

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

**NOVEMBER 12, 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.

**5:00 p.m. DISCUSSION:**

Subdivision Ordinance - Warren

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

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

**APPROVAL OF MINUTES:**

September 9, 2014

**PUBLIC COMMENTS:**

**STAFF COMMENTS:**

**PUBLIC HEARINGS:**

1. Applicant: Gates and Harris, LLC  
Location: 3890 N. Schreiber Way  
Request: A proposed Food & Beverage, on/off site special use permit in the M ( Manufacturing) zoning district.  
QUASI-JUDICIAL, (SP-8-14)
2. Applicant: TDUB & Bubbas, LLC  
Location: 600 E. Best Avenue  
Request: A proposed Warehouse/Storage special use permit in the C-17 (Commercial at 17units/acre) zoning district  
QUASI-JUDICIAL, (SP-9-14)
3. Applicant: RYEIG, LLLP  
Location: 3201 Huetter Road  
Request:
  - A. A modification to "Mill River PUD"  
QUASI-JUDICIAL, (PUD-4-04m.2)
  - B. A proposed 5-lot preliminary plat "Mill River 5<sup>th</sup> Add"  
QUASI-JUDICIAL, (S-5-04.m)

- C. A proposed zone change from C-17(Commercial at 17 units/acre) to R-3 (Residential at 3 units/acre)  
QUASI-JUDICIAL, (ZC-4-14)

**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 Stuhmiller at (208)769-2240 at least 24 hours in advance of the meeting date and time.***



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**PLANNING COMMISSION  
MINUTES  
SEPTEMBER 9, 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  
Cole O'Brien, Student Rep.  
Christian Cousins, Alt. Student Rep.

**STAFF MEMBERS PRESENT:**

Sean Holm, Planner  
Lori Burchett, 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 Ingalls, seconded by Ward, to approve the minutes of the Planning Commission meeting on August 12, 2014. Motion approved.

**STAFF COMMENTS:**

Planner Burchett announced that the cell tower on E. Lakeshore Drive has been removed.

**PUBLIC COMMENTS:**

There were none.

**PUBLIC HEARINGS:**

1. Applicant: Dehm Investments  
Location: 370 E. Kathleen Avenue, Suite 800  
Request: A proposed Commercial Recreation special use permit in the C-17L (Commercial Limited) zoning district.  
QUASI-JUDICIAL, (SP-6-14)

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

Commissioner Ingalls inquired, after looking at the list of other special use permits that were approved years ago, why SP-5-13 was missing from the group.

Planner Burchett responded that permit was withdrawn.

Commissioner Messina inquired regarding the letter from Yellowstone Pipeline if the applicant is aware of their concerns as stated in the letter.

Planner Burchett explained that the letter was intended if work was going to be done outside the building. She stated that the applicant will be doing modifications to the inside of the building.

Commissioner Bowlby inquired if there will be enough parking.

Planner Burchett stated that there is adequate parking based on the formula used in the staff report.

**Public testimony open:**

Scott Cranston, architect representative, gave a brief description of the project and introduced C.J. Cacioppo, who is the Anytime Fitness representative and is here to answer questions.

Commissioner Bowlby inquired about the hours of operation.

Mr. Cacioppo explained that this is a 24 hour fitness where members are authorized a "key hub" to get into the facility.

Commissioner Bowlby inquired if this will be staffed.

Mr. Cacioppo explained that this facility is designed as a boutique workout center where members can come and go as they please. He stated that the only time staff will be there is between 9:00 a.m. to 7:00 p.m. Monday-Saturday, with no staff available on Sundays.

Kevin Gerlitz explained that his home faces the back entrance of the building and is concerned about the hours of operation and the impact it will have to this quiet neighborhood with people coming and going all hours of the night. He feels this is not a good fit for the neighborhood and requested the planning commission deny this request.

Rebuttal:

Mr. Cranston explained how the building sits on the lot with a 6 foot fence in the back separating the building from the residential homes. He estimated that there will be a small amount of people early morning and late at night. The main entrance is in the front and he doubts people will park in the back since it is less secure.

Commissioner Bowlby inquired if there are any lights in the back of the building.

Mr. Cranston explained the type of lights used in the back of the building are designed to not be obtrusive to the neighborhood. The lights are placed in the back of the building for safety and security reasons.

Commissioner Bowlby inquired about loud noises caused by music coming from the building early or late during the day.

Mr. Cacioppo explained that the stereos are locked in the manager's office and during the day there is some minor back noise. He stated that the busiest part of day is between 6:00 to 9:00 p.m.

Public testimony closed.

**Motion by Ingalls, seconded by Messina, to approve Item SP-6-14. 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.

2. Applicant: McAllister Technical Services  
Location: 1124 E. Sherman Avenue  
Request: A proposed Custom Manufacturing special use permit in  
The C-17 (Commercial at 17 units/acre) zoning district  
QUASI-JUDICIAL, (SP-7-14)

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

Commissioner Bowlby inquired if the special use permit would stay with the property if the applicant sells the property.

Planner Holm explained that if the property is sold and used for something else, the special use permit would expire.

Commissioner Ingalls inquired if the parking will accommodate the number of employees as stated in the narrative.

Planner Holm explained that parking will be located across the street from the building, with 16 spaces available for employees.

Commissioner Bowlby inquired if the applicant will be allowed to sell their product from this location.

Planner Holm stated that they can sell to the public.

Public testimony open:

Sandy Young, applicant representative, introduced the three owners of McAllister Technical Services and stated they are available for questions. She explained a brief history of how the business was started and the reason they are requesting a special use permit is because they have grown out of their existing building on Highway 95 and Prairie Avenue.

The new building will offer more space and is big enough for potential growth. She explained that the majority of their business is done through the internet with the design of the creation of the robotic parts taking place at this facility. She feels that this business will be an asset to the city. She then asked if the commission had any questions.

Commissioner Ingalls inquired why the applicants choose this location.

Jeff Beebout, owner, explained that when they were looking for a building, they looked in Hayden, Post Falls and finally found the building in Coeur d'Alene on Sherman. This is the perfect location and the building is large enough for potential growth.

Commissioner Ward inquired if they be adding more employees in the future.

Mr. Beebout stated that their business is 33 years old and the goal has always been to grow and the

reason why this building was chosen. He estimated that in the next few years adding four to five people. The parking now is adequate for the employees they currently have, but in the future if they add more employees they will have outgrown the building and will move.

Lucia Thompson stated that she owns the business across the street and is excited for this business to locate in this area but has concerns there is not enough parking. She explained that parking has been an issue for a long time.

Commissioner Ingalls stated this seems like a win/win for this area and explained that there will now be a tenant in this vacant building with minimum employees compared to someone who has another business move into this building that would have caused more of an impact. He feels this will be a good fit for the neighborhood.

Ms. Thompson stated that she does not have enough parking available for her customers and is afraid that the few customers this business will generate will have an impact.

Commissioner Bowlby inquired if there is available parking in the back of her building.

Ms. Thompson explained that she does have a few spaces available in the back but those are taken for her employees and her clients have to park in the front.

Commissioner Luttrupp stated that he feels the applicants want to be good neighbors and is confident they will work together to solve this issue.

Rebuttal:

Ms. Young explained that the applicant anticipating potential growth has purchased a lot on 12<sup>th</sup> street to be used for parking. This would eliminate parking on Sherman that would help alleviate this problem.

Public testimony closed.

**Motion by Ingalls, seconded by Luttrupp, to approve Item SP-7-14. 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.

**ADJOURNMENT/CONTINUATION:**

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

The meeting was adjourned at 7:00 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** LORI BURCHETT, PLANNER  
**DATE:** NOVEMBER 12, 2014  
**SUBJECT:** SP-8-14 – REQUEST FOR A FOOD AND BEVERAGE ON/OFF-SITE CONSUMPTION AND GROUP ASSEMBLY SPECIAL USE PERMIT IN A MANUFACTURING (M) ZONING DISTRICT  
**LOCATION:** A +/- 1.134 ACRE PARCEL LOCATED AT 3890 N SCHREIBER WAY IN COMMERCE PARK OF COEUR D'ALENE, 2<sup>ND</sup> ADDITION

**APPLICANT:**

Gates and Harris, LLC  
3890 N. Schreiber Way  
Coeur d'Alene, ID 83815

**PROPERTY OWNER(S):**

Gates and Harris, LLC  
3890 N. Schreiber Way  
Coeur d'Alene, ID 83815

**DECISION POINT:**

Coeur d'Alene Cellars Winery is requesting approval of a Food and Beverage On/Off-Site Consumption Special Use Permit and Group Assembly in a Manufacturing (M) zoning district. The request, if granted, would allow the applicant to sell wine and related items from the N. Schreiber Way location identified above as well as host group events.

**GENERAL INFORMATION:**



The applicant has applied for a special use permit to be able to sell retail wine from the business, both on and off-site, in conjunction with the manufacturing use allowed by right. During discussions with the applicant, it was determined that increased sales with established business hours would necessitate a special use permit. Currently, Coeur d'Alene Cellars Winery is permitted to sell wine to customers that attend a wine tasting event, without a special use permit. Staff

determined that this function is accessory to the operation. However, the applicant is seeking special use permit approval to hold open tasting hours and host events and gatherings at their facility.

This business is located within an existing facility and the proposed use is similar to uses at surrounding facilities in the area. Summit Cider (SP-5-14) and Trickster's Brewing Co. (SP-6-12) offers the general



public an opportunity to sample and purchase their product at their facility. Approximately 5,380 square feet of the facility is being used for wine production, storage, and general office space for the business. The remaining 830-square feet of the interior of the facility would be open to the public for tasting and retail sales. There is outdoor area of 2,128 square feet that would occasionally be used during events and gatherings.

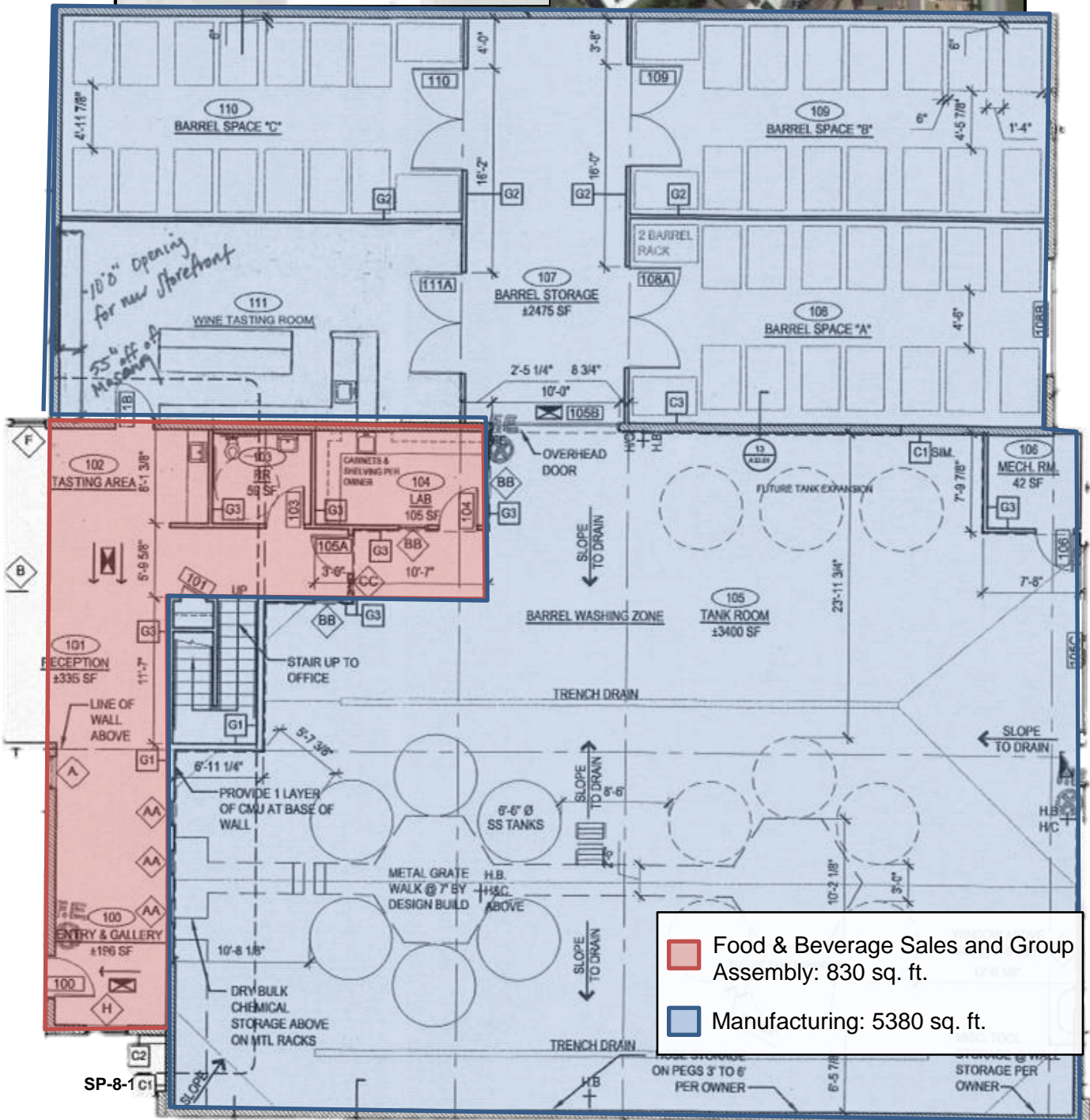
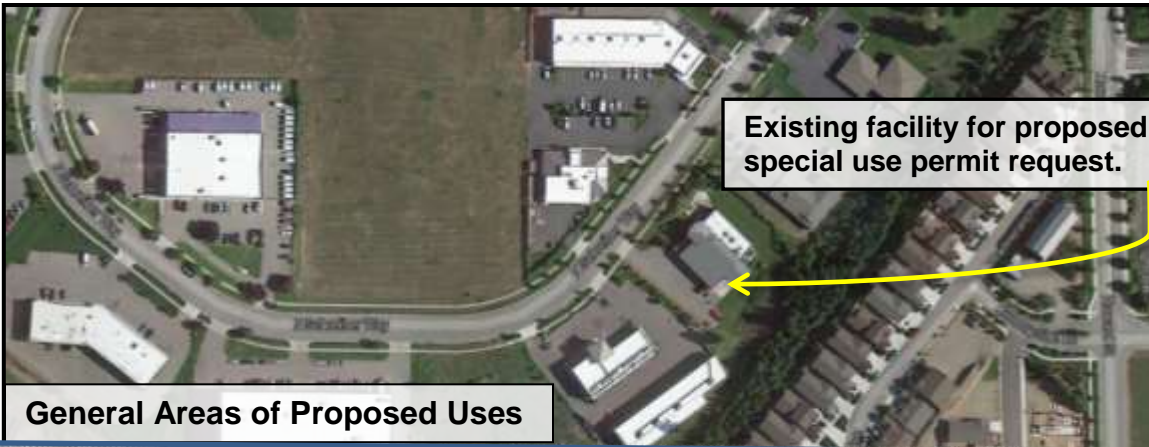
Parking requirements for food & beverage use is currently one stall for every two-hundred square feet (1:200). The existing warehouse facility had been approved as a winery (building permit 103059-B) in 2004. Since issuance of the permit, parking requirements have changed for uses normally located in a manufacturing zone, and depending on the specific wholesale/industry use in play, can measure anywhere from one stall per five-hundred sq. ft. (1:500) for finished goods to one stall per thousand sq. ft. (1:1000) for light manufacturing. The existing building measures 6,210 gross square feet. Approximately 5,380 sq. ft. is dedicated to manufacturing and 830 sq. ft. for Food and Beverage Consumption and Group Assembly. There are 12 on-site parking stalls provided and a parking agreement for additional parking spaces for evening activities and events. The parking requirements for this use are as follows: Light Manufacturing: five spaces (1 space/1,000 sf.); Food and beverage on/off site consumption: three spaces (1 space/330 sf); Group Assembly: one space (1 space for each 200 sf of floor area over 1,000 sf). There would be a total of nine required parking spaces to accommodate the three proposed uses. The parking areas for the winery facility are highlighted in yellow below.



Site plan showing area of request (Suite within structure):





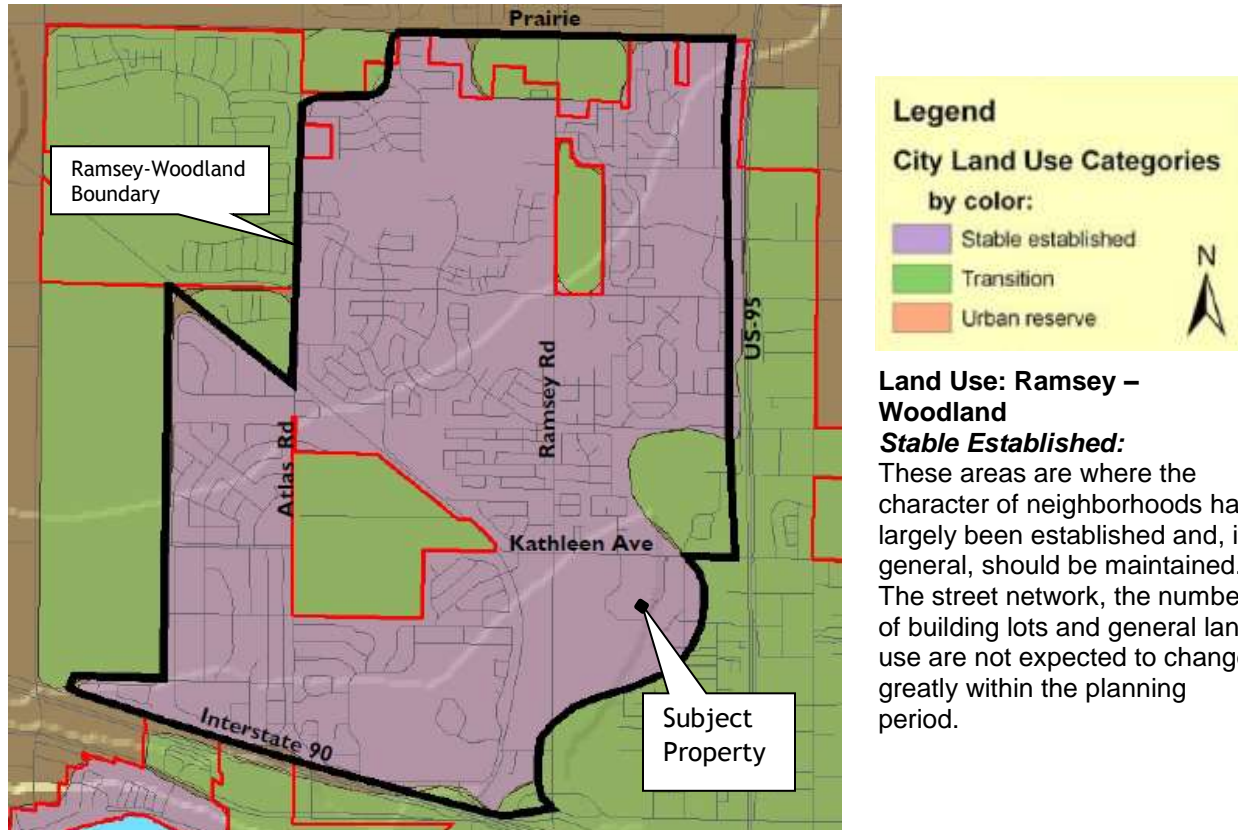


**REQUIRED FINDINGS:**

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

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

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



**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.

**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.

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

**Objective 1.12**

**Community Design:**

Support the enhancement of existing urbanized areas and discourage sprawl.

**Objective 1.14**

**Efficiency:**

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

**Objective 2.01**

**Business Image & Diversity:**

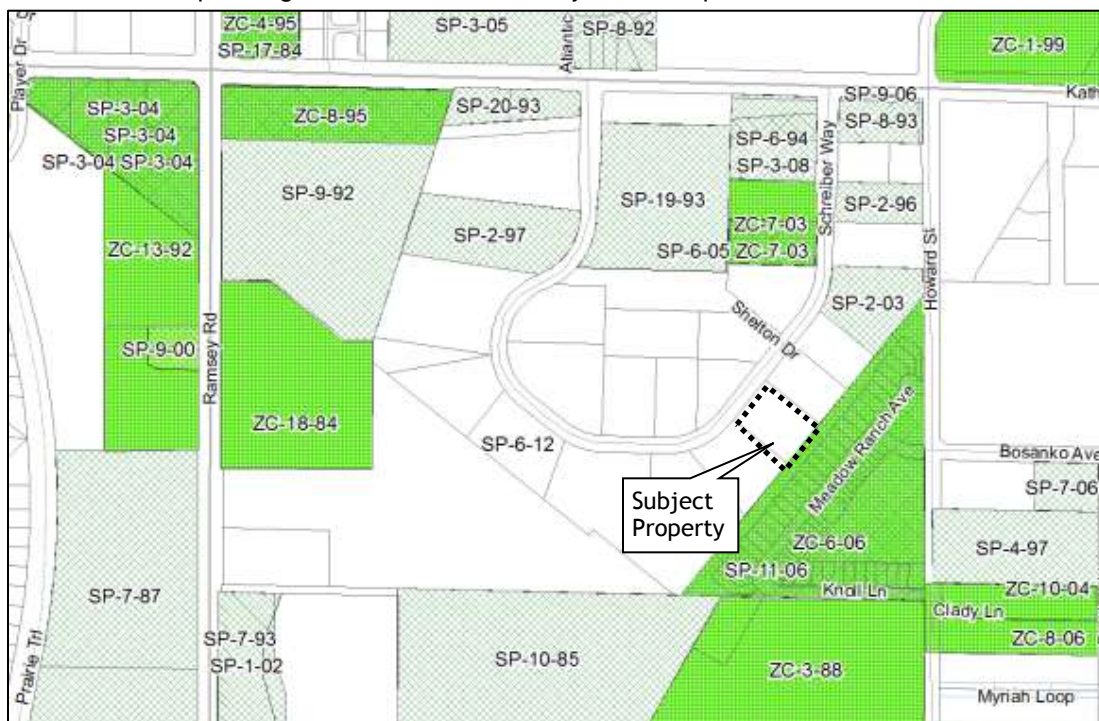
Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.

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

1. Location, setting, adjacent uses, & previous actions:

The area surrounding the request is relatively flat excepting the property to the east as it rises to where Meadow Ranch is located. The vicinity yields two zones: Manufacturing (M) and Light Manufacturing (LM) located to the north of the request (as shown on the zoning map above).

A variety of uses are located in the area of Schreiber Way: The BLM office, an insurance agency, the CDA Police Dept., Summit Cider (Cider Brewing), Tricksters Brewing, hardware sales, Beverage distributorship, USPS, printers, tile store and construction services are examples of businesses operating in the immediate vicinity of this request.



2. Aerial of site:

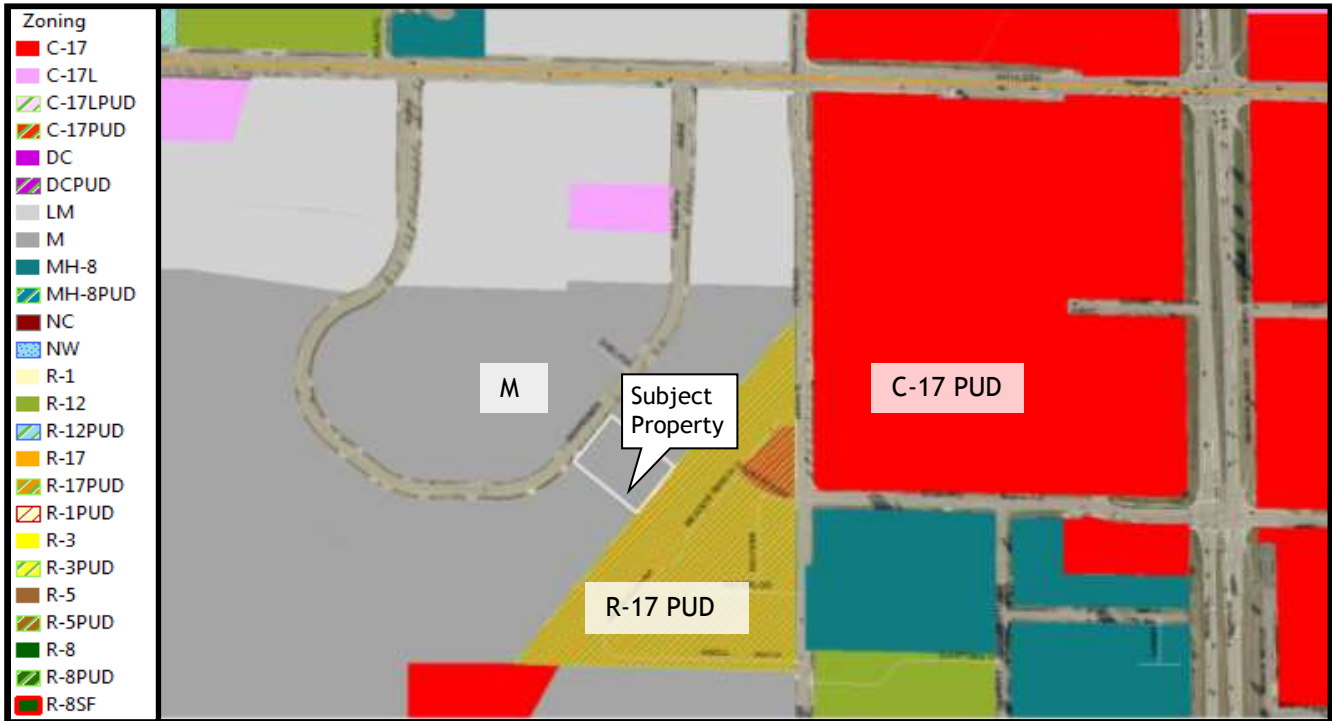


3. Photo of site:

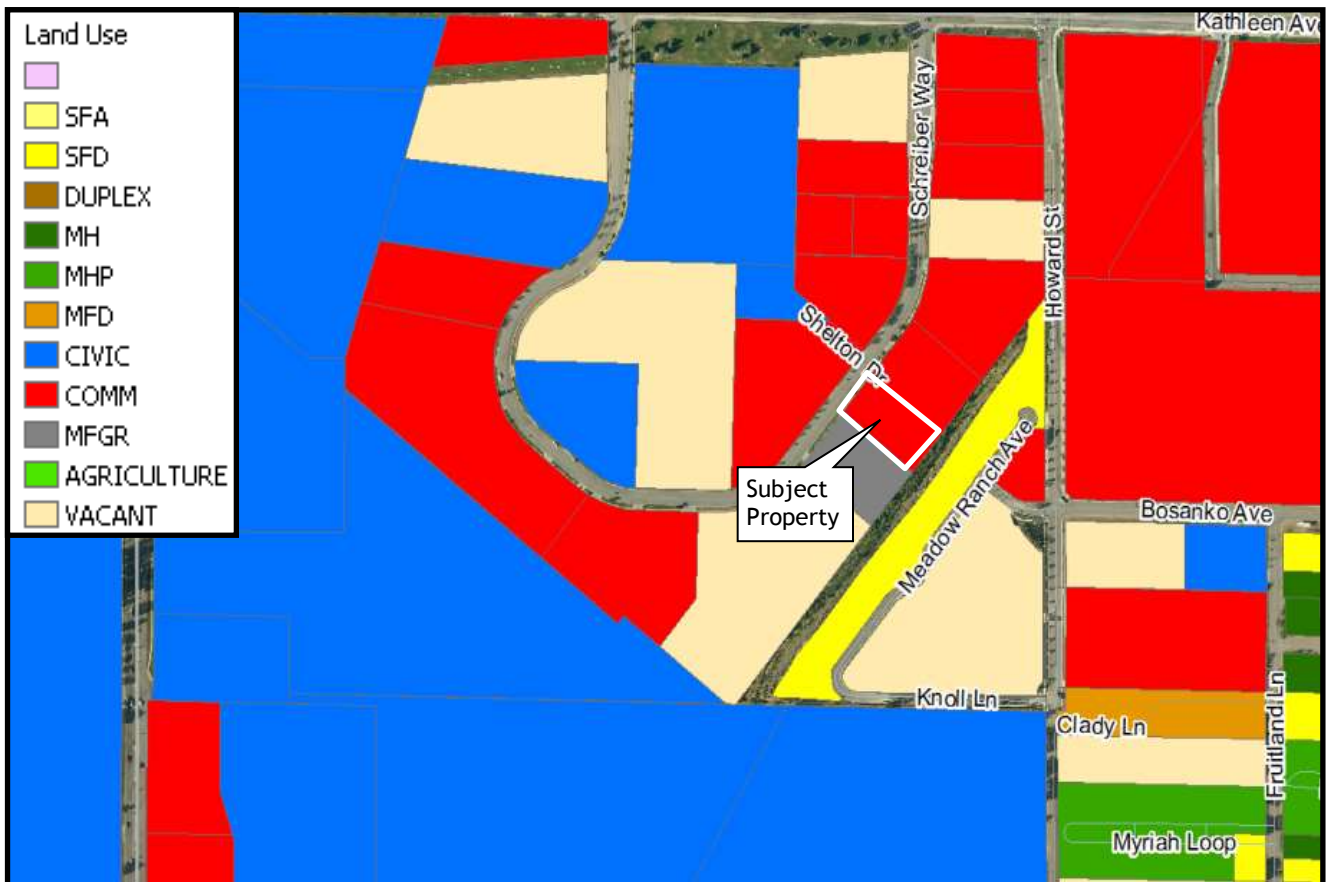




3. Zoning:



5. Generalized land use:



*request is compatible with surrounding uses and is designed appropriately to blend in with the area.*

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

**STAFF COMMENTS:**

WATER: There is sufficient capacity in the public water system to provide domestic, irrigation, and fire flow to the subject property. Domestic and irrigation services currently exist on the lot as well as an 8" stub.

*-Submitted by Terry Pickel, Assistant Water Superintendent (10/16/2014)*

STORMWATER:

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

Evaluation:

All stormwater facilities were installed with the initial site development and continue to function properly. No remediation measures are required for the subject property.

TRAFFIC:

The ITE Trip Generation Manual does not have an estimate for the proposed use at the subject property, therefore, an estimate of daily trips that the project may generate cannot be determined.

Evaluation:

Considering that the subject property is situated on a loop street that has two (2) connections to a major east/west arterial roadway, and, that roadway is signalized at two ends that connect to major north/south arterial roadways, traffic flow going to and leaving the site is not expected to create any issues. Also, the events at the subject property typically occur during off hours, therefore, the peak P.M. traffic volumes are not present. The adjoining roadways can manage the expectant traffic without and special considerations.

STREETS:

The subject property is bordered by Schreiber Way, which is a forty foot (40'), fully developed street section.

Evaluation:

The existing street section meets all necessary criteria and can manage the traffic flows without any alteration.



## APPLICABLE CODES AND POLICIES

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

PROPOSED CONDITIONS: **None from Engineering.**

*-Submitted by Chris Bates, Engineering Project Manager (10/08/2014)*

## FIRE

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

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

*-Submitted by Bobby Gonder, Fire Inspector (10/16/2014)*

WASTEWATER: The WW Utility does not have any conditions to place on the above-referenced Special Use Permit (SP-8-14).

*-Submitted by Mike Becker, Utility Project Manager (10/20/2014)*

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

## CONDITIONS:

No staff conditions proposed.

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

## ORDINANCES AND STANDARDS USED IN EVALUATION:

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

## ACTION ALTERNATIVES:

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



**APPLICANT'S  
NARRATIVE**

**JUSTIFICATION:**

Proposed Activity Group(s): Food & Beverage on + off site consumption  
& Group Assembly

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; \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. Explain how your request conforms to the 2007 Comprehensive Plan;

This request maintains the stable established  
designation of the Ramsey-Woodland area  
of the comprehensive plan.

C. Explain how the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties;

This use is compatible with the adjacent  
similar uses, including Trusters, Odem  
Distributing, Summit Cider & other Food &  
Beverage manufacturers.

D. Explain how the location, design, and size of the proposal will be adequately served by existing streets, public facilities and services;

All services are currently installed  
and existing in the manufacturing zone.  
Building permits were granted in 2004.

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 November 12, 2014, and there being present a person requesting approval of ITEM SP-8-14, a request for a Food and Beverage On/Off site Consumption and Group Assembly Special Use Permit in the M (Manufacturing) zoning district.

APPLICANT: GATES AND HARRIS, LLC

LOCATION: A +/- 1.134 ACRE PARCEL LOCATED AT 3890 N SCHREIBER WAY IN COMMERCE PARK OF COEUR D'ALENE, 2<sup>ND</sup> ADDITION

**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 mixed residential and Industrial
- B2. That the Comprehensive Plan Map designation is Ramsey-Woodland~ Stable Established.
- B3. That the zoning is M (Manufacturing).
- B4. That the notice of public hearing was published on, October 25, 2014, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on November 3, 2014, which fulfills the proper legal requirement.
- B6. That 46 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 24, 2014.
- B7. That public testimony was heard on November 12, 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 GATES AND HARRIS, LLC 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.

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CHAIRMAN BRAD JORDAN



**PLANNING COMMISSION  
STAFF REPORT**

FROM: SEAN E. HOLM, PLANNER  
DATE: NOVEMBER 12, 2014  
SUBJECT: SP-9-14 – REQUEST FOR A WAREHOUSE/STORAGE SPECIAL USE PERMIT IN A C-17 ZONING DISTRICT  
LOCATION: A +/- 1.498 ACRE PARCEL KNOWN AS E. 600 BEST AVE.

**APPLICANT/OWNER:**

TDUB & BUBBA'S LLC (Napa Auto Parts)  
7244 W. Nighthawk Dr.  
Post Falls, ID 83854

**DECISION POINT:**

TDUB and Bubba's, LLC, is requesting approval of a Warehouse/Storage Special Use Permit in a C-17 (Commercial at 17 units/acre) zoning district to allow for the operation of a distribution hub on a 1.498 +/- acre parcel. The request would allow Napa Auto Parts to store and ship inventory to retail Napa locations.

**GENERAL INFORMATION:**

A. Aerial photo:





**PERFORMANCE ANALYSIS:**

The requested Storage/Warehouse use is allowed by Special Use Permit in the C-17 zone.

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

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

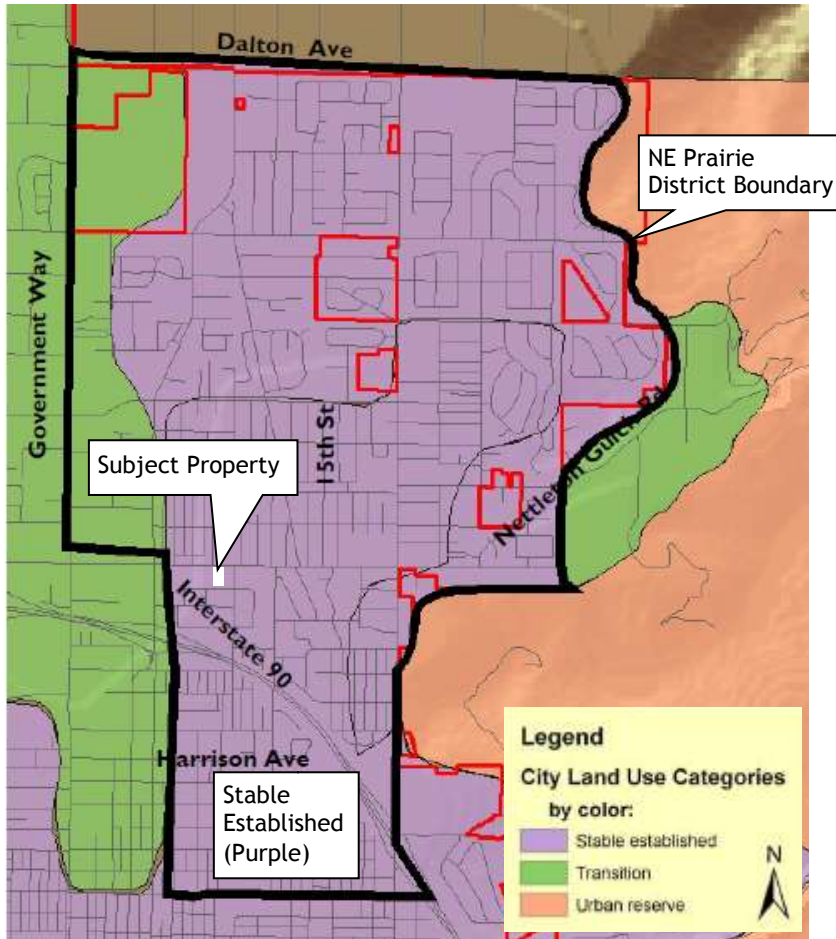
1. Adult entertainment sales and service
2. Auto camp
3. Criminal transitional facility
4. Custom manufacturing
5. Extensive impact
6. Residential density of the R-34 district as specified
7. Underground bulk liquid fuel storage - wholesale
8. Veterinary hospital
9. **Warehouse/storage**
10. Wireless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

*Assessment: The subject property is located in a C-17 zoning district.*

**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 NE Prairie: Stable Established.

**Land Use: NE Prairie**



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

**NE Prairie Today:**

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

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

**NE Prairie Tomorrow:**

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

**The characteristics of NE Prairie neighborhoods will be:**

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Commercial uses are concentrated in existing commercial areas along arterials with neighborhood service nodes where appropriate.
- Natural vegetation is encouraged and should be protected in these areas.
- Pedestrian connections and street trees are encouraged in both existing neighborhoods and developing areas.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

**Significant Comprehensive Plan policies for consideration:****Objective 1.11-Community Design:**

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

**Objective 1.12-Community Design:**

Support the enhancement of existing urbanized areas and discourage sprawl.

**Objective 1.14-Efficiency:**

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

**Objective 2.01-Business Image & Diversity:**

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

**Objective 3.03-Managed Growth:**

Direct development of large chain warehouse ("big box") business outlets to zones that will protect neighborhoods.

**Objective 3.05-Neighborhoods:**

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

**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.

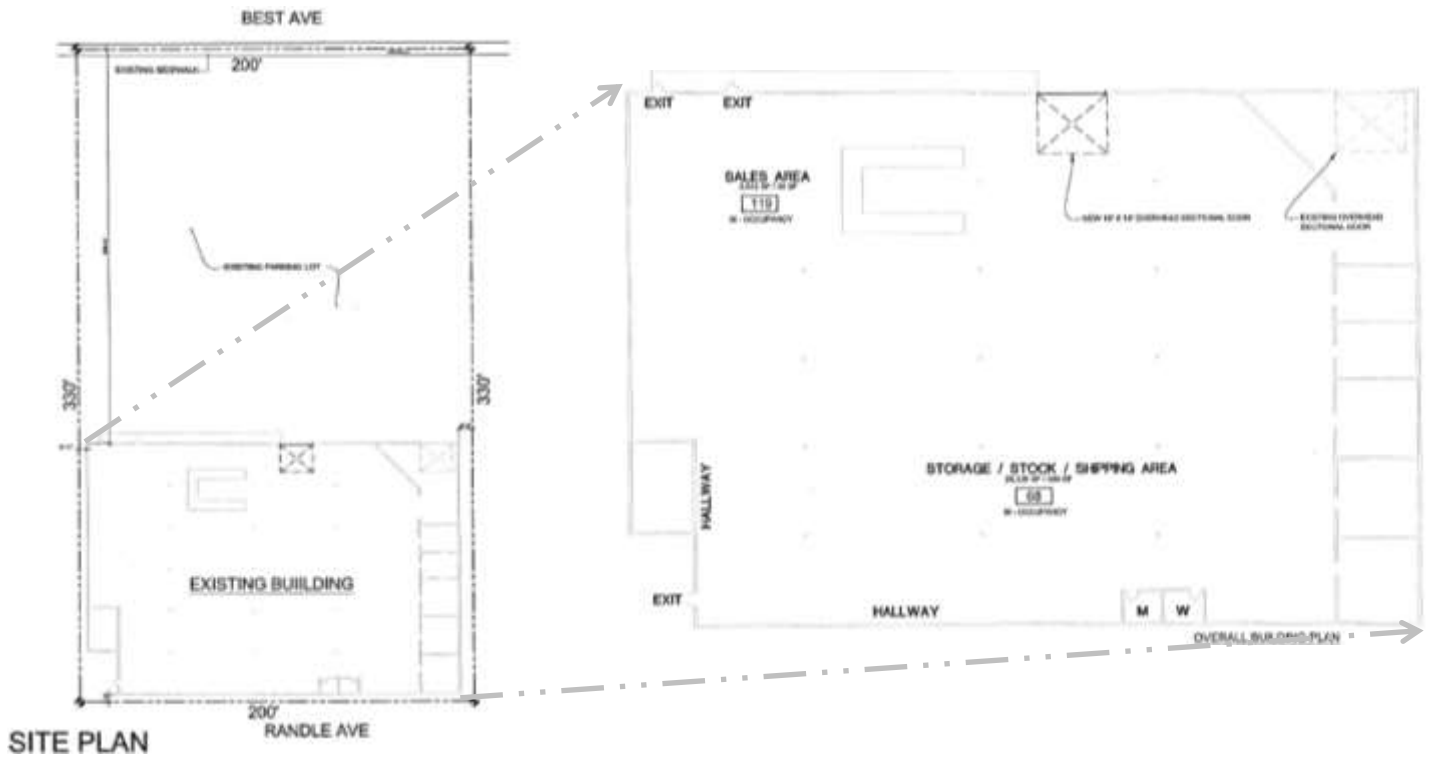
*Evaluation: The Planning Commission must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

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

Site Photo:  
From Best Ave. looking south

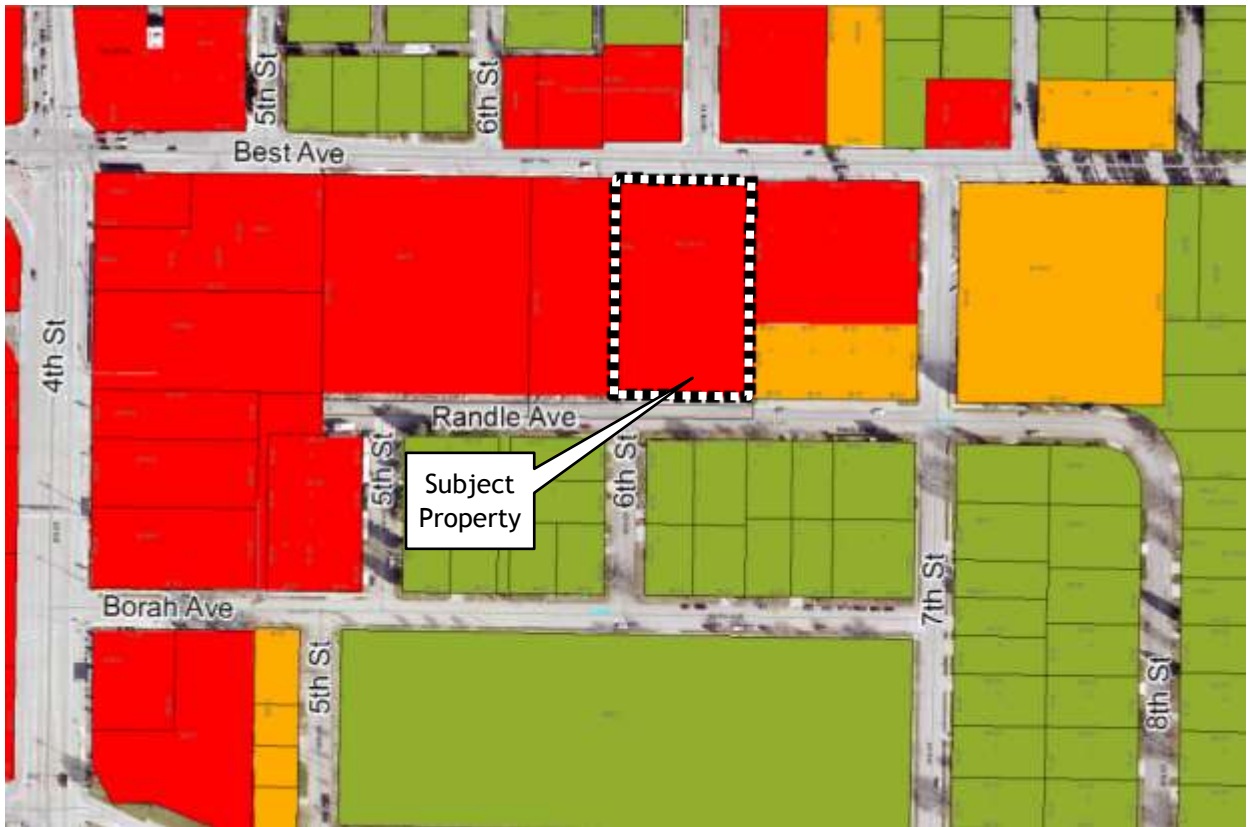


Site/Floor Plan:



Zoning:

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



Generalized land use pattern:

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



Existing land uses in the area include Residential (single-family, duplex, & multi-family) civic (community education & assisted care), commercial (retail & service), and vacant property.

The subject property consists of a large commercial structure with ample asphalt parking.

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

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

**STORMWATER:**

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

Should any development occur on the subject property that alters the size of the existing structural facilities, or, reconstructs/reconfigures the existing parking lot, then the installation of drainage swales will be required to treat the runoff from the impervious surfaces. If no changes occur to the site, installation of new drainage facilities will not be required.

**TRAFFIC:**

The ITE Trip Generation Manual estimates the project may generate approximately eight (8.8) trips per day from the warehouse use, and, 19.2 from the sales area use. These trips are based upon the square footage of the gross floor area furnished by the applicant.

The location of the subject property on a major east/west arterial roadway, controlled by signalization at the primary intersections, will accommodate the traffic volume from the site. The proposed use may actually result in less vehicle movement from the subject property than has occurred in the past (discount grocery store & retail facility).

**STREETS:**

The proposed subdivision is bordered by Best Avenue, which is a forty foot (40'), three lane street section with a center turn lane.

The existing street configuration is compatible for the use on the subject property and no alterations will be required.

*- Submitted by Chris Bates, Engineering Project Manager*

**WATER:**

There is sufficient capacity in the public water system to provide domestic, irrigation, and fire flow to the subject property. Domestic and fire services currently exist on the lot.

*- Submitted by Terry Pickel, Assistant Water Superintendent*

**SEWER:**

No objections or conditions.

*- Submitted by Mike Becker, Utility Project Manager*

*Evaluation: The Planning Commission must determine, based on the information before them, whether the location, design, and size of the proposal are such that the development will or will not be adequately served by existing streets, public facilities and services. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

**PROPOSED CONDITIONS:**

***Engineering:***

1. Should any development occur on the subject property that alters the size of the existing structural facilities, or, reconstructs/reconfigures the existing parking lot, then the installation of drainage swales will be required to treat the runoff from the impervious surfaces.

***Water:***

2. Due to the nature of the proposed use with the possibility of chemicals stored on site, a Reduced Pressure Backflow Assembly will be required on the domestic service.

***Fire:***

3. The fire suppression system must be inspected and the FDC situated in an accessible location acceptable to the CDAFD.

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.





**APPLICANT'S  
NARRATIVE**

Special Use Permit Application – Answers to Justification questions A through D

- A. Allow a larger portion of the building to be used as warehouse occupancy and add one overhead sectional door for deliveries and loading facing Best Ave and the existing parking lot
- B. This building is located in the Appleway North 4<sup>th</sup> Street area designated in the Comprehensive Plan as an area of mixed use. The new occupant will maintain the mixed use character of the neighborhood. The use of the existing building will generally be maintained with more of an emphasis on storage instead of retail. The retail portion of the building will be maintained allowing the site to keep its use as a retail store for the existing neighborhood. The proposed use is similar to many existing buildings in the area.
- C. The existing design and planning of the site and its adjacent uses are ideal for this type of occupancy. The use of the site since its original occupant has been retail with a warehouse component. Napa Auto Parts would like to continue this use but with a larger portion of the building being devoted to its warehouse component and a smaller retail area at the front of the building. The front parking lot has always had a loading dock and has been used for large truck loading. Napa requests that this function be maintained but with the addition one more overhead door.
- D. The location, design and size of this proposed use is ideal for the immediate area in which the building is located. The building location on Best Ave, designated a 'Minor Arterial', supports the proposed use allowing for the retail use to be maintained. There is adequate parking and access from Best Ave for vehicles, pedestrians and bicycles. The large parking area in front of the building also allows for delivery trucks to access the existing loading dock (facing Best Ave) without blocking traffic flow. There is adequate area in front of the building for these trucks to turn around limiting their impact on Best Ave.
- E. The previous occupant, formerly a retail store with some warehouse area, occupied the building in a similar way to how Napa Auto Parts intends to occupy the building. Napa Auto Parts is requesting that we allow the warehouse portion of the building to be increased.



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

**A. INTRODUCTION**

This matter having come before the Planning Commission on November 12, 2014, and there being present a person requesting approval of ITEM: SP-9-14 a request for a Warehouse/Storage Special Use Permit in the C-17 (Commercial at 17 units/acre) zoning district.

APPLICANT: TDUB AND BUBBA'S, LLC

LOCATION: A +/- 1.498 ACRE PARCEL KNOWN AS E. 600 BEST AVE.

**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), civic (community education& assisted care), commercial (retail & service), and vacant property.
- B2. That the Comprehensive Plan Map designation is NE Prairie: Stable Established.
- B3. That the zoning is C-17.
- B4. That the notice of public hearing was published on, August 25, 2014, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, October 28, 2014, which fulfills the proper legal requirement.
- B6. That 54 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on August 24, 2014.
- B7. That public testimony was heard on November 12, 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 **TDUBB & BUBBA'S** special use permit, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

**Engineering:**

1. Should any development occur on the subject property that alters the size of the existing structural facilities, or, reconstructs/reconfigures the existing parking lot, then the installation of drainage swales will be required to treat the runoff from the impervious surfaces.

**Water:**

1. Due to the nature of the proposed use with the possibility of chemicals stored on site, a Reduced Pressure Backflow Assembly will be required on the domestic service.

**Fire:**

1. The fire suppression system must be inspected and the FDC situated in an accessible location acceptable to the CDAFD.

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:** TAMI A.STROUD, PLANNER  
**DATE:** NOVEMBER 12, 2014  
**SUBJECT:** S-5-04.m – 5-LOT PRELIMINARY PLAT SUBDIVISION REQUEST FOR  
“MILL RIVER 5<sup>TH</sup> ADDITION”  
PUD-4-04m.2 – MODIFICATION OF “MILL RIVER PUD” PLANNED  
UNIT DEVELOPMENT  
**LOCATION:** +/- 2.993 ACRE PARCEL SOUTH OF HUETTER RD AND LYING  
BETWEEN E. MAPLEWOOD AVENUE AND W. MILL RIVER CT.

|   |  |
|---|--|
| <b>OWNER:</b>   | <b>APPLICANT:</b>  |
| RYEIG, LLLP<br>3201 Huetter Road<br>Coeur d’Alene, ID 83814 | Ruen-Yeager & Associates, Inc.<br>3201 Huetter Road<br>Coeur d’Alene, ID 83814 |

**DECISION POINT:**

RYEIG, LLLP is requesting approval of a 5-lot preliminary plat to be known as “Mill River 5<sup>th</sup> Addition”, and a modification to a portion of “Mill River PUD” for a +/-2.993 acre parcel south of Huetter Road and Lying between E. Maplewood Avenue and W. Mill River Ct.

These requests have been filed in conjunction with a zone change (ZC-4-14).

**GENERAL INFORMATION:**

RYEIG, LLLP is requesting approval of a 5-lot preliminary plat to be known as “Mill River 5<sup>th</sup> Addition”, and a modification to a portion of “Mill River PUD” for a +/-2.993 acre parcel south of Huetter Road and Lying between E. Maplewood Avenue and W. Mill River Ct. The property is currently zoned C-17PUD. (These requests have been filed in conjunction with a zone change ZC-4-14).

**The following changes are proposed to the existing PUD-4-04.m and S-5-04.m:**

- Propose four (4) additional residential lots in the five (5) lot “Mill River 5<sup>th</sup>” preliminary plat
- Reduce side and rear yard setbacks

History:

The Mill River Planned Unit Development is a mixed-use master planned community situated on the former Crown Pacific Mill site. Residential zoning includes R-3, R-8 and R-17 zones and at built out will contain approximately 152 single-family residences and multi-family housing.

PUD-4-04 and S-5-04 were approved by the Planning Commission on May 11, 2004. The existing plat is known as “Edgewater at Mill River”.

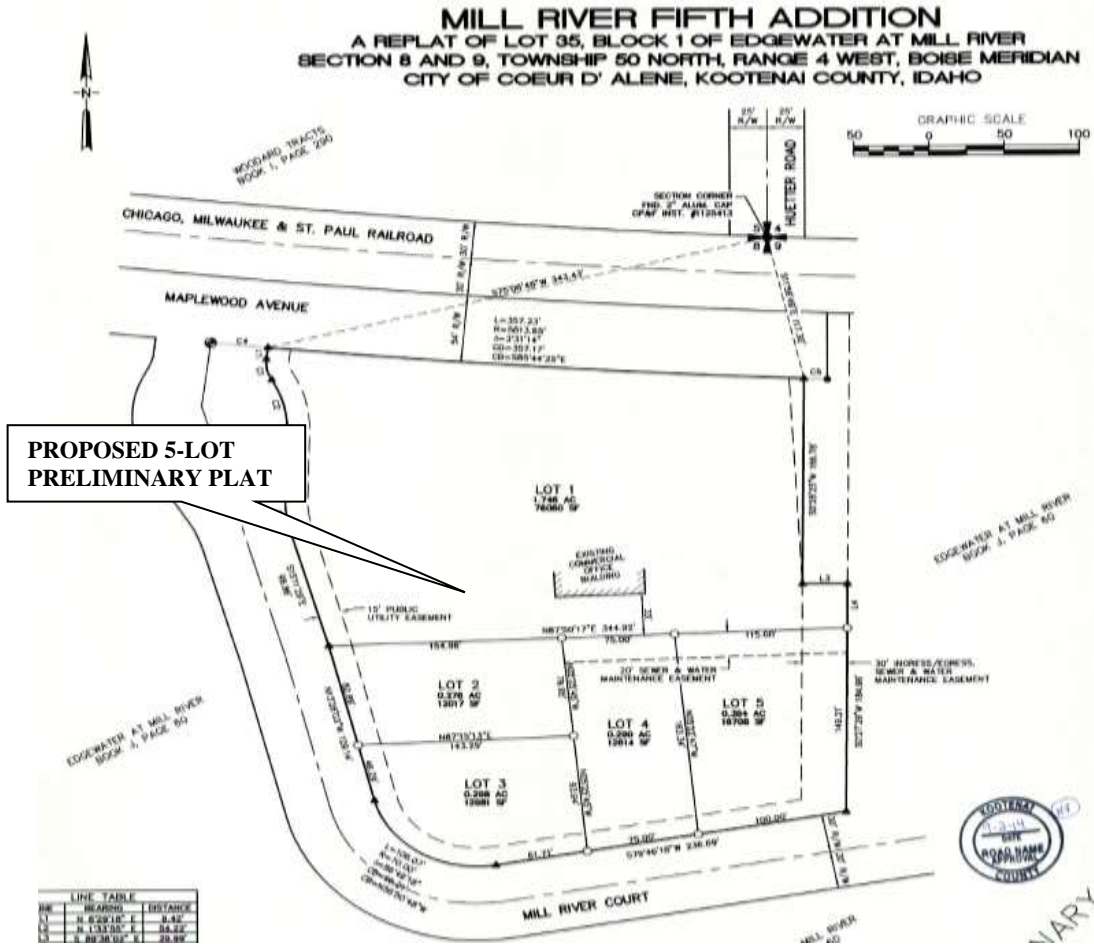
**Aerial photo:**



**REQUIRED FINDINGS (Subdivision):**

**Finding #B8A:** That all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer.

Per Gordon Dobler, City Engineer, the preliminary plat submitted contains all of the general information required by Section 16.12.020 of the Municipal Code, General Requirements.



**Finding #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) (are not) adequate where applicable.

**UTILITIES SUMMARY**

**STORMWATER:**

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

**Evaluation:**

The proposed development is a re-subdivision of a larger lot within an established subdivision. All roadway drainage facilities were previously constructed with the underlying development and are currently in place. Development of the newly created lots will require on-site stormwater facilities to be constructed to manage site drainage. In the case of residential construction, site runoff can be directed into the lot landscaping areas.

**TRAFFIC:**

The ITE Trip Generation Manual estimates the project may generate approximately seven (7) total trips during the A.M./P.M. peak hour periods from the new residential lots. The commercial office building on the larger proposed Lot 1 is an existing facility, and established use, and therefore would not add to the new trip counts.

*Evaluation:*

The adjacent and/or connecting streets will accommodate the traffic movements generated from the proposed addition of four single family residential lots.

**STREETS:**

The proposed subdivision is bordered by Mill River Court on the west and south sides. Maplewood Avenue along the subject property's northerly boundary is under the jurisdiction of the City of Huetter and the Post Falls Highway District.

*Evaluation:*

Mill River Court, the existing City street, is fully developed and both the street and the existing right-of-way meet all established City standards. Maplewood Avenue is outside of the City's jurisdiction, therefore, no alterations or modifications can be required.

*-Submitted by Chris Bates, Engineering Project Manager*

**WATER:**

There is sufficient capacity in the public water system to provide domestic, irrigation, and fire flow to the subject property. Domestic and irrigation services currently exist to proposed lot #1 only. A 12" main exists on the street frontage of all proposed lots. An 8" main exists in a public utility easement on the east side of the property. The public utility easement must be maintained. No permanent concrete structures are permitted within 10' of the water main. All site improvements and corrections will be at the developer's expense.

*Evaluation:*

1. Domestic services will be required to be installed on the street frontage of lots 2, 3, 4 and 5.
2. An existing 6" stub on the south end of the property must be abandoned at the main as no future use will be required for residential purposes

*-Submitted by Terry Pickel, Assistant Water Superintendent*

**WASTEWATER:**

Each lot connecting to the public sewer is subject to the Four Hundred Fifty and no/100 Dollar (\$450) Mill River Lift Station Surcharge Fee.



*Evaluation:*

The Mill River Lift Station Surcharge Fee, as adopted by Resolution 14-025, covers each lot's pro-rata share for the projected construction costs to increase capacity at the Mill River Lift Station and its related appurtenances at ultimate build-out. This development falls within the Mill River Lift Station Service Area as defined in the 2013 Wastewater Collection System Master Plan Update Figure J-1. This fee will be applied during the permitting process.

All sewer lateral tap connections to the public sewer main shall be inspected and approved by the Wastewater Utility prior to backfilling.

*Evaluation:*

The Wastewater Utility requires inspection prior and after the tap connection to ensure the public sewer main is not damaged during construction and appropriate compaction provisions are implemented to protect the public sewer main from future damage resulting in settling issues.

An "all-weather" hard surface access shall be constructed from Maplewood and Huetter intersection to Manhole MIL1-14.

*Evaluation:*

Sewer Policy #713 requires an accessible all weather vehicular route to be provided to all off street manholes. A 10' wide asphalt surface or equivalent centered directly over the public sewer line and encompassing the manhole will permit City crews year round unobstructed maintenance access to the public sewer without fostering any property damage.

The Public Utility Easement for ingress/egress, maintenance of the public sanitary sewer and public water infrastructure within the subject property shall be shown and described on the Plat.

*Evaluation:*

In conformance to Sewer Policy #719, all public utility easements granted the City permit the installation, access to operate and maintain the public sewer infrastructure and prohibits the placement of any obstacles or structures that would otherwise interfere with City's ability to service said infrastructure. The 20' wide easement adjacent to the northerly property line of lots 4 and 5 will not be for public sewer.

*-Submitted by Mike Becker, Utility Project Manager*

**FIRE:**

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

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

It appears that all Fire Department conditions were put in place and met during the initial phase of this project to include fire hydrants, road width/surface and Fire Department access. With the addition of the proposed 4 houses, a Fire Department second way out will be required.

IFC (International Fire Code) 2012 Edition:  
 Section D107 – One or Two Family Residential Developments.  
 D107.1. One or Two Family dwelling residential developments. Developments of one-or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

*-Submitted by Bobby Gonder, Fire Inspector*

**B8C:** That the proposed preliminary plat (do) (do not) comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.

The subdivision standards have been met through the previously approved subdivision.

**B8D:** The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.

- zoning
- C-17
- C-17L
- C-17LPUD
- C-17PUD
- DC
- DCPUUD
- LM
- M
- MH-8
- MH-8PUD
- NC
- NW
- R-1
- R-12
- R-12PUD
- R-17
- R-17PUD
- R-1PUD
- R-3
- R-3PUD
- R-5
- R-5PUD
- R-8
- R-8PUD
- R-85F



Residential uses are allowed in the C-17 zoning district and include single-family, duplex, pocket development and multi-family uses up to 17 units/acre. The applicant is requesting a zone change for the four (4) residential lots and the existing commercial lot will remain as is. These requests have been filed in conjunction with a zone change (ZC-4-14).

**PHOTOS OF SUBJECT PROPERTY:**



**WEST MILL RIVER COURT LOOKING NORTH:**



**INTERIOR OF SUBJECT PROPERTY LOOKING WEST:**

**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.*

**Requested Deviations through PUD:**

Reduced building setbacks:

- Side yards – From 5/10-feet to 5-feet
- Rear yard – From 25-feet to 20-feet

**NOTE:** **The above deviations are the only ones requested. All other zoning and subdivision ordinance requirements apply.**

*Assessment: The Commission should bear in mind that a PUD is intended to provide for flexibility and diversity of use by removing the limitations in the typical lot-by-lot approach to development. It is not intended to be a means to waive certain development regulations. The Commission must, therefore, determine if the concept of the proposal is unique enough that it merits the flexibility afforded by the PUD regulations.*

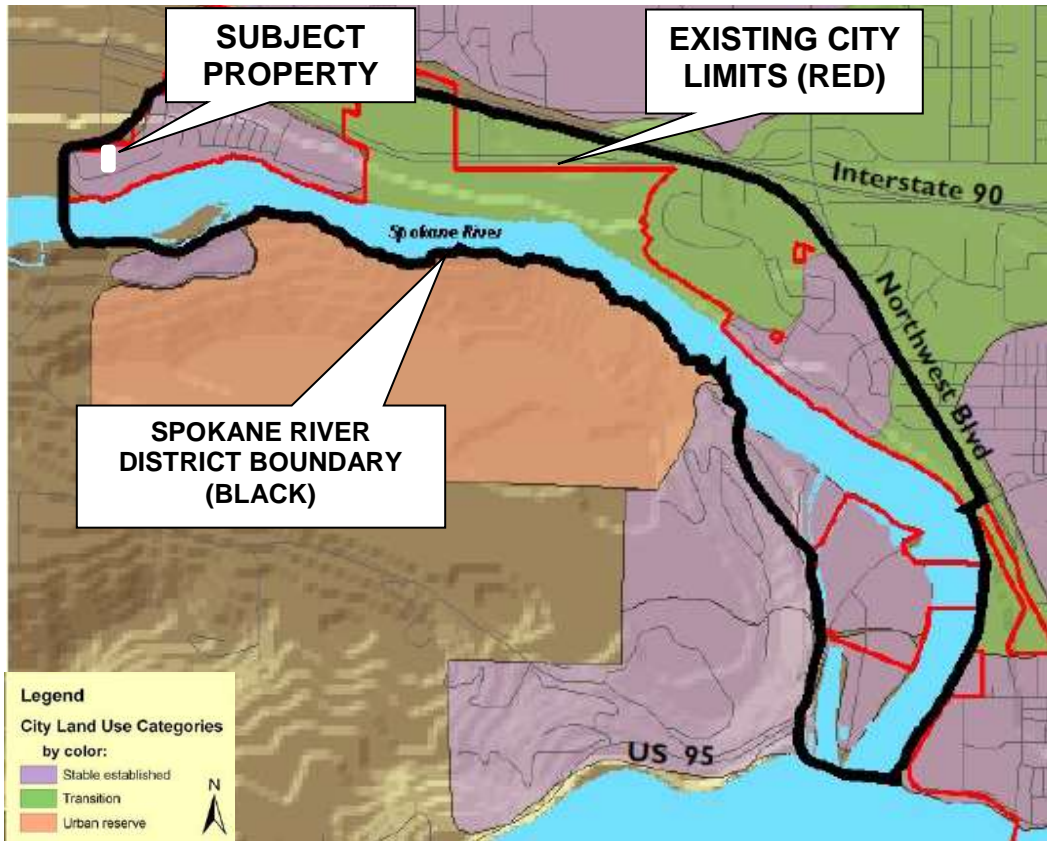
*In making this determination, the Planning Commission should decide if the deviations requested represent a substantial change over what would be allowed if the regulations were applied on a lot-by-lot basis.*

**REQUIRED FINDINGS (Planned Unit Development - PUD):**

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

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map designates this area as **Stable Established-Spokane River District**.





2007 COMPREHENSIVE PLAN : SPOKANE RIVER DISTRICT

**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

**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 1.03 – Waterfront Development:  
Encourage public and private development to incorporate and provide ample public access, both physical and visual, to the lakes and rivers.
- Objective 1.04 –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 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.

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

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

**Land Use:**



The request is part of and consistent with the Mill River Master Plan development, which is a residential and development. The proposed modification would allow the development of four (4) additional residential lots with a reduced side and rear yard setbacks.

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

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

The subject property will be graded to create building pad sites for future residential homes. There are existing residential homes throughout the Mill River Planned Unit Development. The commercial office building on the larger proposed Lot 1 is an existing facility, and established use on the site.

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

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

See staff comments which can be found in finding #B8B; (Subdivision), above.

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

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

**Not applicable to this request.**

There are no proposed changes to the original approval of the required 10% open space area for the Mill River Development.

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

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

There were no request made for changes to off-street parking through the PUD. Single-family homes require two (2) paved stalls per unit.

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

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

**Not applicable to this request.**

The homeowner's association was a part of the original approval and Final Development Plan. Single-family lots will be privately maintained.

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

**APPLICABLE CODES AND POLICIES**

**UTILITIES**

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

**STREETS**

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

**GENERAL**

6. The final plat shall conform to the requirements of the City.

## **PROPOSED CONDITIONS:**

### Planning:

1. The creation of a homeowners association will be required to ensure the perpetual maintenance of all common open space areas.

### Water:

2. Domestic services will be required to be installed on the street frontage of lots 2, 3, 4 and 5.
3. An existing 6" stub on the south end of the property must be abandoned at the main as no future use will be required for residential purposes

### Fire:

4. A second access shall be provided and maintained according to Fire Department standards.

### Wastewater:

5. Each lot connecting to the public sewer is subject to the Four Hundred Fifty and no/100 Dollar (\$450) Mill River Lift Station Surcharge Fee.
6. All sewer lateral tap connections to the public sewer main shall be inspected and approved by the Wastewater Utility prior to backfilling.
7. An "all-weather" hard surface access shall be constructed from Maplewood and Huetter intersection to Manhole MIL1-14.

## **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 these requests and make separate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

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

**APPLICANT'S  
NARRATIVE**



## PUD Modification Application Summary

This summary is to inform the City of Coeur d'Alene of the request to modify an existing Planned Unit Development application. The modification is specifically for Lot 35, Blk 1 Edgewater at Mill River, which is part of an original PUD approval (City records).

The purpose of the modification is to allow for a deviation of setbacks for a proposed re-plat of the lot 35, wherein four (4) additional residential lots are proposed. The requested deviation would be for the future single family dwellings on each of the lots to allow for a 20-foot rear yard setback, where a 25-foot setback is required and a 5-foot side yard setback, where a 10-foot setback is required. If necessary, it is also requested that accessory buildings be allowed to develop within 5-feet of the rear yard setback.

The modification will allow for the placement and utilization of the proposed lots and would be in keeping with the surrounding uses and home-sites.

The rear yard setback deviation would not adversely affect surrounding property owners, because the property directly north of the future rear lot lines is an existing commercial business. The side yard setback deviation would provide for more usable space of the proposed future lots, but would not substantially affect future landowners because existing utility lines and easements prevent structures from being placed within the easements.

No other deviations are sought with the modification request.



**APPLICANT'S  
NARRATIVE**

## PROPERTY INFORMATION

1. Gross area: (all land involved): 2.993 acres, and/or 130,381 sq.ft.
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): 2.993 acres, and/or 130,381 sq. ft.
3. Total length of street frontage: 1068.2 ft., and/or 0.202 miles.
4. Total number of lots included: Five (5)
5. Average lot size included: 26,076 sf  
minimum lot size: 12,017 sf  
maximum lot size: 76,060 sf
6. Existing land use: Commercial Office Building - Vacant Land

## SEWER AND WATER REIMBURSEMENT POLICY

Over sizing of utilities will not be eligible for reimbursement from the city unless a request is approved in writing by the City Council prior to issuance of Building Permits or the start of construction, whichever comes first.

## PROJECT DESCRIPTION:

Please describe the concept of the proposed subdivision:

The subdivision is a replat of Lot 35, Block 1 of Edgewater at Mill River to create four (4) single family residential  
lots and retain one (1) commercial lot. The commercial lot includes the existing commercial building at 3201 N.  
Huetter Road, Coeur d'Alene, ID. The four (4) residential single family lots will front and access onto Mill River.  
The commercial lot / building will access onto Maplewood Avenue. A secondary emergency access will be  
available over an ingress / egress, sewer, water, easement along the eastern portion of the proposed Lot 5 of  
the subdivision. Applicant proposes the following special setbacks; front yards - 20 feet, interior side yard - 5  
feet, rear yard - 20 feet for a structure, 5 feet for an out building. The applicant intends to modify the existing  
PUD and include the four (4) single family residential lots in the Mill River HOA. The applicant intends to allow  
shops and/or out buildings on the four (4) single family lots.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on November 12, 2014, and there being present a person requesting approval of a modification to a portion of "Mill River PUD" for a +/-2.993 acre parcel south of Huetter Road and Lying between E. Maplewood Avenue and W. Mill River Ct.

APPLICANT: RYEIG, LLLP

LOCATION: +/-2.993 ACRE PARCEL SOUTH OF HUETTER ROAD AND LYING BETWEEN E. MAPLEWOOD AVENUE AND W. MILL RIVER COURT.

**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 residential, commercial, and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established-Spokane River District.
- B3. That the zoning is C-17 PUD.
- B4. That the notice of public hearing was published on, October 25, 2014, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, November 2, 2014, which fulfills the proper legal requirement.
- B6. That 90 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 24, 2014.
- B7. That public testimony was heard on November 12, 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) (is not)** in conformance with the Comprehensive Plan. This is based upon the following policies:

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

|                                      |                |
|--------------------------------------|----------------|
| <b>Criteria to consider for B8B:</b> |                |
| 1. Density                           | 6. Open space  |
| 2. Architectural style               | 7. Landscaping |
| 3. Layout of buildings               |                |
| 4. Building heights & bulk           |                |
| 5. Off-street parking                |                |

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

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

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

**Criteria to consider for B8D:**

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

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

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

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

**C. ORDER: CONCLUSION AND DECISION**

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

Special conditions applied are:

Planning:

1. The creation of a homeowners association will be required to ensure the perpetual maintenance of all common open space areas.

Water:

2. Domestic services will be required to be installed on the street frontage of lots 2, 3, 4 and 5.
3. An existing 6" stub on the south end of the property must be abandoned at the main as no future use will be required for residential purposes

Fire:

4. A second access shall be provided and maintained according to Fire Department standards.

Wastewater:

5. Each lot connecting to the public sewer is subject to the Four Hundred Fifty and no/100 Dollar (\$450) Mill River Lift Station Surcharge Fee.
6. All sewer lateral tap connections to the public sewer main shall be inspected and approved by the Wastewater Utility prior to backfilling.
7. An "all-weather" hard surface access shall be constructed from Maplewood and Huetter intersection to Manhole MIL1-14.

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.

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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 November 12, 2014, and there being present a person requesting approval of ITEM: S-5-04.m a request for preliminary plat approval of a 5-lot preliminary plat subdivision known as "Mill River 5<sup>th</sup> Addition".

APPLICANT: RYEIG, LLLP

LOCATION: +/-2.993 ACRE PARCEL SOUTH OF HUETTER ROAD AND LYING  
BETWEEN E. MAPLEWOOD AVENUE AND W. MILL RIVER COURT.

**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 residential, commercial, and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established-Spokane River District.
- B3. That the zoning is C-17 PUD.
- B4. That the notice of public hearing was published on, October 25, 2014, which fulfills the proper legal requirement.
- B5. That the notice was not required to be posted on the property.
- B6. That 90 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 24, 2014.
- B7. That public testimony was heard on November 12, 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) (have not)** been met as determined by the City Engineer. This is based on
- 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) (are not)** adequate. This is based on
- B8C. That the proposed preliminary plat **(do) (do not)** comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements. This is based on
- B8D. The lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district. This is based on

**Criteria to consider for B8D:**

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

**C. ORDER: CONCLUSION AND DECISION**

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

Special conditions applied to the motion are:

Planning:

1. The creation of a homeowners association will be required to ensure the perpetual maintenance of all common open space areas.

Water:

1. Domestic services will be required to be installed on the street frontage of lots 2, 3, 4 and 5.
2. An existing 6" stub on the south end of the property must be abandoned at the main as future use will be required for residential purposes



Fire:

1. A second access shall be provided and maintained according to Fire Department standards.

Wastewater:

1. Each lot connecting to the public sewer is subject to the Four Hundred Fifty and no/100 Dollar (\$450) Mill River Lift Station Surcharge Fee.
2. All sewer lateral tap connections to the public sewer main shall be inspected and approved by the Wastewater Utility prior to backfilling.
3. An "all-weather" hard surface access shall be constructed from Maplewood and Huetter intersection to Manhole MIL1-14.

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:** TAMI STROUD, PLANNER  
**DATE:** NOVEMBER 12, 2014  
**SUBJECT:** ZC-4-14 - ZONE CHANGE FROM C-17PUD TO R-3PUD  
**LOCATION:** +/- 1.247 ACRE PARCEL SOUTH OF HUETTER RD AND LYING BETWEEN E. MAPLEWOOD AVENUE AND W. MILL RIVER CT.

|   |  |
|---|--|
| <b>OWNER:</b>   | <b>APPLICANT:</b>  |
| RYEIG, LLLP<br>3201 Huetter Road<br>Coeur d'Alene, ID 83814 | Ruen-Yeager & Associates, Inc.<br>3201 Huetter Road<br>Coeur d'Alene, ID 83814 |

**DECISION POINT:**

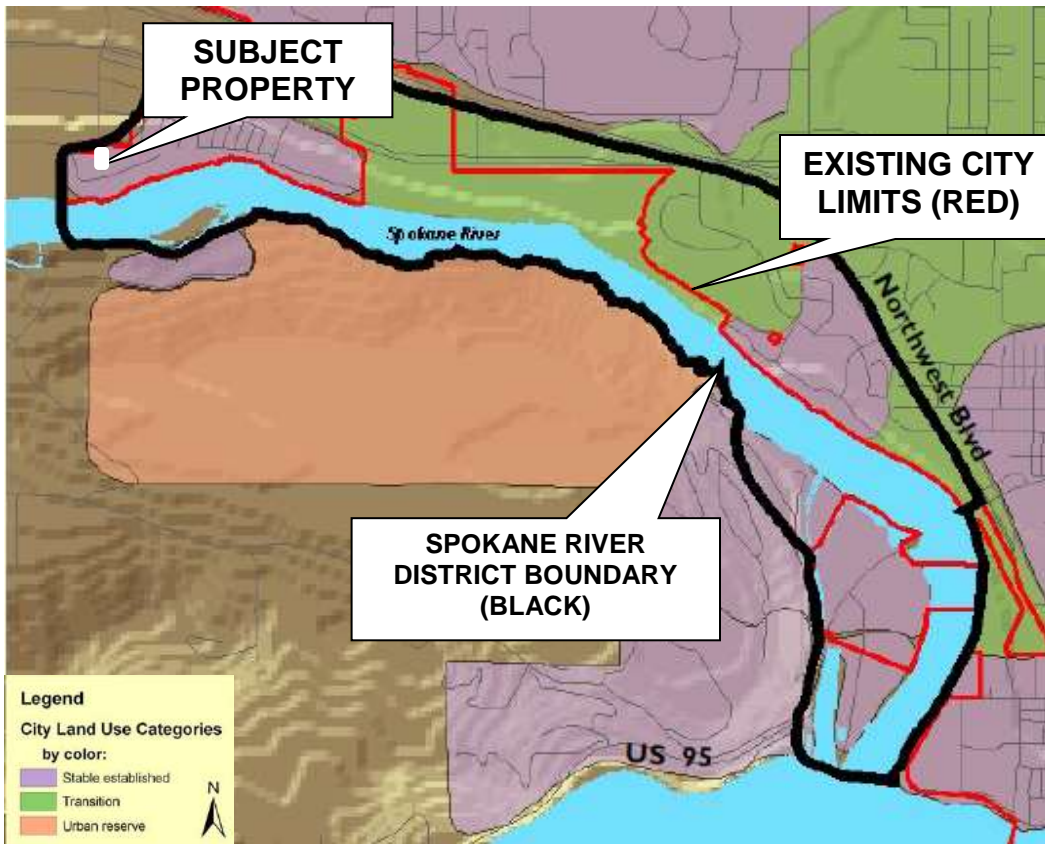
RYLIG, LLLP is requesting approval of a Zone Change from C-17PUD (Commercial at 17 units/acre) to R-3 (Residential at 3 units/acre) zoning district for a +/- 1.247 acre parcel south of Huetter Rd. and lying between E. Maplewood Avenue and W. Mill River Ct.

**GENERAL INFORMATION:**



**REQUIRED FINDINGS:**

- A. **Finding #B8:** 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 **Stable Established-Spokane River District**.



**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

**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.

## **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.

### ***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.

**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.

**SITE PHOTO:** Subject property looking north:



Interior of subject property looking west:

**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 adjacent and/or connecting streets will accommodate the traffic movements generated from the proposed addition of four single family residential lots.

**NEIGHBORHOOD CHARACTER:** From 2007 Comprehensive Plan: **Spokane River District:**

**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.

**ZONING:**



**GENERALIZED LAND USE PATTERN:**

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



**EXISTING LAND USES:**

Land uses in the area include single-family, mobile homes, commercial, manufacturing and vacant land.

The request is part of and consistent with the Mill River Master Plan development, which is a residential, multi-family and commercial development. The proposed zone would allow the development of four (4) additional residential lots within the R-3 zoning district which is consistent with the surrounding properties.

Minimum lot size in an R-3 (Residential at 3 units/acre) zoning district requires eleven thousand five hundred (11,500) square feet. All buildable lots must have seventy-five (75') of frontage on a public street, unless an alternative is approved by the city through normal subdivision procedure (i.e., cul-de-sac and flag lots), or unless a lot is nonconforming.

**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): 1.247 acres, and/or 54,319.32 sq.ft.
- 2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): 1.247 acres, and/or 54,319.32 sq. ft.
- 3. Total number of lots included: four (4)
- 4. Existing land use: commercial, vacant land
- 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.

A proposed re-plat of Lot 35, Blk 1, Edgewater at Mill River was submitted in order to create 4 single-family residential lots where currently one lot exists. Alongside the request for subdivision we are also seeking approval for a zone change from C-17 to R3 in order to provide similar uses as the surrounding residential neighborhood.

While residential uses are supported within the commercial district, a zone change that is in keeping with the surrounding neighborhood is sought so as to be more in line with the area homes. The future zone would allow similar uses as the neighboring zoning and would limit future commercial opportunities.

**Note:** The 2007 Comprehensive Plan is available by going to [www.cdavid.org](http://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, November 12, 2014, and there being present a person requesting approval of ZC-4-14, a request for a zone change from C-17PUD to R-3 (Residential at 3 units/acre )zoning district

APPLICANT: RYEIG, LLLP

LOCATION: +/-2.993 ACRE PARCEL SOUTH OF HUETTER ROAD AND LYING BETWEEN E. MAPLEWOOD AVENUE AND W. MILL RIVER COURT.

**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 residential, commercial, and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established-Spokane River District.
- B3. That the zoning is C-17 PUD.
- B4. That the notice of public hearing was published on, October 25, 2014, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, November 2, 2014, which fulfills the proper legal requirement.
- B6. That 90 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 24, 2014.
- B7. That public testimony was heard on November 12, 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 RYEIG, LLLP 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 Luttropp | 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