

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

**APRIL 8, 2014**

**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:** Jordan, Bowlby, Ingalls, Luttrupp, Messina, Ward, Conery,(Student Rep.) O'Brien(Alt. Student Rep. O'Brien)

**APPROVAL OF MINUTES:**

March 11, 2014

**PUBLIC COMMENTS:**

**STAFF COMMENTS:**

**OTHER:**

Approval of findings for PUD-2-14 and S-4-14 (Revel), A-2-14, (Forest Service)

**ADMINISTRATIVE ITEMS:**

1. Applicant: CDA Enterprises, LLC  
Location: Lt 1, Blk 1 Fruitlands 2<sup>nd</sup> Add.  
Request: A proposed 1-lot prelim plat "Fruitlands 2<sup>nd</sup> Add.  
SHORT PLAT, (SS-4-14)

**PUBLIC HEARINGS:**

1. Applicant: Rivers Edge Apartments, LLC  
Location: 2772 W. Seltice Way  
Request:
  - A. A proposed 3.84 annexation from County I to City C-17  
QUASI-JUDICIAL, (A-3-14)
  - B. A proposed R-34 Density Increase special use permit in  
the C-17 zoning district  
QUASI-JUDICIAL, (SP-1-14)

2. Applicant: Jennifer McMeekan  
Location: 1583 W. Dalton Avenue  
Request: A proposed Community Education special use permit in the R-12 zoning district QUASI-JUDICIAL, (SP-2-14)
3. Applicant: City of Coeur d'Alene  
Request: Below grade residential units in the NC & CC zoning districts (0-1-14)

**ADJOURNMENT/CONTINUATION:**

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

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



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**PLANNING COMMISSION  
MINUTES  
MARCH 11, 2014  
LOWER LEVEL – COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT:**

Brad Jordan, Chairman  
Heather Bowlby, Vice-Chair  
Michael Ward  
Peter Luttrupp  
Tom Messina  
Jon Ingalls  
Grant Conery, Student Rep.  
Cole O'Brien, Alt. Student Rep.

**STAFF MEMBERS PRESENT:**

Sean Holm, Planner  
Tami Stroud, Planner  
Shana Stuhlmiller, Public Hearing Assistant  
Warren Wilson, Deputy City Attorney

**COMMISSIONERS ABSENT:**

None

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

Motion by Luttrupp, seconded by Bowlby, to approve the amended minutes of the Planning Commission meeting on February 11, 2014. Motion approved.

**PUBLIC COMMENTS:**

None

**STAFF COMMENTS:**

Planner Holm announced the up-coming items for the Planning Commission meeting on April 8, 2014.

Deputy City Attorney Wilson reminded the commission to please speak into the mike and explained when sitting away from the microphone, comments are not heard and it is important to get all comments on the record.

**OTHER:**

Approval of findings for S-1-12.m (Cottage Grove), PUD-1-4 & S-2-14, (The Circuit)  
S-3-14 (Downtown Millers Addition)

**Motion by Luttrupp, seconded by Ingalls, to approve Item S-1-12.M. Motion approved.**

**Motion by Ward, seconded by Bowlby, to approve Item PUD-1-14. Motion approved.**

**Motion by Ward, seconded by Bowlby, to approve Item S-2-14. Motion approved.**

**Motion by Ingalls, seconded by Luttropp, to approve tem S-3-14. Motion approved.**

**ELECTIONS:**

Chair/Vice-Chair

Commissioner Luttropp nominated Chairman Jordan and Vice-Chair Bowlby for re-appointment to chair and vice- chair.

**Motion by Luttropp, seconded by Messina, to re-appoint Chairman Jordan to Chairman. Motion approved.**

**Motion by Luttropp, seconded by Messina, to re-appoint Commissioner Bowlby to Vice Chair. Motion approved.**

**PUBLIC HEARINGS:**

1. Applicant: Active West Builders  
Location: 2200 W. John's Loop  
Request:
  - A. A proposed 5.79 acre PUD "Revel at Riverstone"  
QUASI-JUDICIAL (PUD-2-14)
  - B. A proposed 1-lot prelim plat "Revel at Riverstone"  
In the C-17 zoning district.  
QUASI-JUDICIAL (S-4-14)

Planner Holm presented the staff report and answered questions from the Commission.

Commissioner Ingalls stated that at the last Planning Commission meeting, held on February 11<sup>th</sup>, a development was presented that was similar to this project. He explained at that hearing the "hot topic" was gated communities and a question was asked of how many gated communities have been approved in the past. He inquired if staff could explain the difference between the two requests.

Planner Holm explained that there are a couple differences between the two requests which were traffic issues and that sidewalks were required on one side of the street versus this request where sidewalks are required on both sides of the street.

Commissioner inquired if the sizes of the lots are similar to the other project approved last month.

Planner Holm stated that the size of the lots are not as deep compared to the other project.

Commissioner Luttropp inquired if swales can be used as open space.

Planner Holm explained that some swales are big enough for open space.

Commissioner Luttropp stated that a PUD is intended to benefit the applicant and inquired if this is approved, what will be the benefit for the city.

Planner Holm stated if approved, it would increase the tax base for the city.

Deputy City Attorney Wilson stated that after public testimony that the findings worksheet is a great tool to help find the answers to deny or approve this request.

Commissioner Bowlby commented she is confused regarding the Fire Department condition. She explained that the homes designed for this project are very close and inquired why specific materials are required for the homes and not listed as a condition for the next project in Bellerive that has a similar design.

Planner Holm explained how the review process works and in this case it was probably reviewed by two different people. He added that issues like materials used for the buildings will be dealt with when the applicant is ready for building permits.

**Public testimony open:**

Sandy Young, applicant, addressed questions brought up by the commission. She explained how swale size is determined for a project and stated the swale needs to be designed with a flat bottom. She added that normal swales have a 2-1 to 3-1 ratio, but the applicant will be doing a 4-1 slope that is bigger and can be used as open space. The swale proposed is double what is required by staff. She stated that Commissioner Bowlby questioned why the type of materials are not required and explained that during this process those design details are not required. She feels that when this project gets to the building permit process that staff has a laundry list of what will be required and that the applicant intends to honor those requirements.

Commissioner Ingalls inquired if staff will review the Home Owners Association agreement.

Deputy City Attorney Wilson stated that is correct.

Ms. Young addressed the fire comments and what the materials the fire department recommends to be used on the homes. These homes will be constructed with the materials that the building code recommends and addressed at the time the building permits are issued. She stated that this property sits across from a property that the applicant owns and is considered to be an urban landfill project. This property was used as a dumping ground for various materials in the past. She stated that if this property is under review and if it meets that criteria, a grant will be given from EPA to provide up to one million dollars. She named examples of properties in other cities such as Busch Stadium and the Denver Airport that were considered brown field sites. She stated that this property is being tested by the EPA to see if it meets the criteria for a brown field site.

Commissioner Luttrupp stated he is familiar with the brown field site study and applauds the applicant's efforts. He feels that a gated community for this area is not a good fit and explained how important connectivity is for this area.

Commissioner Ingalls feels that this project compares to another project approved by the Planning Commission last month. He feels that a workshop to discuss gated communities and private streets would be a benefit. He questioned how water and wastewater will be accommodated in case of an emergency.

Ms. Young stated that they discussed this issue with the Wastewater Department and will provide an access code to the wastewater department in case of an emergency. She stated recently she drove through the site and noticed how many people using the park and feels having the project gated would give people a sense of security, especially during those busy times at the park.

Commissioner Bowlby stated that she feels this project does not fit with the original concept of the PUD which was a community that supports a "live, work, play" attitude. She feels that people think gates provide a sense of safety and they don't.

Deputy City Attorney Wilson stated that a decision needs to be made based on the codes we have in effect today - that do not prohibit gates.

Commissioner Bowlby stated she is uncomfortable with the design of the project and the comments listed from the other departments in the staff report.

Commissioner Ingalls feels that this project would be a better fit than someone else who buys the property with the intent of constructing a massive building on site.

Chairman Jordan stated he does not get nervous about gated communities and feels there is a market for this type of community. He feels a workshop on this issue would be a benefit to staff and the commission.

Commissioner Messina concurs and would like another condition added that states access is allowed to the public.

Public testimony closed:

**Motion by Ingalls, seconded by Messina, to approve Item PUD-2-14 and direct staff to prepare the findings. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Nay
Commissioner Ingalls	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Nay
Commissioner Ward	Voted	Aye

Motion to approve carried by a 3 to 2 vote.

**Motion by Ingalls, seconded by Messina, to approve Item S-4-14 and direct staff to do the findings. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Nay
Commissioner Ingalls	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Nay
Commissioner Ward	Voted	Aye

Motion to approve carried by a 3 to 2 vote.

2. Applicant: Riverstone Waterfront, LLC  
Location: Bellerive Lane  
Request:
  - A. A modification to "Riverwalk PUD"  
QUASI-JUDICIAL (PUD-1-04m.3)

- B. A proposed 24-lot preliminary plat "Bellerive 5<sup>th</sup> Addition"  
QUASI-JUDICIAL (S-4-05m.1)

Planner Stroud presented the staff report and answered questions from the Commission.

Commissioner Bowlby inquired about the comments stated in the letter submitted by the Idaho Department of Lands.

Deputy City Attorney Wilson explained that those comments in the letter were intended for the Bellerive 4<sup>th</sup> Addition that is on the river.

**Public testimony open:**

Cliff Mort, applicant, explained in 2006 and 2007, this property was designed with more elaborate plans and with the turn of the market, those plans have changed. This proposal is to replace the approved 38 residential units with 24 single-family residential lots. The homes will be designed with the look of the area. He explained that the comments submitted by the fire department regarding the types of materials used for the construction of the homes have been in the code for a long time.

Drew Dittman, applicant, stated that he feels the new design will fit the market today. The intent is to reduce the density by providing quality homes with lot sizes averaging 6,000 square feet.

Commissioner Ingalls inquired if the applicant approves of the conditions 4 and 5 in the staff report with the language added to condition 4 that Bellerive Lane will be used only as a second fire access road.

Mr. Dittman stated that they approve of those conditions.

Commissioner Ward inquired if there are any plans for the "goose neck" of land near the property. He stated that he is a bike rider and noticed a lot of dirt on that section of trail.

Mr. Mort stated that currently there are not any plans, but to keep it for open space.

**Public testimony closed.**

**Motion by Bowlby, seconded by Ward, to approve Item PUD-1-04m.3 Motion approved.**

**ROLL CALL:**

Commissioner Bowlby	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

**Motion by Bowlby, seconded by Messina, to approve Item S-4-05m.1 Motion approved.**



ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

3. Applicant: U.S. Forest Service  
Location: 3600 W. Nursery Road  
Request: A proposed 13.14 acre annexation from County C to City C-17 and C-17L zoning district.  
QUASI-JUDICIAL (A-2-14)

Deputy City Attorney Wilson presented the staff report and answered questions from the commission.

There were no questions for staff.

Commissioner Ward stated that he lives near this property and would excuse himself if this is a conflict.

Deputy City Attorney Wilson questioned if Commissioner Ward feels he can be fair and not judge, then he does not need to be excused from the hearing.

Commissioner Ward stated that he can be fair and not judgmental.

Commissioner Messina inquired if this project was not approved and the property remained in the county would they be allowed to connect to our services.

Deputy City Attorney Wilson explained that they would not be allowed to connect to our services without being annexed into the city.

Commissioner Bowlby questioned if the NC (Neighborhood Commercial) zone would be an option rather than C-17.

Deputy City Attorney Wilson stated that an NC zone would not fit because that zoning district is meant to have some retail benefits for the neighborhood.

Chairman Jordan questioned if this parcel is large enough for a PUD.

Deputy City Attorney Wilson stated that he did not consider a PUD, but doubts that the requirement for open space would be met.

Commissioner Bowlby stated that by approving a C-17 zone opens up to many things that could be constructed on that parcel if the applicant decided to sell in the future.

Andy Schmidt, applicant, stated that the main reason why they are seeking annexation is that currently the Forest Service is leasing their building and the fees are high. He explained when the Forest Service sat down to discuss their options where the best place to build an office building, they choose the nursery site. The request is only for one office building that would employ 130 people. He commented that they do not plan to sell the property any time soon and understands the neighbors' concerns if that should happen. They want to be a good neighbor and feels the building would be an enhancement to the property.

Commissioner Messina explained that by approving a C-17 zone, it opens up a lot of possibilities for this

parcel if the property is sold. He understands the neighbors' concerns.

Deputy City Attorney Wilson requested that the Planning Commission take a five minute recess.

**Motion by Luttrupp, Seconded by Bowlby, for a five minute recess. Motion approved.**

Deputy City Attorney Wilson explained that during the recess, he had a chance to look at the requirements for the C-17L zoning district and found that this zoning district would allow an administrative building. This would eliminate all the "big box" retail that is allowed in the C-17 zoning district.

Commissioner Ingalls inquired if this is approved as C-17L, would this be included in the annexation agreement.

Deputy City Attorney Wilson explained if this is approved by the planning commission, it would go to city council as a recommendation. The City Council makes the final decision.

Commissioner Messina asked if the planning commission denies C-17 and recommends C-17L, is there enough time for everyone who lives in this area to understand what this means.

Deputy City Attorney Wilson explained that if the Planning Commission denies the requested C-17 and recommends C-17L, which goes directly to the City Council. This is a new hearing and notices will be sent out with the new recommendation.

Marilyn Reams stated recently they noticed a survey company on the Forest Service property marking trees and questioned if the applicant has a time-frame when those trees will be removed. She feels if this request is approved it will open up a Pandora's' box to the possibilities of what could be constructed on the land.

Steve Baily questioned what are the height restrictions in a C-17 zone and if this zone allows underground tanks. He stated there are 14 homes near this property and questioned if the applicant has considered other sites on the property for this building.

Ken Setty stated this is the right idea but wrong place for a building. He feels that there are better places on the property where few trees will need to be cut down and traffic will not be a problem.

Mike Martin stated he is opposed for reasons of excessive traffic that would come with the use on the property.

Ann Sedgwick stated that traffic is an issue when trying to pull out on Kathleen Avenue and if approved a traffic study should be done. She stated that the tree farm has been a great teaching service for area schools and would hate to see this go away.

Jonathan Sedgwick stated by having two schools in this area traffic is already an issue. This proposal is foolish.

Doug McInnis questioned if the Forest Service would be able to show a design of the building and questioned if they have the money budgeted for the building. They don't want this to happen.

David Robertson stated he is opposed and suggested putting the building on the northwest corner so traffic can be mitigated.

Mike Martin stated that he is concerned with the amount of trees that will need to be eliminated if this is approved. He concurs with previous testimony that traffic is an issue and if the Forest Service has looked at other locations for the building.

**Rebuttal:**

Mr. Schmidt feels that a community meeting would be a good idea to explain to the neighborhood what the Forest Service plans to do on the property. The Forest Service wishes to be a good neighbor. He explained that the trees are being marked on the property so when it is time to place the building they know the type of every tree on the property. The Forest Service does not have the money yet for the building, but feels the process needs to be started once they do have the money. He stated that when this project was being discussed, they looked at the entire parcel for the best site. He explained that the nursery site was not an option, since it has provided the community a tool for teaching. The nursery superintendent in Spokane has brought many groups to learn about the different trees. The local agencies need to be informed, so more groups can use this tool. He stated that they are aware of the problem with traffic and if approved, is willing to work with the city to look at ways to lessen the problem. The Forest Service does not have any plans to sell the property for the purposes of a subdivision. This is for one building to be used for administrative purposes.

Commissioner Ward inquired if they have looked at a possible egress and ingress onto Atlas Road to help with traffic.

Commissioner Luttrupp questioned if this is approved, would the Forest Service be willing to have a community meeting and to save as many trees as possible.

Mr. Schmidt commented that they would be willing to have that meeting with the community and feels it would be helpful. The Forest Service wants to be a good neighbor.

Commissioner Ingalls stated that he is uncomfortable with this zone requested and questioned if this request could be continued to give the applicant a chance to have a meeting with the neighborhood.

Mr. Schmidt explained that they only have at 10% of the design finished and would like to advance to 30% finished based on the decision tonight.

Commissioner Bowlby inquired if this zone is denied, could they stay in the county and contract sewer and water from the city.

Deputy City Attorney Wilson stated that the city does not do that.

Commissioner Messina feels that he is not comfortable with C-17 or C-17L and inquired what the options are.

Deputy City Attorney Wilson explained that if this application is denied, it automatically goes forward to city council for their final decision.

**Public testimony closed:**

**Discussion**

Commissioner Bowlby commented that she would like to see this come back as a PUD as it has more flexibility.

**Motion by Messina, seconded by Ingalls, to deny without prejudice Item A-2-14 and to direct staff to prepare the findings. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to deny without prejudice carried by a 5 to 0 vote.

**ADJOURNMENT:**

Motion by Bowlby, seconded by Messina, to adjourn the meeting. Motion approved.

The meeting was adjourned at: 9:52 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



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**TO:** Planning Commission  
**FROM:** Christopher H. Bates, Engineering Project Manager  
**DATE:** April 8, 2014  
**SUBJECT:** SS-4-14, Fruit Lands Second Addition

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**DECISION POINT**

Approve or deny the applicant's request for a one (1) lot commercial subdivision.

**GENERAL INFORMATION**

1. Applicant: Paul Delay  
CDA Enterprises, LLC  
1719 S. Rocky Ridge Drive  
Spokane Valley, ID 99212
  
2. Request: Approval of a one (1) lot commercial subdivision.
  - a. Lot 1 – 6.98 acres

The platting into one (1) lot is for the purpose of combining the various lots, portions of lots, and, tax numbers into one definable parcel.
  
3. Location: North side of Neider Avenue between Fruitland Lane and US Hwy 95.

**PERFORMANCE ANALYSIS**

1. Zoning: Existing zoning for the subject property is a combination of C-17 (commercial), which is intended to be a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential at a density not to exceed 17 units/acre, and, R-17 (residential), which is intended as a medium/high residential area that permits a mix of housing types at a density not to exceed seventeen (17) units per gross acre. A Special Use Permit (SP-1-13) was previously approved in March 2013 that allowed the R-17 zoned area to be utilized for vehicular parking.
  
2. Land Use: The subject property is occupied with a multi-store retail facility and restaurant. Plans for construction of an additional restaurant facility are currently under review.
  
3. Infrastructure: Utilities, Streets, & Storm Water Facilities

**Utilities:** Sewer & Water

There are sanitary sewer and water mains located in both Fruitland Lane and Neider Avenue with existing laterals to the subject property. All of the existing structures are connected to the City utilities.

**Streets:** The proposed lot is bordered by Fruitland Lane on the west, Neider Avenue on the south, and, US Hwy 95 on the east. A portion of the lot frontage on Fruitland Lane has existing frontage improvements, however, there is a gap in the frontage improvements that will be required to be installed to the south to connect with the existing curb & sidewalk that are present. All of the Neider Avenue frontage

improvements have been installed, and, US Hwy is under the jurisdiction of the Idaho Transportation Department which prohibits access to the roadway, therefore no improvements are required along that frontage.

**Street Access:** Access points to the subject lot have been established with the existing uses on the subject property. Any additional points of access would be evaluated at the time of building permit submittal for the site.

**Fire:** Fire suppression facilities have been installed and of sufficient nature to serve the proposed lot. There are both off-site and on-site hydrants that meet the requirements of the City Fire Inspector, therefore, no additional hydrants will be required with the proposed subdivision.

**Storm Water:** Any development on the subject lots will be required to adhere to all requirements of the City Stormwater Ordinance, and, the approved Best Management Practices (BMP's) that have been adopted by the City.

**Proposed Conditions:**

1. Install frontage improvements on Fruitland Lane to connect the existing curb, sidewalk, and, drainage swales.

**DECISION POINT RECOMMENDATION**

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

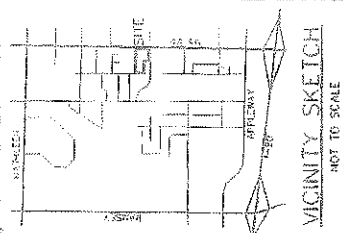
# FRUIT LANDS SECOND ADDITION

A REPLAT OF LOTS 1, 2 AND 3, BLOCK 1 FRUIT LANDS FIRST ADDITION AND PART OF TRACTS 67, 68 AND 69 FRUITLANDS ADDITION ACRE TRACTS

E 1/2 SEC 2, T 50N, R 4W, BM

CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK PAGE  
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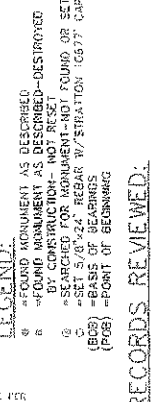
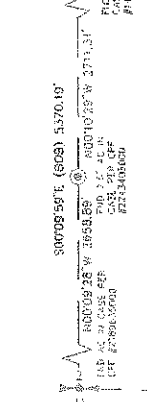
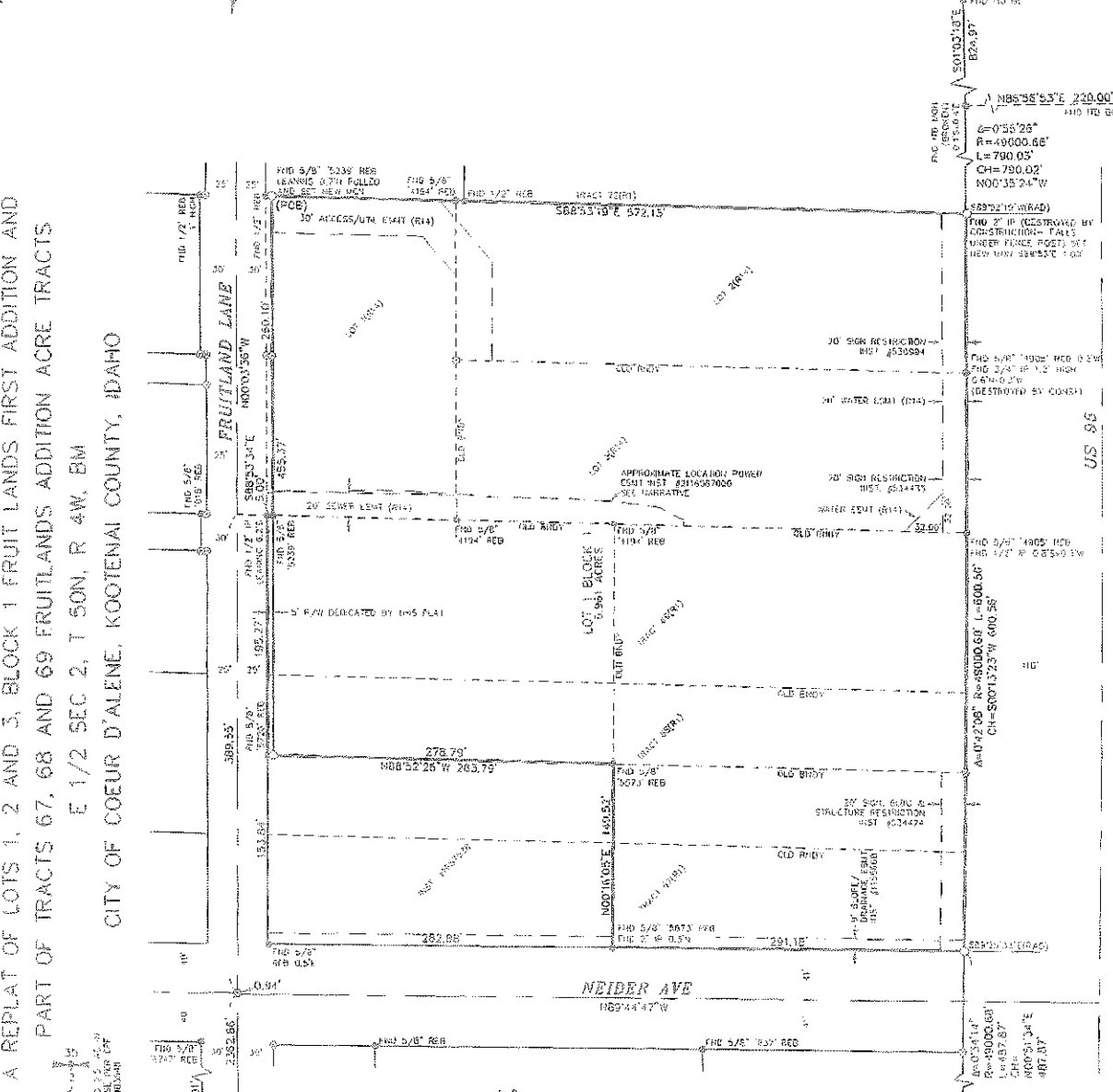


**STATION LAND SERVICES, INC.**  
12054-10 DMC  
DATE: 02/27/14  
DRAWN BY: M.S.  
SHEET 1 OF 2  
PROJECT # 12054

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**SURVEY FOR:**  
CDA  
ENTERPRISES

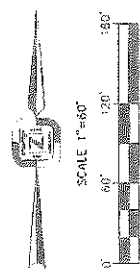


**LEGEND:**

- (\*) FOUND MONUMENT AS DESCRIBED
- (\*) FOUND MONUMENT AS DESCRIBED--DESTROYED
- (\*) SEARCHED FOR MONUMENT--NOT FOUND OR SET
- (\*) SET 5/8\"/>

**RECORDS REVIEWED:**

- (R1) PLAT OF FRUIT LANDS ADDITION ACRE TRACTS BY CERRISH IN 1900 BK 7 PG 12
- (R2) PLAT OF FRUITLANDS ADDITION ACRE TRACTS FOR US 95 IN 1972
- (R3) RECORD OF SURVEY BY GENTRY IN 1954 BK 4 PG 67
- (R4) RECORD OF SURVEY BY COMER IN 1959 BK 7 PG 174
- (R5) RECORD OF SURVEY BY COMER IN 1959 BK 7 PG 183
- (R6) RECORD OF SURVEY BY BLACK IN 1992 BK 11 PG 286
- (R7) PLAT OF CLARK ADDITION BY AVON IN 1995 BK 1 PG 187
- (R8) RECORD OF SURVEY BY BENJAMIN IN 2000 BK 20 PG 216
- (R9) RECORD OF SURVEY BY MONACO IN 2008 BK 22 PG 409
- (R10) RECORD OF SURVEY BY RASBORN IN 2008 BK 22 PG 428
- (R11) RECORD OF SURVEY BY RASBORN IN 2008 BK 22 PG 434
- (R12) RECORD OF SURVEY BY WILEY IN 2005 BK 24 PG 326
- (R13) RECORDS OF SURVEY BY MORGAN IN 2007 BK 25 PG 304
- (R14) PLAT OF FRUIT LANDS FIRST ADDITION BY HOHSAMER IN 2008 BK 24 PG 153
- (R15) PLAT OF BRAUNSEN ADDITION BY KRUSE IN 2008 BK 24 PG 226

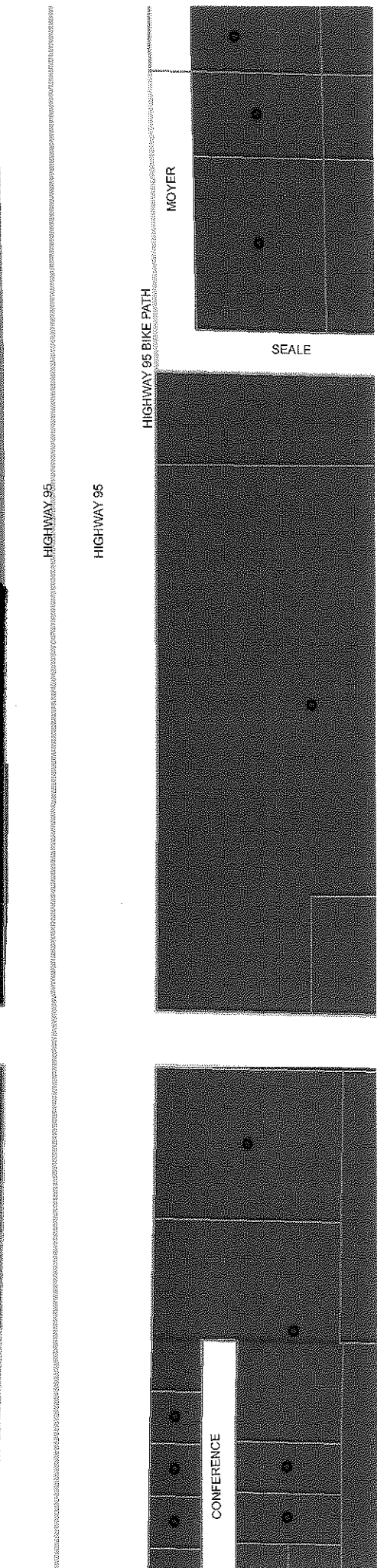
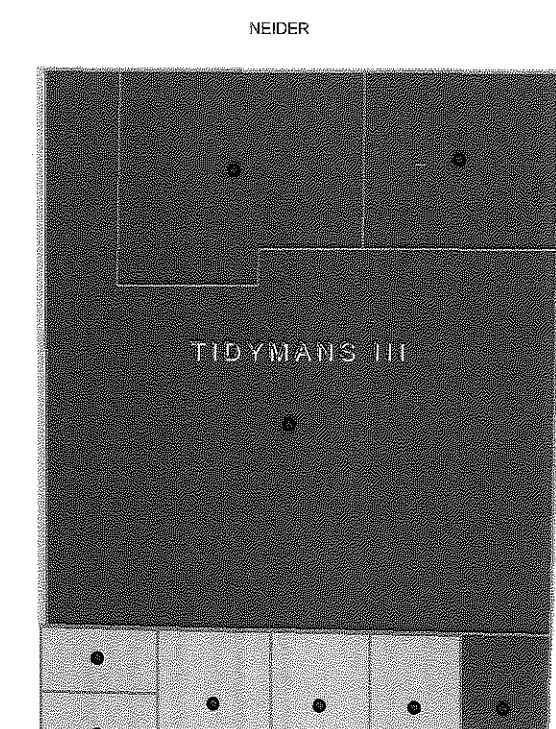
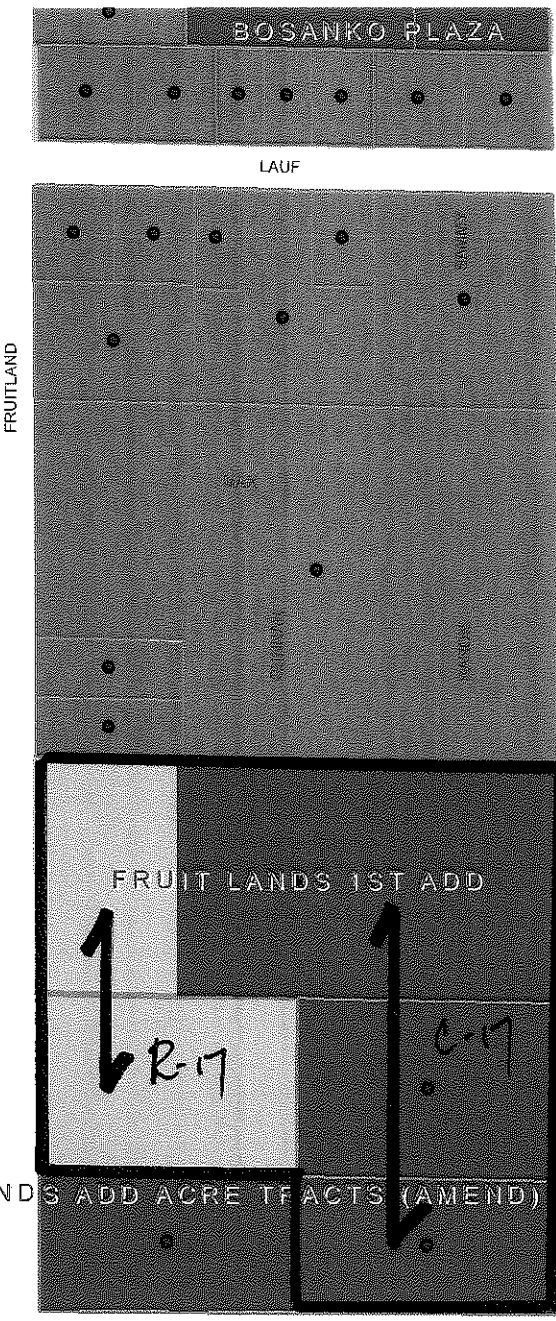
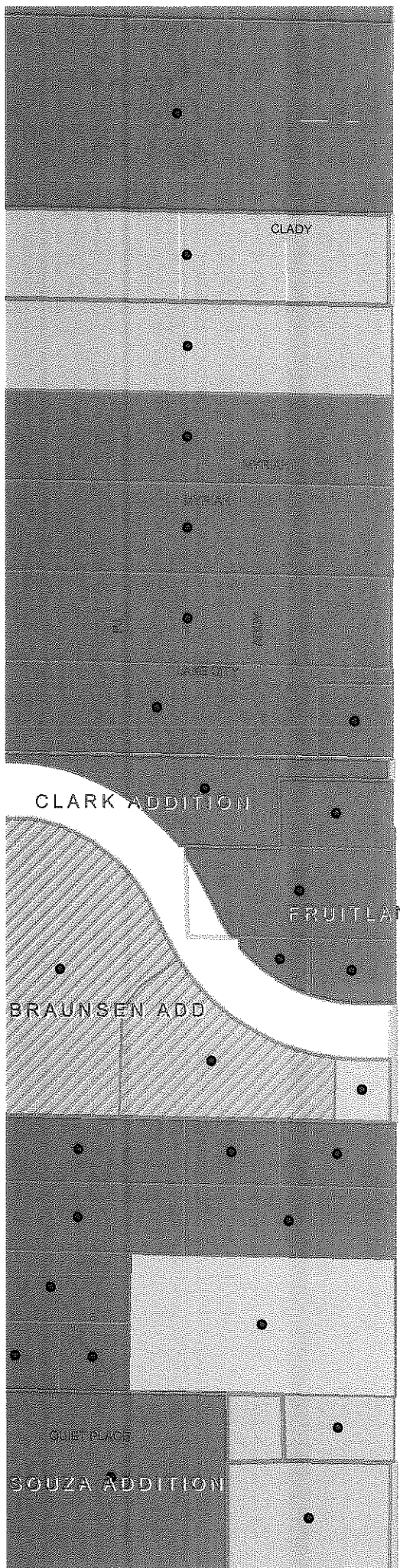


**COMPASSED LISTED:**  
STATION  
3\"/>

NOTE: SEE PAGE 2 FOR SURVEYOR'S NARRATIVE REGARDING SURVEY ISSUES AND ENCLOSURES







HIGHWAY 95

HIGHWAY 95



OTHER

BUSINESS

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on March 11, 2014, and there being present a person requesting approval of: PUD-2-14 a request for a planned unit development known as: "Revel at Riverstone".

APPLICANT: ACTIVE WEST BUILDERS

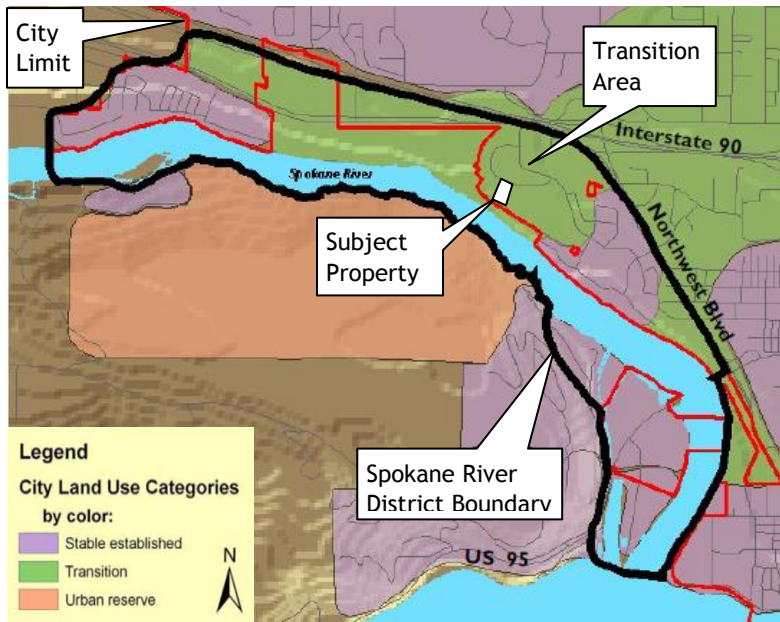
LOCATION: AN EXISTING LOT IN RIVERSTONE WEST 2<sup>ND</sup> ADDITION ADJACENT TO RIVERSTONE PARK ON JOHN LOOP MEASURING +/- 5.79 ACRES

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

- B1. That the existing land uses are residential-multi-family, commercial, and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is C-17.
- B4. That the notice of public hearing was published on February 22, 2014, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on March 3, 2014, which fulfills the proper legal requirement.
- B6. That 15 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on February 21, 2014.
- B7. That public testimony was heard on March 11, 2014.
- 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 in conformance with the Comprehensive Plan. This is based upon the following policies:  
 The City Comprehensive Plan Map designates this area as The Spokane River District - Transition:



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

**Spokane River District Tomorrow**

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

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

Objective 2.02 - Economic & Workforce Development:  
 Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry. .

Objective 3.16 - Capital Improvements:  
 Ensure infrastructure and essential services are available prior to approval for properties seeking development.

Objective 4.02 - City Services:  
 Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling, and trash collection).

Objective 4.06 - Public Participation:

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

- B8B. The design and planning of the site **is** compatible with the location, setting and existing uses on adjacent properties. The proposed request is a residential development of 23 units of single-family homes with open space including a connection to the Centennial Trail. The subject property is in the Spokane River District in an area of Riverstone Park, mixed-use, commercial, and apartment development. John Loop is located within the Riverstone development (2nd Addition).
- B8C The proposal **is** compatible with natural features of the site and adjoining properties. The subject property has a level terrain and is adjacent to the Centennial trail near the Spokane River. Apartments are located to the west and Riverstone Park to the east. Additional commercial uses can be found in the area as well as vacant parcels to be developed in the future.
- B8D The location, design, and size of the proposal are such that the development **will** be adequately served by existing streets, public facilities and services. This is based on comments from the Water, Fire, Wastewater, Engineering, and Parks departments as reflected in the staff report.
- B8E The proposal **does** 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 review and approval by the Planning Commission that there are 0.355 acres of open space area not including the snow storage location (10.08% of the gross land area). This area doubles as opens space and stormwater swale for the site.
- B8F Off-street parking **does** provide parking sufficient for users of the development. This is based on the proposal's compliance with the parking requirements that will be accomplished through the building permit process. Current code requires 2 paved off-street parking stalls per dwelling unit. The Site Circulation & Parking Diagram in the staff report shows driveways and proposed on-street parking locations. Also, the typical 40'x95' Lot Dimensioning Plan shows 2 car garage parking.
- B8G That the proposal **does** provide for an acceptable method for the perpetual maintenance of all common property. This is based on the condition approved by Planning Commission requiring the perpetual maintenance

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of ACTIVE WEST BUILDERS for approval of the planned unit development, as described in the application should be approved.

**PLANNING:**

1. Creation of a homeowners association to ensure the perpetual maintenance of all tracts.

**ENGINEERING:**

*PUD Conditions:*

2. Submit a design to manage individual lot storm drainage. This design must be approved and included in the final development plan and HOA documents for the subject property. The approved design will be a required component of all building permit submittals for the subject development.
3. Side yards adjacent to all buildings are required to slope away from the building and cannot carry drainage to the adjoining lot. A side yard detail that includes the slope and how the drainage will be retained on the subject property will be a required component of all building permit submittals for the subject development.
4. All requirements for road design, construction, maintenance, replacement, use, traffic safety, etc. must be set forth in the PUD documents and incorporated into the HOA (Home Owner's Association) documents.
5. The proposed gate for the subject property is required to be located on the subject property. Any constructed gate is required to open "inward" into the development and not "outward" into the r/w.
6. Total driveway width is limited to twenty feet (20') to not exceed the City standard of no more than 50% of lot frontage.

*Preliminary Plat Conditions:*

7. All site infrastructure (utilities, roads, etc.) is required to be constructed to City standards. Inspection records and test results will be required to be submitted for verification that construction methods were completed to the level of public works construction.
8. The secondary point of access/emergency access, will be required to have a City standard driveway approach. This approach will also be required to contain a standard pipe culvert to enable the roadside swale drainage to pass through it. Any gate placement will be required to be out of the existing public right-of-way.
9. A sidewalk connection from the development to the existing public sidewalk on John Loop road will be required with the development.

FIRE:

10. Due to the limited access and increased density for the residents that will be residing at The 'Revel at Riverstone', Life Safety and Fire Protection is the utmost concern for Coeur d'Alene Fire Department. Therefore, the Flame spread for the exterior wall finish on exposure sides shall be Class I (0-25) materials with 1 hour protection for less than 3' from the property line.
11. Incorporate language in the CC&R's regarding the HOA shall be responsible for continued maintenance of all streets and roads.
12. Turning radiuses on streets and roads shall be 25' interior and 50' exterior.
13. 'NO PARKING-FIRE LANE' signs shall be placed on the 20' emergency access road that extends to John Loop. These signs shall be on both sides of this 20' street.
14. The main private gate shall have an override Knox key way switch that is accessible to Fire Dept. only.
15. The gate at the emergency egress shall have a Knox paddle lock that is accessible to Fire Dept. only.
16. The grasscrete at the emergency egress shall be able to withhold 75,000 pounds and shall extend to both sides of the sidewalk on John Loop.
17. All streets shall have signage.
18. The proposed locations for the fire hydrants are acceptable.

WATER:

19. A new 8" water main will be required to front all proposed lots in a 20' public utility easement centered on the main.

WASTEWATER:

20. A utility easement is required for all offsite and onsite public sewer infrastructure within the subject property and shall be shown on the Plat.
21. All sewer infrastructures shall conform to the City of Coeur d'Alene Standard Drawings and have an approved all weather surface accessing all manholes. An approved 10'-wide all weather access shall be constructed over the public sewer main from the Centennial Trail next to Manhole RIV1-25A to RIV1-25A1 along the western property line.
22. The Wastewater Utility shall approve of the placement and the orientation of all sewer infrastructures prior to construction of the onsite public sewer.

PARKS:

23. The manhole access road to the west of River Run Road that is shared with the apartment complex will need a 10' to 12' paved trail over the existing gravel to double as pedestrian access to the trail and all season surface for vehicular access to the manholes.



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

ROLL CALL:

Commissioner Bowlby	Voted No
Commissioner Ingalls	Voted Yes
Commissioner Luttrupp	Voted No
Commissioner Messina	Voted Yes
Commissioner Ward	Voted Yes

Motion to approve carried by a 3 to 2 vote.

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CHAIRMAN BRAD JORDAN

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on March 11, 2014, and there being present a person requesting approval of ITEM: S-4-14 a request for preliminary plat approval of "Revel at Riverstone" a 24-lot subdivision and 3 unbuildable tracts in the C-17 zoning district.

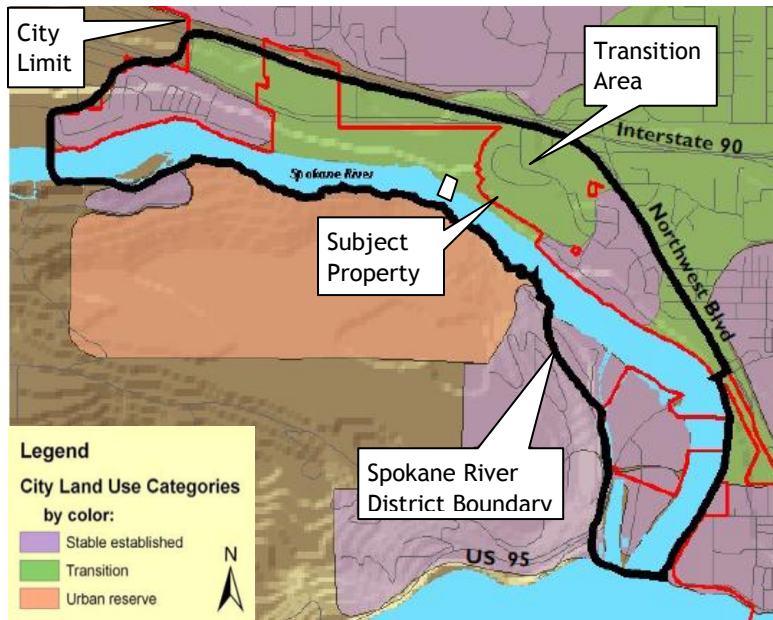
APPLICANT: ACTIVE WEST BUILDERS

LOCATION: AN EXISTING LOT IN RIVERSTONE WEST 2<sup>ND</sup> ADDITION ADJACENT TO RIVERSTONE PARK ON JOHN LOOP MEASURING +/- 5.79 ACRES

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

- B1. That the existing land uses are residential, multi-family, commercial, and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is C-17.
- B4. That the notice of public hearing was published on February 22, 2014, which fulfills the proper legal requirement.
- B5. That the notice was not required to be posted on the property.
- B6. That 15 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on February 21, 2014.
- B7. That public testimony was heard on March 11, 2014.
- B8. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:
  - B8A. That all of the general preliminary plat requirements have been met as attested to by the City Engineer. This is based on Gordon Dobler's review described in the staff report.
  - B8B. That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities are adequate. This is based on the departmental comments provided in the staff report to include: Fire, Water, Wastewater, Engineering, Planning, and Parks.
  - B8C. That the preliminary plat is in conformance with the Comprehensive Plan as follows:

The City Comprehensive Plan Map designates this area as The Spokane River District - Transition:



**Transition Areas:**

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

**Spokane River District Tomorrow**

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

**Objective 1.14 - Efficiency:**

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

**Objective 2.02 - Economic & Workforce Development:**

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

**Objective 3.16 - Capital Improvements:**

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

**Objective 4.02 - City Services:**

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

**Objective 4.06 - Public Participation:**

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

B8D. That the public interest will be served based on meeting the goals and policies of the Comprehensive Plan, using the existing utilities in the area preventing sprawl, and bringing the property to be subdivided into a higher density supported by the C-17 zone, to expand the tax base, and enhance property values in the area.

B8E. That all of the required engineering elements of the preliminary plat **have** been met, as attested to by the City Engineer. This is based on Gordon Dobler's review described in the staff report.

B8F That the lots proposed in the preliminary plat do meet the requirements of the applicable zoning district for the following reasons:

The PUD approved in conjunction with this subdivision allowed a reduction to frontage from the required 50' to 40'. Additionally, the lot size was reduced from 5500 SF per lot to 3600 SF for the smallest lot.

B9. That the proposal would not adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses because the street system is currently developed and can accommodate the proposed density. The area is zoned C-17 which allows a mix of uses. There is a park, apartments, and commercial uses nearby promoting the "live, work, play" model Riverstone was envisioned to provide.

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of ACTIVE WEST BUILDERS for preliminary plat of approval as described in the application should be approved.

Special conditions applied to the motion are:

**PLANNING:**

1. Creation of a homeowners association to ensure the perpetual maintenance of all tracts.

**ENGINEERING:**

*PUD Conditions:*

2. Submit a design to manage individual lot storm drainage. This design must be approved and included in the final development plan and HOA documents for the subject property. The approved design will be a required component of all building permit submittals for the subject development.
3. Side yards adjacent to all buildings are required to slope away from the building and cannot carry drainage to the adjoining lot. A side yard detail that includes the slope and how the drainage will be retained on the subject property will be a required component of all building permit submittals for the subject development.
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6. Total driveway width is limited to twenty feet (20') to not exceed the City standard of no more than 50% of lot frontage.

*Preliminary Plat Conditions:*

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**FIRE:**

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18. The proposed locations for the fire hydrants are acceptable.

WATER:

19. A new 8" water main will be required to front all proposed lots in a 20' public utility easement centered on the main.

WASTEWATER:

20. A utility easement is required for all offsite and onsite public sewer infrastructure within the subject property and shall be shown on the Plat.
21. All sewer infrastructures shall conform to the City of Coeur d'Alene Standard Drawings and have an approved all weather surface accessing all manholes. An approved 10'-wide all weather access shall be constructed over the public sewer main from the Centennial Trail next to Manhole RIV1-25A to RIV1-25A1 along the western property line.
22. The Wastewater Utility shall approve of the placement and the orientation of all sewer infrastructures prior to construction of the onsite public sewer.

PARKS:

23. The manhole access road to the west of River Run Road that is shared with the apartment complex will need a 10' to 12' paved trail over the existing gravel to double as pedestrian access to the trail and all season surface for vehicular access to the manholes.

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

ROLL CALL:

Commissioner Bowlby	Voted No
Commissioner Ingalls	Voted Yes
Commissioner Luttrupp	Voted No
Commissioner Messina	Voted Yes
Commissioner Ward	Voted Yes

Motion to approve carried by a 3 to 2 vote.

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CHAIRMAN BRAD JORDAN

**PLANNING COMMISSION  
STAFF REPORT**

**DATE:** April 8, 2014  
**TO:** Planning Commission  
**FROM:** Tami Stroud, Planner  
**SUBJECT:** **A-3-14 & SP-1-14**  
**APPLICANT/OWNER:** Rivers Edge Apartments, LLC  
1402 E. Magnesium Rd. Ste. 202  
Spokane, WA 99217

**ZONING REQUEST:**

Rivers Edge Apartments, LLC. is requesting zoning in conjunction with annexation from County Industrial (I) to City C-17 (Commercial at 17 units/ acre) zoning district. The property is more specifically described as a +/- 3.85 acre parcel at 2772 W. Seltice Way and more commonly described as lying on the South side of Seltice Way and previously was the site of the Stimson Lumber office Building.

**SPECIAL USE PERMIT REQUEST:**

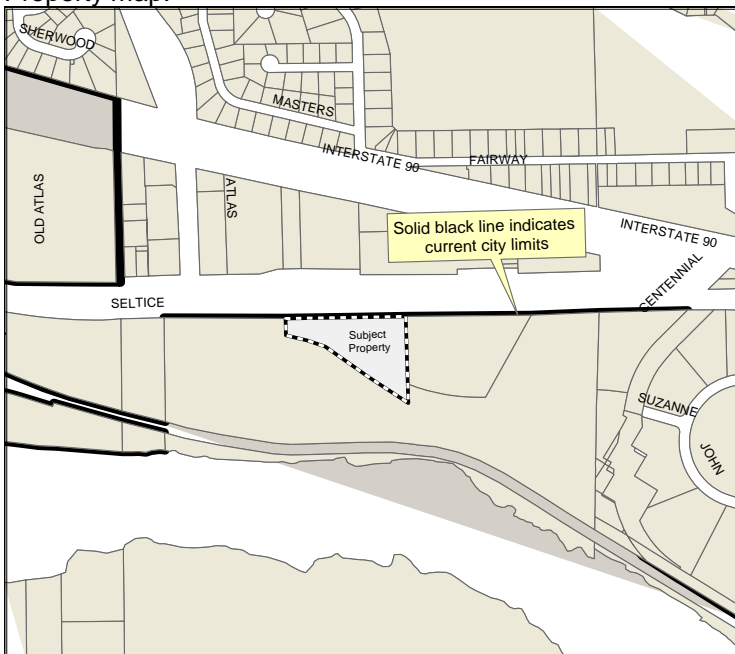
The applicant is also requesting an R-34 (Residential at 34 units/acre) Density Increase special use permit in the C-17 (Commercial at 17 units/acre) zoning district. The subject property is +/-3.85 acres.

The approval of the R-34 Density Increase special use permit would authorize the development of a five-story apartment structure.

**DECISION POINT:**

Rivers Edge Apartments, LLC is requesting approval of Zoning Prior to Annexation from County Industrial (I) to City C-17 (Commercial at 17 units/acre) and an R-34 (Residential at 34 units/acre) Special Use Permit to provide a density increase and additional height for a proposed multi-family development.

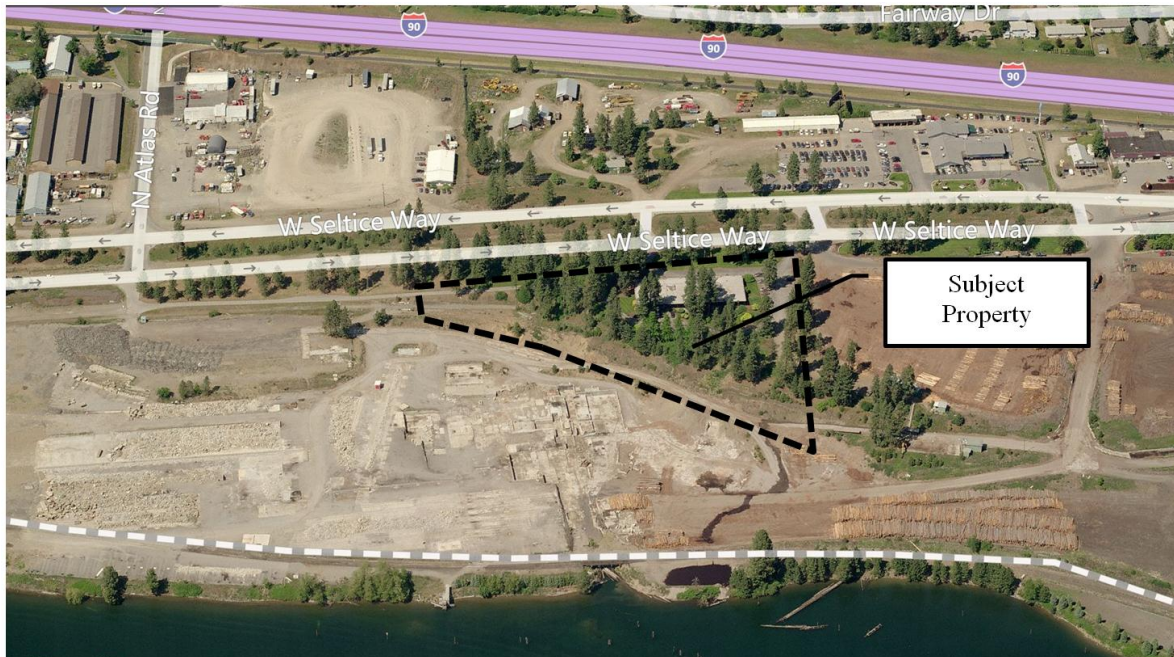
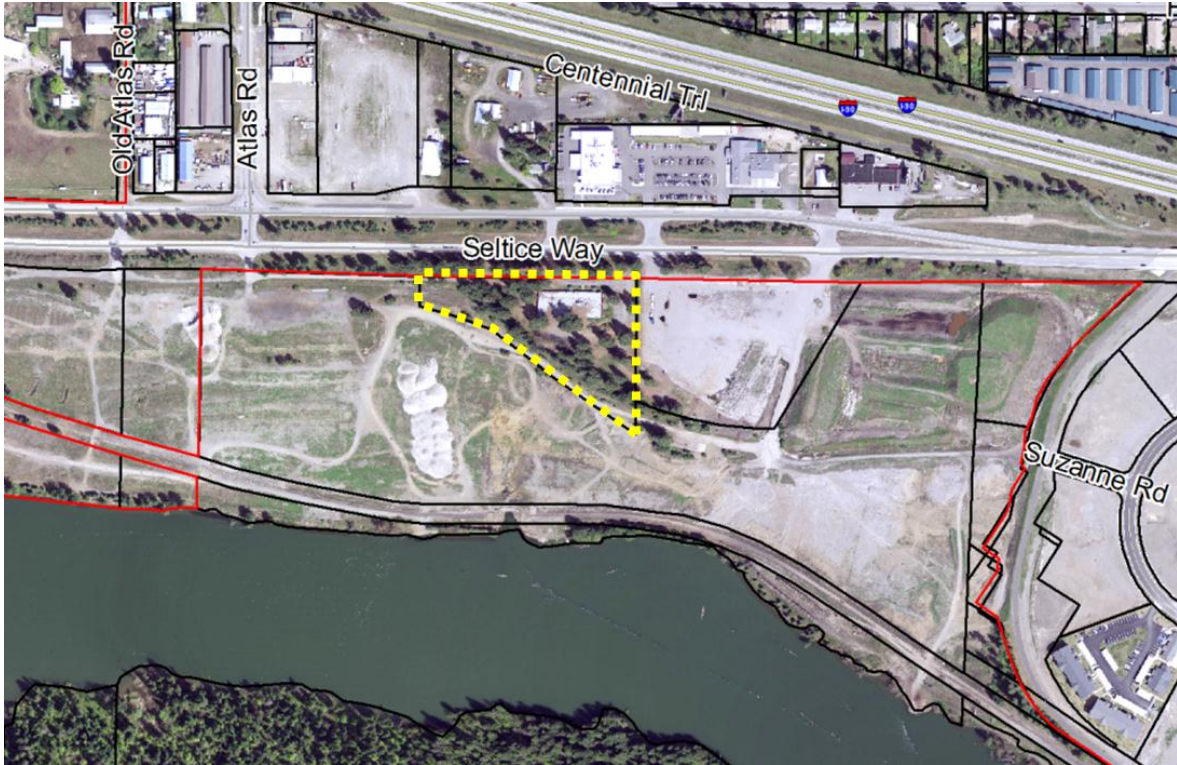
Property map:



**A.**



**B. SITE PHOTOS (Aerial):**





B. Site Photos: Subject property – looking west:



Site Photos: Subject property – looking south



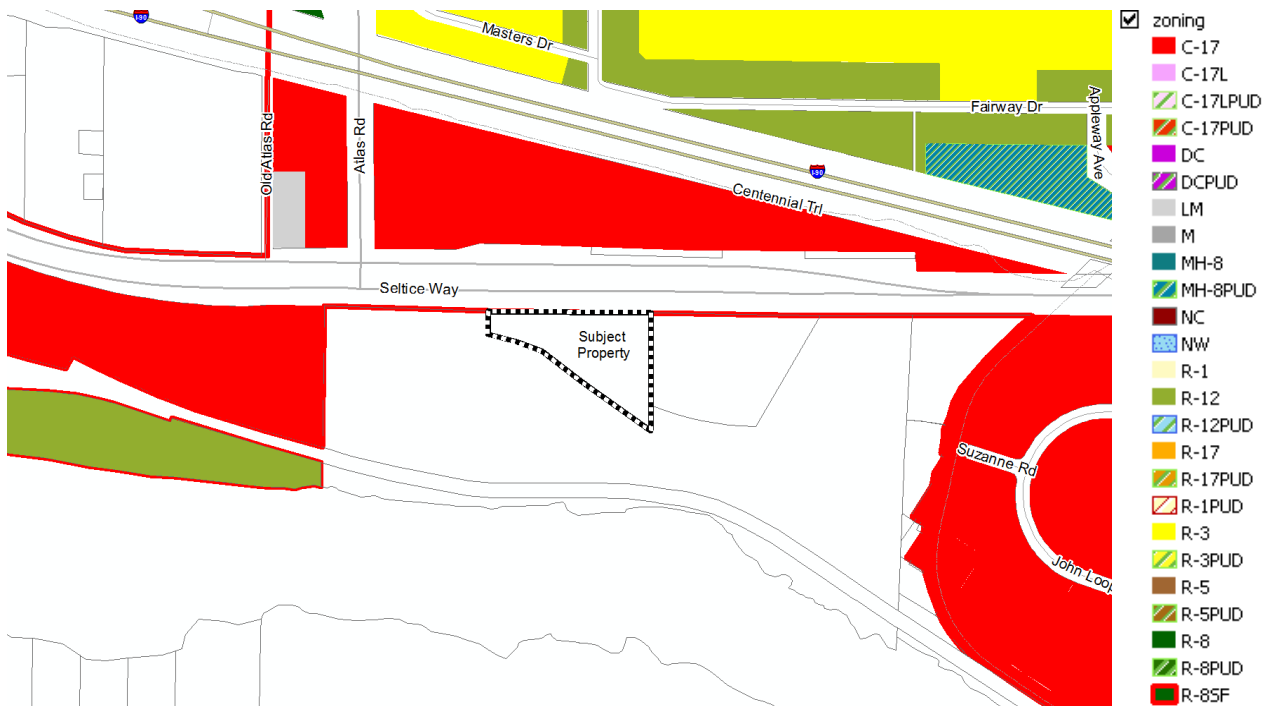
**GENERAL INFORMATION:**

- A. Applicant/Owner: Rivers Edge Apartments, LLC  
1402 E. Magnesium Rd. Ste. 202  
Spokane, WA 99217
- B. The subject property is located on the south side of Seltice Way; previously the site of the Stimson Lumber office building.
- C. Land uses in the area include commercial to the north and across Seltice Way and Riverstone Development further to the east. Vacant unincorporated property is to the west, east and south of the subject property.

Prior actions on surrounding property:

- 1. A-1-13 – R-12 & C-17 –Washington Trust property- approved in June of 2013.
- 2. A-3-04 –C-17–+/- 77 Acre Parcel known as the Central Pre-Mix Site - approved in November of 2004.

D. Zoning:



**Purpose and Intent:**

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

**Uses permitted by right:**

- |  |  |
|--|--|
| 1. Single-family detached housing (as specified by the R-8 District).  | 26. Food and beverage stores, on/off site consumption. |
| 2. Duplex housing (as specified by the R-12 District).                 | 27. Retail gasoline sales.                             |
| 3. Cluster housing (as specified by the R-17 District).                | 28. Home furnishing retail sales.                      |
| 4. Multiple-family (as specified by the R-17 District).                | 29. Specialty retail sales.                            |
| 5. Home occupations.   | 30. Veterinary office.                                 |
| 6. Community education.  | 31. Hotel/motel.                                       |
| 7. Essential service.  | 32. Automotive fleet storage.                          |
| 8. Community assembly.   | 33. Automotive parking.                                |
| 9. Religious assembly.   | 34. Automobile renting.                                |
| 10. Public recreation.   | 35. Automobile repair and cleaning.                    |
| 11. Neighborhood recreation.   | 36. Building maintenance service.                      |
| 12. Commercial recreation.   | 37. Business support service.                          |
| 13. Automobile parking when serving an adjacent business or apartment. | 38. Communication service.                             |
| 14. Hospitals/health care.   | 39. Consumer repair service.                           |
| 15. Professional offices.  | 40. Convenience service.                               |
| 16. Administrative offices.  | 41. Funeral service.                                   |
| 17. Banks and financial institutions.                                  | 42. General construction service.                      |
| 18. Personal service establishments.                                   | 43. Group assembly.                                    |
| 19. Agricultural supplies and commodity sales.                         | 44. Laundry service.                                   |
| 20. Automobile and accessory sales.                                    | 45. Finished goods wholesale.                          |
| 21. Business supply retail sales.                                      | 46. Group dwelling-detached housing.                   |
| 22. Construction retail sales.   | 47. Mini-storage facilities.                           |
| 23. Convenience sales.   | 48. Noncommercial kennel.                              |
| 24. Department stores.   | 49. Handicapped or minimal care facility.              |
| 25. Farm equipment sales.  | 50. Rehabilitative facility.                           |
|  | 51. Child care facility.                               |
|  | 52. Juvenile offenders facility.                       |
|  | 53. Boarding house.                                    |
|  | 54. Commercial kennel.                                 |
|  | 55. Community organization.                            |
|  | 56. Nursing/convalescent/rest homes for the aged.      |
|  | 57. Commercial film production.                        |

**Uses allowed by special use permit:**

- |   |  |
|---|--|
| 1. Veterinary hospital.                   | 6. Auto camp   |
| 2. Warehouse/storage.                     | 7. Residential density of the R-34 district as specified |
| 3. Custom manufacturing.                  | 8. Underground bulk liquid fuel storage-wholesale        |
| 4. Extensive impact.                      | 9. Criminal transitional facility                        |
| 5. Adult entertainment sales and service. | 10. Wireless communication facility                      |



*Evaluation:*

1. The requested zoning for the subject property is C-17 and allows the R-34 residential density by special use permit.
2. In the C-17 zone, the number of residential units allowed by right would be 67 units. If the R-34 density is approved, the number of units allowed would increase to 131 units. The applicant has proposed 130 units.
3. Section 17.05.330 of the Zoning Ordinance requires that, if the R-34 density is approved, the request must meet the following requirements:
  - Be in close proximity to an arterial, as defined in the Coeur d'Alene transportation plan, sufficient to handle the amount of traffic generated by the request in addition to that of the surrounding neighborhood; and the project and accessing street must be designed in such a way so as to minimize vehicular traffic through adjacent residential neighborhoods.
  - Be in close proximity to shopping, schools and park areas (if it is an adult only apartment complex proximity to schools and parks is not required).

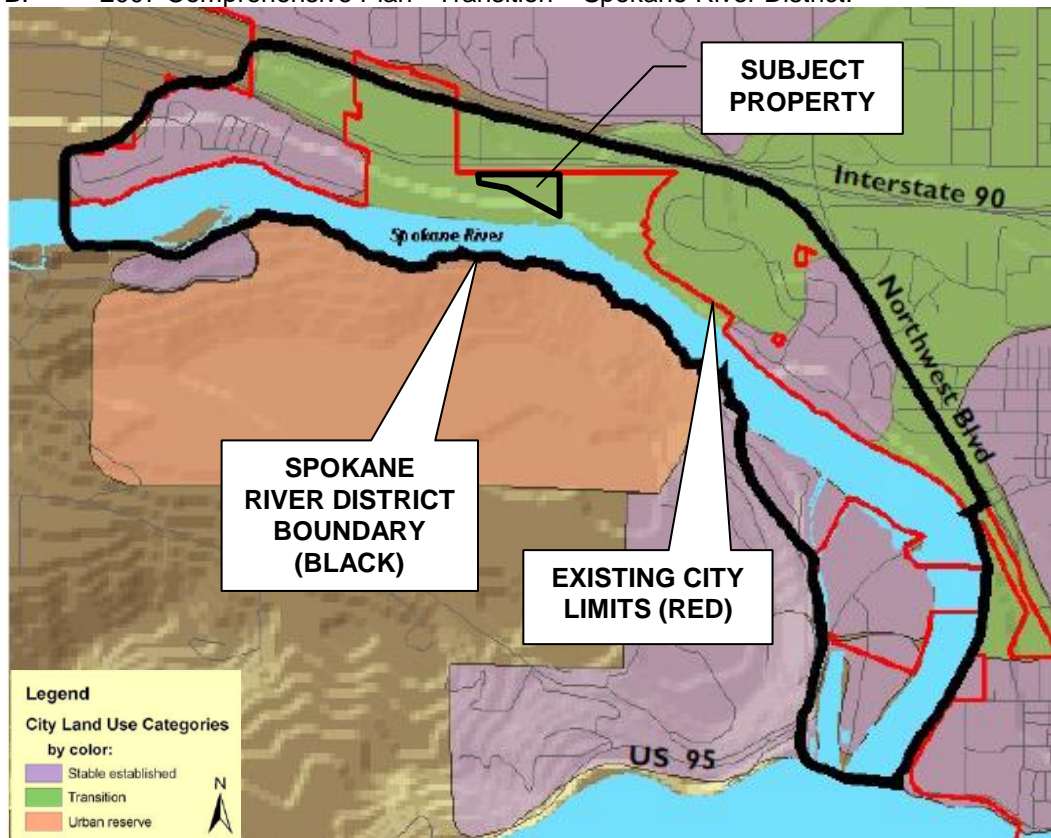
Evaluation: As shown on the Kootenai Metropolitan Planning Organization functional classification map, Seltice Way is designated as an arterial.

**REQUIRED FINDINGS:**

**A. Annexation findings**

**Finding #B8: THAT THIS PROPOSAL (IS) (IS NOT) IN CONFORMANCE WITH THE COMPREHENSIVE PLAN POLICIES**

**B. 2007 Comprehensive Plan - Transition – Spokane River District:**



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

1. The portion of the subject property to be annexed is within the Area of City Impact Boundary.
2. The 2007 Comprehensive Plan Map designates the subject property as Transition – Spokane River District as follows:

#### **Spokane River District Today:**

The Spokane River District is in a state of flux from its historic past use as a site of four major waterfront sawmills and other industrial uses. In place of sawmills, recently subdivided property in this area along portions of the shoreline is developing into commercial, luxury residential units, and mixed use structures. Recent subdivisions aside, large ownership patterns ranging from approximately 23 to 160+ acres provide opportunities for large scale master planning. The Spokane River is now under study by federal and state agencies to determine how the quality of the water may be improved. Through coordination with neighboring communities and working with other agencies, our planning process must include protecting the quality of the water from any degradation that might result from development along the river's shores.

Public infrastructure is not available in some locations and would require extensions from existing main lines.

#### **Spokane River District Tomorrow:**

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

#### **The characteristics of the Spokane River District will be:**

- Various commercial, residential, and mixed uses.
- Public access should be provided to the river.
- That overall density may approach ten to sixteen dwelling units per acre (10-16:1), but pockets of denser housing are appropriate and encouraged.
- That open space, parks, pedestrian and bicycle connections, and other public spaces will be provided throughout, especially adjacent to the Spokane River.
- That the scale of development will be urban in nature, promoting multi-modal connectivity to downtown.
- The scale and intensity of development will be less than the Downtown Core.
- Neighborhood service nodes are encouraged where appropriate.
- That street networks will be interconnected, defining and creating smaller residential blocks and avoiding cul-de-sacs.
- That neighborhoods will retain and include planting of future, large-scale, native variety trees

#### **Significant policies:**

➤ ***Objective 1.01 –Environmental Quality:***

Minimize potential pollution problems such as air, land, water, or hazardous materials.

- **Objective 1.03 – Waterfront Development:**  
Encourage public and private development to incorporate and provide ample public access, both physical and visual, to the lakes and rivers.
- **Objective 1.4 – Waterfront Development:**  
Provide strict protective requirements for all public and private waterfront developments.
- **Objective 1.05 – Vistas:**  
Protect the key vistas and view corridors of the hillsides and waterfronts that make Coeur d’Alene unique.
- **Objective 1.11 – Community Design:**  
Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.
- **Objective 1.12 – Community Design:**  
Support the enhancement of existing urbanized areas and discourage sprawl.
- **Objective 1.16 - Connectivity:**  
Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trail systems.
- **Objective 2.02 –Economic & Workforce Development:**  
Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.
- **Objective 2.05 – Pedestrian & Bicycle Environment:**  
Plan for multiple choices to live, work, and recreate within comfortable walking /biking distances.
- **Objective 3.01 – Managed Growth:**  
Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.
- **Objective 3.05 - Neighborhoods:**  
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- **Objective 3.08- Housing:**  
Design new housing areas to meet the city’s need for quality neighborhoods for all income and family status categories.
- **Objective 3.10- Affordable & Workforce Housing:**  
Support efforts to preserve and provide affordable and workforce housing.

➤ **Objective 3.16 - Capital Improvements:**

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

➤ **Objective 4.02 - City Services:**

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

*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 #B9: THAT PUBLIC FACILITIES AND UTILITIES (ARE) (ARE NOT) AVAILABLE AND ADEQUATE FOR THE PROPOSED USE.**

**SEWER:**

Public sewer is available to the subject property along the northern property line within the Seltice Way Right-of-Way. Sewer capacity has yet to be determined.

*Evaluation:*

The current Wastewater Collection System Master Plan (2013) shows this property discharging into the Huetter Interceptor Line; however, an increase in density may ultimately create downstream capacity issues within the interceptor lines. The applicant will need to demonstrate that the peak wastewater flows generated from the increased density will not compromise the interceptor's downstream capacity all the way to the Wastewater Treatment Plant. The Wastewater Collection System Master Plan will need to be re-modeled to determine the future impacts that may result from the increase in density.

If public sewer can accommodate the increase in wastewater flows, the subject property connection to the public wastewater system must be made via existing Sanitary Sewer Manhole HUT-8 or a proposed doghouse manhole per City Standard Drawing SS-7.

*Evaluation:*

In conformance to future Sewer Policy #716, sewer taps or laterals will not be allowed to directly connected on sewer mains fifteen inches (15") in diameter or larger with written approval of the Wastewater Utility. The interceptor line fronting the subject property is 18" in diameter and the Wastewater Utility believes the generated peak wastewater flows discharging from the subject property will likely be large enough to substantiate channelized flow into the interceptor. This should minimize the potential of solids depositions and blockage at the subject property's discharge point.

*-Comments submitted by Mike Becker, Utility Project Manager*

**WATER:**

The property is currently fronted by an existing 8" AC water main on the south side of Seltice Way. However this main is only supplied by a 6" AC main crossing Seltice from the 12" main on the north side of Seltice. This likely will not provide adequate fire service for a larger complex. Flow testing may be required to determine this and any necessary fire protection upgrades would be the developer's responsibility. The property is currently served by an existing 6" commercial meter service and a 1 ½" irrigation service. There are no public fire hydrants on the side south of Seltice at this location.

*-Comments submitted by Terry Pickel, Assistant Wastewater Superintendent*

## **STORMWATER:**

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. Drainage facilities for the site will be required to treat and contain all storm generated runoff on the subject property. Also, due to the size of the subject property (greater than one (1) acre), and the proximity to the Spokane River, prior to the onset of development, a SWPPP (stormwater pollution prevention plan), and, NOI (notice of intent) will need to be filed with the EPA's Region 10 office. Accommodations will be required to be constructed for roadway drainage adjoining the median vehicle storage lanes and the subject property on the south side of Seltice Way.

## **TRAFFIC:**

Based upon the requested density (R-34), it may be feasible to construct 130 dwelling units on the subject property. The ITE Trip Generation Manual estimates the project may generate approximately 45 and 57 adt's respectively during the a.m. and p.m. peak hour periods.

Evaluation:

The adjacent street can accommodate the additional traffic volume, however, ingress and egress from the subject property may be compromised. Access through the median crossings will be required to be approved by the City Engineer prior to any site development, and, plan submission showing modifications to the median will be required for approval. West bound vehicular movements will be restricted, and, barrier installations may be required to control traffic turning movements through the adjacent median. Also, turn pocket storage will be required to be constructed prior to utilization of the median crossings as points of ingress and egress.

## **STREETS:**

The roadway to the north of the subject property is a four (4) lane, median divided highway (US Hwy 10) that is primarily under the jurisdiction of both the City of Coeur d'Alene, with small portions remaining under the jurisdiction of the Post Falls Highway District. Access and improvement requirements will be addressed when the property develops. Participation in the signalization of the adjacent Atlas Road / Seltice Way intersection may be a component of any annexation agreement that deals with the subject property.

*-Submitted by Chris Bates, Engineering Project Manager*

## **FIRE:**

The Fire Department has no issues with the proposed annexation.

For the proposed R-34 Density Increase Special Use Permit, all Fire Department access and hydrant requirements will be addressed at a future project review.

*-Submitted by Bobby Gonder, Fire Inspector*

## **Finding #B10: THAT THE PHYSICAL CHARACTERISTICS OF THE SITE (MAKE) (DO NOT MAKE) IT SUITABLE FOR THE REQUEST AT THIS TIME.**

The subject property is located at the crest of a small hill and is relatively flat on top where the old office building was located.

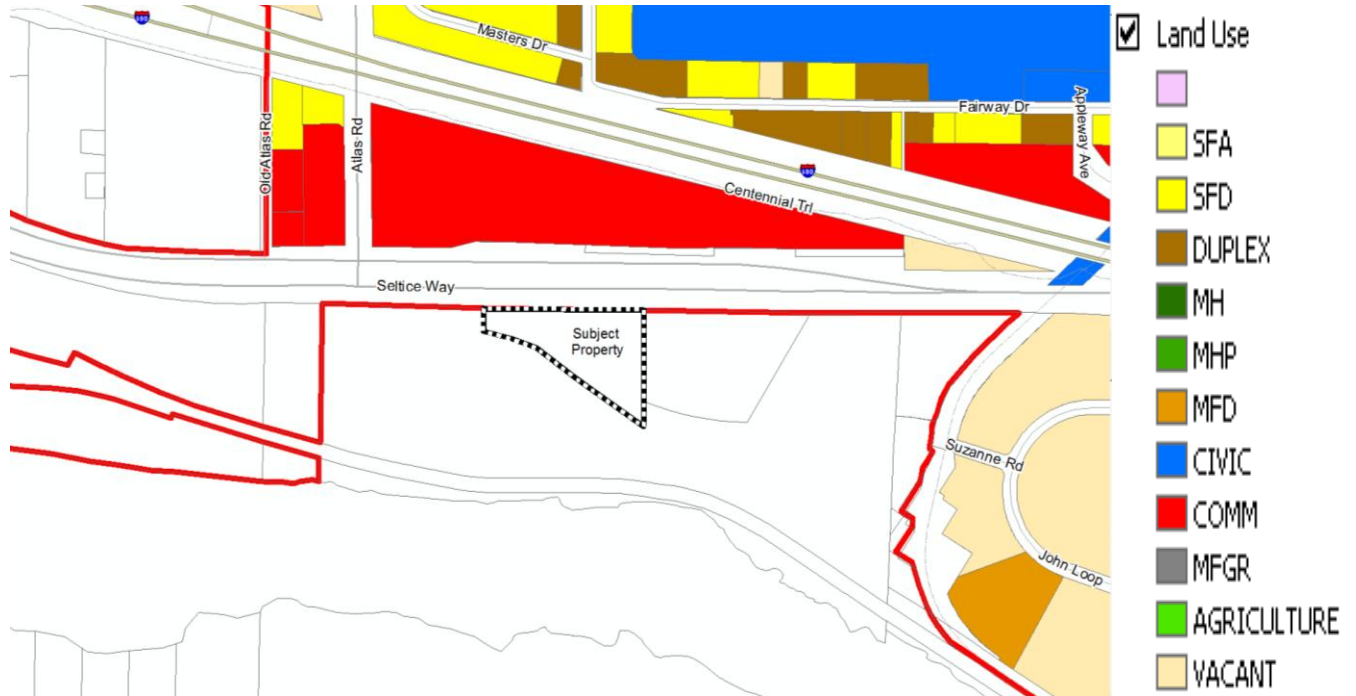
Evaluation:

The physical characteristics appear to be suitable for the request at this time and the topography would not preclude development of the property. The property appears to be outside of the Shoreline Overlay District and the 100-year flood zone.



**Finding #B11: THAT THE PROPOSAL (WOULD) (WOULD NOT) ADVERSELY AFFECT THE SURROUNDING NEIGHBORHOOD WITH REGARD TO TRAFFIC, NEIGHBORHOOD CHARACTER, (AND) (OR) EXISTING LAND USES.**

B. Generalized land use:



Evaluation:

The subject property was previously the site of the Stimson Lumber office building and is now vacant. To the south, east, and west, the site is bordered by approximately 40 acres of unincorporated industrial land previously the site of a lumber mill.

The property to the north of the site, and across Seltice Way is zoned C-17 (Commercial at 17 units/acre).

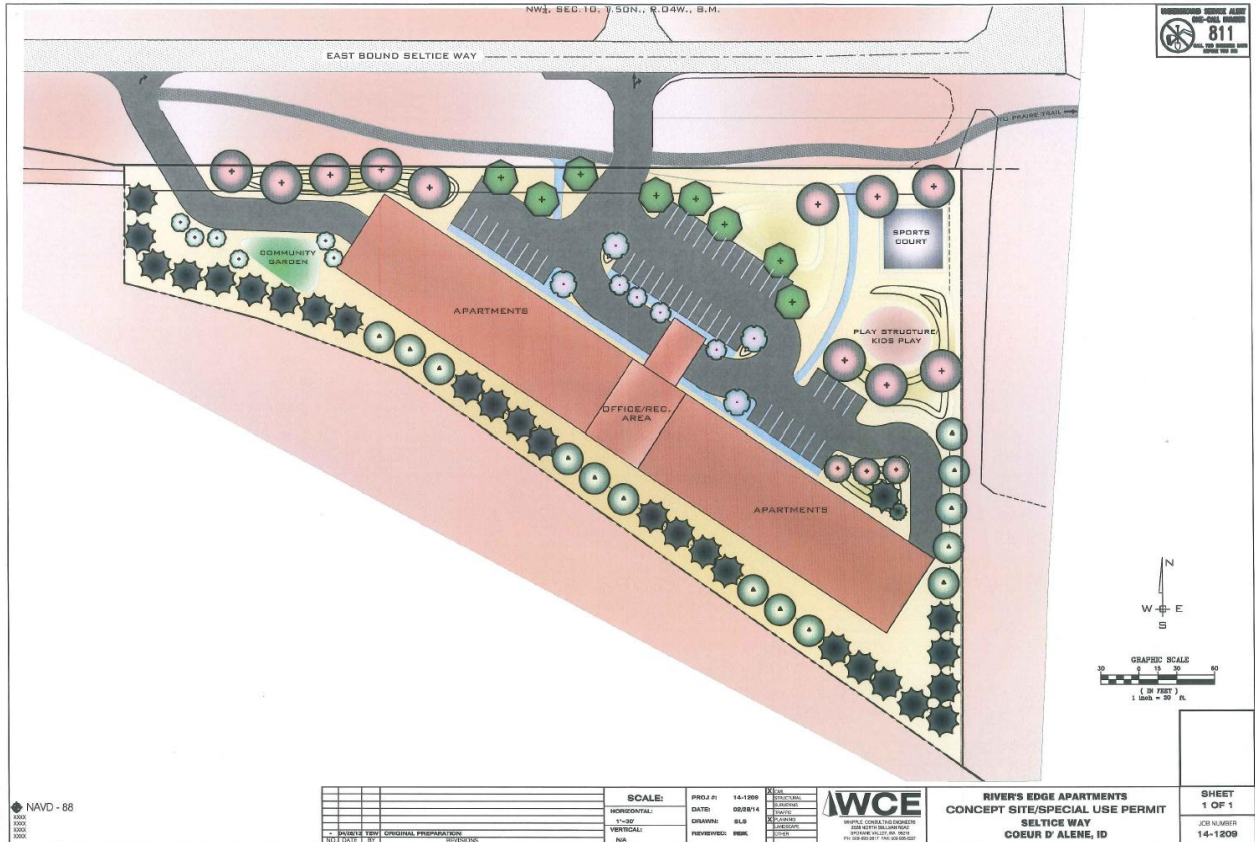
B. **Special Use Permit findings**

**Finding #B8A: THAT THIS PROPOSAL (IS) (IS NOT) IN CONFORMANCE WITH THE COMPREHENSIVE PLAN POLICIES.**

See annexation finding B8 pages 6-9.

**Finding #B8B: THE DESIGN AND PLANNING OF THE SITE (IS) (IS NOT) COMPATIBLE WITH THE LOCATION, SETTING, AND EXISTING USES ON ADJACENT PROPERTIES.**

**Conceptual Site Plan:**



**Elevation:**



The proposed development is comprised of one 5-story building with 2-levels of parking underneath for a proposed height of 63'6" in an area that is in transition according to the 2007 Comprehensive Plan. There are commercial uses to the north, across Seltice Way and further east in the Riverstone Development. The Characteristics of the Spokane River District as noted in the Comprehensive Plan state that overall density may approach ten to sixteen dwelling units per acre (10-16:1), but pockets of denser housing are appropriate and encouraged.

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

**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.**

The proposed structure is 63'6". There will be two floors of parking below grade. The five-story structure will be separated by a two-story entrance, office and recreation area. Each unit will have two dedicated parking spaces, and most of them located on the basement garage floors. Additional surface parking will be located toward the front of the building.

The subject property is bordered by Seltice Way on the north, which is a four (4) lane divided highway with limited access. The current right-of-way width meets City standards.

*Evaluation:*

The R-34 zoning district allows for an additional height of 63'. The maximum height in the C-17 zoning district is 45' for multi-family. In addition, one additional story may be permitted on hillside lots that slope down from the streets.

**STREETS:**

Seltice Way which served as the original "interstate" highway prior to the construction of US 90, has sufficient right-of-way width. The four (4) lane divided highway has limited access from the eastbound to westbound lanes. There are two (2) stop sign controlled crossing points adjacent to the subject property that provide access between the east and west lanes, however, there is limited stacking space for vehicle storage (3 vehicle max). The adjacent intersection of Atlas Road/Seltice Way is a congested intersection, especially during the a.m./p.m. peak hour traffic periods.

The site plan for the subject property is proposing two (2) points of access, with one of them being a "right in" only, and, one of them aligning with a median crossing between the east/west lanes.

*Evaluation:*

The proposed access point that would align with the median crossing would be allowed for vehicular movements onto the subject property, however, vehicles leaving the site would not be able to utilize it for west bound travel. That crossing is offset from the one on the north side of Seltice, therefore, restricting the flow of traffic to the west bound lane out of the subject property may limit the incidence of turning movement conflicts. Vehicles desiring to travel in a westerly direction would be required to proceed to the larger median crossing to the east that aligns with the access to the auto dealership (CdA Honda) on the north side of Seltice Way. Median alteration and construction of storage lanes to accommodate turning traffic will be required prior to the use of the median crossings as point of ingress and egress for the development.

There are no frontage improvements along the subject property on Seltice Way.

*Evaluation:*

If approved, a condition of the Special Use Permit would be the required installation of the street improvements (curbing, sidewalk, drainage facilities) along the entire subject property frontage. Engineered design drawings would be required to be approved prior to the installation.

(See Annexation Finding B9 for additional staff comments).

## **APPLICABLE CODES AND POLICIES**

### **UTILITIES**

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

### **STREETS**

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

### **STORMWATER**

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

### **PROPOSED CONDITIONS AND ITEMS FOR AN ANNEXATION AGREEMENT:**

- A. Items recommended for an Annexation Agreement.  
  
None.
- B. Recommended conditions for Special Use Permit.
  1. Prior to the onset of development, a SWPPP (stormwater pollution prevention plan), and, NOI (notice of intent) will need to be filed with the EPA's Region 10 office. Accommodations will be required to be constructed for roadway drainage adjoining the median vehicle storage lanes and the subject property on the south side of Seltice Way.
  2. Approval of the access through the median crossings will be required to be approved by the City Engineer prior to any site development, or, plan submission. West bound vehicular movements will be restricted, and, barrier installations may be required to control traffic turning movements through the adjacent median.
  3. Median alteration and construction of storage lanes to accommodate turning traffic will be required prior to the use of the median crossings as point of ingress and egress for the development.
  4. Installation of the street improvements (curbing, sidewalk, drainage facilities) along the entire subject property frontage. Engineered design drawings would be required to be approved prior to the installation.

**ORDINANCES AND STANDARDS USED IN EVALUATION:**

Comprehensive Plan - Amended 2007.  
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.  
Coeur d'Alene Bikeways Plan  
Kootenai County Assessor's Department property records  
Resolution No. 09-021, Complete Street Policy

**ACTION ALTERNATIVES:**

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

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

# APPLICANTS NARRITIVE





Whipple Consulting Engineers, Inc.

March 13, 2014  
W.O. No. 2014-1209

City of Coeur d'Alene  
Mayor Steve Widmyer and City Council  
710 E. Mullan Avenue  
Coeur d'Alene, ID 83814

RE: Request to Consider Annexation/ 3.85+/- Acre site

Dear Mayor and Council:

On behalf of Rivers Edge Apartments, LLC we are requesting annexation of 3.85 acres of land into the City of Coeur d'Alene. The area encompassed by the proposed annexation lies on the South side of Seltice Way and previously was the site of the Stimson Lumber office building. The purpose of the application is to provide for infill redevelopment of an abandoned industrial area within the Area of City Impact, using existing City infrastructure and services. To the south, east, and west, the site is bordered by approximately 40 acres of unincorporated industrial land previously the site of a lumber mill. North of the site, across Seltice Way, are City C-17 zoned commercial properties with various uses consistent with that zoning. If annexed into the City, it is the intent of the proponent to obtain a C-17 zoning and develop the property.

The site is located at the crest of a small hill and is relatively flat on top where the old office building was located. The southern and western edges of the property slope sharply down to the old mill site, with approximately 30 feet of relief between the top and bottom of the hill.

#### **Annexation Justification:**

The Annexation application requires the applicant to justify the annexation and zoning requests. That justification must address conformance to the 2007 Comprehensive Plan, compatibility to adjacent uses, and availability of public infrastructure.

#### *Conformance to the Comprehensive Plan:*

The City's 2007 Comprehensive Plan places the subject property within the Area of City Impact and includes the subject property within the Spokane River District with a land use designation of Transition. This District is envisioned to consist of mixed use neighborhoods consisting of housing and commercial retail and service activities that embrace the aesthetics of the proximity to the Spokane River. Within this district, the comprehensive plan states that pockets of denser housing are appropriate and encouraged, and that the scale of the development will be urban in nature, promoting multi-modal connectivity to downtown. To that end, we believe that annexation and zoning to C-17 meets the goals and vision of the comprehensive plan.

#### *Infrastructure Availability:*

**Sewer:** An 18" diameter gravity sewer line of adequate depth and capacity is located in the median of Seltice Way, north of the property. The sewer for this project would connect to this

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on April 8, 2014, and there being present a person requesting approval of ITEM A-3-14 , a request for zoning prior to annexation from County Industrial (I) to City C-17 (Commercial at 17 units/acre)

APPLICANT: RIVERS EDGE APARTMENTS, LLC

LOCATION: 2772 W SELTICE WAY

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

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

- B1. That the existing land uses are commercial to the north and across Seltice Way and Riverstone Development to the east.
- B2. That the Comprehensive Plan Map designation is Stable Established.
- B3. That the zoning is County Industrial.
- B4. That the notice of public hearing was published on March 22, 2014 which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That 5 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on March 21, 2014.
- B7. That public testimony was heard on April 8, 2014.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

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

**Criteria to consider for B9:**

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

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

**Criteria to consider for B10:**

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

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

**Criteria to consider for B11:**

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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **RIVERS EDGE APARTMENTS, LLC** for zoning prior to annexation, as described in the application should be **(approved) (denied) (denied without prejudice)**.

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

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

**ROLL CALL:**

Commissioner Bowlby	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Ward	Voted _____

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

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

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

\_\_\_\_\_  
CHAIRMAN BRAD JORDAN

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on April 8, 2014, and there being present a person requesting approval of ITEM: SP-1-14, a request for a R-34 (Residential at 34 units/acre) Special Use Permit in the C-17 zoning district.

APPLICANT: RIVERS EDGE APARTMENTS, LLC

LOCATION: 2772 W SELTICE WAY

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

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

- B1. That the existing land uses are commercial to the north and across Seltice Way and Riverstone Development to the east.
- B2. That the Comprehensive Plan Map designation is Stable Established.
- B3. That the zoning is County Industrial.
- B4. That the notice of public hearing was published on March 22, 2014 which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on March 21, 2014, which fulfills the proper legal requirement.
- B6. That 5 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on March 21, 2014.
- B7. That public testimony was heard on April 8, 2014.

B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

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

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

**Criteria to consider for B8B:**

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

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

**Criteria to consider B8C:**

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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of RIVERS EDGE APARTMENTS, LLC for a special use permit, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

1. Prior to the onset of development, a SWPPP (stormwater pollution prevention plan), and, NOI (notice of intent) will need to be filed with the EPA's Region 10 office. Accommodations will be required to be constructed for roadway drainage adjoining the median vehicle storage lanes and the subject property on the south side of Seltice Way.
2. Approval of the access through the median crossings will be required to be approved by the City Engineer prior to any site development, or, plan submission. West bound vehicular movements will be restricted, and, barrier installations may be required to control traffic turning movements through the adjacent median.
3. Median alteration and construction of storage lanes to accommodate turning traffic will be required prior to the use of the median crossings as point of ingress and egress for the development.
4. Installation of the street improvements (curbing, sidewalk, drainage facilities) along the entire subject property frontage. Engineered design drawings would be required to be approved prior to the installation.

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

**ROLL CALL:**

Commissioner Bowlby	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Ward	Voted _____

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

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

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

\_\_\_\_\_  
CHAIRMAN BRAD JORDAN



**PLANNING COMMISSION  
STAFF REPORT**

FROM: SEAN E. HOLM, PLANNER  
DATE: APRIL 8, 2014  
SUBJECT: SP-2-14 – SPECIAL USE PERMIT REQUEST FOR A COMMUNITY EDUCATION USE  
LOCATION: 1583 W. DALTON AVE - NORTHEAST CORNER OF THE INTERSECTION OF RAMSEY RD. AND DALTON AVE. MEASURING 1.639 AC. +/-

**DECISION POINT:**

Jennifer McMeekan is requesting a Community Education Special Use Permit in the R-12 (Residential at 12 units/acre) zoning district to allow the operation of a Montessori pre-school and kindergarten.

Applicant: Jennifer McMeekan  
1997 W. Hogan St.  
Coeur d'Alene, ID 83815

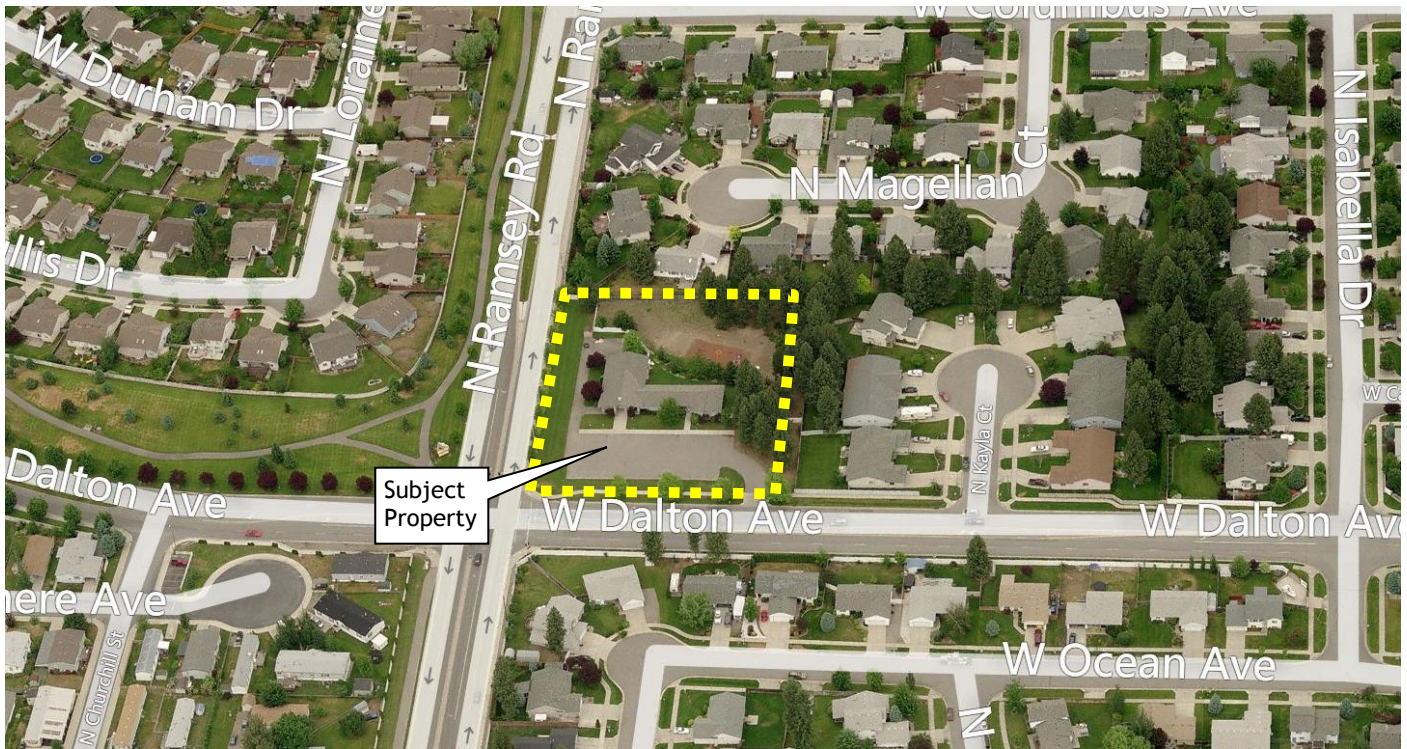
Owner: Edgar Costellanos  
18323 Owl Ct.  
Canyon County, CA 91387

**GENERAL INFORMATION:**

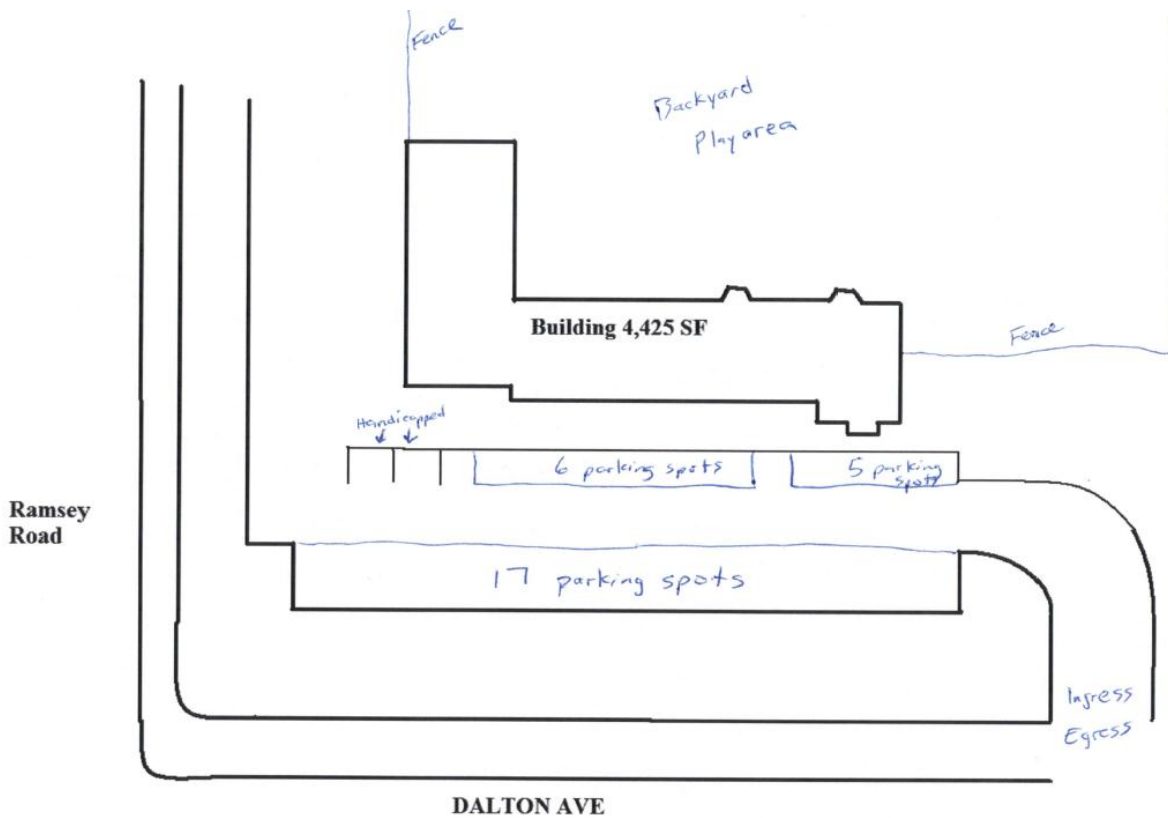
A. Aerial view:







F. Conceptual Site Plan:



**PERFORMANCE ANALYSIS:**

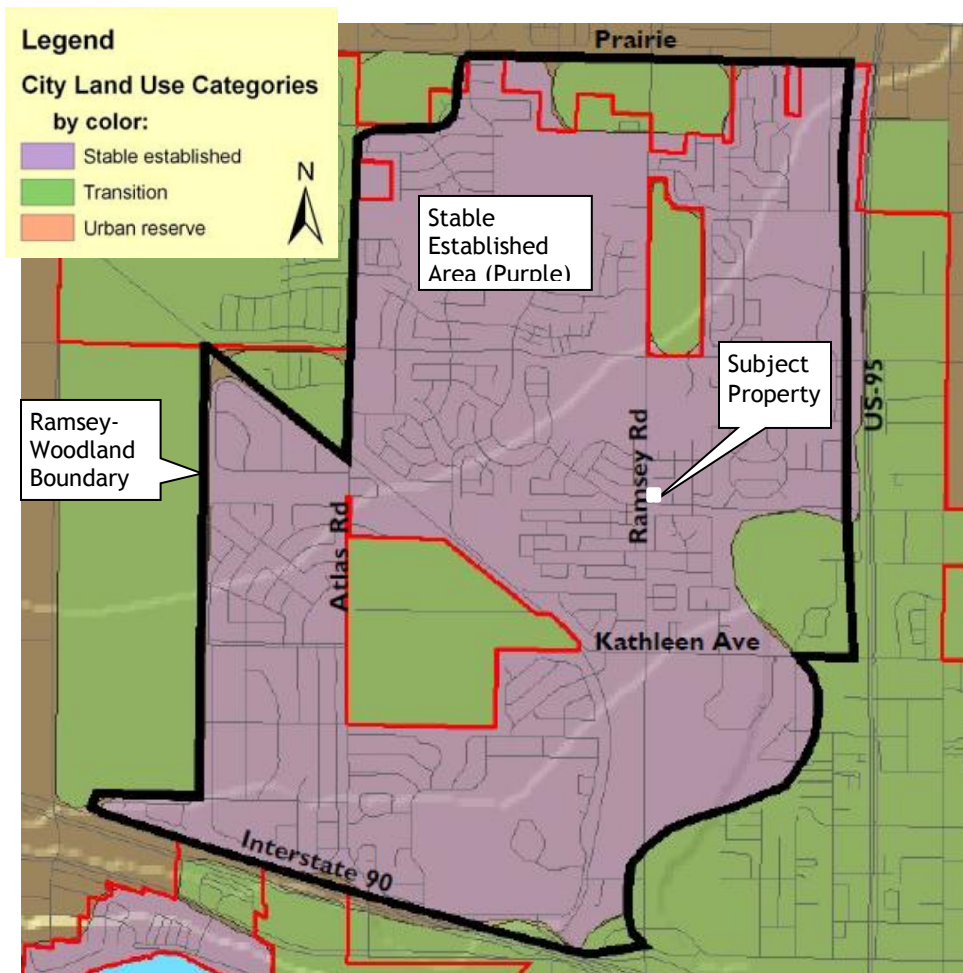
**A. Finding #B8A: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.**

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map designates this area as Ramsey-Woodland:

**Ramsey - Woodland Today:**

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

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



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

**Ramsey - Woodland Tomorrow**

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

**The characteristics of Ramsey – Woodland neighborhoods will be:**

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

**Significant Comprehensive Plan policies for consideration:**

**Objective 1.12**

Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

**Objective 1.14**

Efficiency:

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

**Objective 2.01**

Business Image & Diversity:

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

**Objective 3.05**

Neighborhoods:

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

**Objective 3.06**

Neighborhoods:

Protect the residential character of neighborhoods by allowing residential/ commercial/ industrial transition boundaries at alleyways or along back lot lines if possible.

**Objective 4.01**

City Services:

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

**Objective 4.06**

Public Participation:

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

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

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

Currently, the property has pedestrian connectivity along both frontages. Ramsey sidewalk is back of curb, whereas the Dalton sidewalk detaches from the curb allowing a park strip with street trees between the curb and sidewalk. There is sufficient parking onsite and an area



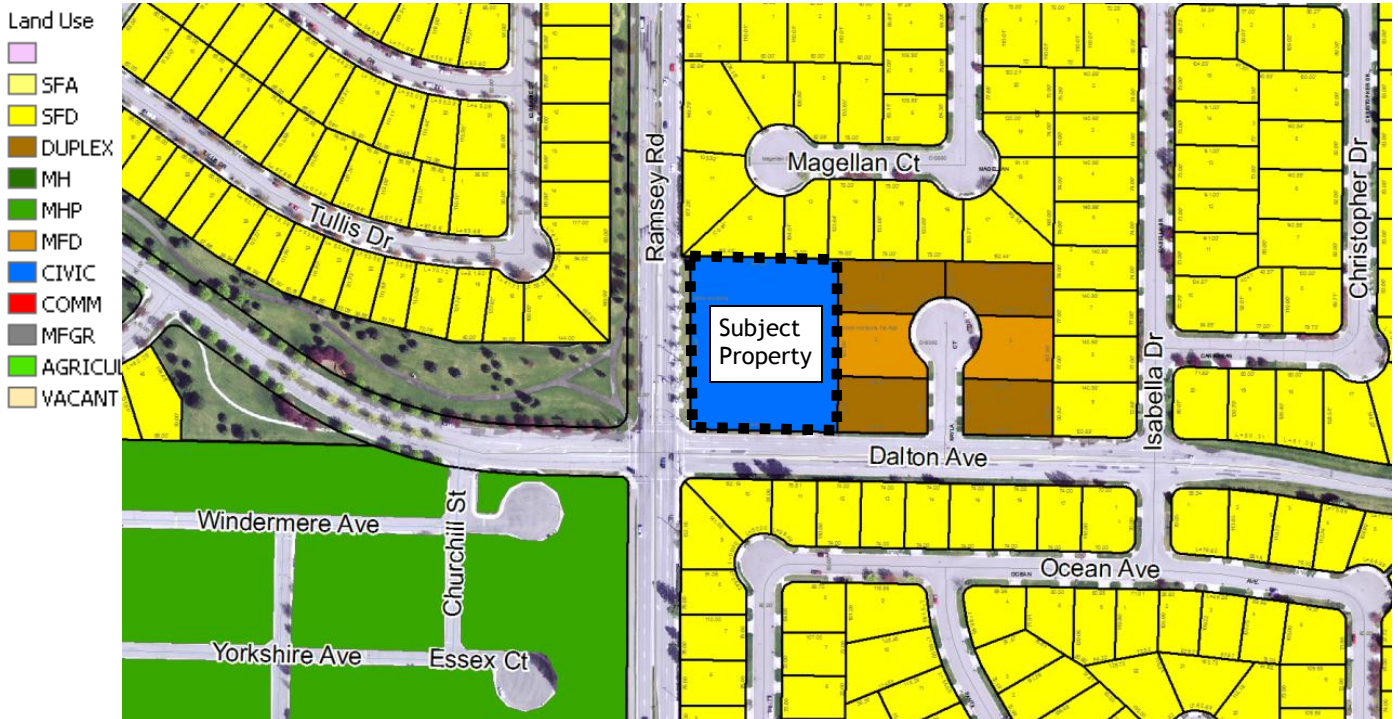
shown on the site plan designed for outdoor play. Neighboring uses are residential in nature.

The subject property has been used as a religious assembly and a community education facility for many years, previously approved by: SP-7-89 (Religious Assembly), SP-14-92 (Religious Assembly), and SP-8-05 (Community Education). Since the previous special use permits have expired, the applicant was required to reapply for permission to continue using the structure for community education.

Site Picture:



Generalized land use pattern:



Zoning:



*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.*

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

**WATER:** There is adequate infrastructure surrounding the property to provide domestic, irrigation and fire flow. The property is currently served with a 1” domestic service and a 1” irrigation service. There is one existing fire hydrant at this location. If any additional fire protection infrastructure is required, it would be the applicant’s responsibility.

*- Submitted by Terry Pickel, Assistant Water Superintendent*

**WASTEWATER:** The subject property is already connected to the public sewer and Wastewater Utility has no objection to this proposed Special Use Permit. There is adequate sewer collection and wastewater treatment capacity for this proposal.

*- Submitted by Mike Becker, Utility Project Manager*

**STORMWATER:** The subject property has been previously developed and manages the on-site drainage with existing infiltration swales and drywells. No alterations will be required.

**STREET:** The subject property is bordered by Ramsey Road on the west and, Dalton Avenue on the south. Both roadways are fully developed to City standards and meet all current requirements. No alterations to the street sections will be required.



**TRAFFIC:** The ITE Trip Generation Manual does not provide for this specific use. There are designations for elementary schools, private schools and day care facilities, however, the proposed use is an amalgam of these and a defined vehicle estimate utilizing them would likely be far greater than the actual ADT count based on the proposed use.

Over the years, the subject property has been occupied by a number of business and institutional uses. The location of the subject property at the signalized intersection of two of the City's major arterial and collector streets (Ramsey Rd. & Dalton Ave.), provides for controlled traffic flows and would allow for rapid movement and dispersion of vehicles from the site. There have been no congestion issues with any of the previous uses, and, the current proposal is in the same purview, therefore, it can be adjudged that the adjacent and connecting streets will accommodate the vehicular traffic from the site.

*- Submitted by Chris Bates, Engineering Project Manager*

**FIRE:** Since this was a daycare prior, it will not be a change of use and therefore the FD has no comments or conditions.

*- Submitted by Bobby Gonder, Fire Inspector/Investigator*

**D. Proposed conditions:**

No conditions are proposed.

**E. Ordinances and Standards Used In Evaluation:**

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

**ACTION ALTERNATIVES:**

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





**APPLICANTS**  
**NARRITIVE**

**JUSTIFICATION:**

Proposed Activity Group(s): Preschool, Daycare, + Kindergarten.

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

A. A description of your request; Coeur d'Alene Montessori School requests a special use permit to operate a preschool and kindergarten providing educational practices to children

B. Explain how your request conforms to the 2007 Comprehensive Plan;  
Coeur d'Alene Montessori School conforms to objective 3.12 (Home Environment/Education) This will be the first Montessori School, giving quality education to pre-school age children. This also provides neighborhood services to the Ramsey/Woodland area.

C. Explain how the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties;  
Site improvements already exist from previous church and preschool uses. Building was previously occupied by a preschool with similar size and hours of operation.

D. Explain how the location, design, and size of the proposal will be adequately served by existing streets, public facilities and services;  
All improvements needed are existing. All public utilities and services are in place. Staff will require 6-10 parking spots leaving the remaining for pick up/drop off. Ingress/Egress onto Dalton is adequate having served previous school and church.

E. Any other information that you feel is important and should be considered by the Planning Commission in making their decision.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on April 8, 2014, and there being present a person requesting approval of ITEM: SP-2-14 a request for a Community Education Special Use Permit in the R-12 (Residential at 12 units/acre) zoning district to allow the operation of a Montessori pre-school and kindergarten.

APPLICANT: JENNIFER MCMEEKAN

LOCATION: 1583 W. DALTON AVE - NORTHEAST CORNER OF THE INTERSECTION OF  
RAMSEY RD. AND DALTON AVE. MEASURING 1.639 AC. +/-

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

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

- B1. That the existing land uses are Residential – single-family, duplex, multi-family and Oak Crest mobile home park.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is R-12 (Residential at 12 units/acre).
- B4. That the notice of public hearing was published on, March 22, 2014 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, March 25, 2014, which fulfills the proper legal requirement.
- B6. That 52 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on March 21, 2014.
- B7. That public testimony was heard on April 8, 2014.

B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

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

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

**Criteria to consider for B8B:**

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

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

**Criteria to consider B8C:**

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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **JENNIFER MCMEEKAN** 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 Bowlby	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Ward	Voted _____

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

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

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

\_\_\_\_\_  
CHAIRMAN BRAD JORDAN

**CITY COUNCIL  
STAFF REPORT**

DATE: April 8, 2014  
FROM: Warren Wilson, Interim Planning Director  
SUBJECT: 0-1-14. Amendment of CC and NC Regulations to Allow Below Grade Residential Uses.

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**DECISION POINT:**

Provide a recommendation to the city council on whether residential uses should be allowed below grade in the CC and NC zones.

**HISTORY:**

In 2007 the city council adopted the Neighborhood Commercial (NC) and Community Commercial (CC) zones to allow for two lower intensity commercial zones that would be compatible with residential development and serve as local service nodes. In both zones residential uses are allowed but only above the ground floor. Staff has had occasional inquiries about the CC and NC zones where the building has a current basement apartment that the owner would like to retain. Staff has determined that it can be consistent with the intent of these two zones to allow basement apartments. As such, we are proposing a code change.

**FINANCIAL ANALYSIS:**

The proposed change is cost neutral. The city may see additional requests to rezone property to CC and NC but any additional costs to the city would be nominal.

**PERFORMANCE/QUALITY OF LIFE ANALYSIS:**

Staff is proposing the following changes:

**17.05.1010: USES:**

A. NC Permitted Uses:

Commercial and professional office.

Daycare.

Medical/dental.

Parks.

Personal services.

Residential (~~above the~~ except on the  
ground floor ~~only~~).

**17.05.1210: USES:**

A. CC Permitted Uses:

Commercial and professional office.

Daycare.

Medical/dental.

Parks.

Personal services.

Residential (~~above the~~ except on the  
ground floor ~~only~~).



Retail.

Retail.

The proposed change would allow both above and below grade residential units but still require the ground floor be used for one of the other allowed uses, which is the intent of these zones.

**DECISION POINT/RECOMMENDATION:**

Recommend that the city council adopt an ordinance to implement the requested changes.