

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

**MAY 13, 2008**

**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:** Jordan, Bowlby, Evans, Luttropp, Rasor, Messina, Satterly, (Student Rep)

**APPROVAL OF MINUTES:**

April 8, 2008

**PUBLIC COMMENTS:**

**COMMISSION COMMENTS:**

**STAFF COMMENTS:**

**ADMINISTRATIVE:**

1. Approval of findings for:
  - a. PUD-3-08 and ZC-2-08, "Braunsen Subdivision"
2. Applicant: Fernan Lake Preservation, LLC  
Request: To request a one-year extension for PUD-4-07 & S-7-07  
Lake Fernan Heights
3. Applicant: R.J. Obeid  
Request: Interpretation for Pocket Housing  
ADMINISTRATIVE, (I-1-08)
4. Applicant: John Manning, Jr.  
Request: Determine the number of parking spaces for Federal Court Houses  
ADMINISTRATIVE, (I-2-08)
5. Applicant: Black Rock  
Request: Revise phasing plan for (PUD-1-04 & S-4-05) "Bellerive PUD" and  
Preliminary plat  
ADMINISTRATIVE, (I-3-08)

**DISCUSSION:**

1. Planning Commission Workshop

**PUBLIC HEARINGS:**

1. Applicant: Meckel Engineering and Surveying  
Location: 2212 W. Prairie Avenue  
Request: A proposed annexation from County Agricultural to City R-8  
(Residential at 8 units/ acre)  
QUASI-JUDICIAL, (A-2-08)

**PRESENTATION:**

1. Substance Abuse Issues.

**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 Stuhlmiller at (208)769-2240 at least 24 hours in advance of the meeting date and time.***



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**PLANNING COMMISSION  
MINUTES  
APRIL 8, 2008  
LOWER LEVEL – COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT**

Brad Jordan, Chairman  
Heather Bowlby, Vice-Chair  
Amy Evans  
Peter Luttropp  
Tom Messina  
Scott Rasor

**STAFF MEMBERS PRESENT**

Dave Yadon, Planning Director  
John Stamsos, Senior Planner  
Sean Holm, Planner  
Shana Stuhlmiller, Public Hearing Assistant  
Warren Wilson, Deputy City Attorney  
Gordon Dobler, Engineering Services Director

**COMMISSIONERS ABSENT**

Juliana Satterly, Student Representative

**CALL TO ORDER**

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

**APPROVAL OF MINUTES:**

Motion by Luttropp, seconded by Rasor, to approve the minutes of the Planning Commission meeting held on March 11, 2008. Motion approved.

**COMMISSION COMMENTS:**

Commissioner Bowlby commented that she would like a workshop to discuss the approval process for Planned Unit Developments and Special Use Permits.

**STAFF COMMENTS:**

Senior Planner Stamsos announced a workshop is scheduled with Mark Hinshaw to discuss the building heights on Sherman Avenue. He added that the workshop will be held on Wednesday, April 9<sup>th</sup> at 12:00 p.m. in the Jameson Room at the City of Coeur d'Alene Public library

He stated that the Pennsylvania Highlands, denied by the Planning Commission on February 12, 2008, was appealed by the applicant and will be heard by the City Council on May 6<sup>th</sup>.

**PUBLIC COMMENTS:**

None

**OTHER:**

1. Approval of findings for:
  - a. PUD-2-08, S-2-08, "Princetown at Waterford"
  - b. S-3-08, "The Cottages on Government Way"
  - c. SP-1-08, "Mary's Place"

**Motion by Razor, seconded by Bowlby, to approve the findings for PUD-2-08, S-3-08 and SP-1-08. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Razor	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

**ADMINISTRATIVE ITEMS:**

1. Applicant: Riverstone West, LLC  
Request: Proposed 3- lot preliminary plat "Riverstone Phase III Short Plat"  
SHORT PLAT (SS-1-08)

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

There were no questions for staff.

**Motion by Razor, seconded by Messina, to approve Item SS-1-08. Motion approved.**

2. Applicant: City of Coeur d'Alene  
Location: Lot 1 Block 1 Clark Addition  
Request: A proposed 1-lot preliminary plat "Final Short Plat Braunson Addition"  
SHORT PLAT (SS-2-08)

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

There were no questions for staff.

**Motion by Razor, seconded by Luttrupp, to approve Item SS-2-08. Motion approved.**

**Chairman Jordan introduced the new Planning Commissioner Amy Evans.**

## **PUBLIC HEARINGS**

1. Applicant: City of Coeur d'Alene  
Request: A proposed amendment to the off-street parking Requirements for Hotel and Motel parking LEGISLATIVE (0-4-08)

Planner Holm presented the staff report and answered questions from the Commission.

Commissioner Bowlby inquired if the parking calculations presented include employee parking.

Planner Holm explained that these calculations are based on peak times when the hotel is the busiest, which is during the evening. He added that employees, who work for the hotel, work during the day when peak time is over, and parking is more than adequate.

Commissioner Luttrupp questioned if the Parking Commission has been notified of these proposed changes.

Planner Holm answered that the Parking Commission was not notified because these proposals do not pertain to downtown.

Commissioner Luttrupp commented that he feels that this is an important issue for the Parking Commission to consider and suggested that this item be continued until they have a chance to review this proposal.

Planning Director Yadon explained that this proposal does not affect the downtown or midtown areas which are governed by the Infill and Downtown Core Regulations that have been reviewed by the various Commissions.

### **Public testimony open:**

Kent Clausen, 8923 E. Mission, Spokane, explained the reasons this request was brought forward based on their experience in operating hotels in seven different states and feels that what is existing is excessive compared to what other jurisdictions in other states require, which is a 1:1 parking ratio. He also stated that no hotel or motel wants to not have enough parking and that the proposal provides. He addressed a previous question stating if there will be adequate parking for employees and explained that the only employees needed is the housekeeping staff when the peak-time is over - at night. He commented that they are not requesting to "skinny-up" the regulations, but desire to be consistent with other jurisdictions and actual demand.

Commissioner Razor questioned if these calculations will pertain to smaller hotels.

Mr. Clausen explained that this request is based on the amount of people needing a room rather than the amount of cars, but the amount of people needed to accommodate with rooms. He added that one car is needed for a family.

Chairman Jordan inquired if staff is comfortable with this proposal.

Planning Director Yadon answered that staff is comfortable with this proposal. He added that the Planning Commission should consider what the trade-offs are compared to the amount of asphalt needed for additional parking, compared to the amount of open space retained for the reduction of parking requirements. He suggested that if the Planning Commission is uncomfortable approving this request to include all hotels, that the Commission chooses a number for smaller hotels.

Commissioner Bowlby commented that she is comfortable with this request and does not feel the need to place a different parking space requirement for small hotels.

**Motion by Razor, seconded by Bowlby, to approve Item 0-4-08. Motion approved.**

2. Applicant: City of Coeur d'Alene  
Request: Modification to Infill Overlay Regulations  
LEGISLATIVE (0-1-07d)

Planner Director Yadon presented the staff report and answered questions from the Commission.

Commissioner Razor inquired if all the homes in this area were below a height of 38 feet.

Planning Director Yadon explained that after staff did a computer model illustrating the heights in the area, he was surprised to find that most of the homes are within, or below 38 feet.

Commissioner Luttrupp complimented staff on working with the East Mullan Historic District Neighborhood to come up with a proposal that will work well with their community.

Commissioner Razor commented that is he is concerned with the proposed height requirement of 38 feet.

Chairman Jordan inquired in a situation where half of a house burned down in this area, would the people who own the home be required to rebuild to a height of 38 feet.

Planning Director Yadon explained that most of these homes in this area are considered non-conforming, and if this ordinance is passed, they would not be allowed to exceed the proposed height requirement of 38 feet.

Commissioner Luttrupp questioned if this request should be continued, to allow staff to physically check the heights in this area for accuracy.

**Public Testimony open:**

Lynn Morris, 304 S. 11<sup>th</sup> Avenue, Coeur d'Alene, representative for East Mullan Historic District Neighborhood Association, thanked staff for bringing this request forward and endorses these proposals. She explained that in the past, their group attended many workshops with the City, and from those discussions, are the proposals presented tonight. She added that they agree to the proposal to limit height in this area to 38 feet to protect the neighbors who live behind these homes, and by limiting the horizontal structures to 100 feet with 15 foot breaks will allow corridors of light through, which is a plus. She discussed the last proposal which is for a five-foot setback between proposed buildings which will allow existing homes privacy and than submitted a photo illustrating that problem.

David Fealko, 1005 Front Avenue, Coeur d'Alene, commented that he has been a homeowner in this area for 35 years and agrees with the proposals presented including the 38 feet height proposed for this area.

Barbara Crumpacker, 1015 Lakeside, Coeur d'Alene, thanked the Commission and staff for their support. She commented that her home was recently part of the garden tour and how she was relieved when Dr. Walsh's proposal was denied, and explained if it had been approved, it would have placed his building next to her home without these proposed setbacks.

Rita Sims-Snyder, Vice President, East Mullan Historic District Neighborhood, 818 Front Avenue, commented that height is a concern, but feels the approval of these setbacks is a bigger issue. She

explained under the existing regulations, if these older homes were replaced they could be rebuilt to a height of 35 feet requiring no setbacks. She added with the approval of five-foot setbacks, it would protect these established older homes in this area. She thanked staff for bringing this proposal forward.

**Public testimony closed.**

**DISCUSSION:**

Commissioner Bowlby commented that it is refreshing to hear positive remarks from a neighborhood and complimented the Design Review Commission on their work on this proposal.

Commissioner Razor commented that he does not support the request to raise the heights in this area and does not approve of this request.

**Motion by Bowlby, seconded by Messina, to approve Item 0-1-07d. Motion approved.**

3. Applicant: City of Coeur d'Alene  
Request: Amendment to "Zoning Performance Standards"  
LEGISLATIVE (0-5-08)

Deputy City Attorney Wilson presented the staff report and answered questions from the Commission.

Commissioner Bowlby inquired if staff could explain why this request is being presented tonight.

Assistant Attorney Wilson commented that this amendment has two issues that the Planning Commission has to consider for approval. The first issue has to do with Accessory Dwelling Unit regulations and the issue of an ownership problem. Staff is recommending that the code be amended to state that an owner or relative live in the principal dwelling or home. The second issue involves the impact of abutting commercial or manufacturing uses next to a property that is rezoned to residential. He explained that the noise performance standard protects residential properties and places noise levels on residential property affecting the abutting commercial or manufacturing are now subject to restrictions on noise that may not have applied before the rezone. Staff would like to recommend amending the performance standards to resolve this issue.

Commissioner Bowlby inquired if these recommendations are approved, would the existing businesses be "grandfathered" in and not be affected.

Assistant Attorney Wilson responded that is correct.

**Motion by Razor, seconded by Luttrupp, to approve Item 0-5-08. Motion approved.**

4. Applicant: City of Coeur d'Alene  
Request: Parks by right  
LEGISLATIVE (0-6-08)

Planner Director Yadon presented the staff report and answered questions from the Commission.

Commissioner Razor inquired if staff could give a brief history on the reason this is being presented tonight.

Planning Director Yadon explained that currently the ordinance states parks placed in residential zones are allowed with a Special Use permit. He commented that staff is recommending to change this



ordinance to consider allowing public and private parks in residential zoning districts by right, eliminating the need for a special use permit.

Commissioner Bowlby inquired if this ordinance is approved who would approve the plans originally approved by the Planning Commission.

Planning Director Yadon answered that responsibility would be placed on the Parks Commission with final approval given by City Council.

Commissioner Bowlby commented that she is concerned if public input will be allowed. She stated, as an example, that when Cherry Hill Park came forward to the Planning Commission, there was a lot of valuable input given from the neighborhood and later passed on to the Council.

Planning Director Yadon explained that even through these requests will not be heard by the Planning Commission, the request will first go to the Parks Commission where public input will be allowed. He added that the Planning Commission will still need to establish parking spaces for some of these parks.

Commissioner Rasor commented that he feels the Parks Department is very efficient and will do a good job when these requests come forward.

Doug Eastwood, Parks Director, 710 Mullan Avenue, Coeur d'Alene, commented that this request is not the intent to cut the Planning Commission from the process but to eliminate a step to get the community involved right away in planning their park. He explained that when a new park is proposed, they invite the neighborhood to share their ideas on how they want to design their park. He stated that there will be plenty of opportunity for public testimony during this process.

**Motion by Rasor, seconded by Messina, to approve Item 0-6-08. Motion approved.**

5.      Applicant:      Mica Creek, LLC  
          Location:      SW corner of Kathleen & Schreiber Avenue  
          Request:        A proposed Professional Office special use permit in the  
                          LM (light manufacturing) zoning district  
                          QUASI-JUDICIAL (SP-3-08)

Senior Planner Stamsos presented the staff report, gave the mailing tally as 1 in favor, 0 opposed, and 1 neutral and answered questions from the Commission.

Commissioner Rasor commented that he feels that light manufacturing is the right zone for this area.

**Public testimony open:**

Jack Beebe, applicant, 1384 Griffiths Court, Hayden Lake, commented that he does not have anything to add since staff has done a great job describing the project. He added that he feels this building will be an asset to the community and asked the Planning Commission for approval.

Commissioner Bowlby commented that the green space located in front of the property always looks nice and questioned who is responsible for the maintenance of the property.

Mr. Beebe commented that the surrounding homeowner's own the space and share the upkeep on the property.

**Motion by Bowlby, seconded by Rasor, to approve Item SP-3-08. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

6. Applicant: City of Coeur d'Alene  
Location: 3285 Fruitland Lane

Request:

- A. A proposed 3.20 acre PUD " Braunsen Subdivision"  
QUASI-JUDICIAL (PUD-3-08)
- B. A proposed zone change from MH8 (Mobile Home at 8 units/acre)  
to R-17 (Residential at 17 units/acre) zoning district  
QUASI-JUDICIAL (ZC-2-08)

Senior Planner Stamsos presented the staff report, gave the mailing tally as 1 in favor, 3 opposed, and 1 neutral and answered questions from the Commission.

Commissioner Bowlby commented the majority of land shown is an R-8 density.

**Public testimony open:**

Troy Tymesen, Finance Director, City of Coeur d'Alene, commented that this project is a partnership that includes St.Vincent De Paul and HUD. He explained that this project has been brought forward at the request from a housing study done in 2006. He added that the study indicated that over 800 units needed as HUD housing. He explained an overview of the project indicating that the first phase will be for 15 units targeted for low income housing. He added that the other two lots will be for a future senior housing project. The City has had this property for a long time and was not developed because of the high costs of construction. He commented that the City has met with the neighborhood and feels that this project will be a win/win for the community.

Sheryldene Rogers, consultant, 818 W. Riverside #300, Spokane, presented a PowerPoint presentation to the Commission explaining an overview of the project. The presentation highlighted various buildings in other jurisdictions showing the unique styles to these buildings. She commented that the deciding factor for HUD to consider the involvement of this project was because of St Vincent de Paul. She added that St.Vincent de Paul has done great things to help this community and feels with HUD's contribution, plus the City, will be a win/win for the community.

Commissioner Jordan inquired if her company will manage the properties once they are completed.

Ms. Rogers commented that they will be self-managed.

Commissioner Razor inquired what happens to these properties after the 40 years has ended.

Ms. Rogers answered at the end of the term, the owner could sell, but since these properties are non-profit, they would hope to extend the contract.

Commissioner Razor inquired if the proposed parking will be adequate.

Ms. Rogers commented that the amount of parking is based on the requirements needed for the project and they feel their goal is to try and preserve the area as open space rather than to cover it with asphalt.

Vickie Stoner, 3565 Fruitland Lane, Coeur d'Alene, commented that she lives across the street from this property and is surprised how big this project is going to be. She added that she is happy to hear that there will be senior housing proposed for this project.

Carrie Neils, 2931 Howard Street, Coeur d'Alene commented she has lived in the area awhile and works with the elderly. She is concerned that there seems to be a lot of vacant buildings not being used. She commented that her biggest concern is that with the increase of children forcing the school to have to change their boundaries to accommodate the increase.

Commissioner Messina commented that he is sympathetic to the concerns brought forward but feels that this project will be a benefit to the City and one step closer to the goal of providing a low-income project to the community.

#### **Rebuttal:**

Troy Tymeson commented that he would like to thank the Commission on hearing this request and feels fortunate that HUD is helping to provide the funding to make this project a success. He added with the amount of people who qualify for this type of home, they would not have a problem filling these apartments in 30 days. He described these buildings to be a showplace that the City and community will be proud of when the project is completed. He commented that this is the perfect area for this project.

Commissioner Bowlby commented that she feels comfortable with what is presented and excited that part of the project will be aimed for senior housing.

Mr. Tymeson explained that R-8 zoning is requested to provide senior housing in the future.

Commissioner Luttrupp noticed that City Link had a stop located across Appleway and inquired if the City could ask City Link to place a stop closer to this project.

Mr. Tymeson commented that they will be talking with City Link to place a stop closer to this project and feels that if that is not accomplished the project will lose a lot of merit.

Commissioner Luttrupp commented that he supports this project and feels by replacing the existing mobile homes with something that is comparable and affordable; it will be an asset for the City. He added, as a community, we need to make this project an example for other developments to follow in the future.

Commissioner Jordan commented that this will be a great project and a step forward to provide lower income housing to the citizens.

**Motion by Razor, seconded by Luttropp, to approve Items PUD-3-08 and ZC-3-08. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Razor	Voted	Aye
Commissioner Luttropp	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

7. Applicant: Carol Allen  
Location: 380 Neider Avenue  
Request: A proposed Off-Site Consumption special use permit in the C-17L (Commercial limited) zoning district QUASI-JUDICIAL (SP-2-08)

Chairman Jordan declared a conflict and was excused from the hearing and that Vice-Chair Bowlby will be the acting chairman for this hearing.

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

Commissioner Luttropp commented that he is concerned that the ingress/egress is close to the traffic light located on 4<sup>th</sup> street

Senior Planner Stamsos commented that there is a condition in the staff report that states left turn (northbound) movements from the point of ingress/egress on Fourth (4<sup>th</sup>) Street are prohibited.

Commissioner Bowlby inquired if staff could estimate how far the ingress/egress is from the light located on 4<sup>th</sup> Street.

Senior Planner Stamsos would estimate that it would be approximately 130 feet from the light.

**Public testimony open:**

Ken Wood, applicant representative, 97935 Lively Lane, Brookings, OR, commented that he wanted to state that there is a 180 feet of frontage to the light. He explained an overview of the project and feels that this project meets all the requirements stated in the Comprehensive Plan. He added that the design of the building is nice and not a "shed". The Human Bean coffee stand has been successful in other areas and will be a good fit, blending with the surrounding residences and a convenient place to grab a cup of coffee.

**Public testimony closed.**

**Motion by Razor, seconded by Luttropp, to approve Item SP-2-08. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye

Commissioner Rasor                   Voted   Aye  
Commissioner Luttropp               Voted   Aye

Motion to approve carried by a 5 to 0 vote.

**ADJOURNMENT:**

Motion by Evans, seconded by Messina, to adjourn the meeting. Motion approved.

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

Respectfully submitted by John Stamos, Senior Planner

Prepared by Shana Stuhlmiller, Public Hearing Assistant

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

**A. INTRODUCTION**

This matter having come before the Coeur d'Alene Planning Commission on April 8, 2008, and there being present a person requesting approval of ITEM PUD-3-08, a request for a planned unit development known as "Braunsen Subdivision."

LOCATION: +/- 3.2 acre parcel at 3825 Fruitland Lane.

APPLICANT: City of Coeur d'Alene, ID

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

**B1. That the existing land uses are residential: single-family, mobile homes and duplex.**

**B2. That the Comprehensive Plan Map designation is Transition.**

**B3. That the zoning is MH-8 (Mobile home, 8 units/acre) however the Applicant has also requested that the property be rezoned to R-17 (residential at 17 units/acre), which is addressed in a separate set of findings.**

**B4. That the notice of public hearing was published on March 22, 2008 and April 1, 2008, which fulfills the legal requirement.**

**B5. That the notice of public hearing was posted on the property on March 23, 2008, which fulfills the legal requirement.**

**B6. That 10 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on March 21, 2008, and 5 responses were received: 1 in favor, 3 opposed, and 1 neutral**

**B7. That public testimony was heard on April 8, 2008, including but not limited to:**

**John Stamosos, Associate Planner.**

Mr. Stamosos stated that the City of Coeur d'Alene was seeking a zone change from MH-8 to R-17 and a Planned Unit Development. The parcel is approximately 3.2-acre parcel at 3825 Fruitland Lane. Mr. Stamosos reviewed the staff analysis for land use, neighborhood characteristics, utilities, traffic and streets. He noted that the PUD would authorize a parking ratio of one parking space per unit for a total of 51 parking spaces for the planned

51 units for low income elderly and disabled persons. Mr. Stamosos further testified that the zoning in the area is a mixture of MH-8, R-12, R-17 and C-17. He testified that the current density of the area is approximately 2.5-3 units per acre, which would accommodate significantly more density in the area given the Comprehensive Plans projection of 8 units per acre. He also testified that approximately 52% of the property will be left as open space.

**Troy Tymesen, Finance Director.**

Mr. Tymesen spoke on behalf of the applicant. He testified that this is an affordable housing project is a HUD funded project being built in conjunction with St. Vincent de Paul. The units in the initial phase will be approximately 500 square feet. He also testified that people living in affordable housing units are less likely to have cars and hence less parking is required.

**Sheryldene Rogers, Goodale & Barbieri, 818 W. Riverside # 300, Spokane, WA 99201**

Ms. Rogers testified on behalf of the applicant. Ms. Rogers testified that she has developed and managed projects like this for the past 15 years. Based on her experience, she testified that the residents of these types of units are unable to live in market rate units because of their disabilities. She testified that they will be compatible with the surrounding area. Ms. Rogers also addressed reduced need for parking in housing developments of this type. Such parking schemes have been used with success in several cities in Washington. Because very low income disabled residents are most likely to live alone, normal parking requirements are unrealistic. Ms. Rogers was asked about the possibility of the property transitioning to open housing after the 40-year commitment from the Department of Housing and Urban Development (HUD) ends. In response, she stated that other subsidized housing facilities with which she is familiar have maintained their commitment to providing low income housing as the sponsors of such housing are non-profit corporations committed to serving the public.

**Vicky Stoner, 3345 Fruitland Lane**

Ms. Stoner testified that the area is quiet and “farmlike”. She was pleased to hear about the senior housing because she was concerned that the whole project would be for disabled persons. She also inquired about the number of the units to be built.

**Kari Neals, 2931 Howard Street**

Ms. Neals spoke in opposition to the zone change and PUD. She noted that numerous areas have been developed in the immediate area. She expressed concern about the change in school bus routes and school assignments that may happen as a result of extending Neider Avenue and Howard Street. Ms. Neals noted that there are other housing options for seniors and that they are not filled. Ms. Neals also stated that she believes the City’s money would be better spent on other projects.

**B8. Pursuant to Section 17.07.230, Planned Unit Development Review Criteria, a planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the City Council:**

**B8A. The proposal is in conformance with the Comprehensive Plan.**

We find that the proposed PUD is in conformance with the Comprehensive Plan as follows:

The proposed PUD will allow three lots on approximately 3.2 acres. The Comprehensive Plan designates this area as part of the Fruitland land use area, which anticipates density of approximately 8 units per acres. The current density of the area is approximately 2.5 to 3 units per acre. As such, there is sufficient density available in this area to accommodate this request. Additionally, the Comprehensive Plan encourages higher densities and mixed uses close to transportation corridors such as Highway 95, which is near this project area. In addition, we find that the following additional Comprehensive Plan policies are achieved by this subdivision:

Objective 1.11 - Community Design.

Objective 1.12 - Community Design.

Objective 1.13 – Open Space.

Objective 1.14 – Efficiency.

Objective 2.02 – Economic and Workforce Development.

Objective 3.08 – Housing.

Objective 3.10 – Affordable and Workforce Housing.

**B8B. The design and site planning is compatible with existing uses on adjacent properties. This is based on:**

The design of this project provides for a significant amount of open space (approximately 52%) and buffering to protect surrounding neighbors. Additionally, the layout and spacing of the buildings and parking areas are set up to keep the parking areas on the interior of the parcel. As such, the design and site planning is compatible with existing uses on adjacent properties.

**B8C. The proposal is compatible with natural features of the site and adjoining properties. This is based on:**



The site is relatively flat and does not present any significant burdens to development. As such, the proposal is compatible with the natural features of the site and adjoining properties.

**B8D. The location, design, and size of the proposal are such that the development will be adequately served by existing public facilities and services. This is based on:**

The staff report indicates that adequate sewer, water, drainage, police and fire services and street lighting are available for the subject property. There was no testimony received at the public hearing that indicated that this is not the case. As such, we find that the provisions for these requirements are adequate. Neider Avenue and Howard Street will be extended. All three lots will be accessible by public streets. We find this layout will provide adequate internal circulation for the development.

**B8E. The proposal does provide adequate private common open space area, as determined by the Planning Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes. This is based on:**

The development contains approximately 52% open space, which exceeds the requirement for 10% open space. We find that the amount of open space provided by the development exceeds the requirement and that the open space is available to all users of the development for recreational purposes.

**B8F. Off-street parking does provide parking sufficient for users of the development. This is based on:**

While the development would provide one parking place per unit, which is less than what the City typically requires, unrebutted testimony from the applicant established that other cities with similar low-income housing have found that one parking space per unit is sufficient. As such, we find that the development provides sufficient parking for the users of the development. Additionally, staff will require that one parking space per unit is provided for each structure at the time of permit issuance.

**B8G. That the proposal does provide for an acceptable method for the perpetual maintenance of all common property. This is based on:**

Testimony indicated that St. Vincent de Paul, the sponsor of the proposed development, has committed to manage and maintain the development for 40 years. Funds for the maintenance of the development have been secured through a grant from HUD. There was also testimony that HUD has strict guidelines requiring high maintenance standards for properties it funds. Further, the approval of this project has been conditioned on the creation of an owner's association to ensure that the common areas are maintained. As such, we find that there is an acceptable method for ensuring the maintenance of the common areas.

**B8H. That the proposal would not adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character or existing land uses because:**

As discussed above, the layout of the site will provide a significant amount of buffering and open space that will enable this development to fit into the neighborhood without adverse impacts related to neighborhood character. Traffic impacts will be mitigated by the construction of Neider Ave. and Howard St. The proposed land use is residential in a largely residential area. Given the above we find that the proposed development will not adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character and existing land uses.

**C. ORDER: CONCLUSION AND DECISION**

The Planning and Zoning Commission, pursuant to the aforementioned, finds that the request of **The City of Coeur d'Alene** for approval of the planned unit development, as described in the application should be **approved**.

Special conditions applied are:

1. The formation of a homeowners association, pursuant to Section 17.07.235 of the Municipal Code, to ensure the perpetual maintenance of all open space areas.
2. Install sanitary sewer main lines and appurtenances in both Neider Avenue and Howard Street to the westerly and northerly boundaries of the subject property.
3. Connect the existing water main lines in Fruitland Lane and Howard Street with a twelve inch (12") loop. Install all appurtenances and fire hydrants necessary in both Neider Avenue and Howard Street and "stub out" of Howard Street for future extension to the north.
4. Construct Neider Avenue to a full forty foot (40') road section and Howard Street to a full thirty six foot (40') road section with concrete curbing on both sides and sidewalk along the frontages of the subject property. Both Howard and Fruitland will be required to be constructed from the current end of asphalt to the Fruitland/Howard intersection. Install

concrete curb, sidewalk and pavement widening along the Fruitland Lane frontage to meet current City standards.

5. Utilize centralized storm water swale locations in lieu of curbside swales to facilitate maintenance.

#### **D. ORDINANCES AND STANDARDS USED IN EVALUATION**

Comprehensive Plan - 2007.

Transportation Plan.

Municipal Code.

Idaho Code.

Wastewater Treatment Facility Plan.

Water and Sewer Service Policies.

Urban Forestry Standards.

Transportation and Traffic Engineering Handbook, I.T.E.

Manual on Uniform Traffic Control Devices.

Coeur d'Alene Bikeways Plan.

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Evans	Voted _____
Chairman Jordan	Voted _____ (tie breaker)

Commissioners \_\_\_\_\_ were absent.

Motion to approve carried by a \_\_\_\_ to \_\_\_\_ vote.

---

CHAIRMAN BRAD JORDAN

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

**A. INTRODUCTION**

**This matter having come before the Coeur d'Alene Planning Commission on April 8, 2008, and there being present a person requesting approval of ITEM ZC-2-08, a request for a zone change from MH8 (Mobile Home at 8 units/acre) to R-17 (Residential at 17 units/acre).**

LOCATION: +/- 3.2 acre parcel at 3825 Fruitland Lane.

APPLICANT: City of Coeur d'Alene, ID

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

**B1. That the existing land uses are residential: single-family, mobile homes and duplex.**

**B2. That the Comprehensive Plan Map designation is Transition.**

**B3. That the zoning is MH-8 (Mobile home, 8 units/acre).**

**B4. That the notice of public hearing was published on March 22, 2008 and April 1, 2008, which fulfills the legal requirement.**

**B5. That the notice of public hearing was posted on the property on March 23, 2008, which fulfills the legal requirement.**

**B6. That 10 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on March 21, 2008, and 5 responses were received: 1 in favor, 3 opposed, and 1 neutral**

**B7. That public testimony was heard on April 8, 2008, including but not limited to:**

**John Stamsos, Associate Planner.**

Mr. Stamsos stated that the City of Coeur d'Alene was seeking a zone change from MH-8 to R-17 and a Planned Unit Development. The parcel is approximately 3.2-acre parcel at 3825 Fruitland Lane. Mr. Stamsos reviewed the staff analysis for land use, neighborhood characteristics, utilities, traffic and streets. He noted that the PUD would authorize a parking ratio of one parking space per unit for a total of 51 parking spaces for the planned 51 units for low income elderly and disabled persons. Mr. Stamsos further testified that the zoning in the area is a mixture of MH-8, R-12, R-17 and C-17. He testified that the current density of the area is approximately 2.5-3 units per acre, which would accommodate significantly more

density in the area given the Comprehensive Plans projection of 8 units per acre. He also testified that approximately 52% of the property will be left as open space.

**Troy Tymesen, Finance Director.**

Mr. Tymesen spoke on behalf of the applicant. He testified that this is an affordable housing project is a HUD funded project being built in conjunction with St. Vincent de Paul. The units in the initial phase with be approximately 500 square feet. He also testified that people living in affordable housing units are less likely to have cars and hence less parking is required.

**Sheryldene Rogers, Goodale & Barbieri, 818 W. Riverside # 300, Spokane, WA 99201**

Ms. Rogers testified on behalf of the applicant. Ms. Rogers testified that she has developed and managed projects like this for the past 15 years. Based on her experience, she testified that the residents of these types of units are unable to live in market rate units because of their disabilities. She testified that they will be compatible with the surrounding area. Ms. Rogers also addressed reduced need for parking in housing developments of this type. Such parking schemes have been used with success in several cities in Washington. Because very low income disabled residents are most likely to live alone, normal parking requirements are unrealistic. Ms. Rogers was asked about the possibility of the property transitioning to open housing after the 40-year commitment from the Department of Housing and Urban Development (HUD) ends. In response, she stated that other subsidized housing facilities with which she is familiar have maintained their commitment to providing low income house as the sponsors of such housing are non-profit corporations committed to serving the public.

**Vicky Stoner, 3345 Fruitland Lane**

Ms. Stoner testified that the area is quiet and “farmlike”. She was pleased to hear about the senior housing because she was concerned that the whole project would be for disabled persons. She also inquired about the number of the units to be built.

**Kari Neals, 2931 Howard Street**

Ms. Neals spoke in opposition to the zone change and PUD. She noted that numerous areas have been developed in the immediate area. She expressed concern about the change in school bus routes and school assignments that may happen as a result of extending Neider Avenue and Howard Street. Ms. Neals noted that there are other housing options for seniors and that they are not filled. Ms. Neals also stated that she believes the City’s money would be better spent on other projects.

**B8. That this proposal is in conformance with the Comprehensive Plan policies.**

We find that the proposed zone change is in conformance with the Comprehensive Plan as follows:

The proposed zone change is a transition area within the Fruitland land use area, which anticipates development of multi-family uses adjacent to a commercial corridor. This zone

change would allow for multi-family housing in close proximity to the Highway 95 commercial corridor. Additionally, the Fruitland land use area anticipates a density of approximately 8 units per acres. The current density of the area is approximately 2.5 to 3 units per acre. As such, there is sufficient density available in this area to accommodate this request. In addition, we find that the following additional Comprehensive Plan policies are achieved by this subdivision:

Objective 1.11 - Community Design.

Objective 1.12 - Community Design.

Objective 1.13 – Open Space.

Objective 1.14 – Efficiency.

Objective 2.02 – Economic and Workforce Development.

Objective 3.08 – Housing.

Objective 3.10 – Affordable and Workforce Housing.

**B9. That public facilities and utilities are available and adequate for the proposed use.**

The staff report indicates that adequate sewer, water, police and fire services are available for the subject property. Additionally, the staff report indicates that street system will provide adequate access to the property. There was no testimony received at the public hearing that indicated that this is not the case. As such, we find that the provisions for these requirements are adequate.

**B10. That the physical characteristics of the site make it suitable for the request at this time because:**

The site is essentially flat as such we find that the physical characteristics of the site do make it suitable for the requested zoning.

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

Traffic impact to the surrounding neighborhoods should be minimal given the proximity of this property to the Highway 95 corridor and the construction of Neider Ave. and Howard St.. With regard to neighborhood character and compatibility with existing land uses, the proposed zone change would allow multi-family housing in an area that is transitioning from mobile home use to multi-family uses at either 12 or 17 units per acre. All of these uses are residential in nature and are compatible with each other. Given the above we find that the proposed development will not adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character and existing land uses.

**C. ORDER: CONCLUSION AND DECISION**

The Planning and Zoning Commission, pursuant to the aforementioned, finds that the request of **The City of Coeur d'Alene** for approval of the planned unit development, as described in the application should be **approved**.

Special conditions applied are:

1. The formation of a homeowners association, pursuant to Section 17.07.235 of the Municipal Code, to ensure the perpetual maintenance of all open space areas.
2. Install sanitary sewer main lines and appurtenances in both Neider Avenue and Howard Street to the westerly and northerly boundaries of the subject property.
3. Connect the existing water main lines in Fruitland Lane and Howard Street with a twelve inch (12") loop. Install all appurtenances and fire hydrants necessary in both Neider Avenue and Howard Street and "stub out" of Howard Street for future extension to the north.
4. Construct Neider Avenue to a full forty foot (40') road section and Howard Street to a full thirty six foot (40') road section with concrete curbing on both sides and sidewalk along the frontages of the subject property. Both Howard and Fruitland will be required to be constructed from the current end of asphalt to the Fruitland/Howard intersection. Install concrete curb, sidewalk and pavement widening along the Fruitland Lane frontage to meet current City standards.
5. Utilize centralized storm water swale locations in lieu of curbside swales to facilitate maintenance.

**D. ORDINANCES AND STANDARDS USED IN EVALUATION**

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Water and Sewer Service Policies.

Urban Forestry Standards.

Transportation and Traffic Engineering Handbook, I.T.E.

Manual on Uniform Traffic Control Devices.

Coeur d'Alene Bikeways Plan.



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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Evans	Voted _____
Chairman Jordan	Voted _____ (tie breaker)

Commissioners \_\_\_\_\_ were absent.

Motion to approve carried by a \_\_\_\_ to \_\_\_\_ vote.

---

CHAIRMAN BRAD JORDAN

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMSOS, SENIOR PLANNER  
DATE: MAY 13, 2008  
SUBJECT: EXTENSION OF PLANNING COMMISSION APPROVAL  
PUD-4-07 – “LAKE FERNAN HEIGHTS PUD” PLANNED UNIT DEVELOPMENT  
S-7-07 – 8-LOT “LAKE FERNAN HEIGHTS” PRELIMINARY PLAT SUBDIVISION

LOCATION : +/- 22.2-ACRE PARCEL BETWEEN POTLATCH HILL ROAD AND LAKE FERNAN,  
JUST WEST OF ARMSTRONG PARK SUBDIVISION

**DECISION POINT:**

Fernan Lake Preservation, LLC is requesting a one year extension of the Planning Commission approvals of the Preliminary Plat and PUD for “Lake Fernan Heights”, a 22.2- acre 8-lot subdivision on a private street in the R-3 (Residential at 3 units/acre) zoning district and “Lake Fernan Heights PUD” Planned Unit Development a 7.03-acre PUD in the R-3 (Residential at 3 units/acre) zoning district.

**PRIOR ACTION:**

On September 4, 2007, the City Council held a public hearing on the appeal of the Planning Commission’s approval of both of the above items and approved both by 5 to 0 votes. The expiration date of these approvals is September 4, 2008, unless extended by the Planning Commission.

**DISCUSSION:**

The applicant has submitted a letter requesting the extension based on one, the down turn in the real estate market and two, ongoing negotiations with the City for the donation +/- 46 acres to the Parks Department that the applicant would like to complete before starting development of the property.

For the Preliminary Plat, the planning commission may extend its approval for two (2) additional six (6) month periods upon the finding that the preliminary plat complies with all of the requirements set forth at the time of approval. Improvement plans have been submitted that ensure compliance with these requirements.

For the Preliminary PUD, the approval period may be extended by the Planning Commission for one year without public notice upon written request filed before said period has expired and upon stating conditions requiring the extension. The reasons for the extension request are stated in the applicant's letter.

**COMMISSION ALTERNATIVES:**

The Commission may, by motion, grant a one-year extension of the Preliminary Plat and Preliminary PUD approvals to September 4, 2009.

The Commission may, by motion, deny the one-year extension. If denied, on September 4, 2008, approval of the two items expires.

**CONDITIONS:**

The following conditions were approved with the request:

Planning

1. Formation of a homeowners association with CC&R's that includes detailed maintenance responsibilities of all private infrastructure (roads, drainage structures, street lighting, and all open space areas etc.), prior to recordation of the final plat.

#### Engineering

2. The existing easement and utilities must be kept free and clear of all permanent structures, encroachments and obstructions.
3. There is an existing waterline located in Potlatch Hill Road/Sky Harbor Drive at Armstrong Drive that must be extended to the subject property in order to obtain service for domestic and fire protection services. This line will be extended at no cost to the City.
4. Any single utility is required to be centered in a twenty foot (20') easement and thirty foot (30') easements are required for dual utilities. All utilities are required to have a minimum horizontal separation distance of ten feet (10').
5. Developed site flows must be detained and may be metered out in quantities that do not result in any erosion or other detrimental impact to the existing hillside or Fernan Lake.
6. Concentrated flows will not be allowed to be generated and released from the developed site.
7. Any detention basin or structure must be accessible to allow for periodic maintenance or reconstruction if necessary. Easements for access and maintenance must be placed on the final plat document to ensure that ability.
8. Any stormwater facilities that are constructed must be free and clear of any existing subsurface utilities (sewer, water, power, etc.), in the event that maintenance of the existing subsurface facilities is required that would result in damage to the stormwater drainage channels or structures.
9. Any drainage plan for the subject property must also adhere to the "Storm and Surface Water Drainage" section of the site geotechnical evaluation report submitted by ALLWEST, dated April 25, 2007.
10. Silt fence will be required to be installed around any/all construction sites. Silt fencing will be required to be installed prior to the commencement of site disturbance, with approval of the installation by the City Inspector prior to any activity on-site. All fencing will be required to be maintained throughout the construction period until vegetation is of sufficient developed nature to serve as a natural barrier to erodible forces.
11. Written permission to access the subject property from the existing Potlatch Hill Rd., across the intervening ITD parcel, will be required to be furnished prior to final plat approval or the construction of any improvements on the property.
12. No parking will be allowed on the proposed internal roadway due to the narrow width.
13. Final design approval from the City Engineer will be required for the "shed" section roadway design and road grades in excess of 8.0% will not be allowed.
14. All development on the subject property must adhere to the City's Hillside Ordinance #3091.
15. Formation of a homeowners association will be required and CC&R's must contain sections that address private roadway maintenance and potential reconstruction.
16. All open space and private rights-of-way shall be shown as "tracts" on the plat document and must contain easements for access.

#### Wastewater

17. Review and certification of the tank structure to handle live loads (to H-20) with an appropriate engineer

for this review at no expense to the City of Coeur d'Alene. If the tank can not be certified for this load bearing, applicant must upgrade the tank to meet this criterion at no expense to the City of Coeur d'Alene.

18. There be language in the CC&R's of Lake Fernan Heights subdivision that give all future property owners adequate notice to make them aware of potential odors from the existing public sewer facilities. The language shall be reviewed and approved by the City Engineer, prior to approval of the Lake Fernan Heights final plat.
19. The City Engineer analyze any safety requirements, such as a left turn lane, at the intersection of the street into the subdivision and Potlatch Hill Road.

April 15th, 2008

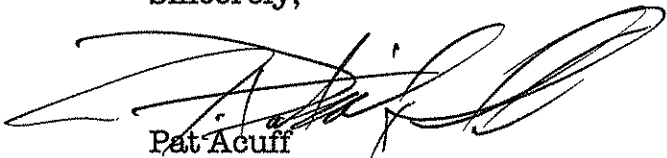
Mr. John Stamosos  
City of Coeur d'Alene  
Coeur d'Alene, Idaho

Dear John,

The Fernan Lake Preservation LLC would request an extension on our PUD that was passed by the city last July. The PUD number is 407 and the subdivision number is 707. The reasons for the request are two fold. The obvious reason would be the current real estate market. We do not think it is prudent to develop the property under these conditions. The second reason is we do not want to finish the development until we have a final resolution with the city as to our donation of the approx. 46 acres to the Parks Dept. We are working on the details now, including the appraisal. We look to have the donation completed by summer.

Thanks for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pat Acuff', written over a horizontal line.

Pat Acuff  
Member Fernan Lake Pres. LLC

## MEMORANDUM

TO: PLANNING COMMISSION  
FROM: SEAN HOLM, PLANNER  
DATE: MAY 13, 2008  
RE: I-1-08: INTERPRETATION ON POCKET HOUSING THRESHOLD

### **DECISION POINT:**

To determine at what point 3 units are allowed on a site and to determine when the pocket housing code threshold is triggered by square footage.

### **HISTORY:**

Staff review of old cluster housing code proved to be cumbersome and confusing, thus, Planning Commission directed staff to review code standards and present a functional easy to understand alternative that would enhance neighborhoods and provide affordable housing.

- On March 20th, 2007, the City Council Approved O-3-06 "Pocket Housing".

### **PERFORMANCE ANALYSIS:**

This interpretation request has been made to determine, "At what square footage would three units be allowed"? And, if it is determined to be less than the threshold of the pocket housing minimums listed below by continuing the practice of rounding, "Will pocket housing code govern the third unit"?

These questions materialized when staff examined a project that had enough square footage to round up to a third unit but did not meet the pocket housing minimum.

Currently, pocket housing requirements must be met when a parcel reaches the required threshold based on its zone (listed below) up to 1.5 acres. Property in excess of 1.5 acres would require a PUD for density greater than a duplex.

Prior to the approval of pocket housing, it was standard practice based on commission direction, to round up the total number of units allowed on any given site. If the calculation yielded greater than half a unit beyond the duplex requirement, an additional unit would be allowed onsite. *For example: if someone qualified for 5.64 units, the planning department would allow 6 units on that site. However, a previous interpretation required that a duplex must meet the minimum requirement to qualify, no rounding. (See attached interpretation)*

### **ITEMS TO CONSIDER:**

Was it the Planning Commission's intent to require pocket housing code to govern development of 3 or more units?

Does the Planning Commission wish to continue the practice of rounding above the 2<sup>nd</sup> unit?

## **CACULATIONS:**

- Current Requirements

### **R-8**

16,500 SF to 1.5 ac (3 units at 5500SF/unit)

### **R-12**

10,500 SF to 1.5 ac (3 units at 3500SF/unit)

### **R-17, C-17L & C-17**

7,500 SF to 1.5 ac (3 units at 2500 SF/unit)

- Based on Rounding (w/ 2.5 multiplier)

### **R-8**

$2.5 * 5500 \text{ SF} = 13,750 \text{ SF}$

### **R-12**

$2.5 * 3500 \text{ SF} = 8750 \text{ SF}$

### **R-17, C-17L & C-17**

$2.5 * 2500 \text{ SF} = 6250 \text{ SF}$

## **DECISION POINT RECOMMENDATION:**

1. Approve the threshold of Pocket Housing (*3 units*) at a square footage less than the current standard of a 3.0 multiplier.
2. Leave the minimum requirements intact for Pocket Housing and allow triplexes at the threshold of 2.5 - 2.9 units (*or another number determined by the commission*). This may require a code amendment as triplexes are not a defined residential activity group.
3. Require 10,500SF of land to allow 3 units. (*No rounding until the 4<sup>th</sup> unit at 3.5 or greater*)

M E M O R A N D U M

DATE: JUNE 3, 1994  
TO: PLANNING COMMISSION  
FROM: PLANNING DEPARTMENT  
RE: MINIMUM LOT REQUIREMENTS FOR DUPLEXES LOCATED  
IN R-17 ZONING DISTRICTS  
PLANNING COMMISSION HEARING: JUNE 14, 1994

**PROBLEM:**

The current minimum lot size requirement of 7,000 square feet in the R-17 district for a duplex (3,500 square feet per unit) has caused problems for developers, who are now requesting that the requirement be changed to the cluster and multi-family housing requirement of 2,500 square feet per unit. This change would permit duplexes on older, vacant lots that are typically 5,500 square feet in size.

**DISCUSSION:**

To understand the problem more fully, it is necessary to review the applicable zoning regulations for minimum lot size requirements. The regulations are:

USE	ZONE			
	R-8	R-12	R-17	R-34
duplex	*5,500	3,500	3,500	N/A
cluster	5,500	3,500	2,500	1,275
multi	not permitted	not permitted	2,500	1,275

\*square feet per unit

As the graph indicates, densities are allowed to increase for cluster and multi-family housing from the R-12 to R-17, but it does not increase for duplex housing. Consequently, a duplex in R-17 requires 7,000 square feet, yet a triplex is permitted on a 7,500-square-foot lot.

The intent at the time the regulations were drafted was that a larger lot would best accommodate bulk and parking requirements and would provide greater compatibility with existing neighborhoods.

**SOLUTION:**

The Commission should discuss the following:

17.05.310 Site performance standards--Minimum lot. Minimum lot requirements in an R-17 district shall be as follows:

- A. 1. Two thousand five hundred square feet per unit ~~except for single-family or duplex housing~~ for duplex, cluster and multi-family housing. A three-unit per gross acre density increase may be awarded for each gross acre included in a cluster housing development;
2. Five thousand five hundred square feet per single-family detached lot~~.~~
- ~~3. Three thousand five hundred square feet per unit for duplex housing lots.~~
- B. All buildable lots must have fifty feet of frontage on a public street unless an alternative is approved by the city through the normal subdivision procedure or unless lot is nonconforming, see Section 17.06.980. (Ord. 1691 § 1(part), 1982).

[B:MINLOT-R.17/staffrpts#28]



INTERPRETATION FOR R-17 REQUIREMENTS

17.05.310

Planner De Barbieris presented the staff report, noting that there were certainly more options available, and suggested that the Commission might want to hold a workshop for the purpose of discussing this issue in more detail.

Jeff Coulter, 1902 Front Avenue, commented that the 2500 sq. ft. per unit for duplexes in the R-17 district was too liberal, noting that most 5500 sq. ft. lots were not large enough to reasonably accommodate that density. He noted that Mayor Hassell had agreed to a moratorium on building permits for duplexes in the R-17 district where there was less than 3500 sq. ft. per unit.

Clarence Sauer, 1910 Front Avenue, seconded the remarks made by Mr. Coulter.

Motion by Copstead, seconded by Longwell, to interpret the requirement as 3500 per unit for duplexes; motion carried unanimously.

A committee to study the issue was formed, consisting of Commissioners Jordan, Longwell, Copstead. It was decided to meet on June 30, 1994, at 12:00 p.m.

It was the consensus of the meeting to retain the 3500 square-foot figure per unit.

## MEMORANDUM

**TO: PLANNING COMMISSION**  
**FROM: SEAN HOLM, PLANNER**  
**DATE: MAY 13<sup>th</sup>, 2008**  
**RE: I-2-08 – PARKING DETERMINATION FOR A FEDERAL COURTHOUSE**

### **DECISION POINT:**

1. Determine the total number of parking stalls needed for a Federal Courthouse.

### **APPLICABLE CODE:**

1. 17.03.040: GENERAL DESCRIPTION OF CIVIC ACTIVITIES:  
Civic activities include the performance of utility, educational, recreational, cultural, medical protective, governmental, and other activities which are strongly vested with public or social importance and are described as follows:  
(O). Courthouses: As determined by the Planning Commission upon recommendation of the Planning Director or director's designee.

### **HISTORY:**

1. Due to the nature of the City of Coeur d'Alene's parking code, review of the Federal Courthouse permit left only one alternative for staff to apply; an office space standard of 1 parking stall per 300 SF. The office space standard was applied to the structure which yielded 184 stalls required. Analysis of the internal uses of the structure by the developer deemed the code excessive regarding parking and they requested a modification of the city code for civic uses, specifically, courthouses.
2. March 11<sup>th</sup>, 2008, Planning Commission reviewed and approved an ordinance change request to include courthouses as a separate item in civic uses. Under the proposed code, courthouses are to be brought before PC for review. (O-3-08)
3. On April 15<sup>th</sup>, 2008, City Council approved the ordinance change request for PC to review courthouses for a determination of required parking for this civic use.
4. ALSC Architects made a formal request in writing on April 15<sup>th</sup>, 2008, for Planning Commission to review the Federal Courthouse located on Mineral Avenue in the City of Coeur d'Alene.

### **FINANCIAL:**

1. Not applicable.

### **PERFORMANCE ANALYSIS:**

1. ALSC Architects have provided a letter dated April 14, 2008 (delivered on April 15<sup>th</sup>), which breaks down the uses by employee count and seating within the Federal courthouse and explains the nature of their request. Their request is for an exterior surface parking lot containing 90-94 vehicle stalls with an additional 5 underground stalls for judges for a total approval request of 95-99 stalls. Employees, judges, trustees, marshals, jurors and seats in each courtroom were calculated in the letter.

2. Also, provided in an email by the applicant is a schematic of the building divided into use groups, denoted by color. They have shown where each use happens floor by floor for a better understanding of uses within. Staff made calculations based on use and found the following:

#### Staff Parking Analysis

##### **Office space**

12,500 SF at 1:300 – (42 parking stalls)

##### **US Marshall space**

ALSC calcs show 12 employees for 16,000 SF of space - (12 parking stalls)

##### **Assembly areas (Judges Chambers were considered accessory)**

204 seats at 1 parking stall per 4 seats – (51 parking stalls)

##### **Circulation/Support**

Staff understands that the design of the facility requires a very large portion of the structure to be used for safe movement of the public/employees meanwhile controlling movement of suspects. All areas of the structure are designed to prevent an attack/escape which requires increased demands in floor area. For that purpose, staff has not included these areas in calculation and considers them accessory.

##### **Grand Total (Staff review)**

105 parking stalls

3. In general, city governments do not have a say in Federal projects. Per the design standards between the contractor and the Federal government based on the lease, the contractor was required to meet local code. As it was explained to the Planning Department, a large portion of the interior space is devoted to the Marshalls which would, based on actual employees, require very little parking. Most tried cases would net a small amount of parking, unless a highly publicized case was tried locally.

#### **QUALITY OF LIFE ANALYSIS:**

1. The proposed courthouse would only ever have an issue with parking if a landmark nationwide media covered case is held locally. If this was the case, no amount of parking would suffice.
2. If the subject building was ever used for another purpose other than a civic use, parking for the specific use must be provided at the level required when the request is made.

#### **DECISION POINT:**

1. Planning Commission must decide the required number of parking spaces needed to serve this Federal Courthouse.

**MEMO**

April 14, 2008

City of Coeur d'Alene Planning Department

Attn: Sean Holm

Re: Federal Courthouse Specific Parking Issues and calculations

Liberty Bldg., Suite 400  
203 North Washington  
Spokane, WA 99201-0233509.838.8568  
fax/509.458.3710Kennewick, Washington  
509.735.4226Coeur d'Alene, Idaho  
208.676.8292[www.alscarchitects.com](http://www.alscarchitects.com)

As it stands today, the U.S. District Courthouse at 6450 North Mineral Drive contains 56,520 gross square feet. Based on an office building parking designation, this building would require approximately 189 parking stalls. Due to interpretations granted the design for the Federal Courthouse, 2,400 square feet were designated as lobby space and assigned a parking requirement of one stall for 1,000 square feet, or approximately 2.4 parking stalls for this square footage and 180.4 parking stalls for the remaining gross square footage of the building, for a net of 183 parking stalls. We are currently providing 184 parking stalls for the project, with an additional five parking stalls contained within the building for judges and marshals services. We believe that the parking requirement for this courthouse use is excessive.

Looking first at the assembly uses within the facility, the District Courtroom has 74 seats for the public and 16 seats for jury members, the Magistrate Bankruptcy Court has 49 seats for the public and 12 seats for jury members, the Grand Jury Room has 23 seats for the public and grand juror members, and the Trustees' Meeting Room has seating for 30. This adds up to an assembly occupancy of 204 and when applying the one parking stall per four seats for assembly occupancies within the code, this would generate 51 parking stalls.

The office functions are contained in areas larger than normally provided in the commercial world due to Federal requirements, so it is more appropriate to look at employee counts than square footage. The employee count once the Courthouse has reached full occupancy are broken down as follows: Court Security Officers (CSOs) (9), Deputy Marshals and Assistant Deputy Marshals (3), Probation Officers (6), Court Clerk Employees (5), U.S. Attorneys (6), Visiting Judges and Law Clerks (4). This equates to a total employee count of 33. In total for the employee uses and assembly occupancies, this amounts to 84 parking stalls. We are proposing for this Courthouse to provide surface parking for 90 to 94 vehicles and 5 parking stalls within the basement of the building, for a grand total of between 95 and 99 parking stalls.

In documentation we have provided to the City on impact fees, the current Federal Courthouse in downtown Coeur d'Alene has an average of 43 employees and visitors on any working day. Exceptions to the norm would occur such as the rare occasions when cases of national or regional notoriety were being adjudicated. However, since the seating capacity of each of the courtrooms is limited, the parking situation can be controlled for these occasions.

We believe there is reasonable justification for a parking requirement that is less than that required for an office building function and that a parking requirement in the neighborhood of 90 to 100 parking stalls for the Federal Courthouse use is more than adequate.

John J. Manning, Jr.  
JJM:jw:0677

## MEMORANDUM

TO: PLANNING COMMISSION  
FROM: JOHN J. STAMSOS, SENIOR PLANNER  
DATE: MAY 13, 2008  
RE: I-3-08 - INTERPRETATION OF PHASING PLAN FOR "BELLERIVE PUD" AND PRELIMINARY PLAT

### DECISION POINT:

Blackrock is requesting the following changes to the phasing plan approved by the Planning Commission (I-4-07) on February 13, 2007:

- Adjust the phase 2 and 3 boundaries at the south end of the project by drawing a new boundary line at the end of Bellerive Lane and creating a new phase 4 for the area to the south of this boundary.
- Amend condition 6 and add a new condition 9 to address impacts created by the addition of a fourth phase.

### HISTORY:

- On March 8, 2005, the Planning Commission approved the "Riverwalk PUD" and "Riverwalk" Preliminary Plat, which included two phases.
- On July 27, 2005, the Planning Commission approved an interpretation that moved the boundary between phase one and two.
- On February 13, 2007, the Planning Commission approved an interpretation (I-4-07) that expanded the phasing plan from two to three phases.

### PERFORMANCE ANALYSIS:

The applicant has contacted the City staff to discuss the above changes, as stated in his letter.

The approved phasing plan and proposed changes are on page 3 and the approved conditions and proposed changes are listed below:

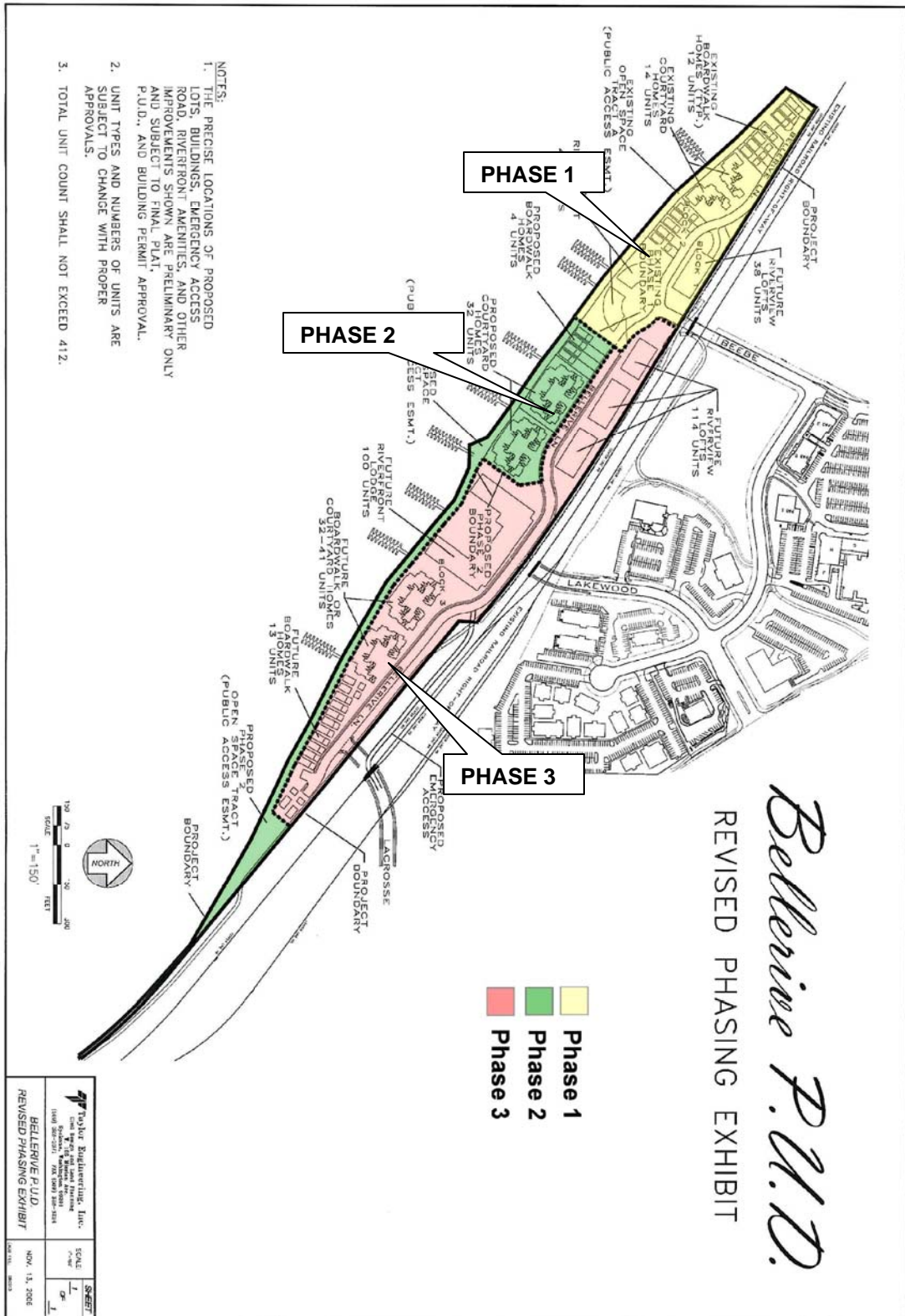
- Amend the approved phasing plan to include a fourth phase, as shown on page 2.
  - In developing a fourth phase, it is recommended that condition 6 be amended and a new condition added pertaining to the open space contained in the phase 4 area. All other conditions would remain the same.
1. All water line that is removed to satisfy the redesigned alignment will be required to be properly disposed of and not reused. All piping removed must be replaced with new waterline.
  2. The two existing outfalls will need to be maintained and protected during the development of the subject property and access for maintenance of these outfalls by the City Street Department shall be maintained. Any relocation of these outfalls must be approved by the City Engineer, and, if additional width is required beyond the proposed twenty feet (20'), dedication will be required.

3. The developer will be required to extend the existing Lakewood Drive and Lacrosse Avenue across the BNSF railroad tracks to Bellerive Lane with Phase 3 of the Bellerive development. Lacrosse Avenue shall be constructed to a thirty six foot (36') wide roadway, from Bellerive Lane to the existing edged of asphalt west of Northwest Boulevard. Roadway improvements shall include but not be limited to, concrete curb & gutter, paving and appurtenances, street illumination, stormwater drainage facilities, sidewalk on one side and all engineering design costs. Lakewood Drive shall be constructed to match the existing street section and shall include but not be limited to, concrete curb & gutter, paving and appurtenances, street illumination, stormwater drainage facilities, and sidewalk. Both roadways will be required to provide design considerations and improvements that facilitate the bike/ped Centennial Trail facility. All design must be completed to City standards, and approved by the City Engineer. All construction costs will be the responsibility of the developer.
4. An easement allowing the public the right to access and use the boardwalk along the shoreline of the Spokane River shall be required on the final plat and construction of the board walk including connection to public access points shown on the plan shall be simultaneous with the completion of the buildout of each phase.
5. The City will obtain public crossing agreements with the BNSF and UP railroads for both the Lacrosse Avenue and Lakewood Drive crossing locations. The agreements shall be obtained prior to the recordation of the 3<sup>rd</sup> phase of the Bellerive plat. The City shall use its best efforts to obtain the crossing agreements by December 31, 2007. In the event that the City is unable to obtain the agreements from the railroad by that time, the City will not delay approval of the phase 3 plat
6. The developer shall enter into an agreement and install bonding for the construction of the improvements on both Lacrosse Avenue and Lakewood Drive prior to the recordation of the Phase 3 final plat for the Bellerive development. The improvement of the crossings shall be constructed within three (3) years of the date of recordation of the Phase 3 final plat or the issuance of the 255th certificate of occupancy, whichever comes first.
7. In order to be in conformance with the current Uniform Fire Code, the developer will be required to provide a second ingress/egress point of access to the development, prior to recording the Phase II final plat. This condition can be satisfied by either extending Lacrosse Avenue or Lakewood Drive to Bellerive Lane, or, by obtaining written permission from the appropriate parties to use the existing haul road adjacent to the railroad tracks; including a minimum 30 day notice to the City should the permission be revoked for any reason.
8. Bellerive enters into a contract with the City prior to the recordation of the Phase II plat, stating that in the event of termination of Bellerive's right to use the haul road Bellerive will make improvements to the Centennial Trail to allow access by the largest emergency vehicles. This would involve some minor widening of the trail where it crosses the UP railroad near Harbor Center.
9. The open space area contained in the future phase 4 must be platted and constructed within two years after final plat approval of phase 3."

If the changes are determined to be a substantial change from the approved PUD and preliminary plat, the applicant would have to go through a Planning Commission public hearing in order to get approval.

If the changes are determined to not be a substantial change from the approved PUD and preliminary plat, the three phases would be approved and incorporated into the final PUD plan and preliminary plat..

A. Phasing plan approved by I-4-07:







**DECISION POINT RECOMMENDATION:**

Approve or deny the requested changes to the approved phasing plan.



Coeur d'Alene  
**BLACK ROCK**  
A DEVELOPMENT COMPANY

May 6, 2008

Mr. John Stamosos  
City of Coeur d'Alene  
Planning Department  
710 E. Mullan Ave.  
Coeur d'Alene, Idaho 83814-3958

**RE: Request for Phasing Amendment for "Riverwalk PUD" (PUD-1-04m)  
and "Riverwalk" Preliminary Plat (S-4-05), Now Called Bellerive PUD**

Dear Mr. Wilson:

Bellerive Investments, LLC respectfully requests administrative approval of a phasing plan modification to the approved Bellerive PUD.

**Proposed Modification**

This request is to change Phase 3 from being the balance of the project to simply eight single-family units at the terminus of Bellerive Lane. The balance of the Bellerive PUD would be completed in future phases, yet to be determined.

**Justification**

Because the future ownership of the railroad right-of-way adjacent to the plat boundary in the area of the 2<sup>nd</sup> Addition is uncertain and may allow for a different lot configuration than was anticipated in the original PUD, Bellerive Investments, LLC requests that platting of this area be deferred until a subsequent phase, when the overall ownership of properties in this area is determined. Additional open space will be provided in accordance with the approved PUD in future phases.

**Proposed Implementation**

Bellerive Investments, LLC proposes to prepare a final plat for these eight units by recording a final plat creating the eight new residential lots and establishing the balance of the Bellerive Lane tract. The final plat will also depict the balance of the Bellerive PUD as undeveloped tracts. A drawing depicting these proposed modifications is attached.



Please place this request on the May Planning Commission Agenda. In the meantime, please contact me with any questions.

Thank you for your consideration.

Sincerely,

Kyle Capps  
VP Site Development

Enclosure

cc: Chris Bates  
Gordon Dobler  
Roger Nelson  
Eric Hedlund  
Kathryn McKinley

**PLANNING COMMISSION  
STAFF REPORT**

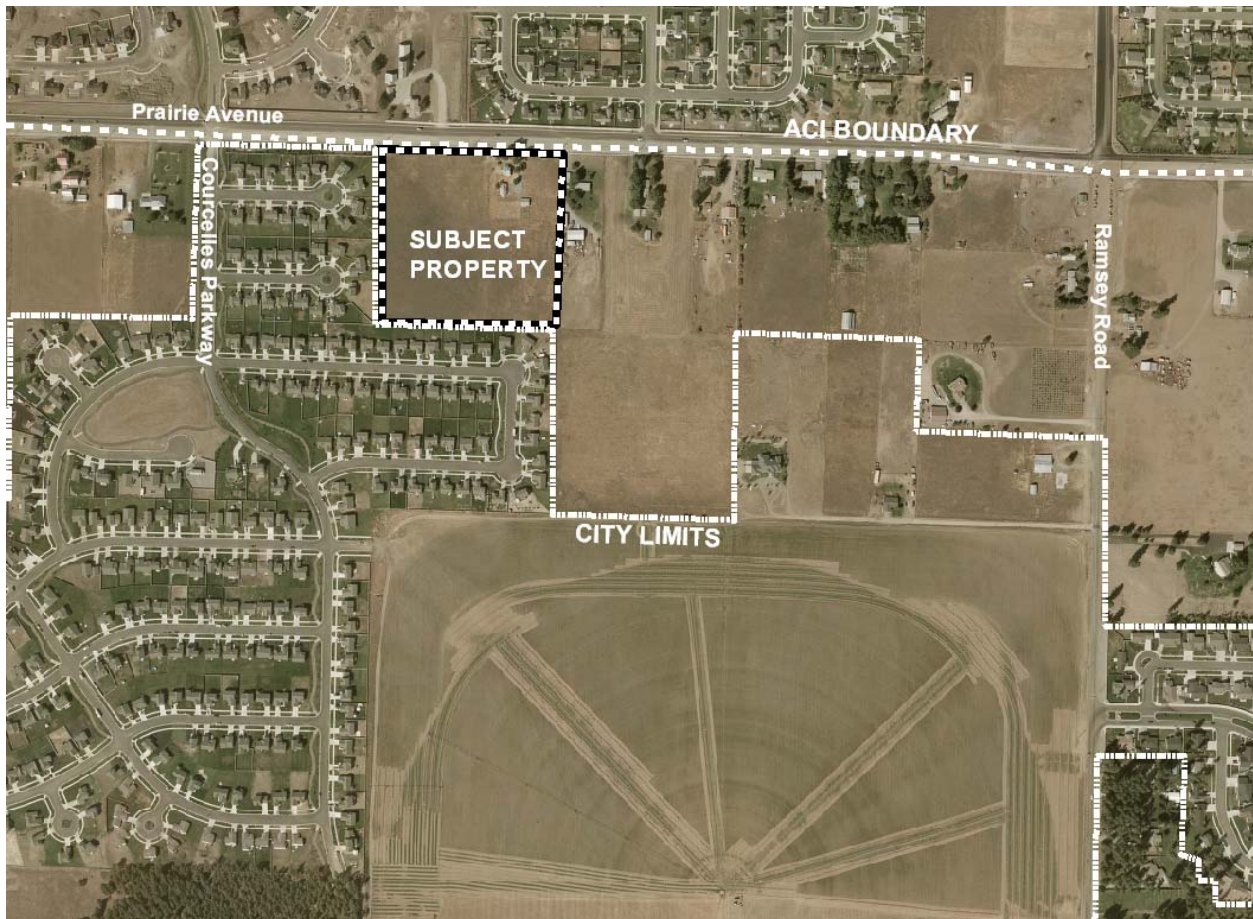
FROM: JOHN J. STAMSOS, SENIOR PLANNER  
DATE: MAY 13, 2008  
SUBJECT: A-2-08 – ZONING PRIOR TO ANNEXATION FROM COUNTY AGRICULTURE  
TO R-8  
LOCATION: +/- 9.4 ACRE PARCEL AT 2212 WEST PRAIRIE AVENUE

**DECISION POINT:**

Meckel Engineering and Surveying is requesting Zoning Prior to Annexation from County Agriculture to City R-8 (Residential at 8 units/acre) for a +/- 9.4 acre parcel.

**GENERAL INFORMATION:**

A. Site photo



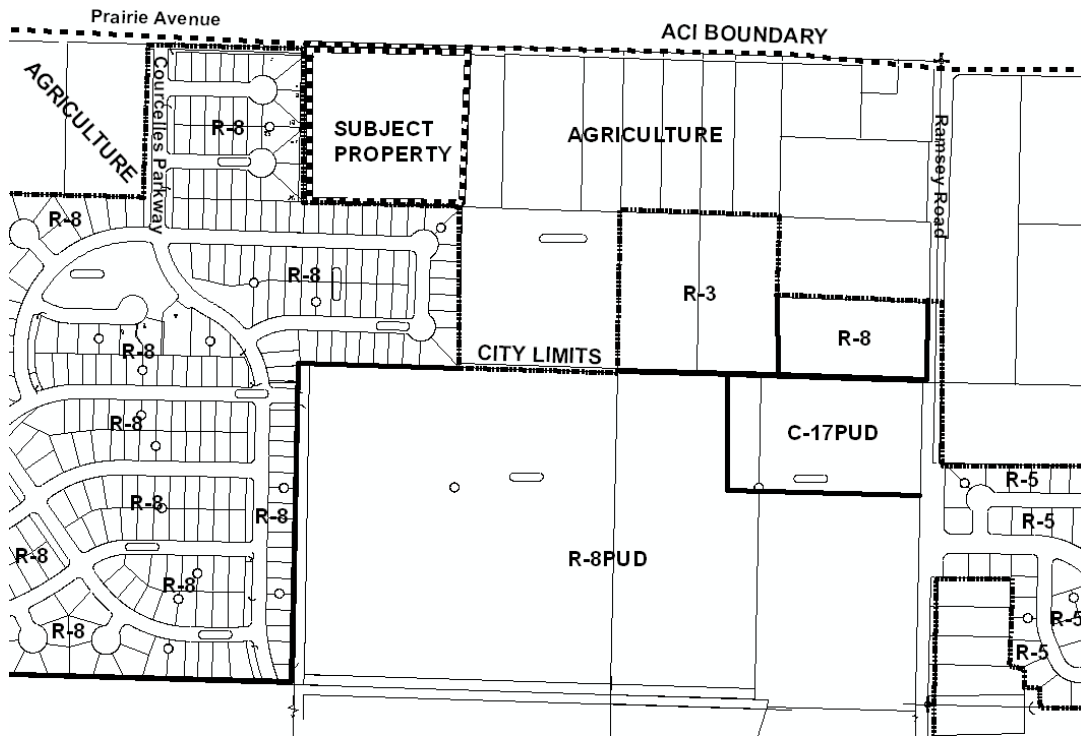
B. Subject property.



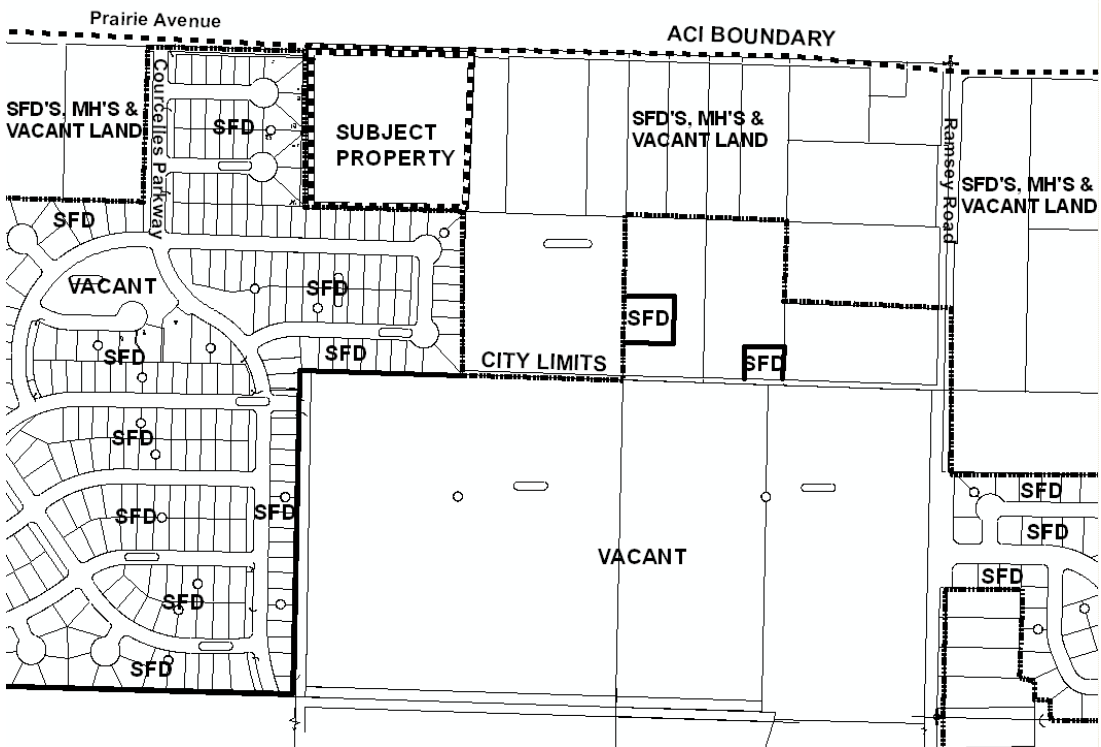
C. Looking North on Ramsey Road.



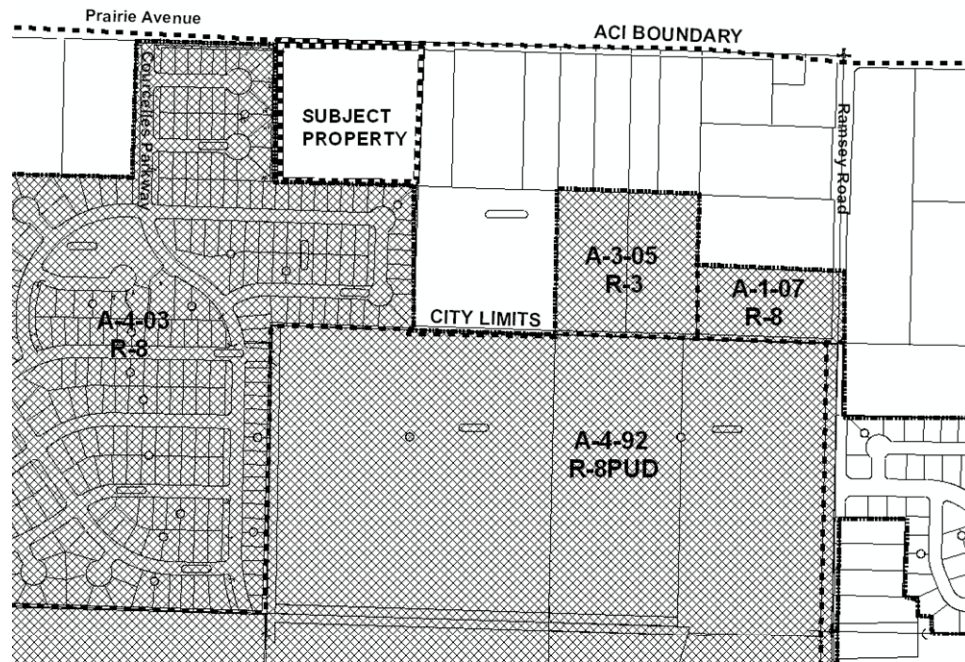
D. Zoning.



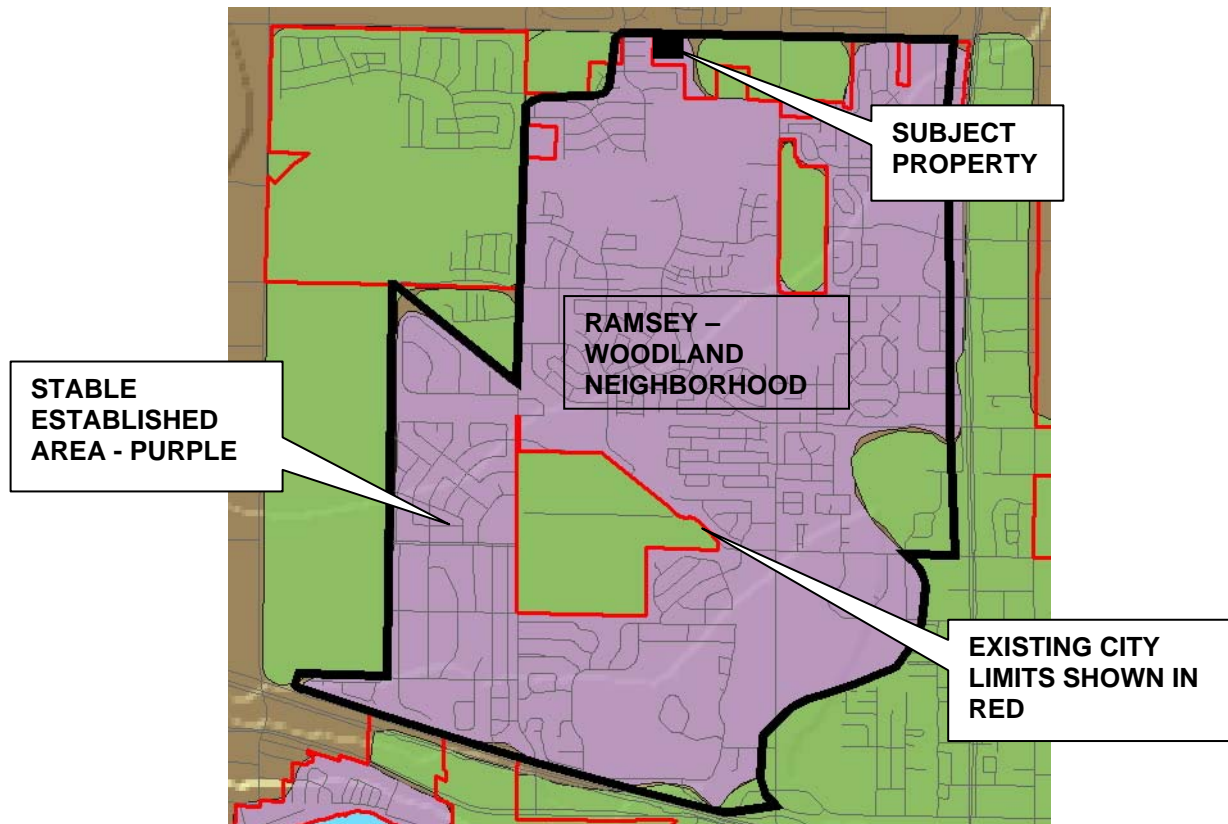
E. Generalized land use.



F. Annexations in surrounding area:



G. 2007 Comprehensive Plan - Stable Established – Ramsey – Woodland Area:



- H. Applicant: Meckel Engineering  
3606 North Schreiber Way  
Coeur d'Alene, ID 83815
- Owner: Christopher O. Acarregui  
P. O. Box 7705  
Bend, Oregon 97708
- I. The subject property is predominately vacant but does contain a single-family dwelling.
- J. Land uses in the area include residential – single-family and mobile homes, church, agriculture and vacant land.
- K. Prior actions on subject property:
1. RCA-6-08 – Request To Consider Annexation – Approved by the City Council on March 10, 2008.
- L. Prior actions on surrounding property (See map on page 4):
1. A-4-92 – Coeur d'Alene Place – R-8PUD - approved in 1992.
  2. A-4-03 – Sunshine Meadows – R-8 - approved in 2003.
  3. A-3-05 - Ramsey Cove – R-3 - approved in 2005.
  4. A-1-07 – Provence 21 – R-8 - approved in 2007.

**PERFORMANCE ANALYSIS:**

A. Zoning:

The requested R-8 district is intended as a residential area that permits a mix of housing types at a density not greater than eight (8) units per gross acre with a minimum lot size of 5,500 sq. ft. and 50 feet of frontage on a public street and the following uses.

In this district a special use permit may be requested by the developer for a two (2) unit per gross acre density increase for each gross acre included in a pocket residential development. This density increase provision is established to reflect the concern for energy and environment conservation.

**Permitted uses:**

1. Single-family detached housing.
2. Duplex housing.
3. Cluster housing.
4. Essential service (underground).
5. "Home occupation" as defined in this title.
6. Administrative.



**Uses allowed by special use permit:**

1. Public recreation facilities, whether or not buildings are involved.
2. Neighborhood recreation.
3. Community education.
4. Religious assembly.
5. Convenience sales.
6. Essential service (aboveground).
7. Restriction to single-family only (see district column).
8. A two (2) unit per gross acre density increase (see district column).
9. Group dwelling-detached housing.
10. Community organization.
11. Community assembly.
12. Childcare facility.
13. Juvenile offenders facility.
14. Boarding house.
15. Handicapped or minimal care facility.
16. Noncommercial kennel.
17. Commercial film production.

The zoning pattern (see zoning map on page 3) shows R-3, R-8, R-8PUD, and R-5 zoning in the incorporated areas and Agricultural zoning in the County areas surrounding the subject property.

The R-3 zone is a residential zone that allows single-family detached housing at a density of 3 units/acre with a minimum lot size of 11,500 sq. ft. and 75 feet of frontage on a public street.

The R-5 zone is a residential zone that allows single-family detached housing at a density of 5 units/acre with a minimum lot size of 8,500 sq. ft. and 50 feet of frontage on a public street.

The R-8 zone is a residential zone that allows single-family, duplex, and pocket housing at a density of 8 units/acre with a minimum lot size of 5,500 sq. ft. and 50 feet of frontage on a public street.

The Agricultural zone is suitable for farming and forestry uses and allows a single-family dwelling or class A or B manufactured home on less than 5 acres.

Evaluation: The Planning Commission, based on the information before them must determine if the R-8 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 as Stable Established – Ramsey – Woodland Area, as follows:

**Transition Areas:**

“These areas represent the locations where the character of neighborhoods is in transition 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 and, overall, should be developed with care. The street network, the number of building lots
- 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

**Significant policies:**

- Objective 1.12 - Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.
- Objective 1.13 - Open Space:

Encourage all participants to make open space a priority with every development and annexation.
- Objective 1.14 - Efficiency:

Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
- Objective 3.02 - Managed Growth:

Coordinate planning efforts with our neighboring cities and Kootenai County, emphasizing connectivity and open spaces.

➤ Objective 3.16 - Capital Improvements:

Ensure infrastructure and essential services are available prior to approval for properties seeking development.

➤ Objective 4.02 - City Services:

Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling, and trash collection).

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:**

The applicant has proposed to install both a temporary connection to the south through the Sunshine Meadows development that will connect to existing sanitary sewer and a permanent “dry” connection to the east that would connect to the sanitary main as detailed in the City’s Sewer Master Plan. Upon the extension and installation of the main as detailed in the Northwest Quadrant Master Plan, the proposed area would be required to abandon the “temporary” southerly connection and make the connection to the east. Also, the applicant will be required to install the sanitary connection from the Coeur d’Alene Place development to Sunshine Meadows (+/-600’), and remove the temporary sanitary sewer lift station that serves the Sunshine development.

Comments submitted by Don Keil, Assistant Wastewater Superintendent

**WATER:**

This area appears to fall within the boundaries of the Hayden Lake Irrigation District and the applicant will need to pursue water supply with them. We do have a new main in the area but would have to have approval from HLID to provide service.

Comments submitted by Terry Pickel, Assistant Wastewater Superintendent

**STORMWATER:**

All stormwater will be required to be contained on site, and those issues will be addressed at the time of development of the subject property.

**TRAFFIC:**

Utilizing the proposed 6.1 acres at R-8 zoning, there may be up to 48 residential units on the subject property. It is therefore possible that the single family units may generate an additional 43 average daily trips (ADT’s) during the peak hour periods. The amount of traffic that may be generated by the proposed assisted living use cannot be determined at this time but will be addressed at the time of development.

Evaluation: The adjacent street, a five lane arterial roadway, should accommodate the

additional traffic volume.

**STREETS:**

The proposed area of annexation is bordered by Prairie Avenue, a recently reconstructed five (5) lane arterial roadway section.

Evaluation: The applicant is not proposing any street layout on the subject property at this time, however, Prairie Avenue, the roadway that adjoins the subject property and the principal point of access, is under the jurisdiction of the Post Falls Highway District. Authorization and approval from that agency will be required prior to any development on the site. All approvals will be required in writing from the PFHD.

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 Glenn Lauper, 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 is relatively flat with no physical constraints.

Evaluation: The physical characteristics of the site appear to be suitable for the request at this time.

**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 surrounding area contains existing single-family and mobile homes on larger parcels in the County areas and single-family in developing single-family neighborhoods in City areas including Coeur d'Alene Place (R-8PUD), Sunshine Meadows (R-8), and Legacy Place (R-5). The subject property also has frontage on Ramsey Road, which is designated as a minor arterial on the Transportation plan.

Evaluation: The subject property is in an area of developing single-family neighborhoods with densities lower or comparable to the R-8 zoning requested by the applicant.

**F. Items recommended for an Annexation Agreement.**

None.

**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.

[F:pcstaffreportsA208]



ENGINEERING & SURVEYING

ENGINEERS • SURVEYORS • PLANNERS

**PRAIRIE AVENUE DEVELOPMENT, LLC. PROPERTY**  
**Request for Annexation – Support Statement**

**BACKGROUND**

The subject property adjoins Prairie Avenue and is located approximately 900 feet west of Ramsey Avenue. The 9.12-acre subject property contains one vacant single-family residence. The majority of the property is unimproved.

The subject property is bordered by an existing R-8 single-family residential subdivision (Sunshine Meadows) to the west and south; Prairie Avenue to the north; and an unincorporated residence to the east.

**PROPOSED ZONING**

The applicant is seeking a zoning designation of R-8 for the property. The applicant intends to develop the property as predominantly single-family residential with an independent area dedicated to an active retirement center / minimal care facility. The applicant will later seek zoning permission for the minimal care facilities via a special use permit.

**LAND USES**

The applicant has initially forecasted the following uses for the subject property.

Use	Building Units	Total Area (acres)
Assisted Living Facilities	No. and size of units to be determined	3.0 ±
Single-Family Residences	Max. Gross Density = 8 units/acre	6.1 ±

Building sizes/areas are anticipated to deviate as the applicant evaluates market conditions and potential end-users. In addition, as detailed engineering/architectural design efforts are advanced, specific attributes may deviate.

**RELATIONSHIP TO CITY OF COEUR D'ALENE COMPREHENSIVE PLAN**

The subject property is located within the Ramsey-Woodland area, as defined in the 2007-2027 Coeur d'Alene Comprehensive Plan. Specifically, the City of Coeur d'Alene has categorized the subject property as Stable Established, translated to mean that the character of neighborhoods in the general area is largely established and should be maintained.

The petitioner believes that a R-8 zoning designation request is appropriate based upon the existing zoning of the adjoining Sunshine Meadows subdivision, which is also zoned R-8. As previously discussed, the applicant intends to later seek zoning permission, via a special use permit, to develop a minimal care facility.

From an infrastructure standpoint, the applicant also believes that City of Coeur d'Alene's best interest has been considered. Domestic water supply will be supplied by Hayden Lakes Irrigation District. Sanitary sewer service can be obtained, without detriment to the City's Sewer Master Plan, by extending sanitary sewer through the Sunshine Meadows subdivision. This proposed sewer extension through Sunshine Meadows is a temporary connection point, and will be later abandoned when the adjoining portion of Coeur d'Alene Place is developed. Transportation infrastructure, within the vicinity of the subject property, is also adequate as Prairie Avenue has been constructed to its full-intended capacity.

3906 N. Schreiber Way • Coeur d'Alene, ID 83815  
P 208.667.4638 • F 208.664.3347  
[www.meckel.com](http://www.meckel.com)



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### **BENEFITS TO THE CITY OF COEUR D'ALENE**

The subject property is in the Area of City Impact (ACI) and contiguous with incorporated property. Annexing this infill property is a logical step in fulfilling the comprehensive plan.

The subject property provides for a special, unique opportunity for being an immediate positive benefit to the City of Coeur d'Alene. Ideally, the applicant believes that the subject property will cater to Americans 50+ years of age. The applicant envisions that a significant portion of the property will provide for smaller square footage residences, which could serve as transitional property for people who are active & self-sufficient, but, don't necessarily have the need for a large residence. There is also a special opportunity for single-family residents to further transition to the assisted living / minimal care facilities or reside in the residential areas while loved ones reside in one of the minimal care units.

The applicant believes that both land uses blend well with the surrounding areas. The proposed single-family residential portion abuts an existing R-8 zoned property (Sunshine Meadows). The proposed assisted living / minimal care facilities will adjoin Prairie Avenue, a 5-lane urban arterial roadway.

The proposed assisted living / minimal care facilities are considered as desirable as the regional & national demand for affordable care facilities is significant and expected to increase. Americans, age 55-64, will be this decade's fastest-growing age group, expanding nearly 50 percent from 2000 to 2010. As economists have predicted, the Baby Boomers (individuals born between 1946 and 1964) have created an unfilled void in assisted care facilities. Beginning in 2008, the oldest Baby Boomers will turn 62. Assisted living facilities are needed to provide for one of the United States fastest growing age groups. The applicant is aware of this regional need and is planning their development to potentially include minimal care facilities to assist with meeting this need.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on May 13, 2008, and there being present a person requesting approval of ITEM A-2-08, a request for zoning prior to annexation from County Agriculture to City R-8 (Residential at 8 units/acre)

LOCATION: +/- 9.4 acre parcel at 2212 West Prairie Avenue

APPLICANT: Meckel Engineering and Surveying

**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 and mobile homes, church, agriculture and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established.
- B3. That the zoning is County Agriculture.
- B4. That the notice of public hearing was published on April 26, 2008, and May 6, 2008, 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 97 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on April 25, 2008, and \_\_\_\_\_ responses were received: \_\_\_\_\_ in favor, \_\_\_\_\_ opposed, and \_\_\_\_\_ neutral.
- B7. That public testimony was heard on May 13, 2008.
- 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 **MECKEL ENGINEERING AND SURVEYING** for zoning prior to annexation, as described in the application should be **(approved) (denied) (denied without prejudice)**.

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

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

**ROLL CALL:**

Commissioner Bowlby	Voted _____
Commissioner Evans	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____

Chairman Jordan Voted \_\_\_\_\_ (tie breaker)

Commissioners \_\_\_\_\_ were absent.

Motion to \_\_\_\_\_ carried by a \_\_\_\_ to \_\_\_\_ vote.

\_\_\_\_\_  
CHAIRMAN BRAD JORDAN

# Region One

Advisory  
Committee



## REGION 1

### REGIONAL ADVISORY COMMITTEE ADDRESSING SUBSTANCE ABUSE ISSUES

#### CHAIR

Gar Mickelson

#### MEMBERS

- Alliance Family Services
- A New Hope Social Services
- Benewah County Juvenile Probation
- Benewah Medical Center
- Bonner County Probation Services
- Coeur d'Alene School District
- Daybreak
- Dept of Corrections
- Dept of Juvenile Corrections
- DHW FACS
- DHW Mental Health
- DHW Navigation Services
- Eagle Drug & Alcohol Testing
- Good Samaritan Rehabilitation
- Idaho Drug Free Youth
- Idaho Youth Ranch
- Idaho State Police
- Kootenai Alliance for Children & Families
- Kootenai County Justice Services
- Kootenai County Substance Abuse Council
- Kellogg Middle School
- Lake Pend Oreille School District
- North Idaho Behavioral Health
- Port of Hope
- Powder Basin
- Sandpoint Teen Council
- Shoshone County Juvenile Probation
- St. Vincent de Paul
- 24/7

#### Benchmark

Duncan Leonhardy

#### Business Psychology Associates

Nancy Irvin

#### Health & Welfare

Linda Harder

Karen Cotton

Pharis Stanger

March 14, 2008

Coeur d'Alene Planning Commission  
710 Mullan Avenue  
Coeur d'Alene, Idaho 83814

Re: Local Land Use & Planning Regulations

Dear Coeur d'Alene Planning Commission,

This letter is written on behalf of the Region 1 RAC (Regional Advisory Committee on Substance Abuse). Regional Advisory Committees are set forth by the Alcoholism and Intoxication Treatment Act for the coordination of, and exchange of information on, all programs relating to the prevention and treatment of substance abuse, alcoholism, and drug addiction as well as acting as liaison among the departments engaged in these activities. We wish to express our objection to pending bill, HB465 regarding local land use planning. We respectfully request the opportunity to present information regarding the impact to communities if such regulations were to be enacted.

The RAC would like to point out concerns while first acknowledging and agreeing that public health and safety of all Idahoans is paramount. Well run transition home provide service to the community by increasing public health and safety rather than detracting from it. The public may not be aware that:

- 60 offenders within the 5 northern counties currently reside in transition homes. If these transition homes are closed down, offenders will be displaced into the community resulting in a potential increase in homelessness as well as crime
- Transition homes provide easy access for Probation and Parole to monitor offenders. Department of Corrections staff work closely with transition home managers.
- Transition homes increase public safety by providing offender supervision, accountability, life skills training, and mentoring,
- Within Kootenai County, the Christian Community Coalition has joined forces with the 4 main transition home programs to develop baseline protocols. They also sponsor training workshops for program providers and mentors covering such topics as criminal thinking, cognitive self change, understanding addiction, and working with the Department of Corrections.

The RAC would like to request the opportunity to expand upon these facts as well as provide statistical data documenting the success and safety of well run transition homes via a 30 minute presentation to commission members. If this is possible, please contact either Gar Mickelson at 755-5440 or Tammy Rubino at 676-8293. Thank you for your time and consideration of this matter.

Sincerely,

Gar Mickelson  
Region 1 RAC Chair

Tammy Rubino  
Region 1 RAC Chair Elect

# 2008 Planning Commission Priorities Progress

MAY 2008

<p>.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. he other colors like "pending" are place holders until action on those items can occur." <b>Note: The PC is encouraged to select what "color" is appropriate.</b></p>		
<b>Administration of the Commission's Business</b>		
<ul style="list-style-type: none"> <li>▪ Follow-up of Commission requests &amp; comments</li> </ul>		No new requests.
<ul style="list-style-type: none"> <li>▪ Meeting with other boards and committees</li> </ul>		Park/rec Comm workshop 6/07. Sign Bd 06, CC 3/07
<ul style="list-style-type: none"> <li>▪ Goal achievement</li> </ul>		Checklist of projects w/updated 2/07
<ul style="list-style-type: none"> <li>▪ Building Heart Awards</li> </ul>		Discussed 7/06 No awards will be given.
<ul style="list-style-type: none"> <li>• Speakers</li> </ul>		Wastewater & LCDC completed
<ul style="list-style-type: none"> <li>• Public Hearings</li> </ul>		June 10, 1 Item
<b>Long Range Planning</b>		
<ul style="list-style-type: none"> <li>▪ <b>Comprehensive Plan Update</b></li> </ul>		Approved by City Council on November 20, 2007
<b>Public Hearing Management</b>		
<ul style="list-style-type: none"> <li>▪ Continued work on Findings and Motions</li> </ul>		Warren and Plg staff to review
<b>Regulation Development</b>		
<b>1. Subdivision Standards</b>		Pending – some research begun
<b>2. Revise Landscaping Regulations</b>		w/Urban Forestry
<b>3. Expansion of Design Review</b>		CC approved on March 18, 2008.
<b>4. Commercial Zoning Districts</b>		PC workshop with Mark Hinshaw scheduled May 13th
<b>5. Off-Street Parking Standards</b>		Rfq/p drafted.
<b>6. Workforce &amp; Affordable Housing</b>		City staff working with regional coalition of private and public interests..
<b>Misc Zoning Ord. Updates</b>		
<ul style="list-style-type: none"> <li>• Non-Conforming Use Reg cleanup</li> <li>• Average Finish Grade</li> <li>• Screening of rooftop equipment</li> <li>• Mediation – state law</li> <li>• PUD Standards</li> <li>• Lighting</li> <li>• Surface Water, Irrigation – ID law</li> <li>• Re-codification or re-org to Unified Development Code</li> </ul>		<p>Fort Grounds Example, research continuing.            Commercial design guidelines review w/M. Hinshaw            CC Approved 5/1</p> <p>Commercial design guidelines review w/M. Hinshaw</p> <p>Research begun</p>
<b>Other Code Provisions under Development Supported by Commission</b>		
<ul style="list-style-type: none"> <li>• Variance criteria</li> <li>• Design Review Procedure</li> <li>• Downtown Design Review – cleanup</li> <li>• Height Projections</li> </ul>		<p>CC approved hgt 5/1            CC approved on March 18, 2008            CC approved on March 18, 2008</p>
<b>Other Action</b>		
Infill East Revisions		City Council approved East Infill Boundary Council PH on PC & DRC revised guidelines 5/20