

**PLANNING & ZONING COMMISSION
MINUTES
MARCH 12, 2024
LOWER LEVEL – LIBRARY COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Tom Messina, Chairman
Jon Ingalls, Vice-Chair
Lynn Fleming
Phil Ward
Peter Luttrupp
Sarah McCracken
Mark Coppess

STAFF MEMBERS PRESENT:

Hilary Patterson, Community Planning Director
Traci Clark, Administrative Assistant
Randy Adams, City Attorney

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Commissioner McCracken, seconded by Commissioner Fleming, to approve the minutes of the Planning Commission's workshop on January 8, 2024. Motion carried.

PUBLIC COMMENTS:

None.

STAFF COMMENTS:

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

- At the April 9 Planning & Zoning Commission meeting there will be two public hearing items, one Subdivision and a combination of a Planned Unit Development (PUD) and Subdivision request.
- The Historic Preservation Commission is working hard on several initiatives: The Garden District neighborhood, there has been a Grant that has been received to do a nomination to the National Register to Historic Places for the neighborhood. There will be a second community meeting taking place on April 8 in the Library Community room at 6:00 p.m. to hear updates on that and the next steps.
- May is the month of National Historic Preservation. To kick this off there will be a reception and an awards event that will be held on May 1, at the Jewett House at 6:00 p.m. There will be some other events, tours, outreach, and education throughout the month of May.

COMMISSION COMMENTS:

Commissioner Fleming commented that she has sent her comments off to Mr. Tony Burns and the City for consideration. She is having a hard time seeing through the Comp Plan and the application of the vision that we have for Atlas and she has figured how can we get to the quickest solution so we have more breadth to the product that is landing down at Atlas. The vision was to include small business, work

force, and a lot broader spectrum. She as identified what could be a simple fix. Currently the Ignite matrix when the three judicators received the proposals from the various builders and developers, there is a very set formula and out of the 200 points you get a 1. Developer experience of 50 points, track record evidence of financial capacity and reference. 2. You get 75 points for consistency of development standards and architecture design guidelines, which means use of allowable density consistency with development standards and consistency with architecture guidelines and they have to provided conceptual guidelines elevations represent photos and support for the development vision and project narrative. 3. The purchase price is 75 points. This is a good idea and makes sense, but if you start to break this down, it always ends up choosing the highest sales on land and the highest sales on the market the retail product. It always eliminates those who offer less money for the land or those developing a more mid-range, missing middle, affordable housing, retail that never meets the residential standard. It's too much of a gamble. She is proposing, this is a pretty simple fix, no wording changes, no title change but the numbers change. Take the development experience, the track record, the evidence of financial capacity references, we know the people, give them 40 points. Drop down the consistency with the development consistency standards and give those 60 points; purchase points, drop that to 60 points; and create 1 more category it's not new but it's buried in the first part. 4. Civic and social contributions to cda, support for development vision and project narrative and consistency with development standards. We can now take that at 40 points and that is now middle income housing. Live, work play. We can hit that mark. The housing that are down at Atlas right now are \$1.2 Million product. Do we need to top load all of the real estate development in the City at that point. This is unaffordable housing. She is proposing a simple change and putting it back to Mr. Burns and Ignite to what the vision was supposed to be with affordable housing. They are only chasing the dollars. It may stretch us out as tax payers. We fund the initial start-up, we fund the Urban Renewal District, we help create the infrastructure, we are almost done there in 5 years, we have a 20-year window. She would like to reiterate that this is solely coming from her and not the commission.

Chairman Messina recommends that Commissioner Fleming sit down with Tony Burns and have a conversation.

Commissioner Luttrupp stated he would like to thank Ms. Patterson regarding Rivers Edge and that it is moving along.

ADMINISTRATIVE: *ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.**

1. Applicant: Phil Boyd, P.E. Welch Comer Engineers
- Location: Atlas Waterfront 2nd Addition Block 5 Lots 6-12, Block 9 Lots 1-7, Block 11 Lot 13, Block 12 Lot 1, Block 13 Lot 1, Block 15 Lots 1-9, Block 16 Lots 1-8, and all of Atlas Waterfront 3rd Addition
- Request: Atlas Waterfront PUD Amendment #4 - Minor amendments to Development Areas 4, 5A, 9, 13, 16, 18, and 19
QUASI-JUDICIAL, (PUD-4-19M.4)

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

The Decision Point this evening is: Should the Planning and Zoning Commission approve an amendment to the Atlas Waterfront Planned Unit Development to include minor changes in Development Areas 4, 5A, 9, 13, 16, 18, and 19?

The PUD Amendment #4 for the Atlas Waterfront project would revise the final Development Standards for the project to incorporate minor changes to address development conditions for the property and to make the setbacks more consistent throughout the project, and to address market conditions for developers that are already under contract to develop within the project (Areas 18, 19, 13, and 4), to allow for a decreased minimum building height for the commercial/retail use in Area 4, and to modify Area 5A to allow for a hotel use and slightly reduced setbacks and parking requirements to create a more urban and walkable development on that corner.

Commissioner McCracken asked Ms. Patterson for clarification if the only area that is not already spoken for is 5A.

Ms. Patterson replied that is corrected.

She shared an exhibit showing the total dwelling unit count, which is 596.

The requested amendments to the Development Standards with PUD Amendment #4 include:

Area 4:

- Decrease side and rear setbacks from, 8' to 6' minimum.
- Decrease minimum building height from 20' to 17' for commercial/retail use.

Justification:

- To facilitate market preferred unit size for potential coffee shop or small bistro restaurant use.
- Developer desires to facilitate the high ceiling commercial/retail feel without block views from the townhome units to the north of the commercial lot.

Area 5A:

- Reduce residential parking requirement to match downtown north infill overlay district.
- Add hotel as an allowed use and building type.

Justification:

- Developer has demonstrated parking utilization rates below the downtown north infill rates in the product on Areas 10 and 12.
- Site conditions and surrounding amenities (including proximity to multiuse paths and transit) reduce reliance on personal automotive transportation for potential residents.
- Reduction of this barrier would allow the market to drive the parking count on this one corner of the project.
- Developers in previous RFPs have expressed a desire to have a hotel use on this property.

Areas 9 & 16:

- Reduce building side setbacks from 6' to 5'.

Justification:

- 5' setbacks are allowed in Areas 14 and 15 and the product types will be identical. City standards also allow for a 5' setback.

Area 13:

- Remove requirement for mixed-use buildings and allow for horizontal mixed-use.

- Add multi-family residential as an allowable use.
- Remove rooftop pool specificity for additional height option.
- Remove funding requirement for public realm parking spaces.

Justification:

- Developer has proposed an 8,000 square foot standalone food and beverage/retail use, far exceeding the minimum.
- The remaining 2/3 of building will be multi-family residential to simplify the construction and financial burden.
- Height increases are tied to “public good” to be negotiated between developer and ignite CDA, and “public good” has already been determined with input from City Council.
- Public realm parking spaces have already been constructed.

Areas 18 & 19:

- Reduce building side setbacks from 6’ to 5’.
- Add rear-loaded twin homes to the allowed building types.
- Modify alley-related language to allow the alley in a tract/easement, and realign alley to run east-west.
- Specify in the Development Standards that individual driveways on Seltice Way are not allowed.

Justification:

- The builders proposed alley-loaded shared-wall twin homes with individually subdivided lots. Twin homes were not expressly allowed.
- The alley design meets city standards and helps accommodate smaller lots, and meets the Engineering Department’s requirements.
- The reduced setbacks are consistent with other development areas in the project.

She noted that this information is also found in table form, supplemental exhibits, and amended pages of the Development Standards in Attachment 1.

There are seven findings for a PUD requests: Findings B1- B7.

Finding B1: This proposal (is) (is not) in conformance with the Comprehensive Plan goals, objectives and Future Land Use Map Place Type.

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.

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 1.3

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.

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

As noted previously, the requested PUD Amendment #4 for the Atlas Waterfront project would revise the final Development Standards slightly to respond to market conditions and provide consistency between development areas. Land use, infrastructure, and boundary changes have occurred throughout the development of the site, necessitating minor modifications to the Development Standards and PUD. The requested changes are consistent with the original vision for the project and would not negatively affect any of the areas already developed or under construction.

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

The subject property is higher along Seltice Way and slopes downward toward the Spokane River to the south. The pre-existing grade had an approximately forty-five-foot (45') elevation drop on the subject site as shown on the Topographic Map. Significant grading work has been done on the site to prepare it for development and remove pits that existed from the previous mill operations. The grade changes across the site will be advantageous to providing more views of the river and shoreline. There are no topographical or other physical constraints that would make the subject property unsuitable for the PUD request. Atlas Waterfront Phase 3 (formerly known as Mt. Hink) has had ~75-80% of unsuitable soils removed. Ignite cda and the City are working on partnership opportunities to remove as much additional unsuitable soils and bring in structural soils. Ignite wants to proactively acquire structural soil in the most cost-effective manner to expedite the Phase 3 earthwork completion, facilitate infrastructure construction, and ultimately speed up the timeline to get sellable property in Phase 3, which contains development areas 11 and 20.

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.

Prior to construction within the PUD, utilities did not exist at the site. There have been two phases of infrastructure completed to date (the Waterfront Park and Phase 1) with Phase 2 approaching completion in summer 2024. Installed utility infrastructure includes public water, sewer, and stormwater, and private utilities such as gas, power, phone, and fiber in some areas. Future phases of infrastructure construction will provide for public and private utilities to the remaining areas of the PUD.

Wastewater has the following comments and/or requests for information:

Areas 11 and 20:

These areas along with parcels along Top Saw and Jammer Lanes will be required to be serviced using gravity sewer. Manhole RIV1-28G appears to be a viable route. Pumped sewerage is not in the best interest of the City due to the increase in cost of maintenance and treatment.

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.

The project's open space would equate to 25%, which is 14.55 acres of open space along the waterfront with the park, pathways and trails, and 1.86 acres of upland open space.

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

This required PUD Finding B6 is related to off-street parking only. However, the project has been thoughtfully designed to maximize on-street parking to help alleviate parking concerns in the residential areas and to create a more urban form of development by not excess surface parking.

DEVELOPMENT AREA 5A OFF-STREET PARKING REDUCTION

As noted previously in the staff report, the proposed parking for 5A would be based on the parking standards for residential uses in the Downtown Overlay North (DO-N) infill overlay district as shown below. The parking

standards for the Midtown Overlay (MO) infill overlay district is also shown below.

She shared the parking standards for the two infill districts – Downtown Overlay – North and Midtown Overlay, as well as the parking standards for C-17 and R-17, which is more standard suburban parking.

Downtown North (DO-N) parking standards are the most appropriate for the desired urban character of Area 5A. From the original PUD, this corner of the Atlas Waterfront development has been identified for a mixed-use project with a prominent street wall, active commercial uses, and Frontage Type D along both Atlas Road and Heartwood Road. Feedback through multiple developer proposals has indicated that the development intensity, street wall characteristics, and desired residential density effectively requires some underground parking for Area 5A for the desired mixed-use concept.

Another alternative option would be Midtown overlay (MO) parking standards. Although not preferred, the Midtown standards would still provide a reduction below base code requirements under C-17/R-17 standards. Midtown standards has a higher parking requirement for two and three-bedroom units, which would incentivize developers to utilize smaller studio and 1-bedroom units to maximize the benefits of the Midtown standards in comparison to city code.

As an example, if Area 5A was developed with 84 multifamily units (three (3) studio units, 72 1- bedroom units, and nine (9) 2-bedroom units) with **DO-N parking requirements**, they would be required to provide 89 off-street parking spaces for residential. This is a parking ratio of 1.06 parking spaces per unit.

If Area 5A were developed with the same 84 multifamily units (three (3) studio units, 72 1-bedroom units, and nine (9) 2-bedroom units) with **MO parking requirements**, they would be required to provide 91 off-street parking spaces for residential. This is a parking ratio of 1.08 parking spaces per unit.

If Area 5A were developed with the same 84 multifamily units (three (3) studio units, 72 1-bedroom units, and nine (9) 2-bedroom units) with **base city code parking requirements in C-17/R-17**, they would be required to provide 129 off-street parking spaces for residential. This is a parking ratio of 1.54 spaces per unit.

This PUD amendment does not affect parking ratios for commercial uses or hotels. Those would be based on the off-street parking requirements in the Zoning Code and other standards that were previously approved as part of the PUD for this project.

The Planning Commission is being asked to determine which of three options is appropriate for Area 5A: the preferred downtown north (DO-N) parking requirements, the alternative midtown parking (MO) requirements, or the existing city code (C-17/R-17) requirements.

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

The common, privately owned property will be maintained by a Master Association controlled by the City/ignite CDA until such time that the ignite CDA districts sunset (River District 2027 and Atlas District 2038) and/or the private land ownership exceeds 80% of the for-sale land area, at which time the private property owners will assume control of the Master Association. The City/ignite CDA will have the ability, at their sole discretion, to transfer the Master Association control to private party(s) if they determine it is the best interest of the City/ignite CDA.

Adopted Conditions:

- 1) 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 permits.
- 2) An unobstructed City approved "all-weather" access shall be required over all public sewers.
- 3) Mill River Lift Station Surcharge Fees will be required on all EDUs discharging sewer into the Mill River Service Area during the building permit process.
- 4) This Project shall be required to comply with the City's One Lot-One Lateral Rule.
- 5) All public sewer plans require IDEQ or QLPE Approval prior to construction.
- 6) Prior to WW signoff on the Atlas Mill Phase 2 plat, this project will be required to install an emergency standby generator with automatic transfer switch and related operational controls at the Riverside Pump Station.
- 7) The minimum width of the cul-de-sac on Jammer Ln. shall not be less than 96 feet.
- 8) Single access road over 150 feet requires a FD approved turn-around.
- 9) Turning radiuses for FD is 25' interior and 50' exterior.
- 10) Minimum street width for FD access is 20' with no parking allowed on both sides of the street. 20' to 26' width – no parking on one side of the street.
- 11) Fire hydrant placement is based on the required minimum fire flow. Maximum distance between fire hydrants is 600 feet.
- 12) Building address numbers shall face the street that they are addressed to.
- 13) Over 30 single family residents on a single fire department access road requires a secondary FD egress road (20' minimum).
- 14) Build a 12-foot shared-use path and an adjacent 8-foot gravel path along the waterfront.
- 15) Use 'Driveway Mix' asphalt in the construction of the paved trail.
- 16) Sterilize the ground with herbicide before laying down gravel and asphalt.

Ms. Patterson shared the Decision Point is that the Planning and Zoning Commission will need to consider the Atlas Waterfront PUD Amendment #4 to include minor changes to Development Areas 4, 5, 9, 13, 16, 18, and 19 in the Development Standards, and make findings to approve, deny or deny with prejudice.

Commissioner Ingalls stated the goal of this waterfront area was to have perpetual use by the public. This has been a huge success. When it has been pointed out there is a slight reduction of open space, he asked for confirmation that there has been no reduction of waterfront open space.

Ms. Patterson answered that he is correct. Nothing has been removed. The area of Mount Hink, for example, was shown in some initial concepts as a natural area for hiking, but there has been no reduction of open space area.

Commissioner Ingalls asked in respect to parking when Downtown North and Midtown overlays were conceived, in those numbers and statistics, can you explain is there less of a need for parking or provide less parking downtown because there are other opportunities because there is a spill over.

Ms. Patterson replied that the Downtown Core itself is very different parking standard. The PUD is requesting Downtown North, which is transitioning away from the urban core. There are two different ways of looking at it. 1. Parking Drives Design and 2. Design Drives Parking. It also allows for more creative or a different type of development to take place. It has been the goal from the very beginning to make sure we have not been under parking the project. But you do not want it to look like the At Home parking lot either. This is a balancing act. With the Downtown North parking standards, you would get the most urban form. But this might make the commission feel you are giving up too much. If you had larger bedrooms and only 1 car, the Midtown could be more of a balance. It is an area where it is surrounding by residential and there is a little bit of on street parking as well.

Commissioner Ingalls stated that the staff report says the Downtown North parking standards are the most appropriate for the desired urban character of Area 5A. He asked the question is this staff's

professional recommendation that we go with Downtown North.

Ms. Patterson replied it not necessary's staff's opinion, but working on the development review team with Ignite, Welch Comer and with GGLO, and Heartland, this had been looked at from the very beginning considering how the project was initially envisioned, how it is been developed, and looking out the real-world proposals from different developers coming in and what it looks like from a different parking ratio. This location was always the heart of the project. It was supposed to have this commercial node, where people wanted to be with restaurants with public spaces. This area makes sense not to have suburban parking standards. Between Downtown North and the MO standards, you would achieve that more than if you are requiring suburban parking standards.

Commissioner McCracken would like some clarification on where the parking would be different comparing the original Atlas Waterfront concept plan to the current plan, and how many units there are now.

Ms. Patterson answered that the total number of dwelling units has been reduced, as the development areas have been purchased. In total we have increased the on-street parking by two spaces, and we have reduced the number of dwelling units by 100 units. The ratio of parking to units is favorable. In 2019, there was a total of 665 dwelling units. In 2024, the total number of units is between 475-567 and we are gaining two on-street parking spaces, plus there will be additional parking in phase 3 that would help serve the northeast portion of the project.

Chairman Messina stated the parking that is being reduced as part of this discussion is just in 5A. He asked for confirmation that this is just for residential units and has nothing to do with the hotel.

Ms. Patterson replied, that is correct. The hotel would still have its parking standards. Commercial would keep its standards that are in the PUD. This discussion on reducing the parking is only for the residential use.

Chairman Messina asked what does it mean on Area 13 to remove the funding requirement for public realm parking spaces.

Ms. Patterson replied, there is on street parking on the south side of Atlas Road and at the time when the Development Standards were being developed, there was a provision that if the developer of Area 13 wanted to use some of the on-street parking to meet their parking requirement that they could pay to build out the parking that is on the street. The parking has already been built out. There is no longer a requirement for a developer to fund that parking since it exists today. This is strictly a in housekeeping clean up.

Commissioner Ward commented there are twin homes on separate platted lots. Does this mean a twin home that is on one lot will be divided so each one will be purchased individually.

Ms. Patterson replied, that is correct.

Commissioner Ward asked about CityLink and where the line is located.

Ms. Patterson replied that CityLink does not go through the project but it does go along Seltice Way and the Transit Center is walkable in the development. Additionally, the people that commute on bikes can also use the trail system.

Chairman Messina said when this was approved with the designs and mixed buildings there were design standards, and asked if those would apply to the twin homes. He also asked if the design standards would apply to a hotel, just like we approved the original PUD with the Cottage Homes and single-family homes and all the guidelines that the developers who purchased these, that were supposed to follow. Is this the same plan.

Ms. Patterson replied yes, there are architectural standards that were developed after the original development standards, that came in after Areas 1 and 2 started developing that went through Ignite. They are not part of the PUD specifically but they are reviewed by the Atlas design review team that looks at the proposals. Those are reviewed when anything is being developed within the project. This applies to all of the residential, other than the Areas 1,2, 6,10, and 12 that were sold prior to that. Everything else is subject to the design guidelines. They apply to single family detached, cottages, residential types, multi-family, mixed-used and commercial. They are required to submit their designs for review and approval.

Ms. Patterson concluded her presentation.

Public testimony open.

Phil Boyd, applicant, introduced himself and was sworn in. He stated the Atlas project objective is to preserve the waterfront property for the public and to stimulate private development. Ignite's approach to the development is different than a private developer's approach. A private developer is done when they sell the product. Ignite takes a bigger approach to their view. When we talk about Area 5A and the struggles we have with moving forward with the area. The architecture standards came later and were not part of the PUD. They are part of the HOA documents. These are enforced by ignite cda and reviewed by the Atlas Design Review Committee that Ms. Patterson referenced in her presentation. The Mount Hink area was shown as a nature park when the development started. The City did not want another manicured park because the maintenance cost is so high. You can see on these exhibits how the intensity of the development has changed. The initial concept had a significant number of townhouse units and stacked flats. That was in 2017 when the real estate market was very different and the process of the developing the financial feasibility study, which is the threshold Ignite has to get over before the City Council will form the Urban Renewal District. Ignite had to go to this level of density just to make this pencil, because it was 2017. As time has moved on, there was flexibility in the development standards to allow for less density. He updated the commission on the development areas that are being developed with the developers' names and types of development. We are trying to have attainable housing in the project.

He provided an overview of the requested changes to the Development Standards. In Area 4, Toll Brothers are requesting a change to the setbacks. They would like them changed from 8' to 6' and the minimum height reduced from 20' to 17'. They want to shift the commercial building back as far as possible to open up the front area near the intersection of Atlas Road and Heartwood Road, so they can have outdoor seating. This represents the small-scale commercial in the development plan. A side note from the negotiation stand point with Toll Brothers, it was a challenge to keep this commercial use in this location because the commercial market is so soft right now. They were trying to get out of doing this project, but because Ignite understands the long-term value of it, ignite pushed to keep the commercial space. It may take some to see that commercial space be absorbed, but it was part of their initial transaction and we will keep them to it.

Mr. Boyd continues on to describe the requested changes to Area 5A. He stated that the team put several options into the development standards not knowing how the market was going to flow. We put in a commercial building with townhomes, but we really wanted the option of the mixed used building. This has been out to proposal a number of times and here some things they have seen, for example, a townhome solution with a small commercial piece and a small green space. Another option presented was a stacked flat apartment, with some surface parking and small commercial piece on the corner. A mixed-use project with some underground parking and some surface parking. In the last RFP one of the developers that came forward for Area 13 and wanted to make this work on Area 5A, has requested the reduced parking requirements. They showed us an example that they developed at their own expense, with a mixed-use development concept. It would reduce the parking requirement. It would have parking below the building, retail at the corner and along Atlas Road, and have an open courtyard that would be publicly accessible.

Commissioner Ingalls asked Mr. Boyd is this the mixed-use type of project.

Mr. Boyd answered the mixed-use is a requirement on the parcel and it is about 1500 sq feet minimum.

Commissioner Ingalls asked does this solution here lend itself to the greater commercial opportunity.

Mr. Boyd answered, yes and just be clear this is just 5A and this example is residential on the top with commercial on the bottom, and parking underneath the structure.

Chairman Messina stated he is looking at 5A in the packet and the shape and the residential is further in the back and asked if the hotel will be in the front.

Mr. Boyd replied this is just a vision of residential and commercial. There is no hotel competent to this concept. Ignite has had inquires for a hotel and right now Area 13 was the primary spot.

Chairman Messina wants to clarify that that if the commission approves this PUD amendment with the reduced parking for residential that they could still put a hotel on Area 5A.

Mr. Boyd replied yes, that is correct.

Commissioner McCracken asked how much commercial square footage that would be with the proposal he shared.

Mr. Boyd replied about 6000 sq feet. He clarified that ignite has not accepted any proposals.

Commissioner Ward asked the building being 4 stories, does this impact the site line of other units in the area.

Mr. Boyd replied no. It has not been built yet there is nothing behind the buildings that would impact the views.

Commissioner Ward stated he does not have problem with a change with the parking ratio. It's very urban. But it's one thing to change the residential parking. How about the commercial uses, would they have to abide by the current commercial parking.

Mr. Boyd replied that is correct, there is no proposed reduction in the commercial parking standards.

Chairman asked if Area 7 has been purchased yet.

Mr. Boyd replied that is correct. Area 7 has not been purchased yet because it has not been put out yet to RFP at this point because there has been so much work to prepare the sites, also in Areas 11 and 20.

Chairman Messina asked if those are the areas where the attainable housing could be done down the road. If these get approved this evening and someone purchased 5A, the height is there already. Will the height be restricted and will the view be obstructed for the other parcels from behind there, will the other people be aware of what will go in front of them.

Mr. Boyd responded that in theory anybody should be aware at this point, because anyone can look at the development standards right now and look and read that the potential building height is 45 feet on that site. Everyone should do their own due diligence on buying any property and familiarize themselves with the surroundings.

Mr. Boyd continued with his presentation. There will a total of 144 units and divide number of parking spaces of the parking 0.98 this would be very hard to sell. In the city code, the parking ratios for multi-family residential would be 1.07, 1.1 and 1.49. This is a math exercise to give the commission on how far

are we asking to deviate. The developer asked for 0.98. That is not what we are asking for. They would have to go figure out how to add additional spaces to their parking or modify their unit next year depending on what parking requirement the commission chooses. They might have to do fewer bedroom or more 1 bedroom to change that parking ratio.

Chairman Messina would like clarify that the commission can leave the parking as is, based on whatever the city code says. Parking needs to be for whatever they build there, or are we looking at let's change the parking to Downtown or Midtown Overlay. Do we have to form a new district for that piece of property.

Ms. Patterson replied no, the PUD amendment request is to change the residential parking for 5A and to choose do you want to change the parking requirement to Downtown North which is the recommendation, choose the parking requirement for Midtown, or not make a change or just have a based on the City Code.

Commissioner McCracken asked Mr. Boyd regarding 5A when this is put out for proposal and ignite decides they do not like any of the proposals again. How many times have you gone through rounds of proposals on 5A.

Mr. Boyd replied, four times.

Commissioner McCracken asked if you are still stuck in the same cycle without modifying the parking.

Mr. Boyd replied we still could go through with the project with the current parking standards, but it may not pencil.

Chairman Messina stated hopefully the committee would select something similar to this proposal we are seeing.

Mr. Boyd continued with his presentation stating he does not want to have surface parking and we would like to see below grade parking with a mixed-use project be economical to the developer.

Mr. Boyd shared the comprehensive plan policy framework, housing product types and price points, mixed use development and small scale commercial and increase pedestrian walkability. For Areas 9 and 16, we would like to decrease the setback from 6 to 5 feet. The Smock Development team is building on the parcel.

Chairman Messina asked what happens if we tweak this and 9, 16, 17, 18 and 19 and Smock is getting reading for closing on April 24, is that going to affect the signing or any of the accepting proposals.

Mr. Boyd stated they were "at risk" when they moved forward when the setbacks were at 6 feet and they asked for the 5 feet.

Commissioner Fleming asked about Mr. Smock's Twin Homes if there will be another entrance entry on Topsaw and also from Seltice.

Mr. Boyd stated he will answer that question in a moment.

Commissioner Coppess asked if the reduced setback, going from 6 to 5 feet, would be in conformance with all the rest of the buildings. He also asked if Mr. Boyd knew the history behind why it was initially designated with 6 feet setbacks.

Mr. Boyd replied no he does not. The original designer is no longer with GGLO.

Commissioner Ward asked where are the twin homes going to be built.

Mr. Boyd replied on Areas 9 and 16 there will be single family homes. Behind those there will be twin homes. The residential parking requirement would apply. Twin homes must have 2 parking spaces per home.

Chairman Messina stated guests would have to park in designated parking and asked if Areas 18 and 19 are twin homes with rear loading.

Mr. Boyd replied that is correct. There is also a request to reduce the setbacks for Areas 18 and 19 from 6 to 5 feet. The Development Standards showed different options for Areas 18 and 19 with a single-family configuration and a townhome configuration with a different orientation. The Smock's twin home layout moved the alley to the back of the development and included more traditional roof lines.

Chairman Messina asked if the design that is being shown on the screen is what the product with the roof pitches with move forward.

Mr. Boyd replied this product has been approved through the Architectural Design Review Committee. We had received a higher density town home proposal for this. Another developer was prepared to pay more and they were going to get more density. We looked at it. One of the points that the Smock team had made is they were trying to create a nicer looking drive through there. At the time they thought having twin homes here would be a much better product than having higher density town homes. This does reflect Commissioner Fleming's point that she made. Price is not always the driving factor. Once the selection committee evaluated that argument, it would make for a nice streetscape with all of the homes facing each other.

Commissioner McCracken asked about the elevation on Seltice regarding the retaining wall.

Mr. Boyd replied that there is a slope. The architect that designed these wanted all of the stoops to be the same number of steps. That required re-grading the site. They paid to have the site regraded to accommodate that.

Mr. Boyd stated that for Area 13, there was a proposal for a hotel. This never got out of DDA (Development Disposition Agreement) phase because of the challenge with parking below grade and the current construction market. There was a pool with the proposal and it did have underground parking. But it did not make it out of the economic feasibility phase. Mr. Boyd noted that the 3rd photo he shared did go through and Ignite sold the parcel to the developer, deChase Miksis. They are "at risk" if the commission were to say tonight, we are not going to allow to go to 53 feet. They would have the problem; but it's their problem not ours. All of the parking is underground. Both the commercial parking and residential parking is underground. The courtyard is open, you can see the river, the public walkway has landscaping, benches.

Chairman Messina asked about the change in the PUD amendment for Area 13.

Mr. Boyd replied that the developer of Area 13 will be doing a horizontal mixed-use project. Instead of putting commercial in the ground floor of the residential building, they will have a larger commercial building. This is right next to the river. The roof is now as 45' but would like to go to a little higher line there is a slight tilt on the roofline - we call it an eyebrow - to 53'. That is just a portion of the roof.

Chairman Messina asked the builder could do anyone of the height elevations on that piece of property.

Mr. Boyd replied that the current standards have a maximum height of 45 feet. But if they wanted to put a pool on the roof, the standards allow them to extend the height to 53 feet if the public has access to the roof. That was approved with PUD amendment #3. We are requesting to remove that limitation and just allow the whole roof to go to 53 feet.

Chairman Messina asked for clarification on the commercial area, if it was sitting upfront on the property

near a promenade with benches and right next to the trail.

Mr. Boyd replied that is correct. This is significant. The commercial use is 8,000 square foot and will be a food and beverage facility, which is a very large.

Commissioner Coppess stated that Mr. Boyd has spoken about square footage of commercial a few times for 5A citing about 6,000 square feet even though only 1,500 is required. For Area 4 there is a small piece there, as well, that he thinks is 1,500 square feet. When you talk about this community being able to sustain this kind of square footage do you see any concerns from your perspective of having a 6,000 square foot on Area 13. He would like to have an idea of how this came about initially.

Mr. Boyd replied that it does make us a bit nervous with a big food and beverage facility there, but when you add a hotel component to this area now you put in a user group that may support a little coffee and breakfast café. This is different because it's a brew pub.

Chairman Messina stated the market was different at the beginning of the concept. They are trying to put some commercial in there. We are trying to do the best we can to what is feasible to get purchased.

Commissioner McCracken stated if you look at any of the development proposals each of the area have multiple choices of what someone could bring forward.

Mr. Boyd stated there was a lot of aspirational qualities to the original concept.

Commissioner McCracken also addressed within the commercial nodes in the project if one of those could be a lawyer's office, for example.

Mr. Boyd stated the buildings on the waterfront will not be on the low price point. The mixed-use character with the walkability component. You can sit and have a beer, etc.

Commissioner Ingalls stated it will still be a mixed use, it will just be a commercial on one floor and housing separate, within Area 13. It's still mixed use its just arranged differently.

Mr. Boyd commented and said Ms. Patterson calls this horizontal mixed use. This is technically being built as one building and the parking is underground.

Commissioner Fleming asked if we choose 53 feet do Areas 5A and 13 both have the opportunity to build to 53 feet as well for the roof top.

Ms. Patterson clarified the develop standards for 5A already allow for a maximum 45 feet and a conditional height increase of up to 60 feet if there is a public benefit that can be reached.

Mr. Boyd stated to Commissioner Fleming about the house on Area 7 is accurate this actually steps up.

Mr. Boyd concluded his presentation

Ann Beutler was sworn in. She is developing 5A and 5B. She is in favor of the reduced setbacks. She would like to ask the same for Area 5B on the north side of the alley. Area 5A does affect our Area 5B. We are one of the people that were going to be allowed a small portion to be at a higher height on the top floor to accommodate a swimming pool on Area 13, but we had to allow the public to have access to that. But for security reasons we would have to put in an elevator and stairway so that did not pencil out. For the parking and Midtown, we know firsthand. We are developers of the Midtown apartment there. The parking affects the rents that we can get. It's not the same if you have to walk down to the public parking. It's not the same as if you have your own parking. Having less parking will affect our parking for 5B and will affect the prices we can pull for the townhomes we are building. She does like the step down. It will block the sun and all the trees across the river. It does change the desirability of the neighborhood.

John Beutler was sworn in. He stated that they submitted two plans for Area 5A. Regarding this site, the height could stick out. He said he had a plan that stair stepped. He could not make it work because of the parking. How much density is trying to be put in that area.

Alex Mendoza was sworn in. He said he lives in Area 2, between 5A, 13 and 4. He sees landscape designs, he does not see public garbage cans. The added population that will be potentially moving in, it is concerning as a resident to have to be constantly to be picking up garbage from trail users. At the moment there is a couch sitting in the parking area. He asked if there have been any traffic studies. Over the summer there are motorcycles that come racing down his street. He was wondering if Areas 20 and 11 might be flipped with the uses proposed for Areas 5 and 13 so that the traffic could be closer to Seltice.

Chairman Messina suggested he talk to Ignite about his concerns.

James Carter was sworn in. He said he lives in the Atlas Waterfront Area 6. He is happy there is no hotel as of yet. He asked about Area 5A and said he is concerned with the amount of traffic that comes in thru the side street to use the dog park. Opening up Areas 5A and 13 as commercial would generate more traffic. He asked how would they get there. His concern would be how much traffic would have to come through Area 6 or all the way around Area 12. Also, how will it work with bikes and pedestrians if they are all coming down across Area 13 and all of the traffic to get to the commercial spaces to come off that same road where is everyone going to go. Living in Area 6 is a construction zone. He wakes up at 6:00am to roofers, reggae music, and construction tractors beeping. It was mentioned there is an awareness of what you are buying into a property and doing your due diligence. Before your buy and after you buy. Before he bought, he did look into this property and Area 20 did not exist. He asked where did Area 20 even come from. He did go back from the Atlas Waterfront material today and looking at right now where he lives, Area 20 still does not show up. That was supposed to be a Park or common use and now if it is supposed to be housing that is adding more parking, etc. How do you add another housing development without increasing parking spots and more traffic and two entrances to get into this development. He was okay with the high roofs if there was going to be a pool and something that the public could take advantage of and be able to use, but now if we are not going to be able to have anything to have a "common use" for the people to live there, why would I want something to have that is blocking my view. Area 13 is where my living room sits so now, he will have no view. He said he will lose access to the river and lose his views.

Suzanne Knudson was sworn in. She stated the developers requested the setbacks and are planning on living in these areas and she is not living in these areas. She is concerned if these are approved and lowered will become the new normal. Home security is one thing, privacy and environmental protection is another. Reduced setbacks for taller buildings can cause disruption of natural lighting, ventilation and fresh air and sound insulation. Parking is already an issue. Attainable housing and handicap accessibility is something already lacking in Coeur d'Alene, that and handicap parking need to be addressed.

Chairman Messina clarified with Ms. Patterson if the Commission changes any of the setbacks tonight it is not citywide.

Ms. Patterson replied that is correct. Each PUD would come in with their own request for setbacks.

Applicant rebuttal:

Mr. Boyd stated he will speak with Mr. Greenwood about not enough garbage cans in the park. Regarding the height on Area 13, the original PUD the trade off to get to 53 feet was not you get access to a pool. That was never part of the proposal, it was a pool was built it would have to be 53'. There was never any public access to the pool negotiated. Maybe they would provide public access to that pool through the HOA. There was public good requirement that the public could access the roof top because there was proposed food and beverage faciality up there. We negotiated access to the roof top. If you wanted to look up out on the river. Let me be clear on this right now the developer can go in and build 45' high, there was another building that took advantage of this and said if you won't let me go higher, I will go wider, because they want their density one way or another. If we deny the developer the opportunity to go higher, we may end up with something that

looks like that because they can go wider, but just at 45'. Part of the thing we have been negotiating even at this configuration. We negotiated the open spaces and eking out a little about more height vertically gives you more opportunity to narrow. They might be peak a boo views, but they are better. You still get your unit count.

Commissioner Ingalls stated that the 53' height is the devil we know and can see and understand versus the possibility of the worst devil of a billboard type of building blocking the entire view. It can happen by right.

Mr. Boyd stated that on 5A there is a wide hill climb area that was initially constructed for a couple of reasons to provide a route to go north and to force a setback from 5B. The height is 45'. For 5A, the last PUD amendment we wanted it to go to 60 feet, but we wanted to put a gap in there to have some buffer between Areas 5A and 5B. On the parking and lowering the parking requirement here, sometimes during peak usage parking will be a challenge, parking will be a challenge. These are the tradeoffs you get when you are looking at this site. There are 124 parking lot spots that you can walk to. The access is open from round about Atlas Waterfront at Seltice and Suzanne, Heartwood and Suzanne. The Ignite board did fund speed tables through the neighborhood in order to control the speed. The traffic would be even worse.

Chairman Messina asked if there was a bike trail along the trail.

Mr. Boyd replied yes, there is also a bike trail, the board funded a bike route from Seltice to the river. There is some signage that needs to occur. We negotiated a deal with Lanzce Douglass and Area 12 property owners with have an easement through there.

Public testimony closed.

Commission Comments:

Commissioner Luttrupp commented there was going to be changes over the years and this process is working.

Chairman Messina agreed hopefully down the road there will be some attainable housing. The setbacks and heights, he agrees with. There is a little bit of reduced parking.

Commissioner Ingalls stated this is a work in progress and Ms. Patterson's staff report had some minor changes with parking. He is impressed with the amount of work that has gone into this project.

Chairman Messina stated the presentation that Mr. Boyd's staff put together was done very well.

Commissioner McCracken stated she appreciates the presentation that Mr. Boyd put together, and most of the changes have been very small and very reasonable. If feels like a very good core with the park next to it.

Commissioner Ward Commented that the Atlas is growing and the parking will have issues. In Area 5A there is an urban type issue. He has no issues with reducing the parking. We need commercial on the waterfront. 8,000 square front is a lot to build with commercial. This is enhancement to the community. It's hard to build in phases, and see the finished product.

Commissioner Fleming stated she would like the height to be 45 feet. The midrise and townhomes are out of fit. We need to keep it down and not go up. The Downtown North parking that allows for the small units that may be affordable for some of the poor people. The bus should be shorter route. The twin homes should be more of price point should be less. Active West is more affordable. Needs to be more green and more open space. She is the most disappointed of all, she does not feel that the workforce housing or the local shopping, leave the car at home, more walkable, more retiree that do not drive. The ranking and scoring system when developments come in, don't always go for the highest sales.

Motion by Commissioner Ingalls, seconded by Commissioner Fleming, to recommend to approve PUD-4-19m.4 amendments. Motion carried.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	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 7 to 0 vote.

ADJOURNMENT:

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

The meeting was adjourned at 7:56 p.m.

Prepared by Traci Clark, Administrative Assistant