

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

**SEPTEMBER 9, 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, Luttrupp, Rasor, Messina, (Student Rep)

**APPROVAL OF MINUTES:**

July 8, 2008

**PUBLIC COMMENTS:**

**COMMISSION COMMENTS:**

**STAFF COMMENTS:**

**DISCUSSION:**

1. Oath of Office
2. Planning Commission meetings starting at 5:30 p.m.

**ADMINISTRATIVE:**

1. Applicant: Thomas G. Jones  
Location: Portion of Section 3, Township 50 N., Range 4 W. Boise Meridian  
Request: Proposed 4-lot preliminary plat "Fairway Village at Coeur d'Alene Golf Club"  
SHORT PLAT, (SS-10-08)

**PUBLIC HEARINGS:**

1. Applicant: Steven B. Meyer  
Location: 2735 Fernan Hill Road  
Request: Proposed annexation from County Rural Residential to  
City R-3 (Residential at 3 units/acre)  
QUASI-JUDICIAL, (A-5-08)

**ADJOURNMENT/CONTINUATION:**

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ ,  
to continue meeting to \_\_\_\_\_, \_\_\_, at \_\_\_ p.m.; motion carried unanimously.

Motion by \_\_\_\_\_,seconded by \_\_\_\_\_ , to adjourn meeting; motion carried unanimously.

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



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

**PLANNING COMMISSION  
MINUTES  
JULY 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**

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

**COMMISSIONERS ABSENT**

Juliana Satterly, Student Rep

**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 Bowlby, to approve the minutes of the Planning Commission meeting held on June 10, 2008.

**COMMISSION COMMENTS:**

Commissioner Luttropp commented that a few months ago a discussion was brought forward for the Planning Commission to consider taking an oath of office and by taking an oath; it sends a message to the citizens of Coeur d'Alene and the City Council of a promise to take the duties of the position seriously.

Senior Planner Stamsos suggested a motion be made by the Commission and direct staff for follow-up.

Chairman Jordan commented that he would like to address this issue with Mayor Bloem before this is directed to staff, and feels this will give the Mayor a chance to decide if this is something to pursue for implementation.

The Commission concurred and directed Chairman Jordan to proceed and discuss this matter with the Mayor.

**STAFF COMMENTS:**

None.

**PUBLIC COMMENTS:**

None.

**ADMINISTRATIVE ITEMS:**

1.     Applicant:     Dwight Dirkmaat  
       Location:    The East 175 ft. of the West 375 ft. of tract 77 Fruitlands Addition  
       Request:     Proposed 3-lot preliminary plat "Lauf Lane Estates"  
                      SHORT PLAT (SS-4-08)

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

The Commission did not have any questions for staff.

**Motion by Razor, seconded by Bowlby, to approve item SS-4-08. Motion approved,**

2.     Applicant:     City of Coeur d'Alene  
       Request:     Amendments to City ACI Boundary  
                      LEGISLATIVE (0-7-08)

Planning Director Yadon presented the staff report and then asked if the Commission had any questions.

Commissioner Bowlby commented that she is unclear why this request is coming forward since the Mill River area (#2) has already been annexed into the City.

Planning Director Yadon explained that approximately 40 acres in area (#2) is outside the ACI boundary and by approving this request will allow staff to realign the existing boundary to include the 40 acres. He added that the County and City have already met on this issue and discussed this proposal, but before this change is allowed needs to go through the formal process.

He noted another area that was considered is located in the Canfield area, but was not included because the Council felt that if this area were removed from the existing area of city impact, control would be lost on how this area would be developed in the future.

**Motion by Luttropp, seconded by Messina, to approve item 0-7-08. Motion approved,**

3.     Approval of findings for A-3-08 (Riverstone West, LLC)

**Motion by Razor, seconded by Bowlby, to approve the findings for A-3-08. Motion approved,**

4. Review proposed Lakes Urban Renewal District boundary changes for conformity with Comprehensive Plan

Tony Berns explained the proposed changes to include Sorenson Magnet School, Winton School, and Winton Park in the Lakes Urban Renewal District boundary and then asked if the Commission had any questions.

Commissioner Luttrupp inquired where in the Comprehensive Plan it listed the policies supporting the changes requested by Mr. Berns.

Senior Planner Stamsos referenced the various policies listed on pages 18 and 19 in the Comprehensive Plan relating to education.

Commissioner Luttrupp commented after reviewing the policies selected, feels that they support the proposal presented by the Lakes Urban Renewal District.

Commissioner Bowlby commented that she feels Sorenson and Winton schools should be categorized as historic buildings and sited additional polices supporting preservation of historic buildings. She added both Winton and Sorenson have been in the community a long time and need to be preserved.

**Motion by Bowlby, seconded by Razor, to approve the changes requested to the Lakes Urban Renewal Boundary. Motion approved.**

#### **PUBLIC HEARINGS:**

1. Applicant: U.S. Department of Interior- Bureau of Land Management  
Location: 945 Highway 95  
Request: Proposed annexation from County Restricted Residential to City R-1(Residential at 1 unit/acre)  
QUASI-JUDICIAL (A-4-08)

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

Commissioner Luttrupp questioned if a decision is needed for both the zoning and the annexation.

Senior Planner Stamsos explained that one motion is needed to approve both the zoning and annexation. He added that this request recently came before the City Council as a request to consider annexation and was approved by Council to proceed with the formal annexation process.

#### **Public testimony open.**

Brian White, applicant representative, 3815 Schreiber Way, Coeur d'Alene, explained a brief history behind this project and the reasons given for a caretaker on-site. He pointed out on the map the place where the caretaker's pad will be located, and explained that the remainder of the property will remain undeveloped. He discussed the benefits of a caretaker on-site that will help overlook the facility on a regular basis eliminating the need for staff to go to the site, which in the past has been around 30 hours a week.

He explained that a caretaker position was discussed at the original hearing for the RV Park in 1995, but

not needed at that time. There will be sewer and water provided to this area from the RV park with the start of the season starting in May and ending in September. He added other duties provided by the caretaker will be taking care of the janitorial needs on site.

Commissioner Bowlby referenced a letter submitted by a neighbor who stated that a caretaker would be a benefit only if they were living on-site rather than across the canal.

Mr. White commented that to give a caretaker privacy during off work hours chose the pad to be off-site, which will help to reduce the problem volunteers have feeling overwhelmed. He explained that the caretaker will have a schedule of times posted of when he will be available at the RV site, so campers will know how to contact them in case of an emergency.

Commissioner Luttrupp suggested since the person who wrote these comments could not be at the meeting, the applicant should contact that person to address the concerns in the letter.

Alan Golub, 1305 E. Lancaster Road, Hayden, commented that he is opposed to this request and feels a caretaker should be living on the RV site close to existing services since there is no sewer and water available and would have the canal to cross the canal to get to the proposed site.

Senior Planner Stamos commented that sewer and water is available to the property and explained that the BLM site contains its own private pumping system able to provide sewer and water to the location of the proposed RV site.

Julie Dalsaso, 743 Fairmont Loop, Coeur d'Alene, commented that she was involved with the BLM site in 1995 concerning sewer connections. She feels that by placing a caretaker building on undisturbed land goes against the arrangement made between the neighbors and BLM. She added that she is concerned with traffic, and advised that a traffic study be done and this request be continued until other pending issues along the river are resolved.

Commissioner Bowlby commented that this property is already comparable to R-1 in the county which is denser than the City R-1 designation.

Chairman Jordan explained that the Commission's decision is based on if the zone chosen is appropriate and feels that R-1 is the least dense zone. He suggested that testimony given by Ms. Dalsaso should be directed to City Council who will make the final decision on approval for this annexation.

Narda Anthony, P.O. Box 1221, Rathdram, commented that she is representing her mother who is currently living in this area, and concerned if this project is approved, the visual impacts it will have to her mothers's property. She said that her mother has lived in this area since 1991, and is concerned that when the caretaker is not at the RV site there will be a number of people trying to get a hold of the caretaker disturbing this quiet neighborhood. She added that there is a "rumor" circulating of a proposed bridge connecting the main island to the area where the caretaker will be located and that the wildlife in the area will be in danger.

Timothy Ward, 652 Millview Lane, Coeur d'Alene, commented that he walks this property often with his dogs and called this a "bonehead idea." He explained the idea of a host is a great idea, but don't put it on the other side making it impossible for campers to reach them if they have an emergency. He concurs that the traffic, especially when people are coming from the north, is hazardous and suggested another site on the map where the caretaker pad should be located making the need for an annexation unnecessary.

Colleen Robisch, 906 Canal, Coeur d'Alene, commented that recently she noticed brush being removed around her property and was concerned about what was happening in the area. She added that traffic in this area is bad and is also aware of a rumor that a bridge is proposed, and if approved will hurt the character of this area. She concurs that a caretaker needs to be visible.

Dianna Nottage, 1215 Millview Lane, Coeur d'Alene, commented she is also concerned with the area where the caretaker will be and the way people will be able to contact him if there is a problem. She commented that BLM promised when the RV Park was approved there would not be any access from the RV Park to area homes, and so far has kept that promise.

Pat Behm, 743 Fairmont Loop, Coeur d'Alene, commented he is opposed to the annexation because the plan is not clear and needs to be presented. He added that BLM should continue to be a "champion" and keep their word before this piece is annexed into the City, and studied as a whole before a decision is made.

**REBUTTAL:**

Brian White commented that he is sympathetic to the neighbor's concerns and explained that before anything is done on the property, they intend to have a public meeting to discuss any concerns before the project is started including the neighbors to the north, and the lady who previously testified concerned that her views will be obstructed by this project. The site across the canal was chosen because, in the past, volunteers suffered burnout and felt the site located away from the main island allows this person to have anonymity. He estimated the size of the pad to be around 1.5 acres and that the caretaker will have scheduled visits to the site. He commented that traffic is a problem and is aware that the Post Falls Highway District is looking at ways to improve the road.

Chairman Jordan concurs that a community meeting would be a good idea since this is a sensitive piece of property.

Commissioner Bowlby commented that she was intrigued with Mr. Ward's comments regarding the location where the caretaker should be placed and concurs that before anything happens, a meeting with the surrounding neighbors would be beneficial. She added that she agrees with the zoning, explaining that this is a down zone compared to what the property is currently zoned in the county. She commented that she understands the burnout from volunteers in the past and feels that the pad site selected is not the best choice needing more discussion between the community and the applicant.

Commissioner Luttrupp commented that he appreciates all the comments presented tonight from the people living in this area.

Chairman Jordan commented that he agrees with the concept of a caretaker onsite especially during the summer months.

Commissioner Messina feels that the discussions by the Commission should be expressed and accurate so when this item goes before City Council they understand the recommendations from the Commission as presented tonight.

Commissioner Bowlby commented that she is concerned with how water and sewer will be provided to this site and concurs with previous testimony that this is not the best site to place the caretaker.

**Motion by Bowlby, Seconded by Rasor, to approve item A-4-08. 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.

Recommended items for an Annexation Agreement:

1. That any annexation agreement requires full water and sewer service to the site.
2. The applicant have a full dialogue with the neighbors on finding a different site for the RV pad site

**ADJOURNMENT:**

Motion by Bowlby, seconded by Rasor, to adjourn the meeting. Motion approved.

The meeting was adjourned at 9:00 p.m.

Respectfully submitted by John Stamosos, Senior Planner

Prepared by Shana Stuhlmiller, Public Hearing Assistant



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

**TO:** Planning Commission  
**FROM:** Christopher H. Bates, Engineering Project Manager  
**DATE:** September 9, 2008  
**SUBJECT:** **SS-10-08, Fairway Village at Coeur d'Alene Golf Club**

---

### **DECISION POINT**

Approve or deny the applicant's request for a four (4) lot residential development on Fairway Drive.

### **GENERAL INFORMATION**

1. Applicant: Thomas G. Jones  
805 E. Sherman Avenue  
Coeur d'Alene, ID 83814
2. Request: Approval of a four (4) lot residential development in a designated R-3 and R-12 zone.
3. Location: Coeur d'Alene public golf course on Fairway Drive.

### **PERFORMANCE ANALYSIS**

1. Zoning: Existing zoning for the subject property is R-3 for the public golf course proper on proposed Lot 4, and, R-12 for proposed Lots 1-3 along Fairway Drive. The golf course is an existing non-conforming use in the R-3 zone which is intended as a residential area that permits single family detached housing at a density of three (3) dwelling units per gross acre. The R-12 zone permits a mix of housing types at a density not to exceed twelve (12) units per gross acre. Minimum lot sizes are 5,500 s.f./single family and 3,500 s.f./duplex & cluster unit w/ 50' of frontage.
2. Land Use: The subject property is +/- 62.8 acres, of which 60.6 acres is occupied by the public golf course. The remaining 2.2 acres located along Fairway Drive is vacant.
3. Infrastructure: Utilities, Streets, & Storm Water Facilities

**Utilities:** Sewer & Water

There are existing sanitary sewer and water utility main lines located in the adjoining roadway. Sewer and water service exists to the golf course on Lot 4, however, proposed Lots 1-3 will require the installation of both sanitary sewer, and, water lateral service lines to provide service to the lots. These services will be required to be installed prior to final plat approval.

**Streets:** Fairway Drive is a thirty six foot (36') paved street section situated within a fifty foot (50') right-of-way. There is no existing sidewalk adjacent to the subject property, or, within the linear distance in the City Code (450') that would require installation, therefore, sidewalk will not be required. There are no City plans in the foreseeable future that would call for any alterations to the roadway section.

**Fire:** There is a fire hydrant immediately adjacent to the subject property that does meet the spacing requirements of the City Fire Department.

**Storm Water:** Street drainage along the roadway drains to the existing City hard pipe system, therefore, installation of curbside drainage swales will not be required.

4. Previous Action: The area that is proposed for Lots 1-3 was originally platted as Lots 7-15 of the Forest Vista subdivision in 1963. Those lots were subsequently vacated at the request of the Coeur d'Alene Public Golf Club, Inc. in 1991.

**Proposed Conditions:**

1. Install the necessary sewer and water service laterals prior to final plat approval

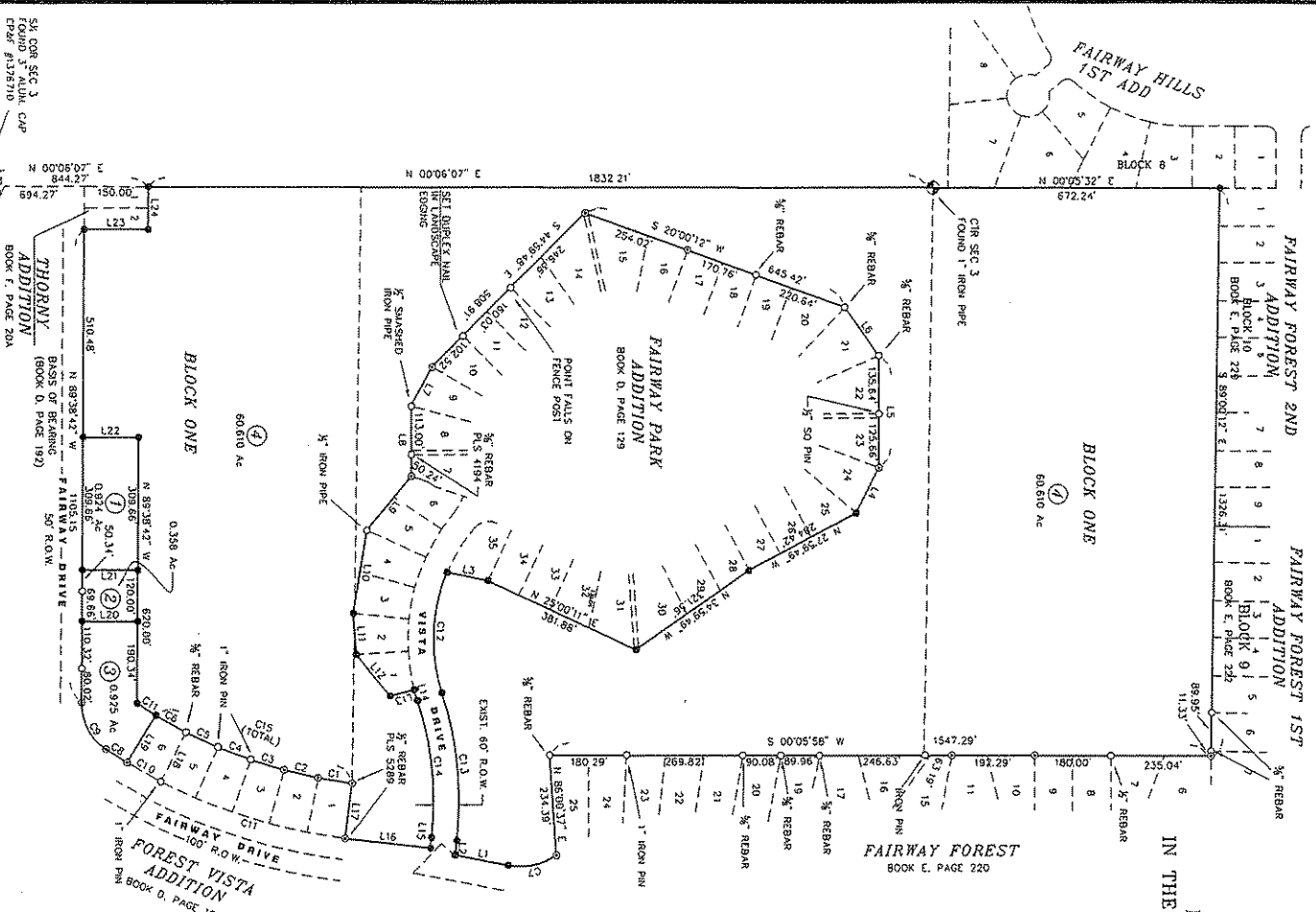
**DECISION POINT RECOMMENDATION**

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

# FAIRWAY VILLAGE

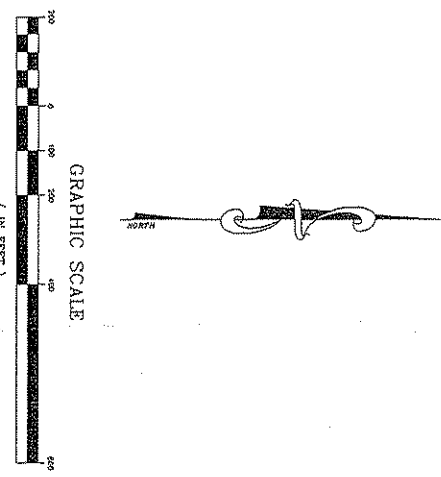
at  
**COEUR D'ALENE GOLF CLUB**  
 IN A PORTION OF SEC. 3, T.50N., R.4W., B.M.,  
 IN THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK \_\_\_\_\_, PAGE \_\_\_\_\_  
 INST. NO. \_\_\_\_\_



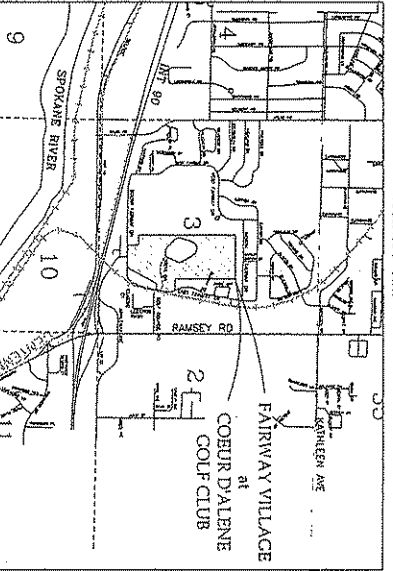
LINE	LENGTH	BEARING
L1	122.54	S 102°22'11" W
L2	80.05	N 83°24'49" W
L3	60.00	N 83°24'49" W
L4	118.56	N 67°05'51" E
L5	261.30	N 89°58'48" W
L6	138.50	S 55°00'12" W
L7	103.11	S 62°34'12" E
L8	163.24	S 89°58'48" E
L9	164.23	S 80°10'02" E
L10	188.24	S 80°31'50" E
L11	122.72	N 88°03'11" E
L12	59.10	N 74°30'51" E
L13	26.83	N 74°00'42" E
L14	23.00	S 83°29'45" E
L15	200.05	S 06°34'11" W
L16	130.00	S 62°50'30" E
L17	130.02	S 62°23'57" E
L18	128.80	S 62°23'57" E
L19	128.80	S 62°23'57" E
L20	130.00	S 62°23'57" E
L21	130.00	S 62°23'57" E
L22	130.00	S 62°23'57" E
L23	150.00	N 00°00'00" E
L24	600.00	N 89°38'42" W

CURVE	LENGTH	PC	PT	DELTA	CHORD BEG.	CHORD END
C1	60.84	1148.27	402.01	N 09°08'50" E	80.82	80.82
C2	60.84	1148.27	402.01	N 12°12'46" E	80.82	80.82
C3	60.84	1148.27	402.01	N 21°14'47" E	80.82	80.82
C4	60.84	1148.27	402.01	N 28°16'48" E	80.82	80.82
C5	60.84	1148.27	402.01	N 35°18'49" E	80.82	80.82
C6	60.84	1148.27	402.01	N 42°20'50" E	80.82	80.82
C7	117.42	149.50	450.00	S 11°37'41" E	114.43	114.43
C8	58.67	129.23	228.97	S 32°44'58" W	58.66	58.66
C9	127.88	129.23	228.97	S 67°04'31" W	127.78	127.78
C10	53.72	1148.27	402.01	N 38°22'44" E	53.72	53.72
C11	287.50	402.57	4055.00	N 67°32'11" W	281.43	281.43
C12	348.60	817.57	2430.00	S 84°15'11" E	346.94	346.94
C13	323.94	757.57	2430.00	N 84°15'11" E	321.46	321.46
C14	485.13	1148.27	2412.24	S 19°13'38" W	481.53	481.53



**LEGEND**  
 P.L.S.S. CORNERS AS NOTED  
 O FOUND SURVEY PINS OR AS NOTED  
 @ FOUND 1/2" REBAR WITH PVC CAP MARKED "P.S. 5289"  
 \* SET 5/8" REBAR WITH PVC CAP MARKED "P.S. 5289"

**REFERENCES**  
 FOREST VISTA ADDITION TO COEUR D'ALENE DAM  
 BOOK D, PAGE 193  
 FAIRWAY PARK ADDITION  
 BOOK D, PAGE 129  
 FAIRWAY FOREST FIRST ADDITION  
 BOOK E, PAGE 227  
 FAIRWAY FOREST SECOND ADDITION  
 BOOK E, PAGE 228  
 RECORD OF SURVEY  
 BOOK 18, PAGE 358



RUSSELL E. HORSCHNER, P.L.S. 752885

FAIRWAY VILLAGE at COEUR D'ALENE GOLF CLUB  
 SCALE 1"=200'  
 DATE 8-29-08  
 3-50N-4W  
 C368  
 DRAWN BY DWJ  
 CHECKED BY PLT  
 FRANK & SHERMAN, PA  
 Consulting Engineers  
 603 North 46 Street, Lewiston, Idaho, 83414  
 Phone: 834-1717 Fax: 765-5297  
 SHERMAN@FRANKANDSHERMAN.COM  
 SHEET 1 OF 2

# OATH OF OFFICE

## PLANNING COMMISSIONER

HILLSBOROUGH COUNTY CITY-COUNTY PLANNING COMMISSION

I, (state your name), a Planning Commission appointee of the (local government name), do solemnly swear or affirm that I will faithfully perform the duties of my appointed office, and will support and honor to the best of my ability all applicable laws of the State of Florida, Hillsborough County, (the City of name if applicable) as well as the bylaws, beliefs, vision, mission, policies, procedures, code of ethics and code of conduct of the Hillsborough County City-County Planning Commission.

I hereby through this oath affirm that I will perform the duties of this public trust in a fair, equitable and ethical manner befitting the dignity and responsibilities of the office.

\_\_\_\_\_  
Planning Commissioner Signature

\_\_\_\_\_  
Planning Commissioner Printed Name

Sworn before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Name (Clerk of the Court or Designee)

Seal

\_\_\_\_\_  
Witness

# CODE OF CONDUCT

## HILLSBOROUGH COUNTY CITY-COUNTY PLANNING COMMISSION

**R**ECOGNIZING THAT PERSONS HOLDING A POSITION OF PUBLIC TRUST ARE UNDER CONSTANT OBSERVATION, AND RECOGNIZING THAT MAINTAINING THE INTEGRITY AND DIGNITY OF THE PUBLIC OFFICE IS ESSENTIAL FOR MAINTAINING HIGH LEVELS OF PUBLIC CONFIDENCE IN OUR INSTITUTIONS OF GOVERNMENT, EVERY MEMBER OF THE PLANNING COMMISSION PLEDGES TO ADHERE TO THE FOLLOWING *CODE OF CONDUCT*.

1. Regularly attend all scheduled meetings of the Planning Commission as well as special or called meetings relevant to the office.
2. Prepare for each meeting.
3. Create a positive environment in meetings of the Planning Commission.
4. Maintain an attitude of courtesy and consideration toward colleagues, citizens and staff during all discussions and deliberations.
5. Allow citizens, colleagues and staff sufficient opportunity to present their views, within the prescribed rules for conduct of meetings of the Planning Commission.
6. Avoid the use of abusive, threatening or intimidating language or gestures directed at colleagues, citizens or staff.
7. Avoid comments, body language or distracting activity that conveys a message of disrespect and lack of interest.
8. Respect all local, state and federal laws, rules and other regulations.
9. Submit completed financial disclosure forms to the Hillsborough County Supervisor of Elections by the specified deadline.
10. Publicly acknowledge the adopted position when asked about a decision of the Planning Commission.

The performance of the Planning Commission and Planning Commissioners in meeting this Code of conduct is affirmed by the following signatures:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

# CODE OF ETHICS

## HILLSBOROUGH COUNTY CITY-COUNTY PLANNING COMMISSION

**M**EMBERS SHALL ETHICALLY SERVE THE PUBLIC INTEREST BY MAKING DECISIONS AND TAKING ACTIONS WHICH WILL ENHANCE THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE REGION AND THE CITIZENS SERVED BY THE PLANNING COMMISSION AND BY PROMOTING PUBLIC CONFIDENCE IN THE INTEGRITY, INDEPENDENCE, ABILITY AND IMPARTIALITY OF THE PLANNING COMMISSION.

1. Members shall uphold the prestige of their office and avoid impropriety and the appearance of impropriety.
2. Members shall not convey the impression that they are in a position to influence the outcome of a decision of the Planning Commission and shall not attempt to use their office to influence or sway the professional staff recommendation.
3. Members shall discharge their duties and responsibilities without favor or prejudice toward any person or group. Members shall not allow personal or business relationships to impact upon their conduct or decisions in connection with Planning Commission business and shall not lend their influence towards the advancement of personal interests or towards the advancement of the interests of friends or business associates.
4. Members shall avoid creating the appearance of impropriety by refraining from engaging in private discussions with the applicant or their representatives about specific upcoming Planning Commission agenda items. If a Member receives a private written, telephonic or electronic communication about an agenda item, the Member will promptly forward the information to the Executive Director so that it may be shared with all other Members. Members shall refrain from any private discussion of Planning Commission business with other Members per the requirements of Florida's Government-in-the-Sunshine Law, Chapter 286, Florida Statutes.
5. Members shall not accept or solicit a gift, loan, payment, favor, service, promise of employment or business contract, meal, transportation or anything else of value, if such thing is given with the understanding or possibility that it will influence the official action of the Member during Planning Commission proceedings. The same standard shall apply to a gift, loan, favor, etc. for the spouse child, relative or business partner of the Member.
6. A Member who announces or files as a candidate for public office shall resign immediately from the Planning Commission. No Member shall solicit funds from any other Member in support of any person's campaign for election to local or state public office.
7. Members should refrain from participating in any proceeding in which their impartiality may reasonably be questioned. A Member whose personal, employment or business relationship with a person or entity that is subject to a recommendation of the Planning Commission shall seek the advice and counsel of the Planning Commission Attorney, if such relationship could conceivably influence the Member's impartiality during the Planning Commission's discussion of the subject. The provisions of Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employees, shall govern conflict of interest determinations.
8. Members shall remain vigilant against deviations from Planning Commission by-laws, policies and mission statement.



**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** JOHN J. STAMOS, SENIOR PLANNER  
**DATE:** SEPTEMBER 9, 2008  
**SUBJECT:** A-5-08 – ZONING PRIOR TO ANNEXATION  
**LOCATION:** +/- 43,301 SQ. FT. PARCEL AT 2735 FERNAN HILL ROAD

**DECISION POINT:**

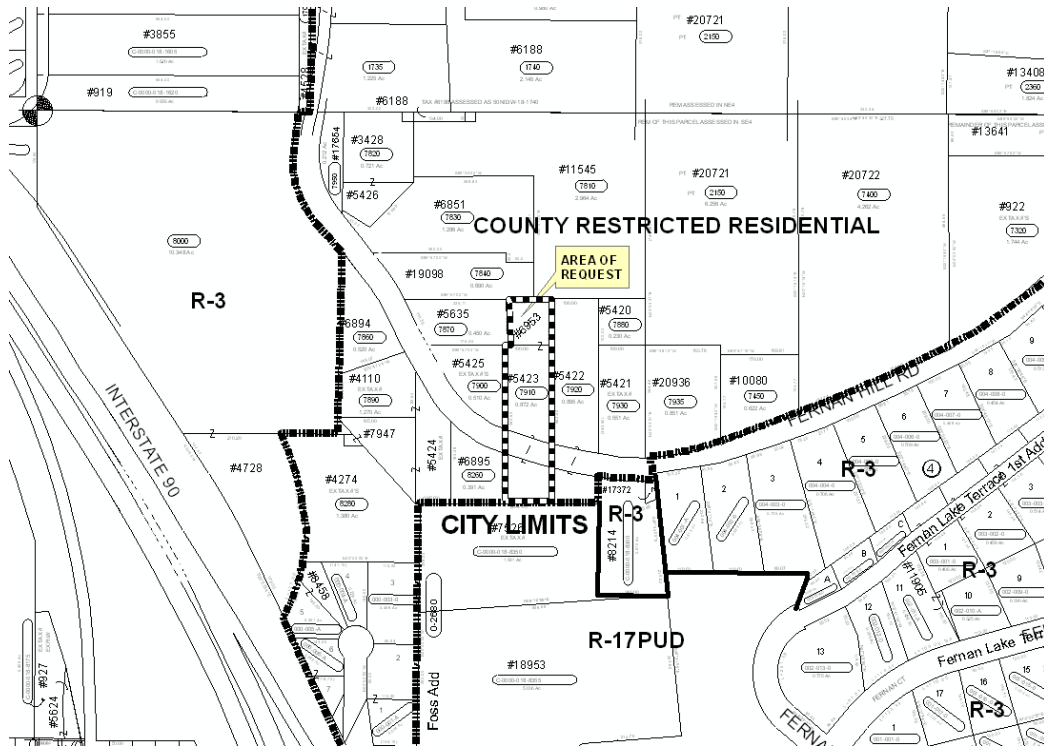
Stephen B. Meyer is requesting Zoning Prior to Annexation from County Restricted Residential to City R-3 (Residential at 3 units/acre) for a +/- .989 acre parcel.

**GENERAL INFORMATION:**

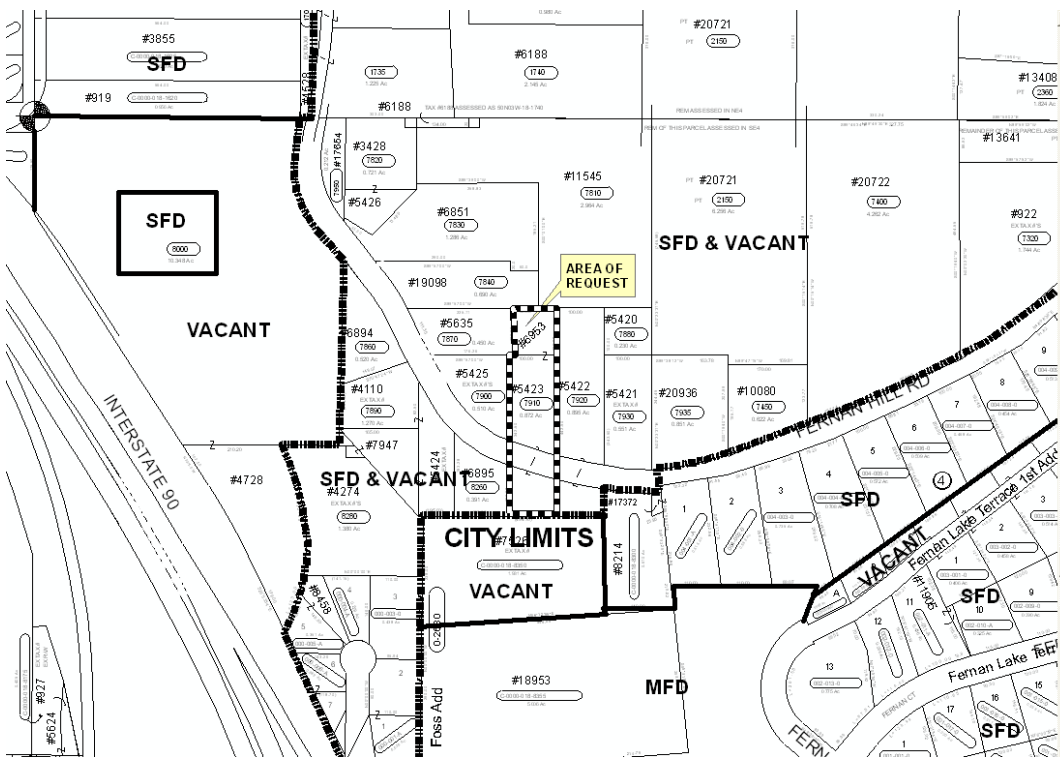
A. Site photo



B. Zoning.

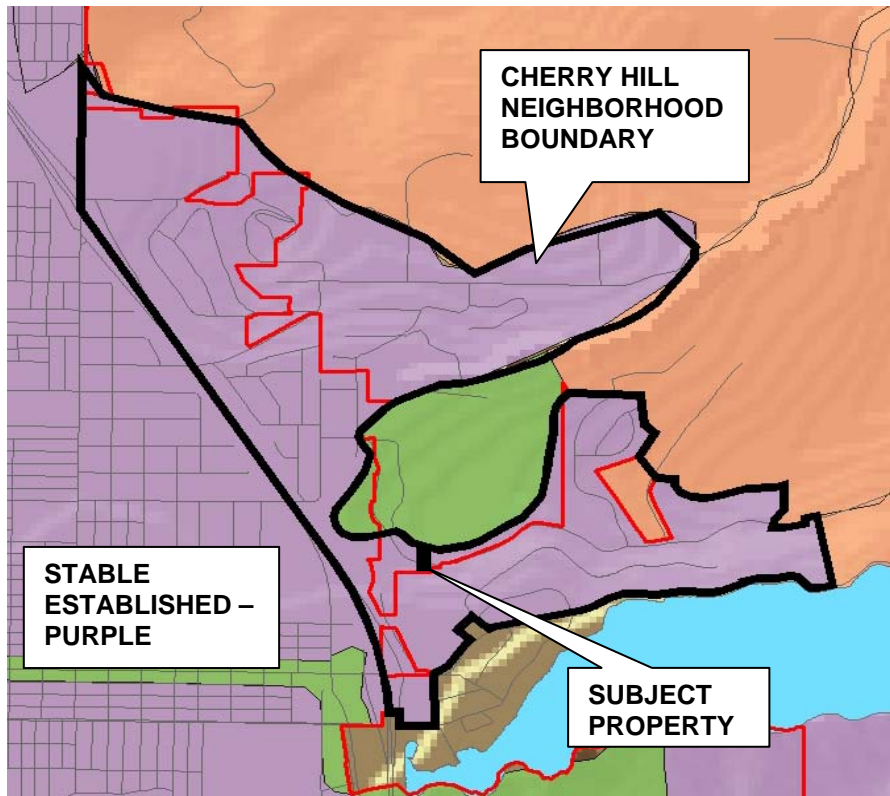


C. Generalized land use.

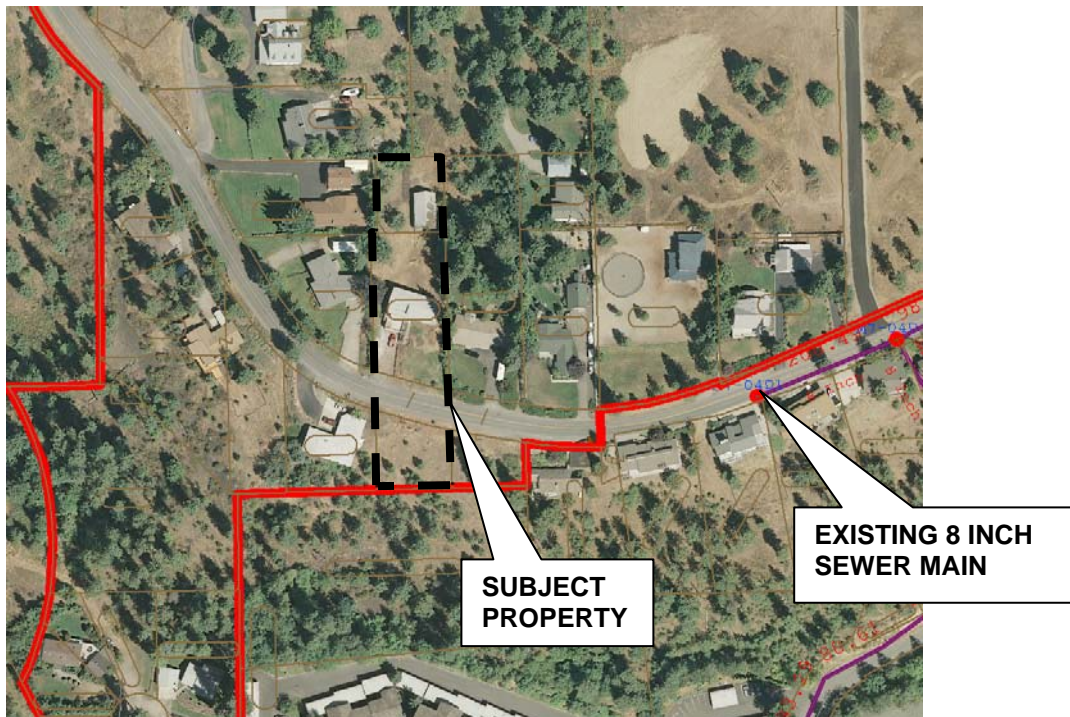




D. 2007 Comprehensive Plan - Stable Established – Spokane River District:



E. Sewer availability.



- E. Applicant/: Stephen B. Meyer  
Owner 1130 East Skyline Drive  
Cœur d'Alene, ID 83814
- F. The subject property is occupied by a single-family dwelling.
- G. Land uses in the area include single-family and multi-family residential and vacant land.
- H. The City Council recently approved an agreement with the applicant to allow them to hook up to the sewer system because their septic system had failed. The agreement allowed the applicants to immediately hook up to the sewer system but required that they complete the annexation process at the City's request. The Panhandle Health District required that they hook up to the sewer.

This agreement led to the applicant starting the annexation process by filing a request to Consider Annexation (RCA-12-08) which was approved by the City Council on July 1, 2008 and formerly applying for annexation with this request.

#### **PERFORMANCE ANALYSIS:**

A. **Zoning:**

The R-3 district is intended as a residential area that permits single-family detached housing at a density of three units per gross acre.

**Permitted uses:**

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

**Uses allowed by special use permit:**

1. Commercial film production.
2. Community assembly.
3. Community education.
4. Community organization.
5. Convenience sales.
6. Essential service (aboveground).
7. Noncommercial kennel.
8. Religious assembly.

The zoning pattern (see zoning map on page 3) in the surrounding area shows Restricted Residential zoning in the County and R-3 and R-17PUD zoning in the City.

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

1. The subject property is within the Area of City Impact Boundary.
2. The subject property has a land use designation of Stable Established and is within the, as follows:

**Stable Established Areas:**

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

**Cherry Hill:**

This area will continue to develop as a lower density single-family residential area with care taken to preserve natural vegetation, views, and open space on steeper slopes. Future development will present challenges in preserving open space and tree cover, and providing necessary infrastructure in the context of hillside development. As this area continues to develop, parcels not suitable for development should be preserved as open space through conservation easements, clustering, and acquisitions.

**The characteristics of Cherry Hill neighborhoods will be:**

- That overall density in this area will be approximately one dwelling unit per acre (1:1). However, in any given development, higher densities, up to three units per acre (3:1) are appropriate where site access is gained without significant disturbance, terrain is relatively flat, natural landforms permit development, and where development will not significantly impact views and vistas.
- Limited opportunity for future development.
- Developments within the Fernan Lake Watershed should reflect careful consideration of the impacts of the development on water quality in Fernan Lake.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

3. Significant policies:

➤ Objective 1.01 - Environmental Quality:

Minimize potential pollution problems such as air, land, water, or hazardous materials.

➤ Objective 1.02 - Water Quality:

Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer

➤ 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).

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

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

**SEWER:**

Public sewer will be available with extension of the existing sewer main in Fernan Hill Road.  
(See map on page 3)

Evaluation: The applicant has a failed septic system and his site conditions were such that the Panhandle Health Department indicated that this applicant had no other option than to hook up to public sewer in order to continue to occupy his home. This applicant can extend public sewer to his property under details worked out in the recently approved agreement between The City and the applicant. This extension of public sewer shall be at no cost to the City of Coeur d'Alene and meet all current City standards and practices. Additionally, as the proposed public sewer will be a force main, each lot fronting this proposed public sewer will require a private sewer pump installation, if they annex into the City of Coeur d'Alene.

Comments submitted by Don Keil, Assistant Wastewater Superintendent

**WATER:**

The subject property is currently served by city water.

Comments submitted by Terry Pickel, Assistant Wastewater Superintendent

TRAFFIC:

No comments.

STREETS:

The roadway that divides the subject property is multi-jurisdictional in maintenance with the duties being portioned between the City of Coeur d'Alene and the East Side Highway District, and enforcement between the City of Coeur d'Alene and the Kootenai County Sheriff's Office. The roadway is an older road, approximately twenty two (22') wide and constructed to County rural road standards. The right-of-way is +/- 51' which is below the City standard of 60' for a local roadway.

Evaluation: Dedication of additional right-of-way should be a component of any annexation agreement that is completed with the applicant. A dedication from the uphill side of the road that will bring the total right-of-way to a minimum of 60 feet is the least amount that would be required.

STORMWATER:

No comments.

Submitted by Chris Bates, Engineering Project Manager

FIRE:

No comments.

Submitted by Glenn Lauper, Deputy Fire Chief

POLICE:

No comments.

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 on the north side of Fernan Hill Road and quite steep on the remainder parcel on the south side of the road. Average slope for Hillside Ordinance purposes is measured by determining the increase in elevation over the length of the parcel measured at the midpoint of the parcel. The average slope for this parcel is determined to be a +/- 10% slope, which does not meet the required 15% slope requirement for triggering The City's Hillside Ordinance Regulations.

Evaluation: The physical characteristics of the site are 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 subject property is in an area of single-family residential development that is zoned R-3 or County Restricted Residential.

Evaluation: The requested R-3 zoning would be compatible with the single-family development and residential character of the surrounding area.

F. Items recommended for an Annexation Agreement.

1. The applicant grant sufficient right-of-way on the north side of Fernan Hill Road to make a 60 foot wide right-of-way.

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:pcstaffreportsA508]



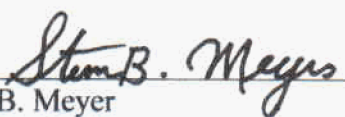
City of Coeur d'Alene  
Annexation Request  
Explanation Statement

05-14-08

City of Coeur d'Alene

As per city protocol, this letter is being forwarded with the attached application. Reasons for request are a matter of public record, re: City Attorney, Panhandle Health & City planning offices. Re: Failed septic drain field requiring the, residence to be incorporated into the city sewer system.

Respectfully Submitted,

  
\_\_\_\_\_  
Steven B. Meyer

**S  
G  
N  
-  
D  
-  
F**

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on September 9, 2008, and there being present a person requesting approval of ITEM A-5-08, a request for zoning prior to annexation from County Restricted Residential to City R-3 (Residential at 3 units/acre).

LOCATION: +/- 43,301 sq. ft. parcel at 2735 Fernan Hill Road

APPLICANT: Stephen B. Meyer

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

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

- B1. That the existing land uses are single-family and multi-family residential and vacant land.
  
- B2. That the Comprehensive Plan Map designation is Stable Established
  
- B3. That the zoning is County Restricted Residential
  
- B4. That the notice of public hearing was published on August 23, 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 24 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on \_\_\_\_ and \_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
  
- B7. That public testimony was heard on September 9, 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 **STEPHEN B. MEYER** 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)

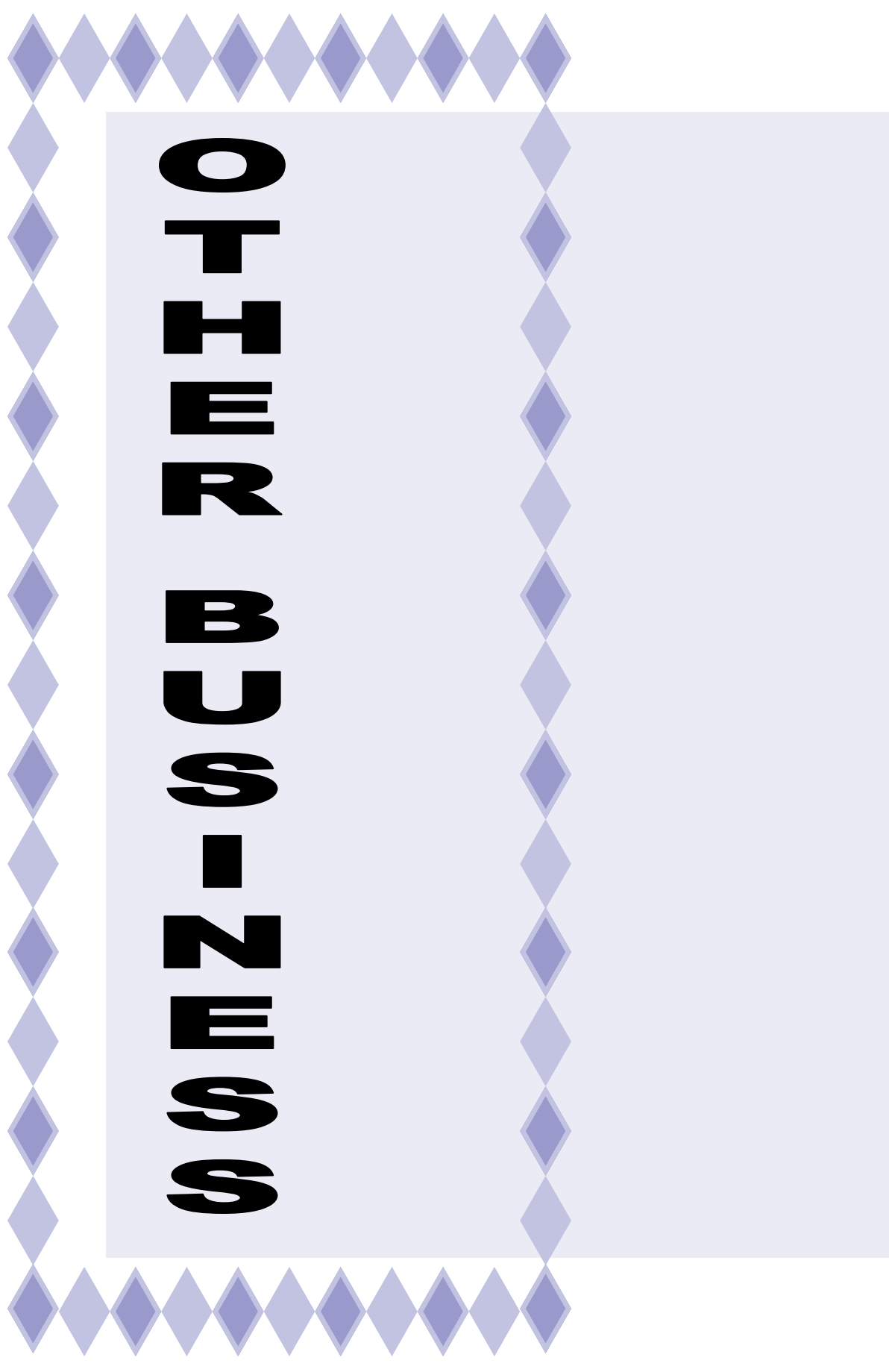
Commissioners \_\_\_\_\_ were absent.

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

---

CHAIRMAN BRAD JORDAN

УШУЗ - УСУ РМІНО



# 2008 Planning Commission Priorities Progress

SEPTEMBER 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>		
<ul style="list-style-type: none"> <li>▪ Goal achievement</li> </ul>		Checklist of projects w/updated 6/08
<ul style="list-style-type: none"> <li>▪ Building Heart Awards</li> </ul>		Awards given as identified.
<ul style="list-style-type: none"> <li>• Speakers</li> </ul>		
<ul style="list-style-type: none"> <li>• Public Hearings</li> </ul>		October, 1 Item
<b>Long Range Planning</b>		
<ul style="list-style-type: none"> <li>▪ No current projects</li> </ul>		
<b>Public Hearing Management</b>		
<ul style="list-style-type: none"> <li>▪ No changes anticipated</li> </ul>		
<b>Regulation Development by priority</b>		
<p><b>1. Zoning Ordinance Updates</b>  <i>Continued evaluation and modification of existing districts with comprehensive plan.</i></p> <ul style="list-style-type: none"> <li>• Lot berming</li> <li>• Non-Conforming Use Reg cleanup</li> <li>• Average Finish Grade</li> <li>• Screening of rooftop equipment</li> <li>• PUD Standards</li> <li>• Lighting</li> <li>• Re-codification or re-org to Unified Development Code</li> </ul>		<p>PC workshop with Mark Hinshaw scheduled Sept</p> <p><i>Fort Grounds Example, research continuing.</i></p> <p><i>Commercial design guidelines review w/M. Hinshaw</i></p> <p><i>Commercial design guidelines review w/M. Hinshaw</i></p> <p><i>Commercial design guidelines review w/M. Hinshaw</i></p> <p><i>Research begun</i></p>
<p><b>1. Expansion of Design Review</b>            Anticipate expansion in concert with revised zoning</p>		
<p><b>3. Off-Street Parking Standards</b></p>		<i>Review and updating. Anticipate cooperation with Parking Commission on certain aspects.</i>
<p><b>4. Revise Landscaping Regulations</b></p> <ul style="list-style-type: none"> <li>• General review &amp; update</li> <li>• Double Frontage Lot landscaping</li> <li>• Tree Retention</li> </ul>		<p>w/Urban Forestry</p> <p>Also expect some revised standards w/commercial design guidelines project</p> <p>Sample ord from Hinshaw given to Urban Forestry</p>
<p><b>5. Subdivision Standards</b></p> <ul style="list-style-type: none"> <li>• Double Frontage Lot landscaping</li> <li>• Tree Retention</li> <li>• Condition tracking &amp; completion</li> <li>• Alternate standards to reflect common PUD issues such as:</li> <li>• Road widths, sidewalks, conditions for open space and other design standards</li> </ul>		<p>Pending – some research begun</p> <p>Sample ord from Hinshaw given to Urban Forestry</p> <p>Discussed (07) by DRT. Implementation pending</p>
<p><b>6. Workforce &amp; Affordable Housing</b>  <i>Support for Council efforts recognizing that primary means of implementation in Cd'A are outside of Commission authority.</i></p>		City staff & consultant working on various aspects ie Community Development Block Grant.
<b>Other Action</b>		
Mid Town Fees-In-Lieu Parking		Joint work w/ Parking Commission
Area of City Impact		Request from City Council