

PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS

MARCH 14, 2006

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

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

5:30 P.M. CALL TO ORDER:

ROLL CALL: Bruning, Bowlby, Jordan, Rasor, Messina, Souza, Tiffany Tenty (Student Representative), Dane Larsen (Student Alternate)

APPROVAL OF MINUTES:

February 14, 2006

PUBLIC COMMENTS:

COMMISSION COMMENTS:

STAFF COMMENTS:

ADMINISTRATIVE ITEMS:

1. Applicant: Coeur d'Alene Homes Inc. and Heritage Place Inc.
Location: 704 W. Walnut Avenue
Request: Proposed 2-lot preliminary plat "Coeur d'Alene Homes First Addition"
ADMINISTRATIVE, (SS-5-06)

2. Applicant: Copper Basin Construction
Location: Adjacent to Riverway Place and Swiftwater Lane in the Mill River development
Request: A proposed 117-unit Residential Condominium Plat
"The Condos at Mill River" in the R-17 (residential at 17 units/acre)
zoning district.
ADMINISTRATIVE, (SS-6-06)

PUBLIC HEARINGS:

1. Applicant: Thomas G Walsh
Location: 1027 Sherman Avenue
Request: A proposed 55 foot variance to increase the building height
from 38 to 93 feet.
QUASI-JUDICIAL, (V-1-06)

2. Applicant: Vernon Cartwright
Location: 1502 2nd Street
Request: A proposed 4-lot preliminary plat "Cartwright Estates"
in the R-12 (residential at 12 units/acre) zoning district.
QUASI-JUDICIAL, (S-4-06)

4. Applicant: Jessy Lorion & Arvid Lundin/ Irving Place LLC.
 Location: 3202 and 3206 North 4th Street
 Request: Proposed zone change from R-12 (Residential at 12 units/acre) to C-17L (Commercial limited) zoning district. QUASI-JUDICIAL, (ZC-1-06)
5. Applicant: Tim Mueller
 Location: Adjacent to the Landings at Waterford between Atlas & Huetter Roads
 Request:
- A. Proposed zoning prior to annexation from County Agricultural to City R-8 (Residential at 8 units/acre) zoning district QUASI-JUDICIAL, (A-1-06)
- B. A proposed 867-lot preliminary plat "Hawks nest" in the R-8 (Residential at 8 unit/acre) zoning district QUASI-JUDICIAL, (S-3-06)

ADJOURNMENT/CONTINUATION:

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

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



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**PLANNING COMMISSION
MINUTES
FEBRUARY 14, 2006
CITY COUNCIL CHAMBERS**

COMMISSIONERS PRESENT

John Bruning, Chairman
Brad Jordan
Tom Messina
Scott Rasor

STAFF MEMBERS PRESENT

John Stamsos, Associate Planner
Shana Stuhlmiller, Public Hearing Assistant
Warren Wilson, Deputy City Attorney
Gordon Dobler, Engineering Services Director

COMMISSIONERS ABSENT

Heather Bowlby
Ryan Hill
Tiffany Tenty, (Student Representative)
Dane Larsen, (Alternate Student Representative)
Mary Souza

CALL TO ORDER

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

APPROVAL OF MINUTES:

Motion by Rasor, seconded by Messina, to approve the minutes of the Planning Commission meeting on January 10, 2006. Motion approved.

COMMISSION COMMENTS:

There were none.

STAFF COMMENTS:

Associate Planner Stamsos announced Commissioner Hill has resigned and that Mayor Bloem will be seeking names of qualified candidates to fill the vacancy. He also announced that Assistant Planner Sean Holmes and his wife welcomed a new addition to his family a baby girl born earlier this month

Assistant Attorney Wilson explained that at the last Planning Commission meeting held on January 10, 2006, various questions were raised regarding Condominium Plats and why approval is needed when building permits are already issued. He commented that staff recently reviewed the subdivision ordinance and found that there is a process for approving Condominium Plats as a short plat rather than a regular plat, if certain criteria are met. He continued that he is reviewing how condominiums are approved and would be proposing amendments in the near future to streamline the process.

PUBLIC COMMENTS:

There were none.

PRESENTATION:

PLANNING COMMISSION MINUTES:

FEBRUARY 14, 2006

PAGE 1

SRM Development - Mechanical screening for Riverstone Theater

Mike Craven, SRM Development presented an overview of the screening process intended for the mechanical equipment that is located on top of the Riverstone Theater and explained how this will improve the views from the top of the building in a positive way. He showed various pictures of how the building will look when the screening process is complete and then asked if the Commission had any questions.

Commissioner Jordan commented that this is a reasonable solution for a difficult situation and appreciates the applicant's attempt to find a solution to the problem.

ADMINISTRATIVE ITEMS:

1. Applicant: Glen Sather & James Duchow
Location: In the vicinity of 7th Street and Best Avenue
Request: Proposed 3-lot preliminary plat "Haycraft Estates"
ADMINISTRATIVE (SS-2-06)

Engineering Services Director Dobler presented the staff report and then asked if the Commission had any questions.

Commissioner Rasor questioned if the zone change for the portion of lot two should be approved before final plat approval.

Engineering Services Director Dobler concurred and suggested that the staff report be changed to require zoning completed before final plat approval.

Motion by Rasor, seconded by Messina, to approve Item SS-2-06. Motion approved.

2. Applicant: Glacier 2100 Northwest Boulevard, Inc.
Location: The corner of Northwest Boulevard and Lakewood Drive
Request: Proposed 4-lot preliminary plat "Riverview Condominiums"
ADMINISTRATIVE (SS-3-06)

Engineering Services Director Dobler presented the staff report and then asked if the Commission had any questions.

The Commission did not have any questions for staff.

Motion by Jordan, seconded by Rasor, to approve Item SS-3-06. Motion approved.

3. Applicant: Paul Rau
Location: 3550-3572 N. 15th Street
Request: A proposed 12-unit Condominium Plat "Canfield Court"
in the R-8 (Residential at 8 units/acre) zoning district
ADMINISTRATIVE (SS-4-06)

Engineering Services Director Dobler presented the staff report and then asked if the Commission had any questions.

The Commission did not have any questions for staff.

Motion by Rasor, seconded by Jordan, to approve Item SS-4-06. Motion approved.

PUBLIC HEARINGS

There are none.


ADJOURNMENT:

Motion by Rasor, seconded by Jordan, to adjourn the meeting.

The meeting was adjourned at 6:00 p.m. Motion approved.

Respectfully submitted by John Stamosos, Associate Planner

Prepared by Shana Stuhlmiller, Public Hearing Assistant



SHORT TRIPS PLANS

TO: Planning Commission
FROM: Christopher H. Bates, Project Manager
DATE: March 14, 2006
SUBJECT: **SS-5-06, Coeur d'Alene Homes First Addition**

DECISION POINT

Approve or deny the applicant's request for a 2 lot residential subdivision.

GENERAL INFORMATION

1. Applicant: Coeur d'Alene Homes Homes, Inc.
Heritage Place, Inc.
704 W. Walnut Ave.
Coeur d'Alene, ID 83814
2. Request: Approval of a 2 lot commercial subdivision, in a portion of Government Lot 24, in Section 11, and Government Lot 2, in Section 14, T50N, R3W, BM.
3. Location: West side of Lincoln Way, south of US Hwy. 95.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is R-17.
2. Land Use: Lot 1 of the subject property is currently developed and occupied by the Heritage Place, a senior resident's facility, Lot 2 is vacant with a similar facility proposed for the site. The existing and newly proposed facility are allowed in the residential zone by a special use permit that was previously applied for and granted
3. Infrastructure: Utilities, Streets, & Storm Water Facilities
 - Utilities:** Sewer & Water

The subject property has access to both sewer and water utilities. The existing facility on Lot 1 is presently connected to both sewer and water, and, the connections for Lot 2 are being addressed with the building permit for the subject property.
 - Streets:** The public streets adjoining the subject property are developed to current standards.
 - Fire:** Fire hydrants area located at numerous sites around the subject property and meet the spacing criteria required by the City Fire Department
 - Storm Water:** Street drainage is already contained in the existing City hard pipe system in the vicinity of the subject property, and, the on-site runoff is being addressed with the building permit for the subject property.
4. **Proposed Conditions:**

None

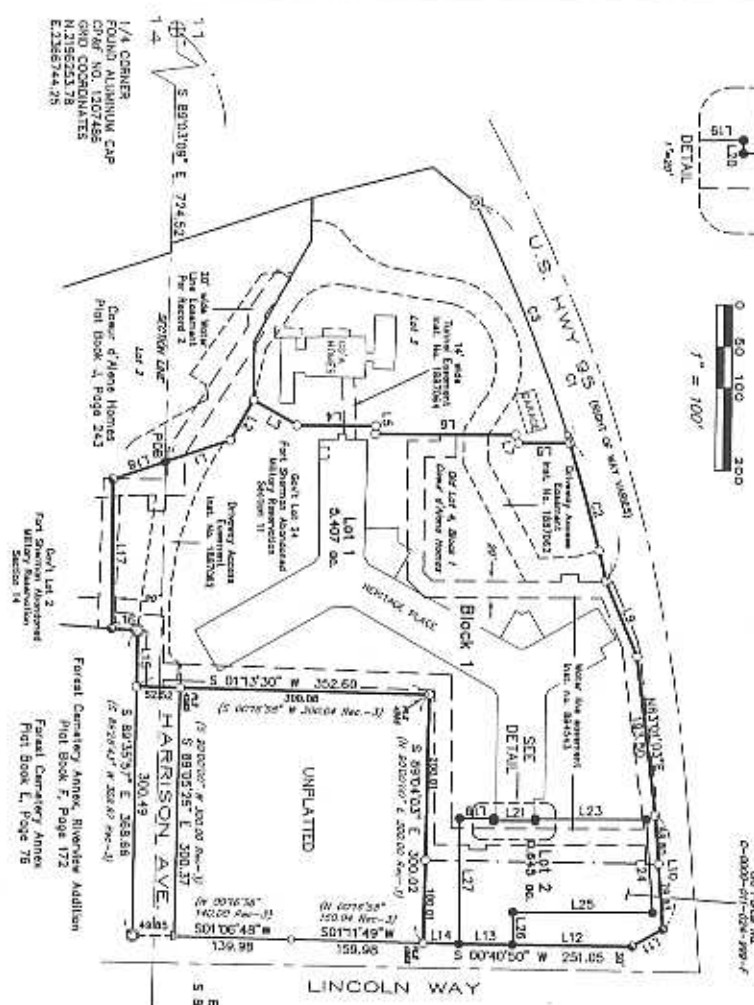
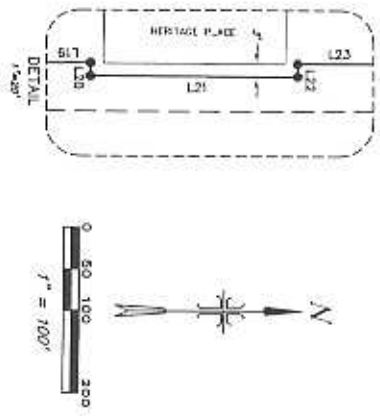
DECISION POINT RECOMMENDATION

Approve the proposed plat in its submitted configuration.

PRELIMINARY PLAT OF COEUR D'ALENE HOMES FIRST ADDITION

A REPLAT OF LOT 4, BLOCK 1, COEUR D'ALENE HOMES AND
A PART OF PLOT 1, SECTION 11, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO
2008

CHAIN LENGTH	RAVINE I	DETA	CHAIN BEARING	CHORD
C1	485.67	2023.46	134K57.2°	5707.93 30° W 484.70
C2	172.80	2023.46	49S18°	N 02306.26 S 172.78
C3	302.47	2023.50	83N19.2°	358394.42 W 302.18



LINE	LENGTH	BEARING
L1	82.57	N103°02'56"W
L2	52.84	N00°14'31"W
L3	60.25	N78°35'20"E
L4	94.78	N29°00'35"W
L5	9.88	N82°29'24"E
L6	100.03	N00°00'00"E
L7	70.59	N73°31'47"E
L8	62.31	N00°00'36"W
L9	99.62	N67°21'03"E
L10	137.83	N85°43'59"E
L11	42.57	S89°36'37"E
L12	143.05	S00°40'50"W
L13	84.50	S00°40'50"W
L14	42.81	S00°40'50"W
L15	68.17	N08°35'57"E
L16	30.81	S01°58'16"W
L17	181.48	S89°59'24"E
L18	65.06	N03°02'42"W
L19	40.06	N00°01'10"W
L20	3.32	N89°58'21"E
L21	49.92	N00°02'19"E
L22	31.76	N08°34'41"W
L23	133.09	N00°00'00"E
L24	133.09	N85°28'13"E
L25	167.97	N90°00'00"E
L26	35.07	N90°00'00"E
L27	131.09	N50°00'00"W

- 1.** Plat of FOREST CEMETERY ANNEX, RIVERVIEW ADDITION, Book F, Page 172, records of Kootenai County.
- 2.** Plat of COEUR D'ALENE HOMES, Book 4, Page 243 records of Kootenai County.

RECORD INFORMATION

PRELIMINARY

This is a preliminary survey document for review and comment only, and is subject to revision.

Date: 1/24/2008

- LEGEND**
- ⊕ Found Aluminum Cap 3" diam.
 - ⊕ Found Concrete Right of Way Monument with Brass Cap
 - Found Iron Pipe 3/4" diam.
 - Found Steel Pin 5/8" diam. with Plastic Cap marked PLS 8575 except as noted
 - Found Steel Pin 1/2" diam. with Plastic Cap
 - Set Steel Pin 5/8" diam., 20" long with Plastic Cap marked H2005 PLS 8575
 - Found Stake Pin 1/2" diam. with plastic cap marked PLS 4565 - replaced with Steel Pin 5/8" diam. with plastic cap marked H2005 PLS 8575
 - △ Calculated Position - nothing found or set
 - HOH Point of Beginning
 - Driveway Access Easement
 - Public water Line Easement
 - Old Lot Line



J-U-B ENGINEERS, INC.
Engineers Surveyors Planners
Coeur d'Alene, Idaho 200809-01EP
1/24/2008

BASIS OF BEARING

Scale of bearing is South 89°03'09" East along the North line of the Northeast Quarter of Section 14, Township 50 North, Range 4 West, Boise Meridian per City of Coeur d'Alene/Kootenai County GDS network.

BASIS OF BEARING

S 89°03'09" E 2822.22

TO: Planning Commission
FROM: Christopher H. Bates, Project Manager
DATE: March 14, 2006
SUBJECT: **SS-6-06, The Condos at Mill River**

DECISION POINT

Approve or deny the applicant's request for a 17 building, 117 unit condominium development in the Mill River subdivision on Lot 1, Block 5 of the Mill River 3rd Addition.

GENERAL INFORMATION

1. Applicant: Copper Basin Construction, Inc.
PO Box 949
Hayden, ID 83835
2. Request: Approval of a request for a 17 building, 117 unit condominium development in the Mill River subdivision on Lot 1, Block 5 of the Mill River 3rd Addition in a portion of the south half of Section 4, T50N, R4W, BM.
3. Location: North side of Riverway Place, directly east of Huetter Road.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is R-17 in the Mill River PUD.
2. Land Use: The subject property is currently being developed into condominium units and the building permits for the subject lot have been previously issued.
3. Infrastructure: Utilities, Streets, & Storm Water Facilities

Utilities: Sewer & Water

The subject property has access to both sewer and water utilities. The sanitary sewer located on the subject property is a private utility main and will be required to be managed and maintained by the Condominium Homeowners Association. The City will not service, maintain or replace any portion of this utility main. This will be required to be noted in the Declaration of Condominium for the subject property. The water utility that has been installed to the subject property is considered a public main and must be accepted for maintenance prior to the issuance of any Certificate's of Occupancy for any of the buildings on the subject property. An easement for the water utility, covering all main lines, service laterals, meters and fire hydrants must be either recorded prior to final plat approval or shown on the plat document. If the easement is to be recorded as a separate instrument, the easement must be in the accepted City format and be approved by the City Council prior to recordation.

Streets: The public streets adjoining the subject property are developed to current standards.

Fire: Fire hydrants serving the subject property were addressed with the underlying subdivision and with the building permit for the site development. No additional installations will be required that were not previously noted.

Storm Water: Street drainage is already contained in the existing roadside swales, and the on-site drainage was addressed in the stormwater management plan submitted for the subject property.

4. Proposed Conditions:

1. Installation of the required water utility easement covering all mains, service lateral, meters and fire hydrants. The easement can either be shown on the plat document or recorded by separate instrument prior to final plat approval. If recorded prior, the easement must be in the accepted City format and approved by the City Council prior to recordation.
2. Submission of a copy of the Declaration of Condominium for the subject property that includes the language addressing the sanitary sewer main ownership and maintenance.
3. All lien holders that have any financial interest in the subject property (banks, mortgage companies, other financial institutions) are required to sign the plat document, unless a Power of Attorney has been granted to the signatory.

DECISION POINT RECOMMENDATION

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

**PLANNING COMMISSION
STAFF REPORT**

FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER
DATE: MARCH 14, 2006
SUBJECT: V-1-06 - 55-FOOT HEIGHT VARIANCE IN THE DOWNTOWN EAST INFILL OVERLAY DISTRICT IN THE C-17L ZONE
LOCATION – +/- 9,790 SQ. FT. PARCEL AT THE NORTHWEST CORNER OF 11TH STREET AND SHERMAN AVENUE.

DECISION POINT:

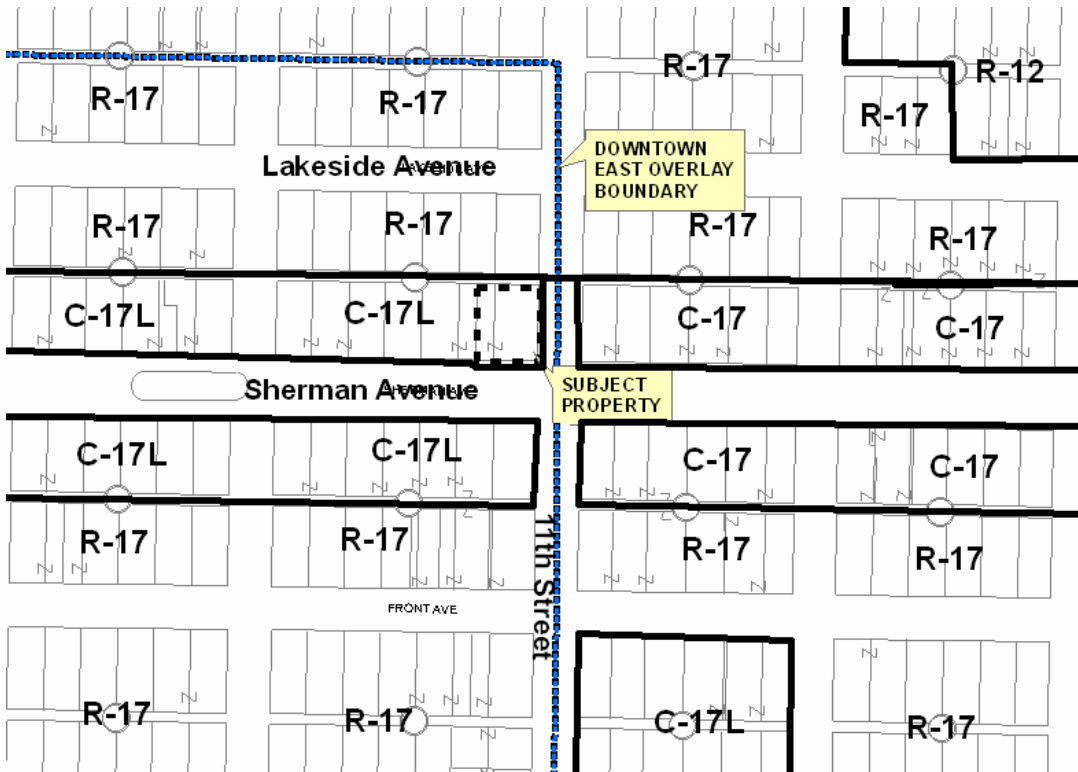
Thomas G. Walsh, is requesting approval of a 55 foot height variance from the allowed height of 38 feet for principal structures in the Downtown East Overlay District in the C-17L (Commercial Limited at 17 units/acre) zoning district to allow construction of a 93 foot tall mixed use building. (Commercial and Residential condominiums)

GENERAL INFORMATION:

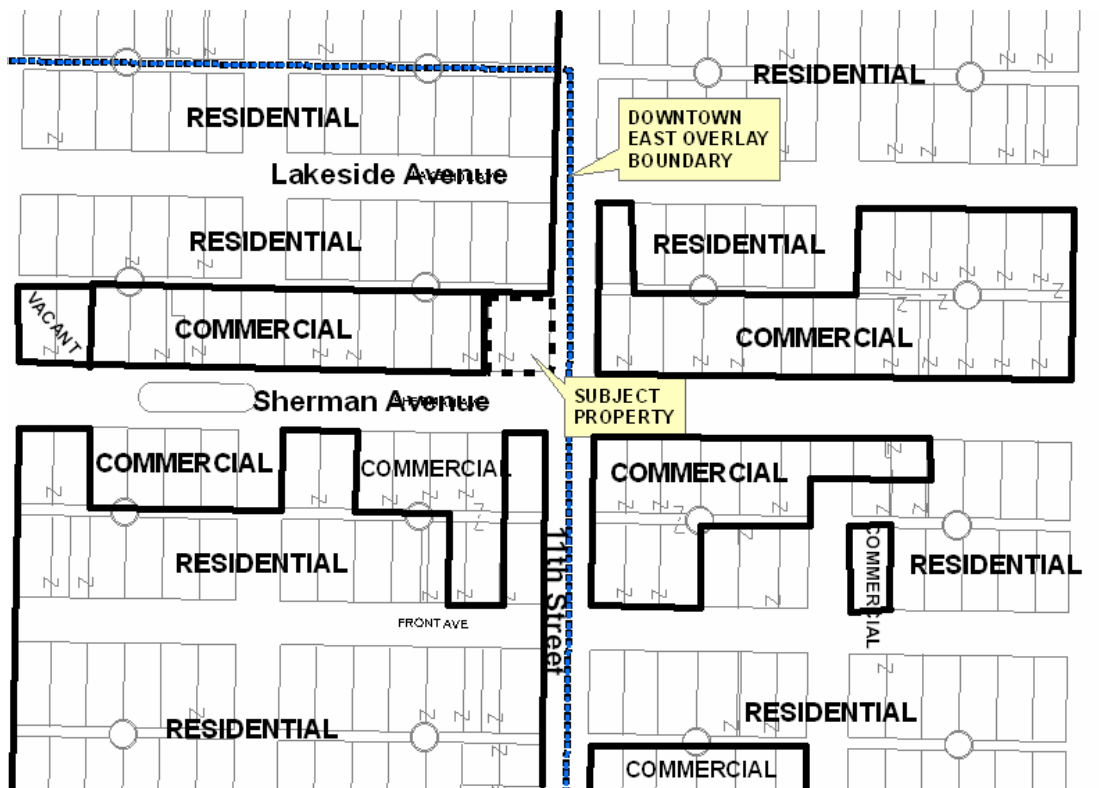
- A. Site photo



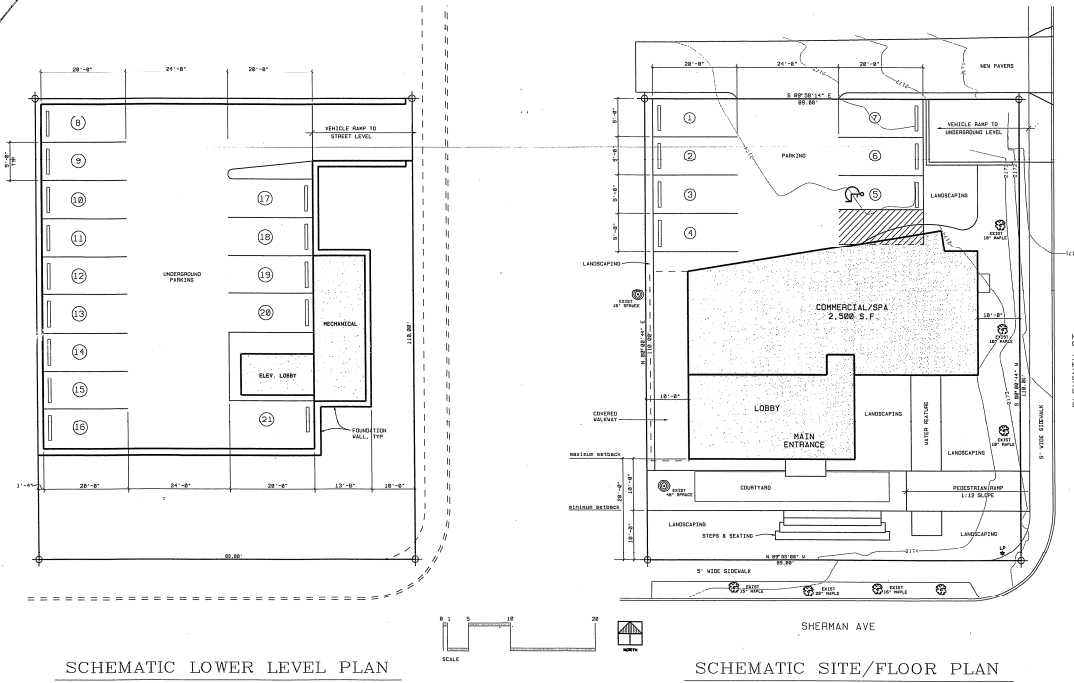
B. Zoning:



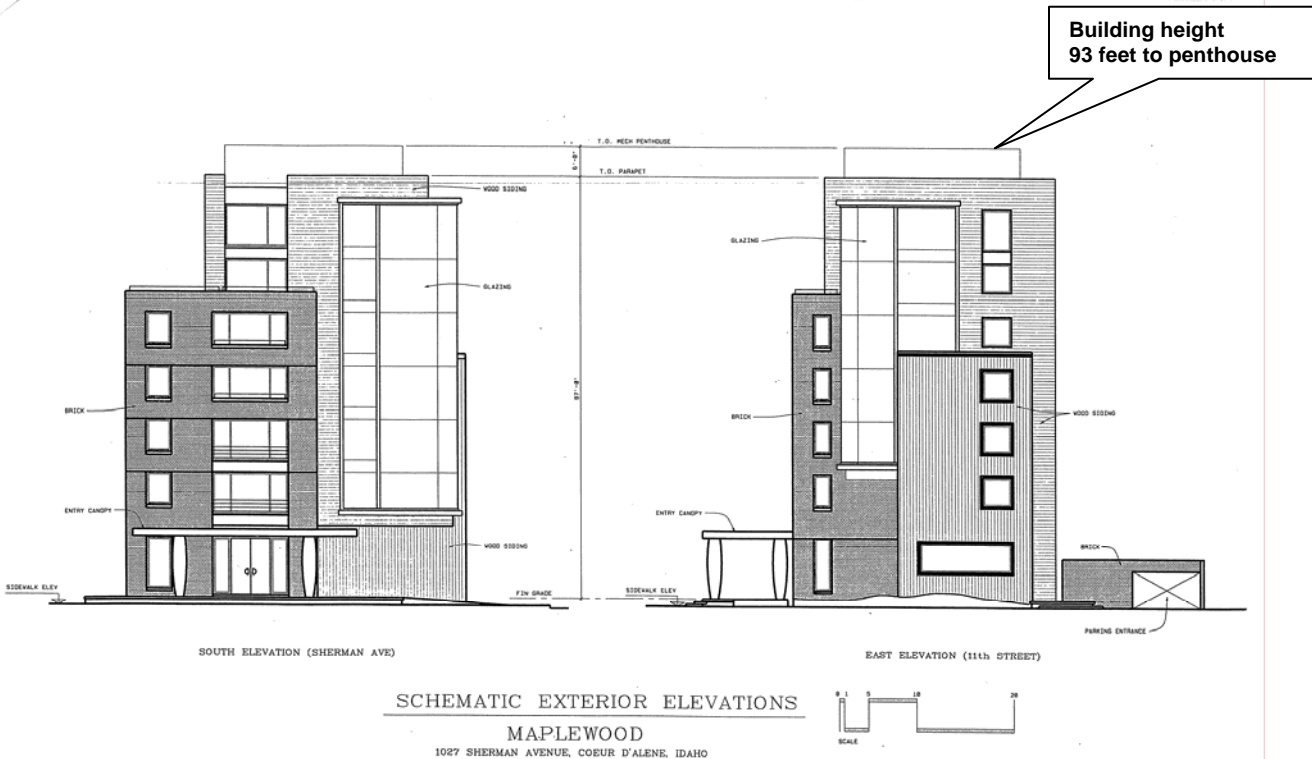
C. Generalized land use pattern:



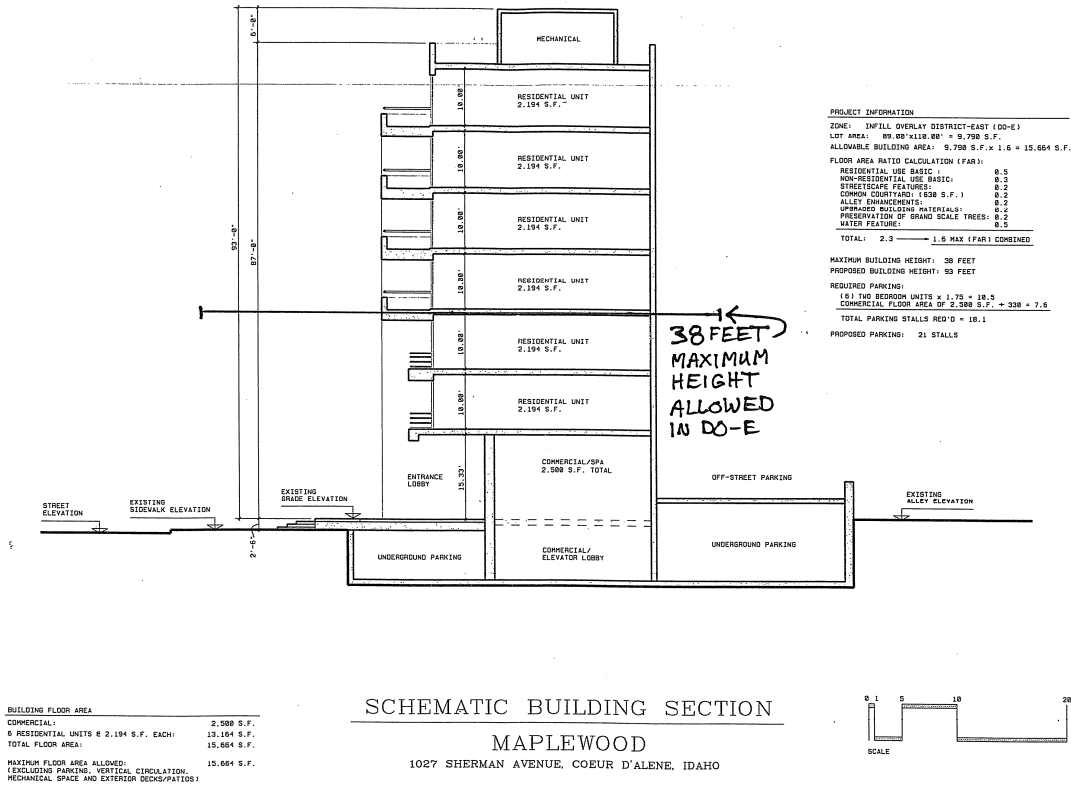
D. Site plan



E. Building elevation:



F. Heavy line indicates the maximum allowed height in the DO-E overlay zone of 38 feet.



G. House on subject property



H. East on Sherman Avenue.



I. West on Sherman Avenue - north side.



J. West on Sherman - south side.



- K. Applicant: Thomas G. Walsh
Owner 1027 Sherman Avenue
Coeur d'Alene, ID 83814
- L. Land uses in the area include residential - single-family, duplex, Multi-family and commercial sales and service.
- M. The subject property contains a dental office.

PERFORMANCE ANALYSIS:

A. Zoning:

The purpose and intent of the Infill Regulations adopted by the City Council in 2004, is as follows:

To establish infill overlay districts and to prescribe procedures whereby the development of lands within these infill overlay districts can occur in a manner that will encourage infill development while protecting the surrounding neighborhoods. It is the intent of these development standards to encourage a sensitive form of development and to allow for a reasonable use that complements the visual character and the nature of the city.

B. Required Findings:

The subject property is zoned C-17L and within the Downtown East Infill Overlay District. Principal structures in the DO-E district can only exceed the maximum allowed height of 38 feet upon findings that:

1. The structure may be safely erected and maintained at such height considering surrounding conditions and circumstances, and
2. The structure will not impose major adverse environmental and specifically adverse visual impacts.

C. **Finding #1: The Structure may be safely erected and maintained at such height considering surrounding conditions and circumstances.**

The structure must be designed by an Idaho licensed architect to the requirements of the International Building Code.

D. **Finding #2: The structure will/will not impose major adverse environmental, and specifically, adverse visual impacts.**

In the area surrounding the subject property, there is a mix of single-family, multi-family and commercial buildings none taller than approximately 35 feet.

The subject property is at the edge of the DO-E Overlay District boundary and adjacent to R-17 and C-17 zoning districts. Here are the allowable heights in zones adjacent to the subject property:

- To the north - R-17DO-E - 38-feet.
- To the east - R-17 - 43 3/4-feet.
- To the east - C-17 - residential - 43 3/4-feet and commercial - none.

- To the south - C-17LDO-E - 38-feet
- To the west - C-17DO-E - 38-feet.

In determining if the proposed 93 foot height of the structure will impose a major adverse environmental/visual impact, the Commission can only consider the impact of that portion of the structure over 38 foot, which is the allowed height in the DO-E overlay district.

Evaluation: The proposed building would be 55 feet or 4 stories taller than the 38 foot maximum allowed in the DO-E Overlay District.

E. Comprehensive Plan Policies:

Significant Comprehensive Plan policies for consideration:

- 4C: New growth should enhance the quality and character of existing areas and the general community.
- 4C3: Population growth should be compatible with preserving Coeur d’Alene’s character and quality of life.
- 42A: The development of Coeur d’Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, effects and goals of citizens.
- 42A2: Property rights of citizens should be protected in land use decisions.
- 51A: Protect and preserve neighborhoods, both old and new.
- 51A1: Residential areas should be protected and preserved.
- 51A5: “Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects.”
- 52B: “Promote a high standard of landscaping, building design and community development.”

F. Proposed Conditions:

None.

G. Ordinances and Standards Used in Evaluation:

Comprehensive Plan – Amended 1995.

Municipal Code

Idaho Code

ACTION ALTERNATIVES:

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

[F:pcstaffrptsV106]

JUSTIFICATION:

Proposed Activity Group; Multiple Family Residential (Condominium) & Commercial Personal Service (Spa)
Attach site and/or building plans which illustrate the request.

A variance may be requested from a provision of the zoning ordinance with respect to a modification of the requirements of lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other provisions affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots.

A variance shall not be considered a right or special privilege, but may be granted only upon a showing of undue hardship because of characteristics of the site and that the granting of a variance rests with the applicant. Prior to approving a variance, the Planning Commission is required to make Findings of Fact. Findings of Fact represent the official determination of the Planning Commission and specify why the special use permit is granted. The **BURDEN OF PROOF** for why the variance is necessary rests on the applicant. Your narrative should address the following points:

A. A description of your request; A variance to allow an increase in the maximum building height from 38 feet to 93 feet from finish grade. The height increase would allow a smaller building footprint & provide public amenities described below.

B. The undue hardship caused by the physical characteristics of the site;
The subject property is a 89' x 110' (9,790 SF) corner lot located at 11th St & Sherman Ave. Site constraints require a small building footprint in order to preserve large trees and large corner cut-off area for open space.

C. The compatibility of this request with the public interest;
An increase in building height will provide more lot area for landscaped open space with public amenities including water feature, preservation of grand scale trees, landscaped courtyard, streetscape features (seating, lighting), alley enhancements, underground parking and upgraded building materials.

D. Any other justifications that you feel are important and should be considered by the Planning Commission. This project would be a good example of mixed use infill development that encourages a "live, work, walk" philosophy. The proposed residential density is appropriate for zoning & adjacent neighborhood. A taller structure that can minimize footprint, while providing pedestrian scale street scape / landscape, preserve existing street tree canopy and street view corridors, would be an aesthetic and economic enhancement to the neighborhood & community.

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

A. INTRODUCTION

This matter having come before the Planning Commission on March 14, 2006, and there being present a person requesting approval of ITEM V-1-06 , a request for a variance in the C-17L (Commercial Limited at 17 units/acre) zoning district.

LOCATION: +/- 9,790 sq. ft. parcel at the Northwest corner of 11th Street and Sherman Avenue.

APPLICANT: Thomas G. Walsh

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

(The Planning Commission may adopt Items B1 to B7.)

- B1. That the existing land uses are residential - single-family, duplex, Multi-family and commercial sales and service.
- B2. That the Comprehensive Plan Map designation is Stable Established.
- B3. That the zoning is C-17L (Commercial Limited at 17 units/acre)
- B4. That the notice of public hearing was published on, February 25, 2006 and, March 6, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, March 6, 2006, which fulfills the proper legal requirement.
- B6. That 51 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, February 24, 2006, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on March 14, 2006.

B8. Pursuant to Section 17.06.330, Exceptions to height maximums by variance, a variance may be granted when:

B8A. The structure may be safely erected and maintained at such height considering surrounding conditions and circumstances.

B8B. The structure will not impose major adverse environmental and specifically adverse visual impacts.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **THOMAS G. WALSH** for a variance, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION
STAFF REPORT**

FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER
DATE: MARCH 14, 2006
SUBJECT: S-4-06 – 4-LOT PRELIMINARY PLAT SUBDIVISION
LOCATION – +/- 32, 982 SQ. FT. PARCEL BETWEEN 2ND AND 3RD STREETS
NEAR HAZEL AVENUE

DECISION POINT:

Vernon L. Cartwright is requesting Preliminary Plat approval of “Cartwright Estates” a 4-lot subdivision in the R-12 (Residential at 12 units/acre) zoning district.

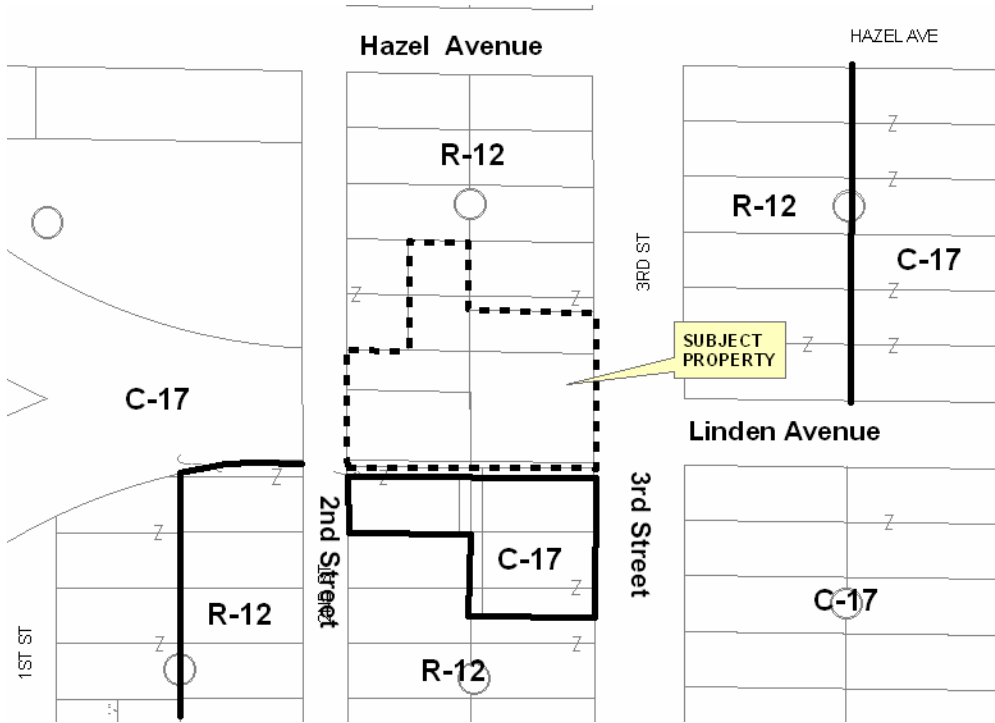
Note: One of the four lots does not meet the 50 foot frontage requirement so; in order to approve the request a regular plat with deviation from standards is required.

GENERAL INFORMATION:

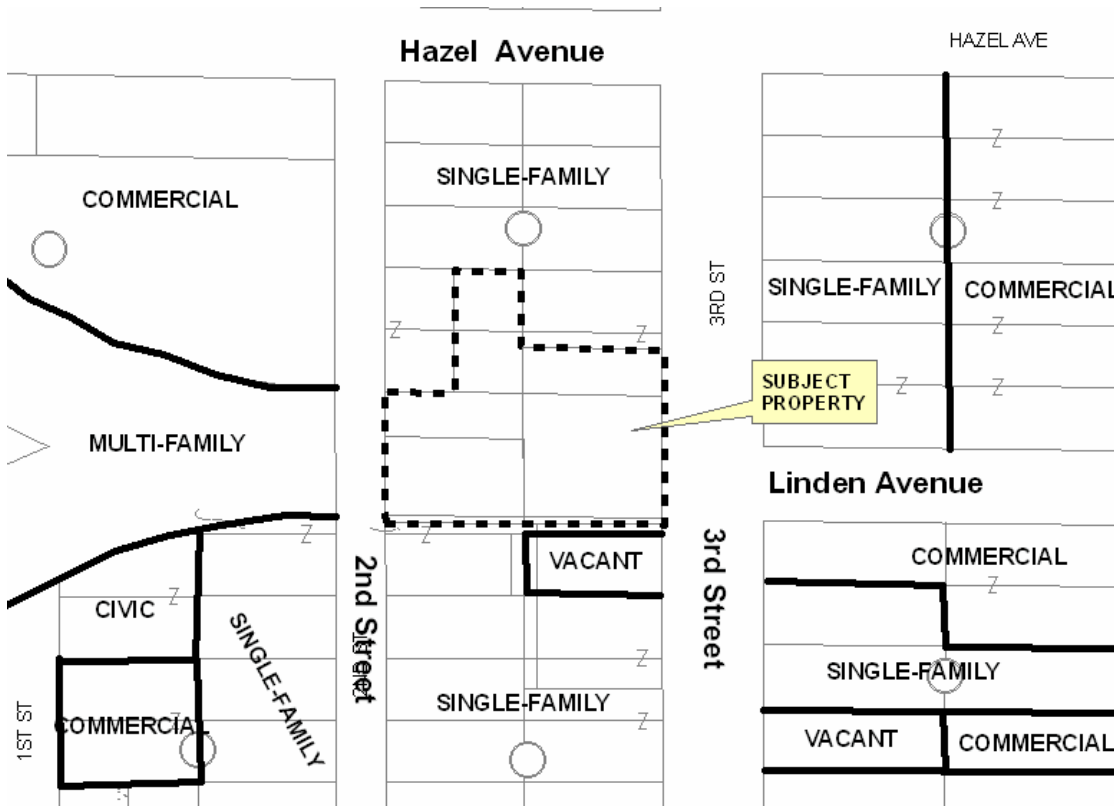
A. Site photo



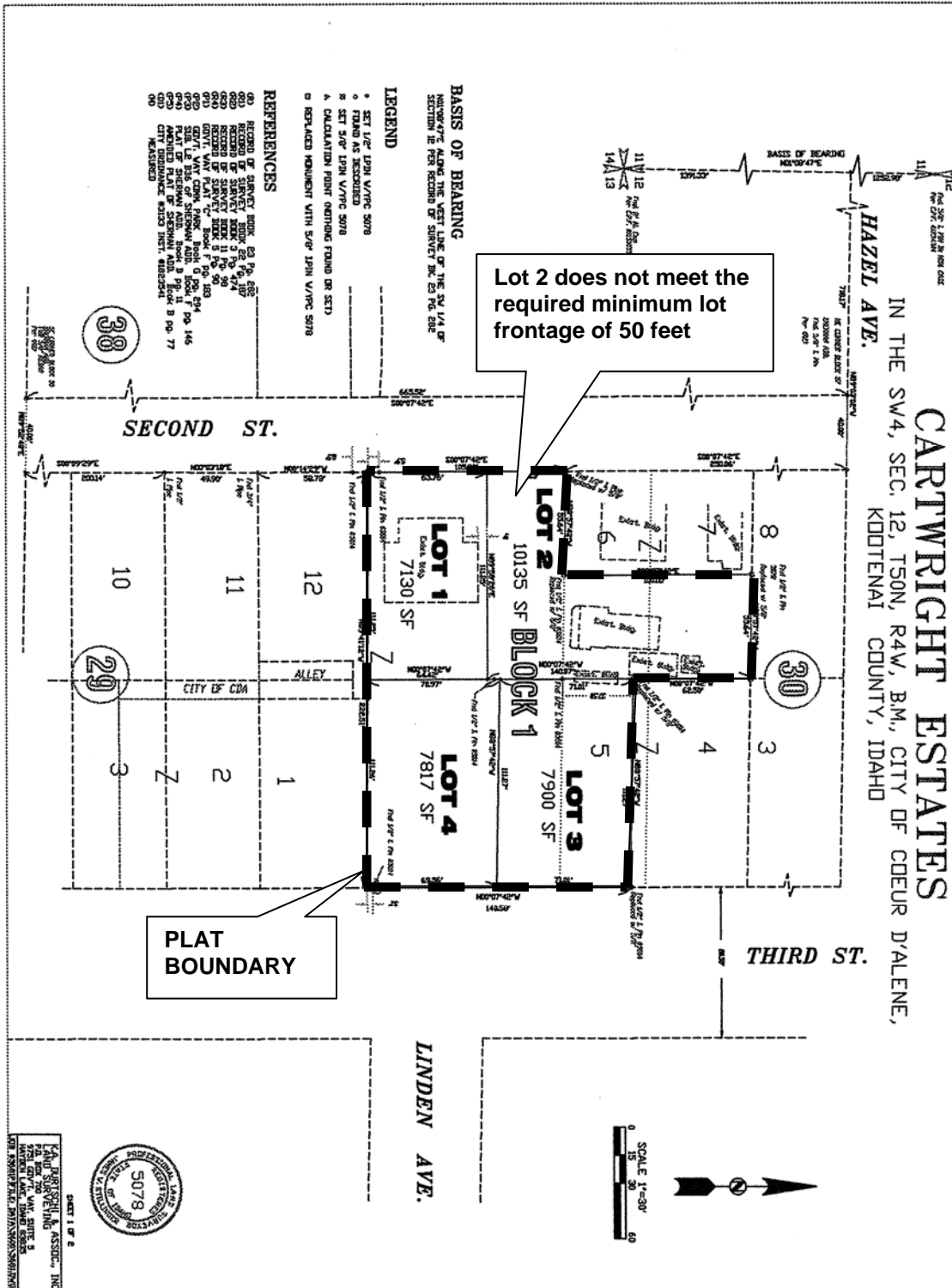
B. Zoning.



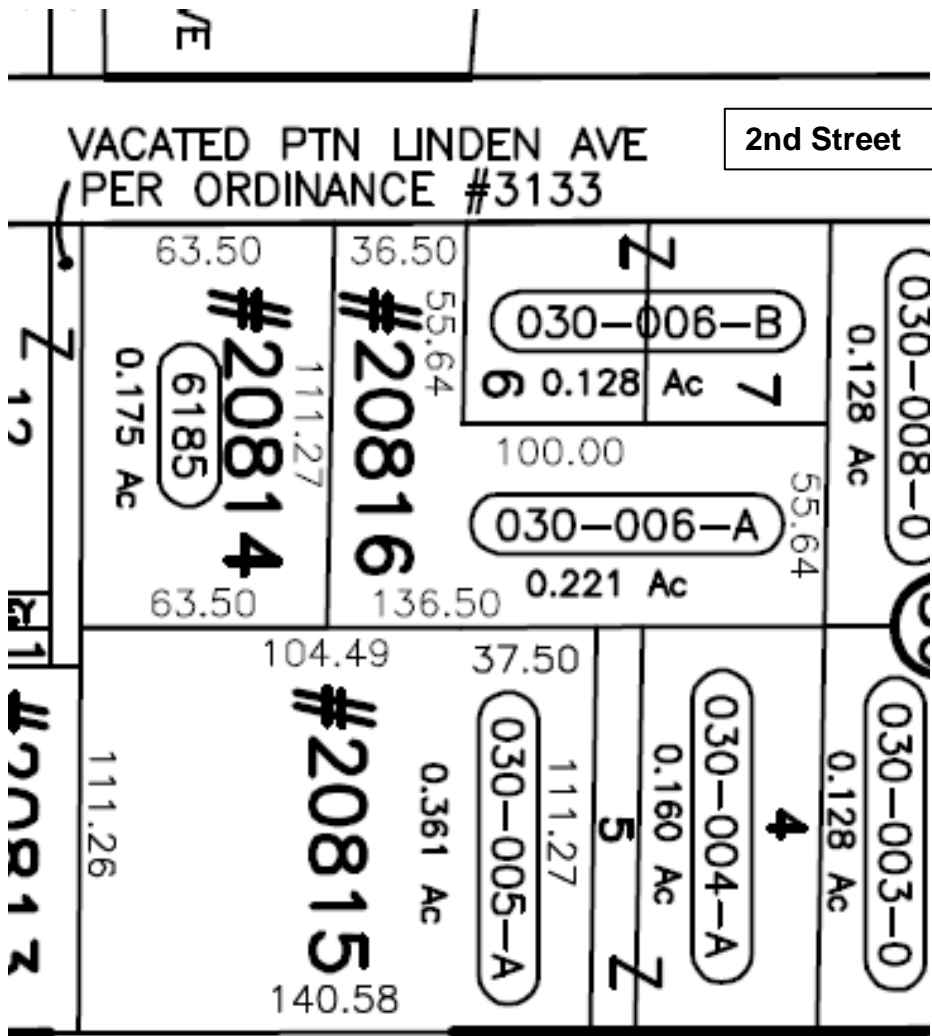
C. Generalized land use.



D. Site plan.



E. The subject property includes Tax numbers 20814, 20815 and 20816.



F. Applicant: Vernon L. Cartwright
 1424 2nd Street
 Coeur d'Alene, ID 83814

G. Land uses in the area include single-family and multi-family residential, commercial, civic and vacant lots.

H. The subject property contains a single-family dwelling, accessory buildings and vacant land.

PERFORMANCE ANALYSIS:

- A. **Finding #B8A: That all of the general preliminary plat requirements (have) (have not) been met, as attested to by the City Engineer.**

The preliminary plat submitted contained all of the general information required by Section 16.12.020 of the Municipal Code, General Requirements.

- B. **Finding #B8B: That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities (are) (are not) adequate where applicable.**

SEWER:

Sanitary sewer exists to the subject property.

Evaluation: No upgrades to the existing system will be required as part of the development (per J. Dunn/WWTP).

WATER:

The existing residences on the 2nd Street frontage are connected to the water facility in that street. The vacant lots that front on 3rd Street will be required to connect to the water utility main in 3rd Street, which is situated on the easterly side of the roadway.

Evaluation: These services will be required to be extended, prior to final plat approval. The installations will not be allowed until the time that asphalt is available for the patching of the pavement cuts in 3rd Street (T.Pickel/Water).

STORMWATER:

The proposed residential lots are containing all on-site stormwater in the residential landscaping and the off-site drainage is contained in the existing City hard pipe system.

TRAFFIC:

The ITE Trip Generation Manual estimates the project will generate approximately 5 trips per day during peak hour periods (0.90 adt's/unit x 5 units) from the fully developed site (1 duplex, 1 sfd, 2 assumed sfd's). Two of the lots will exit onto 2nd Street and two will exit onto 3rd Street.

Evaluation: The adjacent and/or connecting streets can accommodate the traffic volumes.

STREETS:

The proposed subdivision is bordered by 2nd Street on the west and 3rd Street on the east. The current right-of-way widths meet City standards and the streets are developed to current standards. Sidewalk is nonexistent on the 2nd Street frontage and will therefore not be required, however, sidewalk is required to be installed along the 3rd Street

frontage.

Evaluation: Sidewalk along the 3rd Street frontage must be installed prior to final plat approval.

FIRE:

There are existing fire hydrants located on the corners of Hazel Avenue to the north and Walnut Avenue to the south. The location of these hydrants in relation to the proposed subdivision exceeds the spacing requirements of the City Fire Department.

Evaluation: The developer will be required to install a fire hydrant per the Coeur d'Alene Fire Department request, at either the northeast or the southeast corner of 3rd Street and Linden Avenue. This location is closest to the water main in 3rd Street and will entail the least amount of disruption to the roadway and traffic. This installation will be required prior to final plat approval.

SUBDIVISION IMPROVEMENTS:

1. The proposed plat shows existing structures on proposed lots 2 and 3 that either cross or directly adjoin property lines. These structures will be required to be removed to meet all rear and side yard setbacks for the R-12 zone. These removals will be required prior to final plat approval.
2. Lot frontage on proposed Lot 2 is less than the required 50 foot minimum (42.13' shown); therefore, a deviation will need to be approved.

APPLICABLE CODES AND POLICIES:

UTILITIES

1. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.
2. All required utility easements shall be dedicated on the final plat.

STREETS

3. All required street improvements shall be constructed prior to final plat approval.
4. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

FIRE PROTECTION

5. A fire hydrant shall be installed to meet spacing requirements as determined by the City Fire Department.

GENERAL

6. A deviation will be required for the less than standard frontage for the R-12 zone for the proposed Lot 2.

Comments submitted by Chris Bates, Engineering Project Manager

POLICE:

No comments.

Submitted by Steve Childers, Captain, Police Department

C. Finding #B8C: That the preliminary plat (is) (is not) in conformance with the Comprehensive Plan as follows:

The subject property is within the existing city limits.

The Comprehensive Plan Map designates this area as “T” (Transition), as follows:

Transition Areas:

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

In reviewing all projects, the following should be considered:

Page 28 – All requests for zone changes, special use permits etc., will be made considering, but not limited to:

1. The individual characteristics of the site;
2. The existing conditions within the area, and
3. The goals of the community.

Significant policies for consideration:

4C: “New growth should enhance the quality and character of existing areas and the general community.”

6A: “Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses.”

6A6: “Encourage access to land uses with bicycle paths and/or pedestrian sidewalks.”

42A: “The physical development of Coeur d’Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, affects and goals of citizens

42A2: “Property rights of citizens should be protected in land use decisions.”

46A: “Provide for the safe and efficient circulation of vehicular traffic.”

51A: “Protect and preserve neighborhoods both old and new.”

51A5: “Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects.”

62A: “Examine all new developments for appropriateness in regard to the character of the

proposed area. Inform developers of City requirements and encourage environmentally harmonious projects.”

6416: “Encourage development of high quality building and site design, which is sensitive to the existing or planned character of the surrounding community.”

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

Transportation Plan policies:

The Transportation Plan is an addendum to the Comprehensive Plan and is a policy document that is intended to guide decisions that affect transportation issues. Its goal is to correct existing deficiencies and to anticipate, plan and provide for future transportation needs.

31A: “Develop an improved arterial system that integrates with existing street patterns.”

33A: “Safe vehicular and pedestrian circulation should be enhanced through careful design and active enforcement.”

34A: “Use existing street systems better.”

34B: “Reduce automobile dependency by providing bike paths and sidewalks.”

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

D. Finding #B8D: That the public interest (will) (will not) be served.

The request would bring into compliance with the Subdivision Ordinance three lots that were split illegally (See map on page 4). Lot 2 of the proposed subdivision has only 42 feet of frontage on 2nd Street because additional frontage is not available from Lot 1 to south in order to meet setback requirements for the existing house on that lot.

Evaluation: The Planning Commission must determine, based on the information before them, whether the request will or will not serve the public interest.

E. Finding #B8E: That all of the required engineering elements of the preliminary plat (have) (have not) been met, as attested to by the City Engineer.

A preliminary utility design was submitted indicating that all proposed lots could be served.

F. Finding #B8F: That the lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.

The minimum requirements of the R-12 zoning district are:

Lot size - 5,500 sq. ft.
Frontage - 50 ft. on a public street.
Fences - Maximum height in front yard is four feet.

Evaluation: With the platting of lots 3 & 4, an existing six foot fence in the new front yard setback areas of these two lots along 3rd Street will have to be lowered to four feet. Consider as a condition of approval a condition requiring that the fence be lowered to four feet, prior to approval of the final plat.

The Planning Commission, through past practice, has approved flag, cul-de-sac and bull nose lots with less than the required street frontage using deviations from standards.

- Lots 1, 3 and 4 meet the minimum frontage and lot size standards for the R-12 zone.
- Lot 2 meets the minimum lot size requirement but only has 42 feet of street frontage rather than the 50 feet required in an R-12 zone.
- Lot 2 can only be approved upon making the following deviations from standards:

16.32.010: STANDARDS FOR GRANTING:

In specific cases, the commission may authorize deviations from the provisions or requirements of this title that will not be contrary to public interest; but only where, owing to special conditions pertaining to a specific subdivision, the literal interpretation and strict application of the provisions or requirements of this title would cause undue and unnecessary hardship. No such deviation from the provisions or requirements of this title shall be authorized by the commission unless they find that all of the following facts and conditions exist:

- A. Exceptional or extraordinary circumstances or conditions applying to the subject subdivision or to the intended use of any portion thereof that does not apply generally to other properties in similar subdivisions or in the vicinity of the subject subdivision.
- B. Such deviation is necessary for the preservation and enjoyment of a substantial property right of the

subdivider or is necessary for the reasonable and acceptable development of the property.

- C. The authorization of such deviation will not be materially detrimental to the public welfare or injurious to property in the vicinity in which the subdivision is located.
- D. The authorization of such deviation will not adversely affect the comprehensive plan.
- E. Deviations with respect to those matters originally requiring the approval of the city engineer may be granted by the commission only with the written approval of the city engineer.

G. Finding #B9: That the proposal (would) (would not) adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses.

The request is in an area that is zoned R-12 and C-17 and contains a mix of residential and commercial uses. Maximum development of the four parcels would allow duplexes on all four lots, which would be consistent with the land use pattern in the area and would not adversely impact traffic in the area.

Evaluation: The Planning Commission must determine, based on the information before them, what affect the request would have on traffic, neighborhood character, and existing land uses.

G. Proposed conditions:

1. Lower existing six foot fence in the front yards of lots 3 and 4 to four feet, prior to final plat approval.
2. Water service laterals for Lots 3 & 4 must be extended from the 3rd Street water main, and must be installed prior to final plat approval. The installations cannot occur until hot asphalt is available for patching the street cuts. All installations must meet the criteria of the responsible City departments and approved prior to acceptance.
3. Sidewalk must be installed along the 3rd street frontage, prior to final plat approval.
4. Structures adjoining lot lines that do not meet setbacks or are across lot lines must be removed, prior to final plat approval.
5. A fire hydrant will be required to be installed at the corner of 3rd Street and Linden Avenue per the requirements of the Coeur d' Alene Fire Department and City

Water Department. This installation will be required, prior to final plat approval.

- I. Ordinances and Standards Used In Evaluation:
 - Comprehensive Plan - Amended 1995.
 - Municipal Code.
 - Idaho Code.
 - Wastewater Treatment Facility Plan.
 - Water and Sewer Service Policies.
 - Urban Forestry Standards.
 - Transportation and Traffic Engineering Handbook, I.T.E.
 - Manual on Uniform Traffic Control Devices.

ACTION ALTERNATIVES:

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

[F:pcstaffreportsS406]

PROPERTY INFORMATION

- 1. Gross area: (all land involved): _____ acres, and/or 32.982 sq.ft.
- 2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): _____ acres, and/or N/A sq. ft.
- 3. Total length of streets included: 69,56 ft., and/or _____ miles.
- 4. Total number of lots included: 4
- 5. Average lot size included: 7817 sq. ft
- 6. Existing land use: RESIDENTIAL.
- 7. Existing Zoning: (circle one) R-1 R-3 R-5 R-8 R-12 R-17 MH-8 C-17
C-17L C-34 LM M


SEWER AND WATER REIMBURSEMENT POLICY

Over sizing of utilities will not be eligible for reimbursement from the city unless a request is approved in writing by the City Council prior to issuance of Building Permits or the start of construction, whichever comes first.

PROJECT DESCRIPTION:

Please describe the concept of the proposed subdivision:

A 4 LOT SUBDIVISION WITH EXISTING STRUCTURES ON
2 OF THE LOTS: LOT 2 WAS LAND LOCKED - WITH NO
ACCESS: ACCESS NOW WOULD BE 42.12' OUT TO 2ND ST.
EXISTING WATER + SEWER SERVICES: PROPOSED LOTS
3 & 4 WOULD BE CONNECTIONS ONLY FOR SAME



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

A. INTRODUCTION

This matter having come before the Planning Commission on March 14, 2006, and there being present a person requesting approval of ITEM S-4-06 : A request for preliminary plat approval of " Cartwright Estates" a 4-lot subdivision in the R-12 (Residential at12 units/acre) zoning district.

APPLICANT: Vernon L. Cartwright

LOCATION: +/- 32, 982 sq. ft. parcel between 2nd and 3rd Streets
near Hazel Avenue

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

(The Planning Commission may adopt Items B1-through7.)

- B1. That the existing land uses are single-family and multi-family residential, commercial, civic and vacant lots.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is R-12 (Residential at12 units/acre)
- B4. That the notice of public hearing was published on February 25, 2006, and March 6, 2006, which fulfills the proper legal requirement.
- B5. That the notice was not required to be posted on the property.
- B6. That 77 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on February 24, 2006, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on March 14, 2006.
- B8. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

B8A. That all of the general preliminary plat requirements **(have) (have not)** been met as attested to by the City Engineer. This is based on

B8B. That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities **(are) (are not)** adequate where applicable. This is based on

B8C. That the preliminary plat **(is) (is not)** in conformance with the Comprehensive Plan as follows:

B8D. That the public interest **(will) (will not)** be served based on

Criteria to consider for B8D:

1. Does this request achieve the goals and policies of the comp plan?
2. Does it provide for orderly growth and development that is compatible with uses in the surrounding area?
3. Does it protect the public safety by providing adequate public utilities and facilities to mitigate any development impacts?
4. Does the it protect and preserve the natural beauty of Coeur d'Alene?
5. Does this have a positive impact on Coeur d'Alene's economy?
6. Does it protect property rights and enhance property values?

B8E. That all of the required engineering elements of the preliminary plat **(have) (have not)** been met, as attested to by the City Engineer. This is based on

B8F That the lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district for the following reasons:

Criteria to consider for B8F:

1. Do all lots meet the required minimum lot size?
2. Do all lots meet the required minimum street frontage?
3. Is the gross density within the maximum allowed for the applicable zone?

B9. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses because

Criteria to consider for B9:

1. Can the existing street system support traffic generated by this request?
2. Does the density or intensity of the project "fit " the surrounding area?
3. Is the proposed development compatible with the existing land use pattern? i.e. residential, commercial, residential w churches & schools etc.
4. Is the design and appearance of the project compatible with the surrounding neighborhood?

B10. Deviations from Provisions Criteria, Section 16.32.010, Standards for Granting. In specific cases, the Commission may authorize deviations from the provisions or requirements of this title that will not be contrary to public interest; but only where, owing to special conditions pertaining to a specific subdivision, the literal interpretation and strict application of the provisions or requirements of this title would cause undue and unnecessary hardship. No such deviation from the provisions or requirements of this title shall be authorized by the Commission unless they find that all of the following facts and conditions exist:

- A. Exceptional or extraordinary circumstances or conditions applying to the subject subdivision or to the intended use of any portion thereof that does not apply generally to other properties in similar subdivisions or in the vicinity of the subject subdivision. This is based on

- B. Such deviation is necessary for the preservation and enjoyment of a substantial property right of the subdivider or is necessary for the reasonable and acceptable development of the property. This is based on

- C. The authorization of such deviation **(will) (will not)** be materially detrimental to the public welfare or injurious to property in the vicinity in which the subdivision is located. This is based on

- D. The authorization of such deviation will not adversely affect the Comprehensive Plan.

- E. Deviations with respect to those matters originally requiring the approval of the City Engineer may be granted by the Commission only with the written approval of the City Engineer.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **VERNON L. CARTWRIGHT** for preliminary plat of approval as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied to the motion are:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION
STAFF REPORT**

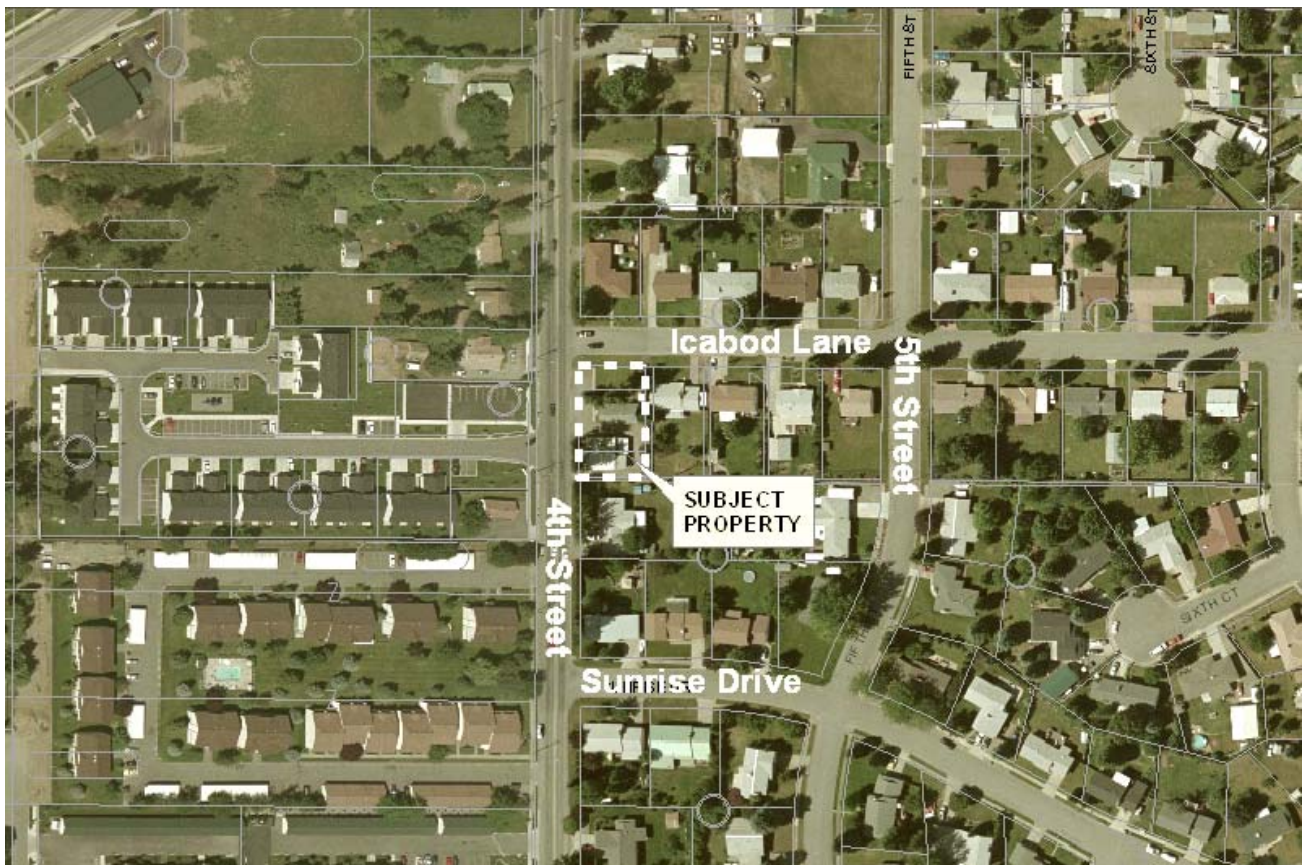
FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER
DATE: MARCH 14, 2006
SUBJECT: ZC-1-06 – ZONE CHANGE FROM R-12 TO C-17L
LOCATION: +/- 16,068 SQ. FT. PARCEL AT 3202 & 3206 NORTH 4TH STREET

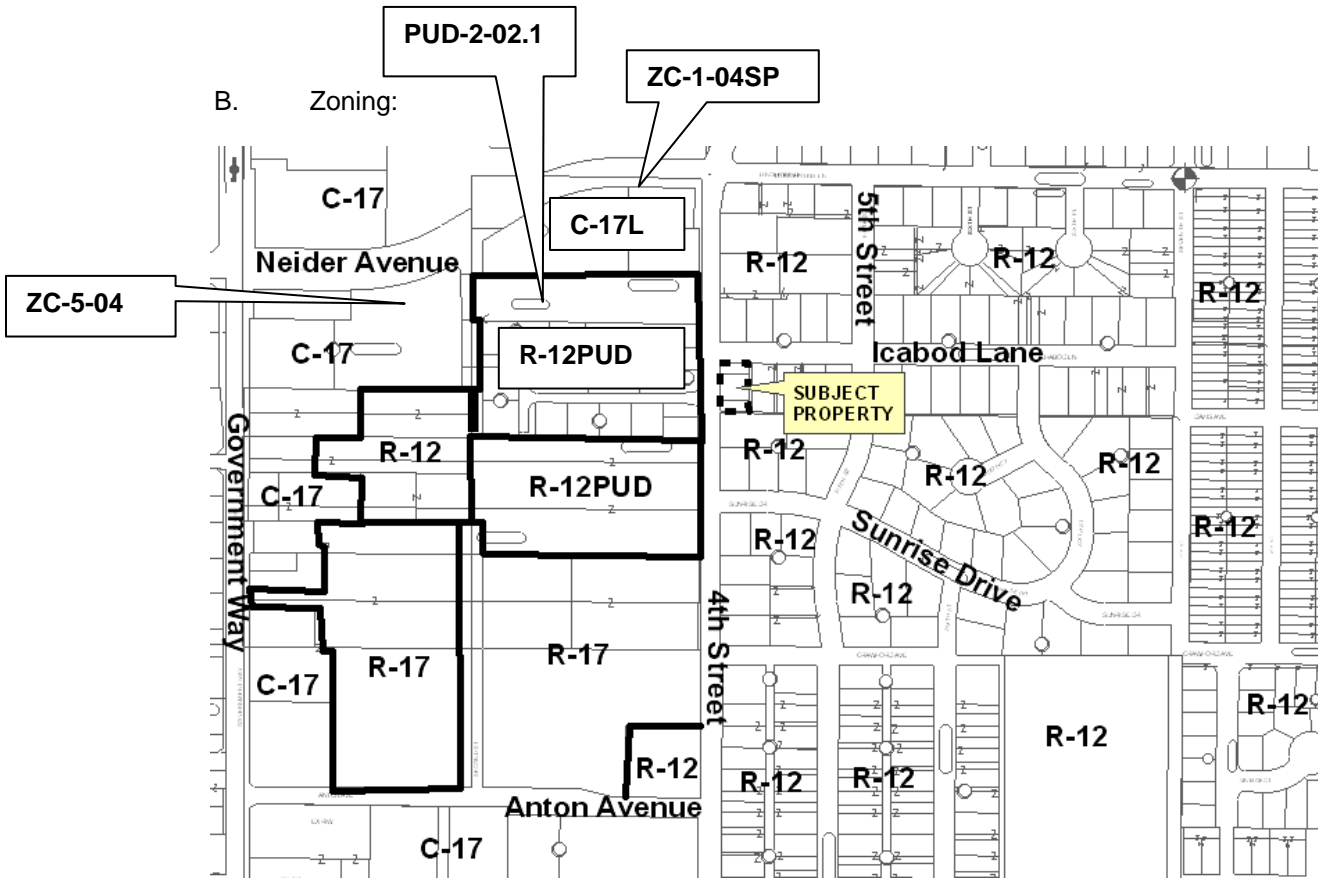
DECISION POINT:

Irving Place, LLC is requesting a zone change from R-12 (residential at 12 units per gross acre) to C-17L (Commercial Limited at 17 units/acre) at 3202 and 3206 North 4th Street.

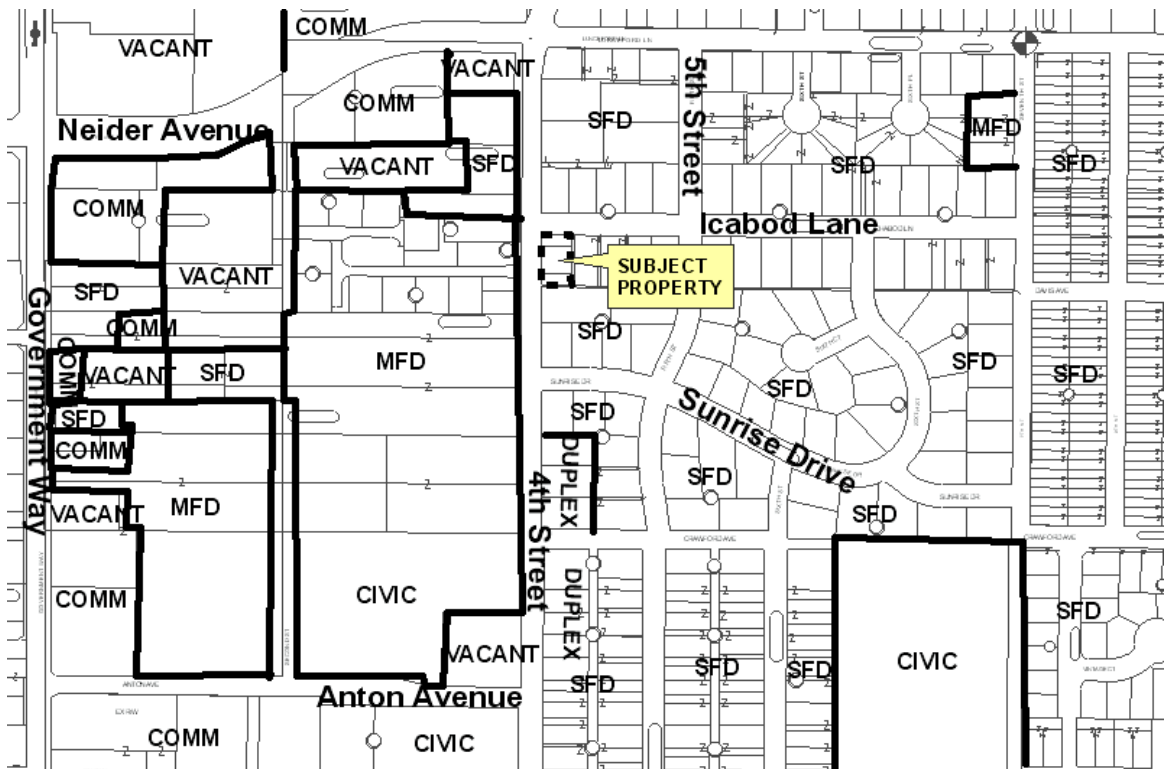
GENERAL INFORMATION:

- A. Site photo

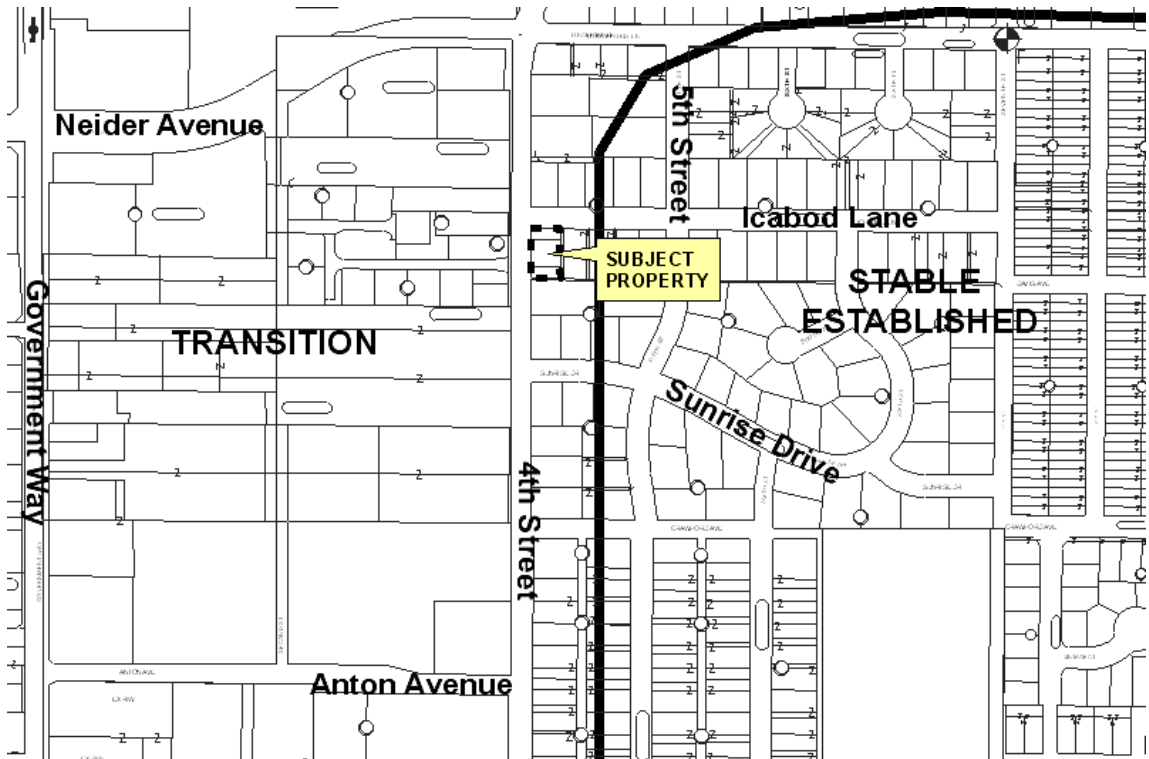




C. Generalized land use pattern:



D. Comprehensive Plan



E. Applicant/: Irving Place LLC
Owner 320 S. 13th Street
Coeur d'Alene, ID 83814

F. Land uses in the area include residential - single-family, duplex and multi-family and vacant land.

G. The subject property contains a nonconforming commercial musical instrument sales and repair business. Previous to this business, there was a nonconforming floral shop on the property for many years.

H. Previous actions in the surrounding area (See zoning map on page 2):

1. PUD-2-02.1 - Approved by Planning Commission on May 13, 2003.
2. ZC-1-04SP - R-12 to C-17L - approved by Planning Commission on April 20, 2004.
3. ZC-5-04 - R-12 to C-17 - Approved by Planning Commission on July 20, 2004.

PERFORMANCE ANALYSIS:

A. Zoning:

1. The subject property was annexed into the City of Coeur d'Alene in 1963 with an R-1 zoning classification and then in 1982, when the City implemented a new zoning ordinance, changed the zoning to R-12, which closely corresponds to the former R-1

zoning.

2. The subject property contained a commercial use for many years before it was annexed into the City so, when it came into the City in 1963, the R-1 zoning classification made the use a nonconforming use. If an existing non-conforming use is proposed for expansion or a new use that would not be allowed in the existing zoning district is established, a zone change to a commercial zone would be required before either action could occur.
3. A C-17L zoning classification would bring this into conformance with the zoning ordinance.
4. Approval of the zone change request would be the only commercial zoning along 4th Street between Anton Avenue and Neider Avenue and would intensify the potential uses on the property by allowing commercial uses on a parcel that now only allows residential and civic uses, as follows:

The C-17L District is intended as a low density commercial and residential mix district. This District permits residential development at a density of seventeen (17) units per gross acre as specified by the R-17 District and limited service commercial businesses whose primary emphasis is on providing a personal service.

This District is suitable as a transition between residential and commercial zoned areas and should be located on designated collector streets or better for ease of access and to act as a residential buffer.

Principal permitted uses:

Single-family detached housing (as specified by the R-8 District).
Duplex housing (as specified by the R-12 District).
Cluster housing (as specified by the R-17 District).
Multiple-family (as specified by the R-17 District).
Home occupation.
Community education.
Essential service.
Community assembly.
Religious assembly.
Public recreation.
Neighborhood recreation.
Automobile parking when serving an adjacent business or apartments.
Hospitals/health care.
Professional offices.
Administrative offices.
Banks and financial establishments.
Personal service establishment.
Group dwelling-detached housing.
Handicapped or minimal care facility.
Child care facility.
Juvenile offenders facility.
Boarding house.
Nursing/convalescent/rest homes for the aged.
Rehabilitative facility.
Commercial film production.

Uses permitted by special use permit:

Convenience sales.
Food and beverage stores for off/on site consumption.
Veterinary office or clinic when completely indoors.
Commercial recreation.
Hotel/motel.
Remaining uses, not already herein permitted, of the C-17 District principal permitted uses.
Residential density of the R-34 District density as specified.
Criminal transitional facility.
Noncommercial kennel.
Commercial kennel.
Community organization.
Wireless communication facility.

The zoning and land use patterns (See page 2) indicate that the majority of the parcels along this portion of the 4th Street corridor between Anton and Neider Avenues are zoned R-12 or R-17 and contain single-family or multi-family uses.

Evaluation: If the request is approved, it would intensify the potential use of the property by allowing all of the commercial service and retail sales uses allowed by right or special use permit in the C-17L zone. In the R-12 zone, only residential or civic uses are allowed. To the east of the subject property is a single-family residential neighborhood that is zoned R-12 and to the west is a multi-family area that is R-12 and R-17 and has had several apartment developments over the past several years. While 4th Street has been improved and has increasing traffic the main issue is whether the subject property is in a location and setting that, if rezoned to commercial would not have an adverse affect on the surrounding residential uses or the character of the area. The Planning Commission, based on the information before them, must determine if the C-17L zone is appropriate for this location and setting.

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

The subject property is within the existing city limits.

The Comprehensive Plan Map designates this area as "T" (Transition) and is adjacent to the border between this designation and the Stable Established Area to the east.

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

- Protect and/or enhance the integrity of existing residential areas.
- Encourage lower intensity commercial service and manufacturing uses close or abutting major transportation routes.
- Encourage residential when close to jobs and other services.
- Discourage uses that are detrimental to neighboring uses.
- Encourage commercial clusters that will serve adjacent neighborhoods vs. city as a whole.

In reviewing all projects, the following should be considered:

Page 28 – All requests for zone changes, special use permits etc., will be made considering, but not limited to:

1. The individual characteristics of the site;
2. The existing conditions within the area, and
3. The goals of the community.

Significant policies for consideration:

- 4C: “New growth should enhance the quality and character of existing areas and the general community.”
- 6A: “Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses.”
- 6A2: “Encourage high-intensity commercial development, including professional offices, to concentrate in existing areas so as to minimize negative influences on adjacent land uses, such as traffic congestion, parking and noise.
- 6A3: “Commercial development should be limited to collector and arterial streets.”
- 15G: “City government should be responsive to the needs and desires of the citizenry.”
- 42A: “The physical development of Coeur d’Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, affects and goals of citizens
- 42A2: “Property rights of citizens should be protected in land use decisions.”
- 46A: “Provide for the safe and efficient circulation of vehicular traffic.”
- 51A: “Protect and preserve neighborhoods both old and new.”
- 51A5: “Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects.”
- 62A: “Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects.”

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

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

WATER:

Water is available to the subject property.

Evaluation: There is a 12" main on 4th St. and a 6" main on Ichabod Lane. There are existing 1" services to the two lots specified.

Submitted by Terry Pickel, Assistant Water Superintendent

SEWER: Public sewer is available and of adequate capacity.

Evaluation: The public sewer is available in 4th Street with a private lateral extended to the subject property. The property has yet to connect to public sewer and a condition of approval should be connection to public sewer, pursuant to the City of Coeur d'Alene requirements.

Submitted by Don Keil, Assistant Wastewater Superintendent

STORMWATER:

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site.

Evaluation: All stormwater issues will be addressed at the time of building permit submittal for any activity on the subject property.

TRAFFIC:

Although there is no actual change in the proposed use at this time, the proposed rezoning could increase the amount of vehicular traffic utilizing the site.

Evaluation: Any change in use and related traffic impacts are evaluated prior to issuance of building permits. The Development Impact Fee Ordinance requires any extraordinary traffic impacts to be mitigated by the applicant as a condition of permit issuance. Therefore, potential traffic impacts need not be addressed at this time, but will be dealt with at the time of building permit submittal.

STREETS:

The subject property is bordered by 4th Street on the west and Ichabod Lane on the north. The current right-of-way meets City standards.

Evaluation: The recent completion of the 4th Street LID has brought the roadway up to current standards for a collector street. Ichabod Lane is a local street that is built to the appropriate standard for a residential street. No alterations to the adjoining roadways will be required.

Submitted by CHRIS BATES, ENGINEERING PROJECT MANAGER

FIRE:

The Fire Department will address issues such as water supply, fire hydrants, fire department access, prior to any site development.

Submitted by Dan Cochran, Deputy Fire Chief

POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

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

The subject property is flat with no physical constraints.

Evaluation: There are no physical limitations to future development.

E. Finding #B11: That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

The subject property is adjacent to 4th Street which is a collector and Icabod Lane which is a local residential street and with a commercial re-zoning of the property the potential for increased traffic that could adversely affect the residential neighborhood to the east is there. Re-zoning of the property would bring a long time non-conforming use into conformance with the zoning ordinance and create the opportunity for intensified commercial use of the property adjacent to a stable established single-family neighborhood.

Evaluation: The Planning Commission must determine what affect the request has on traffic, neighborhood character and existing land uses.

F. Proposed conditions:

1. Connect the subject property to public sewer, pursuant to the City of Coeur d'Alene requirements.

E. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.
Municipal Code.
Idaho Code.
Wastewater Treatment Facility Plan.
Water and Sewer Service Policies.
Urban Forestry Standards.
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices.

ACTION ALTERNATIVES:

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

[F:staffrptsZC106]

PROPERTY INFORMATION

- 1. Gross area: (all land involved): .37 acres, and/or 16,067.7 sq.ft.
- 2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): .28 acres, and/or 12,017.7 sq. ft.
- 3. Total length of streets included: n/a ft., and/or _____ miles. (no streets included)
- 4. Total number of lots included: 1
- 5. Average lot size included: .28 acres ("...right of way of 4th being the west 30 feet of said property.")
- 6. Existing land use: Nonconforming
- 7. Existing Zoning (circle all that apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8
C-17 C-17L C-34 LM M
- 8. Proposed Zoning (circle all the apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8
C-17 or C-17L C-34 LM M

JUSTIFICATION

Proposed Activity Group; Add medical; continue violin

Please use this space to state the reason(s) for the requested zone change.

Appropriate Comprehensive Plan goals and policies should be included in your reasons.

- 1. Zone change would enable us to provide low intensity, highly needed services.
- 2. Nearby commercial and residential developments such as pharmacies, assisted living facilities, senior apartments, and nursing home make it an especially good fit to have a medical office in this medically underserved neighborhood.
- 3. Zone change would improve offstreet parking, reduce dangerous turns onto and off of 4th, and improve tree/shrub buffering for this exposed corner lot.
- 4. It is unlikely that any investor would ever convert this historically nonconforming property to residential use.
- 5. Patients and stringed instrument users who live in the neighborhood can walk or ride bicycles along safe sidewalks to their doctor or luthier.
- 6. Our plans for required buffering will more than make up for North 4th street's recent losses of majestic trees, which were removed for the widening project.

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

A. INTRODUCTION

This matter having come before the Planning Commission on March 14, 2006, and there being present a person requesting approval of ITEM ZC-1-06, a request for a zone change from R-12 (residential at 12 units per gross acre) to C-17L (Commercial Limited at 17 units/acre)

LOCATION: +/- 16,068 sq. ft. parcel at 3202 & 3206 North 4th Street

APPLICANT: Irving Place LLC

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

(The Planning Commission may adopt Items B1-through7.)

- B1. That the existing land uses are residential - single-family, duplex and multi-family and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is R-12 (residential at 12 units per gross acre)
- B4. That the notice of public hearing was published on February 25, 2006, and March 6, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on March 5, 2006, which fulfills the proper legal requirement.
- B6. That 77 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on February 24, 2006, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on March 14, 2006.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

B9. That public facilities and utilities **(are) (are not)** available and adequate for the proposed use. This is based on

Criteria to consider for B9:

1. Can water be provided or extended to serve the property?
2. Can sewer service be provided or extended to serve the property?
3. Does the existing street system provide adequate access to the property?
4. Is police and fire service available and adequate to the property?

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

Criteria to consider for B10:

1. Topography
2. Streams
3. Wetlands
4. Rock outcroppings, etc.
5. vegetative cover

B11. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **(and) (or)** existing land uses because

Criteria to consider for B11:

1. Traffic congestion
2. Is the proposed zoning compatible with the surrounding area in terms of density, types of uses allowed or building types allowed
3. Existing land use pattern i.e. residential, commercial, residential w churches & schools etc.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **IRVING PLACE LLC** for a zone change, as described in the application should be **(approved)** **(denied)** **(denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION
STAFF REPORT**

FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER
DATE: MARCH 14, 2006
SUBJECT: A-1-06 – ZONING PRIOR TO ANNEXATION
S-3-06 – PRELIMINARY PLAT SUBDIVISION
LOCATION – +/- 302.1-ACRE PARCEL BETWEEN ATLAS AND HUETTER ROADS
ABUTTING THE SOUTH BOUNDARY OF THE LANDINGS AT WATERFORD
SUBDIVISION

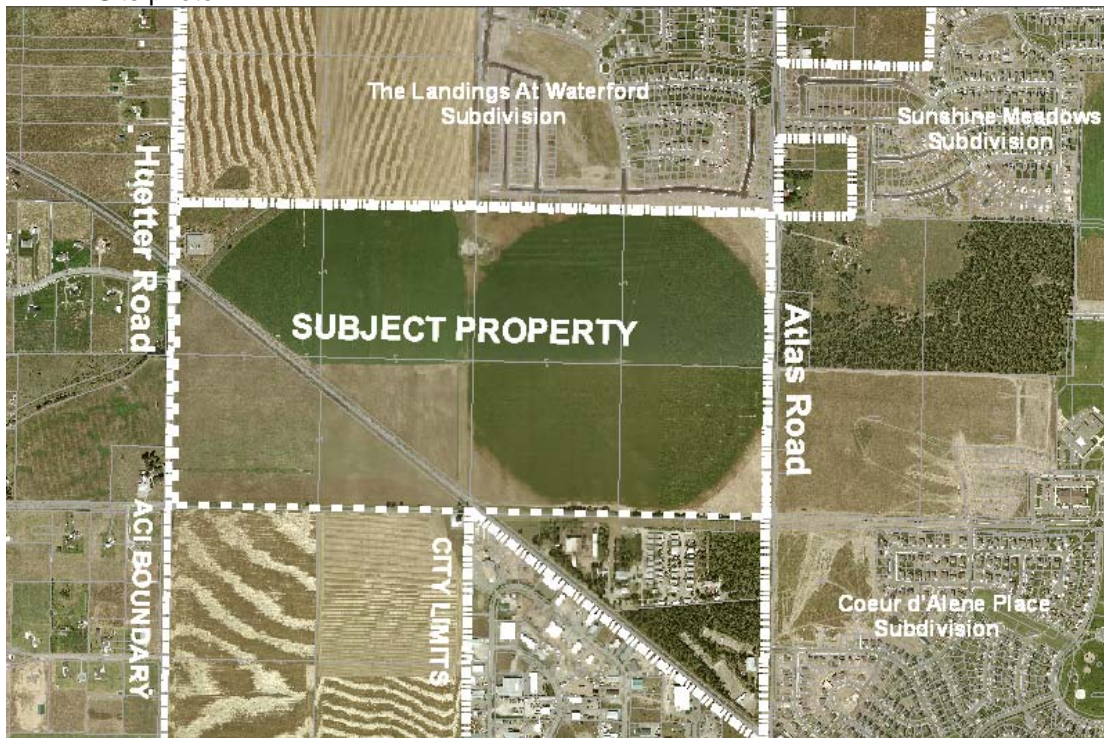
DECISION POINT:

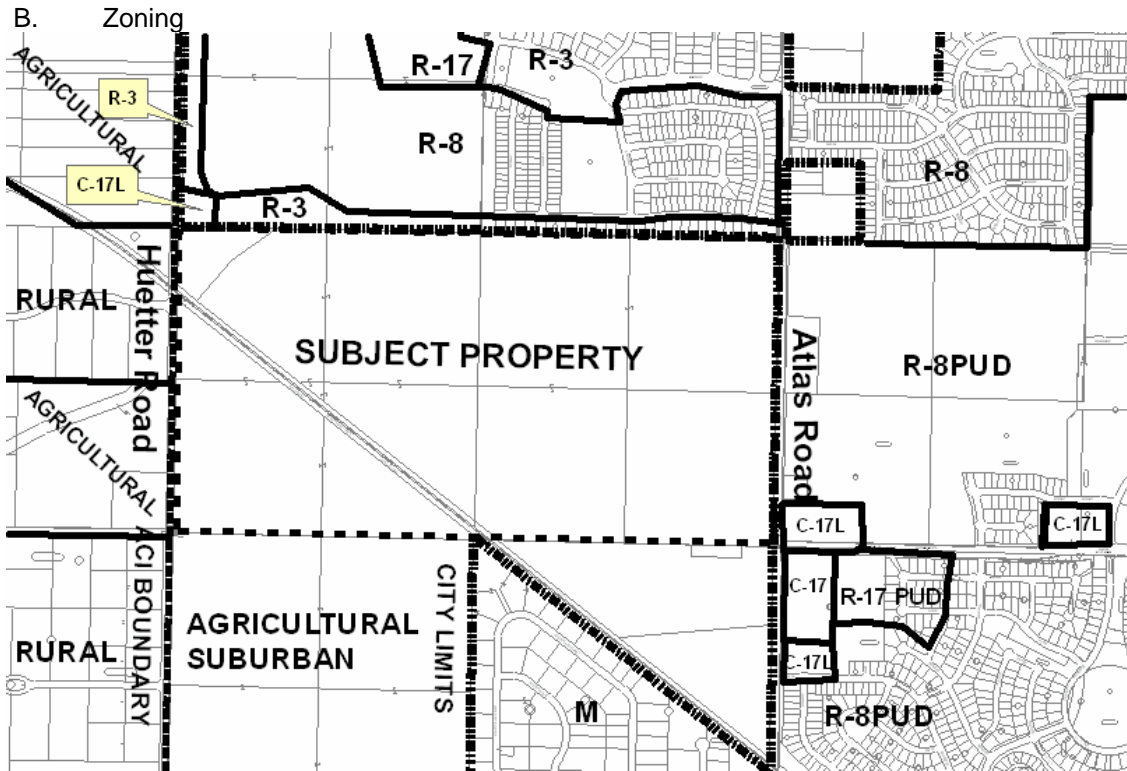
Hayden LLC is requesting:

1. Zoning Prior to Annexation from Agricultural to City R-8 (Residential at 8 units/acre) for the entire +/- 302. acre parcel.
2. Preliminary Plat approval for “Hawk's Nest” an 867-lot subdivision on +/- 302.1 acres that is proposed to be built in 9 phases over 7 to 10 years with the following elements:
 - A. 867 lots zoned R-8 and built to a gross density of 2.87 units per acre.
 - B. A 6.97-acre neighborhood park.
 - C. A ped/bike trail system throughout the development.
 - D. Approximately 40 acres of private open space for perimeter and buffer landscaping.
 - E. Extension of Hanley Avenue from Atlas Road to Huetter Road.

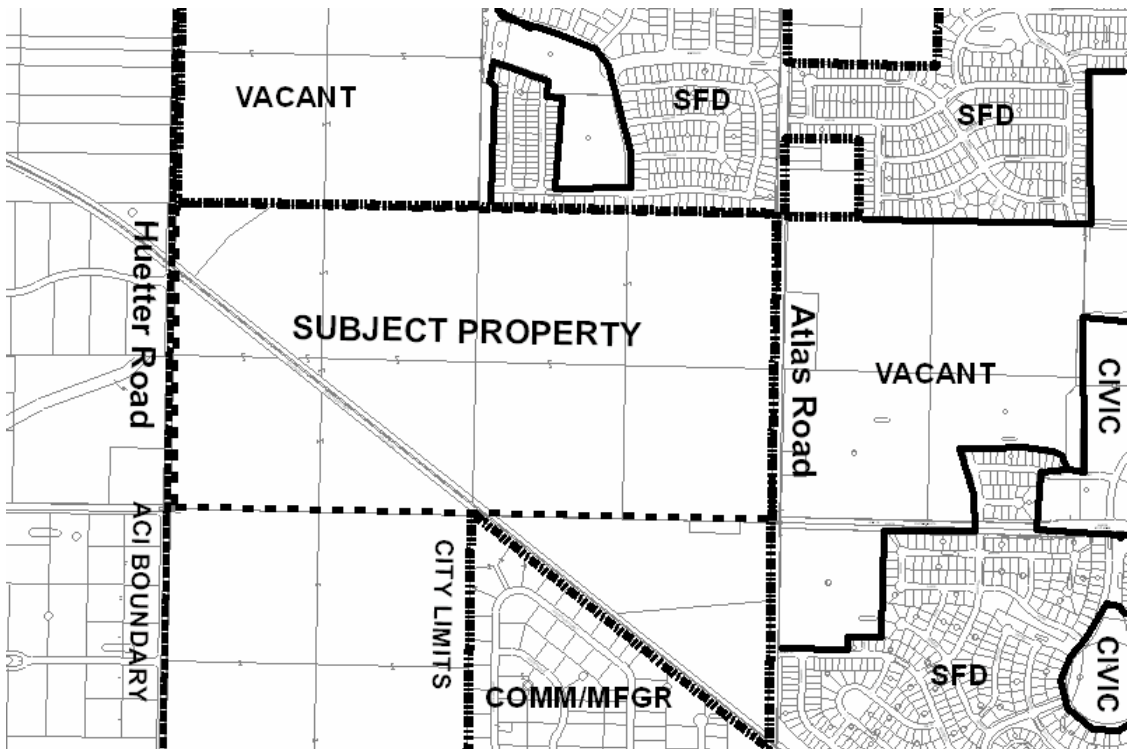
GENERAL INFORMATION

- A. Site photo





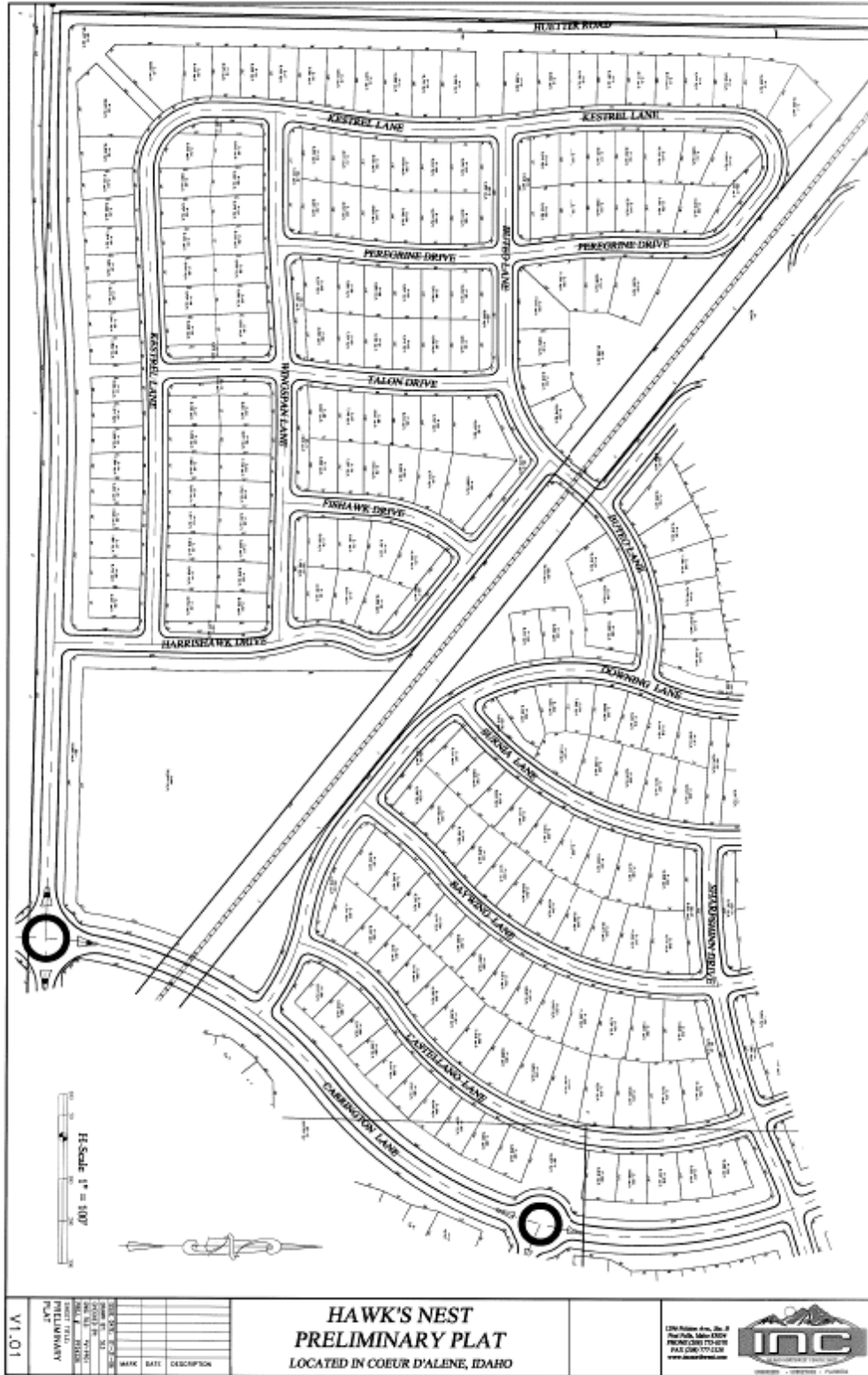
C. Land use



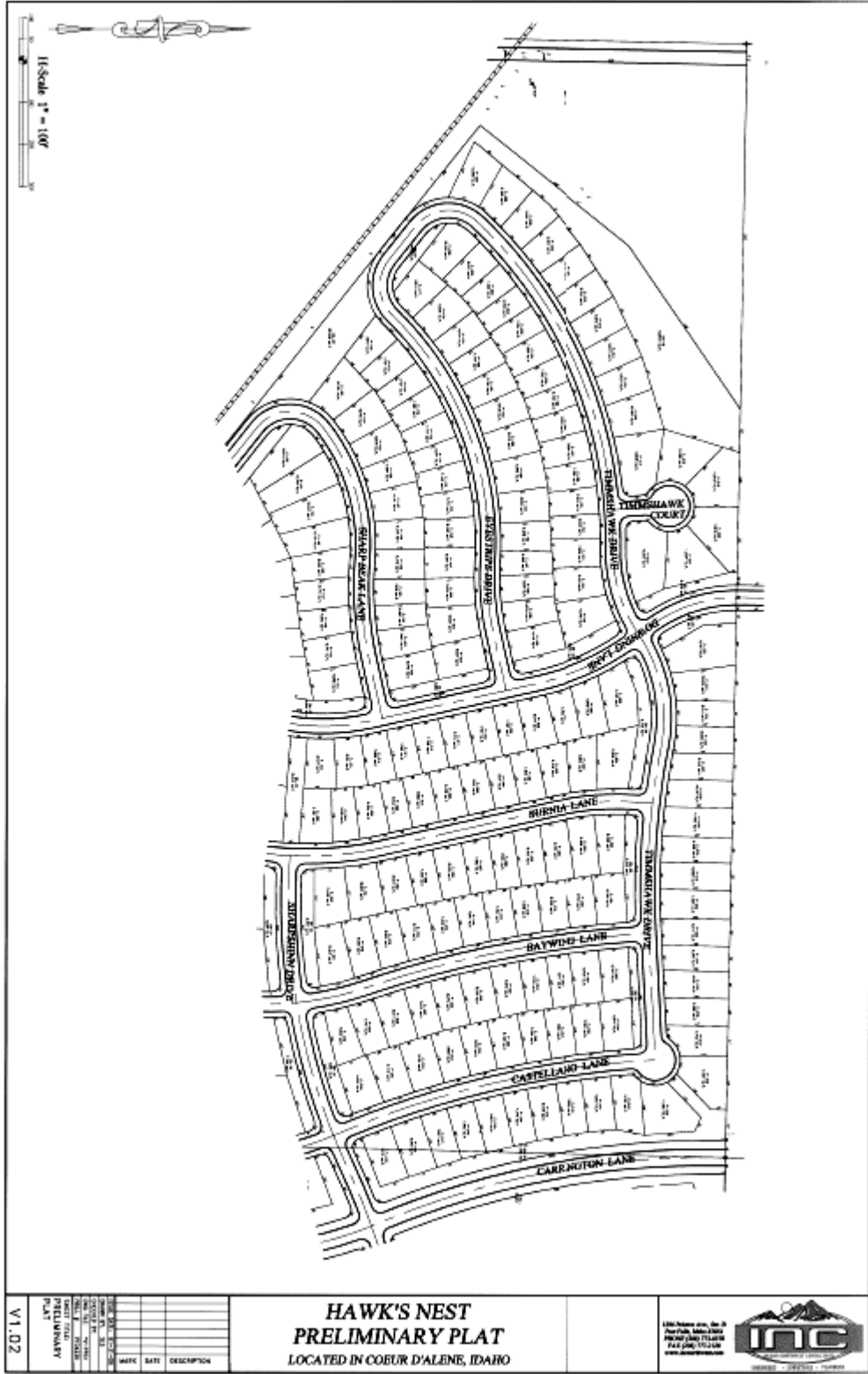
D. "Hawks Nest" preliminary plat and phasing plan.



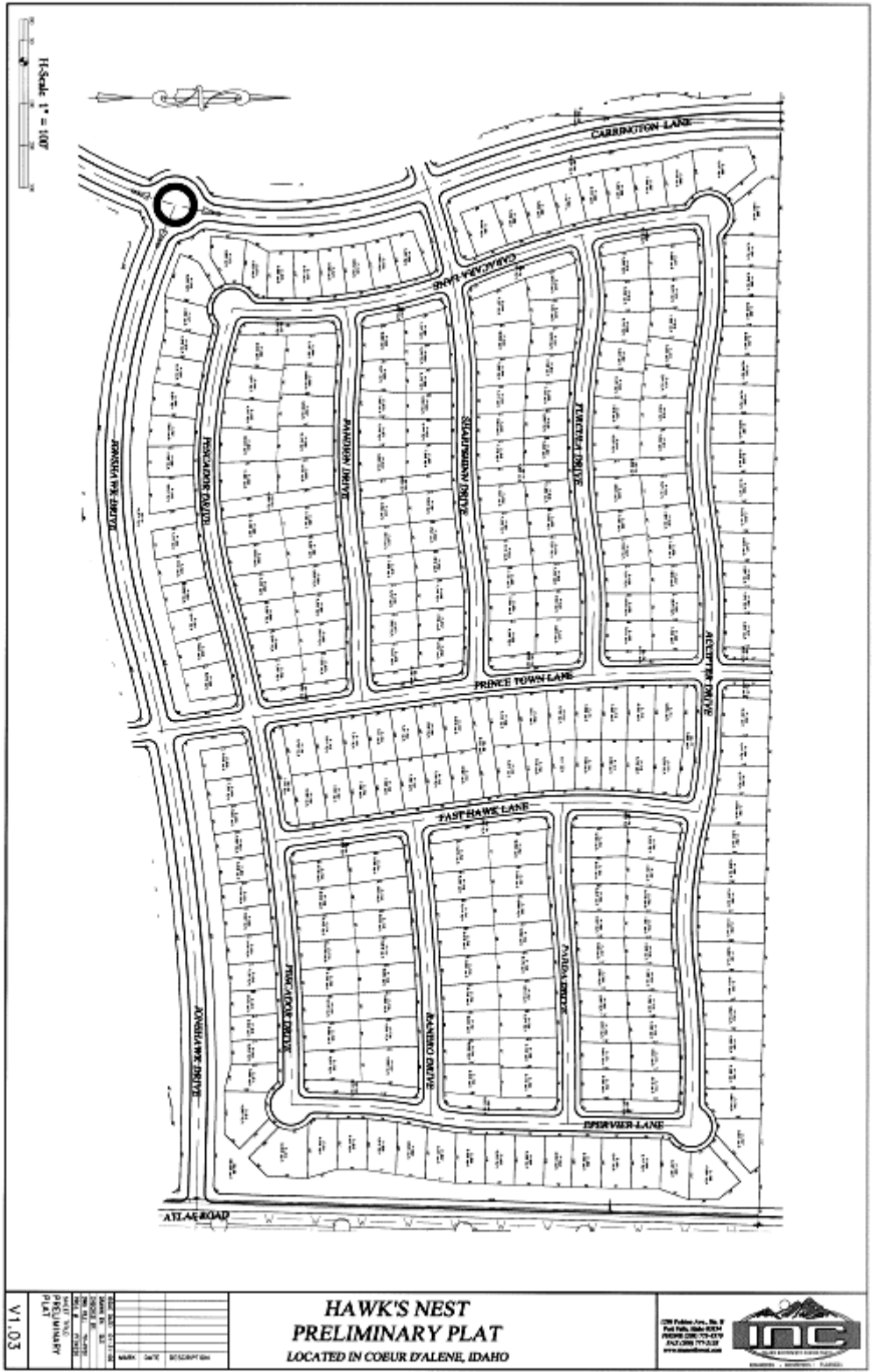
E. Area # 1 enlargement.



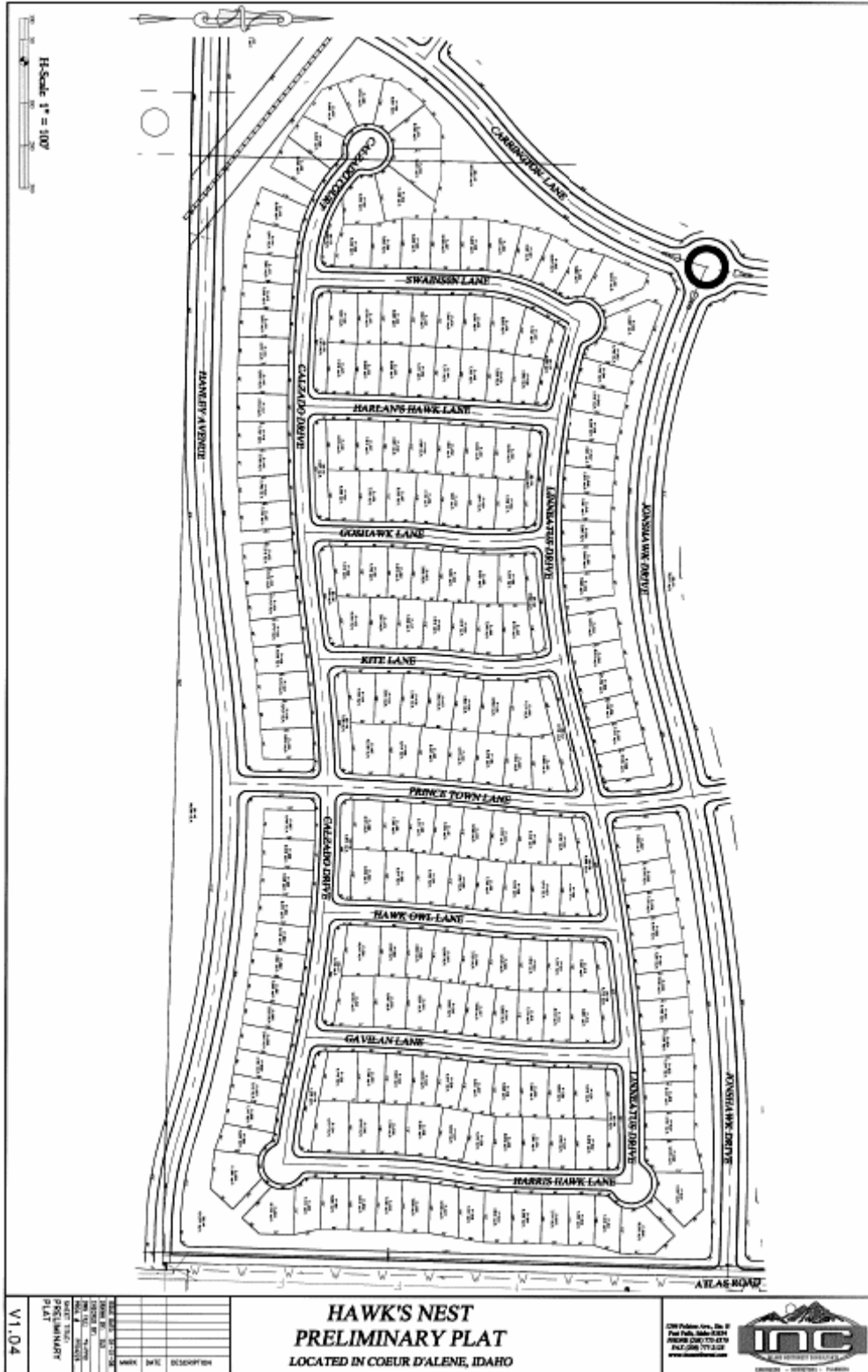
F. Area # 2 enlargement.



G. Area # 3 enlargement.



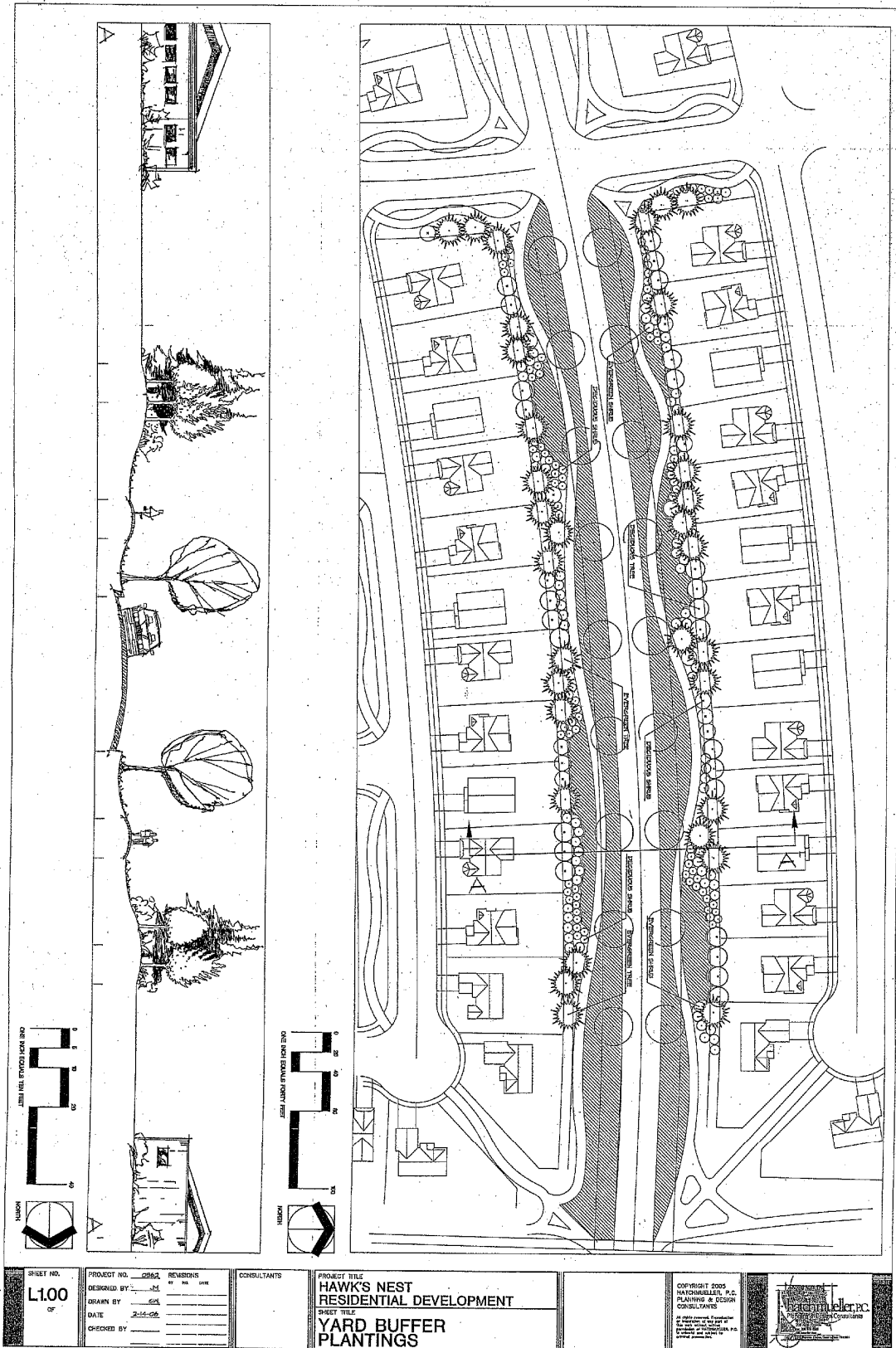
H. Area # 4 enlargement.



I. Double frontage lots.



J. Typical landscaping for planting screen areas.



- K. Applicant/ Owner: Hayden, LLC
1400 Northwood Center Ct.
Coeur d'Alene, ID 83814
- L. Land uses in the area include single-family residential, commercial, manufacturing, agriculture and vacant land.
- M. The existing use on the subject property is agriculture.

PERFORMANCE ANALYSIS:

- A. Zoning:
 - 1. Annexation:
 - A. The Urban Reserve designation indicates that overall build out density should be approximately 3 dwelling units/acre. Individual lot size will typically not be smaller than than 8,000 sq. ft. (5 du/acre)
 - B. The applicant is requesting R-8 zoning to have a mix of lot sizes (6,263 sq. ft to 20,581 sq. ft.) in order to build four distinct neighborhoods with a mix of housing prices that will give the neighborhoods more diversity.
 - C. This zone allows single-family, duplex and cluster housing and requires a minimum lot size of 5,500 sq. ft. with 50 feet of frontage on a public street. Coeur d'Alene Place and Sunshine Meadows subdivisions to the east of the subject property is zoned R-8 and R-8PUD. The Landings at Waterford subdivision to the north is zoned R-3, R-8 and R-17.
 - 2. Preliminary Plat:
 - A. The maximum allowable density for the proposed plat would be 2417 units at 8 units per acre. The actual density proposed for the project is 867 units or 2.87 units per acre with an average lot size of 8,639 sq. ft. and lots ranging in size from 6,263 sq. ft. to 20,581sq. ft.
 - C. Many of the lots in the proposed subdivision are double frontage lots and will have to meet the requirements of Section 16.20.240 of the Municipal Code, which requires an easement at least 10-feet wide for a planting screen that must be landscaped in accordance with Section 17.06.830 of the buffer yard standards in the zoning ordinance for all double frontage lots. A landscaping plan must be approved by the Planning Department with improvements installed or bonded for, prior to approval of the final plat for each phase. (See drawing on page 9)
 - 3. Evaluation: The proposed zoning is generally compatible with the existing development and zoning in the area, which is single-family, R-8 or R-8PUD zoning with a proposed density of 2.87units/acre.

The mix of lot sizes could not be accomplished with R-3 or R-5 zoning. (R-3 minimum lot size 11,500 sq. ft. and R-5 8,500 sq ft) The 8,000 sq. ft. individual lot size indicated in the Comprehensive Plan is a recommendation only for minimum lot sizes in the Urban Reserve area.

The preliminary plat should be evaluated to determine that it is consistent with the land use pattern in the area, the street layout is compatible with surrounding streets and the proposal is consistent with Comprehensive Plan policies.

The Planning Commission, as a condition of approval of the preliminary plat, may establish reasonable requirements as deemed necessary to mitigate any adverse effects of the request.

B. Annexation Findings:

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

1. As shown on the site photo, the subject property is within the Area of City Impact Boundary.
2. The City Comprehensive Plan Map designates the subject property as Urban Reserve and a Neighborhood Service Node at the intersection of Huetter Road and Hanley Avenue, as follows:

Urban Reserve:

These areas represent the locations where development may occur later in the planning period. These areas represent lower priorities for city growth due to natural constraints such as slope, soils, wetlands, and cultural constraints such as providing city services such as water, sewer, police and fire protection.

Agricultural uses are encouraged to remain as long as the individual farmers can afford.

- Development standards must be sensitive to natural constraints i.e. Water quality, landslide hazards etc.
- Individual subdivision lot size in the more environmentally sensitive areas will typically not be smaller than one dwelling unit/acre (build out density of approximately .1 to .2 du's/acre) although smaller lots may be clustered to preserve agricultural, open space & forest lands.
- Urban services are not expected to serve developments in these areas, except in clusters.
- Pedestrian and/or bicycle access required on collectors.
- In less environmentally sensitive areas, overall build out density approximately three dwelling units/acre. Individual lot size will typically not be smaller than 8,000 sq. ft. (5 du's/acre)
- Neighborhood development:
 - ✓ Urban services
 - ✓ Sidewalks/bike paths
 - ✓ Street trees
 - ✓ Parks
 - ✓ Interconnecting street patterns that account for topography and visual impacts
- Encourage preservation of natural topography and vegetation

Neighborhood Service Node:

These areas are intended to serve residential neighborhoods.

- The maximum size should not be more than 10 acre.
- The design should be compatible with adjacent neighborhoods.
- The development should be accessible by pedestrian, bicycle, and auto.
- Layout should be compact and clustered -- not strip.
- Integration such as parks, post offices and libraries.

3. Significant policies:

- 4A: "Establish limits and priorities of urban services."
4A1: "Initial limits should be based upon existing capabilities."
4B1: "Annexations should be made within the adopted city impact area."
4B2: "Annexations should be effected in a manner that promotes an orderly growth pattern."
4C1: Development that proposes to increase the density of a given area may be allowed, provided that the increase maintains the character of the community."
4C2: "Urban developments that propose to decrease the need for expanded transportation facilities should be encouraged."
4C3: Population growth should be compatible with preserving Coeur d'Alene's character and quality of life."
4C4: "Residential and mixed use development should be encouraged."
4C5: "New development should provide for bike paths and pedestrian walkways in accordance with the transportation plan and bike plan."

6A: "Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses."
14A3: "All new developments must provide for immediate hook up to the sanitary sewer system."
14A5: "Assess and design the future needs of City services for those areas outside of the present city limits, but within the planning area."
15C: "The water system should be expanded and improved to supply the needs of the planning area residents. The existing water source should be protected to prevent contamination in the existing wells."
15G: "City government should be responsive to the needs and desires of the citizenry."

16H: "The City should support educational efforts to provide the community with an educational process that will meet the academic, emotional, and physical needs of our youth."

16H1: "The City should work cooperatively with the school system to maintain the neighborhood school concept."

18A1: "Continue the program to encourage land dedication, or fees-in-lieu of for new subdivisions or development taxation."
23B1: "New developments should be required to be within an existing sewage service area or provide a system that does not pollute the aquifer."
24C: "Natural vegetative cover should remain as a dominant characteristic of Coeur d'Alene."
23B2: "The City should actively review and/or take appropriate action on any development or plan which might affect the aquifer resource"

- utilized by Coeur d'Alene or others."
- 42A: "The physical development of Coeur d'Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, affects and goals of citizens
- 42A2: "Property rights of citizens should be protected in land use decisions."
- 42B2: "Expansion of the City should be based upon conformance to the urban service area."
- 42B3: "Necessary open space should be obtained in areas of future residential growth within the guidelines of a park and recreation plan."
- 42C1: "Providing service to new areas should not be at the expense of areas presently being serviced."
- 46A: "Provide for the safe and efficient circulation of vehicular traffic."
- 52B: "Promote a high standard of landscaping, building design and community development."
- 52B3: "Encourage pedestrian and bicycle oriented neighborhoods."
- 62A: "Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects."

4. Evaluation: There are no identified environmentally sensitive areas, The actual density proposed for the project is 2.87 units per acre and lot sizes range between 6,263 sq. ft. and 20,581sq. ft. with an average lot size of 8,639 sq. ft.

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

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

See subdivision finding # B8B.

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

The subject property has gently rolling terrain with no significant topographic features wetland features.

Evaluation: There are no physical limitations to future development.

Finding #B11: That the proposal (would)(would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and)(or) existing land uses.

The subject property is bordered on two sides by major roads that would be able to accommodate the traffic generated by the development. As the subdivision is developed, Hanley Avenue will be built to provide a connection between Atlas and Huetter Roads. At

present, the surrounding area is in transition from agriculture to residential development as indicated by residential subdivisions in the area including Coeur d'Alene Place, Sunshine Meadows and The Landings at Waterford.

C. **Preliminary plat findings:**

Finding #B8A: That all of the general preliminary plat requirements (have) (have not) been met, as attested to by the City Engineer.

The preliminary plat submitted contained all of the general information required by Section 16.12.020 of the Municipal Code, General Requirements.

Finding #B8B: That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities (are) (are not) adequate where applicable.

SEWER:

1. The sanitary sewer that is required to provide service to the subject property (Huetter Interceptor) is not yet available. In lieu of the installation, the development will be allowed temporary service into an existing line in Atlas Road. This connection will consist of a design utilizing a temporary sanitary lift station and force main connection to the existing sanitary sewer manhole at the intersection of Hanley Avenue and Atlas Road. All costs associated with this temporary connection will be the responsibility of the developer.

Evaluation: The development will be allowed no more than the 115 temporary connections (Phase I at buildout). At the completion of the 115th hook-up, if the Huetter Interceptor is not operational, no more permits will be allowed.

2. The Huetter Interceptor is the sanitary sewer main network that is planned to provide sanitary sewer service to the area of city impact (ACI) west of Atlas Road. All information relating to this network (location, preliminary design, etc.) has been compiled in the Northwest Quadrant Sewer Master Plan (April 2005), and is the basis for all development to the City's westerly ACI. For any development to occur after the initial 115 temporary connections, this interceptor will be required to be installed.

Evaluation: Acquisition of right-of-way and, installation of the Huetter Sanitary Sewer Interceptor will be required in conjunction with the Phase II improvements. Installation of the sanitary interceptor network will extend from the "headworks" structure adjacent to the southerly right-of-way of Interstate 90, to the northerly boundary of the subject property. All alignment, location, and, design will be required to be approved by the City Engineer in conjunction with the approved master plan study.

WATER:

1. There is an existing sixteen inch (16") water main line located in Atlas Road.

Evaluation: This main is sufficient to serve as the supply line to the proposed development.

2. The proposed subdivision utility layout proposes twelve inch (12") water mains in Hanley Avenue & Carrington Lane, a ten inch (10") main in Hawk's Nest Drive and eight inch mains throughout the balance of the development.

Evaluation: The twelve inch (12") main located in Hanley Avenue will be required to be extended to the westerly boundary of the subject property at Huetter Road, and then in the Huetter Road right-of-way to the northerly boundary of the subject property to provide for future looping. The City Water Department does not accommodate 10" mains, therefore, the water line in Hawks Nest Drive must be a 12" main unless consensus is reached with the Water Department, or, a water model analysis is run that determines that the main can be reduced to 8". The balance of 8" mains in the development satisfy the criteria of the Water Department.

3. The development has three points at which the water utility main crosses the railroad right-of-way.

Evaluation: Crossing agreements with the record owner of the railroad right-of-way will be required that allow placement of the water main lines in the right-of-way under the rail bed. All requirements that the owner places in the agreement will need to be adhered to in the installation of the utility mainlines. The required agreements will need to be in place prior to any construction in the railroad r/w, and prior to final plat approval for Phase II.

2. The Water Department has requested that a well site be dedicated to the City as part of the development.

Evaluation: The required area for the well site is 0.24 acre. This equates to a parcel that is one hundred two feet square (102'x102'). Exact location will be required to be determined prior to recordation of the final plat for Phase I.

STORMWATER:

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. The stormwater plan will be addressed at the time of the infrastructure improvement plan submittal for the subject property.

Evaluation: A geotechnical evaluation of all drainage swale areas will need to be completed that details the permeability of the soils and their suitability to serve as drainage facilities. This evaluation will be required to be submitted for approval prior to any infrastructure construction and all recommendations of the geotechnical report will be required to be incorporated in the swale design.

It will be required that the developer utilize centralized drainage swales for the development in lieu of curbside swale treatment. These swale areas will need to be approved by the City and will be the responsibility of the homeowners association to maintain.

TRAFFIC:

Based on the proposed number of lots (867), the ITE Trip Generation Manual estimates the project will generate approximately 776 trips per day during the peak hour periods

(867 single family dwelling's x 0.90 adt's - average daily trips) at total buildout. Peak hour trips are defined as the periods of the highest traffic volumes entering and exiting during the morning and evening hours (7-9 a.m & 4-6 p.m.).

Evaluation: Installation of a traffic signal at the intersection of Hanley Avenue and Atlas Road will be required with the Phase I improvements. The design will need to be submitted to the City Engineer for approval at the time of infrastructure plan submittal. The signal installation will be subject to a pro rata reimbursement from the City.

STREETS:

1. The proposed subdivision is bordered by Atlas Road along the westerly boundary. The current street and right-of-way width are less than the required standards.

Evaluation: Additional right-of-way will be required to be dedicated along the Atlas Road frontage that will bring the half width to fifty feet (50') from the section line. This dedication will be required for the full length of the of the subject property's frontage on Atlas Road at the time of final plat approval of phase one. The developer will be required to construct Atlas road improvements for the full length of the subject property's frontage with initiation of the improvements for Phase 1.

2. The proposed intersection of Hanley/Atlas Road is the sole access point to the initial phase of the subdivision. Alignment of this intersection is critical and controlled by the easterly half of the Hanley/Atlas intersection (existing) and it is centered on the east-west section line.

Evaluation: Construction of the intersection will require the acquisition of right-of-way off-site from the subject property. The developer will be required to acquire the necessary right-of-way along the southerly boundary of the subject property and a minimum of two hundred feet (200') along Atlas Road to the south of the subject property. If condemnation procedures become necessary to acquire the needed right-of-way for road construction, the City will pursue the action; however, all costs (court, litigation, settlement, etc.) will be the responsibility of the developer. This will allow for the construction of the full intersection to current City standards.

3. The westerly connection of Hanley Avenue at Huetter Road aligns with the intersection of Poleline Road. This connection is the continuation of the east-west arterial roadway network called out in the KCAT (Kootenai County Area Transportation Study). The developer has shown Hanley Avenue moving to the north off of the straight alignment and then returning to align with the Poleline intersection.

Evaluation: The total road right-of-way for the Hanley Avenue road corridor will be required to be dedicated to the City with the recordation of the Phase I final plat.

4. A vacant portion of the subject property is shown below the roadway corridor of Hanley Avenue in Phases 1 & III. There is no use designated for this area on the submittal.

Evaluation: This area below the arced design of Hanley Avenue will be

required to be dedicated as right-of-way to insure that any development to the south can connect into the Hanley Avenue roadway at the intersection of Prince Town Lane, and, that the City will maintain control over the location of any connections. The homeowners association will be required to maintain any landscaping that is designed and placed in this area until such time that it is developed.

5. The rights-of-way shown for the internal roadways with the exception of Hawk's Nest Drive and the continuation of Carrington Lane are shown as sixty feet (60'). Hawk's Nest and Carrington are shown as eighty foot (80') right-of-ways. The r/w width for Hanley Avenue is not shown on the submittal.

Evaluation: The noted right-of-way widths will be required as shown with the construction of City standard thirty six foot (36') streets in the 60' r/w's and forty foot (40') streets in the 80' r/w's. All right-of-way dedications for Hanley will be for a one hundred foot (100') corridor from the centerline of the roadway (with the exception of the easterly one-third arc which will be greater). Any deviation to the proposed roadway network will be required to be approved by the City Engineer.

6. The applicant has submitted an extensive bike path network design that follows the proposed street layout, the existing railroad, and through the proposed park area. The bike path's are intended to be ten foot (10') Class 1 type path's.

Evaluation: No deviations will be allowed from the proposed path network as it follows the street network without prior approval of the City Engineer, in conjunction with the City's Bike/Ped committee. Any deviations to the pathway through the park area will be required to be coordinated with the City Parks Director. Since the railroad right-of-way is not under City control at this time, coordination to alignment cannot be made, however, this is the proposed corridor for the location of a regional bike path and communication between the developer, the City Parks Director, and, the City Bike/Ped committee addressing alignment and design criteria would be desired. The bike path along the Atlas Road frontage will be required to be constructed along the full length of that frontage with the improvements constructed in Phase I. This pathway will connect to the existing path to the north of the subject property. Class II bike lanes will be required to be striped on Carrington Lane, Hawks Nest Drive and Hanley Avenue.

7. There are three locations where the designed street network crosses the railroad right-of-way.

Evaluation: The applicant/developer will be required to secure crossing agreements from the railroad entity for the locations shown on the preliminary submittal. All fees and requirements that may be required for the crossings will be the responsibility of the applicant. No construction can occur on the railroad r/w without the specific agreements in place, and, these agreements will be required to be obtained and installed prior to the final plat approval for Phase II.

8. All street names are approved by the Kootenai County Planning Department.

Evaluation: Submission of an "approved" street name list for the full development, bearing the "stamp of approval" from Kootenai County, will be required before the recordation of the Phase I final plat document.

9. The Carrington Lane road corridor is shown being constructed with phases V and VI on the preliminary submittal.

Evaluation: The full length of the Carrington Lane roadway corridor will be required to be constructed with the Phase IV improvements, from the Landings at Waterford development on the northerly boundary to the Hanley Avenue intersection at the southerly boundary. This will allow for a direct connection and facilitate traffic movement from Prairie Avenue to Hanley Avenue.

10. No roadway connections are shown along the Huetter Road corridor which is under the jurisdiction of the Post Falls Highway district. Also, although not yet specified, future road widening is anticipated along this corridor.

Evaluation: No connections to Huetter Road will be allowed with the exception of the Hanley Avenue/Huetter Road intersection. A dedication of an additional fifty feet (50') of right-of-way to the Post Falls Highway District or other agency/municipality that may have jurisdiction over the Huetter corridor must precede the commencement of the Phase IX improvements, unless, activity commences on the widening of the roadway prior to the start of the Phase IX improvements. If any widening commences before the start of the Phase IX, the additional fifty feet (50') of right-of-way will be required to be dedicated at such time to the controlling entity. This dedication will be for the length of the subject property frontage along Huetter Road.

SUBDIVISION DESIGN STANDARDS:

1. Mid-block pedestrian/bicycle access will need to be provided in any block lengths exceeding 1,000 feet. These connecting corridors will be required to be a minimum of ten feet (10') in width and have a paved or concrete surface, completed at the time of infrastructure improvements for the phase they are situated in. Maintenance of these corridors will be the responsibility of the homeowners association and defined in the CC&R's for the subject development.
2. Any lots that are considered "double frontage" (frontage on two public streets), will have all points of ingress/egress restricted to the internal roadway.
3. Installation of the ten foot (10') asphalt bike path in lieu of locations typically reserved for standard five foot (5') concrete sidewalk will require a deviation from standards.

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. All required street improvements shall be constructed prior to issuance of building permits.
7. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

STORMWATER

8. 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

9. Fire hydrant(s) shall be installed at all locations designated by the City Fire Department as noted on the approved infrastructure plans for the development.

Comments submitted by Chris Bates, Engineering Project Manager

PARKS AND BIKE PATHS:

Attached you will find the December 12, 2005 minutes of the Parks & Recreation Commission. The commission reviewed this subdivision proposal at this meeting and invited the city's Ped/Bike Committee and the Centennial Trail Foundation to participate in this review and discussion. Page 5, item 13, of the attached minutes references the points of discussion.

Item 13, a, as of this date is still being discussed with the developer and city staff. Long term goals will likely see the acquisition of the Union Pacific Railroad corridor (approximately 5 ½ miles) converted into a bicycle/pedestrian trail. The Centennial Trail Foundation has been the lead entity for this acquisition. The railroad corridor cuts across several 4 and 5 lane roads within this 5 ½ mile stretch. Hanley Avenue will become one of those roads and Hanley will be extended along the south side of this subdivision from Atlas Road to Huetter Avenue. We would like to pursue the opportunity to create safe movement of people under or over these wider roads as new subdivisions impact trail corridors. Additionally, Hawks Nest has other roadways proposed of which we should not encourage adult and/or children to be crossing potentially busy vehicle roadways. Therefore, we want to explore all possibilities for grade separated crossings prior to

development, as it is easier and more cost effective to do now rather than after the fact

Items 13, b thru g, have been addressed by the developer and the Hawks Nest design team has done a very good job of mitigating these concerns. The parkland would be donated to the Coeur d'Alene Parks Foundation and does not need to be a condition of approval for this subdivision.

Doug Eastwood presented a conceptual plan for an 858-unit subdivision called Hawk's Nest. It is a 300-acre parcel just north of Hanley, west of Atlas, east of Huetter and south of The Landings subdivision. An abandoned Union Pacific railway line and power lines run diagonally through the property. This 100' wide swathe of land is still owned by Union Pacific with the Centennial Trail Foundation currently holding the "first right of refusal" on the property. Doug reported that the Centennial Trail and the Ped/Bike Committee have already reviewed and commented on this plan. He asked that the Commission review the plan and make a list of concerns, requests or questions to be considered prior to the Planning Commission's approval.

Points of concern are:

- a. Grade separation at intersections between roads and proposed trail (Prairie Trail).
- b. Larger park. Minimum park density ratio (acres/users) established by the Long Range Plan for Parks & Outdoor Recreation is 4 acres/1,000. Considering the average household size of 2.5 to 3 persons, the Hawks Nest's park should be designed to accommodate between 2,000 and 2,500 residents living within the subdivision itself. Using this ratio the minimum park size for this subdivision should be between 8 and 10 acres.
- c. Right-of-way step back at outskirts for fence: Hanley to be 50' from center line plus a 10' buffer easement, Atlas to be 40' from center line plus a 10' buffer easement. Huetter is governed by Highway District regulations.
- d. Vegetation buffer along the railroad tracks with appropriate design to blend in with the future trail (Prairie Trail).
- e. Separate the internal roads from the future trail with swale or other vegetation.
- f. Class 1 internal connection with the Kestrel Neighborhood with access ramps to the future trail (Prairie Trail) and Class 1 path along the road that connects the two neighborhoods.
- g. Forward Treescape/Landscape Plan to the Urban Forester and the Urban Forestry Committee for their review and comments in order to avoid the planting of inappropriate species.

Other considerations to connect Hawk's Nest to the Landings are:

- a. Pedestrian access connections to The Landings subdivision to the north.
- b. Class 1 path connection with The Landings on Huetter and Atlas Roads.
- c. Continue Class 1 paths from The Landings into Hawk's Nest, south of roundabouts.
- d. Class 1 path along Carrington Lane.

Motion was made by Commissioner Patzer to have staff move forward with these concerns and recommendations and present them to the appropriate groups. Motion was seconded by Commission Cranston. Motion passed.

Comments submitted by Doug Eastwood, Parks Director

FIRE:

The Fire Department will address issues such as water supply, fire hydrants, fire department access prior to any site development.

Submitted by Dan Cochran, Deputy Fire Chief

POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

Finding #B8C: That the preliminary plat (is) (is not) in conformance with the Comprehensive Plan as follows:

See Annexation finding # B8 pages 4 through 7.

Finding #B8D. That the public interest (will) (will not) be served.

The proposed plat has a residential density of 2.87 dwelling units per acre, which is close to the build out density of 3 units/acre indicated for the Urban Reserve designation. The R-8 zoning classification is consistent with the R-8 zoning in surrounding subdivisions and will provide the opportunity for a variety of housing options that are compatible with existing development in the area. The street layout plan is compatible with existing streets in the area and will provide an important extension of Hanley Avenue between Atlas and Huetter Roads.

Evaluation: The Planning Commission must determine, based on the information before them, whether the request will or will not serve the public interest. Specific ways in which this request does or does not should be stated in the finding.

Finding #B8E: That all of the required engineering elements of the preliminary plat (have) (have not) been met, as attested to by the City Engineer.

A preliminary utility design was submitted indicating that all proposed lots could be served.

Finding #B8F: That the lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.

All lots within the proposed plat meet the R-8 zoning requirements for lot size and street frontage.

Evaluation: The Planning Commission must determine, based on the information before them, whether the request does or does not meet the minimum requirements of the R-8 zoning district.

Finding #B9: That the proposal (would) (would not) adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses.

See Annexation finding B11 pages 7&8.

D. Items recommended for the annexation agreement:

None.

E. Proposed conditions for S-3-06:

1. Development in the subdivision will be limited to one hundred fifteen dwelling units utilizing a temporary sanitary lift station and force main line installed at the developers cost. At the completion of the 115th hook-up, no more permits will be allowed until the Huetter Sanitary Interceptor is completed.
2. Acquisition of right-of-way, and, installation of the Huetter Sanitary Sewer Interceptor will be required in conjunction with the Phase II improvements. Installation of the sanitary interceptor network will extend from the "headworks" structure adjacent to the southerly r/w of Interstate 90, to the northerly boundary of the subject property. All alignment, location, and, design will be required to be approved by the City Engineer in conjunction with the approved master plan study.
3. Installation of a twelve inch (12") water main will be required to be installed in the Heutter Road right-of-way to the northerly boundary of the development. This utility main installation will be required with the Phase IX improvements.
4. Crossing agreements with the record owner of the railroad r/w will be required for the installation of the water main lines in the r/w under the railbed. These agreements need to be in place prior to any construction and will be required prior to final plat approval for Phase II.
5. The developer will be required to dedicate a well site that of 0.24 acre (102'x102') for the installation of a City water well structure. The location of this site will be required to be mutually agreed upon prior to the recordation of the final plat for Phase I.
9. A geotechnical evaluation of all drainage swale areas will need to be completed that details the permeability of the soils and their suitability to serve as drainage facilities. This evaluation will be required to be submitted for approval prior to any infrastructure construction, and, all recommendations of the geotechnical report will be required to be incorporated in the swale design.
10. It will be required that the developer utilize centralized drainage swales for the development in lieu of the curbside swale treatment. These swale areas need to be approved by the City and will be the responsibility of the homeowners association to maintain.
11. Installation of a traffic signal at the intersection of Hanley Avenue and Atlas Road will be required with the Phase I improvements . The design will need to be submitted to the City Engineer for approval at the time of infrastructure plan submittal. The signal installation will be subject to a pro rata reimbursement from the City.

12. Additional right-of-way will be required to be dedicated along the Atlas Road frontage that will bring the half width to fifty feet (50') from the section line. This dedication will be required for the full length of the of the subject property's frontage on Atlas Road at the time of final plat approval of phase one. The developer will be required to construct Atlas road improvements for the full length of the subject property's frontage with initiation of the improvements for Phase 1. Construction will include but not limited to curb & gutter, bike path/sidewalk, pavement widening, stormwater drainage facilities, street lighting, and striping.
13. The developer will be required to acquire the necessary off-site right-of-way along the southerly boundary of the subject property, and, a minimum of two hundred feet (200') along Atlas Road to the south of the subject property. If condemnation procedures become necessary to acquire the needed r/w for the road construction, the City will pursue the action, however, all costs (court, litigation, settlement, etc.) will be the responsibility of the developer.
14. Dedication of the total right-of-way for the Hanley Avenue road corridor will be required to be dedicated to the City with the recordation of the Phase I final plat. If condemnation procedures become necessary to acquire the needed r/w for the road construction, the City will pursue the action, however, all costs (court, litigation, settlement, etc.) will be the responsibility of the developer.
15. The area below the arced design of Hanley Avenue will be required to be dedicated as right-of-way to insure that any development to the south can connect into the Hanley Avenue roadway at the intersection of Prince Town Lane. The homeowners association will be required to maintain any landscaping that is designed and placed in this area until such time that it is developed.
16. The noted right-of-way widths will be required as shown with the construction of City standard thirty six foot (36') streets in the 60' r/w's and forty foot (40') streets in the 80' r/w's (Hawk's Nest & Carrington Lane). All right-of-way dedications for Hanley will be for a one hundred foot (100') corridor from the centerline of the roadway. Any deviation to the proposed roadway network will be required to be approved by the City Engineer.
17. No deviations will be allowed from the proposed path network as it follows the street network without prior approval of the City Engineer, in conjunction with the City's Bike/Ped committee. Any deviations to the pathway through the park area will be required to be coordinated with the City Parks Director. The bike path along the Atlas Road frontage will be required to be constructed along the full length of that frontage with the improvements construction in Phase I. Class II bike paths will be required to be striped on Carrington Lane, Hawks Nest Drive, and Hanley Avenue.
18. The applicant/developer will be required to secure crossing agreements from the railroad entity for the locations shown on the preliminary submittal. These agreements will be required to be completed and in place prior to the recordation of the final subdivision plat for Phase II. All fees and requirements that may be required for the crossings will be the responsibility of the applicant. No construction can occur on the railroad r/w without the specific agreements in place.
19. Submission of an "approved" street name list for the full development, bearing the "stamp of approval" from Kootenai County, will be required before the recordation of the Phase I final plat document.

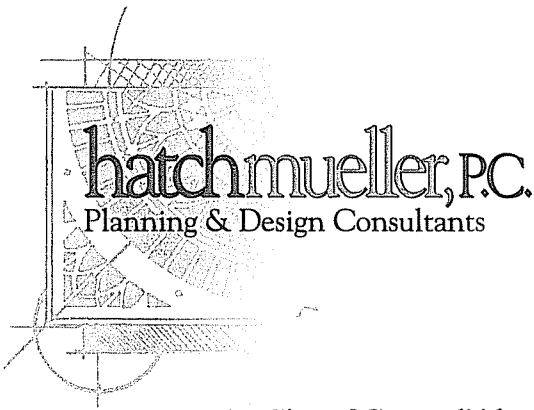
20. The full length of the Carrington Lane roadway corridor will be required to be constructed with the Phase IV improvements, from the Landings at Waterford development on the northerly boundary to the Hanley Avenue intersection at the southerly boundary.
21. No connections to Huetter Road will be allowed with the exception of the Hanley Avenue/Huetter Road intersection. A dedication of an additional fifty feet (50') of right-of-way to the Post Falls Highway District or other agency/municipality that may have jurisdiction over the Huetter corridor must precede the commencement of the Phase IX improvements. If any widening commences before the start of the Phase IX, the additional fifty feet (50') of r/w will be required to be dedicated at such time to the controlling entity. This dedication will be for the length of the subject property frontage along Huetter Road.
22. Complete construction of the Hanley Avenue roadway to the intersection with Huetter Road will be required to be completed with the Phase VI subdivision improvements.
23. A 10-foot wide planting screen easement on all double frontage lots shall be dedicated to the City of Cœur d'Alene prior to the final plat approval for each phase of development.
24. A landscaping plan, pursuant to Section 16.20.240 of the Municipal Code, for all planting screen easement areas must be approved by the Planning Department with improvements installed or bonded for by the applicant, prior to approval of the final plat for each phase of development.
25. The planting screen areas will be the responsibility of the homeowner's association to maintain, as described in the CC & R's.

- F. Ordinances and Standards Used In Evaluation:
 Comprehensive Plan - Amended 1995.
 Municipal Code.
 Idaho Code.
 Wastewater Treatment Facility Plan.
 Water and Sewer Service Policies.
 Urban Forestry Standards.
 Transportation and Traffic Engineering Handbook, I.T.E.
 Manual on Uniform Traffic Control Devices.

ACTION ALTERNATIVES:

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

[F:\staffrptsA106&S306]



January 30, 2006

The City of Coeur d'Alene
Attn: Mayor Sandi Bloem
Councilman Reid
Councilman Hassel
Councilman Goodlander
Councilman Edinger
710 Mullan Avenue
Coeur d'Alene, Idaho 83814

Dear Mayor and Council Members:

This letter will serve as a formal request for annexation of the proposed Hawk's Nest development (*see attached legal description*) into the City of Coeur d'Alene. Total acreage proposed to be annexed is 302.11 acres. We will be requesting R8 Zoning to facilitate the development of 867 single-family lots.

We anticipate that the lots will vary in size from 6,250 S.F. to 20,000 \pm S.F. in size. The project is intended to be implemented in phases and will take approximately 7 to 10 years to complete. We have completed our necessary preliminary reviews with staff and are also requesting under a separate application, approval of the initial plan of the proposed subdivision.

We understand that there will be annexation fees associated with the project and that an annexation agreement will need to be negotiated and executed within 6 months of any Council approved zoning designation for the property.

We will continue to work with staff on the details of the annexation and look forward to producing a successful addition to the City.

Thank you.

Sincerely,
hatchmueller, P.C.

Jonathan Mueller, ASLA

HAWK'S NEST PROJECT DESCRIPTION

Hawk's Nest is a 301 acre residential community to be developed over 7 to 10 year time frame. The project will feature four (4) distinct neighborhoods, land for a neighborhood park (6.97 acres), a development-wide ped/bike circulation system for both internal and external walkability, perimeter landscape buffers, extensive street tree plantings and approximately 40 acres of private open space/buffers. The site is bisected by the Union Pacific Railroad ROW which is anticipated to be acquired by the City or the Centennial Trail Foundation for a bike trail spine extension. Development planning has considered and accommodated this use of the ROW. Housing development area is 171.95 acres. There are 11.45 miles of new streets. Gross density is approximately 2.87 units per acre. Lot size varies from 6250 S.F. to 20,000 S.F., with the average size being 8,600 S.F. The project will provide the City with a new well site, and will construct, with off-site partners, a major sewer extension south to I-90.

Hawk's Nest Neighborhood Comprehensive Plan Analysis

This annexation responds to the goals of the comprehensive plan in the following manner:

- **Justification** – The intent of the annexation and proposed project is to produce a residential development that offers a mix of lot sizes in four distinct neighborhoods. R8 Zoning allows us to do this without the distinct stratification that sometimes draws hard lines and establishes socioeconomic boundaries. This will produce a mix of housing price points that give a neighborhood more diversity.
- **Population** – To guide future planned growth in order to enhance the quality and character of the community while providing and improving the amenities and services available to Coeur d'Alene residents.

Policy A – The annexation happens within areas of service capability both in the near term and the long term.

Policy B – The annexation is being made inside the City's ACI.
- This represents westward expansion of the City.

Policy C – Regional networks of roads are expanded and enhanced.
- The annexation will provide for expansion of adjacent citywide pedestrian & bike circulation systems.
- The annexation will allow for set aside of lands for expansion of the park and open space system

- **Economics** – To maintain and provide for the healthy social & economic well being of residents.

Policy A – The annexation will provide for expansion of adjacent citywide pedestrian & bike circulation systems.

Policy B - N/A

Policy C - The annexation will set the stage for the City to better serve existing developments as well as providing for future projects to the south of this one.

- **Public Services** – Public services should fulfill present needs and anticipated future needs.

Policy A - This annexation will improve levels of service to existing developments and set the stage for provision of adequate services in areas to the south of the site.

Policy B - Stormwater will be managed consistent with City SWMP.

Policy C - Water system needs will be met. Owner has previously facilitated City Acquisition of Land for new water tower. Well site is also being given to the City.

Policy D - The annexation is a logical westward expansion of the City, expanding protection coverage in a consistent manner.

Policy E - N/A

Policy F - Dry utilities will be placed underground.

Policy G - This annexation will be subject to all State & City Rules & Procedures.

Policy H - The site is served by two (2) school districts that will provide service to residents.

Policy I - Universal Design Standards for barrier free access will be utilized for site design components.

- **Recreation** – Provide and maintain adequate recreation area and facilities for Coeur d'Alene residents.

Policy A - Parkland will be set aside as part of this development.

Policy B - Land for a networked neighborhood park will be set aside as part of this development.

Policy C - The park will be developed in accordance with the Coeur d'Alene Long Range Plans for Parks & Recreation.

Policy D - The development will expand the existing pedestrian/bike network.

- **Natural Resources** – Environmental quality and our natural resources are important assets of Coeur d'Alene and should be preserved.

Policy A - N/A

Policy B - The Aquifer will be protected by ordinances that regulate water, wastewater, stormwater & wellhead protection.

Policy C - N/A

Policy D - A development wide network of walks and multi-mode paths will connect to adjacent networks.

Policy E - N/A

Policy F - A development wide network of walks and multi-mode paths will connect to adjacent networks.

Policy G - N/A

- **Land Use** –Urban development should occur at a minimal impact to the general public and individual property owners while ensuring the wise use of Coeur d'Alene's land resources.

Policy A - All decisions related to this case will be made through advertised public processes adjudicated by the City.

Policy B - The City's Development Standards will apply to all development; ability to serve adjacent areas will be enhanced, parkland will be set aside.

Policy C - Annexation and development of this parcel will not adversely impact adjacent developments in the City.

- **Transportation** – Provide for the safe and efficient circulation of vehicular traffic.

Policy A - The proposed development will be built to current standards minimizing cul-de-sacs; east-west arterials will be expanded and access points coordinated to mitigate congestion

Policy B - N/A

Policy C - N/A

Policy D - The annexation and resulting development will offer an extensive bike & pedestrian network linked to adjacent developments.

Policy E - N/A

Policy F - N/A

- **Housing** - To maintain and promote the residential character of Coeur d'Alene while providing a variety of housing situations.

Policy A - The development will provide four distinct neighborhoods that will be protected from adjacent impacts with extensive buffering; high volume traffic will not front on lots; the development will engage in an extensive tree planting program both in the right-of-way and in private open space.

Policy B - The development will provide a mix of lot sizes ranging from 6,250 S.F. to 20,000 S.F. The bike/pedestrian network will link to exterior systems as well as to the proposed park site, proposed bike corridor and exterior park sites; an extensive system of buffers is to be used to protect the development and aid in transition.

Policy C - N/A

Policy D - Development design and amenities are intended to fight effects of sprawl.

Policy E - A mix of residential price points will be offered in this development for lower and higher income families,

- **Hazardous Areas** – To insure safety of residents and protection of property.

Policy A - N/A

- **Special Areas and Sites** – Preserve, protect and enhance areas of public interest and/or scenic beauty.

Policy A - N/A

Policy B - N/A

Policy C - N/A

Policy D - N/A

- **Community Design** - Coeur d'Alene visual and physical environment should be comfortable, rich in variety, of unique and identifiable character, expressive of the City's functions, history, technology, culture and natural setting, and capable of being shaped by its inhabitants.

Policy A - The annexation & proposed development have come through the pre-design process and will adhere to ongoing review procedures if approved.

Policy B - N/A

Policy C - N/A

Policy D - The annexation & proposed development will attempt to create a distinct residential neighborhood, with extensive street trees, buffers and pathways all working in concert to give streets identity and produce compatibility with adjacent city neighborhoods with similar densities and a mix of lot sizes.

Policy E - N/A

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

A. INTRODUCTION

This matter having come before the Planning Commission on March 14, 2006, and there being present a person requesting approval of ITEM A-1-06, a request for zoning prior to annexation from County Agricultural to City R-8 (Residential at 8 units/acre)

LOCATION: +/- 302.1-acre parcel between Atlas and Huetter Roads abutting the south boundary of the Landings at Waterford Subdivision

APPLICANT: Hayden LLC

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

(The Planning Commission may adopt Items B1-through7.)

- B1. That the existing land uses are single-family residential, commercial, manufacturing, agriculture and vacant land.
- B2. That the Comprehensive Plan Map designation is Urban Reserve
- B3. That the zoning is County Agricultural.
- B4. That the notice of public hearing was published on February 25, 2006, and March 6, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That 23 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on February 24, 2006, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on March 14, 2006.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

B9. That public facilities and utilities **(are) (are not)** available and adequate for the proposed use.
This is based on

Criteria to consider for B9:

1. Can water be provided or extended to serve the property?
2. Can sewer service be provided or extended to serve the property?
3. Does the existing street system provide adequate access to the property?
4. Is police and fire service available to the property?

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

Criteria to consider for B10:

1. Topography.
2. Streams.
3. Wetlands.
4. Rock outcroppings, etc.
5. vegetative cover.

B11. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **(and) (or)** existing land uses because

Criteria to consider for B11:

1. Traffic congestion.
2. Is the proposed zoning compatible with the surrounding area in terms of density, types of uses allowed or building types allowed?
3. Existing land use pattern i.e. residential, commercial, residential w churches & schools etc.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **HAYDEN LLC** for zoning prior to annexation, as described in the application should be **(approved)** **(denied)** **(denied without prejudice)**.

Suggested provisions for inclusion in an Annexation Agreement are as follows:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN JOHN BRUNING

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

A. INTRODUCTION

This matter having come before the Planning Commission on March 14, 2006, and there being present a person requesting approval of ITEM S-3-06: a request for preliminary plat approval of "Hawk's Nest" a 867-lot subdivision located in the R-8 (Residential at 8 units/acre) zoning district.

APPLICANT: Hayden, LLC

LOCATION: +/- 302.1-acre parcel between Atlas and Huetter roads abutting the south boundary of the Landings at Waterford subdivision

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

(The Planning Commission may adopt Items B1-through7.)

- B1. That the existing land uses are single-family residential, commercial, manufacturing, agriculture and vacant land.
- B2. That the Comprehensive Plan Map designation is Urban Reserve.
- B3. That the zoning is R-8 (Residential at 8 units/acre)
- B4. That the notice of public hearing was published on February 25, 2006, and March 6, 2006, which fulfills the proper legal requirement.
- B5. That the notice was not required to be posted on the property.
- B6. That 23 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on February 24, 2006, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on March 14, 2006.
- B8. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

B8A. That all of the general preliminary plat requirements **(have) (have not)** been met as attested to by the City Engineer. This is based on

B8B. That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities **(are) (are not)** adequate where applicable. This is based on

B8C. That the preliminary plat **(is) (is not)** in conformance with the Comprehensive Plan as follows:

B8D. That the public interest **(will) (will not)** be served based on

Criteria to consider for B8D:

1. Does this request achieve the goals and policies of the comp plan?
2. Does it provide for orderly growth and development that is compatible with uses in the surrounding area?
3. Does it protect the public safety by providing adequate public utilities and facilities to mitigate any development impacts?
4. Does the it protect and preserve the natural beauty of Coeur d'Alene?
5. Does this have a positive impact on Coeur d'Alene's economy?
6. Does it protect property rights and enhance property values?

B8E. That all of the required engineering elements of the preliminary plat **(have) (have not)** been met, as attested to by the City Engineer. This is based on

B8F That the lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district for the following reasons:

Criteria to consider for B8F:

1. Do all lots meet the required minimum lot size?
2. Do all lots meet the required minimum street frontage?
3. Is the gross density within the maximum allowed for the applicable zone?

B9. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses because

Criteria to consider for B9:

1. Can the existing street system support traffic generated by this request?
2. Does the density or intensity of the project "fit" the surrounding area?
3. Is the proposed development compatible with the existing land use pattern? i.e. residential, commercial, residential w churches & schools etc.
4. Is the design and appearance of the project compatible with the surrounding neighborhood?

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **HAYDEN LLC** for preliminary plat of approval as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied to the motion are:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN JOHN BRUNING



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CITY OF COEUR D'ALENE

OFFICE OF THE CITY ADMINISTRATOR

CITY HALL - 710 E. MULLAN AVENUE
COEUR D'ALENE, IDAHO 83814-3958
208/666-5754

February 17, 2006

To: Council Members, Committee Chairs

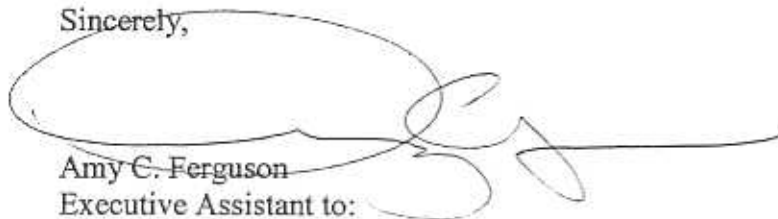
Subject: 2006 STRATEGIC PLANNING WORKSHOP

The Council's 2006 Strategic Planning Workshop has been set for **Thursday, April 13th**. To support this workshop we would like to solicit input on any recommended new programs, initiatives or major projects for the Council to consider.

As we have done in the past, staff will facilitate a review and deliberation (voting) session that seeks to gain clarity of the relative priority among the many "Focus Areas" that are currently on our radar screen along with the new proposals submitted for consideration by either staff, Council or a Board/Committee/Commission. We are using the term "Focus Area" to define a program, large scale project or initiative that will demand significant staff time and/or city financial resources. A few examples of proposed new Focus Areas submitted by staff for Council consideration include: "Implement Traffic School" (Police), "Become a Class I Rated City" (Fire), and "Convert Inline Area of Skaters Park into BMX/Skate Park" (Recreation).

Staff would appreciate any new "Focus Area" (goal) inputs that you would like to add to the list of items for deliberation at the April 13th workshop. **We would appreciate your input to me by March 20th**. Please let Jon Ingalls (769-2359) or myself know if you have any questions. Thanks for your assistance!

Sincerely,



Amy C. Ferguson
Executive Assistant to:

JON INGALLS
Deputy City Administrator

DATE: March 14, 2005
TO: MAYOR & CITY COUNCIL
FROM: PLANNING COMMISSION
SUBJECT: PRIORITIES FOR CODE AMENDMENTS

Coeur d'Alene Vision Statement

Our vision of Coeur d'Alene is of a beautiful, safe city that promotes a high quality of life and sound economy through excellence in government.

Specific Council Strategic Categories addressed by priorities:

- Meaningful Sustainable Growth
- Building Healthy Communities

Recommended priorities:

- Commercial Zoning Districts
- Downtown Height.
- Lighting
- Landscape Regulations
- Off-Street Parking Standards
- Planned Unit Development / Alternative Development Standards
- Subdivision Standards

2005 Planning Commission Retreat Priorities Progress

March 2006

A note on the colors from from Tony Berns: I use the stop light analogy:
 Red is bad – either that initiative has failed, or our Board goal for the year will not be met.
 Yellow is caution – could get to “red” if we don’t do something pronto.
 Green is good.

The other colors like “pending” are place holders until action on those items can occur.

Administration of the Commission’s Business

▪ Follow-up of Commission requests & comments	Green	
▪ Meeting with other boards and committees	Green	Ped/Bike Committee seeking meeting
▪ Goal achievement		Checklist of projects
▪ Building Heart Awards	Yellow	Nominees?
• Speakers	Green	ULI & AIC educational opportunities
• Public Hearings	Green	

Long Range Planning

▪ Comprehensive Plan Update		In progress – next mtg 3/28
▪ Education Corridor	Green	Meeting October completed(Souza) Workshop w/prop river corridor owners took place in January.
▪ Neighborhood Parks & Open Space		Coordinate w/ P&R & Open Space Comm.
▪ Neighborhood Planning		

Public Hearing Management

▪ Continued work on Findings and Motions		Warren and Plg staff to review
▪ Public hearing scheduling		

Regulation Development

Downtown Design Regs Hght		in process – Committee has forwarded to PC– probable ph April 19 - Hinshaw
Cluster Housing standards		in process – staff reviewing Hinshaw draft
Subdivision Standards		Prelim review began. PC road trip 10/05 Tweaks of condo plats and lot frontages being processed
Revise Landscaping Regulations		Future
Commercial Zoning		Pending –
Parking Standards		Future
Lighting standards		in process – Hinshaw
Accessory Dwelling Units		Hinshaw has provided sample ord
District and Corridor Design Review		Future
Home Occupations by SP		Council followed chose not to pursue

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Cities' success tied to attracting young educated

December 8, 2005

Cities that attract college educated 25- to 34-year-olds will prosper in the next decade while other urban areas will suffer, according to a study released by CEOs for Cities, a national non-partisan organization of mayors, corporate CEOs, university presidents, foundation officials and civic leaders.

The report, "The Young and Restless in a Knowledge Economy" and written by Oregon-based economist Joseph Cortright, uncovers a number of emerging trends that suggest an urgent need for cities to focus their efforts on attracting and retaining college-educated 25- to 34-year-olds.

This is a watershed moment for cities and city leaders," Cortright said. "Just as railroads and interstate highways shaped development in the past, the migration of knowledge workers will shape prosperity in the future. Cities that disregard this basic fact do so at their peril."

The report forecasts several impending factors that require a shift in urban economic development to avoid a labor shortage and meet the increased competition for human capital in the near future:

The retiring baby boomer generation.

Plateaus in college attainment levels.

The leveling number of women entering the work force.

According to Cortright and CEOs for Cities, college-educated workers 25 to 34 years old are in a unique position to meet these challenges because they are the most entrepreneurial.

They also are the most mobile. Data show that 39 percent of people with a college degree will move across state lines compared to just 19 percent of high school graduates.

Additionally, 45 percent of those with advanced degrees will move across state lines. These numbers drop precipitously as people age.

The U.S. is on the verge of a seismic shift in labor markets, and fault lines will emerge to threaten a city's economic future unless it succeeds in understanding and attracting the young, college-educated workers who propel today's knowledge-based economy," Cortright writes.

Cities with the most attractive close-in neighborhoods will fare better in attracting the "Young and Restless."

Young adults tend to be disproportionately located in the center of metro areas, and this pattern will continue to intensify. According to the report, the cities currently with the most attractive close-in neighborhoods include Chicago, Seattle, San Francisco, New York and Boston.

Another key to future urban success will be the ability to attract young, educated women, because they are now -- for the first time in U.S. history -- more likely to have a college degree than their male counterparts.

Today, young women are about 20 percent more likely to have a four-year degree than men. In 2004, the college attainment rate for women ages 25 to 34 was 31.4 percent compared with 26.1 percent for men.

"Increasingly, we live in a world where cities compete for people, and businesses follow," said Carol Coletta, president and CEO of CEOs for Cities.

This trend has largely been ignored by many cities, which are still focused on business climate and tax incentives," she said. "But I think the big question businesses will ask in the years to come is going to be 'Can I hire talented people in this city?' Cities need to be able to answer 'yes' to succeed."

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