

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

JANUARY 9, 2018

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: Messina, Fleming, Ingalls, Luttropp, Mandel, Rumpier, Ward

APPROVAL OF MINUTES:

12.12.17, PC Meeting

PUBLIC COMMENTS:

STAFF COMMENTS:

PUBLIC HEARINGS:

1. Applicant: Idaho Waterfront LLC
Location: W. Tilford Lane
Request: A modification to Tilford Place PUD
QUASI-JUDICIAL, (PUD.2.17.m)

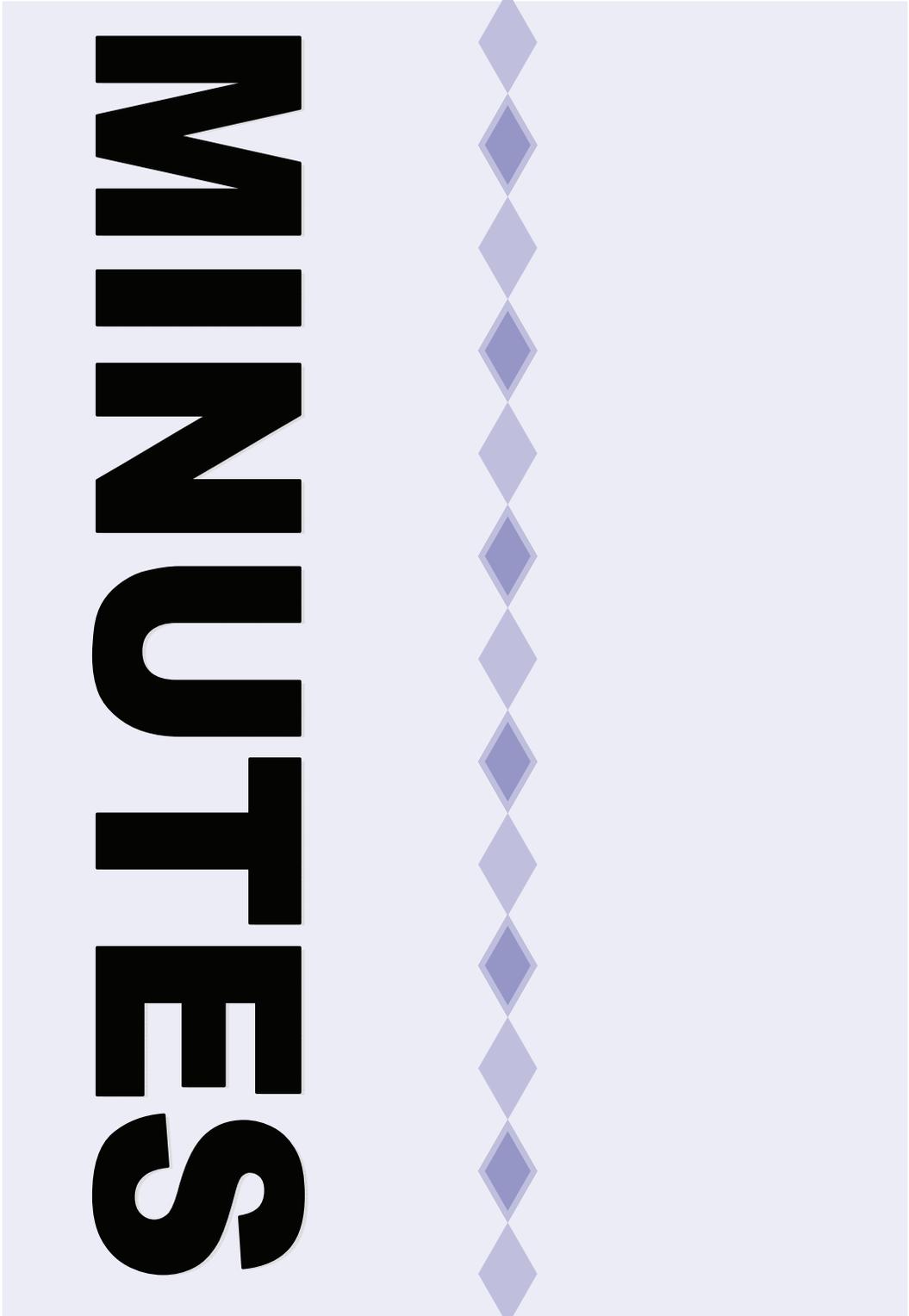
ADJOURNMENT/CONTINUATION:

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.***



MINUTES



**PLANNING COMMISSION
MINUTES
December 12, 2017
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Tom Messina, Chairman
Jon Ingalls, Vice-Chair
Lynn Fleming
Michael Ward
Peter Luttrupp
Lewis Rumpler
Brinnon Mandel

STAFF MEMBERS PRESENT:

Hilary Anderson, Community Planning Director
Sean Holm, Senior Planner
Shana Stuhlmiller, Public Hearing Assistant
Randy Adams, Deputy City Attorney

COMMISSIONERS ABSENT:

None.

CALL TO ORDER:

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

COMMISSION COMMENTS:

None.

STAFF COMMENTS:

Hilary Anderson, Community Planning Director, provided the following statements:

- For the Comprehensive Plan update, as we discussed at our last workshop, please send any comments to Sean on what you like and what you don't like about the existing Comprehensive Plan, and what you would like us to consider changing.
- The Vacation Rental Ordinance (Short Term Rental Ordinance) was adopted by the City Council on December 5, 2017. The ordinance will go into effect in January after the City Council approves the fee schedule, which will establish the permit and renewal fees. We are expecting the fee schedule will be approved at the second meeting in January. All the materials are on the website. Mr. Holm clarified that the application itself isn't complete yet and IT is still working on the conversion, but we do have the tri-fold, which is the good neighbor portion, and the neighborhood notice. The Fire Department sheet is not available yet. Ms. Anderson also clarified that at the hearing the council made one change to the minimum night stay. She explained that we had that one night stays were prohibited, and that restriction was removed. Staff intends for there to be a grace period through March for people to become compliant with the new ordinance. We will make that date public once it is known, but we are still waiting for fees to be adopted.
- The city is hosting a Developer Forum on Wednesday, December 13th and invited members of the development community to come and hear updates from staff on what's been going on with permits, development applications and some other items in the works; the zoning code, Comprehensive Plan, etc. We expect it to be a great event facilitated by Patrick McGaughey.

- We have one item scheduled for our January meeting; a PUD amendment.

Chairman Messina commented that he watched the council meeting and thanked staff for doing a great job with the Short-Term Rental Ordinance. He appreciates the council taking the commission's recommendations and tweaking it a little bit, and glad it is done.

PUBLIC COMMENTS:

None.

PUBLIC HEARINGS

1. Applicant: Hanley Partners, LLC
Location: Northwest Corner of Hanley Avenue and Ramsey Road
Request: A proposed modification to Coeur d'Alene Place PUD QUASI-JUDICIAL (PUD-2-94.m.7)

Sean Holm, Senior Planner, presented the staff report and stated that Hanley Partners, LLC is requesting approval for a modification of the Coeur d'Alene Place Planned Unit Development (PUD). There are two requests:

1. Allow the inclusion of commercially zoned property (C-17 & C-17L) associated with Coeur d'Alene Place into the PUD.
2. Modify the existing PUD multi-family parking requirements to current Coeur d'Alene parking standards.
 - Mr. Holm provided some history and stated that when Coeur d'Alene Place came into existence in the 1994-1998 timeframe between annexation and PUD the city had very stringent requirements for multi-family parking. They had done a study at the time and they currently don't expect this much demand for parking, and they requested the reduction. Since then, the city realized we don't need that much parking for multi-family, and certainly not one space per bedroom when you get to three and above, so the city reduced the standard to less than what the Coeur d'Alene place standard is and requested to match our current standard.

Mr. Holm provided the following statements:

- The subject property is 11.63 acres.
- The Comprehensive Plan designates the property as Stable Established.
- He noted the comprehensive plan goals and objectives.
- He provided a copy of the land use map.
- He presented various photos of the area.
- He stated that the subject property is relatively flat and vacant with Ramsey Road to the east and Hanley Avenue to the south.
- He referenced the pages where the various staff comments are located in the staff report.
- He explained that there is a note at the bottom of his staff report stating that Planning was going to make a recommendation for a condition to include this property in the existing HOA and comply with the CCRs, but that condition actually didn't make it into the conditions in the staff report, but that he caught it while was doing his PowerPoint. The additional condition should state: The additional condition should state: "A Home Owners Association (HOA) with the original Coeur d'Alene Place PUD to maintain all common property and the same should apply to the subject property. The subject property shall be included into the existing HOA and comply with the CC&Rs. He stated that there are seven proposed conditions for approval.
- Mr. Holm concluded his presentation and asked for questions.

Commission Comments:

Commissioner Ward stated he has a question regarding the proposed changes to the number of parking spaces required per unit. He explained in the proposed modification area for the PUD, he understands that, but does that mean that it also applies back to the PUD also or adjusts for what's left in the PUD currently.

Mr. Holm responded that the proposed modification would apply to the entire PUD.

Commissioner Luttrupp inquired if this 11 acre parcel is currently part of the existing PUD.

Mr. Holm responded that the property is not currently part of the PUD, but that they are requesting to include it in the PUD.

Commissioner Luttrupp inquired regarding the process we follow to expand a PUD.

Mr. Holm explained we do a modification, which is before us tonight.

Commissioner Luttrupp inquired if this type of modification has been done in the past.

Mr. Holm stated yes.

Commissioner Luttrupp inquired if the HOA has a voice in this request.

Mr. Holm explained that the applicant, Mr. Schneidmiller, is here and can speak to that.

Commissioner Luttrupp inquired if he represents the homeowners in the existing HOA.

Mr. Holm explained that Mr. Schneidmiller represents Coeur d'Alene Place in its entirety and doesn't know what his capacity is with the HOA.

Commissioner Luttrupp inquired if the HOA is Coeur d'Alene Place.

Mr. Holm stated it is Coeur d'Alene Place.

Commissioner Luttrupp inquired if we have any other commercial activity within the PUD

Mr. Holm answered there are two other locations outside of this development that are part of Coeur d'Alene Place; one is Bolivar 2nd Addition, and that was zoned commercial. We did a modification for that which was allowed over near the gun range and has been changed to a housing project in that area.

Commissioner Luttrupp inquired if that is part of the PUD, or is it adjacent to the PUD.

Mr. Holm clarified that it was added to the PUD.

Public Testimony open.

Gordon Dobler, applicant representative, provided the following statements:

- The PUD was formed in 1994 and has had several amendments to it and several discussions over the years concerning the commercial property and changes made. He heard Mr. Holm state that there was additional commercial off of Hanley and Atlas that was added later on.
- The applicant began looking at potential development on this site and didn't know if it was part of the PUD. He stated it was shown in the original development plan and the boundary between the development plan and the PUD were not crystal clear, so as we began discussions with staff it

- came up as a surprise that this commercial area was not included in the PUD.
- They are here tonight as a housekeeping issue to say we would like to include it in the PUD.
- The city had updated their parking standards since the original PUD approval, and since we are amending the PUD boundaries, it was a logical time to request alignment with current city parking code.
- They looked at conditions, including the new one, and don't have any issues with them.
- Mr. Dobler concluded his presentation and asked if the commission had any questions.

Kevin Schneidmiller, applicant representative, provided the following statements:

- He answered a question regarding the HOA, and in most developments, that the HOA is controlled by the developer for a stated period of time, and they represent both Hanley Partners LLC and Greenstone Kootenai, the developer of Coeur d'Alene Place. They have controlling interest in the HOA for two more years and they support this being annexed into the PUD. They believe it is important and it has always been their position that multi-family projects, and other types of housing projects within the PUD, have the opportunity to take advantage of all the amenities that are being provided. They should also contribute towards the support of those amenities and because of that, this property should be included in the HOA.
- He asked if the commission had any questions.

There were no questions for the applicant.

Public Testimony closed.

Commission Comments:

Commissioner Ingalls stated that he sees this as a housekeeping action.

Motion by Ingalls, seconded by Fleming, to approve Item PUD-2-94m.7. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 6 to 0 vote.

ADJOURNMENT:

Motion by Luttrupp, seconded by Mandel, to adjourn the meeting. Motion approved.

The meeting was adjourned at 5:58 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI STROUD, PLANNER
DATE: JANUARY 9, 2018
SUBJECT: PUD-2-17.m – 13 LOT, 6 TRACT, MODIFICATION OF “TILFORD PLACE” PUD
LOCATION: +/- 1.66 ACRES LOCATED ALONG WEST TILFORD LANE IN THE RIVERSTONE DEVELOPMENT

APPLICANT:

Owner:
Idaho Waterfront, LLC
2197 N. Main Street
Coeur d’Alene, ID 83814

Representative/Engineer:
ATS, Inc.
PO Box 3457
Hayden, ID 83835

DECISION POINT:

Idaho Waterfront, LLC is requesting approval of a minor modification of the “Tilford Place” approved Planned Unit Development which is a 13-lot (6 tract) residential development for two existing parcels totaling +/-1.66 acres. The request is to reduce the minimum rear yard setback from 15’ to 10’. The Planning Commission must consider the request and make appropriate findings.

AREA MAP:



GENERAL INFORMATION:

On October 10, 2017, the Planning Commission approved the request for the “Tilford Place” PUD and Preliminary Plat for the subject property located between two commercial uses within the Riverstone Development along West Tilford Lane. The preliminary plat will allow for 13 single-family residential lots.

The applicant is requesting a deviation to the approved 15’ rear yard setback, to a 10’ minimum rear yard setback for the approved PUD.

APPROVED PLANNED UNIT DEVELOPMENT DEVIATIONS:

The Planning Commission approved the “Tilford Place” PUD on October 10, 2017 with the deviations from existing standards as listed below:

- Reductions to the required site performance standards as noted below:
- 5’/5’ side yard setbacks (from 5’/10’ per R-8 zoning).
- 15’ rear yard to face of structure (from 25’ per R-8 zoning).
- Reduction in lot sizes from 5,500 sf to typical lots sizes ranging from 3,000 sf to 4,200 sf.
- Frontage width from 40’-50’ of private street frontage deviating from the require 50’ of frontage on a public street.
- Private gated entrance.
- Private streets within a Planned Unit Development.
- Reductions to the required road Right-of-Way width from 55’ to 20’, 39’ and 44’.
- Sidewalk on only one side of the street.

The chief benefits of this PUD for the applicant are:

- A reduction of the minimum 50’ R-8 frontage requirement.
- A reduction of the 5,500 SF minimum R-8 lot size.
- Narrower roads.
- Sidewalk on only one side.
- Gated entrance.
- Reduced street width.

Previously Approved Modifications to Standards for Setbacks that Apply to Tilford Place:

Setbacks:

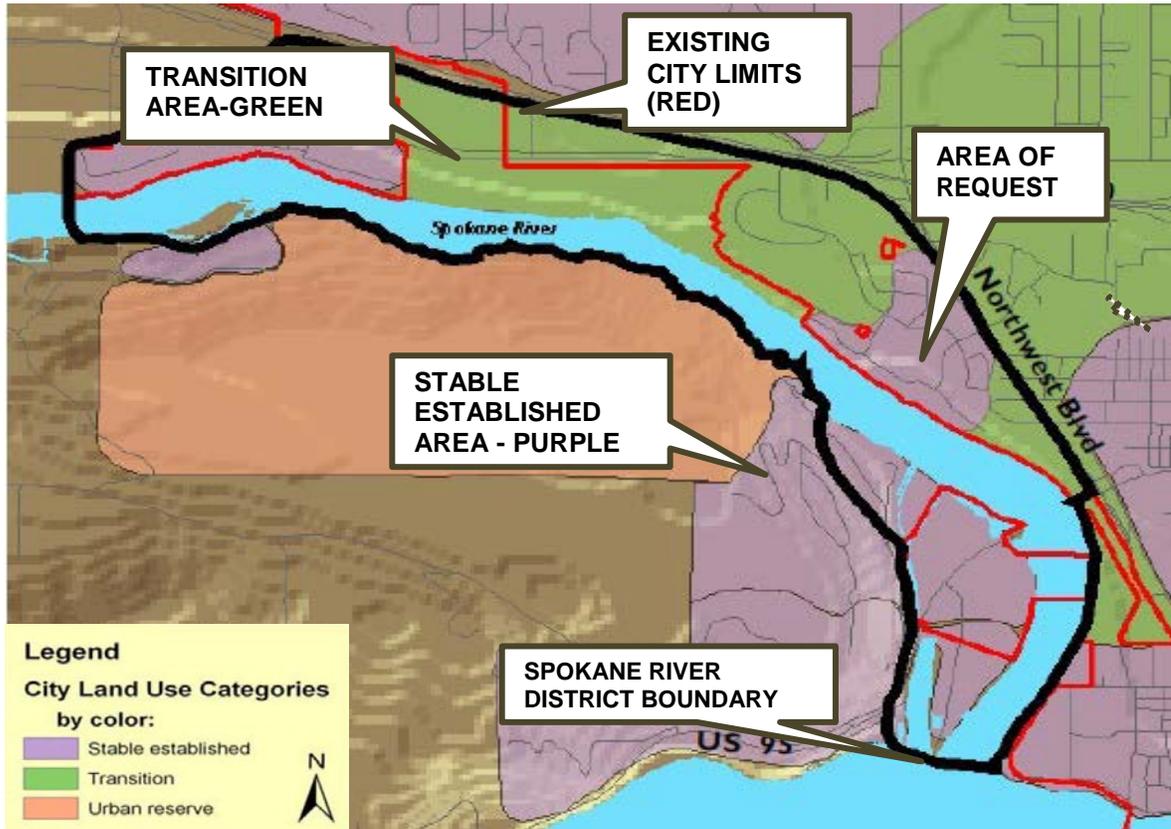
- 5’/5’ side yard setbacks (from 5’/10’ per R-8 zoning).
- 15’ rear yard to face of structure (from 25’ per R-8 zoning).

Newly Requested Deviations to Setbacks through this PUD Request:

Setbacks:

- 10’ rear yard to face of structure (from 25’ per R-8 zoning). (See exhibit on page 3)

2007 COMPREHENSIVE PLAN MAP: SPOKANE RIVER DISTRICT – Stable Established



Stable Established:

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 the general land use are not expected to change greatly within the planning period.

Spokane River District Tomorrow

This area is going through a multitude of changes and this trend will continue for many years. Generally, the Spokane River District is envisioned to be mixed-use neighborhoods consisting of housing, and commercial retail and service activities that embrace the aesthetics of the proximity to the Spokane River. As the mills are removed to make way for new development, the Spokane River shoreline is sure to change dramatically.

The characteristics of the Spokane River District will be:

- Various commercial, residential, and mixed uses.
- Public access should be provided to the river.
- That overall density may approach ten to sixteen dwelling units per acre (10-16:1), but pockets of denser housing are appropriate and encouraged.
- That open space, parks, pedestrian and bicycle connections, and other public spaces will be provided throughout, especially adjacent to the Spokane River.

- That the scale of development will be urban in nature, promoting multi-modal connectivity to downtown.
- The scale and intensity of development will be less than the Downtown Core.
- Neighborhood service nodes are encouraged where appropriate.
- That street networks will be interconnected, defining and creating smaller residential blocks, and avoiding cul-de-sacs.
- That neighborhoods will retain and include planting of future, large-scale, native variety trees.

Significant Policies:

- **Objective 1.02 – Water Quality:**
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- **Objective 1.03 – Waterfront Development:**
Encourage public and private development to incorporate and provide ample public access, both physical and visual, to the lakes and rivers.
- **Objective 1.05 – Vistas:**
Protect the key vistas and view corridors of the hillsides and waterfronts that make Coeur d’Alene unique.
- **Objective 1.09 – Parks:**
Provide an ample supply of urbanized open space in the form of beaches, squares, greens and parks whose frequent use is encouraged by placement, design, and access.
- **Objective 1.11 – Community Design:**
Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the City.
- **Objective 1.13 – Open Space:**
Encourage all participants to make open space a priority with every development and annexation.
- **Objective 3.05 – Neighborhoods:**
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- **Objective 3.14 – Recreation:**
Encourage city sponsored and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities, hiking and biking pathways, open space passive parks, and water access for people and boats.
- **Objective 1.11- Community Design:**
Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.
- **Objective 1.12 - Community Design:**
Support the enhancement of existing urbanized areas and discourage sprawl.

- **Objective 1.14 - Efficiency:**
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
- **Objective 1.16 - Connectivity:**
Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trail systems.
- **Objective 2.02 - Economic & Workforce Development:**
Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.
- **Objective 3.01 - Managed Growth:**
Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.
- **Objective 3.05 - Neighborhoods:**
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- **Objective 3.08 - Housing:**
Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.
- **Objective 3.16 - Capital Improvements:**
Ensure infrastructure and essential services are available prior to approval for properties seeking development.
- **Objective 3.18 - Transportation:**
Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.
- **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).
- **Objective 4.06 - Public Participation:**
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

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.*

On October 10, 2017, the Commission made findings that the proposal was in conformance with the Comprehensive Plan and referenced Objectives 1.11 and 1.12 (Community Design), 3.05 (Neighborhoods), and 3.08 (Housing).

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

LOCATION, SETTING, AND EXISTING USES:

The site is relatively flat and site grading on the site has been done. There are no topographical or other physical constraints that would make the subject property unsuitable for the subdivision and Planned Unit Development request(s).

The site has existing commercial uses to the north, east and west of the subject property. Northwest Bank, which recently opened is located to the west of the site, to the east is Advanced Health Care of CdA. To the north of the site is Advanced Dermatology and Skin Surgery, and to the northwest is the Pain Management of North Idaho clinic.

Snow storage will be located on the east and west ends of “Martin Place” and the perimeter of the development will be fenced along with a gated entry.

See both “NE Prairie (today and tomorrow)” descriptions from the 2007 Comprehensive Plan listed in finding #B8A above. Also, see the land use map, zoning map, and photos below of the subject property.

GENERALIZED LAND USE PATTERN:



EXISTING ZONING:



SITE PHOTO - 1: View from the southeast corner of property looking north toward the Pain Management of North Idaho building.



SITE PHOTO - 2: View from the subject site looking west toward Northwest Bank



SITE PHOTO - 3: View from the south portion of property looking northwest at subject property



SITE PHOTO - 4: View from Tilford Lane looking northeast toward Advanced Health Care of CdA



SITE PHOTO - 5: View from the southeast corner of property looking northwest toward Northwest Bank.



SITE PHOTO - 6: View from the southeast corner of property looking north toward the Pain Management of North Idaho building.



SITE PHOTO - 7: View from the northeast corner of the subject property looking southwest toward the Spokane River and Northwest Bank



Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties.*

On October 10, 2017, the Commission made findings that the design and planning of the site was compatible with the location, setting and existing uses on adjacent properties. This was based on the use and landscaping.

Finding #B8C: **The proposal (is) (is not) compatible with natural features of the site and adjoining properties.**

The subject property is relatively flat with Tilford Lane to the south. Additional natural features of the site information can be found in finding #B8B starting on page 7 which include a description of the site and site photos.

Examples of the architecture type anticipated for the site (To be provided with Final Development Plan): Proposed one and two story homes.



Examples of the architecture type anticipated for the site (To be provided with Final Development Plan): Proposed one and two story homes.



Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the proposal is compatible with natural features of the site and adjoining properties.*

On October 10, 2017, the Commission made findings that the proposal was compatible with natural features of the site and adjoining properties. The proposal would not create soil erosion, sedimentation of lower slopes, slide damage, or flooding problems, surface water degradation, severe cutting or scarring, or affect the risk of catastrophic wildfire, and the proposal would complement the visual character and nature of the city.

Finding #B8D: **The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing public facilities and services.**

STORMWATER:

City code requires all stormwater to remain on site. Stormwater will be addressed as the area proposed for annexation develops. It is anticipated that the residential development will typically utilize curb adjacent swales to manage the site runoff. All stormwater must be contained on-site. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction.

-Submitted by Chris Bosley, City Engineer

STREETS:

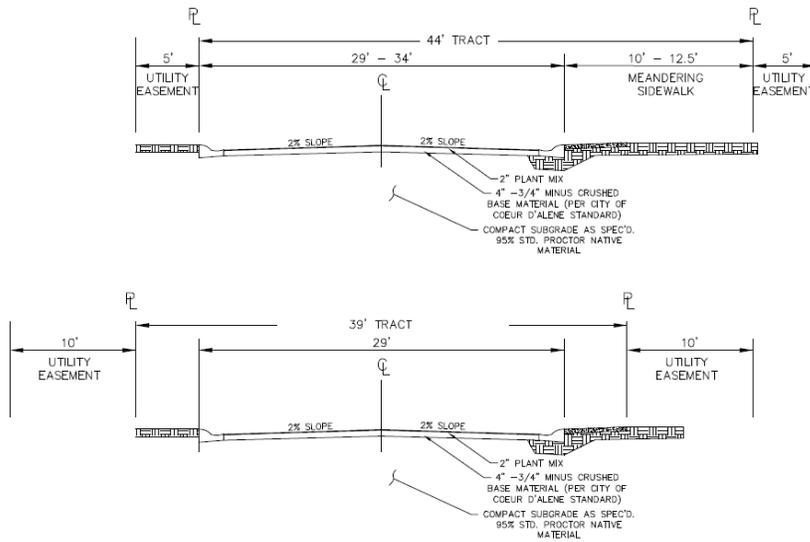
Tilford Lane currently includes curb and gutter and a shared-use path on the south side. Requirement for a sidewalk on the north side is not warranted since no connectivity will be provided from it. The requested crosswalk shown on the plat will provide the pedestrian and bicycle connectivity to Riverstone Park and beyond. The proposed streets within the development are acceptable in the context of this development.

-Submitted by Chris Bosley, City Engineer

Typical Street Section:

EXHIBIT

ROAD SECTIONS FOR TILFORD PLACE
NE ¼ OF SECTION 10, TOWNSHIP 50 NORTH, RANGE 04 WEST, B.M.,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



TRAFFIC:

Tilford lane and Beebe Boulevard have the available capacity to accommodate the anticipated traffic (approximately 100 trips/day) generated from this 13-lot subdivision. Impacts are expected to be minor.

-Submitted by Chris Bosley, City Engineer

WATER:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed plat. Any proposed development of the parcel will require extension of the public water utilities at the owner/developer's expense.

There are existing 8-inch & 6-inch water mains that runs through the property.

-Submitted by Kyle Marine, Assistant Water Superintendent

WASTEWATER:

The City's Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this Subdivision, as proposed.

Presently, public sewer traverses across the property within a utility easement and all new public sewer infrastructure is proposed within Tract F.

In conformance with Sewer Policy 719, Construction of structures within the easement is prohibited. Permanently mounted signs, fences and monuments will not be allowed within the easement.

-Submitted by Mike Becker, Utility Project Manager

FIRE:

The Fire Department works with the Engineering, Water, and Building Departments to ensure the design of any proposal meets mandated safety requirements for the city and its residents.

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation and/or building permit approval, utilizing the currently adopted International Fire Code (IFC) for compliance.

The Coeur d'Alene Fire Department can address all concerns at site and building permit submittals with approval of the recommended conditions.

-Submitted by Bobby Gonder, Fire Inspector

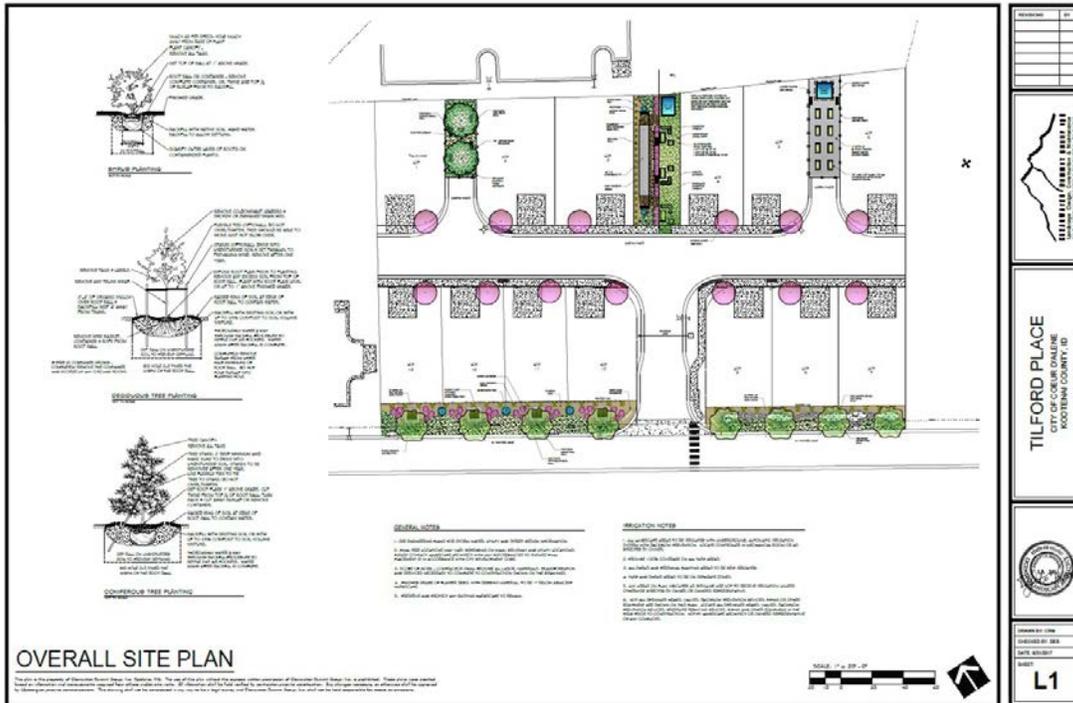
Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the location, design, and size of the proposal are such that the development will be adequately served by existing public facilities and services.*

On October 10, 2017, the Commission made findings that the location, design and size of the proposal were such that the development would be adequately serviced by existing streets, public facilities and services.

Finding #B8E:

The proposal (does) (does not) provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.

Open Space – Site Plan Map:



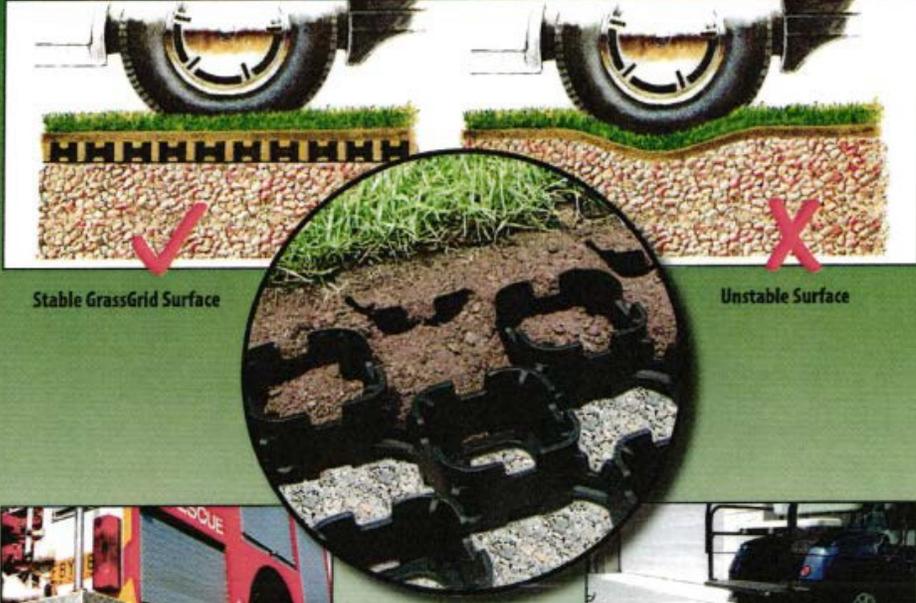
Open Space – Tract Layout Plan:



Proposed “ GrassGrid” within the open space area of Tract “F” for wastewater service access:

GrassGrid *Enhancing Our Environment*

GrassGrid provides designers and developers with a grassed alternative to concrete and asphalt surfaces that is practical, aesthetically pleasing and environmentally friendly.



Stable GrassGrid Surface **Unstable Surface**




Applications:

- Emergency and firelane access
- Vehicle overflow parking lots for commercial developments, homes, sports complexes, festival grounds, churches and more
- Golf cart paths and mountain bike trails
- Racetrack infield and pit areas
- Drainage channels
- Slope stabilization and erosion control
- Street shoulder parking



TRACT LEGEND:

TRACT A = COMMUNITY OPEN SPACE - FENCED DOG RUN AREA WITH IRRIGATION AND AMENITIES.

TRACT B = COMMUNITY OPEN SPACE - FLOWER GARDEN WITH IRRIGATION AND I O X I O GREEN HOUSE AMENITIES AND ALL WEATHER SURFACE PATHWAY FOR MOTORIZED ACCESS TO SAID AMENITIES AND CITY SEWER MANHOLE ACCESS

TRACT C = COMMUNITY OPEN SPACE - VEGTABLE/HERB GARDEN WITH IRRIGATION AND I O X I O GREEN HOUSE AMENITIES.

TRACT D = STORMWATER/SWALE.

TRACT E = COMMUNITY OPEN SPACE - SITTING/PICNIC TABLE AMENITIES FOR USE BY NEIGHBORS AND CENTENNIAL TRAIL USERS.

TRACT F = PRIVATE ROADWAY & UTILITY EASEMENT (SEWER & WATER) TO THE CITY OF COEUR D'ALENE.

*FOR FURTHER DEFINITION OF OPEN SPACE AND USE, PLEASE REFER TO THE P.U.D. APPLICATION/NARRATIVE "RESERVATIONS DIAGRAM".

Assessment:

In February of 2016, the Planning Commission held a workshop to discuss and better define the intent, functionality, use, types, required improvements, and other components of open space that is part of Planned Unit Development (PUD) projects. The workshop discussion was necessary due to a number of requested PUD's and the Planning Commission being asked to approve "usable" open space within a proposed development.

Per the Planning Commission Interpretation (Workshop Item I-1-16 Open Space) the below list outlines what qualifies as Open Space.

- ≥ 15 FT wide, landscaped, improved, irrigated, maintained, accessible, usable, and include amenities
- Passive and Active Parks (including dog parks)
- Community Gardens
- Natural ok if enhanced and in addition to 10% improved
- Local trails

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the proposal provides adequate private common open space area, 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.*

On October 10, 2017, the Commission made findings that the proposal did provide adequate private common open space area, no less than 10% of gross land area, free of buildings, streets, driveways and parking areas.

Finding #B8F: Off-street parking (does) (does not) provide parking sufficient for users of the development.

There was no request made for changes to off-street parking requirements through the PUD. Single family homes require two (2) paved stalls per unit.

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the off-street parking provides parking sufficient for users of the development.*

On October 10, 2017, the Commission made findings that off-street parking would provide parking sufficient for users of the development.

Finding #B8G: That the proposal (does) (does not) provide for an acceptable method for the perpetual maintenance of all common property.

From the applicant's narrative:

Idaho Waterfront LLC will work with the City of Coeur d'Alene's Legal Department on all required language for the Homeowners Association (HOA) CCR's, which will be established and recorded to maintain open space tracts and the landscaping within those areas.

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the proposal provides for an acceptable method for the perpetual maintenance of all common property.*

On October 10, 2017, the Commission made findings that the proposal would provide for an acceptable method for the perpetual maintenance of all common property. This was based on the condition added as part of the motion.

Fire Protection:

10. Fire hydrant(s) shall be installed at all locations as determined by the City Fire Inspectors.

General:

11. The final plat shall conform to the requirements of the City.
12. Prior to approval of the final plat, all required improvements must be installed and accepted by the City. The developer may enter into an agreement with the City guaranteeing installation of the improvements and shall provide security acceptable to the City in an amount equal to 150 percent of the cost of installation of the improvements as determined by the City Engineer. The agreement and security shall be approved by the City Council prior to recording the final plat.

PROPOSED CONDITIONS:

Planning:

1. The creation of a homeowners association will be required to ensure the perpetual maintenance of the open space and other common areas.
2. The applicant's requests for subdivision and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.

Engineering:

- 3 Record a deed dedicating "Tilford Lane" (Tract C Riverstone West 1st Addition and Tract A Riverstone West 5th Addition) without restriction as a public road or satisfactory easements to the City of Coeur d'Alene prior to final plat. The deed shall lift prior encumbrances related to access to adjoining parcels from the previously noted plats.

NOTE: *The underlined text was added as a modification to Condition #3 for the subdivision and PUD by the Planning Commission at the public hearing held on October 10, 2017.*

Water:

3. Individual domestic water services to all residential lots and fire hydrants meeting CDA Fire Dept. spacing requirements will be required upon final plat approval prior to application for any building permits.

Wastewater:

4. All public sewer lines will require a minimum 20' wide easement or tract (30' wide when combined with public water lines) be dedicated to the City.

5. Installation of all sanitary sewer infrastructure will be required prior to final plat approval.
6. No structures within sewer easement will be permitted.
7. If fencing is installed along the perimeter of the development it must be removable if it's over a sewer easement to allow for sewer service access.

ORDINANCES & STANDARDS USED FOR EVALUATION:

2007 Comprehensive Plan
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
2010 Coeur d'Alene Trails Master Plan

ACTION ALTERNATIVES:

The Planning Commission must consider this request to reduce the rear yard setback from 15' to 10' and make separate findings to approve, deny or deny without prejudice. The findings worksheet is attached.



**APPLICANT'S
NARRATIVE**

'Tilford Place' PUD

PUD Amendment Application Narrative
Final Development Plan
October 24, 2017

Idaho Waterfront, LLC is putting in for a request for a Planned Unit Development Amendment to our original application for the Subdivision to be known as 'Tilford Place'. The development will be accessed off of West Tilford Lane in the Riverstone Development, Coeur d'Alene, Idaho. This will be a 13 lot, 6 tract subdivision.

Legal Description and Location of Property

The land for development currently consists of two parcels with the following legal description: RIVERSTONE WEST 5th ADD, LT 2 BLK 1, RIVER URD 2003, and RIVERSTONE WEST 4TH ADD, LT 3 BLK 1, 1050N04W. The total acreage of the existing parcels is 1.6619 acres.

Project Overview: Proposed Uses, Open Space, Structures and Infrastructure

The site will be developed as a private residential subdivision/PUD, with two-story single-family residences, situated on maintained roads. The site will have a density of 7.79 units per acre and will meet the PUD open space requirements with a total of 10% active open space.

The open space will consist of Tracts A, B, C, and E located throughout the PUD. Tract A will consist of a fenced dog run area with irrigation, shade trees, landscaping and amenities as shown on landscape plan. Tract B will have a community flower garden with irrigation, an 8x12 storage shed, benches, landscaping as well as a 10' wide **GRASS GRID** surface pathway (example shown below) as an amenity and City sewer access, everything within the **GRASS GRID** surface area is portable/movable when needed. The **GRASS GRID** its self can simply be removed and reinstalled as needed to access city utilities.



Tract C will contain a community herb garden in planter boxes with irrigation along with a 10x10 green house. Tract D will be a stormwater/swale area to accommodate the project impervious surfaces and is not counted in the required 10% open space. Tract E shall be a community open space with picnic table, landscaping, and amenities for the community and passerby's from the City park and Centennial trail, and Tract F will be the private road and sidewalk system and will be encompassed by a city utility easement for water and sewer and well as snow storage accommodations.

This project is zoned at C-17 and in accordance with City Code, will be developed as a single family residential project under the R-8 zoning provisions. The proposed Final PUD will consist of (13) single family residential lots with a lot size of 3,000 sf to 4,200 sf. Setbacks are requested to be as follows: 5' front yard to the face of the porch, 20' front yard to garage, 5' side yard setbacks, and 15' rear yard to the surface of the structure.

Access to the site will be from West Tilford Lane (a private road), on the south westerly portion of the property. Proposed infrastructure within the development will include two different road section types, (reference exhibit A-1). Since the proposed road sections will be private roads, deeded to and maintained by the Homeowners Association, they will be platted a tract of land as opposed to typical public right-of-way dedications. Road tract widths vary throughout the development between 20', 39' and 44', which includes sidewalks. This road and sidewalk design is proven to work, as illustrated in the Riviera Walk subdivision, Circuit @ Seltice, and others of this type of design. Snow storage will be located at both ends of Martins Place.

Parking will be allowed on one side of the street, designated by signs, and there are sidewalks located on both sides of Martin Place and on the East side of Cummings Way.

Driveways to the single-family homes will be private driveways accessed off the private sub-division street and will have setbacks that will be 5'9" from the adjacent property line. This driveway design has a proven track record as well, it is a large improvement to what was constructed in Riviera Walk. The recordation of the PUD Master Plan will ensure that future home owners/contractors construct driveways and homes in the exact location as shown on the PUD Master Plan.

Landscaping will include street trees, lawn, grassy swale(s), shrub and planting areas in all community areas as well as individual home site landscaping. Privacy fencing will be installed along the perimeter of the development as well as between residences.

In summary, deviations from City standards for this PUD will include:

- 1) Reductions in proposed building setbacks
 - 5' front yard to porch (from 20' garage per R-8 zoning), 5' side yard setbacks (from 5-10' per R-8 zoning), and 15' rear yard to face of structure (from 25' per R-8 zoning). We are requesting a deviation to allow for 10' rear yard setbacks because there is adequate open space and the houses will allow for more flexible floor plans with another 5'. We have already had market pushback for not allowing for adequate square footage on the footprints.
- 2) Reductions to typical lot frontage widths
 - Proposed lots range from 40-50' of private street frontage deviating from R-8 zoning code requirement of 50' of street frontage
- 3) A privately maintained development with gated entrance.
- 4) Reductions in Road Right of Way widths from 55' to 20', 39' and 44'.
- 5) Private streets platted as tracts of land

Site Utility Extensions

Utilities to the project will be provided by the following utility companies. Avista Utilities will have gas lines expended into the property. Avista will provide the electrical power. Local cable and telephone will be extended into the property. City of Coeur d'Alene will serve the property with sanitary sewer and water.

Common Space Ownership and Management

Idaho Waterfront LLC and the design team will work with the City of Coeur d'Alene's legal department on all required language for the CC&R's, Articles of Incorporation and By-Laws, and any language that will be required to be placed on the final PUD Master Plan with regard to the maintenance of all private infrastructure.

The developer will be responsible for the installation of any required street and traffic signage/signalization per MUTCD (Manual on Uniform Traffic Control Devices) and City of Coeur d'Alene standards and requirements. A "Knox Box" will be installed for the Gate access along Cummings Way. The HOA will be responsible for continued maintenance of all street, open space, swales and traffic signage and required signalization. No Parking will be allowed in the hammerhead turnabouts, there will be No Parking-Fire Lane signs posted in the hammerhead turnabouts.

Preliminary Development Schedule:

There will be one continuous phase of development upon final PUD approval. It is anticipated that the site improvement and site infrastructure work will begin 2017 and continue until completed.

Conditions of Approval:

1. *The creation of a homeowners association will be required to ensure the perpetual maintenance of the open space and other common areas.*

The CC&R's are provided in this submittal, which outlines the rules of the Homeowner's Association that will be created upon purchasing of the lots.

2. *The applicant's requests for subdivision, and PUD run concurrently. Approval of the PUD is only valid once the Final Development Plan has been approved by the Planning Department.*

This submittal is being produced in the hopes of being approved, with all requirements and conditions met, to move forward with the PUD and subdivision.

3. *Record a deed dedicating Tilford Lane without restriction as a public road or satisfactory easements to the City of Coeur D Alene prior to final plat.*

A deed has been prepared by the hired attorney, dedicating the public road.

4. *Individual domestic water services to all residential lots and fire hydrants meeting CDA Fire Dept. spacing requirements will be required upon final plat approval prior to application for any building permits.*

The final plan reflects all the requirements for water service and fire hydrant spacing.

5. *All public sewer lines will require a minimum 20' wide easement or tract be dedicated to the City.*

The final plan reflects that the easement that is dedicated to the City for all sewer lines.

6. *Installation of all sanitary sewer infrastructure will be required prior to final plat approval.*

The sanitary sewer infrastructure has been bonded for after approval of the final plans, prior to this submittal.

7. *No permanent structures within sewer easement will be permitted.*

There are no structures within the sewer easements.

8. *If fencing is installed along the perimeter, it must be removable over a sewer for service access.*

There are no proposed fences to be installed over the sewer.



FINDINGS



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

A. INTRODUCTION

This matter having come before the Planning Commission on January 9, 2018, and there being present a person requesting approval of: PUD.2.17.m a request for a modification to a planned unit development known as "Tilford Place PUD".

APPLICANT: IDAHO WATERFRONT, LLC

LOCATION: +/- 1.66 ACRES LOCATED ALONG WEST TILFORD LANE IN THE RIVERSTONE DEVELOPMENT

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 commercial to the north, east and west of the subject property.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is R-8.
- B4. That the notice of public hearing was published on, December 23, 2017, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on January 2, 2018, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on January 9, 2018.
- 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 Planning Commission:

B8A. The proposal **(is) (is not)** in conformance with the Comprehensive Plan. This is based upon the following policies:

Objective 1.02 – Water Quality:

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

Objective 1.03 – Waterfront Development:

Encourage public and private development to incorporate and provide ample public access, both physical and visual, to the lakes and rivers.

Objective 1.05 – Vistas:

Protect the key vistas and view corridors of the hillsides and waterfronts that make Coeur d'Alene unique.

Objective 1.09 – Parks:

Provide an ample supply of urbanized open space in the form of beaches, squares, greens and parks whose frequent use is encouraged by placement, design, and access.

Objective 1.11 – Community Design:

Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the City.

Objective 1.13 – Open Space:

Encourage all participants to make open space a priority with every development and annexation.

Objective 3.05 – Neighborhoods:

Protect and preserve existing neighborhoods from incompatible land uses and developments.

Objective 3.14 – Recreation:

Encourage city sponsored and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities, hiking and biking pathways, open space passive parks, and water access for people and boats.

Objective 1.11- Community Design:

Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.

Objective 1.12 - Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14 - Efficiency:

Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Objective 1.16 - Connectivity:

Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trail systems.

Objective 2.02 - Economic & Workforce Development:

Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.

Objective 3.01 - Managed Growth:

Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.

Objective 3.05 - Neighborhoods:

Protect and preserve existing neighborhoods from incompatible land uses and developments.

Objective 3.08 - Housing:

Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.

Objective 3.16 - Capital Improvements:

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

Objective 3.18 - Transportation:

Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.

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).

Objective 4.06 - Public Participation:

Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

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

Criteria to consider for B8B:			
1.	Density	6.	Open space
2.	Architectural style	7.	Landscaping
3.	Layout of buildings		
4.	Building heights & bulk		
5.	Off-street parking		

B8C The proposal **(is) (is not)** compatible with natural features of the site and adjoining properties. In the case of property located within the hillside overlay zone, does not create soil erosion, sedimentation of lower slopes, slide damage, or flooding problems; prevents surface water degradation, or severe cutting or scarring; reduces the risk of catastrophic wildfire in the wildland urban interface; and complements the visual character and nature of the city. This is based on

Criteria to consider for B8C:			
1.	Topography	3.	Native vegetation
2.	Wildlife habitats	4.	Streams & other water areas

B8D The location, design, and size of the proposal are such that the development **(will)** **(will not)** be adequately served by existing streets, public facilities and services. This is based on

Criteria to consider for B8D:

1. **Is there water available to meet the minimum requirements for domestic consumption & fire flow?**
2. **Can sewer service be provided to meet minimum requirements?**
3. **Can the existing street system accommodate the anticipated traffic to be generated by this development?**
4. **Can police and fire provide reasonable service to the property?**

B8E The proposal **(does)** **(does not)** provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes. This is based on

B8F Off-street parking **(does)****(does not)** provide parking sufficient for users of the development. This is based on

B8G That the proposal **(does)** **(does not)** provide for an acceptable method for the perpetual maintenance of all common property. This is based on

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of IDAHO WATERFRONT, LLC for approval of the planned unit development, as described in the application should be **(approved)** **(denied)** **(denied without prejudice)**.

Special conditions applied are:

Planning:

1. The creation of a homeowners association will be required to ensure the perpetual maintenance of the open space and other common areas.
2. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.

Engineering:

3. Record a deed dedicating "Tilford Lane" (Tract C Riverstone West 1st Addition and Tract A Riverstone West 5th Addition) without restriction as a public road or satisfactory easements to the City of Coeur d'Alene prior to final plat. The deed shall lift prior encumbrances related to access to adjoining parcels from the previously noted plats.

NOTE: The underlined text was added as a modification to Condition #3 for the subdivision and PUD by the Planning Commission at the public hearing held on October 10, 2017.

Water:

4. Individual domestic water services to all residential lots and fire hydrants meeting CDA Fire Dept. spacing requirements will be required upon final plat approval prior to application for any building permits.

Wastewater:

5. All public sewer lines will require a minimum 20' wide easement or tract (30' wide when combined with public water lines) be dedicated to the City.
6. Installation of all sanitary sewer infrastructure will be required prior to final plat approval.
7. No permanent structures within sewer easement will be permitted.
8. If fencing is installed along the perimeter of the development it must be removable if it's over a sewer easement to allow for sewer service access.

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

ROLL CALL:

Commissioner Fleming	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Mandel	Voted _____
Commissioner Rumpler	Voted _____
Commissioner Ward	Voted _____

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN TOM MESSINA