

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

APRIL 13, 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=OUl4TmZQRWpVZmY5dXFDMTRIZ1lwQT09>
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 23, 2021 Workshop
March 9, 2021

PUBLIC COMMENTS:

STAFF COMMENTS:

COMMISSION COMMENTS:

ENVISION CDA UPDATE:

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: Habitat For Humanity of North Idaho
Location: 2nd Street
Request: A proposed zone change from R-12 to R-17
QUASI-JUDICIAL, (ZC-1-21)

2. Applicant: George Hughes
Location: 3135 Fruitland
Request: A proposed zone change from R-12 to R-17
QUASI-JUDICIAL, (ZC-2-21)

3. Applicant: Northwest Solutions Investment Group, LLC
Location: 3635 N. 17th
Request: A proposed zone change from R-8 to R-17
QUASI-JUDICIAL, (ZC-3-21)

4. Applicant: Janet Dailey
Location: 3395 E. Fernan Hill Road
Request: A proposed zone change from R-1 to R-3
QUASI-JUDICIAL, (ZC-4-21)

5. Applicant: Grace Bible Church
Location: 4977 N. Atlas Road
Request: A proposed Religious Assembly special use permit
In the R-8 zoning district
QUASI-JUDICIAL, (SP-2-21)

6. Applicant: Anthem CDA Inc. C/O Chris Lauri
Location: 623 E. Wallace
Request: A proposed Religious Assembly special use permit
in the R-17 zoning district
QUASI-JUDICIAL, (SP-3-21)

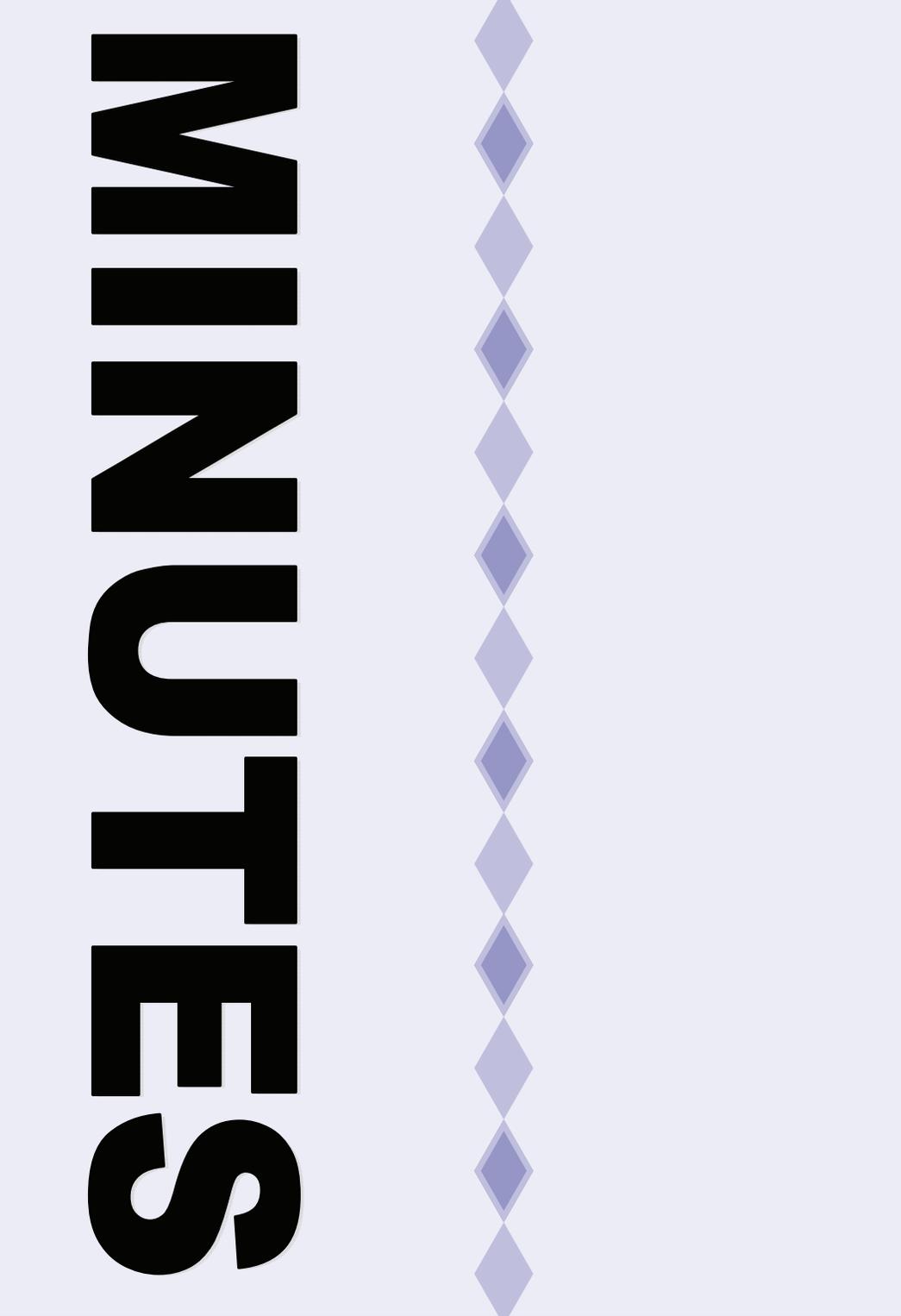
ADJOURNMENT/CONTINUATION:

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 23, 2021, WORKSHOP
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 (Zoom)
Peter Luttrupp
Lewis Rumpler (Zoom)

STAFF MEMBERS PRESENT:

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

COMMISSIONERS ABSENT:

Brinnon Mandel
Michael Ward

CALL TO ORDER:

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

WORKSHOP:

A discussion on Envision Coeur d'Alene, which is an update to the City's Comprehensive Plan and CDA 2030's Vision and Implementation Plan. This workshop will focus on a future land use map to guide growth in the City over the next 20 years.

Sean Holm, Senior Planner made the following statements

- He stated tonight we will have a presentation and discussion on place types, a future land use map, relationship to zoning and discuss the next steps for the Comprehensive Plan.
- He referenced a timeline on what has been done on the Comprehensive Plan from the beginning of last year and stated we are now in phase 4 on the timeline.
- He stated that tonight staff is focused on getting input on the land use portion in the Comprehensive Plan with the goal to bring forward a copy of the Draft Comprehensive Plan first to Planning Commission and then to Council for approval in June.
- He explained the goals to be discussed at the workshop tonight:
 - Confirm Direction of the Draft Land Use Map
 - Future Locations for mixed-use, employment, and commercial areas.
 - Application for Place Types for future Historic Districts
 - Existing Planned Unit Development.

Mr. Holm concluded his presentation and introduced Alex Dupey, MIG

Mr. Dupey provided the following statements:

- He stated that the Compact Scenario was picked as the most popular scenario by the Planning Commission and Council and that the District Scenario was the second most popular.
- He stated since the December meeting where we presented a couple maps showing the areas where Vacant Lands and Redevelopment Lands located within the city and from looking at these maps Coeur d'Alene is limited in available vacant land within the city limits with some of the redeveloped land that has outlived their life span that is potentially ripe for redevelopment within the commercial core.
- He questioned how can we look at these old commercial "big box" retail sites that are vacant or seeing the end of their life and how can they transition over time.
- He described the draft future land use map showing the different scenarios District and Compact to help provide guidance where these potential land uses might go. He explained even though we are placing these scenarios on top of zoning, staff is not proposing changes to the official zoning map.
- He stated the areas with potential change are more located in the central spaces such as the District or Compact that raise the question if those districts should be commercial versus mixed use and what will that growth look like over time based on the future land use map.
- He indicated on the map for East Sherman that the community wanted to see some mixed use and commercial.

Commissioner Luttrupp inquired if the existing residential areas will be changed. Mr. Dupey explained the areas that are zoned residential will not be changed and that the land use map is a guide, not a mandate on how the city expects to grow over the next 20 years.

Mr. Holm stated an "Employment Center" located along East Sherman would need a large area located near I-90 transportation and requested Planning Commission input on where to place it.

Commissioner Luttrupp questioned if staff met with the property owners on East Sherman and inquired what their input is on this area. Ms. Anderson explained that there is a draft revitalization plan for East Sherman that has not yet been adopted by Council, with people's interest in mixed use that concurs with the comment from Chairman Messina that this plan is just a vision by the community wanting to see more change, walkability, and more places for jobs. She added that the majority of businesses on East Sherman are zoned C-17 zone which would allow an employment center and opportunity to do something cool.

Chairman Messina commented the city has received a lot of public input and used the input received to come up with a plan people can agree on.

Commissioner Luttrupp stated he supports walkability and likes seeing a concentration of businesses like neighborhood centers we currently have providing something more general and not specific as an example, on Schreiber Way which is zoned manufacturing, we have had many special use permits approved which gives the applicant more flexibility in that specific zone.

Mr. Dupey explained the job of a place type is meant to be used as general guidance and not used for specific zoning districts that defines specific building heights, parking, building height etc.

Commissioner Ingalls explained within the current Comprehensive Plan we use "chapters" that define areas in Coeur d'Alene such as: Spokane River Area; Woodland Area; Hillside Area; etc. and now with the revision of the new Comprehensive Plan with the addition of a land use map will replace those "descriptions" when making a decision on a project. Ms. Anderson explained that the Land Use Map is only a tool to use when making a decision.

Commissioner Fleming stated it would help to have a map showing the areas that are blighted and vacant to determine where we need to put multi-family, workforce housing etc. Mr. Dupey explained that we aren't proposing density changes for existing residential neighborhoods.

Mr. Dupey clarified that a vacant parcel map and redevelopment map was generated to help with the creation of the draft land use map presented at the workshop.

Commissioner Ingalls questioned if there was a recommendation on the three place types with a preference of one over the other.

Mr. Holm stated at the December 8th Planning Commission meeting, the feedback we received was let's have higher density within the Compact Scenario place type with the District Scenario place type more of a "hybrid" version of Compact and District south of I-90. Mr. Dupey suggested to get more discussion on specific areas where these place types fit in the city so we can comeback with a more refined map.

Commissioner Luttrupp questioned why is there a need to increase density. Ms. Anderson explained we are not trying to increase density, but trying to accommodate population growth that's anticipated.

Commissioner Fleming commented she would like to discuss where in the city to place high rise buildings Mr. Dupey stated that's a great idea and suggested to think about a place type for PUD's that allow taller buildings. Commissioner Fleming suggested putting taller buildings North of I-90 near the abandoned retail outlets or across the street adjacent to shopping opportunities and explained by going "vertical" would give a lot of opportunity for development on Government Way and Howard Street.

Ms. Anderson inquired if the commission would like to suggest other areas in the city for placing higher use residential in order to comeback with a more refined land use map.

Commissioner Ingalls commented that the 95 corridor and on N. Government Way is a lot of old tired properties and when going north the busier corridors are removed with the sensitive "not in my back yard" properties decreased.

Commissioner Fleming suggested looking at more transportation driven versus walking on foot and from Appleway looking west there is not a lot of areas to walk. She commented that on Best Avenue it could be a nice "work live play" area with the stretch from 4th to 15th a good opportunity to provide higher density projects that provide decent walkable areas with parks nearby and suggested placing mixed use developments in this area.

Mr. Dupey inquired if there were other areas in the city that should be addressed.

Mr. Holm suggested maybe the Government Way area north of Harrison Ave. to Ironwood Dr. could become a redevelopment corridor.

Commissioner Ingalls explained that from Annie to 4th and from Government Way to Third and from Ironwood down to Hazel where Daft Badger is located including the bus barn is a "hodge-podge" area screaming to be something different.

Ms. Anderson concurred that area is a mix of things and local residents call themselves the "NoHa" area north of Harrison which is its own district and questioned if we should allow change in that area.

Discussion ensued on areas in town such as small neighborhood that need direction with growth.

Mr. Dupey explained that the three proposed place types aren't going to change the underlying zoning and by adding the Land Use Map will be a helpful tool to use when looking at these areas that might be considering a change to the use will serve as a guide to what might be appropriate for that area.

Ms. Anderson noted some confusion on the definition of the Employment Center place type and inquired if it should be allowed to be scalable like the other mixed-use place type. Mr. Dupey explained that the employment center is considered a higher scale place type, likely more "auto" oriented which could be a call center, office building or a number of uses focused on employment without residential. Mr. Holm commented that he agrees with that definition and that our current code states a hospital is considered civic and if the definition changes from civic to employment center that needs to be addressed now. Ms. Anderson commented that a hospital would be a good employment center with potential growth in that

area and another thought is to have neighborhood commercial considered an employment center maybe on East Sherman for businesses to cluster together without it being a “Schreiber Way” area that is almost exclusively manufacturing or light manufacturing zoning with a multitude of special use permits for commercial/service uses.

Mr. Dupey questioned if we should look at a taller mixed-use type as another place type. Commissioner Fleming explained with the amounts of land that will be limited based on projected growth we should provide some high-rise clustering and make it livable by providing a destination point for high rise housing because as we age, we need elevators based on future growth estimates. Commissioner Rumpler concurs with the ability to use height to accommodate growth we don't have options. Mr. Dupey commented maybe those could be grouped with employment center or other areas.

Commissioner Luttrupp questioned what is the purpose of having taller buildings. Commissioner Fleming answered that it's for capacity to go up because we have a shortage of land. Commissioner Ingalls stated another reason could be affordability and explained articles in the paper stating that home prices have went up a half-million dollars with no inventory and people who want to live here we need to provide buildings that would provide housing stock, missing middle etc. Commissioner Luttrupp inquired if we are going to change the height limit. Ms. Anderson explained that the R-34 special use permit allows for 63 feet in height and downtown we have the maximum is 220 feet in height and then we have C-17 that allows unlimited height only if it is 51% more commercial, and questioned if we are going to guide the future, what would be the appropriate height. Mr. Dupey stated we can look at that place type to see if we can provide a better definition since there is zoning that allows more scale to buildings and may be add one to accommodate something like that. Mr. Holm explained through the Comprehensive Plan its general in nature would rather see a range then a specific height which would trigger an ordinance change.

Chairman Messina asked can we do a height range in an area. Ms. Anderson explained that the Comprehensive Plan is a tool for us to guide development allowing to change the zoning code after the Comprehensive Plan is updated, in case we need to tweak zoning districts or clarify zoning districts. Commissioner Ingalls commented that he likes flexibility and would like to see some of these mixed-use areas to be categorized. Mr. Dupey suggested that the zoning is the regulatory decider what is allowed and place type is to provide guidance for that. but the zone will dictate the use and what he is hearing from this discussion is to maintain the flexibility with the heights within the place types and will look at the place types to make sure they align with future zoning.

Historic Districts:

Mr. Dupey explained that recently the community has had discussions on a Historic District if it should have a place type and questioned how should we incorporate this within the Comprehensive Plan or suggested it could have its own place type as an overlay district where you could apply it with a base zoning.

Chairman Messina inquired if staff could explain how a property becomes an historic district. Ms. Anderson explained its time consuming and currently we have the Fort Grounds neighborhood has the designation with the Garden District in the process of doing a detailed survey of all the properties within the district to determine if the properties are historic in nature. She added that future requests we would be working with our State Historic Preservation Office and our Historic Preservation Commission to process those requests and once that is done, they will be recognized through the National Register of Historic Places as a district. She stated recently that staff have had a discussion with the Historic Preservation Commission on how to role the historic plan within the Comprehensive Plan and do we look at recommendations through the Comprehensive Plan to change the zoning code to allow people to create historic district in the zoning code to give it more “teeth”. Chairman Messina questioned how do we keep this timeline on track. Ms. Anderson stated this could be an overlay and once the Comprehensive Plan is done look at the zoning if there are some action items supported by Planning Commission and Council.

Planned Unit Developments:

Mr. Dupey questioned if we should have a place type just for PUDs since there are many existing within the city that have their own development requirements, density and uses.

Commissioner Ingalls commented that makes sense and gave an example of the development called Bellerive that is complicated and been before this commission many times for things to be tweaked. He liked the suggestion since these need some special attention.

Recap of Planning Commission direction for staff:

- Review the draft land use map to identify blighted areas primed for changes (such as density, height, and/or use)
- Protect existing single-family neighborhoods while allowing for sensitive changes where appropriate
- Add the following “place types”:
 - Historic
 - An increased height mixed use
 - Planned Unit Development (PUD)
- Define large civic uses in the land use map (such as the hospital) as “employment centers”

Next steps:

- Mr. Dupey stated this input has been helpful.
- He stated from tonight’s input will go back make modifications to the refined map.
- He stated that City Council requested to have a joint workshop with the Planning Commission to talk about the Land Use Map and looking at a date in March and after that workshop is done be able to start the draft plan and hopefully in April come back to the Planning Commission with a draft Comprehensive plan for review and then to Council in June for approval.

Ms. Anderson added that Council did ask for some additional public input an we were brainstorming how the best way to do that and maybe doing a “Virtual Townhall Meeting” might be the best way for input which will be a challenge because of COVID-19.

Mr. Dupey thanked everyone for their input.

ADJOURNMENT:

Motion to adjourn.

The meeting was adjourned at 7:27 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION
MINUTES
MARCH 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
Peter Luttrupp
Lewis Rumpler (Zoom)
Brinnon Mandel

STAFF MEMBERS PRESENT:

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

COMMISSIONERS ABSENT:

Michael Ward

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 February 9, 2021. Motion approved.

PUBLIC COMMENTS:

None.

STAFF COMMENTS:

Hilary Anderson, Community Planning Director provided the following comments.

Ms. Anderson announced on the April 13th Planning Commission meeting agenda are scheduled six items and if that is to many may look at a second meeting that month.

ENVISION CDA COMMITTEE UPDATES:

Ms. Anderson provided the following comments

- We are looking at dates for a joint workshop with Planning Commission/City Council and possible public engagement. The City Council wanted to do this workshop at the end of March which is unrealistic with our workload and now looking at dates in April.

PRESENTATION:

Parks and Recreation Master Plan - Monte McCully Trails Coordinator

Monty McCully provided the following update on Parks and Recreation Master Plan

- He commented that two years ago was the last update for the Parks and Recreation Master Plan which was done inhouse.
- He provided a Power Point covering the accomplishments and goals within the Parks and Recreation Master plan.

Mr. McCully finished his presentation and answered questions:

Commission Comments:

Commissioner Ingalls inquired if a new park is planned at the fairgrounds.

Mr. McCully replied that there are no plans for a park at the fairgrounds but there are other areas in that part of town for a future park for example, the interstate pit, the area by the City landfill.

Commissioner Fleming inquired why aren't the public golf courses located on the map.

Mr. McCully explained they are not listed because they are not part of our Parks Department.

Commissioner Fleming commented in the future would be nice to have these golf courses mentioned since people use them for walking and other outside activities not associated with golf.

Commissioner Luttrupp inquired what is the definition for the Proximity Principal.

Mr. McCully explained that this is the idea that homes located near parks are highly valued with homes further away from a park the values decline.

Commissioner Luttrupp inquired about the Parks Foundation and questioned the role they play helping to provide parks.

Mr. McCully explained that the Parks Foundation helps the City when we acquire a new park and explained instead of the City taking ownership it goes into the foundation which allows us to apply for grants such as a Land and Conservation Grant which requires a 50/50 match.

Commissioner Luttrupp inquired if it is beneficial for the developer to give land to the Parks Foundation.

Bill Greenwood, Parks and Rec Director stated that it does by allowing the developer to write off the property.

Commissioner Luttrupp explained if a developer provides open space for a special use permit or Planned Unit Development (PUD) they will not receive a tax benefit.

Mr. Greenwood replied that is correct so it would be better for the developers give the land to the foundation.

Commissioner Luttrupp stated that in the last few years we haven't heard of many developers giving land to the Parks Foundation.

Mr. Greenwood stated that he has discussed with staff to remind developers that this service is available. He explained that the Parks Foundation does have the deed for the property on Fernan and that the developer has promised to give us 7.3 acres and when that happens will ask them to give that land to the foundation, so we can use this property as a match to get the park built in that area.

Commissioner Luttrupp inquired what can we do as a commission to help.

Mr. Greenwood replied to help us acquire land.

Commissioner Luttrupp inquired about available land on Canfield and if that area is still being planned for a park.

Mr. Greenwood explained yes there is and that he recently had a conversation with the new sheriff who is willing to help with law enforcement if needed.

Commissioner Ingalls commented great presentation and thanks for providing some great parks where people who don't live in our area envy us.

Chairman Messina thanked staff for cleaning up after the big storm and inquired if you could provide an update on Atlas.

Mr. Greenwood commented that it is coming along and explained that we have some reseeding to do and the irrigation system needs to be fixed. He added there are a lot of people at this park and is a great park.

PUBLIC COMMENTS:

None.

PUBLIC HEARINGS

1. Applicant: Alan 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)

Sean Holm, Senior Planner provided the following statement

- 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 1st Addition to Coeur d'Alene (amended).
- 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 8th 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.
- If approved there are 8 conditions for consideration.

Mr. Holm concluded his presentation.

Commission Comments:

Commissioner Mandel asked if staff could define what is the purpose of the Infill Overlay Districts and why we have them.

Mr. Holm read the definitions for all three infill definitions Midtown (MO) Downtown North (DON) and Downtown East (DOE).

Chairman Messina inquired are we planning to update these districts.

Mr. Holm explained a few years ago when the development Trails Edge was approved asked for a 2 foot variance which wasn't needed which amounted to a lot of controversy especially from a neighborhood group who demanded a change with the outline of that Infill District was changed and once that was changed have not received a lot of feedback and seems to be functioning well.

Commissioner Ingalls had questions about the emails included in the packet which referred to this project as a rezone.

Mr. Holm stated that this request is not a rezone.

Commissioner Ingalls explained when we make findings if the one of the findings asks if these 5-lots would meet the zoning requirements and at an R-17 zoning the applicant would be allowed to put on the property 6.4 units.

Mr. Holm stated that's correct based on the Floor Area Ratio (FAR) and want separate ownership of lots the applicant could request a 15-foot frontage on a 1500 sq.ft. lot. This is double the requirement.

Commissioner Ingalls inquired if the zoning of the applicable zoning district has been met.

Mr. Holms stated that it has.

Commissioner Luttrupp inquired if staff could locate on the map the properties to south of the property and questioned at that location are several large buildings and the ones in this area are, if they similar.

Mr. Holm commented that the lot sizes are similar.

Commissioner Luttrupp commented if this project is similar to the properties in the area that have recently been approved.

Mr. Holm referenced the project known as Sherman 5 West which is a similar project and was recently approved.

Commissioner Luttrupp commented that he has heard concerns that this project if approved, could be used for short term rentals and noted a hotel that is close a Bed and Breakfast (B&B) and if the applicant wanted to do the same would there be any restrictions they would have to meet.

Mr. Holm explained that an approval of a hotel would require a Special Use Permit to be allowed in an R-17 or request a zone change and can do one or another. He stated great question he explained that the existing zoning that is underneath the Infill Overlay District determines what uses are allowed and with the addition of the Infill Overlay District changes the development for the setbacks and heights but the use is still determined by what the underline zoning which this is Residential R-17.

Commissioner Luttrupp stated was trying to make a connection between short term vacation rentals and other types of commercial properties that have had conversations about shorter term rental issues.

Mr. Holm explained that the city has never defined or required that somebody use a property in a manner where the city determines ownership. He added that there is nowhere that says "this must be a rental" or

"A short term rental" usually the city will allow through the Homeowners Association (HOA) through Covenants, Conditions and Restrictions (CC&R's) to determine that type of ownership so allows condos that could be private ownership where the land is common ownership, used as your own home or rent it out.

Ms. Anderson explained that we do have a Short-Term Rental Ordinance in place and the state states we can't treat this as a business has to treat is as a Home Occupation not regulating it as a commercial operation and so as long as someone can comply and that there are some short-term properties in that area they have to apply for the permit and comply with the requirements.

Public testimony open.

Russ Helgeson, applicant representative provided the following statements:

- He stated that staff has covered most of the information he was going to cover.
- He stated, if approved, this development will be similar to the Sherman 5 East/West with the same size lots, with a townhouse look.
- He commented that we aren't requesting a zone change; this project can be constructed under the existing zoning.
- He stated that we have worked with staff, submitted the improvements and that the alley has been vacated and deeded recently back to the city, so the city owns the alley.
- He stated we will be replacing the old sewer line.
- He stated in the alley are overhead utilities and will be coordinating with the providers to bury those lines in the alley which will eliminate the overhead utilities and the alley will be paved.
- He added approach will be replaced on 8th street.
- He stated on the northeast corner of Lakeside there are two old existing driveway approaches going into the property and will be removed and replaced with new curbing and sidewalk. No driveway accesses will be off of Lakeside.
- Off street parking will be off the alley.
- He added that we will remove the existing fence.
- The conditions proposed we agree with and feels that this project has met all Comprehensive Plan Policies and asked for approval.

The applicant concluded his presentation.

Commission Comments:

Commissioner Fleming inquired if there are any plans to preserve the large growth trees.

Mr. Helgeson stated that there are several trees to the west and some trees close to Lakeside and with the addition of the buildings there is not a lot of area to preserve trees.

Chairman Messina asked why are we reading letters out load and in the past, people have sent comments that we have read but not out loud at a meeting.

Mr. Adams explained this is an unusual circumstance and the reason for reading out load because that language was placed on the public notices that people could send in comments in to be read out load at the hearing. He explained that this not a usual circumstance and doesn't have to be followed but since it was mentioned in the public notice why we are doing it tonight.

Ms. Anderson added that the language was added last year because of Covid since people where not allowed to attend a meeting in person and that this process may change for future hearings if it becomes a little excessive.

Commissioner Luttrupp he concurs and encourages people to either come to the meeting in person or attend on Zoom.

Mr. Holm read the public comments into the record.

Chairman Messina inquired if the applicant wanted to respond to the comments addressed in the letters read by staff.

Mr. Helgeson provided the following comments.

- He stated that the streets have available capacity for additional traffic.
- He added that a few of those letters talked about a zone change and this is not a zone change. He added that the area between Lot 1 and the yellow line noted on the map where the fence is that is public right of way and not asking to vacate or sneak into the property and realize is city right of way and not part of this project and feels will become more useable to the city once the fence is removed.
- He stated a lot of the comments that the lots where not owner occupied and was discussed if someone buys and develops a lot has no ability to tell the buyer what they can do on their property.
- He commented that many of these letters read didn't have a lot of positive comments and is aware of other comments not read that were positive and feels this opinion might be "a skewed" takes away the fairness.
- He added not asking for something that hasn't been approved near this property that are located on Sherman that was approved by the city in the same neighborhood.
- Please approve this development.

Public testimony closed.

Discussion:

Commissioner Fleming stated that this project doesn't belong on a residential street and commented Sherman is a very busy street. She added that she is a big advocate for townhomes and condominiums and like alternative ways of living, but doesn't like it when you upturn the neighborhood by hearing many written responses from the neighborhood that they don't want this project. She explained that the developer could easily develop these three big lots with three beautiful homes and complete the street that is all single-family residences. She feels that this is a place that is not deserving of five units that will encourage day/night "flip overs" She questioned how far do we stop developing in Historic neighborhoods.

Commissioner Ingalls commented that he appreciates Commissioner Flemings comments and as he was reading through the staff report that the four findings for a subdivision are typically "check the box" very objective in nature as opposed to a special use permit, annexation, zone change where we are evaluating neighborhood character, density, comp plan objectives that get fairly subjective. He added with a subdivision its more objective "check the boxes" and in this case the City Engineer has attested that the preliminary plat requirements have been met. He commented that his analysis is we go down a "check list" and not about the noise or patios associated with a subdivision approval that's based on those four findings not a basis to deny this project.

Commissioner Fleming referenced in the staff report on page seven it states the infill overlay district purpose and feels we have to refer back to what it states "We have to protect the surrounding neighborhood and the intent of these development standards to encourage a sensitive form of development and to allow the reasonable use that complements it". She commented should we just "blow off" these recommendations and ignore our own guidelines and always saying "yes" to every developer then we should look at the statement "to protect the surrounding neighborhoods" since all the neighbors have said they don't want this project.

Commissioner Ingalls stated he doesn't disagree to not be sensitive to those issues but feels these subdivision findings are more narrowed if this project meets those or not.

Commissioner Mandel stated we have findings and looks at the project down the street that is a transition between downtown core and residential areas that does allow to facilitate infill while protecting the surrounding neighborhoods and looks at the map which is a “bowl of fruit loops” there is commercial, higher density surrounding this property and qualifies as a transition area that is covered under the downtown overlay zone and is sensitive to the neighbors but feels we have to do something about the current growth and thinks the downtown overlay district as it is written transition between the downtown core and residential areas infill development is encouraged including urban housing, townhouses, court yard houses cottages etc. with a height limit we know that will be compatible so our objective findings have been met for this project.

Commissioner Luttrupp commented it looks like the Sherman Five on the south east corner are all facing Sherman and questioned if this development will be facing Lakeside with the houses next to it have bigger lots and not sure people who are speaking against this are the neighbors to the east on the same side of the street or the other side of the street. He commented that we can’t tell a person what to do with their house but we do need housing for residential and if these end up being rentals not an ideal situation. He stated that he will not support this request and is a change from the units that are facing Sherman.

Commissioner Rumpler stated he understands the comments and doesn’t know how we can deny this project when there is a similar project across the street.

Motion by Ingalls, seconded by Mandel, to approve Item S-3-21. Motion approved.

ROLL CALL:

| | | |
|-----------------------|-------|-----|
| Commissioner Fleming | Voted | No |
| Commissioner Ingalls | Voted | Aye |
| Commissioner Mandel | Voted | Aye |
| Commissioner Luttrupp | Voted | No |
| Commissioner Rumpler | Votes | Aye |

Motion to approve carried by a 3 to 2 vote.

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)

Tami Stroud, Associate Planner provided the following statements.

- 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.
- 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 special use permit 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.
- 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.
- The City's Comprehensive Plan Map designates this area as Appleway- North 4th Street-Transition:
- 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).
- 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.
- 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. The Centennial Trail is located adjacent to the property along Highway 95.
- She provided an update to the staff report on page 18 that Chris Bosley, City Engineer commented that "Government Way has the capacity needed to accommodate the proposed development, however the use of Homestead Avenue must be discouraged from residents of the proposed project by allowing on left/right turns out of the development no through movements across Government Way streets and engineering have no objections to the proposed special use permit but request that signage and pavement markings be installed to prohibit the use of Homestead Avenue" that condition has been added.
- If approved there are 7 conditions for consideration.

Ms. Stroud concluded her presentation.

Commission Comments:

Commissioner Fleming questioned if work will be done on the overpass on Highway 95 that doesn't have any pedestrian walkways.

Ms. Stroud stated that is a question for the applicant.

Commissioner Luttrupp questioned if the R-34 is for what specific purpose.

Ms. Stroud an R-34 increase is for a density increase.

Commissioner Luttrupp questioned the height allowed within this zone is 63' feet and questioned if we can approve this without going to council.

Ms. Stroud answered that this can be approved by the Planning Commission with the maximum height allowed is 63 feet with the approval of a density increase special use permit. She noted on pages 7-8 in the staff report speaks to the criteria that has to meet.

Commissioner Fleming inquired about the light at the corner of Appleway and Government Way which is always backed up with traffic which causes a long delay trying to go north.

Mr. Bosley answered at that corner there would be some delay, but most traffic we have in that area is on Appleway which is very busy street and those intersections along Appleway near U.S. 95 are very congested. He added that we have done some signal work there with ongoing improvements to be made in that area. He addressed the sidewalks on Government Way going over I-90 and that we don't have any plans to replace anything on that bridge.

Commissioner Ingalls commented that we received some comments from the people who live on Homestead who are a little "leery" that people living on this property will use Homestead instead of trying to get on Government Way and questioned if a right turn only sign could be placed that states "right turn" only no through intersection movement. He added a few months back a hotel was approved at that sight and by right which comes with many uses allowed within the C-17 zoning district and if one of those uses would be better/worse than what is being proposed.

Mr. Bosley explained that the hotel would have fewer impacts because you are not always going to be at full capacity versus the people living there will learn their way around town and could find another route instead of using Homestead. He commented signs are "just" signs that may be ignored and doubts a sign will be at this site because of the amount of traffic. He added that recently he has had a conversation with one of the homeowners on Homestead and agrees with the concerns and is supportive of placing a sign to mitigate any problems.

Chairman Messina inquired if we are going to require in/out signs at the entrance.

Mr. Bosley commented he discussed this with the engineer who is designing this project who would agree to put pavement markings for arrows showing left/right and putting signs up that say left/right turn only. He added that we don't want to put anything across the street on Homestead unless we have too or place any median barriers in Government Way because it would interfere with street sweeping and snow plowing.

Commissioner Fleming commented that she noticed on the site plan parking spaces placed next to the right turn lane next to the driveway.

Commissioner Mandel inquired about safe routes to school for this development that will likely have a lot of school children going to Winton or Borah having to cross Government Way and I 90. She questioned on how to address Safe Route to Schools.

Mr. Bosley stated that we had started mapping a safe route to school route for this area a while ago, and will have to look at this area again since the schools were rezoned.

Public testimony open.

Rick Stilovich, applicant, provided the following statements.

- He introduced himself as an Idaho company located in Boise.
- He stated we are an "owner developer" and only develop for ourselves that manage hotels and multifamily projects.
- He stated we were here a year ago with a proposal for a hotel at this site and hit by Covid that turned the hotel industry upside down.
- He explained we purchased this property for the hotel and since that approval has been vacant along time so we did some evaluations on what we could do on this property that would make sense for us and contribute to the city and determined that a multifamily project would be a good fit. He added when built these units would be a great addition to the medical center and the commercial area by providing a great place for employees to live.
- He added this project when done will be a first class multi family project that will offer a lifestyle plus other amenities for residents.
- He added we have done a lot of projects and worked with a lot of neighborhoods and our desire to contribute to the neighborhood by being sensitive to the needs of the people who live in these units

- He commented that they will work with staff to mitigate traffic, so that Homestead will not be used and are sensitive to this issue and want to be a good neighbor.
- He added by approving this project will help the city with their growth problems.
- He explained that we are trying to provide enough parking spaces to meet code plus provide covered parking.

Jacob Rivard architect for the applicant provided the following comments

- He stated the height of the building is 63 feet and we won't go above that height.
- He stated the parking will be in the main portion located with no parking allowed on the "leg" of the property coming out to Government Way. He explained that driveway going to Government Way is 400 feet long with no parking allowed.
- He commented we will provide 426 parking spaces to provide more area for water to seep into the ground and will be working with staff to provide an indoor bike parking facility.

The applicant concluded his presentation.

Lori Bourson, she inquired what will be the average size for the units and questioned if connecting into the bike trails will everyone use the entrance onto Government Way and then onto the overpass which is dangerous.

Chairman Messina stated that the applicant will have time to come up and address additional questions.

Corie Karns questioned if the traffic on Ironwood Drive going towards the hospital which is already congested and inquired if a traffic study has been done in that area.

Mr. Bosley commented currently we do have a traffic study being done in that area and will be looking at traffic mitigation to free up traffic in that area and agree that Ironwood is very congested between U.S. 95 and Northwest Boulevard and looking at ways to be mitigated including funding.

Ms. Karns inquired if they inquired the impact of this apartment complex and commented that people will use other ways to get out of the development.

Ms. Anderson explained that we have done a Master Plan for the Health Corridor and in that study, areas were indicated by heavy use and when doing the study looking at the site as vacant plus zoning improvements on site which we have looked at different uses on that property addressed within the traffic study.

Mr. Bosley concurred and that we looked at the vacant land and the zoning and, on this site, looked at traffic from a R-17 or C-17 and not R-34 and explained in reality if we are looking at 100-hour peak trips would be only having 50 peak hours during that time but in reality, roads can carry close to 1000 cars per hour/per lane stated did look at vacant land looked at reality roads can carry 1000 cars per hour and minor. He stated this development will add more congestion to the streets but we are congested everywhere in the city and managing as we go along.

Brian Meyer commented that traffic is a concern and recommended when going west and had a "right turn" only going north would work.

Mr. Bosley inquired if Mr. Meyer was referencing a "slip lane" onto 95 and that ITD will not allow that and the reason close to I-90 that FHWA controls the access in that area and in the past many businesses asking access onto 95 which has been denied. He added the best route to 95 north would be to take a right on Government way, then onto Ironwood to get to I-95 it would be going out of the way but would be better than trying to make a left on Government Way.

Commissioner Fleming explained that the LaQuinta and Shopko which is empty is seeing on a Google map a "green line" indicating a property line change questioned if there would be anyway to create an access point in front of Shopko in order to alleviate the main access point from this development.

Mr. Bosley that we would have to get an easement agreement with the other property owners stated other property owners and would need an easement between property owners and would help as an emergency access to allow another point of entrance and explained if those parking lots were left as “parking lots” it wouldn’t be a safe way for people to coming in/out because a lot of accidents do happen in parking lots.

Rebuttal:

Mr. Rivard answered a question asked earlier regarding connectivity of the trail and explained when meeting with staff they suggested a connector along Highway 95 because a future trail is planned there and will be working with staff to tie into that trail.

Commissioner Fleming noted B8 B in our findings states “If the design appearance of the project is compatible with the surrounding neighborhood” and indicated that there is no style after looking at the massing that is showing a “honeycomb” design to the buildings which is busy.

Mr. Rivard apologized that this was a “fast” design given to staff at the last minute to give them an idea of what this project will look like and explained if you look at the overall massing notice the detail of a “step up” that increases from levels 3,4 and 5 to help provide more sunlight into the court yard.

Matt Roger stated he appreciates Commissioner Flemings comments and explained that the massing and rendering drawings we want them to be inviting to the community.

Public testimony closed.

Discussion:

Commissioner Luttrupp congratulated the health corridor work well done.

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

ROLL CALL:

| | | |
|-----------------------|-------|-----|
| Commissioner Fleming | Voted | Aye |
| Commissioner Ingalls | Voted | Aye |
| Commissioner Mandel | Voted | Aye |
| Commissioner Luttrupp | Voted | Aye |
| Commissioner Rumpler | Votes | Aye |

Motion to approve carried by a 5 to 0 vote.

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 as "Haag Estates"
QUASI-JUDICIAL, (S-2-21)

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

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.
- 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.
- 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.
- The Comprehensive Plan designates this area as Cherry Hill-Stable Established
- If approved there are 13 conditions for the PUD, Annexation and Subdivision.

Mr. Behary concluded his presentation

Commission Comments:

Commissioner Ingalls referenced in the staff report finding B8E Open space is unclear and is not sure if the access or usability for these 5 homes and referenced finding B8C that states "if this project is compatible with the natural features of the site" which unclear. He explained after reading the staff report in the report it suggested in order to make the finding B8C should we have had a copy of a Geotech Study available to us.

Mr. Behary explained that staff had concerns regarding the amount of lot coverage retained in the natural state and as an example, if the lot has to be the natural state of 54% and when you add driveways and other infrastructure questioned how much land is available to build a house. He added if we approve a project and a lot is sold, the applicant could come back to us saying they can only build a 100 sq. foot house since the Hillside Ordinance states that is how much you can build onsite and our job is to make sure those lots created will meet the Hillside Ordinance.

Commissioner Ingalls stated he understands that it costs a lot of money to have these studies done, but questioned if this was a normal submittal for a PUD on a significant slope.

Mr. Behary stated he is unclear about a Geotech report, but staff has concerns on how much area is retained in a natural state.

Chairman Messina concurs what Commissioner Ingalls stated and commented that it's been a long time since we have seen a project proposed in the Hillside.

Commissioner Mandel referenced finding B10 which states, "The subject property would be annexed into the City under the Hillside regulations requiring average lots slope to determination of validity" and questioned if that finding could be related to finding B8C for the PUD and is unclear how this project would meet that finding. She explained when the city denied this project in 2005 it was prior to the

Comprehensive Plan and Hillside Ordinance, so now with the adoption of both of those things we have more specifications for meeting the criteria for those findings, but we lack information from the applicant. She added if we approved the annexation for an R-3 and denied the PUD and Subdivision questioned if we would be stuck with a property that doesn't have a plan and questioned if we would be setting a precedence.

Ms. Anderson explained that they can annex in with an R-3 for a single lot without a subdivision and PUD but doesn't know if the owner would want to do that so that is not an option.

Mr. Adams explained that on an annexation a recommendation is made by the Planning Commission to Council for the annexation. Council will make the decision and then pass an ordinance to annex and if the applicant chooses not to go forward to the City Council that would end the annexation.

Commissioner Luttrupp commented that this project could be an example of staff and the applicant not coming to an agreement.

Public testimony open:

Gordon Dobler, applicant representative provided the following statements:

- He stated that this property is surrounded by R-3 properties which would allow for nine units and we are proposing 5 units.
- He stated we are proposing 4 new lots with the remaining lot on the existing house will be an acre and a half.
- He described the three lots will have access through a common driveway which is why a request for a PUD with the common driveway tract located at the end of Lily Drive with three short drive ways to access the lots.
- He stated that their will be a common open space that is a 1/3 of an acre which counts as the 10% requirement for the PUD.
- He stated that he has heard concerns about additional traffic coming from 3 homes that would access Lily from the east and the traffic generated from 3 homes would be in peak hour 1 car every 20 minutes which is not excessive.
- The existing house will be hooked up to sewer.
- He addressed concerns about opening Lily Drive up to through traffic and stated that this is not what we are proposing.
- He explained that sewer will come from W. Lily Drive on the southern side.
- He commented the choice of a PUD was proposed for two reasons first that all lots don't have frontage on public streets and second the other three lots are substandard for the R-3 zone and why we need a PUD.
- He noted on the map where the open space tract is located, and said this is the first he has heard that all 5 lots are required to have access to the open space lot where three of the lots already meet that requirement and is not clear why all five lots need access. Ms. Anderson stated that is a requirement of the PUD.
- He explained that in order to meet that requirement and that the Planning Commission could make a condition that we will work with staff to get dedicated easements in order to refigure the open space tract so all 5-lots have access to the open space tract.
- He explained that a Geotech report is required with a building permit.
- He commented that the surrounding neighbors would prefer this parcel remain as a nature preserve but this is private property. He added there was also a concern about surface water that will be addressed at the time for a building permit and that there is a two-inch pipe that comes offsite and will be capped off by the owner.

Mr. Dobler concluded his presentation.

Commission Comments:

Commissioner Ingalls commented that he is more comfortable with the explanation for coverage of the

lots and explained that we recently have seen a lot of smaller pocket PUDs. He commented that we recently approved a small PUD at the corner of Honeysuckle and Kathleen which was a “quirky” parcel that had a pipeline easement through it and because this was a PUD deviated from the standards which for this project worked. He added when the applicant presented the rendering of the homes had a sufficient amount of detail versus this plan that looks like a representative view without a lot of design.

Mr. Dobler said a PUD doesn't have anything to do with the layout of the houses, driveways etc. He stated that these are two separate issues. He explained that the request for a PUD is allow a common driveway to serve two lots.

Commissioner Ingalls stated we have approved many PUD's and when approved locked in the details such as where trails are going and various amenities.

Mr. Dobler stated that the open space tract is part of the PUD and was surprised to hear that all lots are required to have access which is not unsolvable and that we would have to completely reconfigure and would agree to a condition stating that “we would have to provide through access easements access from these two lots to that open space tract” that would solve that issue.

Commissioner Mandel questioned because of the Hillside Ordinance and finding B8C we have to meet the code sections about retention in the natural state, so it's the lack of detail that was not submitted and questioned if we don't have the data how can we make the finding.

Ms. Anderson explained that staff had the same challenge when putting together the staff report and normally we get a lot more details of renderings of what the homes will look like and that this was an unusual application that didn't have those details.

Chairman Messina inquired what is the definition for access is it a gravel road, walkable trail and that Mr. Dobler was surprised that these lots are required to have access to the open space tract.

Ms. Anderson stated this is tricky because the parcel is a sloped site and it is up to the applicant to show how people can get to the open space lot which is a requirement. It doesn't have to be paved or ADA compliant, but it has to be accessible and can't be fenced off. Ms. Anderson added that the applicant asked that the renderings not be included because the design of the homes would be up to the new owners and that with previous PUDs, we have had that level of detail that can be locked in for approval.

Commissioner Fleming explained that the applicant is trying to get a vision to sell this property and that they aren't going to build this or do the other required infrastructure and sell to a developer who can decide what this property will become. She added that it will be hard to approve something that we don't have a grasp of what it will turn out to be.

Mr. Dobler understands the struggle and suggested to table this request, so he can have a chance to talk with the applicant to bring back something that will meet the requirements stated tonight.

Motion by Fleming, seconded by Mandel, to table Items A-2-21, S-2-21 and PUD-2-21 to a date certain or to the next Planning Commission Meeting on May 11th. Motion approved.

ADJOURNMENT:

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

The meeting was adjourned at 9:30 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



PUBLIC HEARINGS



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**PLANNING COMMISSION
STAFF REPORT**

FROM: HILARY ANDERSON, COMMUNITY PLANNING DIRECTOR

DATE: APRIL 13, 2021

SUBJECT: ZC-1-21 ZONE CHANGE FROM R-12 TO R-17

LOCATION: +/- 1.52 ACRES OFF OF 2nd STREET SOUTH OF NEIDER AVENUE,
LEGALLY DESCRIBED AS HICKMAN PLACE, LOT 2, BLOCK 1

APPLICANT/OWNER:
Habitat for Humanity of North Idaho
176 W. Wyoming Ave.
Hayden, ID 83835

DECISION POINT:
The applicant is requesting approval of a zone change from the R-12 to the R-17 zoning district.

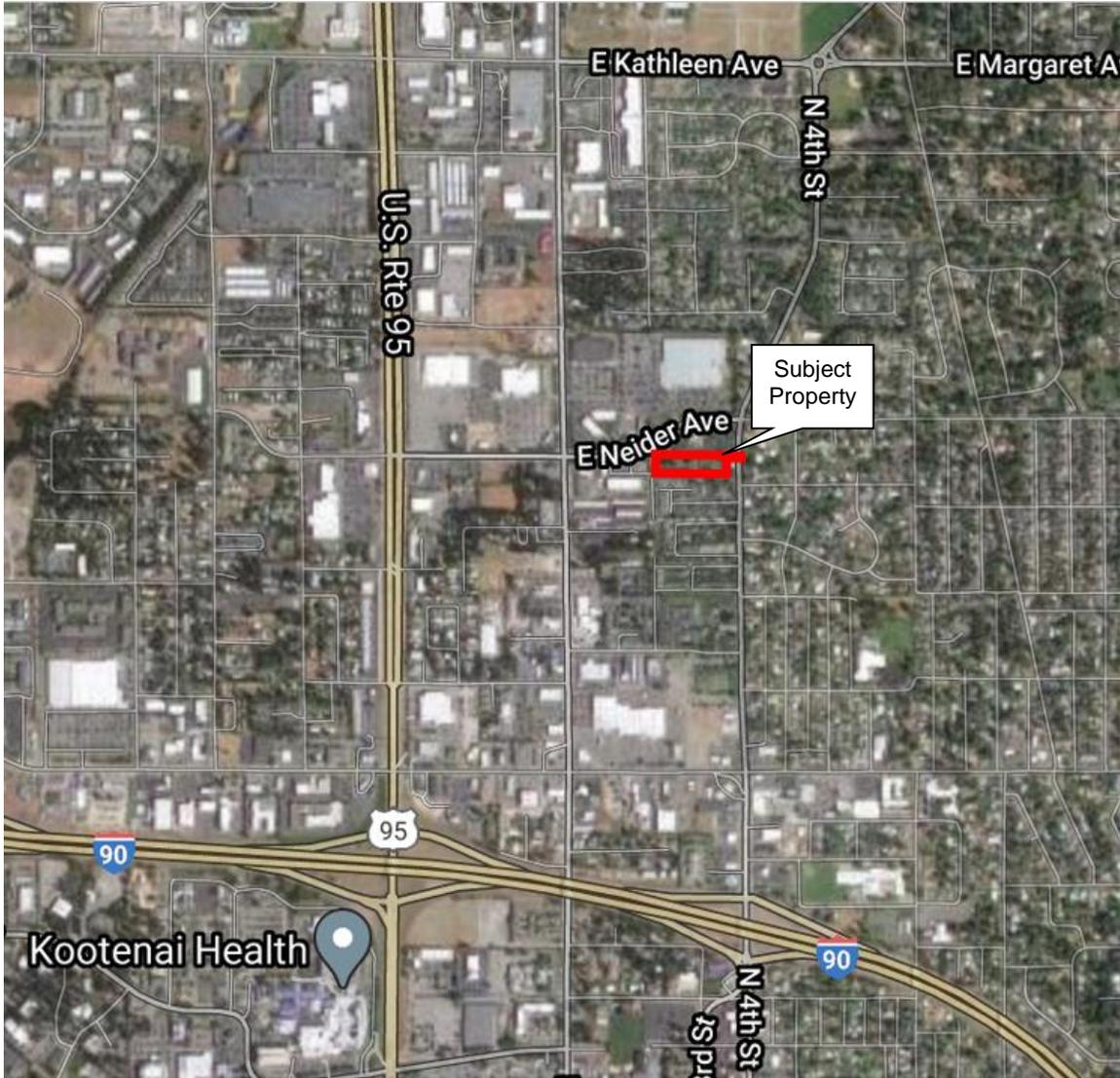
BACKGROUND INFORMATION:

The 1.52-acre property is located off of 2nd Street south of Neider Avenue and has a small connection east to 4th Street. Habitat for Humanity of North Idaho purchased the property in 2019 with the intent to build for-sale affordable housing units. The property previously included the home to the east. That was split off through a short plat in October 2019 resulting in a 2-lot residential subdivision, Hickam Place (SS-19-08). The infrastructure had been previously installed and accepted by the appropriate departments. The property is largely vacant, other than an abandoned structure, and suitable for development.

The project will result in affordable for-sale townhouses that will be available for low-to-moderate income persons in Coeur d'Alene. The goal is to provide 24-25 units if possible. The City Council recently approved a \$120,000 Community Opportunity Grant for Habitat for Humanity of North Idaho using CDBG (Community Development Block Grant) funds, which will be used will be utilized for Phase 1 Project Planning which consists of Sight Design, Design Development, Code Analysis, Schematic Design and Construction Documentation for the project. The project will help the City meet the Affordable Housing Goal in the 5-year CDBG Consolidated Plan and meet the National Objective to serve low-to-moderate income persons by building the affordable homes for low- and moderate-income families. The requested zone change is necessary to build the multifamily townhouse project. R-12 zoning does not permit multifamily residential. The zone change also allows for a few additional units, helping make the project work financially.

Habitat for Humanity will be creating a land trust as part of the project. The housing units will be built on property that is part of a land trust. Families will own their homes, but not the land itself. The underlying land will be owned by Habitat for Humanity of North Idaho and will be permanently reserved to create a long-term affordable housing stock. Recently, through research and discovery, Habitat for Humanity of North Idaho has shifted their home building model from building one house at a time to building multi-family condo style units built on a land trust.

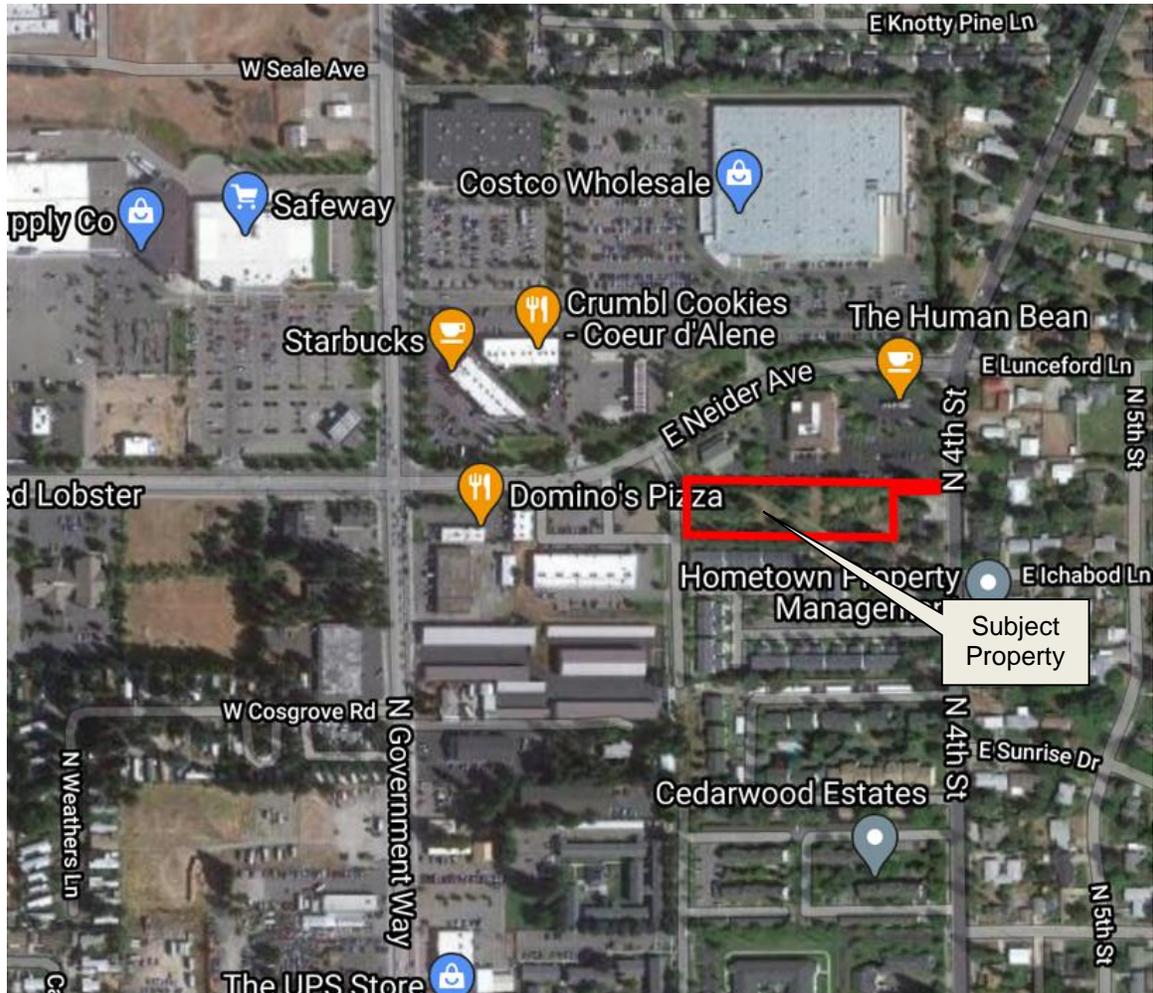
LOCATION MAP:



AERIAL PHOTO:

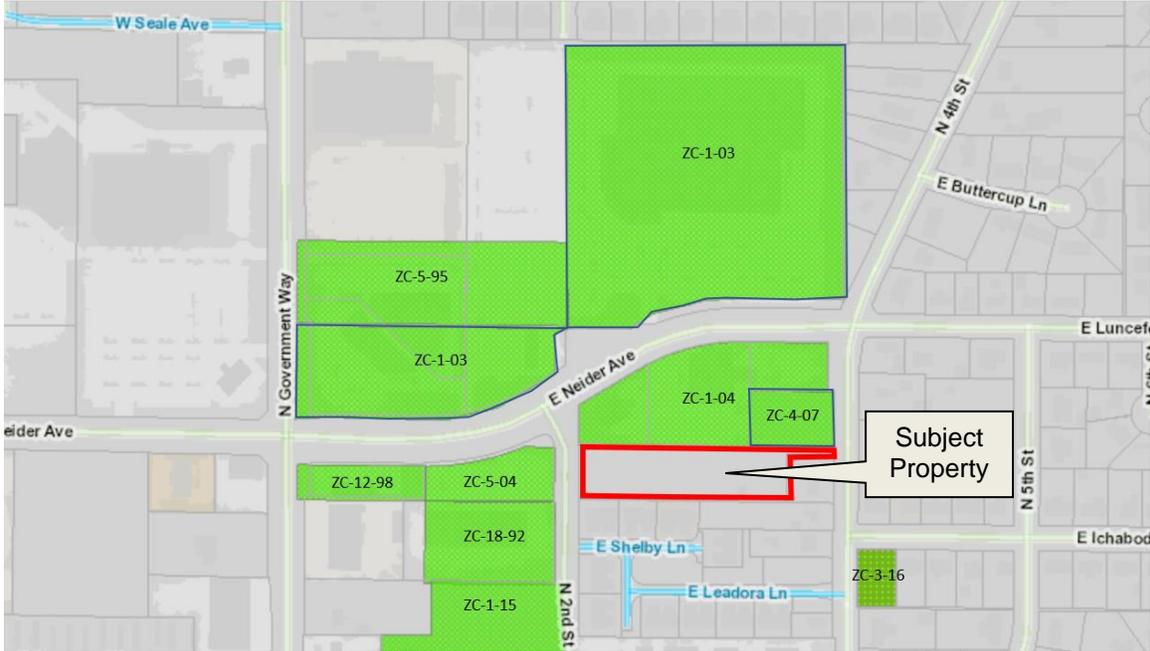


AERIAL PHOTO SHOWING NEARBY SERVICES:



PRIOR LAND USE ACTIONS:

The subject property is surrounded by previous zone change requests that were all approved. As noted below on the map and the list of zone changes, the changes took place between 1992 and 2016. The majority of the zone changes were from R-12 to C-17. There were a few to C-17 L and R-17. The most recent zone change was from R-12 to NC in 2016.



Zone Changes:

| | | |
|----------|---------------|----------|
| ZC-18-92 | R-12 to C-17 | Approved |
| ZC-5-95 | R-12 to C-17 | Approved |
| ZC-12-98 | R-17 to C-17 | Approved |
| ZC-1-03 | R-12 to C-17 | Approved |
| ZC-1-04 | R-12 to C-17L | Approved |
| ZC-5-04 | R-12 to C-17 | Approved |
| ZC-4-07 | R-12 to R-17 | Approved |
| ZC-1-15 | R-12 to C-17 | Approved |
| ZC-3-16 | R-12- to NC | Approved |

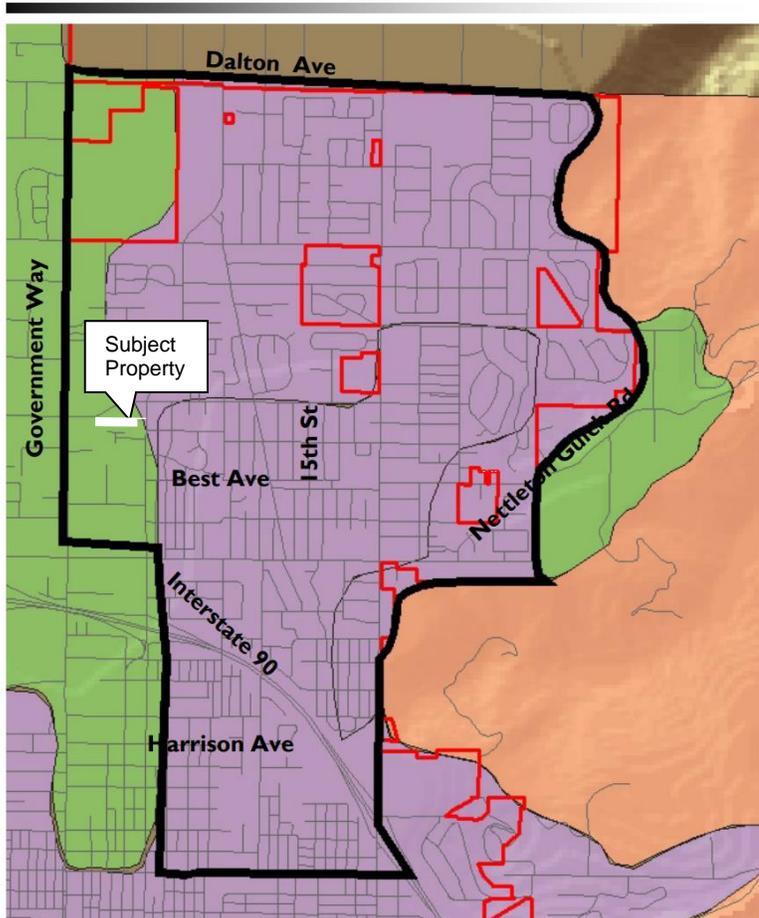
REQUIRED FINDINGS:

- 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 within the existing city limits.
- The City Comprehensive Plan Map designates this area as Northeast Prairie Transitional:

Land Use: NE Prairie



Transition:

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.

NE Prairie Tomorrow

It is typically a stable established housing area with a mix of zoning districts. The majority of this area has been developed. Special care should be given to the areas that remain such as the Nettleton Gulch area, protecting the beauty and value of the hillside and wetlands.

The characteristics of NE Prairie neighborhoods will be:

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Commercial uses are concentrated in existing commercial areas along arterials with neighborhood service nodes where appropriate.
- Natural vegetation is encouraged and should be protected in these areas.
- Pedestrian connections and street trees are encouraged in both existing neighborhoods and developing areas.
- 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.

COMPREHENSIVE PLAN GOALS & OBJECTIVES:

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.

Objective 1.16

Connectivity:

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

Goal #2: Economic Environment

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

Objective 2.05

Pedestrian & Bicycle Environment:

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

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 3.07

Neighborhoods:

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

Objective 3.10

Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Goal #4: Administrative Environment

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

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.*

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

STORMWATER:

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

- Submitted by Chris Bosley, City Engineering

STREETS:

The subject property is bordered by 2nd Street to the west and 4th Street to the east. Sidewalk will be required along the 2nd Street frontage with construction.

- Submitted by Chris Bosley, City Engineering

WATER:

There is adequate capacity in the public water system to support domestic, irrigation for the proposed zone change for Habitat for Humanity of North Idaho 2nd Street.

There is an existing 12" water main in N 4th St., and an 8" water main in N 2nd St.

-Submitted by Kyle Marine, Assistant Water Superintendent

SEWER:

Public sewer is available to this property via existing sewer lateral in 2nd Street

-Submitted by Larry Parsons, Wastewater 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 City of Coeur d'Alene Fire Department can address all concerns at site and building permit submittals. The Fire Department has no objection to the zone change as proposed.

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

POLICE:

The Police Department reviewed the proposed zone change and has no concerns.

-Submitted by Lee White, Police Chief

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.*

- 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 is generally flat with an approximately four (4) foot drop across the entire property. The site has an abandoned structure, trees and other vegetation, along with some felled trees that will need to be removed for the project. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-12 to R-17.

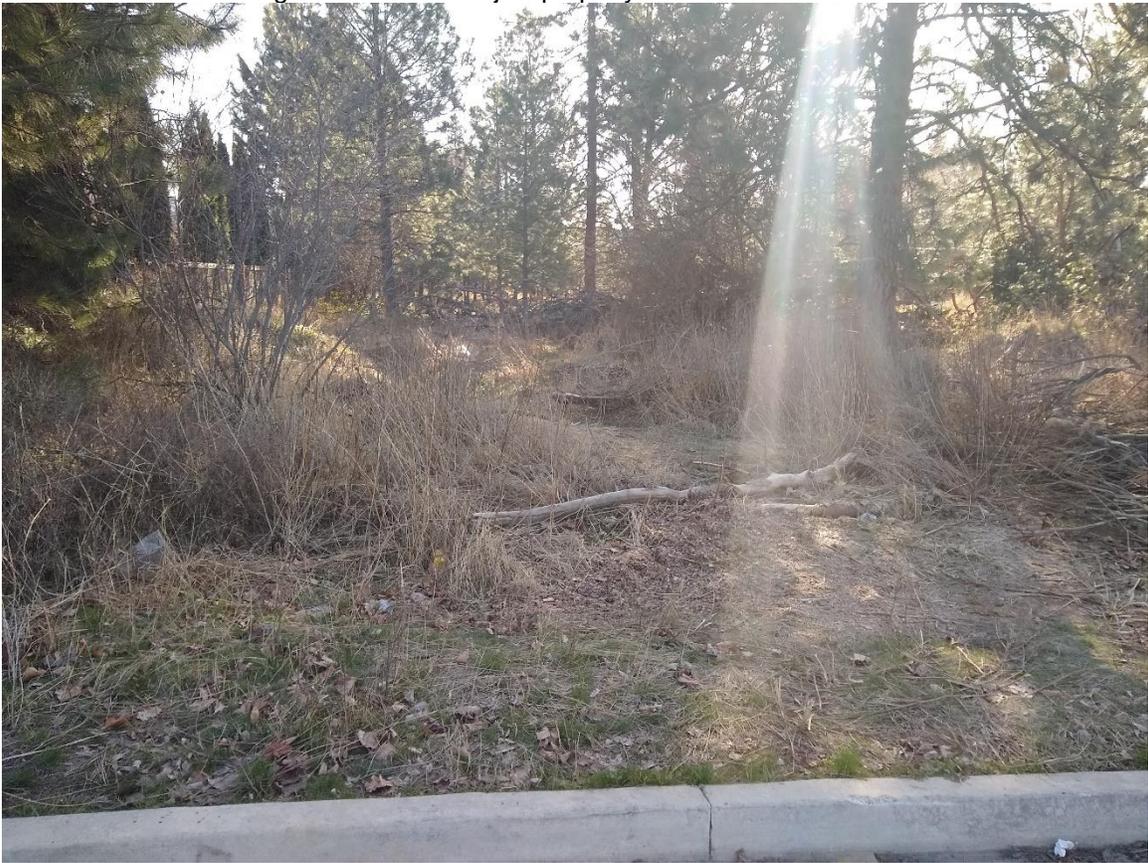
TOPOGRAPHIC MAP:



SITE PHOTO 1: Looking east toward the subject property from 2nd Street



SITE PHOTO 2: Looking east onto the subject property from 2nd Street



SITE PHOTO 3: Looking south along 2nd Street toward the Briarwood Town Homes



SITE PHOTO 4: Looking north on 2nd Street toward Neider Avenue with the subject property on the right



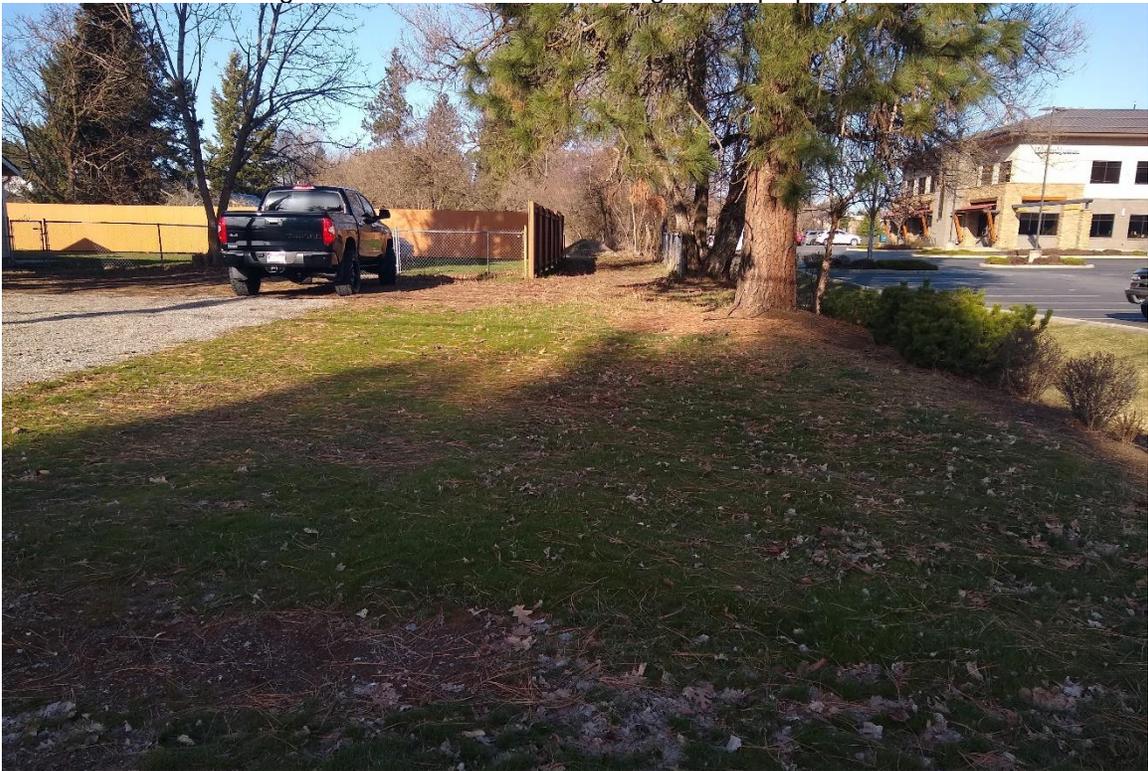
SITE PHOTO 5: Looking east in the central portion of the property



SITE PHOTO 6: Looking west across 2nd Street toward the commercial uses from the southwest corner of the subject



SITE PHOTO 7: Looking west from the eastern most edge of the property on 4th Street



SITE PHOTO 8: Looking north on 4th Street from the eastern edge of the subject property



SITE PHOTO 9: Looking west from the eastern most edge of the property



SITE PHOTO 10: Looking east toward 4th Street



SITE PHOTO 11: Looking northwest toward the commercial uses along Neider Avenue



SITE PHOTO 12: Looking south along the eastern fence line



SITE PHOTO 13: Looking at the abandoned structure near the southeast corner of the property



Evaluation: *The Planning Commission must 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 zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the applicant states that the zone change is needed to allow multifamily housing. If the property is developed to the maximum allowable density, traffic would only increase by 3 to 4 trips per peak hour. The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineering

NEIGHBORHOOD CHARACTER:

From 2007 Comprehensive Plan: Northeast Prairie Today

This area is composed of a variety of zoning districts with a majority of residential density at three to eight units per acre (3-8:1). Lower density development becomes more prominent moving north. The NE Prairie provides a range of housing choices that includes a number of large recreation areas and small pocket parks.

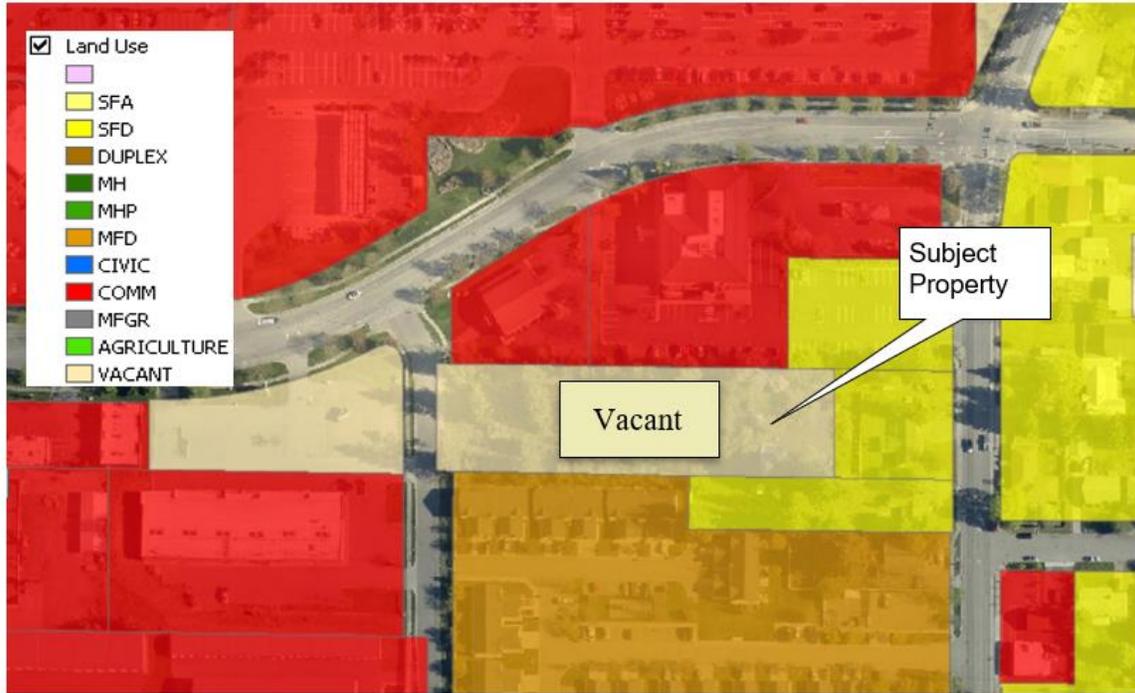
Canfield Mountain and Best Hill act as the backdrop for this portion of the prairie. Much of the lower lying, less inhibitive areas have been developed. Pockets of development and an occasional undeveloped lot remain.

SURROUNDING LAND USES:

The subject property is located near the commercial corridors of Neider Avenue and Government Way. It is located in between 2nd and 4th Streets adjacent to commercial, office, multi-family residential uses, and a few single-family residences. The properties to the north include a drive-through beverage retailer, an office complex, and a coffee stand. Further north across Neider Avenue is Costco. To the west across 2nd Street is a commercial strip center and southwest is a self-storage facility. To the south is the Briarwood Town Homes multi-family development. To the immediate east and southeast are single-family homes. To the east across 4th Street are single-family residential uses. Southeast of the property on 4th Street and Ichabod Lane is the property with a Neighborhood Commercial (NC) zoning designation. The subject property is in an ideal location for a multi-family residential project due to its proximity to services, employment, public transportation, walkability and bike ability. It is also within ½ mile of North Pines Park.

See Land Use Map on the following page.

GENERALIZED LAND USE PATTERN:



ZONING MAP:



Approval of the zone change request would allow the uses by right to change from R-12 uses to R-17 uses (as listed below).

Existing R-12 Zoning District:

The R-12 district is intended as a residential area that permits a mix of housing types at a density not greater of twelve (12) units per gross acre.

17.05.180: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-12 district shall be as follows:

- Administrative Office
- Duplex housing
- Essential service
- Home occupation
- Neighborhood recreation
- Public recreation
- Single-family detached housing

17.05.190: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-12 district shall be as follows:

- Accessory dwelling unit.
- Garage or carport (attached or detached).
- Private recreation facility (enclosed or unenclosed).

17.05.200: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an R-12 district shall be as follows:

- Boarding house
- Childcare facility
- Commercial film production
- Commercial recreation
- Community assembly
- Community education
- Community organization
- Convenience sales
- Essential service
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility
- Noncommercial kennel
- Religious assembly
- Restriction to single-family only
- Two (2) unit per gross acre density increase

17.05.240: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for residential activities in an R-12 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

17.05.245: NONRESIDENTIAL SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for nonresidential activities in an R-12 district shall be as follows:

- A. Front: The front yard requirement shall be twenty feet (20').
- B. Side, Interior: The interior side yard requirement shall be twenty five feet (25').
- C. Side, Street: The street side yard requirement shall be twenty five feet (25').
- D. 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.

Proposed R-17 Zoning District:

The R-17 district is intended as a medium/high density residential district that permits a mix of housing types at a density not greater than seventeen (17) units per gross acre. This district is appropriate 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 landside hazard areas.

Principal permitted uses in an R-17 district shall be as follows:

- Administrative
- Childcare facility
- Community education
- Duplex housing
- Essential service
- Home occupation
- Multiple-family
- Neighborhood recreation
- Pocket residential development
- Public recreation
- Single-family detached housing as specified by the R-8 district

Permitted uses by special use permit in an R-17 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
- Boarding house
- Commercial film production
- Commercial recreation
- Community assembly
- Community organization
- Convenience sales
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders' facility
- Ministorage facilities
- Mobile home manufactured in accordance with section 17.02.085 of this title
- Noncommercial kennel
- Nursing/convalescent/rest homes for the aged
- Rehabilitative facility.
- Religious assembly
- Residential density of the R-34 district as specified
- Three (3) unit per gross acre density increase
- Religious assembly
- Retail gasoline sales
- Single-family detached housing (as specified by the R-8 district)
- Specialty retail sales
- Veterinary office

17.05.290: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements in an R-17 District shall be as follows:

| Structure Type | Structure Location | |
|---|--|---|
| | In Buildable Area for Principal Facilities | In Rear Yard |
| Single-family and duplex structure | 32 feet | n/a |
| Multiple-family structure | 45 feet | n/a |
| For public recreation, community education or religious assembly activities | 45 feet | n/a |
| Detached accessory building including garages and carports | 32 feet | With low or no slope roof: 14 feet With medium to high slope roof: 18 feet |

17.05.320: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

A. Minimum yard requirements for single family and duplex residential activities in an R-17 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

C. Multiple-family housing at seventeen (17) units per acre:

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 required rear yard will be reduced by one-half (1/2) when adjacent to public open space

17.44.030: RESIDENTIAL USES:

Unless otherwise allowed by the relevant zoning or overlay district, the following off-street parking

| | | |
|----|--------------------------|---------------------|
| 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 |

Evaluation: *The Planning Commission must 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.*

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.

STREETS:

4. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
5. All required street improvements shall be constructed prior to issuance of, or, in conjunction with, building permits.
6. An encroachment permit is required to be obtained prior to any work being performed in the existing right-of-way.

STORMWATER:

7. 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.

PROPOSED CONDITIONS:

None

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
2017 Trails & Bikeways Master Plan

ACTION ALTERNATIVES:

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

Attachment: Applicant's Narrative



**APPLICANT'S
NARRATIVE**

Habitat for Humanity of North Idaho's land trust model for affordable homeownership is implemented using multi-family townhouse/condo construction. By leveraging the land lease functionality of the land trust and a shared management condo owner's association Habitat can remain involved with the long-term management and use of the properties we're developing. The current R-12 zoning does not allow for multi-family building applications, which is the reason for requesting the change to R-17 that does allow multi-family. The impact of low supply for available housing of any kind has a significant impact on the cost of each housing unit including ownership to rental units. Maximizing the number of units built on properties in appropriate locations in the city is a responsible way to increase the availability of housing and to help those who are struggling due to the rising cost of housing.

We're still working with the architect on this project on the final footprint for each proposed building and how that will impact total number of units and the size of each unit, but we are interested in maximizing the number of units so 24-25 units is a possibility.

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**PLANNING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, ASSOCIATE PLANNER
DATE: APRIL 13, 2021
SUBJECT: ZC-2-21 ZONE CHANGE FROM R-12 TO R-17
LOCATION: +/- 0.346 ACRE A PARCEL LOCATED AT 3135 N FRUITLAND LANE

APPLICANT/OWNER:
George Hughes
P.O. Box 1075
Post Falls, ID 83877

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

DECISION POINT:

The applicant is requesting approval of a zone change from the R-12 to the R-17 zoning district.

BACKGROUND INFORMATION:

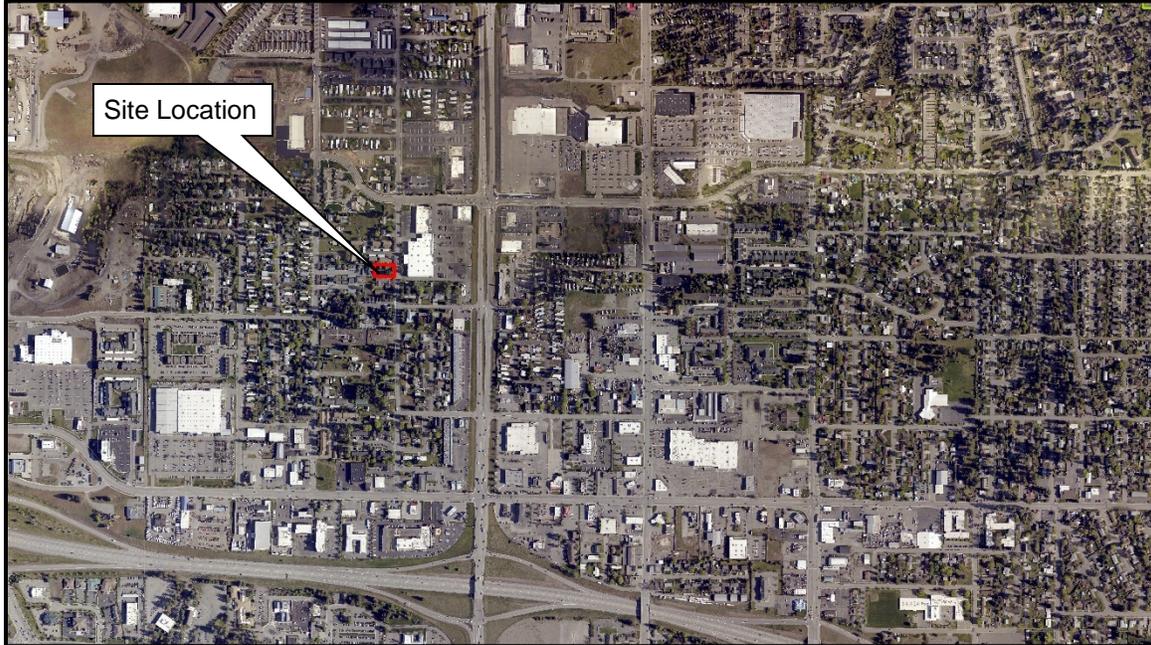
The subject property is located on the west side of US Highway 95, south of Neider Avenue, west of Fruitland Lane and approximately 250 feet north of Cherry Lane. The subject property is currently vacant and prior to 2005, there was one single-family dwelling located on it. The property is relatively flat and contains a few mature trees.

The property abuts a multi-family housing development located to the north of the subject site which is located in the R-17 zoning district. The property to the west is a mobile home park that is in the MH-8 zoning district. The property to the south of the subject site is a multi-family condo development that is located in the R-12 zoning district. To the east across the street is a commercial shopping plaza that is located in the C-17 commercial zoning district. (see land use map and zoning map on page 13)

There is a pocket housing development located several parcels to the south and there is also another apartment complex located on property several parcels north of the subject site. The applicant has not indicated a specific site plan or use for the property at this time. The size of the parcel would allow up to six units to be built on this site.

If the subject site is approved to be changed to the R-17 residential district, then all permitted uses in the R-17 residential district would be allowed on this site. (see R-17 zoning district information on pages 14-15)

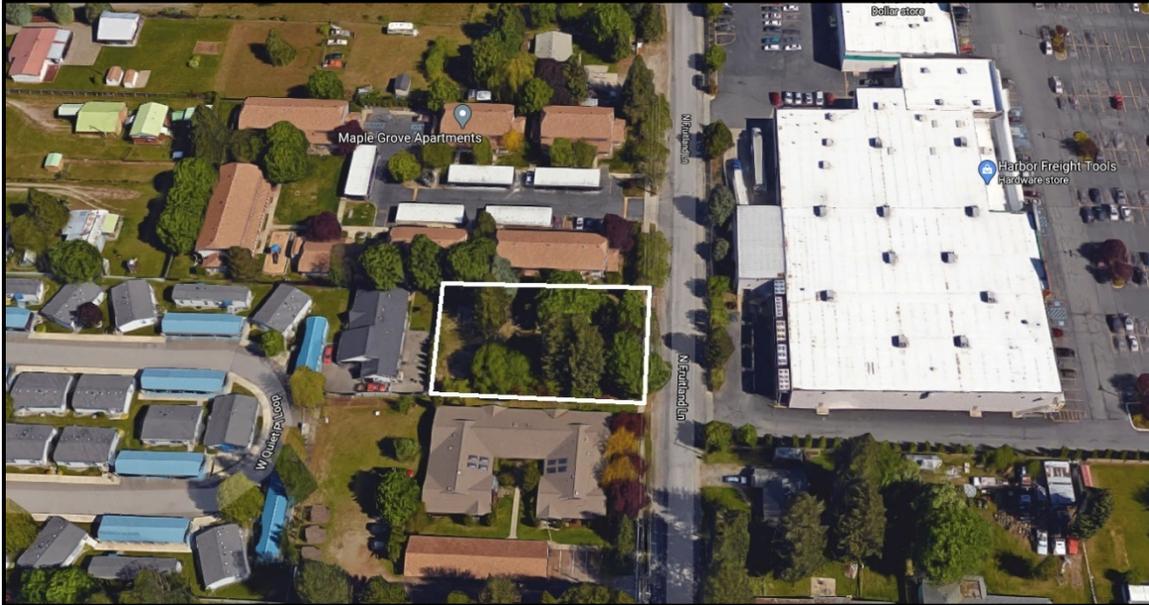
LOCATION MAP:



AERIAL PHOTO:

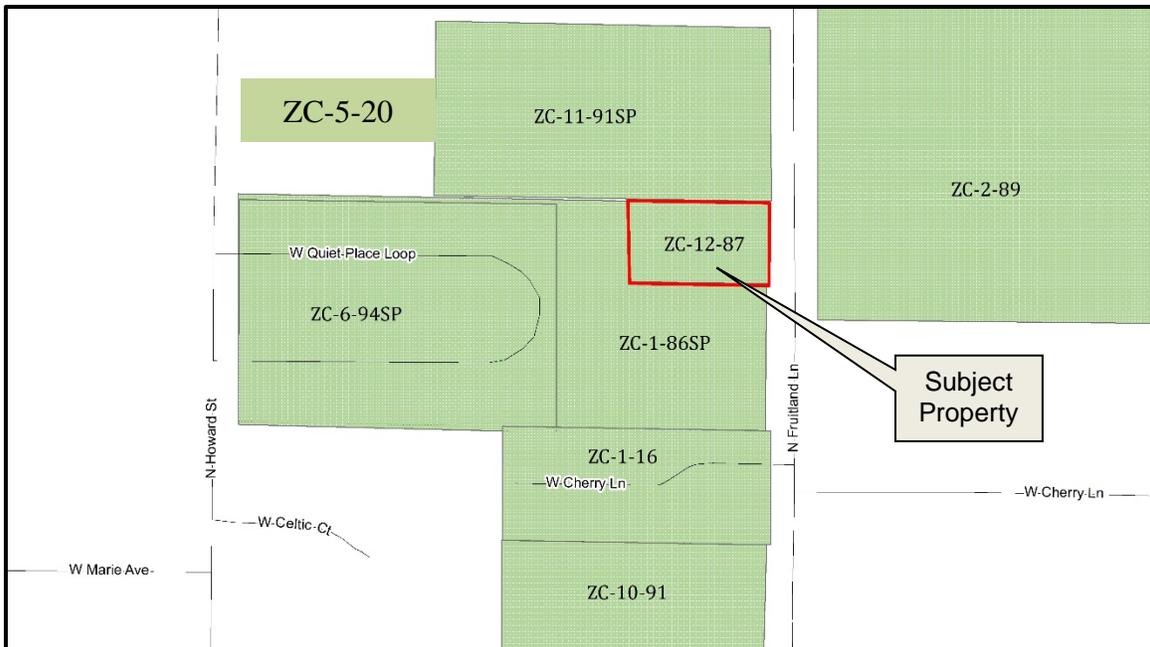


BIRDS EYE AERIAL PHOTO - 1:



PRIOR LAND USE ACTONS:

Planning Commission and City Council approved a zone change request (ZC-11-91SP) north of the subject property from MH-8 to R-17 in 1991. A zone change from MH-8 to R-12 was approved on the property to the west of the subject property (ZC-6-94SP) in 1994. Another zone change from MH-8 to R-17 was approved on the property to the northwest of the subject property (ZC-5-20) in 2020. As seen in the map provided below, the area is in transition with a multitude of approved zone changes and special use permits in the vicinity of the subject property.



Zone Changes:

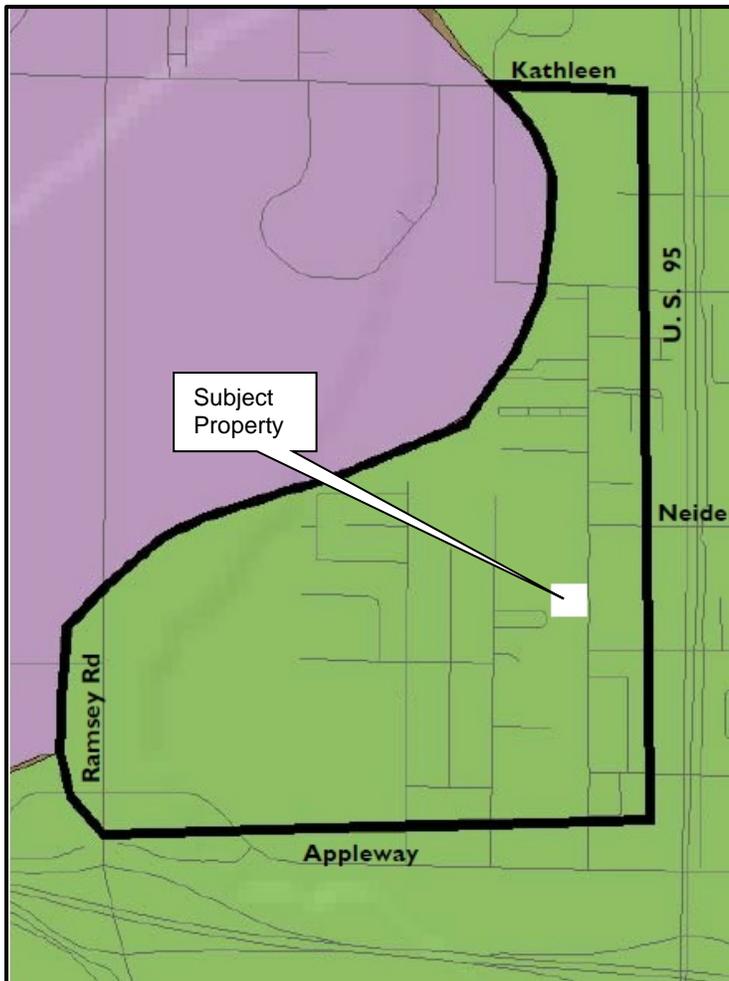
| | | |
|------------|--------------------------------------|----------|
| ZC-186SP | MH-8 to R-12 (SP-Retirement Home) | Approved |
| ZC-12-87 | R-8 to R-12 | Approved |
| ZC-2-89 | R-12 & R-17 to C-17 | Approved |
| ZC-10-91 | MH-8 to R-12 | Approved |
| ZC-11-91SP | MH-8 to R-17 (SP – Density Increase) | Approved |
| ZC-6-94SP | MH-8 to R-12 (SP-Mobile Home Park) | Approved |
| ZC-1-16 | MH-8 to R-12 | Approved |
| ZC-5-20 | MH-8 to R-17 | Approved |

REQUIRED FINDINGS:

- 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 within the existing city limits.
- The City Comprehensive Plan Map designates this area as Fruitland-Transition:



Transition:

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.

Fruitland Tomorrow

Generally, this area is envisioned as a commercial corridor with adjacent multi-family uses and will maintain a mix of the housing types that currently exist. Commercial and manufacturing will continue to expand and care must be used for sensitive land use transition. A traffic study for US 95 is underway which may affect future development in this area.

The characteristics of Fruitland neighborhoods will be:

- That overall density will approach eight residential units per acre (8:1).
- That single and multi-family housing should be located adjacent to compatible uses.
- Pedestrian and bicycle connections are encouraged.
- Uses that strengthen neighborhoods are encouraged.

The characteristics of Fruitland commercial areas will be:

- Commercial buildings will remain lower in scale than in the downtown core.
- Native variety trees will be encouraged along commercial corridors.

COMPREHENSIVE PLAN GOALS & OBJECTIVES:

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.

Objective 1.16

Connectivity:

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

Goal #2: Economic Environment

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

Objective 2.05

Pedestrian & Bicycle Environment:

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

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 3.07

Neighborhoods:

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

Objective 3.10

Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Goal #4: Administrative Environment

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

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.*

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

STORMWATER:

City Code requires that all stormwater remain on the property and for a stormwater management plan to be submitted and approved prior to any construction activity on the site. The applicant will be required to include a stormwater management plan with any building permit submittal for the subject property.

- Submitted by Chris Bosley, City Engineering

STREETS:

The subject property is bordered by Fruitland Lane to the east. Curb and sidewalk will be required along Fruitland Lane at the time of construction.

- Submitted by Chris Bosley, City Engineering

WATER:

There is adequate capacity in the public water system to support domestic, irrigation for the proposed zone change for 3135 Fruitland. There is an existing 12" water main in N Fruitland Ln with a 3/4" service stubbed into the proposed lot. 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 permitting. The Water Department has no objections to the zone change as proposed.

-Submitted by Kyle Marine, Assistant Water Superintendent

SEWER:

This property has sewer available within Fruitland Lane. This property falls under the Wastewater Policy #716 – One Parcel, One Lateral. Any new construction must connect to existing sewer that serves the subject site. The Wastewater Department has no objections to the zone change as proposed.

-Submitted by Larry Parsons, Wastewater 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 City of Coeur d’Alene Fire Department can address all concerns at site and building permit submittals. The Fire Department has no objection to the zone change as proposed.

-Submitted by Bobby Gonder, Fire Inspector

POLICE:

The Police Department reviewed the proposed zone change and has no concerns.

-Submitted by Lee White, Police Chief

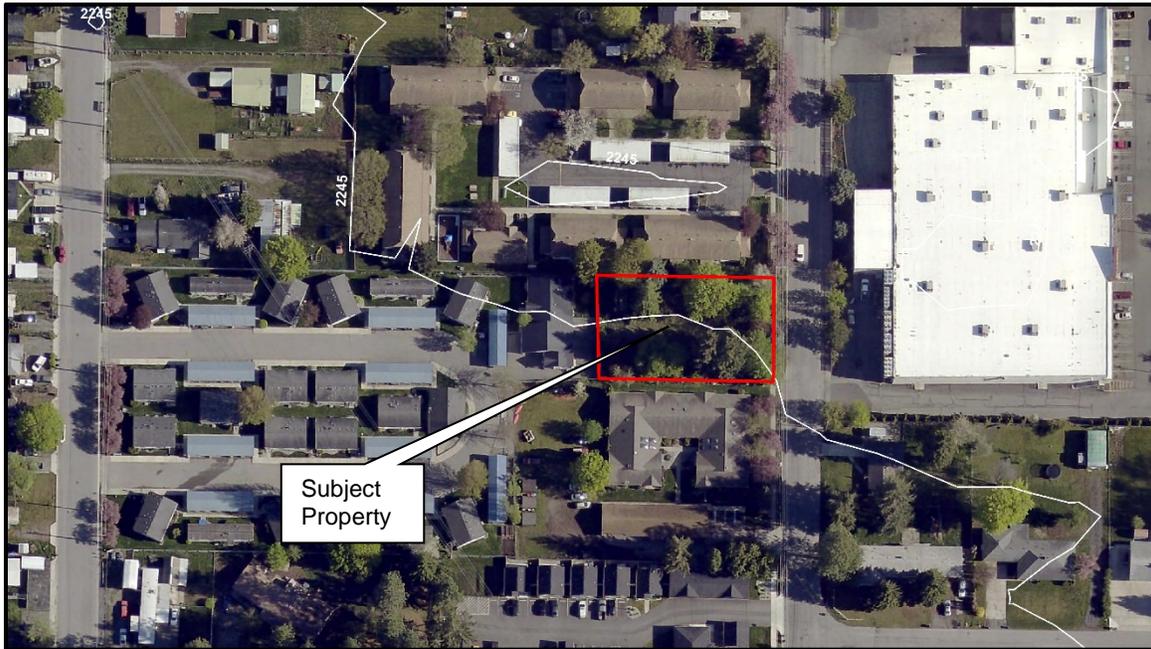
Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

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 is generally flat with a slight drop in elevation towards the east part of the property. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-12 to R-17.

TOPOGRAPHIC MAP:



SITE PHOTO 1: Across the street on Fruitland Lane looking southwest.



SITE PHOTO 2: Southeast corner of property looking north



SITE PHOTO 3: Northeast corner of property looking west.



SITE PHOTO 4: Central part of property looking west.



SITE PHOTO 5: Central part of property looking northwest.



Evaluation: *The Planning Commission must 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 zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. The applicant states that the zone change will allow for up to a six-unit residential structure to be constructed on the subject property. The maximum increase in traffic anticipated from this proposed use would be negligible, adding only 3 to 4 peak hour trips. The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineering

NEIGHBORHOOD CHARACTER:

From 2007 Comprehensive Plan: Fruitland Today

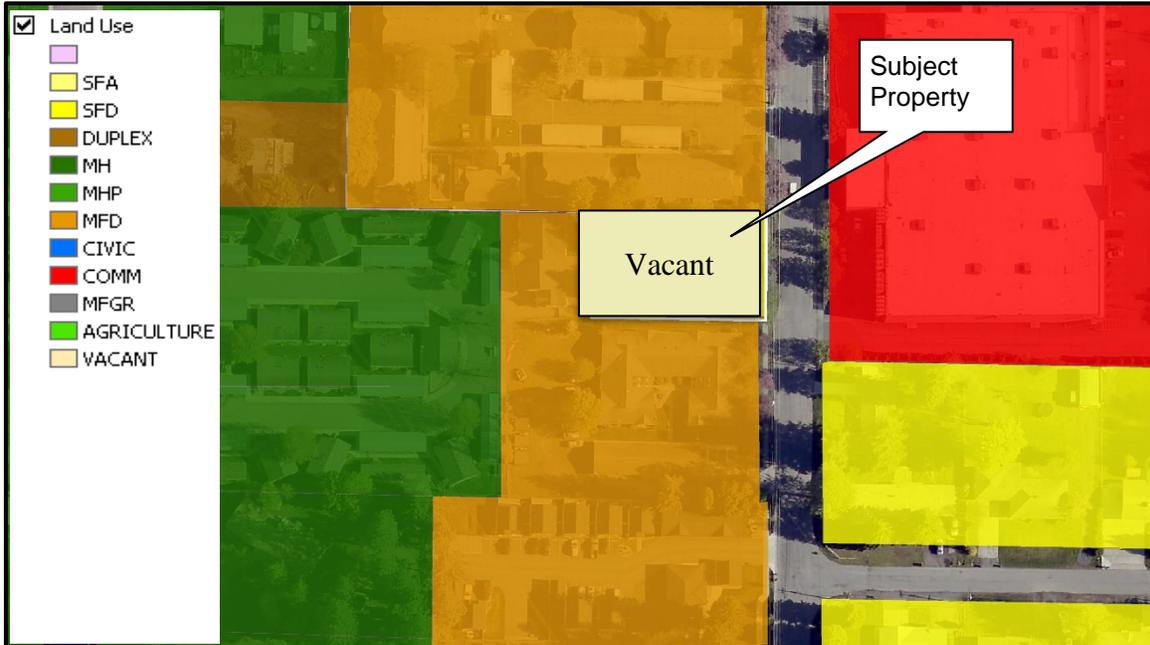
Fruitland is generally known as the area bordered by commercial uses along US 95, Kathleen Avenue to the north, commercial uses on Appleway Avenue south, and the area separated by manufacturing and residential along the west.

The Fruitland area is home to diverse land uses. Commercial uses are common near major corridors transitioning to single-family housing with pockets of multi-family housing and mobile home parks. Manufactured homes are prevalent in areas removed from the US 95 corridor, and continued growth provides affordable housing for residents. Fruitland has the largest concentration of mobile home zoned property within city limits.

SURROUNDING LAND USES:

The property to the north of the subject site is a residential land use with a multi-family apartment complex located on it. The property to the east is a commercial land use with a shopping center located on it. The property to the west of the subject site is a residential land use with a mobile home park located on it. The property to the south is also a residential land use with a multi-family condo facility located on it. *See Land Use Map below on page 9.*

GENERALIZED LAND USE PATTERN:



ZONING MAP:



Approval of the zone change request would allow the uses by right to change from R-12 uses to R-17 uses (as listed below).

Existing R-12 Zoning District:

The R-12 district is intended as a residential area that permits a mix of housing types at a density not greater of twelve (12) units per gross acre.

17.05.180: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-12 district shall be as follows:

- Administrative Office
- Duplex housing
- Essential service
- Home occupation
- Neighborhood recreation
- Public recreation
- Single-family detached housing

17.05.190: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-12 district shall be as follows:

- Accessory dwelling unit.
- Garage or carport (attached or detached).
- Private recreation facility (enclosed or unenclosed).

17.05.200: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an R-12 district shall be as follows:

- Boarding house
- Childcare facility
- Commercial film production
- Commercial recreation
- Community assembly
- Community education
- Community organization
- Convenience sales
- Essential service
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility
- Noncommercial kennel
- Religious assembly
- Restriction to single-family only
- Two (2) unit per gross acre density increase

17.05.240: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for residential activities in an R-12 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

17.05.245: NONRESIDENTIAL SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for nonresidential activities in an R-12 district shall be as follows:

- A. Front: The front yard requirement shall be twenty feet (20').
- B. Side, Interior: The interior side yard requirement shall be twenty five feet (25').

C. Side, Street: The street side yard requirement shall be twenty five feet (25').

D. 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.

Proposed R-17 Zoning District:

The R-17 district is intended as a medium/high density residential district that permits a mix of housing types at a density not greater than seventeen (17) units per gross acre. This district is appropriate 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 landside hazard areas.

Principal permitted uses in an R-17 district shall be as follows:

- Administrative
- Childcare facility
- Community education
- Duplex housing
- Essential service
- Home occupation
- Multiple-family
- Neighborhood recreation
- Pocket residential development
- Public recreation
- Single-family detached housing as specified by the R-8 district

Permitted uses by special use permit in an R-17 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
- Boarding house
- Commercial film production
- Commercial recreation
- Community assembly
- Community organization
- Convenience sales
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders' facility
- Ministorage facilities
- Mobile home manufactured in accordance with section 17.02.085 of this title
- Noncommercial kennel
- Nursing/convalescent/rest homes for the aged
- Rehabilitative facility.
- Religious assembly
- Residential density of the R-34 district as specified
- Three (3) unit per gross acre density increase
- Religious assembly
- Retail gasoline sales
- Single-family detached housing (as specified by the R-8 district)
- Specialty retail sales
- Veterinary office

17.05.290: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements in an R-17 District shall be as follows:

| Structure Type | Structure Location | |
|---|--|---|
| | In Buildable Area for Principal Facilities | In Rear Yard |
| Single-family and duplex structure | 32 feet | n/a |
| Multiple-family structure | 45 feet | n/a |
| For public recreation, community education or religious assembly activities | 45 feet | n/a |
| Detached accessory building including garages and carports | 32 feet | With low or no slope roof: 14 feet With medium to high slope roof: 18 feet |

17.05.320: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

A. Minimum yard requirements for single family and duplex residential activities in an R-17 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

C. Multiple-family housing at seventeen (17) units per acre:

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 required rear yard will be reduced by one-half (1/2) when adjacent to public open space

17.44.030: RESIDENTIAL USES:

Unless otherwise allowed by the relevant zoning or overlay district, the following off-street parking

| | | |
|----|--------------------------|---------------------|
| 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 |

Evaluation: *The Planning Commission must 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.*

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.

STREETS:

4. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
5. All required street improvements shall be constructed prior to issuance of, or, in conjunction with, building permits.
6. An encroachment permit is required to be obtained prior to any work being performed in the existing right-of-way.

STORMWATER:

7. 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.

PROPOSED CONDITIONS:

None

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
2017 Trails & Bikeways Master Plan

ACTION ALTERNATIVES:

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

Attachment: Applicant's Narrative



**APPLICANT'S
NARRATIVE**



DOBLER ENGINEERING

ZONE CHANGE NARRATIVE

FOR

HUGHES PROPERTY

3135 N Fruitland Lane

PROJECT DESCRIPTION

Dobler Engineering is requesting a re-zone of the subject parcel. The parcel is approximately 0.346 acres, located on the west side Fruitland Lane approximately 250' north of Cherry Lane. The parcel is currently undeveloped and zoned R-12. We are requesting an R-17 zoning in order to make the use more compatible with the neighborhood land use.

The property fronts Fruitland Lane, is generally level, and contains a few mature trees. Fruitland Lane is fully developed in this area except for curb and sidewalk along the frontage of this property. All utilities are available in Fruitland for development of the property.

EXISTING ZONING AND LAND USE

The surrounding zoning consists of R-12, R-17, C-17, and MH-8. The abutting property on the north is zoned R-17 and the current land use is a 21 unit apartment complex. The property on the south is zoned R-12 and is an eight unit condominium complex. The property on the west is zoned MH-8 and is a 21 space mobile home park. Directly across the street is the commercial shopping center which is zoned C-17. The properties on the east side of Fruitland, south of the shopping center, are zoned R-12 and developed as single family residences.

The current zoning of R-12 would allow for the development of one, possibly two, duplexes on the property. The proposed R-17 would allow for up to six units, which could be accommodated in a single structure.

COMPREHENSIVE PLAN

This request provides for the development of the property in a manner consistent with abutting and surrounding higher density land uses. It is consistent with relevant goals in the Comprehensive plan, as outlined below.



DOBLER ENGINEERING

GOALS AND OBJECTIVES

GOAL #1: 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 1.14: Efficiency. Promote the efficient use of existing infrastructure , thereby reducing impacts to undeveloped areas.

Development of the property at a higher density will allow additional housing with no additional infrastructure. Fruitland Lane is fully developed, and no additional infrastructure would be required, with the exception of installation of curb and sidewalk upon development.

GOAL #2: Economic Environment

Goal: *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.

Higher density zoning will allow additional workforce housing within walking distance of numerous employment opportunities.

GOAL #3: Home Environment

Goal: *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 need of a changing population.

The existing neighborhood has a diversity of uses, including apartments, mobile homes, condominiums, and single family. The proposed density would continue that theme.

Objective 3.10: Affordable & Workforce Housing: Support efforts to preserve and provide affordable and workforce housing.

With the rising cost of ownership of single family dwellings, the need for a variety of more affordable housing has greatly increased. The proposed density will allow the development of more units, to meet the increasing need.



DOBLER ENGINEERING

SPECIAL AREAS

This property is not located in one of the special area identified in the comp plan.

LAND USE

Fruitland lane is in an area identified as “Transition” in the comp plan. Transition areas are described as follows.

“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 with the planning period.”

The property lies within the land use area identified by the comp plan as “Fruitland”. The identifies the following for this land use.

Fruitland Tomorrow

Generally, this area is envisioned as a commercial corridor with adjacent multi-family uses and will maintain a mix of the housing types that currently exist. Commercial and manufacturing will continue to expand, and care must be used for sensitive land use transition .”

The characteristics of Fruitland neighborhoods will be:

- *That overall density will approach eight residential units per acre (8:1)*
- *That single and multi-family housing should be located adjacent to compatible uses.*
- *Pedestrian and bicycle connections are encouraged.*
- *Uses that strengthen neighborhoods are encouraged.*

This proposal is consistent with the guidelines presented in this section.

CONCLUSION

Base on the evaluation outlined above, the proposed re-zone is in keeping with the goals and policies of the Comprehensive plan. It would preserve the character of the existing neighborhood land use while facilitating development of affordable workforce housing within walking distance of numerous businesses. For this reason, and those outlined above, we respectfully request approval of this request.

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PLANNING COMMISSION STAFF REPORT

FROM: MIKE BEHARY, ASSOCIATE PLANNER
DATE: APRIL 13, 2021
SUBJECT: ZC-3-21 ZONE CHANGE FROM R-8 TO R-17
LOCATION: +/- 3.55 ACRE PARCEL LOCATED AT 3635 N 17TH STREET

APPLICANT/OWNER:

Northwest Solutions Investment Group, LLC
205 W Anton
Coeur d'Alene ID 83815

CONSULTANT:

Stonehenge Development & Government
c/o Connie Kruger, AICP
1859 N Lakewood Drive
Coeur d'Alene, ID 83814

DECISION POINT:

The applicant is requesting approval of a zone change from the R-8 to the R-17 zoning district.

BACKGROUND INFORMATION:

The subject property was annexed into city limits in 1987 (A-3-86) with an R-8 zoning designation. Currently there is an existing multi-family facility located at this site. This multi-family facility was approved under the cluster housing ordinance. Cluster housing regulations were adopted in 1988. The building permit for this cluster housing project was approved in 1991 (Building Permit #4810-B).

The R-8 allows a total of 28 units by right for this 3.55-acre site. There was a special use permit that was approved in 2016 that allowed for a 2-unit density increase on this site in item SP-5-16. The special use permit allowed for an additional 2 units per acre to be built on this site. Currently there are a total of 34 units located on the subject site. All the units on this site are one story and do not exceed 18 feet in height.

The property gains access from 17th Street via a single long driveway that accesses a paved parking area. Many of the spaces have carports and personal storage. Parking for multifamily is based on the number of bedrooms and single-family units require 2 stalls per unit.

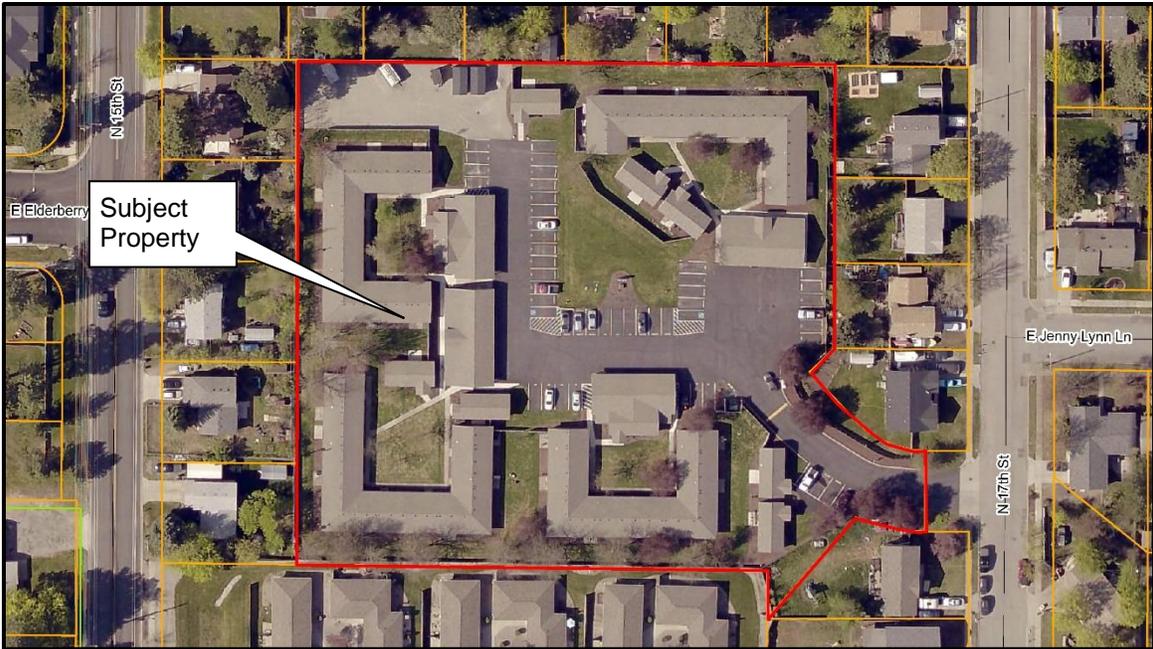
The current zoning ordinance allows multi-family facilities to be located in the R-17, C-17, and C-17L districts. Multi-family uses are not permitted in the R-8 Zoning District. *See Zoning District Information on pages 14-16.*

This parcel is located in a residential area and shares its property boundaries on three sides with single family homes. It should be noted that if the zone change is approved to the R-17 residential zoning district, the size of the parcel allows for a maximum of 60 units, that allow buildings to be up to 45 feet in height.

LOCATION MAP:



AERIAL PHOTO:



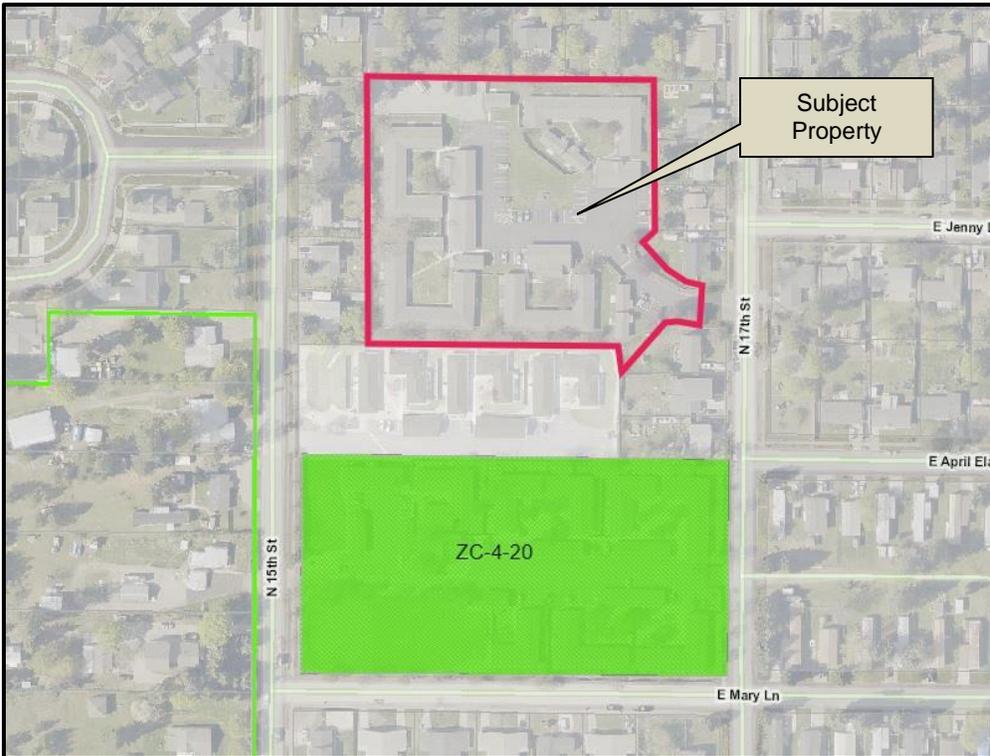
BIRDS EYE AERIAL PHOTO - 1:



PRIOR LAND USE ACTIONS:

A zone change was also approved by the Planning Commission and City Council in 2020 to change the zoning from R-8 to R-17 on the property to the south of the subject property in item ZC-4-20. One of the primary reasons this zone change was approved was due to its access to 15th Street, which is classified as a major collector street.

PRIOR LAND USE ACTIONS MAP:



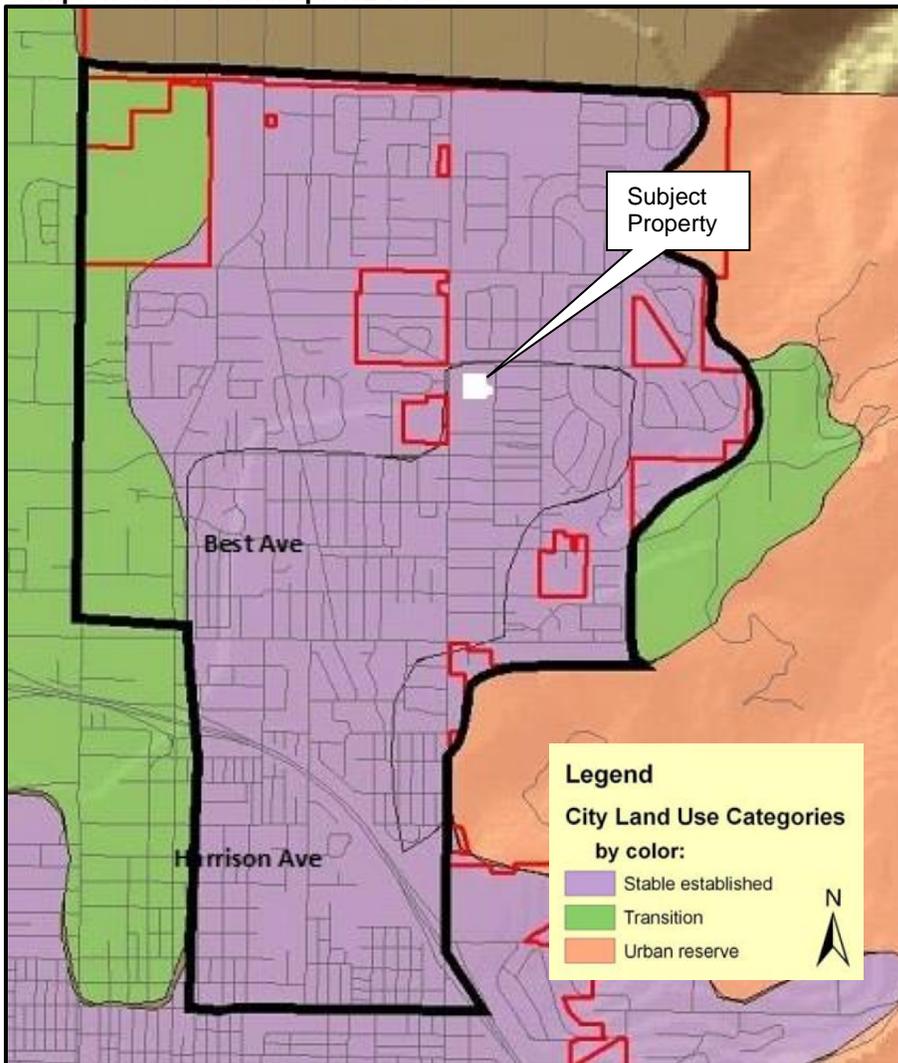
REQUIRED FINDINGS:

- 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 within the existing city limits.
- The City Comprehensive Plan designates this area in the NE Prairie: Stable Established:

Comprehensive Plan Map: NE Prairie



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.

NE Prairie Tomorrow:

It is typically a stable established housing area with a mix of zoning districts. The majority of this area has been developed. Special care should be given to the areas that remain such as the Nettleton Gulch area, protecting the beauty and value of the hillside and wetlands.

The characteristics of NE Prairie neighborhoods will be:

- That overall density may approach three to four residential units per acre; however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Commercial uses are concentrated in existing commercial areas along arterials with neighborhood service nodes where appropriate.
- Natural vegetation is encouraged and should be protected in these areas.
- Pedestrian connections and street trees are encouraged in both existing neighborhoods and developing areas.
- 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.

COMPREHENSIVE PLAN GOALS & OBJECTIVES THAT APPLY:

- **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 participants to make open space a priority with every development and annexation.
- **Objective 1.14 - Efficiency:**
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
- **Objective 2.02 – Economic & workforce Development:**
Plan suitable zones and mixed-use areas, and support local workforce development and housing to meet the needs of business and industry.
- **Objective 3.01 - Managed Growth:**
Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population
- **Objective 3.05 - Neighborhoods:**
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- **Objective 3.08 - Housing:**
Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.
- **Objective 3.10 - 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.

Because the property is accessed off of a local road and not an arterial, the property is surrounded by single-family homes with R-8 zoning, and the R-17 could result in 45-foot tall multifamily residential units that would be adjacent to single-family homes that are one- and two-stories, it is unclear how the proposed zone change would be in conformance with the Comprehensive Plan policies related to neighborhood compatibility. The applicant will need to demonstrate to the Planning Commission how this finding is met.

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

STORMWATER:

City Code requires that all stormwater remain on the property and for a stormwater management plan to be submitted and approved prior to any construction activity on the site. The applicant will be required to include a stormwater management plan with any building permit submittal for the subject property.

- Submitted by Chris Bosley, City Engineering

STREETS:

The subject property is bordered by 17th Street to the east. Sidewalk improvements to meet ADA requirements will be required along 17th Street at the time of any future construction.

- Submitted by Chris Bosley, City Engineering

WATER:

There is adequate capacity in the public water system to support domestic, irrigation for the proposed zone change for 3635 N 17th Street. There is an existing 8" water main Stubbed into the property with a 2 in domestic service and a 2' Irrigation service. 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 permitting. The Water Department has no objections to the zone change as proposed.

-Submitted by Kyle Marine, Assistant Water Superintendent

SEWER:

This property is already connected to the Public Sanitary Sewer System within the existing site. Wastewater does not have any conditions to this Zone Change Request as proposed. The Wastewater Department has no objections to the zone change as proposed.

-Submitted by Larry Parsons, Wastewater 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 City of Coeur d'Alene Fire Department can address all concerns at site and building permit submittals. The Fire Department has no objection to the zone change as proposed.

-Submitted by Bobby Gonder, Fire Inspector

POLICE:

The Police Department has no objections to the zone change as proposed.

-Submitted by Lee White, Chief of Police

YELLOWSTONE PIPE LINE:

For the following case numbers, there is no impact based on the requested change in zoning: ZC-3-21, SP-2-21. However, with that being said for these two case numbers, any proposed changes to the property, will need to be reviewed as the YPL pipeline is located on the property and the owner will need to discuss their project, provide required documentation for review and approval by YPL, and have an executed encroachment agreement for any potential impact to the YPL pipeline. Until these items are completed, the 3rd party will not be able to develop any portion of the property that is in proximity or within the ROW of the YPL pipeline. There may be additional requirements as in a reimbursement agreement depending on what the 3rd party looks to do on the tract of land. This feedback is not an approval for any development or proposed modifications as neither land owner has been in touch with YPL for any proposed projects.

-Submitted by Chad Polak, Agent, Real Estate Services, Phillips 66

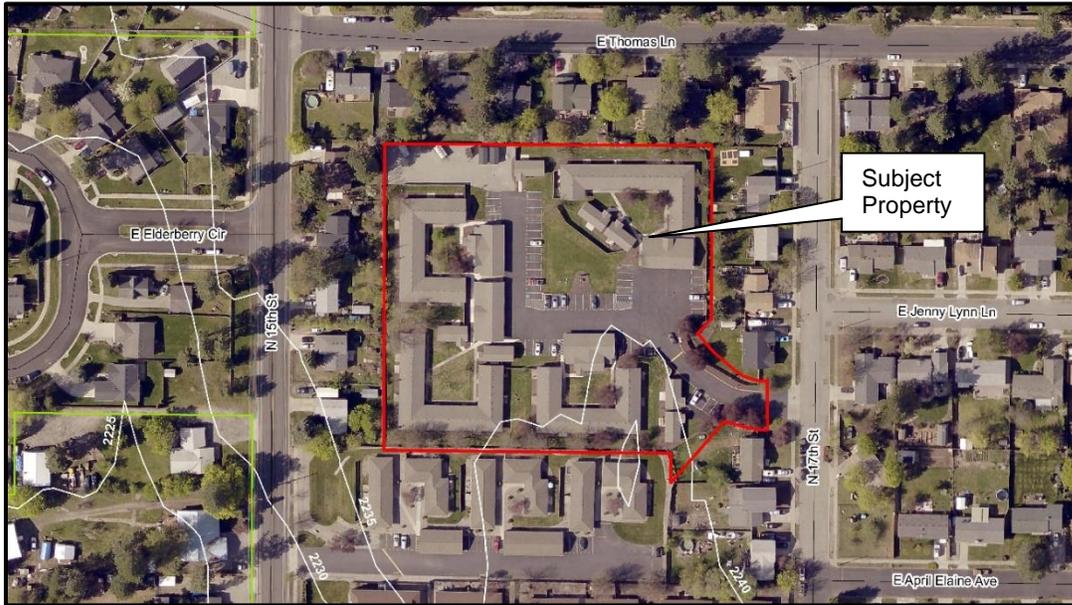
Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

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 is generally flat with a slight drop in elevation towards the south part of the property. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-8 to R-17.

TOPOGRAPHIC MAP:



SITE PHOTO 1: Across the street on 17th looking northwest.



SITE PHOTO 2: Eastern part of property looking west.



SITE PHOTO 3: Central part of property looking north.



SITE PHOTO 4: Central part of property looking south



SITE PHOTO 5: Central part of property looking southwest.



SITE PHOTO 6: Central part of property looking northeast.



Evaluation: *The Planning Commission must 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 zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. The applicant states that the zone change will allow reconstruction on the subject property, similar to the existing use. If the subject property was redeveloped to the maximum density, approximately 13 to 16 additional peak hour trips could be expected over what is currently generated by the property. The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineering

NEIGHBORHOOD CHARACTER:

2007 Comprehensive Plan: NE Prairie Today

This area is composed of a variety of zoning districts with a majority of residential density at three to eight units per acre. Lower density development becomes more prominent moving north. The NE Prairie provides a range of housing choices that includes a number of large recreation areas and small pocket parks.

Canfield Mountain and Best Hill act as the backdrop for this portion of the prairie. Much of the lower lying, less inhibitive areas have been developed. Pockets of development and an occasional undeveloped lot remain.

SURROUNDING LAND USES AND ZONING:

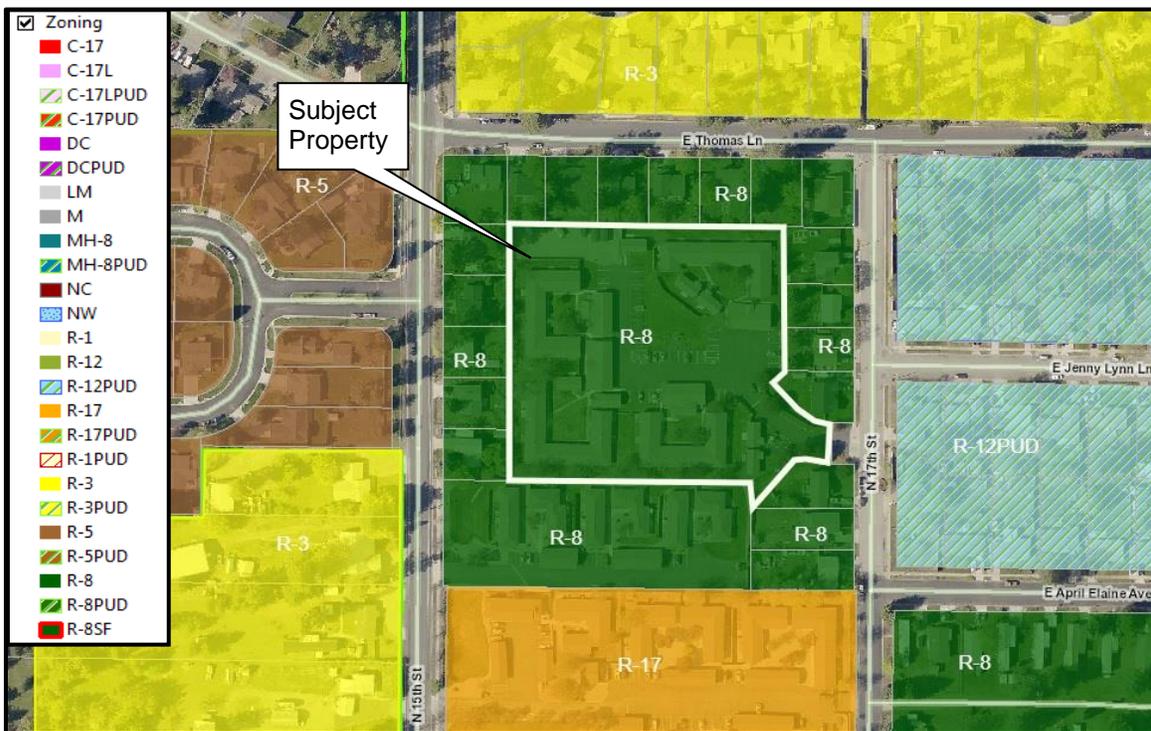
The properties to the west and north of the subject site are residential land uses with single-family dwellings located on them. The properties to the east are residential land uses with single-family dwellings located on them. The properties to the south are residential land uses with single-family dwellings and multi-family dwellings located on them. As noted under Finding B8, the subject property is accessed off of a local road (not an arterial) and is surrounded by single-family residences that are one- and two-stories. The existing development, while multifamily, is also built as one-story units. This zone change would allow 60 units versus the existing 34 units and 45 foot tall structures, which is a significant intensification of the property. *See Land Use Map on page 9.*

The subject site is surrounded by the R-8 zoning district on all sides, to the north, east, south and the west. *See Zoning Map on page 9.*

GENERALIZED LAND USE PATTERN:



ZONING MAP:



Approval of the zone change request would allow the uses by right to change from R-8 uses to R-17 uses (as listed below).

Existing R-8 Zoning District:

The R-8 district is intended as a residential area that permits a mix of housing types at a density not greater than eight (8) units per gross acre. In this district a special use permit, may be requested by neighborhood sponsor to restrict development for a specific area to single-family detached housing only at eight (8) units per gross acre. To constitute neighborhood sponsor, at least sixty six percent (66%) of the people who own at least sixty six percent (66%) of the property involved must be party to the request. The area of the request must be at least one and one-half (1 ½) acres bounded by streets, alleys, rear lot lines, or other recognized boundary. Side lot lines may be used for the boundary only if it is also the rear lot line of the adjacent property. Project review is required for all subdivisions and for all residential, civic, commercial, service and industry uses, except residential uses for four (4) or fewer dwellings.

Principal permitted uses in an R-8 district shall be as follows:

- Administrative.
- Duplex housing.
- Essential service (underground).
- "Home occupation"
- Neighborhood recreation.
- Public recreation.
- Single-family detached housing

Permitted uses by special use permit in an R-8 district shall be as follows:

- Adult entertainment sales and service.
- Auto camp.
- A two (2) unit per gross acre density increase.
- Boarding house.
- Childcare facility.
- Commercial film production.
- Community assembly.
- Community education.
- Community organization.
- Convenience sales.
- Essential service (aboveground).
- Group dwelling - detached housing.
- Handicapped or minimal care facility.
- Juvenile offenders' facility.
- Noncommercial kennel.
- Religious assembly.
- Restriction to single-family only

The minimum lot requirements in an R-8 district shall be as follows:

- Five thousand five hundred (5,500) square feet per unit per individual lot. All buildable lots must have fifty feet (50') of frontage on a public street, unless an alternative is approved by the city through normal subdivision procedure, or unless a lot is nonconforming.

Minimum yard requirements for residential activities in an R-8 district shall be as follows:

- Single-family and duplex structures must meet the minimum yard requirements for a single-family structure established by the R-3 district.
- Minimum distances between residential buildings on the same lot shall be determined by the currently adopted building code.
- There will be no permanent structures erected within the corner cutoff areas.
- Extensions into yards are permitted in accordance with section 17.06.495 of this title.

Proposed R-17 Zoning District:

The R-17 district is intended as a medium/high density residential district that permits a mix of housing types at a density not greater than seventeen (17) units per gross acre. This district permits single-family detached housing as specified by the R-8 District and duplex housing as specified by the R-12 District. This district is for establishment in those areas that are not suitable for lower density residential due to proximity to more intense types of land use. This district is appropriate as a transition between low density residential and commercial districts, or as a buffer between arterial streets and low-density residential districts.

Principal permitted uses in an R-17 district shall be as follows:

- Administrative
- Childcare facility
- Community education
- Duplex housing
- Essential service
- Home occupation
- Multiple-family
- Neighborhood recreation
- Pocket residential development
- Public recreation
- Single-family detached housing as specified by the R-8 district

Permitted uses by special use permit in an R-17 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
- Boarding house
- Commercial film production
- Commercial recreation
- Community assembly
- Community organization
- Convenience sales
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders' facility
- Ministorage facilities
- Mobile home manufactured in accordance with section 17.02.085 of this title
- Noncommercial kennel
- Nursing/convalescent/rest homes for the aged
- Rehabilitative facility.
- Religious assembly
- Residential density of the R-34 district as specified
- Three (3) unit per gross acre density increase
- Religious assembly
- Retail gasoline sales
- Single-family detached housing (as specified by the R-8 district)
- Specialty retail sales
- Veterinary office

17.05.290: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements in an R-17 District shall be as follows:

| Structure Type | Structure Location | |
|------------------------------------|--|--------------|
| | In Buildable Area for Principal Facilities | In Rear Yard |
| Single-family and duplex structure | 32 feet | n/a |
| Multiple-family structure | 45 feet | n/a |

| | | |
|---|---------|---|
| For public recreation, community education or religious assembly activities | 45 feet | n/a |
| Detached accessory building including garages and carports | 32 feet | With low or no slope roof: 14 feet With medium to high slope roof: 18 feet |

17.05.320: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

- A. Minimum yard requirements for single family and duplex residential activities in an R-17 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

C. Multiple-family housing at seventeen (17) units per acre:

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 required rear yard will be reduced by one-half (1/2) when adjacent to public open space

17.44.030: RESIDENTIAL USES:

Unless otherwise allowed by the relevant zoning or overlay district, the following off-street parking

| | | |
|----|--------------------------|---------------------|
| 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 |

It is unclear how the proposed zone change would be compatible with the neighborhood character of the R-8 zoned properties that surround the subject site. The applicant will need to demonstrate to the Planning Commission how this finding is met.

Evaluation: *The Planning Commission must 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.*

Staff Analysis and Recommendation:

Currently there are a total of 34 units located on the subject site. All the units on this site are one story and do not exceed 18 feet in height. If the zone change is approved to the R-17 residential district, the size of the parcel allows for a maximum of 60 units and up to 45 feet in height that can be built on this site.

Access to the subject site is off of 17th street which is a local roadway. It is not designated as a major collector street or an arterial. 15th Street is a major collector, but does not provide access to this property. The R-17 district is for establishment in those areas that are not suitable for lower density residential due to proximity to more intense types of land use, or between residential and commercial districts, or as a buffer between arterial streets and low-density residential districts. The subject site is not in close proximity to commercial uses or other more intense land uses.

The site is legal non-conforming since it was built under regulations that allowed for multi-family and have since been repealed. The current zoning ordinance allows multi-family facilities only to be located in the R-17, C-17, and C-17L districts. Multi-family uses are not permitted in the R-8 Zoning District.

In staff's opinion, a PUD rather than a zone change may be more appropriate for the subject site. The planned unit development (PUD) process would allow for deviations from the R-8 code that would allow for multi-family facilities.

PUD's can be approved by a public hearing that is held before the Planning Commission. The applicant is eligible to apply for a PUD for this site, since it is over an acre and half in size. The PUD would then ensure the number of units at 34 and other conditions such as building height, site plan, and open space, thus making it more compatible with the surrounding properties and neighborhood. The PUD process allows for the opportunity to change the non-conforming status and allows for conventional financing while ensuring the PUD is compatible with the neighborhood character in the area. Additionally, the property is subject to the review of Yellowstone Pipeline. A PUD would allow for more coordination with Yellowstone on the design of any future development to ensure compatibility.

This parcel is located in the middle of a predominately single-family residential area. The subject site shares its property boundaries on three sides with properties that contain single-family dwellings on them. This pulls into question on whether or not the proposed R-17 zoning is compatible with the surrounding uses in the R-8 zoning district and are primarily single-family dwellings. Since the proposed R-17 zoning would be completely surrounded by the R-8 district, spot zoning then becomes a concern.

Definition of Spot Zoning:

“Spot zoning is a provision in a general zoning plan which benefits a single parcel of land by creating an allowed use for that parcel that is not allowed for the surrounding properties in the area.”

The applicant bears the burden of proof on demonstrating to the Planning Commission how each of the required findings have been met, particularly for Findings B8 and B11. All findings must be met in order for a zone change to be approved.

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.

STREETS:

4. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
5. All required street improvements shall be constructed prior to issuance of, or, in conjunction with, building permits.
6. An encroachment permit is required to be obtained prior to any work being performed in the existing right-of-way.

STORMWATER:

7. 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.

PLANNING:

8. All site improvements must meet the site performance standards of the R-17 Zoning District.

PROPOSED CONDITIONS:

None

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
2017 Trails & Bikeways Master Plan

ACTION ALTERNATIVES:

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

Attachment: Applicant's Narrative



**APPLICANT'S
NARRATIVE**



Northwest Solutions Investment Group, LLC

REZONE APPLICATION NARRATIVE

| Coeur d'Alene, ID |

Topics

- Location and Existing Zoning
- Nature of Proposed Amendment
- Circumstances which Justify the Proposed Amendment
 - Non-conforming Status
 - Transitioning Land Use on a Major Collector
 - Infrastructure
- Effect of the Amendment on Subject Property and Property Rights, Value, and Character of the Neighboring Properties
- Effect on the Property Owner if the Proposed Amendment is Not Granted
- Consistency with the Comprehensive Plan
- Summary

LOCATION AND EXISTING ZONING

This proposal is for a rezone of a property owned by Northwest Solutions Investment Group, LLC. The property is located on the east side of US Highway 95, north of E. Lunceford Lane and east of N. 15th Street in Township 50 North, Range 3 West, Section 06 NW Boise Meridian, Kootenai County, Idaho. The property is Lot 4 of Breckenridge Estate and is assigned AIN #169647 and Parcel #C-1140-000-004-A. The property is currently zoned R-8.



Figure 1 Aerial view of property

The lot is approximately 3.555 acres in size and is developed with 34 residential units in multi-family structures along with canopied combination garage/storage units and various outbuildings. There are no mapped wetlands, riparian areas, or floodplain present.

NATURE OF PROPOSED AMENDMENT

The owner is requesting to modify the “R-8” zoning to designate the property with the “R-17” zone designation.

Pursuant to Coeur d’Alene city Code 17.05.090: R-8 General Description: “This district is intended as a residential area that permits a mix of housing types at a density not greater than eight (8) units per gross acre.”

Pursuant to Coeur d’Alene city Code 17.05.250: R-17 General Description: “The R-17 District is intended as a medium/high density residential district that permits a mix of housing types at a density not greater than seventeen units per gross acre.”

CIRCUMSTANCES WHICH JUSTIFY THE PROPOSED AMENDMENT

The owner is requesting the change for three primary reasons.

The existing complex contains multi-family structures that are not allowed in the R-8 Zone District and as such this is a legal non-conformity in terms of both the type of structures and the multi-family use. This creates concerns with reconstruction because of the nonconforming status and has led to difficulties in obtaining conventional financing.

The owner also recognizes the location near a major collector road system that is transitioning with similar moderate to higher-density housing and will continue to be desirable for such infill housing.

The infrastructure for present and future uses is available.

Nonconforming Status:

The existing development consists of multifamily residential buildings. The applicant has reviewed the R-8 and R-12 zoning regulations and neither the existing R-8 zoning nor R-12 zoning will allow for the reconstruction of multi-family buildings; however, the R-17 zoning will allow the owner to rebuild the existing structures. Below is a comparison of allowed uses by district. Note that the R-12 zoning is also included in this table to provide background information demonstrating why the R-12 zoning is not being proposed as it does not offer resolution of this issue.

| | R-8 | R-12 | R-17 |
|---|--|--|--|
| Permitted Use Principal | Duplex housing Single-family detached housing | Duplex housing Single-family detached housing | Duplex housing Multiple family Single-family detached housing |
| Permitted Use Special Use Permit | Group dwelling detached housing Restriction to single family only A two (2) unit per gross acre density increase | Group dwelling detached housing Restriction to single family only A two (2) unit per gross acre density increase | Group dwelling detached housing |
| Lot Area | 5,500 sq ft single family 11,000 sq ft duplex | 5,500 sq ft single family 7,000 sq ft duplex | 2,500 sq ft per unit multi-family 5,500 sq ft single family 7,000 sq ft duplex |
| Minimum Frontage | 50' | 50' | 50' |

It can be seen that the R-17 zoning is the only zone district which allows for multi-family structures such as those currently existing on the property. The purposes of the R-17 zoning district are as follows:

17.05.250: GENERALLY:

A. The R-17 District is intended as a medium/high density residential district that permits a mix of housing types at a density not greater than seventeen (17) units per gross acre.

B. This district permits single-family detached housing as specified by the R-8 District and duplex housing as specified by the R-12 District.

C. This district is for establishment in those areas that are not suitable for lower density residential due to proximity to more intense types of land use.

D. This district is appropriate as a transition between low density residential and commercial districts, or as a buffer between arterial streets and low-density residential districts.

In contrast, the R-8 Zone District allows for:

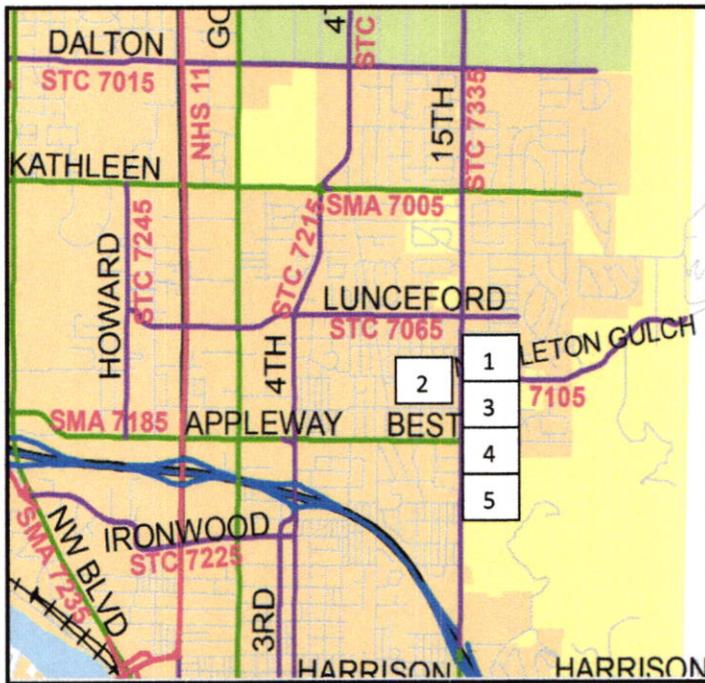
17.05.090: GENERALLY:

A. The R-8 District is intended as a residential area that permits a mix of housing types at a density not greater than eight (8) units per gross acre.

D. A maximum of two (2) dwelling units are allowed per lot provided the lot meets the minimum lot square footage for two (2) units and each dwelling unit meets the minimum yard (setback) requirements.

1. For the purposes of this section, the term "two (2) dwelling units" shall mean two (2) single family dwelling units, one single family dwelling unit and one accessory dwelling unit (ADU), or one duplex. (Ord. 3600, 2018; Ord. 3560, 2017)

Transitioning Land Use on Major Collector: Kootenai Metropolitan Planning Organization identifies 15th Street as a major collector, which can carry the higher traffic volume of multi-family development. The housing in the surrounding area is beginning to shift towards moderate and higher density infill housing similar to the owner's property described herein. Below is an analysis of the 15th Street collector system and a sampling of similar multi-family developments located between I-90 and E Kathleen Avenue, the density of which ranges between 10 to 17 units per acre.



LEGEND

Classification

- Interstate
- Other Freeways or Expressways
- Other Principal Arterials
- Minor Arterial
- Major Collector
- Minor Collector
- Future Interstate
- Future Other Freeway/Expressway
- Future Other Principal Arterial
- Future Minor Arterial
- Future Major Collector
- Future Minor Collector

Jurisdictions & Other Features

- CDA; Post Falls; Rathdrum
- Hayden
- Other Jurisdictions
- Water Features
- Urbanized Area

Figure 2 KMPO Functional Classification Map with Developments in Below Table

| Examples of Multi-family Developments I-90 to Kathleen | 1 | 2 |
|---|---|--|
| <p>Julie Ann Ct Units 13/Acreage .97=13.40 DU/Acre Zoning: R-12</p> | <p>Hat Trick Ln Units 8/Acreage .6706= 11.92 DU/Acre Zoning: R-12</p> | <p>Walkers Glen Units 7/Acreage .7=10 DU/Acre Zoning: R-12</p> |
| <p>3</p> | <p>4</p> | <p>5</p> |
| <p>Monte Vista Senior Living Units 40/Acreage 2.93=13.65 DU/Acre Zoning: R-12</p> | <p>Aspen Home & Development LLC Units 20/Acreage 1.18= 16.95 DU/Acre Zoning: R-17</p> | |

Infrastructure:

Transportation

This property is currently served by N. 17th Street. There is an existing driveway approach on the east side of the property.

Water (potable, irrigation and fireflow) and Sewer

This property is connected to city water and sewer and will continue to utilize City services in the future.



Figure 3 Outdoor view of structures

EFFECT OF THE AMENDMENT ON SUBJECT PROPERTY AND PROPERTY RIGHTS, VALUE AND CHARACTER OF THE NEIGHBORING PROPERTIES

The character of the overall area is changing to a moderate density residential area within a major collector street system. The rezone of this property will not have immediate impacts to adjoining properties because the owner has no plans at this time for reconstruction- this is a developed complex and is in good condition, in fact having undergone cosmetic remodeling in 2020. In the case of destruction and reconstruction, this would impact the neighboring properties in much the same way as the current use and surrounding moderate to higher



Figure 4 Remodel of unit

density residential uses do—with the primary impacts being noise, traffic, and in certain cases, utility needs.

EFFECT ON THE PROPERTY OWNER IF THE PROPOSED AMENDMENT IS NOT GRANTED

If the current zoning is maintained and if the structures are damaged, the property owner will be unable to rebuild the number of units and types of structures that currently exist on the property. The owner will also continue to be challenged in conventional refinancing. The rezone is a step forward toward a proactive solution that allows the owner to maintain his property consistent with his current investment, the surrounding area, and consistent with the comprehensive plan.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed amendment will be in an area currently designated as NE Prairie within the City's Comprehensive Plan Future Land Use Map.

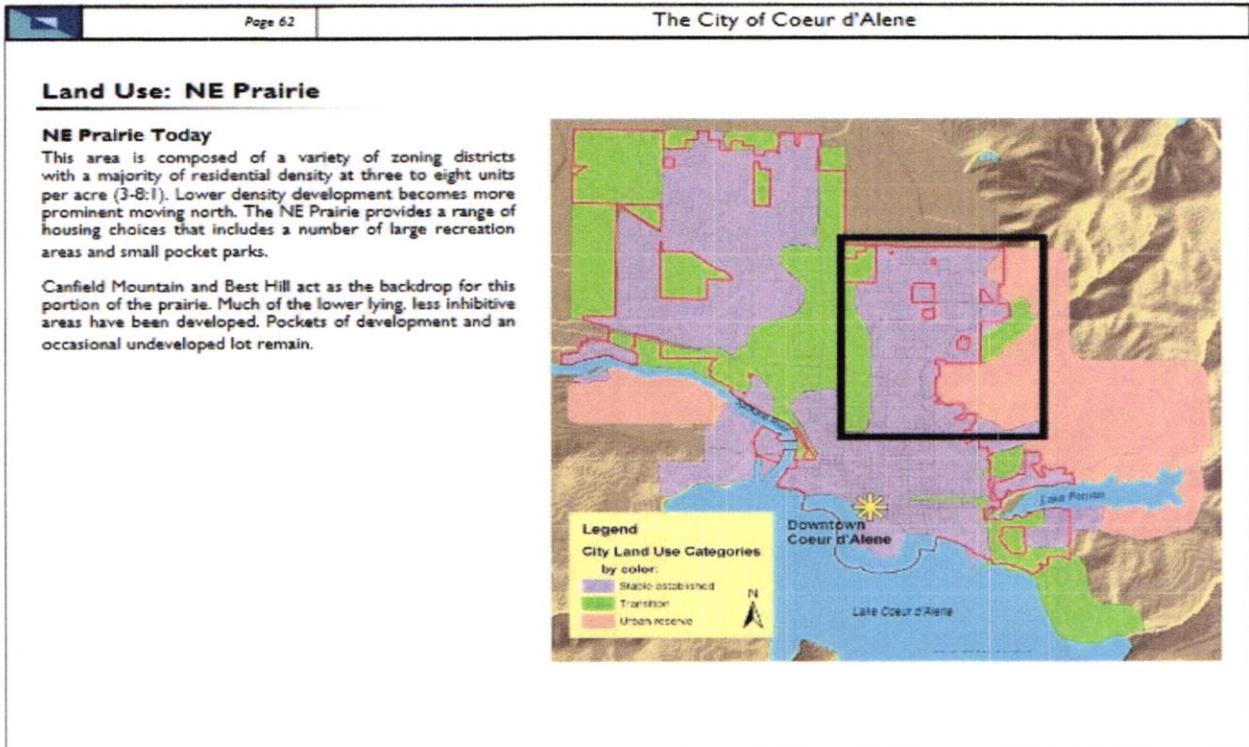
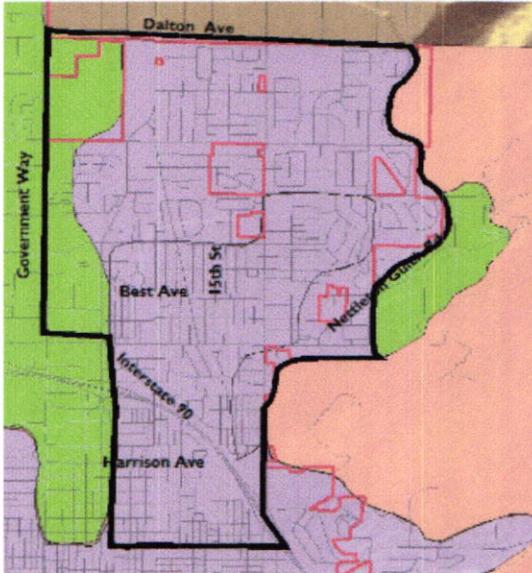


Figure 5 Excerpt from City of Coeur d'Alene Comprehensive Plan

The Comprehensive Plan in NE Prairie Tomorrow states that pockets of higher density housing and multi-family units are appropriate in compatible areas.

Land Use: NE Prairie**NE Prairie Tomorrow**

It is typically a stable established housing area with a mix of zoning districts. The majority of this area has been developed. Special care should be given to the areas that remain such as the Nettleton Gulch area, protecting the beauty and value of the hillside and wetlands.

The characteristics of NE Prairie neighborhoods will be:

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Commercial uses are concentrated in existing commercial areas along arterials with neighborhood service nodes where appropriate.
- Natural vegetation is encouraged and should be protected in these areas.
- Pedestrian connections and street trees are encouraged in both existing neighborhoods and developing areas.
- 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.

Figure 6 Excerpt from City of Coeur d'Alene Comprehensive Plan

As such, this proposal is consistent with and furthers the intent of the Comprehensive Plan.

SUMMARY

This property is in an area that is transitioning to moderate to higher density multi-family residential uses. This rezone allows for housing that blends with the existing multi-family housing and nature of the surrounding area and allows the property owner to exercise rights that other properties in the area have. The purpose of the R-17 zone district can be fulfilled through this rezone. The property is located in an area with access to a major collector system and to I-90 and this level of access complements higher density residential uses. The proposed rezone allows the property owner to be able to reconstruct in a manner similar to his current investment and to conventionally finance. The rezone will allow housing and economic development opportunities that serve the City of Coeur d'Alene. Given these factors, this rezone request is consistent with the City's Comprehensive Plan.

Respectfully submitted,

Connie Krueger, AICP

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**PLANNING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, ASSOCIATE PLANNER
DATE: APRIL 13, 2021
SUBJECT: ZC-4-21 ZONE CHANGE FROM R-1 TO R-3
LOCATION: +/- 1.57 ACRE A PARCEL LOCATED AT 3395 E FERNAN HILL ROAD

APPLICANT/OWNER:

Janet Daily
5348 Gumwood Circle
Post Falls, ID 83854

ARCHITECT

Rex Anderson, AIA
Fusion Architecture, PLLC
221 N. Wall Street, Suite 354
Spokane, WA 99201

DECISION POINT:

The applicant is requesting approval of a zone change from the R-1 zoning district to the R-3 zoning district.

BACKGROUND INFORMATION:

The property is located off of Fernan Hill Road approximately 180 feet east of Frosty Pine Trail. The property was annexed into the city in 1990 in item A-2-90. At that time the property was brought into the city with an R-1 zoning designation.

The applicant has indicated that they are intending to build one structure that will have two kitchens with in it, described as a multi-generational home. The applicant has indicated that they intend to build a multi-generational house on this parcel for the mother and daughter to live in. This will be one structure with two kitchens.

Multi-generational housing is a progressive new trend that allows for families to live in close proximity to each other and still maintain some privacy. The applicant has indicated that the owner of the parcel will be allowed to age in her home and maintain some independence while having her daughter nearby to assist her.

The current zoning ordinance does not provide for the location and use of multi-generational homes. The current zoning ordinance defines this type of home as two units and it would need to meet the minimum lot area for each of the homes in order to be to be built.

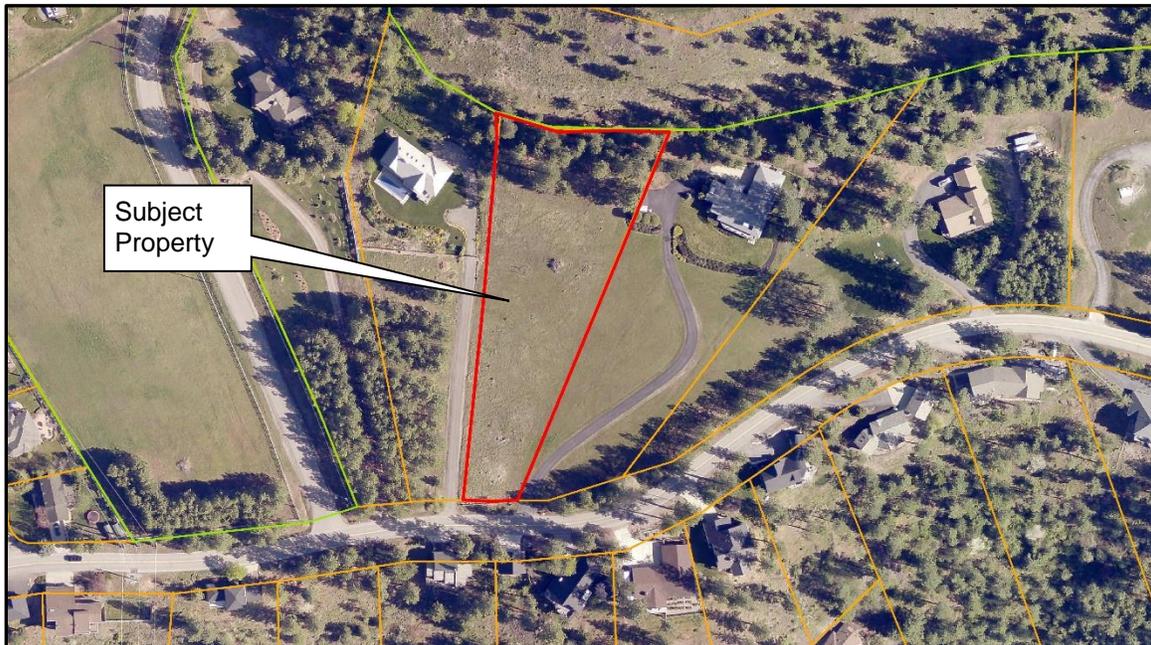
R-1 and R-3 lots allow for a maximum of two houses to be built it so long it has the minimum lot area for each house, which is 34,500 SF for the R-1. This lot is 68,345 SF and is short by 655 SF in order to be allowed to build a second residence on this parcel. The R-3 require a minimum lot area of 11,500 SF for each home. The proposed rezone to R-3 would allow the applicants to build a multi-generational home on the subject parcel because it would allow for two single-family homes to be constructed and meet the minimum lot area per home.

It should be noted that this lot cannot be split into more lots in either the R-1 or the R-3 due to the minimum lot frontage requirement of 75 feet. This lot has 68 feet of frontage and was approved in Schwartz Addition Subdivision in 1992.

LOCATION MAP:



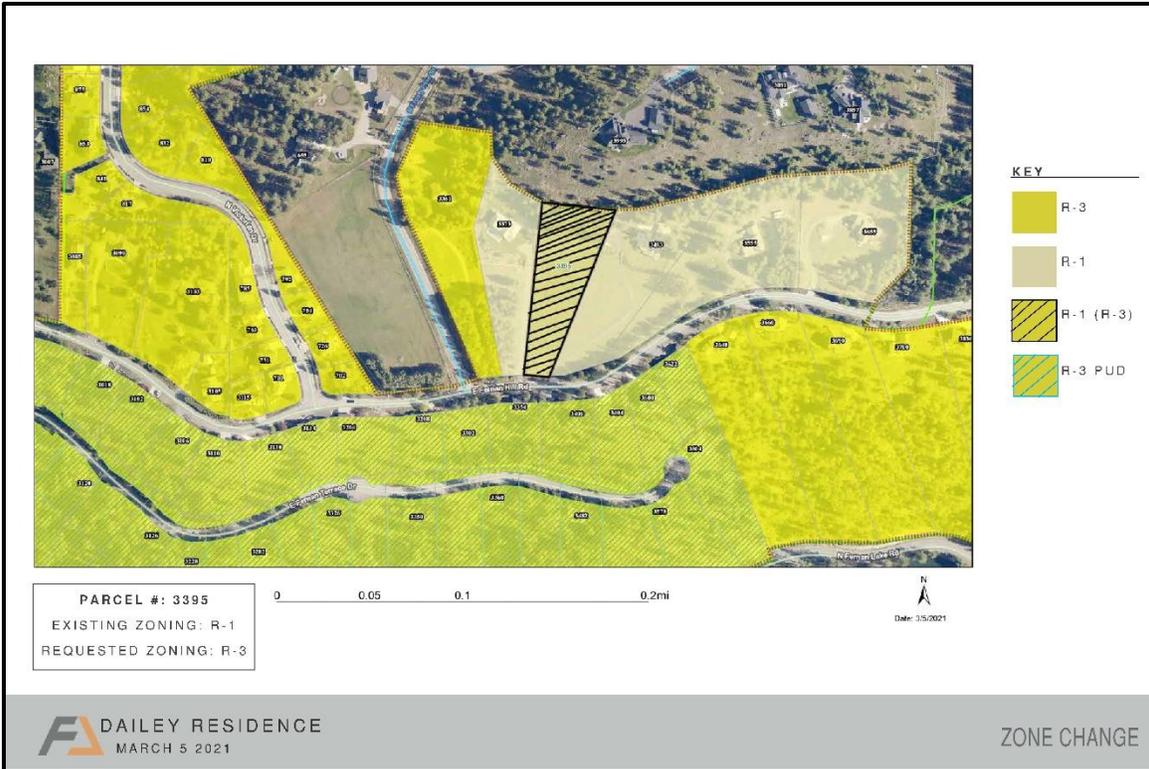
AERIAL PHOTO:



BIRDS EYE AERIAL PHOTO:



APPLICANT'S ZONING EXHIBIT:



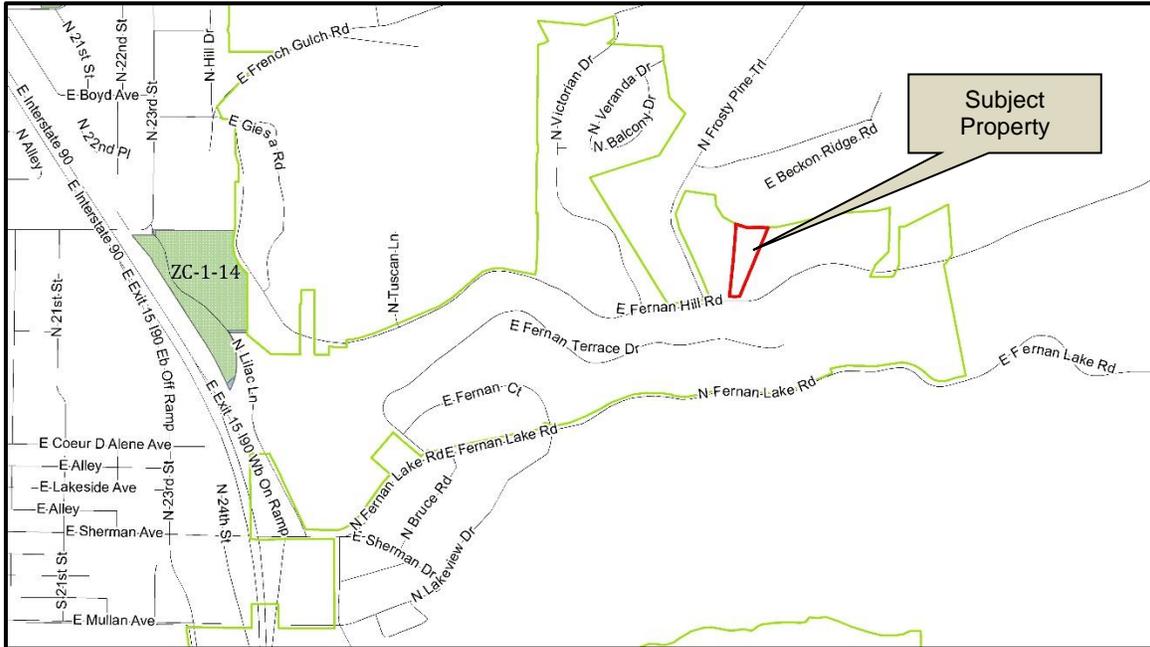
DAILEY RESIDENCE
 MARCH 5 2021

ZONE CHANGE

PRIOR LAND USE ACTIONS:

Planning Commission and City Council approved a zone change request in item ZC-1-14 that is west of the subject property from R-3 to R-8 and R-17 in 2014. See the Land Use Actions Map below for the location of the above-mentioned zone change.

PRIOR LAND USE ACTIONS MAP:



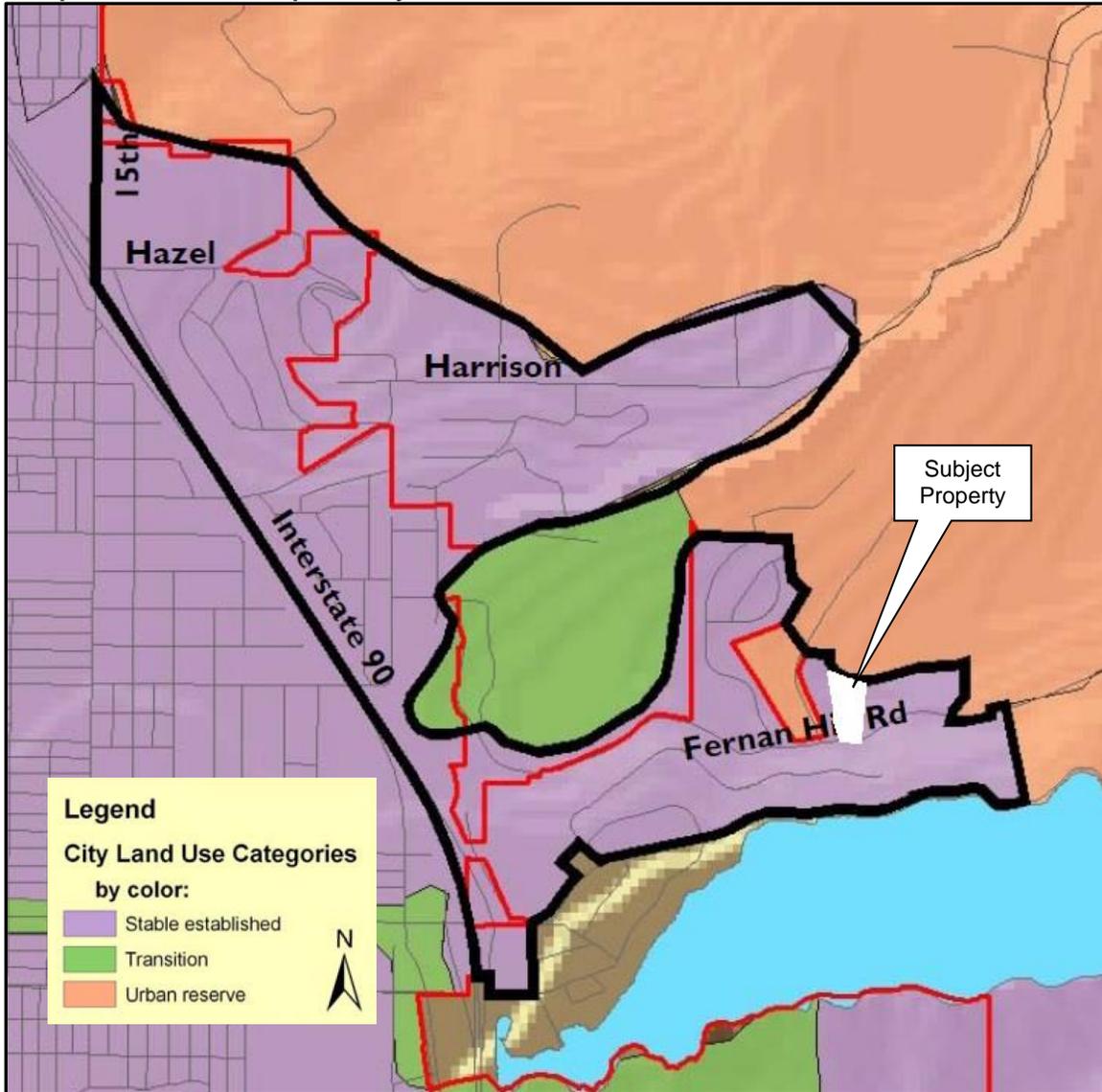
REQUIRED FINDINGS:

- 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 within the existing city limits.
- The City Comprehensive Plan designates this area in the Cherry Hill: Stable Established.

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 Cherry Hill neighborhoods will be:

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

COMPREHENSIVE PLAN GOALS & OBJECTIVES THAT APPLY:

- **Objective 1.02 - Water Quality:**
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- **Objective 1.05 - Vistas:**
Protect the key vistas and view corridors of the hillsides and waterfronts 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 & 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 participants to make open space a priority with every development and annexation.
- **Objective 1.14 - Efficiency:**
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
- **Objective 1.15 - Natural Terrain:**
Wherever possible, the natural terrain, drainage, and vegetation should be preserved with superior examples featured within parks and open spaces
- **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 city's need 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 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 #B9:** **That public facilities and utilities (are) (are not) available and adequate for the proposed use.**

STORMWATER:

City Code requires that all stormwater remain on the property and for a stormwater management plan to be submitted and approved prior to any construction activity on the site. The applicant will be required to include a stormwater management plan with any building permit submittal for the subject property.

- Submitted by Chris Bosley, City Engineering

STREETS:

The subject property is bordered by Fernan Hill Road to the south. Fernan Hill Road is a former county road with no urban street sections in the vicinity. No frontage improvements will be required at the time of construction.

- Submitted by Chris Bosley, City Engineering

WATER:

There is adequate capacity in the public water system to support domestic, irrigation for the proposed zone change for 3395 E Fernan Hill Road. There is an existing 8" water main in E Fernan Hill Rd with a 1" service stubbed into the proposed lot. 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 permitting.

-Submitted by Kyle Marine, Assistant Water Superintendent

SEWER:

This property is already connected to the Public Sanitary Sewer within Fernan Hill Road. The Wastewater Department has no objections to the zone change as proposed.

-Submitted by Larry Parsons, Wastewater 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 City of Coeur d'Alene Fire Department can address all concerns at site and building permit submittals. The Fire Department has no objection to the zone change as proposed.

-Submitted by Bobby Gonder, Fire Inspector

POLICE:

The Police Department reviewed the proposed zone change and has no concerns.

-Submitted by Lee White, Police Chief

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.*

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 is sloping with a drop in elevation towards the south and west part of the property. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-1 to R-3.

TOPOGRAPHIC MAP:



SITE PHOTO 1: Across the street on Fernan Hill Road looking north.



SITE PHOTO 2: Southeast corner of property looking west



SITE PHOTO 3: South central part of property looking north.



SITE PHOTO 4: Central part of property looking south.



SITE PHOTO 5: Northern part of property looking south.



Evaluation: *The Planning Commission must 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 zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. The applicant states that multigenerational housing is planned for the subject property. The increase in traffic from this proposed use is expected to be negligible. The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineering

NEIGHBORHOOD CHARACTER:

Comprehensive Plan: 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).

SURROUNDING LAND USES AND ZONING:

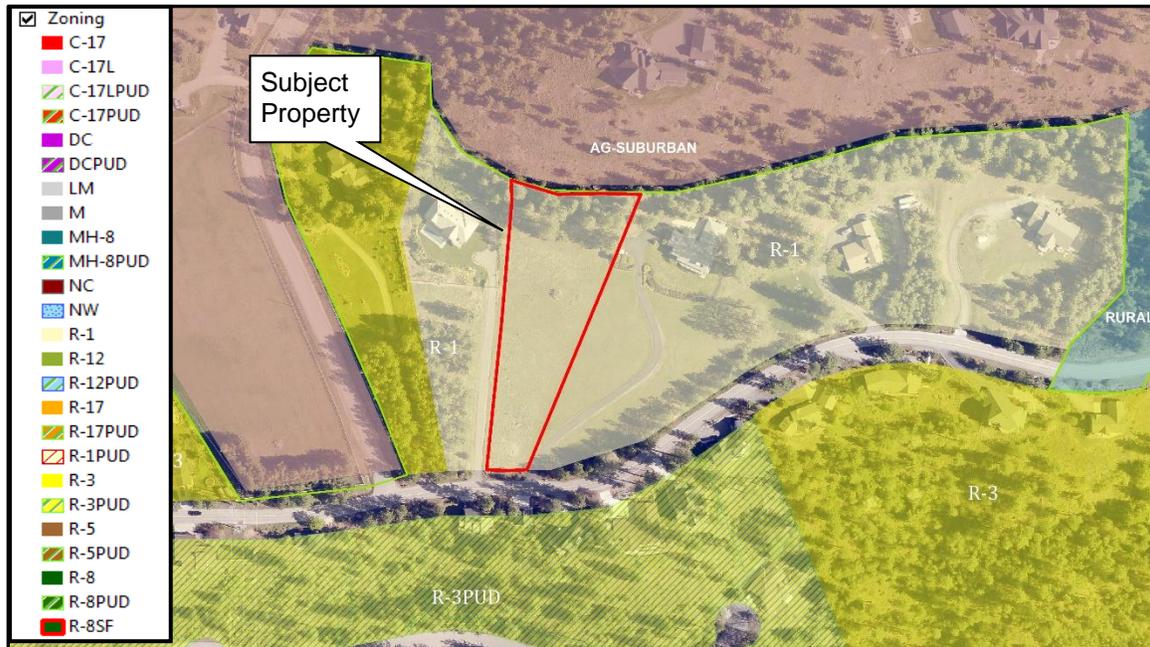
The properties to the north, south, east and west all have residential land uses with single family dwellings located on them. See *Land Use Map on page 13*.

The properties to the south of the subject site are zoned R-3PUD residential and properties further to the east on the south side of the road are zoned R-3. The properties to the east and west of the subject site are zoned R-1 residential. The properties to the north are zoned AG-Suburban in the County. See *Zoning Map below on page 14*.

GENERALIZED LAND USE PATTERN:



ZONING MAP:



Approval of the zone change request would allow the uses by right to change from R-1 uses to R-3 uses (as listed below).

Existing R-1 Zoning District:

The R-1 District is intended as a residential area that permits single-family detached housing at a density of one unit per gross acre (i.e., the density for an acre of unsubdivided land, regardless of where streets, etc., may or may not be located, will be calculated at a maximum of 1 unit). The gross acre calculation is intended to provide the subdivider flexibility, so when dedicating land for public use, the density may be made up elsewhere in the subdivision as long as the other site performance standards are met. 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. A maximum of two (2) dwelling units are allowed per lot provided the lot meets the minimum lot square footage for two (2) units and each dwelling unit meets the minimum yard (setback) requirements.

Principal permitted uses in an R1 district shall be as follows:

- Essential service (underground).
- "Home occupation", as defined in this title.
- Neighborhood recreation.
- Public recreation.
- Single-family detached housing.

Permitted uses by special use permit in an R-1 district shall be as follows:

- Commercial film production.
- Community education.
- Essential service (aboveground).
- Noncommercial kennel.
- Religious assembly.

Maximum height requirements in an R-1 District shall be as follows:

| Structure Type | Structure Location | |
|---|--|---|
| | In Buildable Area For Principal Facilities | In Rear Yard |
| Principal structure | 32 feet | n/a |
| For public recreation, community education or religious assembly activities | 45 feet ¹ | n/a |
| Detached garages and carports | | With low or no slope roof: 14 feet With medium to high slope roof: 18 feet |
| All other accessory structures | 25 feet | n/a |

The minimum lot requirements in an R-1 district shall be as follows:

- Thirty-four thousand five hundred (34,500) square feet. All buildable lots must have seventy-five feet (75') of frontage on a public street, unless an alternative is approved by the City through normal subdivision procedure, or unless a lot is nonconforming.

Minimum yard requirements for residential activities in an R-1 district shall be as follows:

- Front: The front yard requirement shall be twenty feet (20').
- Side, Interior: The interior side yard requirement shall be ten feet (10').
- Side, Street: The street side yard requirement shall be twenty feet (20').
- Rear: The rear yard requirement shall be twenty-five feet (25').

Proposed R-3 Zoning District:

The R-3 District is intended as a residential area that permits single-family detached housing at a density of three (3) units per gross acre. The gross acre calculation is intended to provide the subdivider flexibility, so when dedicating land for public use, the density may be made up elsewhere in the subdivision as long as the other site performance standards are met. This district is intended for those areas of the City that are developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard. A maximum of two (2) dwelling units are allowed per lot provided the lot meets the minimum lot square footage for two (2) units and each dwelling unit meets the minimum yard (setback) requirements.

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

- Administrative.
- Essential service (underground).
- "Home occupation", as defined in this title.
- Neighborhood recreation.
- Public recreation.
- Single-family detached housing.

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

- Commercial film production.
- Community assembly.
- Community education.
- Community organization.
- Convenience sales.
- Essential service (aboveground).
- Noncommercial kennel.
- Religious assembly.

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 | n/a |
| For public recreation, community education or religious assembly activities | 45 feet | n/a |
| Detached accessory building including garages and carports | 32 feet | With low or no slope roof: 14 feet With medium to high slope roof: 18 feet |

Minimum lot requirements in an R-3 District shall be as follows

- Eleven thousand five hundred (11,500) square feet. All buildable lots must have seventy-five feet (75') of frontage on a public street, unless an alternative is approved by the City through normal subdivision procedure (i.e., cul-de-sac and flag lots), or unless a lot is nonconforming.

Minimum yard requirements for residential activities in an R-3 District shall be as follows:

- Front: The front yard requirement shall be twenty feet (20').
- 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.
- Side, Street: The street side yard requirement shall be ten feet (10').
- Rear: The rear yard requirement shall be twenty-five feet (25').

Evaluation: *The Planning Commission must 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.*

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.

STREETS:

4. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
5. All required street improvements shall be constructed prior to issuance of, or, in conjunction with, building permits.
6. An encroachment permit is required to be obtained prior to any work being performed in the existing right-of-way.

STORMWATER:

7. 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.

PLANNING:

8. All site improvements must meet the site performance standards of the R-17 Zoning District.

PROPOSED CONDITIONS:

None

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
2017 Trails & Bikeways Master Plan

ACTION ALTERNATIVES:

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

Attachment: Applicant's Narrative



**APPLICANT'S
NARRATIVE**



Rex K. Anderson, AIA, LEED AP BD+C
Fusion Architecture, PLLC
221 N. Wall Street, Suite 345
Spokane, WA 99201

March 1, 2021

Mike Behary
City of Coeur d'Alene Planning
710 E Mullan Ave
Coeur d'Alene, Idaho 83814

RE: Zoning Change, Parcel Number C-8040-001-003-0

Mike,

This letter is the serve as the written narrative as part of our zoning change request package for the parcel listed in the reference line of this letter. We are requesting a zoning change from the R-1 zone to the R-3 zone. Converting this parcel to the R-3 will support the objectives of the 2007 comprehensive plan as well as the future of development in Coeur d'Alene.

From the owner's perspective, converting the zoning of this parcel to an R-3 zone will support their desire for the owner of the parcel and her daughter to build a multi-generational house. Multi-generational housing is a progressive new trend that allows for families to live in close proximity to each other and still maintain some privacy. In this case, the owner of the parcel will be allowed to age in her home and maintain some independence while having her daughter nearby to assist her.

Additionally, multi-generational housing clearly meets objective 3.01 which states, "Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population." As the city of Coeur d'Alene continues to grow, trends such as multi-generational housing which is one of the primary needs for a changing population.

Lastly, allowing this parcel to be converted to an R-3 zone will not be in conflict with the parcels adjacent to the one in question as most of the surrounding parcels are already zoned R-3.

If you have any further questions regarding our proposal to change the zoning of this property, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rex K. Anderson'. The signature is stylized with large, overlapping loops and a prominent horizontal stroke across the middle.

Rex K. Anderson, AIA, LEED AP BD+C
Owner, Fusion Architecture, PLLC

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**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI STROUD, ASSOCIATE PLANNER

DATE: APRIL 13, 2021

SUBJECT: SP-2-21, SPECIAL USE PERMIT REQUEST FOR RELIGIOUS ASSEMBLY USE IN THE R-8 (RESIDENTIAL AT 8 UNITS/ ACRE) ZONING DISTRICT

LOCATION: WEST SIDE OF ATLAS ROAD, NORTH OF W. NEZ PERCE ROAD (NORTHSHIRE PARK), AND ON THE SOUTHEAST SIDE OF ABBEY ROAD

10.01 ACRES LOCATED AT 4977 NORTH ATLAS ROAD

OWNER:

Grace Bible Church
152 W. Prairie Avenue
Coeur d'Alene, Idaho 83815

APPLICANT:

K. John Young, Young Construction Group
P.O. Box 3701
Coeur d'Alene, Idaho 83816

DECISION POINT:

John Young, on behalf of Grace Bible Church and Faith Walk Community Fitness Park, Inc. is requesting approval of a Religious Assembly special use permit on a +/- 10 acre parcel in the R-8 (Residential at 8 units/acre) Zoning District.

BACKGROUND INFORMATION:

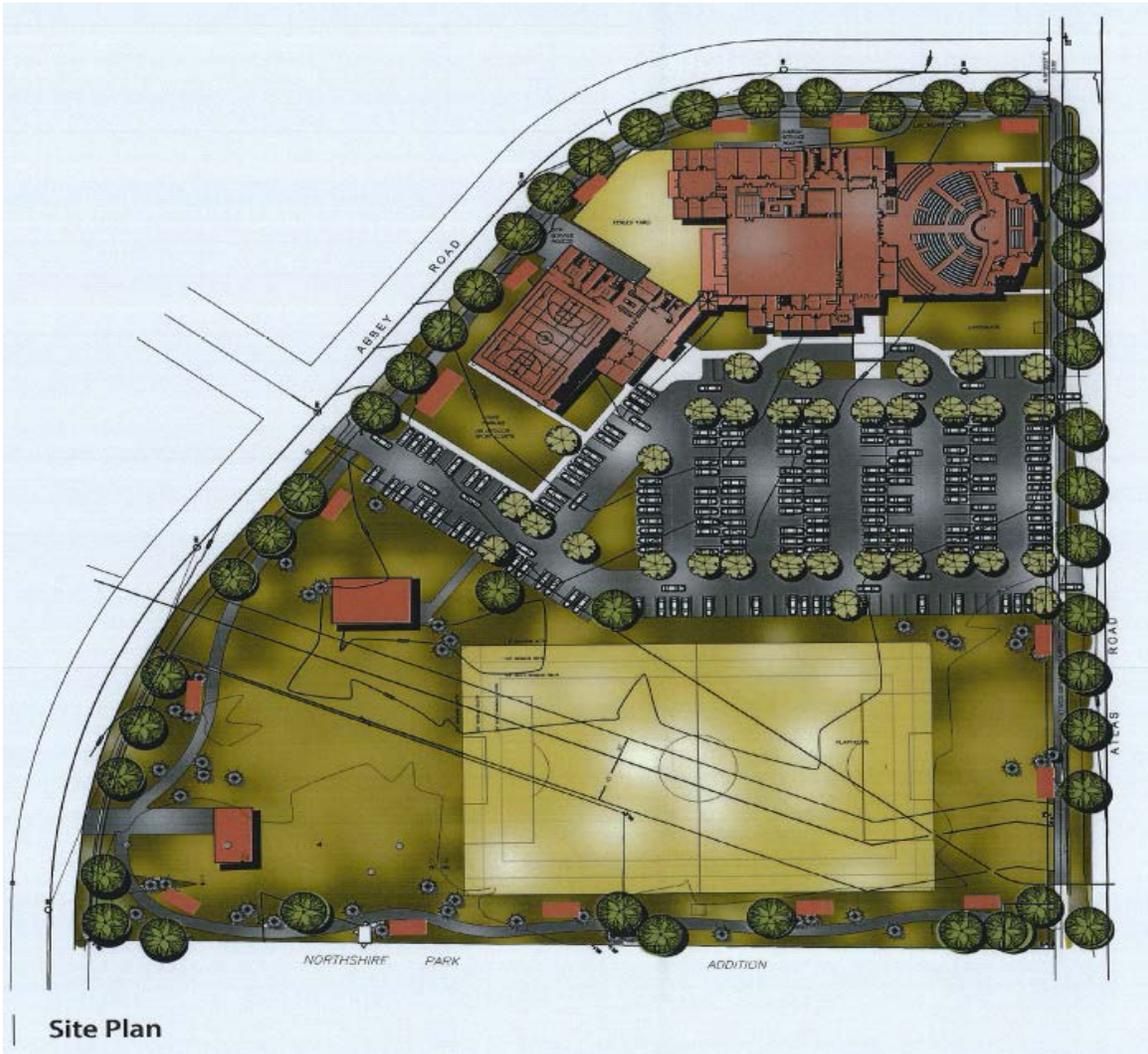
Grace Bible Church is requesting approval of a Religious Assembly Special Use Permit in the proposed R-8 zoning District. The request, if granted, would allow for Religious Assembly use. The applicant is proposing a phased project as follows:

- Phase 1: Asphalt exercise trail connecting to the City pathway with 15 stations with commercial exercise equipment for use.
- Phase 2: A regulation size gymnasium.
- Phase 3: Offices and Counseling Center be constructed.
- Phase 4: A 500 seat Church auditorium.

Infrastructure for future phases and parking would be installed to support the park.

The subject property was purchased by Grace Bible Church and Faith Walk Community Fitness Park, Inc. in 2014, and is currently vacant. The property was previously owned by the Coeur d'Alene School District.

SITE LAYOUT:



CONCEPT ELEVATIONS:



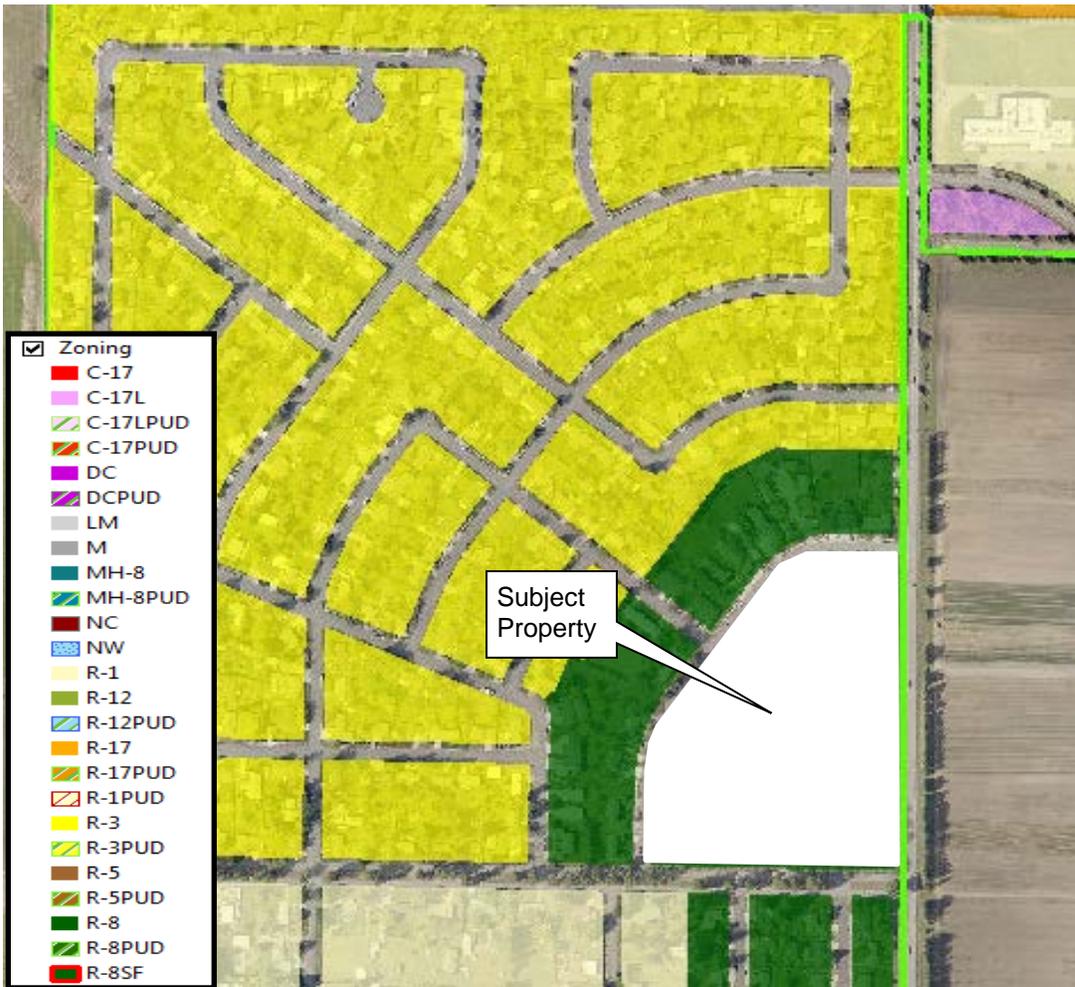
CONCEPT ELEVATIONS: (CONTINUED)



CONCEPT ELEVATIONS: (CONTINUED)



ZONING MAP:



Proposed R-8 Zoning District:

17.05.090: GENERALLY:

- A. The R-8 district is intended as a residential area that permits a mix of housing types at a density not greater than eight (8) units per gross acre.
- B. In this district a special use permit, as prescribed in section 17.09.205 of this title may be requested by neighborhood sponsor to restrict development for a specific area to single-family detached housing only at eight (8) units per gross acre. To constitute neighborhood sponsor, at least sixty six percent (66%) of the people who own at least sixty six percent (66%) of the property involved must be party to the request. The area of the request must be at least one and one-half (1 ½) acres bounded by streets, alleys, rear lot lines, or other recognized boundary. Side lot lines may be used for the boundary only if it is also the rear lot line of the adjacent property.
- C. In this district a special use permit may be requested by the developer for a two (2) unit per gross acre density increase for each gross acre included in a pocket residential development. This density increase provision is established to reflect the concern for energy and environment conservation.
- D. Project review (see sections 17.07.305 through 17.07.330 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.

17.05.100: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-8 district shall be as follows:

- Administrative
- Duplex housing
- Essential service (underground)
- "Home occupation", as defined in this title
- Neighborhood recreation
- Pocket residential development
- Public recreation
- Single-family detached housing

17.05.110: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-8 district shall be as follows:

- Accessory dwelling units
- Garage or carport (attached or detached)
- Private recreation facility (enclosed or unenclosed).

17.05.120: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an R-8 district shall be as follows:

- A two (2) unit per gross acre density increase
- Boarding house
- Childcare facility
- Commercial film production
- Community assembly
- Community education
- Community organization
- Convenience sales

- Essential service (aboveground)
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility
- Noncommercial kennel
- Religious assembly
- Restriction to single-family only

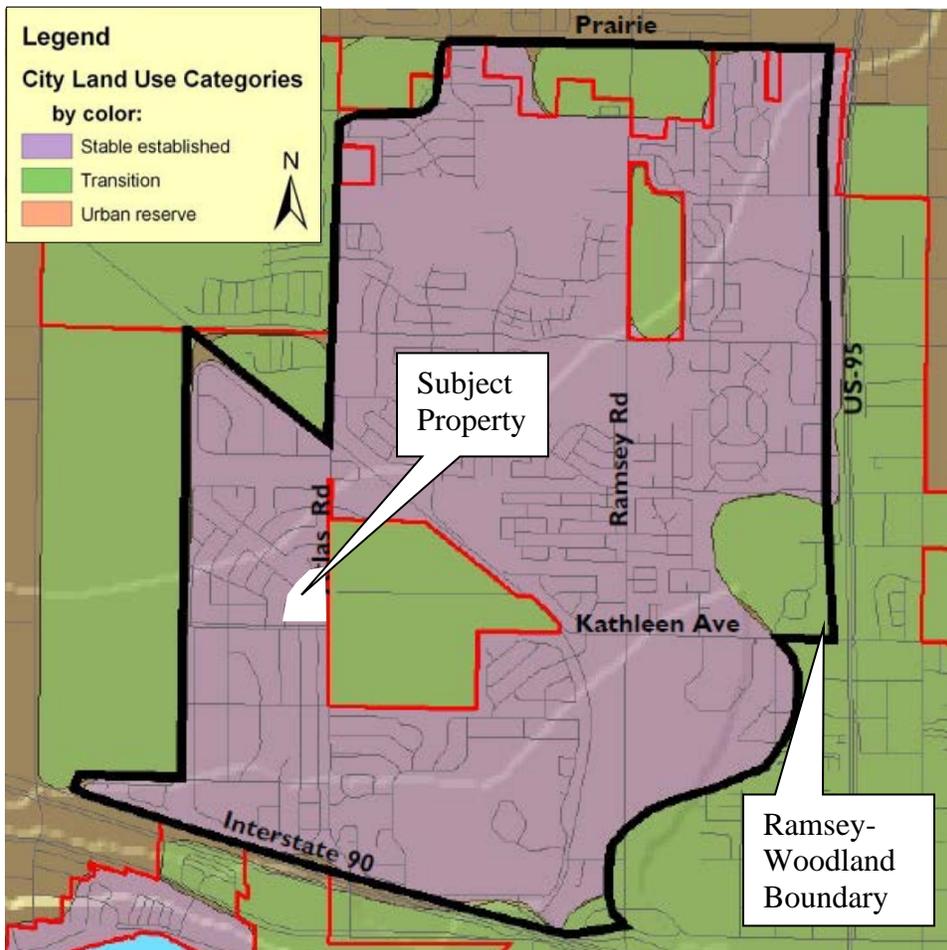
REQUIRED FINDINGS FOR SPECIAL USE PERMITS:

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 Ramsey- Woodland- Stable Established:

COMPREHENSIVE PLAN MAP: Ramsey- Woodland



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.

Land Use: Ramsey- Woodland

The development pattern in this area is mixed with established subdivisions, such as Coeur d’Alene Place, that are continuing to expand to the north. Passive and active parks have also been provided for the residents of these housing developments. Industrial uses are prominent to the west of Atlas Road with a mix of residential zoning on the south side of Hanley Avenue.

Neighborhood service nodes can be found throughout the Ramsey-Woodland area.

Ramsey - Woodland Tomorrow

Characteristics of the neighborhoods have, for the most part, been established and should be maintained. Development in this area will continue to grow in a stable manner. Lower density zoning districts will intermingle with the existing Coeur d’Alene Place Planned Unit Development (PUD) providing a variety of housing types. The northern boundary is the edge of the community, offering opportunities for infill.

The characteristics of Ramsey – Woodland neighborhoods will be:

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Pedestrian and bicycle trails.
- Parks just a 5-minute walk away.
- Neighborhood service nodes where appropriate.
- Multi-family and single-family housing units.

Significant Comprehensive Plan policies for consideration:

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.-09

Parks:

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

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.

Objective 2.05

Pedestrian & Bicycle Environment:

Plan for multiple choices to live, work and recreate within comfortable walking/biking distances.

Goal #3: Home Environment

Our Comprehensive Plan preserves the city's 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.

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 non-residential structures in a residential zone. The subject site is adjacent to single family, duplex and multi-family uses to the north and west. The subject property abuts Northshire Park directly to the south.

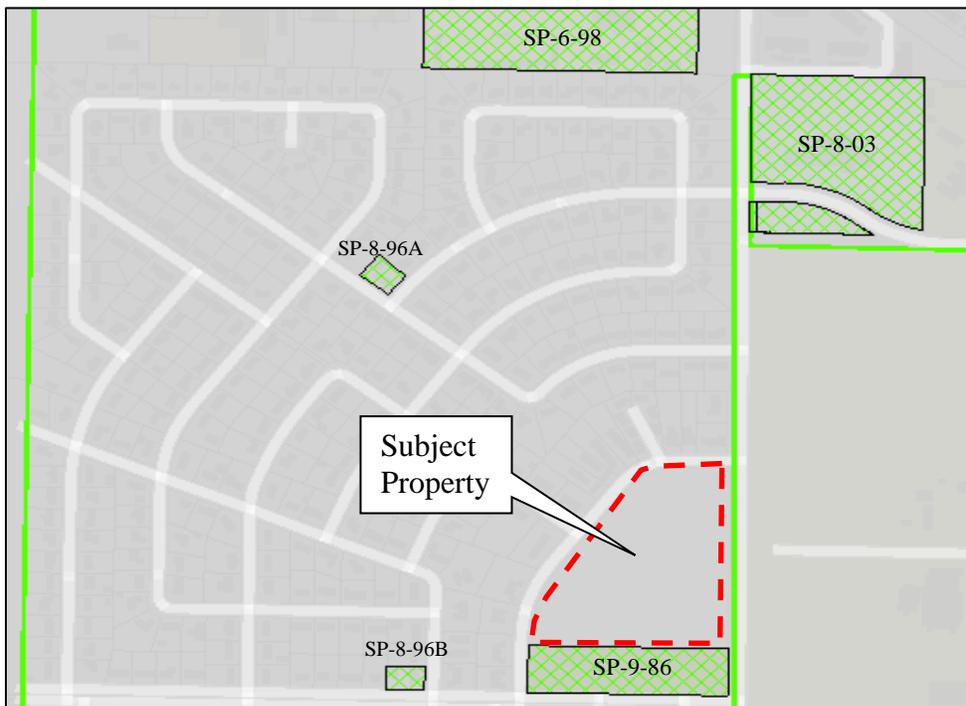
The property to the north, south and west south is zoned R-8 (Residential at 8 units/acre) zoning district (As shown on the zoning map on page 6). There are five special use permits in the vicinity of the subject property. The Planning Commission approved a special use request for a Community Education (SP-8-03) north of the subject property in 2003. In 1998 the Planning Commission approved a special use request for an Administrative Office (SP-6-98) north of the subject property, and a Public Recreation special use permit in 1986 for Northshire Park. (See page 13 of the staff report.)

The subject site is adjacent to N. Atlas Road to the east which is a former county road, West Nez Perce Road is to the south and Abbey Road is north and northwest of the subject property. The primary access to the site will be via N. Atlas Road, however; there is also a proposed access point along Spiers Road.

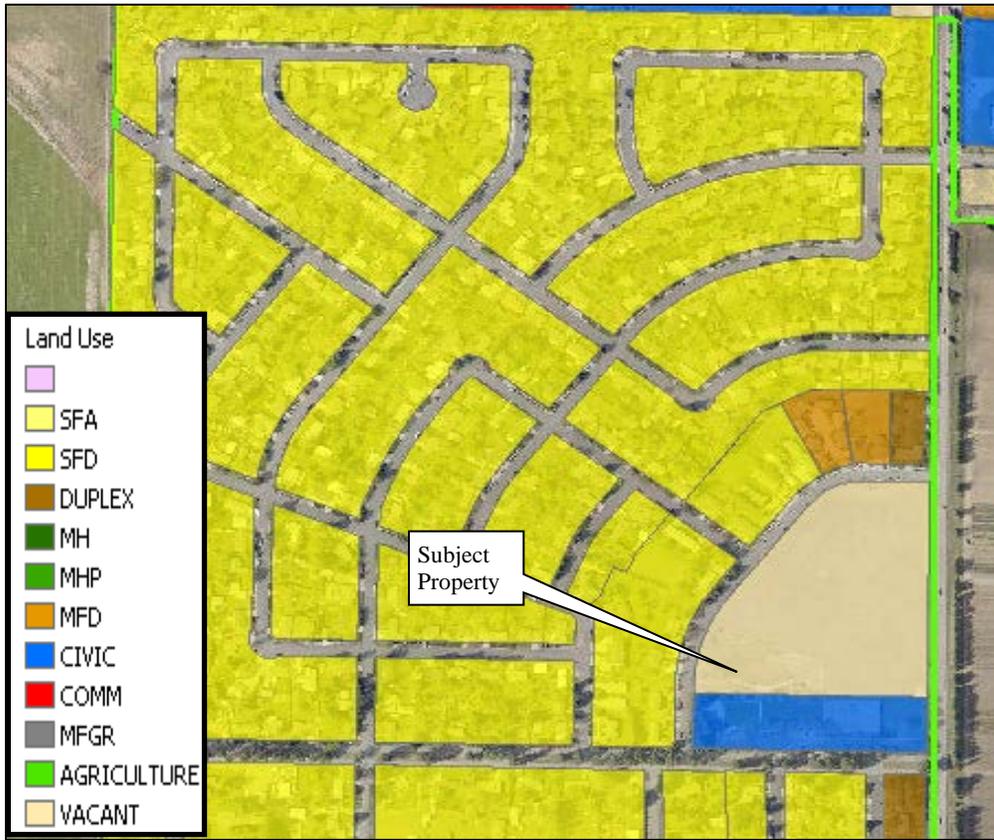
Special Use Permits:

| | | | |
|----------|-----------------------|----------|----------|
| SP-9-86 | Community Recreation | 06-24-86 | Approved |
| SP-6-98 | Administrative Office | 05-12-98 | Approved |
| SP-8-96A | Child Care | 11-12-96 | Approved |
| SP-8-96B | Community Education | 11-12-96 | Approved |
| SP-8-03 | Community Education | 09-09-03 | Approved |

SURROUNDING SPECIAL USE LOCATIONS:



GENERALIZED LAND USE MAP:



SITE PHOTO - 1: *View from the NWC of Abbey Rd. and Atlas Rd. looking west at the subject property.*



SITE PHOTO - 2: *View from Abbey Road looking southwest at the surrounding neighborhood.*



SITE PHOTO - 3: *Looking west from the subject property from Atlas Road along Abbey Rd.*



SITE PHOTO - 4: *Looking north along the pedestrian trail/Atlas Road looking north.*



SITE PHOTO - 5: *Looking northeast from subject property along Atlas Rd. at the Forest Service Nursery property.*



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. Additionally, stormwater from Atlas Road will need to be managed through installation of swales and drywells. Stormwater will need to be addressed at the time of construction.

STREETS:

The subject property is bordered by Atlas Road to the east and Abbey Road to the north and west. Atlas Road is a former county road with no curb or stormwater swales. The City's future plan for Atlas Road is a 40' width, curb to curb, which will dictate the placement frontage improvements. Any ADA issues with the existing Atlas Road asphalt path will need to be addressed and sidewalk will be required along Abbey Road. A curb ramp will be required at corner of Abbey Road and Atlas Road. Details for these required improvements can be addressed at the time of development.

TRAFFIC:

Without knowing the details of each proposed use identified in the application, it is assumed that the 500-seat church in phase 4 will generate the most traffic. The ITE Trip Generation Manual estimates that it is expected to generate up to approximately 305 AM Peak Hour trips/day. The impact will likely be a considerable delay exiting onto Atlas Road after services, especially for motorists turning left (north) during busy traffic times. Atlas Road has the capacity needed to accommodate the proposed development. Streets and Engineering has no objections to the proposed SUP.

-Submitted by Chris Bosley, City Engineer

WATER:

There is adequate capacity in the public water system to support domestic, irrigation for the proposed zone special use permit for 4977 N Atlas Road.

There is an existing 12" water main in Atlas Rd, and an 8" water main in N. Abbey Rd.

-Submitted by Terry Pickel, Water Superintendent

SEWER:

Public Sewer is available to this project at Spiers & Abbey Rd (MH #FWN1-35C). Sewer Policy 716 also requires each lot to have its own sewer lateral connection to the public sewer (One Lot – One Lateral Rule). Based on the 2013 Sewer Master Plan (SMP). Since sewer capacity falls under a "1st come 1st served basis", and the City presently has the capacity to serve this Proposed Special Use.

-Submitted by Larry Parsons, Utility Project Manager

PARKS & RECREATION/Parks Division:

Street trees will be required to be planted in the public right of way abutting all street frontages in conjunction with the proposed project. Trees must be selected from the approved street tree list and spaced per ordinance.

-Submitted by Nick Goodwin, Urban Forester

Parks Division:

The portion of the Atlas Trail adjacent to this development will have to be rebuilt. The trail standards require 4" of compacted gravel and 2" of asphalt. The asphalt needs to have a 3/8 "gravel mix. The asphalt plants call it a "driveway mix" or the "Hagadone mix". The trail will need to match the width that is currently in place. The owner will be responsible for maintaining the swale. In the section that has the parking lot adjacent to the trail, there needs to be a 2' minimum buffer of grass between the parking lot and the trail.

"12.28.200: SIDEWALKS, CURBING, CURBS AND GUTTERS; REPLACEMENT:

In areas where sidewalks, curbing, curbs and gutters, curb ramps, or asphalt paving are in place at the time new construction, or improvement is started, and the existing sidewalks, curbing, curbs and gutters, curb ramps, or asphalt paving are in need of repair or replacement, such work shall be performed prior to the completion of the new construction or improvement. In areas where alignment is poor, or in the case of sidewalks where the change in level is more than one-half inch (1/2"), replacement shall be required. Where the change in level is less than or equal to one-half inch (1/2") and more than one-fourth inch (1/4"), the edge shall be beveled to a slope not more than two to one (2:1) (horizontal to vertical). Where existing curb ramps do not comply with ADA guidelines, they shall be required to be brought into compliance. Where there is existing curb and sidewalk and no curb ramps, curb ramps shall be installed in accordance with city standards and ADA guidelines. In areas where existing driveway cuts do not fit the new construction or improvement, driveway cuts shall be removed and replaced with new curbing, or curbs and gutters. In areas where new driveway cuts are required, curbing, or curbs and gutters, shall be removed and replaced with driveway cuts. All cuts must first be approved by the city engineer. (Ord. 3330 §2, 2008: Ord. 3249 §2, 2006: Ord. 2177 §1, 1989: Ord. 1376 §2(3), 1974: prior code §9-4-8)"

-Submitted by Monte McCully, Trails Coordinator

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

POLICE:

The Police Department reviewed the proposed special use permit and has no concerns.

-Submitted by Lee White, Police Chief

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:

1. Wastewater:

Sewer Policy 716 also requires each lot to have its own sewer lateral connection to the public sewer (One Lot – One Lateral Rule).

2. Water:

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.

3. Fire:

FD has no conditions at this time. Coeur d’Alene Fire Department will work with the development team utilizing the current adopted Fire Code (2018 Edition) for access, fire protection and hydrant placement at building permit time.

4. Parks & Recreation:

Per Section 12.28.200, the portion of the Atlas Trail adjacent to this development will have to be rebuilt. Such work shall be performed prior to the completion of the new construction.

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 repeating pattern of purple diamonds in two shades, surrounding a central light purple rectangular area.

**APPLICANT'S
NARRATIVE**

February 25, 2021

City of Coeur d'Alene Planning Department
Via hand delivery

Re: 4977 North Atlas Road Special Use Permit Application

Grace Bible Church and Faith Walk Community Fitness Park, Inc. are requesting a Special Use Permit to allow the construction of a multi phased project. The project phases include:

- Phase 1 – Bible Walk Community Park. This phase would provide an asphalt exercise trail connecting to the City pathway. There would be 15 stations with commercial exercise equipment available for users as well as a Bible Storyline in artwork and story art at the exercise stations. Additionally, a soccer field, Picnic pavilion, playground restrooms would be constructed in this phase. Infrastructure for future phases and parking would be installed to support the park.
- Phase 2 – A regulation size gymnasium would be constructed.
- Phase 3 – Offices and a Counseling Center would be constructed.
- Phase 4 – A 500 seat Church auditorium would be constructed.

The current zoning for the property is R-8. City code provides as a permitted uses in 17.05.100 and 17.05110 the following:

- Administrative
- Neighborhood recreation
- Public Recreation
- Single family detached housing
- Private recreation facilities

City code provides through the Special Use Permitting process in 17.05.120 the following:

- Community Assembly
- Community organization
- Religious Assembly

Most of the proposed activities are allowed as permitted uses. The special use permit would allow Community assembly and organization and Religious Assembly. Specifically, Community Assembly use of the proposed gymnasium and Religious Assembly in the new auditorium.

This request conforms to the 2007 Comprehensive Plan's intent and goals. Specifically, creating the park environment in phase 1 meets Goal #1 by improving the property to preserve the beauty of our natural environment. The property is currently a vacant field. As the phases are

YOUNG

CONSTRUCTION
GROUP

P.O. Box 3701, Coeur d'Alene, Idaho 83816 | (208) 762-7000 | Young-Const.com

completed, new jobs will be created in the offices and counseling center to further Goal #2 by encouraging economic development. Moving an established church from a commercial zone closer to an existing residential neighborhood is in line with goal #3, preserving the qualities that make Coeur d'Alene a great place to live.

The design and planning of the site is compatible with the location. Many of the newer subdivisions in Coeur d'Alene have designated space included in the planning for recreation and religious assembly. Completing this project will add to the neighborhood amenities.

The location of the project is ideally suited for the proposed uses. Bounded by Atlas road and Abbey road, City infrastructure is in place to support all proposed phases.

Thank you for considering our request for a Special Use permit. If you have any questions, please do not hesitate to contact me.

Sincerely,



K. John Young, President
Young Construction Group of Idaho, Inc.

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**PLANNING COMMISSION
STAFF REPORT**

FROM: SEAN E. HOLM, SENIOR PLANNER
DATE: APRIL 13, 2021
SUBJECT: SP-3-21 – SPECIAL USE PERMIT REQUEST FOR RELIGIOUS ASSEMBLY IN AN R-17 ZONING DISTRICT
LOCATION: +/- 0.76 ACRE PARCELS AT THE NORTHWEST CORNER OF E. WALLACE AVENUE AND N. 7th STREET– COMMONLY KNOWN AS 623 E. WALLACE AVENUE (+ ASSOCIATED PARKING).

APPLICANT:
Anthem CDA, Inc. c/o Chris Lauri
212 S. 11th Street, Suite 1
Coeur d'Alene, ID 83814

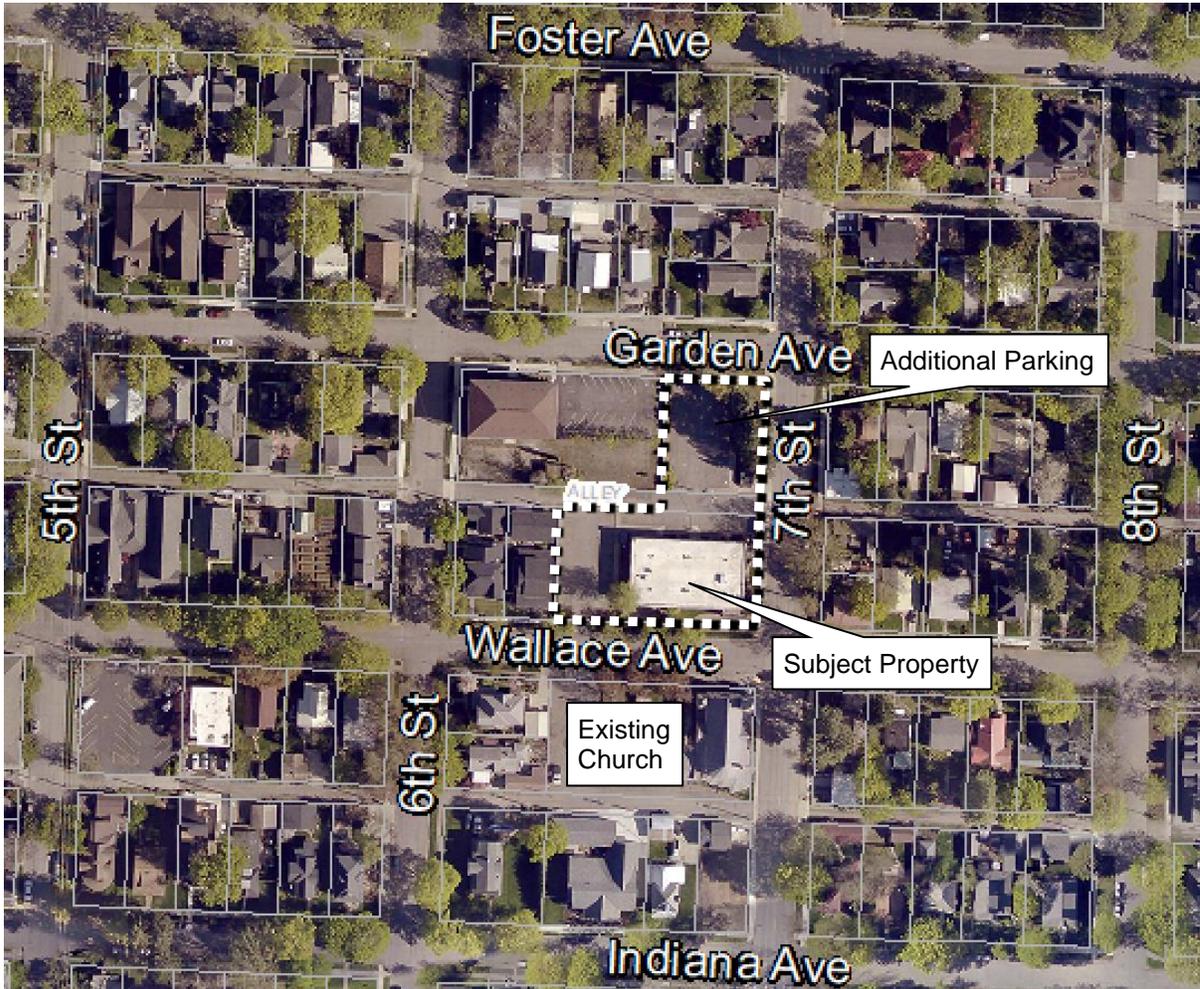
OWNER:
Philip Damiano
8850 E. Fernan Lake Road
Coeur d'Alene, ID 83814

DECISION POINT:
Anthem CDA, Inc. c/o Chris Lauri, with consent of the property owner, is requesting approval of a Religious Assembly Special Use Permit (SUP) on six lots measuring a total of +/- 0.76 acre. An existing SUP exists for the parking lot north of the alley which is in conjunction with this request.

Area Map:



Location Map:



GENERAL INFORMATION:

Anthem CDA Church is requesting approval of a Religious Assembly Special Use Permit in an R-17 zoning District. The request, if granted, would allow the applicant to use the existing structure as a place of worship. Currently there are no plans to use the church as an education facility (which would require a separate “community education” SUP). A “Sunday School” falls under the request for Religious Assembly and is typical to what churches provide to their members. If the church decides to hold educational K-12 classes (or a portion thereof), they would need to apply for a “community education” SUP separately from this request.

The subject property was recently reviewed by Planning Commission for an R-34 SUP approved in July 2018, which was appealed to City Council which denied the request in August of 2018.

Existing Zoning:

Article VI. R-17 Residential

17.05.250: GENERALLY:

- A. The R-17 district is intended as a medium/high density residential district that permits a mix of housing types at a density not greater than seventeen (17) units per gross acre.
- B. This district permits single-family detached housing as specified by the R-8 district and duplex housing as specified by the R-12 district.
- C. This district is for establishment in those areas that are not suitable for lower density residential due to proximity to more intense types of land use.
- D. This district is appropriate as a transition between low density residential and commercial districts, or as a buffer between arterial streets and low density residential districts.
- E. Project review (see 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. (Ord. 3560, 2017)

17.05.260: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-17 district shall be as follows:

- Administrative
- Childcare facility
- Community education
- Duplex housing as specified by the R-12 district
- Essential service
- "Home occupation", as defined in this title
- Multiple-family
- Neighborhood recreation
- Public recreation
- Single-family detached housing as specified by the R-8 district

17.05.280: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an R-17 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
- Boarding house
- Commercial film production
- Commercial recreation
- Community assembly
- Community organization
- Convenience sales
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility

- Ministorage facilities
- Mobile home manufactured in accordance with section 17.02.085 of this title
- Noncommercial kennel
- Nursing/convalescent/rest homes for the aged
- Rehabilitative facility
- Religious assembly
- Residential density of the R-34 district as specified
- Three (3) unit per gross acre density increase

Parking Analysis:

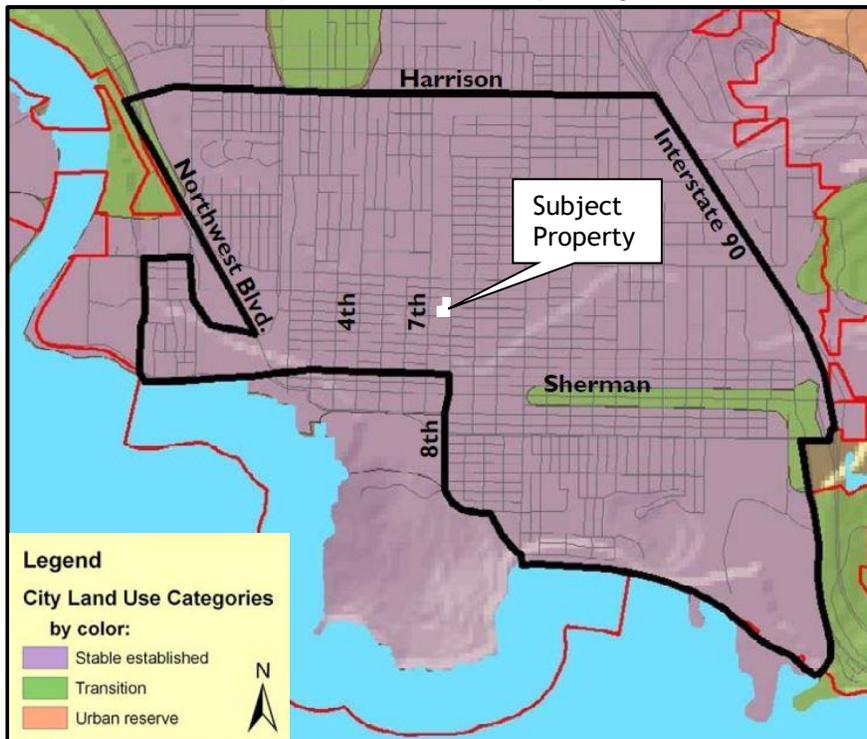
In the applicant’s narrative they’ve identified that the auditorium would seat 280 people. Per parking regulations, code requires one parking stall per 10 seats in the largest worship hall. This would necessitate a total of 28 stalls for the church. There is sufficient parking for this request with approximately 55 parking stalls.

REQUIRED FINDINGS FOR A SPECIAL USE PERMIT:

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

2007 COMPREHENSIVE PLAN- LAND USE CATEGORIES:

- The subject property is within the existing city limits.
- The Comprehensive Plan Map designates this area as Historical Heart- Stable Established:



Stable Established Areas:

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

Historical Heart Today:

The Historical Heart of Coeur d’ Alene contains a mix of uses with an array of historic residential, commercial, recreational, and mixed uses. A traditional, tree-lined, small block, grid style street system with alleys is the norm in this area. Neighborhood schools and parks exist in this location and residents have shown support for the long term viability of these amenities. Focusing on multimodal transportation within this area has made pedestrian travel enjoyable and efficient.

Widely governed by traditional zoning, there are pockets of infill overlay zones that allow development, based on Floor Area Ratio (FAR). Many other entities and ordinances serve this area to ensure quality development for generations to come. Numerous residential homes in this area are vintage and residents are very active in local policy-making to ensure development is in scale with neighborhoods.

Historical Heart Tomorrow:

Increased property values near Lake Coeur d’Alene have intensified pressure for infill, redevelopment, and reuse in the areas surrounding the downtown core. Stakeholders must work together to find a balance between commercial, residential, and mixed use development in the Historic Heart that allows for increased density in harmony with long established neighborhoods and uses. Sherman Avenue, Northwest Boulevard, and I-90 are gateways to our community and should reflect a welcoming atmosphere.

Neighborhoods in this area, Government Way, Foster, Garden, Sanders Beach, and others, are encouraged to form localized groups designed to retain and increase the qualities that make this area distinct.

The characteristics of Historical Heart neighborhoods will be:

- That infill regulations providing opportunities and incentives for redevelopment and mixed-use development will reflect the scale of the existing neighborhoods while allowing for an increase in density.
- Encouraging growth that complements and strengthens existing neighborhoods, public open spaces, parks, and schools while providing pedestrian connectivity.
- Increasing numbers of, and retaining existing street trees.
- That commercial building sizes will remain lower in scale than in the downtown core.

2007 Comprehensive Plan Goals and Objectives that apply:

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 3.05

Neighborhoods:

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

Objective 3.16

Capital Improvements:

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

Objective 4.01

City Services:

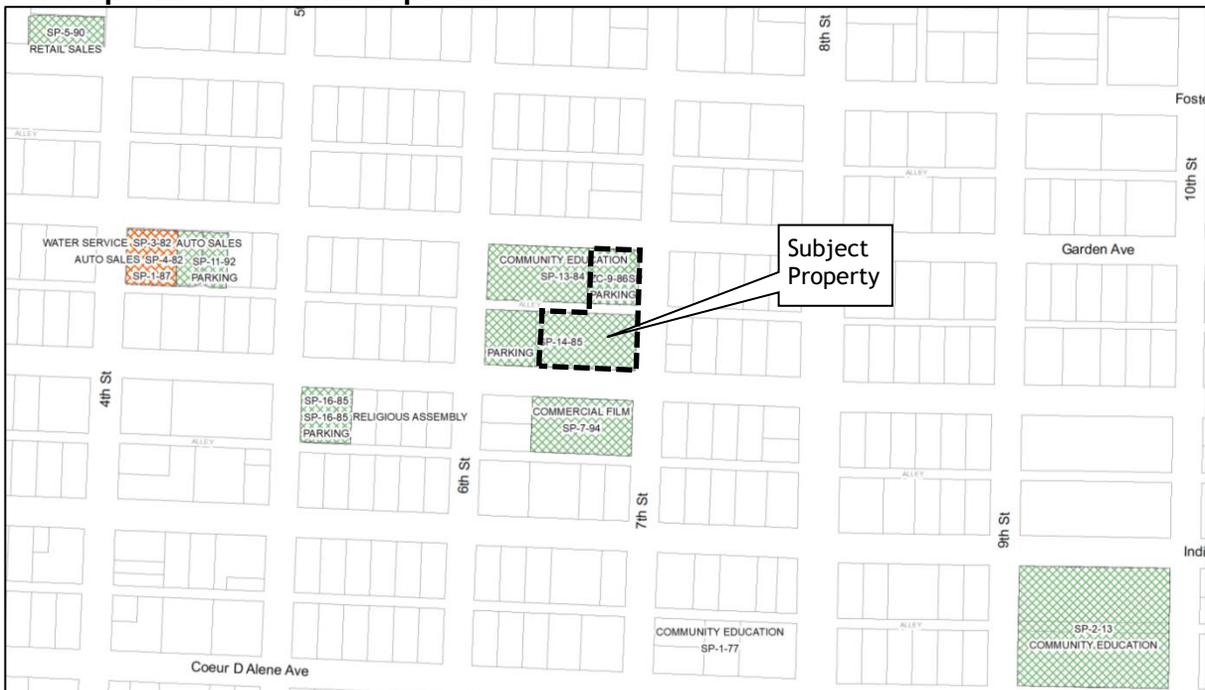
Make decisions based on the needs and desires of the citizenry.

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.*

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 location of the request is home to many different uses, although the neighborhood is primarily residential in nature. In addition to the homes of the area, there is an old school house on the same block that has been used as a preschool, office space, and is currently a Yoga studio. It was rezoned from R-17 to NC (Neighborhood Commercial) in 2014. Two new homes and an ADU, built in 2017, are abutting the property directly west of the subject property. Another church is directly south of the request which hosts weddings in conjunction with services.

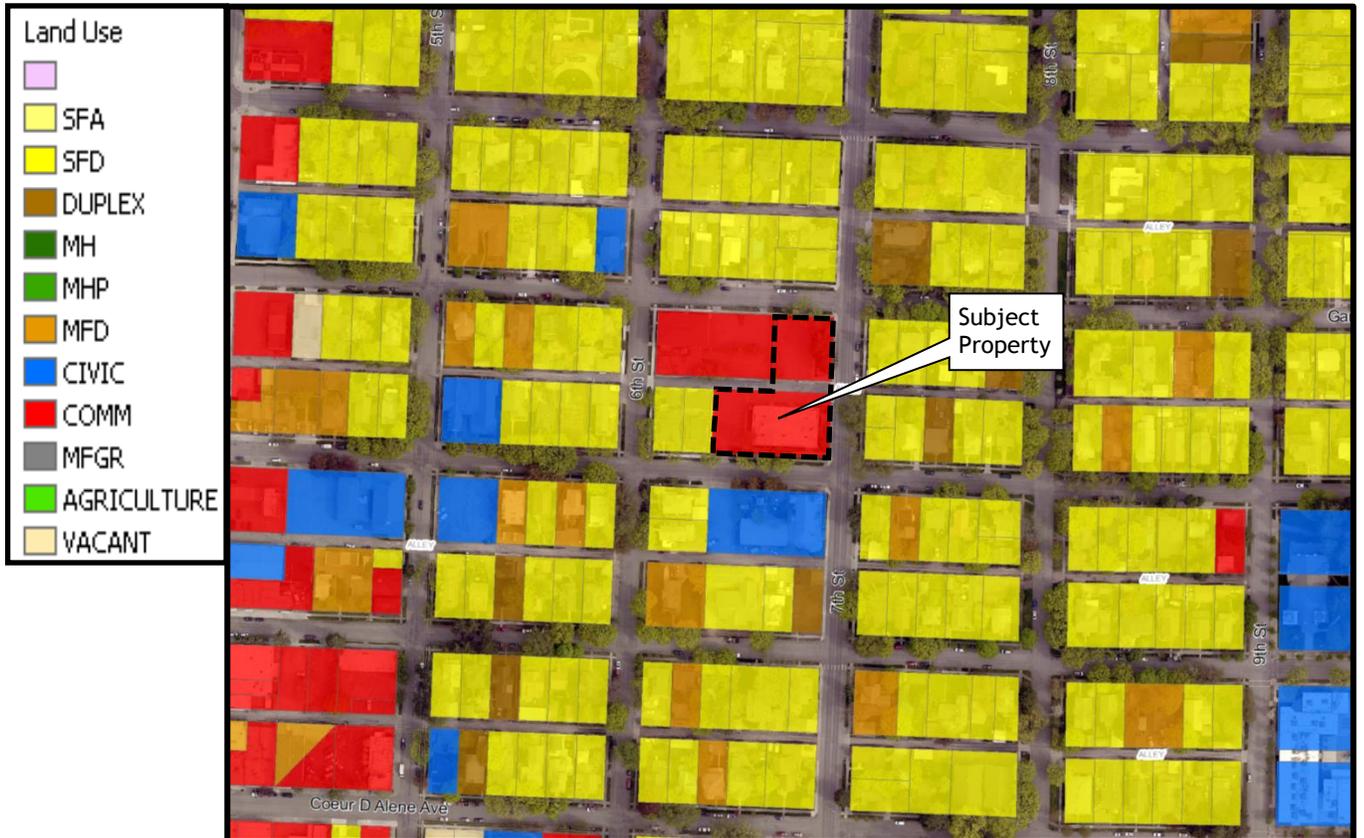
Prior Special Use Permit Requests:



Existing Zoning:



Generalized Land Use:



SITE PHOTO - 1: View of Wallace Avenue streetscape from 7th Street looking west:



SITE PHOTO - 2: View of existing structure and driveway from Wallace Avenue looking northeast toward 7th Street:



SITE PHOTO - 3: View of existing parking lot supported by prior approval of ZC-9-86SP:



SITE PHOTO - 4: View of existing structure and sidewalk looking south down 7th Street:



SITE PHOTO - 5: View of alley looking west showing existing structure and parking lot:



SITE PHOTO - 6: View of existing chapel from the intersection of Wallace Avenue and 7th Street looking southwest:



Evaluation: *The Planning Commission must determine, based on the information before them, whether the design and planning of the site is or is not compatible with the location, setting, and existing uses on adjacent properties. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

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.**

PLANNING:

Currently the subject property is a legal non-conforming use as it was originally permitted for GTE (telecommunications) and has been home to multiple office space uses over the years both civic (Social Security) and professional.

WATER:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed special use permit.

-Submitted by Kyle Marine, Assistant Water Superintendent

WASTEWATER:

This proposed Special Use is connected to Public Sewer in the alley to the north. Based on the 2013 Sewer Master Plan (SMP). City presently has the capacity to serve this Proposed Special Use. Maybe be subject to sewer cap fees at time of permitting. There may also be a cap credit available as well.

-Submitted by Larry Parsons, Utility Project Manager

STORMWATER:

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

- Submitted by Chris Bosley, City Engineer

STREET:

The subject property is bordered by 7th Street to the east, Wallace Ave to the south, and Garden Ave to the north. ADA improvement to the existing sidewalks will need to be addressed at the time of development.

- Submitted by Chris Bosley, City Engineer

TRAFFIC:

The ITE Trip Generation Manual estimates that the 280 seat auditorium is expected to generate up to approximately 171 AM Peak Hour trips/day. The impact will likely be a modest delay exiting onto the surrounding streets after services, especially for motorists turning left. However, access points onto all four surrounding streets will help mitigate this congestion. On-street parking availability will likely be very limited during services and other events. The surrounding streets have the capacity needed to accommodate traffic from the proposed SUP. Streets and Engineering has no objections to the proposed SUP.

- Submitted by Chris Bosley, City Engineer

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.

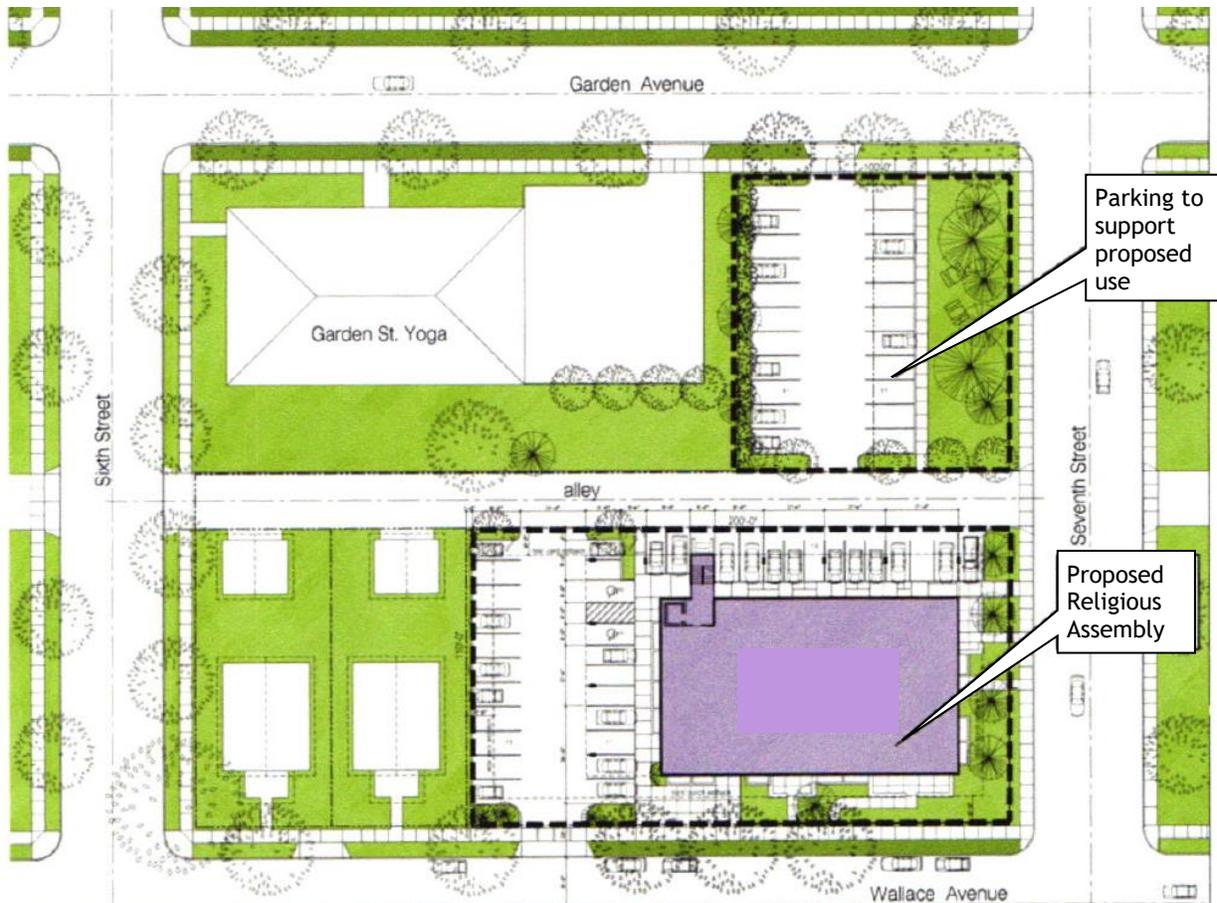
-Submitted by Bobby Gonder, Fire Inspector / MIAAI – CFI

POLICE:

The Police Department reviewed the proposed zone change and has no concerns.

-Submitted by Lee White, Police Chief

Site Plan:



(Taken from 2018 SUP request- CREDIT: Miller/Stauffer Architects)

ORDINANCES & STANDARDS USED FOR 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
- 2017 Coeur d'Alene Trails Master Plan

NO PROPOSED CONDITIONS

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.

Planning Commission may, as conditions 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.



**APPLICANT'S
NARRATIVE**

JUSTIFICATION:

Proposed Activity Group(s): CHURCH

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

A. A description of your request; Request to use building for
Church services.

B. Explain how your request conforms to the 2007 Comprehensive Plan;
Please see attached doc. Pg 4 / Question B

C. Explain how the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties;
The building sits on a corner lot and has ample
parking and does not interfere with the adjacent
properties.

D. Explain how the location, design, and size of the proposal will be adequately served by existing streets, public facilities and services;
The current footprint of the building will not change.
The renovation proposal would only affect the interior of
the building. The parking lot and access to exits will
remain the same.

E. Any other information that you feel is important and should be considered by the Planning Commission in making their decision.
We have 3 families attending Anthem CDA church
that live within a 100 mile radius that would
all be proponents of our church utilizing the space.

Page 4, Question B.

Explain how your request conforms to the 2007 comprehensive plan.

Goal #1

Objective 1.16

- It is our desire to provide a Church who's primary reach would be into the neighborhoods downtown. This means the core of our congregation would be people that will walk/bike to and from Church on Sundays and for extra curricular events that we put on. Currently at least 50% of our Church live south of I-90.

Goal #2

Objective 2.04

- The city of CDA desires to provide strong service nodes downtown. We know that many of our congregation frequent local restaurants and businesses before and after our Church gatherings. We believe this does enhance the economy downtown when we are drawing people to downtown on Sunday mornings and for other events.

Objective 2.05

- To reiterate from Goal #1 Objective 1.16, it is our desire to primarily reach people that can walk/bike to and from our Church.

Objective 2.06

- We believe we are providing public events for our community that will continue to enhance both the neighborhoods and businesses downtown.

Goal #3

Objective 3.05

- With so many churches downtown that are declining in attendance or have older dilapidated buildings, it is our concern that over time these buildings will be sold and acquired by developers. This means that the property that these churches currently own will continue to be developed into houses and condos which we know goes against the desires of many that live downtown. We would like to preserve space downtown for churches that will protect the property for the use of worship. This has happened in the property on the corner of 11th and Pennsylvania as it was sold to a developer and is now being turned into houses. The last owner of the property we are looking at tried to get the zoning changed to build condos at 623 E. Wallace. It is our desire to protect this space from future outside development.

Objective 3.06

- Our property makes up a half of a city block downtown with an alleyway on it. By keeping the current setup of the property we would be preserving both the alleyways and back lot lines from being reconfigured or done away with.

Goal #4

Objective 4.01

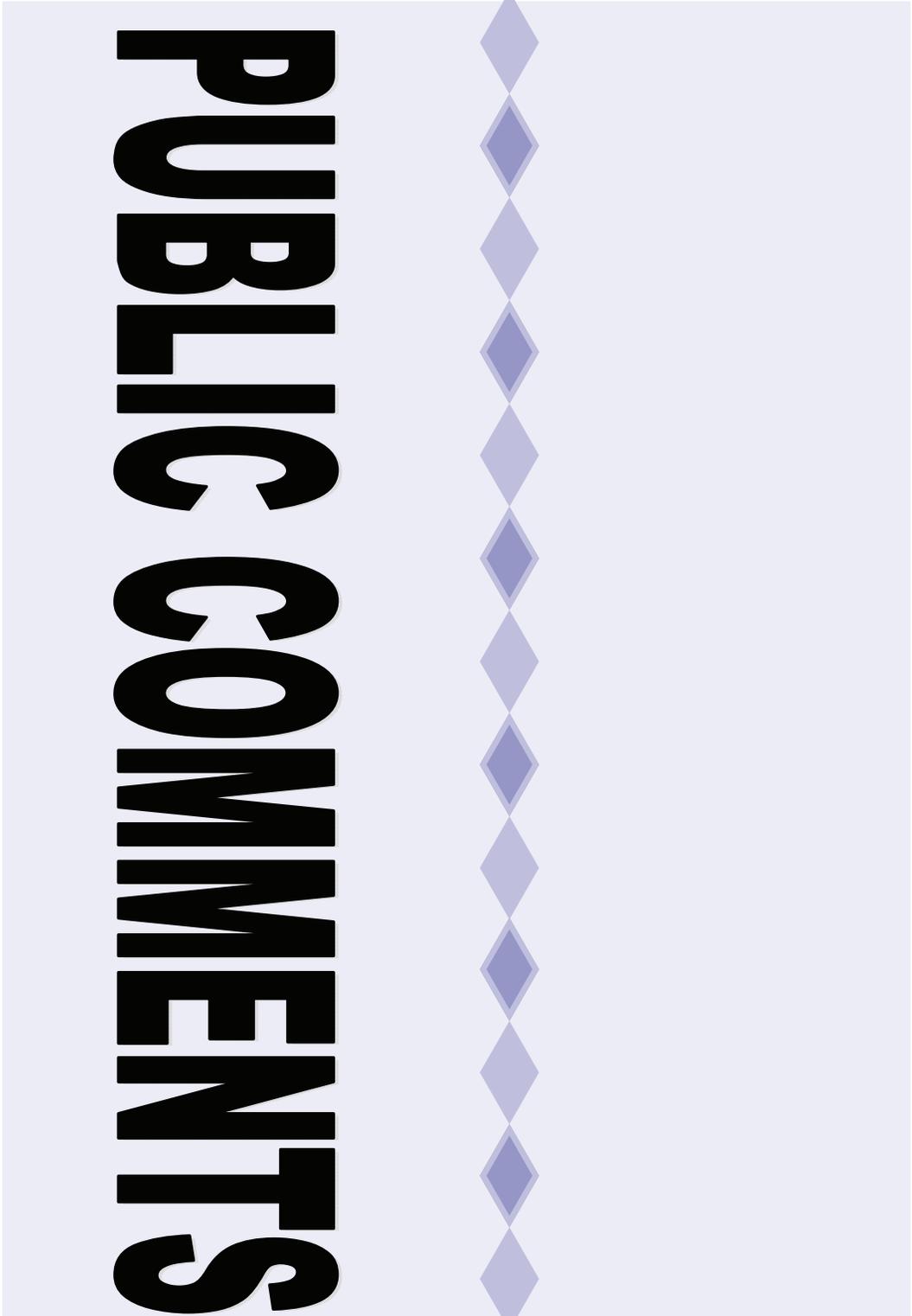
- Along with the growth that is currently happening in CDA, many of the people (both the natives and those moving into town) desire to be connected to places of worship in our city. Our church, currently meeting at the Boys and Girls Club on 15th Street, has seen astronomical growth in the past year even in the midst of a pandemic. The reason for this growth is because people are looking for more relevant and vibrant churches in the downtown corridor of our city. We believe our church is a smaller representation of the greater citizenry of CDA. People want to be a part of churches that are actually impacting our city and enhancing both families, individuals and businesses in our community. Our church is community minded and we believe by having a permanent location downtown it gives us a headquarters to serve from in providing services to our downtown neighborhoods and families.

What are we hoping to accomplish?

It is our desire to move our church gatherings into a permanent location in downtown Coeurdalene. Currently we use the Boys and Girls Club for our Sunday services, we occupy an office space downtown for our staff and weekly operations and we rent First Baptist Church two nights a week for extra functions. We would like to have a space of our own to do everything at, as well as a place that people can drop by that are in need of assistance or seeking spiritual counsel. Our congregation is currently around 400 people gathering in 2 services on Sunday mornings. Our hope is to convert the interior of 623 E. Wallace into an auditorium that would seat 280 people. This would allow us to hold 2 gatherings at our property on Sunday mornings. We were told that the parking required for this would be 1 parking stall per 10 chairs in the auditorium. This would mean that our required parking would be 28 stalls. The property currently has 55 parking stalls on site and meets the required demands to host our church gatherings.



PUBLIC COMMENTS



STUHMILLER, SHANA

From: Michelle Pratt <michelle@valeriusmedical.com>
Sent: Monday, April 05, 2021 7:15 AM
To: STUHMILLER, SHANA
Subject: Rezoning of 3395 Fernan Hill Road

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.

Good Morning,

This email is being sent to voice my concern regarding the proposed rezoning of 3395 Fernan Hill Road. It is my understanding that the property owners would like to build a home with two kitchens, thus the request to rezone from R1 to R3. This change in zoning could permit the homeowner, or future homeowners, to change any structures of the property to multi-family units.

As a resident and homeowner on Fernan Hill, I have grave concerns regarding the increased in traffic flow which has occurred over the past few years. With all the new homesites, not only has the private vehicle use increased, but this has also been naturally accompanied by a large increase in other vehicles such as delivery trucks and service vehicles. All residents use the only single, two lane road, into and out of their homes on Fernan Hill. In the event of an emergency, evacuation could be disastrous.

Additionally, the issue of water supply needs to be considered. Those residents towards the end of city water supply have water pressure problems. The property in question is near the end of the city water line. Allowing for R3 rezoning could greatly impact water supply. I cannot imagine that the city would be willing to expend the cost of replacing the existing pipes and pumps with larger units to supply the water needs of the community should multi-family dwellings be constructed.

I am not opposed to the current property owners request to build a home with two kitchens, I propose that a more suitable solution would be to grant them an exemption for their build plans and maintain the current Rr1 single-family home zoning status. This would mitigate any future hearings should future owners of this address wish to utilize the options afforded them with an R3 zoning classification.

Respectfully submitted,
Michelle Pratt
3993 Beckon Ridge Road
Coeur d'Alene, ID 83814

*Michelle Pratt, MSN, FNP-BC
Director of Research Services
Valerius Medical Group and Research Center of Greater Long Beach, Inc.
10861 Cherry Street, Suite 104*

STUHMILLER, SHANA

From: Ed Dudding <coeurdalencounseling@gmail.com>
Sent: Tuesday, March 30, 2021 8:51 PM
To: PlanningDiv
Subject: Anthem CdA Church R17 permit

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 live at 519 E. Indiana Ave. in CdA, and I am completely in favor of this use of this property! It will improve the area by sustaining home values and the neighborhood's charm. Thank you.

--

Edward Dudding, M.A., LMHC, LPC, CSAT, NCC
1910 Northwest Blvd.
Suite 201
Coeur d'Alene, Idaho 83814
208-755-7114
ed@coeurdalencounseling.com
www.coeurdalencounseling.com

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STUHMILLER, SHANA

From: Toney Chimienti <tony.chimienti@gmail.com>
Sent: Tuesday, March 30, 2021 1:47 PM
To: PlanningDiv; STUHMILLER, SHANA
Subject: Regarding property at 3395 E Fernan Hill Rd.

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.

Dear City Planning Department,

We understand that the reason for this zone change is so that the owners can build a multigenerational home that would include two kitchens.

These types of structures are becoming quite common. It is our opinion that it would be more practical for the city to allow a variance for a home with two kitchens rather than change the zoning to allow up to five structures on the property. Our main concern is the potential for additional structures being built on this property. It is currently zoned for single residences and should stay that way.

Another major concern that most of the residents here share is that there is barely an adequate city water supply to support the existing homes in this area now. The current water system is already over taxed, and there isn't enough pressure available through the existing 4" waterline.

Additionally, there is only one road in or out of this area which could tragically be the ideal design for a major disaster, if there were ever a fire on the Mountian. (you only have to look at the terrible loss of life in Paradise, California) Continuing to add housing developments on Fernan Hill is problematic, and exasperated by the two conditions of an inadequate water supply and one narrow road in or out of the area.

Before any more developments are added to the Fernan Hill area the City needs to implement a 12" water supply and additional access roads for the safety of all residences. Perhaps the City could require that the builders or developers subsidize the cost to the city to improve both transportation infrastructure and water supply.

Respectfully,

Toney & Cathy Chimienti

3403 E Fernan Hill Rd.

CDA, ID. 83814

Sent from my iPhone

STUHMILLER, SHANA

From: Polak, Chad M <Chad.M.Polak@p66.com>
Sent: Tuesday, March 30, 2021 9:30 AM
To: STUHMILLER, SHANA
Cc: Sharpe, Mike R
Subject: FW: City of Coeur d'Alene, Planning Department, Public Hearing notices
Attachments: ZC-1-21 public hearing notice pc.pdf; ZC-2-21 public hearing notice pc.pdf; ZC-3-21 public hearing notice pc.pdf; ZC-4-21 public hearing notice pc.pdf; SP-2-21 public hearing notice pc.pdf; SP-3-21 public hearing notice pc.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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Good Morning Shana,

For the following Case numbers, there is no impact to the YPL pipeline based on the location of the project: ZC-1-21, ZC-2-21, ZC-4-21, SP-3-21

For the following case numbers, there is no impact based on the requested change in zoning: ZC-3-21, SP-2-21. However, with that being said for these two case numbers, any proposed changes to the property, will need to be reviewed as the YPL pipeline is located on the property and the owner will need to discuss their project, provide required documentation for review and approval by YPL, and have an executed encroachment agreement for any potential impact to the YPL pipeline. Until these items are completed, the 3rd party will not be able to develop any portion of the property that is in proximity or within the ROW of the YPL pipeline. There may be additional requirements as in a reimbursement agreement depending on what the 3rd party looks to do on the tract of land. This feedback is not an approval for any development or proposed modifications as neither land owner has been in touch with YPL for any proposed projects.

Let me know if there are any questions.

Sincerely,

Chad M. Polak
Agent, Real Estate Services
O: (+1) 303.376.4363 | M: (+1) 720.245.4683
3960 East 56th Avenue | Commerce City, CO 80022
Phillips 66

From: STUHMILLER, SHANA <SHANA@cdaid.org>
Sent: Friday, March 26, 2021 11:13 AM
To: Avista <Jamie.Howard@avistacorp.com>; Brittany Stottlemire <Brittany.Stottlemire@avistacorp.com>; Polak, Chad M <Chad.M.Polak@p66.com>; Chet Gaede <chet.gaede@msn.com>; Chris Riedeman <riedeman@kec.com>; Corp of Engineers <michael.aburgan@usace.army.mil>; Cyndi(Citizen <cдарling@icehouse.net>; East Side Highway District <eshd@imaxmail.net>; emily blunt <emily@cdadowntown.com>; Idaho Transportation Department <don.davis@itd.idaho.gov>; jeff boller <jboller@cdaschool.org>; Jeff Voeller <jvoeller@cdaschools.org>; John Cowley Dist Supt NW Pipeline Corp <ty.broyles@williams.com>; Kate Orozco <korozco@cdaschool.org>; Ken Windram

Comments

Great, as long as there's plenty of
off street parking provided

Bruce Smith

Bruce Smith
208 765 8215

Sp-3-21

Comments

I am so happy that Grace Bible Church,
wants to build a church on that property. I
live across the street from the park, on the
corner of Jamrack + Nez Perce.

I think it would be a blessing to have a
church in the neighborhood.

Thank you -

Ida M. Cummings

Sp-2-21

STUHMILLER, SHANA

From: BRUCE MEYERS <lagsoot@msn.com>
Sent: Thursday, April 8, 2021 8:57 AM
To: PlanningDiv; BRUCE MEYERS
Subject: Dailey zoning request

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.

My name is Bruce Meyer and I live at 3361 E Fernan Hill Road. I am in opposition to Janet Daileys zone change request from R1 to R3 at 3395 Fernan Hill road.

I am under the impression that the zoning request would allow more than one residence on the property now and in the future. This would be detrimental to the character and quality of life of the Fernan Hill area. (Traffic, etc)
Therefore, I request that you reject Daileys zone change request.

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

ZC-1-21

A. INTRODUCTION

This matter having come before the Planning Commission on April 13, 2021, and there being present a person requesting approval of ITEM: ZC-1-21, a request for a zone change from R-12 to R-17 zoning district

APPLICANT: HABITAT FOR HUMANITY OF NORTH IDAHO

LOCATION: +/- 1.52 ACRES OFF OF 2nd STREET SOUTH OF NEIDER AVENUE, LEGALLY DESCRIBED AS HICKMAN PLACE, LOT 2, BLOCK 1

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 Commercial.
- B2. That the Comprehensive Plan Map designation is Northeast Prairie Transitional
- B3. That the zoning is R-17.
- B4. That the notice of public hearing was published on, March 27, 2021 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, April 1, 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 on
- B7. That public testimony was heard on April 13, 2021.

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

Objective 1.16 Connectivity:

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

Goal #2: Economic Environment

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

Objective 2.05 Pedestrian & Bicycle Environment:

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

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 3.07 Neighborhoods:

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

Objective 3.10 - Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Goal #4: Administrative Environment

Our Comprehensive Plan advocates efficiency and quality management.

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 and adequate to the property?

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

Criteria to consider for B10:

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

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

Criteria to consider for B11:

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

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of HABIAT FOR HUMANITY OF NORTH IDAHO for a zone change, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

| | |
|-----------------------|-------------|
| Commissioner 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 MESSINA

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

ZC-2-21

A. INTRODUCTION

This matter having come before the Planning Commission on, April 13, 2021 , and there being present a person requesting approval of ZC-2-21 , a request for a zone change from R-12 to R-17 zoning district.

APPLICANT: GEORGE HUGHES

LOCATION: +/- 0.346 ACRE A PARCEL LOCATED AT 3135 N FRUITLAND LANE

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 Commercial.
- B2. That the Comprehensive Plan Map designation is
- B3. That the zoning is Fruitland-Transition.
- B4. That the notice of public hearing was published on, March 27, 2021 ,which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, April 2, 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 April 13, 2021.

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

Objective 1.16 Connectivity:

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

Goal #2: Economic Environment

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

Objective 2.05 Pedestrian & Bicycle Environment:

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

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 3.07 Neighborhoods:

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

Objective 3.10 - Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Goal #4: Administrative Environment

Our Comprehensive Plan advocates efficiency and quality management.

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 and adequate to the property?

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

Criteria to consider for B10:

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

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

Criteria to consider for B11:

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

C. ORDER: CONCLUSION AND DECISION

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

Special conditions applied are as follows:

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

ROLL CALL:

| | |
|-----------------------|-------------|
| Commissioner 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.

VICE CHAIR INGALLS

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

ZC-3-21

A. INTRODUCTION

This matter having come before the Planning Commission on, April 13, 2021, and there being present a person requesting approval of ZC-3-21, a request for a zone change from R-8 to R-17 zoning district

APPLICANT: NORTHWEST SOLUTIONS INVESTMENT GROUP, LLC

LOCATION: +/- 3.55 ACRE PARCEL LOCATED AT 3635 N 17TH STREET

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 NE Prairie: Stable Established:
- B3. That the zoning is R-8.
- B4. That the notice of public hearing was published on, March 27, 2021, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, April 2, 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 April 13, 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 1.13 Open Space:

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

Objective 1.14 Efficiency:

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

Objective 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 and adequate to the property?

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

Criteria to consider for B10:

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

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

Criteria to consider for B11:

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

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of NORTHWEST SOLUTIONS INVESTMENT GROUP, LLC for a zone change, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

| | |
|-----------------------|-------------|
| Commissioner 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.

VICE CHAIR INGALLS

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

ZC-4-21

A. INTRODUCTION

This matter having come before the Planning Commission on, April 13, 2021, and there being present a person requesting approval of ZC-4-21, a request for a zone change from R-1 to R-3 zoning district

APPLICANT: JANET DAILY

LOCATION: +/- 1.57 ACRE A PARCEL LOCATED AT 3395 E FERNAN 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 single family.
- B2. That the Comprehensive Plan Map designation is Cherry Hill: Stable Established
- B3. That the zoning is R-1.
- B4. That the notice of public hearing was published on, March 27, 2021 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, March 30, 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 April 13, 2021.

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

Objective 1.02 Water Quality:

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

Objective 1.05 Vistas:

Protect the key vistas and view corridors of the hillside and water fronts 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 & 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 participants to make open space a priority with every development and annexation.

Objective 1.14 Efficiency:

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

Objective 1.15 Natural Terrain:

with superior examples 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 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 and adequate to the property?

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

Criteria to consider for B10:

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

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

Criteria to consider for B11:

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

C. ORDER: CONCLUSION AND DECISION

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

Special conditions applied are as follows:

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

ROLL CALL:

| | |
|-----------------------|-------------|
| Commissioner 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.

VICE CHAIR INGALLS

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

SP-2-21

A. INTRODUCTION

This matter having come before the Planning Commission on , and there being present a person requesting approval of ITEM: SP-2-21 a Religious Assembly Special Use Permit in the R-8 zoning district.

APPLICANT: GRACE BIBLE CHURCH

LOCATION: WEST SIDE OF ATLAS ROAS, NORTH OF W. NEZ PERCE ROAD
(NORTHSHIRE PARK), AND ON THE SOUTHEAST SIDE OF ABBEY ROAD
10.01 ACRES LOCATED AT 4977 NORTH ATLAS 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 commercial.
- B2. That the Comprehensive Plan Map designation Ramsey- Woodland- Stable Established:
- B3. That the zoning is R-8 .
- B4. That the notice of public hearing was published on, March 27, 2021 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on April 1, 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 April 13, 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 1.09 Parks:

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

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.

Objective 2.05 Pedestrian & Bicycle Environment:

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

Goal #3: Home Environment

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.

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 for a special use permit, for GRACE BIBLE CHURCH as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are as follows:

1. Wastewater:

Sewer Policy 716 also requires each lot to have its own sewer lateral connection to the public sewer (One Lot – One Lateral Rule).

2. Water:

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.

3. Fire:

FD has no conditions at this time. Coeur d’Alene Fire Department will work with the development team utilizing the current adopted Fire Code (2018 Edition) for access, fire protection and hydrant placement at building permit time.

4. Parks & Recreation:

Per Section 12.28.200, the portion of the Atlas Trail adjacent to this development will have to be rebuilt. Such work shall be performed prior to the completion of the new 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.

VICE CHAIR INGALLS

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

SP-3-21

A. INTRODUCTION

This matter having come before the Planning Commission on April 13, 2021 , and there being present a person requesting approval of ITEM SP-3-21: A Religious Assembly Special Use Permit in the R-17 zoning district.

APPLICANT: ANTHEM CDA, INC. C/O CHRIS LAURI

LOCATION: +/- 0.76 ACRE PARCELS AT THE NORTHWEST CORNER OF E. WALLACE AVENUE AND N. 7th STREET– COMMONLY KNOWN AS 623 E. WALLACE AVENUE (+ ASSOCIATED PARKING).

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, multi-family, civic.
- B2. That the Comprehensive Plan Map Designation Historical Heart – Stable Established.
- B3. That the zoning is R-17.
- B4. That the notice of public hearing was published on, March 27, 2021 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on March 31, 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 April 13, 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:

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 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 3.16 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.

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 ANTHEM CDA, INC. C/O CHRIS LAURI for a special use permit, as described in the application should be **(approved)**
(denied) **(denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

| | |
|-----------------------|-------------|
| Commissioner 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.

VICE CHAIR INGALLS