice 6-11-24 final.pdf](#)
[PUD-4-04m.3 & S-3-24 public notice 6-11-24.pdf](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning Traci,

I have reviewed the attached 3 projects and based on the locations, there is no impact to the YPL ROW or pipeline and we do not have any questions/comments.

Sincerely,

Chad M. Polak
Agent, Real Estate Services
O: (+1) 303.376.4363 | M: (+1) 720.245.4683
3960 East 56th Avenue | Commerce City, CO 80022
Phillips 66

From: CLARK, TRACI <TCLARK@cdaid.org>
Sent: Friday, May 24, 2024 10:50 AM
To: CLARK, TRACI <TCLARK@cdaid.org>
Subject: [EXTERNAL]THERE WILL BE 3 PUBLIC NOTICES FOR THE P&Z MEETING ON JUNE 11, 2024

This Message Is From an External Sender

[Report Suspicious](#)

This message came from outside your organization.

Greetings,

Attached is a copy of the public hearing notices for the next **Planning & Zoning** Meeting on **Tuesday June 11, 2024.**

If you have any comments, please let me know.

Traci Clark
Planning Department, City of Coeur d'Alene
Administrative Assistant

208.769-2240

From: Kim Stevenson
To: [CLARK, TRACI](#)
Subject: Item: PUD-2-24
Date: Wednesday, May 29, 2024 10:50:25 AM
Attachments: [image001.png](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning,

The Coeur d'Alene Airport has no comment regarding this request.

Kind Regards, Kim


COEUR D'ALENE
A I R P O R T

Kim Stevenson
Compliance Administrator
Coeur d'Alene Airport
208-446-1861

From: LT
To: [CLARK, TRACI](#)
Subject: ITEM: SP-2-24 Weter Bare Land LLC , R-34 Special Use Permit
Date: Saturday, June 1, 2024 8:44:21 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom It May Concern:

I own the property at 4144/4142 Player Ave, CDA.

Regarding Weter Bare Land LLC requesting an R-34 Special Use Permit to allow multifamily residential at 34 units per acre on a lot zoned C-17:

I object to this. I would like to see it remain at the current zoning of 17 units per acre. That is too much density, along with all the extra parking & traffic.

Please confirm receipt, thank you, Lisa

Lisa Thaler
208/661-3154

From: Joseph John Drobnock
To: [PlanningDiv](#)
Subject: Zoning change Fairway Meadows C17 to R34
Date: Friday, June 7, 2024 10:25:57 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Greetings

I do not have my letter about this zoning change

I live at 1817 W Norman Ave Coeur d Alene

I don't see any information on the CDA website about this change

Apartments at this location would be fine but the increased density would be a problem . I do not know how big this property is I am assuming about 2 acres so this would mean 70 apartments and will there be parking for all these cars and their visitors?

I would like to be able to see what is proposed

We really need a roundabout or light at Player and Kathleen and it would be tough to get on on Lopez during rush hour the traffic is backed up sometimes past Lopez on Ramsey

Definitely a problem to turn left onto Ramsey Road

Thank you
Joe Drobnock
1817 W Norman Ave
Coeur d Alene
208-818-5044

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

SP-2-24

A. INTRODUCTION

This matter came before the Planning and Zoning Commission on June 11, 2024, to consider SP-2-24, a request for approval of a R-34 density special use permit in a C-17 zone three parcels measuring 3.116 acres in aggregate located West of Ramsey Road, South of Lopez Aven and East of Player Drive, Zoned commercial (C-17- & CC).

APPLICANT: Weter Bere Land, LLC

LOCATION: Lots 4 and 5, Block 1, Fairway Meadows, according to the plat record in Book G of Plats, page 212, records of Kootenai County, State of Idaho and Lot 1, Block 1, Fairway Meadows Second Addition, according to the plat recorded in Book I of Plats, page 44, records of Kootenai County, State of Idaho. The property is located west of Ramsey Road, south of Lopez Avenue, and east of Player Drive. (Parcel C-3179-001-001-0)

A. FINDINGS OF FACT:

The Planning and Zoning Commission finds that the following facts, A1 through A11, have been established on a more probable than not basis, as shown on the record before it and on the testimony presented at the public hearing.

- A1.** All public hearing notice requirements have been met for item SP-2-24.
- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The Notice was published on May 25, 2024, seventeen days prior to the hearing.
 - Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on May 31, 2024, eleven days prior to the hearing.
 - Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Sixty-three (63) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on May 24, 2024.
 - Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts, on May 24, 2024, eighteen days prior to the hearing.
 - Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being

considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on May 24, 2024.

- A2. Public testimony was received at a public hearing on June 11, 2024.
- A3. The subject property is vacant and is located west of Ramsey Road, south of Lopez Avenue, and east of Player Drive. The subject site is 3.116 acres in aggregate. The property is surrounded by residential, commercial and civic uses. Residential uses include the Fairway Meadows Apartments to the north, single family homes in the Fairway Meadows neighborhood to the west, and mobile homes and duplexes northeast and east. The commercial uses are to the south on both sides of Kathleen Avenue. Jenny Stokes field is to the southeast and Ramsey Magnet School east on Kathleen.
- A4. The subject site is currently zoned Commercial at seventeen (17) units per acre and Community Commercial (CC). The C-17 zoned area measures 2.325 ac. which would allow for up to 41 multi-family configured units by right (2,500SF/unit). The CC zoned area measures 0.791 acres in aggregate on two parcels. The northern parcel measures 0.281 ac. and the southern 0.51 ac. The CC zoning designation development potential is based on a floor area ratio (FAR). The FAR for non-residential uses in a CC District is 1.0 with a total FAR of 1.5 when a ground floor permitted use is combined with a second level residential unit.
- A5. The applicant is proposing a mixed-use structure made up of multi-family units and commercial suites. Per the applicant, the area proposed for the structure is on what is currently zoned C-17, with the CC zoned property being used as a parking area to help mitigate the impact of development to the single-family homes along N. Player Dr.
- A6. The Comprehensive Plan Future Land Use Map designation is both Urban Neighborhood & Retail Center/Corridor Place Types. The Comprehensive Plan states that the compatible zoning for the Urban Neighborhood Place Type includes R-17, R-34SUP, NC, CC, C-17 and C-17L. The Place Type include all zones, subject to approval by a public hearing. The Comprehensive Plan states that the compatible zoning for the Retail Center/Corridor is C-17 and C-17L.
- A7. The more applicable Place Type for the proposed project is the Urban Neighborhood Place Type. According to the Comprehensive Plan, Urban Neighborhood places are highly walkable neighborhoods with larger multifamily building types, shared greenspaces and parking areas. They are typically served with gridded street patterns, and for larger developments, may have an internal circulation system. Development typically consists of townhomes, condominiums, and apartments, with convenient access to goods, services, and dining for nearby residents. Supporting uses include neighborhood parks and existing recreation facilities, parking, office and commercial development.
- A8. The Comprehensive Plan includes transportation maps showing Existing and Planned Bicycle Networks, Existing and Planned Walking Networks, Existing Transit Networks. The subject property is in an area with existing multi-use paths and is along Transit Route C.
- A9. The Comprehensive Plan goals and objectives do support this R-34 Special Use Permit request.

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 2: Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

Goal CI 3: Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

Objective CI 3.1: Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.1: Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

Objective GD 1.4: Increase pedestrian walkability and access within commercial development.

Objective GD 1.5: Recognize neighborhood and district identities.

Objective GD 1.6: Revitalize existing and create new business districts to promote opportunities for jobs, services, and housing, and ensure maximum economic development potential throughout the community.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Jobs & Economy

Goal JE 1: Retain, grow, and attract businesses.

Objective JE 1.2: Foster a pro-business culture that supports economic growth.

(The commission should remove or add other goals and objectives here as it finds applicable. The Comp Plan goals and objectives are also included in their entirety as an attachment to the staff report.)

- A10.** City departments have indicated the project will be served by existing streets, facilities and services. The project will result in increased traffic along Ramsey and Player Drive. The City Engineer has recommended conditions of approval to mitigate the traffic impacts. The Water and Fire Departments have provided standard conditions to address main extensions and/or fire hydrants, Fire Department access and turning radius requirements, as well as Knox box access, and requirements for fire sprinklers and fire alarms.
- A11.** The Commission must make separate findings in order to approve an R-34 density increase. The proposal must be in close proximity to an arterial, shopping, schools and park areas and be zoned C-17. The portion of the project site where the R-34 is requested is zoned C-17, it is located along the west side of Ramsey Road and north of Kathleen Avenue – both arterials, and located near schools, parks trails and commercial uses.

(The commission should add other facts here which it finds are relevant to its decision.)

B. CONCLUSIONS OF LAW:

Based on the foregoing Findings of Fact, the Planning and Zoning Commission makes the following Conclusions of Law.

- B1.** The proposal **(is) (is not)** in conformance with the Comprehensive Plan.
- B2.** The design and planning of the site **(is) (is not)** compatible with location, setting, and exiting uses on adjacent properties.
- B3.** 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.
- B4.** That the proposal **(is) or (is not)** in close proximity to an arterial, shopping, schools, and park areas (if it is an adult only apartment complex proximity to schools is not required).

C. DECISION

The Planning and Zoning Commission, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the proposed special use permit request for a single family detached only designation **(does) (does not)** comply with the required evaluation criteria, and the special use permit request should be **(approved) (approved with conditions) (denied) (denied without prejudice)**.

Recommended conditions include:

- 1. If approved, the maximum height shall be limited to 45' from averaged finished grade, based on the lowest feasible grade along N. Ramsey Rd. and the applicant's property line.
- 2. All subject properties shall be combined/consolidated with the properties currently zoned Community Commercial (CC); the CC zoned parcels shall be limited to multi-family parking only, as designed.
- 3. Dedicate right-of-way to the City of Coeur d'Alene to create a consistent 100-foot right-of-way along the Ramsey Road frontage.
- 4. Relocate the Ramsey Road median swale adjacent to the property to a new swale within the development and dedicate a stormwater easement, reconstruct Ramsey Road, where the median swale is removed to extend the northbound left-turn lane.
- 5. Install a stop sign on Lopez Ave at Player Drive.
- 6. 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 permitting.
- 7. FD minimum access width: 20' minimum, 26' maximum.
- 8. Maximum Turning Radiuses is 25' interior and 50' exterior.
- 9. Address numbers shall be visible from the street and property.
- 10. Fire hydrant amount and location to be determined at building permit.
- 11. Fire sprinkler and fire alarms are required.
- 12. Knox box is required.
- 13. Locking Knox caps required for the FDC.

(The commission may include additional conditions.)

Motion by _____, seconded by _____, to adopt the foregoing Findings and Order and (approve) (approve with conditions) (deny) (deny without prejudice) the request.

ROLL CALL:

COMMISSION MEMBER INGALLS	Voted	(Aye) (Nay)
COMMISSION MEMBER LUTTROP	Voted	(Aye) (Nay)
COMMISSION MEMBER WARD	Voted	(Aye) (Nay)
COMMISSION MEMBER FLEMING	Voted	(Aye) (Nay)
COMMISSION MEMBER MCCRACKEN	Voted	(Aye) (Nay)
COMMISSION MEMBER COPPESS	Voted	(Aye) (Nay)
CHAIRMAN MESSINA	Voted	(Aye) (Nay)

Motion to (approve)(approve with conditions)(deny)(deny without prejudice) carried by a _____ to _____ vote.