

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

**MARCH 9, 2021**

*NOTE: The City is utilizing Governor Little's Stage 3 Rebound Idaho guidance for its public meeting. As such, we are abiding by the social distancing standard of 6' within the physical meeting room, and limiting seating to approximately 15 seats, seating will be first come first serve. Therefore, we are still encouraging the public to participate electronically. While participating electronically the public comments will be taken during that section of the meeting by indicating a raised hand through the Zoom meeting application. Public comments will not be acknowledged during any other time in the meeting. Additionally, you may provide written public comments to the city at shana@cdaid.org any time prior to 4:00 p.m. the day of the meeting.*

Join by Computer <https://cdaidorg.zoom.us/j/97048690470?pwd=OUI4TmZQRWpVZmY5dXFDMTRIZ1lwQT09>  
Join by Phone (Toll Free): 888-475-4499 or 877-853-5257  
Webinar ID: 970 4869 0470  
Password: 605796

**Public Hearing Sign-Up Sheet:** <https://www.cdaid.org/signinpublic/>

**5:30 P.M. CALL TO ORDER:**

**ROLL CALL:** Messina, Fleming, Ingalls, Luttropp, Mandel, Rumpler, Ward

**PLEDGE:**

**APPROVAL OF MINUTES:** \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.  
February 9, 2021

**PUBLIC COMMENTS:**

**STAFF COMMENTS:**

**COMMISSION COMMENTS:**

**ENVISION CDA UPDATE:**

**PRESENTATION:**

Parks and Recreation Master Plan - Monte McCully Trails Coordinator

**PUBLIC HEARINGS:** \*\*\*ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS.

***Reminder: Please use the virtual meeting sign-up sheets for public hearing items.***  
<https://www.cdaid.org/signinpublic/>

1. Applicant: Allan Measom  
Location: 810 E. Lakeside Avenue  
Request: A proposed 5-lot preliminary plat known as "Measom Addition"  
in the R-17 zoning district.  
QUASI-JUDICIAL, (S-3-21)

2. Applicant: Government Way Coeur d'Alene Hotel, LLC  
Location: 2119 N. Government Way  
Request: A proposed R-34 Density Increase Special Use Permit in the C-17 zoning district.  
QUASI-JUDICIAL, (SP-1-21)
3. Applicant: Eugene and Nancy Haag Living Trust  
Location: 2248 E. Stanley Hill Road  
Request:
- A. A proposed 3.194 acre annexation from County Agricultural Suburban to City R-3.  
LEGISLATIVE, (A-2-21)
  - B. A proposed 3.19 acre Planned Unit Development known as "Haag Estates PUD"  
QUASI-JUDICIAL, (PUD-2-21)
  - C. A proposed 5-lot preliminary plat known at Haag Estates"  
QUASI-JUDICIAL, (S-2-21)

**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.

***Given the COVID-19 guidance and emergency proclamation from Governor Little, the Commission meeting and public hearings will take place virtually using the Zoom online meeting network. They will also be broadcast live on Facebook and will be posted on the City's YouTube channel.***



# MINUTES



**PLANNING COMMISSION  
MINUTES  
FEBRUARY 9, 2021  
Virtual (Zoom.us) and In-Person  
LOWER LEVEL – LIBRARY COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT:**

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

**STAFF MEMBERS PRESENT:**

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

**COMMISSIONERS ABSENT:**

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

Motion by Luttrupp, seconded by Mandel, to approve the minutes of the Planning Commission meeting on January 12, 2021 Motion approved.

**PUBLIC COMMENTS:**

None.

**STAFF COMMENTS:**

Hilary Anderson, Community Planning Director provided the following comments:

- Ms. Anderson announced that we have scheduled on the March 9<sup>th</sup> Planning Commission agenda three items; a subdivision request, a special use permit, and an annexation with a Planned Unit Development (PUD) in conjunction with a subdivision.
- She updated the commission on the Housekeeping Ordinance which was presented to council who had concerns with the proposed change to the wording for who has the right to appeal a Planning Commission decision, so that will remain unchanged. She added that instead of having the Notice of Decision and the appeal time frame start when the Notice of Decision is published in the paper or when the letter is mailed, that the Council asked that the appeal process be changed to start 15 days from the date of the Planning Commission decision. She stated that these changes will be brought back to Council at a later date.

- She introduced Victor Ramos, Planning Technician, who started last Monday and has a bachelor's degree from Eastern in Urban and Regional Planning.
- Mr. Ramos thanked the commission and said he looks forward to working at the city for many years to come.
- The commission welcomed Victor.

**COMMISSION COMMENTS:**

**ENVISION CDA COMMITTEE UPDATES:**

Sean Holm, Senior Planner provided the following comments.

- He stated that he wanted to discuss the Envision CDA project and do an update on the recent events, what staff is working on, and what to expect over the short term.
- He noted at our last Planning Commission workshop on December 8 2020 that the commission discussed Place Types and Land Use Scenarios, and that staff has brought back to City Council the sections of the plan that the commission has vetted and recommended, including public input, input from the community advisory committee and six focus groups.
- He announced on Monday Feb 1<sup>st</sup> the project management team reviewed the policy document with Council asking for feedback for categories in the policy document taken from a survey that focused on Lake Health, Equity and Inclusion, Childcare and Affordable Housing.
- He explained that Council directed staff to include the draft policy document into the plan with the above items mentioned knowing that refinements will be coming at a later date.
- He stated last night staff presented at a workshop to the City Council; Place Types and Land Use Scenarios, and explained to them what a draft Comprehensive Plan Map will look like and asked for direction on which scenarios to use as a basis to generate that land use map.
- He explained that we have looked at three different scenarios and Council agreed that what they would like to see is a mix of Compact and District scenarios.
- He explained after that meeting staff will come up with a mixture of those two scenarios to be included in a land use map and bring back that draft at a joint Commission/Council workshop. Council also directed staff to get more public input and because of timing, will try to have public input taken at the same time.
- Alex Dupey, MIG, briefly discussed a draft transportation analysis that used information from a model used by KMPO to generate traffic, employment population and jobs based on those scenarios just mentioned and when done will send that document to the commission.
- He stated following the refinements to the policy document, Place Types and the Land Use Map recommendations from the Planning Commission and City Council, including public input built in to the process, the project management team will be compiling the segments of the plan according to the table of contents sent to each commissioner and bring forward a final document that will be hopefully presented in June.
- He thanked the commission for helping to shape the next 20 years of growth.

Chairman Messina stated he watched both workshops and that throughout this process has had a lot of public comment regarding the Comprehensive Plan and explained sometimes getting more public input might seem like a good idea, but can be overwhelming. He commented having a workshop with City Council is a great idea to hopefully be on the same page regarding the Comprehensive Plan.

Commissioner Luttrupp inquired if we will be able to have a discussion on the Comprehensive Plan amongst ourselves before we meet with Council because Council might have a different view. He stressed that public input is always important especially as we get closer to getting this approved and more people might feel comfortable sharing their thoughts when this is about to get approved.

Mr. Holm stated that based on last night's comments staff is trying to compile the information for the Land Use Map and want to be able to present what we put together over the next week but will try to build in public input as soon as possible.

**ADMINISTRATIVE: \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.**

1. Applicant: Charlie Rens  
Request: An interpretation for Lots 1&6 for PUD-3-14 (Lilac Glen)  
ADMINISTRATIVE, (I-1-21)

Sean Holm, Senior Planner presented the staff report and stated,

- The applicant, Charlie Rens, seeks to clarify two items for the Lilac Glen PUD.
- The first is the density of a specific R-8PUD lot, and the second is to provide an additional architecture rendering showing 2-stories plus materials for the entirety of the approved Planned Unit Development (PUD) duplex lots.
- In June of 2014, the Planning Commission reviewed and approved the request for a preliminary plat, special use permit, and Planned Unit Development known as "Lilac Glen" PUD, a 13.03-acre development that included single family homes, duplexes, and two minimal care facility sites. Planning Commission also recommended approval to City Council for annexation and zoning. Much of the subject property on the east side of the project was constrained by slope (hillside ord.) plus the French Gulch floodway on the northern end. The usable and natural open space areas measure approximately 3.3 acres which represents 25% of the site.
- As part of the approval of the preliminary plat, it allowed for three vacant single family home sites which would be accessed from Fernan Hill Road. On the south side of the project were existing homes and a proposed duplex (now complete/occupied) as part of the Foss Addition. A cul-de-sac existed there which has now been removed, and a new ROW constructed, to provide access to the north that connects to the intersection of 23<sup>rd</sup> Street and Pennsylvania Avenue. As with any preliminary plat or PUD, staff has limited flexibility to allow for minor changes that may be needed if there are issues that come up as a site is improved. This constrained site was no exception.
- The lane needed slight realignment to deal with contours, the cul-de-sac improvements were removed to allow for less intrusion into the hillside, and one of the single-family R-3PUD lots was allowed to migrate adjacent to the Foss addition, leaving two homesites above and allowing three sites below where there used to be two. This was allowed at a 1:1 ratio which did not affect density.
- The vacant property was sold to a new owner following the recordation of the final plat.

Mr. Holm concluded his presentation

**Commission Comments:**

Commissioner Ingalls noted the duplex to the south which is the Foss Lot is it already built and questioned if the other duplex lots that border I-90 do they have permits. Mr. Holm replied they don't.

Commissioner Ingalls inquired if the architectural style of the duplex presented in the staff report if that style will be required for future duplexes. Mr. Holm answered yes with the architectural standard applying to the entire PUD.

**Motion by Ingalls, seconded by Fleming, to approve Item I-1-21. Motion approved**

**PUBLIC HEARINGS**

1. Applicant: Dodge Heritage, LLC/JB Dodge Company, LLC  
Location: Northeast corner of Wilbur Avenue and Highway 95  
Request: A proposed 21.6-acre annexation from County Agriculture, Commercial & Light Industrial to City R-17 and C-17. LEGISLATIVE, (A-1-21)

Mike Behary, Associate Planner presented the staff report and stated,

- The applicant is requesting approval of an annexation of 21.6 acres in conjunction with zoning approval from County Agricultural, Light Industrial, and Commercial Zones to City R-17 Residential and C-17 Commercial zoning districts.
- The subject property is currently vacant and located in the unincorporated area of the county. The subject site is adjacent to the city limits on the west and south side of the subject site. The property is currently zoned Agriculture, Light Industrial and Commercial, all in Kootenai County. The subject site is located within the City's Area of City Impact (ACI).
- The applicant is proposing two zoning districts as part of this annexation request, the R-17 and C-17 zoning districts. Approximately 5.4 acres is proposed to be C-17 that will allow for commercial and retail uses located in the southwest part of the subject site that is adjacent to the intersection of Wilbur and US-95. The remainder of the property, approximately 16.2 acres is proposed to be R-17.
- The applicant has indicated that the R-17 zone portion of this site will allow for a future multi-family development that will provide additional affordable workforce housing. The applicant is proposing three access points to the subject site, one access off of Wilbur Avenue, one off of Government Way, and one off of Aqua Avenue.
- The City's Comprehensive Plan designates this property within the US 95 Corridor area.
- He noted the various staff comments and indicated that staff has no objection to this request.
- Mr. Behary stated if approved there are 5 recommendations to be included in the annexation agreement.

Mr. Behary concluded his presentation

**Commission Comments:**

Commissioner Fleming commented with frontage on the highway which is zoned C-17 frontage is very valuable and questioned why the applicant chose to split the lot so the R-17 property is along the highway and not the C-17 parcel which would have made the C-17 parcel "golden" being up against the highway.

Mr. Behary stated that is a great point and that the applicant is here to answer that question.

Commissioner Luttrupp inquired when there is a request to hook up to the sewer questioned who pays the fees.

Ms. Anderson answered that the applicant is responsible to pay all the setup fees.

Commissioner Luttrupp stated in the staff report it states that the Water Department doesn't want to do it because it is too expensive.

Mr. Behary explained that the Water Department indicated that they didn't have enough capacity and that North Kootenai Water could supply the water to the property.

Commissioner Luttrupp stated that he has concerns if we have a piece of property wanting to be annexed into the city should encourage all people wanting to annex to have city water.

Mr. Behary that this is not an unusual request where there have been other properties using other jurisdictions for water when they couldn't provide water.

Kyle Marine, City Water Department explained the reason the City can't supply water is because we don't have the infrastructure in that area to serve that property and would have to tear up Government Way and extend water lines up from the intersection to the south and stated that we are not allowed to cross Highway 95 and since North Kootenai Water District abuts the property. they serve all the properties to the north.

Commissioner Luttrupp inquired if there is water available across Highway 95 to the South.

Mr. Marine replied that is correct.

Chairman Messina commented that he is aware of other properties in the city that are served by other water districts and makes sense to use other districts when we don't have the infrastructure available to reach those properties.

Commissioner Luttrupp commented if the city can't supply sewer and water questioned why approve an annexation.

Ms. Anderson explained that the water district and in past annexations when the water department has not been able to supply water used partnerships from other jurisdictions to supply water which is not unusual.

Mr. Adams stated it sounds like it is a prohibitive cost to extend our infrastructure not only the distance, but tearing up Government Way with no legal impediment for an outside water district to supply water to lots within the city.

Commissioner Luttrupp questioned in other annexations if the applicant pays for sewer and water.

Mr. Marine explained that Wastewater already has a sewer line up Government Way, so they would be able to serve that lot. But for Water we don't have a line going that far north and if the property to the south where to be developed. He explained since the North Kootenai Water District is there, they have the right to serve that property and explained with water districts we have different lines of annexation that we are allowed to serve/not allowed to serve and this property falls within that "gray" area to where its available to North Kootenai Water District to supply water to that property.

Commissioner Ingalls stated that this is not an unusual practice for other water districts to supply water and as an example we recently approved a number of annexation requests along Prairie Avenue with each one of them having a letter from Hayden Irrigation that they would be able to provide water.

Mr. Marine replied that is correct and if a property would be within their water service area would have to write us a letter to release their water service before we are allowed to serve water in that section.



## **Public testimony open.**

Steve White, applicant representative, provided the following statements:

- He commented by approving this annexation would help fill in a gap within the city.
- He stated they feel that the C-17 and R-17 fits well on this property with an earlier question asked why we wouldn't want to have the commercial frontage along Highway 95 and explained that this property is limited to access on Highway 95. He added that the intent of this project is the ability to provide a multi-family or higher density project for this area which would be compatible with the other properties in the area.
- He stated that by approving this property meets all the policies listed in the Comprehensive Plan.
- He commented since the new Wilbur intersection was added will be a benefit to this property by providing easy ingress/egress into the property.

Mr. White concluded his presentation.

Commissioner Luttrupp noted in the narrative it states will provide "workforce" housing which is needed and can you define "workforce housing."

Mr. White explained that in Kootenai County the growth has made home ownership nonexistent, so we will be providing alternatives such as lower density apartments, townhouses etc. which will give people some opportunities for various types of ways for home ownership.

Commissioner Luttrupp inquired if we could include workforce housing as a condition in the findings.

Commissioner Mandel replied that the subject before us is an annexation and questioned can we include workforce housing as an "intent" as a condition.

Ms. Anderson explained that the applicant is requesting annexation in conjunction with zoning and that the R-17 zoning district allows for various housing types.

Commissioner Luttrupp stated that he would like workforce housing added as a type of housing.

Ms. Anderson stated that she isn't aware that could be included in the Annexation Agreement as a condition and if we could would have to have the applicant agree to that request.

Chairman Messina explained that the city has not yet defined "workforce housing" and until that happens, we can't make that a condition.

Mr. Adams stated there is limited things we can put in an annexation agreement and that State Statute 50-222 sets the criteria for annexing property which doesn't address what is going to be developed on that annexed property which has more to do with city growth and can't be included as a condition to annexation because we don't know what is going to be on that land and once a development plan comes forward as a PUD or subdivision than we than can restrict what is approved on the property.

Commissioner Luttrupp stated if we can't have workforce housing, they shouldn't have it in the narrative.

Commissioner Ingalls suggested removing the reference to "Workforce Housing," because it is the applicant's words. He added we have to trust that the applicant will provide a type of housing stock that is more affordable than other choices.

Commissioner Mandel commented that we recognize the need for mixed housing stock, but our question is to determine if that zoning makes sense for this area and what the applicant included should take as illustrative but seems premature to be discussed. She stated the question is does that zoning make sense for the annexation and not anything outside of that.

Commissioner Rumpler stated that we should limit our findings to the zoning associated with the annexation and at such time there is additional request as a PUD or some other approach to add a condition or requirements such as a specific type of housing.

**Public testimony closed.**

**Motion by Mandel, seconded by Fleming, to approve Item A-1-21. Motion approved.**

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	No
Commissioner Rumpler	Votes	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 5 to 1 vote.

2. Applicant: City of Coeur d'Alene, Water Department  
Location: 4591 N. Atlas Road  
Request: A request for a variance to allow a 0-foot setback on the south east corner of the property to install a new 750 KW Generator  
QUASI-JUDICIAL, (V-1-21)

Tami Stroud, Associate Planner presented the staff report and stated

- The City of Coeur d'Alene's Water Department is requesting a variance to the required setback on the south property line for the installation of a backup power generator in order to meet the State of Idaho's requirements.
- The required side yard setback in the R-8 zoning district is 25' for a nonresidential activity, rather than the requested 0' setback.
- The subject property is a .23-acre site located on N. Atlas Road.
- In July of 1971, the City of Coeur d'Alene drilled a well on the N. Atlas Road site.
- In 1987, the City Water Department obtained an Essential Service Special Use Permit to bring this nonconforming facility for an above-ground Essential Service activity into compliance.
- With new regulations triggered by the State of Idaho, the City is required to install a generator on the site for backup power to ensure continued operation of this well in the event of an emergency.
- The Variance request asks that the Water Department be allowed to place the generator at a 0' setback on the south side of the property rather than the required 25' setback.
- The Generator will be on a concrete pad and hardwired to a transfer switch. It will be inside a sound attenuated enclosure to mitigate noise. There will not be a cover over the Generator.
- The applicant noted in the Narrative submitted with the application that the undue hardship would be the requirement to meet the side yard setbacks of 25' for a nonresidential setback for the installation of the required generator.
- The State of Idaho is requiring the backup generator be installed onsite in case of an emergency, which allows for dedicated standby power to continue to provide water to a portion of the city this well site serves.
- The Comprehensive Plans designate this area as Ramsey-Woodland, Stable Established.

Ms. Stroud concluded her presentation.

### **Commission Comments:**

Commissioner Fleming inquired how tall is the box for the generator.

Ms. Stroud stated that the applicant can answer that question.

Commissioner Luttrupp supports the Water Department, but doesn't understand why this request is considered to be a hardship.

Ms. Stroud explained that this is a requirement from the State of Idaho to have a generator at this site and that the site is limited with by the constraints mentioned in the staff report. She added that the applicant did go back to assess the site to see if there were any other options and because this is a non-residential use it triggers a 25'foot setback rather than a 10' foot setback which is typical for a 10/5 setback per single family dwelling.

Ms. Anderson stated this request is considered an Essential Service, so should be looked at differently than someone saying they couldn't meet the setbacks to put in a garage and that this request rises to a different level especially with the State saying we need this generator to ensure continued operation for water service if the power goes out.

Commissioner Luttrupp suggested maybe the verbiage needs to be expanded or changed if this is different and is not arguing about the project, but the definition for hardship doesn't have any merits.

Ms. Stroud explained that this is a unique situation and, in the past, denied variances who didn't meet the intent of the findings for approval for a variance.

Mr. Adams explained if this request is denied would make this property unusable which is a different circumstance if someone comes in later with a piece of property saying "I don't want to meet the setbacks". He explained that this is a mandatory requirement and if we can't meet the requirement than the property can't be used and that the issue is size of the property that is the hardship where setbacks can't be met.

Commissioner Luttrupp suggested that the wording be changed within the staff report.

Mr. Adams explained the commission must meet finding B8 A which is a simple statement and if the commission wants to expand that finding you can.

### **Public testimony open.**

Kyle Marine, Water Department provided the following statements:

- He explained the size of the generator is 22 feet long by 9 feet tall and 7.5 feet wide with the generators pad will be up to the property line with the generator setting off the property line but need the pad for stabilization and maintenance on the generator.
- He stated that all future wells we put in make sure there is a generator per code and don't install new wells every year and not sure if we will have any new wells installed in the north area as the city expands depending on future annexations. He added that all future wells require that there is back up power for emergency services. and don't install new wells and will not have anymore wells in the north and all wells you have to have a generator.
- He explained that the original well was built installed by Idaho Water and taken over by the City of Coeur d'Alene in 1980, so the lot is undersized and we don't have a choice. He added that the Water Department would have liked to find another location to meet the requirements, but this was the best site on the property to make it fit.

Mr. Marine concluded his presentation.

Ms. Anderson noted on the bottom of page 6 of the staff report the statement noted is from Idaho Code and the last sentence within that statement should be considered when make the Finding B8 that states "it may be granted to an applicant only upon showing undue hardship because of characteristics of the site and that the Variance is not in conflict with public interest".

Commissioner Ward questioned is it common for generators to be up against the building.

Mr. Marine replied on new well sites we have more room to work with by expanding the side, or get a larger piece of property, but most of the time on a new well site the property is in an undeveloped area such as Huetter Road and when we get new wells in, we can fit the generator close to the transmitter switch which saves on expense since cable wires are expensive.

Commissioner Ward inquired what is the reason you chose this site is it because it was closer to a transformer.

Mr. Marine explained we moved to the southside because on the northside of the lot there is a "trough" that is designated for over flow water when we start/stop the well and in between the trough and the well house is a bunch of drywells in the ground and we are not allowed to put a structure over the top of them. He stated that the other spot was on the southside of the building and that a generator couldn't be placed next to the building because that is the access to the building and another reason moved it to the front of the lot is to try and keep it far from the existing homes.

**Public testimony closed.**

**Commission Comments:**

Commissioner Ingalls commented that he appreciates Commissioner Luttropp's comments and feels he is not questioning the merits of this project, but wanting to prevent setting a precedent. He stated in this case, this is different and a requirement by the State.

Commissioner Fleming inquired if there is any way that a different color then the yellow shown that could be chosen for the transformer box since the neighbor will be staring at a 9' foot box next to the fence line.

Mr. Marine stated he can choose another color but has to be careful of the type of paint since the box will get hot. He added with any of our tanks and building we try to hide a building or generator by choosing a color that blends in with the property such as if the unit is by a group of trees, we will use a green color and try to do the best, we can to not make it obvious.

Commissioner Ward stated in the past with cell towers that were approved were made to look like a tree and suggested maybe a hedge against the fence to hide the box. he concurs.

Mr. Marine stated that in all fences we do place privacy slats to try and hide as much of the unit we can.

**Motion by Ingalls, seconded by Luttropp, to approve Item V-1-21. Motion approved.**

**ROLL CALL:**

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttropp	Voted	No
Commissioner Rumpler	Votes	Aye

Commissioner Ward Voted Aye

Motion to approve carried by a 5 to 1 vote.

3. Applicant: City of Coeur d'Alene & Ignite cda  
Location: 2598 E. Seltice Way  
Request:
- A. A modification to the Atlas Waterfront Development PUD. QUASI-JUDICIAL, (PUD-4-19m.1)
  - B. A modification to the preliminary plat known as "Atlas Waterfront master preliminary plat. QUASI-JUDICIAL, (S-3-19m)

Hilary Anderson, Community Planning Director, presented the staff report and stated:

As we were trying to get everything into the staff report and trying to move this project forward as quickly as possible, I noticed that there are a few errors in the staff report and below are the noted corrections.

- The total acreage including the triangle parcel is 70.5; in the staff report it said 60.9.
- Updated open space acreage is 24.5 acres (35%) of the site, exceeding the required 10%.
- The new total count has been reduced because the phase one developers are coming in with lesser unit counts than anticipated; so, it is 571 units, whereas the staff report stated 695.

#### **PUD Amendment**

- The PUD Amendment for the Atlas Waterfront project would revise the final Development Standards for the project to include the triangle parcel and allow some slight changes to the standards for the development areas to respond to market conditions and phase 1 of the project. The addition of the triangle parcel allows the option for 15-18 single-family homes or 10-11 single-family homes and 16-20 townhomes. This could result in as many as 571 residential units. With the increased acreage by adding in the 4.6-acre triangle parcel, the overall density of the project would drop slightly to less than 11 units per acre.
- As noted below, this PUD Amendment #2 adds in the triangle parcel, which would be Development Areas 16, 18 and 19. The additional land would allow improvements to the project layout and create new Development Areas 14 and 15. The following information summarizes the proposed additional land uses and deviations as well as justification. This information is also found in table form in Attachment 2.
- This PUD Amendment #2 also requests a modification to the Hillside Ordinance that would apply to the triangle parcel. The request is to replace and deviate from the Hillside Ordinance provisions to allow the project to be developed in a manner that complements the rest of the Atlas Waterfront project. Geotechnical studies will be completed and building envelopes will be shown on the final plat, the trees will be evaluated, and a tree preservation and restoration plan will be developed. Preserved trees will be protected and noted on the final plat.

#### **Subdivision Amendment:**

- The proposed amendment to the preliminary master plan and 1st Addition includes the 4.6-acre triangle parcel, modifies the internal roadway network slightly, creates additional development areas and allows slight changes to the prior development areas south of the triangle parcel. It also allows the future option to split Area 13 into two parcels.

## History:

- In 2018, the City of Coeur d'Alene, in collaboration with ignite cda, purchased the Atlas Mill site which had operated as a lumber mill for more than 100 years and which had closed in 2005. The mill site was annexed into the City in 2017 and assigned as a C-17 (Commercial at 17 units/acre) zoning district. In 2017/18 the mill site was master planned to determine the financial feasibility of the property being included in an urban renewal district (URD). Considerable public input was solicited for the public spaces. The intent of the City and ignite cda is to transfer blocks of development in phases over the next couple years as site development efforts progress, instead of selling the property all at once.
- The Atlas Waterfront project is intended to create a unique and desirable neighborhood with a significant waterfront public open space. The City acquired the parcel to achieve two objectives: 1. Preserve the waterfront for the community; and 2. Stimulate private investment on a former mill site that has been vacant for more than a decade. The PUD will allow the higher densities necessary to make the project financially feasible, while protecting the most valuable real-estate, the waterfront, from development and preserving it for the public.

## Background Information

- The subject site is located to the west of Riverstone and south of Seltice Way, flanking the north bank of the Spokane River, with the River's Edge development bordering the property to the west. The 70.5-acre site is currently vacant and undeveloped, and the acquisition opens the door for economic development and public access to the river. The former railroad right-of-way that runs through the property was acquired by and annexed into the City in 2015 to provide opportunities for parkland, a trail, and public access through to the waterfront. The project will be developed under the C-17 (Commercial at 17 units/acre) zoning district with the "Atlas Waterfront Neighborhood Development Standards" in place for the development of residential uses including single-family dwellings, townhomes, commercial, and multi-family units. The Atlas Waterfront project will be primarily residential with opportunities for office/retail on the western edge and near Seltice Way. In addition, two "commercial only" nodes are located adjacent to the waterfront park as both locations are desirable restaurant locations.
- The Atlas Waterfront PUD development will include three different frontage types: Residential fronting Riverfront Drive (rear-loaded); Residential fronting interior streets (rear-loaded); and Residential fronting interior streets (front-loaded), with additional frontage options based upon lot circumstances, as noted in the Development Standards.
- The "Development Areas Key Plan" notes the area of development on the Atlas Mill Site property and the standards that apply to each of those areas including the use, building types, lots (width, depth, area) for the townhouses and duplexes, setbacks, and building height showing different ways that buildings and lots can be configured to meet the design intent and development standards.
- The development will include 25-acres of open space including a 12-acre waterfront park, and upland open spaces to provide pedestrian circulation routes in addition to sidewalks. The waterfront park provides a grassy open play area, playground, picnic shelter, food truck parking, separate pedestrian and bicycle waterfront trails, a water dog park, ADA accessible swim area and kayak launch and several other water access points. The very northeast area of the site is anticipated as a 7.7-acre public space with a use that will be determined by the City Parks and Recreation Department. However, it is also possible that the site could be improved for future development that will be evaluated as the project is developed.

- The project will be developed in phases as shown on the Revised Phasing Map (page 17) over an 8 to 10-year schedule, depending on market conditions. The property will be sold by ignite CDA, the urban renewal district, through a request for proposal (RFP) process, in partnership with the City of Coeur d'Alene.
- She stated that the City's 2007 Comprehensive Plan designates this area as the Spokane River District.
- She noted if approved there are 16 conditions.

Ms. Anderson concluded her presentation

**Commission Comments:**

There were no questions for staff.

**Public testimony open.**

Phil Boyd provided the following statements:

- He stated with this request adding the triangle parcel into the Atlas Waterfront project.
- He explained that we have refined some of the Development Standards to accommodate market demands but will not impact the neighborhood character.
- He refreshed the commission on the land disposition process which ignite cda has modified.
- He stated with this modification will be including architectural standards to the Development Standards and explained early in the process the team suggested to ignite cda we should have architectural standards and worried that we might end up with something we are not comfortable with so ignite decided to get through the initial phasing see how things progress and now that we have moved through the initial phase, we are adding the architectural standards.
- He explained that we are modifying how the land is sold and now selling the land in blocks so when a developer come in to purchase a block will be handed a copy of the development standards that would define what you could do within that block of land before a block is purchased.
- He provided a map showing various circulation patterns with streets by adding a better pedestrian circulation pattern that will provide a public open space going east to west.

Mr. Boyd continued his presentation and explained the changes within the triangle piece and the other areas within the development.

To view Mr. Boyd's entire Power Point presentation please click [here](#).

Mr. Boyd concluded his presentation.

**Commission Comments:**

Chairman Messina commented that he is happy the way the design of the area has been going and asked if Mr. Boyd could explain the phasing plan.

Mr. Boyd explained that the property in Area 1 and 2 has been sold and Area 8 got pulled because when we realized the triangle piece would comeback into play and the reason, we anticipated we thought the road needed to be changed because the position of the road made the triangle piece not easy to develop and, in this area, we added some additional material to raise the road which provides better contours by raising the road 11 feet. He added that the property in this area has not been sold and Ignite will selling

the lots in 4's for the reason there is a lot of administrative processes that ignite has to go through to do an RFP for each lot and give more opportunity for various builders to build in this area.

Chairman Messina inquired if the design standards will be the same for 4 lots versus a whole block.

Mr. Boyd stated that is correct and by having Development Standards will help control what will be built plus a developer will be able to review the standards before he makes a commitment.

**Public testimony closed.**

**Discussion:**

Commissioner Ingalls stated he is impressed with the project and doubts we will see this project the last time and will continue to change and become better. He commented there is a synergy in this process and impressive.

Chairman Messina thanked ignite cda for making this happen.

**Motion by Ingalls, seconded by Fleming, to approve Item PUD-4-19m.1. Motion approved.**

ROLL CALL:

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

Motion to approve carried by a 6 to 0 vote.

**Motion by Ingalls, seconded by Luttrupp, to approve Item S-3-19m. Motion approved.**

ROLL CALL:

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

Motion to approve carried by a 6 to 0 vote.

**ADJOURNMENT:**

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

The meeting was adjourned at 8:40 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant





# **PUBLIC HEARINGS**



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**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** SEAN E. HOLM, SENIOR PLANNER  
**DATE:** MARCH 9, 2021  
**SUBJECT:** S-3-21 – 5 LOT PRELIMINARY PLAT SUBDIVISION REQUEST FOR “MEASOM ADDITION” (REPLAT OF LOTS 1-3, BLOCK 3, O’BRIAN’S 1<sup>ST</sup> ADDITION TO COEUR D’ALENE).  
**LOCATION:** +/- 0.38 ACRE LOCATED AT THE SOUTH EAST CORNER OF 8<sup>TH</sup> STREET AND LAKESIDE AVENUE.

**OWNER/APPLICANT:**

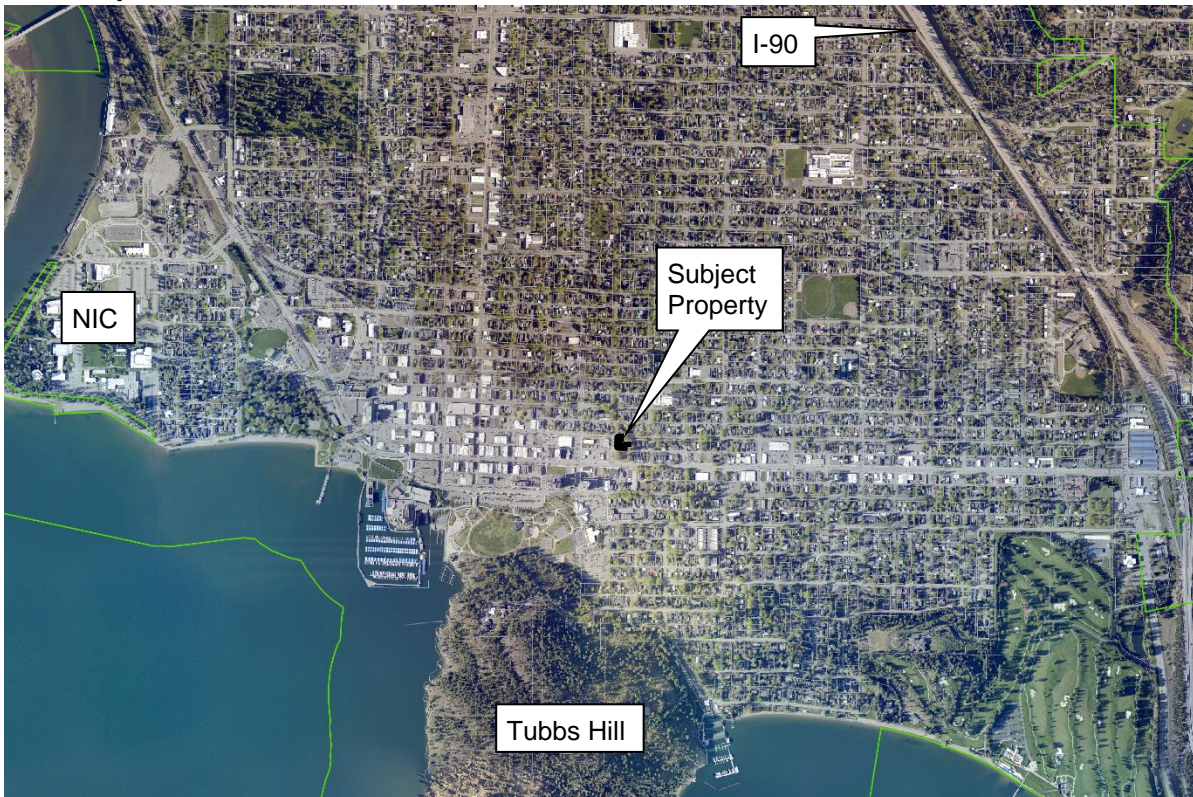
Allan Measom  
2982 W. Everwell Bay Lane  
Coeur d’Alene, ID 83814

Frame & Smetana (Russ Helgeson)  
603 N. 4<sup>th</sup> Street  
Coeur d’Alene, ID 83814

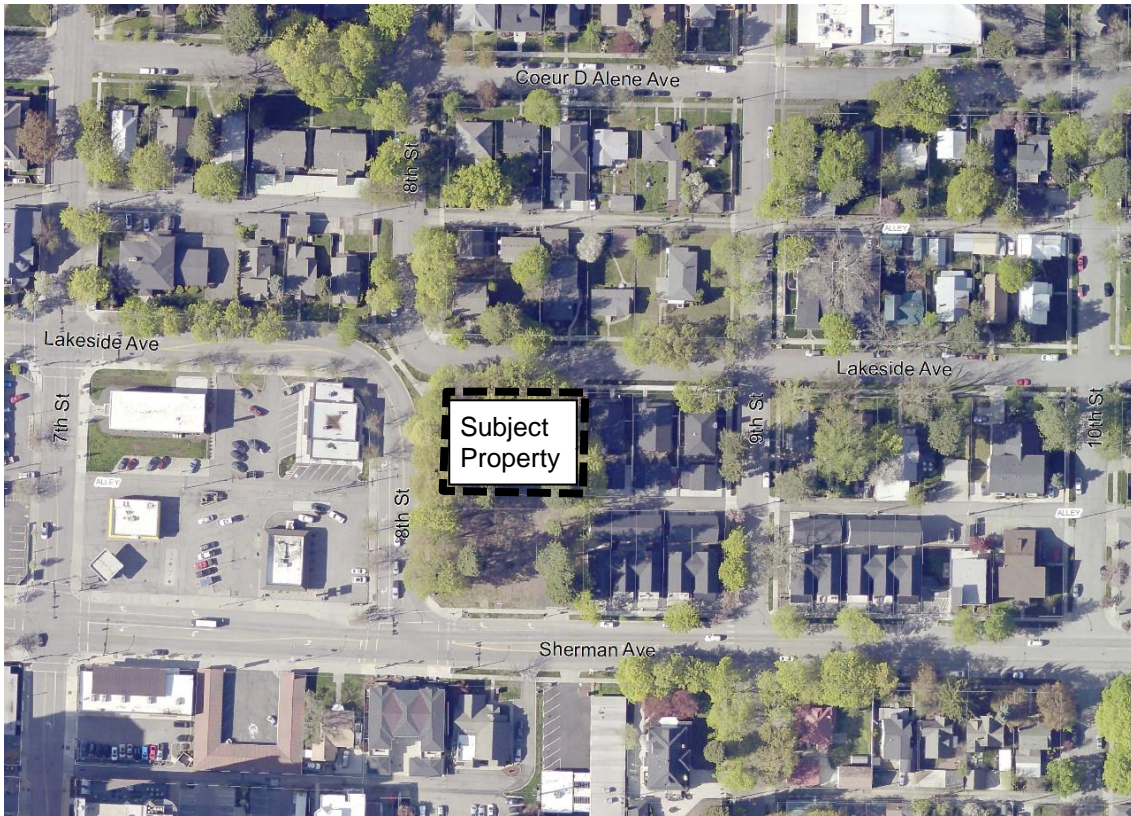
**DECISION POINT:**

Allan Measom, represented by Frame & Smetana, is requesting approval of a five (5) lot preliminary plat “Measom Addition”. This request, if approved, would replat lots 1-3, block 3, O’Brian’s 1<sup>st</sup> Addition to Coeur d’Alene (amended).

**Area Map:**



**Location Map:**



**Existing Parcel Map:**



**GENERAL INFORMATION:**

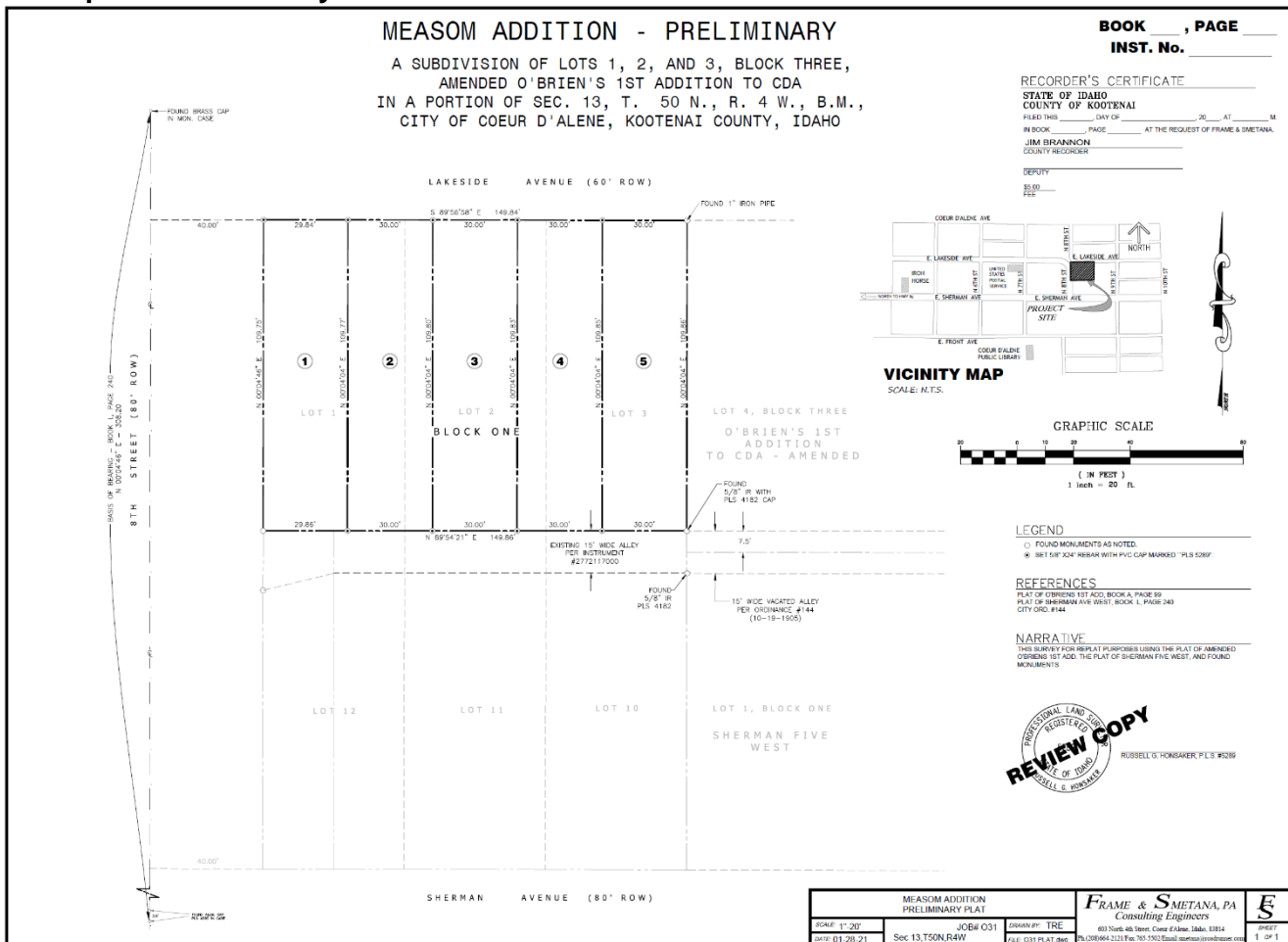
The subject property used to be associated with the "J.C. White House" that was recently relocated to the south end of City Hall parking lot at the base of Tubbs Hill. This request for subdivision was previously the back yard of that stately home that currently is being renovated for the Museum of North Idaho. The layout of the streets is unique in this area, as 8<sup>th</sup> Street and Lakeside Avenue intersection does not allow for through traffic for vehicles. The intersection is separated by a sidewalk to calm traffic in this area, which limits vehicular connectivity, but allows for pedestrians and bicyclists to traverse this limited access. The subject property is located at the edge of the Downtown Core (DC) zoning district and is very accessible to downtown amenities and services.

**REQUIRED SUBDIVISION FINDINGS (A-D):**

**Finding #B7A:** That all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer.

Per Chris Bosley, City Engineer, the Measom Addition preliminary plat submitted contains all of the general preliminary plat elements required by the Municipal Code.

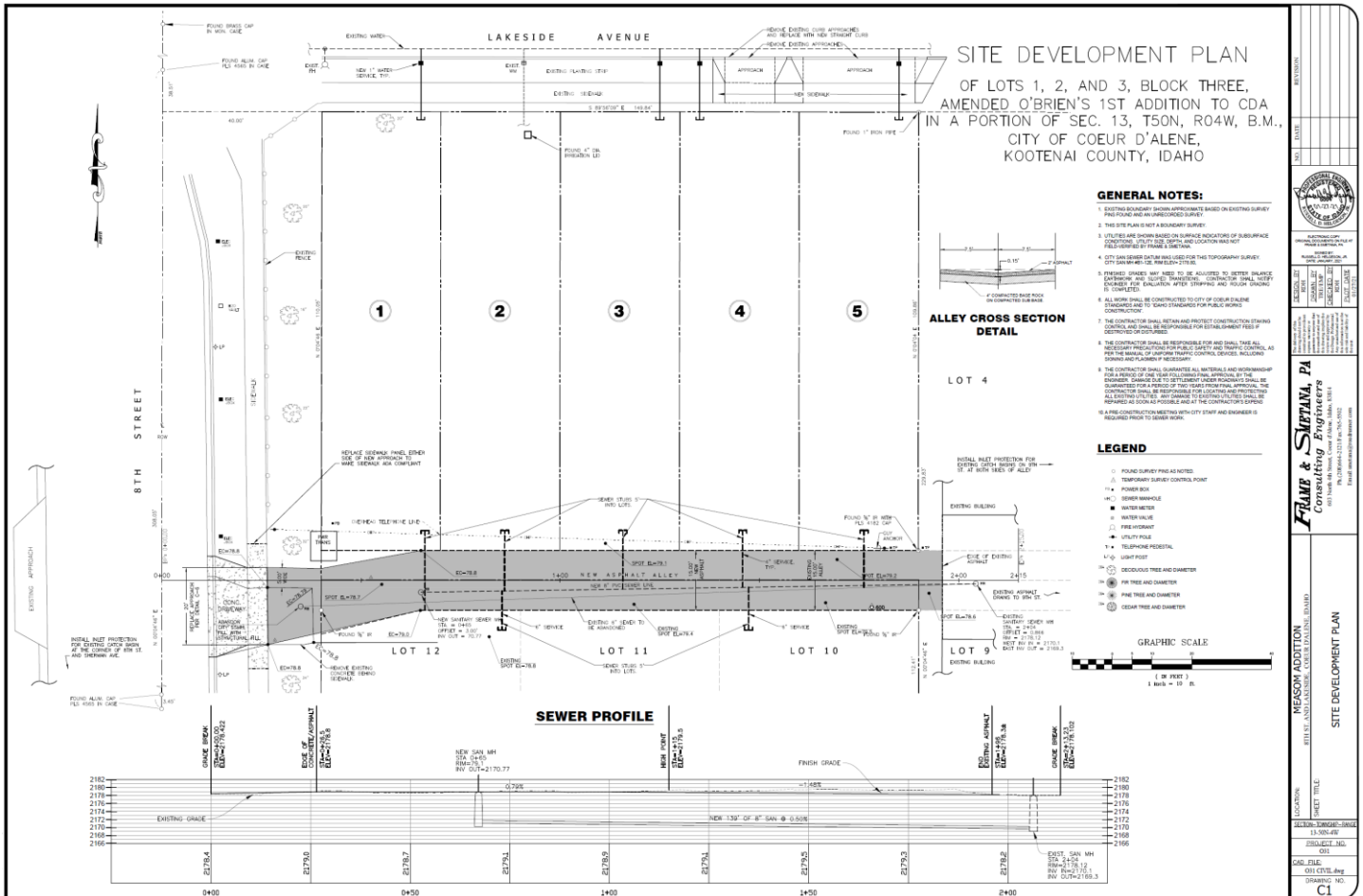
**Proposed Preliminary Plat:**



**Evaluation:** The Planning Commission must determine, based on the information before them, whether or not all of the general preliminary plat requirements have been met as attested to by the City Engineer.

**Finding #B7B:** That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities (are) (are not) adequate.

**Proposed Measom Addition Water & Sewer Utility Connections:**



**STORMWATER:** Any stormwater issues will be addressed at the time of development on the subject property. City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site.  
*-Submitted by Chris Bosley, City Engineer*

**STREETS:**

The subject property is bordered by Lakeside Ave to the north and 8th Street to the west. Both streets have been constructed to City standards. Any sidewalk deficiencies and approach replacements will be addressed at the time of construction. The Streets and Engineering Department has no objection to the subdivision as proposed.

*-Submitted by Chris Bosley, City Engineer*

**TRAFFIC:**

As noted above, the subject property is bordered by Lakeside Ave and 8th Street. Using the ITE Trip Generation Manual, traffic from this proposed development is estimated at 4 AM and 5 PM peak hour trips. Both streets have the available capacity for this additional traffic. The Streets & Engineering Department has no objection to the subdivision as proposed.

*-Submitted by Chris Bosley, City Engineer*

**WATER:**

There is adequate capacity in the public water system to support domestic, irrigation & fire flows for the proposed Subdivision. There is an existing 6" water main in Lakeside Ave. and one 1" service with a 3/4-inch meter. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building perming.

*-Submitted by Kyle Marine, Deputy Water Superintendent*

**WASTEWATER:**

In accordance with the 2013 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this Subdivision request, as proposed. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.

*-Submitted by Larry Parsons, Utility Project Manager*

**FIRE:**

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

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

*-Submitted by Bobby Gonder, Fire Inspector/ IAAI – CFI*

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

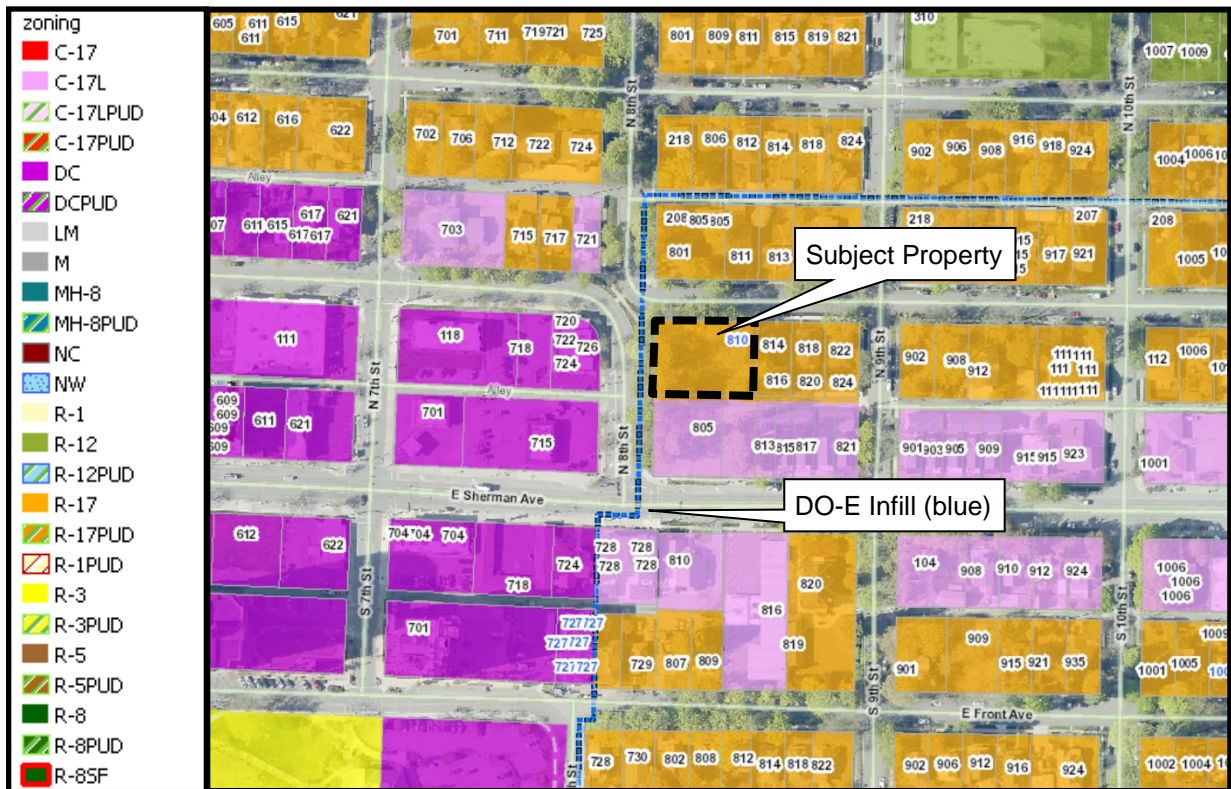
**Finding #B7C:** That the proposed preliminary plat (does) (does not) comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.

Per Engineering review, for the purposes of the preliminary plat, both subdivision design standards (chapter 16.15) and improvement standards (chapter 16.40) have been vetted for compliance.

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether the proposed preliminary plat does or does not comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

**Finding #B7D:** The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.

The five (5) lots in the proposed Measom Addition preliminary plat are zoned R-17 and are located within the Downtown East (DO-E) Infill Overlay district. The infill districts allow for a reduced lot size, frontage, and setbacks typically required in an R-17 zone. The DO-E also allows for an increased height and uses a Floor Area Ratio (FAR) to determine allowable square footage of livable space. The complete list of standards is found in Title 17 Zoning 17.07.900.





**Infill Overlay Districts:**

**17.07.900: PURPOSE:**

The title of this article shall be INFILL OVERLAY DISTRICTS. The purpose of these regulations is to establish infill overlay districts and to prescribe procedures whereby the development of lands within these infill overlay districts can occur in a manner that will encourage infill development while protecting the surrounding neighborhoods. It is the intent of these development standards to encourage a sensitive form of development and to allow for a reasonable use that complements the visual character and the nature of the city. (Ord. 3192 §2, 2004)

**District Described:**

**Downtown Overlay – Eastside (DO-E)**

The intent of this district is to create a transition between the downtown core and residential areas to the east. Infill development is encouraged, including urban housing (e.g. townhouses, courtyard housing, cottages) with a height limit that is compatible with lower scaled development. However, it is intended that development within the district consist of sufficient density to warrant the provision of parking below grade. Moreover, a limited array of goods and services are appropriate to serve the neighborhood. Traffic calming measures would be applied and there would be an emphasis on preserving existing large trees and providing new ones.

**Floor Area Ratio (FAR):**

Overlay District	Non-Residential Use		Residential Use		Combined
	Basic	With Bonuses	Basic	With Bonuses	
DO-N	.3	.9	1.0	2.0	2.9
DO-E	.3	.6	.5	1.0	1.6
MO	.5	1.0	1.0	2.0	3.0

**Height:**

Overlay District	Maximum Building Height
DO-N	45 feet
DO-E	With residential zoning 35 feet
	With commercial zoning 38 feet
MO	45 feet

**Parcel Performance Standards:**

**17.07.923: MINIMUM LOT SIZE AND FRONTAGE:**

- A. Minimum Lot Size: The minimum lot size for lots within the infill overlay districts shall be one thousand five hundred (1,500) square feet.
- B. Minimum Frontage: The minimum frontage on a public street within the infill overlay districts shall be fifteen feet (15').

The applicant has proposed five (5) lots, each measuring approximately 3,300 square feet with 30 feet+/- of frontage on a public street.

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the lots proposed in the preliminary plat do or do not meet the requirements of the applicable zoning district.*

**APPLICABLE CODES AND POLICIES:**

Utilities:

- 1. All proposed utilities within the project shall be installed underground.
- 2. All water and sewer facilities shall be designed and constructed to the requirements of the City of Coeur d'Alene. Improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
- 3. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.
- 4. All required utility easements shall be dedicated on the final plat.

Streets:

- 5. All new streets or alleys shall be dedicated and constructed to City of Coeur d'Alene standards.
- 6. Street or alley improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
- 7. All required street or alley improvements shall be constructed prior to issuance of building permits.
- 8. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

Stormwater:

- 9. 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.

Fire Protection:

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

General:

- 11. The final plat shall conform to the requirements of the City.
- 12. Prior to approval of the final plat, all required improvements must be installed and accepted by the City. The developer may enter into an agreement with

the City guaranteeing installation of the improvements and shall provide security acceptable to the City in an amount equal to 150 percent of the cost of installation of the improvements as determined by the City Engineer. The agreement and security shall be approved by the City Council prior to recording the final plat.

**PROPOSED CONDITIONS:**

**Engineering:**

1. Any fencing located in the right-of-way must be removed prior to plat recordation.

**Water:**

2. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permit.
3. The existing water service can only feed the lot it sits on.

**Wastewater:**

4. An extension of a City approved public sanitary sewer “to and through” the subject property and conforming to City Standards and Policies shall be required prior to building permits.
5. A utility easement for the public sewer shall be dedicated to the City prior to building permits.
6. An unobstructed City approved “all-weather” access shall be required over all public sewers.
7. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
8. All public sewer plans require IDEQ or QLPE Approval prior to construction.

**ORDINANCES & STANDARDS USED FOR EVALUATION:**

Transportation Plan  
Municipal Code  
Idaho Code  
Wastewater Treatment Facility Plan  
Water and Sewer Service Policies  
Urban Forestry Standards  
Transportation and Traffic Engineering Handbook, I.T.E.  
Manual on Uniform Traffic Control Devices  
2017 Coeur d'Alene Trails Master Plan

**ACTION ALTERNATIVES:**

The Planning Commission must consider this request and make separate findings to approve, deny or deny without prejudice. The findings worksheets are attached.

A decorative border composed of a grid of purple diamonds in two shades, surrounding a central light purple rectangular area.

**APPLICANT'S  
NARRATIVE**

# **FRAME & SMETANA, P.A.**

**CONSULTING ENGINEERS**

603 North 4<sup>th</sup> Street

Phone (208) 664-2121 - Fax (208) 765-5502

COEUR D'ALENE, IDAHO, 83814

## MEASOM ADDITION NARRATIVE

The proposed subdivision will replat Lots 1-3, Block Three O'Brien's 1<sup>st</sup> Addition to Coeur d'Alene Amended into five lots, each approximately 30' by 110'. The lots will face Lakeside Avenue on the north and an alley on the south. 8<sup>th</sup> Street is along the west side of the development. These lot sizes are consistent with the recent nearby subdivisions of Sherman Five West and Sherman Five East along with a few nearby lots that have had boundary line adjustments. It is anticipated that these new lots will be residential, developed similar to the construction of two Sherman Five developments.

With this subdivision the alley on the southside of the subdivision will have a new sewer main installed, replacing the old sewer main, with new services to the new lots. The alley is currently dirt and gravel and will be paved. There is an existing water main along the south side of Lakeside Avenue. There is one existing water service off this main that will be used by one of the lots. Four new water services will be installed for the other lots. An existing fire hydrant is located along Lakeside Avenue, near the northwest corner of the subdivision.

There are two existing driveway approaches into the subdivision off of Lakeside Avenue. These approaches will be removed and replaced with new curbing and sidewalk. Driveway access to the new lots will be from the alley on the south side of the lots. This is consistent with the development to the east.

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**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** TAMI STROUD, ASSOCIATE PLANNER

**DATE:** MARCH 9, 2021

**SUBJECT:** SP-1-21, REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A DENSITY INCREASE TO R-34 FOR A PROPOSED MULTI-FAMILY APARTMENT COMPLEX IN THE C-17 COMMERCIAL DISTRICT

**LOCATION:** A 6.84 ACRE PARCEL LOCATED AT 2119 N. GOVERNMENT WAY

**OWNER:**

Government Way Coeur d'Alene Hotel, LLC  
918 W. Idaho St. Suite 230  
Boise, Idaho 83702

**APPLICANT:**

Jacob Rivard  
918 W. Idaho Street, Suite 230  
Boise, Idaho 83702

**DECISION POINT:**

Government Way Coeur d'Alene Hotel, LLC is requesting approval of a special use permit to allow a density increase to R-34 density that will allow a proposed 232-unit multi-family apartment building in the C-17 Commercial Zoning District.

**BACKGROUND INFORMATION:**

The applicant is proposing to allow a total of 232 residential units on the subject site. The current zoning allows for a total of 119 residential units on this size of a parcel. The C-17 zoning allows for the proposed commercial activity as a permitted use.

The proposed structure is five stories tall and will be allowed a maximum height of 63 feet in accordance with the proposed R-34 zoning height restrictions for multi-family structures. The applicant has submitted building elevations of the proposed buildings indicating how they will look from several different vantage points. (See building elevations on pages 4 and 5 of the staff report)

The subject property is currently vacant. It was the former site of the "Wild Waters" water park, built in 2001. It closed its doors in 2010. In 2018, a demolition permit was taken out to clean up the site and remove the existing structures, footings, slab, and remove the remaining water slides. The site has been graded and cleaned up. The property owner has submitted a site plan that shows two (2) proposed multi-family buildings, a club house which includes a rental office and indoor amenities and proposed parking on the subject site. (See site plan on page 3 of the staff report)

**PLANNING COMMISSION  
STAFF REPORT**

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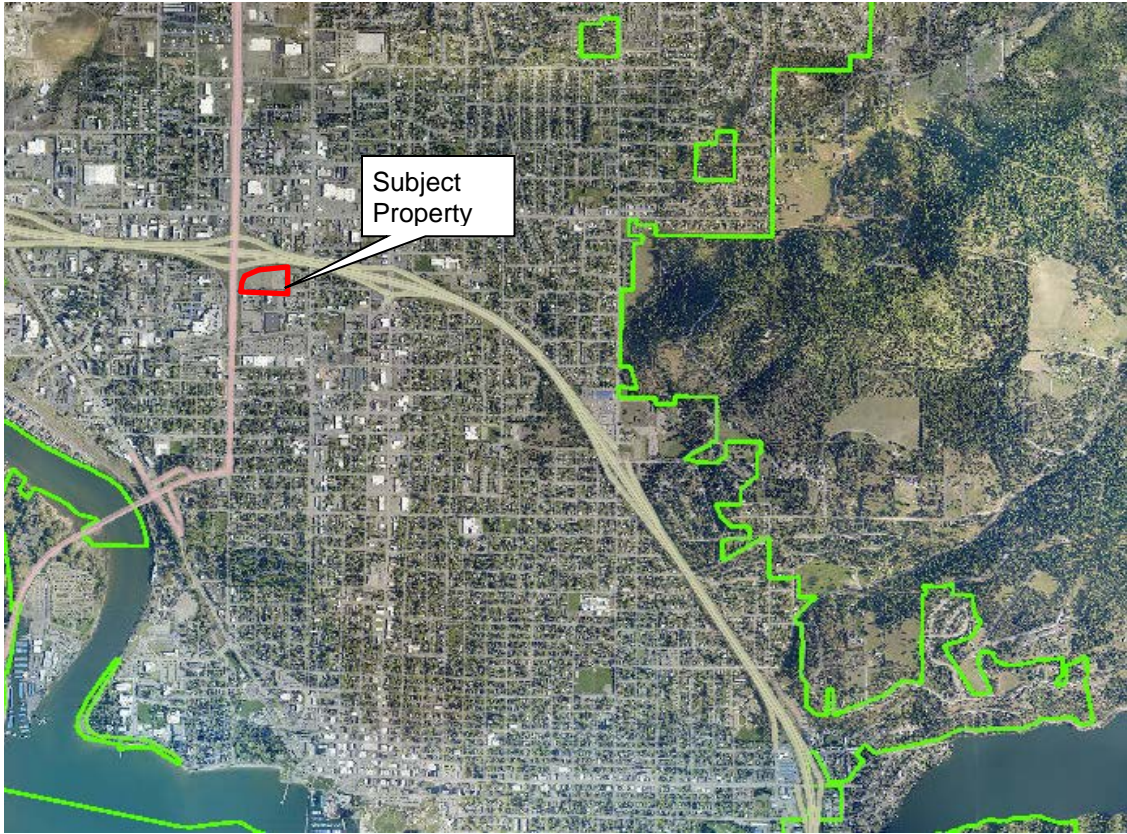
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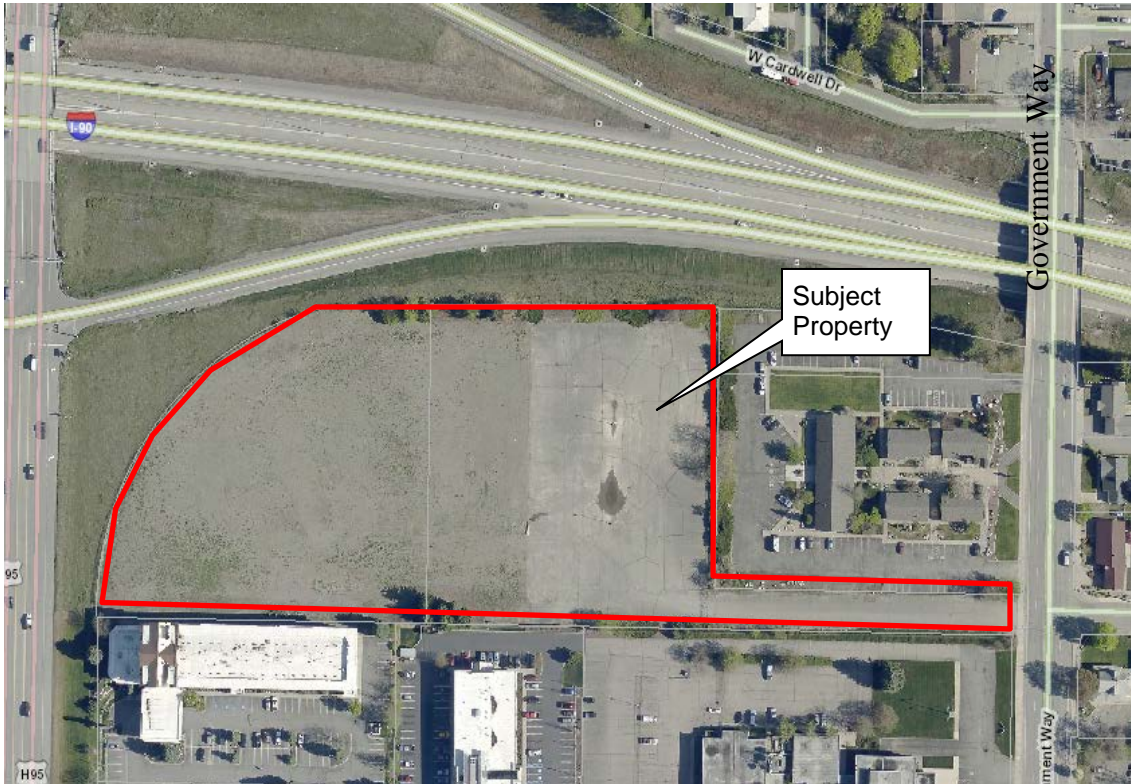
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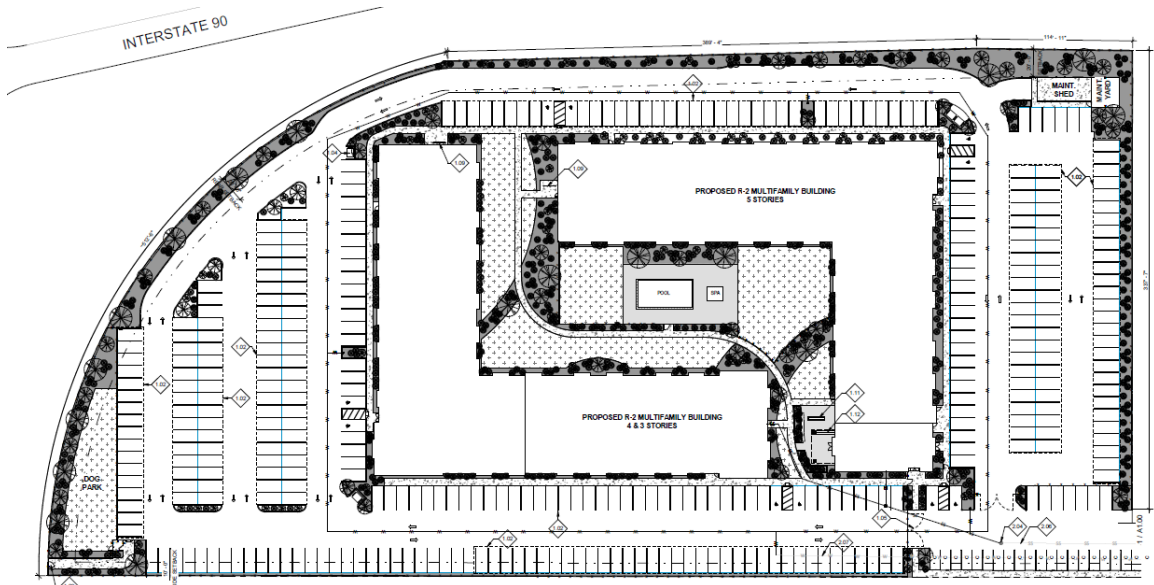
**PROPERTY LOCATION MAP:**



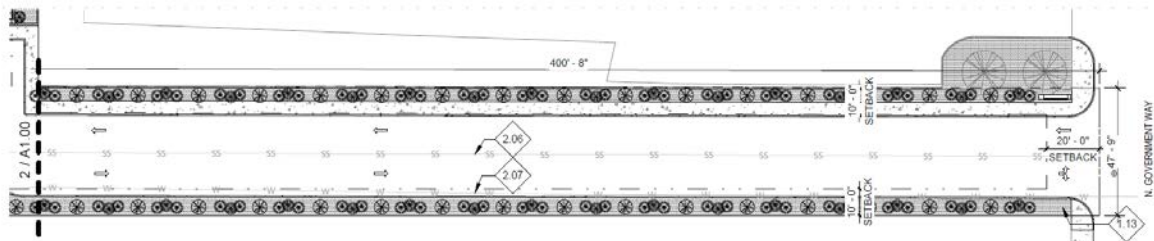
**AERIAL PHOTO:**



**APPLICANT'S SITE PLAN:**



**APPLICANT'S SITE PLAN (ACCESS):**



**UNIT COUNT AND PARKING BREAKDOWN:**

**UNIT COUNT AND REQUIRED PARKING**

UNIT TYPE	UNIT COUNT	PARKING RATIO	RQD PARKING
1 BED	114	1.5	171
2 BED	104	2	208
3 BED	15	2	30
<b>TOTAL</b>	<b>232</b>	<b>NA</b>	<b>409</b>

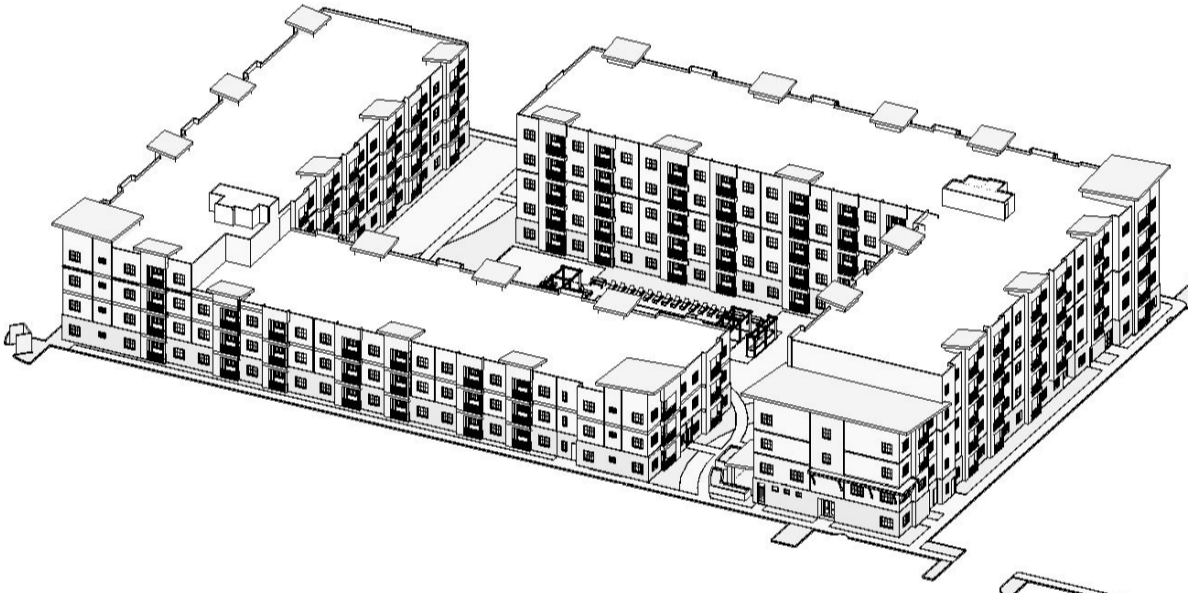
**PARKING BREAKDOWN**

STALL TYPE	UNIT COUNT
STANDARD	368
COMPACT	48
ADA	10
<b>TOTAL</b>	<b>426</b>

**BICYCLE BREAKDOWN**

STALL TYPE	UNIT COUNT
OUTDOOR	16
INDOOR	16
<b>TOTAL</b>	<b>32</b>

**232 PROPOSED MULTI-FAMILY UNITS: BUILDINGS "A" AND "B"**



**APPLICANT'S BUILDING ELEVATION – BUILDING "A" NORTH:**



**APPLICANT'S BUILDING ELEVATION – BUILDING "A" WEST:**



**APPLICANT'S BUILDING ELEVATION – BUILDING “B” NORTH:**



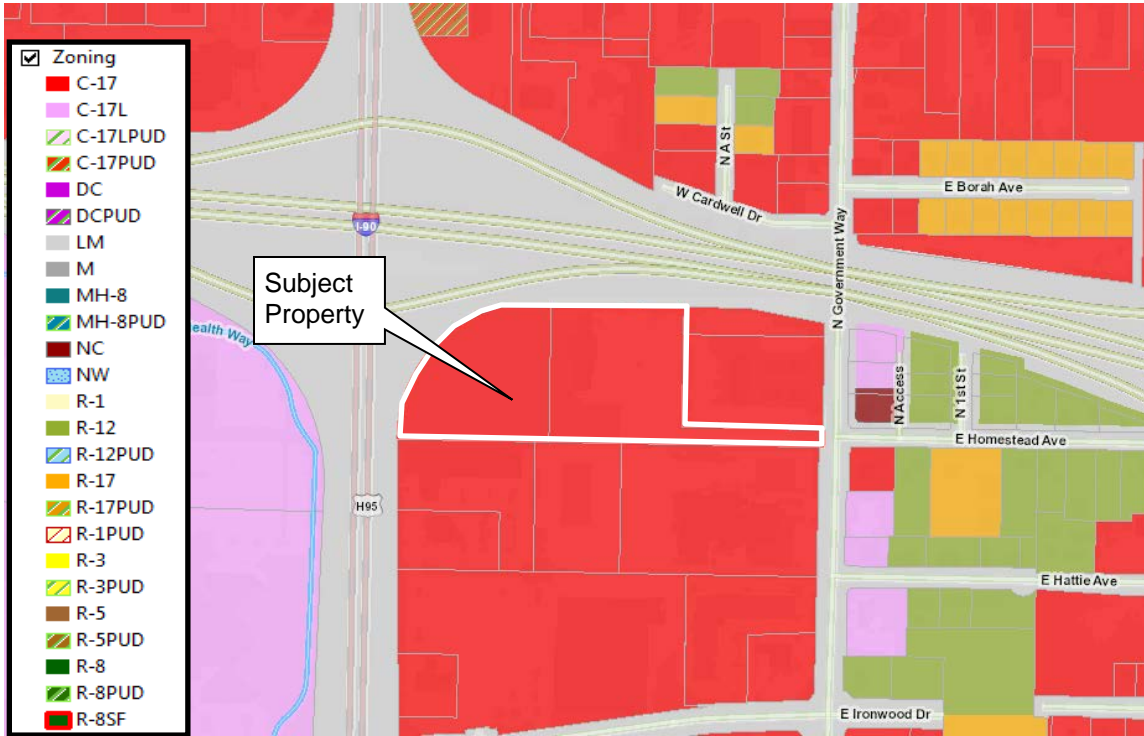
**APPLICANT'S BUILDING ELEVATION – BUILDING “B” EAST:**



**APPLICANT'S BUILDING ELEVATION – BUILDING “B” SOUTH:**



**ZONING MAP:**



**C-17 COMMERCIAL ZONING DISTRICT:**

The C-17 district is intended as a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) units per gross acre. This district should be located adjacent to arterials; however, joint access developments are encouraged.

**17.05.500: PERMITTED USES; PRINCIPAL**

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

- Administrative offices
- Agricultural supplies and commodity sales
- Automobile and accessory sales
- Automobile parking when serving an adjacent business or apartment
- Automobile renting
- Automobile repair and cleaning
- Automotive fleet storage
- Automotive parking
- Banks and financial institutions
- Boarding house
- Building maintenance service
- Business supply retail sales
- Business support service
- Childcare facility
- Commercial film production
- Commercial kennel
- Commercial recreation
- Communication service
- Community assembly
- Community education
- Community organization
- Construction retail sales
- Consumer repair service
- Convenience sales
- Convenience service
- Department stores
- Duplex housing (as specified by the R-12 district)
- Essential service
- Farm equipment sales
- Finished goods wholesale
- Food and beverage stores, on/off site consumption
- Funeral service
- General construction service
- Group assembly

- Group dwelling - detached housing
- Handicapped or minimal care facility
- Home furnishing retail sales
- Home occupations
- Hospitals/healthcare
- Hotel/motel
- Juvenile offenders facility
- Laundry service
- Ministorage facilities
- Multiple-family housing (as specified by the R-17 district)
- Neighborhood recreation
- Noncommercial kennel
- Nursing/convalescent/rest homes for the aged
- Personal service establishments
- Pocket residential development (as specified by the R-17 district)
- Professional offices
- Public recreation
- Rehabilitative facility
- Religious assembly
- Retail gasoline sales
- Single-family detached housing (as specified by the R-8 district)
- Specialty retail sales
- Veterinary office

**17.05.510: PERMITTED USES; ACCESSORY**

Accessory permitted uses in a C-17 district shall be as follows:

- Accessory dwelling units.
- Apartment for resident caretaker watchman.
- Outside area or buildings for storage and/or preparation of merchandise or goods necessary for and incidental to the principal use.
- Private recreation (enclosed or unenclosed).
- Residential accessory uses as permitted by the R-17 district

**17.05.520: PERMITTED USES; SPECIAL USE PERMIT**

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

- Adult entertainment sales and service
- Auto camp
- Criminal transitional facility
- Custom manufacturing
- Extensive impact
- Residential density of the R-34 district as specified
- Underground bulk liquid fuel storage - wholesale
- Veterinary hospital
- Warehouse/storage
- Wireless communication facility

**R-34 RESIDENTIAL ZONING DISTRICT:**

The R-34 district is intended as a high density residential district, permitting thirty four (34) units per gross acre that the city has the option of granting, through the special use permit procedure, to any property zoned R-17, C-17, C-17L or LM. To warrant consideration, the property must in addition to having the R-17, C-17, C-17L or LM designation meet the following requirements:

1. Be in close proximity to an arterial, as defined in the Coeur d'Alene transportation plan, sufficient to handle the amount of traffic generated by the request in addition to that of the surrounding neighborhood; and the project and accessing street must be designed in such a way so as to minimize vehicular traffic through adjacent residential neighborhoods.

2. Be in close proximity to shopping, schools and park areas (if it is an adult only apartment complex proximity to schools and parks is not required).

This district is appropriate as a transition between R-17 and commercial/industrial. Single-family detached and duplex housing are not permitted in this district. Project review (chapter 17.07, article IV of this title) is required for all subdivisions and for all residential, civic, commercial, service and industry uses except residential uses for four (4) or fewer dwellings

**17.05.340: PERMITTED USES; PRINCIPAL:**

Principal permitted uses in an R-34 district shall be as follows:

- Essential service.
- Multiple-family housing.
- Neighborhood recreation.
- Pocket residential developments as specified by the R-17 district.
- Public recreation.

**17.05.350: PERMITTED USES; ACCESSORY:**

Accessory permitted uses in an R-34 district shall be as follows:

- Accessory dwelling units.
- Garage or carport (attached or detached).
- Mailroom or common use room for pocket residential or multiple-family development.
- Outside area or building for storage when incidental to the principal use.
- Private recreation facility

**17.05.360: PERMITTED USES; SPECIAL USE PERMIT:**

Permitted uses by special use permit in an R-34 district shall be as follows:

- Automobile parking when the lot is adjoining at least one point of, intervening streets and alleys excluded, the establishment which it is to serve; this is not to be used for the parking of commercial vehicles.
- Commercial recreation.
- Community assembly.
- Community education.
- Convenience sales.
- Four (4) unit per gross acre density increase.
- Group dwelling - detached housing.
- Hotel/motel.
- Noncommercial kennel.
- Religious assembly.

**17.05.370: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:**

Maximum height requirements in an R-34 district shall be as follows:

- 63 feet for multiple-family and nonresidential structures.

**17.05.400: SITE PERFORMANCE STANDARDS; MINIMUM YARD:**

Minimum yard requirements in an R-34 District shall be as follows

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be ten feet (10').
3. Side, Street: The street side yard requirement shall be twenty feet (20').
4. Rear: The rear yard requirement shall be twenty feet (20'). However, the rear yard will be reduced by one-half (1/2) when adjacent to public open space.

**17.06.425: MINIMUM SETBACK AT REAR AND SIDE LOT LINES:**

All accessory structures must be set back at least five feet (5') from side and rear yard lot lines unless the structure's roof slopes toward the interior of the lot or is otherwise constructed in a manner that prevents snow and runoff from crossing the property line.

**17.44.030: OFF STREET PARKING - RESIDENTIAL USES:**

D.	Multiple-family housing:	
	1. Studio units	1 space per unit
	2. 1 bedroom units	1.5 spaces per unit
	3. 2 bedroom units	2 spaces per unit
	4. 3 bedroom units	2 spaces per unit
	5. More than 3 bedrooms	2 spaces per unit

**REQUIRED FINDINGS FOR SPECIAL USE PERMITS:**

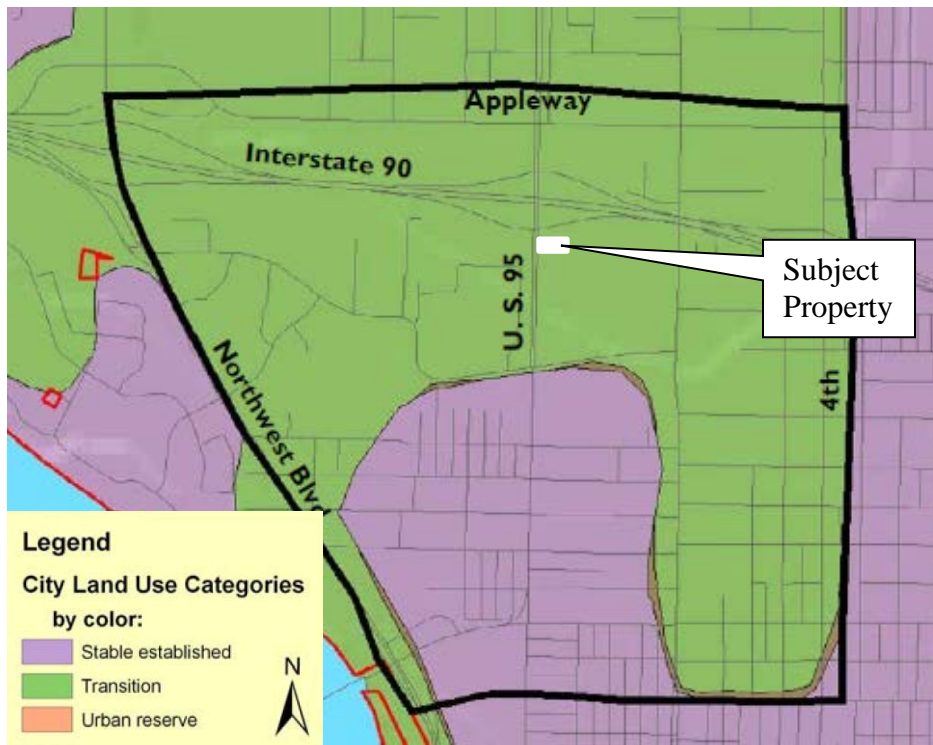
Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

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

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this area as Appleyway- North 4<sup>th</sup> Street-Transition:



## COMPREHENSIVE PLAN MAP: Appleway – North 4<sup>th</sup> Street



### Transition Areas:

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

### Land Use: Appleway - North 4th Street Today:

This area is a diverse mix of residential, medical, commercial, and warehousing land uses. The area is very gently sloped with some drop in elevation within a block of Northwest Boulevard. This elevation change has also defined the break from commercial to residential uses for much of the area's history.

The south-west and south-central portions of the area consist primarily of stable, single-family housing at approximately five units per acre (5:1). The Winton Elementary School and park is located in this neighborhood. Various multi-family apartments, mostly constructed in the late 1970s and early 1980s, are located within the district. The most active area for construction within this district is the Ironwood corridor which consists of many health-care and professional offices west of US 95, with office and retail uses east of US 95.

Along the northern border, commercial use thrives due to the proximity of I-90 and US 95. Appleway Avenue is a hub for restaurants and service uses, and extends from Northwest Boulevard east to 4th Street where Appleway Avenue becomes Best Avenue.

### Appleway - North 4th Street Tomorrow:

Generally, this area is expected to be a mixed-use area. The stable/ established residential area will remain. The west Ironwood corridor will require careful evaluation of traffic flow. Ironwood will be connected to 4th Street, enabling higher intensity commercial and residential uses.

**The characteristics of Appleway - North 4th Street neighborhoods will be:**

- That overall density will approach six units per acre (6:1) with infill and multi-family housing located next to arterial and collector streets.
- That pedestrian and bicycle connections will be provided.
- Street widening and potential reconfiguration of US 95 should be sensitive to adjacent uses.
- Uses that strengthen neighborhoods will be encouraged.

**The characteristics of Appleway - North 4th Street commercial will be:**

- Commercial buildings will remain lower in scale than in the downtown core.
- Streetscapes should be dominated by pedestrian facilities, landscaping, and buildings.
- Shared-use parking behind buildings is preferred.

**Significant Comprehensive Plan policies for consideration:**

**Goal #1: Economic Environment**

**Our Comprehensive Plan preserves the city's quality workplaces and encourages economic growth.**

**Objective 1.12**

**Community Design:**

Support the enhancement of existing urbanized areas and discourage sprawl.

**Objective 1.14**

**Efficiency:**

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

**Goal #2: Economic Environment**

Our Comprehensive Plan preserves the city's quality workplaces and policies, and promotes economic growth.

**Objective 2.02**

**Economic and Workforce Development:**

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

**Goal #3: Home Environment**

Our Comprehensive Plan preserves the city's qualities that make Coeur d'Alene a great place to live.

**Objective 3.01**

**Managed Growth:**

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

**Objective 3.05**

**Neighborhoods:**

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

**Objective 3.10**

**Affordable & Workforce Housing:**

Support efforts to preserve and provide affordable and workforce housing.

**Objective 3.16**

**Capital Improvements:**

Ensure Infrastructure and essential services are available for properties in development.

**Goal #4: Administrative Environment**

**Our Comprehensive Plan advocates efficiency and quality management in city government.**

**Objective 4.01**

**City Services:**

Make decisions based on the needs and desires of the citizenry.

**Objective 4.06**

**City Services:**

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

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

**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 buildings will have to meet all the required building setbacks and maximum building height requirements that are required for multi-family structures. The property directly to the south of the subject site has a hotel (La Quinta Inn) and restaurant use located on it. To the west of US 95, consists of many health-care and professional offices including Kootenai Health. To the south is a shopping center including a grocery market, service uses and numerous restaurant opportunities. To the north is I-90.

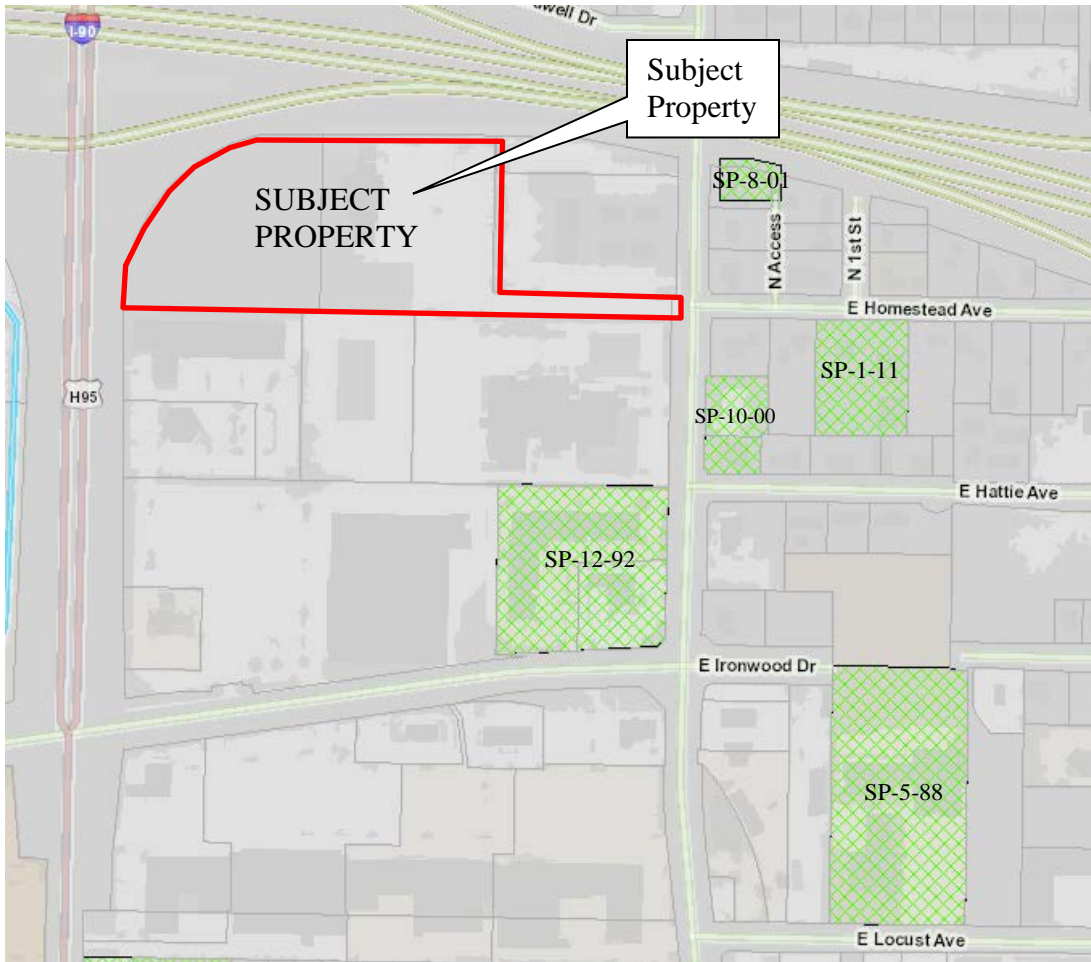
The property to the south is zone Commercial (C-17), west of the subject site is Limited Commercial (C-17L). East of the subject property is zoned Commercial (C-17). (As shown on the zoning map on page 6).

There are five special use permits in the vicinity of the subject property. The Planning Commission approved a special use request for a R-34 Density Increase (SP-12-92) south of the subject property in 1992. In 1988 the Planning Commission approved a special use request for a Religious Assembly (SP-5-88) further south of the subject property. (See page 13 of the staff report)

The subject site is adjacent to Highway 95 to the west, I-90 to the north, and Government way which is an Arterial Road. The primary access to the site will be via N. Government Way.

Both Borah and Winton Elementary are less than two miles from the subject property. Centennial Trail is located adjacent to the property along Highway 95.

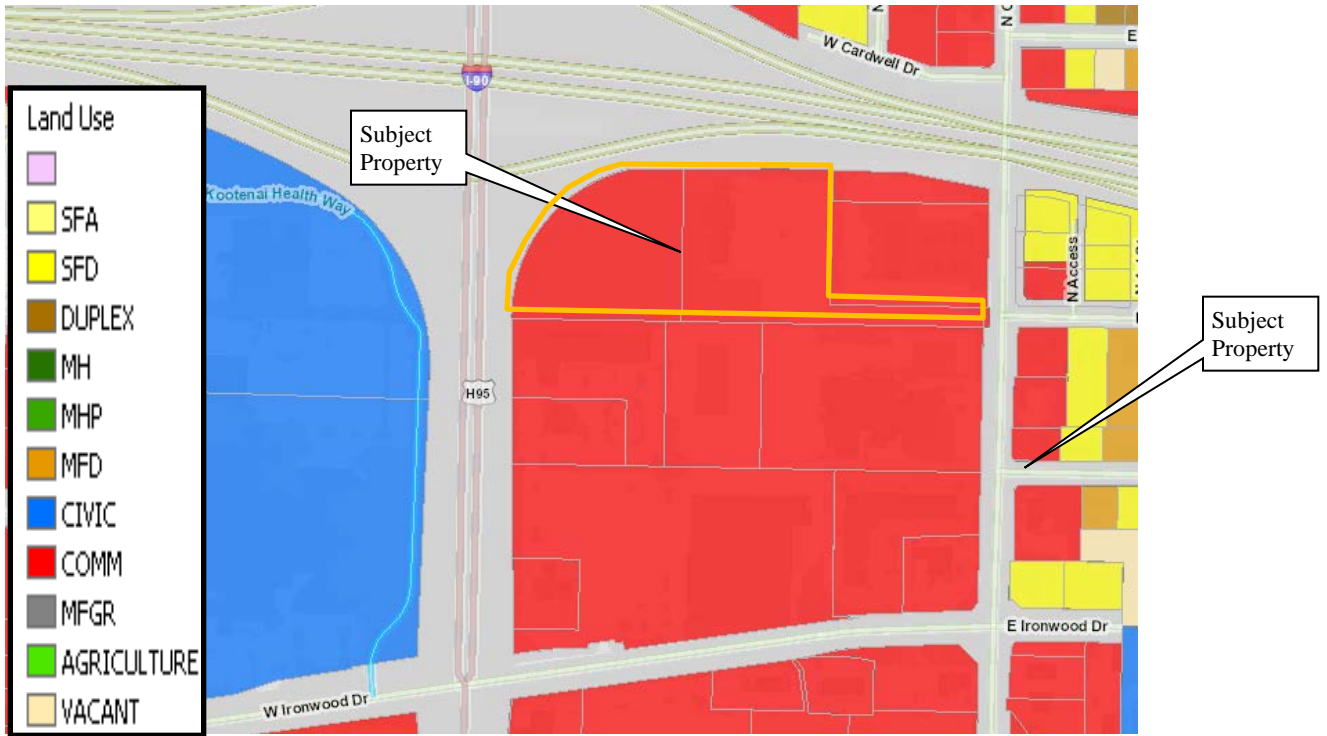
**SURROUNDING SPECIAL USE LOCATIONS:**



Special Use Permits:

SP-5-88	Religious Assembly	03-8-88	Approved
SP-12-92	R-34 Density Increase	09-08-92	Approved
SP-10-00	Food Sales On-Site	12-12-00	Approved
SP-8-01	Community Education	10-09-01	Approved
SP-1-11	R-34 Density Increase	02-08-11	Approved

**GENERALIZED LAND USE MAP:**



**SITE PHOTO - 1:** View from the east side of the property looking west toward Lincoln Way



**SITE PHOTO - 2:** View from the east side of the property looking northwest:



**SITE PHOTO - 3:** Looking northeast from the driveway of the subject property at the neighboring businesses.



**SITE PHOTO - 4:** Looking east from the subject property toward Government Way.



**SITE PHOTO - 5:** Looking north along Government Way from the subject property access point.



**SITE PHOTO - 6:** Looking south along Government Way from the subject property access.



**SITE PHOTO - 7:** View from the subject property along Government Way looking east.



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



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

**STORMWATER:**

City Code requires stormwater to remain on site and for a stormwater management plan to be submitted and approved prior to any construction activity on the site. Stormwater will have to be addressed at the time of construction.

**STREETS:**

The subject property is bordered by Government Way to the east. Government Way meets City Standards. Minor ADA improvements will be needed at the Government Way frontage.

**TRAFFIC:**

The ITE Trip Generation Manual estimates that the proposed 232-unit project is expected to generate up to approximately 81 AM and 102 PM Peak Hour trips/day. The impact will likely be a slight increase in delay exiting onto Government Way, especially for motorists turning left (north).

Government Way has the capacity needed to accommodate the proposed development. However, use of Homestead Ave. must be discouraged for residents of the proposed project by allowing only left and right turns out of the development (no through movements across Government Way). Streets and Engineering has no objections to the proposed SUP, but request that signage and pavement markings be installed to prohibit use of Homestead Ave.

*-Submitted by Chris Bosley, City Engineer*

**WATER:**

There is adequate capacity in the public water system to support domestic, irrigation & fire flows for the proposed Special use permit.

There is an existing 8" water main stubbed into the property from Government Way

*-Submitted by Terry Pickel, Water Superintendent*

**SEWER:**

Based on the 2013 Sewer Master Plan (SMP). Since sewer capacity falls under a "1st come 1st served basis", and while the City presently has the capacity to serve this Special Use's proposed density increase to R-34.

Sewer Policy #716 (Res. 15-007), requires each legally recognized lot within the City to have its own public sewer connection.

*-Submitted by Larry Parsons, Utility Project Manager*

**FIRE:**

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

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The CD'A FD can address all concerns at site and building permit submittals with the corrections to the below conditions.

*-Submitted by Bobby Gonder, Fire Inspector / MIAAI – CFI*

**Evaluation:** *Planning Commission must determine if the location, design, and size of the proposal are such that the development will or will not be adequately served by existing streets, public facilities and services.*

**PROPOSED CONDITIONS:****Wastewater:**

1. Wastewater will require an easement over the public sewer line.

**Water:**

2. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at the time of building permit issuance.

**Fire:**

3. IFC D106.2: Projects having more than 200 dwelling units require a second and separate FD access/egress.
4. IFC D103.1 & D105.1: The minimum width for FD access where there is a hydrant on the access road and for Ladder Truck access/placement is 26 feet wide.
5. IFC 503.6: Gate Access – Access through any secured gates require a Knox system, such as a Knox Keyway Switch.

**Streets and Engineering:**

6. Signage and pavement markings shall be installed at the project exit to prohibit use of Homestead Avenue by requiring only right and left turns out of the project.

**Planning:**

7. Design Review Commission review will be required due to the project size and underlying C-17 zoning.

*The Planning Commission may, as a condition of approval, establish reasonable requirements to mitigate any impacts that would adversely affect the surrounding neighborhood. Please be specific, when adding conditions to the motion.*

**ORDINANCES AND STANDARDS USED IN EVALUATION:**

- 2007 Comprehensive Plan
- Municipal Code
- Idaho Code
- Wastewater Treatment Facility Plan
- Water and Sewer Service Policies
- Urban Forestry Standards
- Transportation and Traffic Engineering Handbook, I.T.E.
- Manual on Uniform Traffic Control Devices

**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.

A decorative border composed of a grid of purple diamonds in various shades, surrounding a central light purple rectangular area.

**APPLICANT'S  
NARRATIVE**



January 27, 2021

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

Reference: 2119 N Government Way: Special Use Permit (SUP)

Planning Department Staff,

It is requested that the Planning Commission consider a Special Use Permit for the property located at 2119 N. Government Way to be approved for an R-34 residential district. It is proposed that on this 6.84-acre site, a ground up Type A multi-family housing complex be constructed to serve the Coeur d'Alene community. The complex will accommodate a five story, 232-unit, multi-building complex. In addition to the dwelling units, a Club House is to be constructed that will house indoor amenities and a leasing office to serve the residents of the complex. Supporting the indoor amenities, a series of outdoor spaces will be provided to encourage outdoor usage through amenities such as pocket parks, dog runs, and connections from the property to future trail connectors planned by the City.

In conformance to 2007 Comprehensive Plan, the design and planning of the proposed site is intended to accomplish many of the objectives listed in the four main goals of the Comprehensive Plan with specifics to the Natural Environment, Economic Environment, and Home Environment as outlined below.

**Natural Environment:** In order to provide a desirous living environment and with respect to the Tree City USA designation held by the City of Coeur d'Alene, the intent of the project is to adhere to the requirements put forth by the City with the continuation of the urban forest as outlined in the commercial design guidelines. Within this urban site, outdoor space/amenities for the residents will be provided to connect to the Cities existing and planned infrastructure to promote pedestrian access and usability on site and through the city. In addition, with the re-use of an existing site, and creating a higher residential density, the development of the site will help support the enhancement of existing urbanized areas and discourage sprawl.

**Economic & Workforce Development:** Location of the multi-family complex on this site will assist in providing multiple choices for residents to live and work. Adjacent to Kootenai Medical Center and situated on the corner of I-90 and US-95, the proposed site provides the flexibility for residents to choose a place to dwell adjacent to their workplace within comfortable walking/biking distances. Additionally, the site is easily accessed through existing infrastructure promoting business and industry outside of the immediate vicinity through accessible transportation.

**Home Environment:** Consisting of primarily single-family dwellings, the existing surrounding housing has few multi-family dwelling options. Through the construction of the proposed complex, we can provide diversity of suitable housing forms to help match the needs of a changing population.



**BRAINTREE**  
PROPERTIES

Understanding the highly visual nature of the site, the design and size of the project will reflect the quality and design that is found in a Type A multi-family complex. The intent is to create a design that reflects the regions design aesthetic and allow future approval through the Design Review Commission to help ensure that the site reflects the City of Coeur d'Alene's goals outlined within their Comprehensive Plan and Design Guidelines.

In summary, the proposed complex is compatible with the site's location, setting and existing uses of adjacent properties. This is shown in precedent demonstrated by the existing multi-family complexes nearby whose setting and uses of adjacent properties are akin to the proposed site. Additionally, the site is ideally located at the intersection of I-90 and US-95, providing ease of access to the site via the arterial road N. Government Way. Through this existing infrastructure, the residents will have access to opportunities for commerce, work, and public services.

We at Braintree look forward to continued dialogue and future approval of the SUP. If you have any questions or require further dialogue, please feel free to contact us.

Sincerely,

Rick Stilovich | CCIM, CPM  
Director Pre-Development

918 W. Idaho St, Suite 230  
Boise, ID 83702  
Email: [rstilovich@btree-prop.com](mailto:rstilovich@btree-prop.com)  
Office: 817.618.4144  
Cell: 817.403.8208

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**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** MIKE BEHARY, ASSOCIATE PLANNER

**DATE:** MARCH 9, 2021

**SUBJECT:** A-2-21: ZONING PRIOR TO ANNEXATION OF 3.19 ACRES FROM COUNTY AG SUBURBAN TO R-3

PUD-2-21: A RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) TO BE KNOWN AS "HAAG ESTATES PUD"

S-2-21: A FIVE LOT TWO TRACT PRELIMINARY PLAT REQUEST FOR "HAAG ESTATES"

**LOCATION:** PROPERTY IS LOCATED AT 2248 E. STANLEY HILL ROAD

**APPLICANT:**  
Eugene and Nancy Haag Living Trust  
2248 E Stanley Hill Road  
Coeur d'Alene, ID 83814

**ENGINEER:**  
Dobler Engineering  
P.O. Box 3181  
Hayden, ID 83835

**DECISION POINT:**

The applicant is requesting approval of the following three decision points that will require separate findings to be made for each item. The applicant is requesting approval of the following:

1. The annexation of 3.19 acres in conjunction with zoning approval from County Agricultural-Suburban to the City R-3 zoning district in the Hillside Overlay.
2. A residential planned unit development that will allow for four new house sites to be developed in the Hillside Overlay with the following modifications.
  - a. Lots fronting on a public street requirement
  - b. Minimum lot width frontage requirement
3. A five-lot, two tract preliminary plat to be known as Haag Subdivision.



## **BACKGROUND INFORMATION:**

This is the second time that the subject property is requested to be annexed into the city. In 2005, the applicant requested annexation into the city in conjunction with zoning to R-3 zoning in item A-7-05.

The Planning commission held a public hearing on this matter on August 9, 2005 and subsequently made a recommendation to City Council to deny the annexation request. City Council held a public hearing on October 4, 2005 and denied the request for annexation into the city.

The three findings that the City Council made in denying the A-7-05 annexation request without prejudice in October 2005 were as follows:

1. That the proposal is not in conformance with the Comprehensive Plan policies.
  - a. "Promote orderly development of land use at locations that are compatible with public facilities and adjacent lands" -- Neighborhood development, topography, and the development pattern are not compatible with adjacent land uses;
  - b. "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." – The request is not in compliance with this policy for the previously stated reasons.
2. That the physical characteristics of the site do not make it suitable for the request at this time because the steep topography, stormwater, drainage, and existing spring on the property make the subject property unsuitable for R-3 zoning.
3. That the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and existing land uses because if the property were developed to its full potential, R-3 zoning would be detrimental to the neighborhood character and the surrounding land uses.

Currently the subject property has a single-family residence on 3.19 acres. The applicant is requesting to split the lot up and create four additional residential buildable lots. The subject site is adjacent to the city limits along its west property line. The property is currently zoned Agricultural-Suburban in the county. The subject site is located within the City's Area of City Impact (ACI).

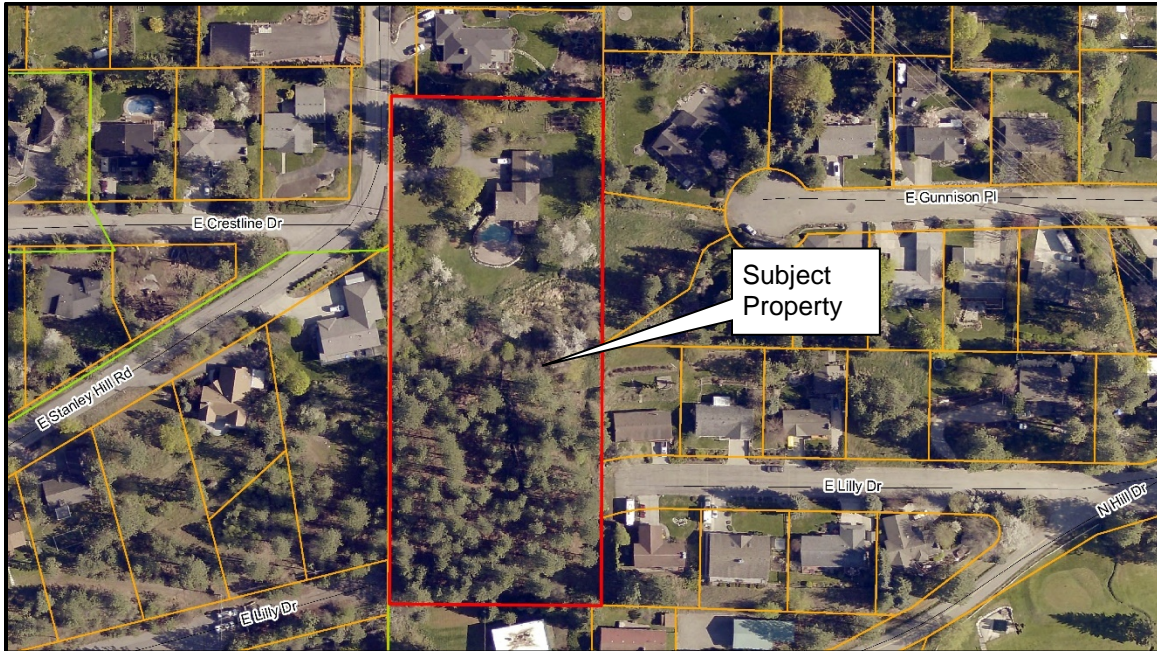
The property has significant slope and will be located in the Hillside Overlay if the annexation of this site is approved. The applicant's Engineer had indicated that the slopes on the south portion of the property range from 20 to 25 percent. The applicant is aware that all development must adhere to the Hillside Overlay requirements. See the attached Narrative/Justification by the applicant at the end of this report for a complete overview of this request (Attachment 1).

The applicant is proposing two additional access points to the subject site, both from Lilly Drive, one on the west, and the other on the east side of the subject property. The existing house is served from Stanley Hill Road. The four proposed buildable lots will have access off of the existing streets in addition to access from within the property from a proposed common driveway placed in a common tract.

**PROPERTY LOCATION MAP:**



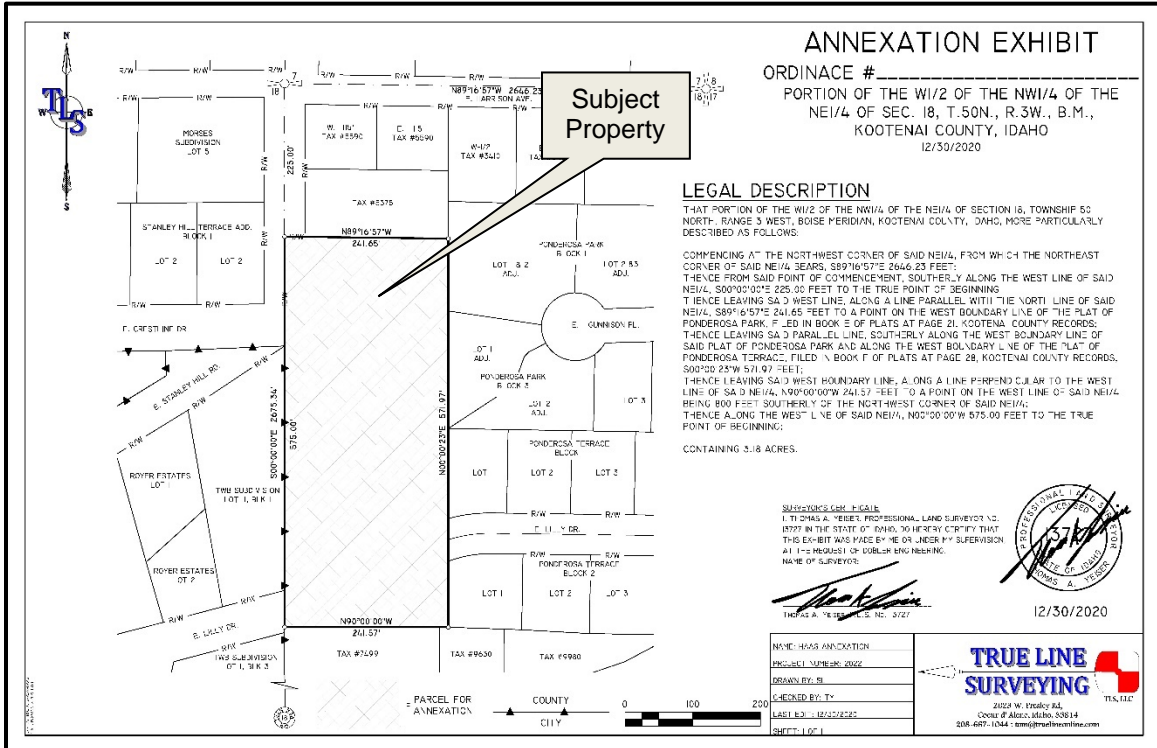
**AERIAL PHOTO:**



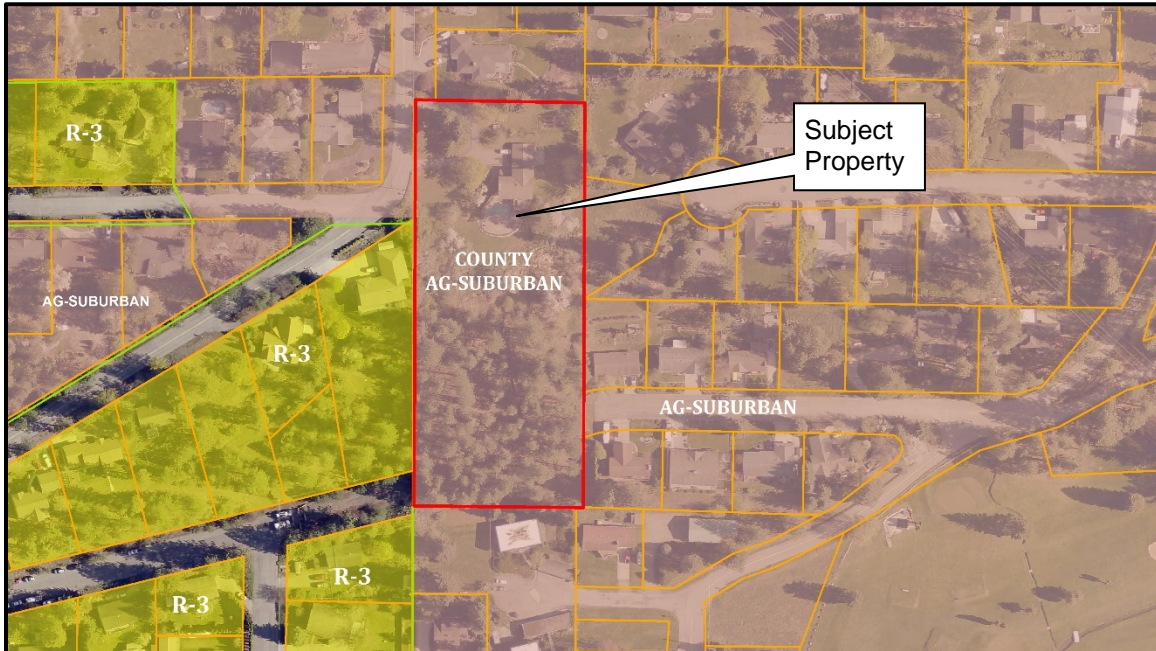
**BIRDS EYE AERIAL:**



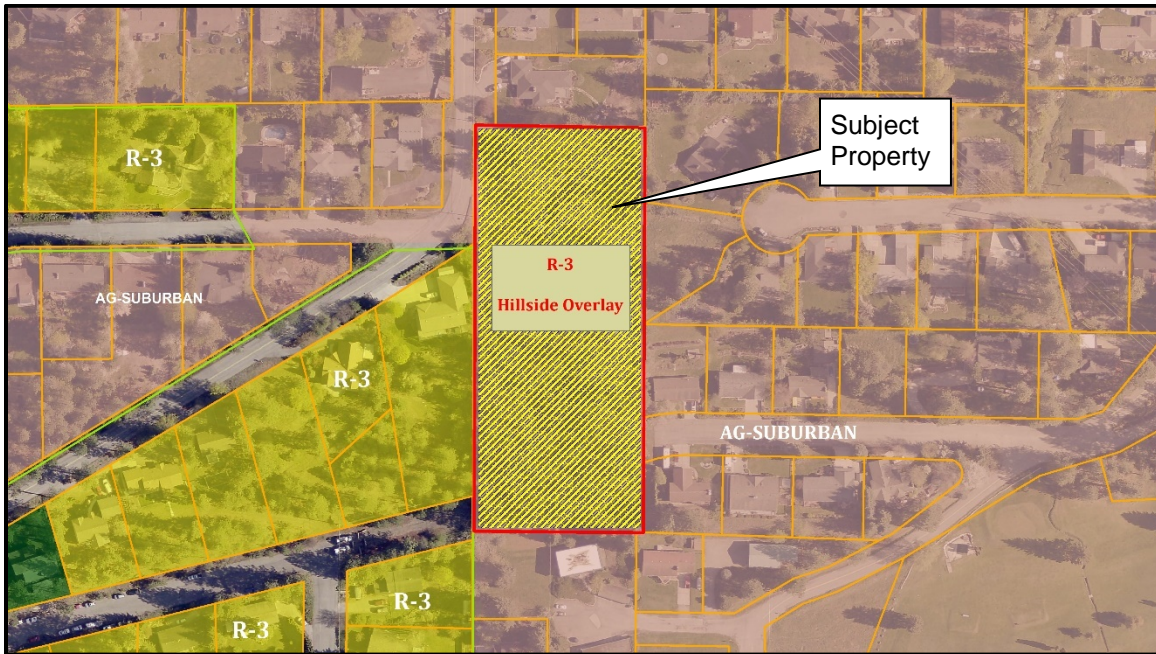
**ANNEXATION MAP:**



**EXISTING ZONING MAP: County Zoning Districts**



**PROPOSED ZONING MAP:**



The proposed R-3 zoning and Hillside Overlay are shown on the map above. The proposed zoning district is consistent with the existing zoning of the surrounding properties in the vicinity of the subject property to the west within the Coeur d'Alene city limits. The property is surrounded by County Ag-Suburban zoning to the northwest, north, east and south. Approval of the requested R-3 zoning in conjunction with annexation would allow the following potential uses of the property.

**Proposed R-3 Zoning District:**

This district is intended as a residential area that permits single family detached housing at a density of 3 dwelling units per gross acre. This district is intended for those areas of the city that are developed at this density or are preferably developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard.

**R-3 Zoning District:**

Principal permitted uses in an R-3 district shall be as follows:

- single family housing
- home occupations as defined in Sec. 17.06.705
- essential services (underground)
- civic administrative offices
- neighborhood recreation
- public recreation

Permitted uses by special use permit in an R-3 district shall be as follows:

- community assembly
- community education
- community organization
- convenience sales
- essential service (above ground)
- noncommercial kennel
- religious assembly
- bed & breakfast facility
- per. 17.08.500
- commercial film production

Accessory Uses:

- carport, garage and storage structures (attached or detached)
- private recreation facility (enclosed or unenclosed)
- outside storage when incidental to the principal use.
- temporary construction yard.
- temporary real estate office.
- accessory dwelling unit

**17.05.050: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:**

Maximum height requirements in an R-3 District shall be as follows:

Structure Type	Structure Location	
	In Buildable Area For Principal Facilities	In Rear Yard
Principal structure	32 feet 1	n/a
For public recreation, community education or religious assembly activities	45 feet <sup>1</sup>	n/a

Detached accessory building including garages and carports	32 feet <sup>1</sup>	With low or no slope roof: 14 feet With medium to high slope roof: 18 feet
--	----------------------	---

**17.05.075: SITE PERFORMANCE STANDARDS; MINIMUM YARD:**

- A. Minimum yard requirements for residential activities in an R-3 District shall be as follows:
  - 1. Front: The front yard requirement shall be twenty feet (20').
  - 2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten-foot (10') minimum.
  - 3. Side, Street: The street side yard requirement shall be ten feet (10').
  - 4. Rear: The rear yard requirement shall be twenty-five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space
- B. There will be no permanent structures erected within the corner cutoff areas.
- C. Extensions into yards are permitted in accordance with section 17.06.495 of this title.

**Proposed Hillside Overlay:**

**17.08.900: TITLE AND PURPOSE:**

The title of this article shall be the HILLSIDE OVERLAY ORDINANCE. The purpose of these regulations is to establish a Hillside Overlay Zone and to prescribe procedures whereby the development of lands within the Hillside Overlay Zone occurs in such a manner as to protect the natural and topographic development character and identity of these areas, environmental resources, the aesthetic qualities and restorative value of lands, and the public health, safety, and general welfare by ensuring that development does not create soil erosion, sedimentation of lower slopes, slide damage, flooding problems, that it prevents surface water degradation, severe cutting or scarring, and to reduce the risk of catastrophic wildfire in the wildland-urban interface. It is the intent of these development standards to encourage a sensitive form of development and to allow for a reasonable use that complements the visual character and the nature of the City. (Ord. 3091 §2, 2003)

**17.08.905: APPLICABILITY:**

The provisions of this article shall apply to all land within the Hillside Overlay Zone as shown in exhibit A of this section and to all lands annexed into the City limits after May 1, 2005. Lands with an average slope of less than fifteen percent (15%), within the Hillside Overlay Zone, are exempt from these regulations.

**17.08.915: GENERAL REQUIREMENTS:**

A. Geotechnical Studies: Prior to development a geotechnical study indicating that the site is suitable for the proposed use and development shall be prepared by a geotechnical engineer and shall be submitted and approved by the city. The study shall include the following information:

- 1. Project description to include location, topography, drainage, vegetation, discussion of previous work and discussion of field exploration methods, if any.
- 2. Site geology, to include site geologic maps, description of bedrock and surface materials, including artificial fill, locations of any faults, folds, etc., and geologic structural data including bedding, jointing and shear zones, soil depth and soil structure. The analysis shall indicate the degree of risk for landslides and/or slumping.
- 3. Discussion of any off site geologic conditions that may pose a potential hazard to the site, or that may be affected by on site development.

4. Suitability of site for proposed development from a geotechnical standpoint.
5. Specific recommendations for site preparation, foundation design and construction, slope stability, potential for slope sloughing and raveling, ground water, surface and subsurface drainage control, fill placement and compaction, retaining walls, and other design criteria necessary to mitigate geologic hazards.
6. Additional studies and supportive data shall include cross sections showing subsurface structure, graphic logs with subsurface exploration, results of laboratory tests and references, if deemed necessary by the engineer or geologist to establish whether an area to be affected by the proposed development is stable.
7. Signature and registration number of the engineer.
8. Additional information or analyses as necessary to evaluate the site.
9. Recommendations for inspections during construction by the geotechnical engineer.

B. Wildland-Urban Interface: Wildfire mitigation goals for each development shall be determined by the city prior to development, and shall be achieved using the applicable sections of the Kootenai County wildland-urban interface fire mitigation plan, 2000 urban-wildland interface code and National Fire Protection Association (NFPA) standards as guidelines. (Ord. 3160 §2, 2003: Ord. 3091 §5, 2003)

**17.08.920: GRADING AND EROSION CONTROL:**

Prior to development, grading and erosion control plans conforming to the following requirements shall be submitted and approved by the city. Erosion control measures conforming to best management practices (BMPs) approved by the city, or identified in the DEQ manual entitled "Catalog Of Storm-Water Best Management Practices For Idaho Cities And Counties", shall be required.

- A. Plans: All grading and erosion control plans shall include the following:
  1. Property boundaries.
  2. All existing natural and manmade features and facilities within twenty feet (20') of the area to be disturbed, including, but not limited to, streets, utilities, easements, topography, structures, and drainage channels.
  3. Existing and proposed finish contours of the areas to be disturbed, at two foot (2') vertical intervals. However, this requirement can be waived when the finished ground surface elevation does not vary by more than two feet (2') from the ground surface elevation prior to the proposed development.
  4. Location of all proposed improvements, including paving, structures, utilities, landscaped areas, flatwork, and storm water control facilities.
  5. Existing and proposed drainage patterns, including ridgelines and tributary drainage areas.
  6. Storm water control facilities, including invert elevations, slopes, length, cross sections, and sizes. Construction details shall be shown for grassed infiltration areas, and/or detention/retention facilities.
  7. Existing and proposed drainage easements.
  8. Details for temporary and permanent erosion control measures.
  9. Revegetation measures.

10. Plans shall be stamped and signed by a professional engineer or landscape architect, licensed in the state of Idaho. However, plans for public improvements shall be stamped and signed by a professional engineer licensed in the state of Idaho.

B. Review By Geotechnical Engineer: The project geotechnical engineer shall provide written proof of review and compliance to all grading plans. All grading shall conform to the most current adopted building code and the recommendations of the geotechnical engineer.

C. Installation Of Temporary Erosion Control: Temporary erosion control measures shall be installed and functional prior to start of any grading and/or land disturbing activity. They shall be maintained in a functional condition until the permanent measures are installed.

D. Retention In Natural State: All development shall retain an area or areas equal to twenty five percent (25%) of the total parcel plus the percentage figure of the average slope of the total parcel, in its natural state. Lands to be retained in a natural state shall be protected from damage through the use of temporary construction fencing or the functional equivalent.

For example, on a twenty-five thousand (25,000) square foot lot with an average slope of twenty nine percent (29%),  $25\% + 29\% = 54\%$  of the total lot area shall be retained in a natural state. In this example a maximum of eleven thousand five hundred (11,500) square feet could be disturbed. Also, see exhibit 17.08.940A of this chapter.

Lots less than twenty-five thousand (25,000) square feet, legally created prior to adoption of this article, shall be required to retain an area equal to fifty percent (50%) of the area calculated by the above formula. In the above example, on a lot created prior to this article, a twenty-four thousand nine hundred ninety-nine (24,999) square foot lot would need to leave twenty seven percent (27%) retained in the natural state. The area that could be disturbed would be a maximum of eighteen thousand two hundred forty-nine (18,249) square feet.

E. Grading: All cut slopes shall be constructed in such a manner so that sloughing or raveling is minimized. The maximum allowable vertical height of any cut or fill slope shall be thirty feet (30'). The maximum inclination of fill slopes shall be two to one (2:1) (horizontal to vertical). For public roadways, the maximum allowable vertical height for cut and fill slopes in combination shall be sixty feet (60').

F. Temporary Erosion Control For Slopes With Erodable Surface Materials: All slopes with erodable surface material shall be protected with erosion control netting, blankets, or functional equivalent. Netting or blankets shall only be used in conjunction with organic mulch such as straw or wood fiber. The blanket must be applied so that it is in complete contact with the soil so that erosion does not occur beneath it. Erosion netting or blankets shall be securely anchored to the slope in accordance with manufacturer's recommendations. Temporary slope erosion control measures shall be installed upon completion of slope grading if permanent erosion control measures are not completed at the same time.

G. Revegetation Requirements: All areas with erodable surface materials that are graded and not paved shall be revegetated. The vegetation used for these areas shall be native or similar species that will reduce the visual impact of the slope and provide long term slope stabilization. All revegetation measures shall be installed, inspected by the city, and approved prior to the issuance of a certificate of occupancy, or other time as determined by the city. Vegetation shall be installed in such a manner as to be substantially established within one year of installation.

H. Maintenance Of Erosion Control Measures: All measures installed for the purposes of long term erosion control, including, but not limited to, vegetative cover, rock walls, and landscaping, shall be maintained in perpetuity on all areas which have been disturbed, including public rights of way. The applicant shall indicate the mechanisms in place to ensure maintenance of these measures.



I. Security: After an erosion control plan for a building site is approved by the city and prior to issuance of a building permit, the applicant shall provide a performance bond or other security in the amount of one hundred fifty percent (150%) of the value of the erosion control measures shown on the approved plan. The city attorney shall approve all security. The financial guarantee instrument shall be in effect for a period of at least one year from the project completion date. All or a portion of the security retained by the city may be withheld for a period up to three (3) years beyond the one-year maintenance period if it has been determined by the city that the site has not been sufficiently stabilized against erosion.

J. Inspections And Final Report: Prior to the acceptance of a subdivision by the city or issuance of a certificate of occupancy for individual structures, the project geotechnical engineer shall provide a final report indicating that the project was constructed in accordance with their recommendations, and that all recommended inspections were conducted by the project geotechnical engineer.

K. Protecting Bare Soil During Development: All surfaces where bare soil is exposed during clearing and grading operations, including spoil piles, shall be covered or otherwise protected from erosion.

L. Construction Ways And Vehicles: Stabilized construction entrances and driveways shall be required for all construction sites to minimize sediment tracking onto roadways. Parking of vehicles shall be restricted to paved or stabilized areas. (Ord. 3160 §3, 2003: Ord. 3091 §6, 2003)

## A-2-21 ANNEXATION FINDINGS:

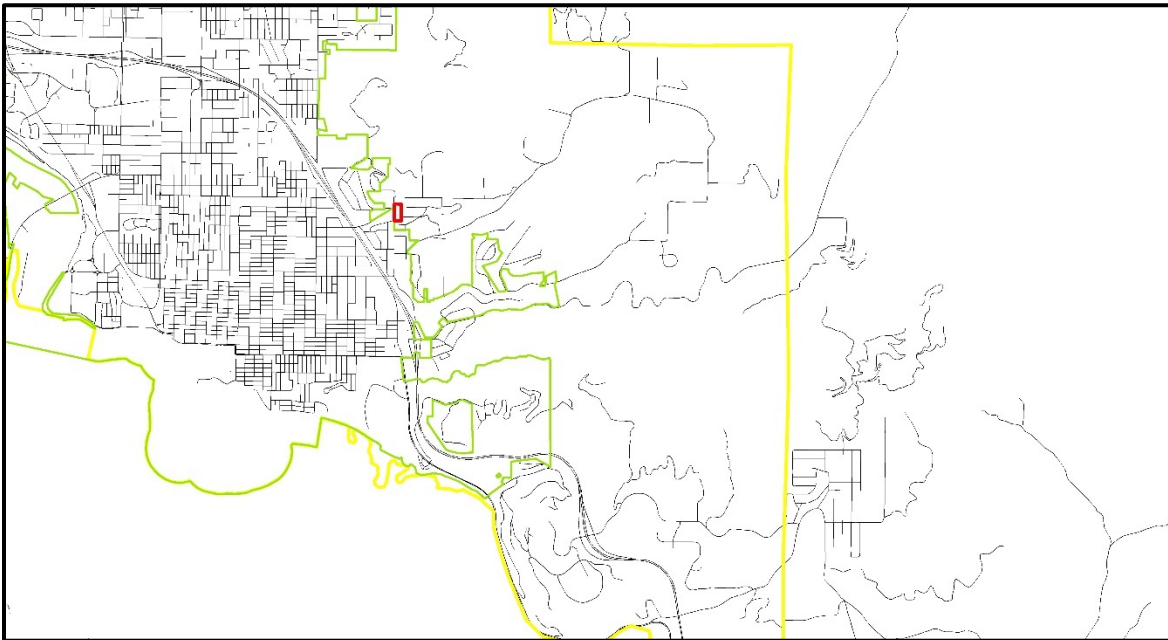
### REQUIRED FINDINGS FOR ANNEXATION:

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

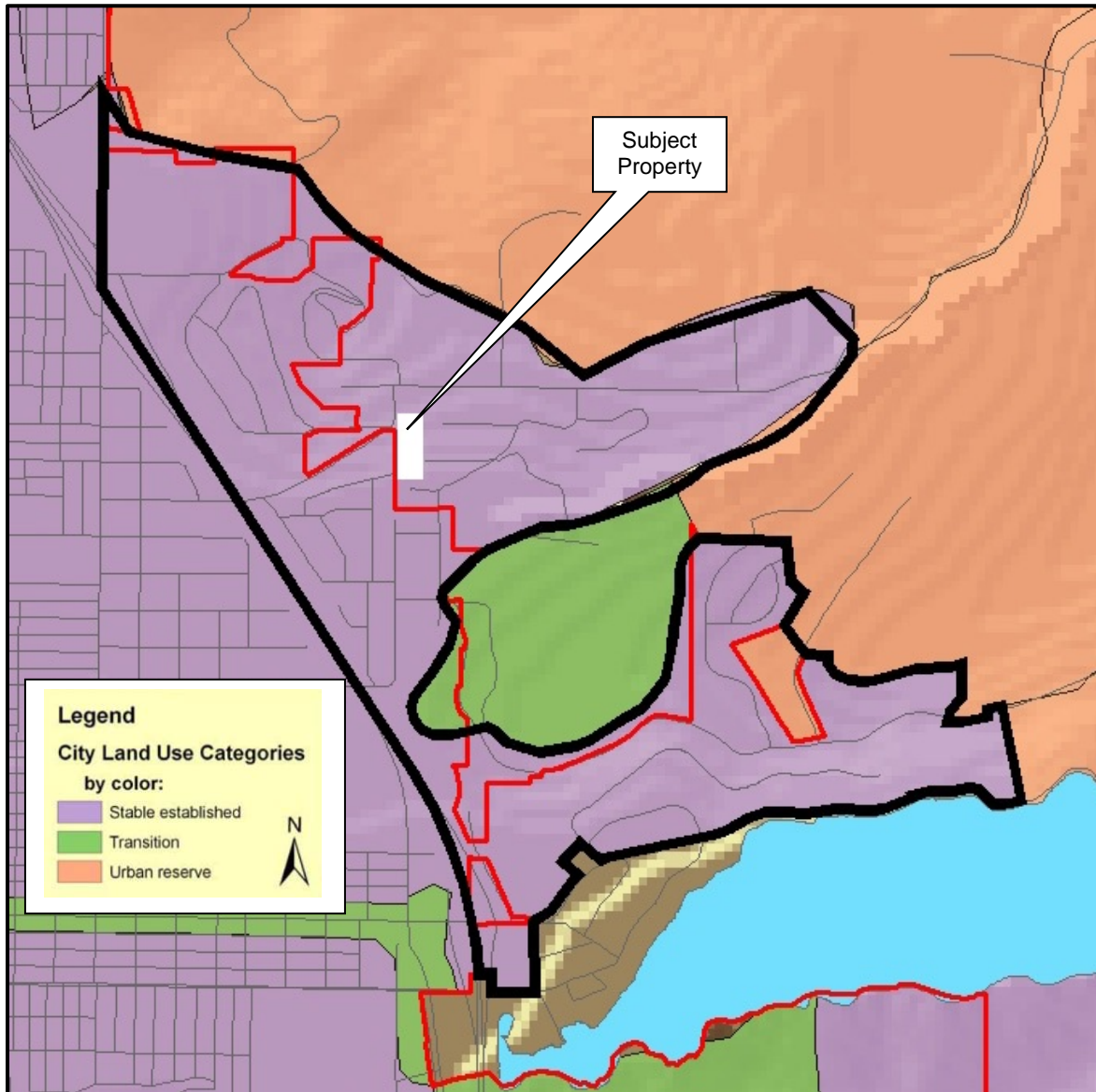
### 2007 COMPREHENSIVE PLAN LAND USE CATEGORY:

- The subject property is not within the existing city limits.
- The City's Comprehensive Plan designates this property within the Cherry Hill area.
- The subject site lies within the City's Area of City Impact (ACI)

### AREA OF CITY IMPACT MAP:



## COMPREHENSIVE PLAN MAP: Cherry Hill



### ***Stable Established:***

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

### **Cherry Hill Today:**

This area is actually comprised of two hillsides, Cherry/ Stanley Hill and Fernan Hill, as well as surrounding lands with less challenging slopes. Deer, elk, and bear frequent the area. These characteristics provide a very pleasant environment, but combined with clay soils, can provide development challenges.

The majority of this area is already inside city boundaries with the exception of the eastern part of the Cherry/Stanley Hill area.

Development in this area is typically single-family with densities ranging between one and three units per acre. Sewer is provided to all areas within city limits, but developments in unincorporated areas use septic tanks. Coeur d'Alene's Sewer Master Plan shows that sewer service can be provided to this area in the future.

Water is provided to most of the developed area by the city's water system, which was acquired by the city from the Idaho Water Company in the 1970s. A unique aspect of the water system in the Cherry/Stanley Hill area that has a major impact on the development of the area is that, although this area is served by the city water system, generally, new water hookups are not allowed unless the property is within city boundaries. The Coeur d'Alene Water Master Plan indicates that this area can be served with water, with the exception of those areas above elevation contour 2,240 feet (the maximum water service elevation for the city).

### **Cherry Hill Tomorrow:**

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

### **The characteristics of the Cherry Hill will be:**

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

### **SPECIAL AREAS: Hillside Landmarks (Policy & Methods)**

The City of Coeur d'Alene enjoys a rich topography of mountains, hills, rivers, streams, flatlands, and lakes. This terrain frames the setting where we live and recreate. Because some of this rich land surface is often fragile, and because so much of the city's ambiance depends on its health and stability, it must be preserved for the entire community.

The protection of hillsides is particularly important to the community because of their panoramic prominence.

Best Hill, Canfield Mountain, and Tubbs Hill are recognized as unique landmarks for the City of Coeur d'Alene and its neighbors. Lakeview Hill, Blackwell Hill and the slopes above Fernan Lake within our planning area also contribute to the setting and help define our physical image.

**Policy:**

- We will protect the natural ecology and visual beauty of all hillsides.

**Methods:**

- Monitor the health and beauty of the city's hillsides to ensure that the Hillside Ordinance is sufficient to maintain our environmental and aesthetic goals.
- Encourage development that works in a cooperative effort to accomplish these public goals
- Work with land owners, citizens' groups, and governmental agencies to acquire additional lands or development rights for use as a city park or open space (also see Parks and Open Space Plan).
- Work with land owners, citizens' groups, and governmental agencies to establish and maintain trails linking the city property to the established US Forest Service recreational trail system.
- Encourage jurisdictions with control of hillside landmarks outside of our Area of City Impact (ACI) to protect the mountains' visual quality.

**2007 Comprehensive Plan Goals and Objectives that apply:**

**Objective 1.05 - Vistas:**

Protect key vistas and view corridors of the hillsides and 2waterfronts that make Coeur d'Alene unique.

**Objective 1.06 - Urban Forests:**

Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.

**Objective 1.08 – Forests and Natural Habitats:**

Preserve native tree cover and natural vegetative cover as the city's dominant characteristic.

**Objective 1.10 – Hillside Protection:**

Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

**Objective 1.11 - Community Design:**

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

**Objective 1.12 - Community Design:**

Support the enhancement of existing urbanized areas and discourage sprawl.

**Objective 1.13 – Open Space:**

Encourage all participant to make open space a priority with evert development and annexation.

**Objective 1.14 - Efficiency:**

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

**Objective 1.15 – Natural Terrain:**

Whenever possible, the natural terrain, drainage, and vegetation should be preserved with superior example featured within parks and open space.

**Objective 1.17 – Hazardous Areas:**

Areas susceptible to hazardous conditions (e.g. flooding, landslides, earthquakes, etc.) should be left in a natural state unless impacts are mitigated.

**Objective 3.01 - Managed Growth:**

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

**Objective 3.05 - Neighborhoods:**

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

**Objective 3.08 - Housing:**

Design new housing areas to meet the needs for quality neighborhoods for all income and family status categories.

**Objective 3.10 - Affordable & Workforce Housing:**

Support efforts to preserve and provide affordable and workforce housing.

**Objective 3.16 - Capital Improvements:**

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

**Objective 4.01 City Services:**

Make decisions based on the needs and desires of the citizenry.

**Objective 4.02 - City Services:**

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

**Objective 4.06 - Public Participation:**

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

***Evaluation:*** *The Planning Commission will need to 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 #B9: That public facilities and utilities (are) (are not) available and adequate for the proposed use.**

**STORMWATER:**

Stormwater will be addressed as the area proposed for annexation develops. All stormwater must be contained on-site. With this being in a hillside area, stormwater management will be more challenging, both during construction and post-construction. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction.

**STREETS:**

The subject site is currently undeveloped aside from one existing residence. The site has frontage on Lilly Drive, both to the west and the east. This City does not wish to connect Lilly Drive through this property, so driveway approaches will need to be created at each terminus. The property also has frontage on Stanley Hill Road. No improvements will be required for Stanley Hill Road. Any necessary improvements to the Lilly Drive frontage would be addressed during future construction. The Streets and Engineering Department has no objection to this annexation request.

*-Submitted by Chris Bosley, City Engineer*

**WATER**

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed annexation. There is an existing 6" main in E Lilly Drive.

*-Submitted by Kyle Marine, Assistant Water Superintendent*

**SEWER:**

The nearest public sanitary sewer is located on Lily Drive to the west of subject property. At no cost to the City, a public sewer extension conforming to City Standards and Policies will be required prior issuance of any building permits. The Subject Property is within the City of Coeur d'Alene Area of City Impact (ACI) and in accordance with the 2013 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this annexation request as proposed.

*-Submitted by Larry Parsons, Utility Project Manager*

**FIRE:**

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

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The CD'A FD can address all concerns at site and building permit submittals with the corrections to the below conditions.

*-Submitted by Bobby Gonder, Fire Inspector / MIAAI – CFI*

**Evaluation:** *The Planning Commission will need to determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

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

**PHYSICAL CHARACTERISTICS:**

The site slopes to the south and there is an approximately a one hundred and twenty-foot drop in elevation on the subject property (See topography map on page 17). Site photos are provided on the next few pages showing the existing conditions.

The subject property would be annexed into the city under the city's Hillside Regulations with potential development requiring average lot slope for determination of validity. The site is currently densely treed.

**TOPOGRAPHIC MAP:**





**SITE PHOTO - 1:** View from the north part of property looking south toward existing dwelling



**SITE PHOTO - 2:** View from Lilly Drive on the west side of subject site looking east



**SITE PHOTO - 3:** View from the center of property looking southwest



**SITE PHOTO - 4:** View from Lilly Drive on the east side of subject site looking west



**SITE PHOTO - 5:** View from the center of property looking north



**Evaluation:** *The Planning Commission will need to determine, based on the information before them, whether or not the physical characteristics of the site make it suitable for the request at this time.*

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

**TRAFFIC:**

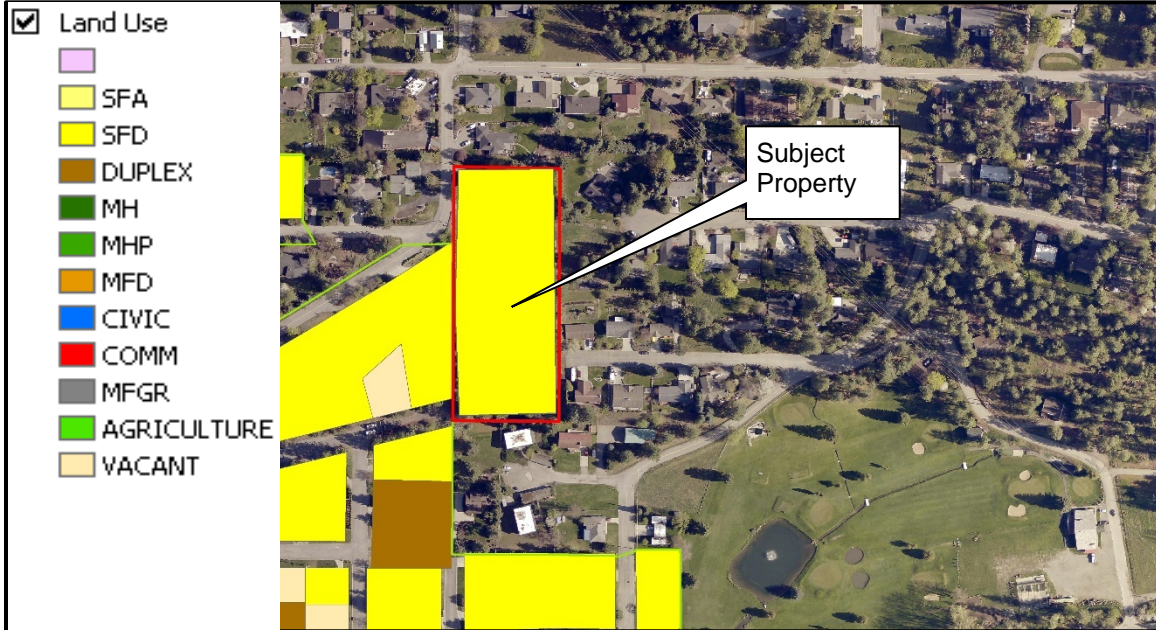
The proposed annexation itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from an annexation alone. The Streets & Engineering Department has no objection to the annexation as proposed.

*-Submitted by Chris Bosley, City Engineer*

**NEIGHBORHOOD CHARACTER:**

See the “Cherry Hill Today” descriptions from the 2007 Comprehensive Plan listed in finding #B8 as well as the photos of subject property. The surrounding properties to the north, east, south, and west have residential uses located on them.

**GENERALIZED LAND USE PATTERN:**



**Evaluation:** *The Planning Commission will need to determine, based on the information before them, whether or not the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and)/(or) existing land uses.*

## **PUD-2-21: PLANNED UNIT DEVELOPMENT FINDINGS:**

### **17.07.230: PLANNED UNIT DEVELOPMENT REVIEW CRITERIA:**

A planned unit development may be approved only if the proposal conforms to the following criteria, to the satisfaction of the commission:

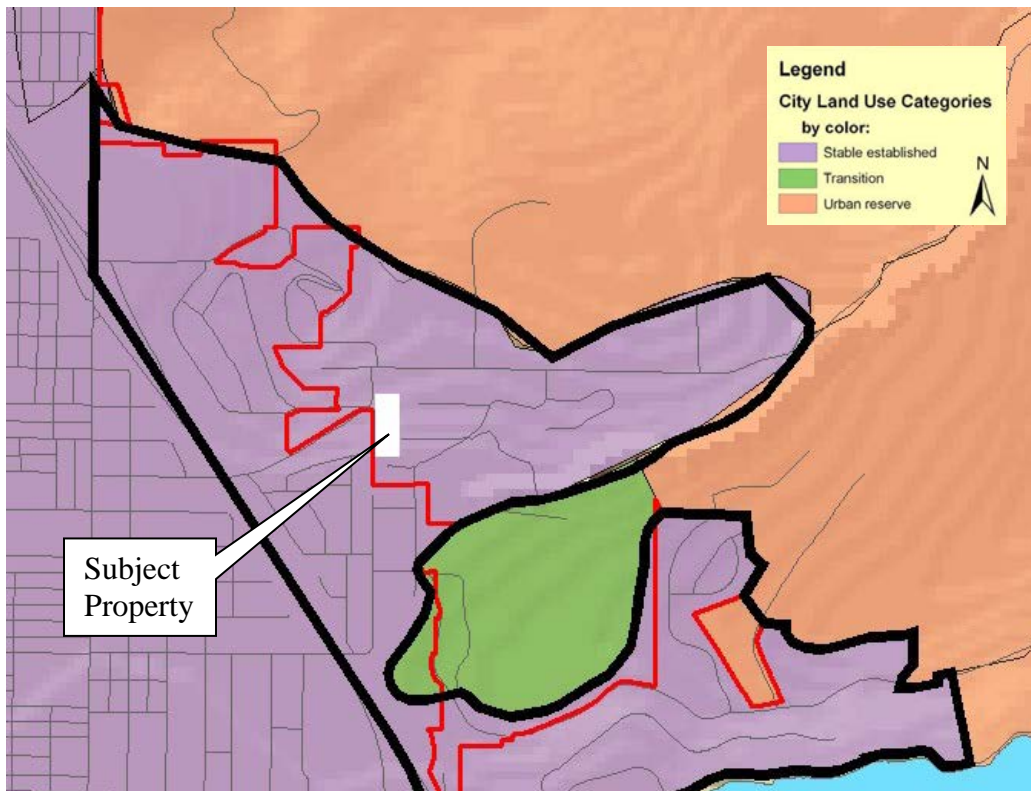
### **REQUIRED FINDINGS (PUD):**

**Finding #B8A:**            **The proposal (is) (is not) in conformance with the Comprehensive Plan.**

### **2007 COMPREHENSIVE PLAN- LAND USE CATEGORIES:**

- The subject property is not within the existing city limits.
- The City's Comprehensive Plan designates this property within the Cherry Hill area.
- The subject site lies within the City's Area of City Impact (ACI)

### **2007 COMPREHENSIVE PLAN MAP: CHERRY HILL**



**Stable Established:**

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

**Cherry Hill Today:**

This area is actually comprised of two hillsides, Cherry/ Stanley Hill and Fernan Hill, as well as surrounding lands with less challenging slopes. Deer, elk, and bear frequent the area. These characteristics provide a very pleasant environment, but combined with clay soils, can provide development challenges.

The majority of this area is already inside city boundaries with the exception of the eastern part of the Cherry/Stanley Hill area.

Development in this area is typically single-family with densities ranging between one and three units per acre. Sewer is provided to all areas within city limits, but developments in unincorporated areas use septic tanks. Coeur d'Alene's Sewer Master Plan shows that sewer service can be provided to this area in the future.

Water is provided to most of the developed area by the city's water system, which was acquired by the city from the Idaho Water Company in the 1970s. A unique aspect of the water system in the Cherry/Stanley Hill area that has a major impact on the development of the area is that, although this area is served by the city water system, generally, new water hookups are not allowed unless the property is within city boundaries. The Coeur d'Alene Water Master Plan indicates that this area can be served with water, with the exception of those areas above elevation contour 2,240 feet (the maximum water service elevation for the city).

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**SPECIAL AREAS: Hillside Landmarks (Policy & Methods)**

The City of Coeur d'Alene enjoys a rich topography of mountains, hills, rivers, streams, flatlands, and lakes. This terrain frames the setting where we live and recreate. Because some of this rich land surface is often fragile, and because so much of the city's ambiance depends on its health and stability, it must be preserved for the entire community.

The protection of hillsides is particularly important to the community because of their panoramic prominence.

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**Policy:**

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**Methods:**

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- Work with land owners, citizens' groups, and governmental agencies to acquire additional lands or development rights for use as a city park or open space (also see Parks and Open Space Plan).
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- Encourage jurisdictions with control of hillside landmarks outside of our Area of City Impact (ACI) to protect the mountains' visual quality.

**2007 Comprehensive Plan Goals and Objectives that apply:**

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**Objective 1.08 – Forests and Natural Habitats:**

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**Objective 1.10 – Hillside Protection:**

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**Objective 1.11 - Community Design:**

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**Objective 1.12 - Community Design:**

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**Objective 1.14 - Efficiency:**

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Whenever possible, the natural terrain, drainage, and vegetation should be preserved with superior example featured within parks and open space.

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Support efforts to preserve and provide affordable and workforce housing.

**Objective 3.16 - Capital Improvements:**

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

**Objective 4.01 City Services:**

Make decisions based on the needs and desires of the citizenry.

**Objective 4.02 - City Services:**

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

**Objective 4.06 - Public Participation:**

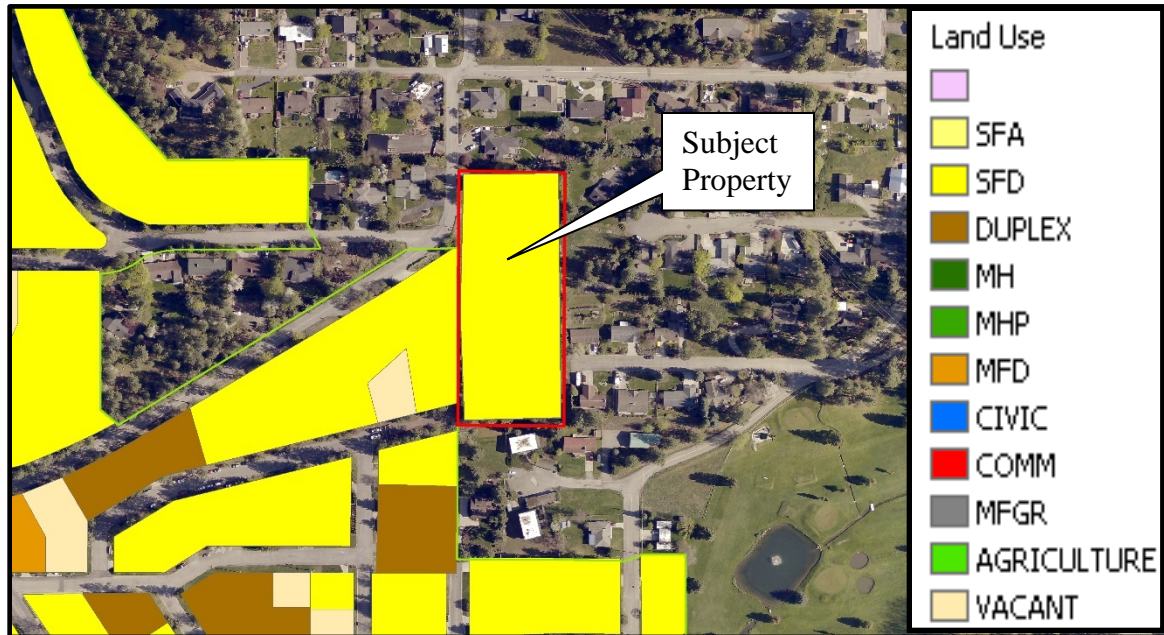
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision-making process.

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





**GENERALIZED LAND USE MAP:**



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

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

The subject is located on a hill side and has slopes greater the 20 percent. The Hillside Overlay requires the that the development must retain a calculated portion in a natural state. Below is the code section of the Hillside Overlay requiring retention in the Natural state.

Retention In Natural State:

All development shall retain an area or areas equal to twenty five percent (25%) of the total parcel plus the percentage figure of the average slope of the total parcel, in its natural state. Lands to be retained in a natural state shall be protected from damage through the use of temporary construction fencing or the functional equivalent.

For example, on a twenty-five thousand (25,000) square foot lot with an average slope of twenty nine percent (29%),  $25\% + 29\% = 54\%$  of the total lot area shall be retained in a natural state. In this example a maximum of eleven thousand five hundred (11,500) square feet could be disturbed.

No building elevations are being proposed by the applicant. Below is an excerpt from the applicant's narrative in regards to the proposed development.

*The owners will not be building on the lots but selling them for development, so it is not possible to submit an architectural plan with the PUD. However, it's reasonable to expect that the structures will be one to two story, typical residential architecture, possibly with daylight basements. In addition, the hillside overlay zone has specific requirements for building location and design that apply to roof material, foundations, architectural features, and color.*

It is unclear how the proposed development associated with the requested annexation, PUD and subdivision (if approved) would comply with the Hillside Ordinance due to the steep slope across the entire property, the need to disturb the property to install wastewater infrastructure, the need to disturb the property to install the common driveway, and disturbance required for the building sites.

The applicant will need to demonstrate to the Planning Commission how this finding can be met.

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

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

See staff comments which can be found in finding #B7B (Subdivision: pages 32-33).

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

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

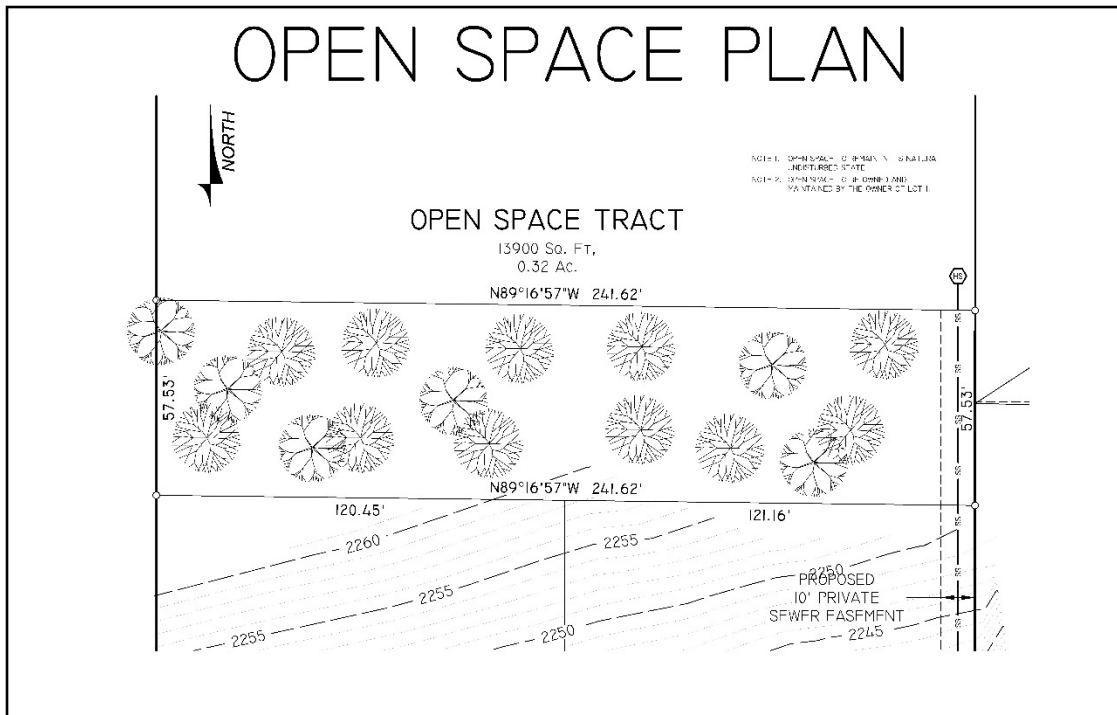
The applicant is proposing 10 percent (10%) open space. The applicant has indicated that the open space will be one large area that will remain in its natural state and is intended as a buffer. Below is and excerpt from the applicant's narrative in regards to the proposed open space.

*We are proposing an open space area of 13,900 sf which will slightly exceed the required 13,855 sf. The open space is intended as a buffer and to preserve the natural hillside environment. The tract will be owned and maintained by the owner of Lot 1.*

It is unclear how the open space plan will be accessible to all users as proposed. The two southern lots do not provide physical or legal access to get to the proposed open space.

The applicant will need to demonstrate to the Planning Commission how this finding is met.

#### OPEN SPACE – SITE PLAN MAP:



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

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

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

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the proposal provides adequate private common open space area, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.*

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

There was no request made to change the City's off-street parking requirements through the PUD process. Single family homes would be required to provide two (2) off-street paved parking spaces per unit, which is consistent with code requirements for single-family residential.

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

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

From the applicant's narrative:

*The common driveway will be placed in a tract commonly owned by Lots 2, 3, and 5. A road maintenance agreement for the common driveway and stormwater facilities will be recorded with the final plat.*

As noted above, the open space tract will be owned and maintained by the owner of Lot 1.

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

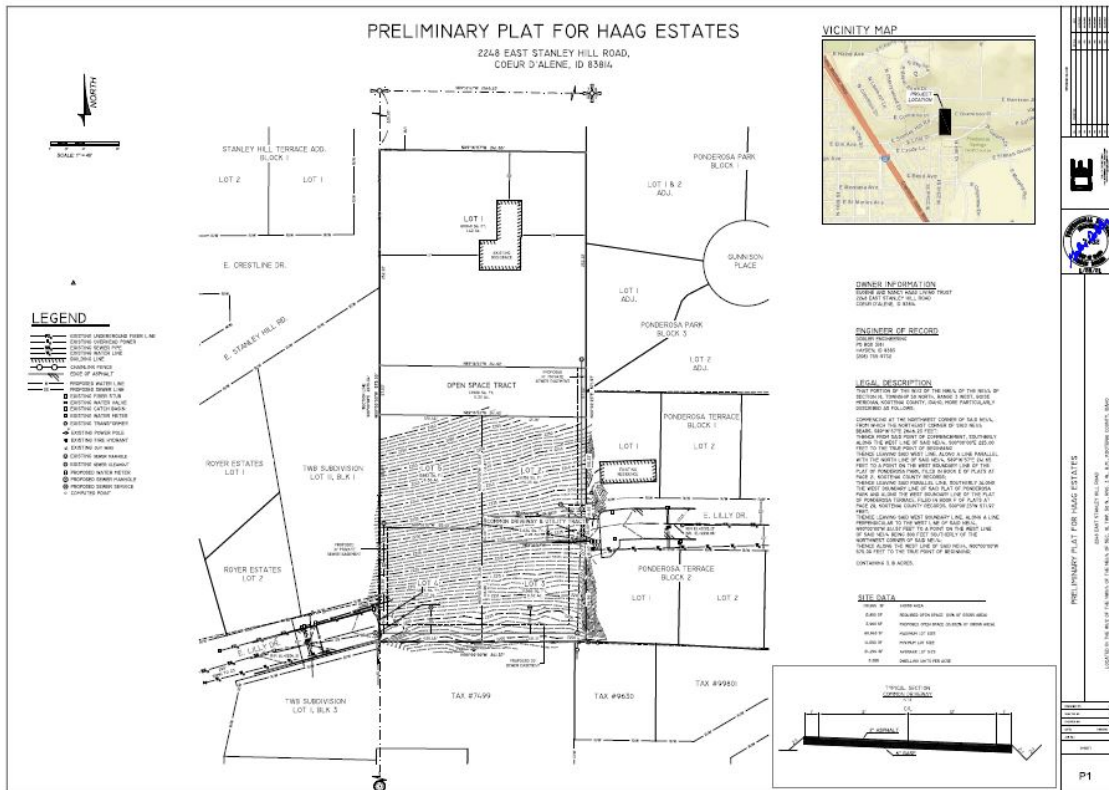
# S-2-21 SUBDIVISION FINDINGS:

REQUIRED FINDINGS (Subdivision):

**Finding #B7A:** That all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer.

Per Chris Bosley, City Engineer, the preliminary plans submitted contains all of the general preliminary plat elements required by the Municipal Code.

## PRELIMINARY PLAT FOR "HAAG ESTATES":



**Evaluation:** The Planning Commission must determine, based on the information before them, whether or not all of the general preliminary plat requirements have been met as attested to by the City Engineer.

**Finding #B7B:** That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities (are) (are not) adequate.

**STORMWATER:**

Stormwater will be addressed as the area proposed for annexation develops. All stormwater must be contained on-site. With this being in a hillside area, stormwater management will be more challenging, both during construction and post-construction. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction.

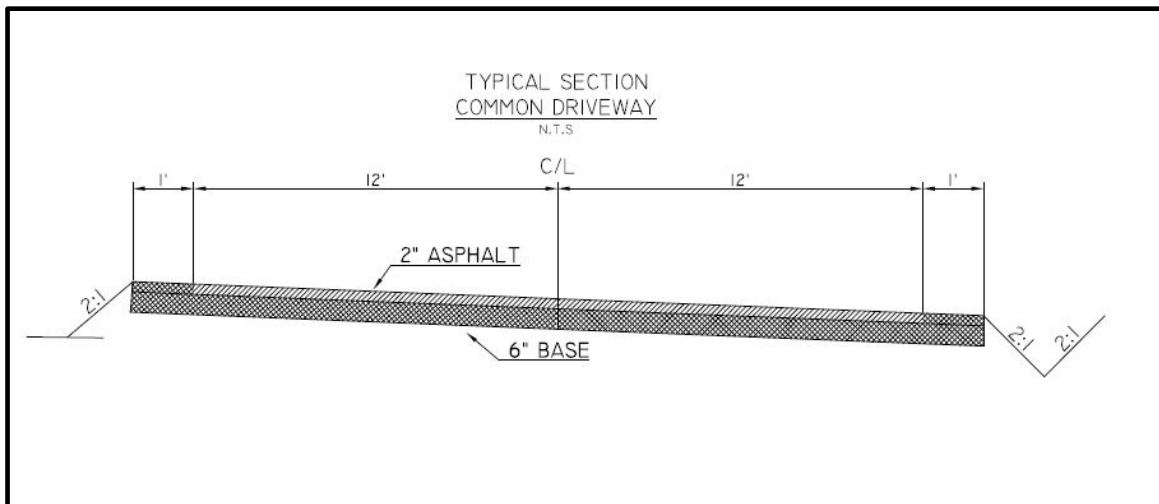
*-Submitted by Chris Bosley, City Engineer*

**STREETS:**

The subject site is currently undeveloped. The site has frontage on Lilly Drive, both to the west and the east. This City does not wish to connect Lilly Drive through this property, so driveway approaches will need to be created at each terminus. The property also has frontage on Stanley Hill Road. No improvements will be required for Stanley Hill Road. Any necessary improvements to the Lilly Drive frontage would be addressed during future construction. The Streets and Engineering Department has no objection to this annexation request.

*-Submitted by Chris Bosley, City Engineer*

**Common Driveway Typical Section:**



**TRAFFIC:**

As noted above, the subject property is bordered primarily by Lilly Drive, which is a local residential street. Since the property access for these lots will be to either Lilly Drive to the west or east or to Stanley Hill Road to the north, traffic will be dispersed. Traffic from this proposed development is estimated to provide a very minimal increase in peak hour trips to any of these streets. The Streets & Engineering Department has no objection to the subdivision plat and planned unit development as proposed.

*-Submitted by Chris Bosley, City Engineer*

**WATER:**

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed annexation. There is an existing 6" main in E Lilly Drive.

*-Submitted by Kyle Marine, Assistant Water Superintendent*

**WASTEWATER:**

1. In accordance with the 2013 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this Subdivision request, as proposed.
2. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.
3. The 2013 Sewer Master Plan (SMP) requires this property to connect to the existing public sewer located in Lily Drive on west side of property.
4. Sewer Policy #719 requires a 20' wide utility easement (30' if shared with Public Water) to be dedicated to the City for all public sewers.
5. Sewer Policy #719 requires an unobstructed "All-Weather" surface permitting O&M access to the public sewer.
6. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
7. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.

*-Submitted by Larry Parsons, Utility Project Manager*

**FIRE:**

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

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The CD'A FD can address all concerns at site and building permit submittals with the corrections to the below conditions.

*-Submitted by Bobby Gonder, Fire Inspector / MIAAI – CFI*



**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

**Finding #B7C:** **That the proposed preliminary plat (does) (does not) comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.**

Per engineering review, for the purposes of the preliminary plans, both subdivision design standards (Chapter 16.15) and improvement standards (Chapter 16.40) have been vetted for compliance.

*-Submitted by Chris Bosley, City Engineer*

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether the proposed preliminary plat does or does not comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

**Finding #B7D:** **The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.**

The R-3 Zoning District requires that each lot have a minimum of 11,500 square feet. The proposed lots area ranges from 14,000SF to 16,000SF. The applicant has requested the street frontage requirement through the PUD process. The subject property is 3.19 acres (139,130 sq. ft.) and would allow a maximum of 12 units.

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the lots proposed in the preliminary plat do or do not meet the requirements of the applicable zoning district*

**ORDINANCES & STANDARDS USED FOR EVALUATION:**

2007 Comprehensive Plan  
Transportation Plan  
Municipal Code  
Idaho Code  
Wastewater Treatment Facility Plan  
Water and Sewer Service Policies  
Urban Forestry Standards  
Transportation and Traffic Engineering Handbook, I.T.E.  
Manual on Uniform Traffic Control Devices  
2018 Coeur d'Alene Trails Master Plan

**RECOMMENDATIONS FOR ITEMS TO INCLUDE ANNEXATION AGREEMENT  
AND  
PUD AND SUBDIVISION CONDITIONS:**

1. The applicant will be required to record on the final plat that Lot One is responsible for the perpetual maintenance of the open space tract and provide functional and legal access for all users of the development.
2. The applicant will be required to record on the final plat and provide the City with a copy of the road maintenance agreement for the common driveway serving Lots 2, 3, and 5.
3. Maximum grade for FD access is 8%.
4. Maximum width for FD access is 20 feet or 26 feet where there is a hydrant or ladder truck placement/use.
5. Dead-end FD access over 150 feet requires an approved turn-around.
6. This project will require the extension of public sewer "To and Through" this annexation as proposed.
7. An extension of a City approved public sanitary sewer "to and through" the subject property and conforming to City Standards and Policies shall be required prior to building permits.
8. A utility easement for the public sewer shall be dedicated to the City prior to building permits.
9. An unobstructed City approved "all-weather" access shall be required over all public sewers.
10. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
11. This PUD shall be required to comply with the City's One Lot-One Lateral Rule.
12. All public sewer plans require IDEQ or QLPE Approval prior to construction.
13. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.

14. Any additional service will have cap fees due at building permitting.
15. Prior to approval of the final development plan for the PUD and the subdivision improvement plans, whichever comes first, the owner shall provide documentation to the Planning Department showing for each of the four new lots: the size, slope, and disturbance associated with the subdivision improvements. This condition is required to show the developable calculation of each lot per the Hillside Ordinance in order to ensure that the platted lots will allow for viable home sites.
16. No site development permits shall be applied for or issued before the above condition has been met.

**ACTION ALTERNATIVES:**

Planning Commission will need to consider this request for zoning prior to annexation and make separate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

Attachments:

1-Applicant's Narrative

A decorative border consisting of a grid of purple diamonds in various shades, surrounding a central light purple rectangular area.

**APPLICANT'S  
NARRATIVE**



DOBLER ENGINEERING

**ANNEXATION / SUBDIVISION / PUD  
NARRATIVE  
FOR  
Haag Estates  
2248 E Stanley Hill Rd**

**PROJECT DESCRIPTION**

Dobler Engineering is requesting the annexation / subdivision / PUD of the subject parcel into the City of Coeur d'Alene. The parcel is approximately 3.19 acres, located on Stanley Hill approximately 1500' east of the I-90 under. The parcel is currently zoned Agricultural Suburban, and the existing land use is residential, with a single family residence located on the site. The parcel is located within the Area of City Impact.

The property abuts Stanley Hill Rd on the north, where the access to the residence is located, and Lilly Dr abuts both the east and west sides on the southern portion of the property. The northerly portion of the property is landscaped, and the southern portion is natural vegetation consisting of mature pine and fir trees. The southern portion of the site, where development is proposed, slopes down to the south with grades in the range of 20% to 25%.

The proposal is to annex the property into the city and subdivide it into 5 estate lots and an open space tract. The northerly lot will contain the existing residence and the four southerly lots will be developed for single family residential use. The four lots to be developed will range in size from about 14,000 sf to just under 16,000 sf and the remaining lot containing the existing residence will be approximately 1.40 acres. Three of the lots will be accessed from a common driveway connecting to Lilly Dr on the east side of the property and a fourth lot will access Lilly Dr on the west. The remaining lot containing the existing residence will continue to access Stanley Hill Rd.

We are requesting a PUD in order to allow deviations from the requirement to have all lots front on public streets and the requirement for 75' of frontage in the R-3 zone. Lot 5 will not have any frontage on a public street, and lots 2, 3, and 4 will have less than the required 75'.

**ANNEXATION**

We are requesting annexation with a zoning of R-3 for the entire property. The current zoning in the county is Agricultural Suburban and the surrounding zoning is the same for the abutting property in the county and R-3 for the abutting property in the City. The surrounding existing



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land use is single family with the majority of lot size in  $\frac{1}{4}$  acre in size. The proposed lots are over  $\frac{1}{3}$  acre in size.

## **COMPREHENSIVE PLAN**

This request provides for the orderly and efficient expansion of the City of Coeur d'Alene that will be a benefit to the community. The property is currently within the ACI and served by city roads and emergency services. Annexation into the City would be more efficient in terms of providing public services such as police, fire, sewer, etc. and would facilitate the orderly expansion and growth management. Annexation is consistent with other relevant goals of the Comprehensive Plan as summarized below.

### **Natural Environment**

**Goal:** *Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d'Alene*

**Objective 1.08, Forests and Natural Habitats:** *Preserve native tree cover and natural vegetative cover as the City's dominant characteristic.*

**Objective 1.10, Hillside Protection:** *Protect the natural and topographic character, identity, and aesthetic quality of hillsides.*

**Objective 1.14, Efficiency:** *Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.*

Development of his property will retain much of the natural environment through the requirements of the Hillside Ordinance. There are many mature pine trees and fir trees that enhance the beauty of the property as well as provide a buffer to the adjacent neighborhood. In addition, incorporating a private driveway for access to 3 of the lots instead of extending Lilly Dr minimizes the necessary infrastructure and reduces the impacts.

### **Home Environment**

**Goal:** *Our Comprehensive Plan preserves the qualities that make Coeur d'Alene a great place to live.*

**Objective 3.05, Neighborhoods:** *Protect and preserve existing neighborhoods from incompatible land uses and developments.*

The proposed project is compatible with the surrounding residential zoning and land use. It will preserve the character of the surrounding neighborhood and environment.

### **Special Areas- Hillside**

**Policy:** *We will protect the natural ecology and visual beauty of all hillsides*

The proposal works in concert with the Hillside ordinance to preserve the natural beauty of the area. The use of a smaller private driveway versus extending a city street reduces



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impacts. The proposed PUD creates a significant open space area that provides additional protection and preservation of the natural hillside beauty while serving as a buffer and passive use area.

## **SUBDIVISION**

We are requesting approval of a 5-lot subdivision as shown on the preliminary plat. The proposal makes provision for the extension of utilities, access, drainage, and fire protection. The proposed facilities meet or exceed the design standards set forth in the code. All lots meet or exceed the minimum size for the R-3 zone and deviations are being requested through the PUD process where the proposal varies from these standards.

### **Water**

The proposed subdivision will be served by City water. Services will be extended to each lot from existing water mains in Lilly Dr. Extension of the water main through the site is not required because adequate looping is provided off-site. Fire flows in the existing mains are adequate to serve the project and there is an existing fire hydrant on Lilly Dr abutting the east side of the property.

### **Sewer**

City Sewer will be extended from Lilly Dr on the west, through the property to the east. Services are provided to all the lots including the existing residence. Two of the sewer services cross intervening lots and easements for them will be dedicated on the plat.

### **Access**

Access to the existing residential lot 1 will continue as it currently exists from Stanley Hill Rd. Access to the Proposed lot 4 will be from Lilly drive on the west. Access to lots 2, 3, and 5 will be from a common driveway connecting to Lilly Dr on the east side of the property. Design of the driveway will meet the requirements of city code and the current fire code. Drainage for the driveway will be accommodated by a stormwater treatment swale and drywell within the common driveway tract. The proposed common driveway will meet the standards set forth in section 17.44.280

### **Topography**

The development will conform to the requirements of the Hillside ordinance. The area of disturbance for the subdivision is limited to the construction of the common driveway, extension of the sewer, and individual lot services.

## **PLANNED UNIT DEVELOPMENT**

The proposal will require deviations from the following standard.

- ❖ Lots fronting on public streets, and
- ❖ Lot frontage length



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Section 16.15.160 requires all lots to have frontage on public streets. We are proposing that lot 5 not front a city street but instead be accessed solely by a common driveway. The required frontage in the R-3 zone is 75'. Lot 4 will have about 54' of frontage on Lilly Dr, where it will take access from. Lots 2 and 3 will have about 30' of frontage on Lilly Dr but will be accessed internally from the private driveway. The remaining Lot 1 will meet the requirement.

The common driveway will be placed in a tract commonly owned by Lots 2, 3, and 5. A road maintenance agreement for the common driveway and stormwater facilities will be recorded with the final plat.

We are proposing an open space area of 13,900 sf which will slightly exceed the required 13,855 sf. The open space is intended as a buffer and to preserve the natural hillside environment. The tract will be owned and maintained by the owner of Lot 1.

## **CONCLUSION**

Based on the evaluation outlined above, the annexation and subdivision of this property as proposed is in keeping with the goals and policies of the Comprehensive plan, it would provide for orderly and efficient expansion of the City, it would preserve the character of the existing neighborhood and the natural beauty and environment of the hillside. For this reason, and those outlined above, we respectfully request approval of the annexation, subdivision, and planned unit development.





# **PUBLIC COMMENTS**



## STUHMILLER, SHANA

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**From:** Suzan Rheault <yakersuz@gmail.com>  
**Sent:** Monday, March 01, 2021 5:38 PM  
**To:** PlanningDiv; shanna@cdaid.org  
**Subject:** Eugene and Nancy Haag request for annexation to City R-3

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am a neighbor that lives at 2514 Lilly Drive, nearby the parcel of land proposed for city annexation. I am strongly opposed to this change from County Agricultural suburban to the City R-3. I am confused as to why this request was allowed, since it was already denied 15 years ago. Many of the same circumstances still exist.

According to the Kootenai County's Comprehensive Plan, the goal is to protect the public's health, safety, the general welfare and natural resources. If this zoning is changed the neighborhood's character would certainly change and have a negative impact. No longer would our neighborhood be a quiet street with rural character. I moved to the area for the location which provided a quiet lifestyle, but not too far from the city for errands and essentials. My home on Lilly Drive is on a cul de sac with minimal traffic. If this zoning change occurs, it is likely going to place a through street with increased traffic of vehicles. The quiet would be gone along with any wildlife that frequent the area. My safety and welfare will both be jeopardized due to the traffic and inability to safely walk on my street due to lack of sidewalks. The nearby intersection of Lilly and Hill drive has poor visibility, and it would be unwise to increase the number of vehicles using this unsafe intersection. Lastly, the property value will decline for all the homes in the area because this will no longer be a peaceful and relaxing environment that people desire.

Thank you for taking my comments,

Suzan Rheault  
Judy Hughes

## STUHMILLER, SHANA

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**From:** Armand & Barbara <gagne.barbara@yahoo.com>  
**Sent:** Sunday, February 28, 2021 3:53 PM  
**To:** STUHMILLER, SHANA  
**Subject:** Haag Estates PUD

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

We, as residents near the proposed Haag Estates PUD, oppose the proposal of the Planning Commission regarding this matter. We oppose any development of these woods. We oppose any roads being constructed to join the two sections of Lilly Drive. We oppose any new development of homes in these woods. We prefer that this street and this area be forever undisturbed and that the natural beauty be preserved. We further prefer that this undeveloped area be kept as a sanctuary for the deer, owls, turkeys and other wildlife indigenous to this area.

Armand & Barbara Gagne'  
2509 E Lilly Drive  
Coeur d'Alene, Idaho 83814

*Armand & Barbara Gagne'*  
*God Bless the United States of America*  
*One Nation, Under God*  
*Live - Laugh - Love*

## STUHMILLER, SHANA

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**From:** Donna <jandrung@roadrunner.com>  
**Sent:** Sunday, February 21, 2021 8:05 PM  
**To:** STUHMILLER, SHANA  
**Cc:** Donna  
**Subject:** RE: request from Haag Estates to annex into city

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Comment from Jim and Donna Runge re: request to annex Haag property into city

We feel there is not enough information provided to us in the "invite for participation" to be able to approve of annexing of this property. Therefore, **we vote against the annexation.**

The information we received seems incomplete and leaves too many questions unanswered: 1). Road access (Stanley Hill Road is dangerous where their driveway connects as it is on the sharp curve of the road). 2). What type of development. 3) Do the property owners who are in the county have any right to decline or approve the development once it is in the city

## STUHMILLER, SHANA

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**From:** Peggy Harris <pegorarose@yahoo.com>  
**Sent:** Wednesday, March 3, 2021 9:05 AM  
**To:** PlanningDiv  
**Subject:** Government Way CDA Hotel LLC

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Members of the Committee:

Early in 2020 I attended a meeting held by the planning department to discuss a hotel complex to be constructed on the old Wild Waters property. The concern I had, as a resident of Homestead Ave - the residential street directly across from the only access point to the property - was the added traffic congestion a hotel would add to that intersection on Government Way. Hotel visitors will be unfamiliar with our city's layout and likely will use Government Way as their main artery through the city. The only saving grace to this concern was that the hotel probably would not be at full capacity at all times and therefore the number of cars in and out of the grounds would vary. This was a small saving grace.

Now that LLC wishes to change the zoning from C17 to R34 in order to build a 232 unit apartment multiplex. Whereas the hotel plans were challenging enough to the local traffic issues, an apartment complex will increase the vehicle occupancy to at least 232 and more probably closer to 300 cars permanently residing on the property.

The traffic congestion this proposal will create will be overwhelming. Once the residents realize Homestead Ave, the street directly opposite the only egress, is another avenue of departure, our quiet residential street may become as busy as Government Way. This is intolerable and I protest most vehemently.

Please seriously consider the damage this proposal will do to the existing residential neighborhood.

Peggy Harris/S. Bruce Fitzmaurice  
100 E Homestead Ave  
CDA

Don Caine  
101 E Homestead Ave  
CDA

Jason/Tina Arneson  
114 E Homestead Ave  
CDA

Joe/Diana Guild  
2212 N 1st St  
CDA

Bob/Cathy Wilson/George Guild  
2213 N 1st St  
CDA

Teri/George Cunningham  
2217 N 1st St  
CDA

My name is Jeff Daily and I am the homeowner of the single family residence built in 2018 on the corner of 9<sup>th</sup> and Sherman. **I would like these comments read during the Public Hearing** on the Alan Measom Five-lot rezone request on Tuesday March 9<sup>th</sup>.

I was excited to see the three lots on the former JC. White property listed last year in June. The real estate listing on each lot stated that the “Deed Restriction allows single family dwelling with accessory unit in back. No multifamily units (apartments or Condo’s).” This really fit in nicely with the three adjacent properties on the east side of the lots. Each is a single family owner occupied residence that has an additional dwelling unit in the back. All three single family residences built in 2018 have three car garages with an additional concrete parking pad.

I am excited to see the City have the old wooden fence removed from the east side of the sidewalk, that encroaches the City/Taxpayer property on the west side of those lots. That property can be useful to make into a city pocket park (JC White pocket park) and/or add a City bus pullout/bus stop. It could also be used to widen the street, add parking and a bike lane. Relocating the bus stop on eighth street out of the curve would be much more efficient and safe (especially for those with disabilities).

**I am opposed to the request to rezone the three lots into five lots.** This would be the first time this has been done on the South side of East Lakeside Blvd. It would set a precedence on this street. It would adversely affect the neighborhood with large increases in **vehicles street parking** on East Lakeside Blvd. The developer needs to provide a clearly defined parking plan for these lots. The other big issue would be **noise** created if allowed to build large front patios right up to the sidewalk like the East Sherman and West Sherman Town Houses.

The city has good intentions to look at creating more density to create more places to live. The problem is that creating this type of housing in family neighborhoods downtown leads to investors buying the property and placing the primary unit in **nightly rentals with no intent to ever owner occupy it**. A great example are the five Town Houses called “Sherman East” constructed last year. Three units were purchased by one individual and immediately placed in nightly rentals with a property management Company. You can look them up on the “Seasons Fine Property Management Website”. They are listed as Sherman Avenue A, Avenue B and Avenue C. They are the three units painted white. One other unit was purchased by an individual and put in a rental pool.

In summary, four of the five Sherman East Town House Units have never been owner occupied since being built last year and most likely never will. This goes against the spirit of the city’s intent to allow higher density in some areas to create housing opportunities for people wanting to live in this beautiful city and not adversely impacting its neighborhoods.

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

**S-3-21**

**A. INTRODUCTION**

This matter having come before the Planning Commission on March 9, 2021, and there being present a person requesting approval of ITEM:S-3-21 a request for a 5-Lot Preliminary Plat Subdivision for "Measom Addition" (Replat of lots 1-3, Block 3, O'Brian's 1<sup>st</sup> Addition to Coeur d'Alene).

APPLICANT: ALLAN MEASOM

LOCATION: +/- 0.38 ACRE LOCATED AT THE SOUTH EAST CORNER OF 8<sup>TH</sup> STREET AND LAKESIDE AVENUE.

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

**The Planning Commission (adopts) (does not adopt) Items B1 to B6.**

- B1. That the existing land uses are commercial and residential.
- B2. That the zoning is R-17.
- B3. That the notice of public hearing was published on February 20, 2021 , which fulfills the proper legal requirement.
- B4. That the notice was not required to be posted on the property.
- B5. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B6. That public testimony was heard on March 9, 2021 .

B7. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

B7A. That all of the general preliminary plat requirements **(have) (have not)** been met as determined by the City Engineer or his designee. This is based on

B7B. That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities **(are) (are not)** adequate. This is based on

B7C. That the proposed preliminary plat **(does) (does not)** comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements. This is based on

B7D. The lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district. This is based on

**Criteria to consider for B7D:**

1. Do all lots meet the required minimum lot size?
2. Do all lots meet the required minimum street frontage?
3. Is the gross density within the maximum allowed for the applicable zone?



**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of ALAN MEASOM for preliminary plat approval as described in the application should be **(approved)** **(denied)** **(denied without prejudice)**.

**Special conditions applied to the motion are:**

**Engineering:**

1. Any fencing located in the right-of-way must be removed prior to plat recordation.

**Water:**

2. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permit.
3. The existing water service can only feed the lot it sits on.

**Wastewater:**

4. An extension of a City approved public sanitary sewer “to and through” the subject property and conforming to City Standards and Policies shall be required prior to building permits.
5. A utility easement for the public sewer shall be dedicated to the City prior to building permits.
6. An unobstructed City approved “all-weather” access shall be required over all public sewers.
7. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
8. All public sewer plans require IDEQ or QLPE Approval prior to construction.

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

ROLL CALL:

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

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

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

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

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CHAIRMAN TOM MESSINA

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

**SP-1-21**

**A. INTRODUCTION**

This matter having come before the Planning Commission on March 9, 2021, and there being present a person requesting approval of ITEM: SP-1-21 a Density Increase to R-34 Special Use Permit for a proposed multi-family apartment complex in the C-17 in the zoning district.

APPLICANT: GOVERNMENT WAY COEUR D' ALENE HOTEL, LLC

LOCATION: A 6.84 ACRE PARCEL LOCATED AT 2119 N. GOVERNMENT WAY

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

**The Planning Commission (adopts) (does not adopt) Items B1 to B7.**

- B1. That the existing land uses are commercial and residential.
- B2. That the Comprehensive Plan Map designation Appleyway-North 4<sup>th</sup> Street.
- B3. That the zoning is C-17.
- B4. That the notice of public hearing was published on, February 20, 2021, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on February 24, 2021 , which fulfills the proper legal requirement.
- B6. That the notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on March 9, 2021 .

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:

**Goal #1: Natural Environment**

Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d'Alene.

Objective 1.12 Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl

Objective 1.14 Efficiency:

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

**Goal #2: Economic Environment**

Our Comprehensive Plan preserves the city's quality workplaces and policies, and promotes opportunities for economic growth.

Objective 2.02 Economic & Workforce Development:

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

**Goal #3: Home Environment**

Our Comprehensive Plan preserves the qualities that make Coeur d'Alene a great place to live.

Objective 3.01 Managed Growth:

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

Objective 3.05 Neighborhoods:

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

Objective 3.10 - Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Objective 3.16 Capital Improvements:

Ensure infrastructure and essential services are available for properties in development.

**Goal #4: Administrative Environment**

Our Comprehensive Plan advocates efficiency and quality management.

Objective 4.01 City Services:

Make decisions based on the needs and desires of the citizenry.

Objective 4.06 – Public Participation:

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

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

**Criteria to consider for B8B:**

- 1. 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 GOVERNMENT WAY COEUR D' ALENE HOTEL, LLC for a special use permit, as described in the application should be **(approved) (denied) (denied without prejudice).**

**Special conditions applied are as follows:**

**Wastewater:**

- 1. Wastewater will require an easement over the public sewer line.

**Water:**

- 2. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at the time of building permit issuance.

**Fire:**

- 3. IFC D106.2: Projects having more than 200 dwelling units require a second and separate FD access/egress.
- 4. .IFC D103.1 & D105.1: The minimum width for FD access where there is a hydrant on the access road and for Ladder Truck access/placement is 26 feet wide.
- 5. IFC 503.6: Gate Access – Access through any secured gates require a Knox system, such as a Knox Keyway Switch.

**Streets and Engineering:**

- 6. Signage and pavement markings shall be installed at the project exit to prohibit use of Homestead Avenue by requiring only right and left turns out of the project.

**Planning:**

- 7. Design Review Commission review will be required due to the project size and underlying C-17 zoning.

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

**ROLL CALL:**

Commissioner Fleming Voted \_\_\_\_\_  
Commissioner Ingalls Voted \_\_\_\_\_  
Commissioner Luttrupp Voted \_\_\_\_\_  
Commissioner Mandel Voted \_\_\_\_\_  
Commissioner Rumpler Voted \_\_\_\_\_  
Commissioner Ward Voted \_\_\_\_\_

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

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

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

\_\_\_\_\_  
CHAIRMAN TOM MESSINA

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

**A-2-21**

**A. INTRODUCTION**

This matter having come before the Planning Commission on March 9, 2021, and there being present a person requesting approval of ITEM A-2-21, a request for zoning prior to annexation from County AG Suburban to City R-3.

APPLICANT: EUGENE AND NANCY HAAG LIVING TRUST

LOCATION: 2248 E. STANLEY HILL ROAD

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

**The Planning Commission (adopts) (does not adopt) Items B1 to B7.**

- B1. That the existing land uses are residential and multi family.
- B2. That the Comprehensive Plan Map designation is Cherry Hill – Stable Established
- B3. That the zoning is County Agricultural.
- B4. That the notice of public hearing was published on February 20, 2021, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on March 9, 2021.

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

Objective 1.11 Community Design:

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

Objective 1.12 Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl

Objective 1.14 Efficiency:

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

Objective 2.01 Business Image & Diversity:

Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.

Objective 2.02 Economic & Workforce Development:

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

Objective 3.01 Managed Growth:

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

Objective 3.05 Neighborhoods:

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

Objective 3.08 Housing:

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

Objective 3.10 - Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Objective 3.16 Capital Improvements:

Ensure infrastructure and essential services are available for properties in development.

Objective 4.01 City Services:

Make decisions based on the needs and desires of the citizenry.

Objective 4.02 - City Services:

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

Objective 4.06 – Public Participation:

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



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

**Criteria to consider for B9:**

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

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

**Criteria to consider for B10:**

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

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

**Criteria to consider for B11:**

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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of EUGENE AND NANCY HAAG LIVING TRUST for zoning prior to annexation, as described in the application should be **(approved) (denied) (denied without prejudice)**.

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

1. The applicant will be required to record on the final plat that Lot One is responsible for the perpetual maintenance of the open space tract and provide functional and legal access for all users of the development.
2. Applicant will be required to record on the final plat and provide the City with a copy of the road maintenance agreement for the common driveway serving Lots 2, 3, and 5.
3. Maximum grade for FD access is 8%.
4. Maximum width for FD access is 20 feet or 26 feet where there is a hydrant or ladder truck placement/use.
5. Dead-end FD access over 150 feet requires an approved turn-around.
6. This project will require the extension of public sewer "To and Through" this annexation as proposed.
7. An extension of a City approved public sanitary sewer "to and through" the subject property and conforming to City Standards and Policies shall be required prior to building permits.
8. A utility easement for the public sewer shall be dedicated to the City prior to building permits.
9. An unobstructed City approved "all-weather" access shall be required over all public sewers.
10. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
11. This PUD shall be required to comply with the City's One Lot-One Lateral Rule.
12. All public sewer plans require IDEQ or QLPE Approval prior to construction.
13. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
14. Any additional service will have cap fees due at building permitting.
15. Prior to approval of the final development plan for the PUD and the subdivision improvement plans, whichever comes first, the owner shall provide documentation to the Planning Department showing for each of the four new lots: the size, slope, and disturbance associated with the subdivision improvements. This condition is required to show the developable calculation of each lot per the Hillside Ordinance in order to ensure that the platted lots will allow for viable home sites.
16. No site development permits shall be applied for or issued before the above condition has been met.

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

ROLL CALL:

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

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

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

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

---

CHAIRMAN TOM MESSINA

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

**PUD-2-21**

**A. INTRODUCTION**

This matter having come before the Planning Commission on March 9, 2021, and there being present a person requesting approval of ITEM: PUD-2-21 a request for a planned unit development known as "Haag Estates PUD".

APPLICANT: EUGENE AND NANCY HAAG LIVING TRUST

LOCATION: 2248 E. STANLEY HILL ROAD

**B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON The Planning Commission (adopts) (does not adopt) Items B1 to B7.**

- B1. That the existing land uses are residential and multi family.
- B2. That the Comprehensive Plan Map designation is
- B3. That the zoning is).
- B4. That the notice of public hearing was published on February 20, 2021, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on February 28, 2021 , which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on March 9, 2021.

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

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

**Objective 1.11 Community Design:**

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

**Objective 1.12 Community Design:**

Support the enhancement of existing urbanized areas and discourage sprawl

**Objective 1.14 Efficiency:**

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

**Objective 2.01 Business Image & Diversity:**

Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.

**Objective 2.02 Economic & Workforce Development:**

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

**Objective 3.01 Managed Growth:**

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

**Objective 3.05 Neighborhoods:**

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

**Objective 3.08 Housing:**

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

**Objective 3.10 - Affordable & Workforce Housing:**

Support efforts to preserve and provide affordable and workforce housing.

**Objective 3.16 Capital Improvements:**

Ensure infrastructure and essential services are available for properties in development.

**Objective 4.01 City Services:**

Make decisions based on the needs and desires of the citizenry.

Objective 4.02 - City Services:

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

Objective 4.06 – Public Participation:

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

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

**Criteria to consider for B8B:**

- |                            |                |
|----------------------------|----------------|
| 1. Density                 | 6. Open space  |
| 2. Architectural style     | 7. Landscaping |
| 3. Layout of buildings     |                |
| 4. Building heights & bulk |                |
| 5. Off-street parking      |                |

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

**Criteria to consider for B8C:**

- |                      |                                |
|----------------------|--------------------------------|
| 1. Topography        | 3. Native vegetation           |
| 2. Wildlife habitats | 4. Streams & other water areas |

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

**Criteria to consider for B8D:**

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

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

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

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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of EUGENE AND NANCY HAAG LIVING TRUST for approval of the planned unit development, as described in the application should be **(approved) (denied) (denied without prejudice)**.

**Special conditions applied are:**

1. The applicant will be required to record on the final plat that Lot One is responsible for the perpetual maintenance of the open space tract and provide functional and legal access for all users of the development.

2. Applicant will be required to record on the final plat and provide the City with a copy of the road maintenance agreement for the common driveway serving Lots 2, 3, and 5.
3. Maximum grade for FD access is 8%.
4. Maximum width for FD access is 20 feet or 26 feet where there is a hydrant or ladder truck placement/use.
5. Dead-end FD access over 150 feet requires an approved turn-around.
6. This project will require the extension of public sewer "To and Through" this annexation as proposed.
7. An extension of a City approved public sanitary sewer "to and through" the subject property and conforming to City Standards and Policies shall be required prior to building permits.
8. A utility easement for the public sewer shall be dedicated to the City prior to building permits.
9. An unobstructed City approved "all-weather" access shall be required over all public sewers.
10. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
11. This PUD shall be required to comply with the City's One Lot-One Lateral Rule.
12. All public sewer plans require IDEQ or QLPE Approval prior to construction.
13. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
14. Any additional service will have cap fees due at building permitting.
15. Prior to approval of the final development plan for the PUD and the subdivision improvement plans, whichever comes first, the owner shall provide documentation to the Planning Department showing for each of the four new lots: the size, slope, and disturbance associated with the subdivision improvements. This condition is required to show the developable calculation of each lot per the Hillside Ordinance in order to ensure that the platted lots will allow for viable home sites.
16. No site development permits shall be applied for or issued before the above condition has been met.

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



ROLL CALL:

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

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

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

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

\_\_\_\_\_  
CHAIRMAN TOM MESSINA

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

**S-2-21**

**A. INTRODUCTION**

This matter having come before the Planning Commission on March 9, 2021 , and there being present a person requesting approval of ITEM: S-2-21 a request for a preliminary plat "Haag Estates".

APPLICANT: EUGENE AND NANCY HAAG LIVING TRUST

LOCATION: 2248 E. STANLEY HILL ROAD

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

**The Planning Commission (adopts) (does not adopt) Items B1 to B6.**

- B1. That the existing land uses are residential and multi family.
- B2. That the zoning is Cherry Hill – Stable Established.
- B3. That the notice of public hearing was published on February 20, 2021 , which fulfills the proper legal requirement.
- B4. That the notice was not required to be posted on the property.
- B5. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B6. That public testimony was heard on March 9, 2021 .

B7. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

B7A. That all of the general preliminary plat requirements **(have) (have not)** been met as determined by the City Engineer or his designee. This is based on

B7B. That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities **(are) (are not)** adequate. This is based on

B7C. That the proposed preliminary plat **(does) (does not)** comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements. This is based on

B7D. The lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district. This is based on

**Criteria to consider for B7D:**

1. Do all lots meet the required minimum lot size?
2. Do all lots meet the required minimum street frontage?
3. Is the gross density within the maximum allowed for the applicable zone?

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of EUGENE AND NANCY HAAG LIVING TRUST for preliminary plat of approval as described in the application should be **(approved) (denied) (denied without prejudice)**.

**Special conditions applied to the motion are:**

1. The applicant will be required to record on the final plat that Lot One is responsible for the perpetual maintenance of the open space tract and provide functional and legal access for all users of the development.
2. Applicant will be required to record on the final plat and provide the City with a copy of the road maintenance agreement for the common driveway serving Lots 2, 3, and 5.
3. Maximum grade for FD access is 8%.
4. Maximum width for FD access is 20 feet or 26 feet where there is a hydrant or ladder truck placement/use.
5. Dead-end FD access over 150 feet requires an approved turn-around.
6. This project will require the extension of public sewer "To and Through" this annexation as proposed.
7. An extension of a City approved public sanitary sewer "to and through" the subject property and conforming to City Standards and Policies shall be required prior to building permits.
8. A utility easement for the public sewer shall be dedicated to the City prior to building permits.
9. An unobstructed City approved "all-weather" access shall be required over all public sewers.
10. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
11. This PUD shall be required to comply with the City's One Lot-One Lateral Rule.
12. All public sewer plans require IDEQ or QLPE Approval prior to construction.
13. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
14. Any additional service will have cap fees due at building permitting.
15. Prior to approval of the final development plan for the PUD and the subdivision improvement plans, whichever comes first, the owner shall provide documentation to the Planning Department showing for each of the four new lots: the size, slope, and disturbance associated with the subdivision improvements. This condition is required to show the developable calculation of each lot per the Hillside Ordinance in order to ensure that the platted lots will allow for viable home sites.
16. No site development permits shall be applied for or issued before the above condition has been met.

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

ROLL CALL:

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

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

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

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

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CHAIRMAN TOM MESSINA