

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

JULY 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:

June 10, 2014

PUBLIC COMMENTS:

STAFF COMMENTS:

OTHER:

Approval of findings for Lilac Glen

PUBLIC HEARINGS:

1. Applicant: David Rucker
Location: 602 E. Garden
Request: A proposed zone change from R-17(Residential at 17 units/acre) to NC (Neighborhood Commercial)
QUASI-JUDICIAL, (ZC-2-14)

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
JUNE 10, 2014
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

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

STAFF MEMBERS PRESENT:

Sean Holm, Planner
Shana Stuhlmiller, Public Hearing Assistant
Gordon Dobler, Engineering Services Director
Warren Wilson, Deputy City Attorney

COMMISSIONERS ABSENT:

Tom Messina

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Ingalls, seconded by Bowlby, to approve the minutes of the Planning Commission meeting on May 13, 2014. Motion approved.

STAFF COMMENTS:

Planner Holm announced that there is one item scheduled for the Planning Commission meeting on July 8, 2014.

Deputy City Attorney Wilson announced that the workshop scheduled following tonight's hearing will need to be rescheduled. Staff will look at possible dates and e-mail those to the commission.

Commissioner Luttrupp congratulated Planner Holm on achieving his MBA from the University of Idaho and complimented our two student representatives Conery and O'Brien for their participation on the Commission. He requested another item added to the agenda for our workshop: Handicap Regulations for shoreline to the water.

PUBLIC COMMENTS:

There were none.

PUBLIC HEARINGS

1. Applicant: Larry Fluet Revocable Trust
Location: Btwn I-90 and Lake Villa on E. side of City
Request:
 - A. A proposed 3.51acre annexation from County AS to City R-8 (Residential at 8 units/acre) & R-17 (Residential at 17units/acre) zoning district QUASI-JUDICIAL (A-4-14)
 - B. A proposed zone change from County AS to City R-3 Residential at 3 units/acre), R-8 (Residential at 8 units/acre) and R-17 (Residential at 17 units/acre) zoning district QUASI-JUDICIAL (ZC-1-14)
 - C. A proposed 18-lot preliminary plat "Lilac Glen" QUASI-JUDICIAL (S-6-14)
 - D. A proposed 13 acre PUD "Lilac Glen" QUASI-JUDICIAL (PUD-3-14)
 - E. A proposed Minimal Care special use permit in The R-17 (Residential at 17 units/acre) zoning district. QUASI-JUDICIAL (SP-4-14)

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

Commissioner Luttrupp stated the applicant's narrative describes an existing residence on the property created 50 years ago, and is requesting that lot to be exempt from our hillside regulations. He questioned if that can be done.

Deputy City Attorney Wilson explained that this is a Planned Unit Development (PUD) and those exemptions are allowed.

Commissioner Luttrupp questioned if staff could explain what the difference is between a private/public sewer.

Mr. Dobler explained that a private sewer is maintained by the Homeowner's Association (HOA) and public sewer by the city.

Commissioner Bowlby inquired about the creek that runs through the property and questioned if there are any special conditions added to help with the possibility of flooding.

Mr. Dobler stated that he has discussed various options with the applicant including the discussion of a bridge or culvert to be placed above the 100-year flood elevation.

Commissioner Bowlby inquired about the three proposed lots on Fernan Hill and questioned how access will be provided since Fernan Hill Road is in the county.

Mr. Dobler explained that a condition stated in the staff report gives permission for access on Fernan Hill Road from East Side Highway District prior to recording the final plat.

Commissioner Luttrupp commented the staff report states that the planning commission will set the maximum number of residents for minimal care use. He questioned if there is a criteria used to get that

number.

Deputy City Attorney Wilson explained that the code does not provide criteria and suggested that public testimony be used as a tool to come up with a number.

Public testimony open.

Dick Stauffer, representative for the applicant, provided a Power Point showing the proposed area. He stated that this is a big piece of property with a lot of challenges for development. The proposed project will include two assisted living structures, seven duplex lots and retention of three existing single-family residences. The 18-lot subdivision would also include three single-family hillside lots on the upper portions of the parcel, which would face and have access to Fernan Hill Road. He stated that their goal is to maintain as many trees on the property that will provide a buffer to the homes above this development. The parking provided for the assisted living facility will be under the building. He commented that in the past, this property has seen various proposals with none approved. The property is a challenge because of the noise and topography including drainage issues associated with the creek that runs through the property. He commented that he lives in this area and feels that this project, if approved, will be a win/win for the city and the community. He presented a short video showing what this development will look like on the property.

Commissioner Ingalls inquired if the applicant could explain how sewer will be provided for this project.

Mr. Stauffer explained that an 8 -12" (depending on required fire flows) connecting existing 8" city lines at 20th and Pennsylvania Avenue all the way through to Sherman Avenue.

Commissioner Ingalls questioned how the applicant picked 70 for the number of beds for the assisted living facility.

Mr. Stauffer explained that they came up with that number based on the number of parking stalls for the building. He stated that number may change once the plans are finalized.

Commissioner Ingalls inquired if the applicant agrees with the conditions listed in the staff report.

Mr. Stauffer stated that the applicant agrees with all the conditions.

Norm Gissel stated that he lives on Fernan Hill Road and is opposed to the request. He explained that he is not against development of the property and feels that this is a better design for this piece of property that was presented in the past. He explained that the homes on Fernan Hill Road are unique and by approving multifamily projects, it will affect the property values in the area. He stated that in past years there have been many homes because of economic reasons being rented, and because of that some of these homes are now abandoned. He stated there are a number of challenges such as insignificant water flows and flooding issues associated with the creek.

Charleda Foss stated that she is one of the original homeowners who lives on Lilac lane and is in favor of this request. She stated that when the freeway and Lake Villa Apartments were constructed they did not have a choice about those projects, so she is not sympathetic to Mr. Gissel's concerns. She requested if this project is approved, a stop sign could be placed for the people who live in the Lake Villa apartments, so they will slow down.

Maralee Foss stated that she lives on Lilac Lane along with her sister and mother and that in the past she lost half of their property because of various projects. She explained when that happened a long time ago her mother went in her back yard and cried. She has no sympathy for the people on Fernan Hill.

Armando Hurtado stated he agrees with the previous testimony from Mr. Gissel regarding the challenges of this property and the additional traffic this project will generate if approved. The traffic on the intersection of Pennsylvania Ave and 23rd Street is bad.

Shelli Hurtado stated that she is not against any development on this property, but feels a subdivision would be a better fit for the community.

Commissioner Luttrupp stated that the applicant is requesting a Planned Unit Development (PUD) and if approved, the applicant has to build what is on the plat. He feels that a PUD means more stability than a regular subdivision.

Ms. Hurtado feels that there seems to be a lot of assisted living facilities within a five mile radius.

Dan Jacobson stated he is concerned with traffic and safety for the children. He stated in the winter he has had many cars miss the turn and land in his yard.

John Runge stated that he had a question for staff regarding the location of his driveway since his driveway is close to Lilac Lane.

Ben Glass stated that he did not get a notice and feels that process needs to change. He stated that he was at the last public hearing for this party a few years ago and more people attended. He feels that there is enough rental properties in the area and by approving this project it will add to that number.

Troy Murphy stated traffic is an issue and suggested staff look at using solar speed signs on Pennsylvania to help with traffic.

Linda Fillios stated that annexation makes sense. She stated that she is opposed to the houses on Fernan Hill because of the design of the driveways. In the winter you slide down the hill and are dangerous and by having the driveways at an angle, even more accidents and slide offs will happen.

Carmela Hameland stated traffic is a problem.

George Ciccone stated he would like the name of the business that will operate the assisted living facility. He explained that this facility could be filled with heavily medicated people and is concerned.

Mr. Dobler commented that it has been a long time since he has evaluated the traffic on Pennsylvania Avenue and after hearing testimony will have staff reevaluate that area. He stated that if this project is approved, Lilac Lane will be a public street.

Mr. Ingalls questioned if a PUD or an R-3 subdivision would be a better fit for the property.

Mr. Dobler stated by comparing the two, if this was approved as a subdivision, it would generate more traffic than what the applicant has proposed.

REBUTTAL:

Mr. Stauffer stated that a question regarding who owns the assisted living facility is premature and has nothing to do with this request. He stated that the facility will be a licensed facility offering food service. He stated that he could see where there might be times when an emergency happens, but from experience, that doesn't happen all the time.

Commissioner Bowlby stated that she is sympathetic to the neighborhood's concerns, but feels the assisted living units will be compatible with the neighborhood.

Mr. Stauffer stated that the people who live on Fernan Hill road won't see this development because of the vertical separation.

Public testimony closed.

DISCUSSION:

Commissioner Ingalls stated this is a difficult decision to make comparing if clustering would be better than a subdivision. He feels that when built, this facility will be a first class project, but the negative is the problem with traffic.

Commissioner Bowlby commented that she feels comfortable with this request since it is a PUD. She explained as a PUD, you know what is shown on the site plan is what will happen and if that changes, it will have to come back to the planning commission.

Commissioner Luttrupp concurred with Commissioner Bowlby.

Motion by Luttrupp, seconded by Ingalls, to approve Item’s A-4-14, ZC-1-14, S-6-14, PUD-3-14 and SP-4-14 and direct staff to prepare the findings. Motion approved.

Commissioner Bowlby suggested three conditions be added to the findings.

1. The number of patients would be 70.
2. Place a stop sign at lilac Lane.
3. Traffic calming at the North and South ends of Lilac Lane.

ROLL CALL:

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

2. Applicant: William and Tracy Baker
 Location: 5362 N. Atlas Road
 Request: A proposed Food & Beverage stores for Off/On site Consumption special use permit in the C-17L (Commercial Limited) zoning district (QUASI-JUDICIAL), (SP-3-14)

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

Commissioner Luttrupp inquired if there are restrictions to serving alcohol next to a school.

Deputy City Attorney Wilson stated that there are restrictions selling alcohol next to a school.

Public testimony open.

Tracy Baker, applicant, stated that they are in the process of purchasing this property with plans to lease it to her daughter, who will be operating the restaurant. She stated they also own a similar restaurant in Spokane that has been very successful.

Sarah Baker stated that she has worked in restaurants for many years and by having this is a dream come true. She explained that this will be a family owned and operated business and they will not be serving alcohol. She stated that the Planning Department staff has been great to work with through this process. She explained that their goal is to save as many trees as possible on site and provide access for pedestrians and bikes. The hours the restaurant will be open is breakfast and lunch with a drive through

to provide meals on the go.

Bridget Arkoosh stated that she had some concerns, but after talking with the applicant, she feels this will be a great fit for the neighborhood. She inquired if they could provide a barrier between the restaurant and the school for safety purposes. Parking is a safety concern for the kids.

Jamie Dallas commented that she is a Realtor in the community and is representing the Baker's for this purchase. She stated that she went around the neighborhood to tell them about this project and are in support.

Public testimony closed.

DISCUSSION:

Motion by Bowlby, seconded by Ward, to approve Item SP-3-14. Motion approved.

ROLL CALL:

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

Motion to approve carried by a 4 to 0 vote.

ADJOURNMENT:

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

The meeting was adjourned at 9:46 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI STROUD, PLANNER
DATE: JULY 8, 2013
SUBJECT: ZC-2-14 - ZONE CHANGE FROM R-17 TO NC
LOCATION: +/- 0.50 ACRE PARCEL AT 602 E. GARDEN, AND MORE COMMONLY KNOWN AS "THE OLD CENTRAL SCHOOL SITE".

APPLICANT/OWNER:

David Rucker
P.O. Box 3270
Coeur d'Alene, ID 83816

DECISION POINT:

David Rucker is requesting approval of a Zone Change from R-17 (Residential at 17 units/acre) to NC (Neighborhood Commercial).

BACKGROUND INFORMATION:

The subject property is located at the southeast corner of 6th and Garden Avenue and is the former site of the "Old Central School", an existing three-story brick building, constructed in the early '1900's.



GENERAL INFORMATION:

The Neighborhood Commercial district (NC) is intended to allow for the location of enterprises that mainly serve the immediate surrounding residential area and that provide a scale and character that are compatible with residential buildings. It is expected that most customers would reach the businesses by walking or bicycling, rather than driving.

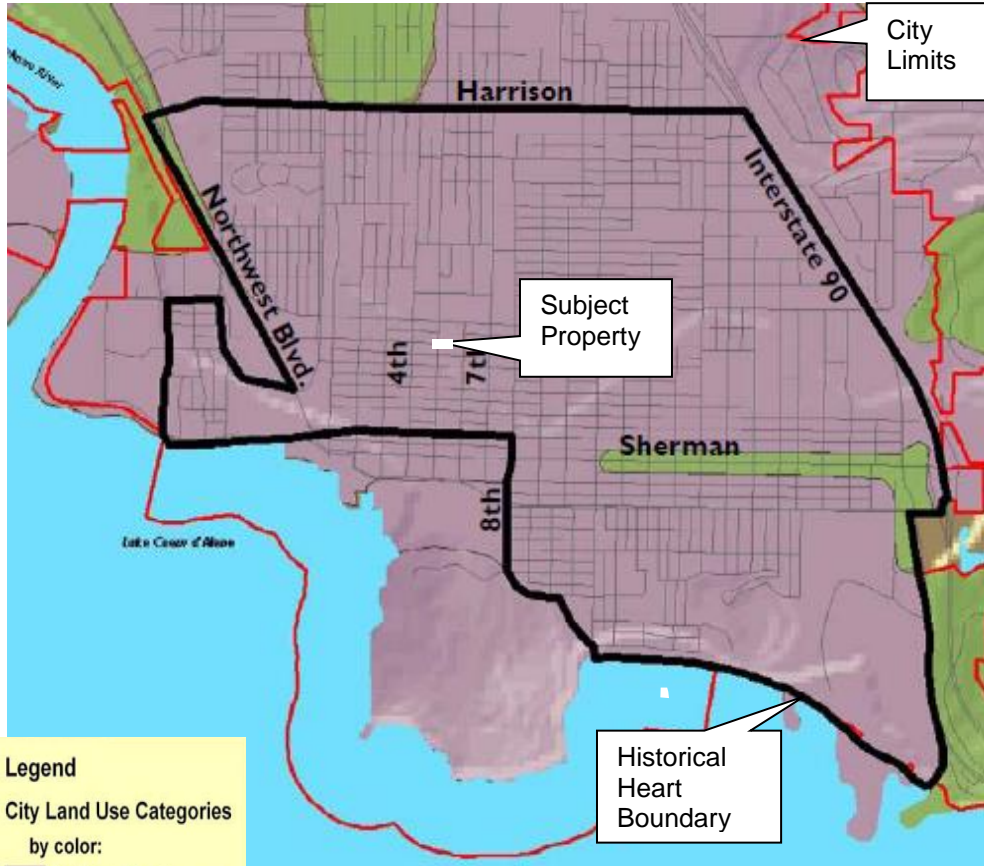
David Rucker intends to do exterior improvements on the site and lease the interior space for office and personal service type uses, which are allowed uses in the NC zoning district. The applicant's comments and justification for the zone change request is attached for your review.

REQUIRED FINDINGS:

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

2007 COMPREHENSIVE PLAN- LAND USE CATEGORY:

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



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.

Historical Heart Tomorrow

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

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

The characteristics of Historical Heart neighborhoods will be:

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

COMPREHENSIVE PLAN GOALS & OBJECTIVES:

Goal #1: Natural Environment

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

Objective 1.12

Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14

Efficiency:

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

Objective 1.16

Connectivity:

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

Goal #2: Economic Environment

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

Objective 2.01

Business Image and Diversity:

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

Objective 2.04

Downtown & Neighborhood Service Nodes:

Prioritize a strong, vibrant downtown and compatible neighborhood service nodes throughout the city.

Objective 2.05

Pedestrian & Bicycle Environment:

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

Goal #3: Home Environment

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

Objective 3.01

Managed Growth:

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

Objective 3.05

Neighborhoods:

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

Objective 3.06

Neighborhoods:

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

Objective 3.07

Neighborhoods:

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

Objective 3.10

Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Objective 3.11

Historic Preservation:

Encourage the protection of historic buildings and sites.

Goal #4: Administrative Environment

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

Objective 4.06

Public Participation:

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

Evaluation:

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

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

STORMWATER: No issues with the proposed zone change.

-Submitted by Chris Bates, Engineering Project Manager

STREETS: No issues with the proposed zone change.

-Submitted by Chris Bates, Engineering Project Manager

WATER: Water has no comments for the proposed zone change.

-Submitted by Terry Pickel, Assistant Water Superintendent

SEWER: Wastewater has no objection to this planning action.

-Submitted by Mike Becker, Utility Project Manager

FIRE: Fire Department has no issues or concerns with the zone change request.

-Submitted by Bobby Gonder, Fire Inspector

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

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

PHYSICAL CHARACTERISTICS:

There are no topographical or other physical constraints that would make the subject property unsuitable for the request.

AERIAL PHOTO:



SITE PHOTO: Subject property looking southwest



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

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

TRAFFIC:

The proposed zone change will not impact traffic generation from the subject property.

SUBJECT PROPERTY: Looking southeast



NEIGHBORHOOD CHARACTER:

From 2007 Comprehensive Plan: **Historical Heart Today**

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

Widely governed by traditional zoning, there are pockets of infill overlay zones that allow development, based on Floor Area Ratio (FAR). Many other entities and ordinances serve this area to ensure quality development for generations to come.

Numerous residential homes in this area are vintage and Residents are very active in local policy-making to ensure development is in scale with neighborhoods.

EXISTING LAND USES:

ZONING:



Approval of the zone change request could intensify the potential use of the property by increasing the allowable uses by right as listed below:

- **Existing R-17 Zoning District:**

Uses permitted by right in the R-17 zoning district

- Single-family detached housing
- Duplex housing
- Pocket residential development
- Multi-family.
- Home occupations.
- Administrative.
- .
- Public recreation.
- Neighborhood recreation.
- Essential service (underground)
- Childcare facility.
- Community education

Uses permitted by Special Use Permit:

- Automobile parking when the lot is adjoining at least one point of, intervening streets and alleys excluded the establishment which it is to serve; this is not to be used for the parking of commercial vehicles.
- Boarding house.
- Commercial film production.
- Commercial recreation.
- Community assembly.
- Community organization.
- Convenience sales.
- Group dwelling - detached housing.
- Handicapped or minimal care facility.
- Juvenile offenders facility.
- Ministorage facilities.
- Mobile home manufactured in accordance with section 17.02.085 of this title.
- Noncommercial kennel.
- Nursing/convalescent/rest homes for the aged.
- Rehabilitative facility.
- Religious assembly.
- Residential density of the R-34 district as specified.
- Three (3) units per gross acre density increase

➤ **Proposed Neighborhood Commercial (NC) Zoning District:**

Uses permitted by right:

- Commercial and professional office
- Daycare
- Medical/dental
- Parks
- Personal services
- Residential
(Above the ground floor only-new construction)
- Retail

Uses permitted by special use permit:

- Religious institutions
- Schools

The following uses are prohibited in NC districts:

- x Commercial parking
- x Detention facilities
- x Gasoline service stations
- x Industrial
- x Ministorage
- x Outdoor storage or display of goods, other than plants
- x Sales, repair or maintenance of vehicles, boats, or equipment
- x Warehouses

- × Additional Prohibited Uses: In addition to the uses listed above, any other uses that the Planning Director determines are not in conformity with the purpose and intent of the district are prohibited. The decision of the Planning Director may be appealed by following the administrative appeal procedure.

Hours of Operation

Nonresidential uses may only be open for business between the hours of six o'clock (6:00) A.M. and ten o'clock (10:00) P.M.

Floor Area

Maximum Floor Area Ratio: The floor area ratio (FAR) for nonresidential uses in an NC district is 1.0 with a total FAR of 1.5 when a ground floor permitted use is combined with a second level residential unit.

Maximum Floor Area: The maximum floor area shall not exceed four thousand (4,000) square feet for retail uses. All other nonresidential uses shall not exceed eight thousand (8,000) square feet.

Parking

Nonresidential Uses: Nonresidential uses must provide at least three (3) parking stalls per one thousand (1,000) square feet of floor area.

Permitted Residential Uses: Permitted residential uses must provide 1.5 stalls per dwelling unit.

Height & Design Standards

The maximum height for all uses in an NC district shall not exceed thirty two feet (32').

At least fifty percent (50%) of any first floor wall facing an arterial street must be glass.

If the building does not abut the sidewalk, there must be a walkway between the sidewalk and the primary entrance.

Surface parking should be located to the rear or to the side of the principal building.

Trash areas must be completely enclosed by a structure constructed of materials similar to the principal building. Dumpsters must have rubber lids.

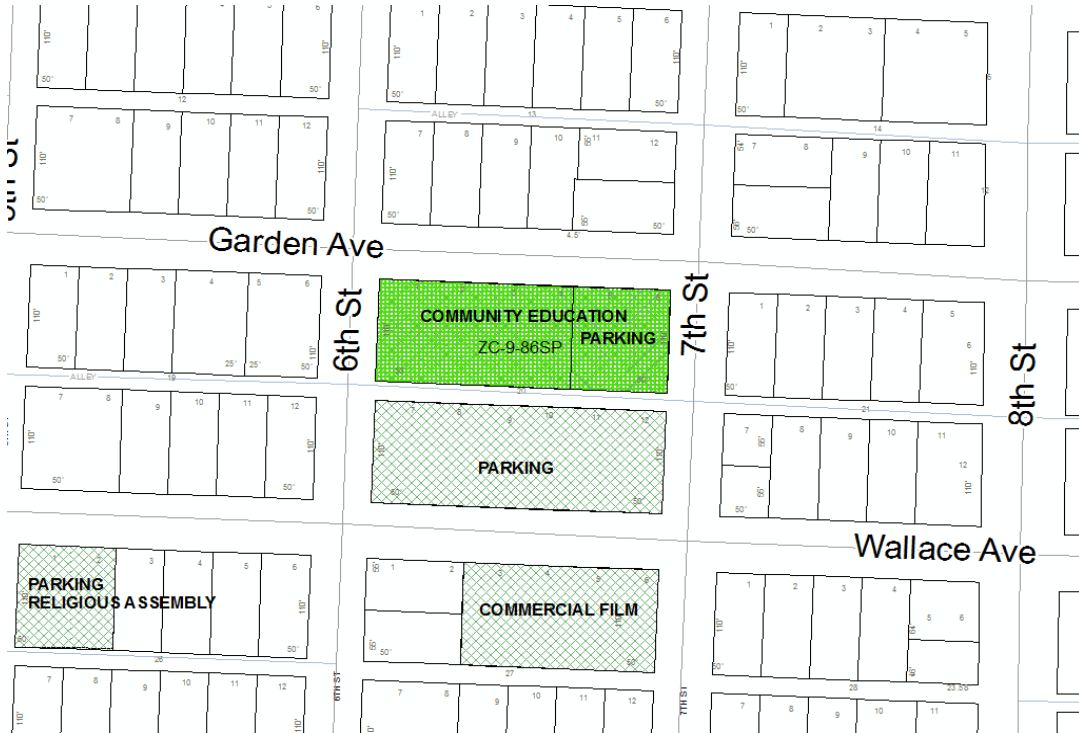
Buildings must be designed with a residential character, including elements such as pitched roofs, lap siding, and wide window trim.

Lighting greater than one foot-candle is prohibited. All lighting fixtures shall be a "cutoff" design to prevent spillover.

Wall mounted signs are preferred, but monument signs no higher than six feet (6') are allowed. Roof mounted signs and pole signs are not permitted.

Signs shall not be internally lighted, but may be indirectly lighted.

PRIOR ZONE CHANGES IN AREA:



GENERALIZED LAND USE PATTERN:



Existing/adjacent land uses:

The existing land uses in the area are primarily single-family, duplex, religious assembly and professional office uses (Social Security Office).

Previously, the building was used for community education as the Old Central School and as an approved daycare, Stepping Stones Preschool (SP-13-84).

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

APPLICABLE CODES AND POLICIES:

UTILITIES:

All proposed utilities within the project shall be installed underground.

STREETS:

An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

STORMWATER:

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

PROPOSED CONDITIONS:

None

ORDINANCES & STANDARDS USED FOR EVALUATION:

2007 Comprehensive Plan
Transportation Plan
Municipal Code
Idaho Code
Wastewater Treatment Facility Plan
Water and Sewer Service Policies
Urban Forestry Standards
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices
2010 Coeur d'Alene Trails Master Plan

ACTION ALTERNATIVES:

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



**APPLICANT'S
NARRATIVE**

PROPERTY INFORMATION

1. Gross area: (all land involved): _____ acres, and/or 22,000 sq.ft. (4 lots)
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): _____ acres, and/or _____ sq. ft.
3. Total number of lots included: 4
4. Existing land use: Yoga school & photography studio
5. Existing Zoning (check all that apply): R-1 R-3 R-5 R-8 R-12 (R-17) MH-8
NC CC C-17 C-17L DC LM M
6. Proposed Zoning (check all the apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8
(NC) CC C-17 C-17L DC LM M

JUSTIFICATION

Please use this space to state the reason(s) for the requested zone change and include comments on the 2007 Comprehensive Plan Category, Neighborhood Area, and applicable Special Areas and appropriate goals and policies and how they support your request.

My request to change the zoning from R-17 to NC was a result of my learning that some of the current (and prior) uses of the property were not in compliance with the current zoning.

The NC zone ideally contemplates the ~~uses~~ current occupancies (and past occupancies) that the building has been used for over the past 10 years. ~~As pointed~~

The preservation of this beautiful old school house and the adaptation of the property for many uses that fall within the NC zone seem to support the visions outlined in the 2007 Comprehensive Plan. Specifically Objective 1.07 of Goal #1, Objective 2.01, 2.02 & 2.04 of Goal #2 and Objective 3.11 of Goal #3.

Note: The 2007 Comprehensive Plan is available by going to www.cdavid.org under Departments / Planning

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

A. INTRODUCTION

This matter having come before the Planning Commission on, July 8, 2014, and there being present a person requesting approval of ZC-2-14, a request for a zone change from R-17 (Residential at 17 units/acre) to NC (Neighborhood Commercial) zoning district.

APPLICANT: DAVID RUCKER

LOCATION: +/- 0.288 ACRE PARCEL AT 2202 N GOVERNMENT WAY AND
MORE COMMONLY KNOWN AS 602 E. GARDEN, FORMERLY THE
OLD CENTRAL SCHOOL SITE

**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 single-family, duplex, multi-family housing, religious assembly and professional office uses (Social Security Office).
- B2. That the Comprehensive Plan Map designation is Historical Heart – Transition.
- B3. That the zoning is R-17.
- B4. That the notice of public hearing was published on, June 21, 2014, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, June 25, 2014, which fulfills the proper legal requirement.
- B6. That 75 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on June 20, 2014.
- B7. That public testimony was heard on July 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 and adequate to the property?

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

Criteria to consider for B10:

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

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

Criteria to consider for B11:

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

C. ORDER: CONCLUSION AND DECISION

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

Special conditions applied are as follows:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner 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