

PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS

MAY 9, 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:

April 11, 2006

PUBLIC COMMENTS:

COMMISSION COMMENTS:

STAFF COMMENTS:

ADMINISTRATIVE ITEMS:

1. Applicant: Dwayne Humenny
 Location: The corner of 7th Street and Harrison Avenue
 Request: A proposed 2-unit Condominium plat "Trilogy Condominiums"
 ADMINISTRATIVE, (SS-8-06)

2. Applicant: Second Street Project, LLC
 Location: 835, 841, 843, 845, 2nd Street
 Request: A proposed 7-unit Condominium plat "Cedar Chalet Condominium"
 ADMINISTRATIVE, (SS-9-06)

3. Applicant: David Jensen
 Location: Near the Southwest corner of Neider Avenue and Government Way
 Request: A proposed 5-lot preliminary plat "Neider Square"
 ADMINISTRATIVE, (SS-10-06)

PUBLIC HEARINGS:

1. Applicant: Jay Weedon
 Location: 5083 Building Center Drive
 Request: A proposed Commercial Recreation special use permit
 in the LM (Light Manufacturing) zoning district.
 QUASI-JUDICIAL, (SP-4-06)

2. Applicant: James M. Duchow
 Location: 647 E. Best Avenue
 Request: A. proposed zone change for a +/- 2004 sq.ft lot from R-12 (Residential at 12 units/acre) to C-17 (Commercial at 17 units/acre)
 QUASI-JUDICIAL, (ZC-4-06)

3. Applicant: Shawn & Michelle Smith
 Location: 280 E. Kathleen Avenue
 Request: A proposed Automotive Sales special use permit in the C-17L (Commercial Limited @ 17 units/acre) zoning district
 QUASI-JUDICIAL, (SP-6-06)

4. Applicant: Pat Acuff
 Location: 824 N. 16th Street
 Request: A proposed 5-lot preliminary plat "Trudy's Addition"
 QUASI-JUDICIAL, (S-7-06)

5. Applicant: Charter Builders
 Location: An 8.5 acre parcel between Seltice Way and I-90 approximately .5 mile East of Huetter Road
 Request: Proposed annexation from County Commercial to City C-17 (Commercial at 17 units/acre)
 QUASI-JUDICIAL, (A-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.***



**M
I
N
I
C
U
T
E
S**

**PLANNING COMMISSION
MINUTES
APRIL 11, 2006
CITY COUNCIL CHAMBERS**

COMMISSIONERS PRESENT

John Bruning, Chairman
Heather Bowlby
Brad Jordan
Tom Messina
Scott Rasor
Mary Souza
Tiffany Tenty (Student Representative)

STAFF MEMBERS PRESENT

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

COMMISSIONERS ABSENT

None

CALL TO ORDER

Chairman Bruning called the meeting to order at 5:30 p.m.

APPROVAL OF MINUTES:

Motion by Rasor, seconded by Messina, to approve the minutes of the Planning Commission meeting on March 14, 2006 and March 28, 2006.

Commissioner Souza commented that on page seven of the Planning Commission Minutes for March 14, 2006, the discussion pertaining to a new commercial zoning classification needs more clarification. She explained that it is important for the Council to see that this topic is a high priority and needs immediate attention.

Associate Planner Stamosos commented that staff will review that section of the tape and add additional discussion pertaining to that subject.

COMMISSION COMMENTS:

Chairman Bruning announced the dates of the up-coming meetings for April and May.

STAFF COMMENTS:

Commissioner Souza inquired what is the status of the letter of eminent domain that was to go forward to Council for their review.

Associate Planner Stamosos answered that the letter was forwarded to Mayor Bloem and the City Council but no decision has been made at this time.

Commissioner Souza inquired when the letter is discussed, will it be discussed in public or in a private session.

Deputy City Attorney Wilson commented that this will be discussed in the public but was not sure how soon this will come forward to Council.

Commissioner Souza inquired regarding the status of when a new Planning Commissioner will be appointed.

Chairman Bruning answered that he has not received any candidates from the Mayor and when a qualified candidate applies he will let the Commission know.

Commissioner Souza questioned how soon the Commission can resume working on the new commercial zoning classification proposed a while ago, but was put aside because of the Comprehensive Plan.

Chairman Bruning commented that he would talk to staff about scheduling this item.

PUBLIC COMMENTS:

There were none.

ADMINISTRATIVE ITEMS:

1. Applicant: Indiana Arms Development
Location: 217 Indiana and 405 3rd Street
Request: Proposed 8-unit condominium plat
"Indiana Arms Condominium Plan Phase II"
ADMINISTRATIVE (SS-7-06)

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

Commissioner Jordan commented that the process for the approval of a Condominium Plat seems backwards and hopefully staff can make changes to this process.

Engineering Services Director Dobler commented that staff is working on changes to the platting process that will make this process run better in the future.

Motion by Razor, seconded by Souza, to approve Item SS-7-06. Motion approved.

PUBLIC HEARINGS

1. Applicant: City of Coeur d'Alene, Parks Department
Location: Between Spokane River and Riverview Lane in the Mill River development
Request: Proposed Public Recreation special use permit
In the R-3PUD(Residential at 3 units/acre) zoning district.
QUASI-JUDICIAL (SP-2-06)

Associate Planner Stamosos presented the staff report, gave the mailing tally as 3 in favor, 0 opposed, and 2 neutral, and answered questions from the Commission.

Doug Eastwood, applicant representative, 710 Mullan Avenue, City of Coeur d'Alene, Parks Director, presented a power point presentation highlighting how this park will be a benefit to the community and then asked if the Commission had any questions.

Commissioner Jordan inquired if there will be a public boat dock proposed at this site.

Mr. Eastwood commented that a day-use dock system will be proposed at the west end of the park site. He added that the day-use dock can be accessed from the river by boat, or from the promenade/walkway and parking lot by foot.

Commissioner Jordan questioned when the railroad vacates if there is potential for extra parking to be provided.

Mr. Eastwood answered that when the tracks are removed, there is potential to expand the park north creating more open space for park users and more parking if deemed necessary.

Commissioner Souza inquired if staff is aware of a potential problem for people wanting to swim in non-designated areas.

Mr. Eastwood commented that signs can be posted to discourage swimming in non-designated areas, but realistically people will swim where they choose to and ignore the signs.

Commissioner Bowlby questioned how staff will discourage parking on the streets and to only park in the area designated for parking.

Mr. Eastwood replied that staff could place signs in the area to discourage parking on the streets, but would rather not see a lot of signs in the area, but if the problem persists, action will be taken.

Chairman Bruning noted that the staff report mentions there are 19 parking stalls, and questioned if this is correct.

Mr. Eastwood replied that the staff report should be corrected to indicate only 14 parking stalls.

Mr. Jordan complimented the applicant on a creative way to develop a small piece of land to make something that will enhance the area for the public to enjoy.

Chairman Bruning concurred with Commissioner Jordan and added that the entire Parks Department staff should be commended for doing a great job maintaining all the parks in the area.

Doug Eastwood commented that a piling located near the beach area needs to be cut flush with the river bed and would ask the Commission to consider this as a condition to the special use permit. He added that there is also assorted cables and scrap iron left over from the mill that also needs to be removed.

Motion by Jordan, seconded by Razor, to approve Item SP-2-06. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Razor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

Motion by Jordan, seconded by Razor, to approve 14 spaces as the parking requirement for SP-2-06. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Razor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

2. Applicant: City of Coeur d'Alene, Parks Department
Location: N.W. corner of 12th Street and Lunceford Lane
Request: Proposed Public Recreation special use permit in the R-5(Residential at 5 units/acre) zoning district. QUASI-JUDICIAL (SP-3-06)

Associate Planner Stamsos presented the staff report, gave the mailing tally as 9 in favor, 0 opposed, and 2 neutral, and answered questions from the Commission.

Doug Eastwood, applicant representative, 710 Mullan Avenue, City of Coeur d'Alene, Parks Director, presented a power point presentation explaining how this park will enhance this community and will be a benefit to the City when the project is completed.

Chairman Bruning inquired if there will be crosswalks located at the park.

Mr. Eastwood explained that a crosswalk is proposed at the corner of 11th Street and Lunceford lane.

Chairman Bruning commented that crosswalks with flashing lights are nice to help protect children crossing the street, and if this type of crosswalk is something staff might consider in the future.

Mr. Eastwood answered that this request is something staff might be able to consider in the future.

Commissioner Bowlby commented that it would be nice if the streets from the park lined up with the existing streets, so people crossing from Davis Park would be safe.

Mr. Eastwood commented that staff held numerous meetings with this neighborhood regarding the layout of this park and from those discussions, a request for a crosswalk at the corner of 11th Street and Lunceford Lane, with an additional one at 12th Street were considered.

Chairman Bruning commented that the addition of crosswalks is a great way to get traffic to slow down in this area. He questioned if there will be additional lighting for safety placed throughout the park and not just at the entry, as shown on the site plan.

Mr. Eastwood commented that he has had discussions with the police regarding the placement of lighting and felt if they had concerns, they would have contacted him regarding this request. He added that the neighborhood did not want a lot of lighting in order to help discourage after-hour use in the park.

Commissioner Souza commented that the tree selection proposed for the park looks very nice.

Public testimony.

John Fischer, 3265 N 11th Street, Coeur d'Alene, commented that the traffic on Lunceford Lane is a problem that cars do not slow down and questioned if a speed limit sign could be posted to discourage speeding.

Anita Barons, 1221 Elderberry Circle, Coeur d'Alene, commented that she is in favor of the park and has volunteered to help.

Todd Deming, 1108 E. Glenberry Court, Coeur d'Alene, commented that he would like to thank staff for a great job on this park and how this will be a benefit to the community.

Doug Eastwood commented that he would contact the City Engineer to request that traffic at the corner of Lunceford Lane and 12th Street be evaluated. He added that he appreciates all the input from the neighborhood to provide a wonderful park.

Motion by Souza, seconded by Razor, to approve Item SP-3-06. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Razor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

Motion by Souza, seconded by Bowlby, to recommend that the City Engineer look at Traffic calming measures or flashing lights at any crosswalks on that section of Lunceford Lane adjacent to the park. Motion approved.

Motion by Souza, seconded by Jordan, to approve 20 parking spaces as the parking requirement for Item SP-3-06. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Razor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

3. Applicant: William Crawford
Location: NWC of 15th and Violet
Request: Proposed zone change from R-3 (Residential at 3 units/acre)
To R-5 (Residential at 5 units/acre) zoning district
QUASI-JUDICIAL (ZC-2-06)

Associate Planner Stamsos presented the staff report, gave the mailing tally as 1 in favor, 30 opposed, and 2 neutral, and answered questions from the Commission.

Commissioner Bowlby inquired if there was another way for the applicant to address this problem without having to do a zone change.

Associate Planner Stamsos commented that after the annexation and zone change was approved, the intent by the applicant was to split the lot to build two homes on the property. He added that because of the right of way required by the City, the applicant's lot size was reduced.

Commissioner Jordan inquired if there are other types of uses allowed in the R-5 zoning district.

Associate Planner Stamsos answered that single-family homes is the only residential use allowed in the R-5 zone.

Commissioner Souza questioned if we approve this request as an R-5, would we be setting a precedence for other properties in this area to do the same, and questioned if this would be considered spot zoning.

Commissioner Bowlby commented that she feels an R-3 is the most compatible zone with this area and should not change.

Assistant Attorney Wilson commented that the Commission should not be concerned about setting precedence since the Comprehensive Plan already provides the vision for the type of growth in this area.

Public testimony

William Crawford, applicant representative, 823 Boyd Avenue, Coeur d'Alene, gave a brief history of how this property was zoned with the intent to build two homes on the lot. He continued that from talking with staff about the easement requirements, that the net area of the property was too small to be divided under the R-3 zoning classification, and that R-5 would be a more logical zoning. He then presented pictures showing the different types of homes along Violet Avenue providing a sketch of the homes he intends to build on the lots. He added that these homes would not be out of character for this area, but only be an improvement for the existing homes along Violet Avenue. He commented that he is sympathetic to the people living on Margaret Avenue, but feels this project will only enhance and not hurt this neighborhood.

Brad Gilbert, 1400 Margaret Avenue, Coeur d'Alene, commented that he is opposed to the applicants request for an R-5 and feels that the sentiment of the neighborhood would be to keep this area open. He applauds the Commission to have the vision to reject this request the first time. He added that he would personally like to thank Commissioner Souza for her comments to see that this neighborhood remains consistent with the surrounding area.

Commissioner Rasor inquired if the neighborhood would consider getting together as a group to be annexed into the City and picking the appropriate zone that would help protect the neighborhood in the future.

Mr. Gilbert commented that many of the neighbors have made comments that they feel uneasy about being annexed into the City for various reasons.

Commissioner Razor commented that it is not fair for this neighborhood to attack this one person trying to improve this area. He added that eventually this piece of land will be annexed into the City and if the neighborhood wants to protect what they have, they need to be united.

Mr. Gilbert commented that the neighborhood recently made strides to help the County pick the appropriate zoning for this area. He added that people who have lived in this area a long time and intend to stay a long time own most of the parcels in this area.

Commissioner Souza commented that she concurs with Commissioner Razor about being solidified as a group and feels that plans change and it eventually will come.

Commissioner Razor complimented the applicant's efforts for trying to upgrade this area, and feels that in the future; a similar situation could be presented again for this area.

Mr. Elliott commented that he feels that the intent to build one home is fine, and that if the applicant would want to sell the other lot, various people in the neighborhood would be interested. He added that this neighborhood is filled with people who do not intend to move or want to be annexed into the City.

Commissioner Bowlby commented that she is sympathetic to the desires of the neighborhood and concurs with Commissioner Razor that this neighborhood should be unified to protect their neighborhood.

Chairman Bruning commented that this property is a perfect piece to be annexed into the City, because eventually the septic systems will fail and cannot be replaced. He added that the applicant has shown various examples of homes that he intends to build, and has noticed different areas in town where the housing is mixed and it works. He continued that it is strange this property had not been annexed sooner.

Mr. Elliott inquired if staff, in the future, would be willing to hold a neighborhood meeting explaining the benefits of annexing their property into the City.

Commissioner Razor commented that the applicant has presented an appealing proposal for this area and has a right to make this request since the subject property is in the City and the adjoining neighborhood is in the County.

Mr. Elliott commented that he appreciated the Planning Commission's original decision and would hope that they deny this request as they did in the previous hearing.

Chairman Bruning inquired if there are any restrictions to access onto 15th Street.

Associate Planner Stamsos answered that there is not any restrictions for access on 15th Street and that any request for access in the future has to be approved by the City Engineer.

August Mack, 1460 Margaret Avenue, Coeur d'Alene, commented that he has lived in this area for 19 years, and does not intend to move for a long time. He continued that most of his neighbors have been here for a long time and sticks together. He applauded the Planning Commission and City Council for approving this as an R-3 and requested that they oppose the applicant's request.

Commissioner Razor commented that in the future, maybe one of the neighbors will want to subdivide and this process will start again if the neighborhood is not unified.

Mr. Mack commented that he can not speak for his neighbors, but feels that he does not want to be annexed into the City, and would like this area to remain a park setting for as long as possible.

Commissioner Souza commented that she feels that if this neighborhood does not want change, they

need to work together to find a way to assure that does not happen.

Mr. Mack commented that he would like to see only one house built on the lot.

Joni Schomer, 1460 Margaret Avenue, Coeur d'Alene, commented that this is a small piece of land that is a little piece of heaven in the City, and does not want it to change. She commented that access onto 15th Street is hazardous and that this request should be denied.

John Schwan, 1440 Margaret Avenue, Coeur d'Alene, commented that he has lived in this area for 20 years, and does not intend to move anytime in the future. He added that he is not opposed to the applicant building one home but two homes would be out of character for this area. He added that the Comprehensive Plan is the vision for the City, and that approving this request would not protect neighborhoods old and new.

Commissioner Rasor commented that he feels the applicant should have equal consideration since his property is in the City. He questioned the type of zoning that would be requested for this neighborhood.

Mr. Schwan commented that this area should stay an R-3, R-2 or R-1.

Rebecca Engels, 1480 Margaret Avenue, Coeur d'Alene, commented that she is concerned these homes will be rentals and had recently tried to get a hold of the previous owners to see if they wanted to sell the property, but was too late because the applicant had just purchased the lot. She also indicated that she is opposed to the request.

REBUTTAL:

William Crawford commented that these homes will not be sold as rental properties, and feels that these homes will not negatively impact the property values, but only add value to the existing homes in the area. He commented that R-5 is consistent, and how this project will be a positive for this neighborhood and asked the Commission for their approval.

Public testimony closed.

DISCUSSION:

Chairman Bruning commented that he feels that there are good arguments on both sides for this request and questioned if there will be more requests like this in the future.

Commissioner Souza inquired if a septic system fails, what are the choices for the property owners who live in the County.

Commissioner Jordan commented that the property owner would have the option to rejuvenate their existing septic tank or move it to another area. He added that he hopes the people who testified did not feel like they were being picked on and that if these folks do not want to be annexed into the City, it is their choice.

Commissioner Messina commented that he feels that nothing has changed since the last public hearing for a zone change.

Commissioner Jordan concurred that 15th Street is very busy and trying to sell a home in this area is not as desirable. He added that he feels an R-5 is not out of line for the character of the neighborhood since there is a mixed use of homes in this area.

Commissioner Bowlby commented that she feels that this property should remain an R-3 since it is undecided how this area should be developed. She commented that she respects this neighborhood and

feels that the current zoning is appropriate for the area.

Commissioner Rasor commented that he would agree that this could be approved as an R-5, and feels that the applicant should not be penalized because he is in the City and the existing neighborhood is in the County.

Commissioner Souza commented that she concurs with the rest of the Commissioners and added that traffic on 15th Street is a concern and that this property should remain an R-3 to be consistent with the existing neighborhood.

Motion by Bowlby, seconded by Souza, to deny Item ZC-2-06. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Jordan	Voted	Nay
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Nay
Commissioner Souza	Voted	Aye

Motion to deny carried by a 3 to 2 vote.


ADJOURNMENT/CONTINUATION:

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

The meeting was adjourned at 10:00 p.m. Motion approved.

Respectfully submitted by John Stamsos, Associate Planner

Prepared by Shana Stuhlmiller, Public Hearing Assistant



**S
H
O
R
T
P
L
A
T
S**

TO: Planning Commission
FROM: Christopher H. Bates, Project Manager
DATE: May 9, 2006
SUBJECT: **SS-8-06, Trilogy Condominiums**

DECISION POINT

Approve or deny the applicant's request for a 2 unit condominium development on 7th Street.

GENERAL INFORMATION

1. Applicant: Dwayne Humenny
24817 NE 27th Place
Sammamish, WA 98074
2. Request: Approval of a one (1) building, two (2) unit condominium development.
3. Location: The northeast corner of 7th Street and Harrison Avenue.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is R-12 which is a residential district allowing for a broad mix of housing types, not to exceed 12 units/acre.
2. Land Use: The subject property currently has a duplex structure situated on it.
3. Infrastructure: Utilities, Streets, & Storm Water Facilities

Utilities: Sewer & Water

The subject property has access to both sewer and water utilities and the connections have been made.

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

Fire: There is an existing hydrant on an adjacent corner that meets the spacing requirements of the City Fire Department.

Storm Water: Street drainage is already contained in the existing City system. Building drainage is channeled into existing on-site landscaping.

Proposed Conditions:

1. Any mortgage holder that has a securing interest on the subject property must sign the owner's certificate on the final plat document.

DECISION POINT RECOMMENDATION

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

TRILOGY CONDOMINIUMS

WITHIN A PORTION OF LOTS 5 & 6, BLOCK 45, AMENDED PLAT OF SIMMS ADDITION TO COEUR D'ALENE, SEC. 12, T.50N., R.4W., B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



BASES OF MEASUREMENT
 BASES OF MEASUREMENT AS SHOWN BETWEEN FOUND MONUMENTS BETWEEN THE SOUTHWEST CORNER OF SECTION 12 AND THE SOUTH 1/4 CORNER OF SECTION 13 AND AS SHOWN ON RECORD OF SURVEY RECORDED IN BOOK 7, PAGE 11.

- LEGEND**
- FOUND A 6" CONCRETE MONUMENT, NO. 6.
 - FOUND AN IRON PIPE WITHOUT G., SIZE AS SHOWN
 - FOUND A 3/8" DIAMETER IRON ROD, MARKED AS SHOWN
 - ▲ FOUND A 1/2" IRON ROD, WITH NO CAP
 - SET AN IRON ROD, 30 INCHES LONG, 5/8" IRON DIAMETER, WITH A PLASTIC CAP MARKED PLS 11119
 - CALCULATED POINT (DISTANCE FOUND ON SET)
 - FOUND SURVEY

APPHALT
CONCRETE

THE FENCE SYSTEM IS A 4 FOOT CHAIN LINK EXCEPT THE EAST LINE IS A VARIOUS HEIGHT BOARD FENCE.

ORDERS AS NOTED

- PREVIOUS SURVEYS**
1. AD. REYNOLDS, CIVIL ENGINEER, SEP. 1927. A PLAT OF SIMMS ADD. B.M. NO. 37, POCKET 1, VOLUME 3, PAGE 3.
 2. J.L. EDWARDS, CIVIL ENGINEER, JAN. 1928. AMENDED PLAT OF SIMMS ADD. B.M. NO. 37, POCKET 1, VOLUME 3, PAGE 11.
 3. JOHN A. JARWOOD, SURVEYOR, NO DATE. S.W. 1/4 SEC. 12, T.50N., R.4W., B.M. NO. 12A.
 4. JOHN A. JARWOOD, SURVEYOR, NO DATE. S.W. 1/4 SEC. 12, T.50N., R.4W., B.M. NO. 12B.
 5. C.E. MURPHY, SURVEYOR, NO DATE. S.W. 1/4 SEC. 12, T.50N., R.4W., B.M. NO. 12C.
 6. J.L. TUM, SURVEYOR, NO DATE. S.W. 1/4 SEC. 12, T.50N., R.4W., B.M. NO. 12D.
 7. J.L. TUM, SURVEYOR, NO DATE. S.W. 1/4 SEC. 12, T.50N., R.4W., B.M. NO. 12E.
 8. LEONARD L. SMITH, SURVEYOR, JAN. 1979. BOOK 1, PAGE 142.
 9. JAMES P. MOORE, SURVEYOR, APR. 1979. BOOK 1, PAGE 142.
 10. EARL L. SANDERS, SURVEYOR, SEP. 1979. BOOK 1, PAGE 258.
 11. J.M. HANDEL, SURVEYOR, APR. 1988. BOOK 1, PAGE 11.
 12. DUSTY B. OBERMAYER, SURVEYOR, APR. 1988. BOOK 1, PAGE 11.
 13. DUSTY B. OBERMAYER, SURVEYOR, APR. 1988. BOOK 1, PAGE 102.
 14. EARL L. SANDERS, SURVEYOR, APR. 1988. BOOK 1, PAGE 102.
 15. EARL L. SANDERS, SURVEYOR, APR. 1988. BOOK 1, PAGE 109.

PURPOSE OF SURVEY
 THIS IS A CONDOMINIUM PLAT FOR THE PURPOSE OF CONVERTING AN EXISTING APART TO CONDOMINIUMS. THIS IS NOT A LAND DIVISION.

SURVEYOR'S NOTES
 SEE SHEET 2 OF 4.

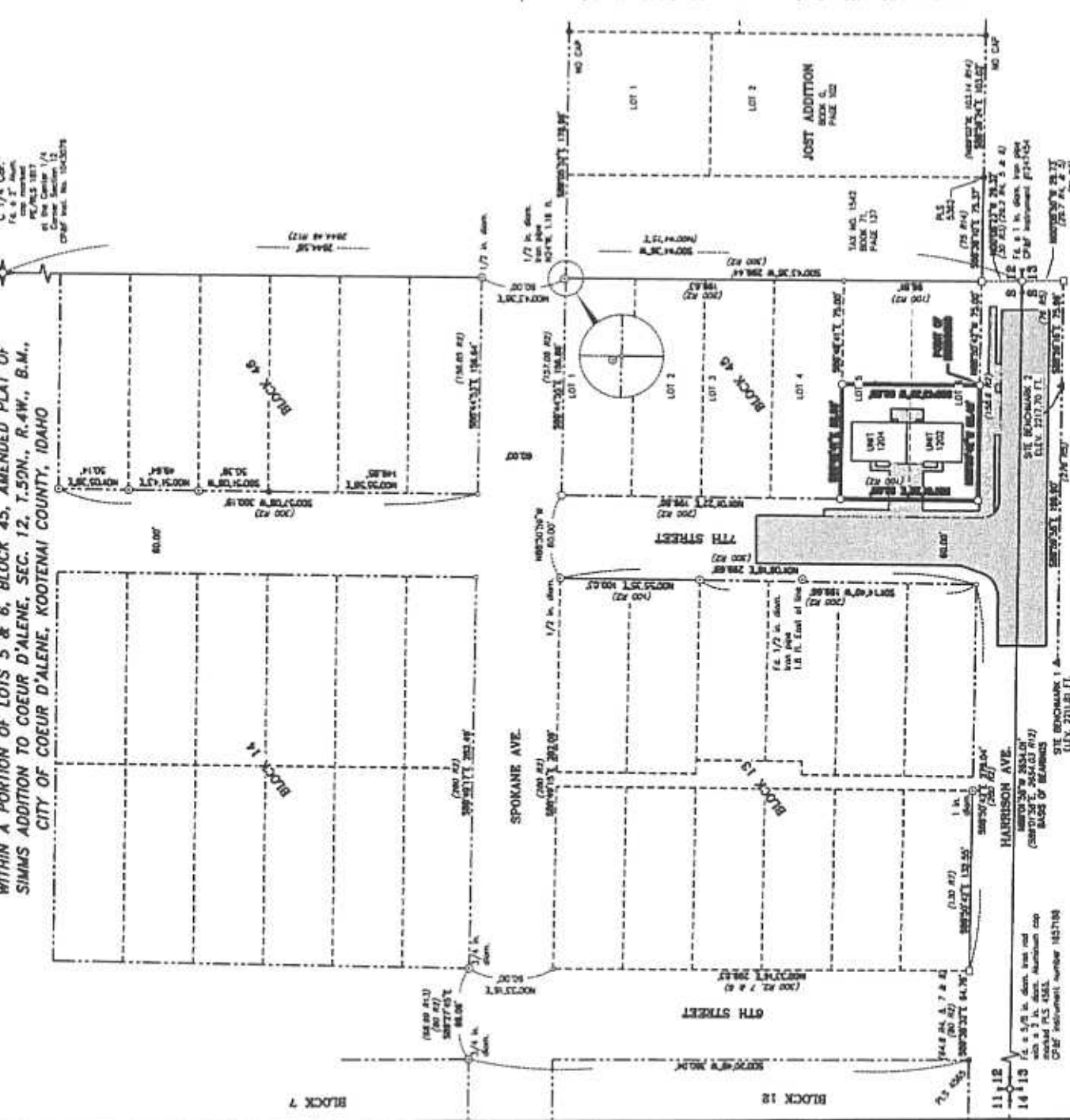
SURVEYOR'S CERTIFICATE
 I, DUSTY B. OBERMAYER, PROFESSIONAL LAND SURVEYOR NO. 11119 IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED "TRILOGY CONDOOMINIUMS" SITUATED UPON THE PART OF LAND MORE PARTICULARLY DESCRIBED IN THE OWNER'S CERTIFICATE ON SHEET 4 OF THIS PLAT. I FURTHER CERTIFY THAT THE SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND IS IN CONFORMANCE WITH THE CONDOMINIUM ACT, IDAHO CODE, TITLE 55, CHAPTER 2, SECTIONS 55101-55107 AND 55108-55110, AND IS IN CONFORMANCE WITH THE CONDOMINIUM ACT, IDAHO CODE, TITLE 55, CHAPTER 2, SECTIONS 55101-55107 AND 55108-55110.



DUSTY B. OBERMAYER PLS 11119 DATE _____

SEE SHEET 2 OF 4

SEE SHEET 1 OF 4



MECKEL ENGINEERING & SURVEYING
 705 S. POWER BLVD. COEUR D'ALENE, IDAHO 83814-4718
 PHONE: 765-2100 FAX: 765-2101

SCALE: 1" = 50'
 DATE: MAR. 31, 2008 CHECKED: SUE
 DRAWN: DBO
 CRE: ABH, DEG

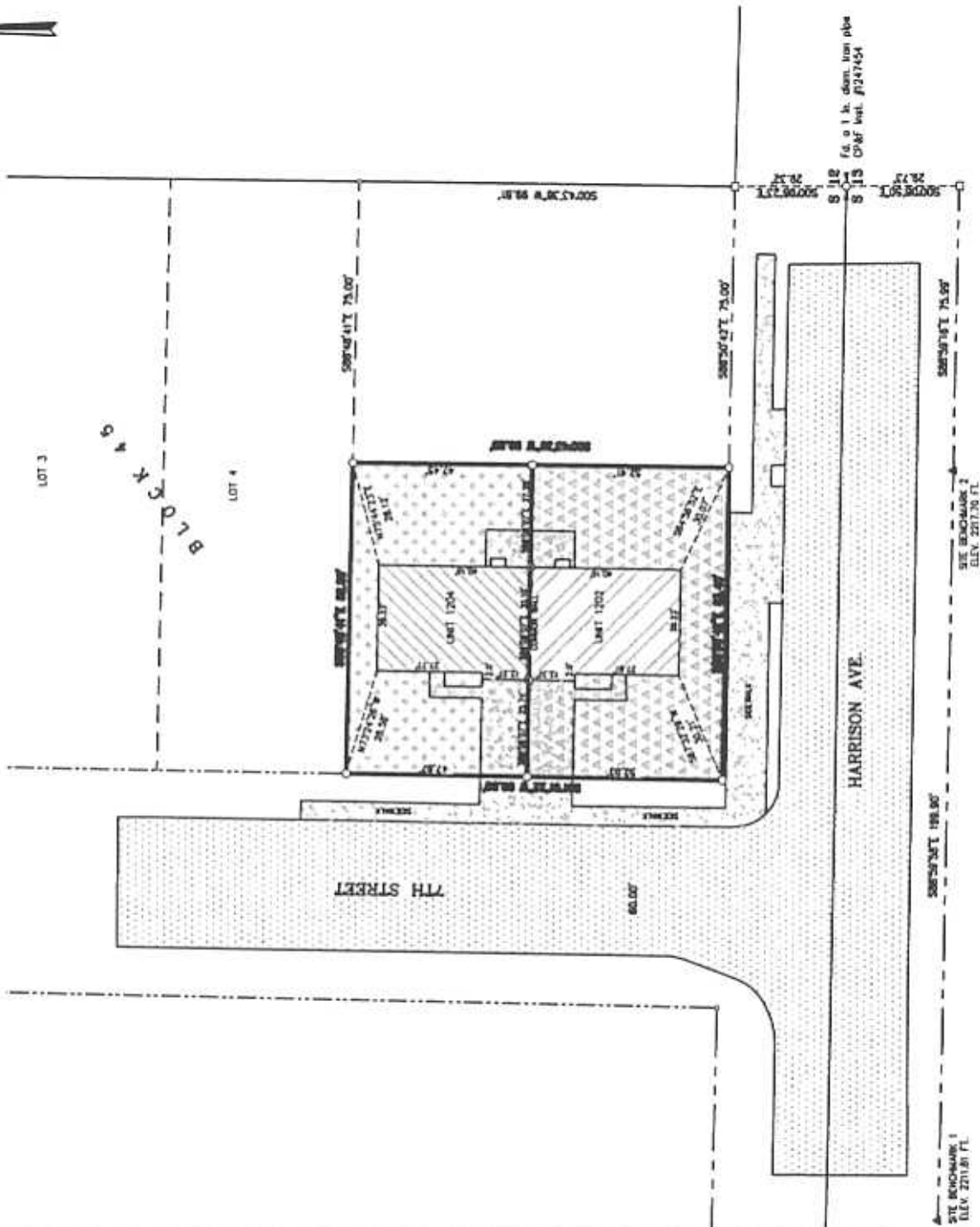
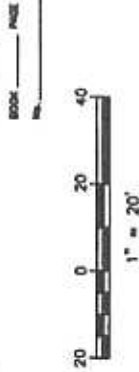
JOB NO. 04040003
 JOB P.L. 04040003P
 CRE: ABH, DEG

PROJECT: TRILOGY CONDOMINIUMS
 SHEET 1 OF 4

53-806

TRILOGY CONDOMINIUMS

WITHIN A PORTION OF LOTS 5 & 6, BLOCK 45, AMENDED PLAT OF SIMMS ADDITION TO COEUR D'ALENE, SEC. 12, T.50N., R.4W., B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



BASES OF MEASUREMENT

BASES OF MEASUREMENT - SURVEY SET AS MEASURED BETWEEN FOUND MONUMENTS BETWEEN THE SOUTHWEST CORNER OF SECTION 12 AND THE SOUTH 1/4 CORNER OF SECTION 12 AND AS SHOWN ON RECORD OF SURVEY ACCORDING TO BOOK 7, PAGE 11, SET SHEET 1 OF 4 FOR MORE DETAIL INFORMATION OF THE BASIS OF MEASUREMENT.

LABELED

- FOUND A 6IN CONCRETE MONUMENT NO 10
- FD. AN IRON PIPE WITHOUT L.L. SIZE AS SHOWN
- FD. A 5/8 INCH DIAMETER IRON ROD MARKED AS SHOWN
- ▲ FD. A 1/2 INCH DIAMETER IRON ROD WITH NO CAP
- SET AN IRON ROD, 30 WTS. LONG, 5/8 IN. DIAM., WITH A PLASTIC CAP MARKED PLS 11119
- ⊙ SET A CONCRETE NAIL (P.C.) WITH A WINKER MARKED PLS 11119
- CALCULATED POINT (NOTHING FOUND OR SET)

RECORDS

- RE SURVEYS OF RECORD & PRIOR SURVEYS
- ASPHALT
- CONCRETE
- UNIT 1204 = 1,831 sq.ft. INCLUDING GARAGE
- UNIT 1202 = 1,829 sq.ft. INCLUDING GARAGE
- UNIT 1204 UNITS COMMON AREA = 2,201 sq.ft.
- UNIT 1202 UNITS COMMON AREA = 2,193 sq.ft.
- OTHERS AS NOTED

SURVEYOR'S NOTES

1. NORTH IDAHO TITLE INSURANCE, INC. ORDER NUMBER 80-15040, COMMITMENT DATED MARCH 17, 2005 WAS USED IN PREPARATION OF THIS SURVEY. DOCUMENTS RECORDED SUBSEQUENTLY MAY HAVE CHANGED THE RECEIPTS IN THE REPORT.
2. SURVEY TIES TO BUILDING CORNERS ARE TO THE EXTERIOR CORNERS OF THE BUILDING.
3. BUILDING EXTERIOR FLOOR ELEVATIONS AND CEILING ELEVATIONS ARE FROM 10-1/8" MEASUREMENT FROM FINISH FLOOR TO FINISH CEILING. OBSTRUCTIONS SUCH AS FURNITURE, CARPET, DRYWALL, FLOORING AND CABINETS.
4. THE PROPERTY DEPICTED IN THE OWNER'S CERTIFICATE ON SHEET 4 OF 4, WITHIN ALL APPROXIMATE AS SHOWN HEREON, ARE TO BE COMMON AREAS OWNED BY THE TRILOGY CONDOMINIUM ASSOCIATION IN ACCORDANCE WITH THE CONDOMINIUM DECLARATIONS ON FILE UNDER INSTRUMENT NUMBER _____ DATED _____ 2006.
5. THIS PROPERTY MAY BE SUBJECT TO NUMEROUS EASEMENTS. THIS PLAT DOES NOT ATTEMPT TO DEFINE THE NATURE, LOCATION AND EXTENT OF ANY APPOINTMENTS, THE SIZE OR LOCATION OF PREEXISTING EASEMENTS, FENCE LINES OR PHYSICAL FEATURES OF THE PROPERTY. ITEMS SUCH AS THE ADJACENT ROADS ARE SHOWN ACCORDING TO THE ASSESSOR MAP OR OTHER SOURCES AND ARE FOR INFORMATIONAL PURPOSES ONLY.
6. SEE SHEET 1 OF 4 FOR DETAILED BOUNDARY INFORMATION.



DUSTY B. ORDWAY PLS 11119 DATE _____

MECKEL ENGINEERING & SURVEYING
 300 S. FOREST WY. COEUR D'ALENE, IDAHO 83802 (208) 685-4638



SCALE: 1" = 20'	DRAWN: DBO
DATE: MAR. 21, 2006	CHECKED: SMF
AS NO. UNITS/LOTS AND FILE NUMBER/PROP	CHECK: ASB/DCS

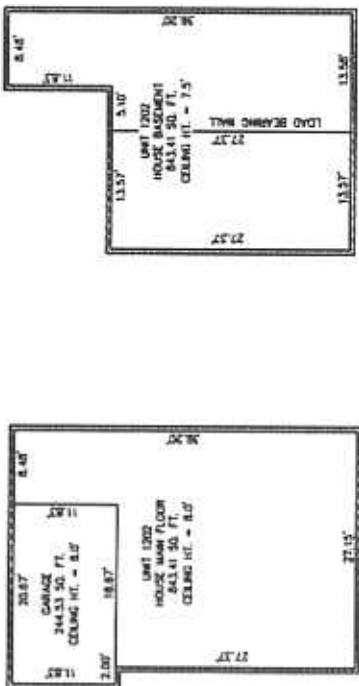
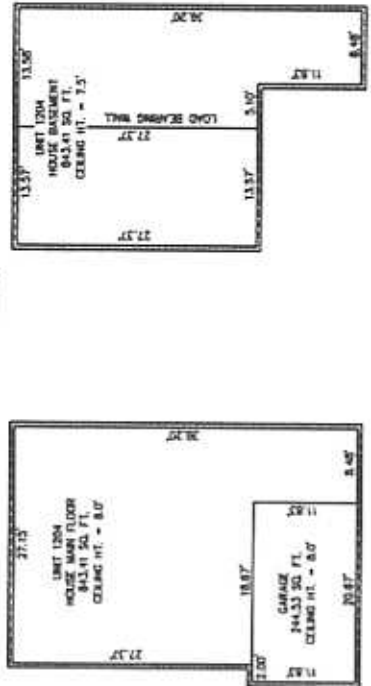
TRILGY CONDOMINIUMS

WITHIN A PORTION OF LOTS 5 & 6, BLOCK 45, AMENDED PLAT OF SIMMS ADDITION TO COEUR D'ALENE, SEC. 12, T.50N., R.41W., B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK _____ PAGE _____
 No. _____



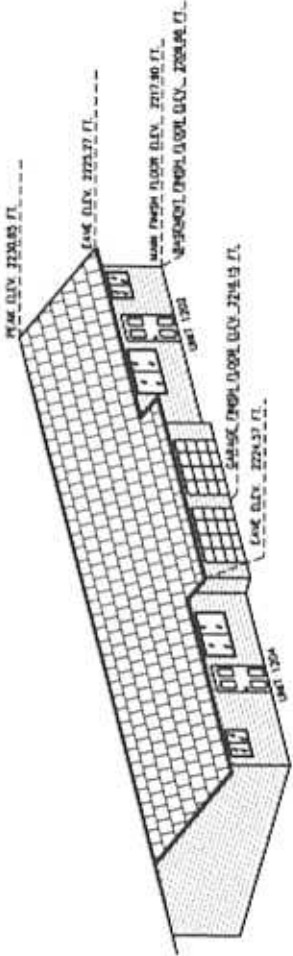
PLAN VIEW



ELEVATION DATUM
 THE ELEVATIONS SHOWN ON THIS SURVEY ARE ON THE NORTH AMERICAN NORTH DATUM ON 1929 (MERCATOR). THE BENCH MARK USED WAS CITY OF COEUR D'ALENE BENCH MARK 4-10.
 SEE BENCH MARK 1: FOUND 1/2 INCH IRON ROD WITHOUT A CAP ON THE SOUTH SIDE OF HARRISON AVE. AS SHOWN ON SHEET 1 OF 4. ELEVATION 2211.8 FEET.
 SEE BENCH MARK 2: FOUND 1/2 INCH IRON ROD WITHOUT A CAP ON THE SOUTH SIDE OF HARRISON AVE. AS SHOWN ON SHEET 1 OF 4. ELEVATION 2211.70 FEET.

NOTES
 SEE SHEET 3 OF 4 FOR EXTERIOR BUILDING DIMENSIONS

ELEVATION VIEW



DUSTY B. GEEMATER PLS 11119 DATE _____

MECKEL ENGINEERING & SURVEYING
 MECKEL & SPENCER REG. CERT. ENGINEERS, SURVEYORS, GEODETIC ENGINEERS



DR. NO. HANDBOOK ONE P.L.S. HANDBOOKS? CHECK AREA DEC

SCALE: 1" = 10'
 DATE: MAR. 31, 2008
 DRAWING: 080
 CHECKED: SUR

DATE: MAR. 31, 2008
 CHECKED: SUR

DATE: MAR. 31, 2008
 CHECKED: SUR

DATE: MAR. 31, 2008
 CHECKED: SUR

DATE: MAR. 31, 2008
 CHECKED: SUR

DATE: MAR. 31, 2008
 CHECKED: SUR

DATE: MAR. 31, 2008
 CHECKED: SUR

DATE: MAR. 31, 2008
 CHECKED: SUR

DATE: MAR. 31, 2008
 CHECKED: SUR

TRILGY CONDOMINIUMS
 WITHIN A PORTION OF LOTS 5 & 6, BLOCK 45, AMENDED PLAT OF
 SIMMS ADDITION TO COEUR D'ALENE, SEC. 12, T.50N., R.4W., B.M.,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK _____ PAGE _____

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT I, _____, DO HEREBY CERTIFY THAT I AM THE RECORD OWNER AND HAS Laid Out THE UNITS DESCRIBED WITHIN THIS CONDOMINIUM PLAT TO BE KNOWN AS "TRILGY CONDOMINIUMS", BEING A CONDOMINIUM DEVELOPMENT SITUATED IN LOTS 5 AND 6, BLOCK 45, AMENDED PLAT OF SIMMS ADDITION, RECORDED IN PLAT BOOK 8, PAGE 57, PROJECT 3, FOLDER 3, FILE 11, SECTION 12, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY IDAHO, EXCEPTING THEREFROM THE EAST 75.00 FEET.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 12, MONUMENTED WITH A 1 INCH DIAMETER IRON PIN, AS SHOWN ON CORNER PERPETUATION AND PLUMB RECORD FORM ON FILE UNDER INSTRUMENT NUMBER 1217454 FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 12 IS MONUMENTED WITH A 3/8 INCH DIAMETER IRON PIN AND WITH A 2 INCH DIAMETER ALUMINUM CAP MARKED PLS 045 AS SHOWN ON CORNER PERPETUATION AND PLUMB RECORD FORM ON FILE UNDER INSTRUMENT NUMBER 1037100 BEARS NORTH 89°00'30" WEST, 363.61 FEET; THENCE NORTH 89°00'30" WEST, 243.32 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF HARBORWAY AVENUE AND THE SOUTH EAST CORNER OF SAID BLOCK 45 MONUMENTED WITH A 6 INCH CONCRETE MONUMENT;

THENCE NORTH 89°00'30" WEST, 74.50 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE AND ALONG THE SOUTHERLY LINE OF SAID BLOCK 45 TO THE DOUBLE DECKING MONUMENTED WITH A 3/8 INCH DIAMETER IRON ROD, 30 INCHES LONG, WITH A PLASTIC CAP MARKED PLS 11118;

THENCE NORTH 89°00'30" WEST, 83.40 FEET CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE AND SAID SOUTHERLY LINE TO THE EASTLY RIGHT OF WAY LINE OF 7TH STREET AND THE SOUTHWEST CORNER OF SAID BLOCK 45 MONUMENTED WITH A 3/8 INCH DIAMETER IRON ROD, 30 INCHES LONG, WITH A PLASTIC CAP MARKED PLS 11119;

THENCE NORTH 07°07'27" EAST, 94.80 FEET ALONG SAID EASTERN RIGHT OF WAY LINE AND ALONG THE WESTERN LINE OF SAID BLOCK 45 TO THE NORTHERLY CORNER OF LOT 5 OF SAID BLOCK 45 MONUMENTED WITH A 3/8 INCH DIAMETER IRON ROD, 30 INCHES LONG, WITH A PLASTIC CAP MARKED PLS 11116;

THENCE SOUTH 89°00'30" EAST, 28.94 FEET ALONG THE NORTHERLY LINE OF SAID LOT 5 TO A 3/8 INCH IRON ROD, 30 INCHES LONG, WITH A PLASTIC CAP MARKED PLS 11118;

THENCE SOUTH 07°07'27" WEST, 94.80 FEET TO THE DOUBLE DECKING;

SUBJECT TO

ANY EXISTING EASEMENTS, COVENANTS, CONDITIONS, RIGHTS, RESERVATIONS, RESTRICTIONS, OR ENCUMBRANCES OF RECORD OR IN VIEW OF DOMESTIC WATER AND SANITARY SEWER WILL BE PROVIDED BY THE CITY OF COEUR D'ALENE.

IN WITNESS WHEREOF, ON THIS _____ DAY OF _____, 2008, I, THE UNDERSIGNED OWNER HAVE AFFIXED MY SIGNATURE.

 Doreen HARBORWAY, OWNER

ACKNOWLEDGEMENT

STATE OF IDAHO
 COUNTY OF KOOTENAI

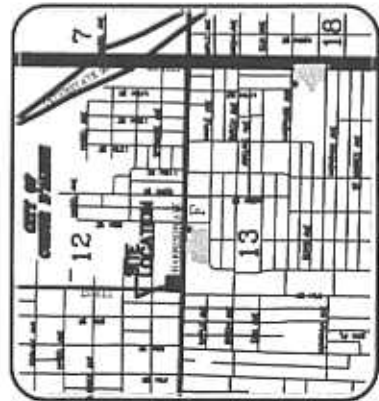
ON THIS _____ day of _____, 2008, before me, personally appeared _____, known and identified to me to be the owner and the person who executed the within Owners Certificate.

Witness my hand and seal

Notary Public for the State of Idaho

Residing at _____

Commission Expires _____



HEALTH DISTRICT

A SANITARY RESTRICTION ACCORDING TO IDAHO CODE 50-1208 TO 50-1209 IS IMPOSED ON THIS PLAT, AND THE RESTRICTIONS OF THESE RULES SHALL BE DELETED UPON SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED AND LIFTED.

THIS PLAT APPROVED THIS _____ DAY OF _____, 20____.

PARAMOUNT HEALTH DISTRICT 1

SANITARY RESTRICTIONS SATISFIED AND LIFTED THIS _____ DAY OF _____, 20____.

PARAMOUNT HEALTH DISTRICT 1

COUNTY SUPERVISOR

I HEREBY CERTIFY THAT ON THIS _____ DAY OF _____, 20____, I HAVE EXAMINED THIS PLAT AND THAT THE ACCURACY THEREOF COMPLETES WITH THE REQUIREMENTS OF IDAHO STATE CODE.

KOOTENAI COUNTY SUPERVISOR

COUNTY TREASURER

I HEREBY CERTIFY THIS _____ DAY OF _____, 20____, THAT THE REQUIRED TAXES ON THE HEREIN DESCRIBED LAND HAVE BEEN PAID THROUGH _____.

KOOTENAI COUNTY TREASURER

CITY COUNCIL

THIS PLAT OF "TRILGY CONDOMINIUMS" IS APPROVED BY THE CITY COUNCIL OF COEUR D'ALENE, IDAHO ON THE _____ DAY OF _____, 20____.

MAYOR _____

ATTEST: CITY CLERK _____

CITY ENGINEER

I HAVE EXAMINED, ACCEPTED AND APPROVED THIS PLAT THIS _____ DAY OF _____, 20____.

CITY OF COEUR D'ALENE ENGINEER

**State of Idaho
 COUNTY RECORDER**

I HEREBY CERTIFY THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF KOOTENAI COUNTY, IDAHO, AT THE REQUEST OF DOREEN HARBORWAY, ON THIS _____ DAY OF _____, 20____, AT _____, AND DAILY RECORDED IN PLAT BOOK _____, PAGE(S) _____, AND INSTRUMENT NO. _____.

KOOTENAI COUNTY RECORDER



DUSTY E. DEBORJA PLS 11119 DATE _____

MECKEL ENGINEERING & SURVEYING
 205 S. CENTER ST. COEUR D'ALENE, IDAHO 83802-4318



JOB NO. 08040303
 DWG FILE: 08040303.DWG
 CHECK: ASH & DEC

SCALE: NONE
 DRAWN: DED
 DATE: MAR 25, 2008
 CHECKED:

THE CITY OF COEUR D'ALENE, IDAHO, HAS ADOPTED THIS PLAT OF THE TRILGY CONDOMINIUMS.

TO: Planning Commission
FROM: Christopher H. Bates, Project Manager
DATE: May 9, 2006
SUBJECT: **SS-9-06, Cedar Chalet Condominium**

DECISION POINT

Approve or deny the applicant's request for a 7 unit condominium development on 2nd Street.

GENERAL INFORMATION

1. Applicant: Second Street Project, LLC
742 E. Southwood Court
Hayden, ID 83835
2. Request: Approval of a four (4) building, seven (7) unit condominium development.
3. Location: The west side of 2nd Street, south of Boise Avenue.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is R-12 which is a residential district allowing for a broad mix of housing types, not to exceed 12 units/acre.
2. Land Use: The subject property has three, 2-unit buildings and one single unit structure existing on it.
3. Infrastructure: Utilities, Streets, & Storm Water Facilities

Utilities: Sewer & Water

The subject property has access to both sewer and water utilities and the connections have been made.

Streets: The public streets adjoining the subject property are developed to current standards, and, the adjoining intersection is signalized.

Fire: There is an existing hydrant adjacent to the subject property that meets the spacing requirements of the City Fire Department.

Storm Water: Street drainage is already contained in the existing City system.

Proposed Conditions:

1. Any mortgage holder that has a securing interest on the subject property must sign the owner's certificate on the final plat document.

DECISION POINT RECOMMENDATION

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

REFERENCES

- R-1) RUSSELL'S ADDITION, BOOK 4, PAGE 127, 1903
- R-2) RECORD OF SURVEY, BOOK 7, PAGE 168, 1898
- R-3) COEUR D'ALENE GARDENS ADDITION, BOOK 7, PAGE 363, 1992
- R-4) RECORD OF SURVEY, BOOK 15, PAGE 84, 1994
- R-5) RECORD OF SURVEY, BOOK 18, PAGE 127, 1996
- R-6) RECORD OF SURVEY, BOOK 18, PAGE 133, 1996
- R-7) RECORD OF SURVEY, BOOK 18, PAGE 211, 1996
- R-8) RECORD OF SURVEY, BOOK 19, PAGE 108, 1997
- R-9) RAILROAD ADDITION, BOOK 1, PAGE 152, 1999
- R-10) MOUNTAINVIEW SCHOOL, BOOK 1, PAGE 245, 2000

LEGEND

- SET 5/8" X 30" HELMP WITH YELLOW PLASTIC CAP MARKED "A1 PLS 8798"
- FOUND IRON PIPE
- FOUND 1/2" REBAR
- △ CALCULATED POINT
- (M) MEASURED
- (R-F) PER SURVEY REFERENCE NUMBER

BASIS OF BEARING

BASES OF BEARING IS N 00°00'27" E BETWEEN FOUND MONUMENTS, AS SHOWN, PER R-2, R-3, R-4, R-5, R-8

NOTE

NO ATTEMPT WAS MADE TO SHOW PHYSICAL FEATURES OF THE PROPERTY, NOR DOES THIS NECESSARILY SHOW ANY OR ALL RECORDED OR NON-RECORDED EASEMENTS.

SURVEYOR'S CERTIFICATE:

I, JOHN STEARNS, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, CERTIFY THIS SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION.

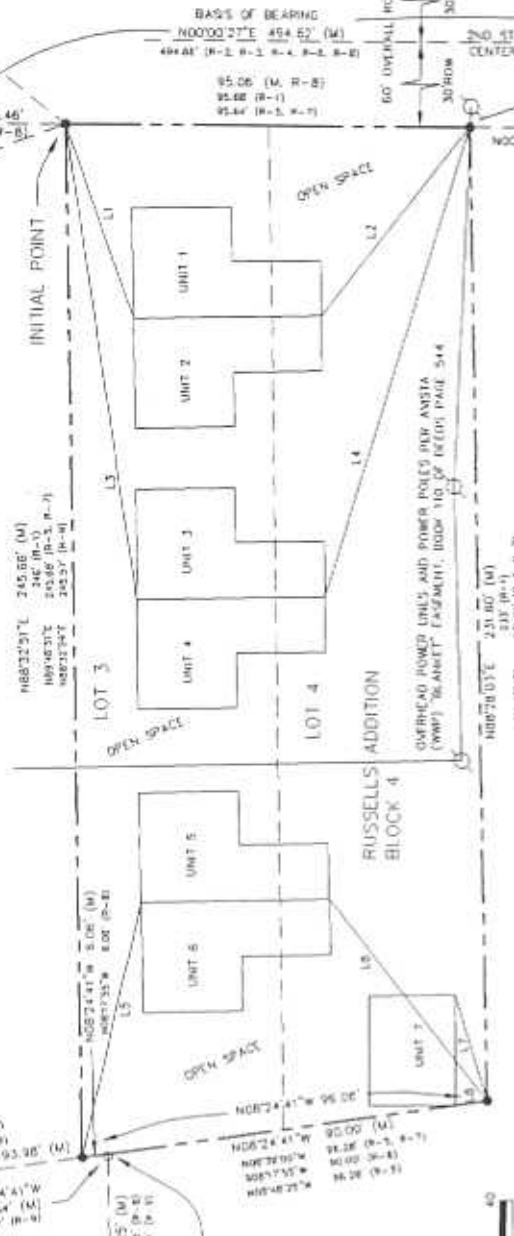


JOHN STEARNS, P.L.S.

CEDAR CHALET CONDOMINIUM
 LOCATED IN THE NW1/4 OF SECTION 13, T50N, R4W, BOISE MERIDIAN,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO
 APRIL 2006

NW SECTION CORNER
 PER CP&F INSTRUMENT
 NO. 1657188

N 1/4 CORNER
 PER CP&F INSTRUMENT NO. 1247454



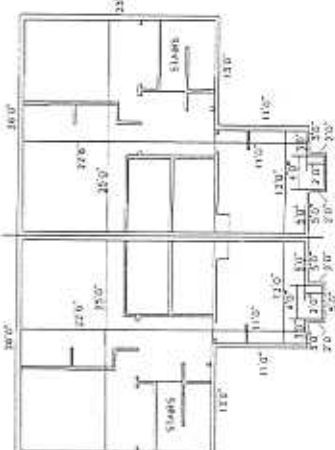
UNIT 7
SCALE: 1" = 10'



1ST FLOOR
SCALE: 1" = 10'



2ND FLOOR
SCALE: 1" = 10'



SQUARE FOOTAGE TABLE

UNIT	1ST FLOOR	2ND FLOOR	GARAGE
1-6	563 S.F.	703 S.F.	240 S.F.
7	481 S.F.		

FINISHED FLOOR ELEVATION TABLE (CEILING HEIGHTS = 8'0")

BUILDING	FIRST FLOOR	SECOND FLOOR	GARAGE FLOOR
UNITS 1,2	2186.16'	2206.16'	2184.86'
UNITS 3,4	2185.53'	2204.53'	2184.05'
UNITS 5,6	2184.53'	2203.53'	2183.05'
UNIT 7	2182.76'		

SEC. 13 DATE: 04/20/06 DRAWN BY: CHK. JES
 TWA: 307 PROJ. NO.: 1322 - DEBISE
 500-788-3768 500-788-5977/9217
 P. 21 JONESBOROUGH AVE., BOYCE, ID



SS-9-06

CEDAR CHALET CONDOMINIUM

LOCATED IN THE NW 1/4 OF SECTION 13, T50N, R4W, BOISE MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

APRIL 2006

BOOK _____ PAGE _____
NO. _____

OWNER'S CERTIFICATE

BE IT KNOWN BY THESE PRESENTS THAT STARWOOD HOMES, INC. HEREBY CERTIFIES THAT IT OWNS AND HAS LAND EMBRACED IN THE WITHIN PLAT TO BE KNOWN AS CEDAR CHALET CONDOMINIUMS, BEING LOTS 3 AND 4 OF BLOCK 4, RUSSELLS ADDITION, ACCORDING TO THE PLAT HEREIN, RECORDED IN BOOK 7 OF PLATS, PAGE 127, RECORDS OF KOOTENAI COUNTY, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- CORNERING AT A STEEL PIN AT THE NORTHEAST CORNER OF SAID LOT 3, SAID PIN IN BEING THE INITIAL POINT, THENCE:
 - SOUTH 0°00'27" WEST 95.06 FEET, THENCE;
 - SOUTH 85°26'03" WEST 231.60 FEET, THENCE;
 - NORTH 08°24'41" WEST 98.08 FEET, THENCE;
 - NORTH 85°32'51" EAST 245.66 FEET TO THE INITIAL POINT.
- CONVEYING 0.17 ACRES, MORE OR LESS, SUBJECT TO ALL EXISTING EASEMENTS AND RIGHTS OF WAY OR EGRESS OR UTILITIES ON SAID TRACT. WATER IS SUPPLIED BY CITY OF COEUR D'ALENE. SEWER SERVICE IS PROVIDED TO THE INDIVIDUAL UNITS BY THE CITY OF COEUR D'ALENE. COMMON AREAS (NOW-UNIT SPACES) ARE TO BE MAINTAINED ACCORDING TO REGULATIONS AS SET FORTH IN THE COVENANTS. EACH UNIT HAS A MONOPOLY RIGHT OF PASSAGE, EGRESS, AND SUPPORT THROUGHOUT THE COMMON AREAS.

STARWOOD HOMES, INC.

PANHANDLE HEALTH DISTRICT

SANITARY RESTRICTION ACCORDING TO IDAHO CODE 50-1326 TO 50-1343 HAS BEEN PLACED ON THIS PLAT AND BUREAUCRACY, DWELLINGS, OR SHELTERS SHALL BE SUBJECT TO ANY ADDITIONAL SANITARY RESTRICTIONS AND REQUIREMENTS ARE SATISFIED AND LIFTED.

THIS PLAT APPROVED THIS _____ DAY OF _____, 20____.

PANHANDLE HEALTH DISTRICT 1

SANITARY RESTRICTION SATISFIED AND LIFTED THIS _____ DAY OF _____, 20____.

PANHANDLE HEALTH DISTRICT 1

CITY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED, ACCEPTED AND APPROVED THIS PLAT.

DATED THIS _____ DAY OF _____, 20____.

CITY ENGINEER - CITY OF COEUR D'ALENE

COUNTY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS HEREIN PLAT AND APPROVE THE SAME FOR FILING THIS _____ DAY OF _____, 20____.

BRECK ANDERSON, RLS
KOOTENAI COUNTY SURVEYOR



NOTARY PUBLIC CERTIFICATE

ACKNOWLEDGMENT
STATE OF IDAHO } SS
COUNTY OF KOOTENAI }

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____

KNOWN TO ME TO BE THE PRESIDENT, OR VICE PRESIDENT, OR SECRETARY OR ASSISTANT SECRETARY, OF THE CORPORATION THAT EXECUTED THE INSTRUMENT OR PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF THE CORPORATION, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC FOR STATE OF _____
RESIDING AT _____
COMMISSION EXPIRES _____



VICINITY MAP
NO SCALE

KOOTENAI COUNTY RECORDER

THIS PLAT WAS FILED FOR RECORD AT THE REQUEST OF JAMAR ASSOCIATES, INC.

THIS _____ DAY OF _____, 20____.

AT _____ O'CLOCK _____ M _____

AND ONLY RECORDED IN PLAT BOOK _____ PAGE _____

INSTRUMENT NO. _____ FEE _____

KOOTENAI COUNTY RECORDER _____

KOOTENAI COUNTY TREASURER

I HEREBY CERTIFY THAT THE TAXES DUE FOR THE PROPERTY DESCRIBED IN THE OWNERS CERTIFICATE AND DEDICATION HAVE BEEN PAID THRU _____

DATED THIS _____ DAY OF _____, 20____.

KOOTENAI COUNTY TREASURER

SURVEYOR'S CERTIFICATE

I, JOHN STEARNS, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS SHOWN HEREON WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATED AND THE SAME IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.



JOHN STEARNS, RLS _____ DATE _____

SEC. 13
T50N, R4W
CHD: 00-015

SCALE: 1" = 40'

Jamar Associates, Inc.
ENGINEERING • SURVEYING • PLANNING

TO: Planning Commission
FROM: Christopher H. Bates, Project Manager
DATE: May 9, 2006
SUBJECT: **SS-10-06, Neider Square**

DECISION POINT

Approve or deny the applicant's request for a 5 unit condominium development on Neider Avenue.

GENERAL INFORMATION

1. Applicant: David O. Jensen
309 Birch Haven Drive
Sagle, ID 83860
2. Request: Approval of a one (1) building, five (5) unit condominium development.
3. Location: The southwest corner of Neider Avenue and Government Way.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is C-17 which is a broad spectrum commercial district that allows all forms of commercial development as well as residential development at 17 units/acre.
2. Land Use: The subject property currently has a multi-story building under construction on it.
3. Infrastructure: Utilities, Streets, & Storm Water Facilities

Utilities: Sewer & Water

The subject property has access to both sewer and water utilities and the connections have been made.

Streets: The public streets adjoining the subject property are developed to current standards, and, the adjoining intersection is signalized.

Fire: There is an existing hydrant adjacent to the subject property that meets the spacing requirements of the City Fire Department.

Storm Water: Street drainage is already contained in the existing City system. Building drainage will be managed by on-site swales.

Proposed Conditions:

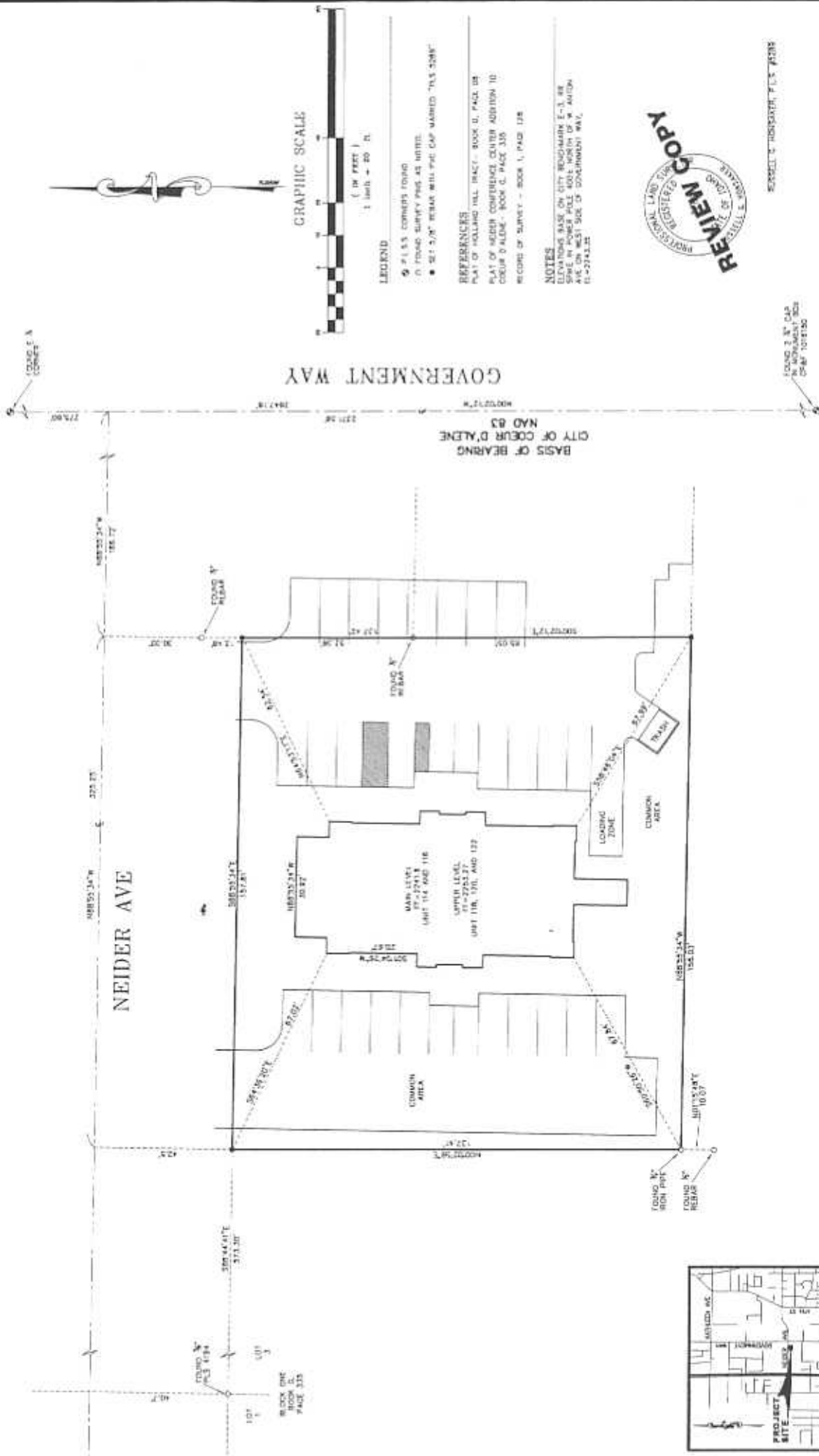
1. Any mortgage holder that has a securing interest on the subject property must sign the owner's certificate on the final plat document.

DECISION POINT RECOMMENDATION

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

NEIDER SQUARE

A PORTION OF THE NORTH HALF OF LOT B IN THE PLAT OF HOLLAND HILL TRACT,
IN THE SOUTHEAST QUARTER OF SEC. 2, T.50N., R.4W., D.M.,
IN THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



LEGEND

- P.L.S. CORNER FOUND
- FOUND SURVEY PINS AS NOTED
- SET 3/8" REBAR WITH PVC CAP MARKED "PLS 328"

REFERENCES

- PLAT OF HOLLAND HILL TRACT - BOOK 0, PAGE 09
- PLAT OF NEIDER CONFERENCE CENTER ADDITION TO COEUR D'ALENE - BOOK 0, PAGE 335
- RECORD OF SURVEY - BOOK 1, PAGE 178

NOTES

ELEVATIONS BASE ON CITY BENCHMARK E-3, BE SPOKE IN POWER POLE 400' NORTH OF W. ALDINE STREET, 101' SIDE OF GOVERNMENT WAY, E-2743.22



RUSSELL S. HOSHOWER, P.L.S. #2878

FOUND 3" Ø AS
"S ADVANCEMENT" BOX
CP-847 1018130



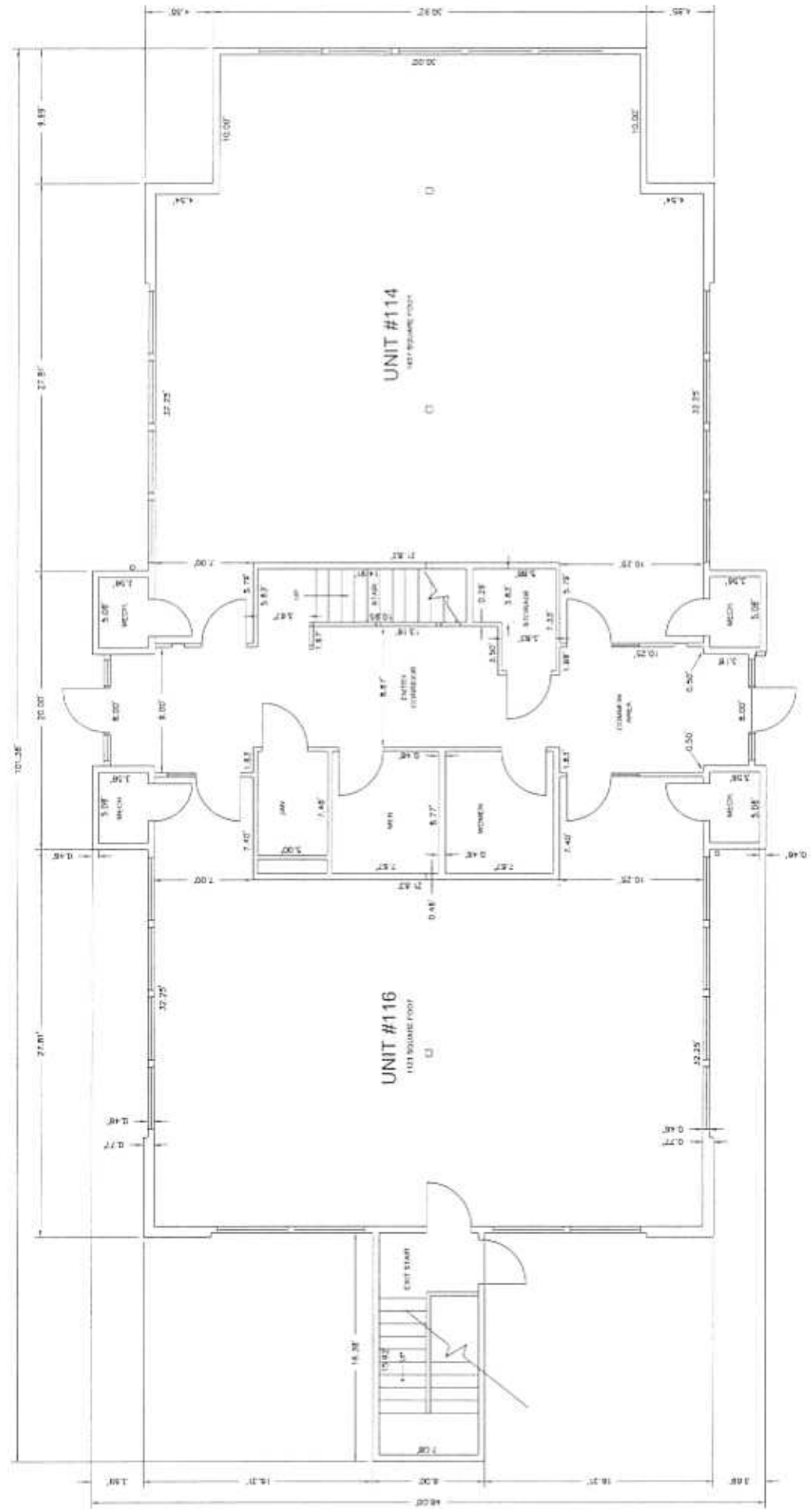
VICINITY MAP

NEIDER SQUARE		FRAME & SMETANA, PA Consulting Engineers	
SCALE 1"=20'	2-50N-4W N89	DATE 03/27/06	PROJECT 5-11
DATE 03/27/06	2-50N-4W N89	DATE 03/27/06	PROJECT 5-11
NEIDER SQUARE		FRAME & SMETANA, PA Consulting Engineers	
SCALE 1"=20'	2-50N-4W N89	DATE 03/27/06	PROJECT 5-11
DATE 03/27/06	2-50N-4W N89	DATE 03/27/06	PROJECT 5-11

55-10-06

NEIDER SQUARE

A. PORTION OF THE NORTH HALF OF LOT B IN THE PLAT OF HOLLAND HILL TRACT,
 IN THE SOUTHEAST QUARTER OF SEC. 2, T.50N., R.4W., B.M.,
 IN THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



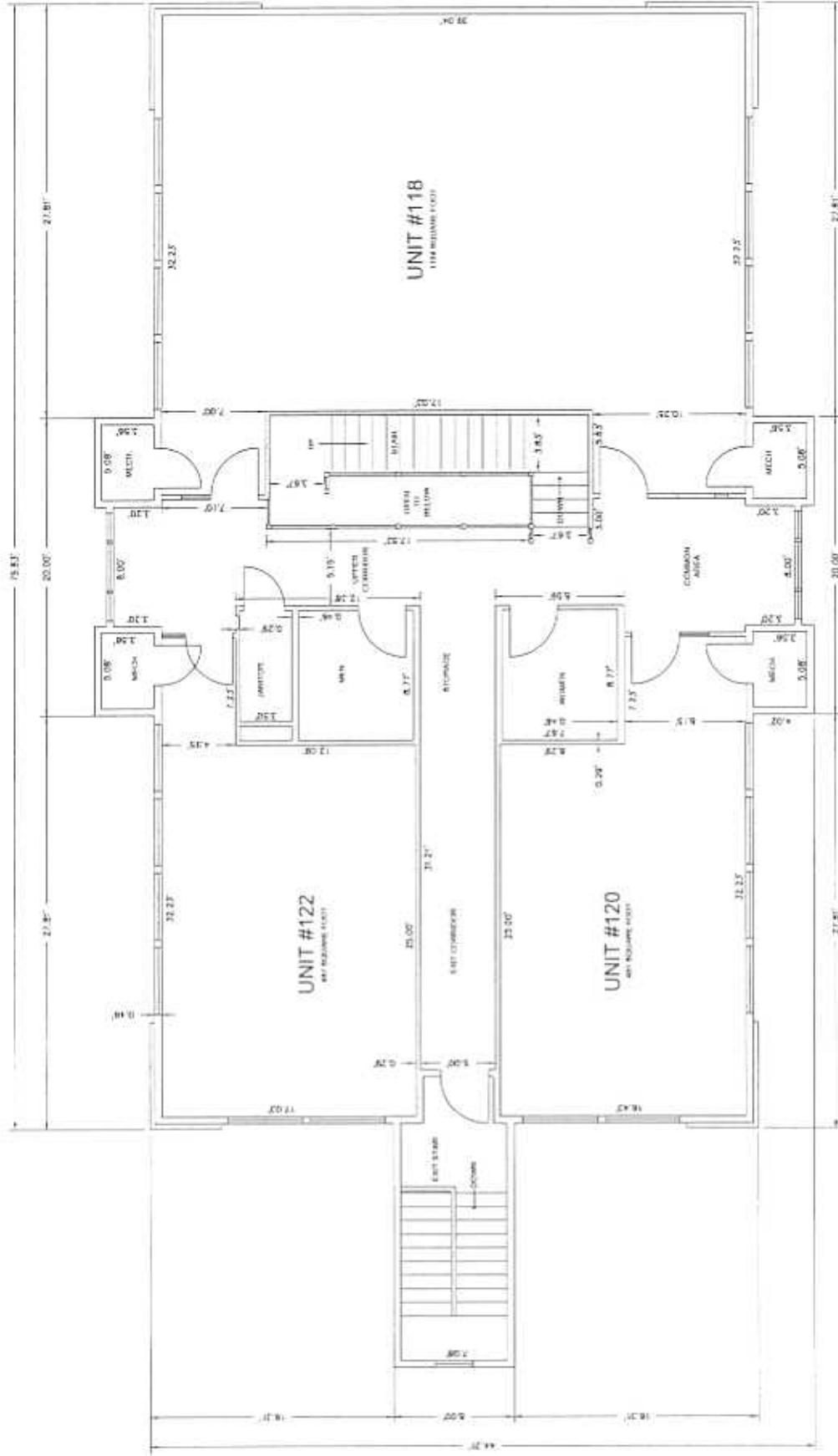
MAIN LEVEL PLAN
 INTERIOR DIMENSIONS
 SCALE: 1/8" = 1'-0"

NEIDER SQUARE MAIN LEVEL PLAN		F. RAMB & SMETANA, P.A. Consulting Engineers	
SCALE: 1" = 5'	DATE: 27 JAN 1999	PROJECT: 2-50N-4W	SHEET: 2 OF 4
DATE: 03/27/06	NO. 99	FILE: 163-PLAT	PROJECT: 163-PLAT

RUSSELL G. HORSAGE, P.E. 17229

NEIDER SQUARE

A PORTION OF THE NORTH HALF OF LOT B IN THE PLAT OF HOLLAND HILL TRACT,
IN THE SOUTHEAST QUARTER OF SEC. 2, T.50N., R.4W., B.M.,
IN THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



RUSSELL G. HOUSHOCK, FILE #2389

NEIDER SQUARE UPPER LEVEL PLAN		FRAMB & SMETANA, PA Consulting Engineers 833 West 4th Street, Coeur d'Alene, Idaho 83814 Ph: (208) 664-2278 Fax: (208) 662-7048 email: rframb@frambs.com
SCALE: 1"=5'	DATE: 03/27/06	
DRAWN BY: JAN	NO. 659	PROJECT: 3 OF 4
CHECKED BY: J.A.I.		

NEIDER SQUARE

A PORTION OF THE NORTH HALF OF LOT B IN THE PLAT OF HOLLAND HILL TRACT, IN THE SOUTHEAST QUARTER OF SEC. 2, T.50N., R.4W., B.M., IN THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK _____, PAGE _____
INST. No. _____

OWNER'S CERTIFICATE

BE IT KNOWN THAT DAVID O. JENSEN, THE RECORD OWNER OF THE BLVD. PROPERTY DESCRIBED IN THIS CERTIFICATE HAS CAUSED THE SAME TO BE DIVIDED INTO A CONDOMINIUM PLAN TO BE KNOWN AS NEIDER SQUARE, BEING A PORTION OF THE NORTH HALF OF TRACT B OF THE PLAT OF HOLLAND HILL TRACT, BOOK 03, PAGE 08, RECORDS OF KOOTENAI COUNTY, IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 50 NORTH, RANGE 4 WEST, B.M., IN THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID TRACT B, SAID CORNER BEING A ROUND 3/4" IRON PIPE AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE ALONG THE WESTERLY BOUNDARY LINE OF SAID TRACT B, N. 0070°2'59" E., 137.41 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF NEIDER AVENUE; THENCE LEAVING THE SAID WESTERLY BOUNDARY LINE ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE PARALLEL TO AND 42.5 FEET SOUTHERLY FROM THE CENTERLINE OF SAID NEIDER AVENUE, S. 88°55'34" E., 157.81 (111); THENCE LEAVING THE SAID SOUTHERLY RIGHT-OF-WAY LINE, S. 070°2'12" E., 137.42 FEET TO THE SOUTHERLY LINE OF THE SAID NORTH HALF OF TRACT B; THENCE ALONG THE SAID SOUTHERLY LINE OF THE NORTH HALF OF TRACT B, N. 88°55'34" W., 158.03 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING APPROXIMATELY 0.50 ACRES, MORE OR LESS.

WATER AND SANITARY SEWER SERVICE TO EACH UNIT PLATED HEREIN WILL BE PROVIDED BY THE CITY OF COEUR D'ALENE.

IN WITNESS WHEREOF I HEREBY AFFIX MY SIGNATURE THIS _____ DAY OF _____, 20____.

DAVID O. JENSEN, OWNER

STATE OF IDAHO, COUNTY OF KOOTENAI, SS

ON THIS _____ DAY OF _____ IN THE YEAR OF 2008, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____ KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC
RESIDING AT _____
MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

I, RUSSELL G. HONSAKER, P.L.S. No. 5288, STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO AS PERTAINING TO PLATS AND SURVEYS.



RUSSELL G. HONSAKER, P.L.S. No. 5288

CITY COUNCIL APPROVAL

THIS PLAT APPROVED BY THE CITY COUNCIL OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ON THE _____ DAY OF _____, 20____.

MAYOR CITY OF COEUR D'ALENE _____ ENGINEER CITY OF COEUR D'ALENE _____

CLERK CITY OF COEUR D'ALENE _____

PANHANDLE HEALTH DISTRICT I

A SANITARY RESTRICTION ACCORDING TO IDAHO CODE 50-1326 TO 50-1329 IS IMPOSED ON THIS PLAT. NO BUILDING, DWELLING OR SHEDS SHALL BE ERECTED UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED AND LIFTED.

THIS PLAT APPROVED THIS _____ DAY OF _____, 20____. PANHANDLE HEALTH DISTRICT I

SANITARY RESTRICTION SATISFIED AND LIFTED THIS _____ DAY OF _____, 20____. PANHANDLE HEALTH DISTRICT I

KOOTENAI COUNTY TREASURER

I HEREBY CERTIFY THIS _____ DAY OF _____, 20____ THAT THE REQUIRED TAXES ON THE HEREIN DESCRIBED LAND HAVE BEEN PAID THRU _____.

KOOTENAI COUNTY TREASURER _____

KOOTENAI COUNTY SURVEYOR

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE SAME FOR FILING THIS _____ DAY OF _____, 20____.



KOOTENAI COUNTY RECORDER

I HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF KOOTENAI COUNTY, IDAHO, AT THE REQUEST OF _____ ON THIS _____ DAY OF _____, 20____ AT _____ M. AND DULY RECORDED IN PLAT BOOK _____ PAGE _____ INST. # _____.

KOOTENAI COUNTY RECORDER _____

NEIDER SQUARE		F RAMP & S METANA, PA Consulting Engineers	
FILED 11-20-08	2-50N-4W	BOOK 03	PAGE 08
DATE 03/27/08	N89	PLAT 132	PLAT
KOOTENAI COUNTY RECORDER		KOOTENAI COUNTY RECORDER	
KOOTENAI COUNTY RECORDER		KOOTENAI COUNTY RECORDER	
KOOTENAI COUNTY RECORDER		KOOTENAI COUNTY RECORDER	

**PLANNING COMMISSION
STAFF REPORT**

FROM: JOHN J. STAMOS, ASSOCIATE PLANNER
DATE: MAY 9, 2006
SUBJECT: SP-4-06 – REQUEST FOR A COMMERCIAL RECREATION SPECIAL USE PERMIT
IN AN LM ZONING DISTRICT
LOCATION – A +/- 25,700 SQ. FT. PARCEL AT 5083 BUILDING CENTER DRIVE
IN ATLAS BUILDING CENTER COMMERCIAL PARK

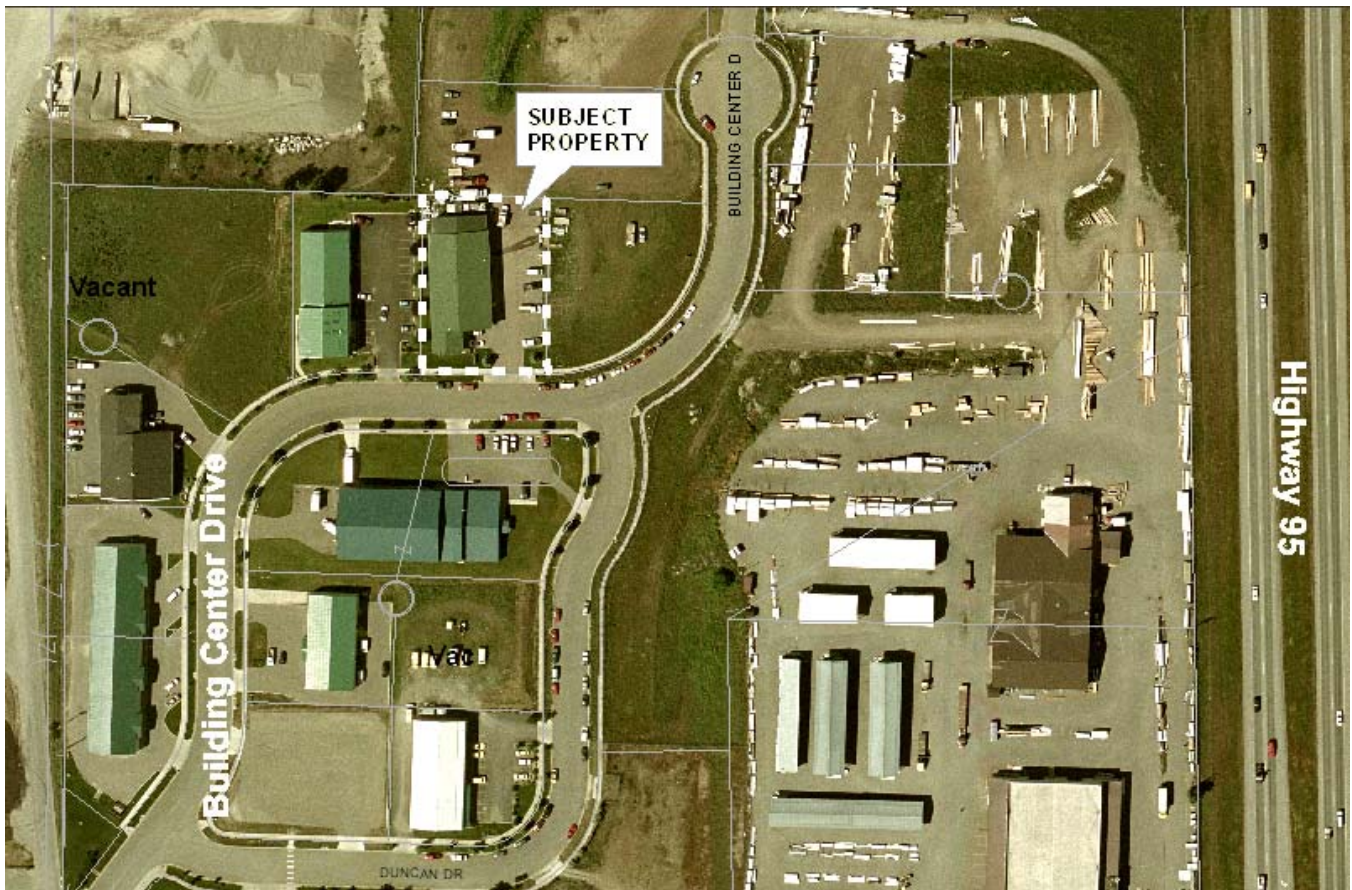
DECISION POINT:

Jay Weedon is requesting a Commercial Recreation Special Use Permit in the LM (Light Manufacturing) zone to allow the operation of a business utilizing air filled bounce houses (See picture on page 4) for children's birthday parties and other occasions in a 6,080 sq. ft. (4,680 sq. ft. for bounce structures & 1,400 sq. ft. for a party room) portion of an existing 11, 064 sq. ft. warehouse building.

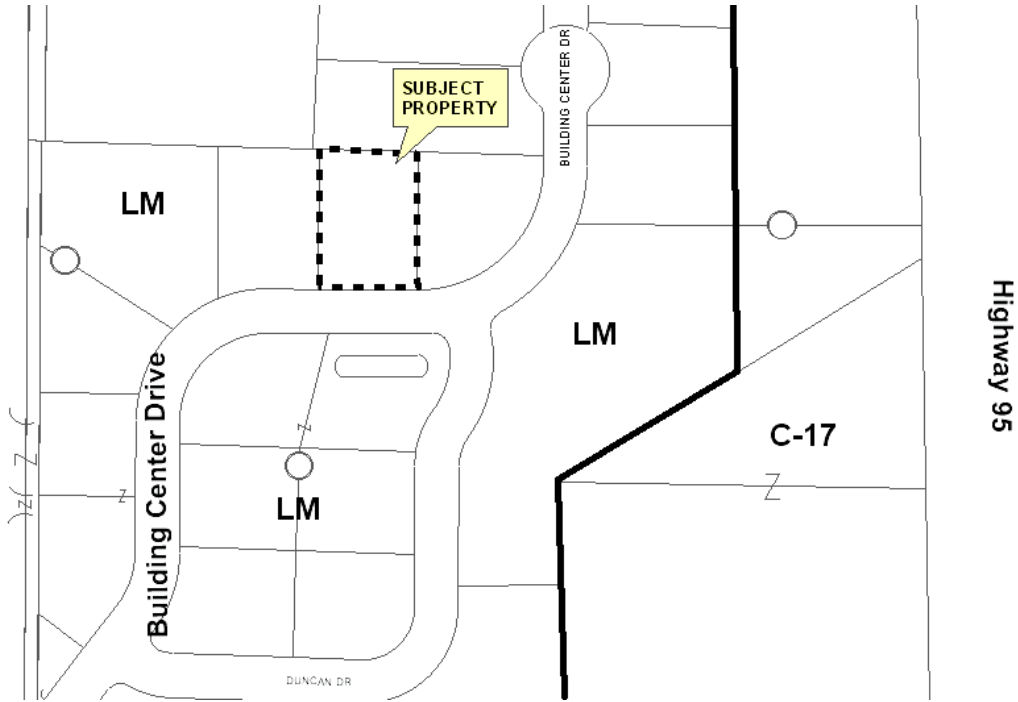
Pursuant to Section 17.44.070.U.6 of the Municipal Code, Commercial Recreation, All Other Commercial Recreation Uses, the Planning Commission needs, by separate motion, needs to determine the parking requirement for this use, based on a recommendation from the Planning Director.

GENERAL INFORMATION:

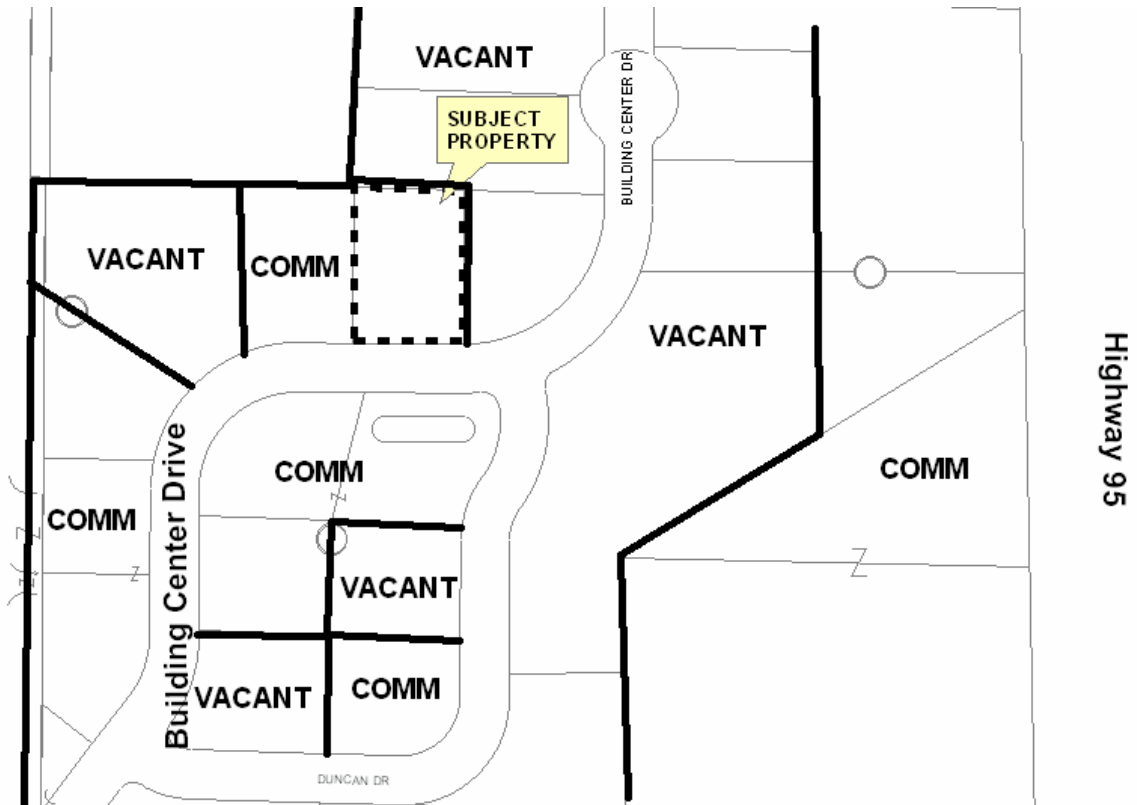
- A. Site photo.



B. Zoning.

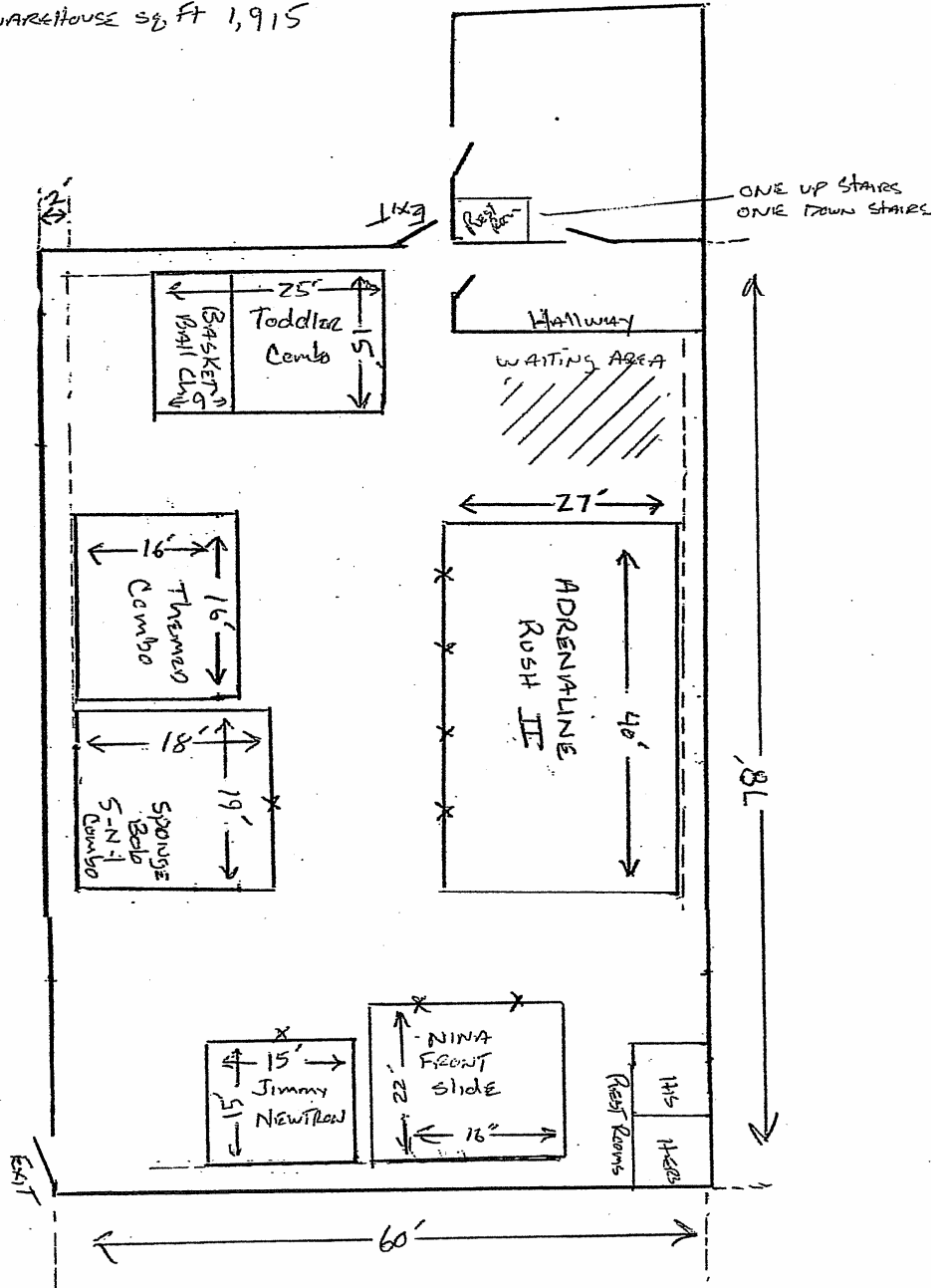


C. Generalized land use pattern:

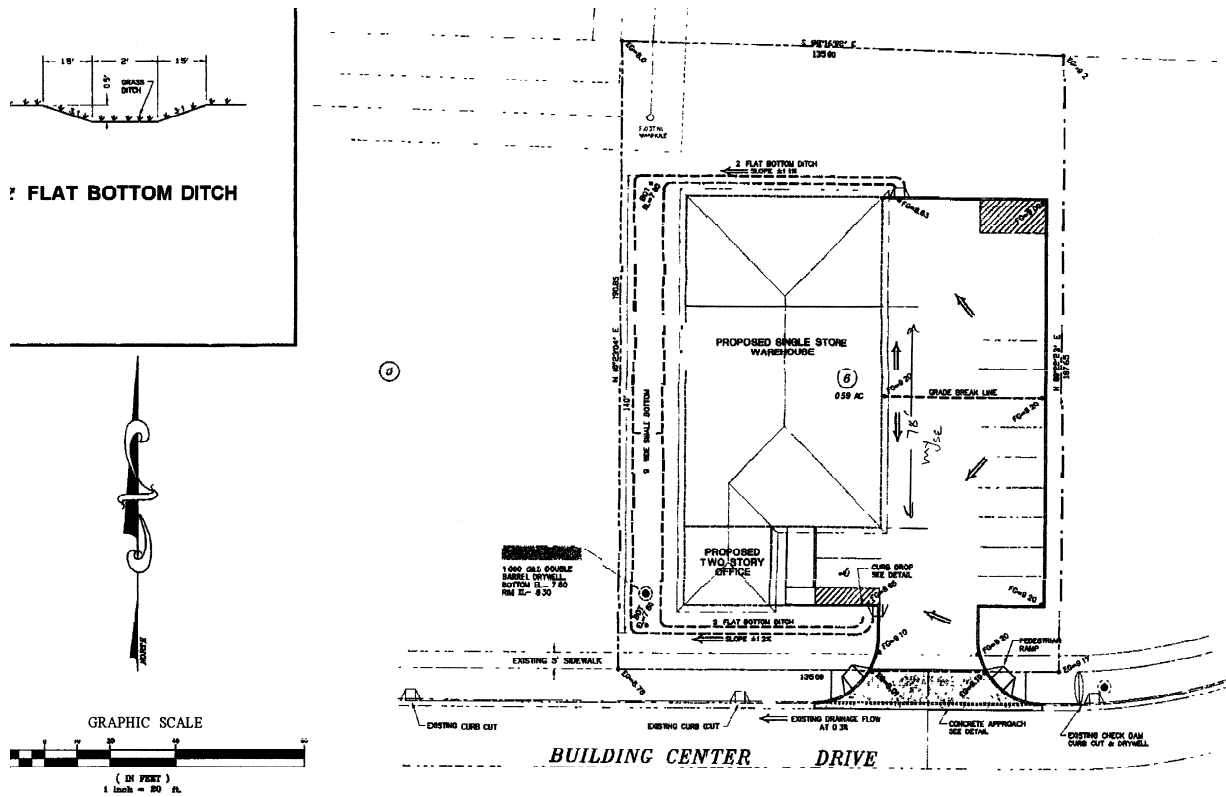


D. Floor plan:

TOTAL WAREHOUSE SQ FT 4,680
 PERMANENT BOUNCERS FIXTURES SQ FT 2,765
 TOTAL OPEN WAREHOUSE SQ FT 1,915



E. Site Plan - existing building:



F. Typical bounce ball house structure



- G. Applicant: Jay Weedon
7763 Gila Ct.
Coeur d'Alene, ID 83814
- H. Owner: Steve Johnson
6048 18th Street
Dalton, ID 83815
- I. The property owner has consented to the filing of the application.
- J. Existing land uses in the area include commercial – retail sales and service, wholesale and civic.
- K. The remainder of the building is vacant, except for 1,320 sq. ft. that is used for storage.

PERFORMANCE ANALYSIS:

- A. **Finding #B8A: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.**

The Comprehensive Plan Map designates this area as Transition. The description of this designation is as follows:

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.

Significant policies for consideration:

- 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."
- 6A5: "Encourage renewal and enhancement of commercial sales and service corridors."
- 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."
- 46A: "Provide for the safe and efficient circulation of vehicular traffic."
- 51A: "Protect and preserve neighborhoods both old and new."
- 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.

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

The subject property is in an existing commercial park with several existing retail, wholesale and civic uses, has a building design that is compatible with other buildings in the area and provides on-site parking for approximately 14 cars.

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

C. Finding #B8C: The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing streets, public facilities and services.

WATER:

Current facilities will serve with no changes required.

Comments submitted by Terry Pickel, Assistant Water Superintendent

SEWER:

This building is connected to public sewer.

Evaluation: This special permit as proposed will not impact changes to public sewer. Pretreatment requirements and/or plumbing requirements may be added when applicant applies for the Wastewater Service Permit.

Comments submitted by Don Keil, Assistant Wastewater Superintendent

STORMWATER, TRAFFIC AND STREETS:

Engineering has no comments on SP-4-06.

Comments 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:

The Police department was contacted and had no concerns.

Submitted by Steve Childers, Captain Police Department

D. Parking requirement:

Pursuant to Section 17.44.070.U.6 of the Municipal Code, Commercial Recreation, All Other Commercial Recreation Uses, the Planning Commission, by separate motion, needs to determine the parking requirement for this use, based on a recommendation from the Planning Director.

Based on staff research of parking requirements for this type of use in other jurisdictions, an appropriate figure would be 1 parking space per 400 sq. ft. of gross floor area

Evaluation: Staff recommends a parking requirement for this use of 1 space per 400 sq. ft. of gross floor area.

E. Proposed conditions:

None.

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:

1. The Planning Commission must consider this request and make appropriate findings to approve, deny or deny without prejudice. The findings worksheet is attached.
2. By separate motion, establish a parking requirement for SP-4-06.

[D:staffrptsS406]

JUSTIFICATION:

Proposed Activity Group; Commercial Recreation

Prior to approving a special use permit, 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 special use permit is necessary rests on the applicant. Your narrative should address the following points:

A. A description of your request; I Am Requesting the
Special use permit because the city is asking
for it.

B. Show the design and planning of the site and if it is compatible with the location, setting and existing uses on adjacent properties;
SEE ATTACHED

C. Show the location, design and size of the proposal, and will it be adequately served by existing streets, public facilities and services;
SEE ATTACHED

D. Any other justifications that you feel are important and should be considered by the Planning Commission. I AM PUTTING IN A BUSINESS THIS CITY
NEEDS, THIS TYPE OF BUILDING IS IDEAL DUE TO
THE CEILING HEIGHTS. AFTER RESEARCHING OTHER BUSINESS
TYPES OF THE SAME. THEY ARE IN SAME TYPE OF BUILDINGS.
THERE IS NOTHING FLAMMABLE OR HAZARDOUS ABOUT
THIS BUSINESS.

**S
G
N
-
D
-
F**

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

A. INTRODUCTION

This matter having come before the Planning Commission on May 9, 2006, and there being present a person requesting approval of ITEM SP-4-06, a request for a Commercial Recreation special use permit in the LM (Light Manufacturing) zone.

APPLICANT: Jay Weedon

LOCATION – A +/- 25,700 sq. ft. parcel at 5083 Building Center Drive in Atlas Building Center Commercial Park

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 commercial – retail sales and service, wholesale and civic.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is LM (Light Manufacturing)
- B4. That the notice of public hearing was published on, April 22, 2006 and, May 2, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, April 26, 2006, which fulfills the proper legal requirement.
- B6. That 13 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on April 21, 2006 and _____ responses were received: _____ in favor, _____ opposed, and _____ neutral.
- B7. That public testimony was heard on May 9, 2006.
- B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **(is) (is not)** in conformance with the comprehensive plan, as follows:

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

Criteria to consider for B8B:

1. Does the density or intensity of the project "fit " the surrounding area?
2. Is the proposed development compatible with the existing land use pattern i.e. residential, commercial, residential w churches & schools etc?
3. Is the design and appearance of the project compatible with the surrounding neighborhood in terms of architectural style, layout of buildings, building height and bulk, off-street parking, open space, and landscaping?

B8C The location, design, and size of the proposal are such that the development **(will) (will not)** be adequately served by existing streets, public facilities and services. This is based on

Criteria to consider B8C:

1. Is there water available to meet the minimum requirements for domestic consumption & fire flow?
2. Can sewer service be provided to meet minimum requirements?
3. Can police and fire provide reasonable service to the property?

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **JAY WEEDON** for a Commercial Recreation special use permit, 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: MAY 9, 2006
SUBJECT: ZC-4-06 – ZONE CHANGE FROM R-12 TO C-17
LOCATION – +/-2,000 SQ. FT. PARCEL ADJACENT TO 647 E. BEST

DECISION POINT:

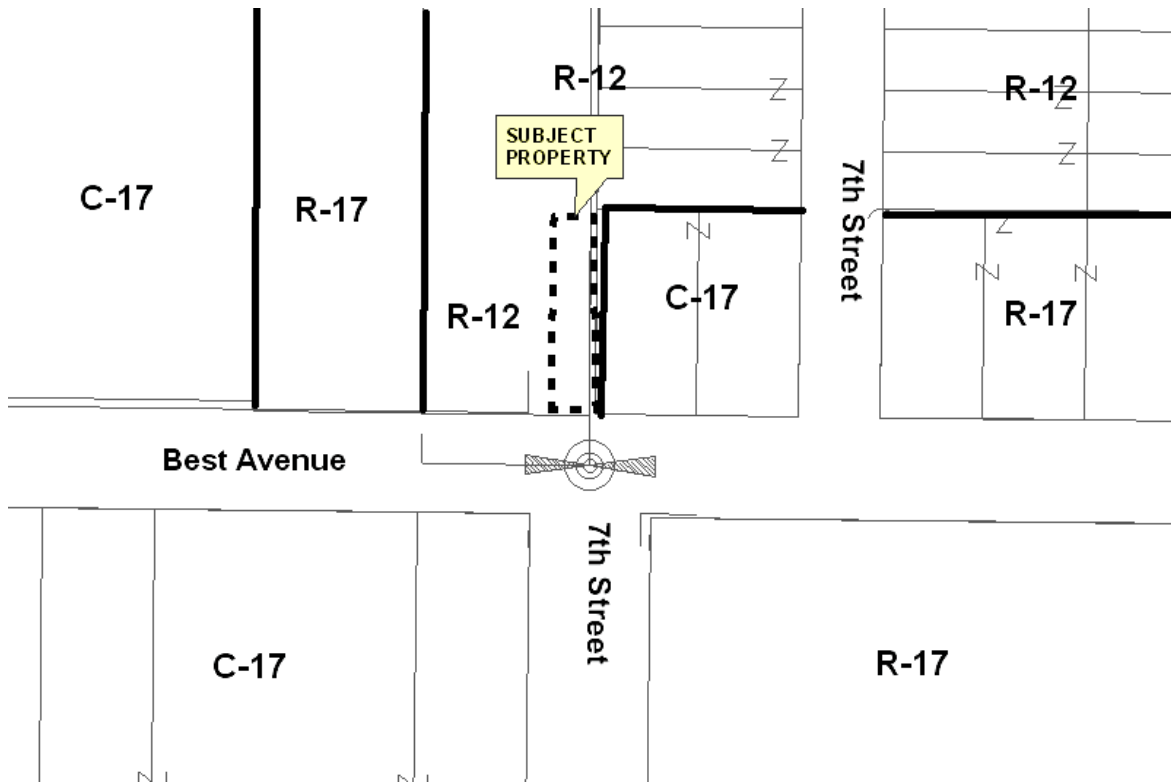
James Duchow is requesting a zone change from R-12 (residential at 12 units per gross acre) to C-17 (Commercial) for a +/- 2,000 sq. ft. unpaved portion of Lot 3, Haycraft Estates that has been used for a parking lot for the Veterinarian Clinic on the parcel located at 647 E. Best Avenue.

GENERAL INFORMATION:

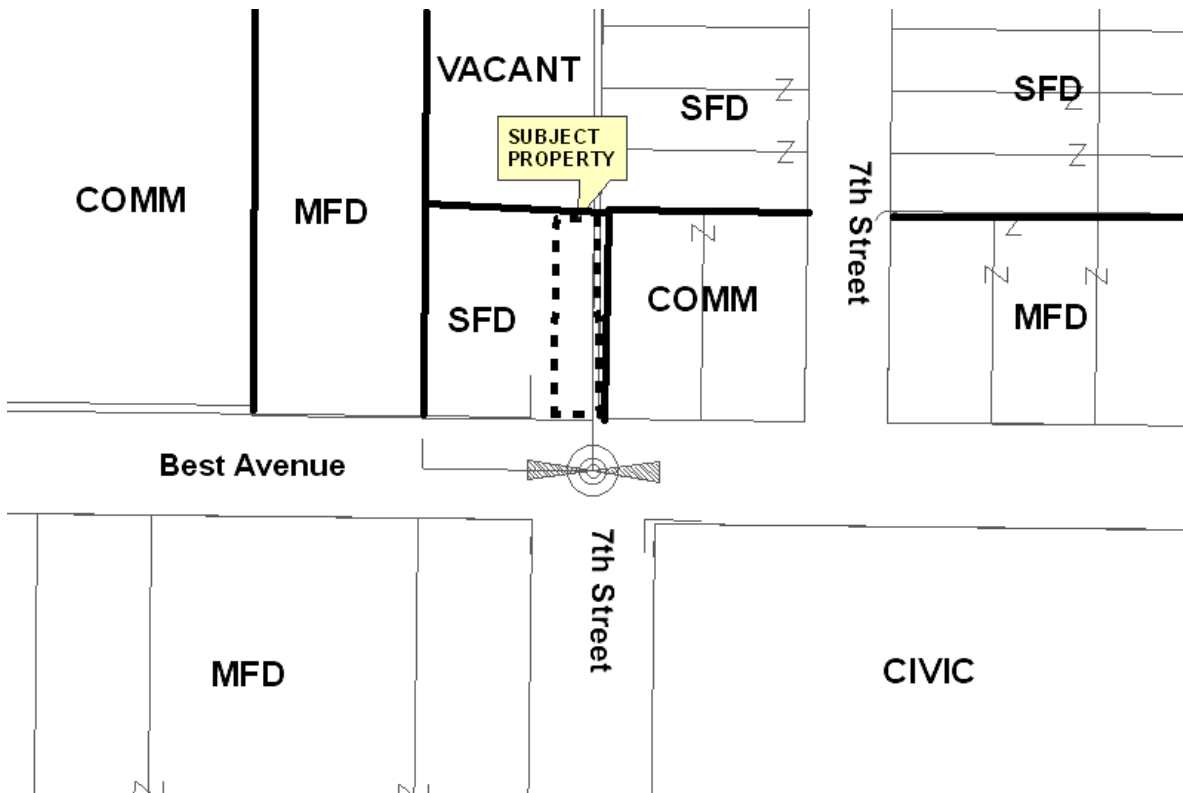
A. Site photo



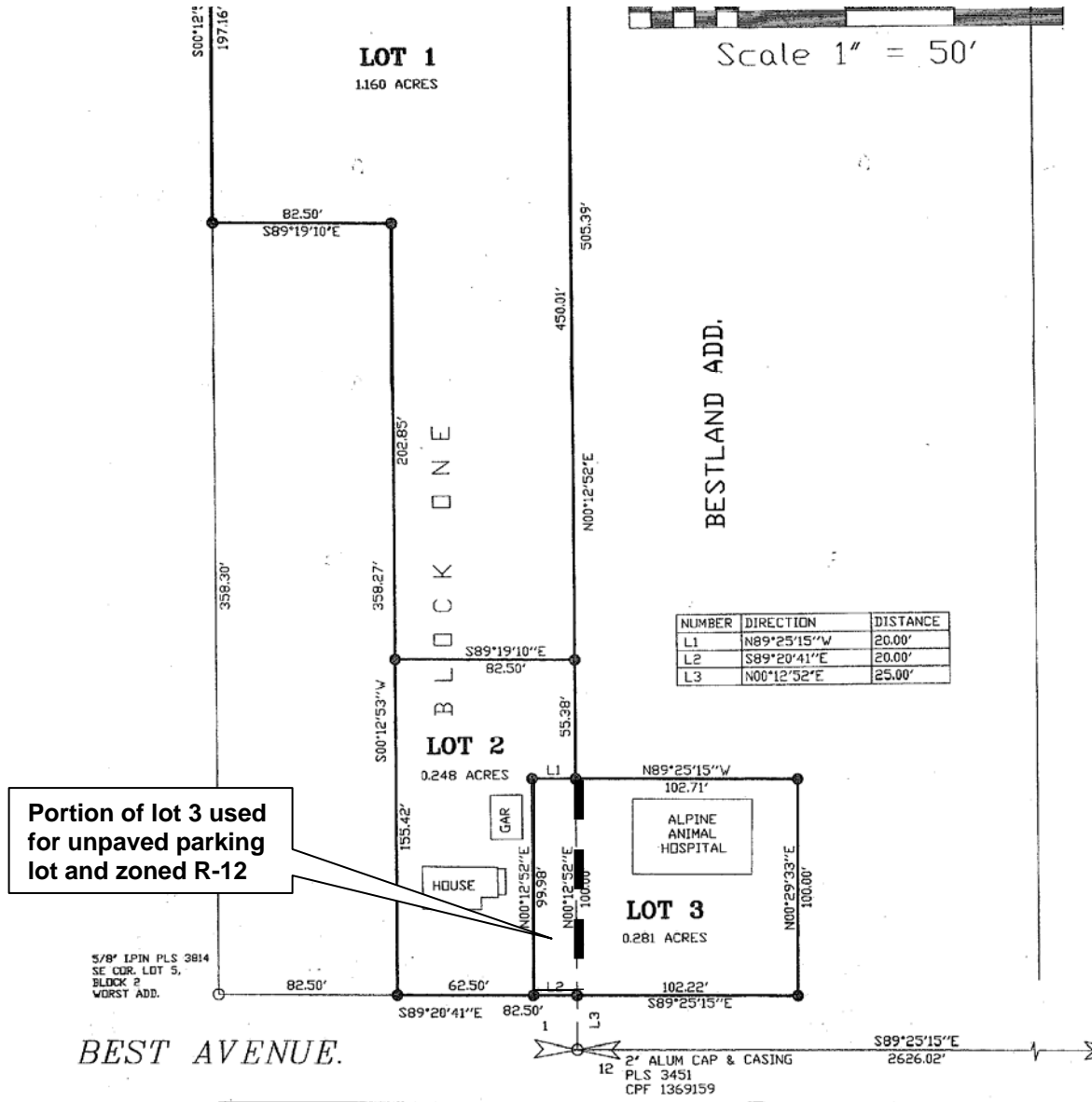
B. Zoning:



C. Generalized land use pattern:



D. Plat map of SS-2-06 Haycraft Estates:



- E. Applicant: James Duchow
Owner: 875 N. Victorian Drive
Coeur d'Alene, ID 83814
- F. Land uses in the area include single-family, multi-family, commercial – retail sales & service civic and vacant land.
- G. The subject property is occupied by a single-family dwelling and the above noted unpaved parking lot.
- H. When the Planning Commission approved short plat SS-2-06 Haycraft Estates on February 14, 2006, a condition was attached that required the portion of lot 3 used for the above mentioned parking lot be re-zoned to commercial to bring the non-conforming use into compliance with the zoning ordinance. The applicant has filed this request to comply with the

condition that was part of the SS-2-06 approval.

PERFORMANCE ANALYSIS:

A. Zoning:

Approval of the zone change request would intensify the potential uses on the property by allowing commercial retail sales and service uses on a parcel that now only allows residential and civic uses.

The C-17 District is intended as a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) units per gross acre.

This District should be located adjacent to arterials, however, joint access developments are encouraged.

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

1. Single-family detached housing (as specified by the R-8 District).
2. Duplex housing (as specified by the R-12 District).
3. Cluster housing (as specified by the R-17 District).
4. Multiple-family (as specified by the R-17 District).
5. Home occupations.
6. Community education.
7. Essential service.
8. Community assembly.
9. Religious assembly.
10. Public recreation.
11. Neighborhood recreation.
12. Commercial recreation.
13. Automobile parking when serving an adjacent business or apartment.
14. Hospitals/health care.
15. Professional offices.
16. Administrative offices.
17. Banks and financial institutions.
18. Personal service establishments.
19. Agricultural supplies and commodity sales.
20. Automobile and accessory sales.
21. Business supply retail sales.
22. Construction retail sales.
23. Convenience sales.
24. Department stores.
25. Farm equipment sales.
26. Food and beverage stores, on/off site consumption.
27. Retail gasoline sales.
28. Home furnishing retail sales.
29. Specialty retail sales.
30. Veterinary office.
31. Hotel/motel.
32. Automotive fleet storage.
33. Automotive parking.
34. Automobile renting.
35. Automobile repair and cleaning.
36. Building maintenance service.
37. Business support service.

38. Communication service.
39. Consumer repair service.
40. Convenience service.
41. Funeral service.
42. General construction service.
43. Group assembly.
44. Laundry service.
45. Finished goods wholesale.
46. Group dwelling-detached housing.
47. Mini-storage facilities.
48. Noncommercial kennel.
49. Handicapped or minimal care facility.
50. Rehabilitative facility.
51. Child care facility.
52. Juvenile offenders facility.
53. Boarding house.
54. Commercial kennel.
55. Community organization.
56. Nursing/convalescent/rest homes for the aged.
57. Commercial film production.

Permitted uses by special use permit in a C-17 district shall be as follows:

1. Veterinary hospital.
2. Warehouse/storage.
3. Custom manufacturing.
4. Extensive impact.
5. Adult entertainment sales and service.
6. Auto camp.
7. Residential density of the R-34 district as specified.
8. Underground bulk liquid fuel storage-wholesale.
9. Criminal transitional facility.
10. Wireless communication facility.

The zoning pattern (see zoning map on page 2) in the surrounding area shows predominately C-17 with only a small area of R-12. This area has been in transition from R-12 to C-17 zoning for several years.

Evaluation: The Planning Commission, based on the information before them, must determine if the C-17 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:

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map designates this area as a Stable Established, as follows:

Transition Areas:

“These areas represent the locations where the character of neighborhoods has largely been established and in general should be maintained. The street network, the number of building lots and general land use are not planned to change greatly within the planning period.”

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."

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

47C1: "Locate major arterials and provide adequate screening so as to minimize levels of noise pollution in or near residential areas."

51A: "Protect and preserve neighborhoods both old and new."

51A: "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: All lots in the area currently have service or service stubs. The mains are of adequate size to support additional services and to accommodate any needed fire flow.

Terry Pickel, Assistant Water Superintendent

SEWER: Sewer is available to the subject property

Evaluation: The veterinarian clinic on the subject property is connected to public sewer.

Don Keil, Assistant Wastewater Superintendent

STORMWATER, TRAFFIC AND STREETS:

Engineering has no comments.

SUBMITTED BY CHRIS BATES, ENGINEERING PROJECT MANAGER

FIRE:

No issues at this time. We will address any fire department issues, 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 level with no significant topographic features.

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 located along the Best Avenue commercial corridor with the request filed by the applicant to comply with a condition of approval for SS-2-06.

Evaluation: A condition requiring a site development permit to ensure compliance with parking ordinance design standards, landscaping and storm water swale requirements should be considered, if the Planning Commission approves this request.

F. Proposed conditions:

1. A site development permit to ensure compliance with parking ordinance design standards, landscaping and storm water swale requirements to be approved by the City and required improvements constructed, prior to adoption of the zoning ordinance by the City Council.

G. 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.

[D:staffrptsZC406]

PROPERTY INFORMATION

- 1. Gross area: (all land involved): 0.046 acres, and/or 2000 sq.ft.
- 2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): 0.046 acres, and/or 2000 sq. ft.
- 3. Total length of streets included: N/A ft., and/or _____ miles.
- 4. Total number of lots included: 1
- 5. Average lot size included: N/A
- 6. Existing land use: Residential
- 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 C-17L C-34 LM M

JUSTIFICATION

Proposed Activity Group; Commercial (Parking Area)

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.

Area involved is 20 feet by 100 feet which is presently fenced and being used as auxilary parking for the Veterinarian office. The request is to bring into conformance with the existing city zoning.

**S
G
N
-
D
-
F**

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

A. INTRODUCTION

This matter having come before the Planning Commission on May 9, 2006, and there being present a person requesting approval of ITEM ZC-4-06 , a request for a zone change from R-12 (residential at 12 units per gross acre) to C-17 (Commercial) zoning district.

APPLICANT: James Duchow

LOCATION: A +/-2,000 sq. ft. parcel adjacent to 647 E. Best

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, multi-family, and commercial – retail sales & service civic and vacant land.

- B2. That the Comprehensive Plan Map designation is Stable Established.

- B3. That the zoning is R-12 (residential at 12 units per gross acre)

- B4. That the notice of public hearing was published on, April 22, 2006 and, May 2, 2006, which fulfills the proper legal requirement.

- B5. That the notice of public hearing was posted on the property on April 30, 2006, which fulfills the proper legal requirement.

- B6. That 47 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on April 21, 2006 and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.

- B7. That public testimony was heard on May 9, 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 **JAMES DUCHOW** 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. STAMOS, ASSOCIATE PLANNER
DATE: MAY 9, 2006
SUBJECT: SP-6-06 – REQUEST FOR A SPECIAL USE PERMIT IN A C-17L ZONING DISTRICT
LOCATION: A +/- 2.01 ACRE PARCEL AT THE SOUTHEAST CORNER OF KATHLEEN AVENUE AND 2ND STREET

DECISION POINT:

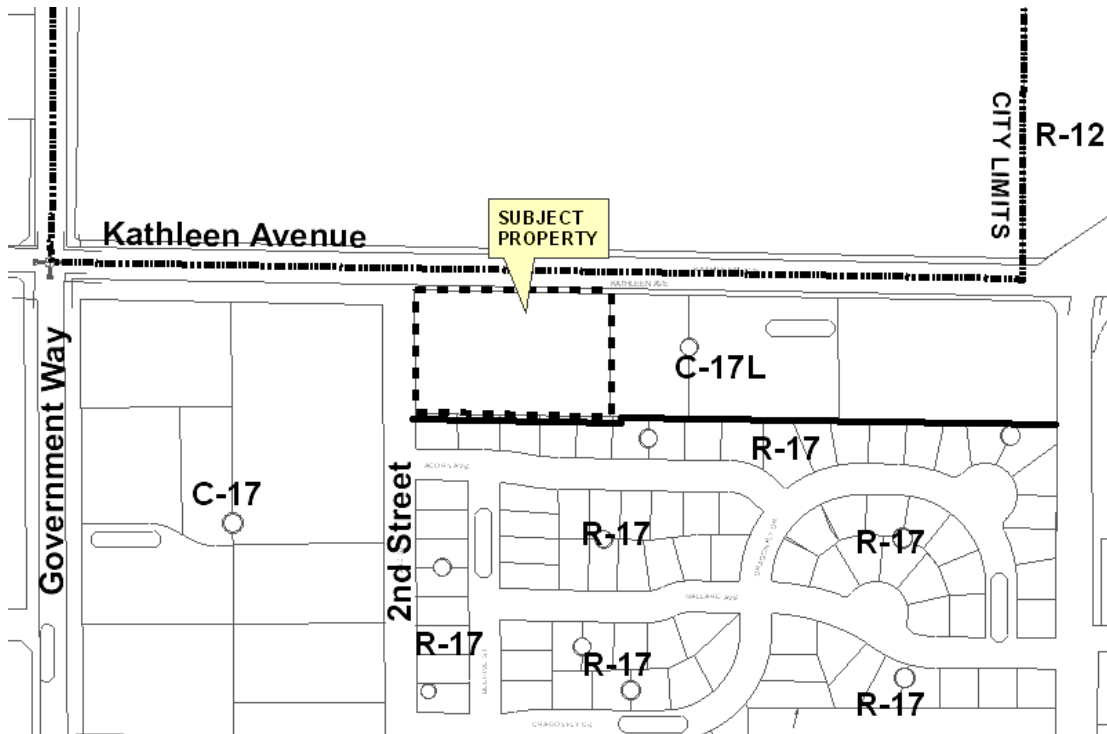
Shawn and Michelle Smith are requesting an Automotive Sales and Automotive Repair/Cleaning Special Use Permit in the C-17L (Commercial Limited) zoning district to allow the construction and operation of new facilities for Kootenai Cycle including sales, service and repair of vehicles in a 12,104 sq. ft. one story building and paved storage yard in the first phase and an additional 4,500 sq. ft. storage building in the second phase.

GENERAL INFORMATION:

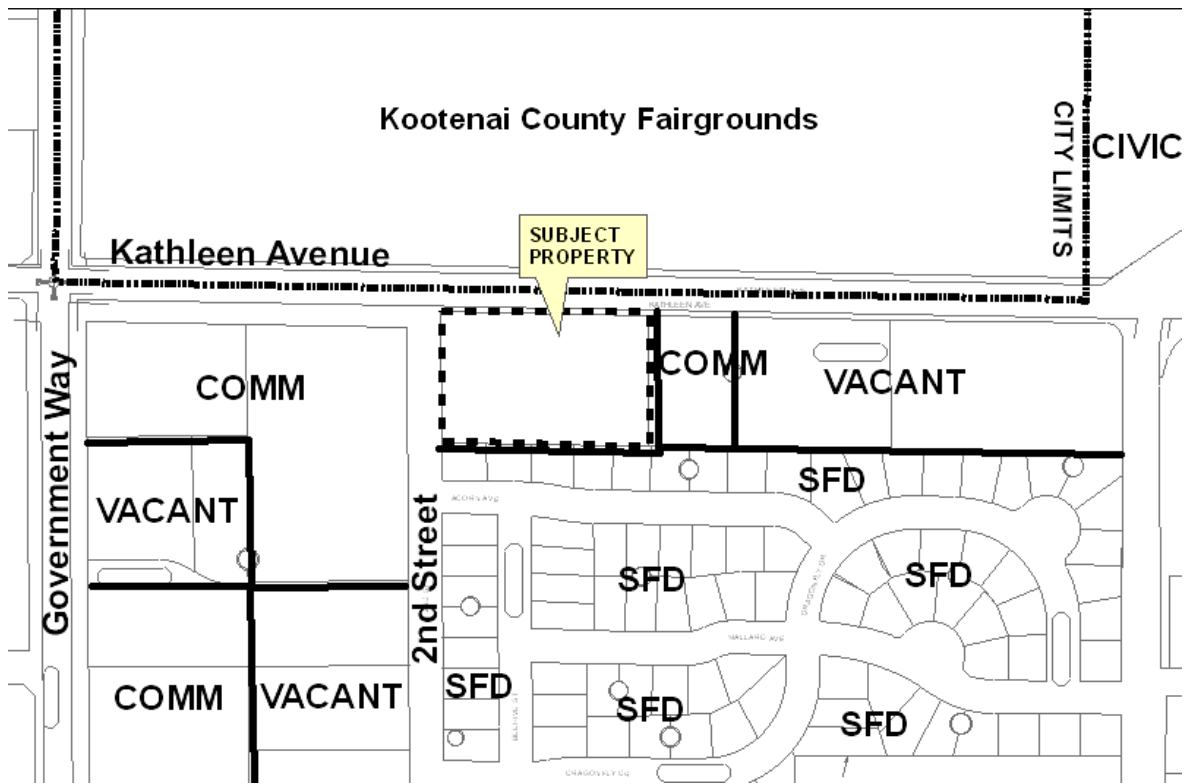
- A. Site photo.



B. Zoning:

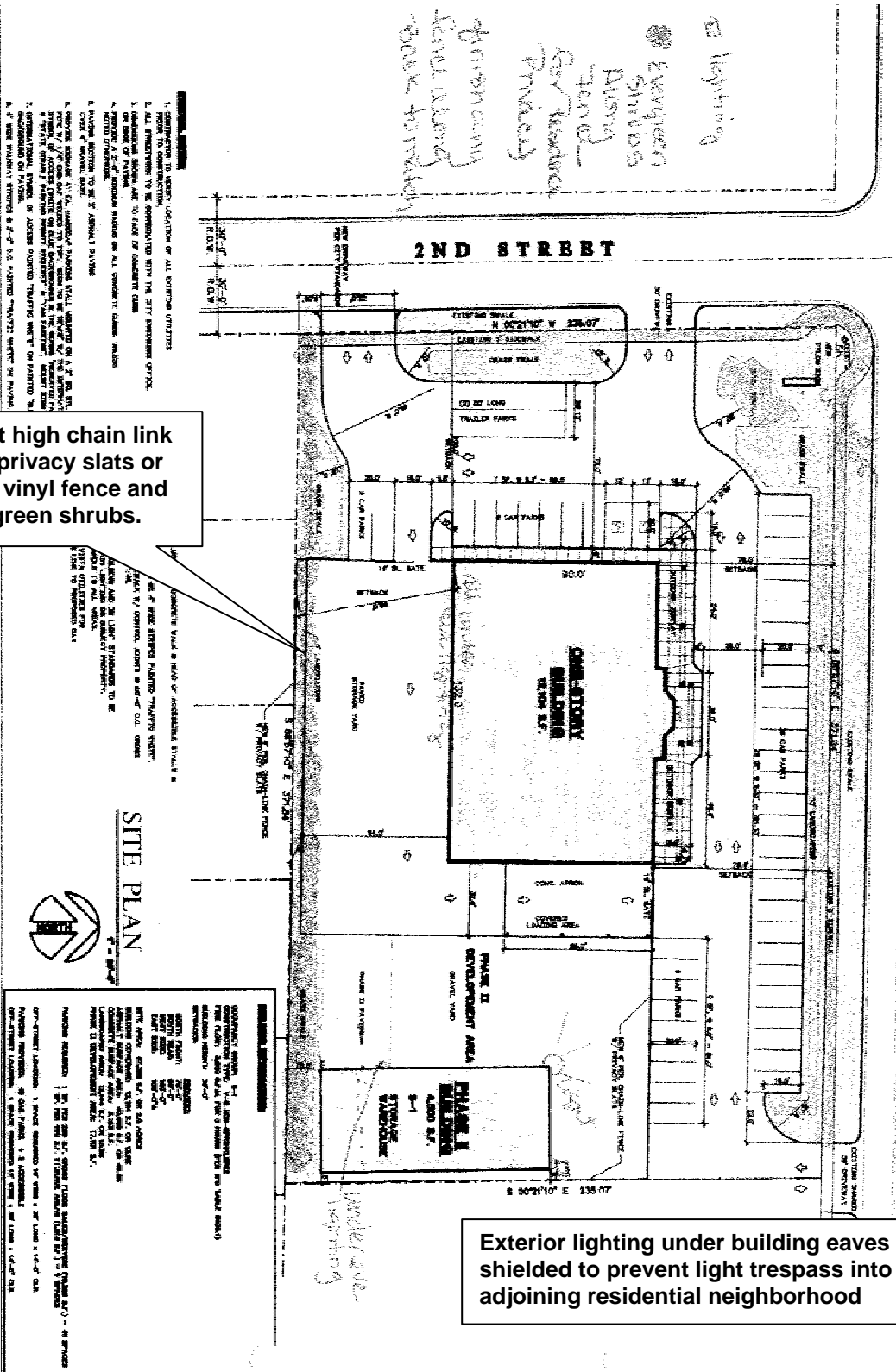


C. Land use



D. SP-6-06 site plan:

KATHLEEN AVENUE



E. Building elevations:



PDS
 PROFESSIONAL DESIGN SERVICES, INC.
 1010 N. HAYDEN AVENUE, SUITE 200
 HAYDEN, ID 83835
 TEL: 208-735-1111
 FAX: 208-735-1112
 WWW.PDS-DESIGN.COM

EXTERIOR ELEVATIONS
 SCALE: 1/8" = 1'-0"
 DATE: 05/09/06

NEW BUILDING INFORMATION SYSTEM
KOOTENAI CYCLE
 100 KATHLEEN AVENUE
 COEUR D'ALENE, ID

DATE: 05/09/06
 SCALE: 1/8" = 1'-0"

A-2.0

- F. Applicant: Shawn and Michelle Smith
P. O. Box 3290
Hayden, ID 83835
- G. Existing land uses in the area include residential, commercial and civic.
- H. The subject property is vacant.
- I. Previous actions on the subject property:
 - 1. SP-3-03 – A commercial recreation special use permit was approved on the subject property on May 13, 2003. That approval has now lapsed.
- J. Previous actions on adjoining property:
 - 1. SP-7-03 – A food and beverage on/off site consumption special use permit was approved on March 9, 2004.

PERFORMANCE ANALYSIS:

- A. **Finding #B8A: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.**

The Comprehensive Plan Map designates this area as Transition, as follows:

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.
- Pedestrian/bicycle connections.

Significant policies for consideration:

- 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."
- 6A5: "Encourage renewal and enhancement of commercial sales and service corridors."
- 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."
- 46A: "Provide for the safe and efficient circulation of vehicular traffic."
- 51A: "Protect and preserve neighborhoods both old and new."
- 51A4 "Trees should be preserved and protected by support of the Urban Forestry Program and indiscriminate removal discouraged."
- 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.

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

The proposed use will provide a buffer between the residential neighborhood to the South of the subject property and Kathleen Avenue, which is designated as a minor arterial on the Transportation Plan and the Kootenai County Fairgrounds. The proposed building has an architectural style that is similar to other commercial buildings in the area with the use of exterior materials including wood beam trusses, stone veneer, hardi-plank siding and asphalt shingles. As shown in the elevations, the east side of the building contains four service bays with overhead doors.

To address the issues of lighting and noise, (See site plan on page 3) the applicant is proposing the following to mitigate these impacts:

- All exterior lighting will be under eave lighting or be shielded to prevent light penetration into the adjoining residential neighborhood.
- The site plan shows a buffer on the south property line adjoining the residential neighborhood comprised of a 6 foot chain link with privacy slats or solid vinyl fence and evergreen shrubs along the entire length of the property line.
- Locate the service bays on the east side of the building to minimize noise trespass into the adjoining residential area.

Because of the location of this business next to a residential neighborhood and the operational characteristics of a recreational vehicle sales, repair and service type business, there may be impacts regarding light and noise trespass that could have an adverse impact on the adjoining residential neighborhood that may need to be mitigated with conditions beyond what the applicant is proposing above, as follows:

1. Install all outside lighting so that it is directed downward with the light pattern from each fixture not extending beyond the property lines of the subject property.
2. No outside loudspeakers.

Evaluation: Based on the information presented, the Planning Commission must determine if the request is compatible with surrounding uses, is designed appropriately to blend in with the area and consider any impacts from the operation of the use that may adversely impact the adjoining residential neighborhood.

C. Finding #B8C: The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing streets, public facilities and services.

WATER:

Water is available and adequate to serve the site.

Evaluation: The existing 2" service and 6" fire service are adequate to meet their needs.

Comments submitted by Terry Pickel, Assistant Water Superintendent.

SEWER:

Public sewer is available and of adequate capacity to support this special use permit.

Evaluation: This lot is connected to the Public sewer in 2nd Street adjoining the subject property.

Comments 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: Stormwater issues will be addressed at the time of building permit submission for the subject property.

TRAFFIC:

The ITE Trip Generation Manual does not categorize this type of retail use for motorcycles and other recreational motor sport vehicles, however, utilizing "new car sales" estimates the project may generate approximately 26.3 trips per day during weekday peak hour periods.

Evaluation: Kathleen Avenue, the principal frontage street accessing the subject property is a collector street that is signal controlled at the westerly end, and, has a free flowing round-about at the easterly end. Streets of this design configuration are capable of handling between 9,000 (LOS A) and 15,000 (LOS E) trips/day. Available traffic counts from 2000 show 3,029 vehicles utilizing this stretch of roadway. The adjacent and connecting streets will accommodate the additional traffic volume.

STREETS:

The proposed subdivision is bordered by Kathleen Avenue on the north and 2nd Street on the west.

Evaluation: Both roadways are constructed to City standards. No additional improvements will be required.

APPLICABLE CODES AND POLICIES:

UTILITIES:

All proposed utilities within the project shall be installed underground.

STREETS:

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

STORMWATER

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.

Comments submitted by Chris Bates, Engineering Project Manager

FIRE:

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

Comments submitted by Dan Cochran, Deputy Fire Chief

POLICE:

I have no comments at this time.

Comments submitted by Steve Childers, Captain, Police Department

D. Proposed conditions:

Planning

1. Install all outside lighting so that it is directed downward with the light pattern from each fixture not extending beyond the property lines of the subject property.
2. No outside loudspeakers.

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.
Coeur d'Alene Bikeways Plan.
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.

[D:staffrptsSP606]

JUSTIFICATION:

Proposed Activity Group; Recreative Sales

Prior to approving a special use permit, 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 special use permit is necessary rests on the applicant. Your narrative should address the following points:

A. A description of your request; TO Build a new retail store
for an existing, long standing Powersports Business.
TO relocate our store but, still be within the
City of Coeur d'Alene and close to other new
developments.

B. Show the design and planning of the site and if it is compatible with the location, setting and existing uses on adjacent properties;
The surrounding businesses are both larger retail and
Service. The Public Fairgrounds are across our main
entrance. They hold several events throughout the year related
to our industry. We intend on building a moderate size shop
with a newer but country feel but still simple to
keep with the surroundings

C. Show the location, design and size of the proposal, and will it be adequately served by existing streets, public facilities and services;
We have two street access (Kathleen and 2nd) We
have designed the parking to have multiple entrance and
exits to be available. All gas, water, and, sewer is now
available at the property.

D. Any other justifications that you feel are important and should be considered by the Planning Commission. As CDA's growth continues we are growing
also. The need for a new building to service our growing
community is well past due. We feel our new location across
from the fairgrounds and next to other larger Retail Stores
will fit in well with the area both aesthetically and
serviceably.

**S
G
N
-
D
-
F**

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

A. INTRODUCTION

This matter having come before the Planning Commission on May 9, 2006, and there being present a person requesting approval of ITEM SP-6-06, a request for a Automotive Sales and Automotive Repair/Cleaning special use permit in the C-17L (Commercial Limited) zoning district.

APPLICANT: Shawn and Michelle Smith

LOCATION: a +/- 2.01 acre parcel at the Southeast corner of Kathleen Avenue and 2nd Street

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, commercial and civic.
- B2. That the Comprehensive Plan Map designation is Transition,
- B3. That the zoning is C-17L (Commercial Limited)
- B4. That the notice of public hearing was published on, April 22, 2006 and, May 2, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, May 1, 2006, which fulfills the proper legal requirement.
- B6. That 48 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on April 21, 2006 and _____ responses were received: _____ in favor, _____ opposed, and _____ neutral.
- B7. That public testimony was heard on May 9, 2006.
- B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **(is) (is not)** in conformance with the comprehensive plan, as follows:

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

Criteria to consider for B8B:

1. Does the density or intensity of the project "fit " the surrounding area?
2. Is the proposed development compatible with the existing land use pattern i.e. residential, commercial, residential w churches & schools etc?
3. Is the design and appearance of the project compatible with the surrounding neighborhood in terms of architectural style, layout of buildings, building height and bulk, off-street parking, open space, and landscaping?

B8C The location, design, and size of the proposal are such that the development **(will) (will not)** be adequately served by existing streets, public facilities and services. This is based on

Criteria to consider B8C:

1. Is there water available to meet the minimum requirements for domestic consumption & fire flow?
2. Can sewer service be provided to meet minimum requirements?
3. Can police and fire provide reasonable service to the property?

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **SHAWN AND MICHELLE SMITH** for a Automotive Sales and Automotive Repair/Cleaning special use permit, 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: MAY 9, 2006
SUBJECT: S-7-06 – 5-LOT PRELIMINARY PLAT SUBDIVISION
LOCATION – +/- .84-ACRE PARCEL AT 824 NORTH 16TH STREET

DECISION POINT:

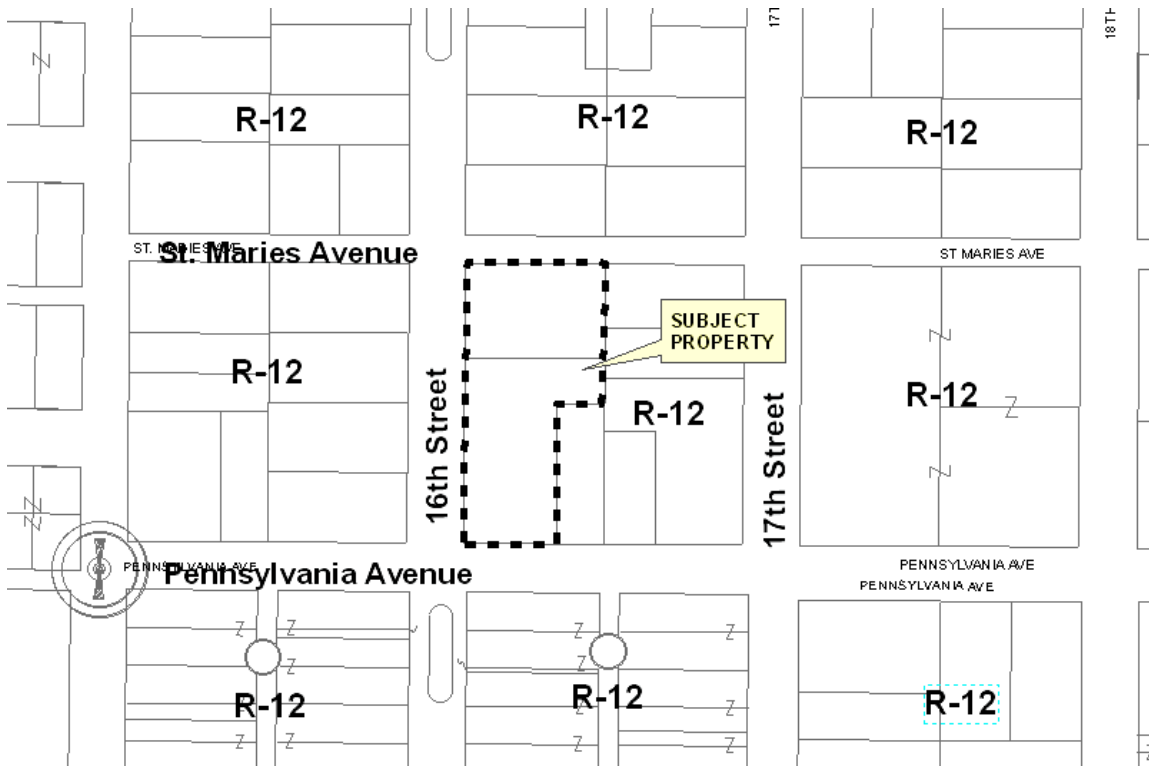
Pat Acuff is requesting Preliminary Plat approval of “Trudy's Addition” a 5-lot subdivision in the R-12 (Residential at 12 units/acre) zoning district including 2 lots with less than the 50 feet of required street frontage (Lots 2 & 3 have 49.37 feet of frontage on St. Maries Avenue) that would have to be approved with a finding for deviations from standards.

GENERAL INFORMATION:

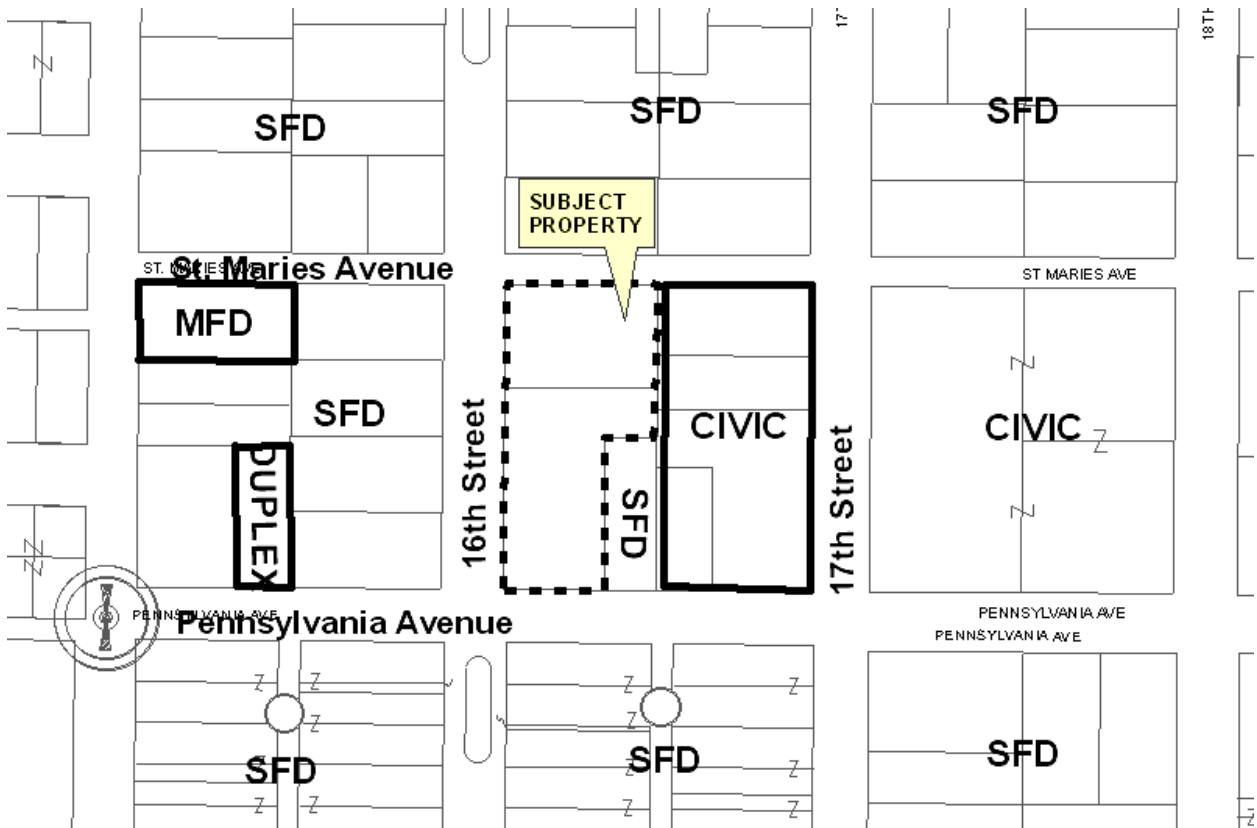
- A. Site photo



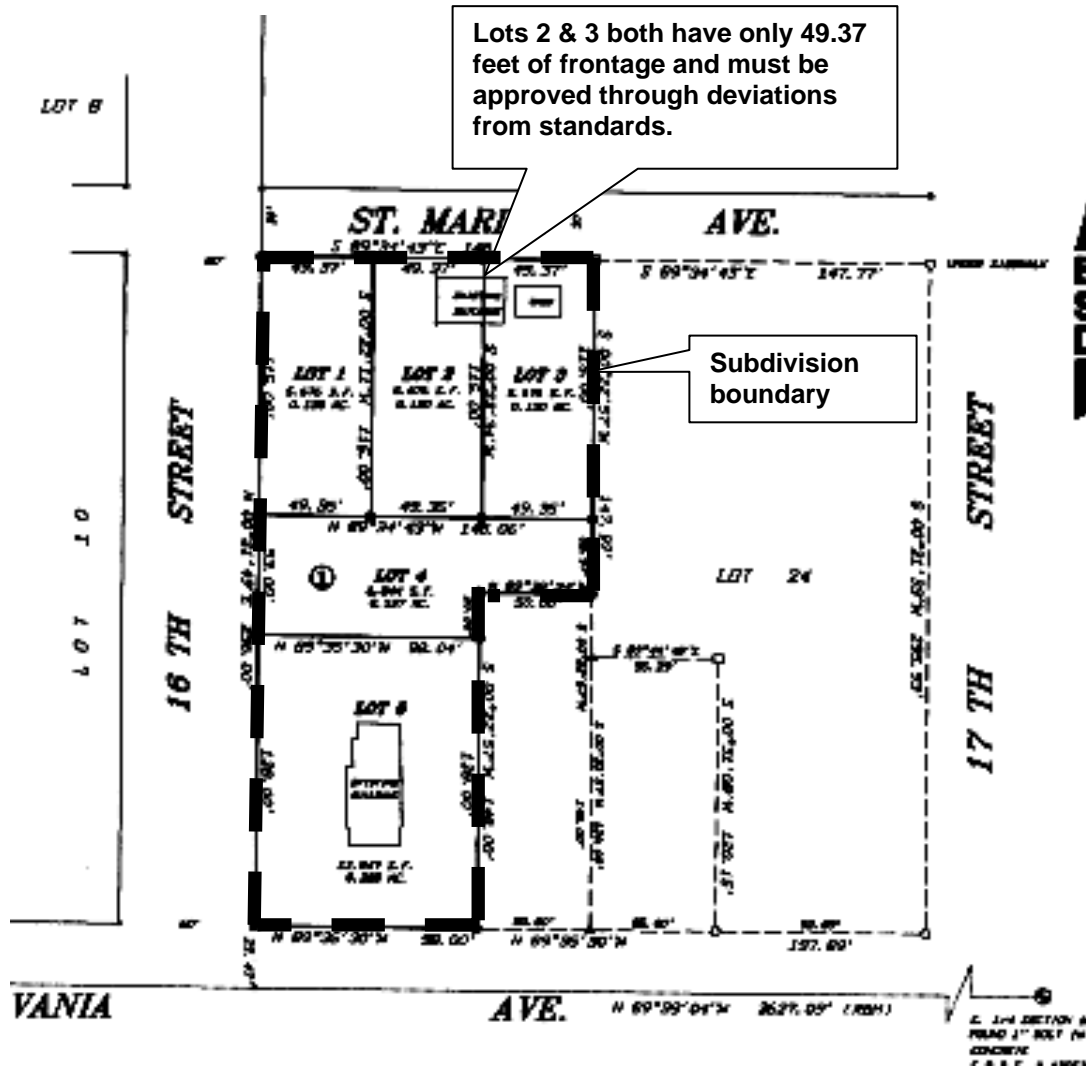
B. Zoning.



C. Generalized land use.



D. Preliminary plat for "Trudy's Addition".



E. Applicant: Pat Acuff
 1105 Sherman Avenue
 Coeur d'Alene, ID 83814

F. Land uses in the area include single-family, multi-family, duplexes, civic and vacant.

G. The subject property has one lot containing a single-family dwelling and one vacant lot.

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 is available to the proposed subdivision. Two of the proposed lots along St. Maries will require the extension of a sanitary main line in order to provide service for the lots.

Evaluation: There is an existing eight inch (8") sanitary main line located in 16th Street and an existing manhole at the intersection of 16th Street and St. Maries Avenue. The applicant will be required to extend an eight inch sanitary main in St. Maries Avenue and extend services to the proposed lots prior to final plat approval. Engineered plans will be required to be submitted for approval prior to any construction. The main will be extended at no cost to the City.

WATER:

City water is available to the proposed subdivision.

Evaluation: There are existing six inch (6") water main lines located in both 16th Street and St. Maries Avenue and an eight inch (8") main in Pennsylvania Avenue. The existing residence on proposed Lot 5 has water service; however, proposed Lots 1 to 4 will require new water service laterals to be installed. Installation of the service laterals will be required prior to final plat approval and be installed at no cost to the City.

STORMWATER:

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

Evaluation: The adjoining street drainage is already contained within the existing City hard pipe system and no alterations will be required to that system. Lot drainage must be retained on-site and will be addressed at the time of development on the subject lots.

TRAFFIC:

The ITE Trip Generation Manual estimates the project will generate approximately 4.5 trips during the A.M./P.M. peak hour periods.

Evaluation: The adjacent and connecting streets will accommodate the additional traffic volume.

STREETS:

1. The proposed subdivision is bordered by Pennsylvania Avenue, 16th Street and, St. Maries Avenue. The right-of-way widths are 60 feet for both Penn & 16th and 30 feet for St. Maries. The right-of-ways for both Pennsylvania Avenue and 16th Street meet current City standards; however, the right-of-way for St. Maries Avenue is below the standard.

Evaluation: The need for additional right-of-way on St. Maries Avenue will be utilizing a ten foot (10') easement along the subject lots northerly boundary. This will allow for the placement of required roadway infrastructure.

2. There is existing sidewalk on portions of Pennsylvania and St. Maries adjoining the subject property.

Evaluation: Standard five foot (5') sidewalk installation will be required along the 16th Street and St. Maries Avenue frontages. Placement of the sidewalk will entail being setback five feet (5') from the curb line, allowing for a five foot (5') park strip. The sidewalk will be placed in the necessary easement along the lots fronting St. Maries Avenue. Installation of pedestrian ramps per City standards will be required at the both of the corners of Pennsylvania and 16th and St. Maries and 16th. Pedestrian ramp installations will adhere to the current designs for the type of intersection involved and have the new truncated dome and detectable warning plates installed. These installations will be required prior to final plat approval.

SUBDIVISION REQUIREMENTS:

1. Lots 1, 2 & 3, that front on St. Maries Avenue, have less than the minimum frontage required for the R-12 zone, therefore if approved, a deviation from the standard will be required. The lots are shown having a frontage width of 49.37' (50.00' is the minimum required).
2. There is an existing structure that is situated across the proposed common lot line of lots 2 and 3. This structure will be required to be removed prior to final plat approval. All permits required for the removal and abatement procedures of the existing utilities will be the responsibility of the applicant.
3. All garage structures and driveway areas that are constructed will be required to maintain twenty feet (20') of clearance to the back edge of the sidewalk.

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. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
6. 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.

GENERAL

The final plat shall conform to the requirements of the City.

Comments submitted by Chris Bates, Engineering Project Manager

FIRE:

Any issues have and will be addressed during the permit process.

Submitted by Dan Cochran, Deputy Fire Chief

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 "SE" (Stable Established), as follows:

Stable Established Areas:

"These areas represent the locations where the character of neighborhoods has largely been established and, in general, should be maintained. The street network, number of building lots, and general land use are not planned to change greatly within the planning period."

- For areas below the freeway, overall buildout density approximately = 5 du/acre. Individual lot size is typically not smaller than 5,500 sq. ft. (12 du/acre).
- Encourage residential when close to jobs and other services.
- Discourage uses that are detrimental to neighboring uses.
- Pedestrian/bicycle connections.
- Encourage vacant lot development that is sensitive to neighboring uses.

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 is generally in conformance with the comprehensive plan policies, complies with the comprehensive plan density and lot size recommendations for areas below the freeway and would provide the opportunity for residential infill development in an existing residential area with existing infrastructure that can serve the proposed subdivision.

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

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

- Two of the lots in this request are not flag, cul-de-sac or bull nose lots.
- They meet the minimum lot size requirements of the R-12 zone.
- They do not meet the minimum frontage requirements (Lots 2 & 3 both have 49.37 feet of frontage on St. Maries Street).
- 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 in an area of predominately single-family residential uses with a street pattern that can accommodate the traffic generated by five addition lots.

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.

- H. Proposed conditions:

Engineering

1. Extension of the sanitary sewer main in St. Maries Avenue will be required. Engineered plans will be required to be submitted and approved prior to construction, and installation must be completed prior to final plat approval. All installation costs will be the responsibility of the applicant.
 2. Water service laterals will be required to be installed to all lots prior to final plat approval. All laterals will be installed at no cost to the City.
 3. A ten foot (10') easement across the frontages of proposed Lots 1-3 on St. Maries Avenue will be required for the installation of residential sidewalk.
 4. Sidewalk installation will be required on both 16th Street and St. Maries Avenue. Sidewalk will be required to be set back with a five foot (5') park strip and installed prior to final plat approval. Installation will need to include pedestrian ramps with detectable warning at the intersections of Pennsylvania and 16th and St. Maries and 16th.
 5. The existing structures situated on proposed Lots 2 & 3 will need to be removed prior to final plat approval. All permits and abatement procedures for the existing connected utilities will be the responsibility of the applicant.
 6. All garage structures and driveway areas that are constructed will be required to maintain twenty feet (20') of clearance to the back edge of the sidewalk.
- 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:pcstaffreportsS706]

PROPERTY INFORMATION

1. Gross area: (all land involved): .84 acres, and/or 36,330 sq.ft.
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): .84 acres, and/or 36,333 sq. ft.
3. Total length of streets included: 396 ft., and/or .075 miles.
4. Total number of lots included: 5
5. Average lot size included: 7,266 sq. ft.
6. Existing land use: RESIDENTIAL AND VACANT
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:

PRESENTLY THERE ARE TWO HOUSES ON THE PROPERTY.
THE SMALL HOUSE ON ST MARIAS AVE WOULD BE
TORN DOWN. THE HOUSE @ 824 Nth 16th WILL
BE RETAINED. THE 5 LOTS WILL INCLUDE THE
RETAINED HOUSE AND 4 OTHER LOTS.

**S
G
N
-
D
-
F**

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

A. INTRODUCTION

This matter having come before the Planning Commission on May 9, 2006, and there being present a person requesting approval of ITEM S-7-06: a request for preliminary plat approval of "Trudy's Addition" a 5-lot subdivision in the R-12 (Residential at 12 units/acre) zoning district.

APPLICANT: Pat Acuff

LOCATION: +/- .84-acre parcel at 824 North 16th Street

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, multi-family, duplexes, civic and vacant.

B2. That the Comprehensive Plan Map designation is Stable Established.

B3. That the zoning is R-12 (Residential at 12 units/acre)

B4. That the notice of public hearing was published on, April 22, 2006 and, May 2, 2006, which fulfills the proper legal requirement.

B5. That the notice was not required to be posted on the property.

B6. That 50 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on April 21, 2006, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.

B7. That public testimony was heard on May 9, 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 **PAT ACUFF** 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**

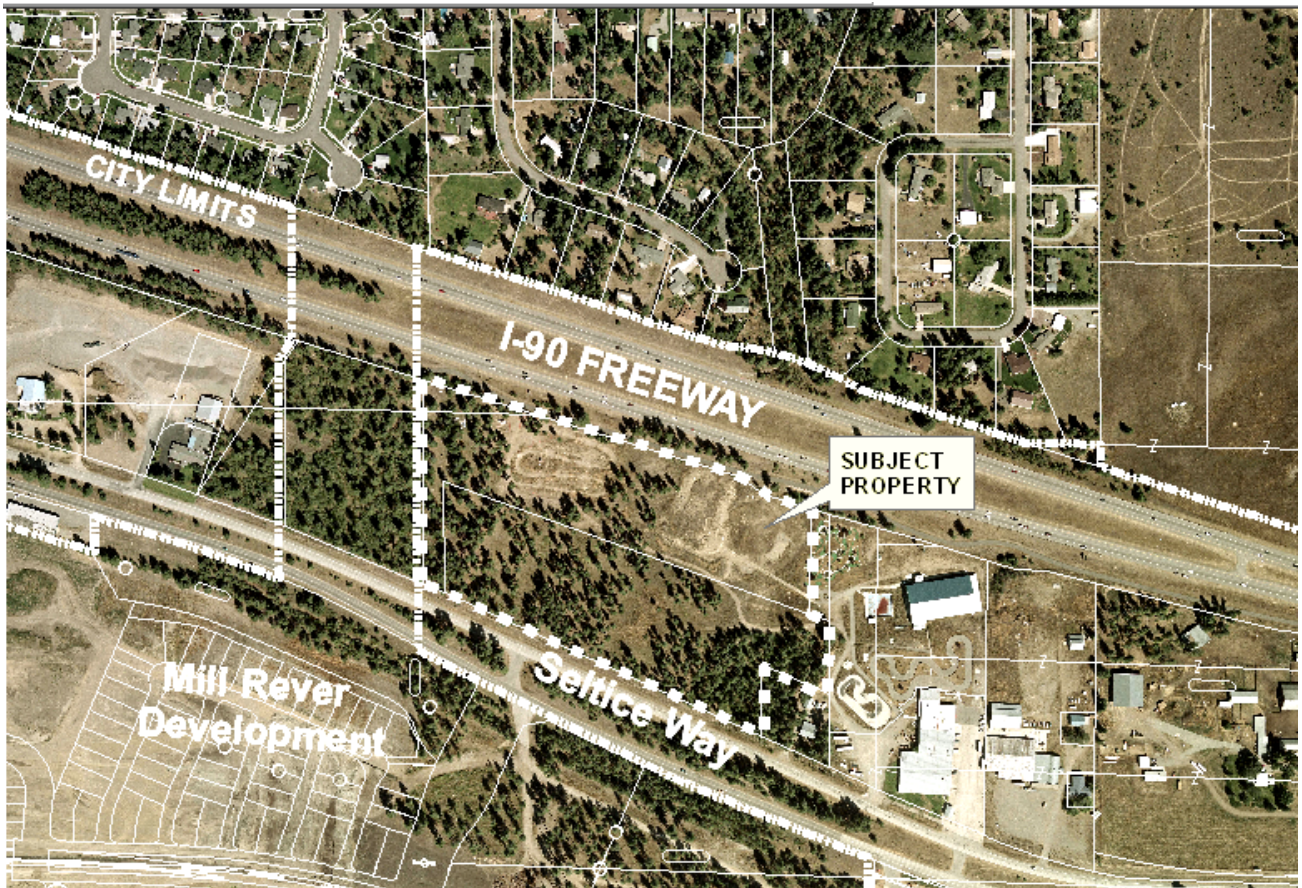
FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER
DATE: MAY 9, 2006
SUBJECT: A-3-06 – ZONING PRIOR TO ANNEXATION FROM COUNTY COMMERCIAL TO C-17.
LOCATION – +/- 8.5 ACRE PARCEL BETWEEN SELTICE WAY AND I-90
APROXIMATELY 1/2 MILE EAST OF HUETTER ROAD.

DECISION POINT:

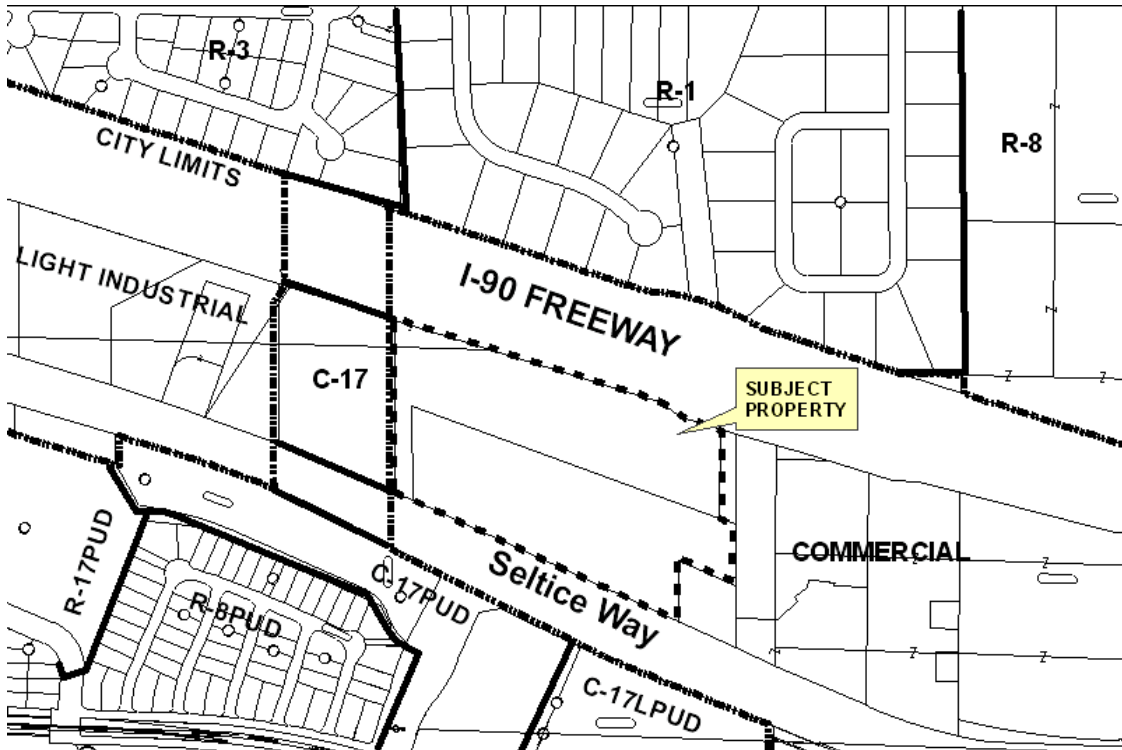
Charter Builders is requesting Zoning Prior to Annexation from County Commercial to City C-17
(Commercial at 17 units/acre) for a +/- 8.5 acre parcel.

GENERAL INFORMATION:

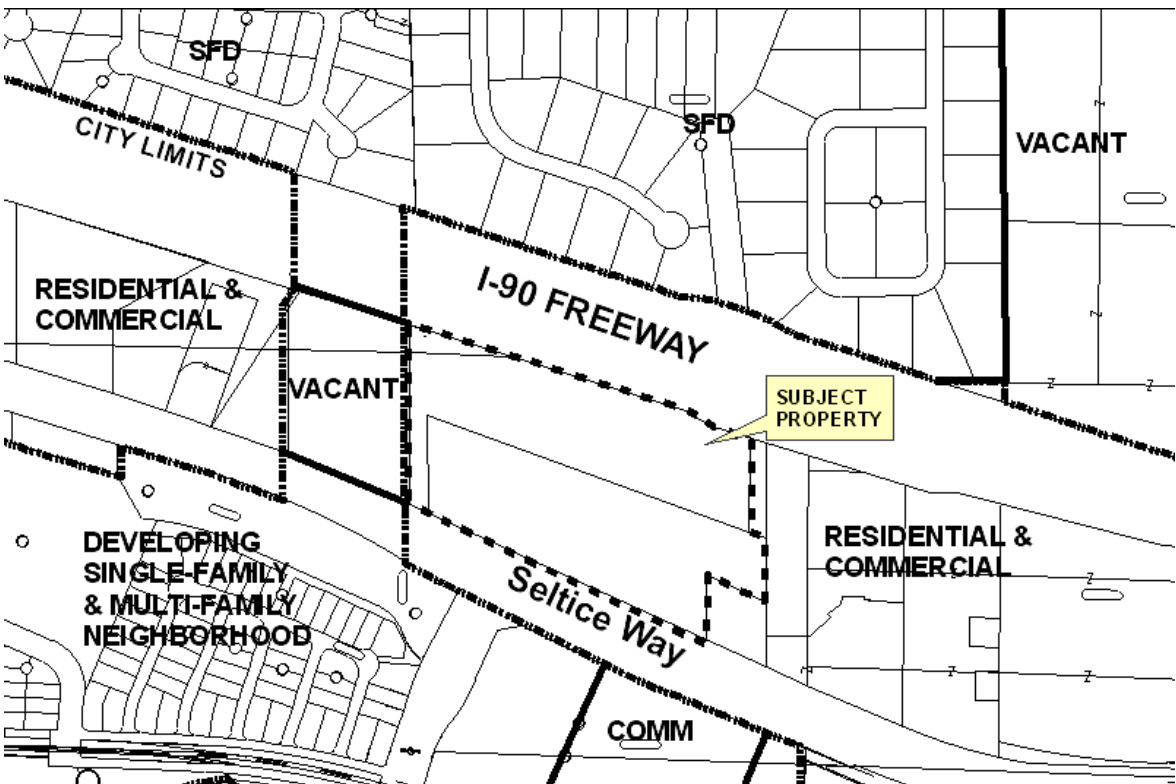
- A. Site photo



B. Zoning.



C. Generalized land use.



- D. Applicant: Charter Builders
2084 S. Eagle Road
Meridian, ID 83642
- E. Owners: Western Property Management
6479 Rude Street
Cœur d'Alene, ID 83815
- Vince Hughes
11791 W. Prairie Avenue
Post Falls, ID 83854
- F. The subject property was formerly the site of a BMX bike track but is now vacant and has a partial tree cover of mature Ponderosa Pines.
- G. Land uses in the area include residential – single-family, commercial, the U. S. Bank Call Center and vacant land.

PERFORMANCE ANALYSIS:

- A. Zoning:
- The C-17 District is intended as a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) units per gross acre.
- This District should be located adjacent to arterials; however, joint access developments are encouraged.
- Principal permitted uses in a C-17 District shall be as follows:
1. Single-family detached housing (as specified by the R-8 District).
 2. Duplex housing (as specified by the R-12 District).
 3. Cluster housing (as specified by the R-17 District).
 4. Multiple-family (as specified by the R-17 District).
 5. Home occupations.
 6. Community education.
 7. Essential service.
 8. Community assembly.
 9. Religious assembly.
 10. Public recreation.
 11. Neighborhood recreation.
 12. Commercial recreation.
 13. Automobile parking when serving an adjacent business or apartment.
 14. Hospitals/health care.
 15. Professional offices.
 16. Administrative offices.
 17. Banks and financial institutions.
 18. Personal service establishments.
 19. Agricultural supplies and commodity sales.
 20. Automobile and accessory sales.
 21. Business supply retail sales.
 22. Construction retail sales.
 23. Convenience sales.
 24. Department stores.
 25. Farm equipment sales.

26. Food and beverage stores, on/off site consumption.
27. Retail gasoline sales.
28. Home furnishing retail sales.
29. Specialty retail sales.
30. Veterinary office.
31. Hotel/motel.
32. Automotive fleet storage.
33. Automotive parking.
34. Automobile renting.
35. Automobile repair and cleaning.
36. Building maintenance service.
37. Business support service.
38. Communication service.
39. Consumer repair service.
40. Convenience service.
41. Funeral service.
42. General construction service.
43. Group assembly.
44. Laundry service.
45. Finished goods wholesale.
46. Group dwelling-detached housing.
47. Mini-storage facilities.
48. Noncommercial kennel.
49. Handicapped or minimal care facility.
50. Rehabilitative facility.
51. Child care facility.
52. Juvenile offenders facility.
53. Boarding house.
54. Commercial kennel.
55. Community organization.
56. Nursing/convalescent/rest homes for the aged.
57. Commercial film production.

Permitted uses by special use permit in a C-17 district shall be as follows:

1. Veterinary hospital.
2. Warehouse/storage.
3. Custom manufacturing.
4. Extensive impact.
5. Adult entertainment sales and service.
6. Auto camp.
7. Residential density of the R-34 district as specified.
8. Underground bulk liquid fuel storage-wholesale.
9. Criminal transitional facility.
10. Wireless communication facility.

The subject property is currently zoned County commercial, which is intended as a district suitable for wholesale, retail sales and service type uses.

The zoning pattern (see zoning map on page 2) in the surrounding area shows County commercial to the east, light industrial to the west and City C-17 and C-17L zoning on the south side of Seltice Way.

Evaluation: The Planning Commission, based on the information before them, must determine if the C-17 zone is appropriate for this location and setting.

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

1. The portion of the subject property to be annexed is within the Area of City Impact Boundary.
2. The City Comprehensive Plan Map designates the subject property a Transition Area and Seltice Way as a medium intensity corridor. They are described 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.”

- 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.
- Pedestrian/bicycle connections.
- Encourage cluster housing developments to maintain open space and forestlands.
- Overall build-out density approximately 3 dwelling units per acre. Individual lot size will typically not be smaller than 8,000 sq. ft. (5 du's/acre). Higher densities and mixed uses encouraged close or abutting transportation corridors.
- Neighborhood development should consist of:
 - Size of 25 to 65 acres
 - Urban services
 - Sidewalks/bike paths
 - Street trees
 - Neighborhood parks
 - Interconnecting street network

Medium Intensity Corridor:

These areas primarily consist of areas where commercial and residential uses may be encouraged.

- Residential/commercial mix.
- Possible residential density= 17-34 du's/acre.
- Encourage lower intensity commercial service and manufacturing uses close or abutting major transportation routes.
- Encourage higher residential intensities when close to jobs and other services.
- Arterial/collector corridors defined by landscape street trees.

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."
- 6A: "Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses."
- 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."
- 42C1: "Providing service to new areas should not be at the expense of areas presently being serviced."
- 51A: "Protect and preserve neighborhoods, both old and new."

- 3. 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.

SEWER: Public sewer is available and of adequate capacity for a public sewer extension.

Evaluation: Public sewer is located on the North side of the West-bound half of Seltice Way and accessible for public sewer extension across the Parcel's Seltice Way frontage. A Public sewer extension will be required through the frontage of this parcel at no cost to the City of Coeur d'Alene. This public

extension will also have to continue at its present depth (planned grade) to service westerly along Seltice Way to Atlas Road.

Comments submitted by Don Keil, Assistant Wastewater Superintendent

WATER:

Water is available to the subject property.

Evaluation: There are no current services to this property. The 12 inch main extension on Seltice Way reaches a small portion of the property. In order to support additional development, the property owner would be required to extend the main across the entire property frontage.

Comments submitted by Terry Pickel, Assistant Wastewater Superintendent

STORMWATER:

Stormwater issues will be addressed at the time of development on the subject property.

TRAFFIC:

Utilizing the stated area of 8.5 acres and the requested C-17 zoning, all types of commercial uses would be allowed, and, it may be possible to place 144 residential units on the subject property if it were developed to the maximum density. Due to the lack of a defined commercial use, trip numbers cannot be determined, however, for a residential use utilizing either a low rise condominiums (1-2 floors) at 0.52 average peak hour average daily trips or mid-rise apartment (3-10 floors) at 0.39 average peak hour adt's, the ITE Trip Generation Manual estimates that approximately 57 or 75 adt's respectively at peak hour may be generated.

STREETS:

The proposed area of annexation adjoins Seltice Way which is under the jurisdiction of the Post Falls Highway District. Any access or development along the roadway will need the approval of the noted highway district as well as the City of Coeur d'Alene.

Evaluation: Permission in writing from the highway district will be required prior to allowing any access to the adjoining roadway.

Submitted by Chris Bates, Engineering Project Manager

FIRE:

The Fire Department will address issues such as water supply, fire hydrants, Fire department access, etc., 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 (make) (do not make) it

suitable for the request at this time.

The subject property has an average 11% slope on the north parcel that would have to be considered in developing the property. The City's Hillside Regulations are "triggered" when the average slope is greater than 15%.

Evaluation: The physical characteristics of the site appear to be suitable for the request at this time but care should be taken in any development activities.

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 Seltice Way, which is identified as a Medium Intensity Corridor and is in a developing commercial area adjacent to the developing Mill River residential/commercial development.

- 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:pcstaffreportsA306]

ATTACHMENT "B"

Annexation Justification:

The proposed annexation request is based on the following five key points:

- 1) Annexation of the described property would be consistent with the stated goals of the City of Coeur d'Alene 1995 Comprehensive Plan.
 - a. Annexation of this property is within the adopted city impact area.
 - b. Annexation of this property represents an orderly and logical growth pattern.
 - c. Growth in this area will improve the character of the community and will not be detrimental to the adjacent areas.
 - d. Growth in this area will encourage mixed use development where citizens can live, work & and play within close proximity of each other.
- 2) The described property is located within the LCDC-River District overlay zone.
 - a. Area is slated for redevelopment.
 - b. Mill River development is currently under construction within this zone.
 - c. Potential for increased tax base revenue.
 - d. Potential for job creation within the community.
 - e. Project will support overall mixed use concept if annexed.
- 3) The described property is currently surrounded on three of four sides by the City of Coeur d'Alene.
 - a. Property to the immediate West of the annexation property is currently within the city limits and is Zone C-17.
 - b. Property to the immediate South of the annexation is currently within the city limits and is zoned 50% (western half) R-5 PUD and 50% (eastern half) C-17L-PUD.
 - c. Property to the immediate East of annexation property is currently within Kootenai County and is zoned commercial. However just West of Atlas the zoning is back within the city limits and zoned C-17 again.
 - d. Property North of I-90 is currently within the city limits and zoned R-1
 - e. The zoning of the annexation property would be consistent with adjacent zoning and underlying Comprehensive Plan requirements.
- 4) The described property is currently within the area of service for the City of Coeur d'Alene.
 - a. City of Coeur d'Alene domestic water is currently available in this area.
 - b. City of Coeur d'Alene waste water is currently available in this area.
 - c. City of Coeur d'Alene police is currently available in this area.
 - d. City of Coeur d'Alene fire is currently available in this area.

**S
G
N
-
D
-
F**

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

A. INTRODUCTION

This matter having come before the Planning Commission on May 9, 2006, and there being present a person requesting approval of ITEM A-3-06, a request for zoning prior to annexation from County Commercial to City C-17 (Commercial at 17units/acre)

APPLICANT: Charter Builders

LOCATION: +/- 8.5 acre parcel between Seltice Way and I-90 approximately 1/2 mile East of Huetter Road.

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, commercial, the U. S. Bank Call Center and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is County Commercial.
- B4. That the notice of public hearing was published on April 22, 2006, and May 2, 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 9 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on April 21, 2006, and _____ responses were received: _____ in favor, _____ opposed, and _____ neutral.
- B7. That public testimony was heard on May 9, 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 **CHARTER BUILDERS** or 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



**УШУ - ЦУ ЦУ
УШУ - ЦУ ЦУ
УШУ - ЦУ ЦУ
УШУ - ЦУ ЦУ
УШУ - ЦУ ЦУ**

2005 Planning Commission Retreat Priorities Progress

MAY 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		
▪ Meeting with other boards and committees		Ped/Bike Committee meeting June 27th
▪ Goal achievement		Checklist of projects
▪ Building Heart Awards		Nominees?
• Speakers		ULI educational opportunities provided. Council sponsored Idaho Smart Growth presentation being scheduled for early summer.
• Public Hearings		

Long Range Planning

▪ Comprehensive Plan Update		3/28 finished "Call Out" review. Staff compiling changes
▪ Education Corridor		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. Nothing new
▪ Neighborhood Planning		Discussed neighborhood designation in 3/28 Complan mtg.

Public Hearing Management

▪ Continued work on Findings and Motions		Warren and Plg staff to review
▪ Public hearing scheduling		Chrman Bruning consulted on agenda

Regulation Development

Downtown Design Regs Hght		Workshop & Hearing held. Next hearing May 15 th .
Cluster Housing standards		in process – staff revising Hinshaw draft material.
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 –4/11 some interest in bringing forward Bruning to discuss w/ staff
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
Other Action		
Eminent domain letter		Mayor & Council has received
Commissioner Vacancy		Mayor reviewing candidates

THIS ISSUE

Defining the Public Realm

GLOBALIZATION IS RESHAPING THE CULTURES of cities in distinct ways. Most visibly, it is encouraging the development of public spaces for increasingly diverse cultures. As interest in the design of public spaces grows worldwide, elements that can generate harmony among different cultural interests become crucial.

Culturally driven redevelopment already has been playing an important role in revitalizing cities. The gentrification of inner cities, the preservation of historic buildings, even the revival of traditional crafts—all acknowledge local urban culture. But nothing unites cities more than the public realm.

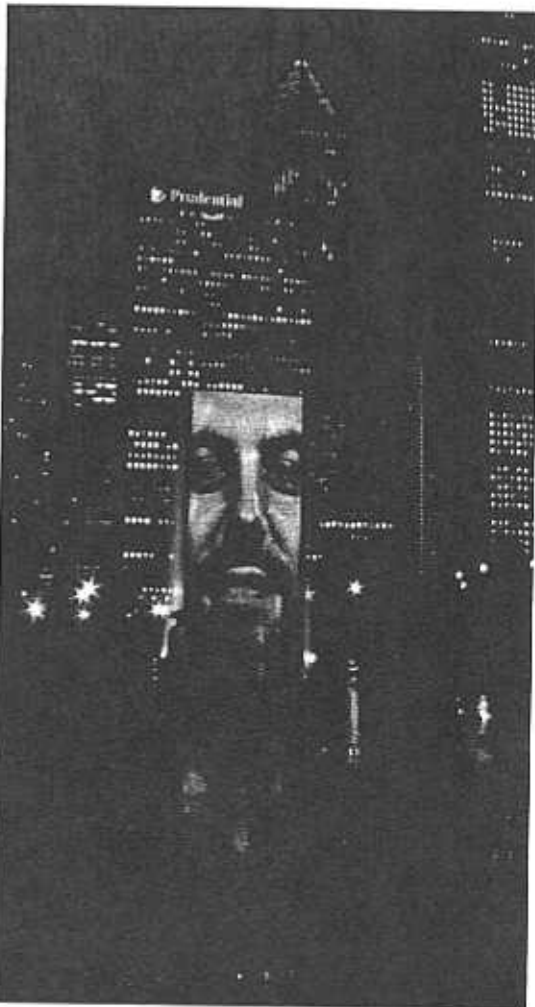
"Open space is the defining characteristic signifying the extent to which a city values all its residents. Its infrastructure must be designed to foster an atmosphere of inclusivity, of classlessness that gives all residents a sense of ownership and a shared stake in their cities," was the consensus at ULI's World Cities Forum held last year in London.

With new residents come new sets of values, and new forms of public space. Defining new public space can arouse intense debate over its use, the users it will serve, the public message it will send. But possibly no topic will be more hotly debated than that of ownership. Privatization of the public realm raises questions of access and identity, and the very notion of democracy and the public good. Can private companies provide for communal identity and be the repository of a society's trust? The profit motive inherent in programming public spaces with private agendas diminishes the public sphere. Democratic principles would seem to be at odds in a society defined in terms of corporate needs and consumer sales.

Public spaces and even public art increasingly are being commercialized. In many instances, new public spaces are being developed as spaces for consumerism—for example, mixed-use cultural districts with retail, restaurant, and hotel elements requiring purchases. In their intent to attract an upscale clientele, these projects divide and exclude. Nevertheless, such spaces are becoming part of local urban culture.

The privatization of public space is facilitated by various enclosures: the "captured" public street with limited access; the indoor venue with arbitrary closing times. Globalization is making enclosed consumerism space a universal expression of privatized public space.

"Open space is the defining characteristic signifying the extent to which a city values all its residents."



DAVID WELLS & ENTERTAINMENT

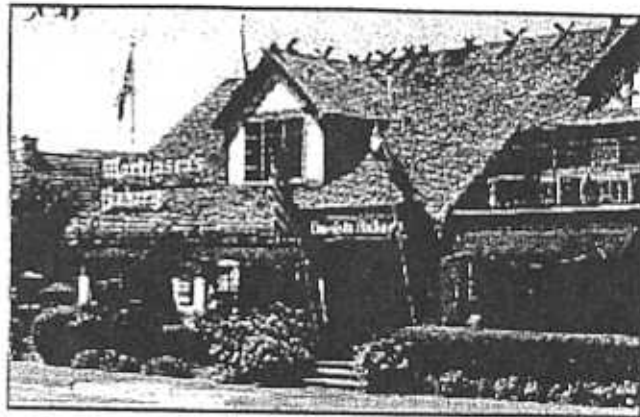
The essential quality of public space is that it is open to everyone to use. Ideally, it should be seen as a place where public and private interests meet—otherwise, it represents a limited sense of citizenship.

Kristina Kessler
Editor in Chief



CA Planner

JANUARY • FEBRUARY 2006



Debunking Time

12 Myths About Downtown

By Mark Brodeur, FIUD

Inside This Issue . . .

President's Message	2
Letter from the EDITOR	3
Legislative Update	5
Commissioner's Corner	7
Waterfront Coalition Wins International Award	9
CCAPA Conference Exhibitor Opportunities	10
APA Election Process	11
Planners on the MOVE	13
Job Opportunities	14
Planning Library Created	15
CCAPA Conference 2005 Photo Collage	16

Successful downtowns are distinctive and unique.

Still, many communities seeking to improve their downtowns hold a set of beliefs about problems and solutions which may - or may not - be consistent with the way their specific downtowns function.

One dozen myths about downtown redevelopment are so persistent that they regularly reappear. By examining them, it's possible to ferret out what can be truly useful in downtown development.

Moreover, it's possible to discern that approaches to revitalization that are

impulsive, emotional, or copied from other successful downtowns have very limited application.

Myth #1: What We Need is a Film Festival

Some downtown advocates take the Silver Bullet approach to revitalization. They base an entire revitalization effort on

landing a department store, baseball team, library, or major event like a film festival. This approach is a house of cards because if that one thing doesn't come downtown, the rest of the plan doesn't work.

The most successful revitalizations are the result of partnerships between the community, city government, and local developers.

continued on page 4

Debunking Time

continued from page 1

Many communities have proven this myth by actually attracting the Film Festival or department store and then thinking that their revitalization work was done. They waited for customers and investors to return. And they waited for customers and investors to return. And they waited.

Unfortunately, these communities discovered that attracting one major user does not result in renewed downtown vitality. Instead, the lesson to be learned is that a Silver Bullet only works when it's in conjunction with economic, design, and other promotional elements to support revitalization.

Myth #2: Zone for Vertical Mixed Use

Think of this as Silver Bullet, Part Deux. It's a revitalization strategy based on the notion that one type of land use solves everything.

Due in part to California's housing shortage, new urbanists think that mixed use is the new panacea. Mixed use can be good for a downtown if it isn't forced into areas where it may have never been historically.

A downtown without mixed use is not predetermined to die. There are several successful downtowns without mixed use zoning in place. This occurs primarily where there is single-story retail on Main Street, and housing is in close proximity. Typically, if residential uses are allowed close to Main Street, then introducing vertical mixed use for the sake of nostalgia can be a controversial forced effort. What's critical is to have a local residential populace within walking distance, say within four or five blocks.

**Myth #3: Get a Theme**

The Disneyfication approach to downtown revitalization is rarely successful. Downtowns are a reflection of a community's past, and the past can be translated into a variety of architectural building styles. People consistently return to what's real, to areas with a sense of place and scale, not thematic shopping centers with franchises and plastic signs erected and finished in an eight-month construction span.

Of course, downtown merchants sometimes equate the economic success of suburban malls and lifestyle centers with thematic architecture and consistent sign programs. They believe that if a place has order and control, then all they need do to sit back and reap the benefits.

Two notable downtowns have used the theme approach successfully, and both are principally tourist stops. One is Solvang, California, and the other is Leavenworth, Washington.

One is Bavarian, and the other is Danish. It has to be the pastry!

Myth #4: Parking is the Problem

Every downtown likes to blame its woes on parking.

Frequently, people perceive that there is a parking problem if they cannot park directly in front or behind the actual business that they are visiting. Often, the supply of parking in downtown is adequate; yet, the directional signage to the parking is non-existent. In those instances, it is only the savviest of residents who know where the best parking spots are.

This circumstance surely makes the case for better downtown parking management, consistent clear signage, and enforcement of parking regulations. It's almost never about more spaces.

Myth #5: McDonald's Will Ruin Our Quaintness

This attitude is another version of *David v. Goliath*; if we keep Goliath out, we'll be fine!

Turns out that quite the contrary is true.

Franchise businesses weigh their location selections very carefully before committing to an area. The fact that a reputable franchise wants to make its home in your downtown should be viewed as a very positive economic indicator. What your downtown has to do is make sure that the franchise storefront fits with the architectural character of its location. You certainly don't want your downtown transformed into a row of

gaudy plastic signs, false mansard roofs, and illuminated blue awnings. You have the right to control it.

So how does a downtown stay true to its unique character, retain local business, and be successful?

Downtown Coronado, California is a National Main Street "Best Downtown." It has adopted zoning regulations limiting the number of franchise establishments allowed in its downtown. Coronado's approach was to allow enough franchises to show a healthy economic picture, but not so many as to homogenize the flavor of local entrepreneurial establishments. Coronado adopted design guidelines and standards that essentially prohibit the corporate look of chain stores.

Myth #6: Everyone Should Open During the Same Hours

During the last ten years, downtowns across the country have attempted to standardize the hours of operation kept by retailers. Think about it for a minute.

continued on page 8

Debunking Time*continued from page 4*

Should the children's toy store stay open as late as the Starbucks? Or as late as the local tavern? This is the "Let's-Pretend-We're-a-Mall" approach.

Given the independent nature of local business owners as well as the costs involved in staying open late, this approach has failed repeatedly.

Recognizing that a single set of uniform business hours is difficult to achieve, and possibly not advantageous to the district's retailers as a whole, the most successful efforts are promoting "customer-driven" business hours. With this approach, retail businesses stay open late one evening per week. Once customers get comfortable with those hours, expand the hours later on other nights. Uniform retail hours are impossible to achieve in a downtown setting. Instead, customer-driven hours, kept and coordinated by businesses that can share customers, are the secret to success.

Myth #7: Competition is Bad for Business

This is the "Head-In-The-Sand" plan for revitalization; a better approach would be "Head-to-Head."

The most successful commercial districts have compatible businesses located side by side in convenient clusters, proving that groupings of compatible merchants are actually good for business.

Rather than providing dangerous competition, retail clustering expands and magnifies the focused audience that retailers want to draw. This occurs because convenience and variety attract customers.

Prime examples of successful downtown retail clusters include the art galleries clustered in Laguna Beach or Palm Springs, offbeat clothing boutiques on Melrose in Los Angeles, and antique shops in Pomona, California.

Myth #8: Brighter is Better

While an unsafe downtown is bad for business, making streets as bright as a prison yard is certainly not the answer either. There is a fine line between providing an adequate amount of light and giving the appearance of solving a crime problem.

The approach to lighting public spaces has to consider two elements.

First, lighting sources must be varied. Simply providing streetlights is not enough, and streetlights alone are often not attractive to pedestrians. The warmest type of light is reflected off building surfaces. This light is more sensual and avoids overly bright hot spots. Look for alternative light sources such as storefronts, bollards, and architectural wall wash lighting.

Second, the brightness and color of the light must be correctly matched to the public space. Super bright streetlights with a yellow tinge make pedestrians cringe and give off the wrong message about a place.

Myth #9: Downtown Will Re-emerge as the Community's Retail Heart

It is time we all start admitting that for most downtowns, reestablishing or becoming the retail heart of the community is unattainable. Once the malls opened and then the big box Costcos and Walmarts moved in, the game was pretty much over for most small independent retailers who sold similar goods and didn't offer extraordinary service.

Some downtown organizations are just too stubborn; they refuse to see the writing on the wall. The fact is that unless the small, independent downtown retailer offers unique product lines or superior customer service, the big retailers maintain a huge price point advantage. While we all like to think we "buy downtown," we still go to K-Mart to buy anti-freeze for our car.

Americans love our big boxes. They give us discounted prices, easy parking, and endless retail choices. Making

matters worse is that many of us are now shopping online.

Turning our downtowns into cultural/entertainment or specialty retail areas will dominate the restructuring of our inner cities, and create a truly thriving destination for communities. Also, housing in and around an urban center has suddenly become vogue. Empty nesters, young urban professionals, and two-income couples will stabilize the market for downtowns. Inner cities that cater to this market segment can provide entertainment, government, specialty retail, culture and restaurants that are interesting and upbeat.

Myth #10: Design Controls Scare Developers Off

Pure nonsense. In fact, quality developers prefer to do business in communities that demand quality projects. By using design guidelines, they know their investment will be protected. Developers do not want to create a beautiful building design if they suspect that the vacant lot next door is going to be an architectural atrocity.

The most successful revitalizations are the result of partnerships between the community, city government, and local developers. These partnerships can be highly successful in providing a quality project for the community and an economically successful project for the developer. The essential ingredient for making the partnership work is attitude. All parties in the partnership must agree to cooperate, so that a mutually beneficial project derives from all the hard work.

Myth #11: Don't Do Anything Until We Have a Market Study

While this myth presumes "A Technical Study Will Protect Us," it's more like a CYA approach. Instead of first performing a market study, downtown stakeholders should envision what types of uses they want. This serves two purposes. First, it



Debunking Time*continued from page 3*

shortens the list of potential targets the economist will study, and it also avoids having the economist report to the downtown association that a Costco, Home Depot, or auto dealership shows real promise in downtown. Yikes!

Keep in mind that it is the mix of retail uses that is most important in making a downtown successful. An economist can rarely pinpoint the actual uses that are specifically needed for a successful downtown district. What an economist does is report the market segments that could be fulfilled within the city limits. The economist can suggest business sectors that are saturated, neutral, or needed. So, figure out what mix of uses you want in your downtown, and then hire an economist to ascertain if the market will support that mix.

Myth #12: Downtown Needs Drive-By Traffic

This is the largest myth out there! It presumes that the more cars that drive by a business, the better retail sales are. This is the highway strip approach to downtown revitalization. This premise is partially true but for only a few select market sectors, such as convenience stores or gas stations.

What is important is to have cars that have downtown as their destination, not a place they drive through to get to another place. Pedestrian-friendly downtowns need walkable, human-scale streets, with easy parking, not two-lane mini highways.

Countless cities across the United States have state highways running through the heart of their downtowns. In most places, the highway

commercial uses that originally located along the state highway have relocated outside of downtown.

And in Conclusion . . .

Myths are exactly that – myths – and are not real solutions. A collaborative solution between planners, designers, the community, and public agency decision-makers is the answer to a community's needs. Communication throughout the process is the key to a successful

downtown revitalization effort.

Though solutions to any downtown revitalization are as varied as the downtowns that implement them, it is critical for each downtown to

start with an open and honest dialogue about its strengths and weaknesses. Adopting solutions that may have been right in Timbuktu are foreign to your community's environment.

Remember, by engaging downtown stakeholders to find local answers, the community is less likely to fall prey to the most common pitfalls.

Mark Brodeur FIUD is Director of Urban Revitalization with DOWNTOWN SOLUTIONS, a specialized urban revitalization practice located in California. Contact him at 949.489.1442 or brodeur@downtownsolutions.com.





DEVELOPMENT REGULATIONS

DOWNTOWN COEUR D'ALENE

DEVELOPMENT REGULATIONS

DOWNTOWN COEUR D'ALENE

LMN Architects
City of Coeur d'Alene

TABLE OF CONTENTS

Development Regulations	
I. Overall Purpose	3
II. Application and Intent	4
III. Use Limitations	5
IV. Basic Development Standards	6
A. Floor Area Ratio	6
B. Bonus Features	7
C. Maximum Building Height	9
D. Building Bulk	10
E. Parking Ratios.	11
Definitions	11

DEVELOPMENT REGULATIONS

I. Overall Purpose

To create a distinct, strong identity for the downtown core, preserving a civic heart for Coeur d'Alene.

To encourage private and public investment, attract shoppers and visitors, and appeal to existing and new residents.

To produce a concentration and a mixture of commercial, office, retail, residential, and public uses within the downtown.

To develop a downtown that supports pedestrian movement and use of public transit.
To implement the City's Comprehensive Plan.

How Proposal relates to Purpose statements:

“Encourage the development of a mixed-use city center”

Response: Simplified list of uses to encourage virtually all uses

“Stimulate economic development in downtown”

Response: Allow a significantly greater residential density than current code

“Preserve views of Tubbs Hills and other distant landforms”

Response: View corridors through upper level setbacks along with tower size and spacing

“Increase the downtown residential population”

Planning Commission Draft

*Response: Eliminate units per acre maximum;
use FAR instead (Proposed Code doubles current allowable density)*

“Respect the small town scale and character”

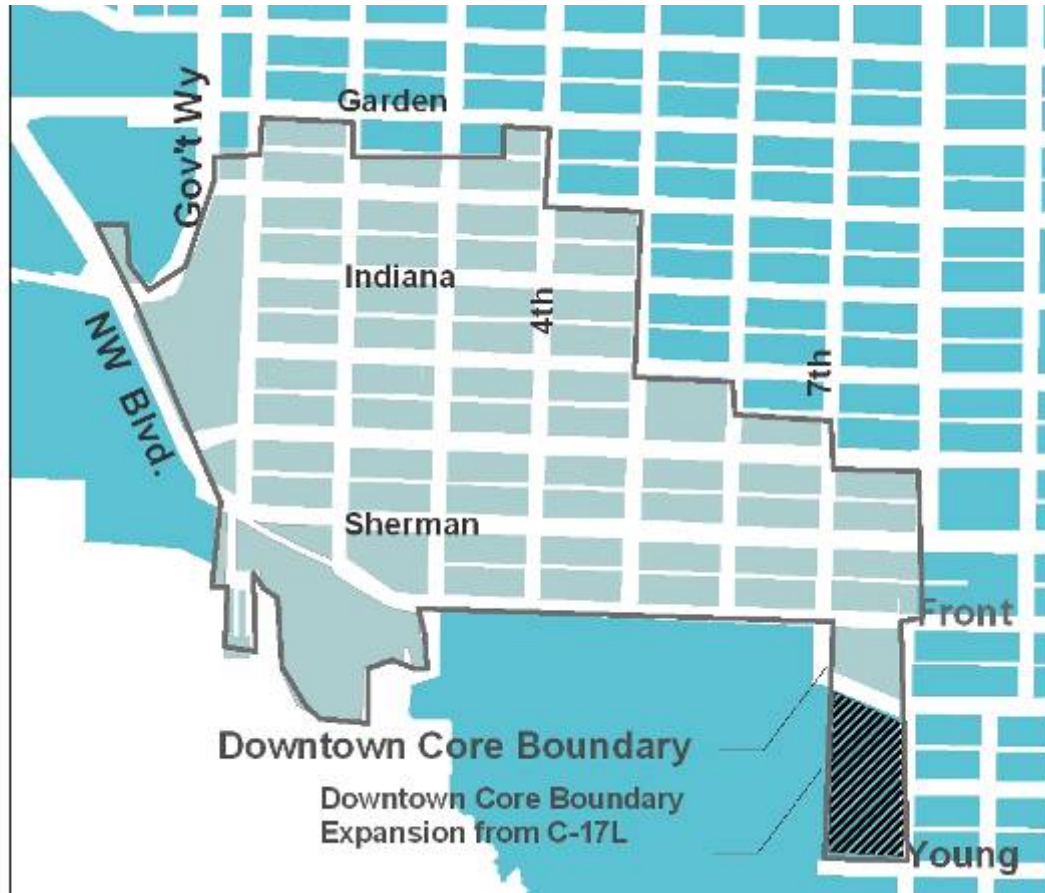
Response: Street level amenities and character through bonuses and exemptions from parking requirements for small retailers

DEVELOPMENT REGULATIONS

II. Application and Intent

DC – Downtown Core

This district is envisioned to have the highest intensity uses, especially retail, office, residences, and hotels contained within low-rise, mid-rise and high-rise buildings. Shops and restaurants would be located along key streets. Major public spaces and buildings would anchor the district. Over time, parking would be increasingly located within structures.



Note: These proposed regulations do not affect the Downtown Overlay North area regulations located north of Indiana.

III. Use Limitations

All uses shall be allowed, unless prohibited below.

Prohibited:

- Adult Entertainment
- Billboards
- Drive-Through Businesses along Pedestrian-Oriented Streets
- Gasoline Sales

Planning Commission Draft

- Industrial Uses
- Mini-Storage on the street level.
- Outdoor Sales or Rental of Boats, Vehicles, or Equipment
- Outdoor Storage of materials and equipment (except during construction)
- Repair of Vehicles, unless entirely within a building
- Sewage Treatment Plants and other Extensive Impact activities.
- Surface Parking on Pedestrian-Oriented Streets
- Work Release Facilities
- Wrecking Yards
- Vehicle Washing, unless located within a building or parking structure
- Any other use that the Planning Director determines not to comport with the intent of the district as expressed in Section I Overall Purpose.

IV. Basic Development Standards

A. Floor Area Ratio

Floor Area Ratio (FAR) is a method of calculating allowable floor area. The FAR multiplied by the parcel size (in square feet) equals the amount of allowable floor area that can be built within a development.

Floor Area Ratio (FAR)

	Basic Allowable	Maximum Allowable with Bonuses
District		

Planning Commission Draft

DC	4.0	6.0

Note:

1. For the purposes of these regulations, floor area is measured to the inside face of exterior walls. The following shall be excluded from floor area calculation:

- Space below grade
- Space dedicated to parking
- Mechanical spaces
- Elevator and stair shafts
- Lobbies and common spaces, including atriums
- Space used for any bonused feature

B. Bonus Features Allowing Increased Floor Area Ratio (up to Maximum)

Feature	Additional Floor Area for each Feature
<p>Street Level Retail Uses providing goods and services, including food and drink, adjacent to, visible from, and accessible from the sidewalk</p>	100 sf of floor area for each linear foot of retail frontage
<p>Public Plaza / Courtyard An open space that is accessible to the public at all times, predominantly open to the sky, and for use principally by people, as opposed to merely a setting for the building. It must abut and be within 3 feet in elevation of a sidewalk, at least 10% of the area shall be planted with trees and other vegetation. There must be seating, lighting and penetration of sunlight</p>	5 sf of floor area for each sf of plaza / courtyard
<p>Canopy A rigid structure covered with fabric, metal or other</p>	4 sf of floor area for each sf of canopy

Planning Commission Draft

material and supported by a building at one or more points, projecting over an entrance, window, outdoor service area or walkway with the purpose of sheltering persons from sun, wind and precipitation	
Public Art Any form of painting, mural, mosaic, sculpture, or other work of art as approved by the Arts Commission. Documentation of building costs and appraised value of the art feature shall be provided. The art feature must be displayed on the exterior of a building, at or near the pedestrian entrance or on a public plaza.	10 sf of floor area for each \$100 of valuation
Water Feature A fountain, cascade, stream, fall, pond of water, or combination thereof, that serves as a focal point. It must be a water-efficient design located outside of a building and be publicly visible and accessible. Water features must comply with City policies regarding water usage. It must be active during daylight hours. During periods of water use restrictions and freezing such features may be turned off	10 sf of floor area for each \$100 of valuation
Parking, Structured Parking contained within an enclosed building, designed to appear like it is part of the larger building complex.	0.5 sf of floor area for each sf of required parking above grade
Parking, Below Grade Any portion of structure containing parking that is located below the average finished grade around a building.	1 sf of floor area for each sf of required parking below grade
Green Roof A roof designed with principles of environmental sustainability, involving the use of vegetation and storm water collection and cleaning. It may or may not be accessible	2 sf of floor area for each sf of green roof

Feature	Additional Floor Area for each Feature
Day Care A use providing for the care of children or elderly people, generally during the hours of 6am and 7pm. Such use shall comply with all applicable City standards	4 sf of floor area for each sf of day care
Health Club A use that offers exercise and recreational activities for tenants and/or the general public, either with or without a fee.	2 sf of floor area for each sf of health club
Public Meeting Rooms A space that can be used by the general public and having a capacity of at least 50 people. It may operate under a reservation or nominal fee system, but must be easily accessible from a lobby or plaza	5 sf of floor area for each sf of meeting room

Planning Commission Draft

<p>Workforce Housing For purposes of this code, below-market housing is defined as dwelling units available to households making less than the median income for all households within the city limits</p>	<p>4 sf of floor area for each sf of workforce housing</p>
--	--

Note: Public Plaza, Parking & Workforce Housing features may be provided off-site.

C. Maximum Building Height

Buildings within this district shall only be permitted to exceed 75 feet if they comply with the bulk, spacing, and setback standards indicated in the sections that follow. Buildings that comply with the standards, as well as accumulate sufficient Floor Area Ratio through bonuses, may extend as high as shown in the chart below.

	Height	Height w/architectural feature ² .
Base	75 ft.	83 ft.
Base + Bonus	200 ft	220 ft.

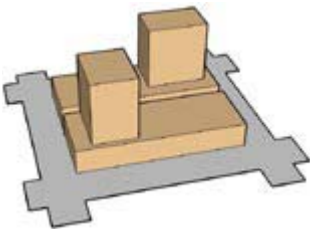
Notes:

Planning Commission Draft

1. Mechanical penthouses, stair/elevator overruns, and antennae may be excluded from Building Height calculation provided they are no more than 15 feet above the roof deck.
2. Building height may be increased by up to 10% if the top is designed as a non-habitable, architectural element. This element may extend above the increased height limit.

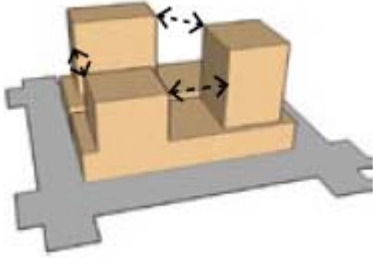
The combination of these restrictions are expected to result in 2-3 buildings on each block that might exceed 75 feet. Furthermore, only very large development sites would be able to attain the maximum height. It is estimated that throughout the downtown, only approximately a dozen sites are sufficiently large enough to reach the maximum height.

D. Building Bulk



1. Tower Floor Size

Building floors over 75 feet in height above grade shall have a maximum FAR area of 8000 square feet.



2. Tower Separation

Building floors over 75 feet in height above grade shall be at least 50 feet from any other structure over 75 feet above grade.



3. Upper Level Stepback

On the following streets, building floors over 45 feet in height above grade shall be stepped back from the right-of-way by at least 10 feet:

1st, 3rd, 4th, 5th, 6th, 7th., Sherman Avenue

Note: Normal projections into setback allowed by the zoning ordinance include:

- Chimneys may extend into a yard a distance of not more than twenty four inches (24").
- Eaves, cornices, belt courses, and similar ornamentation may project over a yard not more than two feet (2').
- Balconies and Bay/Bow windows may project up to four feet (4').

Design Departure for Building Bulk

A design departure procedure would be established to allow a project to achieve flexibility in the application of prescriptive development standards. A 20% departure may be granted administratively. Greater departures would require approval of the Design Review Commission. In order to allow a departure from a code standard, an applicant must demonstrate that it would result in a development that better meets the intent of the purpose of the regulation and applicable design guidelines. Note that this departure would not apply to building height.

E. Parking Ratios

Use Type	Minimum	Maximum
Retail / Restaurants	2 stalls / 1000 nsf	4 stalls / 1000 nsf
Office	2 stalls / 1000 nsf	4 stalls / 1000 nsf
Residential	0.5 stall per unit	2 per unit
Senior Housing	0.25 stall per unit	1 per unit

Notes:

1. Retail and restaurant uses less than 3000 sf shall be exempt from parking requirements.
2. Parking requirements for uses not listed shall be determined by a study of parking demand for that use and as approved by the City.
3. Uses sharing a common parking facility may reduce the required number of stalls by 25%.
4. Parking may be located off site, so long as it is within 1000 feet of the property, is connected to the property by sidewalks or walkways, and is tied to the site by a contractual agreement that is filed with the City and Deed of Record at the County.
5. Uses within existing buildings are exempt from additional parking requirements. (See City Code 17.44.120)

Note: A reduction of minimum standard parking stall size in this district from 9x20 to 8x18 would be adopted to enhance parking garage design.

Definitions:

Floor Area Ratio

Floor Area Ratio (FAR) is a method of calculating allowable floor area. The FAR multiplied by the parcel size (in square feet) equals the amount of allowable floor area that can be built within a development.

Floor area is measured to the inside face of exterior walls. The following shall be excluded from floor area calculation:

- Space below grade
- Space dedicated to parking
- Mechanical spaces
- Elevator and stair shafts
- Lobbies and common spaces, including atriums
- Space used for any bonused feature