

PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS

JUNE 13, 2006

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

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

5:30 P.M. CALL TO ORDER:

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

APPROVAL OF MINUTES:

April 19, 2006
May 9, 2006
May 15, 2006

PUBLIC COMMENTS:

COMMISSION COMMENTS:

STAFF COMMENTS:

ADMINISTRATIVE ITEMS:

1. Applicant: E & R Properties, LLC
Location: L0t 3, Block 1, Lake Forest, 9th Addition
Request: Proposed 4-lot preliminary Plat "Marblewood Addition"
SHORTPLAT, (SS-11-06)
2. Applicant: Courtyard Homes Development, INC.
Location: Lot 8, Block 2 of Bellerive Subdivision
Request: Proposed 14-unit Condominium Plat "Courtyard Homes"
SHORTPLAT, (SS-12-06)
3. Applicant: Bill Thompson
Location: 4397 Bourbon Drive
Request: Proposed 5-unit Condominium Plat
"Royal Crown Condominiums"
SHORTPLAT, (SS-13-06)
4. Applicant: Mike Tilford
Request: Modification to Riverstone West phasing plan
INTERPRETATION, (I-2-06)
5. Applicant: Copper Basin Construction, Inc.
Request: Interpretation of Mill River Final Development Plan
INTERPRETATION, (I-3-06)

PUBLIC HEARINGS:

1. Applicant: Coeur d'Alene Congregation of Jehovah's Witnesses, Inc.
Location: 486 W. Fuller Court
Request: A proposed Religious Assembly special use permit in the MH-8 zoning district.
QUASI-JUDICIAL, (SP-7-06)

2. Applicant: Ken Sand
Location: 720 E. Poplar Avenue
Request: A proposed Community Education special use permit in the R-12 (Residential at 12 units/acre) zoning district
QUASI-JUDICIAL, (SP-8-06)

3. Applicant: Roxana Rams-Dunteman
Location: 110 E. Homestead
Request: A proposed zone change from R-12 (Residential at 12 units/acre) to C-17L (Commercial Limited at 17 units/acre)
QUASI-JUDICIAL, (ZC-5-06)

ADJOURNMENT/CONTINUATION:

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

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



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**PLANNING COMMISSION
MINUTES
APRIL 19, 2006
CITY COUNCIL CHAMBERS**

COMMISSIONERS PRESENT

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

STAFF MEMBERS PRESENT

Dave Yadon, Planning Director
Shana Stuhlmiller, Public Hearing Assistant
Warren Wilson, Deputy City Attorney

COMMISSIONERS ABSENT

CALL TO ORDER

The meeting was called to order by Chairman Bruning at 6:00 p.m.

PUBLIC HEARINGS:

1. Applicant: City of Coeur d'Alene
 Request: Downtown Development Regulations
 LEGISLATIVE (0-6-05)

Planning Director Yadon presented the staff report, gave the mailing tally as, 0 in favor, 4 opposed, and 2 neutral and answered questions from the Commission.

Mark Hinshaw, LMN Architects, Consultant for the City, explained an overview of the regulations to be reviewed. He commented that the City is now emerging with very strong economic trends and people want to live downtown. He added now that the word is out, it is time for the City to acquire the tools to move forward into the 21st century. He explained the updated draft regulations to the Commission and then asked if the Commission had any questions.

Public testimony open:

Keith Thorhaug, 1025 Lakeside Avenue, Coeur d'Alene commented that he feels the views and vistas will be destroyed if these regulations are approved. He continued that people move here for the charm and beauty of the area, and not to be concerned with a high rise building blocking the views. He commented that he feels that it is too quick to make a decision on these regulations and should be denied.

Rick Seward, 1315 N. Hill Drive, Coeur d'Alene commented that he represents the Masonic Lodge and questioned how the taxes will affect the lodge if these regulations are approved. He inquired if the City has a process for inclusion of this property if these regulations are approved.

Planning Director Yadon commented that he would be happy to meet with Mr. Seward and discuss any questions he has pertaining to the inclusion process for this property.

John Barlow, 3403 Fernan Hill Road, Coeur d'Alene, commented that he has spent a lot of time reviewing these regulations and how they will impact their future projects in the City. He explained that the setback restrictions are so extreme that they would be useless to help promote needed parking in the City, which would discourage growth downtown. He explained that the FAR (Floor Area Ratio) is too low and would suggest that it be adjusted higher. He feels that bonuses given for extra square footage are unfair, and commented as an example, that the resort would like to add additional rooms but the cost would be higher if these regulations were approved. He concurs with previous testimony that more discussion is needed before a final decision is made.

Commissioner Razor inquired if these changes were made as requested to these regulations would they be acceptable.

Mr. Barlow commented that some changes will work for some and not others. He added that the language for these regulations is too broad and should be narrowed so that they make sense. He also questioned how much authority will be given to the Planning Director to make decisions on what is allowed and what is not. He commented that these regulations greatly help residential but does not see it benefit commercial.

Peter Cooper, 1671 E. Miles Avenue, Hayden, commented that he is in favor of these regulations that will allow buildings to be designed on an individual basis. He feels that there is a desire to place vegetation on the side of a building that will help soften the architecture, promote extra oxygen and will help absorb heat to the building. He commented that 220 feet is a comfortable height and that by promoting the use of bay windows and balconies will create a pleasing façade to future buildings.

Gary Banbury, Representative for Coeur d'Alene Mines, 505 Front Avenue, Coeur d'Alene, commented that they do not support these regulations and feels that these will limit their ability for any future growth intended in the future. He added that Coeur d'Alene Mines has been in the City for over 20 years and feels that if these are approved the business will suffer because of strict limitations.

John Beutler, 1836 North West Boulevard, Coeur d'Alene, commented that the City spent a lot of money on the Walker Macy report which supported growth downtown, and feels that approving these regulations goes against the goals stated in that report. He added that he understands the need to want to keep things the same but the Commission should keep the promise to future business owners not to stifle growth and provide tools that will keep growth downtown. He added that this will not happen if these regulations are approved. He suggested that the Planning Commission to not approve these regulations and feels more discussion is needed before a decision is made.

Commissioner Souza questioned if Mr. Beutler could suggest any alterations that could be made to these regulations that would make him feel comfortable and approve.

Mr. Beutler commented that by limiting restrictions to the parking site will hurt growth because people will not come downtown if there is not enough parking. He commented that he does not understand why people are panicked over tall buildings that he feels as a developer will not happen. He added that if you want the City to continue to grow, do not approve these regulations.

Commissioner Messina questioned if restricting the height limit to 220 if this will hurt growth in the City.

Mr. Beutler answered that the current zoning already sets the limit for height and that has been working fine. He added that he feels that there are few buildings that can be built to the height of 220 feet. He added that he is currently building a new commercial building on his existing lot which is not downtown and how the costs are outrageous and feels that to promote growth downtown you have to give people a break.

Commissioner Razor commented if Mr. Beutler would agree that the FAR has some validity allowing more

density when available.

Mr. Beutler concurs but the trade-off is if the building is reduced by width that would make it impossible to design a building that would be functional. He commented that these guidelines are too restrictive.

Robert Provost, 118 N. 7th Street, Coeur d'Alene, commented that he is in favor of these regulations and explained how the FAR was instrumental to help acquire the needed density for his building. He commented that he feels that a decision needs to be made quickly either way so developers can start planning for future projects in the City.

Janet Robnett, 701 Front Avenue, Coeur d'Alene, commented that she has been involved in many land use issues within the City and been a downtown business owner for many years. She continued that their should not be a discrimination in the FAR ratios for residential and commercial and feels height and bulk should be more defined. She concurs with previous testimony that their needs to be additional discussion before these regulations are approved. She then stated the following that she feels needs to be addressed: 1. Industrial uses should not be eliminated and feels that there is a need for this type of use downtown. 2. The FAR should be enlarged to include Commercial and Residential and feels that when the FAR's are calculated will determine the height of the building.

Tom Anderson, 814 Coeur d'Alene Avenue, Coeur d'Alene, commented that he went to various neighborhoods in the City and took a poll on how people felt about buildings being built in downtown that could reach 220 feet. He presented a copy of a petition to the Commission with over 100 signatures of people who were opposed to these regulations. He added that some of the concerns from those polled were that tall buildings are out of character for downtown, noise congestion, nighttime pollution, and that property values will be reduced and neighborhoods will deteriorate.

Barb Crumpacker, 1015 Lakeside Avenue, Coeur d'Alene, commented that she is concerned how the impact of larger buildings will have to the existing sewer system and how the costs will impact residential owners. She commented she is opposed to this request.

Assistant Deputy Attorney Wilson commented that impact fees are already being collected from new growth to go for fees such as parks, police, streets, and Fire.

John Motandon, 1010 Sherman Avenue, commented that he has been in business for 52 years and feels that putting so many restrictions for downtown will make opportunities go away. He explained that the height from a one story building views are gone, and feels that this opposition does not make sense. He added that he had a buyer for a property he owns on Sherman Avenue, and that the people who were going to buy the building, pulled there offer after hearing about these restrictions being proposed. He stressed that the Commission needs to slow down on the adoption of these regulations.

Tom Nelson, 8568 W. Meadow Brook Court, Coeur d'Alene, commented that he is opposed for several reasons such as people who live here will be paying for the costs of these facilities, and that there should be a moratorium passed to accrue the extra costs. He added that they owned a building on Sherman Avenue and how the LID costs were so high they had to get rid of it.

R.G. Nelson, 2233 Northwest Boulevard, Coeur d'Alene, commented that he is a local architect in town and has spent a lot of time reviewing these regulations and found that they do not work. He presented to the Commission a letter and drawing showing a design of a building using these calculations and found that they do not work.

Commissioner Souza questioned if the validity to use the FAR ratios to help increase the amount of units is a positive as opposed to the old regulations. She commented that she feels that there are many incentives when using these new calculations to help increase the amount of space for smaller units.

Mr. Nelson commented that the FAR ratios were not a concern and found that it is impossible to meet the requirements of parking by code, impossible for access using a 15' alley, and impossible in pursuit for economy of structural systems. This is going to hurt and added that 8' feet will not work for people who live in this area who drive large vehicles and feels that people living in Seattle can get away with this, but not in our area. He added that he feels parking issues drives what you type of building you can have. He added that a developer is not going to design a building with no parking and commented that this is unacceptable.

Susie Snedaker, 821 Hastings, Coeur d'Alene, commented that she concurs with Mr. Nelsons comments regarding parking and added as an example, that the building proposed by Miller Stauffer that they had to acquire an additional lot for parking. She continued that she is concerned with the amount of people moving to the City, and how a need for a public transit system should be implemented so people can get around the City. She concurs with previous testimony that the bonus features should be eliminated and questioned why schools are not included with the current impact fees. She commented that she feels the downtown is for sale. She commented that antennas located on the roof should be no more than fifteen feet above the roof top and that should not be limited to antennas but should include everything. She commented that skywalks are important and was not included in these regulations and feels that they should not be allowed. She continued that she is dismayed that Design Guidelines were not part of these regulations.

Commissioner Souza questioned if the current design guidelines would apply to these regulations.

Commissioner Messina answered that there are limitations to what is looked at in the Design Guidelines.

Dennis Cunningham, 8158 N. Stonehaven Drive, Coeur d'Alene commented that he feels that he was fortunate to have attended past discussions that included representation of many different business people to discuss these regulations. He added that this is a challenge, and commended the people who have to make this decision on these regulations. He commented that he recently tested these regulations on a current project he has been working on and found they work. He noted that he found that the FAR calculations were not a problem but helped with how creative when designing the building. He added that this is a great product and feels that you can not make everyone happy and feels that when this goes forward to Council to request that a decision be made soon for the implementation of these regulations.

Dale Hickman, 5477 W. Heine Road, Coeur d'Alene, commented that he recently purchased a piece of property on Indiana Avenue, and found when using the FAR calculations limited his ability to design a building that was attractive and would not benefit a return on this investment. He commented that he doubts that there will be a lot of high rises built in the City and feels that these regulations will limit the ability for Architects to be creative when designing buildings.

Public testimony closed.

Chairman Bruning commented that he would like to thank everyone for there comments and feels that the topic of height downtown is one of the most important topics that needs to be addressed now and not later.

Commissioner Messina commented that he concurs that this draft needs some work and when a decision is made will not make everyone happy. He added that he understands the importance for developers to have an answer as soon as possible and agrees this needs to be a priority.

Commissioner Souza concurred that more work needs to be done on this document and feels that this is a "In progress document"

Commissioner Jordan concurred that more work needs to be done and appreciates all of the public testimony heard tonight.

Commissioner Bowlby commented that she concurs and explained the history of how the Commission felt of the possibility that a wall of buildings could be built along Front Avenue that would cause views and vistas to be lost. She agrees that more time is needed to get this right but understands the urgency for this to be a priority so a decision can be made. She also stressed that transportation needs to be discussed and how important this is to keep the downtown vibrant and people coming into the City.

Student Representative Tenty commented that she was confused and now after hearing testimony concurs that more discussion is needed before a final decision is made. She added that she concurs that transportation is a problem and how important it is for people to have a way to get to the City.

Commissioner Jordan inquired what is the next step in this process in order to get this completed.

Planning Director Yadon answered that a date for a schedule a workshop.

Commissioner Razor inquired if staff knew of any pending projects that are waiting for a decision to be made in order to go forward.

Planning Director Yadon stressed that the ability to design under the old is difficult given the uncertainty and feels that the Commission needs to make a decision soon so developers can plan their projects knowing what is expected.

Commissioner Jordan commented that he is sympathetic for the developers who have designs pending waiting for an answer. He added that he feels this should be a high priority and a decision made.

Commissioner Messina commented that he is aware that next month is a full schedule with meetings and is willing to bite the bullet to get it done.

Commissioner Bowlby commented that they have had a lot of testimony tonight and would like to have an open door to the public at the workshop for more input to help with a decision.

Planning Director Yadon stressed that it would be helpful for staff to have the Commission forward their questions to him so he can have a chance to discuss these changes with Mr. Hinshaw before the workshop.

The Commission concurred and set a date for a workshop to be scheduled on Tuesday, April 25th at 5:00 p.m. in the City Council Chambers.

Motion by Razor, Seconded by Souza, to continue Item 0-6-05 to a special meeting for the Planning Commission on Tuesday, May 15th, 2006 starting at 6:00 p.m. Motion approved.

ADJOURNMENT:

Motion by Razor, seconded by Messina, to adjourn the meeting.

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

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION
MINUTES
MAY 9, 2006
CITY COUNCIL CHAMBERS**

COMMISSIONERS PRESENT

John Bruning, Chairman
Heather Bowlby
Tom Messina
Mary Souza

STAFF MEMBERS PRESENT

John Stamos, Associate Planner
Shana Stuhlmiller, Public Hearing Assistant
Warren Wilson, Deputy City Attorney
Chris Bates, Engineering Project Manager

COMMISSIONERS ABSENT

Brad Jordan
Scott Rasor
Tiffany Tenty (Student Representative)

CALL TO ORDER

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

APPROVAL OF MINUTES:

Motion by Souza, seconded by Messina, to approve the minutes of the Planning Commission meeting on April 11, 2006. Motion approved.

COMMISSION COMMENTS:

Commissioner Souza commented that she would like to thank staff for including a progress report card in the packet listing projects currently worked on by the Commission. She noted a few changes to be made, such as more clarification on what ordinances were updated and that work on the new commercial zone is not pending, because it has never been scheduled. She commented that she feels this information is misleading and would like staff to be more accurate in reporting this information. She inquired if staff had an update of the letter submitted by the Planning Commission for eminent domain.

Associate Planner Stamos answered that the City Council does have the letter, but is not sure of the next step.

Commissioner Souza questioned if the reason this is taking so long may be another sub-committee is reviewing this and inquired when the Planning Commission can expect feedback.

Deputy City Attorney commented that he is not aware of any action yet, but will inform the Planning Commission when he hears of any progress.

STAFF COMMENTS:

Associate Planner Stamos updated the Commission on the upcoming meetings for this month and commented that it is time to be thinking about nominees for the Building Heart Awards. He added that he would get the information to the Commission regarding the categories at the Planning Commission Workshop scheduled on May 23, 2006.

PUBLIC COMMENTS:

There were none.

ADMINISTRATIVE ITEMS:

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

Project Manager Bates presented the staff report and then asked if the Commission had any questions.

Commissioner Souza questioned when the changes to the subdivision ordinance dealing with condominiums would be coming forward so the current process for approving condominiums can be changed.

Deputy City Attorney Wilson commented that these changes will be coming forward soon and apologizes for the delay.

Motion by Souza, seconded by Messina, to approve Item SS-8-06. Motion approved.

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

Project Manager Bates presented the staff report and then asked if the Commission had any questions.

Commissioner Bowlby commented that there seems to be a lot of condominium plat requests and if staff sees a concern that these will replace the rental market.

Project Manager Bates commented that he receives one or two calls a day regarding this process and would agree that this could affect the rental market.

Motion by Souza, seconded by Messina, to approve Item SS-9-06. Motion approved.

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

Project Manager Bates presented the staff report and then asked if the Commission had any questions.

The Commission did not have any questions for staff.

Motion by Souza, seconded by Messina, to approve Item SS-10-06. Motion approved.

PUBLIC HEARINGS

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

Associate Planner Stamosos presented the staff report, gave the mailing tally as 1 in favor, 0 opposed, and 3 neutral, and answered questions from the Commission.

Commissioner Souza inquired if this will be the only use in this building.

Associate Planner Stamosos explained that the remainder of the building is vacant and used for storage.

Public testimony

Jay Weedon, 7764 Gila Ct, Coeur d'Alene, explained that this business would be a place for kids to come with their parents to celebrate a party or any special event in a safe environment. He added that recently he took a trip to Boise where many of these facilities are located and found that they are successful. He commented that there will be 16 parking spaces available, and if more are needed, they will be available. He thanked the Commission for their time and asked if they had additional questions.

Commissioner Souza inquired why the applicant chose this location knowing that it is in an industrial park.

Mr. Weedon explained that this area was ideal because of the buildings had the ceiling height needed to accommodate the room needed for the "bouncy ball houses".

Commissioner Souza commented that she owns a business across the street from the industrial park and traffic is terrible. She explained that there are many trucks going in and out of this area and concerned for the safety of the children who will be using this business in the future.

Mr. Weedon commented that he has not noticed many young children in this area and feels that if there was a concern for safety questioned why there is a school currently in the area.

Commissioner Souza commented that she feels that the business would be compounding the problem and feels that this is not an appropriate area for children.

Mr. Weedon commented that children's safety is a concern and that parents will accompany the children to this business so they are not left unsupervised. He added that it is hard to predict what will happen in the future and feels confident that this business will be a great asset for the community.

Commissioner Souza inquired after driving by the building if another business is operating next door and noticed four vans leaving that location.

Mr. Weedon commented that he is not aware of this and was told that this space is used for storage.

Commissioner Bowlby commented that any future business moving in next door should be compatible with

children especially if any hazardous items will be used.

Mr. Weedon commented that he concurs and will make sure to check if any hazardous material will be used by any potential business moving in next door.

Commissioner Messina inquired if parents will be required to escort children to the facility.

Mr. Weedon commented that is correct and explained that a waiting area will be designated so parents can have someplace to wait while their children play.

Commissioner Souza inquired if a barrier will be put up where a pit is located that will provide protection from kids who happen to go behind the building.

Mr. Weedon commented he is not aware of a pit behind the building but will make sure the area is protected so this will not be a concern.

Commissioner Souza inquired if more parking is added where it would be on the site.

Mr. Weedon commented that more parking would be available on the north side of the building.

Public testimony closed.

DISCUSSION:

Commissioner Souza commented that this is a light-manufacturing zone and feels that there are disadvantages for this type of use in this area. She explained that already there is a school located in this area that generates a lot of traffic and that a playground area is not provided so the children use this area as a place to jog, which is dangerous. She added that she feels that the corner of Dalton Avenue and Highway 95 near Skate Plaza is terrible. She commented that this is a great idea but feels that this is a wrong location and that the zoning must be honored and this activity not be allowed.

Commissioner Bowlby commented that mixing children in a light industrial area is terrible and concurs that the zoning must be honored.

Associate Planner Stamos commented that this use is allowed within the light manufacturing base zone. He added that in the Commerce Park to the south, there has been a lot of commercial activity allowed based on the use.

Commissioner Souza replied that the use proposed for this zone will have a negative impact and should not be approved.

Commissioner Messina commented that parents would be escorting kids to this facility, which is a comfort. He added that he is not sure how this use will impact the rest of the businesses in this area but feels that you cannot control the unknown.

Commissioner Souza commented that she feels uncomfortable that the applicant is unaware of what type of use is next door which could be a hazard for kids.

Commissioner Messina replied that any type of manufacturing business has to go by the codes from the City that will not allow harmful materials to be on site that will be harmful to anyone.

Commissioner Souza commented that she feels the safety is a big concern and this mix of young children in this area is not compatible.

Deputy City Attorney Wilson explained that a decision must be based on the evidence presented tonight. He added that there has not been any testimony that proves that this use is not compatible with this area.

Commissioner Souza commented that the base zone is light manufacturing and feels that this use is not compatible.

Deputy City Attorney Wilson explained that this type of use is allowed with a special use permit in this base zone.

Commissioner Souza commented that this area is not appropriate for young children and feels that the idea is great but this is not the right area.

Deputy City Attorney Wilson replied that the Commission must base their decision on the evidence presented on the record tonight.

Commissioner Souza explained that earlier this year, the Planning Commission heard a request for the Commerce Park for a school and a daycare and that the Commission denied this request based on not a compatible use with the other businesses in this area, and feels that this request is similar and should be denied.

Deputy City Attorney Wilson explained that a decision needs to be made on what evidence is presented tonight and not what happened in the past.

Commissioner Souza disagreed that every request is different and that a decision should be based on individual use and feels that children in a manufacturing area is not a good mix. She added that the traffic is terrible and knows that from personal knowledge having a business located across the street and how numerous times throughout the day sees large trucks continually going in and out of this area. She added that she feels that this request is not any different to what happened at the Commerce Park and by denying a school there is not any difference than what the applicant is presenting tonight.

Motion by Souza, seconded by Bowlby, to deny Item SP-4-06. Motion approved.

DISCUSSION:

Chairman Bruning commented that a decision should not be made based on what has happened in the past. He added that traffic is a concern not just in this area but the entire City and feels that this business will not be any different than kids playing at McDonalds on Appleway, were there is a lot of traffic. He explained that he feels that this request should not be denied based on what has happened in the past and if he could vote, he would approve this request.

Commissioner Messina concurs with Chairman Bruning and feels comfortable that these kids will not be unsupervised. He added that he understands Commissioner Souza's concerns, especially since she has a business located in that area, and is concerned with the safety of children in this area. He added that traffic is a problem everywhere and that you cannot predict what will happen in the future. He added that he is confident staff will make sure all safety issues are dealt with if another use moves next door. He commented that he would approve this request.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Messina	Voted	Nay
Commissioner Souza	Voted	Aye

Motion to deny carried by a 2 to 1 vote.

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

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

There were no questions for staff.

Motion by Souza, seconded by Messina, to approve Item ZC-4-06. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

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

Associate Planner Stamosos presented the staff report, gave the mailing tally as 1 in favor, 0 opposed, and 3 neutral and answered questions from the Commission.

Commissioner Bowlby inquired what would be the estimated elevation of the building.

Associate Planner Stamosos commented that the applicant is proposing a one-story building and that if the Commission has additional questions that the applicant is present to address any concerns.

Commissioner Bowlby commented that a letter was submitted from Yellowstone Pipeline concerning their pipeline located in this area, and questioned if staff has addressed those concerns.

Project Manager Bates commented that there is a pipeline located to the south of this property and explained that this letter is a standard letter written informing the applicant that in the future if there are any problems with the pipeline that they will be allowed on the property to fix the problem.

Public testimony:

Ron Mackie, Applicant representative, 9802 Mission, Spokane, explained the project to the Commission and added that the majority of parking for this business will be located on the north side of the building and

that the parking was over-estimated providing any overage that may occur in the future. He added that the storage yard will be paved and how the design of the building was designed to blend with the existing neighborhood. He continued that the three service bays proposed on the site will be designed to face to the east so that the existing residential neighborhood to the south will not be impacted by any noise.

He added that the building elevation will be 24 feet high and that with the plan for Phase II for a future pole building it will be estimated to be 40 feet wide, 24-feet high and used as inventory storage for the business.

Commissioner Souza commented that she is concerned with the amount of noise associated with the repair of motorcycles and how it may impact the neighborhood.

Mr. Mackie commented that there would be three service bays on the site with doors that will be closed during repairs.

Commissioner Bowlby inquired if people will be allowed to test-drive the motorcycles and concerned that this will be disruptive to the neighborhood.

Shawn Smith, Owner, P.O. Box 3290, Hayden Idaho, commented that his insurance plan would not cover people who want to do test rides, so this is not allowed. He added that the newer ATV's are quiet and not as obnoxious as in the past. He explained that the only time a motorcycle will be started is for the use of display on the property when they will be moved from the back of the building to the front of the store.

Commissioner Souza inquired if the applicant has talked to the neighbors about this project.

Mr. Smith answered that they have not had a chance to contact the surrounding neighbors.

Commissioner Messina inquired if a fence and landscaping will be done prior to construction or will it happen at the end of the project.

Mr. Mackie replied that a five-foot landscape buffer is already in and that paving will be done after the project is completed.

Commissioner Messina questioned if the applicant would consider putting a fence up prior to construction to act as a buffer for the neighborhood while construction is going on.

Ann Newquist, 201 E. Acorn, Coeur d'Alene, commented that putting up a fence prior to construction is a great idea and thanked the Commission for asking that question. She added if this could be a solid fence that would be a better choice to help buffer the noise. She commented that in the past people have used Second Street for motorcycle races and hopes that the applicant does not intend to test-drive on that street. She added that noise and traffic in this area is a problem and hopes that this business will not contribute to this issue.

Public testimony closed.

REBUTTAL:

Ron Mackie commented that the applicant would be willing to put up a fence prior to construction and added that they want to be a good neighbor and is sympathetic to the requests from the neighborhood.

Commissioner Souza inquired if the applicant would be willing to put in a solid fence on the property as mentioned in previous testimony.

Mr. Mackie replied that a solid fence would be acceptable.

Commissioner Souza inquired what would be the hours of operation.

Mr. Smith commented that the store will be open 8:30 to 5:30 Monday thru Saturday. He commented that if the neighborhood wanted he would agree to turn the future storage building towards the road so that it will not disrupt the neighborhood.

Motion by Souza, seconded by Bowlby, to reopen testimony. Motion approved.

Testimony re-opened.

Dennis Marolt, 1196 Milton, Coeur d'Alene, commented that he owns a house located behind the applicant's property and requested if the applicant would consider aligning his existing fence with their new fence. He explained that the applicant's fence would be staggered and not look nice on the property.

Commissioner Messina explained that the applicant has to put the fence on his property, and getting the permission of the surrounding neighbors to move their fence would be a lot of paperwork.

Public testimony closed.

REBUTTAL:

Ron Mackie commented that he would agree to turn the storage building planned for phase II of the project if the neighborhood wishes.

Motion by Bowlby, seconded by Souza, to approve Item SP-6-06. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

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

Associate Planner Stamsos presented the staff report, gave the mailing tally as 0 in favor, 2 opposed, and 4 neutral, and answered questions from the Commission.

Chairman Bruning inquired about the street width on St. Maries Avenue.

Project Manager Bates answered that the street is 26 feet wide.

Chairman Bruning questioned if parking will be allowed on that street.

Project Manger Bates answered that parking is not allowed on St. Maries Avenue.

Public testimony.

Pat Acuff, Applicant representative, 112 Hazel Drive, Fernan Village, commented that he is representing the Fisher family and how this property has been in the family for 80 years. He explained that this subdivision meets the usual City criteria and that the deviations are necessary so the frontage will be the same on all the lots. He then asked if the Commission had any questions.

Commissioner Souza inquired if any of the existing homes will be removed from the property prior to construction.

Mr. Acuff explained that presently there are two houses on the property and that the small house on St. Maries Avenue would be torn down and that the house on 16th Street will be retained.

Mary McEldren, 828 16th Street, commented that she had heard rumors that the applicant intends to build a 12-unit apartment and after hearing the applicant's testimony is relieved that this is not true. She added that traffic is a problem in this area and has witnessed many potential accidents happening at the corner of St. Maries Avenue and 16th Street.

She commented that she hopes that the impact from these homes will not make this problem worse.

Project Manager Bates commented that staff would evaluate that corner to see what can be done to alleviate the problem.

Jerry Bonsito, 1615 Pennsylvania, Coeur d'Alene, commented that he has lived in this neighborhood for 32 years and that his property is located behind the applicant's property and is concerned that the applicant's property will be encroaching onto his property. He added that currently he takes care of these lots and would like to know where his property line is located.

REBUTTAL:

Pat Acuff commented that this has been a concern between the applicant and Mr. Bonsito and is aware that this has been an ongoing problem and feels confident that this issue will be resolved in the future. He added that the applicant intends to make these single-family lots, which will blend with the existing neighborhood.

Motion by Bowlby, seconded by Souza, to approve Item S-7-06. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

5. Applicant: Charter Builders
Location: An 17.5 acre parcel between Seltice Way and I-90
Approximately .5 mile East of Huetter Road
Request: Proposed annexation from County Commercial to City C-17
(Commercial at 17 units/acre)
QUASI-JUDICIAL (A-3-06)

Associate Planner Stamos presented the staff report, gave the mailing tally as 1 in favor, 1 opposed, and 4 neutral, and answered questions from the Commission.

Commissioner Souza inquired if the letter from the Post Falls Highway District to annex the portion of Seltice Way in front of the applicant's property should be conditioned.

Deputy City Attorney Wilson explained that this would automatically be done through the annexation agreement, which is a normal procedure when both sides of the property are annexed into the City.

Public Testimony.

Scott Whitesitt, applicant representative, Rathdrum, commented that the staff report is correct and feels that this parcel is compatible to be annexed into the City. He explained that annexing this parcel will improve the character of the area by providing a mixed use project that will be attractive to the City. He continued that this property is located within the LCDC corridor and sits across from the Mill River development that will help increase tax revenues for the City and is a natural process since the property is surrounded by the City of CDA and should be annexed.

Commissioner Messina inquired if sewer and water is available to this property.

Project Manager Bates commented that utilities are available and that sewer will have to be extended, which is not a problem for this property.

Commissioner Souza inquired if the applicant has a vision for this property.

Mr. Whitesitt commented that this would be a mixed-use development that will enhance the area.

Motion by Souza, seconded by Bowlby, to approve Item A-3-06. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

ADJOURNMENT:

Motion by Souza, seconded by Bowlby, to adjourn the meeting.

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

Respectfully submitted by John Stamsos, Associate Planner

Prepared by Shana M. Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION
MINUTES
MAY 15, 2006
CITY COUNCIL CHAMBERS**

COMMISSIONERS PRESENT

John Bruning, Chairman
Heather Bowlby
Brad Jordan
Tom Messina
Scott Rasor
Mary Souza

STAFF MEMBERS PRESENT

Dave Yadon, Planning Director
Shana Stuhlmiller, Public Hearing Assistant
Warren Wilson, Deputy City Attorney

COMMISSIONERS ABSENT

Tiffany Tenty (Student Representative)

CALL TO ORDER

Chairman Bruning called the meeting to order at 6:00 p.m.

PUBLIC HEARINGS

1. Applicant: City of Coeur d'Alene
Request: Downtown Development Regulations
LEGISLATIVE (0-6-05)

Planning Director Yadon presented a copy of the draft regulations to the Commission incorporating the changes from the workshop held on April 25, 2006. He then asked if the Commission had any questions.

Commissioner Souza noted changes on page seven under the heading Public Art and that the word "as" should be eliminated in that sentence, under structured parking that screened should be added, and that off site workforce added within the downtown area. She also noted that under the heading Maximum Building Height item number two feels that this statement needs more clarification and that heliports should be included in these regulations and should not be allowed.

Planning Director Yadon inquired if heliports are to be considered a principal or an accessory use. He explained the two uses and feels that an accessory use would be the best choice that would allow helicopters to be used occasionally, rather than eliminating the use at all.

Commissioner Jordan concurred to not eliminate the use of helicopters in the downtown and explained that people who live in these two million dollar condos occasionally may need to use a helicopter.

Commissioner Souza commented that she feels that there is a need to be sensitive to people who use helicopters and does not want to infringe on heliports.

Commissioner Jordan commented that he feels that affordable housing needs to be available downtown and does not want to see local people driven out of living downtown because of not having affordable housing.

Planning Director Yadon noted that if jobs are created downtown, there should be affordable housing so that people working in the City will not have to drive 100 miles to work. He noted that a five-minute walk is estimated to be 1,500 feet and that by providing affordable housing downtown will benefit people working in the City.

Commissioner Souza concurred to keep people working in the City to be able to live downtown within walking distance of their jobs. She noted that the workforce definition should be clarified to reflect the need to provide affordable housing downtown.

Commissioner Bowlby suggested that I-90 would be a good dividing point for the boundary for affordable housing and commented that she has a neighbor who lives on Fernan Hill and walks to work everyday. She commented that she feels that this has to be a priority so that people working in the City have other options than driving to work.

Planning Director Yadon commented that he would add to the draft regulations that South of I-90 be the dividing line for workforce housing.

Public testimony

John Barlow, 3403 Fernan Hill Road, Coeur d'Alene, commented that he wanted to compliment the Planning Commission on the progress that was made to the draft regulations. He noted that the main concern was to not segregate commercial and residential, but make them the same and thanked the Commission for incorporating that change to the draft presented tonight and that the Hagadone Corporation will endorse all the rest of the changes to the draft regulations presented tonight. He continued that he concurs that the parking structure should be screened. He commented that he agrees that affordable housing should be provided downtown so rental properties do not disappear because costs are too high to live in the City. He commented that he would like the Commission to reconsider not allowing heliports and explained that occasionally, VIP's will come to the resort by helicopter, and not tie this use to height restrictions for a building since this type of service is not used often, but should not be eliminated. He added that he would like to congratulate the Commission on the progress made to this draft and for achieving the established goals.

Commissioner Bowlby concurred that heliports should not be eliminated, and mentioned that they may be used as an occasional use, and this should be a "heads up" for future developers who would like to use this service.

Chairman Bruning concurred, and feels that rather than prohibit this use, a definition can be worked on by staff, not to eliminate but with restrictions.

Commissioner Jordan commented that he could see that a heliport will be needed for future development.

Commissioner Souza commented that she feels that there should be consideration to people living in the City who would be impacted from the noise and lights for this use. She concurs that this should be restricted to an occasional use.

Janet Robinett, P.O. Box E, Coeur d'Alene, commented she feels all of her concerns have been addressed and that she is looking forward to seeing how the language for helicopter use will be incorporated into the draft regulations. She added that she feels hospitals would be hesitant about eliminating this use, since they are often used in emergencies. She noted that she feels that these draft regulations are easy to understand and commends the Commission for their work.

Marshall Mend, 2071 E. Packsaddle, Coeur d'Alene, commented that he owns property on 1st and Coeur d'Alene Avenue, with intentions to build an eight-story condo on the property. He noted that the parking spaces will be changed with the approval of these regulations and questioned how soon these changes will be official.

Planning Director Yadon answered that if the Planning Commission gives their recommendation for approval this draft will go forward to Council who will make the final decision. He added that he would estimate this to be two months.

Dennis Hinrichsen, 946 E. Spruce Avenue, Coeur d'Alene, commented that the approval of these regulations would have an adverse impact to the area neighborhoods. He asked why these regulations are being proposed without traffic counts being done first, and feels that private property rights need to be protected. He questioned how people get in and out of the City with the addition of high rise buildings and feels that there needs to be a plan, and suggested a monorail system to be used. He concurred that affordable housing should stay downtown and does not want the need for density to push affordable housing farther out of the City. He added that it should be our responsibility to petition the State Legislature to demand that development pay for itself. He added that numerous times he has tried to contact staff concerning traffic reports, and that nobody has responded to his request.

Commissioner Souza explained that new development is already being paid for by impact fees and suggested that he talk with staff to get his other concerns addressed.

Mr. Hinrichsen commented that he feels traffic counts are important before authority is given to developers to build sky-high buildings and feels that this issue needs further discussion before these regulations are approved.

Commissioner Messina questioned if traffic counts should be done for the entire City or just the downtown core.

Mr. Hinrichsen commented that he feels that traffic counts should be done for the downtown district.

Chairman Bruning commented that north and south traffic flow is bad and feels that when Government Way is open, it will lessen the impact to traffic in the City. He added that the school district is concerned that school enrollment is down and feels that the demographics are changing in the City.

Commissioner Souza commented that she feels it is the goal of the Planning Commission and City Council to maintain density downtown, and feels that these regulations will help that need.

Mr. Hinrichsen commented that he does not want the City to turn into downtown Seattle and to help safeguard the existing homeowners so that they are not taxed out of their homes.

Public testimony closed.

DISCUSSION:

Commissioner Bowlby concurred with Mr. Hindrichsen that traffic is a problem and feels that traffic projections should be done for the next 10 years and feels that this topic needs further discussion. She added that it is important for people to get in and out of the City and that this is a valid concern.

Planning Director Yadon answered that the City Engineer, Gordon Dobler, would be the best person to address those questions regarding traffic. He noted that in discussions with City Engineer Dobler, he mentioned that he is working on a report involving traffic counts for residential and commercial, but has not completed that report yet.

Chairman Bruning commented that his office is across from the Lakevilla Apartments, and does not notice a problem with traffic when leaving work in that area.

Commissioner Souza recommended that if these regulations go forward to Council it would be a good idea to give a heads up to Council concerning traffic counts in the area.

Commissioner Jordan commented that he appreciates all the concerns addressed tonight and that if you look back forty years ago, downtown had a lot of mixed use businesses including a hospital which kept downtown vibrant for many years. He noted that in the last year, downtown is booming, which is exciting, and feels that these guidelines need to go forward so a decision can be made. He added that he would like to thank his fellow Commissioners for their great input on putting together regulations that are flexible.

Chairman Bruning commented that he feels this is one of the most important ordinances the Commission has worked on and would like to congratulate staff for all of their input in this process. He added that building height downtown has been a concern for the Commission for along time and feels that with this ordinance it will elevate some of the concerns of building high-rise buildings downtown.

Commissioner Souza commented that she feels this ordinance will accomplish limitations to height downtown but not restrict altogether. She added before there were not any restrictions and that with this there will be a buffer. She added that these regulations are great.

Motion by Souza, seconded by Messina, to approve Item 0-6-05 Motion approved.

Commissioner Jordan commented that he would like to thank his fellow members of LCDC for the help they gave in providing funds for professional help to produce a working document. He also note that Mark Hinshaw was the right consultant for the job.

ROLL CALL:

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

Motion to approve carried by a 5 to 0 vote.

ADJOURNMENT:

Motion by Souza, seconded by Messina, to adjourn the meeting.

The meeting was adjourned at 8:00 p.m. Motion approved.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



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TO: Planning Commission
FROM: Christopher H. Bates, Project Manager
DATE: June 13, 2006
SUBJECT: **SS-11-06, Marblewood Addition**

DECISION POINT

Approve or deny the applicant's request for a 4 lot limited commercial development on Canfield Avenue.

GENERAL INFORMATION

1. Applicant: E & R Properties, LLC
19962 W. Riverview
Post Falls, ID 83854
2. Request: Approval of a four (4) lot commercial development.
3. Location: North side of Canfield Avenue, directly east of the intersection with West Pinegrove Drive.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is C-17L which is intended as a low intensity commercial/residential district.
2. Land Use: The subject property is currently vacant.
3. Infrastructure: Utilities, Streets, & Storm Water Facilities

Utilities: Sewer & Water

The subject property has access to both sewer (8" main) and water (12" main) utilities in Canfield Avenue along the southerly boundary. Utility main extension and service laterals will be required to be extended onto the subject property and to the proposed lots prior to final plat approval.

Streets: The public street adjoining the subject property is developed to current standards, and, the site is adjacent to the signalized intersection of Canfield Avenue and US Hwy 95.

Fire: Fire hydrant installation will be required for development on the subject property. Due to the uncertain nature of the site development, hydrant installation at the direction of the City Fire Department will be required at the time of development of the subject property.

Storm Water: Street drainage is managed by the existing curbside swales. These swales will be required to be reconditioned as part of the development of the site, prior to final plat approval.

Site Access: Access to the proposed lots is via a common access point centered on the common lot lines. A common access easement will be required to be noted on the plat document for all lots.

Proposed Conditions:

1. Utility main extension and service laterals will be required to be extended onto the subject property and to the proposed lots prior to final plat approval.
2. Fire hydrant installation at the direction of the City Fire Department will be required at the time of development of the subject property.
3. The existing street drainage swales will be required to be reconditioned as part of the development of the site, prior to final plat approval.
4. A common access easement for all lots will be required to be noted on the subject plat.

DECISION POINT RECOMMENDATION

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

TO: Planning Commission
FROM: Christopher H. Bates, Project Manager
DATE: June 13, 2006
SUBJECT: **SS-12-06, Courtyard Homes**

DECISION POINT

Approve or deny the applicant's request for a 14 unit, 4 building condominium development on Rellerive Lane.

GENERAL INFORMATION

1. Applicant: Courtyard Homes Development, LLC
PO Box 3070
Coeur d'Alene, ID 83816
2. Request: Approval of a 14 unit, 4 building condominium development.
3. Location: Bellerive Lane in the Riverstone development, adjoining the Spokane River.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is R-17 which is intended as a medium/high residential area that permits a mix of housing types at a density of 17 units/acre.
2. Land Use: The subject property is currently vacant, however, development plans have been submitted and approved for the site.
3. Infrastructure: Utilities, Streets, & Storm Water Facilities
 - Utilities:** Sewer & Water

The subject property has access to sewer and water utilities located in Bellerive Lane. Lateral services have been stubbed to the subject property.
 - Streets:** The private street adjoining the subject property is developed to current standards.
 - Fire:** There is an existing hydrant adjacent to the subject property that meets the spacing requirements of the City Fire Department, however, additional hydrants may need to be installed to meet requirements of the development on the subject property. If required, additional hydrants would be installed at the time of development on the site.
 - Storm Water:** Street drainage is already contained in the existing swales on site.
4. Subdivision Requirement: Due to the condominium nature of the subject development, any and all lien holders on the subject property, will be required to acknowledge the condominium plat and consent to its recordation.

Proposed Condition:

1. Any mortgage or lien holder that has a securing interest on the subject property, must acknowledge the condominium development and consent to its recordation by signing an acknowledgement on the final plat document.

DECISION POINT RECOMMENDATION

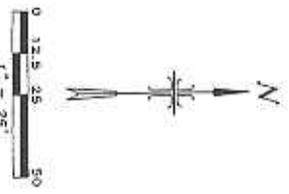
Approve the proposed plat in its submitted configuration with the attached condition.

55-12-06

COURTYARD HOMES

CONDOMINIUM PLAN
 REPORT OF LOT 8, BLOCK 2, BELLEVUE SUBDIVISION, SECTION 10, TOWNSHIP 20 NORTH,
 RANGE 4 WEST, BOISE MERIDIAN, IN THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

Book: _____
 Page: _____
 No. _____



VICINITY MAP
 NOT TO SCALE

LEGEND

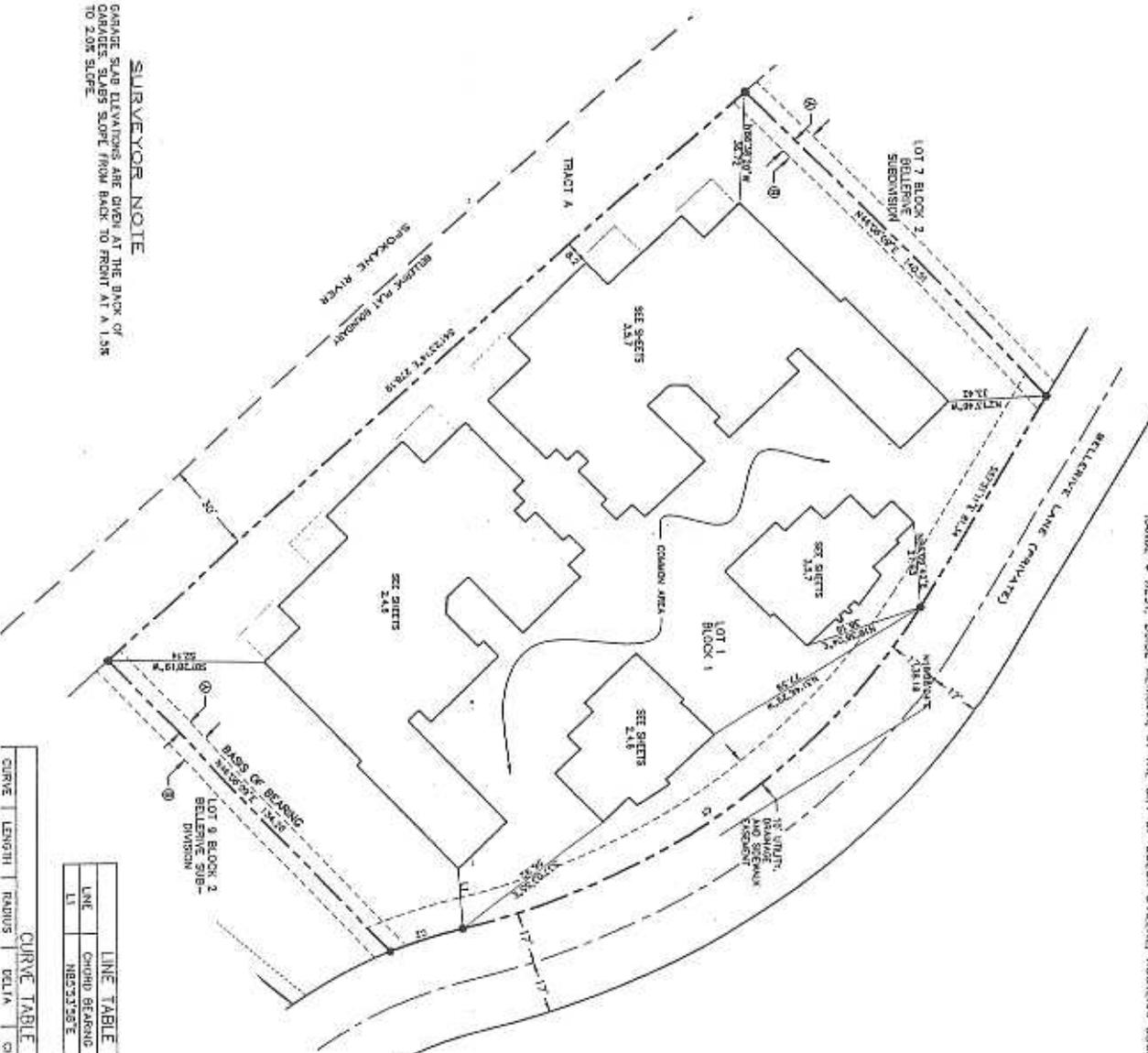
- Found 3/0" rebar with plastic cap marked
 1S 4585' Per Br. 1, Pg. 311.
- ⊙ 5' Access and Utility Easement in benefit of
 adjacent lot, per Br. 1, Pg. 311.
- ⊙ 10' Easement Easement centered on lot line, per
 Br. 1, Pg. 311.

BASIS OF BEARING

BASIS OF BEARING IS NORTH 45°30' EAST ALONG THE
 CURVE OF CURVE TO LOT 8 AND LOT 9, BLOCK 2, BELLEVUE
 SUBDIVISION, AS RECORDED IN BR. 1, PG. 311.

ELEVATION DATUM

ELEVATIONS SHOWN ARE BASED ON NAVD03.



SURVEYOR NOTE

GARAGE SLAB ELEVATIONS ARE GIVEN AT THE BACK OF
 GARAGES. SLAB SLOPE FROM BACK TO FRONT AT A 1.5%
 TO 2.0% SLOPE.

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING

LINE	CHORD BEARING	LENGTH
L1	N82°33'25\"E	19.55'

PRELIMINARY

COURTYARD HOMES SITE PLAN

REPORT OF LOT 8, BLOCK 2, BELLEVUE SUBDIVISION,
 SECTION 10, TOWNSHIP 20 NORTH, RANGE 4 WEST, E.4M,
 COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

JUB J-U-B ENGINEERS, Inc.
 7223 Shalobaska Way
 Coeur D'Alene, Idaho 83816
 Phone: 202.792.8727

TO: Planning Commission
FROM: Christopher H. Bates, Project Manager
DATE: June 13, 2006
SUBJECT: **SS-13-06, Royal Crown Condominiums**

DECISION POINT

Approve or deny the applicant's request for a 5 unit, 3 building residential condominium development.

GENERAL INFORMATION

1. Applicant: Bill C. Thompson
4422 Crown Avenue
Coeur d'Alene, ID 83815
2. Request: Approval of a 5 unit, 3 building residential condominium development.
3. Location: The subject development is on a parcel between Crown Avenue and Bourbon Drive.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is R-12 which is a residential district that permits a mix of housing types at a density not greater than 12 units/acre.
2. Land Use: The subject property currently has 3 buildings situated on it, constituting the 5 proposed condominium units.
3. Infrastructure: Utilities, Streets, & Storm Water Facilities

Utilities: Sewer & Water

The subject buildings are presently connected to both sewer and water utilities.

Streets: The public streets adjoining the subject property are developed to a standard that was acceptable in Kootenai County at the time it was developed and then was annexed by the City. The street designs do not meet current standards (no curb, sidewalk, defined swales) however, removal and replacement of the small portions of frontage to bring the site up to current standards would serve no significant purpose and would adversely impact the balance of the existing roadways.

Fire: There are existing hydrants on both Crown Avenue and Bourbon Drive that are adjacent to the subject property and that meet the spacing requirements of the City Fire Department.

Storm Water: Street drainage is already contained in the existing drainage ditches that adjoin the sides of the road.

4. Subdivision Requirement: Due to the condominium nature of the subject development, any and all lien holders on the subject property, will be required to acknowledge the condominium plat and consent to its recordation.

Proposed Condition:

1. Any mortgage or lien holder that has a securing interest on the subject property, must acknowledge the condominium development and consent to its recordation by signing an acknowledgement on the final plat document.

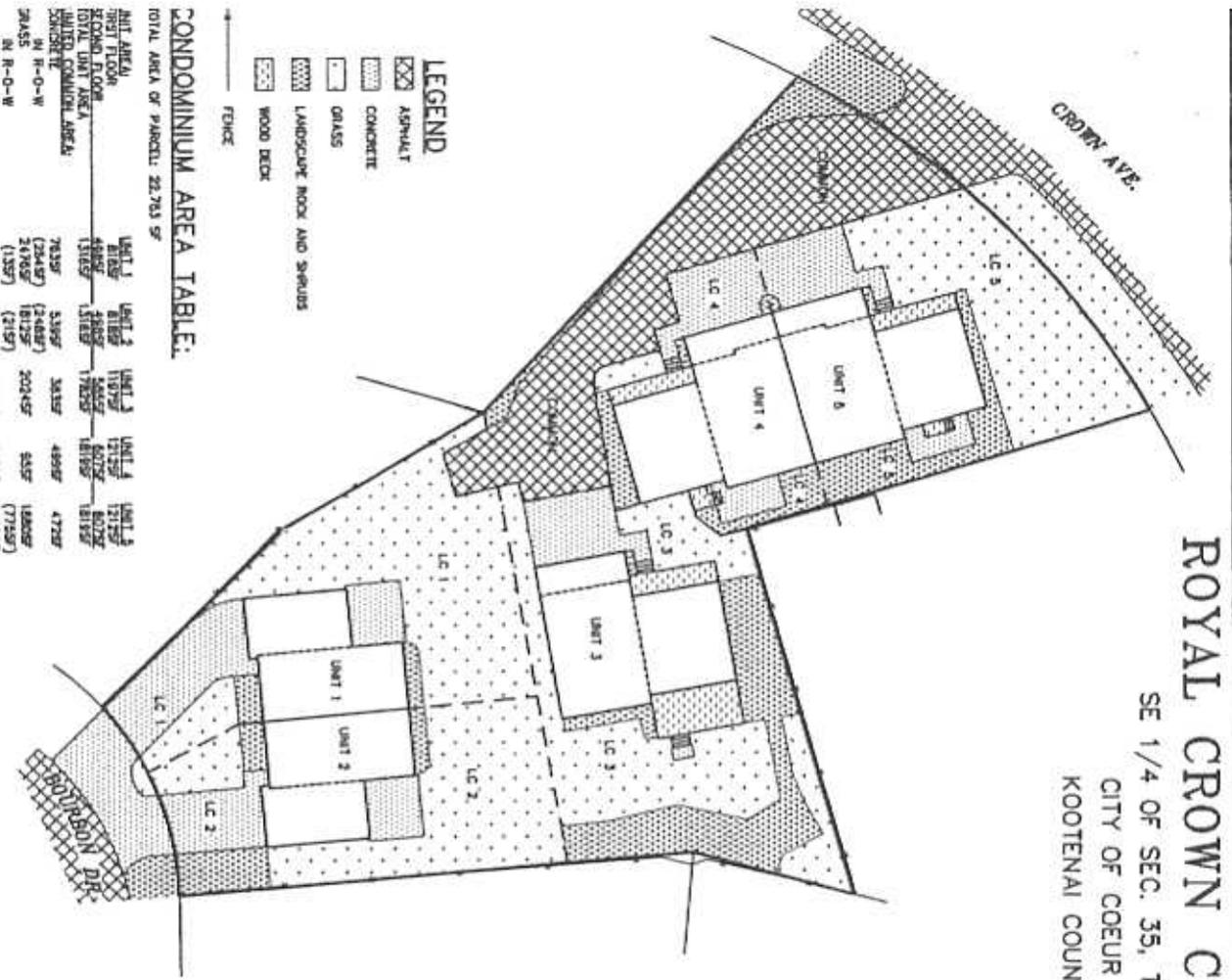
DECISION POINT RECOMMENDATION

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

ROYAL CROWN CONDOMINIUMS

SE 1/4 OF SEC. 35, T 51N, R 4W, BM
CITY OF COEUR D'ALENE
KOOTENAI COUNTY, IDAHO

BOOK _____ PAGE _____
INST # _____



LEGEND

- ASPHALT
- CONCRETE
- GRASS
- LANDSCAPE ROCK AND SHRUBS
- WOOD DECK
- FENCE

CONDOMINIUM AREA TABLE:

UNIT AREA	UNIT 1	UNIT 2	UNIT 3	UNIT 4	UNIT 5
TOTAL AREA OF PARCEL: 22,763 SF	4,815	4,815	4,815	4,815	4,815
NET FLOOR AREA	4,815	4,815	4,815	4,815	4,815
COMMON AREA	1,154	1,154	1,154	1,154	1,154
TOTAL UNIT AREA	5,969	5,969	5,969	5,969	5,969
UNITED COMMON AREA	7,830	7,830	7,830	7,830	7,830
CONCRETE	2,915	2,915	2,915	2,915	2,915
ASPHALT	4,915	4,915	4,915	4,915	4,915
LANDSCAPE	1,154	1,154	1,154	1,154	1,154
WOOD DECK	1,154	1,154	1,154	1,154	1,154
FENCE	1,154	1,154	1,154	1,154	1,154

CONDOMINIUM NOTES:

- AS PER TITLE 55 CHAPTER 15 SECTION 55-1509 OF THE IDAHO STATUTES, THE PHYSICAL BOUNDARIES OF THE UNIT ARE THE INTERIOR SURFACES OF THE PERIMETER WALLS, FLOORS, CEILING, WINDOWS AND DOORS THEREOF, AND THE UNIT INCLUDES BOTH THE PORTIONS OF THE BUILDING SO DESCRIBED AND THE AIRSPACE SO ENCOMPASSED.
- AS PER TITLE 55 CHAPTER 15 SECTION 55-1508 OF THE IDAHO STATUTES, IN INTERPRETING THIS PLAN THE EXISTING PHYSICAL BOUNDARIES OF THE UNIT AS ORIGINALLY CONSTRUCTED OR AS RECONSTRUCTED IN LEU THEREOF SHALL BE CONSIDERED PRESUMED TO BE ITS BOUNDARIES UNLESS THE UNITS AND BOUNDS EXPRESSED OR IMPLIED ON THIS PLAN, REGARDLESS OF SETTING OR LATERAL MOVEMENT OF THE BUILDING AND RECONSTRUCTION OR UNIFORM VARIANCE BETWEEN BOUNDARIES AS SHOWN ON THIS PLAN AND THE ACTUAL BOUNDARIES OF THE UNITS OF THE BUILDING.
- THIS CONDOMINIUM PLAN IS SUBJECT TO THE DECLARATION RECORDED UNDER INST # _____ IN KOOTENAI COUNTY.
- KOOTENAI COUNTY INST #22914 GRANTS A BLANKET EASEMENT TO GTE ACROSS THIS PROPERTY.

OWNERS CERTIFICATE:

I, BILL C. THOMPSON and ALYNE W. THOMPSON HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE LAND DESCRIBED AS:

LOT 2, BLOCK 1 OF THE PLAT OF LAYTON ADDITION AS ON RECORD WITH KOOTENAI COUNTY IN BOOK J OF PLATS AT PAGE 25 AND LOT 1, BLOCK 1 OF THE PLAT OF OREGON ADDITION AS ON RECORD WITH KOOTENAI COUNTY IN BOOK J OF PLATS AT PAGE 27E, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 51 NORTH, RANGE 4 WEST OF THE BORE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO BEING ORIGINALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35, THENCE SOUTH 88° 14' 07" EAST 2647.00 FEET TO THE SOUTHWEST CORNER OF SAID SECTION, THENCE NORTH 28° 08' 01" WEST 1198.31 FEET TO A POINT ON THE BOUNDARY OF SAID LOT 1, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE BOUNDARY OF SAID LOT 1 THE FOLLOWING COURSES: NORTH 15° 09' 00" EAST 25.86 FEET, THENCE SOUTH 74° 06' 44" WEST 81.00 FEET, THENCE NORTH 14° 00' 34" WEST 98.91 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, THE RADIIUS POINT OF CURVE BEING 50.00 FEET, EAST 100.00 FEET, THENCE SOUTHWESTERLY ALONG SAID CURVE 118.67 FEET, THENCE SOUTH 07° 00' 11" EAST 100.00 FEET TO CORNER COMMON TO SAID LOT 1 AND SAID LOT 2, THENCE ALONG THE BOUNDARY OF SAID LOT 2 THE FOLLOWING COURSES: SOUTH 30° 37' 01" EAST 82.18 FEET, THENCE SOUTH 45° 13' 00" EAST 58.97 FEET TO A POINT ON A CURVE, TO THE POINT, THE RADIIUS POINT OF CURVE BEING 50.00 FEET, THENCE SOUTH 41° 53' 01" EAST 70.00 FEET, THENCE NORTHWESTERLY ALONG SAID CURVE 44.80 FEET, THENCE NORTH 4° 46' 57" WEST 91.73 FEET TO A CORNER COMMON TO SAID LOT 1 AND LOT 2, THENCE NORTH 4° 27' 46" WEST ALONG THE BOUNDARY OF SAID LOT 1 A 29.60 FEET TO THE SAID TRUE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD AND IN VEST.

DOMESTIC WATER AND SEWER TO BE PROVIDED BY THE CITY OF COEUR D'ALENE.

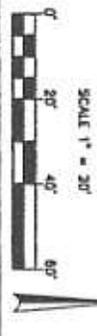
WE HAVE CAUSED SAID LAND TO BE Laid OUT AND EMBODIED WITHIN THE PLAN TO BE KNOWN AS "ROYAL CROWN CONDOMINIUMS," SIGNED THIS _____ DAY OF _____, 2000.

ACKNOWLEDGMENT:

BEFORE ME, ALYNE W. THOMPSON, Notary Public in and for the State of Idaho, on this _____ day of _____, 2000, before me, a Notary Public in and for said State, personally appeared BILL C. AND ALYNE W. THOMPSON, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the said instrument.

NOTARY PUBLIC: _____
RESIDING AT: _____
COLLUSION EXPENSES: _____

SURVEY FOR
THOMPSON



STRATTON SURVEYING & MAPPING

TO BE TITLED:
KOOTENAI C. 2000
JOB # 00-012
DATE: 4/27/00
DRAWN BY: RLS
JOB # 3710

NOTE: TOTAL UNITED COMMON AREA AND COMMON AREA DOES NOT INCLUDE PORTION IN R-O-W

УЗО-ТАТЭРН-2

MEMORANDUM

TO: PLANNING COMMISSION
FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER
DATE: JUNE 13, 2006
RE: I-2-06 - INTERPRETATION OF PHASE 2 PLAT MAP FOR RIVERSTONE WEST SUBDIVISION (S-1-05)

DECISION POINT:

1. Determine whether the requested changes for the phase 2 area are or are not a substantial change from the "Riverstone West" preliminary plat approved in S-1-05 and modified by I-1-06.

HISTORY:

1. On January 11, 2005, the Planning Commission approved S-1-05 by a 6 to 0 vote and on January 10, 2006, approved I-1-06 by a 4 to 0 vote.

PERFORMANCE ANALYSIS:

The applicant has contacted the City staff to discuss some minor changes in the phase 2 area, as follows:

- Reduce the number of lots from 32 to 17 lots.
- Change lot lines, as shown on the proposed phase 2 map.
- Change configuration of private lane serving proposed lot 14.

M.C. 16.10.030(B) indicates that the approval of a preliminary plat does not constitute acceptance of the subdivision, rather it authorizes the developer to prepare the final plat "along the lines" indicated in the preliminary plat. Staff and the Commission have historically viewed this as a "substantial change" analysis. Some of the factors that staff generally consider in reviewing final plats are:

- Has the number of lots increased or decreased substantially?
- How similar is the layout of streets and the circulation pattern?
- Would the proposed changes create additional negative impacts that the public did not have a chance to comment on through the hearing process?
- Overall, does the proposed final plat "look like" the approved preliminary plat?

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

If the changes are determined to not be a substantial change from the approved plat, the applicant could incorporate the changes into the phase 2 final plat for approval by the City.

DECISION POINT RECOMMENDATION:

1. Determine whether the requested changes are or are not a substantial change from the approved "Riverstone West" preliminary plat.

[F:staffrpts1206]

May 30th, 2006

Planning and Zoning Committee
710 W. Mullan Ave
Coeur d'Alene, ID
83814

Re: Request for approval of Riverstone West Phase II final plat

Dear Commissioners:

Enclosed for your information is a copy of a draft final plat for Phase 2 of Riverstone West subdivision with a few modifications from the approved preliminary plat.

In discussing these modification's with staff, they felt that the Planning Commission should determine whether the proposed final plat for Phase 2 is "along the lines of" the approved preliminary plat before we move forward with more detailed drawings and improvement plans that must be approved by the City before recording of the final plat document. For the following reasons, we believe the changes have not taken the proposed final plat beyond that which was approved in concept in the preliminary plat for Phase 2:

1. The number of lots has actually been reduced (typically considered to be a non-material change).
2. The smaller, clustered, lots located between Riverstone Drive and the Pond have been eliminated in favor of a more traditional lot configuration.
3. Traffic circulation patterns remain virtually the same with a slight change in the alignment of John Loop.
4. The overall feel of the final plat is still "along the lines of" the approved preliminary plat and adheres to the vision presented for the overall Riverstone Development.
5. None of the conditions of approval for the final plat would need to change.
6. At the request of city staff, we have consolidated the two rectangular lots located south of the pond next to the parking lot for the future public park into one lot.

Under these circumstances, we do not feel that your time and energies would be well-spent in considering a new submittal for preliminary plat approval of Phase 2. Please place this on your administrative agenda for consideration on June 13, 2006. If you have any questions, or are in need of any further information, please feel free to call

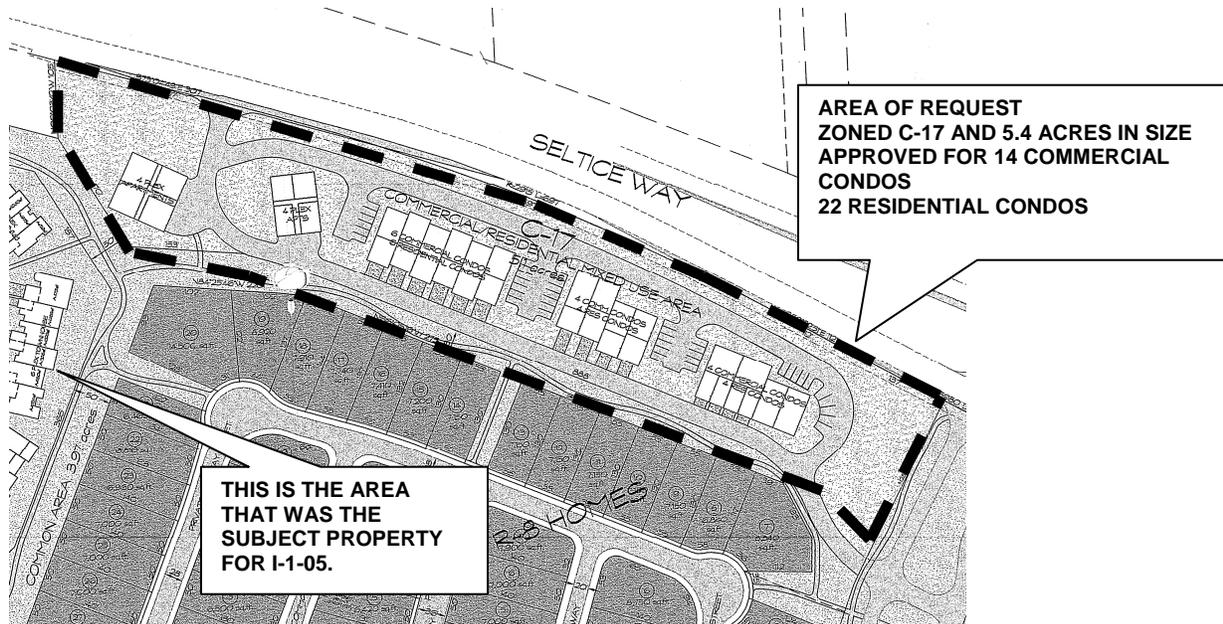
Thank you for your consideration.

Mike Tilford- Riverstone West, LLC

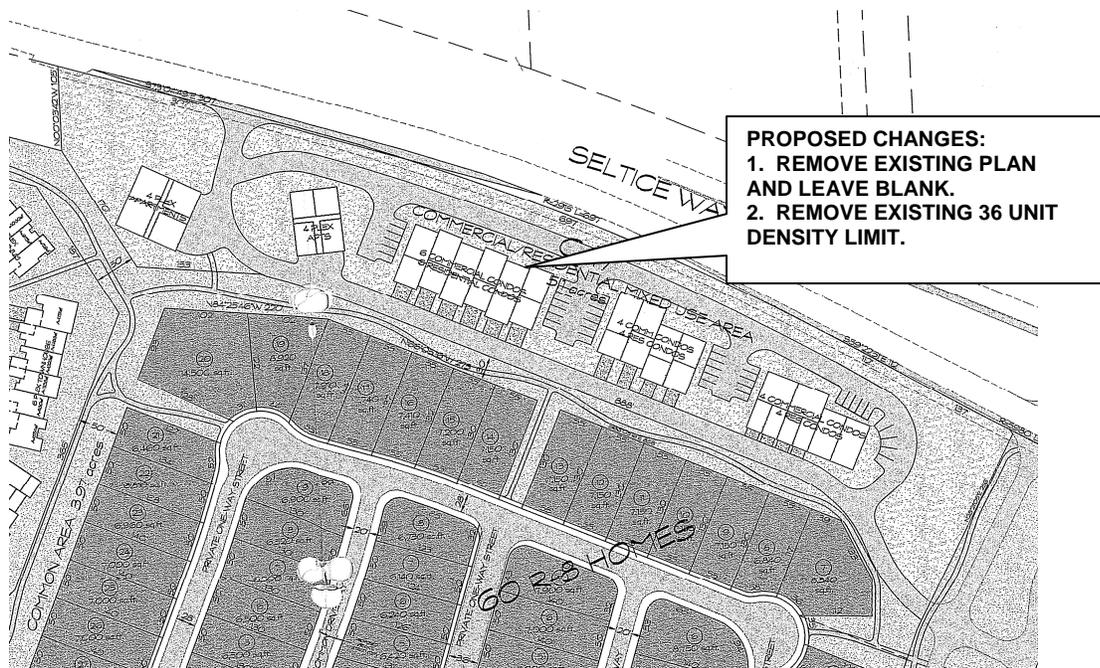
MEMORANDUM

TO: PLANNING COMMISSION
FROM: JOHN J. STAMOS, ASSOCIATE PLANNER
DATE: JUNE 13, 2006
RE: I-3-06-INTERPRETATION OF APPROVED "MILL RIVER PUD" DEVELOPMENT PLAN

AREA OF REQUEST:



PROPOSED CHANGES:



DECISION POINT:

Determine whether the request is or is not a “major departure” from the approved development plan shown for the C-17 zoned area.

HISTORY:

1. On May 11, 2004, the Planning Commission approved PUD-4-04, which included the following for the subject area:
 - A plan showing 36 residential and commercial condominium units in two 4 plexes, two 8-unit buildings and a 12-unit building.
2. On February 8, 2005, the Planning Commission approved Interpretation I-1-05 for the R-17 multi-family area of the development that determined that the following was not a major departure from the approved PUD plan:
 - Remove the proposed multi-family layout plan and the 100-unit maximum approved in PUD-4-04.
 - ❖ Replace with a parcel showing no layout plan and a maximum of 140 residential units.

PERFORMANCE ANALYSIS:

1. The applicant has indicated that the layout approved in PUD-4-04 was for illustrative purposes only and not as a binding site density or development plan and has requested that any site restrictions be removed.
2. If the layout plan and current density limit of 36 units were removed, the applicant could build up to 17 units per acre or 94 residential units and design his own site layout plan.
3. The Planning Commission must determine the following:
 - A. The request is not a “major departure” from the approved layout plan and the 36-unit density maximum approved for this area.

With this decision, no further Planning Commission action is necessary.

This would allow the applicant to design a new layout for the area with up to 94 residential units. No Planning Commission approval is required.

- B. The request is a “major departure” from the approved plan.

The applicant would be bound by the approved layout plan for up to 36-units or would have to go through a new public hearing before the Planning Commission in order to get a revised or new plan approved.

DECISION POINT RECOMMENDATION:

1. Determine whether the proposed change is or is not a “major departure” from the approve plan.

[F:staffrpts\306]

Copper Basin Construction, Inc.

PO Box 949, Hayden Lake, ID 83835 Phone: (208) 765-5059 Fax: (208) 665-9412

May 31, 2006

City of Coeur d'Alene
Planning Department
710 Mullan Ave.
Coeur d'Alene, ID 83814

Members of the Planning Commission

Copper Basin Construction, Inc. would like to request an interpretation of the 5.4 Acre C-17 Zoned lot fronting Seltice Ave. within the Mill River PUD. The original map as submitted to the city included a preliminary drawing of a mixed use commercial/residential layout; this layout was intended by the applicant to be for illustrative purposes only, not as a binding site density or development plan. As currently interpreted, the 5.4 acre site is restricted to 36 units mixed use, or less than 7 units per acre.

Copper Basin Construction, Inc. request that the Planning Commission review the PUD and remove any restrictions on this site and return it to a C-17 Zone as originally intended by the applicants, Neighborhood, Inc. This request is similar to the request approved by the Commission with regards to the R-17 site, that was restricted to 100 units, and is now under development as the Condo's at Mill River. That density was raised to 144 units; the approved site plan is for 117 units.

Thank you for your consideration.

Steve White
President

**PLANNING COMMISSION
STAFF REPORT**

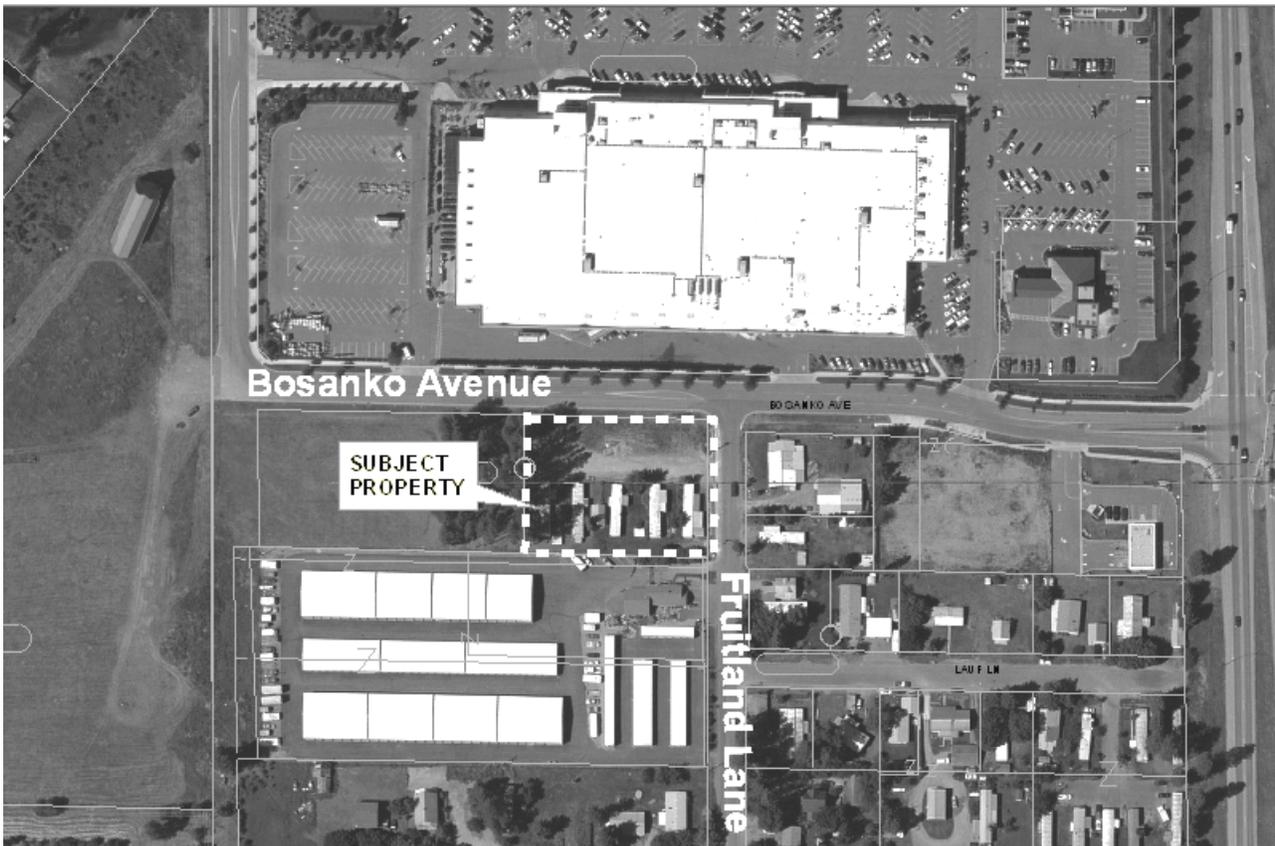
FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER
DATE: JUNE 13, 2006
SUBJECT: SP-7-06 – REQUEST FOR A SPECIAL USE PERMIT IN AN MH-8 ZONING DISTRICT
LOCATION: A +/- 43,212 SQ. FT. PARCEL AT THE SOUTHWEST CORNER OF BOSANKO AVENUE AND FRUITLAND LANE

DECISION POINT:

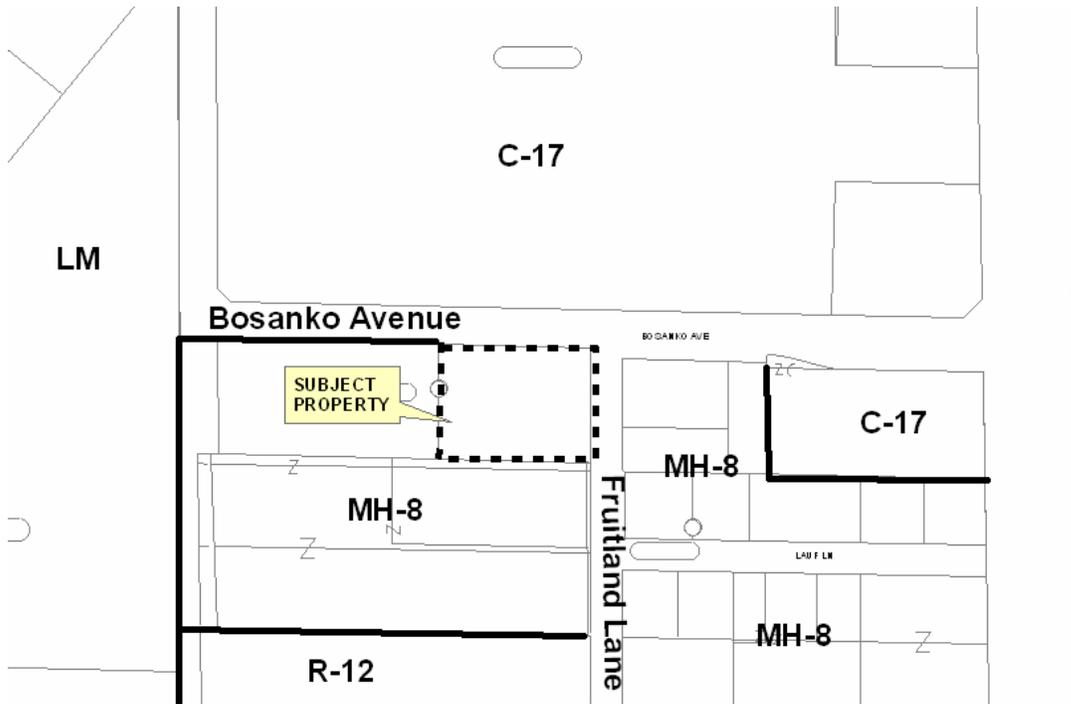
The Jehovah's Witness church of Coeur d'Alene is requesting a Religious Assembly Special Use Permit in the MH-8 (Mobile Home at 8 units/acre) zoning district to allow the construction of a church in a new 4,200 sq. ft. one story building with a 58 space paved parking lot.

GENERAL INFORMATION:

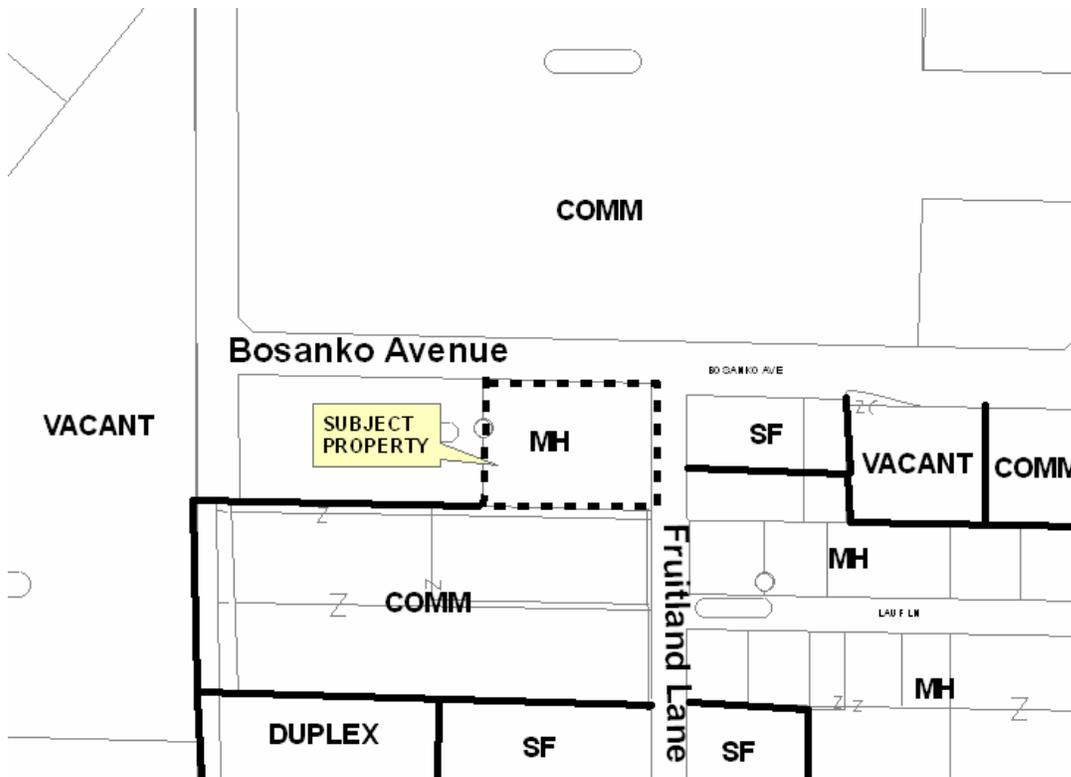
A. Site photo.



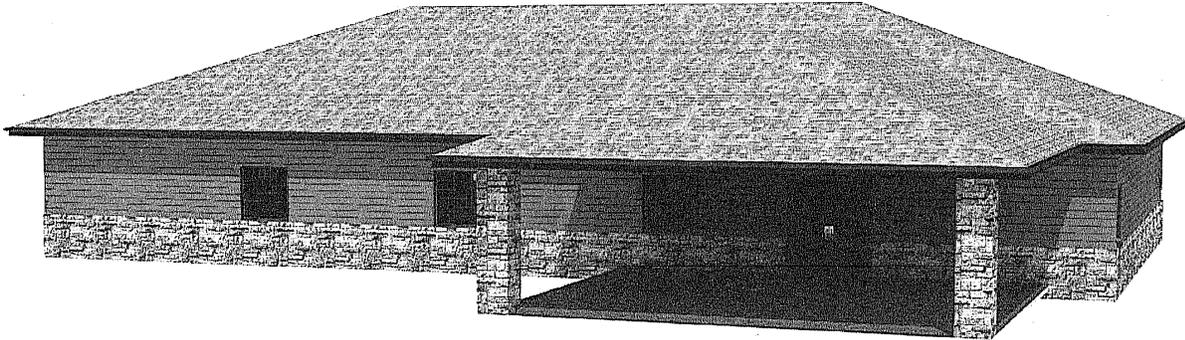
B. Zoning:



C. Land use:



E. Front building elevation:



F. Applicant: Jehovah's Witness Church of Coeur d'Alene
P. O. Box 135
Coeur d'Alene, ID 83814

G. Existing land uses in the area include residential - single-family, duplexes & mobile homes, commercial and vacant land.

H. The subject property contains a 5 unit mobile home park.

I. Previous actions on adjoining property:

1. SP-4-97 – A mini-storage special use permit was approved on July 8, 1997 on the adjoining property to the south.

PERFORMANCE ANALYSIS:

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

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

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

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

Significant policies for consideration:

- 6A: "Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses."
- 42A: "The development of Coeur d'Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, effects and goals of citizens."
- 42A2: "Property rights of citizens should be protected in land use decisions."
- 46A: "Provide for the safe and efficient circulation of vehicular traffic."
- 51A: "Protect and preserve neighborhoods both old and new."
- 51A4 "Trees should be preserved and protected by support of the Urban Forestry Program and indiscriminate removal discouraged."
- 62A: "Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects."

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

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

The proposed design of the building is one story and appears to use building materials commonly used on residential structures to make it look residential in nature. The subject property is adjacent to commercial uses (North - Fred Meyer, South - mini-storage) and residential uses on the east side of Fruitland Lane.

While exterior lighting was not indicated on the site plan, in order to minimize the impact of any potential light trespass, staff recommends that the Planning Commission consider the following condition:

1. Install all outside lighting so that it is directed downward with the light pattern from each fixture not extending beyond the property lines of the subject property.

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

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

WATER:

Water is available and adequate to serve the site.

Evaluation: There is adequate distribution sources (12") and fire protection available. May require an additional domestic service if not existing.

Comments submitted by Terry Pickel, Assistant Water Superintendent.

SEWER:

This lot has a new and appropriately sized sewer stub available for connection

Evaluation: This lot sold prior to owner connecting to public sewer. This special use permit precedes the site development permit which will include the requirement for full payment of sewer capitalization fees.

Comments submitted by Don Keil, Assistant Wastewater Superintendent

STORMWATER:

STORMWATER:

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. The stormwater aspect will be addressed during the building permit process for the proposed site.

TRAFFIC:

The ITE Trip Generation Manual estimates the project may generate approximately 36 trips per day during peak hour periods.

Evaluation: The location of the proposed church, adjacent to the signalized intersection of Bosanko Avenue and US Hwy 95, should facilitate rapid dispersion of any associated traffic volumes. Also, direct access to Kathleen Avenue via the Bosanko/Howard Street connection will assist in this dispersion.

STREETS:

The proposed subdivision is bordered by Bosanko on the north and Fruitland Lane on the east.

Evaluation: The existing right-of-way is sufficient and frontage improvements were addressed with the underlying subdivision. Sidewalk installation will be a requirement of any building permit issued for the subject property.

Comments submitted by Chris Bates, Engineering Project Manager

FIRE:

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

Comments submitted by Dan Cochran, Deputy Fire Chief

POLICE:

I have no comments at this time.

Comments submitted by Steve Childers, Captain, Police Department

D. Proposed conditions:

Planning

1. Install all outside lighting so that it is directed downward with the light pattern from each fixture not extending beyond the property lines of the subject property.

E. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.
Municipal Code.
Idaho Code.
Wastewater Treatment Facility Plan.
Water and Sewer Service Policies.
Urban Forestry Standards.
Coeur d'Alene Bikeways Plan.
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices.

ACTION ALTERNATIVES:

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

[D:staffrptsSP706]

City of Coeur d'Alene
Written Narrative for Jehovah's Witnesses of Coeur d'Alene
Special Use Permit Application

The subject site is approximately 0.992 acres of MH-8 zoned land located southwest of the intersection of Fruitland Lane and Bosanko Road. The site is currently occupied by five older model mobile homes whose owners rent the spaces from the current owner, who has entered into an agreement to sell said property to the applicant. The lot will be vacated as a result of the sale of the property. Bosanko Road and Fruitland Lane abut the site to the north and east, respectively.

The project proposes the construction of a 4,200 square foot structure, together with a 570 square foot canopy drive through for the purpose of religious assembly, one of the special uses allowed in the MH-8 zone. Adjoining parcels to the west and south are zoned MH-8 as well, hence the proposed special use does not deviate from the existing zoning. The proposed development will be built in one phase. Besides the structure, the project will include a paved parking lot with approximately 60 spaces, adequate grassy infiltration area for on site storm water containment, and perimeter landscaping.

Perimeter landscaping strips will incorporate trees, shrubs and grasses to soften the view from neighboring properties and roads. Parking lot landscaping will include trees to provide an aesthetically pleasing environment, while also providing long-term shade. The proposed irrigated landscape areas and the parking lot will receive routine maintenance to ensure that the landscaping remains healthy and the site remains aesthetically pleasing, increasing the overall value of the existing neighborhood.

It is expected that once the site is fully developed, the majority of the site will be covered by impervious surface, such as the parking lot, driveways, and the proposed structures. The areas of the site not covered by an impervious surface will be developed with landscaping and storm water drainage facilities.

The activities planned at the site are regular weekly meetings containing more or less 100 persons in attendance. The meetings are quiet and orderly with no disturbance to the surrounding neighborhood.

The proposed site is well served by three points of public access: from the south on Fruitland lane, from the east along Bosanko off of US Highway 95 controlled by a traffic signal, and from the west along Bosanko off of Howard which contains access to Kathleen. Those using the proposed site will be coming from all of the regions served by those public streets, thus spreading out the traffic sufficiently amongst those different routes.

The proposed site is served by all necessary utilities such as water, sanitary sewer, power and telephone, making tying in to these utilities relatively simple with the least amount of disruption of existing infrastructure at the time of the proposed construction.

The proximity of the existing retail and restaurants to the immediate north of the proposed site is appealing and mutually beneficial to both those regularly using the proposed site and the surrounding businesses. Those using the site have convenient dining and shopping options and those nearby establishments have the opportunity to receive business from some who may not have frequented the area previously.

The proposed project no doubt enhances the attractiveness of the immediate neighborhood, and Coeur d'Alene as a whole. We are excited at the prospect of building the new Kingdom Hall of Jehovah's Witness on this site and appreciate the city considering this application for special use.

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

A. INTRODUCTION

This matter having come before the Planning Commission on June 13, 2006, and there being present a person requesting approval of ITEM SP-7-06, a request for a Religious Assembly Special Use Permit in the MH-8 (Mobile Home at 8 units/acre) zoning district

LOCATION: A +/- 43,212 sq. ft. parcel at the Southwest Corner of Bosanko Avenue and Fruitland Lane

APPLICANT: The Jehovah's Witness Church of Coeur d'Alene

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

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

- B1. That the existing land uses are residential - single-family, duplexes & mobile homes, commercial and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition,
- B3. That the zoning is MH-8 (Mobile Home at 8 units/acre)
- B4. That the notice of public hearing was published on, May 27, 2006, and, June 6, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, June 3, 2006, which fulfills the proper legal requirement.
- B6. That 32 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on May 26, 2006, and _____ responses were received: _____ in favor, _____ opposed, and _____ neutral.
- B7. That public testimony was heard on June 13, 2006.
- B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

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

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

Criteria to consider for B8B:

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

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

Criteria to consider B8C:

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

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **THE JEHOVAH'S WITNESS CHURCH OF COEUR D'ALENE** for a Religious Assembly special use permit, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

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

Chairman Bruning Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION
STAFF REPORT**

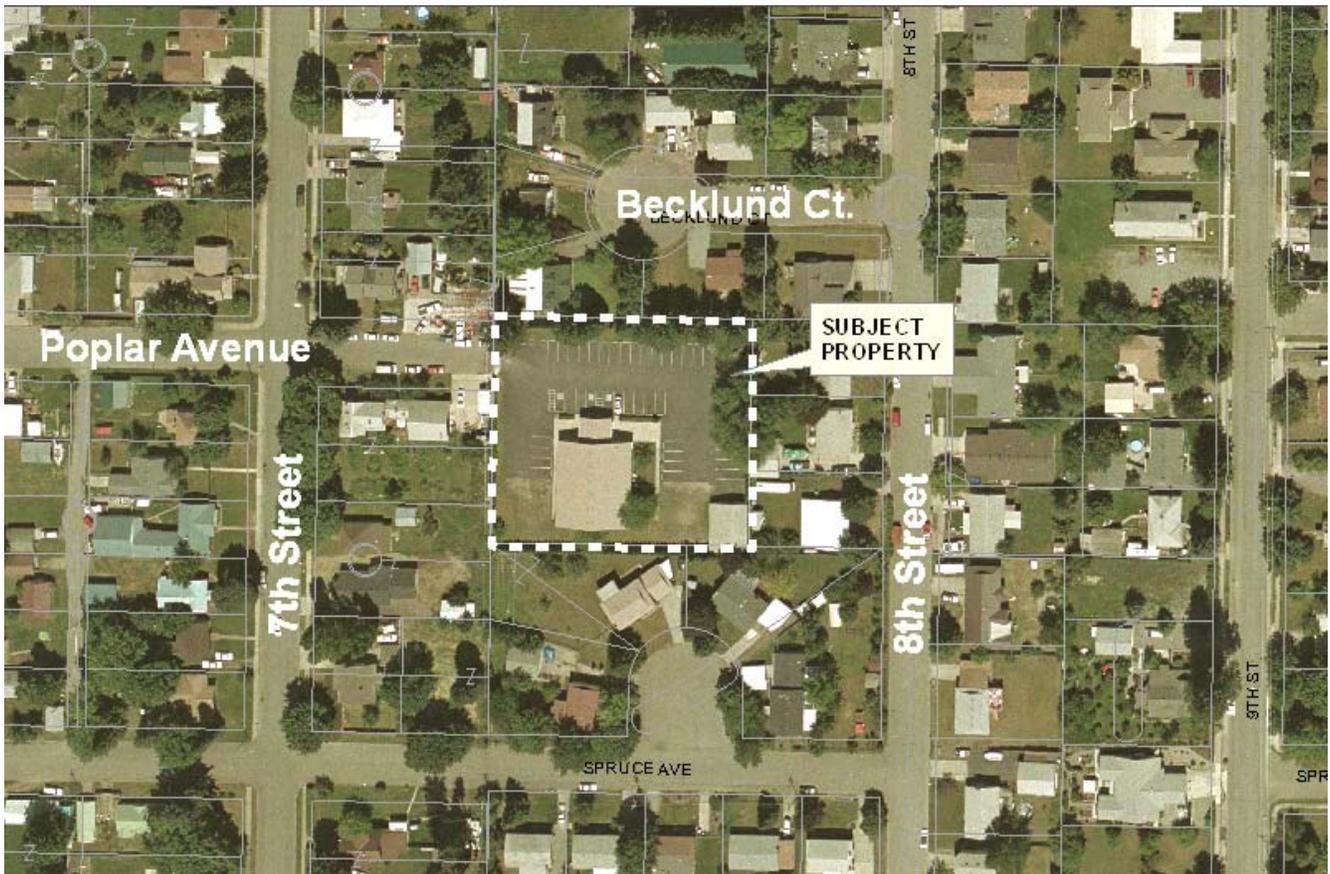
FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER
DATE: JUNE 13, 2006
SUBJECT: SP-8-06 – REQUEST FOR A SPECIAL USE PERMIT IN AN R-12 ZONING DISTRICT
LOCATION: A +/- 44,550 SQ. FT. PARCEL AT 720 EAST POPLAR AVENUE

DECISION POINT:

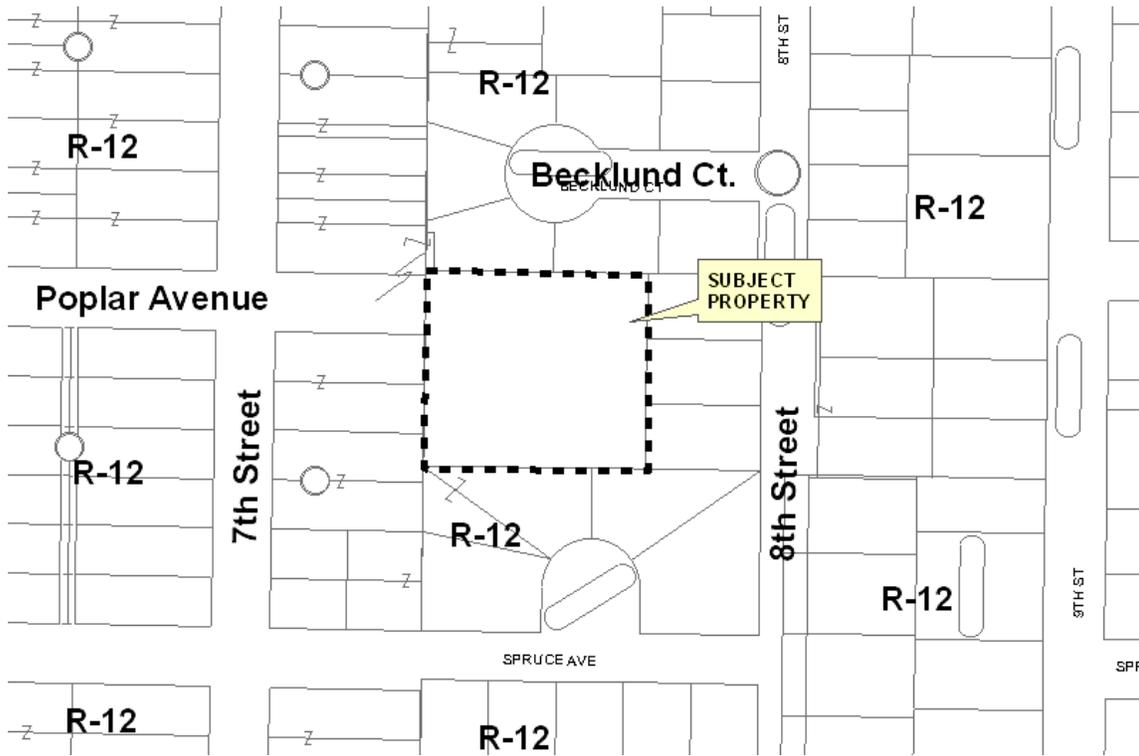
Ken Sand is requesting a Community Education Special Use Permit in the R-12 (Residential at 12 units/acre) zoning district to allow the operation of a K through 8 Christian elementary school operating Monday through Thursday with 75 students in 5 classrooms in an existing 4200 sq. ft. one story building with a 36 space paved parking lot and grass play area.

GENERAL INFORMATION:

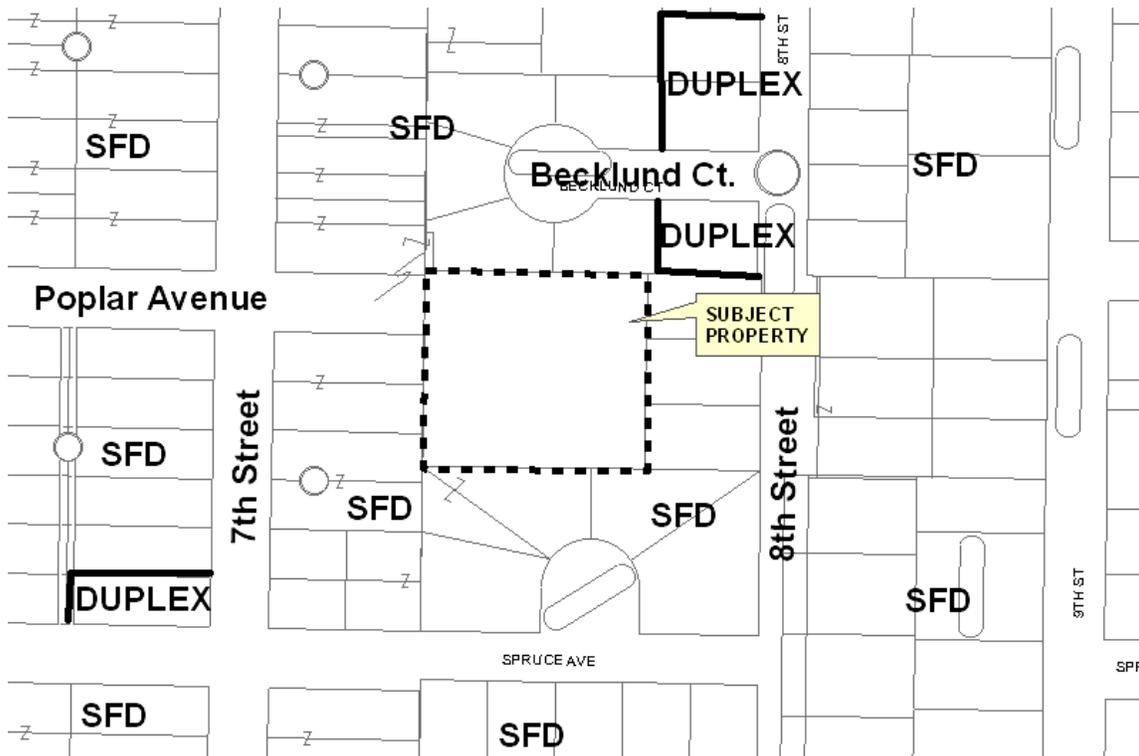
- A. Site photo.



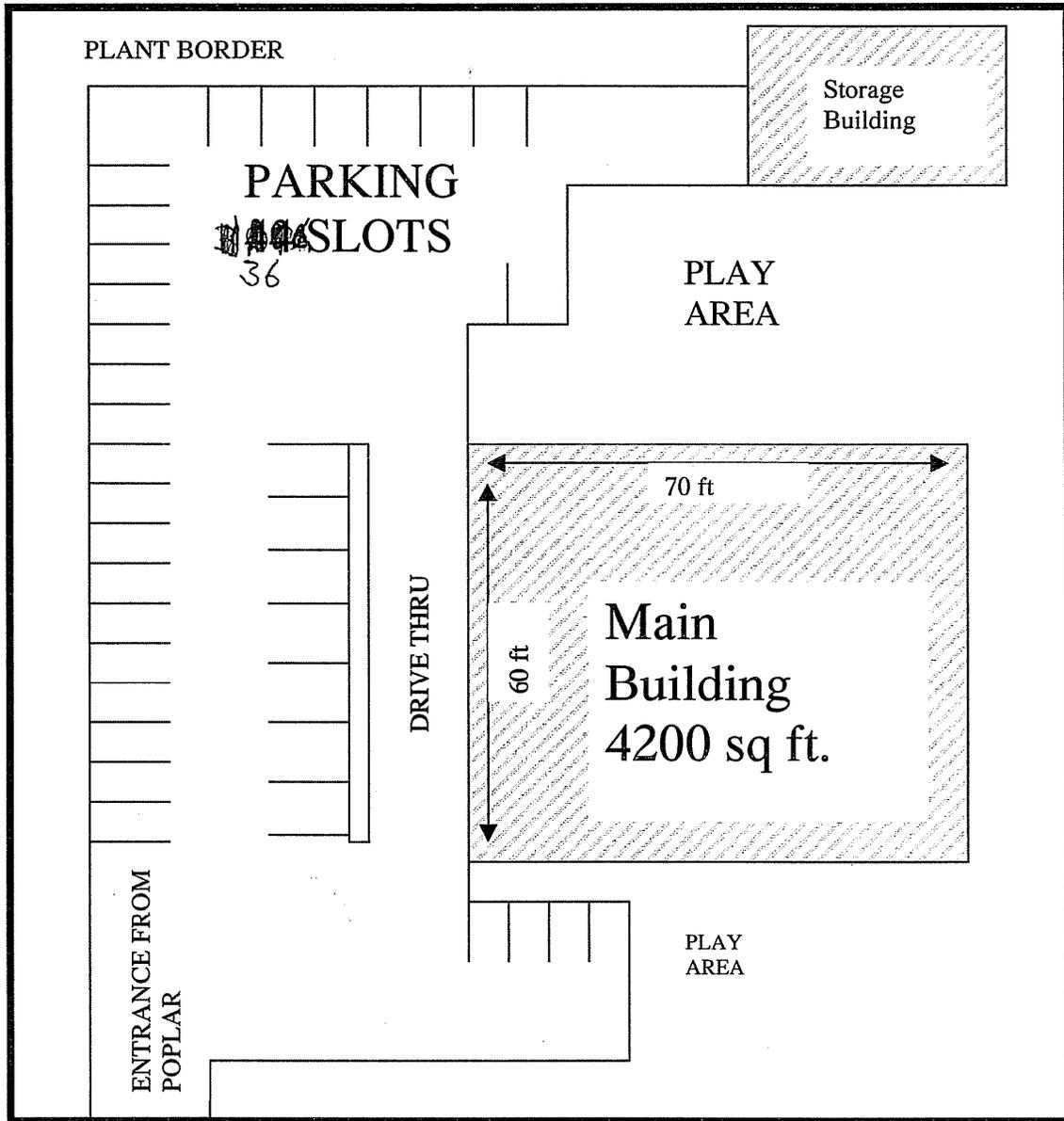
B. Zoning:



C. Land use



D. SP-7-06 site plan:



E. Applicant: Jehovah's Witness Church of Coeur d'Alene
P. O. Box 135
Coeur d'Alene, ID 83814

F. Existing land uses in the area include residential - single-family & duplexes.

- G. The subject property contains a church.
- H. Previous actions on the subject property:
 - 1. SP-3-91 – A Religious Assembly Special Use Permit was approved by the Planning Commission on March 26, 1991.

PERFORMANCE ANALYSIS:

- A. **Finding #B8A: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.**
 - 1. The subject property is within the existing city limits.
 - 2. The City Comprehensive Plan Map designates this area as a Stable Established, as follows:

Transition Areas:

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

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

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

Significant policies for consideration:

- 4C: “New growth should enhance the quality and character of existing areas and the general community.”
- 6A: “Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses.”
- 15G: “City government should be responsive to the needs and desires of the citizenry.”
- 16H: “The City should support educational efforts to provide the community with an educational process that will meet the academic, emotional, and physical needs of our youth.”
- 46A: “Provide for the safe and efficient circulation of vehicular traffic.”
- 51A: “Protect and preserve neighborhoods both old and new.”
- 51A: “Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects.”
- 62A: “Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects.”

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

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

The proposed school will be located in the existing one story building on the property that has been used as a church since at least 1991. On-site facilities include a 36 space paved parking lot and grass play area.

The property has one access point from Poplar Avenue and is surrounded by an older established single-family neighborhood.

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

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

WATER:

Water is available and adequate to serve the site.

Evaluation: Existing 6" main, 1 ½" domestic service and fire hydrant will be adequate for to serve this establishment.

Comments submitted by Terry Pickel, Assistant Water Superintendent.

SEWER:

This lot has an existing connection to public sewer.

Evaluation: The public sewer is of appropriate size and capacity to allow this special use permit. The change of use may require additional capitalization fees or a higher sewer rate.

Comments submitted by Don Keil, Assistant Wastewater Superintendent

STORMWATER:

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. Any alteration to the subject property will require submission of a stormwater plan detailing the treatment for new impervious surfaces.

TRAFFIC:

The ITE Trip Generation Manual estimates the project will generate approximately 14 trips

per day during the peak hour periods.

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

STREETS:

The subject property is situated at the east terminus of Poplar Avenue adjacent to 7th Street.

Evaluation: Poplar Avenue is fully developed; therefore, no improvements will be required.

Comments submitted by Chris Bates, Engineering Project Manager

FIRE:

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

Comments submitted by Dan Cochran, Deputy Fire Chief

POLICE:

I have no comments at this time.

Comments submitted by Steve Childers, Captain, Police Department

D. Proposed conditions:

None.

E. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.
Municipal Code.
Idaho Code.
Wastewater Treatment Facility Plan.
Water and Sewer Service Policies.
Urban Forestry Standards.
Coeur d'Alene Bikeways Plan.
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices.

ACTION ALTERNATIVES:

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

[D:staffrptsSP806]

JUSTIFICATION:

Christian Elementary School - K-8

Proposed Activity Group; Lighthouse Christian Academy

Prior to approving a special use permit, the Planning Commission is required to make Findings of Fact. Findings of Fact represent the official determination of the Planning Commission and specify why the special use permit is granted. The **BURDEN OF PROOF** for why the special use permit is necessary rests on the applicant. Your narrative should address the following points:

A. A description of your request; This request is submitted to change the usage of 720 E. Poplar from its current status of religious assembly to school/educational usage.

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

* Please see attached plat map and site drawing. Although this region of Coeur d'Alene is largely residential, this proposed school usage is compatible with the former usage of this property and 2 other schools in the immediate area. Presently, Project Coeur d'Alene and North Idaho College have been designated educational usage within a close proximity of this building on 720 E Poplar.

C. Show the location, design and size of the proposal, and will it be adequately served by existing streets, public facilities and services; * See plat and site drawings -

Presently, 3 separate church groups of 100-200 use this building around 6 days per week. Our school operates Monday-Thursday and will essentially have a substantially smaller impact on traffic flow. Our registration is around 75 students on Monday through Thursday.

D. Any other justifications that you feel are important and should be considered by the Planning Commission.

This property is fully fenced and private which lends itself perfectly to a school and safety concerns. Since the ages of our students range from K-8th grade, campus concerns such as student drivers and traffic do not exist.

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

A. INTRODUCTION

This matter having come before the Planning Commission on June 13, 2006, and there being present a person requesting approval of ITEM SP-8-06, a request for a Community Education special use permit in the R-12 (Residential at 12 units/acre) zoning district.

LOCATION: A +/- 44,550 sq. ft. parcel at 720 East Poplar Avenue

APPLICANT: Ken Sand

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

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

- B1. That the existing land uses are residential - single-family & duplexes.
- B2. That the Comprehensive Plan Map designation is Stable Established.
- B3. That the zoning is R-12 (Residential at 12 units/acre)
- B4. That the notice of public hearing was published on, May 27, 2006, and, June 6, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, June 3, 2006, which fulfills the proper legal requirement.
- B6. That 79 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on May 26, 2006, and _____ responses were received: _____ in favor, _____ opposed, and _____ neutral.
- B7. That public testimony was heard on June 13, 2006.
- B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

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

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

- Criteria to consider for B8B:**
1. Does the density or intensity of the project "fit " the surrounding area?
 2. Is the proposed development compatible with the existing land use pattern i.e. residential, commercial, residential w churches & schools etc?
 3. Is the design and appearance of the project compatible with the surrounding neighborhood in terms of architectural style, layout of buildings, building height and bulk, off-street parking, open space, and landscaping?

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

- Criteria to consider B8C:**
1. Is there water available to meet the minimum requirements for domestic consumption & fire flow?
 2. Can sewer service be provided to meet minimum requirements?
 3. Can police and fire provide reasonable service to the property?

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **KEN SAND** for a Community Education special use permit, as described in the application should be **(approved)(denied)(denied without prejudice).**

Special conditions applied are as follows:

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

ROLL CALL:

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

Chairman Bruning Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION
STAFF REPORT**

FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER
DATE: JUNE 13, 2006
SUBJECT: ZC-5-06 – ZONE CHANGE FROM R-12 TO C-17L
LOCATION +/- 25,090 SQ. FT. PARCEL AT 110 EAST HOMESTEAD AVENUE.

DECISION POINT:

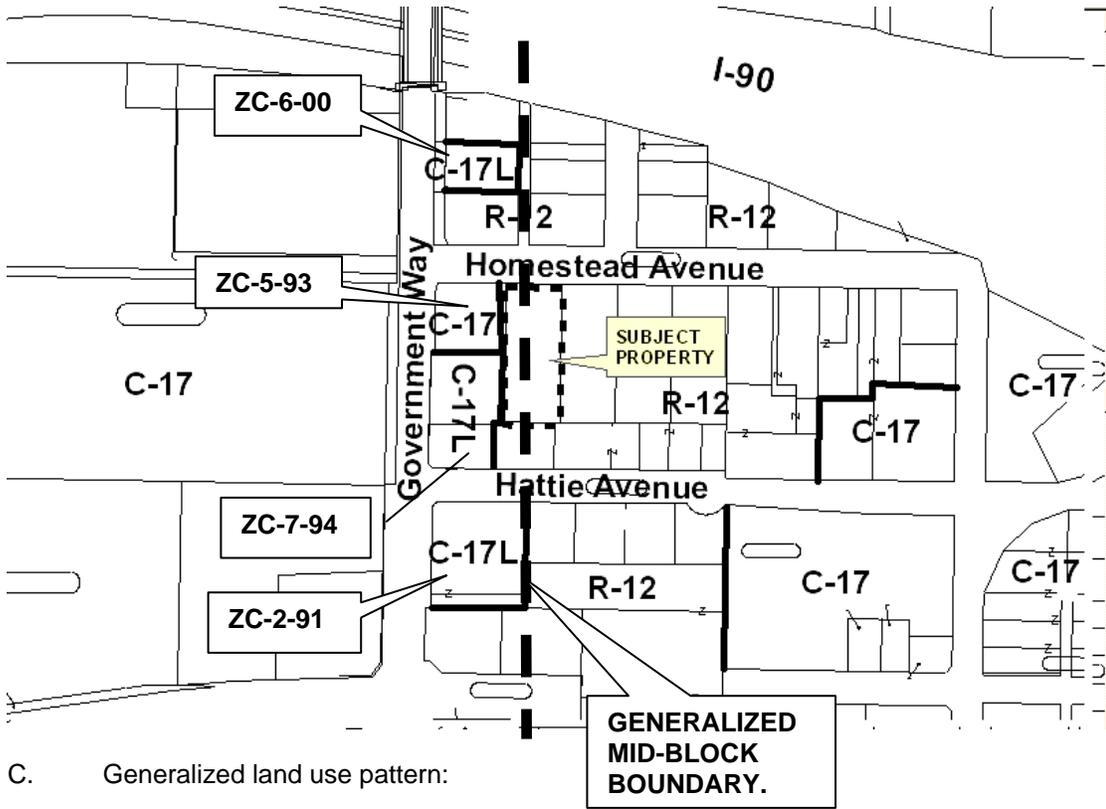
Roxana-Rams Dunteman is requesting a zone change from R-12 (residential at 12 units per gross acre) to C-17L (Commercial Limited at 17 units/acre).

GENERAL INFORMATION:

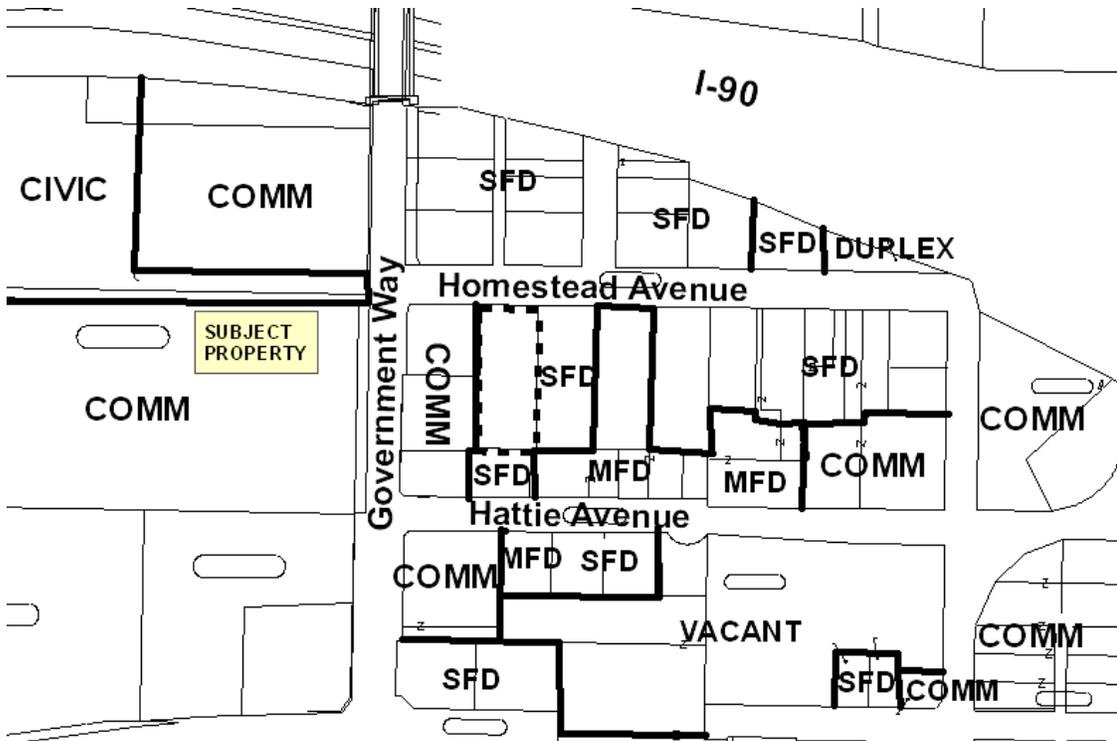
A. Site photo



B. Zoning:



C. Generalized land use pattern:



- D. Applicant: Roxana Rams - Dunteman
P. O. Box 2639
Coeur d'Alene, ID 83816
- E. Owners: Joel & Carmen Newby
4045 North 21st
Coeur d'Alene, ID 83815
- F. Land uses in the area include residential - single-family, duplex and multi-family, commercial – retail sales and service, civic and vacant land.
- G. The subject property contains a single-family dwelling.
- H. In the last nine years four commercial zone changes one have been approved along the East side of Government Way from Ironwood Drive to the I-90 freeway including:
(Zoning map on page 2)
 - 1. ZC-2-91 from R-12 to C-17L.
 - 2. ZC-5-93 from R-12 to C-17.
 - 3. ZC-7-94 from R-12 to C-17L.
 - 4. ZC-6-00 from R-12 to C-17L.

PERFORMANCE ANALYSIS:

- A. Zoning:

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

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

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

Principal permitted uses:

Single-family detached housing (as specified by the R-8 District).
 Duplex housing (as specified by the R-12 District).
 Cluster housing (as specified by the R-17 District).
 Multiple-family (as specified by the R-17 District).
 Home occupation.
 Community education.
 Essential service.
 Community assembly.
 Religious assembly.
 Public recreation.
 Neighborhood recreation.
 Automobile parking when serving an adjacent business or apartments.
 Hospitals/health care.
 Professional offices.

Administrative offices.
Banks and financial establishments.
Personal service establishment.
Group dwelling-detached housing.
Handicapped or minimal care facility.
Child care facility.
Juvenile offenders facility.
Boarding house.
Nursing/convalescent/rest homes for the aged.
Rehabilitative facility.
Commercial film production.

Uses permitted by special use permit:

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

The zoning and land use patterns (See page 2) indicate that the majority of the parcels along this portion of the Government Way corridor are either zoned commercial or used for non-residential uses indicating the transition from residential use to commercial use is well established. This lot, however, is the first interior lot with no frontage on Government Way to be proposed for C-17L zoning

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

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

The subject property is within the existing city limits.

The Comprehensive Plan Map designates this area as "T" (Transition). Government Way is designated as a "HIC" (High Intensity Corridor) extending north from Ironwood Drive. Descriptions of these two designations are as follows:

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

- Protect and/or enhance the integrity of existing residential areas.
- Encourage lower intensity commercial service and manufacturing uses close or

- abutting major transportation routes.
- Encourage residential when close to jobs and other services.
- Discourage uses that are detrimental to neighboring uses.
- Encourage commercial clusters that will serve adjacent neighborhoods vs. city as a whole.

High Intensity Corridors: These are established as the primary areas where significant auto oriented community sales/service and wholesale activities should be concentrated.

- Encourage auto oriented commercial uses abutting major traffic corridors.
- The development should be accessible by pedestrian, bicycle, and auto.
- Residential uses may be allowed but not encouraged. Low intensity residential uses are discouraged.
- Encourage manufacturing/warehousing uses to cluster into districts served by major transportation corridors.
- Arterial /collector corridors defined by landscaping/street trees.
- Development may be encouraged to utilize large areas adjacent to these transportation corridors.

In reviewing all projects, the following should be considered:

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

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

Significant policies for consideration:

- 4C: “New growth should enhance the quality and character of existing areas and the general community.”
- 6A: “Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses.”
- 6A2: “Encourage high-intensity commercial development, including professional offices, to concentrate in existing areas so as to minimize negative influences on adjacent land uses, such as traffic congestion, parking and noise.
- 6A3: “Commercial development should be limited to collector and arterial streets.”
- 15G: “City government should be responsive to the needs and desires of the citizenry.”
- 42A: “The physical development of Coeur d’Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, affects and goals of citizens
- 42A2: “Property rights of citizens should be protected in land use decisions.”
- 46A: “Provide for the safe and efficient circulation of vehicular traffic.”
- 47C1: “Locate major arterials and provide adequate screening so as to minimize levels

of noise pollution in or near residential areas.”

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

51A4: “Trees should be preserved and protected by support of the Urban Forestry Program and indiscriminate removal discouraged.”

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

51A5b: “As a general rule, commercial to residential zoning boundaries should be at mid-block. The importance of both commercial use and residential use must be weighed in the decision-making. Boundaries that do go beyond mid-block must complement the residential uses with characteristics such as increased setbacks, street trees, landscaped buffers, etc.”

62A: “Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects.”

Evaluation: There are two important issues that should be considered in your evaluation of the Comprehensive Plan, as follows:

- Should this parcel be considered part of the Government Way High Intensity Corridor, therefore, making the corridor policies applicable to this property?

The main question is found in one of the bullets for High Intensity Corridors indicating that, for a parcel to be part of the corridor, it should be abutting major traffic corridors.

While this parcel does not have frontage on Government Way, it is influenced by this street because of its close proximity.

- The applicability of comp plan policy # 51A5b, which states:

“As a general rule, commercial to residential zoning boundaries should be at mid-block. The importance of both commercial use and residential use must be weighed in the decision-making. Boundaries that do go beyond mid-block must complement the residential uses with characteristics such as increased setbacks, street trees, landscaped buffers, etc.”

As shown on the zoning map on page 2, the mid-block line shows a general boundary between commercial and residential zones in this block. When a parcel such as the one in this request straddles the boundary, the policy applies and it becomes a matter of determining whether or not it is appropriate to allow commercial zoning beyond this boundary and if so, how far should it encroach into the adjoining residential neighborhood.

The Planning Commission must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request.

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

WATER:

Water is available to the subject property.

Evaluation: The existing 6" main should be adequate to support light commercial applications. Will require installation of domestic service to lot, as none currently exist.

Submitted by Terry Pickel, Assistant Water Superintendent

SEWER:

This lot has an existing connection to public sewer.

Evaluation: This lot is presently connected to public sewer via a public sewer along the east property line. The public line is of adequate size and capacity to support this zone change request.

Submitted by Don Keil, Assistant Wastewater Superintendent

STORMWATER:

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

Evaluation: Any development of the subject property that increases the impervious surface over the existing will require submission of a stormwater management plan.

TRAFFIC:

The ITE Trip Generation Manual does not provide estimates for the projected use, therefore, any related traffic impacts will be evaluated prior to issuance of building permits on the subject property. The Development Impact Fee Ordinance requires any extraordinary traffic impacts to be mitigated by the applicant as a condition of permit issuance. Therefore, potential traffic impacts need not be addressed at this time.

STREETS:

The proposed subdivision is bordered by Homestead Avenue on the north.

Evaluation: The roadway section is developed to the standard City street width; however, sidewalk is not installed. Since sidewalk is existing along the adjoining property frontage to the west, sidewalk installation will be required as a condition of approval and of any building permit issued for the subject property.

APPLICABLE CODES AND POLICIES:

STREETS

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

STORMWATER

3. A stormwater management plan shall be submitted and approved prior to start of any construction. The plan shall conform to all requirements of the City.

Submitted by CHRIS BATES, ENGINEERING PROJECT MANAGER

FIRE:

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

Submitted by Dan Cochran, Deputy Fire Chief

POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

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

The subject property is flat with no physical constraints.

Evaluation: There are no physical limitations to future development.

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

The major impacts of limited commercial zoning on this parcel would be to potentially increase traffic on Homestead Avenue through the residential neighborhood to the East and establish commercial zoning on this parcel, which would be a further encroachment of commercial zoning and uses into the adjoining residential neighborhood.

Evaluation: The Planning Commission must determine how far commercial zoning can encroach into the adjoining residential neighborhood without having a negative impact on traffic and neighborhood character.

- F. Proposed conditions:

Engineering

1. Submission of a stormwater management plan for any alterations that increase the impervious surface on the subject property.
2. Installation of City standard five foot (5') sidewalk adjacent to the curb upon zone change approval and/or the issuance of any building permit for the subject

property.

- 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:staffrptsZC506]

PROPERTY INFORMATION

- 1. Gross area: (all land involved): 0.576 acres, and/or 2,082 sq.ft.
- 2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): _____ acres, and/or _____ sq. ft.
- 3. Total length of streets included: _____ ft., and/or _____ miles.
- 4. Total number of lots included: 1
- 5. Average lot size included: _____
- 6. Existing land use: residential
- 7. Existing Zoning (circle all that apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8
C-17 C-17L C-34 LM M
- 8. Proposed Zoning (circle all the apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8
C-17 C-17L C-34 LM M

JUSTIFICATION

Proposed Activity Group; Coeur d'Alive

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

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

Coeur d'Alive LLC is establishing a women's health and welfare referral database for Coeur d'Alene and its surrounding areas. Coeur d'Alive's website will direct women and their families to those professionals in health care, legal, and financial services. The property at 110 E. Homestead will serve as the working headquarters for Coeur d'Alive's employees and its technical support staff. In addition, Coeur d'Alive will lease a portion of the property to Tiger Eye Yoga & Pilates Studio, in which fitness classes will be conducted.

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

A. INTRODUCTION

This matter having come before the Planning Commission on June 13, 2006, and there being present a person requesting approval of ITEM ZC-5-06, a request for a zone change from R-12 (residential at 12 units per gross acre) to C-17L (Commercial Limited at 17 units/acre).

LOCATION: +/- 25,090 sq. ft. parcel at 110 East Homestead Avenue.

APPLICANT: Roxana-Rams Dunteman

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

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

- B1. That the existing land uses are residential - single-family, duplex and multi-family, commercial – retail sales and service, civic and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition)
- B3. That the zoning is R-12 (residential at 12 units per gross acre)
- B4. That the notice of public hearing was published on May 27, 2006, and June 6, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, May 31, 2006, which fulfills the proper legal requirement.
- B6. That 53 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on May 26, 2006, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on June 13, 2006.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

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

Criteria to consider for B9:

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

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

Criteria to consider for B10:

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

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

Criteria to consider for B11:

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

C. ORDER: CONCLUSION AND DECISION

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

Special conditions applied are as follows:

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

ROLL CALL:

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

Chairman Bruning Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN JOHN BRUNING

How high a building can go depends on location. Under current rules, the tallest building allowed downtown is 540 feet. Now there will be no limit.

Practically speaking, the change is unlikely to produce buildings as tall as the 76-story Bank of America Tower — now called Columbia Center — which predated CAP. The lots needed for such structures are scarce. More buildings of 40 to 50 stories are possible.

The most noticeable change to the skyline will likely occur just north of downtown, in the area known as Denny Triangle.

"Denny Triangle will no longer be parking lots primarily but will turn into a mixed-use, dense and walkable community envisioned by their neighborhood plan," said Kate Joncas, president of the Downtown Seattle Association.

But Joncas warned that requirements imposed by the council would cut into profits, prompting developers to build mostly luxury housing, rather than less-lucrative apartments and condos for moderate-income residents.

Led by Steinbrueck, who chairs the Urban Development and Planning Committee, the council increased some of the fees Mayor Greg Nickels proposed in his downtown zoning package last year.

The council and Nickels wanted residential developers who exceed current height limits to pay into a pool for affordable housing. The council approved a fee structure that charges more the higher a building goes.

The fee averages \$18.94 per square foot, compared to Nickels' proposed flat rate of \$10 per square foot.

That fee could help build 600 units over 20 years, doubling the amount in Nickels' proposal. A similar fee already charged to office towers could produce another 2,000 units, according to city planners.

Approved unanimously by the council, the package includes several features not in Nickels' plan. It requires developers to build energy-efficient high-rises. It mandates 8-foot-wide awnings on new buildings to keep pedestrians dry. And large office towers will have to install showers for bicycle commuters who work there.

Developers also would have to build more underground parking.

Council members also approved a resolution saying they want to create a new park in Belltown, although it's unclear where.

They also took steps to protect historic buildings and explore the possibility of building a public school downtown.

The new zoning rules take effect 30 days after the mayor signs the legislation.



WEBER • THOMPSON /

Rendering of a 340-foot-high condominium tower planned for 600 Wall St. It would be roughly 18 stories taller than current rules allow.



JIM BATES / THE SEATTLE TIMES

The Seattle skyline may change in coming years, as the City Council endorsed raising limits on building heights. The Denny Triangle area should see the most action, but more giants such as Columbia Center are highly unlikely to appear in the city.

Only one person spoke against the zoning package. Joyce Glasgow, a Capitol Hill resident, predicted the changes would lead to a "huge skyline" topped by million-dollar condos that would block views for others.

Bob Young: 206-464-2174 or byoung@seattletimes.com

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2005 Planning Commission Retreat Priorities Progress

JUNE 2006

.A note on the colors from from Tony Berns: "I use the stop light analogy:
 Red is bad – either that initiative has failed, or our Board goal for the year will not be met.
 Yellow is caution – could get to "red" if we don't do something pronto.
 Green is good.
 The other colors like "pending" are place holders until action on those items can occur."

Administration of the Commission's Business

▪ Follow-up of Commission requests & comments		
▪ Meeting with other boards and committees		Ped/Bike Committee meeting June 27th
▪ Goal achievement		Checklist of projects
▪ Building Heart Awards		Nominees?
• Speakers		ULI educational opportunities provided. Council sponsored Idaho Smart Growth presentation held.
• Public Hearings		

Long Range Planning

▪ Comprehensive Plan Update		3/28 finished "Call Out" review. Staff compiling changes
▪ Education Corridor		Meeting October completed(Souza) Workshop w/prop river corridor owners took place in January.
▪ Neighborhood Parks & Open Space		Coordinate w/ P&R & Open Space Comm. Nothing new
▪ Neighborhood Planning		Discussed neighborhood designation in 3/28 Complan mtg.

Public Hearing Management

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

Regulation Development

Downtown Design Regs Hght		Council Hearing hearing July 5th.
Cluster Housing standards		in process – wkshop w/ Hinshaw draft material. 7/5
Subdivision Standards		Prelim review began. PC road trip 10/05 Tweaks of condo plats and lot frontages being processed
Revise Landscaping Regulations		Future
Commercial Zoning		Pending –4/11 some interest in bringing forward Bruning to discuss w/ staff
Parking Standards		Future
Lighting standards		in process – Hinshaw
Accessory Dwelling Units		Hinshaw has provided sample ord
District and Corridor Design Review		Future
Home Occupations by SP		Council followed chose not to pursue
Other Action		
Eminent domain letter		Mayor & Council responded
Commissioner Vacancy		Appointment made 6/6