

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

MARCH 14, 2023

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

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

5:30 P.M. CALL TO ORDER:

ROLL CALL: Messina, Fleming, Ingalls, Luttrupp, Mandel, McCracken, Ward

PLEDGE:

APPROVAL OF MINUTES: ***ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.
February 14, 2023

PUBLIC COMMENTS:

STAFF COMMENTS:

COMMISSION COMMENTS:

ADMINISTRATIVE:

1. Applicant: Bear Waterfront, LLC.
Request: A 12-month extension request for S-5-21, Mahogany Lane
ADMINISTRATIVE

Presented by: Mike Behary, Associate Planner

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

1. Applicant: City of Coeur d'Alene, Police Department
Location: Lot 2, Block 1 Bunker Park
Request: A proposed Civic/Administrative Office Use special use permit in the LM zoning district.
QUASI-JUDICIAL, (SP-2-23)

Presented by: Tami Stroud, Associate Planner

2. Applicant: Dennis Cunningham
Location: Btwn Beebe & Lakewood Dr on Union Dr
Request: .
- A. A modification to "The Union PUD"
QUASI-JUDICIAL, (PUD-3-19m2)
- B. A modification to the preliminary Plat "The Union"
QUASI-JUDICIAL, (S-4-19m2)

Presented by: Mike Behary, Associate Planner

3. Applicant: Hamilton Investments, LLC
Location: 1411 N. 4th Street
Request: A proposed Custom Manufacturing special use permit in the
C-17 zoning district.
QUASI-JUDICIAL, (SP-3-23)

Presented by: Tami Stroud, Associate Planner

ADJOURNMENT/CONTINUATION:

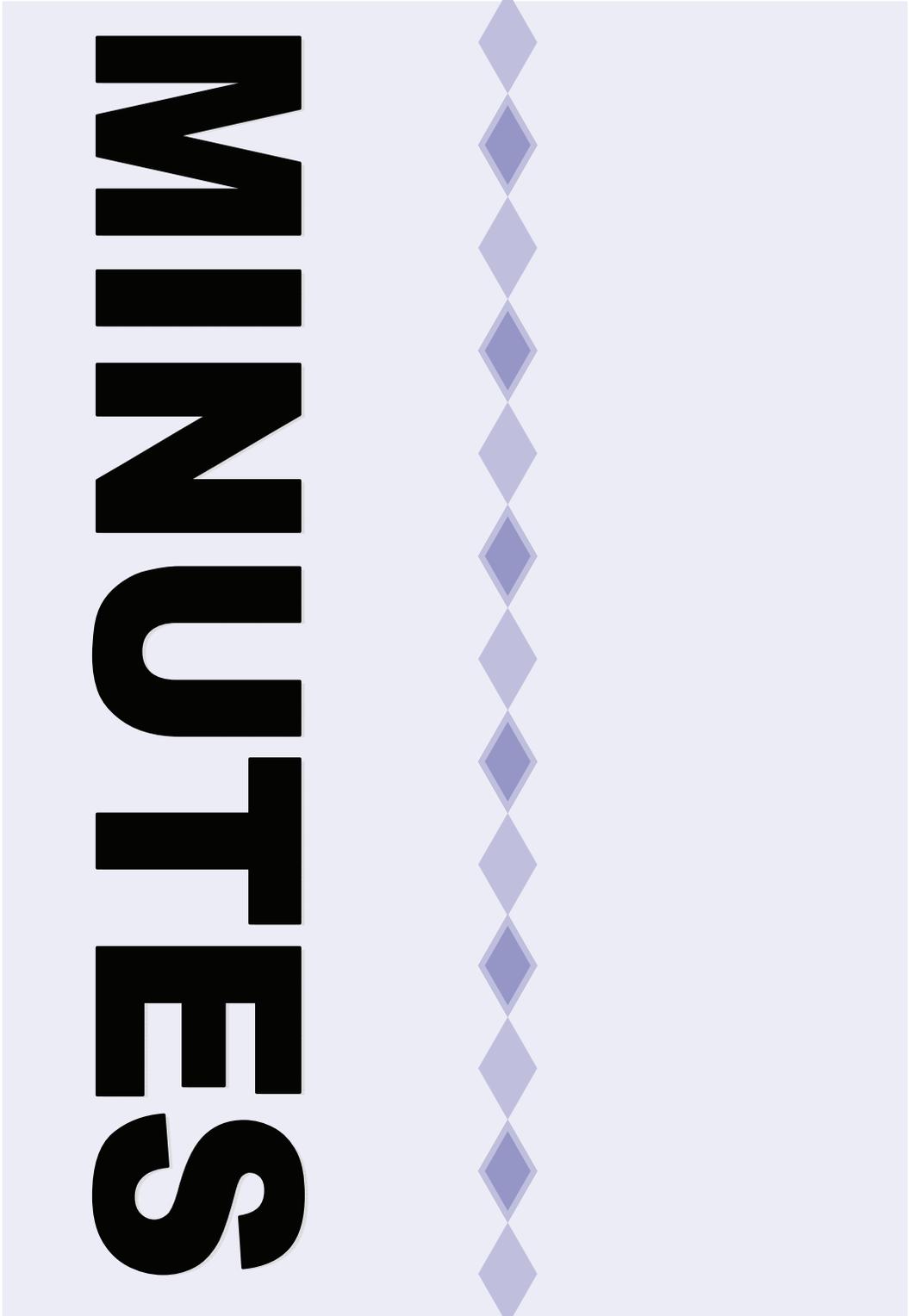
Motion by _____, seconded by _____,
to continue meeting to _____, ___, at ___ p.m.; motion carried unanimously.
Motion by _____, seconded by _____, to adjourn meeting; motion carried unanimously.

**The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact Shana Stuhlmiller at (208)769-2240 at least 72 hours in advance of the meeting date and time.*

****Please note any final decision made by the Planning Commission is appealable within 15 days of the decision pursuant to sections [17.09.705](#) through [17.09.715](#) of Title 17, Zoning.***



MINUTES



**PLANNING COMMISSION
MINUTES
FEBRUARY 14, 2023
LOWER LEVEL – LIBRARY COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Tom Messina, Chairman
Lynn Fleming
Phil Ward
Peter Luttrupp
Sarah McCracken
Brinnon Mandel

STAFF MEMBERS PRESENT:

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

COMMISSIONERS ABSENT:

Jon Ingalls

CALL TO ORDER:

The meeting was called to order by Chairman Messina at 12:00 p.m.

APPROVAL OF MINUTES:

Motion by Luttrupp, seconded by McCracken , to approve the minutes of the Planning Commission meeting on January 10, 2023 Motion approved.

STAFF COMMENTS:

Hilary Patterson, Community Planning Director provided the following comments:

- She stated that we have three public hearings scheduled for the March 14th Planning Commission meeting.
- She explained that the Short-Term Rental request on the agenda today will go to Council on Tuesday, February 21st
- She provided an update of the City's Development Impact Fee update. Staff has been working with the consultant team providing them all the data and working on the capital improvement plans for Police and Fire. She added that staff will continue to keep the commission updated on the process.

ADMINISTRATIVE: *ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS.**

1. Applicant: City of Coeur d'Alene
Request: KCEMSS Impact Fee Request
Administrative

Sean Holm, Senior Planner introduced Bill Keeley, Chief KCEMSS for the presentation.

Bill Keeley, Chief KCEMSS provided the following statements:

- KCEMSS does not have ordinance authority under Idaho law so we must have a city or county enact and collect our impact fees.
- He stated since this needs to be completed by the City Council, they also need to adopt our CIP. This is why we are coming to Planning and Zoning first to ask for a positive recommendation before going to the City Council for adoption.
- He provided a Power Point explaining who KCEMSS contracts with that includes all Fire Districts/Departments within Kootenai County that supply the employees to operate the ambulances and Quick Response Units.
- He explained the Impact Fee Statue and how the money is collected and what the fees will pay for to provide quality service.

Mr. Keeley concluded his presentation.

Commission Comments:

Commissioner Fleming inquired about the 10-year plan. Mr. Keely explained with the purchase of a new ambulance in March that will buy us a year before we will need to buy another ambulance that will be used parttime and then increasing the time the vehicle is used before we will need another replacement. He explained this plan is done in year increments of what we need based on the amount of impact fees collected. We will come back every year with a report on how we are doing.

Chairman Messina explained that the city is looking at their impact fees now and asked if this will also be going to Council in March. Ms. Patterson stated this is on a separate track and won't impact the work we are currently doing on our impact fees. She explained this request is for the commission to recommend to council for the adoption of the KCEMSS CIP including collection of impact fees. Chairman Messina inquired how will that review be handled. Mr. Keeley explained the City collects the fees and we reimburse for administrative services. Then it's our problem. The city is relieved of their responsibilities through the Intergovernmental Agreement. Mr. Adams added that we will look at the amendment of the ordinance and include that in the ordinance or the MOU.

Commissioner Luttrupp inquired what is the process used for identifying new users. Mr. Keely explained new users are identified through patient care reports. Commissioner Luttrupp stated that impact fees are collected on new building permits and asked how are those identified. Mr. Keely explained those are identified from new residential units and new nonresidential square footage (new construction and remodels) at the time of building permits. Commissioner Luttrupp inquired does that information come from the city. Mr. Holm explained when a building permit is issued, the impact fees are calculated. Commissioner Luttrupp inquired how the level of service is determined. Mr. Kelly explained that we look at what our response times are and on average we are 7 minutes 59 seconds. He added impact fees should allow us to keep that same response time and if we aren't making those times, we would need to look at increasing units.

Commissioner Ward noted in the presentation the reference to \$132.00 per residential unit and 7cents

per sq.ft. per nonresidential. He questioned if that is the actual rate that is charged. Mr. Keely explained that is correct and what we are asking the city to collect. Commissioner Ward inquired when the money is collected when a permit is issued do those fees go to you after the administrative costs are deducted and questioned if all that money is spent within the city or is it county.

Mr. Kelley explained that all cities pay into it and all goes county wide. For example, we have been collecting fees in the City of Rathdrum and those fees collected will be applied to new ambulances that will be used in the City of Coeur d'Alene.

Commissioner McCracken inquired if all city departments weighed in on the request and do they feel this is an adequate number. Ms. Patterson explained that the city departments didn't weigh in on this it was up to the county to determine their fees which doesn't affect our impact fees.

Motion by Luttrupp, seconded by Ward to approve KCEMSS Impact fee request. Motion approved.

ROLL CALL:

| | | |
|------------------------|-------|-----|
| Commissioner Fleming | Voted | Aye |
| Commissioner Mandel | Voted | Aye |
| Commissioner McCracken | Voted | Aye |
| Commissioner Luttrupp | Votes | Aye |
| Commissioner Ward | Voted | Aye |
| Chairman Messina | Voted | Aye |

Motion to approve carried by a 6 to 0 vote.

PUBLIC HEARINGS

1. Applicant: City of Coeur d'Alene
Request: The City of Coeur d'Alene is considering an amendment to Chapter 17.08, Article X of the Municipal Code to repeal M. C. § 17.08.1030 (G) which allows a 14-day exemption for permits. In addition, it is proposed that current permit holders will be allowed to renew their permit and no applications for new permits will be accepted for one (1) year. A proposed fee increases for the annual renewal of \$84.00 (for a total of \$180.00), and violation penalties for operating without a permit as follows: \$1,000.00 for the first offense, \$2,000.00 for the second, and \$5,000.00 for the third, will be considered.
LEGISLATE, (0-1-23)

Renata McCleod, Municipal Services Director, provided the following statements.

- Idaho Code allows local governments to implement reasonable regulations in order to protect the integrity of residential neighborhoods. The City adopted Short-Term Rental (STR) regulations on December 5, 2017, noting that the Code would need to be revisited after some time to see if amendments were needed. Since that time, City staff has been requested to research and recommend amendments to the STR Code and the City has hired Granicus, Inc., to conduct research, assist with monitoring and enforcement throughout the year, and operate a 24/7 complaint hotline.
- The desired data points have not yet been provided to the City by Granicus and the March 1, 2023 and the renewal deadline is fast approaching.
- The ad hoc committee came up with recommendations related to the STR Code Amendments including:
 - Repeal the 14-day exemption.
 - Increase penalties for non-permitted STR's.

- Renewals: Current licenses as of February 21, 2023, can be renewed for one year. Some permittees have expressed that they may not renew and others may come in over the next few weeks, so the renewal fee was estimated based on 453 permits continuing (our end of October number).
- Increase the fees for STR permit renewals to \$180.00 to cover staff costs and the Granicus contract.
- Pause the issuance of new permits effective February 21, 2023, until Granicus data is received and analyzed, stakeholder meetings are held, and new/amended code sections are developed to protect the integrity of residential neighborhoods.
- Please note that City Council has not yet determined if there will be a maximum number of permits, how future permits will be reviewed or renewed, and/or whether to impose any other fees associated with the program such as inspections. Therefore, any additional fees would need to come forward through another public hearing.
- The city has conducted public outreach, meetings, and accepted public comments throughout this year.
- Specifically, there have been 13 local media pieces regarding the City's desire to amend the Code since August 20, 2022, seven (7) public meetings were held, a presentation to the Coeur d'Alene Regional Realtors followed by Questions and Answers, and 154 written comments received.
- Staff will continue to conduct outreach and host stakeholder meetings as information becomes available, and continues to receive written comments.

Ms. McCleod concluded her presentation

Commission Comments:

Commissioner McCracken commented that she read a few public comments from people who stated that they have come into the City trying to get a permit and was told it was capped. She asked for clarity on new permits and renewals. Ms. McLeod explained that new permits are being accepted but we have shut the "portal" for the new renewals until after the February 21st Council Meeting when we get direction from Council on how they want to handle those renewals. Commissioner McCracken questioned if they can renew online or would they have to come to the City. Ms. McLeod explained that they should be able to apply for a new permit online. Chairman Messina inquired if people who had an existing permit can renew once the portal opens up. Ms. McLeod answered that existing customers would be allowed to renew for one year once the portal is open.

Chairman Messina inquired, if the changes are approved by Council, will those changes affect existing or new permits. Ms. McCleod explained the changes would affect new permits. If we were able to put the new code together in 6 months, Council would adopt those new codes with new permits issued under the new code.

Commissioner Ward stated that the City currently has 558 STR permits and asked when the City issues a permit does staff keep track of the location of the STRs. Ms. McLeod explained that the City tracks that information on the GIS map that shows the locations where permits were issued. Commissioner Luttrupp commented that he sees this as a business and complimented staff on getting information from other cites on their process and hiring a company to help with the process.

Commissioner McCracken inquired about the 14-day exemption, which seems hard to track, and questioned if there could be a 14-day window where someone could apply for a permit as a temporary permit especially for events like Ironman. She explained that she is aware of people who rent rooms to people attending this event and that there is an IRS exemption allowing people to rent out their homes for 14 days. So, she wondered if there was some way to accommodate this. Ms. McLeod commented that this is something we could consider when we get ready to do the next round of code changes, but for now, we are just trying to make it simple for this phase tracking renewals.

Public testimony open.

David Wallace stated that this proposed amendment is a solution looking for a problem. He did his own research by obtaining data from the Police and city and found that only 1% complaints were from noise due to short term rentals whereas individual apartment complexes had twice that number . He found that families who come together to hang out isn't the problem. He noted that he went to the website to renew and the button was deleted on the website, so he went down to City Hall and talked to staff. He was told the City isn't issuing renewals yet because Council might change the fee. He was offended by the answer. He has also heard that the City is holding checks because the fees are going up, which is unconstitutional.

Sherry Birkhimer stated that she was one of the first people to get a permit for a Short-Term Rental (STR) in 2017 and has had no problems or complaints from neighbors. She stated that she is concerned that the amount of the permit is going to double because of the influx of other STR's and a company the City has hired to cover costs. She added that she agrees with the penalties for people who don't comply with the rules.

Stacy Armstrong stated that she runs a STR rental property management company in Coeur d'Alene and is part of the Coeur d'Alene Vacation Rental Alliance as board member. She stated that the Granicus data is unfair and that the City Council members rejected a fee increase in December. She understands companies like Granicus are needed to do the "deep dive" but they also market to small cities by spreading fear and offering to do the "dirty work" for Code enforcement. She said this should be done by staff and asked the Commission to please deny the increase. She added that she has worked with the Planning Department on different occasions to make sure our STR rentals are permitted and that city staff works very hard, they are kind and professional, and have always been easy to work with.

Laura Williams, explained that she is an STR owner who rents a room within her home and has a permit and that the fee increase is unfair for in-home STR's. The problems the other people are seeing don't happen with in-home STR's. There should have a separate category for in-house STR's.

Commissioner Luttrupp asked Ms. Williams if she felt the fee should be based on a percentage. Ms. Williams commented that she would be agreeable to a staggered fee based on the size of a rental.

Matt Clapper stated he works for a company called Vacation Rental Authority and before that he worked for VACASA. He stated the topic of neighborhood integrity is personal to each person.

Melissa Radford thanked the Commission for their time and said she is also part of the Vacation Rental Alliance. She commented at a past Council meeting that it was reported that there was 65% non-compliance rate for STR's in Coeur d'Alene. This information was given to the City by this company (Granicus) to entice the City to hire them. She feels that the data is false. She stated that she would like to know the number of complaints given to the city, content of the complaints, if it involved a permitted vs. a non-permitted STR, versus a long time rental or an owner-occupied property, and if the city resolved those issues. She stated there are a lot of positives for STR's and to please don't push these regulations through. She added this is our future.

Commissioner Fleming commented that what we are only looking at are the three points staff explained earlier. She said when you get up to comment, please state if you agree/disagree with those three points.

Ms. Radford commented that the 14-day extension doesn't make sense because the City can't track it, she agrees with the higher fees to be fined if an STR is out of compliance, and the moratorium on short term rentals goes against Idaho State Code.

Jeremy Radford commented we are stakeholders. He read an excerpt out of the Idaho Code regarding emergency ordinances and moratoriums and stated that this ordinance is in violation of that section of the code.

Lisa Zarragoza stated that she is part of the Coeur d'Alene Vacation Rental Alliance. She purchased a

short-term rental a year ago, and that she should have brought a picture of her rental that is next to the neighbor's long-term rental so the Commission could see that we care about long term integrity. She added that the City doesn't have the authority to tell us what we can/can't do with our property.

Josh Surr stated that he has worked with staff on this proposal in 2017 and if we are going to do a moratorium that this is an infringement of property rights and violation of State Law. He understands staff is trying to do the right thing, but feels this isn't the right direction. He explained the first two points are a non-issue, but the moratorium goes against property rights. He added that he looks forward to more stakeholder meetings and the information from Granicus.

Darren Miller, he lives in Coeur d'Alene and there are no positives for this ordinance and the City should be focusing on compliance. He added the fees coming in can make up for compliance and he is opposed to the moratorium.

Katie Berth stated that she purchased her home as an STR and doesn't have an issue with the first two points, but she is against the moratorium.

Holly Hansen stated she is a member of the STR alliance and agrees with the first two items but is against the last one, and questioned where are the regulations for long term rentals.

Ms. McLeod explained the three points that are up for consideration and the penalty section are only for the ones operating without a permit. She clarified that the increased fees are not related to noise or parking complaints. She added this item came forward at Councils' direction and the Mayor directed staff to form an Ad Hoc Committee to evaluate the STR Code. The committee had a lot of dialogue. Staff is open to input and we are looking for direction before the March 1st deadline. She explained that permit fees are designed to cover all fees associated with staffing, the necessary cost to purchase software program, or hire another code enforcement officer. Those costs are distributed amongst the business licenses. Ms. Patterson stated that there might be some confusion on the third bullet point and explained that's not a proposal to cap the number of STR's permits by block but to "pause" any new permits through the March/March time frame and to only do renewals past the 21st.

Commissioner Luttrupp questioned what is staff trying to do. Chairman Messina explained that we aren't trying to stop STR's. We are gathering information from other cities that are in a similar situation. He added that we are still waiting for the information from Granicus which didn't happen and explained that the public will have plenty of time to comeback and state their positions. Ms. McLeod explained that we see the trend going up with the STR's south of I-90 and we expect to see additional permits in these areas that have high concentrations. Staff asked Council what to do since we have a March renewal date where permits are good for one year. The ad hoc committee recommended to stop any new permits and allow renewal for people who are legal to operate under the current code. Staff hopes to get the information from Granicus and then we can have more stakeholder meetings and to look at the issues affecting the neighborhoods.

Commissioner Mandel explained that she is on the ad hoc committee for this issue and she has heard a number of positive comments about the value of the rental community. The City is trying to balance the integrity of neighborhoods and protecting those in the neighborhoods with those who are following the rules and the economic value tourism brings. She appreciates hearing from the people that are following the rules and, in the meetings, we have heard from law/code enforcement of what is happening in the concentrated areas. This is one of the reasons for the "pause." She commented that she is looking forward to seeing the data from Granicus.

Commissioner McCracken commented that the city has a friendly approach by saying that they haven't issued the \$100.00 fines and instead focuses on using education. She appreciates that approach. She added that some people didn't know about getting a permit and maybe a knock on the door or sending a letter for being out of compliance would be helpful. She agrees if people don't follow the rules there needs to be consequences. She explained for some of these people they are coming out of their slow time of the season and want to make some money. She commented that she struggles with this since we don't have

the data from Granicus in order to make the right decision.

Ms. McLeod explained that most cities do have a license and when someone starts a business operation, they contact the city first. Staff has been trying to get the information out to the groups or people who will tell all their people etc. to let them know about the possible change and trying to get them into compliance.

Jared Reneau, City Police Department on is on the ad hoc committee and is aware of the discussions that have been on STR's. He explained that compliance is a big concern and that the police doesn't know what is or isn't an STR's, because we don't have the staff available to monitor the STR websites and they are not able to issue fines without doing a lengthy investigation. He commented that the people here today are the ones that are complying with the rules and the City wants to help find the people who aren't in compliance. He explained that the number of complaints that we receive in neighborhoods pertaining to noise parking etc. they are small and it is hard to tell if they are related to STR's or regular residents. We don't have the ability to distinguish between the two. Having too many rentals concentrated together does impact a neighborhood. The Police need to work with residents to help solve crimes. He added Coeur d'Alene is an amazing place to live and looks forward to seeing the information from Granicus in order to enforce the ordinance as written.

Commissioner Ward inquired if there is no cap after February 21st if anyone that comes in for a permit would be grandfathered. Ms. McLeod explained that a STR permit is good for one year only. She added business license permits are good for a one-year term. Commissioner Ward inquired if there would be a reason to deny a renewal. Ms. McLeod said we haven't had that happen since this was started in 2017 and in order to deny the property, we would have numerous complaints and then we could deny a permit. Commissioner Ward commented if there aren't any limitations, then a year from now the number of permits could triple. So the issue expands. By having rules will help mitigate the problem.

Commissioner Fleming inquired how long does it take to issue a permit that meets the life/safety issues especially if you have 500 in one day to issue. Ms. McLeod explained that we have set up the renewal period to submit stuff by March 1st and gives staff till the 30th to issue the license.

Mr. Holm explained when we started working on this in 2017 one of the commissioners said this was a "light touch" and it was set up so these permits could be self-sufficient/self-reliant so the applicant has supplied the self-inspections and provided the information. The City hasn't collected that additional information for things like violations and that staff does a good job getting those permits issued. If there is a question, staff will do a "deeper dive" into the application to determine if the space where the owner wants to do the STR is legal or not. The turnaround time is within a couple weeks.

Public testimony closed.

Discussion:

Commissioner Luttrupp commented that he is confident with the recommendations made by the ad hoc committee members and supports the process.

Commissioner Fleming thinks that number one (14-day exemption) needs to go away and for number two that there needs to be consequences for not adhering to the rules. She said she is confident staff will get the information out to those who have questions. She commented on number three that she supports the ad hoc committee and believes a "pause" is need to help all parties. The City need time to collect all the information to make the right decisions. She stated that Idaho Code 67 65 23 state the authorization of an "emergency moratorium" upon an issuance a of selected classes of permits. She explained that we have the responsibility to protect the rights of the permanent residential property owners and that we should have 182 days of moratorium or 6 months allowed to do under Idaho Code and suggested time frame from March 2023 – August 2023 pause.

Commissioner McCracken stated that she doesn't support the last item because we don't have all the

data to make a decision. Mr. Adams explained that the last point is not for the commission to vote on and will be the decision of the City Council.

Motion by Fleming, seconded by Luttrupp, to approve Item 0-1-23 Motion approved.

ROLL CALL:

| | | |
|------------------------|-------|-----|
| Commissioner Fleming | Voted | Aye |
| Commissioner Mandel | Voted | Aye |
| Commissioner McCracken | Voted | No |
| Commissioner Luttrupp | Votes | Aye |
| Commissioner Ward | Voted | Aye |
| Chairman Messina | Voted | Aye |

Motion to approve carried by a 6 to 0 vote.

ADJOURNMENT:

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

The meeting was adjourned at 2:11 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



ADMINISTRATIVE

**PLANNING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, ASSOCIATE PLANNER

DATE: MARCH 14, 2023

SUBJECT: EXTENSION OF PLANNING COMMISSION APPROVAL OF S-5-21 – A PRELIMINARY PLAT THAT CONSISTS OF 11 LOTS AND 5 TRACKS KNOWN AS “MAHOGNALY LANE PUD”

LOCATION: A 3.6 ACRES LOCATED AT 2252 W BELLERIVE LANE

DECISION POINT:
Bear Waterfront LLC is requesting a one-year extension of S-5-21 (Subdivision) to December 21st, 2023.

DISCUSSION:
Section 16.20.040 of the city’s code allows the Planning Commission to allow for a subdivision extension. Up to five one year extensions may be approved by Planning Commission. This is the applicant’s first such request. The applicant has requested the one year extension in a letter submitted on December 22, 2022. This request would allow the applicant extra time to complete the infrastructure requirements and extend the subdivision approval. The applicant’s extension request letter is attached.

SITE PHOTO:



APPROVED PRELIMINARY PLAT OF “MAHOGANY LANE PUD”

1. The creation of a homeowner's association will be required to ensure the perpetual maintenance of the open space and other common areas.
2. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.
3. Ingress and egress access easements to Lot 1 must be obtained from all affected property owners before site construction can begin on the subdivision and PUD.
4. Onsite parking for Lot 1 must meet the City's parking code requirements as outlined in Chapter 17.44.
5. The Open Space must be installed and completed prior to certificates of occupancies being issued for this project.
6. The Centennial Trail realignment must be completed, including installation of a pair of RRFBs, prior to disturbance to the existing Centennial Trail to provide uninterrupted access and shall be completed and accepted by the City and North Idaho Centennial Trail Foundation before November 1, 2022 or prior to issuance of a CO for any new building permits, whichever comes first.
7. Add access easements as instrument numbers on the plat indicating all access easements acquired. Access agreements will be required for access to Tilford Lane, Bellerive Lane, and across the North Idaho Centennial Trail. These easements will be required prior to Final Plat.
8. Dedicate Beebe Boulevard right-of-way to the City to achieve an 80-foot total right-of-way width.
9. New lots 1 through 5 will require new water service installations for each lot.
10. Lots 6 through 11 that are proposed to extend beyond the original boundary line, and may be utilized for ADU purposes, will require additional services as private service lines are not allowed to cross an existing public utility easement.
11. Additional fire hydrants may be required by the Fire Dept.
12. All improvements will be the responsibility of the developer at their expense.
13. An unobstructed City approved "all-weather" access shall be required over all public sewers.
14. All public sewer plans require IDEQ or QLPE Approval prior to construction.
15. Sewer Policy #716 requires all legally recognized parcels within the City to individually connect and discharge into (1) public sewer connection.
16. A utility easement for the public sewer shall be dedicated to the City prior to building permits.
17. This PUD shall be required to comply with the City's One Lot-One Lateral Rule
18. Dead-end Fire Department access roads over 150 feet in length requires an approved turn-around. The proposed Hammer Head turn-around as shown on PUD-3-21 exhibit is approved by the Coeur d'Alene Fire Department.
19. A sign stating 'FIRE LANE – NO PARKING' is required to be installed at this hammer head.
20. The proposed locations for (2) fire hydrants (lot 5 and property line of lots 10/11) are approved by Coeur d'Alene Fire Department.
21. Build a 15' shared-use path not to exceed 5% slope with a 1% crown slope.
22. Use 'Driveway Mix' asphalt in the construction of the trail.
23. Sterilize the ground with herbicide before laying down gravel and asphalt.
24. Finish the natural area so it is mow-able.
25. All landscaping must be approved by the City of Coeur d'Alene parks department and planted to City specifications.

26. All street trees must be selected from the approved street tree list and planted to City specifications and planted in the public right of way or in street tree easements.
27. All site improvements and landscaping improvements in the “greenbelt” outside the PUD, as agreed to by the applicant, must be completed before the issuance of certificates of occupancy will be issued.
28. The City of Coeur d’Alene parks and recreation department will need to see a full set of landscape plans for the “Greenbelt” area north of the Centennial trail. The Parks and Recreation Department will approve all tree and plant species selected for this area.
29. The site plan for this project will need to show all parking improvements, walking paths and irrigation plans.
30. Street trees abutting Beebe Blvd. will need to be planted in the public right of way or planting easement. Any easements must be recorded with the County Recorder.
31. Bellerive Ln. is a private street, street trees planted in this area are not subject to Urban Forestry Ordinance. Selecting trees from the approved street tree list and planting to City specifications is recommended.
32. Work with the City to design and install public parking along Tilford Lane with 90-degree parking stalls and ensure a visible pathway across Tilford Lane connecting the Tilford Place neighborhood to the Centennial Trail.

COMMISSION ALTERNATIVES:

- The Planning Commission may, by motion, grant an additional one year extension of Bear Waterfront LLC for Mahogany Lane PUD, Subdivision; or,
- The Planning Commission may, by motion, deny the extension request.

Attachment: Applicant’s letter requesting an extension



WOLFF
HISLOP
& CROCKETT^{PLLC}
ATTORNEYS

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*Bradley C. Crockett
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*Admitted in WA and ID
**Admitted in WA, ID and OR
+Of Counsel
‡Retired

December 22, 2022

Coeur d'Alene Planning Commission
Attn: Hilary Patterson, Planning Director
710 E Mullan Ave
Coeur d'Alene, ID 83814

VIA USPS &
VIA EMAIL: hpatterson@cdaid.org;
troy@cdaid.org; radams@cdaid.org

RE: Preliminary Plat Extension Request – Coeur d'Alene Municipal Code 16.20.040
PUD-3-21 “Mahogany Lane” PUD
S-5-21 “Mahogany Lane PUD” 11-lot, 5 tracts Preliminary Plat Subdivision
Our file no.: 8571

Coeur d'Alene Planning Commission,

My firm represents Bear Waterfront, LLC, the owner/applicant for the above referenced PUD. On December 14, 2021, the City of Coeur d'Alene Planning Department approved the above referenced PUD and preliminary plat with multiple conditions. The owner/applicant has submitted a Final Development Plan for the PUD, which has been accepted by the Planning Department. Additionally, the Planning Commission is extending the date of completion for certain required improvements that have been bonded for to October 31, 2023.

At this time the final plat has not been approved. Pursuant to Coeur d'Alene Municipal Code 16.20.040 the Planning Commission may, upon written request, grant an extension of twelve months for the preliminary plat upon a finding that the preliminary plat complies with current development requirements and all applicable conditions of approval.

The preliminary plat continues to comply with current development requirements and all applicable conditions of approval. Therefore, formal request is made for an extension of twelve (12) months for approval of the preliminary plat referenced above pursuant to Coeur d'Alene Municipal Code 16.20.040.

Should you have any questions, please feel free to reach out to our office.

Sincerely,

Wm Scott Hislop
Partner



PUBLIC HEARINGS



**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI STROUD, ASSOCIATE PLANNER
DATE: MARCH 14, 2023
SUBJECT: SP-2-23 – CIVIC ADMINISTRATIVE SPECIAL USE PERMIT
LOCATION: A +/- 1.6 ACRE PARCEL LOCATED AT 3818 SCHREIBER WAY

OWNER/APPLICANT:

City of Coeur d’Alene
Captain Dave Hagar, Coeur d’Alene Police Department
3818 Schreiber Way
Coeur d’Alene, ID 83814

DECISION POINT:

The City of Coeur d’Alene is requesting a Civic Administrative Special Use Permit in the LM (Light Manufacturing) zoning district to allow for the Coeur d’Alene Police Department to expand the existing headquarters building into the abutting parcel to the north that was recently acquired. The expansion will be done in phases, with the first phase being approximately 5,000 square feet.

LOCATION MAP:



VICINITY MAP:



GENERAL INFORMATION:

The City of Coeur d'Alene is requesting a Civic Administrative Special Use Permit in the Light Manufacturing zoning district. If approved, the current Police Headquarters building located on the adjacent lot to the south would be expanded into the newly acquired lot to the north. The first phase would include approximately a 5,000 square foot addition, with the goal of a future expansion of another 20,000 square feet in the future with a total complex of approximately 25,000 square feet. The new facility would house several offices, an evidence storage area, and shower/locker facilities. It may also include briefing and other meeting rooms. The expansion is needed due to the increasing population to maintain the current level of service in regards to public safety.

HISTORY:

On March 11, 1997, the Planning Commission approved a request from the City of Coeur d'Alene for a Civic Administrative Special Use Permit on property located at 3818 Schreiber Way. The special use permit approval allowed for civic administration use in the (LM) Light Manufacturing zoning district. The approval authorized construction of a +/- 20,000 square foot law enforcement facility. A one-year extension of the special use permit was approved on January 24, 1998.

From the applicant's Narrative:

The City seeks a special use permit for a law enforcement facility/complex which will be an extension of the current Police Headquarters Building to the adjacent lot to the south. The first phase will include approximately 5,000 s.f. when initially constructed and will be positioned on the site to accommodate another 20,000 s.f. expansion in the future for a total complex of approximately 25,000 s.f. The lot is of sufficient size to accommodate required parking spaces, stormwater management, landscaping and a small detached future storage facility.

The city of Coeur d'Alene anticipates that the facility will house several offices, an evidence storage area and shower/locker facilities. It may also include briefing and other meeting rooms. This expansion is needed due to the increasing population which is expected to be 87,500 at build out. We expect our staff to grow with the population to maintain the current level of service in regards to public safety.

The development will include modern facilities and its appearance will be consistent with the existing police facility along with the newly constructed commercial and government buildings in the immediate area. The operational characteristics of the law enforcement facility will not adversely affect the livability or working environment of the surrounding residential or commercial neighborhoods. In fact, it is anticipated that the neighborhoods will see this development as an advantage. Approval of the requested special use permit will allow the City to expand the existing facility to ensure continuity of service to the citizens, businesses and visitors to our city.

Several other governmental entities are immediately adjacent to this property including the U.S. Postal Service, the City of Coeur d'Alene Fire Station #2, and the City of Coeur d'Alene Street Division and shops. The area also contains several commercial and professional businesses that have integrated well with the existing police department over the past 26 years.

The location is a convenient and key area as it is accessible from US 95 and the newly improved Kathleen Avenue and Ramsey Road, and police vehicles are maintained at the city of Coeur d'Alene shops on Ramsey Road adjacent to this property which is provided by internal roads, that do not add additional travel miles on the city streets. As this facility is part of a 24/7 operation, the additional personnel and vehicles over the course of build out are spread out throughout the day and night as to not cause a significant impact on existing streets.

In reviewing the site plan, please consider it is very preliminary as the City is still in the process of working with the architect. Although the footprint of the building (s) and layout of site improvements may change, the use of the building (s) will remain civic.

In addition, this project complies with the CDA 2030 Comprehensive Plan in regards to:

The applicant's narrative continues on the next page...

Applicant's Narrative: (continued)...

Community & Identity

Goal CI 4: Coeur d'Alene is a community that works to support cultural awareness, diversity and inclusiveness.

Objective CI 4.3: Promote human rights, civil rights, respect, and dignity for all in Coeur d'Alene.

Education & Learning

Goal EL 4: Support partnerships and collaborations focused on quality education and enhanced funding opportunities for school facilities and operations.

Objective EL 4.1: Collaborate with the school district (SD 271) to help identify future locations for new or expanded school facilities and funding mechanisms as development occurs to meet Coeur d'Alene's growing population.

Objective EL 4.2: Enhance partnerships among local higher education institutions and vocational schools, offering an expanded number of degrees and increased diversity in graduate level education options with combined campus, classroom, research, and scholarship resources that meet the changing needs of the region.

Growth & Development

Goal GD 3: Support the development of a multimodal transportation system for all users.

Objective GD 3.1: Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.

Health & Safety

Goal HS 1: Support social, mental, and physical health in Coeur d'Alene and the greater region.

Objective HS 1.1: Provide safe programs and facilities for the community's youth to gather, connect, and take part in healthy social activities and youth-centered endeavors.

Objective HS 1.2: Expand services for the city's aging population and other at-risk groups that provide access to education, promote healthy lifestyles, and offer programs that improve quality of life.

Objective HS 1.3: Increase access and awareness to education and prevention programs, and recreational activities.

Goal HS 3: Continue to provide exceptional police, fire, and emergency services.

Objective HS 3.2: Enhance regional cooperation to provide fast, reliable emergency services.

Objective HS 3.3: Collaborate with partners to increase one on one services.

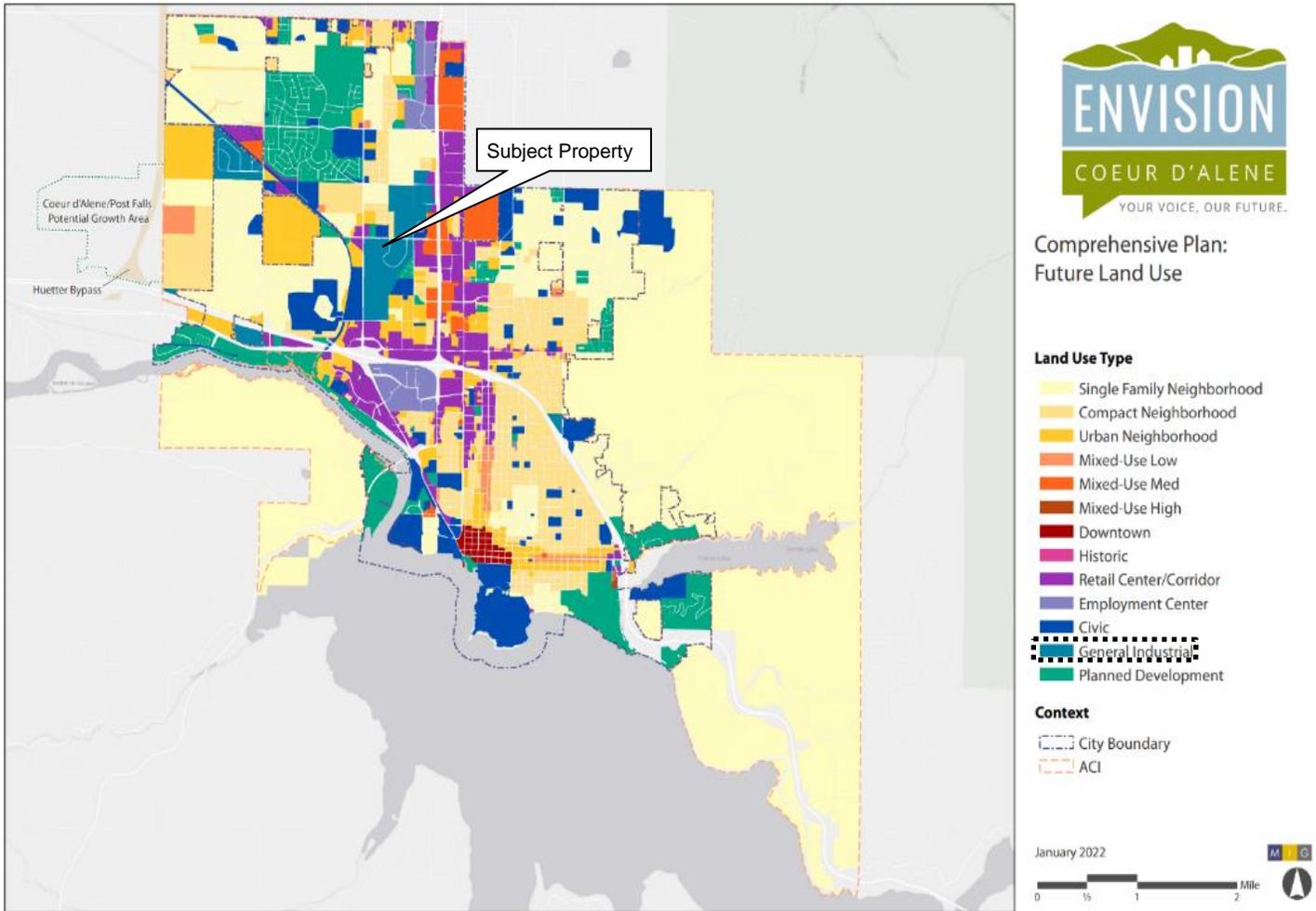
REQUIRED SPECIAL USE PERMIT FINDINGS:

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

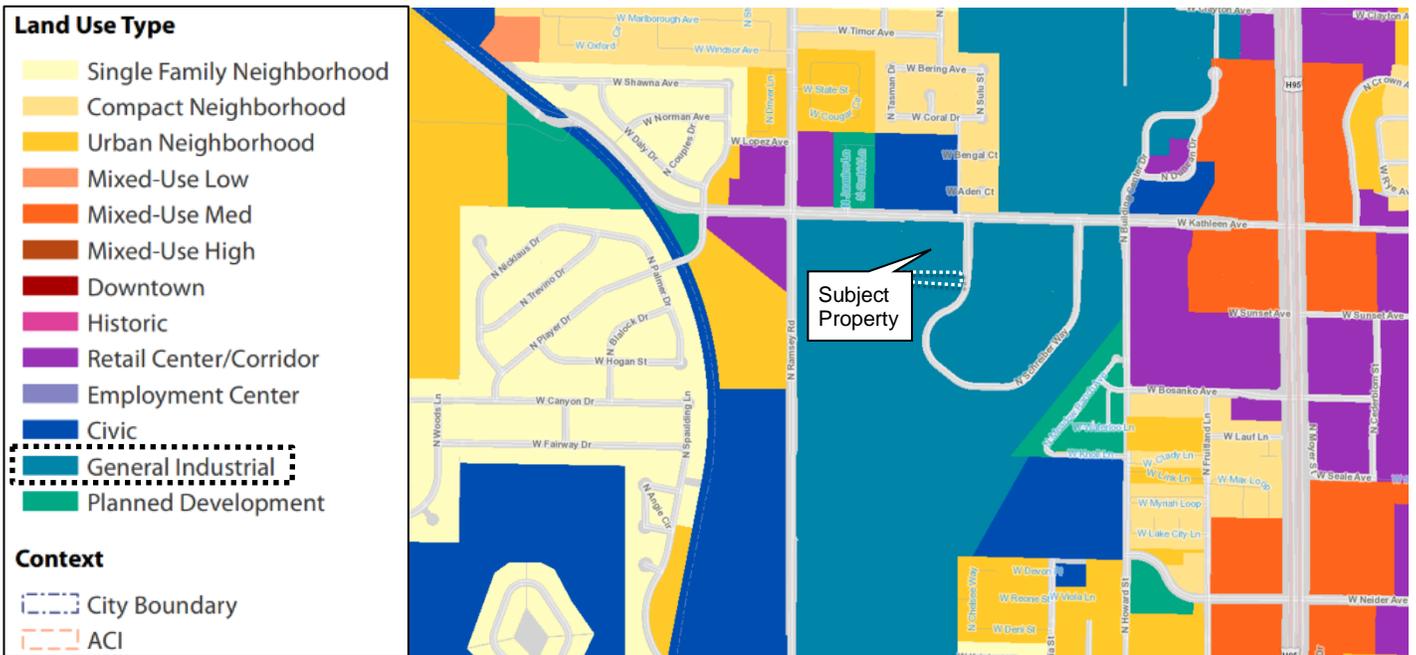
2022-2042 COMPREHENSIVE PLAN- LAND USE CATEGORY:

- The subject property is within city limits.
- The City's 2022-2042 Comprehensive Plan categorizes this area as General Industrial Land Use Type.

Future Land Use Map (City Context):



Future Land Use Map (Neighborhood Context):



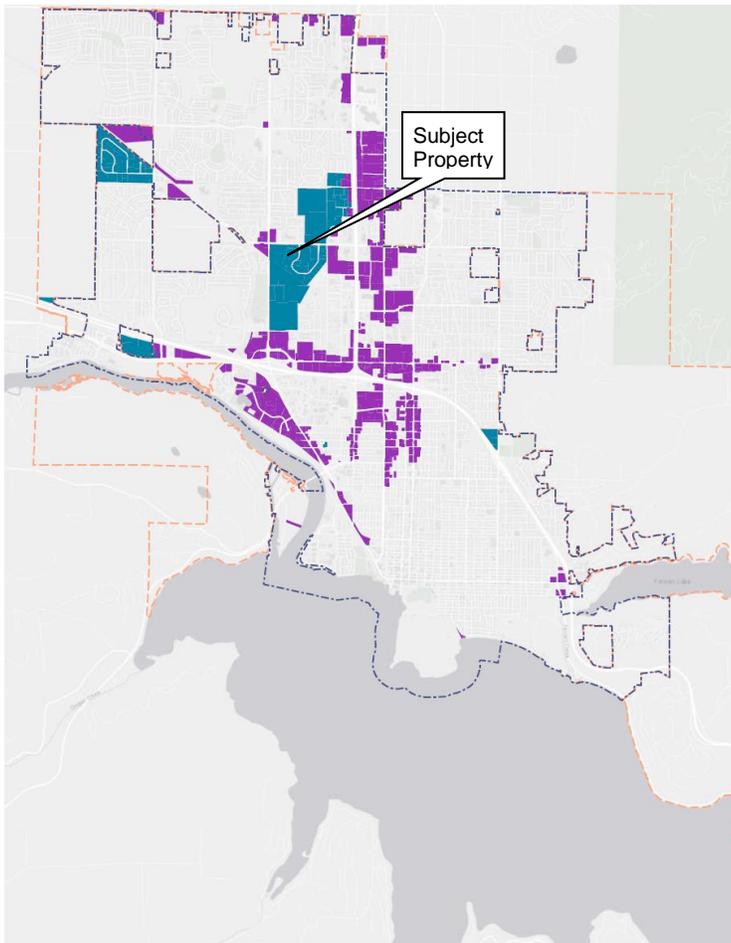
Place Types

Place Types represent the form of future development, as envisioned by the residents of Coeur d’Alene. These Place Types provide the policy-level guidance that will inform the City’s Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

Industrial

Industrial places include manufacturing & logistics that provide a range of job types, services, and wage levels. These areas are locations that provide concentrated areas of employment areas that create goods and services with a mix of indoor industrial uses separated from residential areas. Primary uses include manufacturing, warehousing, storage, and industrial parks located in one to two-story buildings with varied building footprints and interior ceiling heights. Industrial places are located near major transportation corridors as they often require access for large vehicles.

Compatible Zoning: LM and M



Industrial



Key Characteristics

Industrial places include manufacturing & logistics that provide a range of job types, services, and wage levels. These areas are locations that provide concentrated areas of employment areas that create goods and services with a mix of indoor industrial uses separated from residential areas. Primary uses include manufacturing, warehousing, storage, and industrial parks located in one to two-story buildings with varied building footprints and interior ceiling heights. Industrial places are located near major transportation corridors as they often require access for large vehicles.

Transportation

- Roads able to accommodate large vehicles
- Access to arterials and highways

Typical Uses

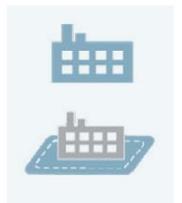
- Primary: Manufacturing, warehousing, storage, industrial parks, automotive repair, and similar
- Secondary: Parking, dining, office, and commercial

Building Types

- 1-2 story large footprint buildings with varied forms

Compatible Zoning

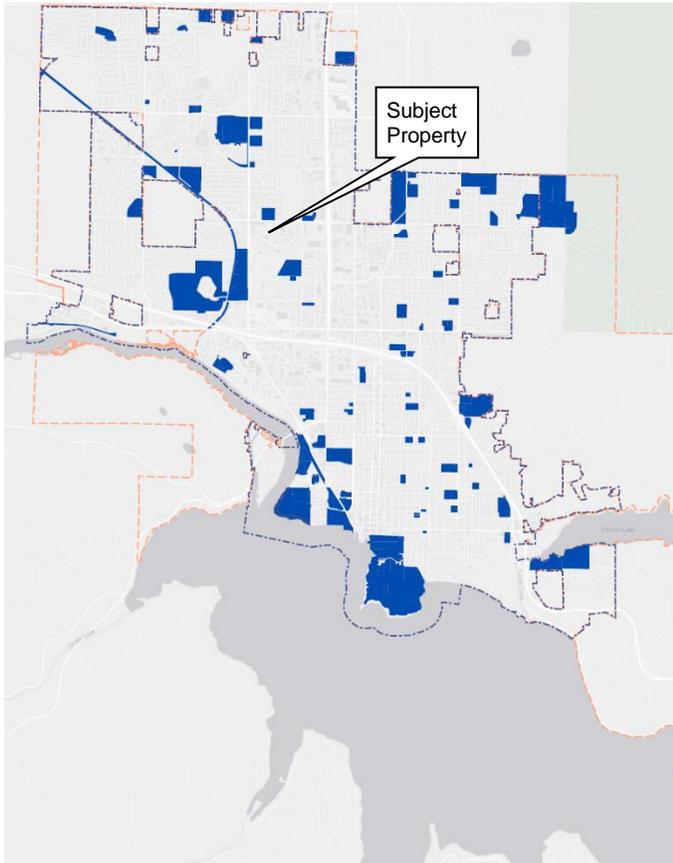
- LM and M



Civic

Civic places are typically publicly-owned spaces such as parks, cemeteries, public facilities (e.g. Library, City Hall) that have a civic function for the Coeur d'Alene community. Civic uses, in limited instances, many also include private open space located within a planned development. Schools and education facilities are considered Civic places.

Compatible Zoning: Not Applicable. Civic Uses may be located in any Place Type



Civic



Key Characteristics

Civic places are typically publicly-owned spaces such as parks, cemeteries, public facilities (e.g. Library, City Hall) that have a civic function for the Coeur d'Alene community. Civic uses, in limited instances, many also include private open space located within a planned development. Schools and education facilities are considered Civic places.

Transportation

- Varies by location

Typical Uses

- Primary: Public buildings, parks, community spaces, publicly-owned facilities
- Secondary: Not applicable

Building Types

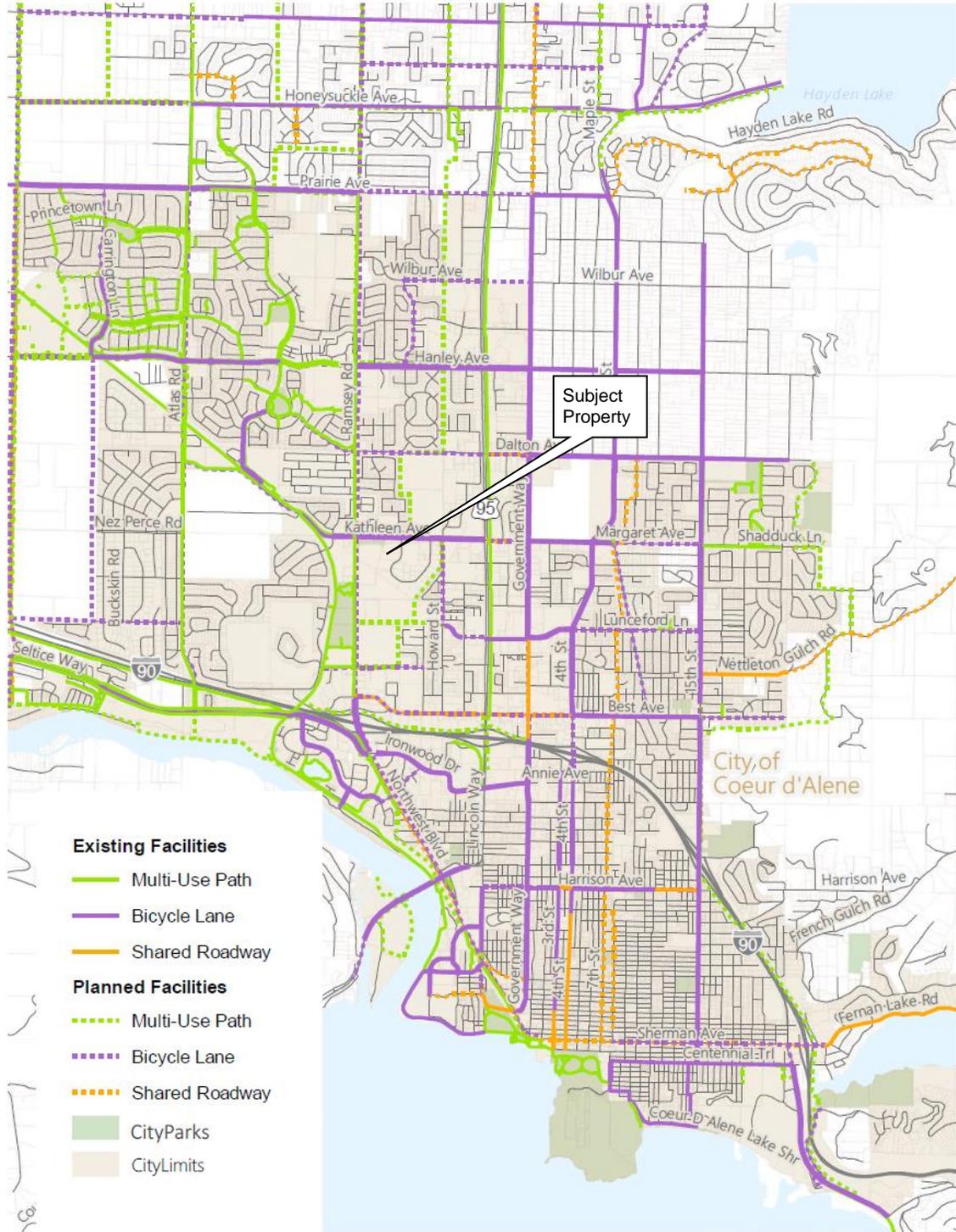
- Varies

Compatible Zoning

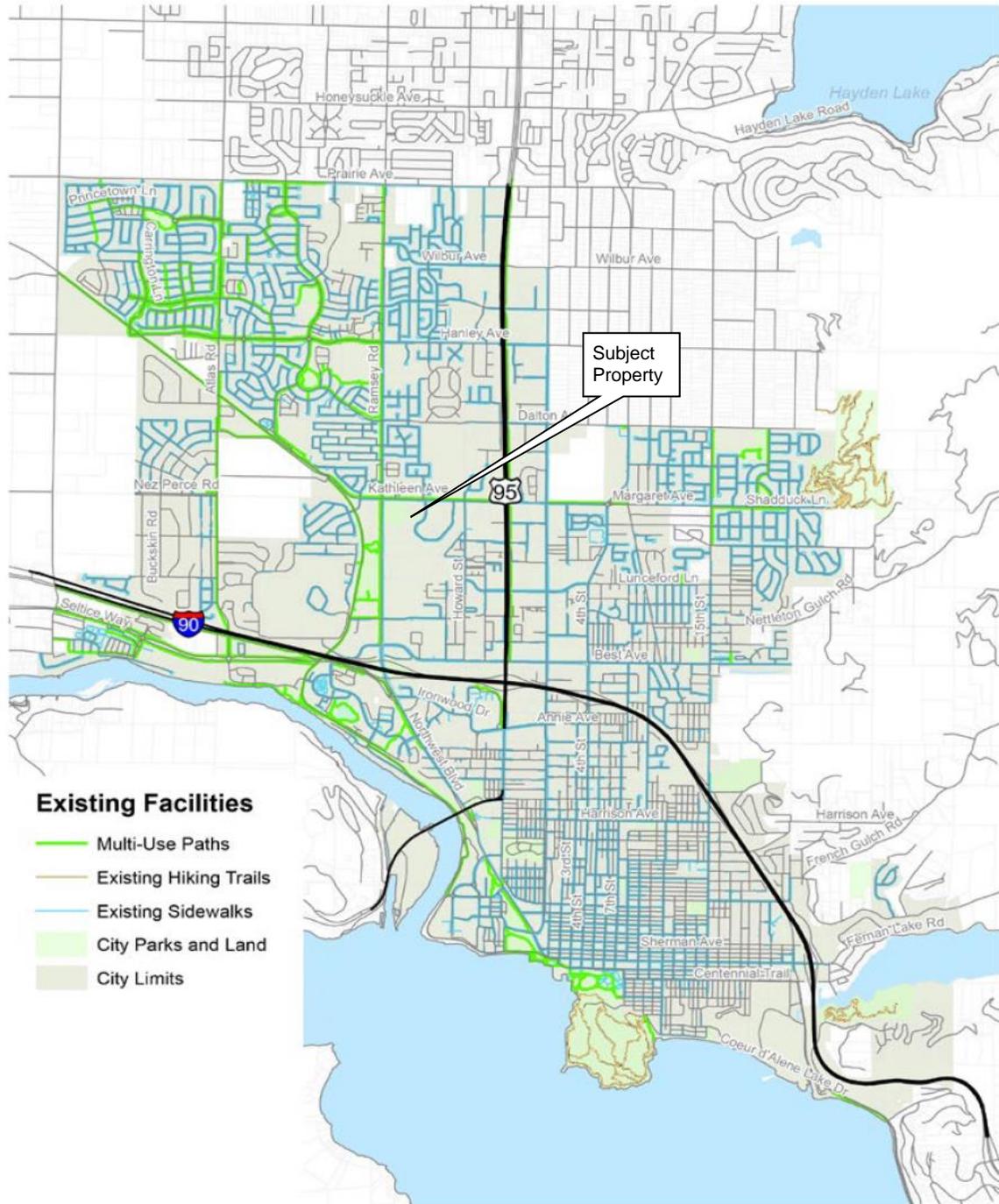
- Not Applicable. Civic Uses may be located in any Place Type.

Transportation

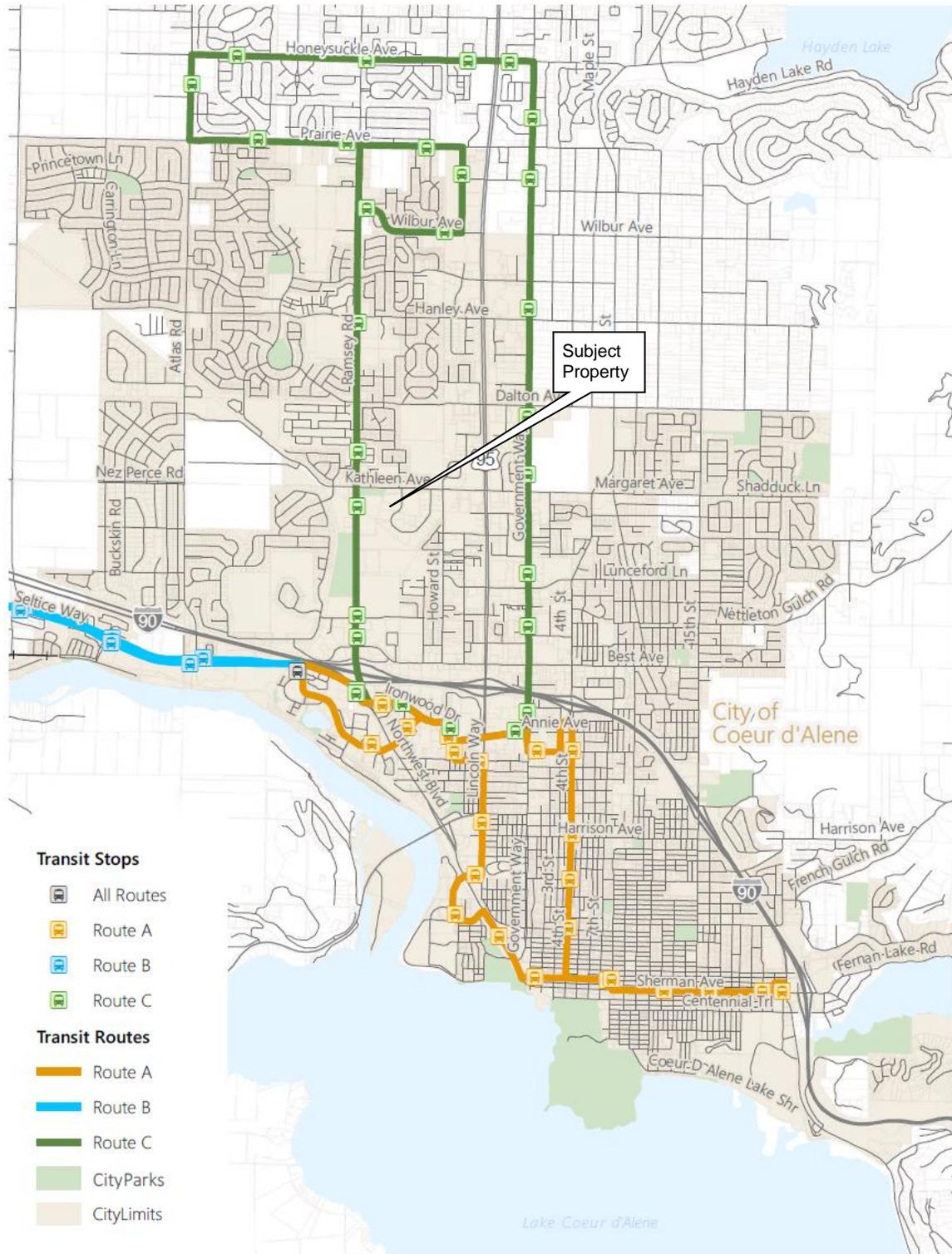
Existing and Planned Bicycle Network:



Existing and Planned Walking Network:



Existing Transit Network:



Comprehensive Plan Policy Framework:

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 2: Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

Objective CI 2.1 Maintain the community's friendly, welcoming atmosphere and its smalltown feel.

Health & Safety

Goal HS 1: Support social, mental, and physical health in Coeur d'Alene and the greater region.

Objective HS 1.1: Provide safe programs and facilities for the community's youth to gather, connect, and take part in healthy social activities and youth-centered endeavors.

Objective HS 1.2: Expand services for the city's aging population and other at-risk groups that provide access to education, promote healthy lifestyles, and offer programs that improve quality of life.

Objective HS 1.3: Increase access and awareness to education and prevention programs, and recreational activities.

Goal HS 3: Continue to provide exceptional police, fire, and emergency services.

Objective HS 3.2: Enhance regional cooperation to provide fast, reliable emergency services.

Objective HS 3.3: Collaborate with partners to increase one on one services.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.6 Revitalize existing and create new business districts to promote opportunities for jobs, services, and housing, and ensure maximum economic development potential throughout the community.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Jobs & Economy

Goal JE 1: Retain, grow, and attract businesses.

Objective JE 1.2: Foster a pro-business culture that supports economic growth.

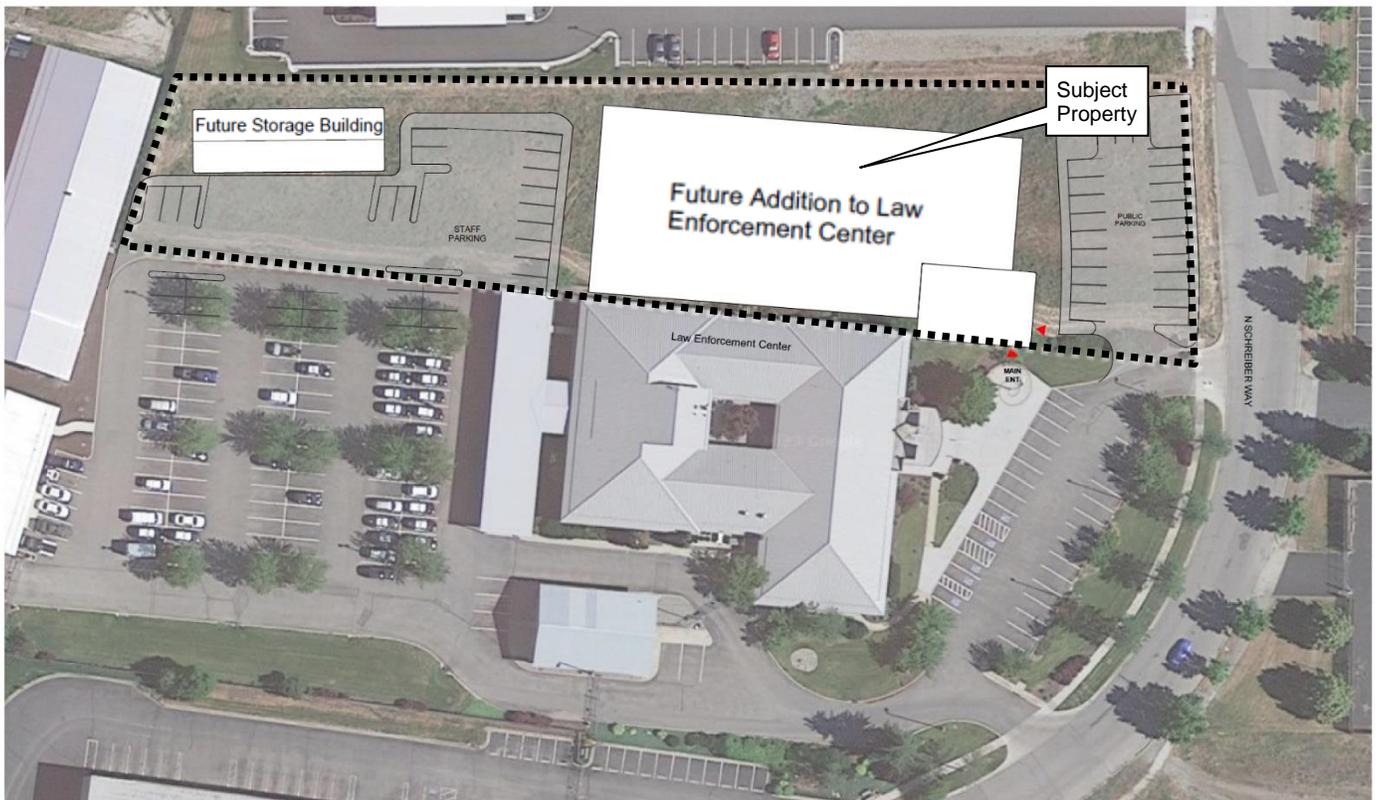
Evaluation: *The Planning Commission must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

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

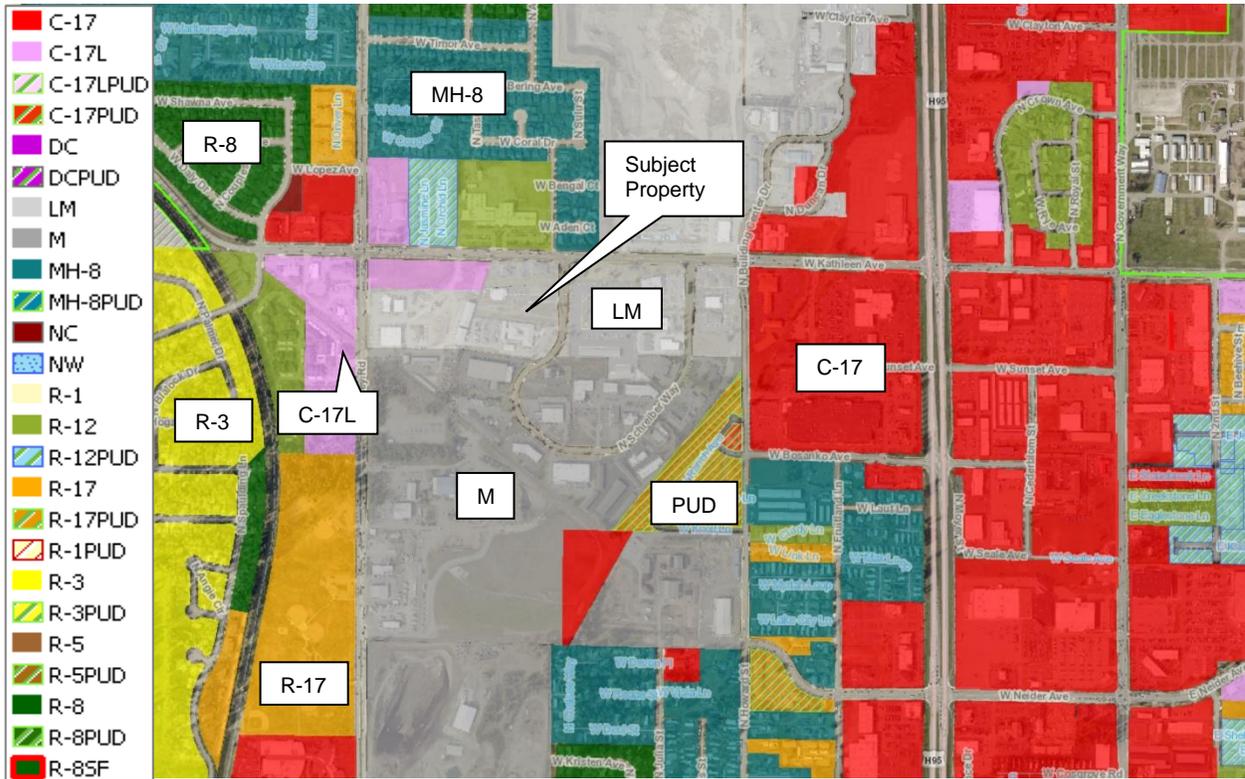
The City of Coeur d'Alene's Police Headquarters building is located on the adjacent lot to the south of the subject property. The approval of the SUP would allow for expansion of the existing building into the newly acquired lot to the north. The first phase would include approximately a 5,000 square foot addition, with the goal of a future expansion of another 20,000 square feet in the future with a total complex of approximately 25,000 square feet. The new facility would house several offices, an evidence storage area, and shower/locker facilities. It may also include briefing and other meeting rooms.

Land uses in the area include civic uses such as Ramsey School, Jenny Stokes Field, and the city shops and fire station. The subject property is located in Commerce Park, 1st Addition, located on Schreiber Way and abuts the Coeur d'Alene Police Headquarters to the south and Safe Swim is located to the north of the subject property. There are a number of uses approved by SUP in Commerce Park (See page 15 for approved SUP's in the area.) Kathleen Avenue is located to the north of the property with Ramsey Road to the west.

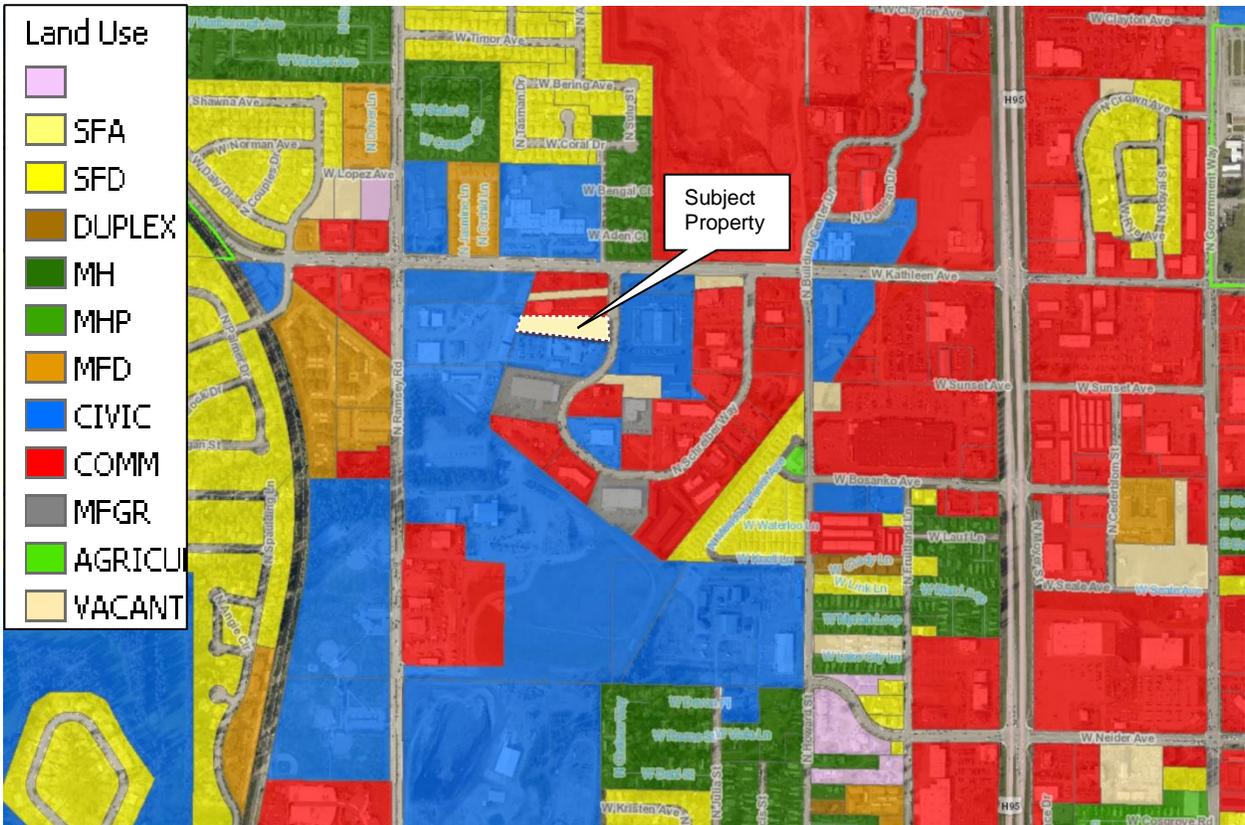
PROPOSED CONCEPT PLAN:



ZONING:



GENERALIZED LAND USE:



APPROVED SPECIAL USE PERMITS IN THE AREA:



SITE PHOTOS:

View looking west at subject property and the city streets storage building in the background:



Looking south at the Cd'A Police Headquarters' building from the northern edge of the subject property:



Photo of the Cd'A Police Headquarters' building which abuts the subject property to the south:



Looking northwest from Schreiber Way at the neighboring business “Safe Splash” abutting the subject property:



View looking west with the Police Headquarters’ building abutting the subject property to the south, and Safe Splash to the north of the subject property:



View from the southeastern property corner looking north along Schreiber Way:



Looking south from the subject property along Schreiber way toward the Cd'A Police Department building which abuts the subject property:



View looking east from the subject property along Schreiber Way at a neighboring business:



Looking north from Schreiber Way toward Kathleen Avenue:



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.

WATER:

The Water Department does not have any comments or concerns on the requested Special Use Permit.

-Submitted by Terry Pickel, Water Superintendent

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/Investigator

WASTEWATER:

1. Based on the 2013 Sewer Master Plan (SMP). Since sewer capacity falls under a "1st come 1st served basis", and currently the City has the capacity to serve this Special Use.
2. City sewer is available to the east via existing sewer lateral from Schreiber Way.
3. Sewer Cap Fees will be due at time of Building Permit Process.

-Submitted by Larry Parsons, Utility Project Manager

STORMWATER:

City Code requires that all storm drainage be retained on site and a stormwater management plan to be submitted and approved prior to any construction activity on the site. This issue will be addressed at the time of site development.

-Submitted by Chris Bosley, City Engineer

TRAFFIC:

Traffic generated from this proposed development is a result of growth in the area, rather than contributing to growth. Schreiber Way and Kathleen Ave have available capacity to accommodate the traffic from the project.

-Submitted by Chris Bosley, City Engineer

STREETS:

The subject property is bordered by Schreiber Way to the east. Sidewalk along the frontage not meeting ADA requirements must be replaced at the time of construction.

-Submitted by Chris Bosley, City Engineer

POLICE:

The Coeur d'Alene Police Department supports the requested special use permit to allow for the expansion of the Police Headquarters. In order to continue to provide adequate services at its current level, an expansion is necessary due to the increased population and continued growth in Coeur d'Alene.

-Submitted by Jeff Walther, Patrol Captain

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

PROPOSED CONDITIONS:

NONE.

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 ASSESSMENT:

2022-2042 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
2021 Parks Master Plan
2017 Trails and Bikeways Master Plan

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.



**APPLICANT'S
NARRATIVE**

NARRATIVE
TO ACCOMPANY S.U.P. APPLICATION

The City seeks a special use permit for a law enforcement facility/complex which will be an extension of the current Police Headquarters Building to the adjacent lot to the south. The first phase will include approximately 5,000 s.f. when initially constructed and will be positioned on the site to accommodate another 20,000 s.f. expansion in the future for a total complex of approximately 25,000 s.f. The lot is of sufficient size to accommodate required parking spaces, stormwater management, landscaping and a small detached future storage facility.

The city of Coeur d'Alene anticipates that the facility will house several offices, an evidence storage area and shower/locker facilities. It may also include briefing and other meeting rooms. This expansion is needed due to the increasing population which is expected to be 87,500 at build out. We expect our staff to grow with the population to maintain the current level of service in regards to public safety.

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Several other governmental entities are immediately adjacent to this property including the U.S. Postal Service, the City of Coeur d'Alene Fire Station #2, and the City of Coeur d'Alene Street Division and shops. The area also contains several commercial and professional businesses that have integrated well with the existing police department over the past 26 years.

The location is a convenient and key area as it is accessible from US 95 and the newly improved Kathleen Avenue and Ramsey Road, and police vehicles are maintained at the city of Coeur d'Alene shops on Ramsey Road adjacent to this property which is provided by internal roads, that do not add additional travel miles on the city streets. As this facility is part of a 24/7 operation, the additional personnel and vehicles over the course of build out are spread out throughout the day and night as to not cause a significant impact on existing streets.

In reviewing the site plan, please consider it is very preliminary as the City is still in the process of working with the architect. Although the footprint of the building (s) and layout of site improvements may change, the use of the building (s) will remain civic.

In addition, this project complies with the CDA 2030 Comprehensive Plan in regards to:

Community & Identity

Goal CI 4: Coeur d'Alene is a community that works to support cultural awareness, diversity and inclusiveness.

Objective CI 4.3: Promote human rights, civil rights, respect, and dignity for all in Coeur d'Alene.

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Goal EL 4: Support partnerships and collaborations focused on quality education and enhanced funding opportunities for school facilities and operations.

Objective EL 4.1: Collaborate with the school district (SD 271) to help identify future locations for new or expanded school facilities and funding mechanisms as development occurs to meet Coeur d'Alene's growing population.

Objective EL 4.2: Enhance partnerships among local higher education institutions and vocational schools, offering an expanded number of degrees and increased diversity in graduate level education options with combined campus, classroom, research, and scholarship resources that meet the changing needs of the region.

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Objective HS 1.2: Expand services for the city's aging population and other at-risk groups that provide access to education, promote healthy lifestyles, and offer programs that improve quality of life.

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Goal HS 3: Continue to provide exceptional police, fire, and emergency services.

Objective HS 3.2: Enhance regional cooperation to provide fast, reliable emergency services.

Objective HS 3.3: Collaborate with partners to increase one on one services.

For Applicant, City of Coeur d'Alene

PLANNING COMMISSION STAFF REPORT

FROM: MIKE BEHARY, ASSOCIATE PLANNER

DATE: March 14, 2023

SUBJECT: PUD-3-19m2 MODIFICATION OF “THE UNION” PLANNED UNIT DEVELOPMENT.

S-4-19m2 MODIFICATION AND REPLAT OF THE PRELIMINARY PLAT OF THE UNION PUD SUBDIVISION.

LOCATION: 0.67 ACRES LOCATED IMMEDIATELY EAST OF THE INTERSECTION OF BEEBE BOULEVARD AND UNION DRIVE.

APPLICANT/OWNER:
Active West, LLC
PO BOX 3398
Coeur d’Alene, ID 83816

REPRESENTATIVE/ENGINEER:
HMH Engineering
3882 Schreiber Way, Suite 104
Coeur d’Alene, ID 83815

DECISION POINT:

A proposed modification request is to allow Lot 24 of The Union PUD to split into eight residential lots and one mixed-use lot.

BACKGROUND INFORMATION:

In 2019 the applicant was approved for a residential and mixed use planned unit development (PUD). The 2019 PUD was originally approved on 3.6 acres that allowed 23 residential lots and one commercial mixed use lot to be known as “The Union” in the C-17 zoning district.

In 2022 the applicant proposed to modify the PUD. This request was to have Lot 24 of the Union split into 10 residential lots, and 1 mixed-use lot. This proposed modification added 11 dwelling units to the PUD and reduced the commercial lot from 29,482 SF to 5,366 SF. The Planning Commission held a public hearing on this item (PUD-3-19m1) on November 8, 2022. After hearing all the testimony on this PUD modification request, the Planning Commission denied the request without prejudice. (See the minutes from the November Planning Commission meeting in Attachment – 1).

The applicant has since revised his PUD amendment application and reduced the number of lots/units, changed the design of the homes to match the original PUD, and reduced the building height of the homes based on feedback from the 2022 public hearing. This PUD modification request is more consistent with what was approved in the original PUD. The applicant is proposing to modify the PUD of the commercial mixed use lot (Lot 24). This request is to have Lot 24 of the Union split into 8 residential lots, and 1 mixed-use lot. This current proposal will reduce the commercial lot from 29,482 SF to 6,191 SF.

This proposed PUD amendment will use the existing public street that was approved in the original PUD in 2019. The proposed lots will all have access off of Union Drive. The applicant has indicated that the proposed commercial mixed use development is proposed to be a three story structure. The first floor will consist of two entry lobby areas with elevators, garage space, and a shop/storage area. The second floor will be used for a commercial use. The third floor will consist of one residential unit. All of the required parking for this mixed use will be provided on the commercial mixed use lot. (See the full details of the proposed PUD modification in the applicant's Narrative in Attachment – 2).

The 8 additional residential lots will have single family attached houses on them. Attached single family dwellings share a common wall with another home that is separated by a property line. This is similar and consistent with what was approved in the original PUD. The applicant has submitted building elevations of the proposed mixed use facility and the proposed residential dwellings. (See building elevations on pages 17 and 18).

The applicant has also submitted a PUD site plan that shows the proposed site layout and the building locations on the proposed PUD. (See site plan on page 11). The applicant has indicated a five foot building setback from the side property lines for the residential lots, which will equate to a ten foot setback from structures, this is consistent with what was approved in the original PUD in 2019.

The open space requirement for a PUD is no less than 10% of the gross land area. The applicant's proposed PUD modification won't change the open space for the project. It will still have a total of 10% of the total gross land area dedicated toward public open space. The proposed open space is consistent with what was approved in the original PUD, with a total of three open spaces areas placed in separate locations across the whole PUD development.

One of the open space areas will be located at the northwest end of the property and is adjacent to the mixed use development. This public open space area will have a patio area with patio tables and chairs for seating that can be accessed by the public directly off of Centennial Trail and off of Beebe Boulevard.

The second open space area is a 10 foot trail connection and grass area that will provide trail connectivity to Centennial Trail to the trail that access north to Riverstone. The third open space area is located on the southeast part of the property and can be accessed by the public directly off of Centennial Trail. This open space is proposed to have picnic tables, turf grass, box planters, native grasses with boulders and wildflower plantings. This public open space area will also have a public sidewalk connection to Lakewood Drive's sidewalk to the north. (See Open Space Plans on Pages 20 thru 22). These two public open space areas are currently under construction and close to completion.

The applicant has indicated that if the PUD modification is approved then site improvement and site infrastructure work would begin Spring 2023. The proposed PUD modification will increase the overall density from 7.2 units per acre to 8.9 units per acres which is less than the 17 units per acre that is allowed in the C-17 zoning district.

PLANNED UNIT DEVELOPMENT MODIFICATION REQUESTS:

The applicant is requesting the following deviations from existing standards:

- Front Setback: 10' rather than 20' *No change from the original PUD*
- Rear Setback: 8' rather than 25' *No change from the original PUD*
- Side Yard Setback: 5' and 5' rather than the 5' and 10' as required for lots without alley access. *No change from the original PUD*
- Unit Types: (Twin Homes) zero (0') feet/shared wall rather than 5 feet. *No change from the original PUD*
- Right-of-Way width: 34' rather than 55' *No change from the original PUD*
- Sidewalk on only one side of the street. *No change from the original PUD*
- Minimum Lot Area: 2,175 SF rather than 5,500 SF. *No change from the original PUD.*
- Minimum Lot Width/Frontage: 27' rather than 50' *No change from the original PUD*

- Mixed-Use Lot (Lot 33):
 - Side Yard Setback 3' rather than the 5' *This is a change from the original PUD*

LOCATION MAP:



AERIAL MAP:



BIRDS EYE AERIAL PHOTO:



PUD FINDINGS:

17.07.230: PLANNED UNIT DEVELOPMENT REVIEW CRITERIA:

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

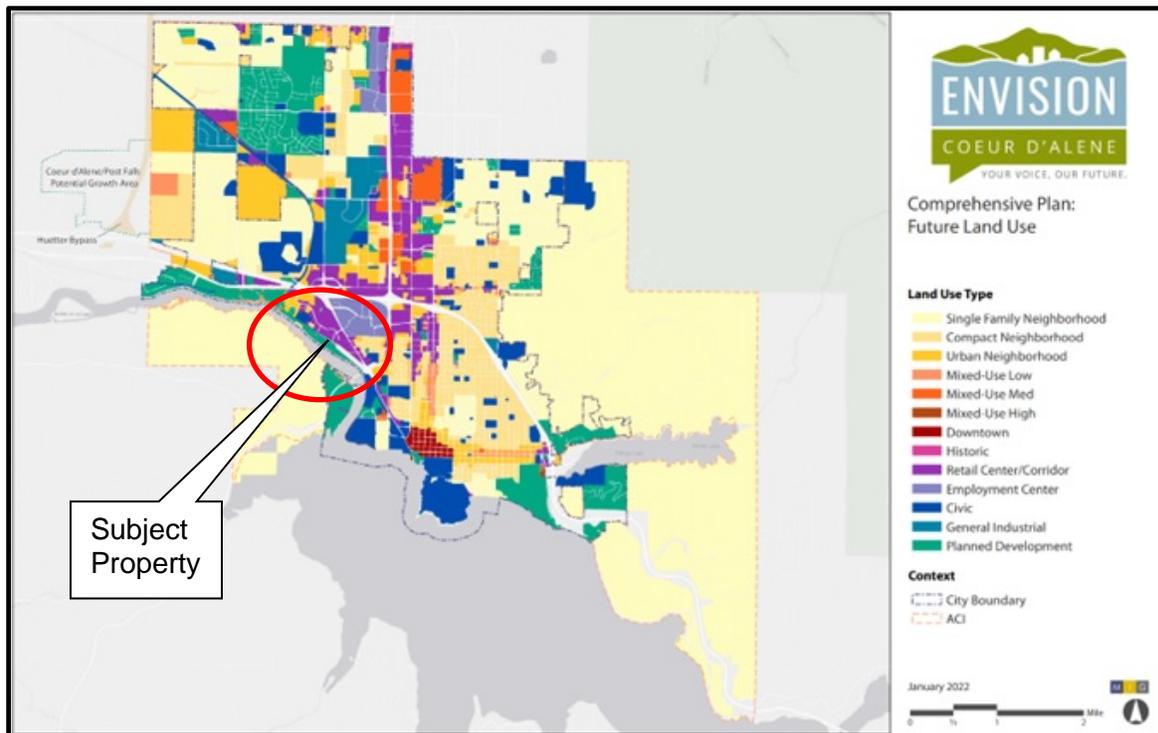
REQUIRED FINDINGS (PUD):

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

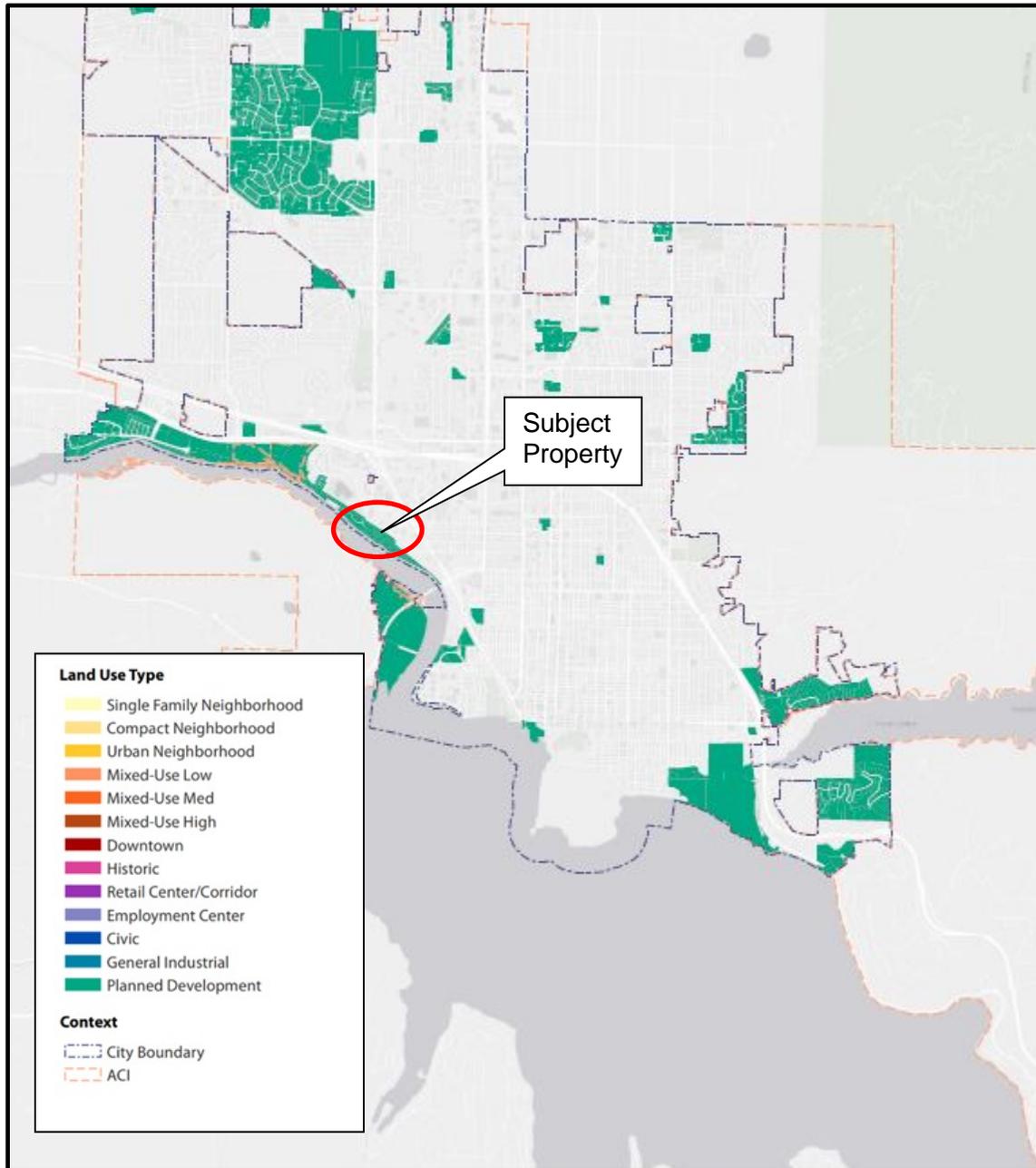
2007 COMPREHENSIVE PLAN- LAND USE CATEGORIES:

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this “Place Type” as: Planned Development
- The subject property is located in the City’s Area of Impact

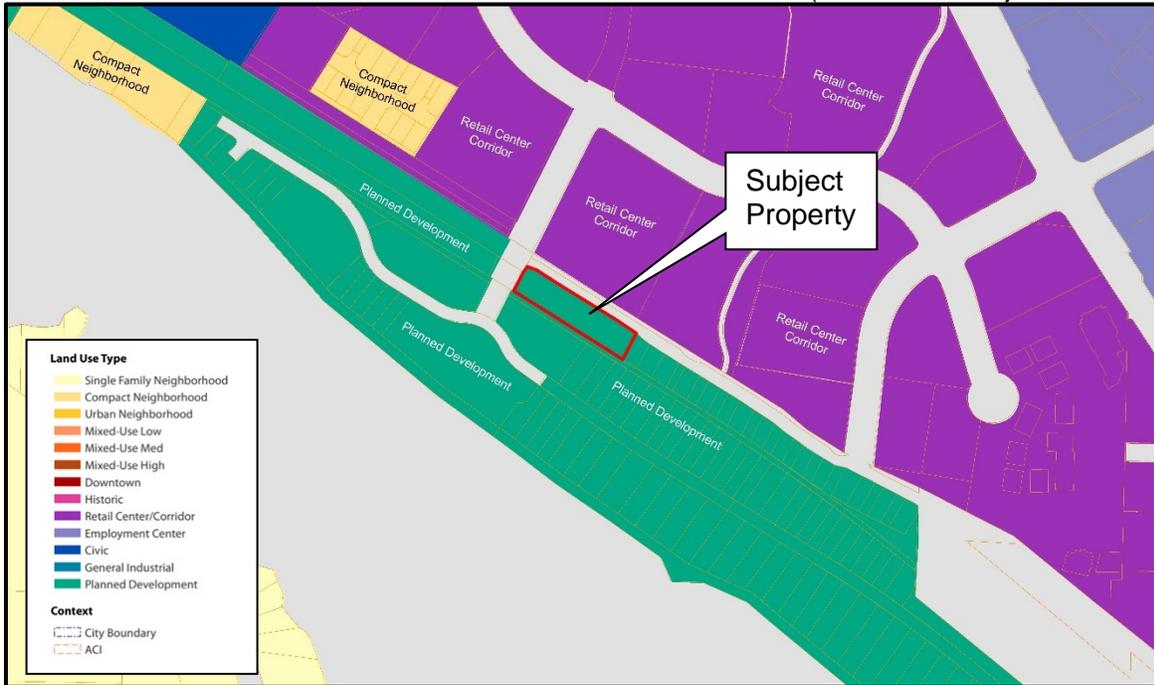
2042 COMPREHENSIVE PLAN MAP:



COMP PLAN MAP – PLACE TYPE: PLANNED DEVELOPMENT



COMP PLAN MAP – PLACE TYPE: PLANNED DEVELOPMENT (ZOOM IN MAP)



Planned Development



Key Characteristics

Planned Development places are locations that have completed the planned unit development application process. As part of that process the City and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Planned development also often has a determined phasing and development plan and can include land uses such as housing, recreation, commercial centers, and industrial parks, all within one contained development or subdivision. Building design and scale, and transportation, public space and other elements are determined by the City of Coeur d'Alene's PUD evaluation process.

Transportation

- Dependent on PUD approvals it large lots. Access should include pedestrian and bicycle facilities

Typical Uses

- Primary: Dependant on PUD approval agreements
- Secondary: Not applicable

Building Types

- Varies by PUD

Compatible Zoning

- Not applicable. Planned Development may occur within any Place Type (1.5 acre minimum).

PLACE TYPE: Planned Development

Planned Development places are locations that have completed the planned unit development application process. As part of that process, the City and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Large scale Planned developments often have a determined phasing and development plan and may include land uses such as housing, recreation, commercial centers, civic, and industrial parks, all within one contained development or subdivision. Building design and scale, transportation, open space, and other elements are approved through the City of Coeur d'Alene's PUD evaluation process.

2042 Comprehensive Goals and Objectives that apply:

Community & Identity

Goal CI 1

Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

OBJECTIVE CI 1.1

Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 3

Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

OBJECTIVE CI 3.1

Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Environment & Recreation

Goal ER 1

Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.

OBJECTIVE ER 1.4

Reduce water consumption for landscaping throughout the city.

Goal ER 2

Provide diverse recreation options.

OBJECTIVE ER 2.2

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

OBJECTIVE ER 2.3

Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.

Growth & Development

Goal GD 1

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

OBJECTIVE GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

OBJECTIVE GD 1.3

Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.

OBJECTIVE GD 1.5

Recognize neighborhood and district identities.

Goal GD 2

Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

OBJECTIVE GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

OBJECTIVE GD 2.2

Ensure that City and technology services meet the needs of the community.

Goal GD 3

Support the development of a multimodal transportation system for all users.

OBJECTIVE GD 3.1

Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.

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.*

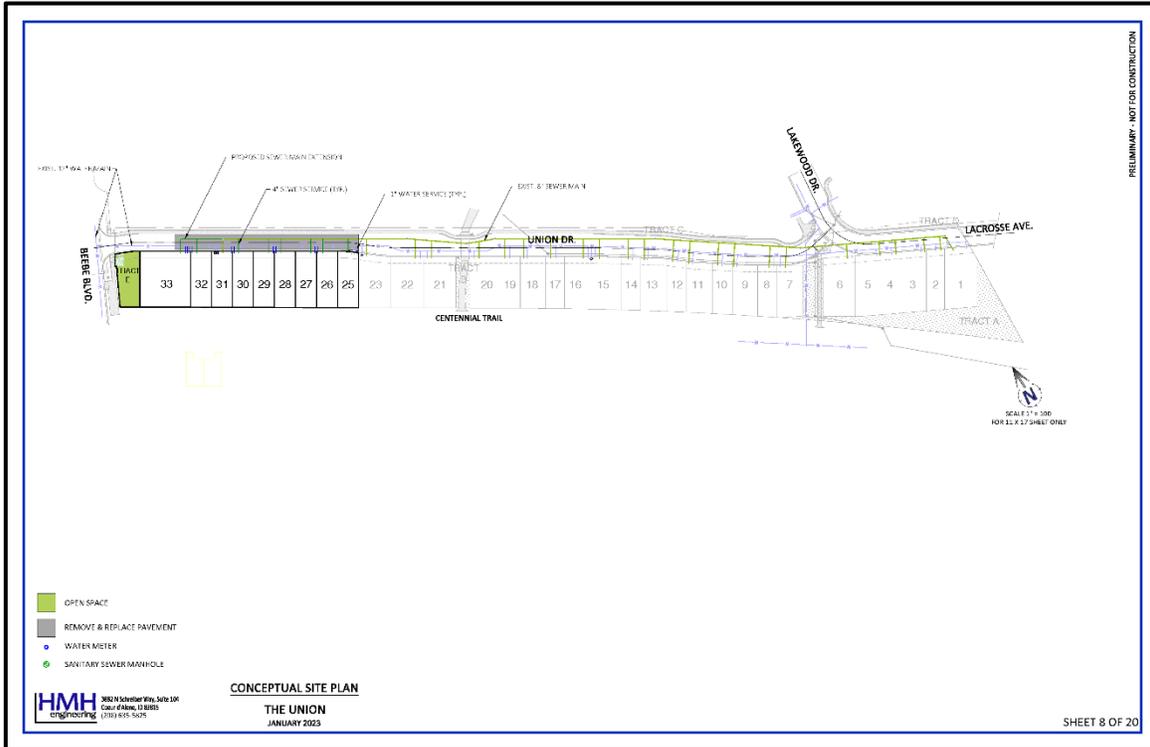
Finding #B8B: **The design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties.**

LOCATION, SETTING, AND EXISTING USES:

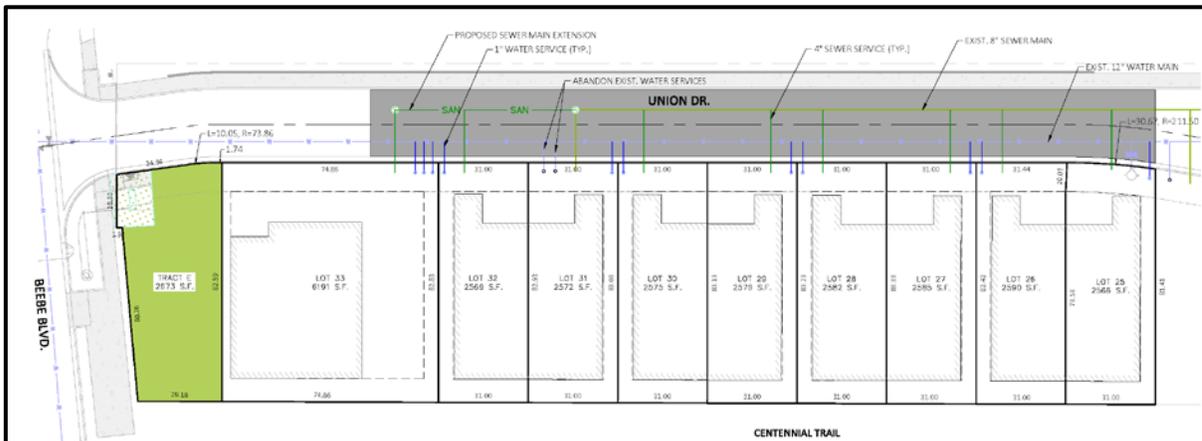
The site is relatively flat and is currently vacant. There are no topographical or other physical constraints that would make the subject property unsuitable for the proposed modification to the planned unit development.

There are existing residential uses to the south and southwest of the subject property. To the west are the Centennial Trail and a parking lot. Centennial Trail is also located south and adjacent to the subject site. To the east are single family detached and single family attached houses that are part of The Union PUD project.

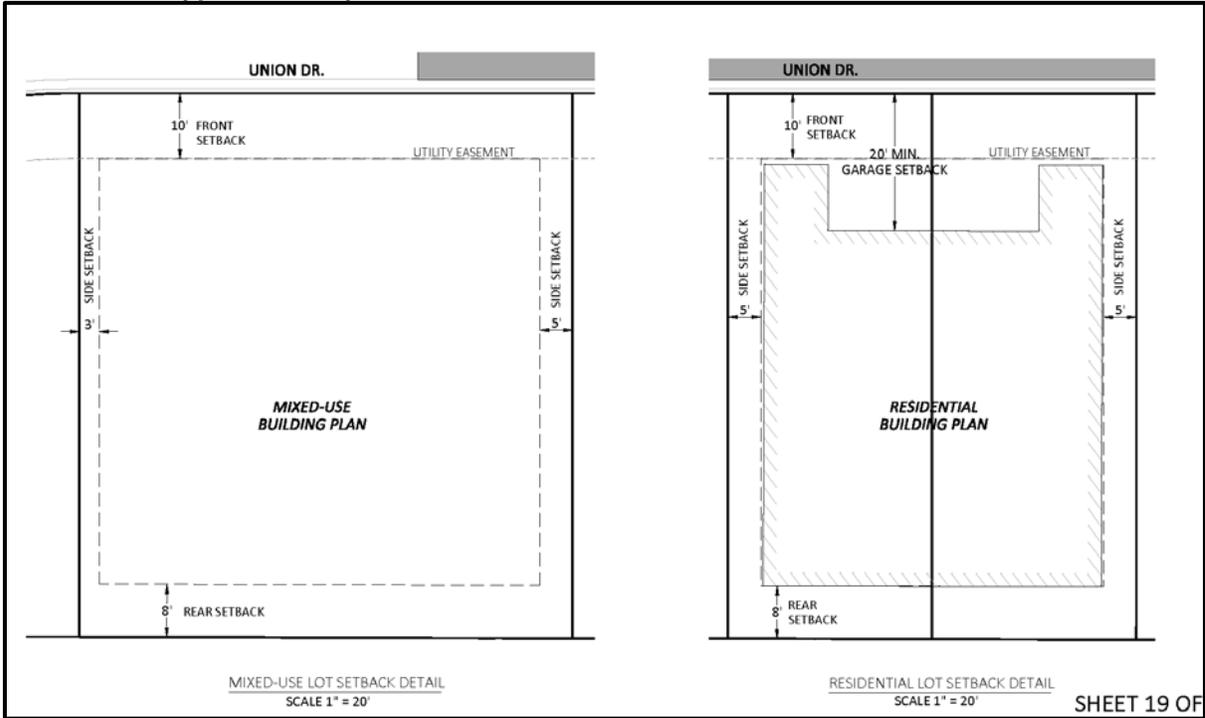
OVERALL PUD SITE PLAN MAP:



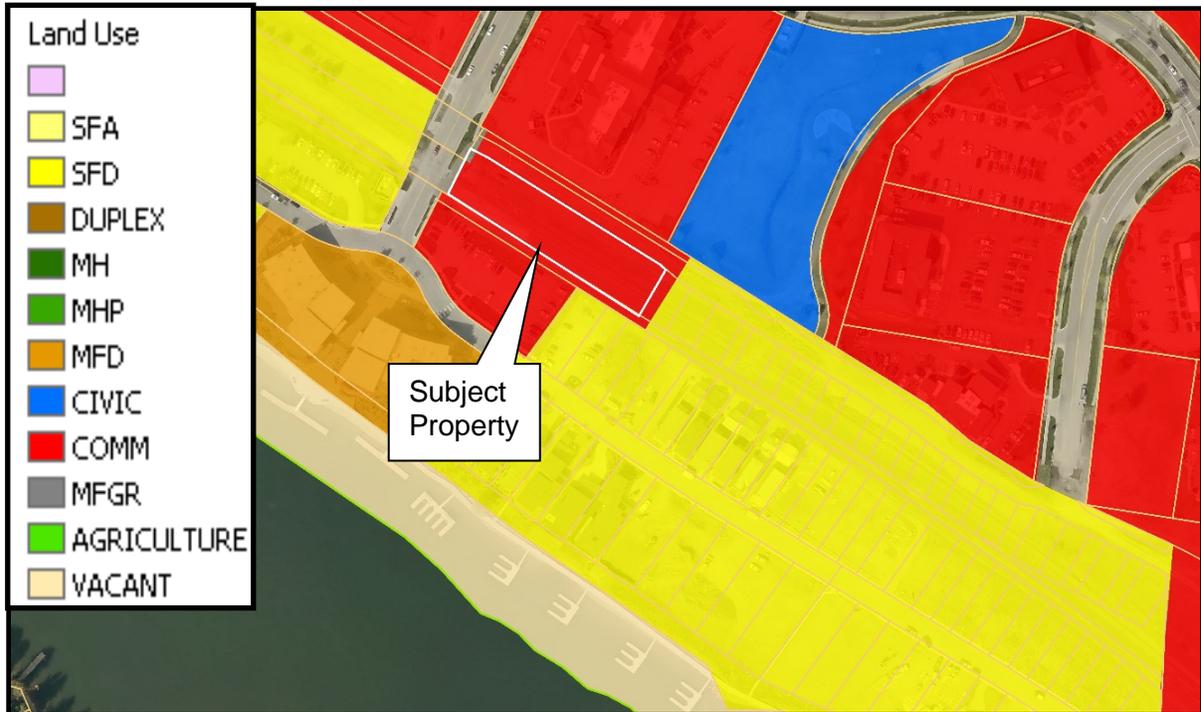
ZOOM IN: PUD SITE PLAN MAP:



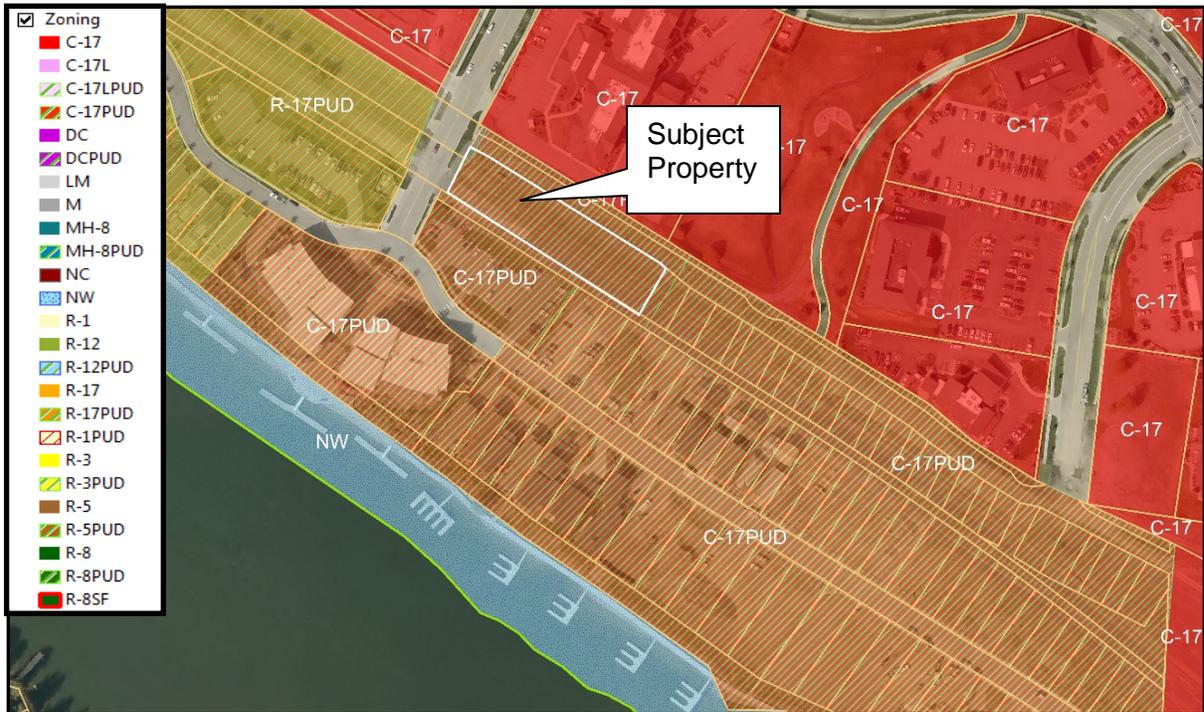
PUD LOTS – Typical Lot Layout with Setbacks



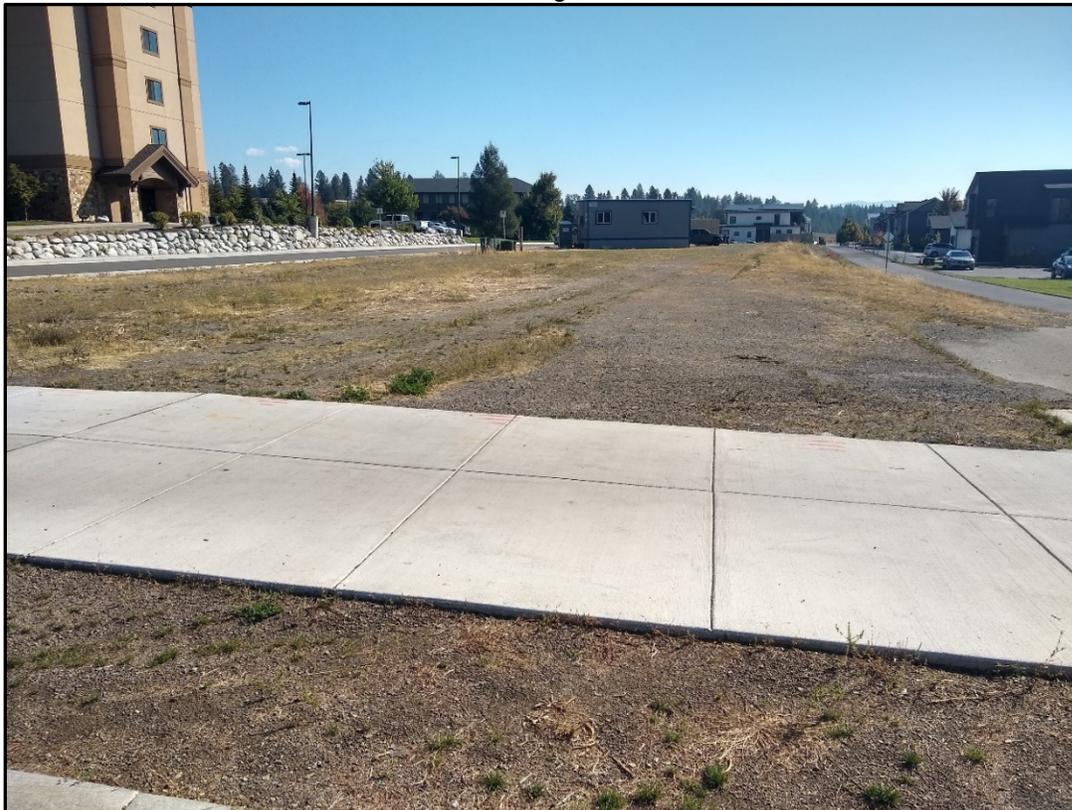
GENERALIZED LAND USE MAP:



EXISTING ZONING:



SITE PHOTO - 1: View from Beebe Blvd looking southeast.



SITE PHOTO - 2: View from Beebe Blvd looking northeast



SITE PHOTO - 3: View from the intersection of Beebe Blvd and Union Drive looking southeast.



SITE PHOTO - 4: View from the central portion of property looking north.



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



SITE PHOTO - 6: View from the central portion of property looking northwest.



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

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

The subject property is relatively flat with Beebe Boulevard to the west. The natural features of the site are consistent with the natural features of the surrounding properties, including the residential subdivision to the south (Bellerive) and the commercial uses to the north. The following images reflect the proposed building elevations.

APPLICANT'S MIXED USE BUILDING ELEVATION - 1:



APPLICANT'S MIXED USE BUILDING ELEVATION - 2:



APPLICANT'S ATTACHED SINGLE FAMILY BUILDING ELEVATION - 1:



APPLICANT'S ATTACHED SINGLE FAMILY BUILDING ELEVATION - 2:



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

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

STORMWATER:

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. Development of the subject property will require that all new storm drainage be retained on site. This issue will be addressed at the time of plan review and site development of the subject property.

-Submitted by Chris Bosley, City Engineer

STREETS:

The subject property is bordered by Beebe Boulevard to the west and Union Drive to the north. Both streets were developed to City standards and/or an approved PUD and no alterations will be required. However, the existing street width will not allow for on-street parking, potentially creating an enforcement issue or pushing overflow parking problems to other areas. Streets & Engineering has concerns over parking but has no objections to the proposed PUD.

-Submitted by Chris Bosley, City Engineer

TRAFFIC:

With the addition of 8 residential units, 46 trips per day or 4 AM and 4 PM Peak Hour trips can be expected based on the ITE Trip Generation Manual Land Use Code 230 – Residential Condominium/Townhouse. These trips would replace trips that would have been generated by the previously approved PUD. Although traffic generated from the commercial property could not be estimated at the time since the use had not been defined, it can be assumed that the proposed residential units will generate less traffic than the commercial space. The Streets & Engineering Department has no objection to the subdivision plat and planned unit development as proposed.

-Submitted by Chris Bosley, City Engineer

WATER:

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

-Submitted by Terry Pickel, Water Department Director

WASTEWATER:

The Subject Property is within the City of Coeur d'Alene and in accordance with the 2013 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this PUD request as proposed.

-Submitted by Mike Becker, Utility Project Manager

FIRE:

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

Fire department access to the site (Road widths, surfacing, maximum grade, turning radiuses, no parking-fire lanes, snow storage and gate access), 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 / IAAI – CFI

POLICE:

The Police Department has no issues with the proposed development.

-Submitted by Jeff Walther, Police Captain

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

Finding #B8E:

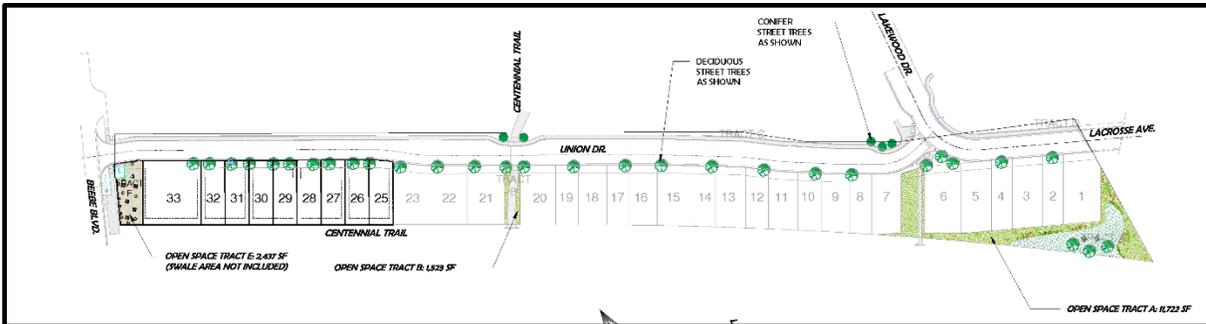
The proposal (does) (does not) provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space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

The applicant is proposing 10 percent (10%) open space that can be accessed by the public and residents of the proposed development. The proposed open space will consist of three public open space areas.

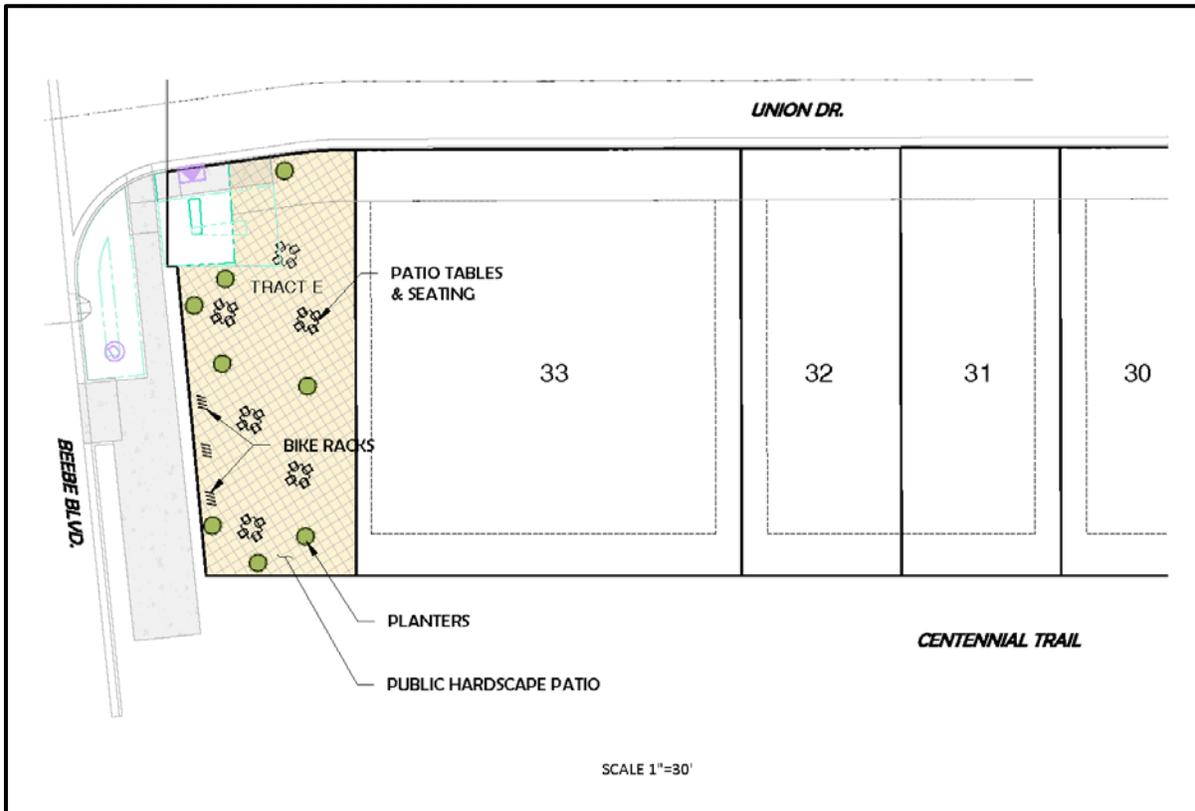
One of the open space areas will be located at the northwest end of the property and is part of the mixed use development. This public open space area will be a patio area that can be accessed by the public directly off of Centennial Trail and off of Beebe Boulevard. The second open space area is a 10-foot trail connection and grass area that will provide trail connectivity to Centennial Trail to the trail that provides access northeast to Riverstone.

The third open space area is located on the southeast end of the property and can be accessed by the public directly off of Centennial Trail. This open space is proposed to have picnic tables, turf grass, box planters, native grasses with boulder and wildflower plantings. This public open space area will also have a public sidewalk connection to Lakewood Drive's sidewalk to the northeast. The two easterly public open space areas are currently under construction and close to completion.

OPEN SPACE – SITE PLAN MAP:



OPEN SPACE – PATIO-PLAZA AREA:



OPEN SPACE – GREEN SPACE AREA:



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

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

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

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

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

There was no request made to change the City's off-street parking requirements through the PUD process. Single family homes would be required to provide two (2) off-street paved parking spaces per unit, which is consistent with code requirements for single-family residential. The mixed use development will meet all the off-street parking requirements for the proposed commercial and residential uses. The applicant will meet the minimum requirements for parking for the proposed PUD modification.

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

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

Active West and the design team will work with the City of Coeur d'Alene legal department on all required language for the CC&Rs, Articles of Incorporation and By-Laws, and any language that will be required to be placed on the final subdivision plat in regard to maintenance of all private infrastructure.

From the applicant's narrative:

The Union subdivision has incorporated CC&R's which have placed the duty of maintaining the common area, landscape buffers, retaining walls, and any open space amenities on the Union Homeowners Association.

The developer will be responsible for the installation of any required street and traffic signage/signalization per MUTCD (Manual on Uniform Traffic Control Devices) and City of Coeur d'Alene standards and requirements. The HOA will be responsible for continued maintenance of all street and traffic signage and required signalization.

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

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

See staff's comments above on pages 19 and 20.

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

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

Per engineering review, for the purposes of the preliminary plat, both subdivision design standards (chapter 16.15) and improvement standards (chapter 16.40) have been vetted for compliance. Streets and Engineering has no objections to the proposed Subdivision.

-Submitted by Chris Bosley, City Engineer

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

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

The gross area of the subject property is 0.67 acres. The overall total number of single family attached units requested is 8 with one additional residential unit proposed as part of the mixed use development. The proposed subdivision will bring the total number of units over the whole development to 32 units. The result for the whole development is an overall density of 8.9 units per acre. The existing zoning is C-17, which allows a mix of housing types at a density of 17 units per acre. The existing zoning allows for a maximum of 61 units that could be built on the subject property. The proposed density is less than what is allowed under the current zoning district.

The proposed subdivision is in conformance with the modifications that were requested in PUD item PUD-3-19M.2 that is associated with this subdivision request.

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

APPLICABLE CODES AND POLICIES:

Utilities:

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

Streets:

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

Stormwater:

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

Fire Protection:

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

General:

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

PROPOSED CONDITIONS:

Planning:

1. The incorporation of the newly created lots into the existing homeowner's association will be required to ensure the perpetual maintenance of the open space and other common areas.

Water:

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

Wastewater:

4. Sewer Policy #719 requires a 20' wide utility easement (30' if shared with Public Water) to be dedicated to the City for all City sewers if private roadway.
5. An unobstructed City approved "all-weather" access shall be required over all City sewers.
6. This PUD shall be required to comply with Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) sewer connection.
7. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.
8. Cap any unused sewer laterals at the public main.

ORDINANCES & STANDARDS USED FOR EVALUATION:

2042 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 Coeur d'Alene Trails Master Plan

ACTION ALTERNATIVES:

The Planning Commission must consider these two requests and make separate findings to approve, deny, or deny without prejudice.

Attachments:

- 1- Minutes from November 8, 2022 Planning Commission Meeting
- 2- Applicant's Narrative

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

**APPLICANT'S
NARRATIVE**

**PROJECT NARRATIVE
FOR
“The Union” Subdivision
A Planned Unit Development Amendment Request**

January 2023

Project Overview

The Union is a Planned Unit Development located within Riverstone, in Coeur d’Alene, Idaho. The Union is zoned as C-17PUD. As previously approved, it consists of 23 residential lots, and 1 mixed use lot. An amendment to the initial PUD is requested. This amendment would include the split of Lot 24, defined in the Union Final Plat, into 8 residential lots, one mixed-use lot, and one open space tract. These residential lots would contain attached single-family dwellings as shown in the conceptual site plan. Attached single-family dwellings share a common wall with another home that is separated by a property line. The mixed-use building contains one dwelling unit, as well as commercial space. The mixed-use building contains over 50% residential square footage. With these additions, the Union PUD would contain 32 dwelling units. The previously approved lot details and proposed deviations are shown below:

| | Approved | Proposed Deviation |
|----------------------------|-----------------|---------------------------|
| Density* | 7.2 units/acre | 8.9 units/acre |
| Minimum Lot Area | 2,175 SF | No Deviation |
| Minimum Lot Width/Frontage | 27 FT | No Deviation |

*C-17 zoning district allows a density up to 17 units per acre.

Residential Lots

| | | |
|---------------------------------|----------------------------------|--------------|
| Front Setback | 10 FT, 20 FT to Garage | No Deviation |
| Rear Setback | 8 FT | No Deviation |
| Side Yard Setback | 5 FT | No Deviation |
| Principal Structure Max. Height | Single Family & Duplex: 32 FT | No Deviation |

Mixed-Use Lot

| | | |
|---------------------------------|------------------------|--------------|
| Front Setback | 10 FT, 20 FT to Garage | No Deviation |
| Rear Setback | 8 FT | No Deviation |
| Side Yard Setback | 5 FT | 3 FT |
| Principal Structure Max. Height | 32 FT | 42 FT |

Mixed-Use Structure Height Deviation

The mixed-use building proposed is approximately 42 feet in height. It is located on the Southwest corner of W Union Dr and Beebe Blvd across from the 6-story Hampton Inn & Suites and Northeast of a 4 to 5-story mixed use building. The first floor of the building proposed is comprised of a commercial lobby, small residential lobby, and predominantly parking required for

the residential unit and the commercial area. The second floor is dedicated to commercial use, and the third floor is dedicated to one residential unit. To give a more commercial look the first floor of the building is proposed with a 12'1" plate height and transom and storefront glazing in lobby locations. Otherwise plate height of the commercial space is minimal at 9'1" and the residential plate heights vary from 9'1" to 12'1" in order to create opportunities for transom glass and enhanced roof forms and articulation.

The deviation to 42 FT structure height maximum allows for the accommodation of the required parking below the proposed commercial and residential uses within the lot area. This maximum height would also remain significantly less than, but be more consistent with the surrounding hotel and mixed-use buildings along Beebe Blvd. For these reasons this height limit increase would not be detrimental to the site location, rather, would support the existing urban context with appropriate massing and glazing gestures while meeting the needs for parking and providing new commercial, and residential spaces in a compact area.

Site Utility Improvements

Utilities to the project have been provided by the following utility companies. AVISTA Utilities has extended gas and electric lines along the frontage of all Union lots. New services will be provided for the new lots.

The City of Coeur d'Alene serves the existing lots with public sanitary sewer and water services. For sanitary sewer to reach the new lots, the 8 in. sewer main will need to be extended approximately 70 ft., and a new manhole constructed. There is an existing 12" water main that runs through the length of The Union PUD, which had previously been constructed as part of the Union PUD improvements. Each proposed lot with the amended PUD will have sewer and water services that are proposed, or are existing that will be adjusted to serve them.

Adequate stormwater storage for Union Dr. has already been put in place, with swales and a drywell located at the corner of Union Dr. and Beebe Blvd. No proposed improvements will create additional impervious area within the public right-of-way, therefore providing additional stormwater storage/treatment storage will be unnecessary. All proposed lot development will be responsible for stormwater controls at the time each individual lot is developed.

Common Space Ownership & Management

The Union subdivision has incorporated CC&R's which have placed the duty of maintaining the common area, landscape buffers, retaining walls, and any open space amenities on The Union Homeowners Association.

The developer will be responsible for the installation of any further required street and traffic signage/signalization per MUTCD (Manual on Uniform Traffic Control Devices) and City of Coeur d'Alene standards and requirements. The HOA will continue to be responsible for the maintenance of all street and traffic signage and required signalization.

Open Space Requirements

The Union contains three open space tracts – Existing Tracts A & B, and a proposed Tract E. No changes are requested within Tracts A & B. Tract A contains a public picnic area surrounded by turf and landscaping, as well as a trail connection to the Centennial Trail. Tract B also contains a connection to the Centennial trail, as well as landscaping. The proposed Tract E open space will include patio area that can be accessed by the public directly off the Centennial Trail, Union Dr., and Beebe Blvd. The open space will include outdoor seating, colored concrete patio space, and landscaping. Landscaping throughout the Union PUD includes street trees, lawn, and planting areas in all community areas as well as individual home site landscaping.

The development will contain all open space as was required during the initial PUD approval. The Union PUD contains no less than 10% of the gross land area of 3.6 acres (156,816 SF).

Total Required Open Space: 15,682 SF Total Open Space Provided: 15,682 SF

Tract A: 11,722 SF

Tract B: 1,523 SF

Proposed Tract E: 2,437 SF

Preliminary Development Schedule

It is anticipated that the site improvement and site infrastructure work will begin Spring 2023 and continue through Summer 2023.

3. Applicant: Dennis Cunningham
Location: Beebe Boulevard & Lakeview Drive
Request:
- A. A modification to the proposed PUD known as "The Union PUD"
QUASI-JUDICIAL, (PUD-3-19m1)
 - B. A modification to the proposed preliminary plat known as "The Union"
QUASI-JUDICIAL, (S-4-19m1)

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

- In 2019 the applicant was approved for a residential and mixed use planned unit development (PUD).
- The 2019 PUD was originally approved on 3.6 acres that allowed 23 residential lots and one commercial mixed-use lot to be known as "The Union" in the C-17 zoning district.
- The proposed modification request pertains to the commercial mixed-use lot (Lot 24). The proposed modification request is to have Lot 24 of the Union split into 10 residential lots, and 1 mixed-use lot. This will add 11 dwelling units to the PUD and will reduce the commercial lot from 29,482 SF to 5,366 SF. The proposed PUD amendment will use the existing public street that was approved in the original PUD in 2019.
- The lots will all have access off of Union Drive. The applicant has indicated that the proposed commercial mixed-use development is proposed to be a three-story structure. The first floor will consist of two entry lobby areas with elevators, garage space, and a shop/storage area.
- The second floor will be used for commercial use. The third floor will consist of one residential unit. All of the required parking for this mixed use will be provided on the commercial mixed-use lot.
- The 10 additional residential lots will have single family attached houses on them. Attached single family dwellings share a common wall with another home that is separated by a property line. The applicant has submitted building elevations of the proposed mixed-use facility and the proposed residential dwellings. (See building elevations on pages 16 thru 18).
- The applicant has also submitted a PUD site plan that shows the proposed site layout and the building locations on the proposed PUD. (See site plan on page 11). The applicant has indicated a five-foot building setback from the side property lines for the residential lots, which will equate to a ten-foot setback from structures, this is consistent with what was approved in the original PUD in 2019.
- The open space requirement for a PUD is no less than 10% of the gross land area. The applicant's proposed PUD modification won't change the open space for the project. It will still have a total of 10% of the total gross land area dedicated toward public open space. The proposed open space is consistent with what was approved in the original PUD, with a total of three open spaces areas placed in separate locations across the whole PUD development.
- One of the open space areas will be located at the northwest end of the property and is part of the mixed-use development. This public open space area will be a patio area that can be accessed by the public directly off of Centennial Trail and off of Beebe Boulevard.
- The second open space area is a 10-foot trail connection and grass area that will

provide trail connectivity to Centennial Trail to the trail that access north to Riverstone. The third open space area is located on the southeast part of the property and can be accessed by the public directly off of Centennial Trail. This open space is proposed to have picnic tables, turf grass, box planters, native grasses with boulder and wildflower plantings.

- This public open space area will also have a public sidewalk connection to Lakewood Drive's sidewalk to the north. (See Open Space Plans on Pages 20 & 21). These two public open space areas are currently under construction and close to completion.
- The applicant has indicated that if the PUD modification is approved then site improvement and site infrastructure work would begin Spring 2023. The proposed PUD modification will increase the overall density from 7.2 units per acre to 9.4 units per acres which is less than the 17 units per acre that is allowed in the C-17 zoning district.

PLANNED UNIT DEVELOPMENT MODIFICATION REQUESTS:

The applicant is requesting the following deviations from existing standards:

- Front Setback: 10' rather than 20' *Same request as was approved in the original PUD*
- Rear Setback: 8' rather than 25' *Same request as was approved in the original PUD*
- Side Yard Setback: 5' and 5' rather than the 5' and 10' as required for lots without alley access. *Same request as was approved in the original PUD*
- Unit Types: (Twin Homes) zero (0') feet/shared wall rather than 5 feet. *Same request as was approved in the original PUD*
- Minimum Lot Area: 1,730 SF rather than 2,175 SF ***that was approved in the original PUD***
- Minimum Lot Width/Frontage: 21' rather than 27' ***that was approved in the original PUD***
- Right-of-Way width: 34' rather than 55' *Same request as was approved in the original PUD*
- Sidewalk on only one side of the street. *Same request as was approved in the original PUD*
- Minimum Building Height - Single Family and Duplex: 40' rather than 32'. ***This modification was not requested in the Original PUD***
- Mixed-Use Lot (Lot 35):
 - Rear Yard Setback 5' rather than 8' ***that was approved in the original PUD***
 - Side Yard Setback 3' rather than 5' ***that was approved in the original PUD***

- He stated that the Comprehensive Plan Place type as: Planned Development
- He noted the required findings including staff departments indicating that all departments can serve the proposed PUD and Subdivision.
- He stated if approved there are eight conditions for approval.

Mr. Behary concluded his presentation

Commission Comments:

Commissioner Ingalls stated that it was stated that the applicant isn't requesting any deviations from parking and that this project meets the 2 spaces per unit city requirement however, the City Engineer indicated in the staff report that the existing street width won't allow any on street parking which would result in an enforcement issue pushing overflow parking to other areas and questioned if there are other areas available for overflow parking. Mr. Behary commented that there are no deviations requested for additional off-street parking. Commissioner Ingalls questioned if this had stayed as commercial project inquired if there would have been overflow issues. Mr. Behary stated with his previous proposal the applicant did meet the minimum requirement for parking based on the commercial/mixed use lot.

Chairman Messina stated that the applicant is proposing an increase to height to 40 feet and inquired what are the surrounding heights in the area. Mr. Behary answered that all the surrounding buildings are 32 feet.

Commissioner Ward noted that the orientation of these homes is towards the Centennial Trail with the garages in the rear. Mr. Behary explained that parking will be along Union Drive and the garages will be along Union Drive however, patios and open space will have pedestrian access to the trail rather than vehicle access. Commissioner Ward inquired how tall are the proposed homes. Mr. Behary answered they are proposed to be 40 feet.

Commissioner Luttrupp inquired if staff can explain where is the overflow parking and is this a private street or public street. Mr. Behary stated that it is a city street and that the applicant had requested a deviation for additional width that was approved with the original PUD. Commissioner Luttrupp commented that we should have a standard for overflow parking.

Commissioner McCracken inquired about the lot width that has been reduced from 27 – 21 feet with more units with more visitors.

Commissioner Fleming inquired about the parking lot to the south and is that paid parking or designated parking for residential and commercial. Mr. Behary noted the parking is for the mixed-use residential parking. Commissioner Fleming stated if you can bike it, walk it, hike it don't bring more cars to the party so this might be another method for people to choose other methods for transportation and don't think we need to force more parking/asphalt in an already compressed area.

Public testimony open.

Christine Baker, applicant representative, provided the following statements:

- She explained that we are proposing to take lot 24 of the original Union and split it

- into 10 residential lots including an open space tract.
- She explained that we do meet the open space requirements set with the original PUD.
 - She noted that at the advice of Chris Bosley, City Engineer we will be taking out the existing pavement and in order not to do many pavement cuts on a new road will only take out the portion we need.
 - She explained the deviations we are requesting is a 3-foot side setback on the mixed-use lot that would be butting against the open space and not against another house.
 - She showed a rendering of the proposal and that the open space would be accessible to Beebe and the Centennial Trail with bike racks.
 - She stated that we do meet the parking requirement and we do have offroad paved parking spaces per unit with parking in front of the units that exceed the requirement.
 - She noted that we aren't adding any impervious area within the right of way. She added that we worked closely with the City Engineer to make sure traffic doesn't end up on Union Drive.
 - She added with this amendment we will provide 150 parking spots with the full build out and have designated on street parking on the north side for a portion of the Union that is wider and put "no parking signs" on the southern and have put no parking on the northern side and working with code enforcement.

Ms. Baker concluded her presentation.

Commissioner Fleming inquired why the need for the additional height which is a four-story flat roof building. Ms. Baker explained the measurement is to the peak of the roof. Commissioner Fleming stated that it seems very high compared to the others that are 32 feet and understands the added height for a commercial building, but for residential it's a struggle.

Dennis Cunningham, applicant, explained the 10 units will have elevators in each unit and the reason is we haven't seen a market in Coeur d'Alene where there is a 3-story structure with a master on the upper level with the average buyer of these units is an older buyer. He stated that wanted to provide a universal concept to be able to get from one floor to another. He explained the two-car garage is 3-story so the 40 feet are a small percentage of the peak. He explained that this project is similar to what was approved by Red Robin. He added we might have some modifications before it gets to permit.

Karen Schomer stated she lives in Riverstone and commented that Union Drive is a very narrow street with narrow driveways. She added driving on Union Street from Lacrosse cars are parallel parked and not parking in their garage. She added the area is dense and the architecture doesn't fit with the other units.

Karen Hansen commented that she likes Mr. Cunningham's product but all the contractors are seeking more changes and thinks this should stay the same and is opposed to the 40 feet height limit.

Kerstin Lindstrom stated she lives in the area and has seen many changes. She has concerns about the parking and has attended many meetings where the parking is fine in one area but we have to look at the big picture. She added that this area many years ago used to be open and now it's getting so congested.

Gia Schwartzer stated that she has concerns about not enough parking and in the renderings showing two cars going down the road which is impossible. She added that people park in front of the garage and questioned where is parking available for the mixed-use building.

Rebuttal:

Ms. Baker provided the following statements.

- She noted the parking for the mixed-use building will be handled on that parcel with four carports under the building, with two parking spaces available in front which meets the parking requirement.
- She noted in the staff report Chris Bosley did look at the trip generation for the PUD and he stated since we are shrinking the mixed-use building and increasing the residential would be less intensive use and keeping the mixed-use building would decrease traffic.
- She stated that we have exceeded the parking requirements for residential.

Commissioner Fleming inquired if this new development will be part of the existing HOA and does the HOA have any Short-Term Rental (STR) restrictions. Mr. Cunningham explained that there is one home out of the 12 that are existing in the original that has a permit with the city to do a STR which is a single family detached. He noted parking and noticed in the morning on Union Drive which is allowed and walk across over to Bellerive building and when that gets challenging when the seasons changes, we get a lot of parking since the parking was eliminated across from Beebe. He explained that Beebe doesn't allow any overnight parking and that on Union we have 32 spaces on the street and we have the help from code enforcement if we see anyone parking on our street. He added the drive way depth does meet those requirements. He added we want to be a good neighbor

Commissioner Luttrupp inquired how many parking spaces are required. Ms. Baker comment that she doesn't have the plan in front of her so hard to estimate. Commissioner Luttrupp inquired if this revision is requiring more parking. Ms. Barker explained with the previous and this revision meets the requirement for parking.

Chairman Messina stated in the original PUD including this amendment have met the parking requirements set by the city. Commissioner Ingalls concurred and heard the applicant say they are exceeding parking.

Commissioner Ward inquired if the parking garages were tandem parking. Ms. Baker explained one side of the units has tandem parking and the other side will have a standard two car garage.

Public testimony closed.

Discussion:

Chairman Messina explained he is having a struggle with the height difference.

Commissioner Ward stated that he thinks Riverstone is a prime location and believes that our city made it possible and because of that all we here about is how much congestion is in the area. He explained that he doesn't have concerns with the density or height but with it complies with the zoning on its own and making lots narrow with limited parking and

that the entire road network is insufficient with nowhere for traffic to go. He commented what approved now is intense and by adding additional units isn't our job and our job is to minimize the impact and traffic is getting worse.

Commissioner Mandel inquired if the traffic for this is less. Commissioner Ingalls commented in the staff report the city engineer said there is less traffic. Mr. Behary noted that commercial generates more trips than residential. Commissioner Mandel inquired if there is any bearing on height with traffic.

Commissioner Ingalls commented living downtown is different and Riverstone is great and parking is tight but it's a great development and there is pluses and minuses and would want more commercial businesses. He commented housing is what people want and feels it's a great place.

Commissioner McCracken commented she sees the value of more commercial.

Commissioner Mandel inquired if there are other homes on Bellerive that exceed 32 feet. Commissioner Fleming answered that there is one home on Bellerive in the middle of the block. She noted if the applicant was going to put in similar homes that was done previously wouldn't see a problem and struggles with this many units added on this small parcel and can't justify more homes added just for the density. She suggested by adding the green space by the commercial building would make sense.

Commissioner McCracken inquired if an elevator would work in a home that is 32 feet. Commissioner Fleming stated that she sees this done all a time with the jobs she has worked on in the past.

Commissioner Ward commented that he objects to the intensity and feels its to much in a small area.

**Motion by Ward, seconded by Mandel, to deny without prejudice Item PUD-3-19m1.
Motion approved.**

ROLL CALL:

| | | |
|------------------------|-------|-----|
| Commissioner Fleming | Voted | Aye |
| Commissioner Ingalls | Voted | Aye |
| Commissioner Mandel | Voted | Aye |
| Commissioner McCracken | Voted | Aye |
| Commissioner Luttrupp | Voted | Aye |
| Commissioner Ward | Voted | Aye |
| Chairman Messina | Voted | Aye |

Motion to deny without prejudice carried by a 6 to 0 vote.

**Motion by Fleming , seconded by Messina, to deny without prejudice e Item S-4-19m1
Motion approved.**

ROLL CALL:

| | | |
|----------------------|-------|-----|
| Commissioner Fleming | Voted | Aye |
|----------------------|-------|-----|

| | | |
|------------------------|-------|-----|
| Commissioner Ingalls | Voted | Aye |
| Commissioner Mandel | Voted | Aye |
| Commissioner McCracken | Voted | Aye |
| Commissioner Luttrupp | Voted | Aye |
| Commissioner Ward | Voted | Aye |
| Chairman Messina | Voted | Aye |

Motion to deny without prejudice carried by a 6 to 0 vote.

**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI STROUD, ASSOCIATE PLANNER
DATE: MARCH 14, 2023
SUBJECT: SP-3-23 – CUSTOM MANUFACTURING SPECIAL USE PERMIT
LOCATION: A +/- .16 ACRE PARCEL LOCATED AT 1411 N. 4th STREET

OWNER/APPLICANT:
Joe Hamilton, Hamilton Investments, LLC
1316 N. 4th Street
Coeur d’Alene, ID 83814

DECISION POINT:
Joe Hamilton, Hamilton Investments LLC, is requesting a Custom Manufacturing Special Use Permit in the C-17 (Commercial at 17 units/acre) zoning district to allow a Custom Manufacturing Use on a +/- 0.16-acre parcel.

LOCATION:



SITE PHOTO:



GENERAL INFORMATION:

The applicant/owner is requesting a Custom Manufacturing Special Use Permit using the existing multi-tenant commercial space which would be converted into a beverage processing/production facility. A retail area will be provided, where the organic juices produced on-site will be sold directly to walk-in customers. Most of the products (100% of the beer) will be sold to Pilgrims Market, located across the street and also owned by the applicant. There will also be a classroom area opened to the public, which is a use allowed by-right. The existing building is 3,608 square feet and was previously used for retail type wine and beer making business.

From the applicant's Narrative:



Special Use Permit Application Narrative

Hamilton Investments 1411 N 4th Street

This narrative details how granting this Special Use Permit would be consistent with the community's vision for the city as articulated in the 2022-2024 Comprehensive Plan and its 6 Guiding Principles

Guiding Principle #1: COMMUNITY & IDENTITY

If granted this special use permit would not interfere with this guiding principle in any way. In fact, while leased to Pilgrim's Market, the planning committee can be assured that employees and customers of all sexes and races will be welcomed in the welcoming and equal-opportunity environment that Pilgrims Market is known to be.

Guiding Principle #2: EDUCATION & LEARNING

If granted, this special use permit would support this guiding principle completely. The special use permit is for a custom manufacturing space with an education center that is open to the public. While Pilgrim's Market leases the space and beyond, this will be a perfect venue to provide life-long learning opportunities and family-friendly activities. Pilgrim's Market has literally held over 500 education events in the last 22 years and many of those have been free to the public. This space would support this continued effort and would include education on the types of food production / custom manufacturing activities to be taking place in the facility.

Guiding Principle #3: ENVIRONMENT & RECREATION

While granting this special use permit will not directly increase access to our community's outdoor recreation it is certain that it will not detract from it. This special use permit is for a type of business that uses less parking spaces than the current classification which reduces the number of cars on our roads which is a benefit to cycling and running. Additionally, Pilgrim's robust benefits package for its employees often includes tickets to ski mountains, the city's Ice skating arena, gym memberships and more. Additionally, nothing would be emitted to harm the air or water quality.

Guiding Principle #4: GROWTH & DEVELOPMENT

Granting this special use permit would directly add to the richness of our city's livability by providing great jobs that are close to people's homes that encourages walking or biking to work. Pilgrim's Market has won national awards for its' successful growth and business innovation. Since this building does not meet current parking requirements for C-17 activities, granting the special use permit for custom manufacturing, which requires less staff and parking, is actually a way to improve its' compliance with the comprehensive plan.

Guiding Principle #5: HEALTH & SAFETY

1316 N. 4th St. Coeur d'Alene, ID 83814 / 208-676-9730 / www.pilgrimsmarket.com

The applicant's narrative continues on the next page...

Granting this special use permit contributes to this guiding principle primarily in the fact that Pilgrim's Market has a great track record providing healthcare to its' employees and for the positive and uplifting work environment that it fosters. Pilgrims also contributes to the community's health and safety via the sales of healthy foods and the educational opportunities that it provides to all.

In 2022 *The Spokesman Review's Business Journal* recognized Pilgrims among the *Best Places To Work-Inland Northwest*.

There is a lengthy survey that at least 60% of an employer's employees need to fill out and based on those surveys some, but not all employers receive the award. Pilgrims was among only 33 other employers the region to be recognized this year.

It's worth noting that their compensation and benefits package along with a fun, supportive and rewarding work environment were the most commonly celebrated themes among the surveyed employees and the contribution that a person's work environment makes to their mental health cannot be overestimated.

Guiding Principle #6: JOBS & ECONOMY

Granting this special use permit will enrich not only the quality of our city's employment landscape but also its' variety. Permitting a very small custom manufacturing facility in the city will provide a great stepping stone for any cottage industry. For the foreseeable future Pilgrim's Market will use this space for innovative beverage manufacturing but it could be used by any number of small entrepreneurial activities and the unique format that allows for custom manufacturing but also ha a small retail storefront, this gives the business a easy way to test the product with consumers since the manufacturing is in a space conducive to walk-in retail business unlike industrial districts.

This beverage center will be leased to Pilgrim's Market and Pilgrim's has a solid track record of providing great jobs to the community. In 2023 Pilgrim's will pay nearly 4.5 million dollars at an average of \$21.50/hour in total compensation. Beyond just wages it is estimated that regular expenses of Pilgrims Market will contribute an additional 10 million dollars into the local economy. In fact that makes it one of the largest employers in the city limits.

Pilgrim's Market opened in 22 years ago and began with one employee in a 1,300SF location. Pilgrim's has made a major impact on our beautiful city's economic growth and continues to do so with retail innovation and employment excellence.

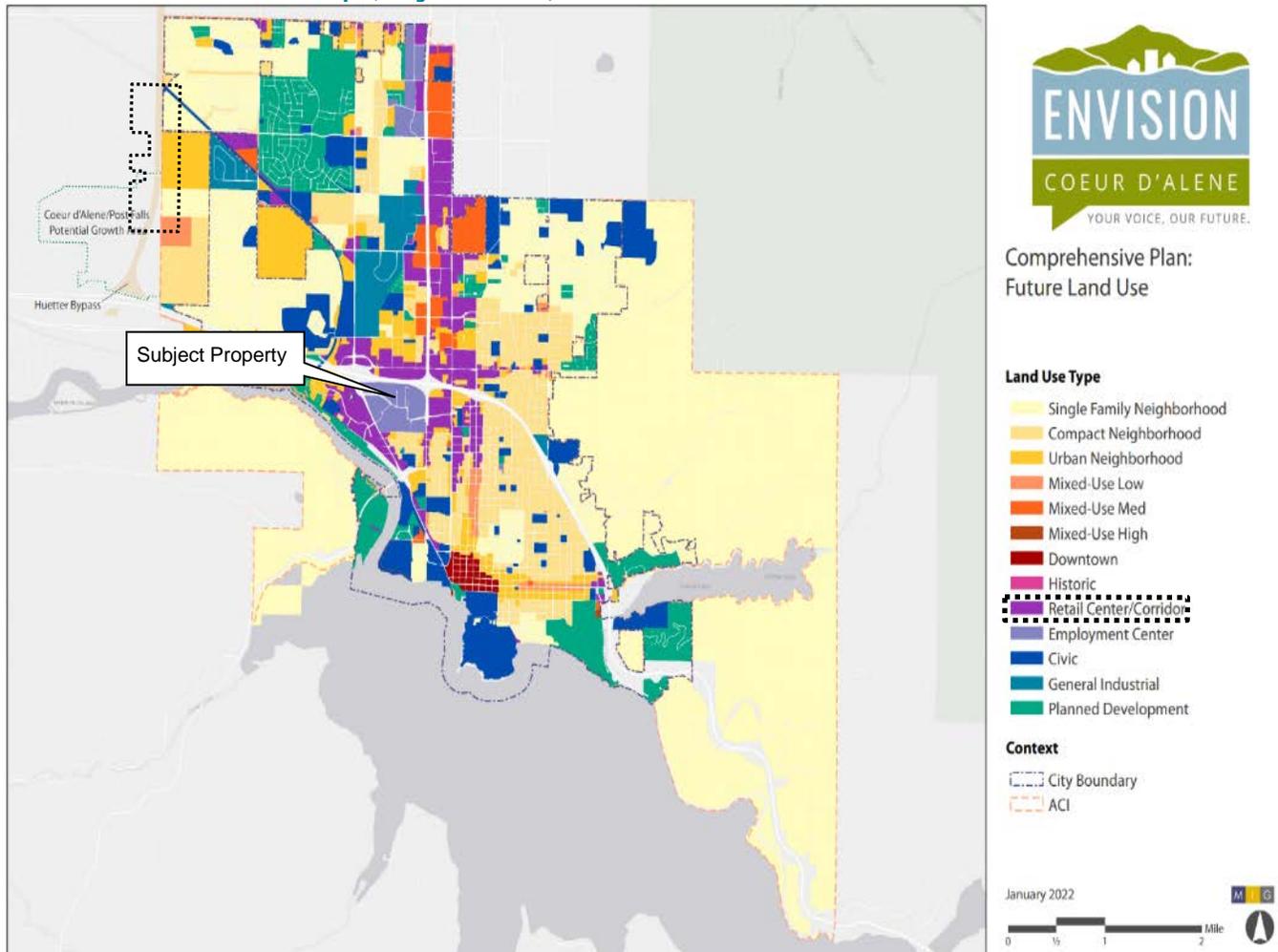
REQUIRED SPECIAL USE PERMIT FINDINGS:

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

2022-2042 COMPREHENSIVE PLAN- LAND USE CATEGORY:

- The subject property is within city limits.
- The City's 2022-2042 Comprehensive Plan categorizes this area as Retail Center Type.

Future Land Use Map (City Context):



2042 COMPREHENSIVE PLAN LAND USE MAP:



Place Types

Place Types represent the form of future development, as envisioned by the residents of Coeur d’Alene. These Place Types provide the policy-level guidance that will inform the City’s Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

Retail Center/Corridor

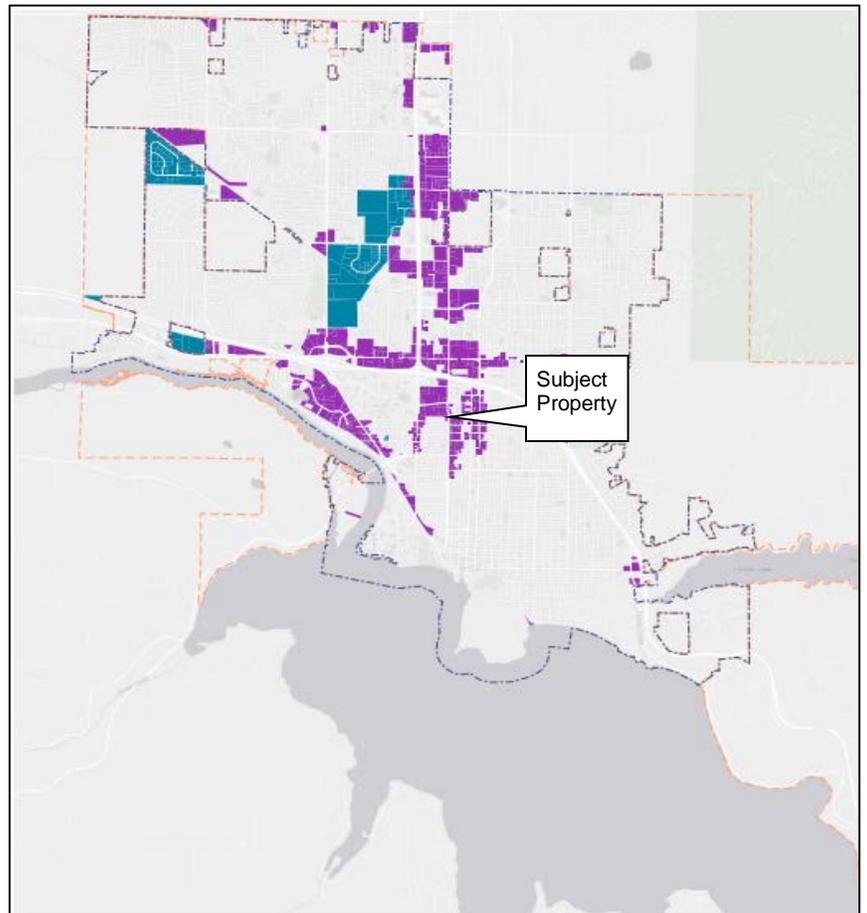
Retail Center/Corridor places are primarily car-oriented destinations for retail, services, hotels and motels, and restaurants along major streets. These locations are often developed with large format retail uses with some infill commercial development, typically one to three stories. These places are typically not easily walkable and generally have limited civic or other public uses, but because they are often located along major arterials, they may be served by transit. Compatible Zoning: C17 and C17L.

PLACE TYPES: Retail Center/Corridor

Retail Center/Corridor

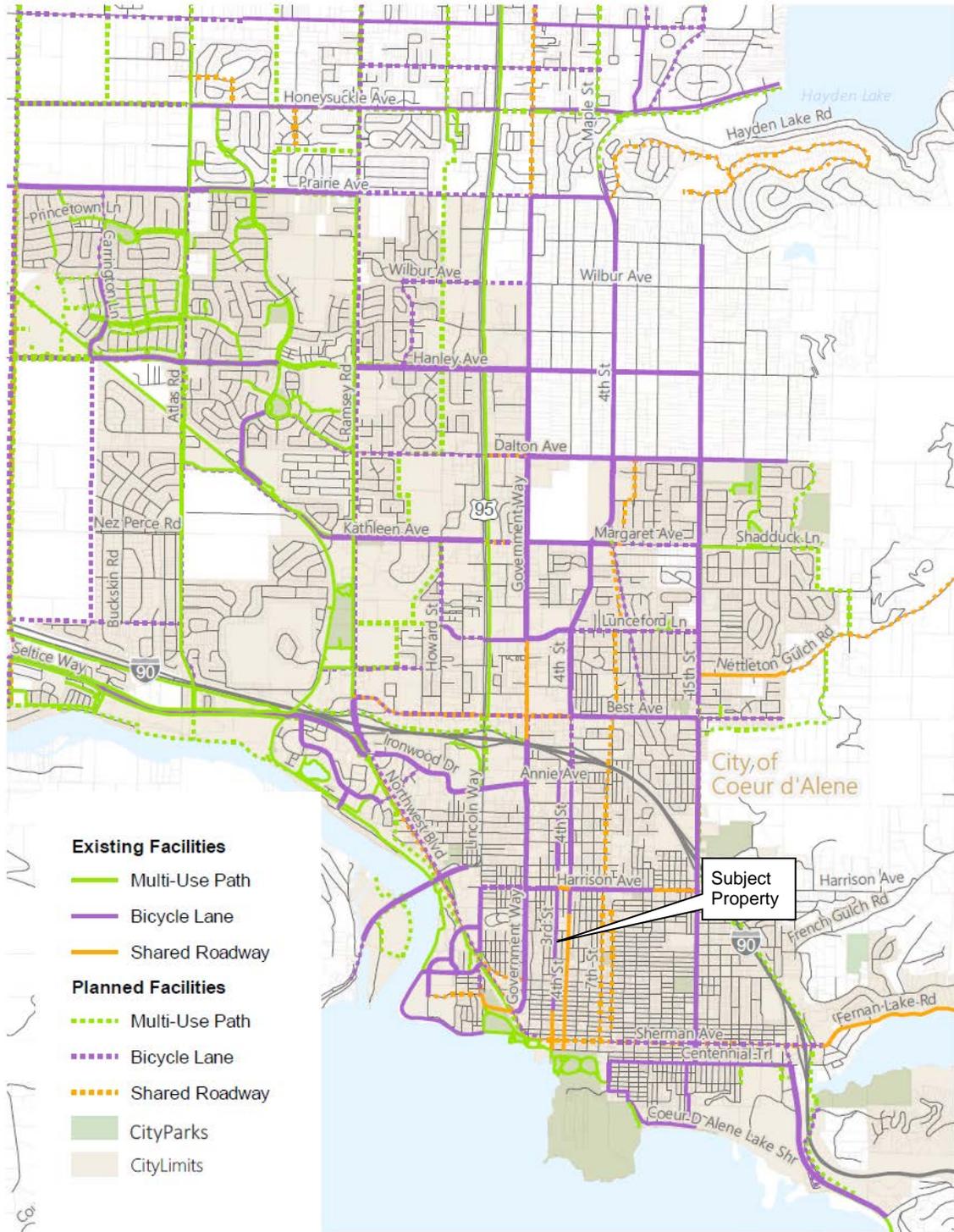
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Compatible Zoning: C17 and C17L

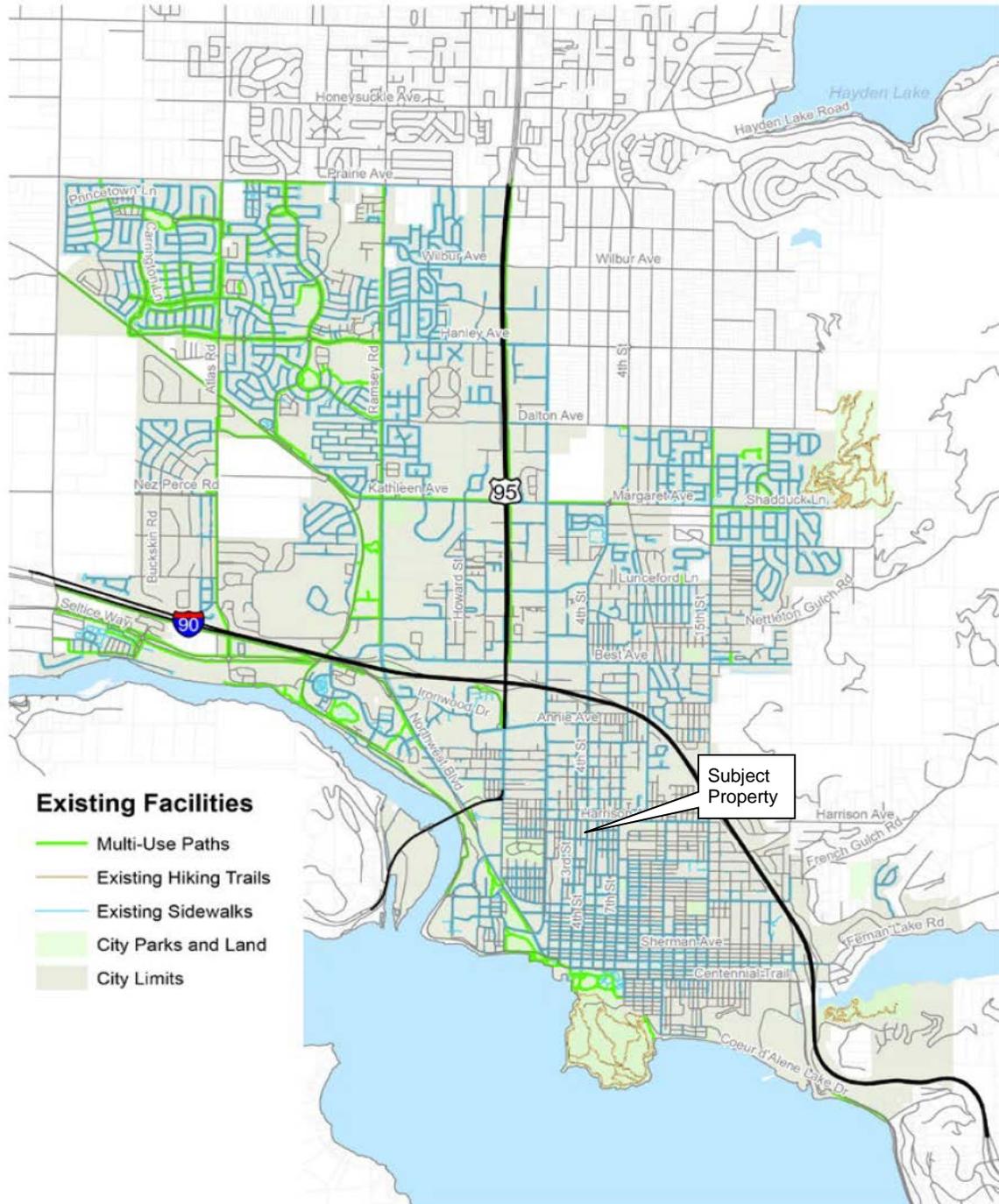


Transportation

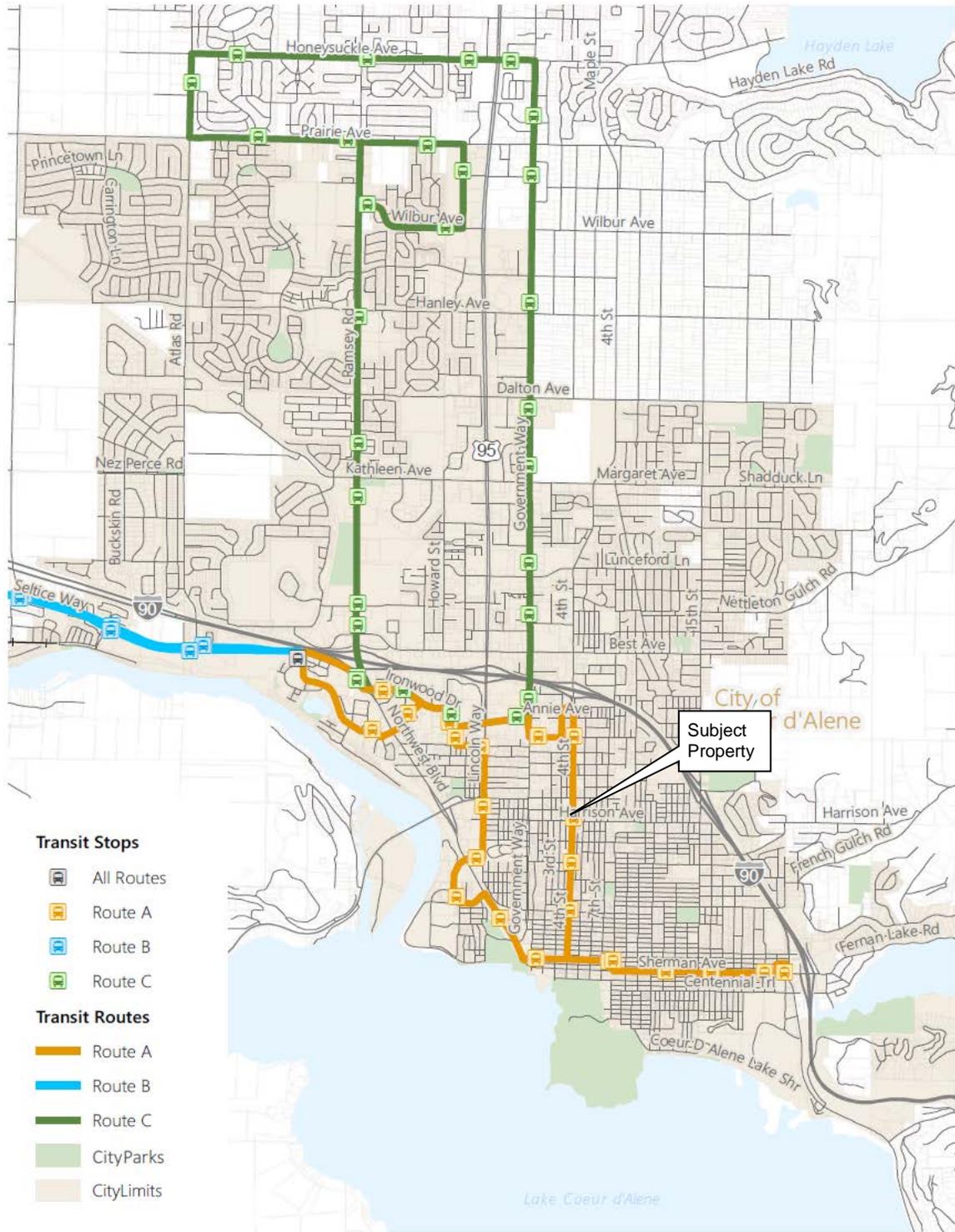
Existing and Planned Bicycle Network:



Existing and Planned Walking Network:



Existing Transit Network:



Comprehensive Plan Policy Framework:

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 2: Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

Objective CI 2.1 Maintain the community's friendly, welcoming atmosphere and its smalltown feel.

Education & Learning

Goal EL3: Provide an educational environment that provides open access to all resources for all people.

Objective EL 3.2: Provide abundant opportunities for and access to lifelong learning, fostering mastery of new skills, academic enrichment, mentoring programs and personal growth.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.6 Revitalize existing and create new business districts to promote opportunities for jobs, services, and housing, and ensure maximum economic development potential throughout the community.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Jobs & Economy

Goal JE 1: Retain, grow, and attract businesses.

Objective JE 1.2: Foster a pro-business culture that supports economic growth.

Objective JE 3.2: Develop public-private partnerships to develop the type of office and amenities desired by startups.

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 existing structure is approximately 3,600 SF and was previously used for a retail use which allowed customers to make wine and beer on-site. The applicant/owner is requesting a Custom Manufacturing Special Use Permit using the existing commercial space which would be converted into a beverage processing/production facility. A retail area will be provided as well. Most of the products (100% of the beer) will be sold to Pilgrims Market, located across the street which is also owned by the applicant. There will also be a classroom area opened to the public, which is a use allowed by-right.

There is a single-family dwelling abutting the subject property to the north and two older commercial structures to the south, which had been a restaurant use and is currently vacant. There are several commercial uses to the north of the subject property including CASA (Court Appointed Special Advocates for Children) and Thrifty Car Rental, further north on 4th Street. There is also a hair salon and the Cd'A School District school bus parking and shop directly across 4th Street to the east. Pilgrim's Market is located further to the south of the subject property on the east side of 4th Street.

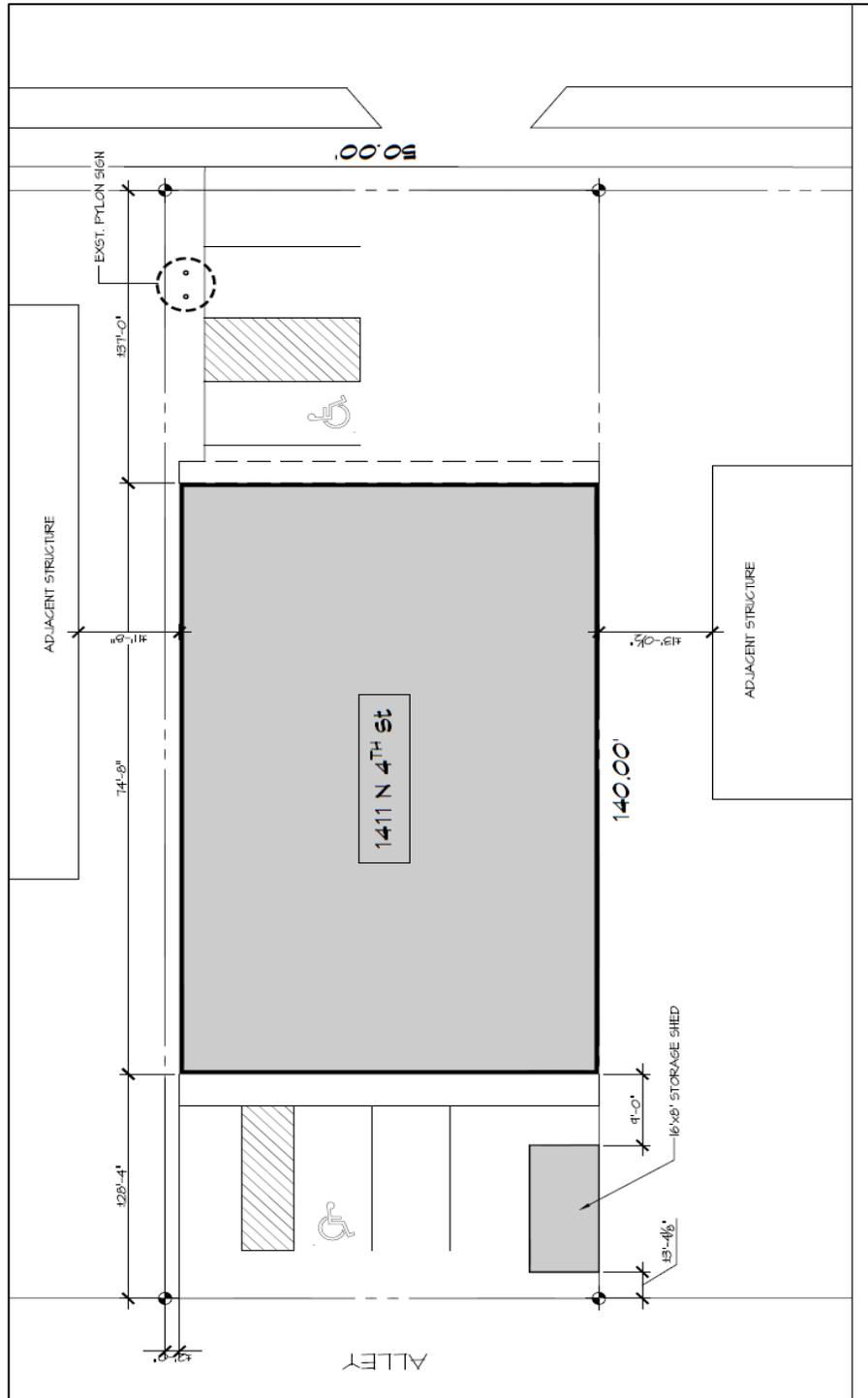
Required Parking:

Custom Manufacturing (3,600 SF) one (1) space per 1,000 SF = 3.6

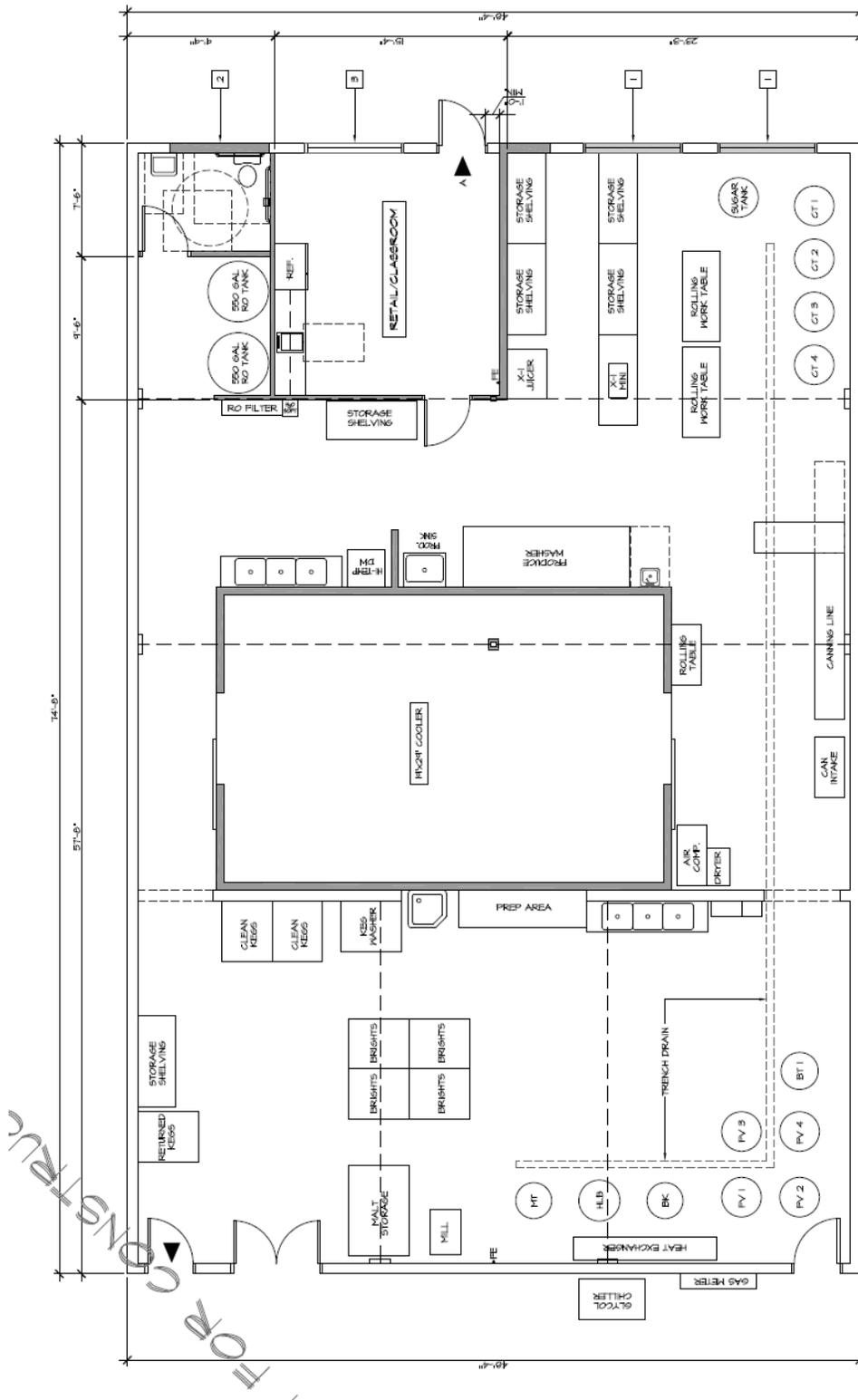
Retail area (330 SF) one (1) space per 330 SF = 1.0

- Based on the current parking code: 6 parking stalls are required for the custom manufacturing and retail uses.

PROPOSED SITE PLAN:



PROPOSED FLOOR PLAN:



ZONING:

- C-17
- C-17L
- C-17LPUD
- C-17PUD
- DC
- DCPUD
- LM
- M
- MH-8
- MH-8PUD
- NC
- NW
- R-1
- R-12
- R-12PUD
- R-17
- R-17PUD
- R-1PUD
- R-3
- R-3PUD
- R-5
- R-5PUD
- R-8
- R-8PUD
- R-8SF

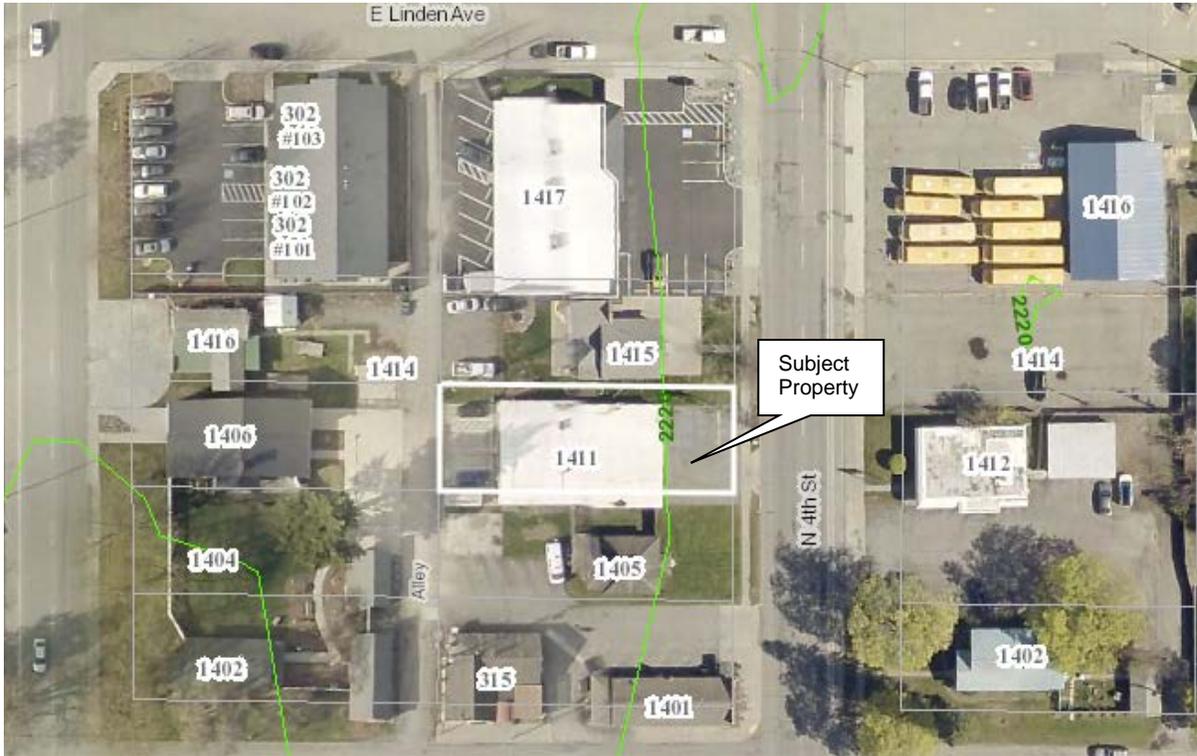


GENERALIZED LAND USE:

- Land Use**
- SFA
- SFD
- DUPLEX
- MH
- MHP
- MFD
- CIVIC
- COMM
- MFGR
- AGRICU
- VACANT



NATURAL FEATURES & ADJOINING PROPERTIES (5' CONTOURS IN GREEN):



SITE PHOTOS:

Looking west at the subject property with an existing single-family dwelling on the right:



Looking at the neighboring single-family dwelling that abuts the subject property to the north:



View looking west from 4th Street at the commercial properties (currently vacant) to the south of the subject property:



View looking at the subject property (center) with the neighboring structures in view:



View looking north along 4th Street at La Tourrette's hair salon directly across from the subject property:



View from the alley looking east at the rear portion of the subject property:



Looking east from the alley at the subject property and abutting single-family dwelling on the left:



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.**

WATER

The Water Department has no concerns or comments on the proposed request. Any requirements will be triggered at the time of building permit issuance.

-Submitted by Terry Pickel, Water Superintendent

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/Investigator

WASTEWATER:

- Based on the 2013 Sewer Master Plan (SMP). Since sewer capacity falls under a "1st come 1st served basis", and currently the City has the capacity to serve this Special Use.
- City sewer is available to the west in alley behind building.
- Sewer Cap Fees will be due at time of Building Permit Process.

-Submitted by Larry Parsons, Utility Project Manager

STORMWATER

A stormwater management plan will be required for any proposed parking lot reconstruction

-Submitted by Chris Bosley, City Engineer

TRAFFIC

Traffic generation estimates from the ITE Trip Generation Manual's Land Use Code 140 – Manufacturing indicate approximately 13 daily trips could be expected from the proposed use. Additional trips will likely be generated from the proposed juice sales and classroom, but are expected to create minimal impact to traffic. Total traffic generation is not expected to exceed that generated by the properties previous use. Streets and Engineering has no objections to the proposed SUP.

-Submitted by Chris Bosley, City Engineer

STREETS

The subject property is bordered by N. 4th St to the east. The driveway approach and sidewalk must be repaired/replaced if they do not meet ADA requirements or are cracked or broken.

-Submitted by Chris Bosley, City Engineer

POLICE

The Police Department did not have any concerns with the proposed special use permit.

-Submitted by Jeff Walther, Patrol Captain

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

PROPOSED CONDITIONS:

NONE.

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 ASSESSMENT:

2022-2042 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
2021 Parks Master Plan
2017 Trails and Bikeways Master Plan

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.



**APPLICANT'S
NARRATIVE**



Special Use Permit Application Narrative

Hamilton Investments 1411 N 4th Street

This narrative details how granting this Special Use Permit would be consistent with the community's vision for the city as articulated in the 2022-2024 Comprehensive Plan and its 6 Guiding Principles

Guiding Principle #1: COMMUNITY & IDENTITY

If granted this special use permit would not interfere with this guiding principle in any way. In fact, while leased to Pilgrim's Market, the planning committee can be assured that employees and customers of all sexes and races will be welcomed in the welcoming and equal-opportunity environment that Pilgrims Market is known to be.

Guiding Principle #2: EDUCATION & LEARNING

If granted, this special use permit would support this guiding principle completely. The special use permit is for a custom manufacturing space with an education center that is open to the public. While Pilgrim's Market leases the space and beyond, this will be a perfect venue to provide life-long learning opportunities and family-friendly activities. Pilgrim's Market has literally held over 500 education events in the last 22 years and many of those have been free to the public. This space would support this continued effort and would include education on the types of food production / custom manufacturing activities to be taking place in the facility.

Guiding Principle #3: ENVIRONMENT & RECREATION

While granting this special use permit will not directly increase access to our community's outdoor recreation it is certain that it will not detract from it. This special use permit is for a type of business that uses less parking spaces than the current classification which reduces the number of cars on our roads which is a benefit to cycling and running. Additionally, Pilgrim's robust benefits package for its employees often includes tickets to ski mountains, the city's Ice skating arena, gym memberships and more. Additionally, nothing would be emitted to harm the air or water quality.

Guiding Principle #4: GROWTH & DEVELOPMENT

Granting this special use permit would directly add to the richness of our city's livability by providing great jobs that are close to people's homes that encourages walking or biking to work. Pilgrim's Market has won national awards for its' successful growth and business innovation. Since this building does not meet current parking requirements for C-17 activities, granting the special use permit for custom manufacturing, which requires less staff and parking, is actually a way to improve its' compliance with the comprehensive plan.

Guiding Principle #5: HEALTH & SAFETY

Granting this special use permit contributes to this guiding principle primarily in the fact that Pilgrim's Market has a great track record providing healthcare to its' employees and for the positive and uplifting work environment that it fosters. Pilgrims also contributes to the community's health and safety via the sales of healthy foods and the educational opportunities that it provides to all.

In 2022 *The Spokesman Review's Business Journal* recognized Pilgrims among the *Best Places To Work-Inland Northwest*.

There is a lengthy survey that at least 60% of an employer's employees need to fill out and based on those surveys some, but not all employers receive the award. Pilgrims was among only 33 other employers the region to be recognized this year.

It's worth noting that their compensation and benefits package along with a fun, supportive and rewarding work environment were the most commonly celebrated themes among the surveyed employees and the contribution that a person's work environment makes to their mental health cannot be overestimated.

Guiding Principle #6: JOBS & ECONOMY

Granting this special use permit will enrich not only the quality of our city's employment landscape but also its' variety. Permitting a very small custom manufacturing facility in the city will provide a great stepping stone for any cottage industry. For the foreseeable future Pilgrim's Market will use this space for innovative beverage manufacturing but it could be used by any number of small entrepreneurial activities and the unique format that allows for custom manufacturing but also ha a small retail storefront, this gives the business a easy way to test the product with consumers since the manufacturing is in a space conducive to walk-in retail business unlike industrial districts.

This beverage center will be leased to Pilgrim's Market and Pilgrim's has a solid track record of providing great jobs to the community. In 2023 Pilgrim's will pay nearly 4.5 million dollars at an average of \$21.50/hour in total compensation. Beyond just wages it is estimated that regular expenses of Pilgrims Market will contribute an additional 10 million dollars into the local economy. In fact that makes it one of the largest employers in the city limits.

Pilgrim's Market opened in 22 years ago and began with one employee in a 1,300SF location. Pilgrim's has made a major impact on our beautiful city's economic growth and continues to do so with retail innovation and employment excellence.

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

SP-2-23

A. INTRODUCTION

This matter having come before the Planning Commission on , and there being present a person requesting approval of ITEM: SP-2-23 a Civic Administrative Special Use Permit in the LM zoning district.

APPLICANT: City of Coeur d'Alene, Captain Dave Hagar, CDA Police Department

LOCATION: A +/- 1.6 acre parcel located at 3818 Schreiber Way

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

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

B1. That the existing land uses are Commercial and Residential and Civic.

B2. That the Comprehensive Plan Map Designation General Industrial Land.

B3. That the zoning is LM.

B4. That the notice of public hearing was published on, February 25, 2023 , which fulfills the proper legal requirement.

B5. That the notice of public hearing was posted on the property on March 2, 2023 , which fulfills the proper legal requirement.

B6. That the notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.

B7. That public testimony was heard on March 14, 2023 .

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:

Community & Identity

Goal CI 4: Coeur d'Alene is a community that works to support cultural awareness, diversity and inclusiveness.

Objective CI 4.3: Promote human rights, civil rights, respect, and dignity for all in Coeur d'A

Education & Learning

Goal EL 4: Support partnerships and collaborations focused on quality education and enhanced funding opportunities for school facilities and operations.

Objective EL 4.1: Collaborate with the school district (SD 271) to help identify future locations for new or expanded school facilities and funding mechanisms as development occurs to meet Coeur d'Alene's growing population.

Objective EL 4.2: Enhance partnerships among local higher education institutions and vocational schools, offering an expanded number of degrees and increased diversity in graduate level education options with combined campus, classroom, research, and scholarship resources that meet the changing needs of the region.

Growth & Development

Goal GD 3: Support the development of a multimodal transportation system for all users.

Objective GD 3.1: Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.

Health & Safety

Goal HS 1: Support social, mental, and physical health in Coeur d'Alene and the greater region.

Objective HS 1.1: Provide safe programs and facilities for the community's youth to gather, connect, and take part in healthy social activities and youth-centered endeavors.

Objective HS 1.2: Expand services for the city's aging population and other at-risk groups that provide access to education, promote healthy lifestyles, and offer programs that improve quality of life.

Objective HS 1.3: Increase access and awareness to education and prevention programs, and recreational activities.

Goal HS 3: Continue to provide exceptional police, fire, and emergency services.

Objective HS 3.2: Enhance regional cooperation to provide fast, reliable emergency services.

Objective HS 3.3: Collaborate with partners to increase one on one services.

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 Captain Dave Hagar, City of Coeur d'Alene, Police Department 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 McCracken | Voted _____ |
| Commissioner Ward | Voted _____ |
| Chairman Messina | Voted _____ |

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN TOM MESSINA

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

PUD-3-19m2

A. INTRODUCTION

This matter having come before the Planning Commission on March 14, 2023, and there being present a person requesting approval of: PUD-3-19m2, a request for a modification to a planned unit development known as "The Union".

APPLICANT: DENNIS CUNNINGHAM

LOCATION: 0.67 ACRES LOCATED IMMEDIATELY EAST OF THE INTERSECTION OF BEEBE BOULEVARD AND UNION DRIVE.

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

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

- B1. That the existing land uses are Commercial and Residential
- B2. That the Comprehensive Plan Map designation is Planned Development.
- B3. That the zoning is C-17.
- B4. That the notice of public hearing was published on February 25, 2023, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on March 6, 2023, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on March 14, 2023.

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

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

Community & Identity

Goal CI 1

Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

OBJECTIVE CI 1.1

Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 3

Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

OBJECTIVE CI 3.1

Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Environment & Recreation

Goal ER 1

Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.

OBJECTIVE ER 1.4

Reduce water consumption for landscaping throughout the city.

Goal ER 2

Provide diverse recreation options.

OBJECTIVE ER 2.2

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

OBJECTIVE ER 2.3

Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.

Growth & Development

Goal GD 1

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

OBJECTIVE GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

OBJECTIVE GD 1.3

Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.

OBJECTIVE GD 1.5

Recognize neighborhood and district identities.

Goal GD 2

Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

OBJECTIVE GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

OBJECTIVE GD 2.2

Ensure that City and technology services meet the needs of the community.

Goal GD 3

Support the development of a multimodal transportation system for all users.

OBJECTIVE GD 3.1

Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.

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

Criteria to consider for B8B:

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

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

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

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

- Criteria to consider for B8D:**
1. Is there water available to meet the minimum requirements for domestic consumption & fire flow?
 2. Can sewer service be provided to meet minimum requirements?
 3. Can the existing street system accommodate the anticipated traffic to be generated by this development?
 4. Can police and fire provide reasonable service to the

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

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

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

C. **ORDER: CONCLUSION AND DECISION**

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

Special conditions applied are:

Planning:

1. The incorporation of the newly created lots into the existing homeowners association will be required to ensure the perpetual maintenance of the open space and other common areas.

Water:

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

Wastewater:

- 4. Sewer Policy #719 requires a 20' wide utility easement (30' if shared with Public Water) to be dedicated to the City for all City sewers if private roadway.
- 5. An unobstructed City approved "all-weather" access shall be required over all City sewers.
- 6. This PUD shall be required to comply with Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) sewer connection.
- 7. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.
- 8. Cap any unused sewer laterals at the public main.

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 McCracken | Voted _____ |
| Commissioner Ward | Voted _____ |
| Chairman Messina | Voted _____ |

Commissioners _____ were absent.

Motion to _____ carried by a _____ to _____ vote.

CHAIRMAN TOM MESSINA

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

S-4-19m2

A. INTRODUCTION

This matter having come before the Planning Commission on March 14, 2023 , and there being present a person requesting approval of ITEM: S-4-19m2 a request for a modification to the proposed preliminary plat known as "The Union".

APPLICANT: DENNIS CUNNINGHAM

LOCATION: 0.67 ACRES LOCATED IMMEDIATELY EAST OF THE INTERSECTION OF BEEBE BOULEVARD AND UNION DRIVE.

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

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

- B1. That the existing land uses are commercial and residential.
- B2. That the zoning is C-17.
- B3. That the notice of public hearing was published on February 25, 2023 , which fulfills the proper legal requirement.
- B4. That the notice was not required to be posted on the property.
- B5. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B6. That public testimony was heard on March 14, 2023 .

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

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

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

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

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

Criteria to consider for B7D:

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

C. ORDER: CONCLUSION AND DECISION

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

Special conditions applied to the motion are:

Planning:

1. The incorporation of the newly created lots into the existing homeowners association will be required to ensure the perpetual maintenance of the open space and other common areas.

Water:

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

Wastewater:

4. Sewer Policy #719 requires a 20' wide utility easement (30' if shared with Public Water) to be dedicated to the City for all City sewers if private roadway.
5. An unobstructed City approved "all-weather" access shall be required over all City sewers.
6. This PUD shall be required to comply with Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) sewer connection.
7. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.
8. Cap any unused sewer laterals at the public main.

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 McCracken | Voted _____ |
| Commissioner Ward | Voted _____ |
| Chairman Messina | Voted _____ |

Commissioners _____ were absent.

Motion to _____ carried by a _____ to _____ vote.

CHAIRMAN TOM MESSINA

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

SP-3-23

A. INTRODUCTION

This matter having come before the Planning Commission on , and there being present a person requesting approval of ITEM: SP-3-23 an Custom Manufacturing Special Use Permit in the C-17 zoning district.

APPLICANT: JOE HAMILTON, HAMILTON INVESTMENTS, LLC

LOCATION: 1411 N. 4TH 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 Commercial and Residential.
- B2. That the Comprehensive Plan Map Designation Retail Center/Corridor
- B3. That the zoning is C-17 .
- B4. That the notice of public hearing was published on, February 25, 2023 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on March 6, 2023 , which fulfills the proper legal requirement.
- B6. That the notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on March 14, 2023 .

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:

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 2: Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

Objective CI 2.1 Maintain the community's friendly, welcoming atmosphere and its smalltown feel.

Education & Learning

Goal EL3: Provide an educational environment that provides open access to all resources for all people.

Objective EL 3.2: Provide abundant opportunities for and access to lifelong learning, fostering mastery of new skills, academic enrichment, mentoring programs and personal growth.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.6 Revitalize existing and create new business districts to promote opportunities for jobs, services, and housing, and ensure maximum economic development potential throughout the community.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Jobs & Economy

Goal JE 1: Retain, grow, and attract businesses.

Objective JE 1.2: Foster a pro-business culture that supports economic growth.

Objective JE 3.2: Develop public-private partnerships to develop the type of office and amenities desired by startups.

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 JOE HAMILTON 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 McCracken | Voted _____ |
| Commissioner Ward | Voted _____ |
| Chairman Messina | Voted _____ |

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN TOM MESSINA