

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

**NOVEMBER 14, 2023**

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

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

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

**ROLL CALL:** Messina, Fleming, Ingalls, Luttropp, Coppess, McCracken, Ward

**PLEDGE:**

**APPROVAL OF MINUTES:** \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.

October 25, 2023, Planning Commission Meeting

**PUBLIC COMMENTS:**

**STAFF COMMENTS:**

**COMMISSION COMMENTS:**

**OTHER BUSINESS:** \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.

Adoption of Development Impact Fees, Annexation Fees and Capital Improvement Plans  
Request: Recommendation from the Planning Commission, acting as the Development Impact Fee Advisory Committee, to the City Council

**Presented by: Melissa Cleveland, Welch Comer**

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

1, Applicant: Azzardo, LLC  
Location: 3912 N. Schreiber Way  
Request: A proposed multi-use Special Use Permit in the LM Zoning District  
QUASI-JUDICIAL, (SP-8-23)

**Presented by: Mike Behary, Associate Planner**

2. Applicant: 15<sup>th</sup> Street Investments, LLC  
Location: 3549 N. 15<sup>th</sup> Street  
Request
- A. A proposed 1.65-acre PUD known as "Birkdale Commons North"  
QUASI-JUDICIAL, (PUD-5-23)
  - B. A proposed 7-lot, 1-tract Preliminary Plat known as "Birkdale Commons North"  
QUASI-JUDICIAL, (S-6-23)

**Presented by: Mike Behary, Associate Planner**

3. Applicant: Jay Lange  
Location: 707 N. 4<sup>th</sup> Street  
Request: A proposed zone change from residential R-17 (MO) to commercial C-17 (MO)  
QUASI-JUDICIAL, (ZC-1-23)

**Presented by: Sean Holm, Senior Planner**

**ADJOURNMENT/CONTINUATION:**

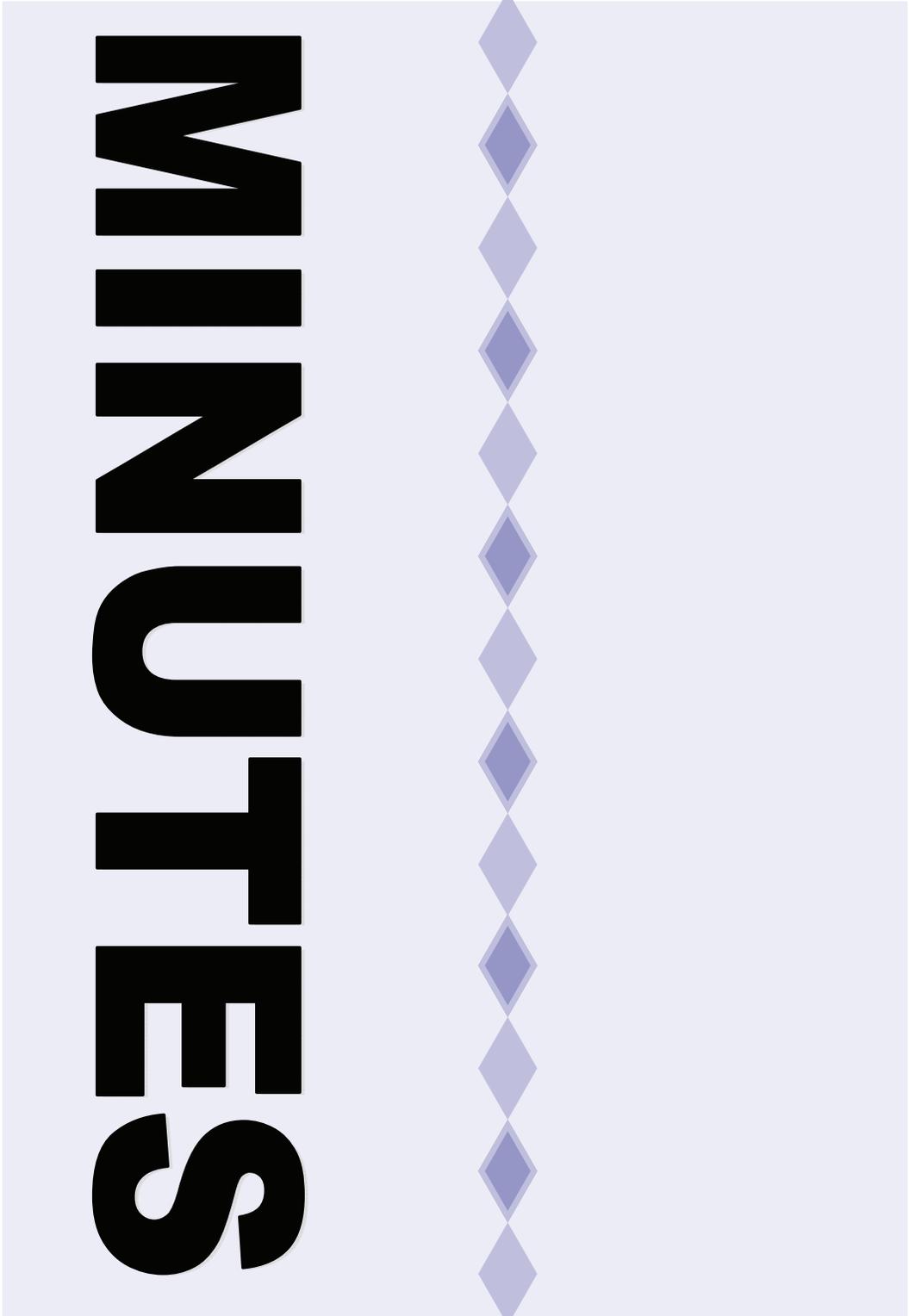
Motion by \_\_\_\_\_, seconded by \_\_\_\_\_,  
to continue meeting to \_\_\_\_\_, \_\_\_\_, at \_\_\_ p.m.; motion carried unanimously.  
Motion by \_\_\_\_\_, seconded by \_\_\_\_\_, to adjourn meeting; motion carried unanimously.

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

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



# MINUTES



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**PLANNING COMMISSION  
MINUTES  
OCTOBER 10, 2023  
LOWER LEVEL, COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT:**

Tom Messina, Chairman  
Jon Ingallis, Vice-Chair  
Lynn Fleming  
Peter Luttrupp  
Sarah McCracken  
Phil Ward

**STAFF MEMBERS PRESENT:**

Hilary Patterson, Community Planning Director  
Mike Behary, Associate Planner  
Traci Clark, Public Hearing Assistant  
Randy Adams, City Attorney

**COMMISSIONERS ABSENT:**

Mark Coppess

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

Commissioner McCracken had a correction on the September 12<sup>th</sup> meeting minutes on the motion for item SP-7-23. She asked that the written minutes be corrected to read "Motion to Deny without Prejudice" on page 6. Motion by Commissioner Ingalls, seconded by Commissioner McCracken, to approved the minutes of the Planning Commission minutes on September 12, 2023 with the correction. Motion approved.

Motion by Commissioner Fleming, seconded by Ward to approved the minutes of the Joint Workshop with City Council on Impact fees on September 25, 2023. Motion approved.

**PUBLIC COMMENTS:**

None.

**STAFF COMMENTS:**

Hilary Patterson, Community Planning Director, provided the following comments:

- At the November 14, 2023 Planning Commission meeting, we will have a brief update on the impact fees presented by Melissa Cleveland with Welch Comer. There will also be a zone change request and a 2-part request, a PUD with a Subdivision.
- Greta Giessel sent out an email with a date change for the Joint Workshop with the Planning and Zoning Commissions in Kootenai County. The new date will be December 13, 2023 from 5:30-7:30 p.m.

**COMMISSION COMMENTS:**

- Commissioner Ingalls informed the public about the City's Leaf Fest. It will begin on November 13<sup>th</sup>.
- Commissioner Luttrupp commented that he watched the City Council meeting and observed the Appeal Process. He wanted to commend the City of Coeur d'Alene Attorney Randy Adams. He did an excellent job of explaining the process of how it works. Chairman Messina agreed.

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

Applicant: Lake City Engineering, Inc  
Location: 3549 N 15th  
Request: A proposed 1.74-acre annexation from County AS to City R-12.  
LEGISLATIVE, ( A-1-23)

Mr. Behary, Associate Planner, provided the following statements:

- The applicant is requesting approval of the annexation of 1.74 acres in conjunction with zoning approval from County Agricultural-Suburban to the R-12 zoning district.
- Currently the subject property is located in the unincorporated area of the County and consists of one parcel that has a single-family dwelling located on it. The subject site is 1.74 acres in area and is relatively flat. The site is adjacent to the city limits along its south and west property line.
- The property is currently zoned Agricultural-Suburban in the County. As part of the annexation request, the applicant is proposing the R-12 zoning district be applied to the subject site. The subject site is located within the City's Area of City Impact (see ACI Map on page 7).
- The Planning Commission approved an annexation and a planned unit development (PUD) on the property that is located adjacent and directly to the south of the subject site in items A-3-22 and PUD-4-22, known as Birkdale Commons. The applicant has indicated that if this annexation request is approved then they will make application for a PUD on the subject site that will connect and have access to the Birkdale Commons PUD. The Birkdale Commons PUD has an approved private road that has a single access connection to 15th Street.
- The applicant has submitted an Annexation Map (see page 4) and a narrative as part of this request. See the attached narrative by the applicant at the end of this report for a complete overview of their annexation request.
- Proposed R-12 Zoning District:  
The R-12 district is intended as a residential area that permits a mix of housing types at a density not greater of (12) units per gross acre.  
  
Principal permitted used in an R-12 District are as follows:
  - Administrative.
  - Duplex housing.
  - Essential service (underground).

- Home Occupation.
- Neighborhood recreation.
- Public recreation.
- Single-family detached housing.

**There are four findings that must be met for an annexation, Findings B8-B-11.**

1. **Findings B#8:** That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

2042 Comprehensive Plan Land use: Place Types represent the form of future development, as envisioned by the residents of Coeur d’Alene. Place Types will in turn provide the policy level guidance that will inform the city’s Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, and allowed uses.

**Place Type:**

**Compact neighborhood** Compact neighborhood places are medium density residential areas located primarily in older locations of Coeur d’Alene where there is an established street grid with bicycle and pedestrian facilities. Development is typically single-family homes, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts. Supporting uses typically include neighborhood parks, recreation facilities, and parking areas.

**Compatible Zoning Districts within the “Compact Neighborhood” Place Type:**

- R-12, R-17, MH-8, NC and CC Zoning Districts.

**Growth & Development**

**Goal: GD 1**

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

**Objective: GD 1.1**

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

2. **Findings B#9:** That public facilities and utilities (are) (are not) available and adequate for the proposed use.

City staff from Streets and Engineering, Water, Fire, Parks, Police and Wastewater departments have reviewed the application request in regards to public utilities and public facilities. Each department had indicated that there are public facilities and public utilities available and adequate for the proposed annexation with zoning to R-12.

3. **Findings B#10:** That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.

The site is generally flat that slightly slope to the southwest. The western portion of the site is vacant of buildings and is in a natural state with grass and trees locate on it.

4. **Findings B#11:** That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

The subject property is bordered by 15<sup>th</sup> Street, which is a major collector street, Traffic from the proposed residential development is estimated to generate approximately seven (7) AM peak hour trips and nine (9) PM peak hour trip per day. 2018 traffic counts indicate 15<sup>th</sup> Street experiences an average of 770 PM peak hour trips.

**NEIGHBORHOOD CHARACTER:**

The neighborhood is predominantly single family. To the east, across 15<sup>th</sup> Street there is a multi-family apartment complex along with some duplex housing units. The surrounding properties to the north, east, south, and west have residential uses located on them.

Mr. Behary noted that there are seven (7) recommended items for inclusion in the annexation agreement:

1. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
2. Any additional service will have cap fees due at building permitting.
3. All water rights associated with the parcels to be annexed shall be transferred to the City at the owner's expense.
4. Any utility extensions outside of public right of way would require a minimum 20' public utility easement for water, 30' if combined with public sewer.
5. This project will require the extension of sewer "To and Through" this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One lateral.
6. The existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.
7. Ten feet (10') of right-way shall be dedicated to the City for improvement to 15<sup>th</sup> Street.

Mr. Behary concluded his presentation.

**Commission Comments:**

Commissioner Ingalls questions the B#11 regarding the traffic when Birkdale Commons was approved, he recalls there was some concern by the city engineer regarding the offset of the intersection. The way the report reads it does address the streets and engineering department's concern. If each of the comparable neighborhoods lots are developed and are similar to Birkdale Commons, traffic would be impacted by a series of five closely spaced intersections. It reads as this proposal address the concern that this was in the past as if this will likely make things better. He asked if Mr. Behary concurred. Mr. Behary confirms this is correct and noted that in their narrative the applicant said they will use the existing access from the Birkdale to the south. All the lots that will be approved from this all the lots will use the south road and they will have one access off of 15th Street rather than creating a new access with this annexation.

Commissioner Ward wanted to know how many units are in the Birkdale Commons development to the south?

Mr. Behary stated there were 18 units that had been approved.

Chairman Messina wanted to confirm that the Commission's decision for the approval of this annexation will then go to the City Council regarding the R-12 zoning.

Mr. Behary stated that this is correct, the Planning Commission is recommending tonight the annexation in conjunction with zoning R-12. The item will go to City Council and they will have the final approval.

**Public testimony open:**

Gordan Dobler, applicant's representative, noted the requested R-12 zoning would be on a collector. He was also here with the Aspen Homes annexation request for R-12 zoning down by the BMX park and Cherry Hill. The R-12 is one of the lower density zones for the compact neighborhood and we would

conclude this is a perfect fit. Utilities are already set up with adequate infrastructure and zoning meeting all the criteria. Mr. Dobler concluded his presentation

Commissioner Ingalls commented this piece of property is like a donut hole because it's still in the County and it creates confusion with respect to who to call if there was a dog off a leash and which rules would apply - City code or County code. The City sweeps the streets, paints the streets, fixes the pot holes, and EMS and Police respond even though the property is in the County. Some of these County parcels have had failing sewers and there was there a push to get these properties into the City. Mr. Dobler answered and agreed they did try to get those parcels annexed into the City with the City Council when he was City Engineer. The City provided all of the services and received none of the benefit. These are general issues that the Planning Commission would at least consider in recommending the zoning, but the base issue should we be to annex this or not, although this is a Council decision. We will make this argument to the Council as long as we can to say there is a huge benefit. Commissioner Luttrupp stated maybe there will be a benefit when the City updates the impact fees.

Chairman Messina asked Ms. Patterson if there will there be a development agreement down the road. Ms. Patterson answered no that it is not anticipated this project would trigger a development agreement. When City Council adopted the Development Agreement Ordinance it was determined it would be for special circumstances. This is a small request with 7 lots. But, ultimately the City Council would make a recommendation to determine if a development agreement is required, but a standard annexation agreement would cover all the issues.

Chairman Messina stated if one of the commissioners would like to make a recommendation, they can do it with the findings, and asked staff if that was correct. Ms. Patterson responded, that is correct.

Chairman Messina read the names of the citizens who did not want to publicly speak but wanted to have their names on record that they wanted to remain neutral or were in favor of the annexation.

Mr. Dobler did not have a rebuttal.

**Public testimony closed:**

**Discussion:**

Commissioner Ward has no problem with this annexation, the R-12 zoning is appropriate and 15<sup>th</sup> Street is a major roadway. The only issue is, if 15<sup>th</sup> Street is a major road way, if there are 18 lots on Birkdale Commons and now, we will have 6 additional lots, totaling maybe 24 units on 1 single private drive exiting on to 15<sup>th</sup> Street. The a.m. and p.m. peak hour trips are going to be very busy. The main concern is that we might be creating a very busy corridor on 15<sup>th</sup> Street and approving dead-end type developments that they have private 20-foot wide roads that the City will not be maintaining. The residents trying to get out in the morning onto 15<sup>th</sup> Street may not be a problem, but it could be a problem at 5:00 p.m. and in the afternoon when it will be backed up with lots of vehicles. We do need to pay attention to the interior circulation as well as impacts to 15<sup>th</sup> Street.

- Chairman Messina would like to know if this will come up in the PUD if this comes back.
- Ms. Patterson states yes it will.
- Commissioner Luttrupp would like to encourage the City to develop the standards because we hear this quite regularly. He asked staff and applicants to consider if there are technologies of traffic control and so forth as advanced ways to handle traffic impacts. He indicated there needs to be some type of things to recommend to the council such as principals, policies and some kind of direction so we don't have to raise this every time. It's frustrating to us, as it is to the public, especially whether you are for or, against. If we can get more definitive answers on traffic solutions and policies it may be more helpful to all of us.
- Commissioner Ingalls commented he believes this property should this be annexed. This is one

of those donut holes and feels the R-12 is very appropriate for a compact neighborhood and supports this going forward to the City Council for annexation with an R-12 zoning.

**Motion by Commissioner Fleming, seconded by Commissioner Ward, to recommend to the City Council that the R-12 Zoning be Adopted for item A-1-23.**

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingallis	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner McCracken	Voted	Aye
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	Aye

Motion to ADOPT CARRIED BY A 6 TO 0 VOTE.

**ADJOURNMENT:**

Motion by Commissioner Luttrupp, seconded by Fleming, to adjourn the meeting. Motion approved.

Meeting adjourned at 6:02 p.m.

Prepared by Traci Clark, Public Hearing Assistant





# **PRESENTATION**



**PLANNING COMMISSION  
STAFF REPORT**

**DATE:** NOVEMBER 14, 2023  
**FROM:** SEAN HOLM, SENIOR PLANNER AND  
MELISSA CLEVELAND, WELCH-COMER  
**SUBJECT:** ADOPTION OF CAPITAL IMPROVEMENT PLANS, DEVELOPMENT  
IMPACT FEES, AND ANNEXATION FEES

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**DECISION POINT:** Should the Planning and Zoning Commission, as the Development Impact Fee Advisory Committee for the City, recommend that the City Council adopt the Capital Improvement Plans (CIPs) and the fee study, when finalized, with the fees listed in this memorandum?

**HISTORY:** The City of Coeur d’Alene is conducting a study to update both development impact and annexation fees in accordance with Title 67, Chapter 82, Idaho Code, with the assistance of Welch Comer Engineers (overall project management, needs assessments, and CIPs), FCS Group (analysis alternatives, fee calculations, study), and Iteris (regional demand/traffic modeling). The existing development impact fee study was completed in 2004 and neither the fees nor study have been adjusted since. The annexation fee was last adopted by resolution in 1998.

Impact fees represent the value of the proportional share of fire, police, park, and transportation system capacity that the new user, or redeveloping user, will utilize. Impact fees are a one-time fee for new development, and are not reoccurring or ongoing charges.

The annexation fee represents the share of property tax-supported city functions for new areas brought into the City.

**WORK TO DATE:** For the needs assessment and CIP tasks, the following has occurred:

- Welch Comer worked with both Fire and Police staff on a needs assessment and impact fee CIPs.
- Welch Comer and Iteris worked with Engineering staff to assemble a roadway CIP based on data from multiple sources and vetting with the KMPO regional demand model.
- Welch Comer worked with Engineering and Parks staff to develop a non-motorized transportation CIP after gathering information from various existing planning documents.
- Welch Comer developed a Parks CIP after gathering information from the City’s Parks Master Plan and working closely with Parks department staff.
- Iteris pulled trip data from the KMPO regional demand model for use in the transportation impact fee calculations.
- The Planning and Zoning Commission (“P&Z”) has provided input on CIPs and alternatives for fee calculations.

- FCS GROUP developed various alternatives for the impact fees and presented options to the P&Z. They prepared a policy alternatives memo and several different versions of the draft report and fee alternatives for City staff review.
- FCS GROUP also updated the annexation fee calculations previously based on 1998 methodology.

**WORKSHOPS TO DATE:** There have been three workshops to date---two with the P&Z, which acts as the Development Impact Fee Advisory Committee (“DIFAC”), and a joint meeting with the P&Z and the City Council (“Council”). The workshops were held on May 17, July 18, and September 25, 2023.

DIFAC Workshop 1: The purpose of the first (May) workshop was to go through growth assumptions, obtain input on Fire and Police CIPs, and input from the Committee on alternatives. The P&Z was instrumental in assisting the consultant team in understanding the alternatives they would like to see in the second workshop.

DIFAC Workshop 2: The purpose of the second (July) committee workshop was to obtain feedback from the Committee on the transportation and parks CIPs, present initial fee findings, and compare fees to other similarly sized or nearby communities in Idaho. The P&Z was instrumental in providing feedback on transportation CIP alternatives and providing a discussion on fees for various land uses.

Joint Planning and Zoning/Council Workshop: The purpose of the joint workshop (September) between P&Z and Council was to bring Council up to speed and present fee methodologies and draft fee calculations. This was an opportunity for Council and P&Z to: ask questions, gain understanding of methodology, provide feedback in advance of the hearings to approve the CIPs, adopt the study, and update the fees. There was good feedback provided by both Council and the P&Z, which help to inform the final fee calculations.

In October, the draft CIPs and impact fees/annexation fees were presented to the Executive Board of the North Idaho Building Contractors Association (NICBA), who provided feedback that helped to inform the final fees.

**FINANCIAL ANALYSIS: MAXIMUM DEFENDABLE IMPACT FEES.** The most up-to-date maximum defendable impact fees are shown in the following table. These fees reflect feedback from the City Council, Planning Commission, and NIBCA. The fee categories have also been expanded, based on the feedback at the joint workshop and input from City staff.

2024 CDA Maximum Defendable Fee					
Residential Fees	Parks	Transportation	Police	Fire	Total
SFH (\$/SF)	\$1.13	\$1.58	\$0.33	\$0.50	\$3.54
Multifamily (\$/du)	\$2,621.18	\$2,033.00	\$764.58	\$1,153.31	\$6,572.07
Assisted Living/Nursing Home (\$/SF)	\$0.08	\$1.32	\$1.40	\$2.22	\$5.02
<b>Non-Residential Fees</b>					
Industrial/Manufacturing (\$/SF)	\$0.03	\$1.49	\$0.26	\$0.39	\$2.17
Warehousing/Distribution (\$/SF)	\$0.09	\$5.15	\$0.90	\$1.36	\$7.50
Storage (\$/SF)	\$0.01	\$0.62	\$0.11	\$0.17	\$0.91
Retail/Shopping Center (\$/SF)	\$0.15	\$8.94	\$1.56	\$2.36	\$13.01
Office/Service/Restaurant/Medical (\$/SF)	\$0.08	\$4.44	\$0.78	\$1.17	\$6.47
Schools/Daycare/Church (\$/SF)	\$0.03	\$1.49	\$0.26	\$0.39	\$2.17
Government (\$/SF)	\$0.08	\$4.44	\$0.78	\$1.17	\$6.47
Accommodations (50+ rooms) (\$/room)	\$2,183.19	\$1,054.00	\$191.08	\$302.65	\$3,730.92
Accommodations (<50 rooms) (\$/room)	\$1,711.63	\$712.00	\$152.87	\$242.12	\$2,818.62
Accommodations (50+ rooms) (\$/SF)	\$5.29	\$2.56	\$0.46	\$0.73	\$9.04
Accommodations (<50 rooms) (\$/SF)	\$4.15	\$2.16	\$0.46	\$0.73	\$7.50

The transportation fees are calculated using only planning/pre-design for the Julia Street overpass.

Accommodations are listed both by fee per square foot and fee per room with the intention that the lower of the two scenarios would be charged the developer. Council may opt to select only one methodology for the accommodations fee. If P&Z has a recommendation on the best approach, they can make that as part of their motion.

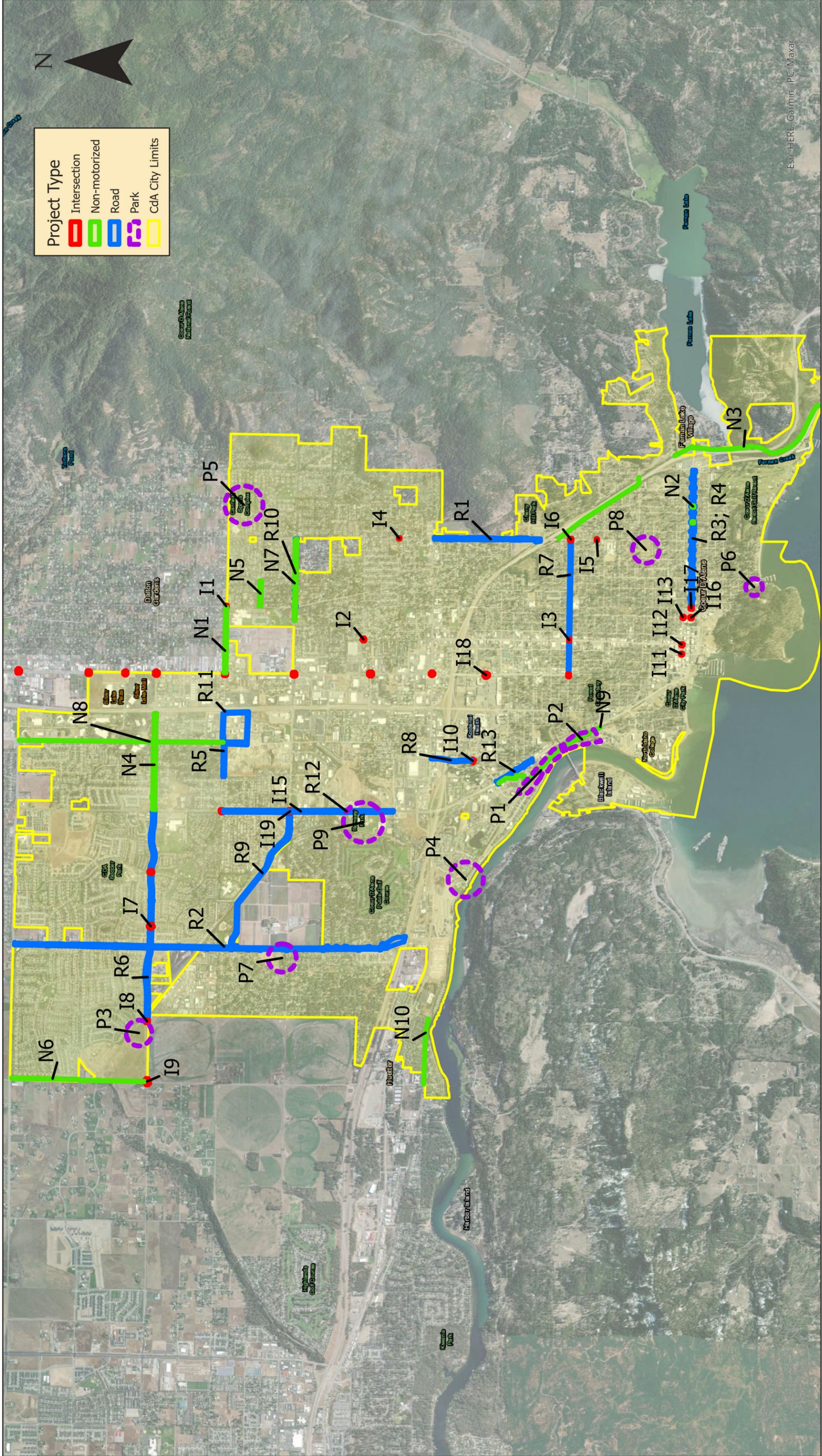
Single family and assisted living are both listed as fee per square foot, while multifamily is listed as fee per dwelling unit.

Other non-residential fees are broken into more categories than previously presented based on feedback from the joint workshop and input from staff. The remaining non-residential fees are listed as cost per square foot. These categories will cover the grand majority of land uses the City encounters with other minorly encountered land uses going through an individual assessment of fees.

**ANNEXATION FEES.** The recommended update to the annexation fees has not changed since they were presented to the P&Z previously, which is \$1,133 per equivalent residential unit (ERU). Alternatively, Council could choose to escalate the 1998 fee to today's dollar which equates to a fee of \$1,419 per ERU.

**DECISION POINT/RECOMMENDATION:** The P&Z has acted as the DIFAC through this study update. The P&Z should recommend that the Council adopt the CIPs (which are currently noticed), and the fee study when finalized with the fees listed in this memorandum.

**NEXT STEPS:** The hearing with the Council to adopt the CIPs is noticed for November 21, 2023, and the hearing to adopt the study and update fees is tentatively scheduled for December 5, 2023.



Project Type	
	Intersection
	Non-motorized
	Road
	Park
	CdA City Limits



Esri, HERE, Garmin, iPC, Maxar



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## CITY OF COEUR D'ALENE

### IMPACT & ANNEXATION FEE STUDY (CIP PROJECTS)

Sources:  
 ESRI Basemaps  
 Kootenai County GIS

PROJECT NO : .....41346.02  
 DRAWN BY : .....CSH  
 FILENAME : .....20231102\_CIPLocations  
 DATE : .....11/02/2023

# City of Coeur d'Alene Transportation Impact Fee CIP

Motorized Projects						
Roadway Reconstruction, Widening, and New Roads						
Project No.	Project Title	Roadway	From	To	Description	2029 Estimated Cost
R1	15th Street; Widen to Three Lanes	15th St	Harrison	Best Ave	Widen to three lanes, includes roadway, sidewalk, upgrade 15th/Best signal, and stormwater	\$7,670,000
R2	Atlas Road; Widen to Three Lanes	Atlas Rd	190	Prairie Ave	Widen to three lanes; turn lane at roundabout; reconstruct from Hanley north to Prairie	\$10,700,000
R3	East Sherman Corridor Study	Sherman Ave	8th St	23rd St	Corridor Study	\$180,000
R4	East Sherman Revitalization	Sherman Ave	8th St	23rd St	Curb, Sidewalk, Street Trees, etc	\$7,660,000
R5	Dalton Ave Widening	Dalton Ave	Isabella	US 95	Widen to 3 lanes w/ bike lanes and sidewalks	\$4,390,000
R6	Hanley Widening	Hanley Ave	Carrington Ln	Ramsey Rd	Rt and Left turn lanes at 4 two-way stop control intersections	\$3,540,000
R7	Harrison Ave Reconstruction	Harrison Ave	Gov't Way	15th St	Reconstruct curb to curb, upgraded ramps/sidewalk to meet ADA when needed.	\$4,230,000
R8	Julia St Overpass and St Improvements Planning	Julia Street	Kathleen Ave	Ironwood Dr	Construct Overpass	\$2,000,000
R9	Kathleen Ave; Widen to Three Lanes	Kathleen Ave	Atlas Rd	Player Drive	Widen to 3 lanes	\$7,710,000
R10	Kathleen Ave; Widen to Three Lanes	Kathleen Ave/Margaret Ave	4th St	15th St	Widen to three lanes	\$2,230,000
R11	Pioneer Road Culdesac and New Route E. Side Rock Pit	Pioneer Rd and New Route	Building Center Lane	Dalton Ave	Culdesac on Pioneer Rd & New Road Bid Center to Dalton	\$3,040,000
R12	Ramsey Rd - Remove Medians/Extend TWLT Lane/Pipe Stormwater	Ramsey Rd	Hanley Ave	Golf Course Rd	Remove medians and extend left lane	\$2,950,000
					<b>SUBTOTAL</b>	<b>\$56,300,000</b>

# City of Coeur d'Alene Transportation Impact Fee CIP

Intersection Improvements						
Project No.	Project Title	Roadway	From	To	Description	2029 Cost
I1	4th/Dalton Roundabout	Dalton Ave / 4th St	Dalton Ave	4th St	Install Roundabout	\$1,230,000
I2	4th/Neider Protected/Permissive Signal Modification	4th St	4th St	Neider	Upgrade signal to allow for protected permissive left turns	\$150,000
I3	4th/Harrison, 3rd/Harrison signal upgrades	4th/Harrison, 3rd/Harrison	4th St & 3rd St	Harrison	upgrade signals	\$980,000
I4	15th/Nettleton Gulch Intersection Improvements	15th / Nettleton Gulch	15th St	Nettleton Gulch	Traffic Signal or mini-roundabout	\$1,030,000
I5	15th/Elm Intersection Improvements	15th	Elm		Signal	\$1,120,000
I6	15th St/Harrison	15th St	15th St	Harrison	Upgrades to controller, detection, preemption, etc.	\$490,000
I7	Hanley Roundabout Intersection Improvements	Hanley Ave	Atlas	Ramsey Rd	Improve capacity of 2 RABs on Hanley through CDA Place	\$2,210,000
I8	Hanley/Carrington Signal	Hanley Ave	Hanley Ave	Carrington	Traffic Signal (only east leg)	\$860,000
I9	Huetter/Hanley Signal	Hanley Ave	Hanley Ave	Huetter Road	Traffic Signal (1/4 that is in CDA)	\$860,000
I10	Ironwood/Lakewood Traffic Signal	Ironwood/Lakewood Intersection	Ironwood	Lakewood	New Traffic Signal	\$2,210,000
I11	Lakeside Ave/3rd St	Lakeside Ave/3rd St	Lakeside Ave	3rd St	Signal Improvements	\$570,000
I12	Lakeside Ave/4th St Signal Improvements	Lakeside Ave/4th St	Lakeside Ave	4th St	Signal Improvements	\$570,000
I13	Lakeside Ave/7th St Signal Improvements	Lakeside Ave/7th St	Lakeside Ave	7th St	Signal Improvements	\$570,000
I14	Preemption Signal Upgrades (45 signals)	City wide			Update signals for preemption upgrades	\$1,380,000
I15	Ramsey Rd/Fire Station Traffic Signal	Ramsey Rd	Ramsey Rd	Fire Station	Install Traffic Signal at Fire Station entrance/exit.	\$490,000
I16	Sherman/7th Signal Improvements	Sherman/7th	Sherman Ave	7th St	Signal Improvements	\$500,000
I17	Sherman/8th Signal Improvements	Sherman/8th	Sherman Ave	8th St	Signal Improvements	\$500,000
I18	Government Way Signal Coordination	Gov't Way	Harrison	Prairie Ave	Signal Coordination & ADA upgrades (10 intersections)	\$6,380,000
I19	Ramsey Road Signal Coordination	Ramsey Road	Kathleen Ave	Dalton Ave	Signal Coordination & ADA upgrades (3 intersections)	\$640,000
<b>SUBTOTAL</b>						<b>\$22,740,000</b>
Other Miscellaneous						
R13	Northwest Blvd Median	Northwest Boulevard	Lakewood	Lacrosse	Install Median on NW Blvd	\$633,000
<b>TOTAL</b>						<b>\$79,673,000</b>

**City of Coeur d'Alene  
Transportation Impact Fee CIP**

Non-Motorized Projects						
Project No.	Project Title	Roadway	From	To	Description	2029 Cost
N1	Dalton Ave - Government Way to 4th St	Dalton Ave	Government Way	4th St	Install sidewalk	\$2,156,000
N2	E. Sherman RRFBs (17th and 19th)	Sherman Ave	Sherman Ave	17th and 19th	Install RRFBs	\$90,000
N3	Foothills Trail	Several Roads			2.5 mile-long trail from Silverbeach to Cherry Hill Park via Shared-Road on Potlatch Hill Road, separated path in ITD right of way, shared road on Lilac Ln, path in ITD right of way, and path on Hazel Road. (1.75 miles trail and 0.75 share-the-road way finding.)	\$1,040,000
N4	Hanley Shared Use Path	Hanley Ave	Ramsey Rd	US 95	Shared Use Path south side from end of sidewalk east of Ramsey to US 95.	\$1,540,000
N5	Hoffman Ave - 4th/Troy St	Hoffman Ave	4th St	Troy St	Extend Sidewalk	\$760,000
N6	Huetter Road Shared Use Path	Huetter Road	Hanley	Prairie	One miles shared Use Path east side of Huetter.	\$790,000
N7	Kathleen Ave - 4th/15th St Sidewalk Extension	Kathleen Ave	4th St	15th St	Extend Sidewalk	\$1,730,000
N8	North Town Trail	Off Road	Prairie	Dalton	1.5 miles of shared use path in easements and rights of way from Prairie to south of Kathleen.	\$1,210,000
N9	Northwest Boulevard Commuter Trail	NW BLVD	S. of Lakewood	Hubbard	0.9 mile Shared Use Path	\$1,440,000
N10	Spokane River Trail	Huetter to Grand Mill			Add Shared Use Path	\$780,000
<b>TOTAL</b>						<b>\$11,536,000</b>

## City of Coeur d'Alene Parks Impact Fee CIP

PROPOSED NEW PARKS				
Project No.	Proposed Park Location/Proposed Name	Project Description for Impact Fee CIP	Acres	2029 Cost
P1	BLM Park (Harbor Center)	7 Acre Park	7	\$4,621,000
P2	BLM Park (Lacrosse)	7 Acre Park	7	\$4,621,000
P3	Trails Park – Hanley and Carrington	6.5 acre park	6.5	\$2,710,000
	TBD	Acquire Land for Future Parks	10	\$2,421,000
		<b>New Parks Total</b>	<b>31</b>	<b>\$14,373,000</b>

IMPROVEMENTS TO EXISTING PARKS				
Project No.	Park Name	Project Description for Impact Fee CIP	2029 Cost	
P4	Atlas Park	Day-Use Dock & Security Cameras	\$345,000	
P5	Canfield Sports Complex	Small Playground and restroom (needs utilities)	\$795,000	
P6	East Tubbs Hill Park	Restroom, parking lot reconstruction	\$574,000	
P7	Northshire Park	Resurface and expand tennis/pickleball courts	\$145,000	
P8	Person Field	100-stall parking lots (south and west sides)	\$498,000	
P9	Ramsey Park	Playground	\$208,000	
		<b>Existing Parks Total</b>	<b>\$2,565,000</b>	

## City of Coeur d'Alene Fire Department Impact Fee CIP

Item	2029 Estimated Cost	% Impact Fee Eligible
<b>Buildings and Land</b>		
Fire Station No. 5 (~7,000 SF)	\$3,001,000	100%
Administration Space (~1,600 SF)	\$690,000	100%
Storage Space (~4,900 SF)	\$440,000	100%
Developed Land for Expansion (~1.3 acres)	\$1,030,000	100%
<b>Subtotal</b>	<b>\$5,161,000</b>	
<b>Apparatus</b>		
Ladder Truck (1)	\$2,460,000	100%
Fire Truck (Pumper Engine) (1)	\$1,228,000	100%
<b>Subtotal</b>	<b>\$3,688,000</b>	
<b>Trucks, Trailers, and Utility Vehicles</b>		
Utility Vehicle (2) (tow/plow)	\$111,000 (\$55,500 ea.)	100%
Inspector/Deputy Truck (2)	\$136,000 (\$68,000 ea.)	100%
<b>Subtotal</b>	<b>\$247,000</b>	
<b>Equipment</b>		
SCBA Equipment (13)	\$128,000 (\$9,950 ea.)	100%
<b>Subtotal</b>	<b>\$128,000</b>	
<b>TOTAL</b>	<b>\$9,224,000</b>	



## City of Coeur d'Alene Police Department Impact Fee CIP

Item	2029 Estimated Cost	% Impact Fee Eligible	Impact Fee Eligible Cost
<b>Buildings and Land</b>			
Police Station Expansion (~4,200 SF)	\$3,350,000	100%	\$3,350,000
Police Substation Downtown (~3,500 SF)	\$2,910,000	16.4%	\$477,300
Storage Space (~1,500 SF)	\$410,000	100%	\$410,000
<b>Subtotal</b>	<b>\$6,670,000</b>		<b>\$4,237,300</b>
<b>Trucks, Trailers, and Utility Vehicles</b>			
Vehicles (16) for Additional Sworn Personnel <sup>2</sup>	\$1,232,000 (\$77,000/ea.)	100%	\$1,232,000 (\$77,000/ea.)
ATV (1)	\$18,000	100%	\$18,000
Armored Vehicle	\$522,000	100%	\$522,000
<b>Subtotal</b>	<b>\$1,772,000</b>		<b>\$1,772,000</b>
<b>TOTAL</b>	<b>\$8,442,000</b>		<b>\$6,009,300</b>

Notes:

- 1) Only growth's share will be included in the impact fee calculations, since this is an existing need.
- 2) Does not include vehicles of patrol or traffic sworn personnel whose vehicles are not expected to last more than 10 years.





# **PUBLIC HEARING**





# STAFF REPORT



## PLANNING COMMISSION STAFF REPORT

**FROM:** MIKE BEHARY, PLANNER

**DATE:** NOVEMBER 14, 2023

**SUBJECT:** SP-8-23, REQUEST FOR SPECIAL USE PERMITS (MULTIPLE USES) IN THE LM (LIGHT MANUFACTURING) ZONING DISTRICT

**LOCATION:** A +/- 1.26 ACRE PARCEL LOCATED AT 3912 N. SCHREIBER WAY

**APPLICANT/ENGINEER:**  
Lake City Engineering  
126 E Poplar Avenue  
Coeur d'Alene, ID 83814

**OWNER:**  
Azzardo LLC  
204 Walnut, Suite D  
Newport, WA 99156

### **DECISION POINT:**

Azzardo LLC is requesting approval of a total of four (4) activity uses; two (2) service activities and two (2) commercial activities, via the Special Use Permit process, to allow for the following uses in the LM (Light Manufacturing) Zoning District.

### **Service Activities**

1. Business Support Services  
*Activities that include the provision, primarily to firms rather than individuals, of services of a clerical, employment, protective, or minor processing nature, including multicopy and blueprint services; they exclude the printing of books, other than pamphlets and small reports for another firm, and the storage of goods other than samples for sale.*
2. Professional & Administrative Offices  
*Activities that include managerial, clerical, consultation and professional, including medical, services for therapeutic, preventative or corrective personal treatment, typically performed by the following:*
  1. Insurance and real estate offices.
  2. Architects, engineers, lawyers and accounting offices.
  3. Planning and educational research service.
  4. Doctors, dentists and other health care practitioners.
  5. Medical testing and analysis services.
  6. Corporate headquarters, branch offices and data storage centers.

### **Commercial Activities**

3. Business Supply Retail Sales  
*Activities that include the retail sale or rental from the premises of the office equipment and supplies and similar goods primarily to individuals, firms and other organizations utilizing the goods; they exclude the sale or rental of motor vehicles and the sale of materials used in construction of buildings or other structures; such*

*activities are typical of barber equipment and supply firms, and hotel or office equipment and supply firms.*

4. Specialty Retail Sales

*Activities that include the sale or rental from the premises of particular or predominant types of goods and merchandise primarily for personal or household use; they exclude the sale or rental of motor vehicles, parts and accessories, furniture and major appliances, and materials used in the construction of buildings or other structures; such activities are typical of apparel, antique, camera and flower stores.*

**BACKGROUND INFORMATION:**

The applicant applied for special use permit in September of this year that would have allow up to six (6) commercial uses on the subject parcel. The application was denied by Planning Commission due to the many uses proposed and to the uncertainty of what was going to be the primary tenant for the property (See minutes from September 12, 2023 planning commission meeting in Attachment 2). The applicant has now narrowed down the uses and clarified the primary tenant. The primary tenant is a company called Exbabylon, which provides computer services, network management and cloud solutions to small and mid-market customers in North Idaho and Eastern Washington. This tenant would occupy the larger two-story suite, while the other two smaller suites would be offered for lease. If a new tenant does not fall under one of these uses, they would be required to apply for a new Special Use Permit (See applicant's Narrative in Attachment 1).

**GENERAL INFORMATION:**

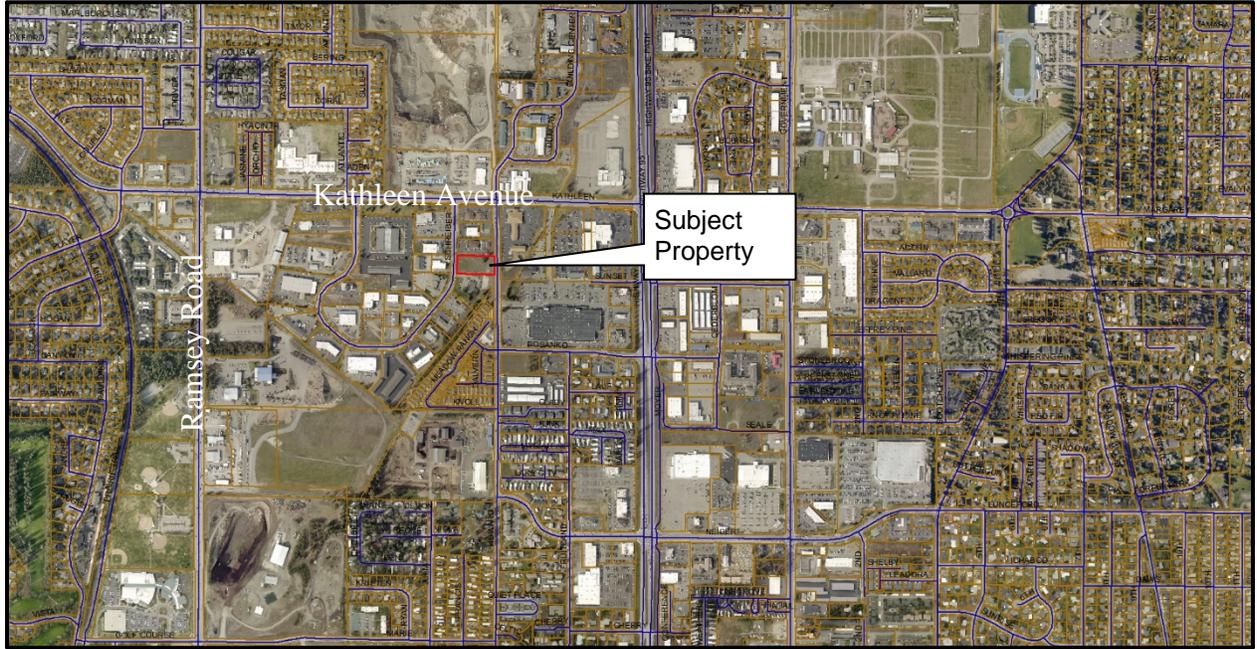
The Light Manufacturing District is intended for a variety of manufacturing uses that are conducted indoors with some manufacturing uses that include outdoor activities that may create some noise, dust, and odor. The applicant's proposed uses would be conducted primarily within the proposed structure, and the applicant is aware that a possible manufacturing use may be built in the area, or may occupy an existing structure. An outdoor patio area (See Site Plan on page 5) could be affected by an adjacent manufacturing use, in which case the city would support the continued operation of the manufacturing use, as allowed by right, in the context of the city's performance standards:

It should be noted that special use permits expire within 1 year of the effective date of approval unless substantial development has begun, and if the use ceases for two (2) years. Below is the code section language that pertains to the expiration of special use permits.

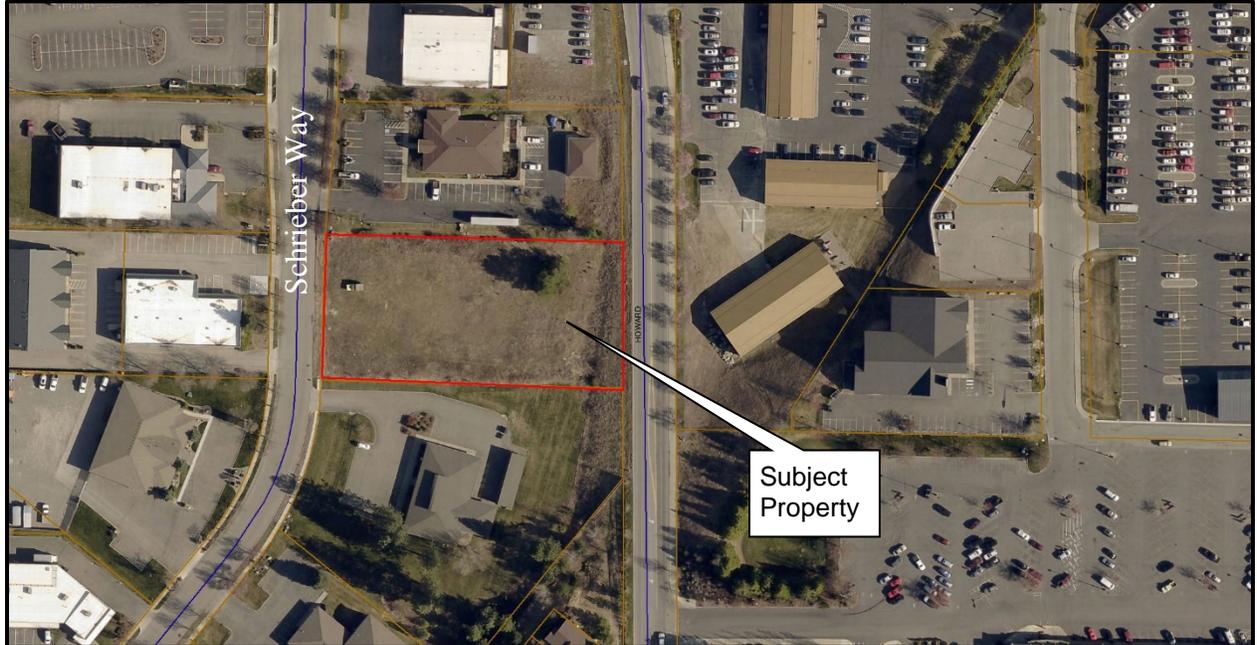
**17.09.230: ADHERENCE TO APPROVED PLANS:**

A special use permit shall be subject to the plans and other conditions upon the basis of which it was granted. Unless a different termination date is prescribed, the permit shall terminate one year from the effective date of its granting unless substantial development or actual commencement of authorized activities has occurred, or if there is a cessation of use or occupancy for two (2) years. However, such period of time may be extended by the Planning Commission for one year, without public notice, upon written request filed at any time before the permit has expired and upon a showing of unusual hardship not caused by the owner or applicant.

**PROPERTY LOCATION MAP:**



**AERIAL PHOTO:**



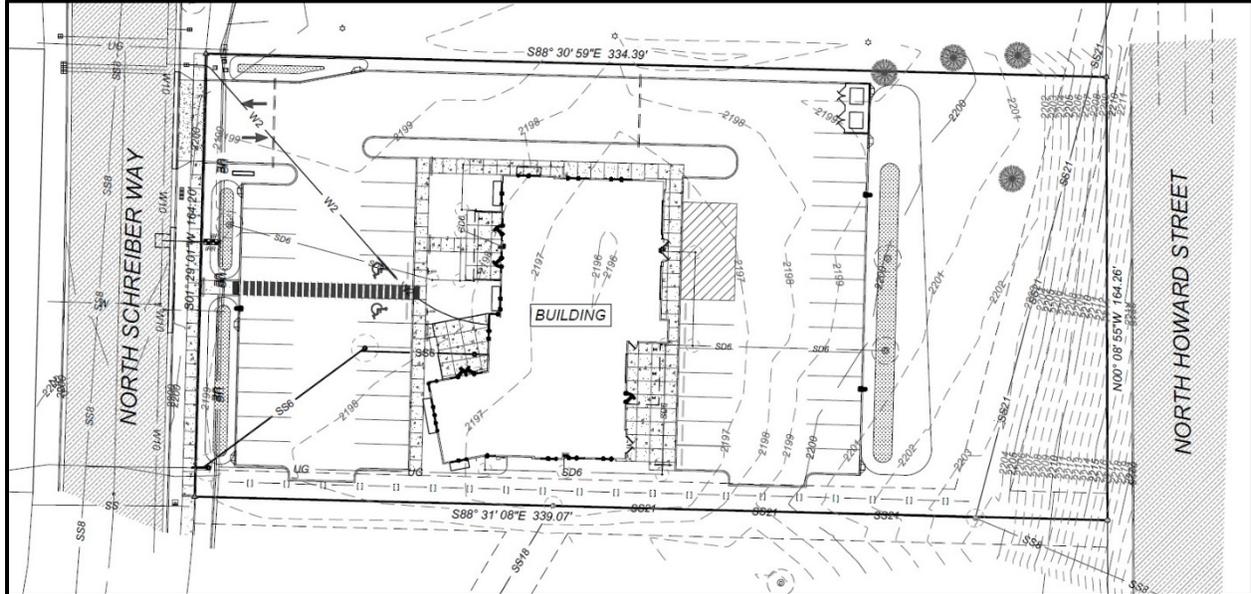
**BIRDS EYE AERIAL PHOTO LOOKING NORTH:**



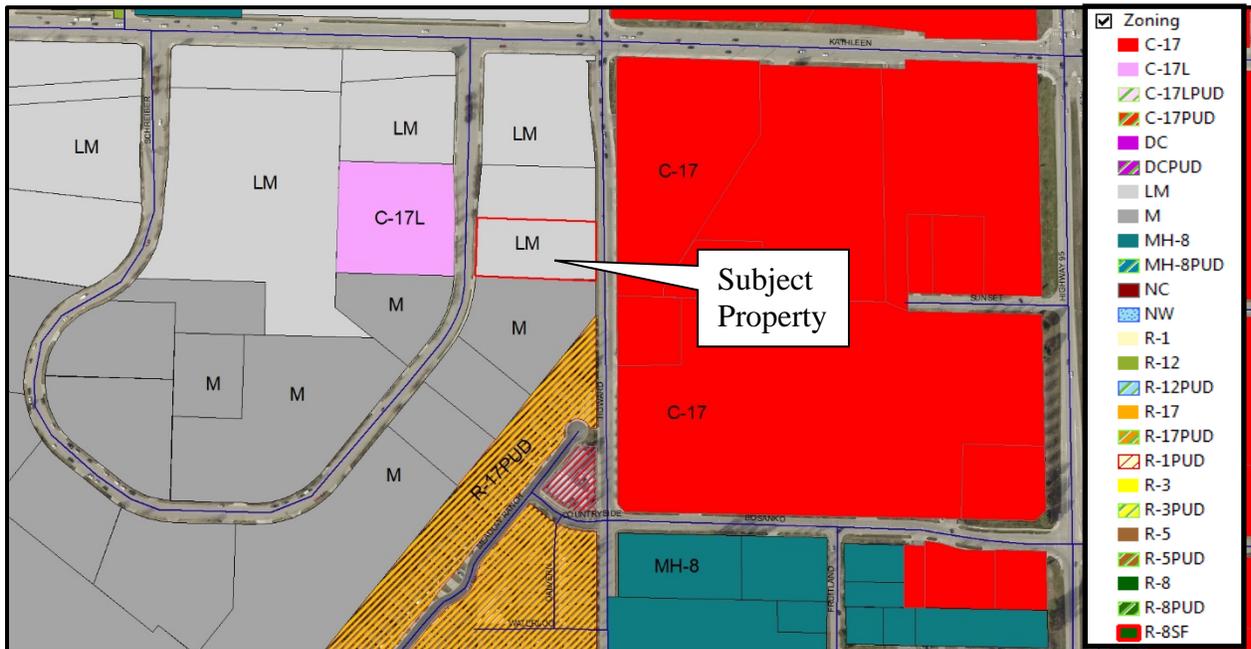
**BIRDS EYE AERIAL PHOTO LOOKING WEST:**



**APPLICANT'S SITE PLAN:**



**ZONING MAP:**



**LM – LIGHT MANUFACTURING ZONING DISTRICT:**

The Light Manufacturing (LM) district is intended to include manufacturing, warehousing and industry that is conducted indoors with minimal impact on the environment. The applicant's proposed use would be conducted primarily within the structure to be built, and the applicant is aware that a possible light manufacturing use may be built in the area, or may occupy an existing structure now or in the future. The proposed office space could be affected by an adjacent light manufacturing use, in which case the city

would support the continued operation of any allowed uses by right, in the context of the city's performance standards:

**17.05.740: PERMITTED USES; PRINCIPAL:**

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

- Agricultural supplies and commodity sales
- Auto and accessory sales
- Automobile parking
- Automobile parking when serving an adjacent business
- Automobile renting
- Automotive fleet storage
- Automotive repair and cleaning
- Building maintenance service
- Commercial film production
- Commercial kennel
- Construction and retail sales
- Custom manufacture
- Essential service
- Farm equipment sales
- Finished goods wholesale
- General construction services
- Laundry service
- Light manufacture
- Mini-storage facilities
- Unfinished goods wholesale
- Veterinary hospital
- Warehouse/storage
- Wholesale bulk liquid fuel storage

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

Permitted uses by special use permit in an LM district shall be as follows:

- Administrative offices
- Adult entertainment
- Banks and financial establishments
- Business supply retail sales
- Business support service
- Commercial recreation
- Communication service
- Consumer repair service
- Convenience sales
- Convenience service
- Criminal transitional facility
- Department store
- Extensive impact
- Extractive industry
- Finished goods retail
- Food and beverage stores for on/off site consumption
- Funeral service
- Group assembly
- Home furnishing retail sales
- Hotel/motel
- Mobile food court
- Personal service establishments
- Professional offices
- Retail gasoline sales
- Specialty retail sales
- Veterinary office or clinic
- Wireless communication facility

**17.05.770: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:**

Maximum height requirements in an LM district shall be as follows: 63 Feet

**17.05.800: SITE PERFORMANCE STANDARDS; MINIMUM YARD:**

Minimum yard requirements in an LM district shall be as follows:

1. Front: The front yard requirement shall be twenty feet (20') except, when abutting along the side or across the street from a residential district. The front setback shall be equal to the most restrictive front setback thereof.
2. Side, Interior: The interior side yard requirement shall be ten feet (10').
3. Side, Street: The street side yard requirement shall be twenty feet (20').
4. Rear: The rear yard requirement shall be twenty feet (20'). However, the rear yard will be reduced by one-half (1/2) when adjacent to public open space.

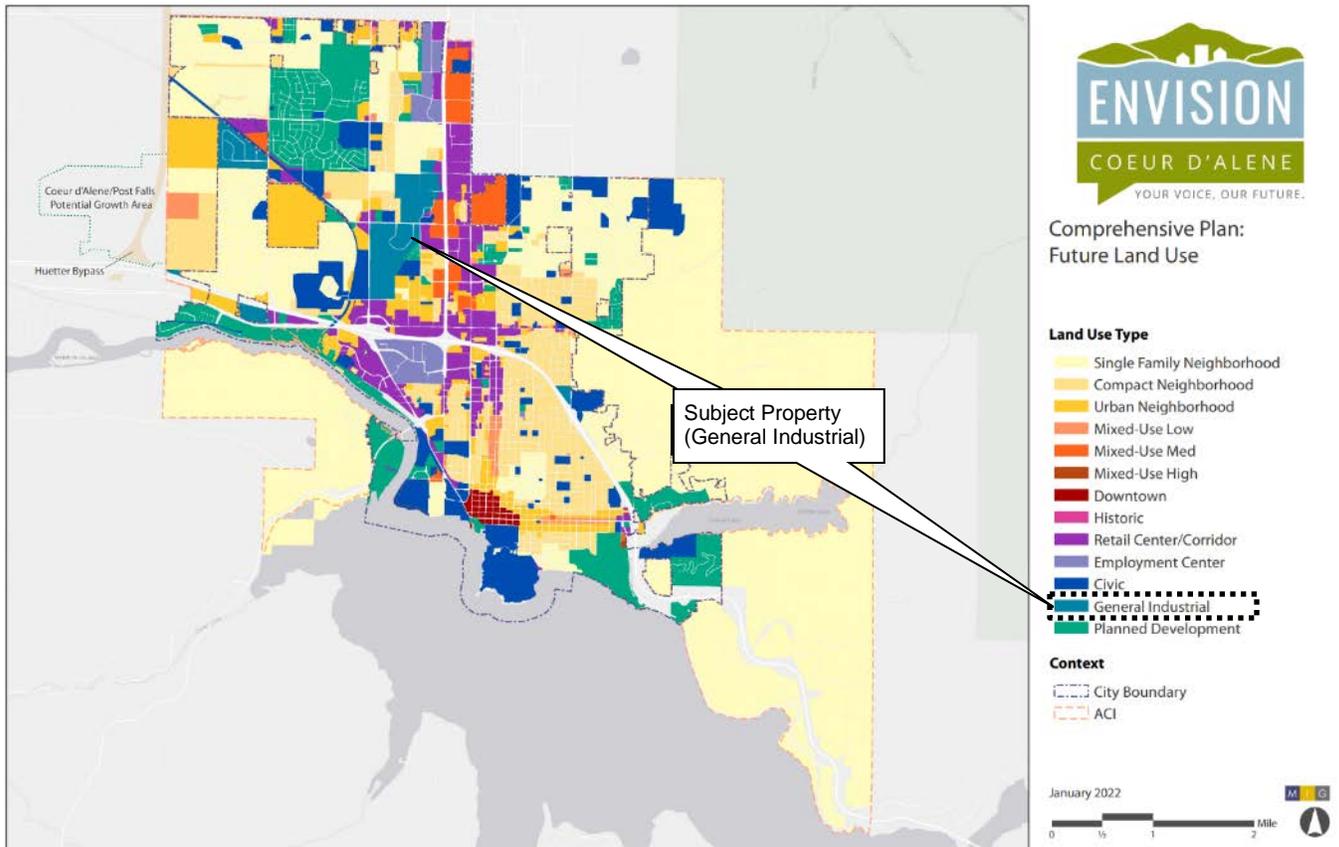
**REQUIRED FINDINGS FOR SPECIAL USE PERMITS:**

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

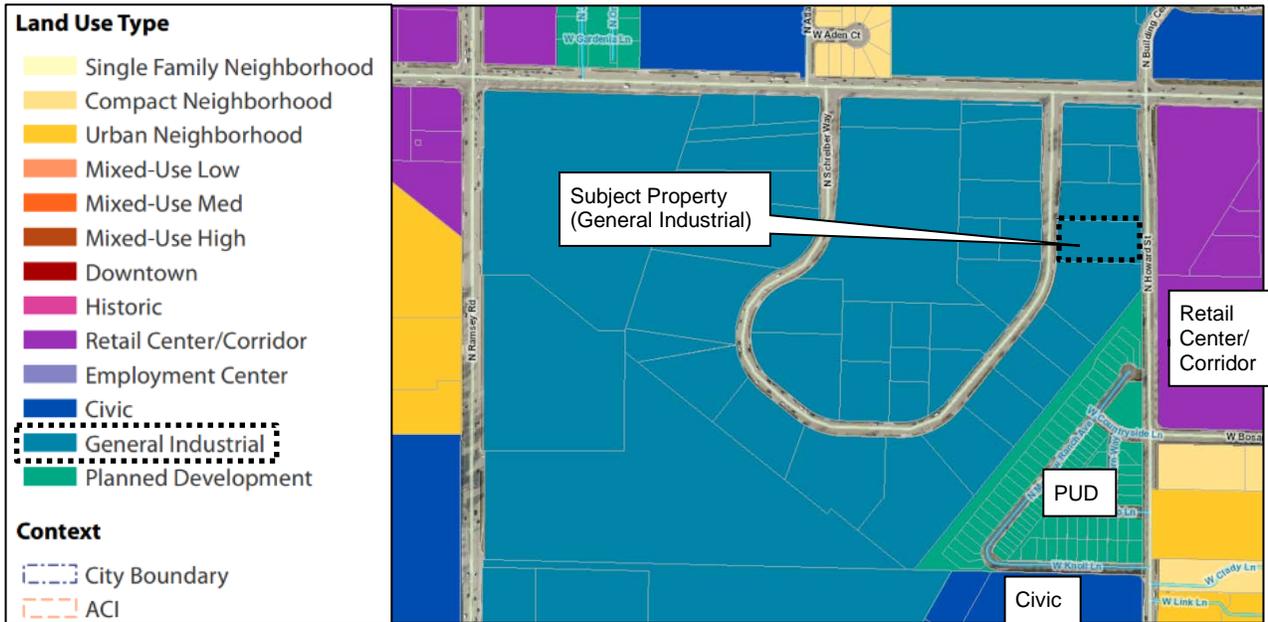
**A. Finding #B8A: The proposal (is) (is not) in conformance with the Comprehensive Plan.**

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this land use type as "General Industrial".

**COMPREHENSIVE PLAN FUTURE LAND USE MAP: General Industrial**



## Future Land Use Map (Neighborhood Context):



## Place Types

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

### General Industrial

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

**Compatible Zoning: LM and M**

## Industrial



### Key Characteristics

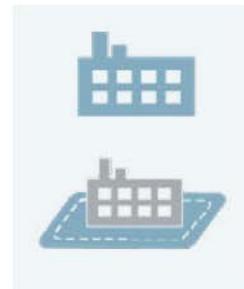
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### Transportation

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

### Typical Uses

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



### Building Types

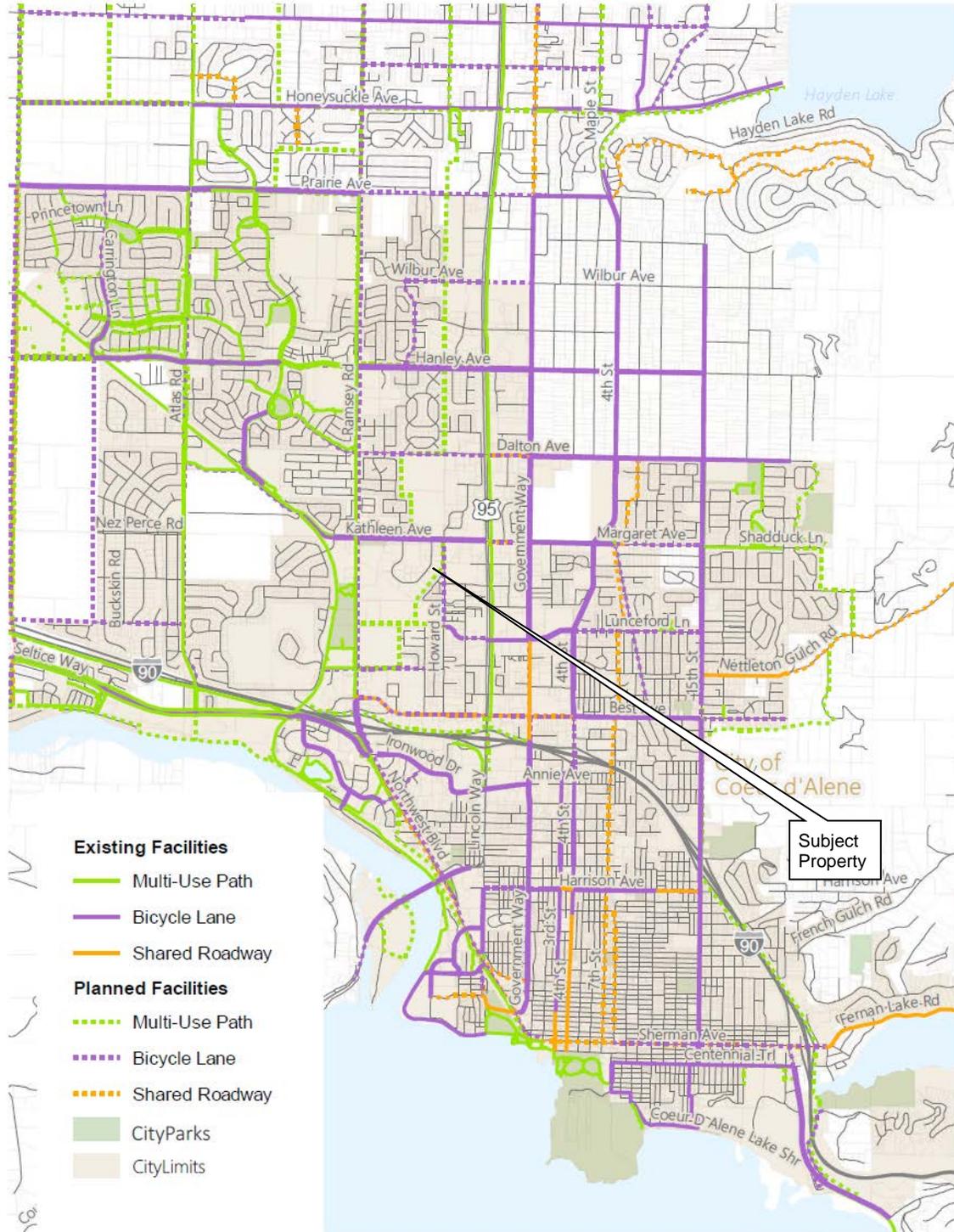
- 1-2 story large footprint buildings with varied forms

### Compatible Zoning

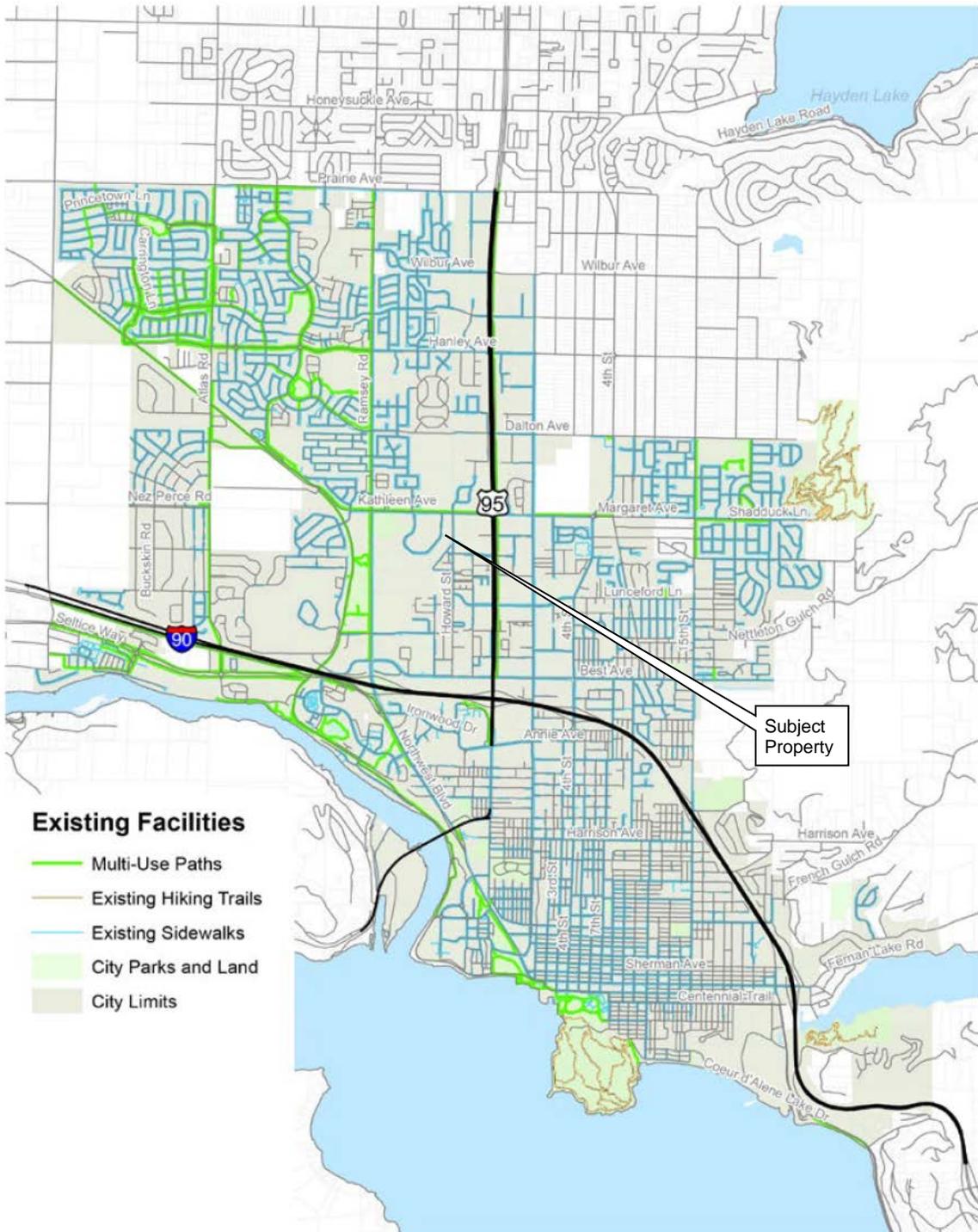
- LM and M

# Transportation

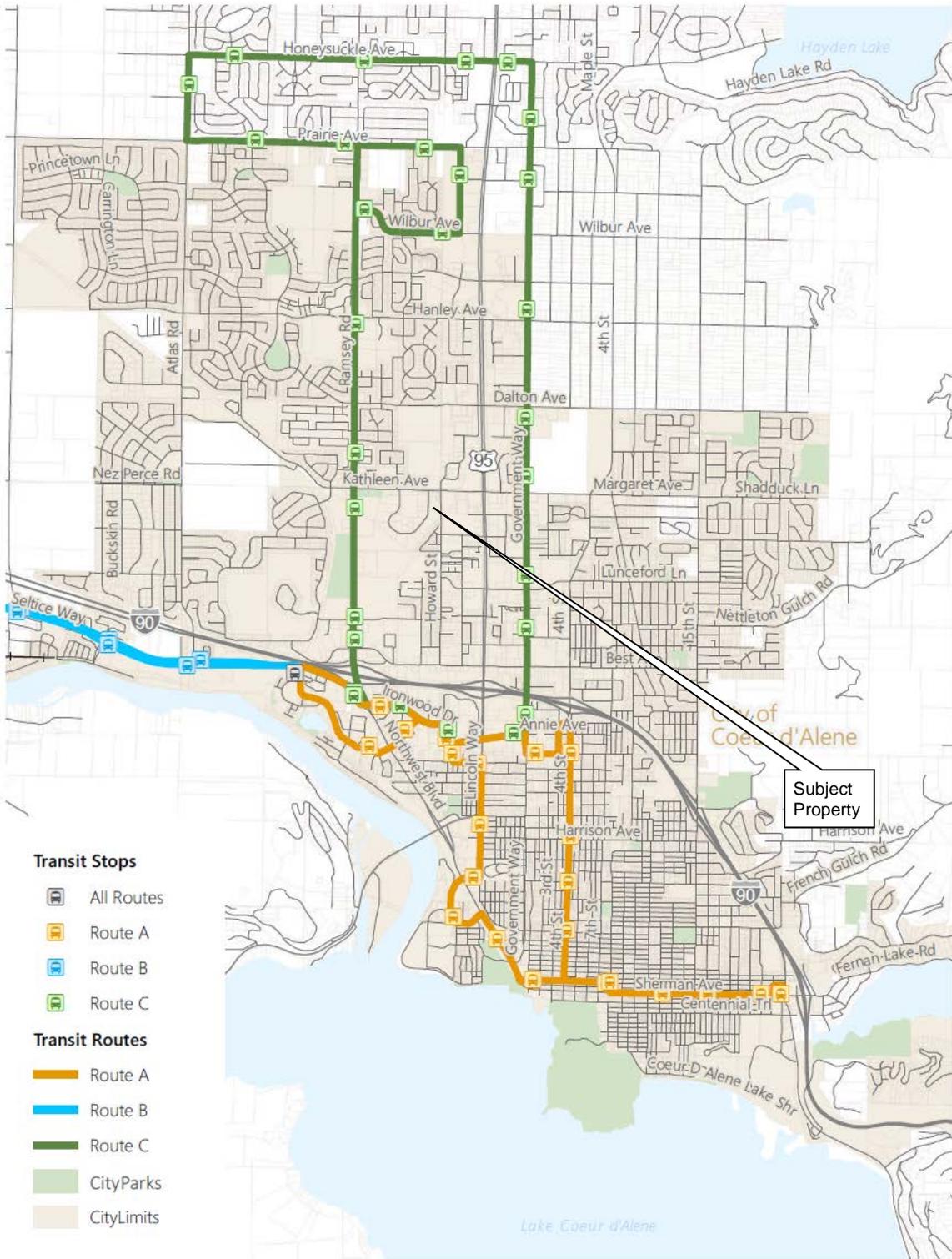
## Existing and Planned Bicycle Network:



**Existing and Planned Walking Network:**



**Existing Transit Network:**



## Comprehensive Plan Policy Framework:

### Community & Identity

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

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

### Environment & Recreation

**Goal ER 2:** Provide diverse recreation options.

**Objective ER 2.2:** Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

### Growth & Development

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

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

### Jobs & Economy

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

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

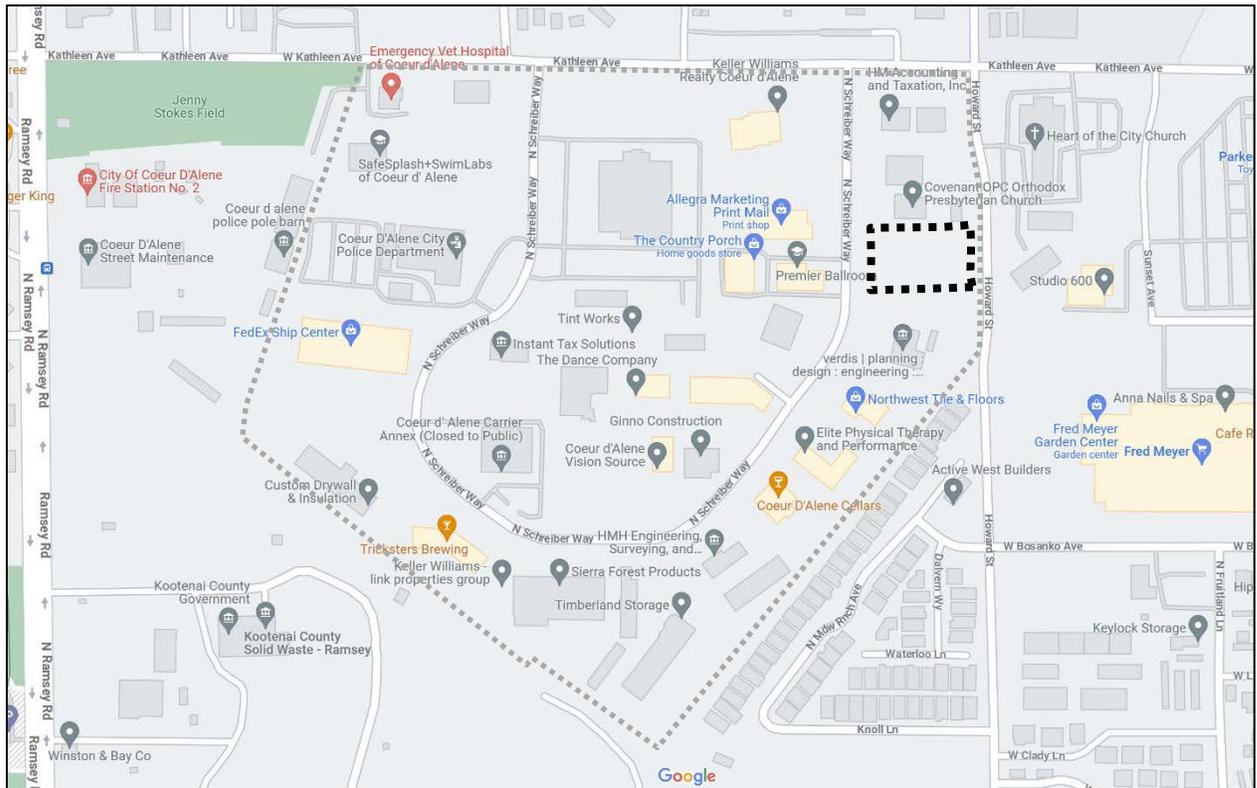
**Evaluation:** *The Planning Commission must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

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

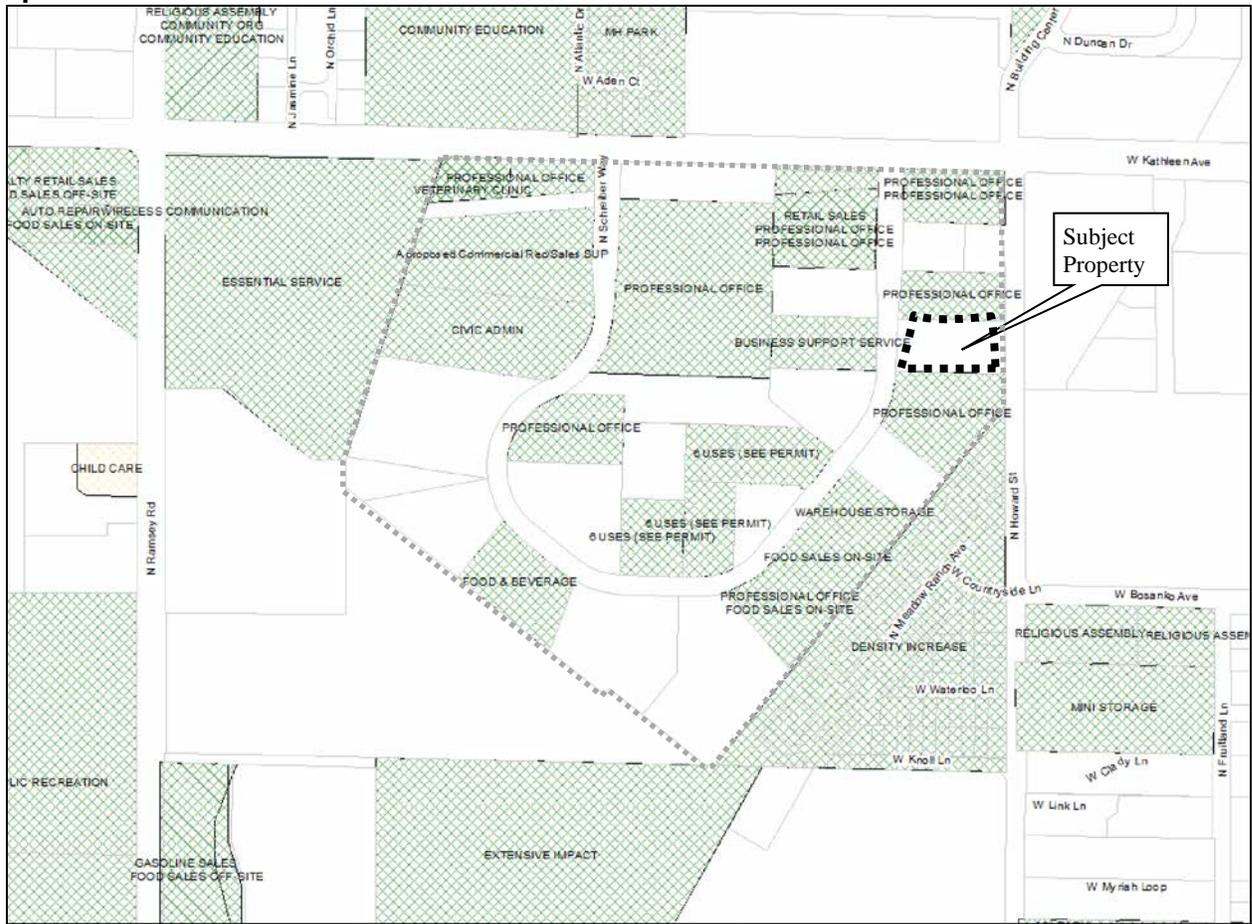
**LOCATION AND SETTING:**

The subject property is located along the east side of Schreiber Way, where the looped access is from Kathleen Avenue. This area is an eclectic area containing an array of uses including: civic, manufacturing, commercial, and service (see existing uses below). A number of special use permits have been approved in the area (see SUP map on page 15). The area is fairly flat with a gain of elevation to the east. Unlike the Industrial Park, the frontages have curb, gutter, and sidewalks, which provide a pleasant pedestrian experience.

**EXISTING USES:**



### Special Use Permits in Area:



### Schreiber Way Special Use Permits

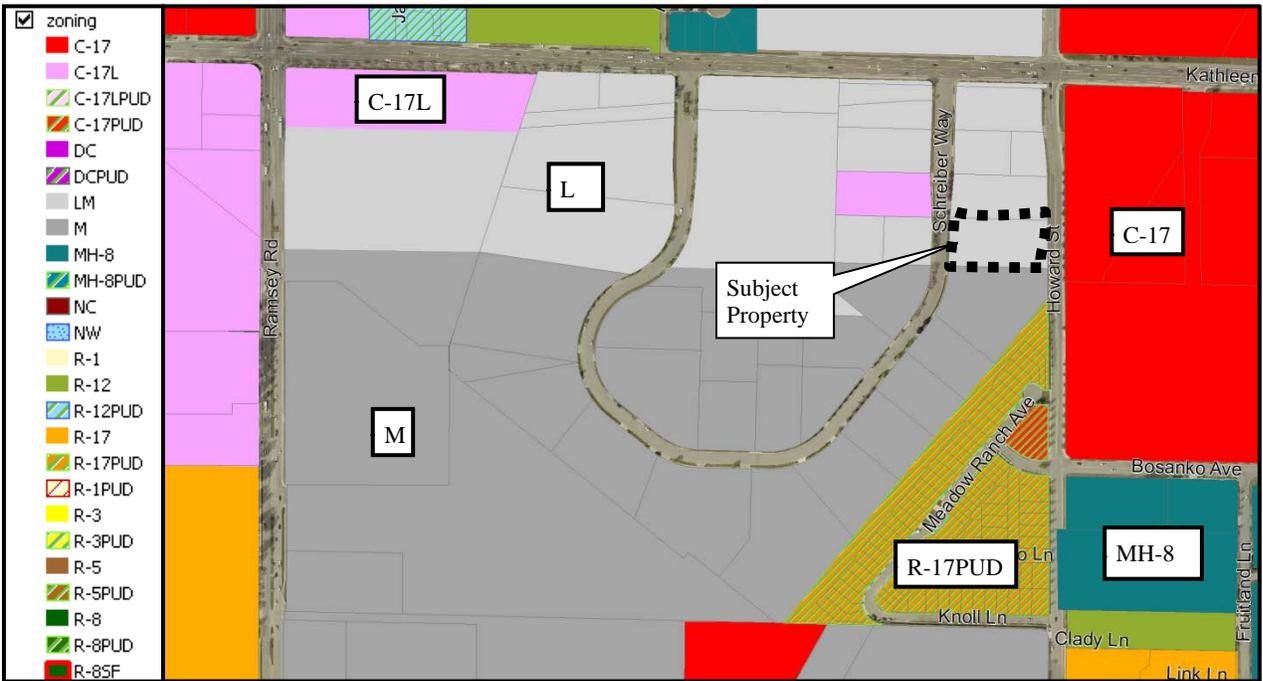
Count	Year	Item	Special Use Request	Approved
1	1993	SP-8-93	Banking and Financial Service	YES
2	1993	SP-19-93	Administrative Office	YES
3	1993	SP-20-93	Administrative Office	YES
4	1994	SP-6-94	Specialty Retail Sales	YES
5	1996	SP-2-96	Professional and Administrative Offices	YES
6	1997	SP-2-97	Administrative	YES
7	2003	SP-2-03	Professional and Administrative Offices	YES
8	2005	SP-6-05	Business Support Services	YES
9	2006	SP-9-06	Professional and Administrative Offices	YES
10	2008	SP-3-08	Professional and Administrative Offices	YES
11	2012	SP-6-12	Food and Beverage On/Off-Site Consumption	YES
12	2014	SP-5-14	Food and Beverage On/Off-Site Consumption	YES

13	2014	SP-8-14	Multiple Uses (2)	YES
14	2016	SP-1-16	Professional and Administrative Offices	YES
15	2016	SP-2-16	Professional and Administrative Offices	YES
16	2018	SP-1-18	Multiple Uses (6)	YES
17	2018	SP-2-18	Multiple Uses (6)	YES
18	2018	SP-4-18	Professional and Administrative Offices	YES
19	2018	SP-7-18	Veterinary Office	YES
20	2020	SP-3-20	Multiple Uses (6)	YES
21	2020	SP-4-20	Multiple Uses (2)	YES
22	2023	SP-5-23	Multiple Uses (2)	YES
23	2023	SP-7-23	Multiple Uses (6)	NO
24	2023	SP-8-23	Multiple Uses (4)	...this item

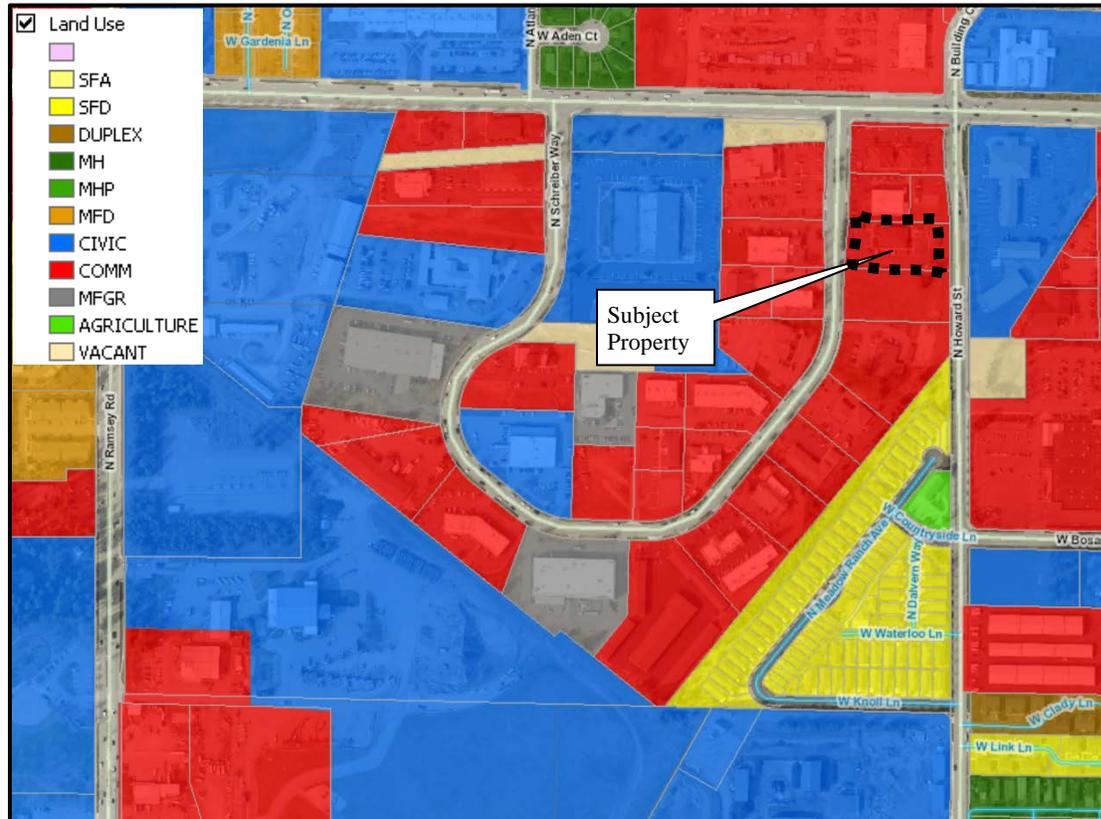
**Special Use Permits Approved with Multiple Uses: Outlined in blue**



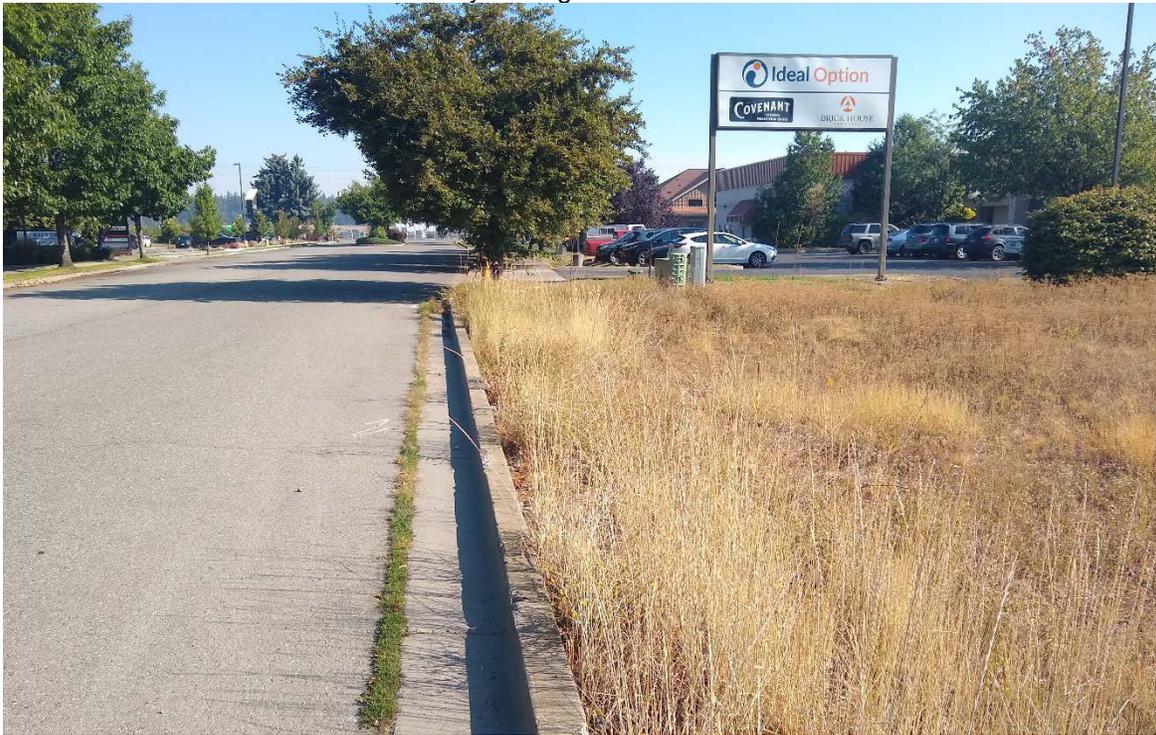
**Zoning Map:**



**Generalized Land Use Pattern:**



**SITE PHOTO 1:** View from Schriber Way looking north.



**SITE PHOTO 2:** View from Schriber Way looking east.



**SITE PHOTO 3:** View from the central part of property looking north.



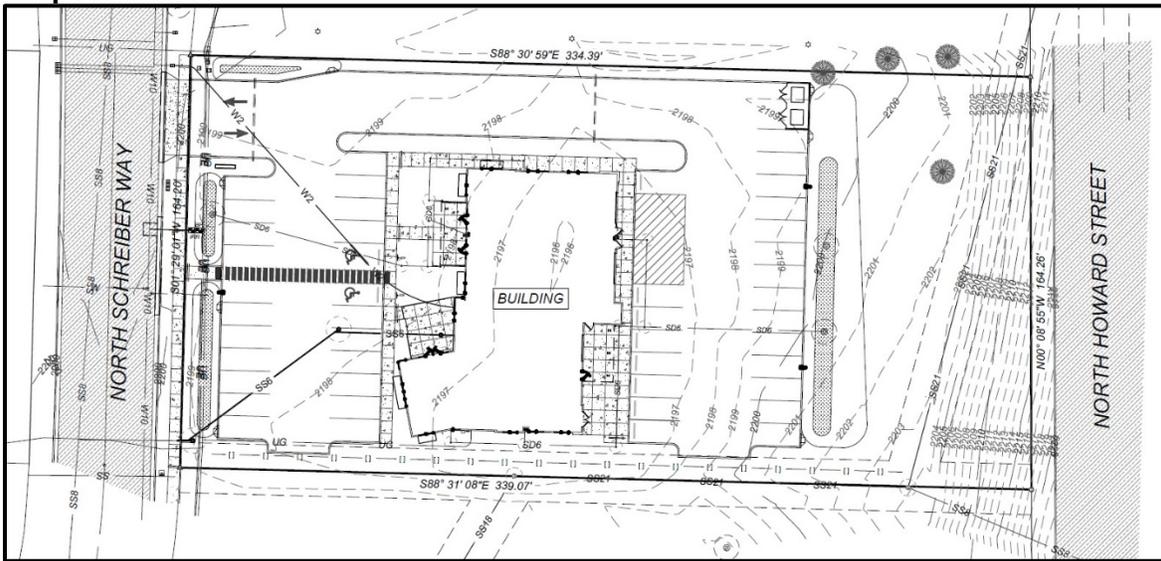
**SITE PHOTO 4:** View from the central part of property looking south.



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

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

**Proposed Site Plan:**



**Building Elevation:**



**STORMWATER:**

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

**STREETS:**

The subject property is bordered by Schreiber Way to the west. Sidewalk along the frontage must be added at the time of construction.

**TRAFFIC:**

Not knowing what businesses will occupy the proposed 9,162 SF development other than Exbabylon, it is assumed this development falls under Land Use Code 710 – General Office Building. Traffic generated from this Land Use Code is expected to generate over 100 trips per day with 14 AM and 14 PM peak hour trips per day according to the ITE Trip Generation Manual.

*-Submitted by Chris Bosley, City Engineer*

**WATER:**

There is adequate capacity in the public water system to support domestic, irrigation, and fire flow for the proposed special use permit for 3912 Schreiber Way. Domestic water service and a fire line is available to the proposed building. There is a 12” main in the street and a 2” domestic service and a 6” fire service. The Water Department has no objection to this special use permit as proposed.

*-Submitted by Kyle Marine, Water Department Director*

**SEWER:**

This parcel has connection to City sewer available via sewer lateral on Schreiber Way to the west. There is a deeded sewer easement across the back (east) side for the property and along the south property line. No permanent structures or monuments can be built over the sewer easement. Wastewater presently has the sewer system capacity and willingness to serve this Special Use as proposed.

*-Submitted by Larry Parsons, 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 building permit or site development, utilizing the currently adopted International Fire Code (IFC) for compliance. The City of Coeur d’Alene Fire Department can address all concerns at site and building permit submittals. The Fire Department has no objection to this special use permit as proposed.

*-Submitted by Bobby Gonder, Deputy Fire Marshal*

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

**PROPOSED CONDITIONS:**

**WASTEWATER:**

- 1) No permanent structures or monuments can be built within the sewer easement.

*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:**

- 2020 - 2042 Comprehensive Plan
- Municipal Code
- Idaho Code
- Wastewater Treatment Facility Plan
- Water and Sewer Service Policies
- Urban Forestry Standards
- Transportation and Traffic Engineering Handbook, I.T.E.
- Manual on Uniform Traffic Control Devices
- 2017 Trails & Bikeways Master Plan

**ACTION ALTERNATIVES:**

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

Attachment -1: Applicant's Narrative

Attachment -2: Minutes – September 12, 2023 Planning Commission Meeting



# APPLICANT'S APPLICATION



## SPECIAL USE PERMIT APPLICATION

### STAFF USE ONLY

Date Submitted: \_\_\_\_\_ Received by: \_\_\_\_\_ Fee paid: \_\_\_\_\_ Project #: \_\_\_\_\_

### REQUIRED SUBMITTALS

**Application Fee: \$700.00**

*Publication Fee: \$300.00*

*Mailing Fee: \$6.00 per hearing*

*\* Public hearing required with the Planning Commission*

A **COMPLETE APPLICATION** is required at time of application submittal, as determined and accepted by the Planning Department located at <http://cdaid.org/1105/departments/planning/application-forms>.

- Completed application form**
- Application, Publication, and Mailing Fees**
- A report(s) by an Idaho licensed Title Company:** Owner's list three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:
  1. All property owners within 300ft of the external boundaries. *\* Non-owners list no longer required\**
  2. All property owners with the property boundaries.
- A report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company and a copy of the tax map showing the 300ft mailing boundary around the subject property. The report(s) shall be a full Title Report and include the Listing Packet. Explain how the location, design, and size of the proposal will be adequately served by existing streets, public facilities and services.
- A written narrative:** Including a description of the request, how the request conforms to the 2007 Comprehensive Plan, how the design and planning of the site is compatible with the location, setting, and existing uses on adjacent properties. Explain how the location, design, and size of the proposal will be adequately served by existing street, public facilities and services.
- A legal description:** in MS Word compatible format, together with a meets and bounds map stamped by a licensed Surveyor.
- A plan set map:** A site plan with floor plans, and/or building elevations as deemed necessary to demonstrate the characteristics of the proposed use. All plans must be accurately drawn to an acceptable scale and complete with dimensions that show lot size, setbacks, required off-street parking, any landscaping that may be proposed to ensure the compatibility with the abutting properties, and surrounding neighborhood.

### DEADLINE FOR SUBMITTALS

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

### PUBLIC HEARING NOTICE SIGN TO BE POSTED ON SUBJECT PROPERTY

The applicant is required to post a public hearing notice, provided by the Planning Department, on the property at a location specified by the Planning Department. This posting must be done one (1) week prior to the date of the Planning Commission meeting at which this item will be heard. An affidavit testifying where and when the notice was posted, by whom, and a picture of the notice posted on the property is also required and must be returned to the Planning Department.

**APPLICATION INFORMATION**

PROPERTY OWNER: Azzardo, LLC		
MAILING ADDRESS: 204 W. Walnut Street, Suite D		
CITY: Newport	STATE: WA	ZIP: 99156
PHONE: (509) 671-0439	FAX:	EMAIL: alex@exbabylon.com
APPLICANT OR CONSULTANT: Lake City Engineering, Inc.		STATUS: <b>ENGINEER</b> OTHER
MAILING ADDRESS: 126 E. Poplar Avenue		
CITY: Coeur d'Alene	STATE: ID	ZIP: 83814
PHONE: (208) 676-0230	FAX:	EMAIL: admin@lakecityengineering.com

**FILING CAPACITY**

- Recorded property owner as to of \_\_\_\_\_
- Purchasing (under contract) as of \_\_\_\_\_
- The Lessee/Renter as of \_\_\_\_\_
- Authorized agent of any of the foregoing, duly authorized in writing. *(Written authorization must be attached)*

**SITE INFORMATION:**

GENERAL LOCATION OR ADDRESS OF THE PROPERTY: Lot 4, Block 2 of Commerce Park of CDA (NKA Schreiber Way)
GROSS AREA/ACRES: 1.27 acres
EXISTING CITY ZONING (CHECK ALL THAT APPLY): R-1 <input type="checkbox"/> R-3 <input type="checkbox"/> R-5 <input type="checkbox"/> R-8 <input type="checkbox"/> R-12 <input type="checkbox"/> R-1 <input type="checkbox"/> MH-8 <input type="checkbox"/> NC <input type="checkbox"/> C-17 <input type="checkbox"/> C-17L <input type="checkbox"/> DC <input type="checkbox"/> LM <input checked="" type="checkbox"/> M <input type="checkbox"/> NW <input type="checkbox"/>
CURRENT LAND USE: Vacant
DESCRIPTION OF PROJECT/REASON FOR REQUEST: See Narrative

**CERTIFICATION OF APPLICANT:**

I, Drew C. Dittman, PE, being duly sworn, attests that he/she is the applicant of this  
*(Insert name of applicant)*

request and knows the contents thereof to be true to his/her knowledge.

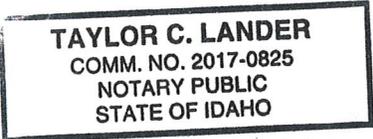
Signed:   
*(applicant)*

Notary to complete this section for applicant:

Subscribed and sworn to me before this 26 day of September, 2023.

Notary Public for Idaho Residing at: Kootenai County

My commission expires: 10/27/2023



Signed:   
*(notary)*

**CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:**

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: Azzardo, LLC Telephone No.: (509) 671-2567

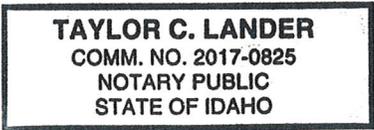
Address: 204 W. Walnut Street, Suite D, Newport, WA 99156

Signed by Owner: 

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this 26 day of September, 2023.

Notary Public for Idaho Residing at: Kootenai County



My commission expires: 10/27/2023

Signed:   
*(notary)*

*For multiple applicants or owners of record, please submit multiple copies of this page.*

SPECIAL USE PERMIT APPLICATION

I (We) the undersigned do hereby make petition for a special use permit of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS 28<sup>TH</sup> DAY OF SEPTEMBER 20 23  
[Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### III. SPECIAL USE PERMIT PROCEDURE

**17.09.205: TITLE AND PURPOSE:**

The provisions of this article shall be known as the SPECIAL USE PERMIT PROCEDURE. The purpose of these provisions is to prescribe the procedure for the accommodation of uses with special site or design requirements, operating characteristics or potential adverse effects on surroundings, through review and, where necessary, the imposition of special conditions of approval. This procedure shall apply to all proposals for which a special use permit is required by the zoning ordinance. (Ord. 1691 §1(part), 1982)

**17.09.210: APPLICATION AND SUBMITTALS:**

Application for a special use permit shall be made on a form prescribed by the planning director, and shall be notarized. The application shall be accompanied by information including:

- A. A set of design drawings which shall include a site plan. The planning director or planning commission may require additional submittals such as floor plans and site and/or building elevations as deemed necessary to demonstrate the characteristics of the use being considered;
- B. A narrative depicting the operational characteristics of the use and its impact on the surrounding area, if any;
- C. Other such information as may be required by the planning director; and
- D. The fee referenced in the fee schedule. (Ord. 3127 §19, 2003: Ord. 3025 §18, 2001: Ord. 2314 §5, 1990: Ord. 1691 §1(part), 1982)

**17.09.215: PROCEDURE FOR CONSIDERATION:**

A. Public Hearing: A public hearing before the planning commission shall be set for between twenty one (21) and sixty (60) days after formal acceptance, to be held on each application for a special use permit.

B. Notice: Notice of the hearing shall be as prescribed in subsection 17.09.120B of this chapter. Notices also may be posted within the area of potential influence, if required by the planning director.

C. Planning Commission Action: The planning commission shall determine whether the proposal conforms to the special use permit criteria and may grant or deny the application for the proposed special use permit or require such changes or impose such reasonable conditions of approval as are in their judgment necessary to ensure conformity of the criteria. They shall make specific written findings to support their decisions. A copy of the planning commission decision shall be mailed to the applicant and property owners who received mailed notice of the public hearing and notice of the decision by the planning commission shall be published in the official newspaper within seven (7) days of the decision. The determination of the planning commission shall be made within forty (40) days after the hearing. It shall become final ten (10) days after the date of written notice of the decision has been published in the official newspaper unless appealed to the city council pursuant to subsection 17.09.125B of this chapter. (Ord. 3127 §20, 2003: Ord. 3121 §5, 2003: Ord. 3025 §19, 2001: Ord. 2901 §4, 1999: Ord. 2886 §4, 1998: Ord. 1844 §6, 1984: Ord. 1691 §1(part), 1982)

**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 commission:

- A. The proposal is in conformance with the comprehensive plan.

B. The design and planning of the site is compatible with the location, setting and existing uses on adjacent properties.

C. The location, design, and size of the proposal are such that the development will be adequately served by existing streets, public facilities and services. (Ord. 3059 §5, 2002: Ord. 1691 §1(part), 1982)

**17.09.225: APPEALS TO THE CITY COUNCIL:**

An appeal by an affected person may be taken to the city council in accordance with subsection 17.09.125B of this chapter. In considering the appeal, the city council shall determine whether the proposed use conforms to the applicable special use permit criteria, and may grant or deny a permit or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to the criteria. (Ord. 1844 §7, 1984: Ord. 1691 §1(part), 1982)

**17.09.230: ADHERENCE TO APPROVED PLANS:**

A special use permit shall be subject to the plans and other conditions upon the basis of which it was granted. Unless a different termination date is prescribed, the permit shall terminate one year from the effective date of its granting unless substantial development or actual commencement of authorized activities has occurred, or if there is a cessation of use or occupancy for two (2) years. However, such period of time may be extended by the planning commission for one year, without public notice, upon written request filed at any time before the permit has expired and upon a showing of unusual hardship not caused by the owner or applicant. (Ord. 1691 §1(part), 1982)

**17.09.235: REVOCATION:**

In the event of a violation of any of the provisions of the zoning ordinance, or in the event of a failure to comply with any prescribed condition of approval, the planning commission may, after notice and hearing, revoke any special use permit. The determination of the planning commission shall become final ten (10) days after the date of written notice of the decision has been published in the official newspaper, unless appealed to the city council pursuant to subsection 17.09.125B of this chapter. (Ord. 1844 §8, 1984: Ord. 1691 §1(part), 1982)

# *Special Use Permit*

*Azzardo, LLC*

*City of Coeur d'Alene, Idaho*

*October 2023*



*126 E. Poplar Avenue  
Coeur d'Alene, Idaho 83814  
208-676-0230*

## INTRODUCTION

The purpose of this proposal is to request a Special Use Permit for a multi-use project on a single lot that is located on the East side of Schreiber Way, just South of Kathleen Avenue and approximately 0.4 miles West of Highway 95. Azzardo, LLC is the current owner of this property and is looking to develop it in accordance with the City of Coeur d'Alene standards and requirements.

## SUBJECT PARCEL

The property being requested for special use permit is as follows:

Parcel #: C-1994-002-004-0  
Total Area: 1.27 acres  
Current Zoning: Light Manufacturing (LM)  
Comp. Plan Designation: General Industrial

Current Owner: Azzardo, LLC  
204 W. Walnut Street, Suite D  
Newport, WA 99156

Project Proponent: Azzardo, LLC  
204 W. Walnut Street, Suite D  
Newport, WA 99156



Figure 1: Vicinity Map

## PROPOSED USES

The project proponent is proposing to build a two-story building containing 3 office suites including (1) large two-story suite and (2) 1,500 SF build-to-suit suites. All tenants would operate under a Special Use Permit in the LM (Light Manufacturing) Zoning District that falls under one or more of the following (4) uses: Business Support Services; Professional & Administrative Offices; Business Supply Retail Sales; and Specialty Retail Sales. The primary occupant, Exbabylon, which provides computer services, network management and cloud solutions to small and mid-market customers in North Idaho and Eastern Washington, would occupy the two-story suite, while the other two smaller suites would be offered for lease. If a new tenant did not fall under one of these uses, they would be required to apply for a new Special Use Permit.

## REQUIRED FINDINGS FOR SPECIAL USE PERMIT

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

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

The recently updated and adopted Coeur d'Alene Comprehensive Plan *Future Land Use Map* shows that this property is within existing City limits and designates it as General Industrial. This land use type is intended to provide concentrated areas of employment that create goods and services, primarily through uses such as manufacturing, warehousing, storage and industrial parks located in one or two-story buildings with varied building footprints and interior ceiling heights. As one of only a few undeveloped parcels on the Schreiber Way loop, the subject property is surrounded by existing commercial uses and is therefore suitable for infill commercial development. See Fig 2 below, which shows the existing uses for the surrounding properties.



Figure 2: Land Use in Area

The *Envision Coeur d'Alene Comprehensive Plan 2022-2042*, is now the guiding document for zoning related issues. It is important that land use decisions meet, or exceed, the goals, objectives and actions as outlined in this Comprehensive Plan. The subject property is designated as General Industrial, which promotes growth in concentrated areas of employment for a range of job types that create goods and services, primarily through uses such as manufacturing, warehousing, storage and industrial parks. The project proponent believes that the following goals and objectives (shown in *italics*) as outlined in the Comprehensive Plan's *Policy Framework* and *Land Use and Design* documents, are applicable to the requested special use permit. Additional commentary is located below each objective as appropriate.

### Community & Identity

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

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

The Special Use Permit process, as managed by the Planning Commission, is designed to provide guidance when a request for the accommodation of uses with special site/ design requirements or operating characteristics may have the potential for adverse effects on the project's surroundings. The Planning Commission's recommendations, and when necessary, imposition of special conditions of approval, take into account the views that members of the community may have towards a new project in their neighborhood.

### Growth and Development

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

The subject property is one of only a few parcels of undeveloped land located in the Schreiber Way business loop. The proposed special use permit requested for this project will allow for a variety of commercial options to occupy the available suite spaces. This will not only provide additional services to the community; it will also provide future employment and entrepreneurial opportunities that will continue to make this a vibrant, useful sector in the heart of Coeur d'Alene.

*Objective GD 1.4 Increase pedestrian walkability and access within commercial development.*

This project is located in an almost fully developed commercial area that is centrally located within City limits. Sidewalks and street trees front most all of these lots and provide continued walkability around Schreiber Way, with easy access to each of the businesses around the loop.

*Objective GD 1.5 Recognize neighborhood and district identities.*

The subject property is located in an area of the City that offers easy motorized and non-motorized access to a wide variety of small-scale neighborhood commercial uses. Developing the subject property as proposed will enhance the area and be compatible with existing uses.

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

Although it does not have a specific business district name, the Schreiber Way loop is a well-known location for many types of commercial activities, whether their focus is on manufacturing or services to the general public. Developing one of the last few vacant parcels in this area will provide new business opportunities and keep economic growth a vital part of the community.

### Jobs & Economy

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

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

The development of the subject property into multiple commercial suites situated in a centrally located business loop will make this an attractive prospect for new and existing companies.

The General Industrial designation supports a wide variety of permitted principal and special uses, and when combined with the subject property's compatible zoning classification of Light Manufacturing (LM), the proposed use is in conformance with the Comprehensive Plan.

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

The subject property is currently zoned LM (Light Manufacturing). It is bounded on the South by a parcel zoned Manufacturing that contains the Verdis Planning & Engineering office, and on the North by a parcel zoned Light Manufacturing, home to several small office suites. Across Schreiber Way to the West are two parcels zoned C-17L, which currently house several commercial offices, retail and warehouse suites. To the East across Howard Street lies Parker Toyota and Fred Meyer, both zoned C-17.

The project proponent is requesting a Special Use Permit for a multi-suite commercial building within the LM zone, a project which would allow for a variety of business and commercial services. Per the City of Coeur d'Alene Municipal Code, business support services, professional / administration offices, business supply retail sales and specialty sales are just a few of the permitted uses in the LM zone with a Special Use Permit, and it is anticipated that Exbabylon, as well as future tenants of the available suites, would fit into these categories. The Applicant is aware that industrial, light manufacturing, or manufacturing uses may be built in the area or occupy an existing structure nearby.

As previously mentioned, Exbabylon is a local business that provides IT and computer management services to small and midsize clients throughout the area and has been doing so for over 20 years. The existing locations in Newport, WA, Sandpoint, ID, and Hayden, ID have served them well, however the company is now looking to establish a centrally located presence in Coeur d'Alene on the subject property to serve the growing needs of their clients. As the main tenant of the proposed building, Exbabylon fits within all (4) of the aforementioned uses permitted by Special Use Permit in the LM zone. Primarily a provider of business-to-business professional IT support and repair, Exbabylon also

offers cybersecurity services. In addition, Exbabylon’s retail offerings to its clients include computer software and a wide variety of desktop computers, laptops and servers for sale.

Considering the surrounding variety of commercial uses and its location along Schreiber Way, this property is a good candidate for a variety of special uses permitted in the LM District. In addition, according to the City of Coeur d’Alene’s CDAMap! website, over half of the properties along Schreiber Way are currently operating under a Special Use Permit (see Figure 3 below). For a commercial or similar use, the proposed uses will be compatible with the existing land uses both adjacent and nearby. Given the continued influx of new residents and small businesses into North Idaho and the Coeur d’Alene area, this project will help to satisfy the rising demand for centrally located commercial and office space within the City.

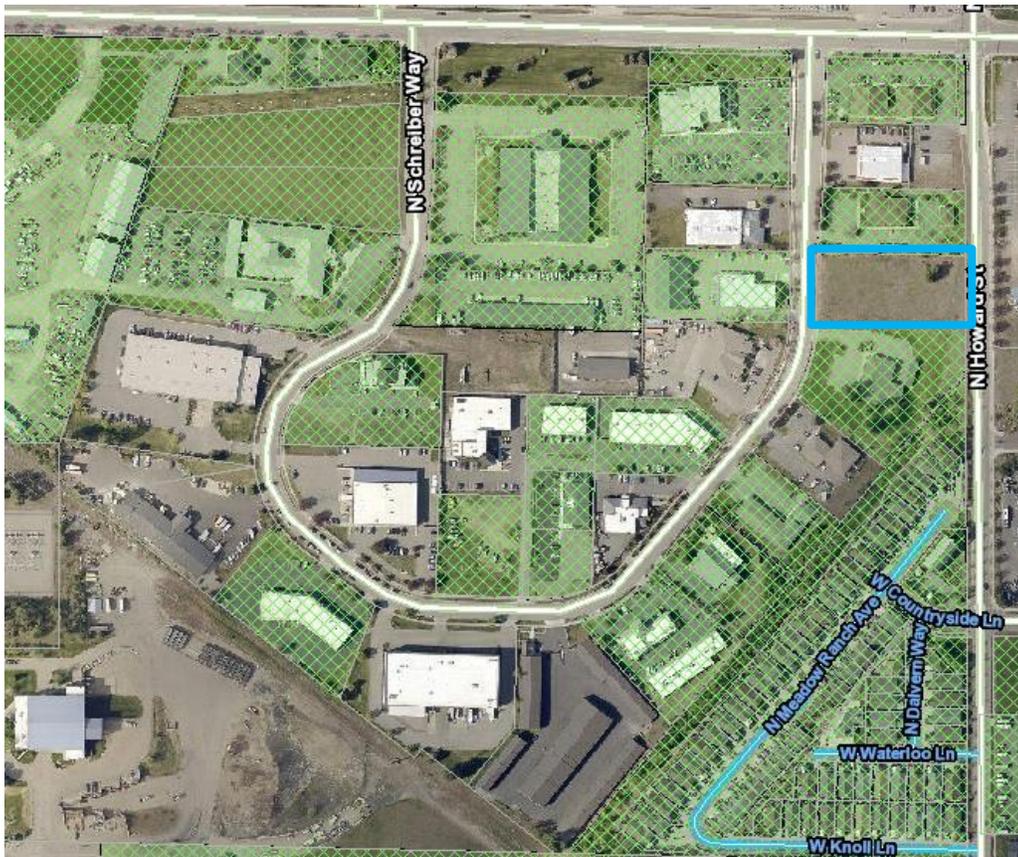


Figure 3: Special Use Permits in Area (green crosshatch)

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

The proposed building Site Plan and Floor Plan can be found in Appendices A and B, respectively. Following is a discussion of how this project will be adequately served by the existing / surrounding resources.

## **Streets and Stormwater**

Schreiber Way is constructed and borders the project on the West, therefore not requiring any additional road improvements other than a new sidewalk along the front edge of the property. An existing driveway curb cut along Schreiber Way will be demolished and rebuilt in favor of a new approach on the North end of the property, providing direct access into the proposed project. Parking will be available in both the front and rear of the proposed building. Stormwater treatment will be provided by grassy swales and disposed of with drywells, per the City of Coeur d'Alene standards and requirements.

## **Domestic and Irrigation Water**

The project will be served by the City of Coeur d'Alene. They currently have the capacity and willingness to serve the proposed project via a 12" water main located in Schreiber Way, which will provide domestic, irrigation and fire protection needs. The property is currently served by existing 2" and 6" stubs. The system will be capable of providing the required fire flows.

## **Sanitary Sewer**

Sanitary sewer service will be provided by the City of Coeur d'Alene. There is an existing 21" gravity sewer main traversing the eastern portion of the subject property, and an 8" gravity sewer main located in Schreiber Way. The system has the capacity to serve the project.

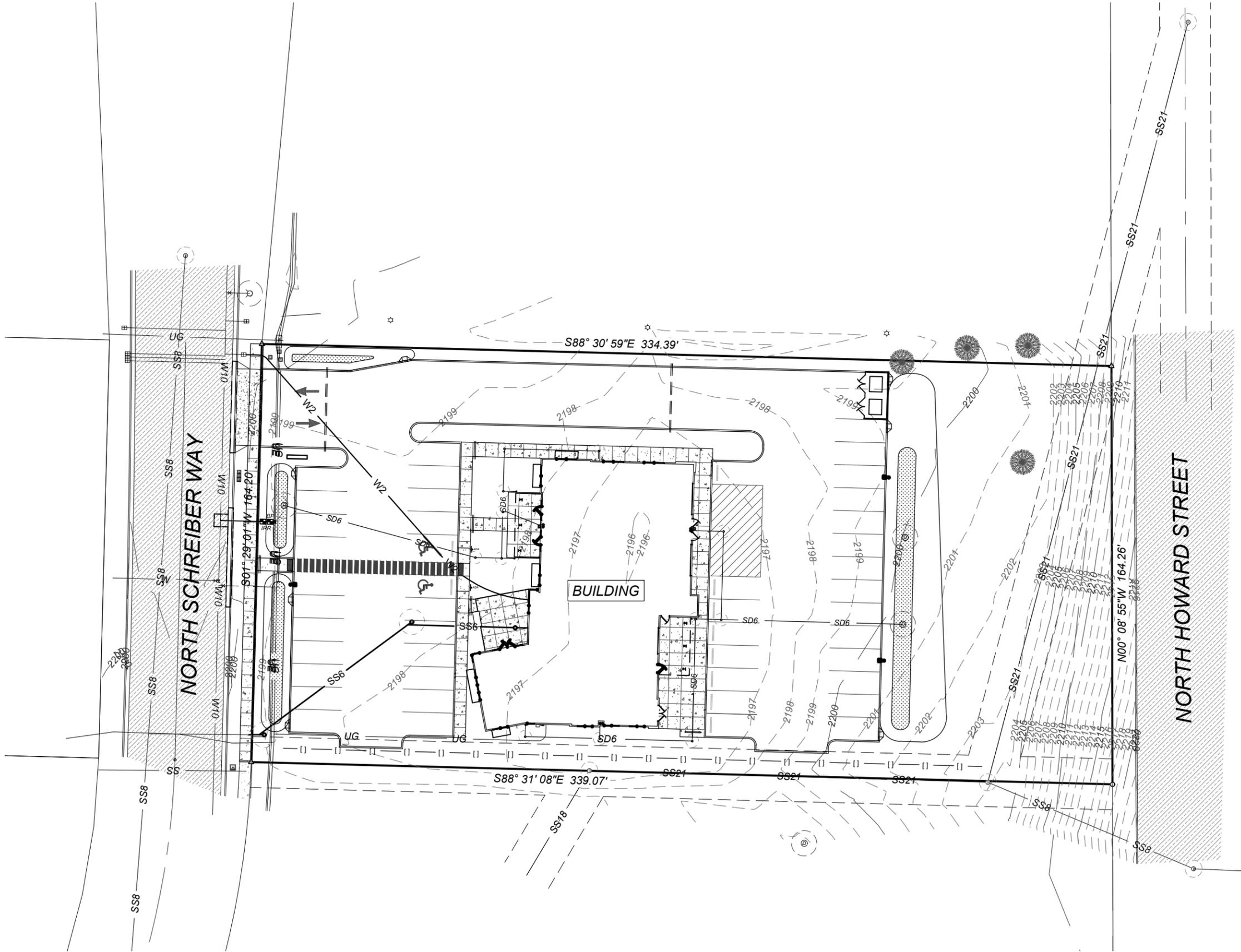
## **Dry Utilities**

All necessary dry utilities are currently installed in the adjacent Schreiber Way, including power, phone/cable, and natural gas.

## **Fire Protection**

The subject property is located within the Kootenai Fire and Rescue (KCFR) boundaries. Fire Station #4, located at 1702 Golf Course Road, is within 1.4 miles and has adequate capacity to serve the project. An existing fire hydrant is located near the northwestern corner of the property. The parking lot has been designed to adhere to the International Fire Code standards and requirements.

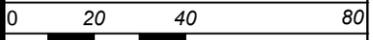
**APPENDIX A**  
**Azzardo Site Plan**



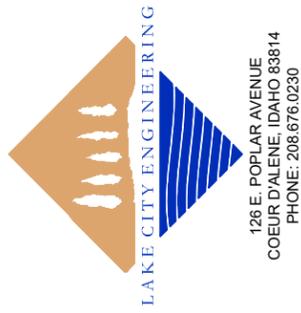
THE AZZARDO BUILDING

SITE EXHIBIT  
COEUR D'ALENE, IDAHO

DESIGNED BY:	DCD
DRAFTED BY:	SEG
DATE:	9/28/2023
JOB NO:	LCE 21-015
SCALE:	1" = 40'

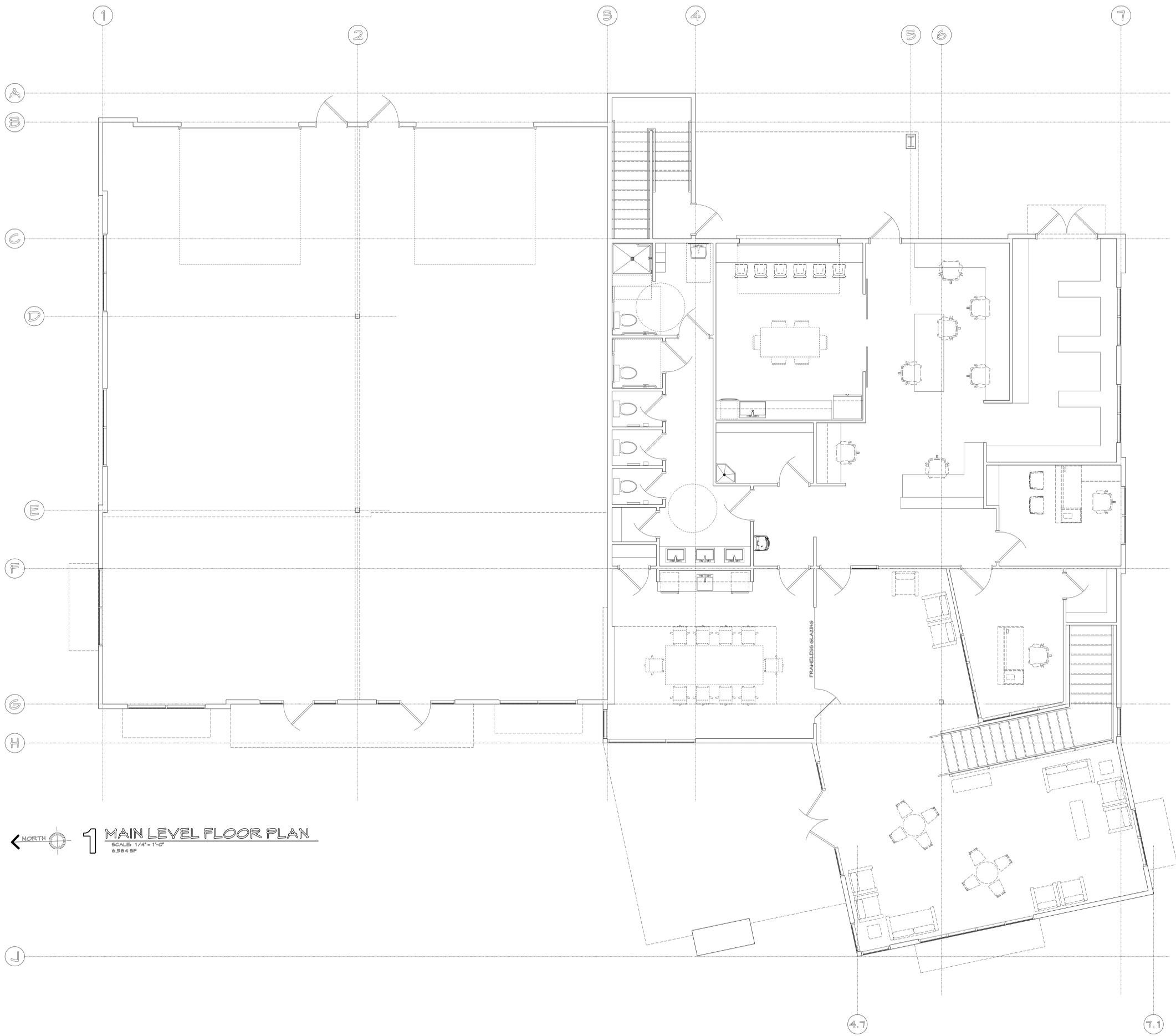


**PRELIMINARY**  
NOT FOR CONSTRUCTION



LAKE CITY ENGINEERING  
126 E. POPLAR AVENUE  
COEUR D'ALENE, IDAHO 83814  
PHONE: 208.676.0230

**APPENDIX B**  
**Azzardo Building Floor Plan**



1 MAIN LEVEL FLOOR PLAN  
 SCALE: 1/4" = 1'-0"  
 6,584 SF

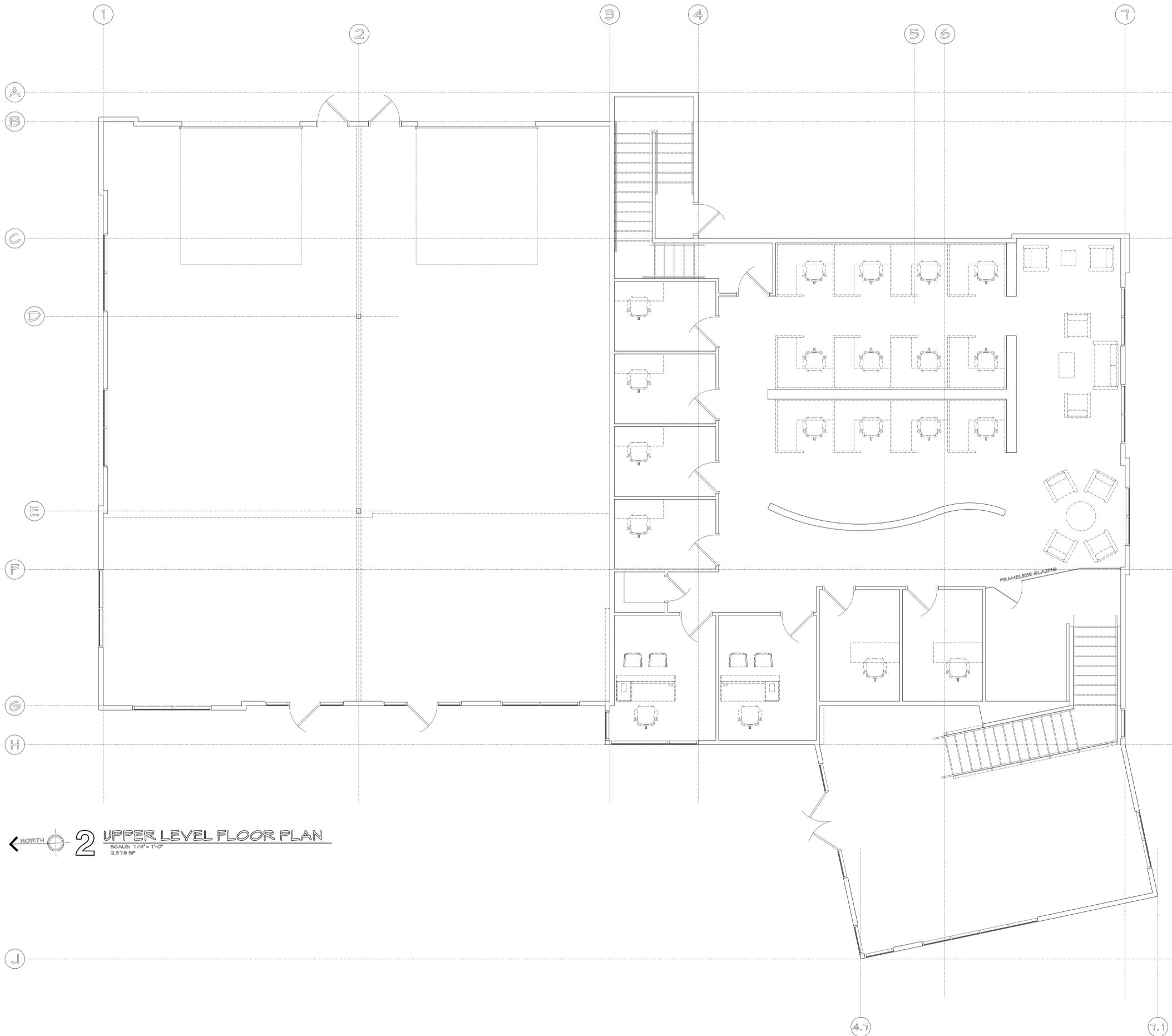
PRELIMINARY - NOT FOR CONSTRUCTION

REVISIONS:

21 COMMERCE DRIVE, SUITE A  
 HAYDEN, IDAHO 83835  
 208.644.4177

MAIN LEVEL FLOOR PLAN

A2.0



← NORTH  
**2** UPPER LEVEL FLOOR PLAN  
 SCALE: 1/4" = 1'-0"  
 2,516 SF

PRELIMINARY - NOT FOR CONSTRUCTION

REVISIONS:

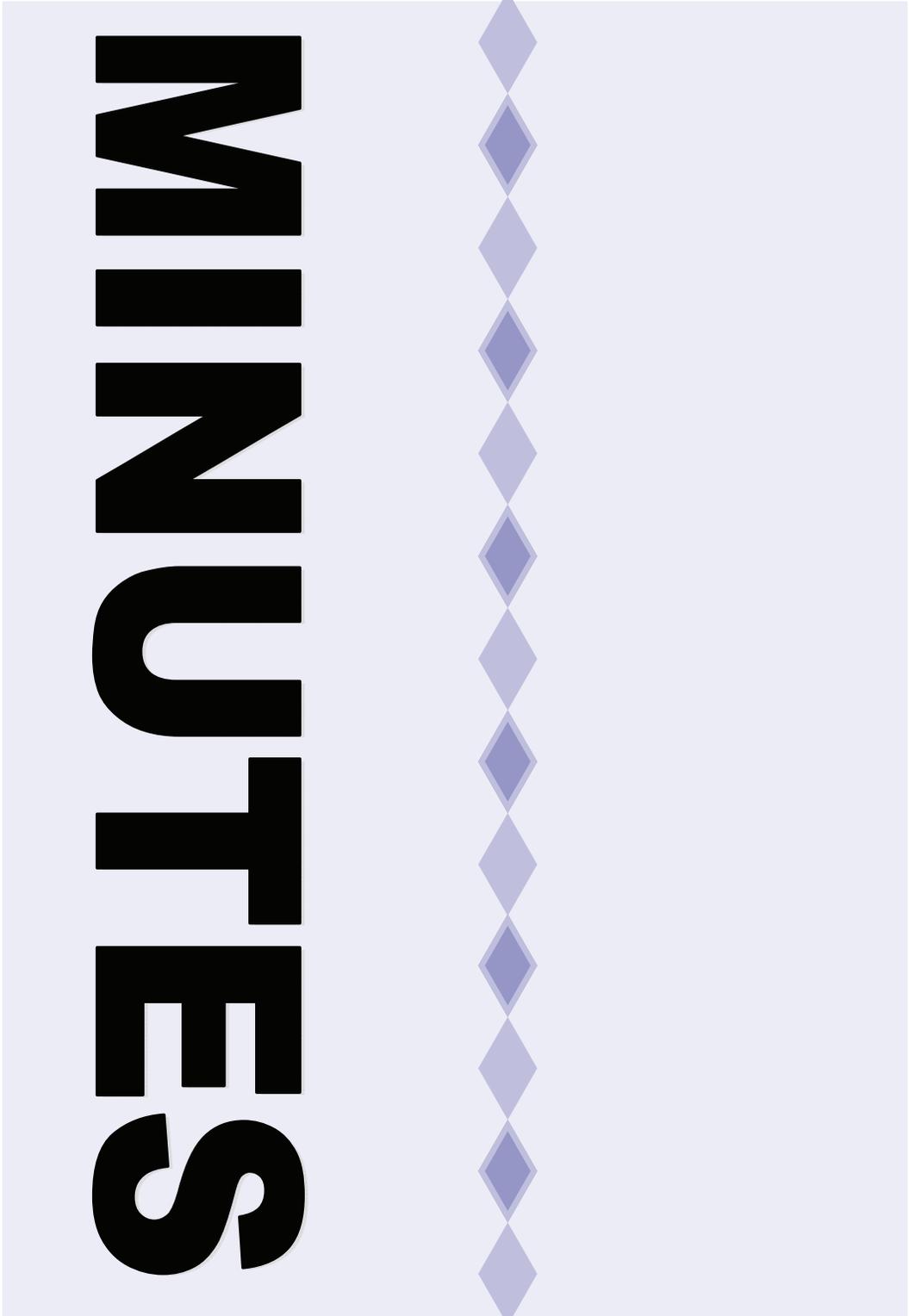

21 COMMERCE DRIVE, SUITE A  
 HAYDEN, IDAHO 83835  
 208.644.4477

UPPER LEVEL FLOOR PLAN

A2.1



# MINUTES



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

1. Applicant: Azzardo, LLC  
Location: 3912 N. Schreiber Way  
Request: A proposed multi-use Special Use Permit  
in the LM Zoning District  
QUASI-JUDICIAL, (SP-7-23)

Mike Behary, Associate Planner, provided the following statements:

- Azzardo LLC is requesting approval of a total of six (6) activity uses; including three (3) service activities and three (3) commercial activities, via the Special Use Permit process on a 1.26-acre parcel located at 3912 N. Schreiber Way, to allow for the following uses in the LM (Light Manufacturing) Zoning District.
  - Commercial Activities:
    - Business Supply Retail Sales
    - Food & Beverage Stores (on/off site)
    - Specialty Retail Sales
  - Service Activities:
    - Commercial Recreation
    - Personal Service Establishment
    - Professional & Administrative Offices
- The Light Manufacturing (LM) District is intended for a variety of manufacturing uses that are conducted indoors with some manufacturing uses that include outdoor activities that may create some noise, dust, and odor. Residential uses are not permitted.
- The applicant's proposed uses would be conducted primarily within the proposed structure, and the applicant is aware that a possible manufacturing use may be built in the area, or may occupy an existing structure. An outdoor patio area could be affected by an adjacent manufacturing use, in which case the city would support the continued operation of the manufacturing use, as allowed by right, in the context of the city's performance standards.
- It should be noted that special use permits expire within 1 year of the effective date of approval unless substantial development has begun, and if the use ceases for two (2) years.
- The subject property is located off of Schreiber Way south of Kathleen Avenue. It is currently vacant.
- There are three findings that must be met for a Special Use Permit, Findings B8A through B8C.
- The City Comprehensive Plan Map designates this land use type as "General Industrial" and the plan describes the Key Characteristics, transportation, typical uses, and compatible zoning.
- There are several Comprehensive Plan goals and objectives included in the staff report that may apply to the special use permit request.

- He addressed each of the three findings. For Finding B8B, he showed that while the property is zoned LM, it is shown as a commercial use on the Land Use Map and is surrounded by all commercial land uses with one civic use (a church) to the east across Schreiber Way.
- He noted the comments from city staff under Finding B8C stating that they didn't have any objection to the Special Use Permit.
- He commented, if the Special Use Permit request is approved, that there are (3) proposed conditions.

Mr. Behary concluded his presentation

**Commission Comments:**

Commissioner Ingalls thanked Mr. Behary for the good report. He asked about the language on page 2 of the staff report regarding the possible manufacturing uses that may be built in the area. He asked if the applicant has been made aware that this is this light manufacturing zone. Mike Behary explained, yes, this is a light manufacturing zone and that the applicant is aware that there might be some noise and that manufacturing uses are allowed by right to go in to this other building and surrounding areas, which could create adverse noise and dust. Commissioner Ingalls stated we have a duty to protect surrounding properties that may have a manufacturing use that might make some noise or generate dust. Mike Behary stated: yes, we wanted to make sure that the applicant is aware of the manufacturing uses are by right based on the underlining zoning.

Commissioner Fleming stated that there are six activities associated with the special use permit request and asked who will monitor what those activities will be. Mike Behary stated that if they wanted any more uses that they will have to come back to the Planning Commissioner and request a Special Use Permit for that activity. He reiterated the language from the staff report and presentation about the special use permit expire within 1 year of the effective date of approval unless substantial development has begun and that the approval also expires if the use ceases for two years. Commissioner Fleming states a lot of these are lease situations they might be putting themselves in a tight box and she wants to make sure they know they are constraining themselves. She added that the design of the structure looks great.

Commissioner Ward questioned if no specific uses are being identified at this time. Mike Behary responded that they have not indicated a specific use and that the request is to provide flexibility for tenants. Commissioner Ward stated he is concerned that the Special Use Permit is too broad and he believes they should identify the use. He feels that they are in essence creating a different zoning district by requesting six uses with the special use permit and he feels this goes against the code.

Commissioner McCracken stated it doesn't make sense to have this broad of a choice. She would prefer that they have the users identified and that they then come in for the special use permit request. Mike Behary responded that the Planning Commission has approved similar special use permits with 6 uses on other properties in this area.

Commissioner Fleming agreed and said that the commission has done this before for one structure with a mix of uses and multiple tenants. We trust the owner is going to take care of his building and their property and make sure he is protecting their investment as well.

Commissioner Coppess noted a slide showing the parcel is light manufacturing and asked to see the slide again showing the land uses on the surrounding properties. He noted that it looks like the majority of the properties are commercial. Mike Behary agreed and stated that only three parcels that are manufacturing. Commissioner Coppess asked if there have been any complaints. Mike Behary stated that there have been none.

### **Public testimony open.**

Dave Shrontz, applicant representative, introduced himself and was sworn in.

Commissioner Luttrupp asked if Mr. Shrontz was fully aware that the zoning is light manufacturing and that industrial uses are permitted by right, and they might be inconsistent with the operating of the proposed business. Mr. Shrontz responded that yes, the owner is aware of the permitted uses.

Commissioner Luttrupp also stated that the commission has approved special use permits for uses other than manufacturing in this area and the fact that there haven't been any complaints does speak positively of our planning process, but he wants to make sure we keep the integrity of the underlying manufacturing zoning.

Steve Jennings, resident of Hayden Lake, stated this is a blanket request for the property and he is concerned about what the uses will be. Hilary Patterson, Community Planning Director, stated that on page two of the staff report it clarifies the timing of a special use permit expiring. Commissioner Luttrupp asked Mr. Jennings what his concerns were and if he was concerned about traffic. Mr. Jennings stated that he represents a manufacturing use along Schreiber Way and that he is fearful that if the commission continues to approve special use permits for commercial uses that the manufacturing uses will be pushed out.

Commissioner Ward stated that he anticipates the zoning will remain as light industrial. Commissioner Coppess responded that there is a push for more manufacturing uses to take place locally and in American, and that businesses are looking for places to do high tech manufacturing. He asked if there is a vision for this area. Mike Behary explained if a winery moves in that it would need a special use permit and the underlying zone stays the same. Commissioner McCracken questioned the tenant space in the building and wondered if there were two spaces. She said it was difficult to know from the application. Mr. Behary commented that there is one building with options for several tenants, and added there would be adequate parking available. Chairman Messina asked for clarification on the six uses which are listed in the request. Mr. Behary explained that if they did not proceed with the special use within one year that it would expire. Chairman Messina stated we are approving the six uses and if the use goes away after 2 years, then that expires too, they will have to come back and do another special use permit request to the Planning Commission.

### **Public testimony closed.**

#### **Discussion:**

Commissioner Ward stated he has no problem with any of the individual uses listed as a special use permit for this zoning district, but they are special uses for a specific reason, and they do have different impacts from the listed permitted uses in that zoning district. He said it is the commission's job to think through potential impacts of the requested uses. He would have no problem coming back and saying they want to do a certain use, but he does not feel comfortable doing an open-ended approval.

Commissioner Coppess concurs and understands this was done once for another property. He questioned that if the commission did it once, should it be approved.

Commissioner McCracken concurs and said the commission needs more information on the specific uses.

Commissioner Ward asked if the requested uses would allow for retail, food and beverage. Staff responded that yes, those uses would be allowed, if the permit was approved.

Commissioner Ingalls asked why aren't they being specific and that he doesn't understand why they are not stating what business are coming in. He added it might be a combination of various uses. He agreed that there have been a lot of various uses in the area and we haven't had any complaints, so he doesn't

see a problem with the request. He does support the request.

Commissioner Luttrupp stated it would be nice if the owner was here to ask questions.

Chairman Messina stated that he concurred and it would have been nice to have the owner here.

Randy Adams, City Attorney, addressed the question of precedence is a pretty complex and pretty complicated issue and it is really not something we do not need to address in this meeting but yes there would be a potential for discrimination if you approve this or deny something but precedence based on unique circumstance of every piece of property, you can always find differences approving other requests with multiple uses. Mr. Adams also clarified that the wastewater condition, number 1, would need to be amended if the commission approves the request – it should say, “no permanent structures or monuments can be built within the sewer easement.”

**Motion by McCracken, seconded by Luttrupp, to deny without prejudice Item SP-7-23. Motion approved.**

ROLL CALL:

Commissioner Fleming	Voted	No
Commissioner Ingalls	Voted	No
Commissioner Coppess	Voted	Aye
Commissioner McCracken	Voted	Aye
Commissioner Luttrupp	Votes	Aye
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	No

Motion to approve carried by a 4 to 3 vote.

**ADJOURNMENT:**

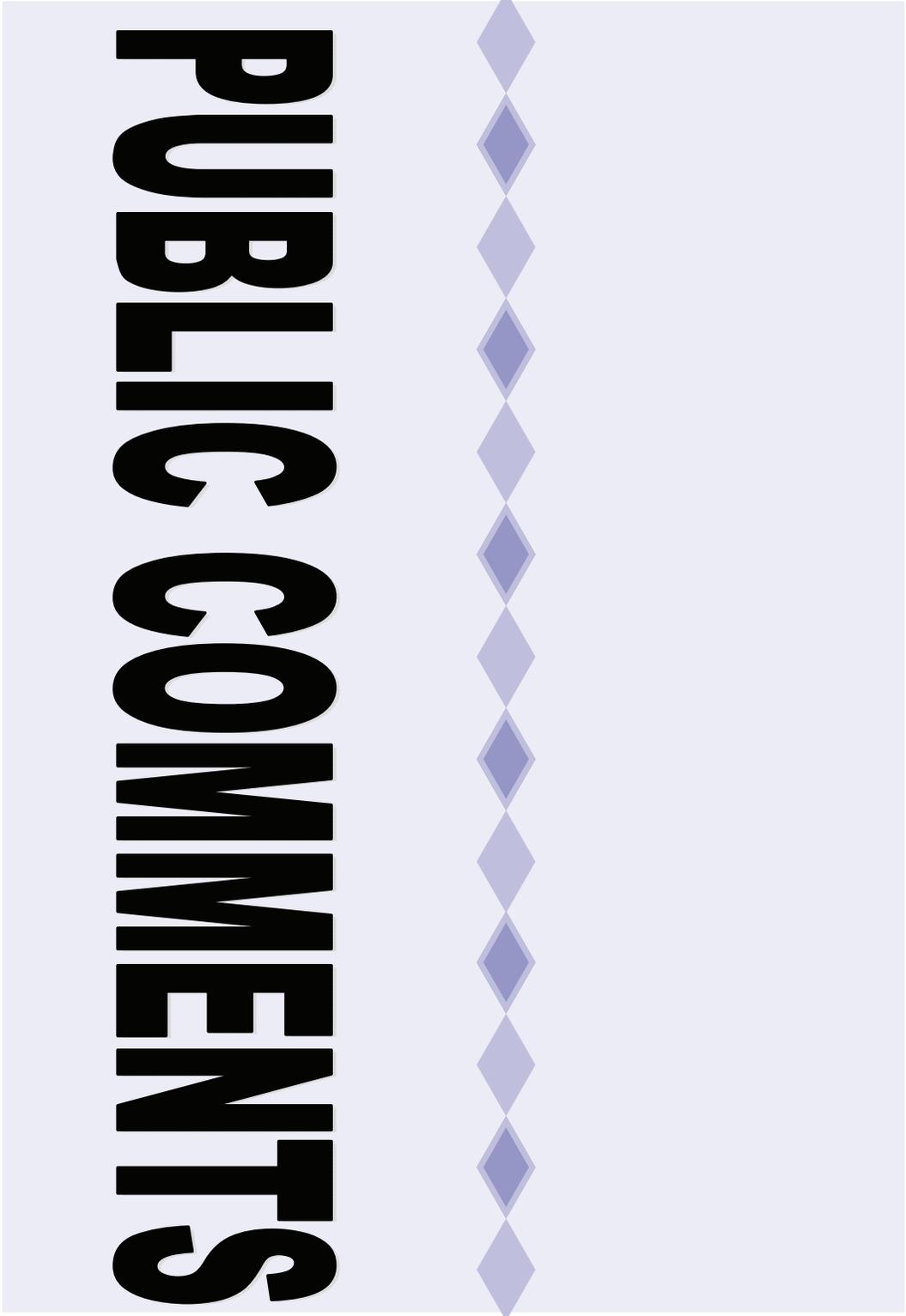
Motion by Fleming, seconded by Luttrupp. To adjourn the meeting. Motion approved.

The meeting was adjourned at 6:15 p.m.

Prepared by Traci Clark, Public Hearing Assistant



# **PUBLIC COMMENTS**



**From:** Dennis Linnell  
**To:** [CLARK, TRACI](#)  
**Subject:** 3912 N. Schreiber Way  
**Date:** Monday, November 6, 2023 11:26:22 AM

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**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

We are the owners of 3918 N Schreiber Way, located adjacent to the subject property. We are not opposed to the proposed development as long as the retail space is not alcohol or marijuana related.

*Dennis*

Dennis Linnell, Partner  
HL Properties, LLC

PO Box 1738, Kenai, Alaska 99611  
907-529-0862  
dennis@HLalaska.com



# STAFF REPORT



## **PLANNING COMMISSION STAFF REPORT**

**FROM:** MIKE BEHARY, ASSOCIATE PLANNER

**DATE:** NOVEMBER 14, 2023

**SUBJECT:** PUD-5-23: A RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD)  
TO BE KNOWN AS "BIRKDALE COMMONS NORTH PUD"

S-6-23: A 7-LOT, 1-TRACT PRELIMINARY PLAT REQUEST FOR  
"BIRKDALE COMMONS NORTH"

**LOCATION:** 1.68 ACRE PROPERTY LOCATED AT 3549 N 15<sup>th</sup> STREET

**APPLICANT:**  
15<sup>th</sup> Street Investments, LLC  
505 E. Front Avenue, Suite 301  
Coeur d'Alene, ID 83814

**ENGINEER:**  
Lake City Engineering  
126 Poplar Avenue  
Coeur d'Alene, ID 83814

### **DECISION POINT:**

The applicant is requesting approval of the following two decision points that will require separate findings to be made for each item.

1. A residential planned unit development (PUD) that will allow for seven (7) lots and one (1) tract with the following modifications.
  - a. Lots fronting on a private street rather than a public street.
  - b. Minimum Lot Width of 30' rather than 50' as required.
  - c. Minimum Lot Area of 3,473 SF for a single-family dwelling lot rather than 5,500 SF.
  - d. Side Setback (interior) of 5' rather than 5' on one side and 10' on the other.
  - e. Sidewalk on one side of street rather than sidewalks on both sides of street.
  
2. A 7-lot, 1-tract preliminary plat to be known as Birkdale Commons North.

### **BACKGROUND INFORMATION:**

The applicant requested annexation of the subject property and a public hearing was held before the Planning Commission on October 10, 2023 in item A-1-23. The Planning Commission made a recommendation to City Council to approve the annexation with R-12 zoning. The annexation request is scheduled to go before the City Council in December of this year.

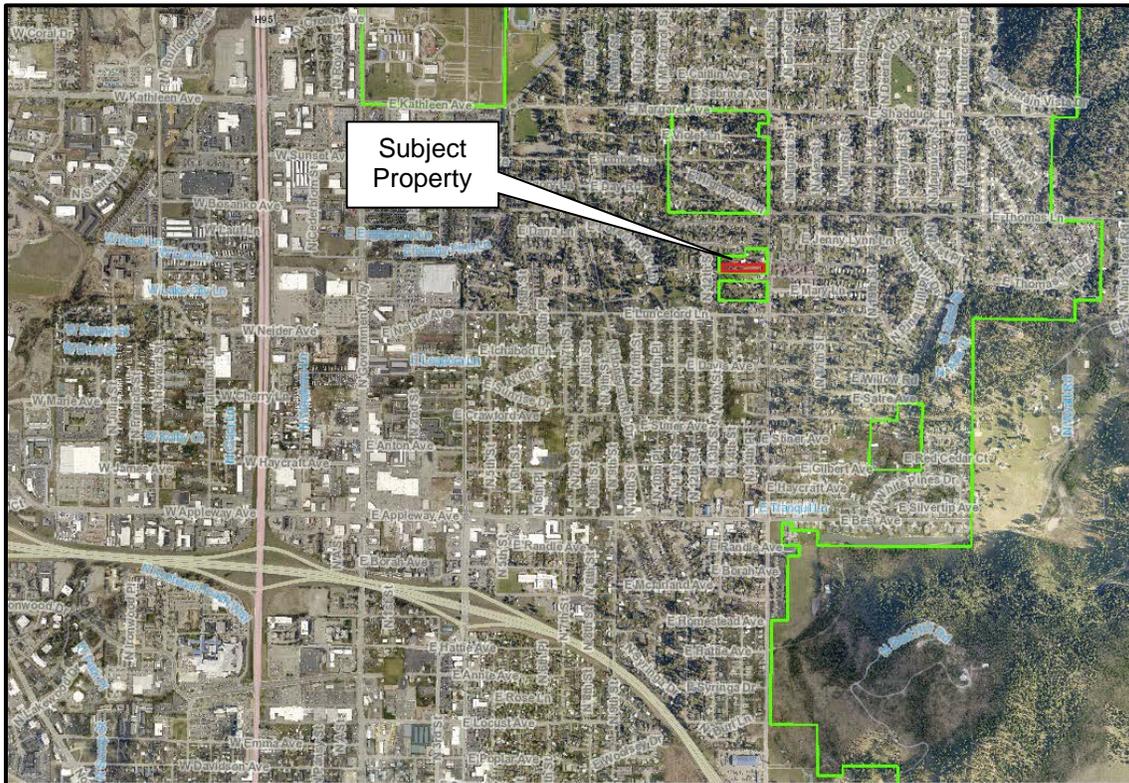
The subject site is relatively flat. The site is adjacent to 15<sup>th</sup> Street along its east property line. The property to the south was annexed into the City in 2022 in item A-3-22. The Planning Commission also approved a 10-lot subdivision and PUD on the property to the south in item PUD-4-22.

The applicant is now requesting a PUD and subdivision on 1.68 acres. The PUD will consist of seven (7) lots, and one (1) open space tract. The lots will have frontage on the private road that is part of the Birkdale Commons PUD on the lot to the south. There will only be one access to 15<sup>th</sup> Street for this PUD and the PUD to the south (see PUD Site Plan on page 9). The applicant is proposing 5 duplex lots, one single family lot, and a larger lot with the existing house and a single wide trailer on it that has direct access to 15<sup>th</sup> Street. (see proposed building elevations on page 14).

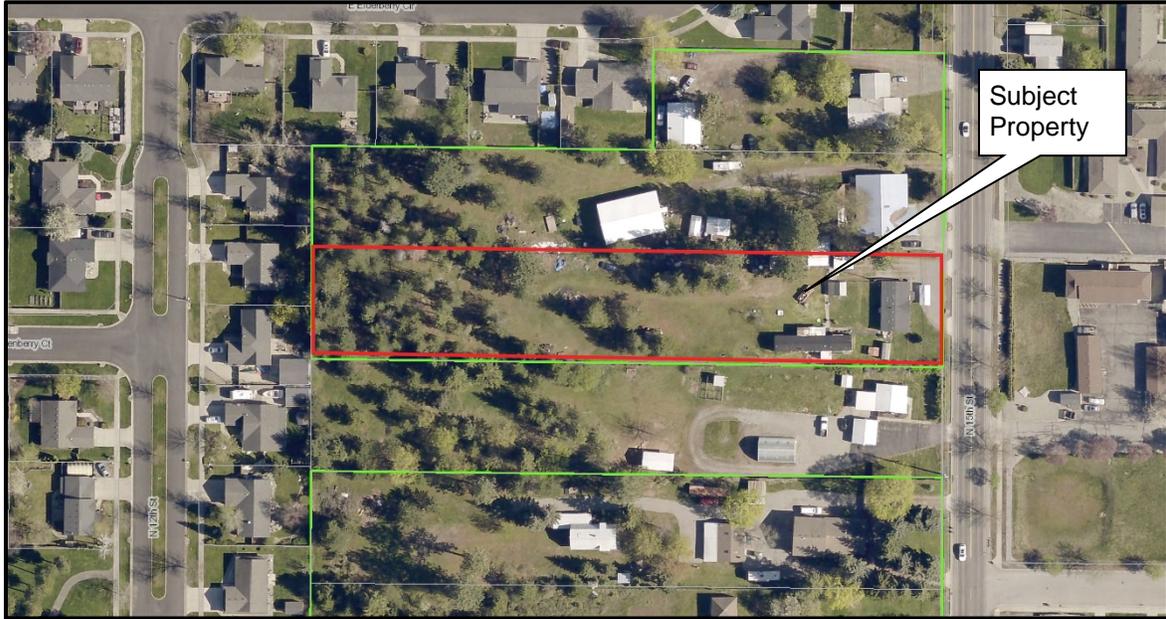
The applicant is proposing ten percent (10%) open space that will be located in one tract. The open space amenities will include a six-foot asphalt trail, a resting bench, a gazebo with a picnic table and benches (see Open Space plan and images on pages 17-18). The applicant has indicated that the open space area will be landscaped and maintained by the HOA.

The applicant has indicated that this project will be completed in one phase with construction beginning in spring of 2024. See the attached Narrative by the applicant at the end of this report for a complete overview of their PUD and subdivision request (see Attachment).

**PROPERTY LOCATION MAP:**



**AERIAL PHOTO:**



**BIRDS EYE AERIAL:**



# PUD-5-23: PLANNED UNIT DEVELOPMENT FINDINGS:

## 17.07.230: PLANNED UNIT DEVELOPMENT REVIEW CRITERIA:

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

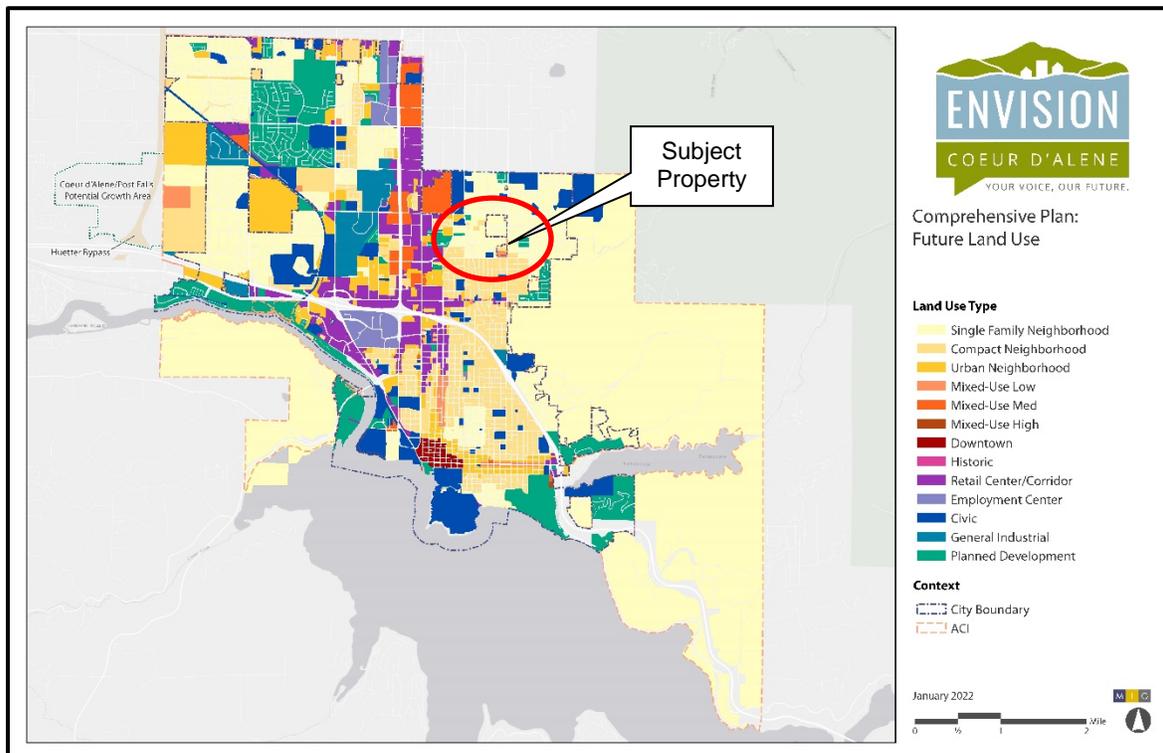
### REQUIRED FINDINGS (PUD):

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

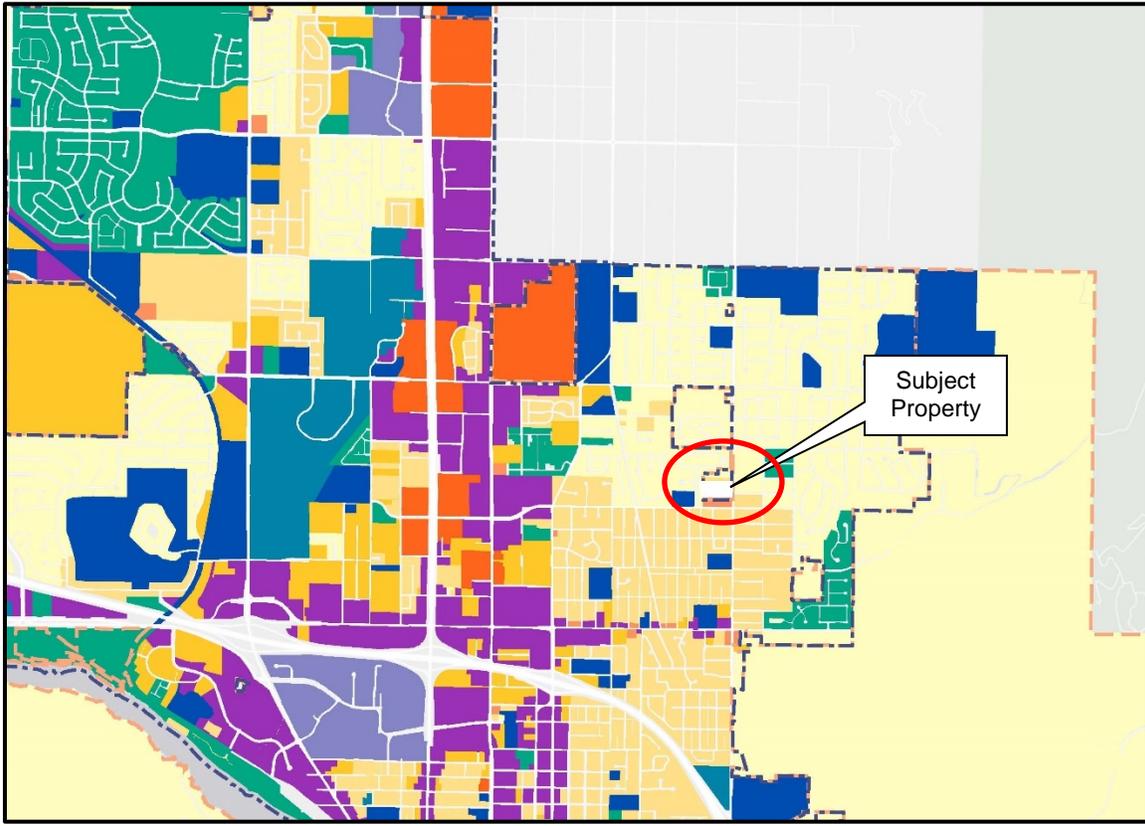
### 2042 COMPREHENSIVE PLAN LAND USE:

- The subject property is within the existing city limits.
- The City's Comprehensive Plan designates the subject property within the Compact Neighborhood place type

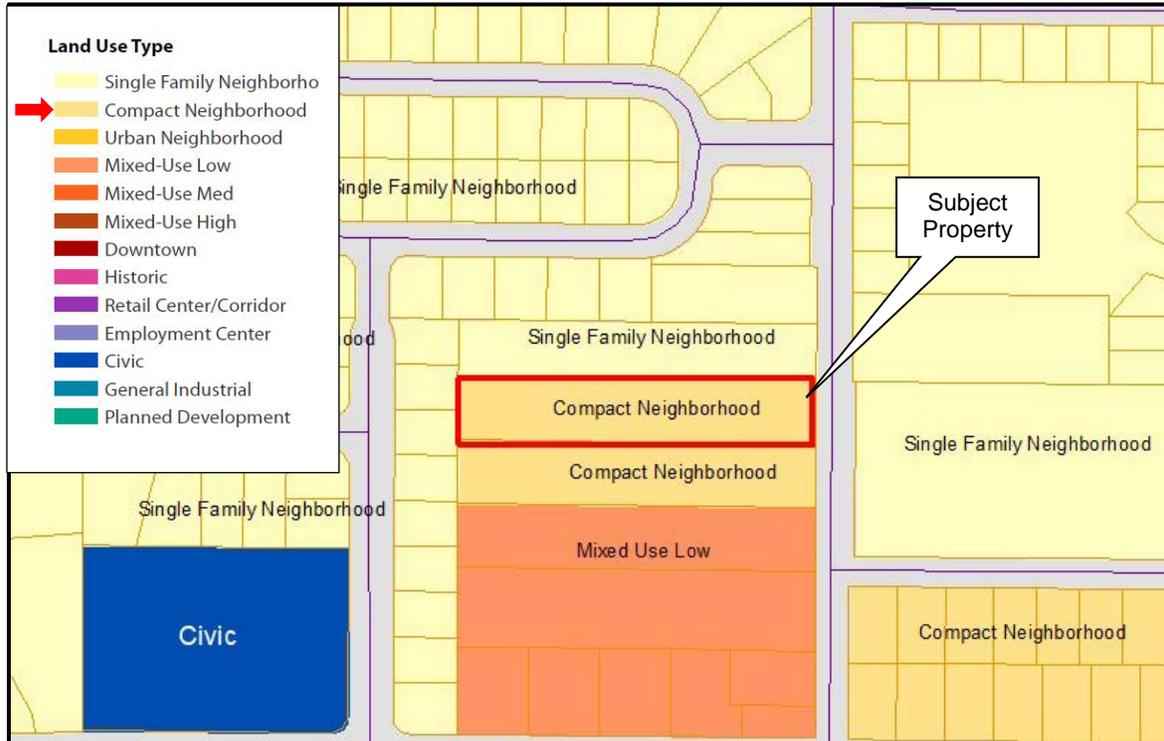
### 2042 COMPREHENSIVE PLAN LAND USE MAP:



**2042 COMPREHENSIVE PLAN LAND USE MAP:**



**2042 COMPREHENSIVE PLAN LAND USE MAP: Site Location**



**2042 Comprehensive Plan Place Types:**

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

**Place Type -1: Compact Neighborhood**

Compact Neighborhood places are medium density residential areas located primarily in older locations of Coeur d’Alene where there is an established street grid with bicycle and pedestrian facilities. Development is typically single-family homes, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts. Supporting uses typically include neighborhood parks, recreation facilities, and parking areas.

**Compatible Zoning Districts within the “Compact Neighborhood” Place Type:**

- R-12, R-17, MH-8, NC and CC Zoning Districts.

**Key Characteristics of “Compact Neighborhood” Place Type:**

**Compact Neighborhood**



**Key Characteristics**  
 Compact Neighborhood places are medium density residential areas located primarily in older locations of Coeur d’Alene where there is an established street grid with bicycle and pedestrian facilities. Development is typically single-family, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts. Supporting uses typically include neighborhood parks, recreation facilities, and parking areas.

**Transportation**

- Gridded street pattern with pedestrian and bicycle facilities

**Typical Uses**

- Primary: Single and mixed residential
- Secondary: Neighborhood parks and recreation facilities, parking

**Building Types**

- Single-family, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts

**Compatible Zoning**

- R-12 and R-17; MH-8; NC and CC



## **2042 Comprehensive Goals and Objectives that apply:**

### **Community & Identity**

#### **Goal CI 1**

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

##### **OBJECTIVE CI 1.1**

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

#### **Goal CI 3**

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

##### **OBJECTIVE CI 3.1**

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

### **Environment & Recreation**

#### **Goal ER 1**

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

##### **OBJECTIVE ER 1.4**

Reduce water consumption for landscaping throughout the city.

#### **Goal ER 2**

Provide diverse recreation options.

##### **OBJECTIVE ER 2.2**

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

##### **OBJECTIVE ER 2.3**

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

## **Growth & Development**

### **Goal GD 1**

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

#### **OBJECTIVE GD 1.1**

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

#### **OBJECTIVE GD 1.3**

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

#### **OBJECTIVE GD 1.5**

Recognize neighborhood and district identities.

### **Goal GD 2**

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

#### **OBJECTIVE GD 2.1**

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

#### **OBJECTIVE GD 2.2**

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

### **Goal GD 3**

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

#### **OBJECTIVE GD 3.1**

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

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

**Finding #B8B:**

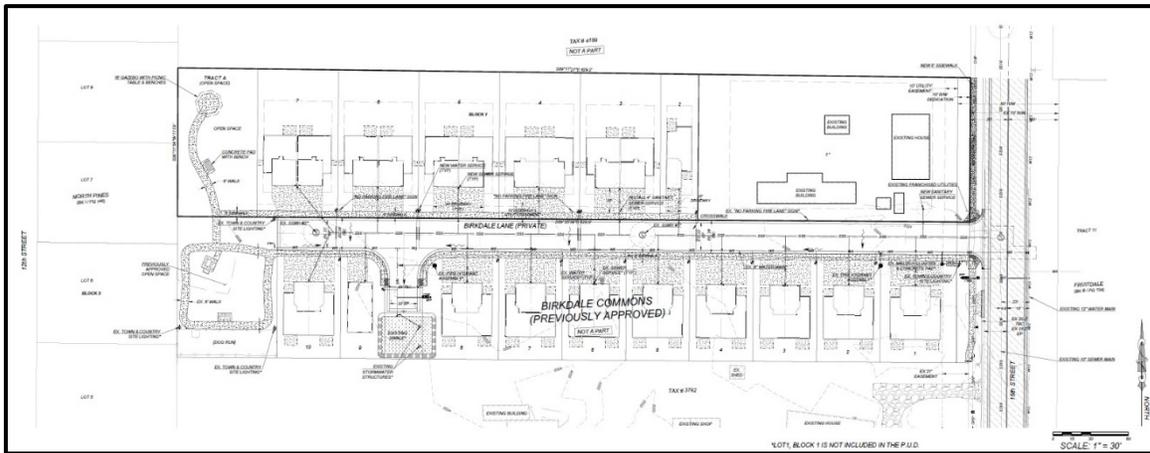
The design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties.

**LOCATION, SETTING, AND EXISTING USES:**

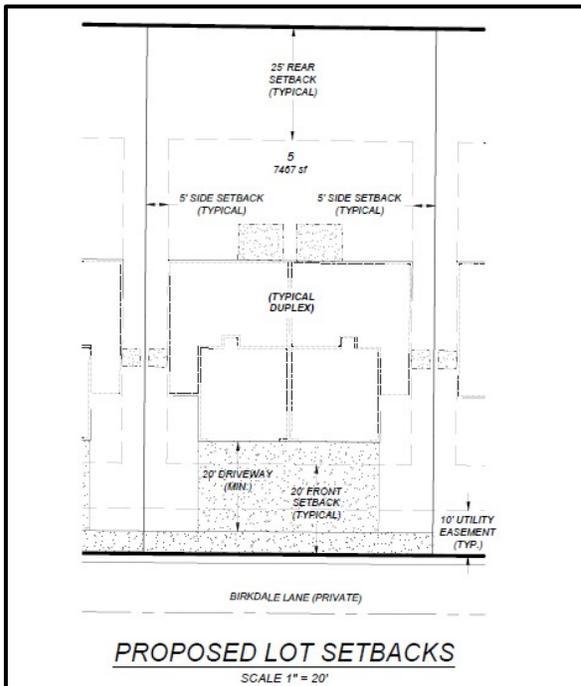
The site is generally flat and the western portion of the lot is covered with trees. There is a single-family dwelling with two accessory buildings on the subject site. To the east across 15<sup>th</sup> Street are multi-family apartments and duplex housing units. To the south are four multi-family units as well as single family dwellings. To the west are single family dwellings. There are existing residential uses that surround the subject site on all sides.

There are no topographical or other physical constraints that would make the subject property unsuitable for the proposed planned unit development.

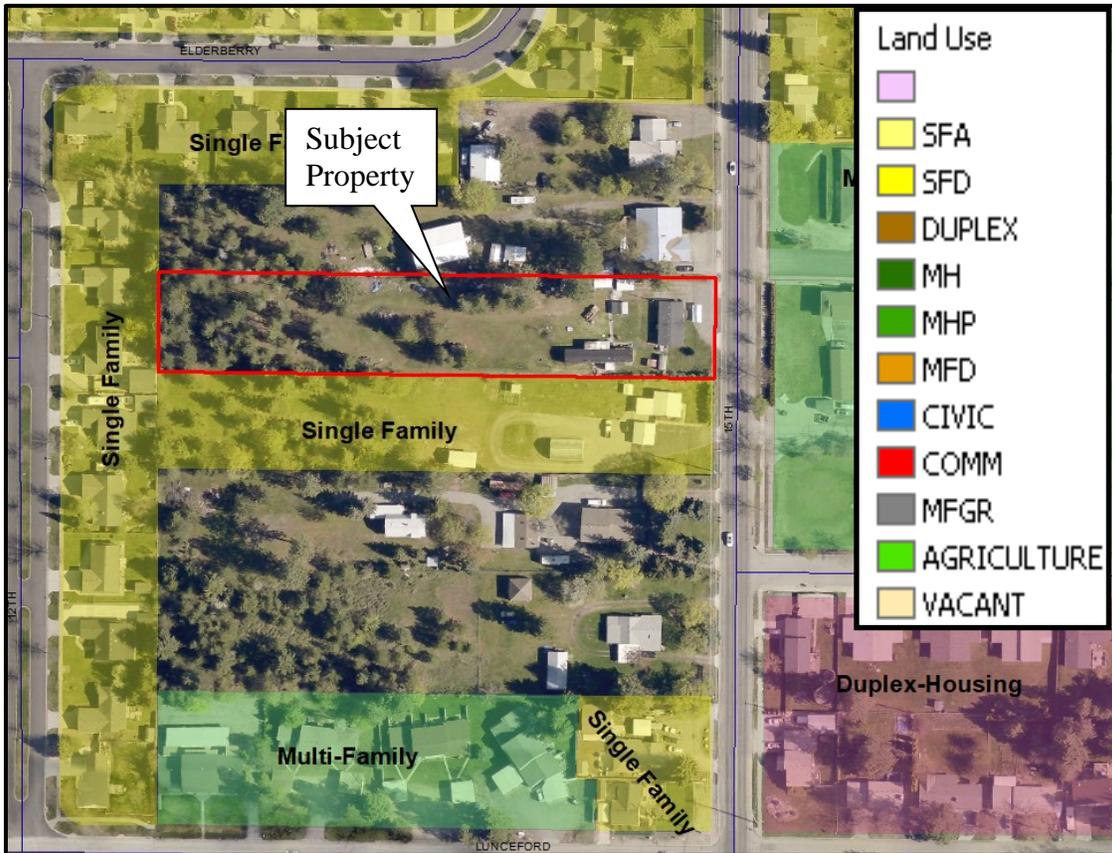
**PUD SITE PLAN MAP:**



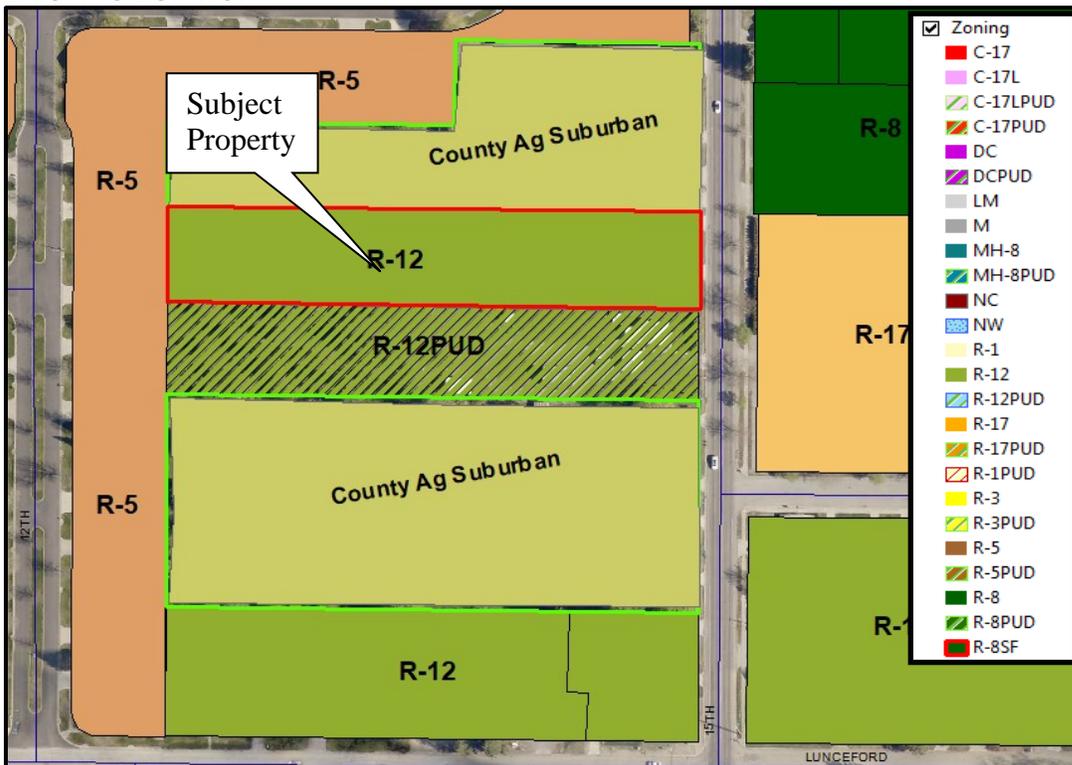
**SETBACKS PROPOSED:**



**GENERALIZED LAND USE MAP:**



**EXISTING ZONING:**



**SITE PHOTO - 1:** View from the eastern part of property looking northwest.



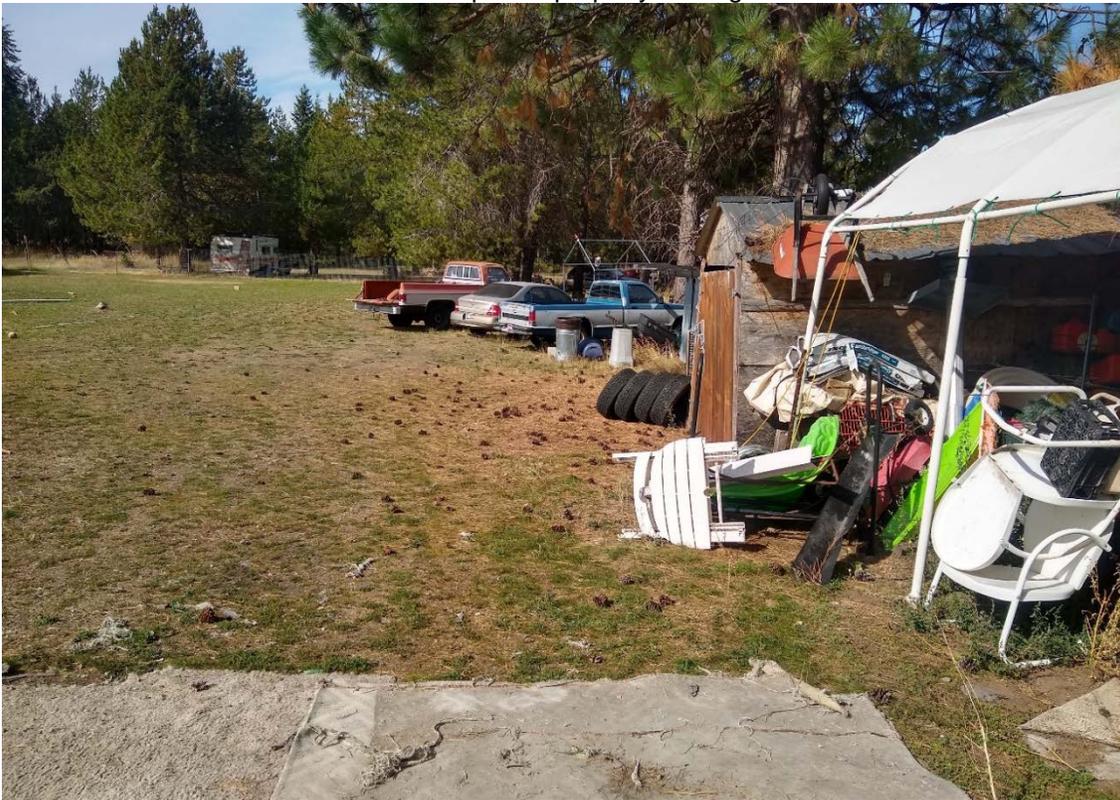
**SITE PHOTO - 2:** View from the driveway entrance of property looking north along 15<sup>th</sup> Street.



**SITE PHOTO - 3:** View from the central part of property looking southwest.



**SITE PHOTO - 4:** View from the central part of property looking west.



**SITE PHOTO - 5:** View from the central part of property looking north.

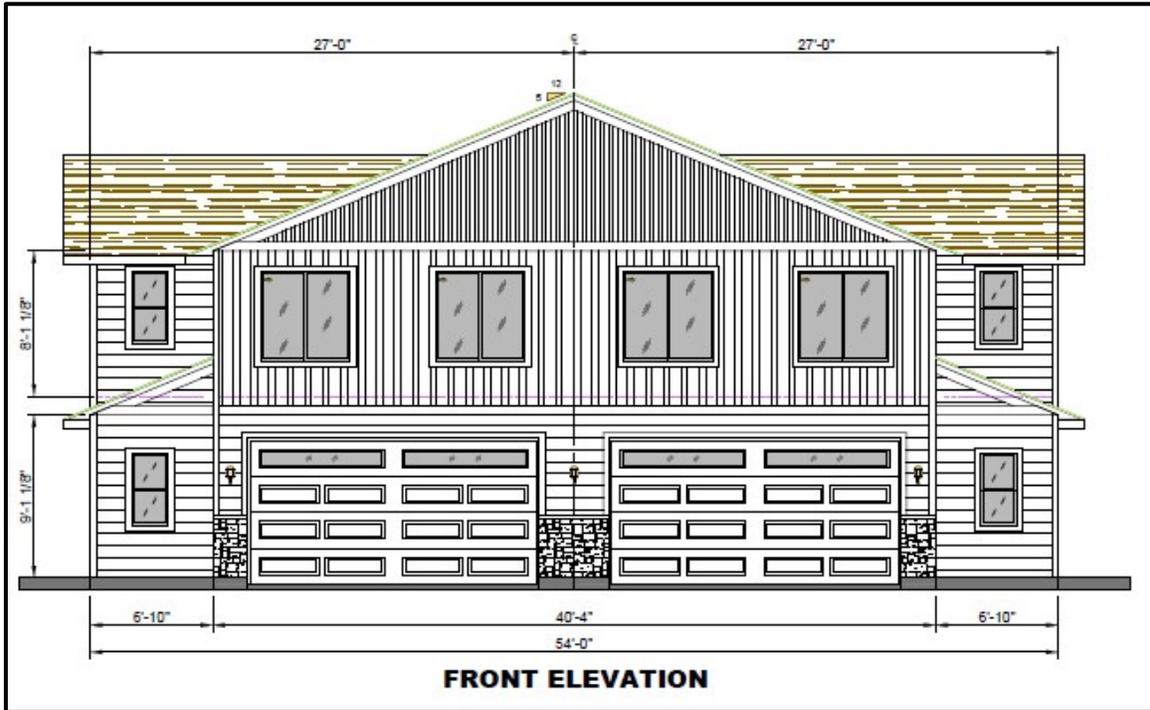


**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties.*

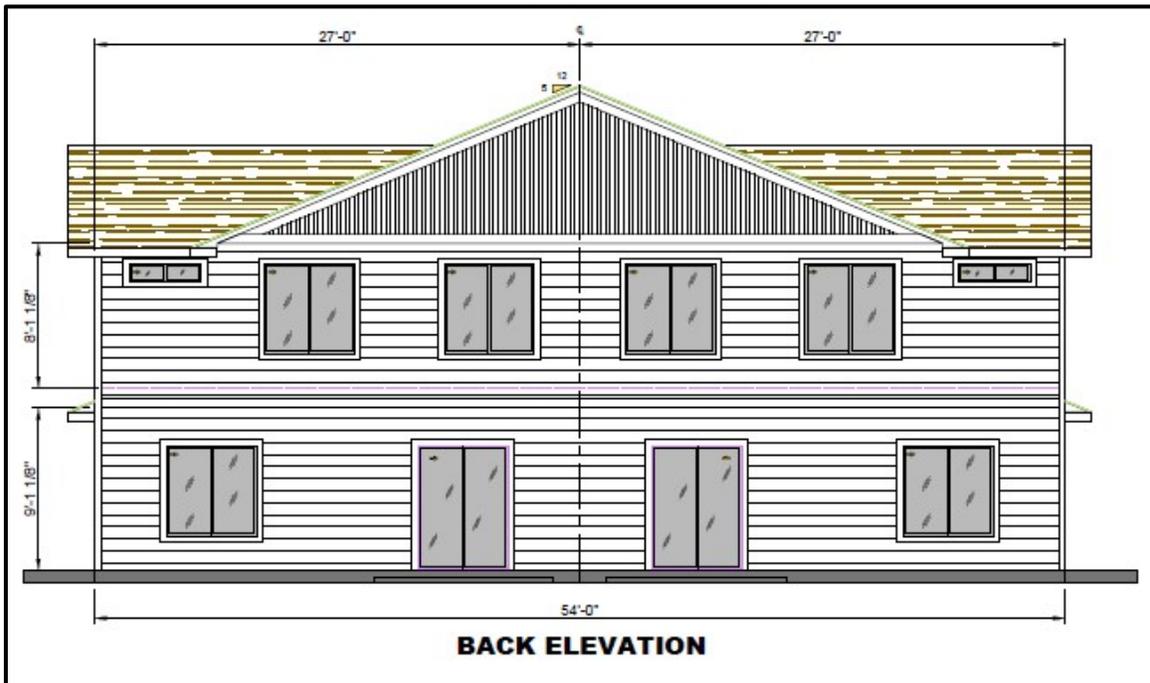
**Finding #B8C:** **The proposal (is) (is not) compatible with natural features of the site and adjoining properties.**

The property is flat and a multitude of residential housing types that are located within the vicinity of the subject site. The surrounding properties that contain residential uses are also relatively flat. The natural features of the site are consistent with the natural features of the surrounding properties, including the residential subdivision to the west and east. The following images reflect the proposed building elevations of the duplex residential homes.

**APPLICANT'S BUILDING ELEVATION – 1 (duplex residential): Front Elevation**



**APPLICANT'S BUILDING ELEVATION – 1 (duplex residential): Rear Elevation**



**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 #B&D:**

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

**STORMWATER:**

All stormwater must be contained on-site. A stormwater management plan meeting the requirements of the City is required.

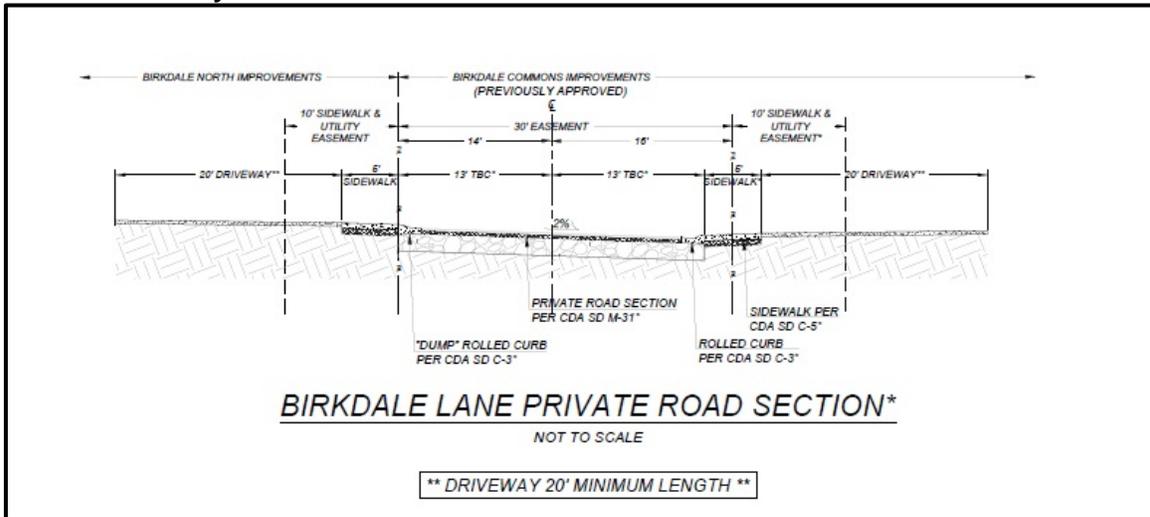
*-Submitted by Chris Bosley, City Engineer*

**STREETS:**

The site has frontage on 15th Street. All necessary improvements to the frontages, including the required addition of sidewalk and stormwater swales, will be addressed during construction. Ten feet of right-of-way along 15th Street shall be deeded to the City. Access shall be through the access approved for the Birkdale Commons to the south. As stated in the comments for Birkdale Commons, the narrow street, lack of on-street parking, limited snow storage areas, and long drainage route (which equals deeper flow) for stormwater are expected to cause complaints from future residents. This project presents an opportunity to address those concerns.

*-Submitted by Chris Bosley, City Engineer*

**Private Roadway Section:**



**TRAFFIC:**

As noted above, the subject property is bordered by 15th Street to the east which is a major collector street. Using the same land use code used in the traffic estimation for Birkdale Commons (Land Use Code 231 – Low-Rise Residential Condominium/Townhouse from the ITE Trip Generation Manual), traffic from the proposed 11 additional residential units is estimated to generate approximately 7 additional trips in the AM peak hour and 9 additional trips in the PM peak hour. Combined with the previously approved Birkdale Commons, the total traffic is expected to be approximately 20 trips in the AM Peak Hour and 23 trips in the PM Peak Hour. 2018 traffic counts indicate 15th Street experiences an average of 770 PM peak hour trips. Left turns into and out of the proposed development may experience delays during peak traffic hours, but a left turn lane is envisioned for 15<sup>th</sup> Street when traffic volumes warrant it.

This proposal addresses the Streets and Engineering Department's previous concern with Birkdale Commons that if each of the comparable, neighboring lots are developed similar to Birkdale Commons, traffic would be impacted by a series of five closely spaced intersections serving dead-end streets.

*-Submitted by Chris Bosley, City Engineer*

**WATER:**

There is adequate capacity in the public water system to provide adequate domestic service, irrigation, and fire flow service to the subject parcel.

*-Submitted by Kyle Marine, Water Department Director*

**WASTEWATER:**

1. Sewer Policy #719 requires an "All-Weather" surface permitting unobstructed O&M access to the public sewer.
2. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
3. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.
4. Sewer Policy #719 requires a 20' wide utility easement (30' if shared with Public Water) to be dedicated to the City for all public sewers.
5. Cap any unused sewer laterals at the public main.

*-Submitted by Larry Parsons, Utility Project Manager*

**FIRE:**

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

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

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

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

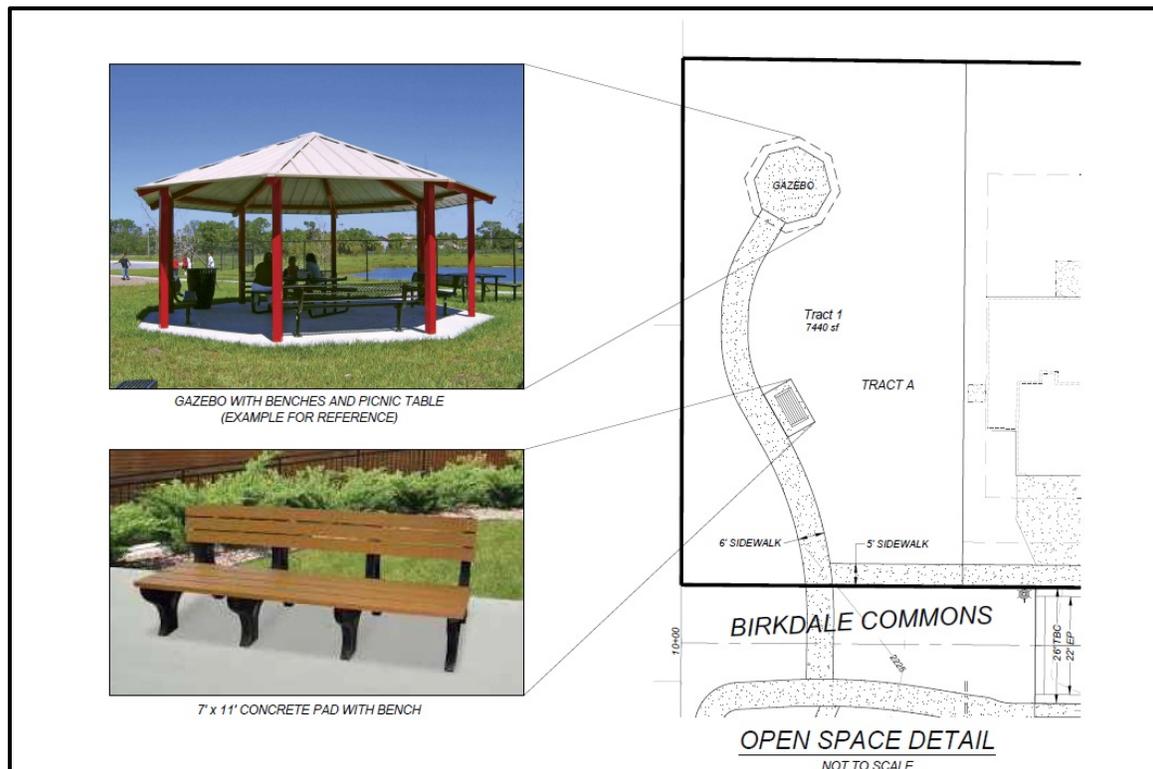
**Finding #B8E:**

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

The applicant is proposing 10% open space. The applicant has indicated that the open space will be located on one tract located at the west end of the proposed PUD (See open space exhibits below). Below is an excerpt from the applicant's narrative in regards to the proposed open space.

*"This area will contain a resting bench along a 6-foot asphalt trail leading to a gazebo containing a picnic table and benches, thus providing additional opportunities for gatherings and outdoor recreation, as well as promoting a sense of neighborhood. This open space will be landscaped and maintained by the HOA to provide continuity with other landscape elements within Birkdale Commons North and the adjacent Birkdale Commons".*

**OPEN SPACE: SITE PLAN**



## OPEN SPACE: GAZEBO



*GAZEBO WITH BENCHES AND PICNIC TABLE  
(EXAMPLE FOR REFERENCE)*

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

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

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

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the proposal provides adequate private common open space area, no less than 10% of gross land area, free of buildings, streets,*

*driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.*

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

There was no request made to change the City's off-street parking requirements through the PUD process. Single family and duplex homes would be required to provide two (2) off-street paved parking spaces per unit, which is consistent with code requirements for single-family and duplex residential. Due to the narrow width of the private road and the driveway connections on both sides of the road, there will be limited on-street parking. The PUD site plan illustrates that the single-family home lot has two parking spaces, one in the garage and one on the driveway. The proposed duplexes provide extra parking that will consist of four parking spaces, two in the garage and two parking spaces in the driveway in front of the garages.

**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.**

The applicant/owner and their design team will be required to work with the City of Coeur d'Alene legal department on all required language for the CC&Rs, Articles of Incorporation and Bylaws, and any language that will be required to be placed on the final subdivision plat in regard to maintenance of all private infrastructure.

The HOA will be responsible for continued maintenance of the private infrastructure, roads, and all open space areas that serve the residential lots of this PUD.

**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.*

# S-6-23 SUBDIVISION FINDINGS:

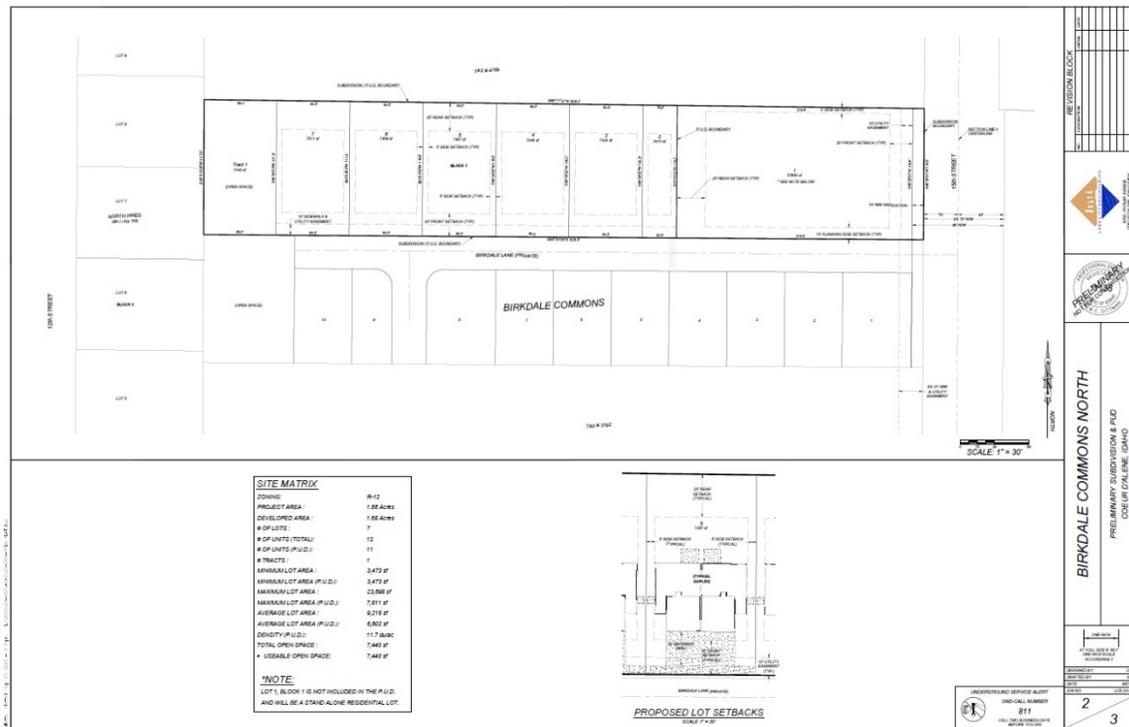
REQUIRED FINDINGS (Subdivision):

**Finding #B7A:** That all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer.

The preliminary plans submitted contains all of the general preliminary plat elements required by the Municipal Code.

*-Submitted by Chris Bosley, City Engineer*

## PRELIMINARY PLAT FOR "BIRKDALE COMMONS":



**Evaluation:** The Planning Commission must determine, based on the information before them, whether or not all of the general preliminary plat requirements have been met as attested to by the City Engineer.

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

See staff comments which can be found above in PUD Finding B8D (pages 15-16).

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

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

Per engineering review, for the purposes of the preliminary plans, both subdivision design standards (Chapter 16.15) and improvement standards (Chapter 16.40) have been vetted for compliance.

*-Submitted by Chris Bosley, City Engineer*

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

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

The R-12 zoning district requires that each lot have a minimum of 5,500 square feet of area for a single family dwelling unit and 7,000 SF minimum lot area for duplex housing. The proposed single family lot is 3,462 SF in area and the proposed duplex lots range from 7,424 to 7,511 SF in area. The minimum lot frontage for R-12 lots is 50 feet and the applicant is requesting a minimum of 30 feet. The applicant has requested the reductions in lot area and lot width to allow duplex and single family housing units on these lots through the PUD process.

The subject property is 1.68 acres and the R-12 zoning district would allow up to a maximum of 20 units on this site. The applicant is proposing 13 dwelling units on 7 lots. The R-12 zoning district allows for a maximum density of 12 units per acre and this development is proposed at a density of 7.4 units per acre. The proposed density is less than what is allowed under the current zoning district.

The proposed subdivision is in conformance with the requested modifications that are requested in item PUD-5-23.

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

**ORDINANCES & STANDARDS USED FOR EVALUATION:**

2042 Comprehensive Plan  
Transportation Plan  
Municipal Code  
Idaho Code  
Wastewater Treatment Facility Plan  
Water and Sewer Service Policies  
Urban Forestry Standards  
Transportation and Traffic Engineering Handbook, I.T.E.  
Manual on Uniform Traffic Control Devices  
2018 Coeur d'Alene Trails Master Plan

**PUD AND SUBDIVISION CONDITIONS:**

1. The creation of a homeowner's association will be required to ensure the perpetual maintenance of the open space, all other common areas, stormwater maintenance and snow removal.
2. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.
3. The Open Space must be installed and completed prior to the issuance of the first Certificate of Occupancy. The open space areas shall be consistent with this approval and include the same or better amenities and features.
4. An unobstructed City approved "all-weather" access shall be required over all public sewers.
5. All public sewer plans require IDEQ or QLPE Approval prior to construction.
6. Sewer Policy #716 requires all legally recognized parcels within the City to individually connect and discharge into (1) public sewer connection.
7. A utility easement for the public sewer located in the private road to the south shall be dedicated to the City prior to building permits.
8. Public sewer shall be ran to and through this project and installed to all city specifications and standards.
9. Ten feet of right-of-way along 15th Street shall be deeded to the City.
10. A single service currently exists for the proposed lot # 1 which will not require cap fees. All other lots will require individual services with cap fees due at time of building permits.
11. As there will be a private street that the lots will front, a 20' public utility easement centered on the water main, (30' if combined with public sewer), must be granted where no permanent structures such as building footings, car ports or garages are allowed.
12. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
13. Any additional service will have cap fees due at building permits.
14. At the time the existing single-family home on Lot 1 along 15<sup>th</sup> Street is remodeled, expanded, or demolished and reconstructed, a sidewalk will be required on the northside of the private street along the southern border of this lot.

**ACTION ALTERNATIVES:**

Planning Commission will need to consider these three requests and make separate findings to approve, approve with conditions, deny or deny without prejudice. The findings worksheet is attached.

**Attachment:** Applicant's Narrative



# APPLICANT'S APPLICATION



# PLANNED UNIT DEVELOPMENT APPLICATION

**STAFF USE ONLY**

Date Submitted: \_\_\_\_\_ Received by: \_\_\_\_\_ Fee paid: \_\_\_\_\_ Project # \_\_\_\_\_

## REQUIRED SUBMITTALS

**Application Fee: \$1,200.00**

Publication Fee: \$300.00

Mailing Fee: \$6.00 per hearing

*\*Public Hearing with the Planning Commission required*

A **COMPLETE APPLICATION** is required at time of application submittal, as determined and accepted by the Planning Department located at <http://cdaid.org/1105/departments/planning/application-forms>.

- Completed application form**
- Application, Publication, and Mailing Fees**
- A report(s) by an Idaho licensed Title Company:** Owner's list and three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:
  1. All property owners within 300ft of the external boundaries. *\* Non-owners list no longer required\**
  2. All property owners with the property boundaries.
- A report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company and a copy of the tax map showing the 300ft mailing boundary around the subject property. The report(s) shall be a full Title Report and include the Listing Packet.
- A written narrative:** Including an overall description of the location and intensity of proposed uses/activities, public and private open spaces. *(SEE PG. 4-5 FOR DETAILED LIST)*
- A legal description:** map stamped by a licensed Surveyor.
- A plan set map:** Providing PUD request, development plans and a phasing schedule. The respective elements of the development plans that will affect such items as the existing and proposed infrastructure, improvements, building, and landscaping and drawings fully conveying the project.

## DEADLINE FOR SUBMITTALS

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

## PUBLIC HEARING NOTICE SIGN TO BE POSTED ON SUBJECT PROPERTY:

The applicant is required to post a public hearing notice, provided by the Planning Department, on the property at a location specified by the Planning Department. This posting must be done one (1) week prior to the date of the Planning Commission meeting at which this item will be heard. An affidavit testifying where and when the notice was posted, by whom, and a picture of the notice posted on the property is also required and must be returned to the Planning Department.

## APPLICATION INFORMATION

PROPERTY OWNER: 15th Street Investments, LLC		
MAILING ADDRESS: 505 E. Front Avenue, Suite 301		
CITY: Coeur d'Alene	STATE: ID	ZIP: 83814
PHONE: (208) 651-9410	FAX:	EMAIL: cody@codyfunkgroup.com
APPLICANT OR CONSULTANT: Lake City Engineering, Inc.		STATUS: <b>ENGINEER</b> OTHER
MAILING ADDRESS: 126 E. Poplar Avenue		
CITY: Coeur d'Alene	STATE: ID	ZIP: 83814
PHONE: (208) 676-0230	FAX:	EMAIL: admin@lakecityengineering.com

### FILING CAPACITY

- Recorded property owner as to of \_\_\_\_\_  
 Purchasing (under contract) as of \_\_\_\_\_  
 The Lessee/Renter as of \_\_\_\_\_  
 Authorized agent of any of the foregoing, duly authorized in writing. *(Written authorization must be attached)*

### SITE INFORMATION:

PROPERTY LOCATION OR ADDRESS OF PROPERTY: 3549 N. 15th Street, Coeur d'Alene, ID 83815		
EXISTING CITY ZONING (CHECK ALL THAT APPLY): R-1 <input type="checkbox"/> R-3 <input type="checkbox"/> R-5 <input type="checkbox"/> R-8 <input type="checkbox"/> R-12 <input checked="" type="checkbox"/> R-17 <input type="checkbox"/> MH-8 <input type="checkbox"/> NC <input type="checkbox"/> C-17 <input type="checkbox"/> C-17L <input type="checkbox"/> DC <input type="checkbox"/> LM <input type="checkbox"/> M <input type="checkbox"/> NW <input type="checkbox"/>		
PROPOSED OPEN SPACE/ACRES: 7,440 SF	TOTAL NET AREA (LAND EXCLUSIVE OF PROPOSED/EXISTING PUBLIC STREETS): 1.65 acres	TOTAL NUMBER OF LOTS: 7 lots + 1 tract
GROSS AREA/ACRES: 1.68 acres	CURRENT LAND USE: Residential	PROPOSED RESIDENTIAL DENSITY/PER DWELLING UNIT: 11.7 du/ac
DESCRIPTION OF PROJECT/REASON FOR REQUEST: See Narrative		
PROPOSED USES AND ACTIVITIES: See Narrative		

PHYSICAL LAND ALTERATION REQUIRED BY DEVELOPMENT: See Narrative

**CERTIFICATION OF APPLICANT:**

I, Drew C. Dittman, PE, being duly sworn, attests that he/she is the applicant of  
*(Insert name of applicant)*

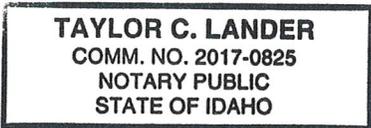
this request and knows the contents thereof to be true to his/her knowledge.

Signed:   
*(applicant)*

Notary to complete this section for applicant:

Subscribed and sworn to me before this 27<sup>th</sup> day of September, 2023.

Notary Public for Idaho Residing at: Kootenai County



My commission expires: 10/27/2023

Signed:   
*(notary)*

**CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:**

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: 15th Street Investments, LLC Telephone No.: (208) 651-9410

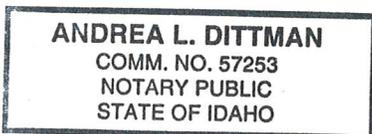
Address: 505 E. Front Avenue, Suite 301, Coeur d'Alene, ID 83814

Signed by Owner: 

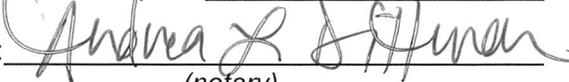
Notary to complete this section for all owners of record:

Subscribed and sworn to me before this 18<sup>th</sup> day of September, 2023.

Notary Public for Idaho Residing at: Kootenai County



My commission expires: 1-5-29

Signed:   
*(notary)*

I (We) the undersigned do hereby make petition a planned unit development of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS 27<sup>TH</sup> DAY OF SEPTEMBER 2023  
[Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPLICATION NARRATIVE/SITE MAPS INCLUDE:**

1. Application and narrative containing:
  - The legal description of the property.
  - An overall description of the location and intensity of proposed uses and activities, including public and private open spaces.
  - A physical description of proposed facilities, including types of buildings, structures and landscape and circulation elements.
  - A general designation of utilities.
  - A general statement on the form of management proposed in areas of common ownership.
  - A statement detailing the relationship of the proposed development project with major public development programs, including but not limited to freeways, highways, parks, trails, open spaces, utility transmission lines and other major public facilities.
  
2. A set of scaled drawings of the entire development prepared by an Engineer/Architect/Landscape Architect and indicating the following:
  - Perimeter boundaries of the site.
  - Streets and driveways, sidewalks and pedestrian-ways, off-street parking and loading areas.
  - Location and dimension of buildings and structures.
  - Utilization of buildings and structures, including activities and number of living units.
  - Reservations for public uses, including schools, parks, playgrounds, and other open spaces.
  - Major landscaping features and preliminary location of water sewage and drainage facilities.
  - Artists or architectural renderings sufficient to clearly establish the scale, character and general appearance of the development.

3. Preliminary development schedule indicating:

- Anticipated timing for commencement and completion of each phase of development.
- The total number of acres in each phase.
- The percentage of acreage to be devoted to particular uses.
- The proposed number and type of dwelling units for each phase of development.
- The average residential density per gross acre for each phase of development.

# **Birkdale Commons North**

***Preliminary Subdivision***

**&**

***Planned Unit Development***

*Project Narrative*

*City of Coeur d'Alene, Idaho*

*November 2023*



*126 E. Poplar Avenue  
Coeur d'Alene, Idaho 83814  
Phone: 208-676-0230*

## PROJECT SUMMARY

*Birkdale Commons North* is a proposal for 7 residential lots situated on the West side of 15<sup>th</sup> Street, 0.1 miles North of Lunceford Lane. A Subdivision and Planned Unit Development Application is submitted herewith. The subject property is in the process of being annexed into the City of Coeur d'Alene and lies within the northeast quarter of Section 1, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho. An Annexation application and package has been submitted concurrently with the Subdivision and Planned Unit Development Applications.

## SUBJECT PROPERTY

The property under consideration is as follows:

Parcel #: 50N04W-01-2260  
AIN: 131630  
Total Area: 1.68 acres



Figure 1: Vicinity Map

## LAND USE

The subject property is being proposed to be zoned R-12. As recommended by the City Planning Staff, a Planned Unit Development application is being concurrently submitted with this Subdivision. The development of Birkdale Commons North will directly tie into and be an extension of the approved Birkdale Commons Subdivision and PUD to the South.

The new *Land Use and Design* document associated with the *Envision Coeur d'Alene Comprehensive Plan Update through 2040* designates this parcel as Compact Neighborhood. The proposed uses for the subject property are consistent with the surrounding nearby medium-density residential uses and will provide much-needed additional housing options for existing and incoming residents to the City of Coeur d'Alene, including worker housing. A brief summary of the project and the proposed design deviations is provided below.

<i>Existing Zoning:</i>	<i>R-12</i>
<i>Comprehensive Plan Designation:</i>	<i>Residential – Compact Neighborhood &amp; Mixed-Use Low</i>
<i>Project Area:</i>	<i>1.68 acres</i>
<i>Residential Lots:</i>	<i>7 lots + 1 open space tract</i>
<i>Residential Density:</i>	<i>7.1 du/acre</i>
<i>Average Lot Size:</i>	<i>9,215 sf</i>

<b><u>R-12 Setback or Provision</u></b>	<b><u>Required</u></b>	<b><u>Proposed</u></b>
<i>Minimum Lot Width</i>	<i>50'</i>	<i>30'</i>
<i>Minimum Lot Area</i>	<i>5,500 sf /7,000 sf</i>	<i>3,473 sf</i>
<i>Front Setback</i>	<i>20'</i>	<i>20'</i>
<i>Side Setback (interior)</i>	<i>5' / 10'</i>	<i>5' (5' / 10' for Lot 1)</i>
<i>Flanking Setback</i>	<i>10'</i>	<i>5'</i>
<i>Rear Setback</i>	<i>25'</i>	<i>25'</i>
<i>Garage Setback</i>	<i>20'</i>	<i>20' driveway</i>
<i>Max Building Height</i>	<i>32'</i>	<i>32'</i>

Lots 3-7 are proposed to allow for duplexes, while Lot 2 is for a single-family home. Lot 1 will be a stand-alone residential lot. Preliminary architectural plans and elevations for the duplexes are contained within this submittal as Appendix A, however the owner reserves the right to make changes to the proposed building plans. Below, shown as Figure 2, are depictions of the proposed lot setbacks and duplexes. The proposed plans are similar in nature to those of the previously approved Birkdale Commons Subdivision, with the exception that these are proposed to have 2-car garages.

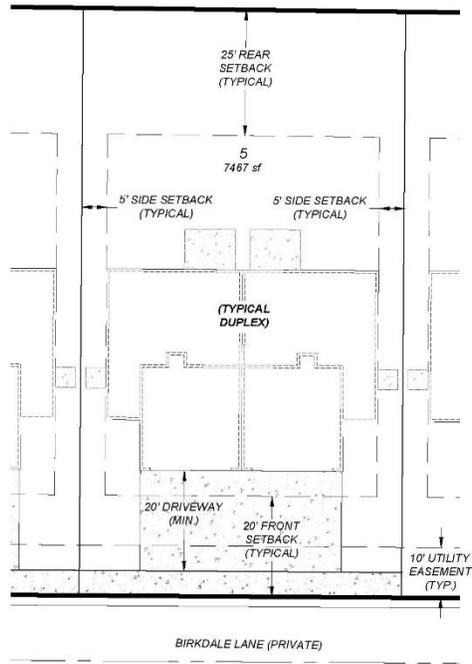


Figure 2: Proposed Lot Setbacks

## PRE-DEVELOPMENT CHARACTERISTICS

The subject parcel currently contains a residence and several outbuildings (see Figure 1 above). As previously mentioned, this residence, located on proposed Lot 1, Block 1, will remain a stand-alone residential lot during the development process. The topography is flat, and there are no topographical constraints to develop the property as proposed. The western portion of the property contains several deciduous trees and native grasses.

## POST-DEVELOPMENT CHARACTERISTICS

The following are the proposed subdivision parameters related to Birkdale North:

<i>Total # of Lots:</i>	<i>7 Residential Lots (12 total units)</i>
	<i>1 Open Space Tract</i>
<i>Min Lot Size:</i>	<i>3,473 sf</i>
<i>Max Lot Size (net):</i>	<i>23,695</i>
<i>Project Area:</i>	<i>1.68 ac</i>
<i>Public R/W Dedication:</i>	<i>0.03 ac</i>
<i>Developable Area:</i>	<i>1.65 ac</i>
<i>Open Space:</i>	<i>7,440 sf (Tract 1)</i>

Figure 3 below shows the proposed Subdivision.

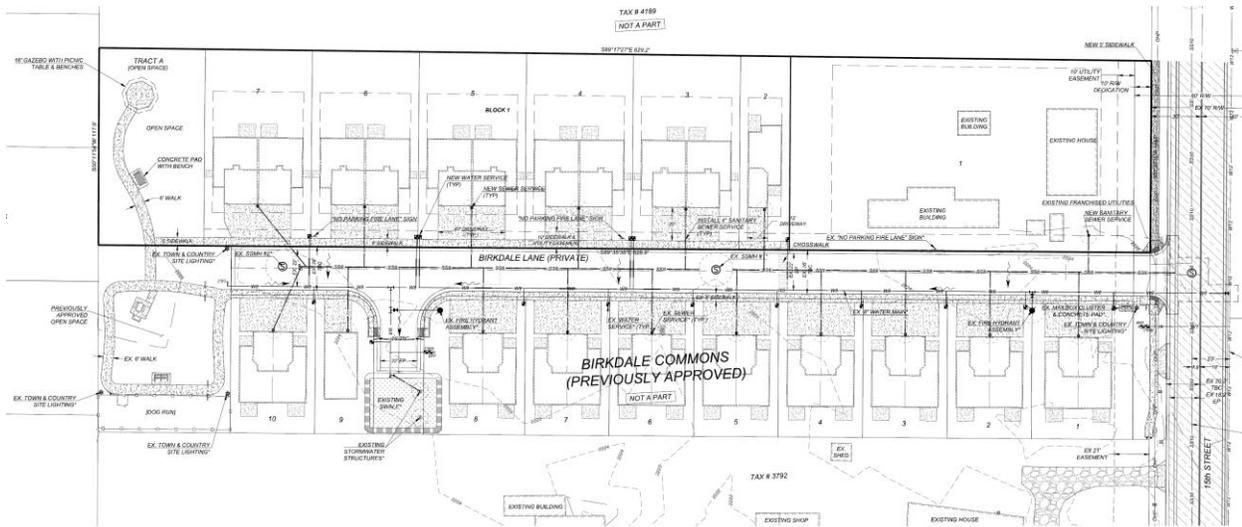


Figure 3: Proposed Subdivision

The proposed development will be built in accordance with City of Coeur d'Alene Standards and commonly accepted construction practices. All utilities are existing near the subject property boundaries located in 15<sup>th</sup> Street and in the previously approved Birkdale Lane and will be used to serve this project.

### Transportation and Roads

Birkdale Lane, a private road planned for construction as part of the previously approved adjoining Birkdale Commons Subdivision at the southern edge of the subject property, will serve as the single access point off 15<sup>th</sup> Street for both subdivisions. Frontage improvements on 15<sup>th</sup> Street, as required, will be completed with this project, including new sidewalk and stormwater swale. There will be an additional 10' R/W dedication on the West side of 15<sup>th</sup> Street that will run the length of the proposed Birkdale Commons North project.

Birkdale Lane will be constructed as a private road with a paved street section of 26' from curb-curb, including rolled curb and gutter, a 5' concrete sidewalk on the South side, together with 10' utility easements. A 24' wide hammerhead turnaround at the western terminus of Birkdale Lane will provide emergency vehicle access and maneuvering and will be constructed per the requirements of the CDA Fire Department. No on-street parking will be allowed on the private road; however, additional parking will be provided with oversized driveways with 2-car garages for each duplex unit. We are proposing to provide (4) off-street parking spots per duplex unit, (2) in the garage and (2) on the driveway. The single-family Lot 2 will have a single car garage with an additional parking spot in the driveway. This is above and beyond the required minimum parking requirements per City Code.

### Fire Protection

The subject property is within the Coeur d'Alene Fire Department boundaries. Fire Station #3, located at 1500 N. 15<sup>th</sup> Street, is within 1.3 miles of the project development. New fire hydrants are planned to be installed along Birkdale Lane and as approved by the Coeur d'Alene Fire Department. Emergency access has already been approved, as the project to the South includes a hammerhead turnaround that will meet Fire Department standards.

### **Stormwater**

Stormwater for Birkdale Commons North will be handled via a permanent grassy swale system, located in the Birkdale Commons Subdivision, that will collect and mitigate stormwater runoff generated from the subdivision. Excess runoff will be direct injected into the ground through the use of drywells. A stormwater management plan shall use best management practices (BMP) during and after construction in accordance with accepted standard construction practices. According to the Natural Resources Conservation Service (NRCS), the area's soils consist entirely of McGuire-Marble association. This soil is well-draining and suitable for this type of stormwater management system, which is commonly used throughout the City of Coeur d'Alene. Maintenance of the storm system will be the responsibility of the adjacent property owner. This stormwater system was already approved with the Birkdale Commons Subdivision.

### **Water**

Domestic and irrigation water will be provided by the City of Coeur d'Alene. A new 8" water main that ties into the existing 12" water main located in 15<sup>th</sup> Street will be constructed in Birkdale Lane as part of the Birkdale Commons Subdivision infrastructure. This water main will provide service to the proposed Birkdale Commons North residential lots. All public water infrastructure will be located in an easement dedicated to the City of CDA Water Department for operation and maintenance.

### **Sewer**

Sanitary Sewer service will be provided by the City of Coeur d'Alene. A new 8" gravity sewer main is planned to be constructed in Birkdale Lane and will tie into the existing 10" gravity sewer main in 15<sup>th</sup> Street. Infrastructure will be extended throughout the subject property in accordance with City of Coeur d'Alene standards. Sanitary sewer flows generated from this site will be treated at the Coeur d'Alene Wastewater Treatment Plant, which currently has capacity to serve this project. A sewer easement will be dedicated to the City of CDA as is required for operation and maintenance of the proposed sewer infrastructure.

### **Open Space**

This project contains 7,440 sf of net usable open space that will exist as a private tract owned by the HOA. The project proponent is a local experienced developer, with several projects containing open space. We have consulted with our property manager to discuss the most practical and useful open space amenities based on their experience with other projects. Passive amenities that don't create attractive nuisances are preferred. This area will contain a resting bench along a 6-foot asphalt trail leading to a gazebo containing a picnic table and benches, thus providing additional opportunities for gatherings and outdoor recreation, as well as promoting a sense of neighborhood. This open space will be landscaped and maintained by the HOA to

provide continuity with other landscape elements within Birkdale Commons North and the adjacent Birkdale Commons.

**Other Utilities**

All dry utilities are currently available to serve the proposed project and are located in 15<sup>th</sup> Street. Dry utilities will be extended through Birkdale Lane as it is constructed to serve the Birkdale Commons subdivision. Kootenai Electric Cooperative will provide power and Avista will provide natural gas. Spectrum/Charter will provide communications and internet until such time that Zply Fiber brings their services to this area and provides another option for residents. All dry utility companies will be notified at the appropriate time. Agreements to provide service will be finalized between the Developer and the respective utility.

**DEVELOPMENT SCHEDULE**

Construction on this project is anticipated to begin in conjunction with Birkdale Commons in the Spring of 2024 and be completed in 1 phase.

***APPENDIX A***

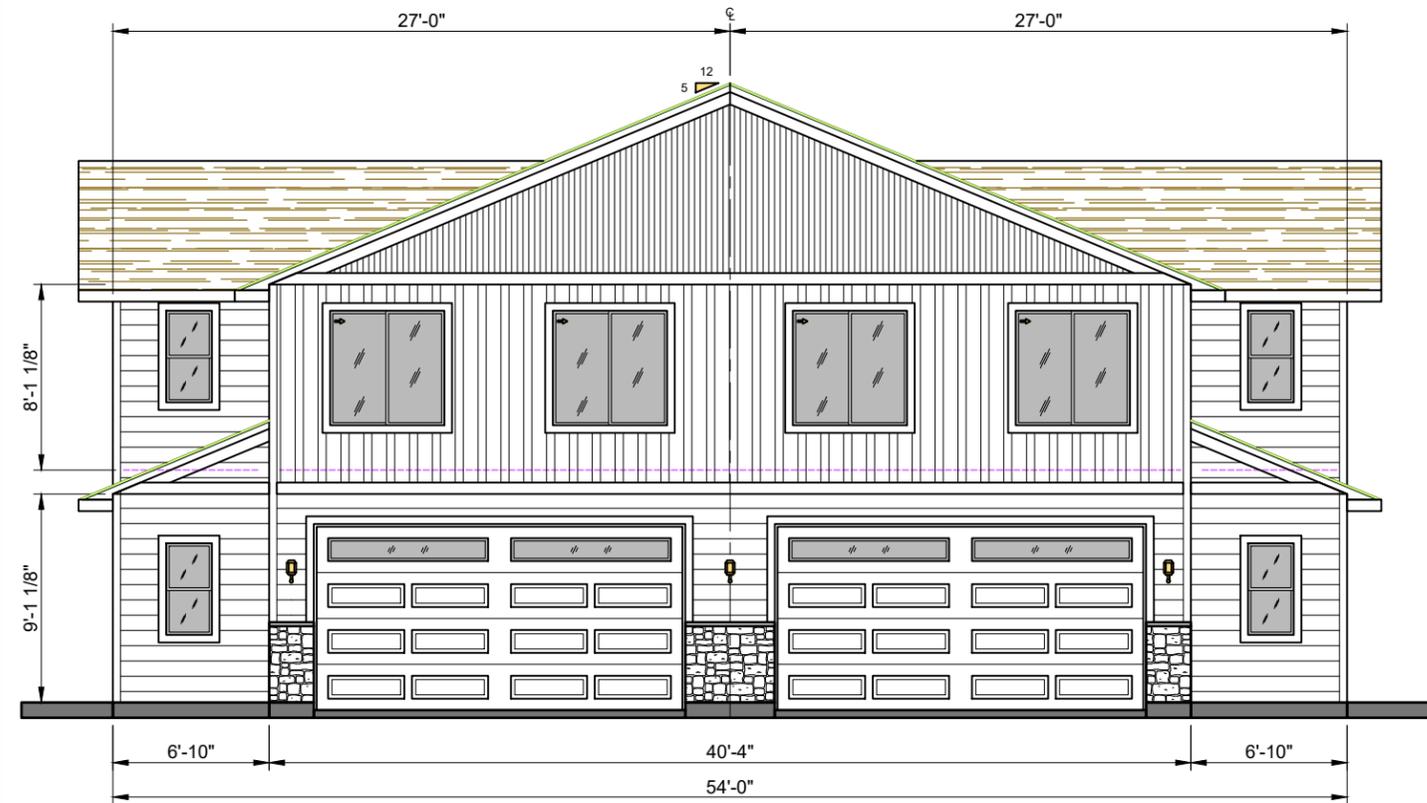
***Architectural Plans and Elevations***

NOTE:  
FINAL GRADE TO SLOPE AWAY FROM  
THE STRUCTURE 6" IN A 10" SPAN.  
ALL EXTERIOR DOORS ARE REQ'D TO  
HAVE A MIN. 3'x3' LEVEL LANDING

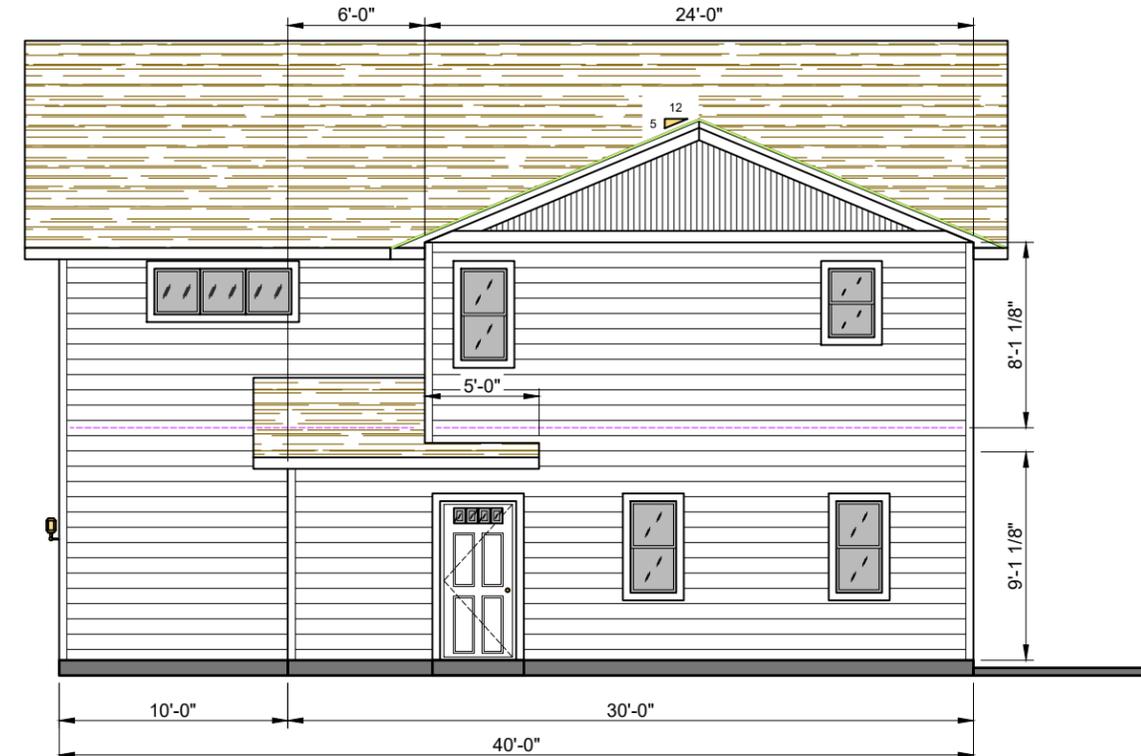
NOTE:  
ENGINEERED TRUSSES,  
TRUSS TO TRUSS CONNECTIONS,  
BRIDGING & BRACING DESIGNED  
BY TRUSS MANUFACTURER.



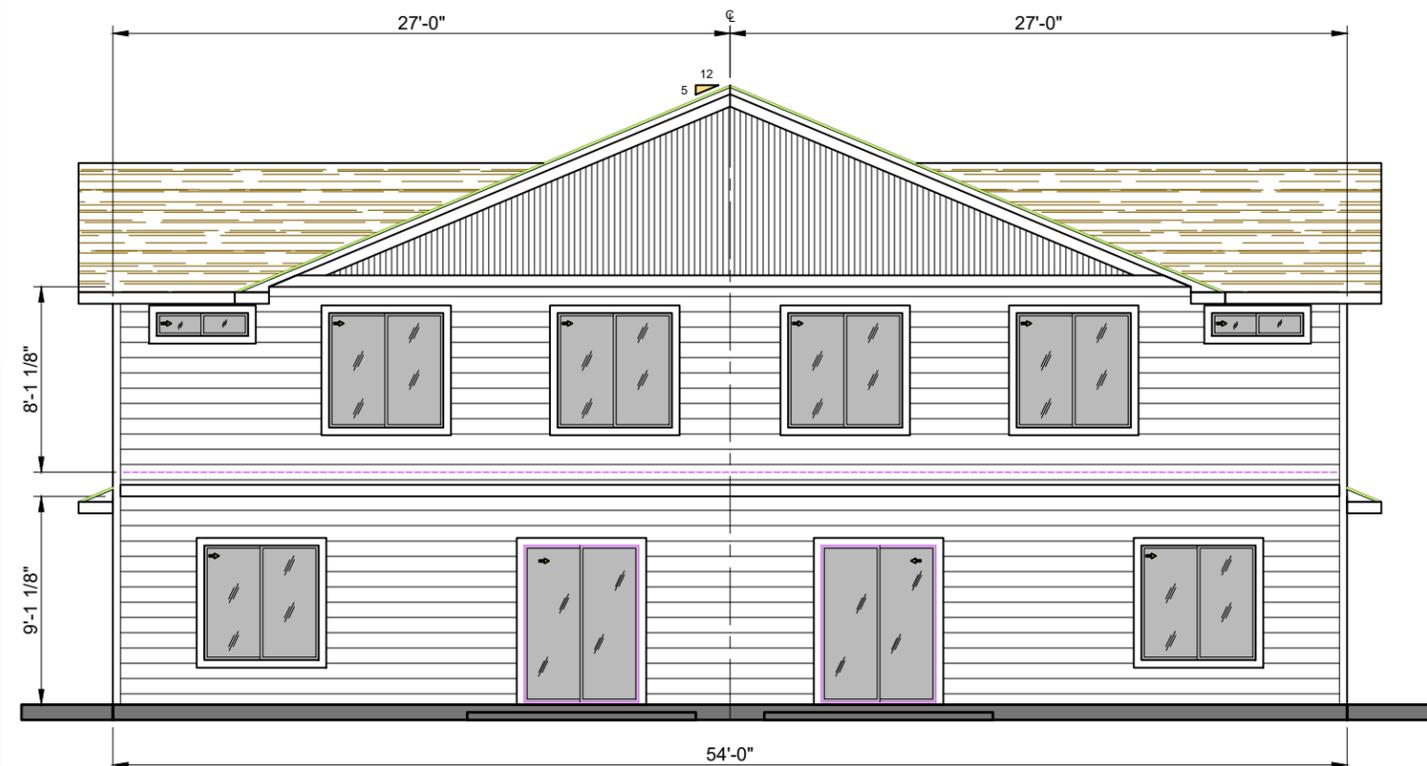
*You have an Idea, Let's  
put it on Paper  
Residential Designer  
Ph: 208/773-4872  
Cell: 208/699-3518*



**FRONT ELEVATION**



**RIGHT ELEVATION**



**BACK ELEVATION**



**LEFT ELEVATION**

Job Number:	
Job or Plan Name:	RD 3134T-DP
Client Name:	GREG GERVAIS
Location:	LOCATION LOCATION LOCATION LOCATION
Lot or AIN:	LOT OR AIN:
Block or Parcel:	BLOCK OR PCL:
Drawn By:	LPB
Date:	DATE
Scale 24x36:	1/4"=1'
Scale 11x17:	1/8"=1'
DWG Name:	ELEVATIONS
DWG No.:	A2
Sheet:	1 OF 1
REV:	0

THIS DRAWING IS THE  
PROPERTY OF  
**LOUIS PHILIP  
BUSTAMANTE**  
AND  
**REALITY DESIGN LLC.**  
IT SHALL BE TREATED AS  
CONFIDENTIAL AND MUST  
NOT BE USED TO OUR  
DISADVANTAGE.  
IT SHALL NEITHER BE  
REPRODUCED NOR ALTERED  
NOR MADE AVAILABLE TO  
THIRD PARTIES WITHOUT  
PRIOR CONSENT OF **LOUIS  
PHILIP BUSTAMANTE** AND  
**REALITY DESIGN LLC.**  
BUILDING CONTRACTOR/  
HOME OWNER TO REVIEW  
AND VERIFY ALL  
DIMENSION, SPECS AND  
CONNECTORS BEFORE  
CONSTRUCTION MAY BEGIN

**PRELIMINARY  
ELEVATIONS  
1ST REVIEW  
07/26/23**

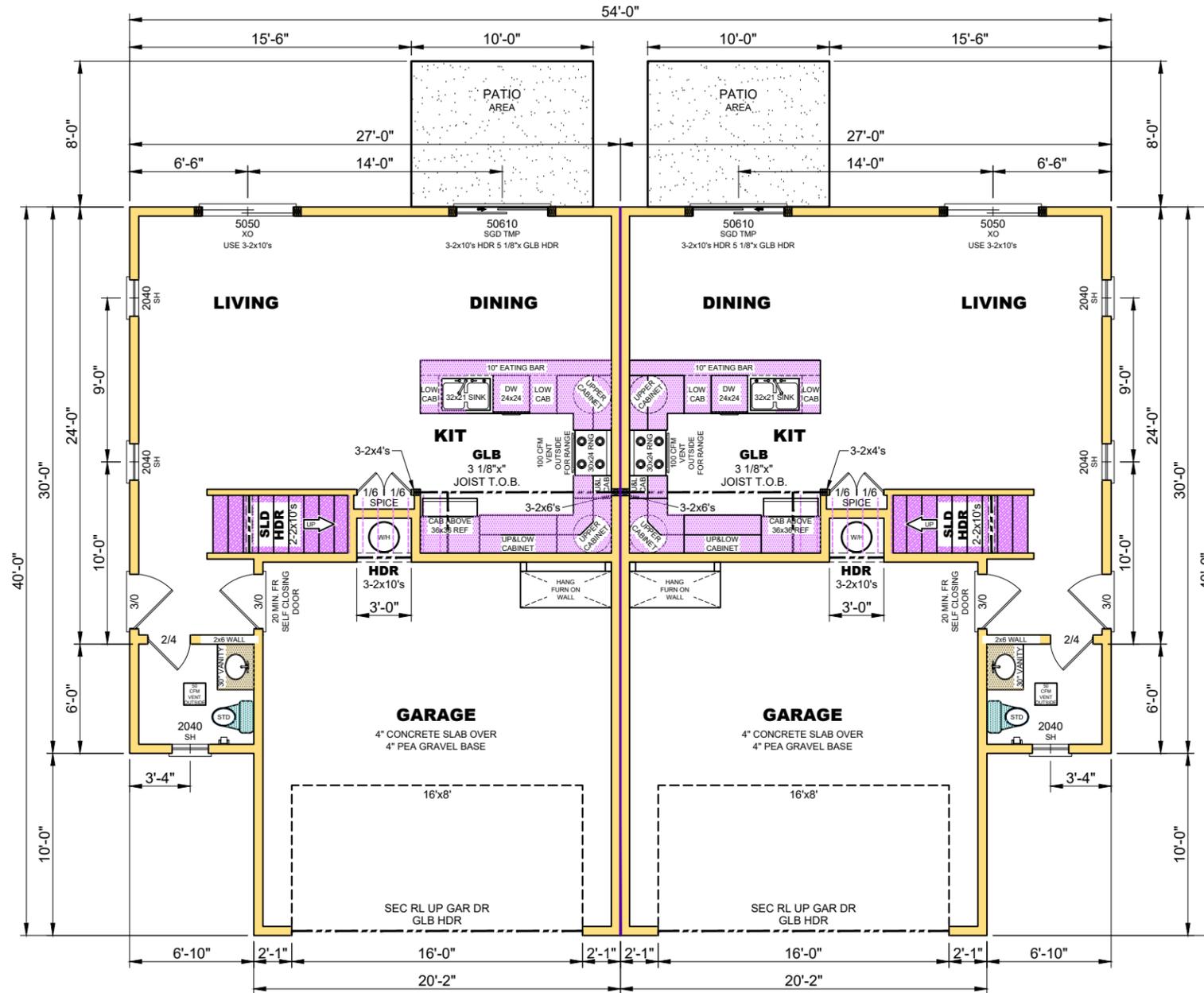
LEGEND	
	SMOKE DETECTOR
	SMOKE DETECTOR & CARBON MONOXIDE ALARM COMBO
	REVISION

**MAIN FLOOR**

SqFt.=596 PER SIDE  
9' TALL WALLS  
S.O.G.

**GARAGE**

SqFt.=415 PER SIDE



You have an Idea, Let's put it on Paper  
Residential Designer  
Ph: 208/773-4872  
Cell: 208/699-3518

Job Number:	
Job or Plan Name:	RD 3134T-DP
Client Name:	GREG GERVAIS
Location:	LOCATION LOCATION LOCATION LOCATION
Lot or AIN:	LOT OR AIN:
Block or Parcel:	BLOCK OR PCL:
Drawn By:	LPB
Date:	DATE
Scale 24x36:	1/4"=1'
Scale 11x17:	1/8"=1'
DWG Name:	FLOOR PLAN
DWG No.:	A4
Sheet:	1 OF 0

THIS DRAWING IS THE PROPERTY OF **LOUIS PHILIP BUSTAMANTE** AND **REALITY DESIGN LLC**. IT SHALL BE TREATED AS CONFIDENTIAL AND MUST NOT BE USED TO OUR DISADVANTAGE. IT SHALL NEITHER BE REPRODUCED NOR ALTERED NOR MADE AVAILABLE TO THIRD PARTIES WITHOUT PRIOR CONSENT OF **LOUIS PHILIP BUSTAMANTE** AND **REALITY DESIGN LLC**. BUILDING CONTRACTOR/HOME OWNER TO REVIEW AND VERIFY ALL DIMENSION, SPECS AND CONNECTORS BEFORE CONSTRUCTION MAY BEGIN

PRELIMINARY FLOORS  
1ST REVIEW  
00/00/22

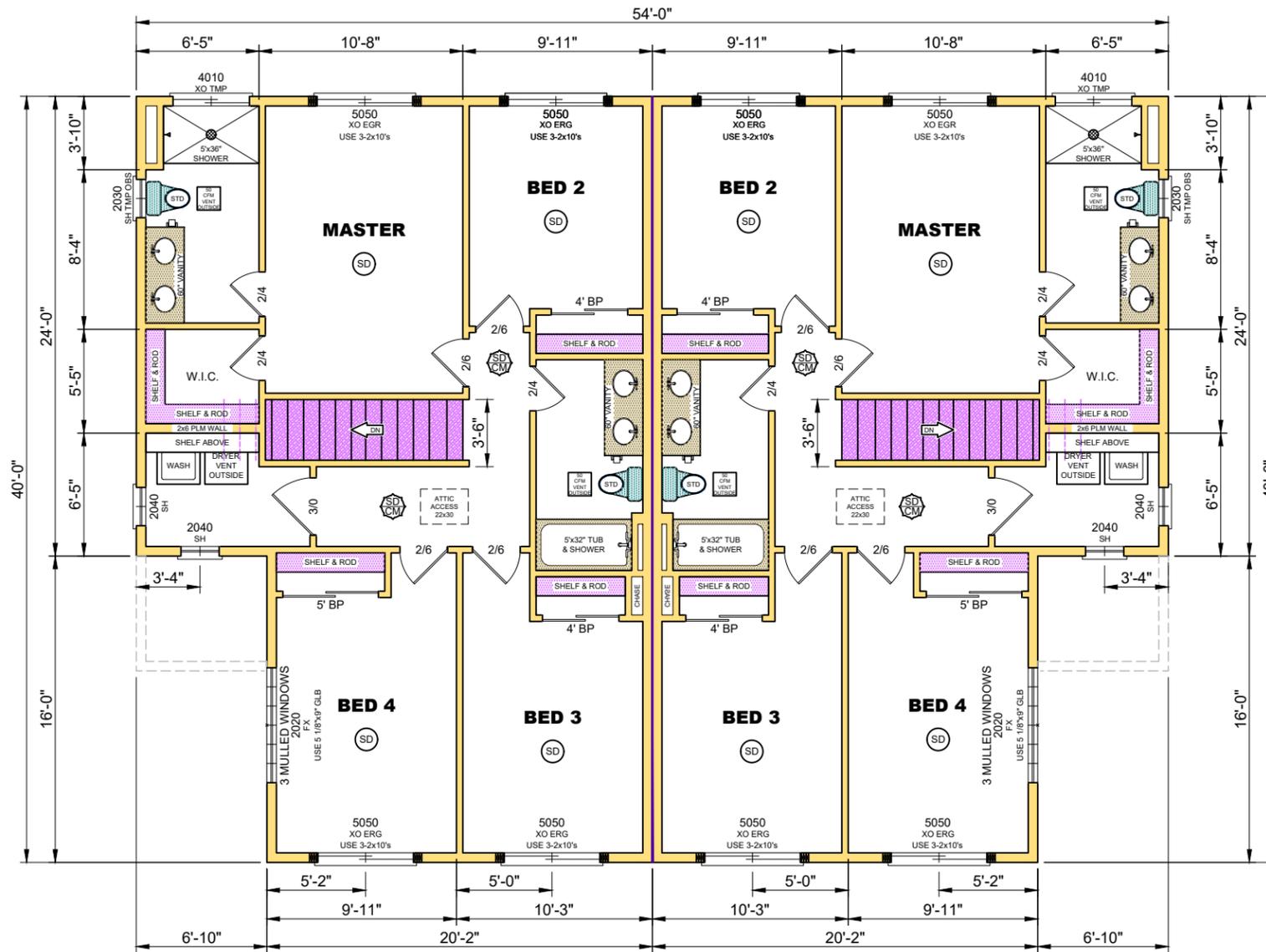
LEGEND	
	SMOKE DETECTOR
	SMOKE DETECTOR & CARBON MONOXIDE ALARM COMBO
	REVISION

**TOP FLOOR**  
 SqFt.=971 PER SIDE  
 8' TALL WALLS



You have an Idea, Let's put it on Paper  
 Residential Designer  
 Ph: 208/773-4872  
 Cell: 208/699-3518

Job Number:	
Job or Plan Name:	RD 3134T-DP
Client Name:	GREG GERVAIS
Location:	LOCATION LOCATION LOCATION LOCATION
Lot or AIN:	LOT OR AIN:
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Date:	DATE
Scale 24x36:	1/4"=1'
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DWG Name:	FLOOR PLAN
DWG No.:	A4
Sheet:	3 OF 0



THIS DRAWING IS THE PROPERTY OF **LOUIS PHILIP BUSTAMANTE** AND **REALITY DESIGN LLC**. IT SHALL BE TREATED AS CONFIDENTIAL AND MUST NOT BE USED TO OUR DISADVANTAGE. IT SHALL NEITHER BE REPRODUCED NOR ALTERED NOR MADE AVAILABLE TO THIRD PARTIES WITHOUT PRIOR CONSENT OF **LOUIS PHILIP BUSTAMANTE** AND **REALITY DESIGN LLC**. BUILDING CONTRACTOR/ HOME OWNER TO REVIEW AND VERIFY ALL DIMENSION, SPECS AND CONNECTORS BEFORE CONSTRUCTION MAY BEGIN

**PRELIMINARY FLOORS**  
**1ST REVIEW**  
 00/00/22



# STAFF REPORT



**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** SEAN E. HOLM, SENIOR PLANNER  
**DATE:** NOVEMBER 14, 2023  
**SUBJECT:** ZC-1-23: ZONE CHANGE FROM R-17(MO) TO C-17(MO)  
**LOCATION:** +/- 0.21 ACRE PARCEL LOCATED ON THE WEST SIDE  
OF 4TH STREET AND NORTH OF E. FOSTER AVENUE  
COMMONLY KNOWN AS NORTH 707 4TH STREET

**APPLICANT/OWNER:**

JPL Living Trust, Jay Lange  
PO Box 2235  
Priest River, ID 83856

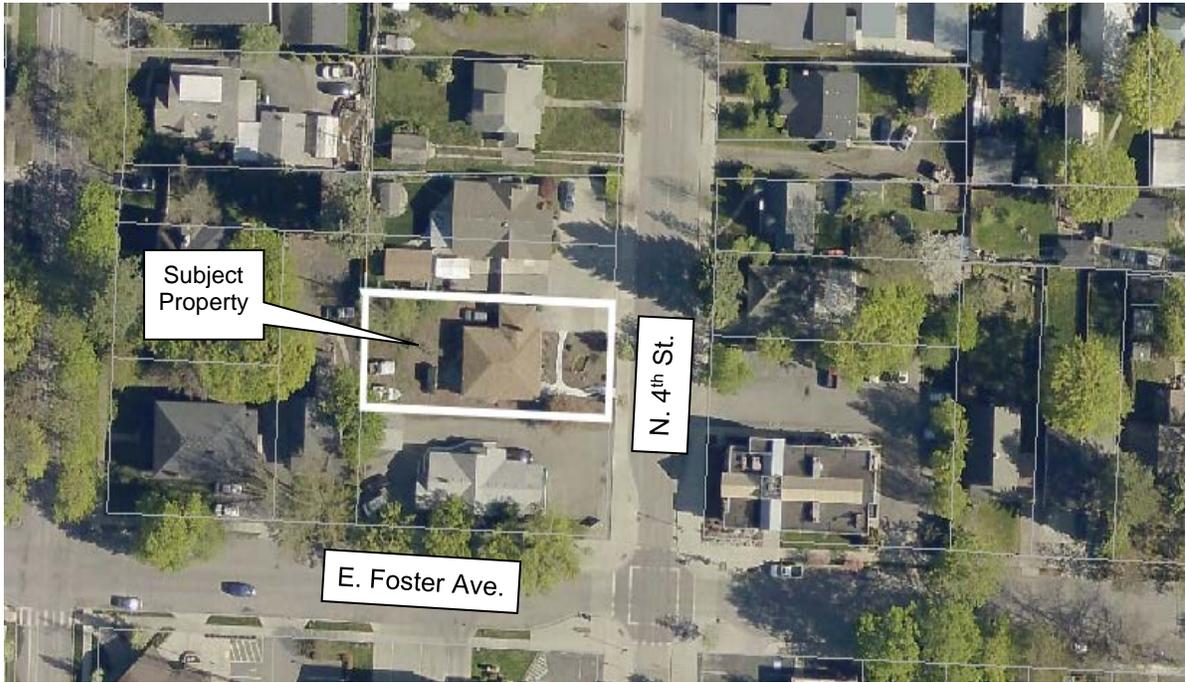
**DECISION POINT:**

The applicant is requesting approval of a zone change from the R-17(MO) to the C-17(MO) zoning district.

**BACKGROUND INFORMATION:**

The 0.21-acre parcel is located on the west side of 4<sup>th</sup> Street and north of E. Foster Avenue. There is an existing single-family dwelling located on the parcel which is currently being rented. Should the zone change request be approved, the owner would like to use the existing structure for a Professional and Administrative Office Use. The main floor of the existing structure is 1400 SF +/- with a 1400 SF basement. Future plans may be to construct a new office building to include residential living space above and/or behind. The applicant is aware that any future commercial use of the property would trigger improvements to accommodate the public including ADA. The subject property currently zoned R-17 and is located in the Midtown Infill Overlay District (MO).

**LOCATION MAP:**



**AERIAL PHOTO:**



**PRIOR ZONE CHANGE REQUESTS NEARBY:**



**Zone Changes (See corresponding map):**

ITEM	FROM -	TO	LOCATION	DATE	PLAN COMM	CITY COUNCIL
ZC-13-82	R-17	C-17L	701 N 4TH ST	1983	Approved	Approved
ZC-9-86SP	R-8	R-17	602 E GARDEN	1986	Approved	Approved
ZC-17-87	R-17	C-17L	715 N 4TH ST	1988	Denied	Approved
ZC-3-82SP	R-8	C-17L	518 N 4TH	1982	Denied	N/A
ZC-8-88	C-17L/R-8	C-17/R-17	410 E	1989	Approved	Aprvd/Appeal
ZC-3-91	C-17L/R-8	C-17	GARDEN	1991	Approved	Denied
ZC-7-92SP	C-17L/(R-8)	(R-17/R-34)	418 E	1992	Approved	(Aprvd/Denied)
ZC-14-92 (prt)	C-17L	C-17	GARDEN	1992	Denied	N/A
ZC-2-95	R-17	C-17	749 N 4TH ST	1995	Approved	Approved
ZC-3-06	R-17	C-17L	117 E GARDEN	2006	Withdrawn	Withdrawn
ZC-2-94	R-17	C-17L	702 N 4 <sup>TH</sup> ST	1994	Approved	Approved
ZC-2-94m*	Modify	Conditions		/2007	Denied	/Mod. Denied
ZC-3-08	R-17	NC	729 N 4 <sup>TH</sup> ST	2008	Withdrawn	Withdrawn

The subject property is nearby to a mix of previous zone change requests that include: approvals, denials, withdrawn requests, and a court case overturning City Council's decision (1988).

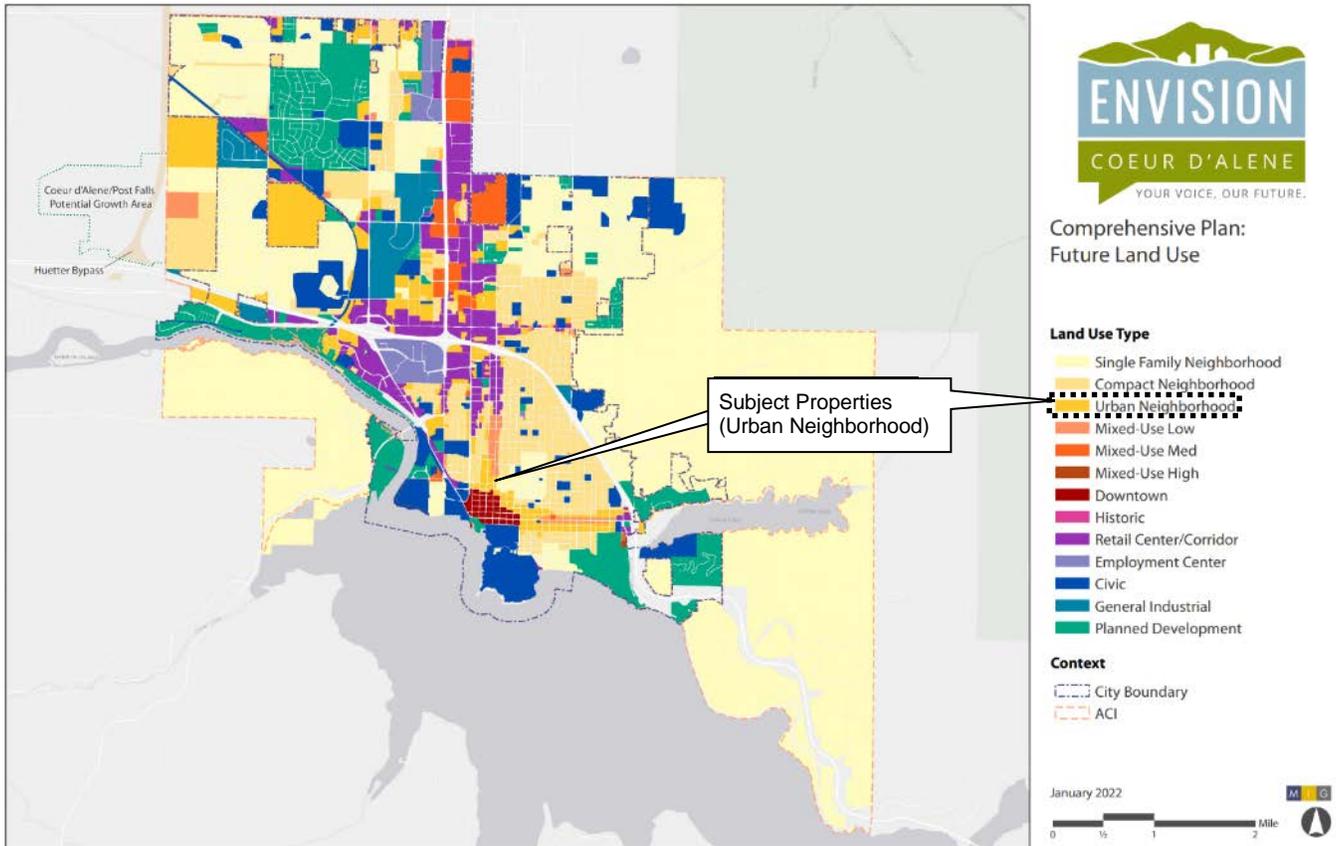
**REQUIRED FINDINGS FOR A ZONE CHANGE REQUEST:**

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

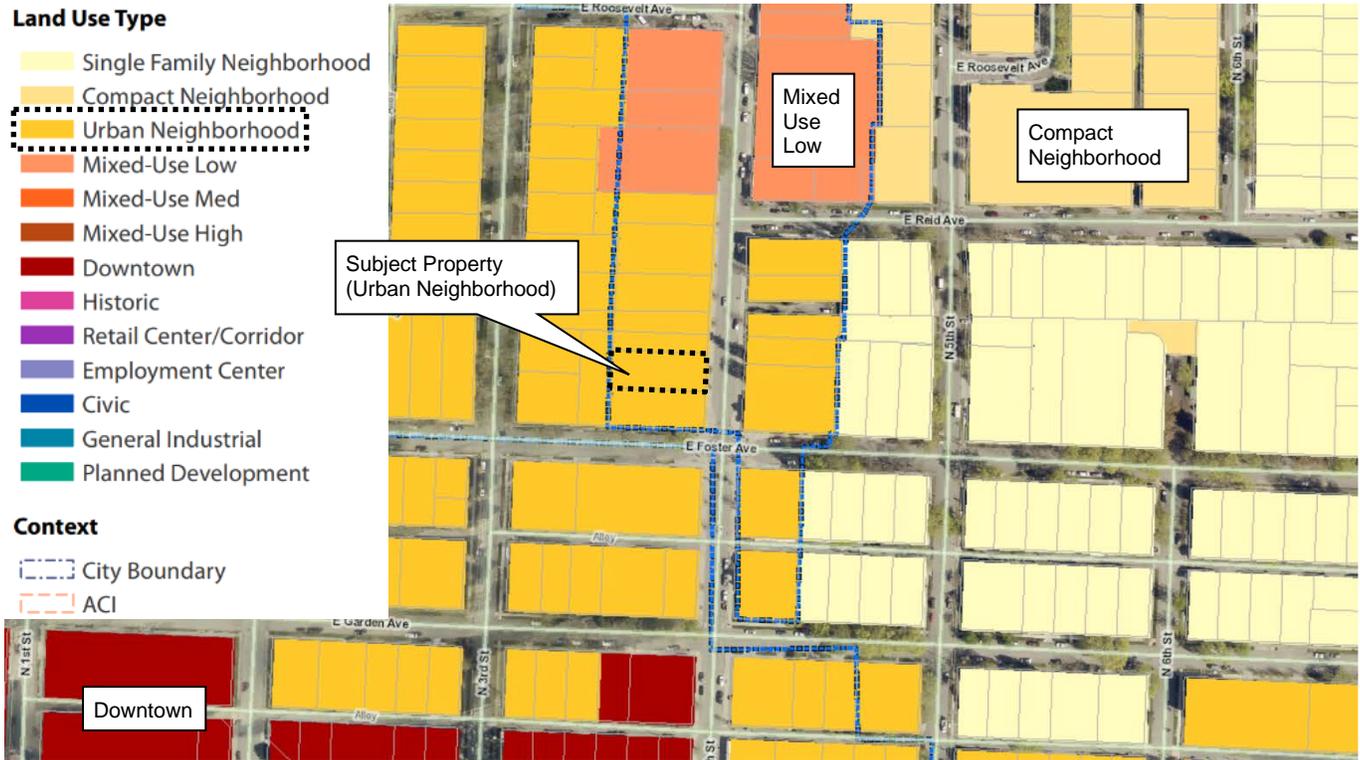
**2022-2042 COMPREHENSIVE PLAN- LAND USE CATEGORY:**

- The subject property is within the existing city limits.
- The Future Land Use Map designates this area as Urban Neighborhood:

**Future Land Use Map (City Context):**



## Future Land Use Map (Neighborhood Context):



## Place Types

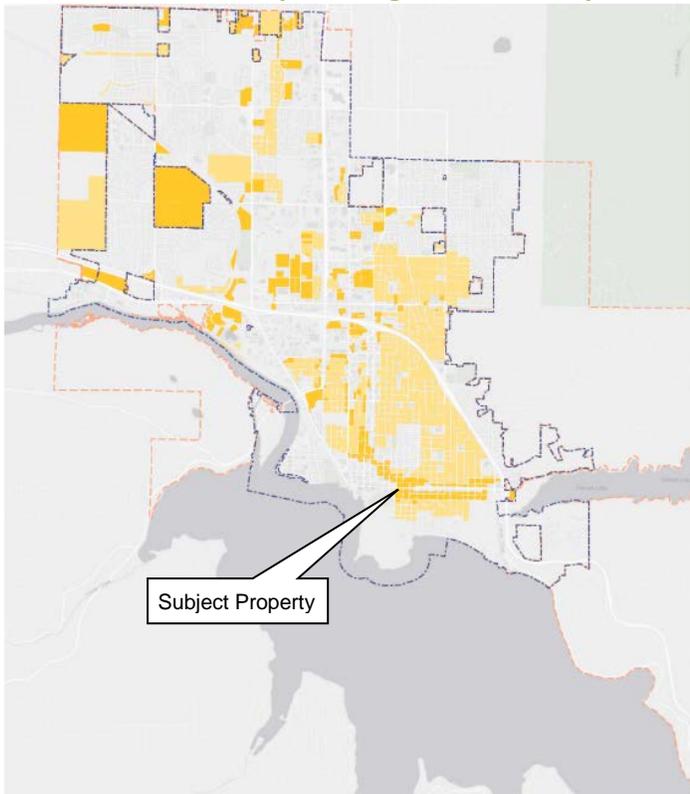
Place Types represent the form of future development, as envisioned by the residents of Coeur d’Alene. These Place Types provide the policy-level guidance that will inform the City’s Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail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

### Urban Neighborhood

Urban Neighborhood places are highly walkable neighborhoods with larger multifamily building types, shared greenspaces and parking areas. They are typically served with gridded street patterns, and for larger developments, may have an internal circulation system. Development typically consists of townhomes, condominiums, and apartments, with convenient access to goods, services, and dining for nearby residents. Supporting uses include neighborhood parks and recreation facilities, parking, office and commercial development.

**Compatible Zoning: R-17 and R-34SUP; NC, CC, C17, and C17L**

## Urban & Compact Neighborhood Map:



### Urban Neighborhood



#### Key Characteristics

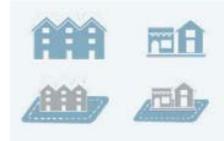
Urban Neighborhood places are highly walkable neighborhoods with larger multifamily building types, shared greenspaces and parking areas. They are typically served with a gridded street pattern, and for larger developments, may have an internal circulation system. Development typically consists of townhomes, condominiums, and apartments, often adjacent to mixed-use districts. Supporting uses include neighborhood parks and recreation facilities, parking, office and commercial development.

#### Transportation

- Gridded street pattern with internal streets in building complexes
- Should include high ease-of-use pedestrian and bicycle facilities

#### Typical Uses

- Primary: Multifamily residential
- Secondary: Neighborhood parks and recreation facilities, parking, office, commercial



#### Building Types

- Apartments, condominiums, townhomes

#### Compatible Zoning

- R-17 and R-34SUP; NC, CC, C17, and C17L

## Comprehensive Plan Policy Framework:

### Community & Identity

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

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

**Goal CI 3:** Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

**Objective CI 3.1:** Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

### Growth & Development

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

**Objective GD 1.1:** Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

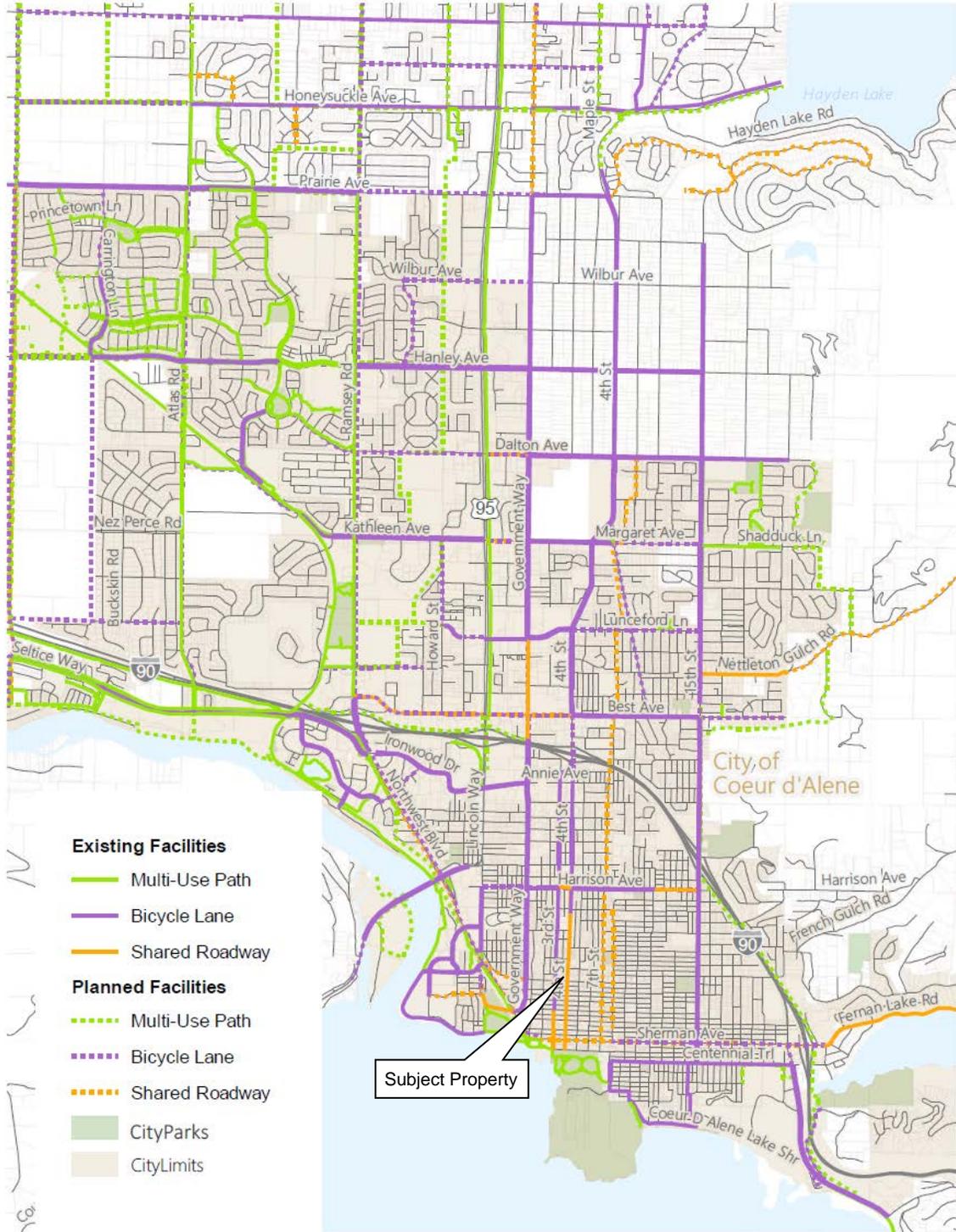
**Objective GD 1.5:** Recognize neighborhood and district identities.

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

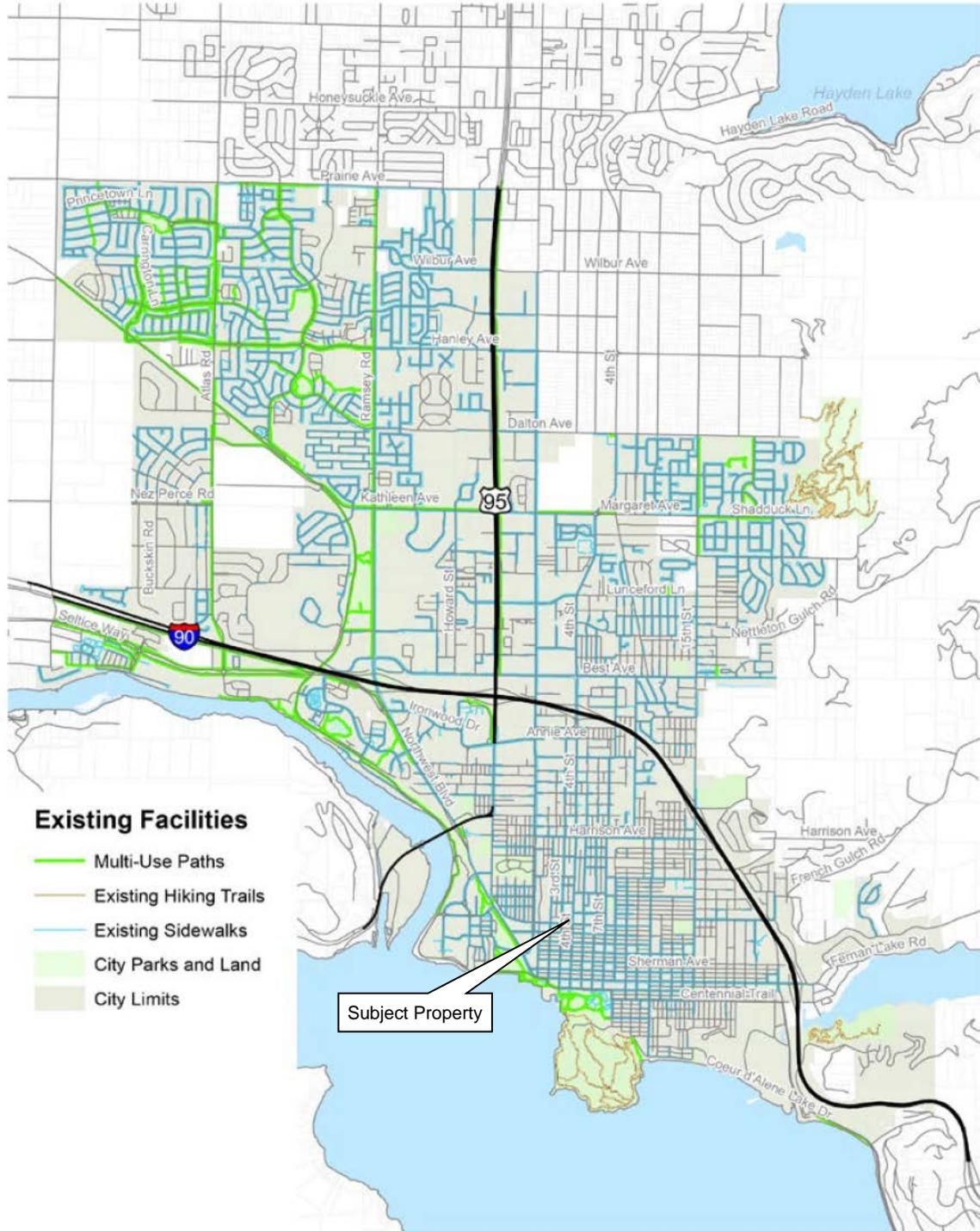
**Objective GD 2.1:** Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

# Transportation:

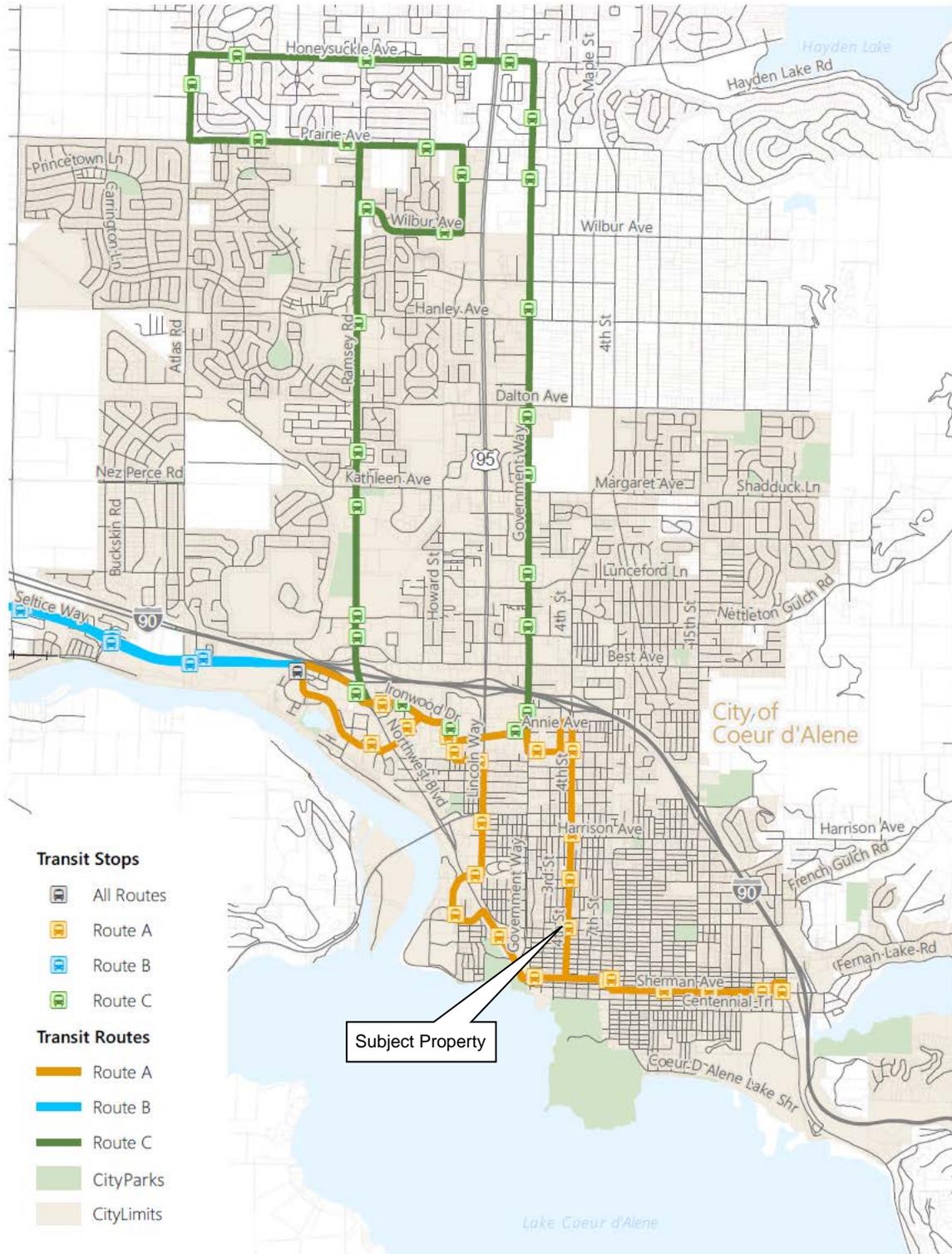
## Existing and Planned Bicycle Network:



**Existing and Planned Walking Network:**



**Existing Transit Network:**



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

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

**STORMWATER:**

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

*- Submitted by Chris Bosley, City Engineering*

**STREETS:**

The subject property is bordered by 4th Street to the east. No street improvements are necessary for this proposed development. Any sidewalk deficiencies must be brought into ADA compliance with any construction on the site.

*- Submitted by Chris Bosley, City Engineering*

**WATER:**

There is adequate capacity in the public water system for 707 N 4th St., which is currently served by a ¾" water meter.

*-Submitted by Kyle Marine, Water Department Director*

**WASTEWATER:**

City sewer is already on this property from the west in a sewer easement along the property line. Wastewater Policy #716 allows only one appropriately sized sewer lateral to serve each legally recognized parcel. 'One parcel, One service. (One Lot, One Lateral)

The Subject Property is within the City of Coeur d'Alene and in accordance with the 2023 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this Zone Change request as proposed.

*-Submitted by Larry Parsons, Wastewater Utility Project Manager*

**FIRE:**

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

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings

requiring a fire sprinkler system) will be reviewed prior to Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The CD'A FD can address all concerns at site and building permit submittals with the corrections to the below conditions.

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

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

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

**PHYSICAL CHARACTERISTICS:**

There is an existing single-family structure on the subject property. Directly to the north and south of the subject property are existing single-family homes that are grandfathered professional office uses, each with varying degrees of commercial improvements (parking). To the south of the nearest intersection (N. 4<sup>th</sup> Street & E Foster Ave.) is a Fire Station. To the east, across 4<sup>th</sup> Street, is an Attorney's office, a CityLink bus stop, and single-family homes. The area retains various mature trees and other vegetation. There are no topographical constraints that would make the subject property unsuitable to the request, however, the configuration of the existing structure could present future parking challenges.

The site is generally flat as is the over-all location. Midtown has seen significant change and investment over the last decade, from public corridor improvements, rehab of several out-of-date storefronts, to a substantial under construction mixed-use project.

**PHOTOS OF AREA:**

Looking west across 4<sup>th</sup> Street at the subject property showing street improvements (sidewalks, street trees in grates, and driveways):



Unobstructed view of existing home on subject property:



Looking SW at the intersection of N. 4<sup>th</sup> Street and E. Foster Avenue showing grandfathered single-family converted professional office and Fire Station #1:



Streetscape as viewed from E. Foster Avenue looking north along N. 4<sup>th</sup> Street (arrow pointing to subject property):



View looking east across N. 4<sup>th</sup> Street toward single-family homes and Attorney's office (Citylink stop circled):



**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.*

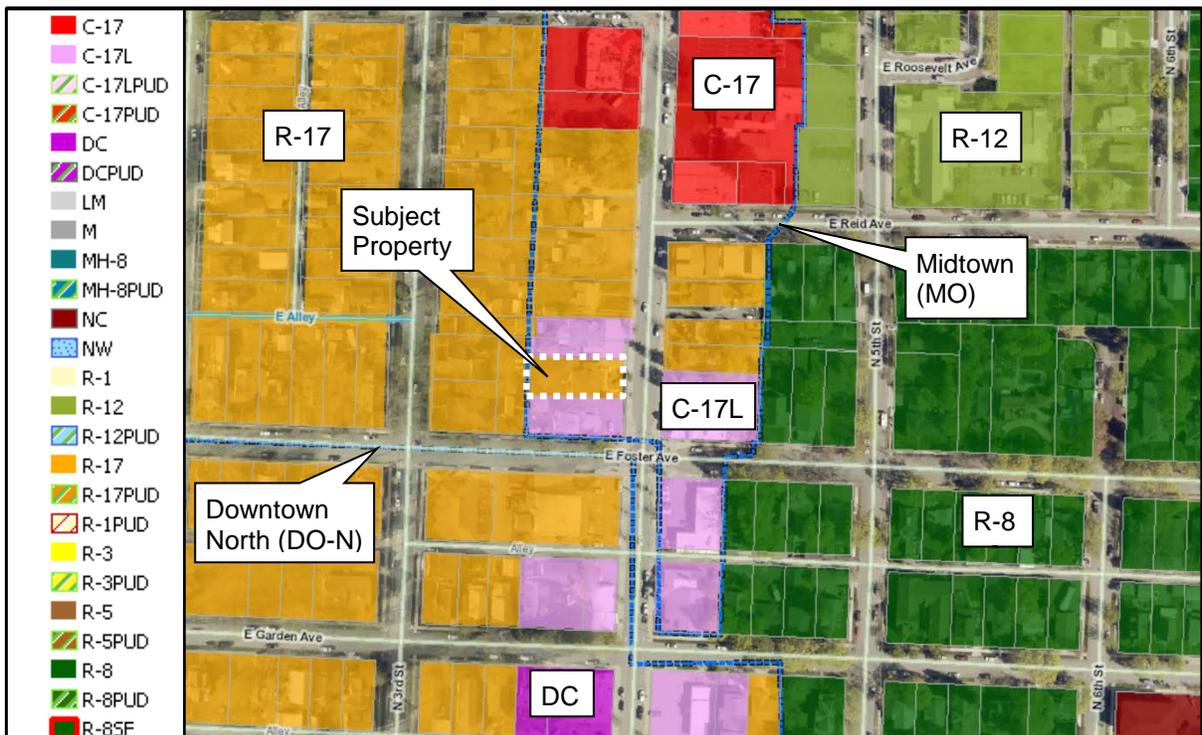
**Finding #B11:**

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

**GENERALIZED LAND USE PATTERN:**



**ZONING MAP:**



**TRAFFIC:**

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. It is unclear what the ultimate use will be, therefore no forecasts in traffic can be made for this property.

*-Submitted by Chris Bosley, City Engineering*

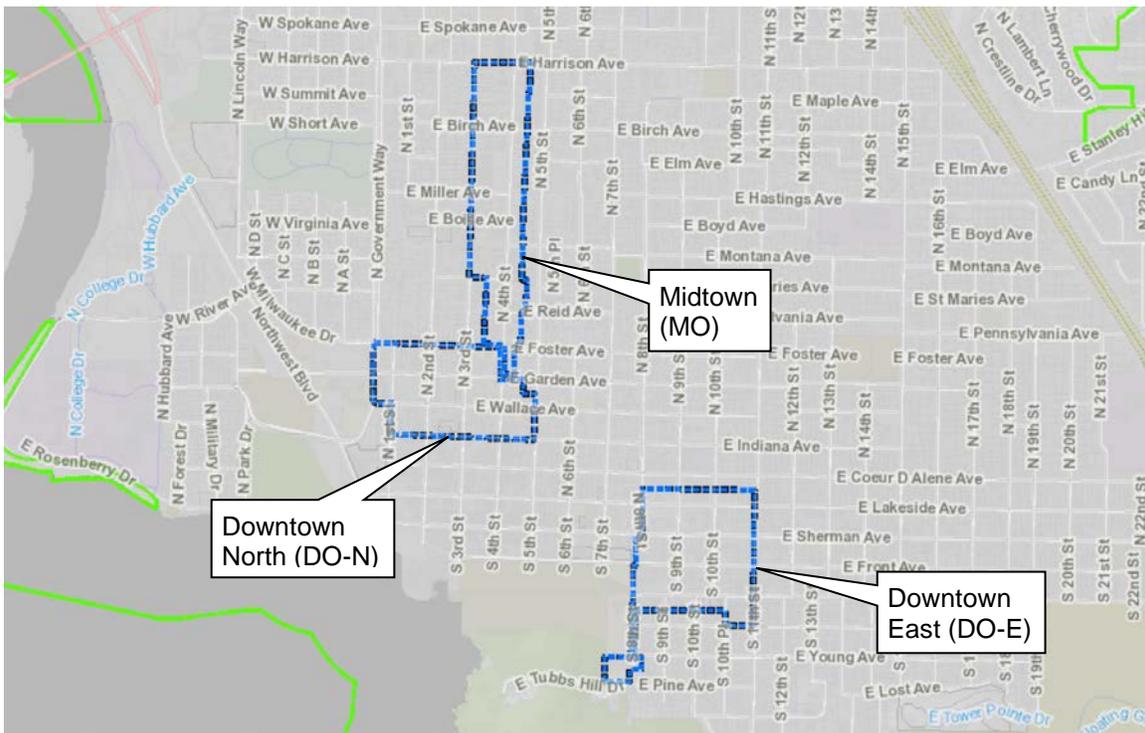
**NEIGHBORHOOD CHARACTER:**

**INFILL OVERLAY DISTRICTS**

**17.07.900: Purpose:**

The purpose of these regulations is to establish infill overlay districts and to prescribe procedures whereby the development of lands within these infill overlay districts can occur in a manner that will encourage infill development while protecting the surrounding neighborhoods. It is the intent of these development standards to encourage a sensitive form of development and to allow for a reasonable use that complements the visual character and the nature of the city.

**District Boundaries:**



**A. Districts Described:**

The following Infill Overlay Districts are subject to the provisions of this Article:

**3. Midtown Overlay (MO)**

The intent of this district is to create a lively, neighborhood business district with a mixture of uses, including retail, services, and residential. Storefronts would be relatively continuous along the street within the core of the district. Housing would be encouraged both above and behind commercial uses. Traffic calming measures would be applied and there would be an emphasis on creating a streetscape that would offer safety, convenience and visual appeal to pedestrians.

**17.07.915: Permitted Activity Groups/Uses:**

A. Activity Groups/Uses Allowed in the Underlying Zoning District

Generally Permitted:

All Activity Groups/Uses permitted within the underlying zoning district shall be allowed, unless otherwise noted in this section.

B. Activity Groups/Uses Expressly Prohibited in All Three Overlay Districts:

The following Activity Groups/Uses are expressly prohibited in all infill overlay districts:

1. Criminal Transitional Facilities.
2. Juvenile Offenders Facilities.
3. Adult Entertainment.
4. Adult Entertainment Retail Sales.
5. All other uses that includes the outdoor storage of inventory, materials, or supplies.

**17.05.500: PERMITTED USES; PRINCIPAL (*Proposed Zone*):**

Principal permitted uses in a C-17 district shall be as follows:

- Administrative offices.
- Agricultural supplies and commodity sales.
- Automobile and accessory sales.
- Automobile parking when serving an adjacent business or apartment.
- Automobile renting.
- Automobile repair and cleaning.
- Automotive fleet storage.
- Automotive parking.
- Banks and financial institutions.
- Boarding house.
- Building maintenance service.
- Business supply retail sales.
- Business support service.
- Childcare facility.
- Commercial film production.
- Commercial kennel.
- Commercial recreation.
- Communication service.
- Community assembly.
- Community education.
- Community organization.
- Construction retail sales.
- Consumer repair service.
- Convenience sales.

- Convenience service.
- Department stores.
- Duplex housing.
- Essential service.
- Farm equipment sales.
- Finished goods wholesale.
- Food and beverage stores, on/off site consumption.
- Funeral service.
- General construction service.
- Group assembly.
- Group dwelling - detached housing.
- Handicapped or minimal care facility.
- Home furnishing retail sales.
- Home occupations.
- Hospitals/healthcare.
- Hotel/motel.
- Juvenile offenders facility.
- Laundry service.
- Ministorage facilities.
- Mobile food court.
- Multiple-family housing.
- Neighborhood recreation.
- Noncommercial kennel.
- Nursing/convalescent/rest homes.
- Personal service establishments.
- Professional offices.
- Public recreation.
- Rehabilitative facility.
- Religious assembly.
- Retail gasoline sales.
- Single-family detached housing.
- Specialty retail sales.
- Veterinary office.

**PROPOSED CONDITIONS:**

None

**ORDINANCES & STANDARDS USED FOR EVALUATION:**

2022-2042 Comprehensive Plan  
 Transportation Plan  
 Municipal Code  
 Idaho Code  
 Wastewater Treatment Facility Plan  
 Water and Sewer Service Policies  
 Urban Forestry Standards  
 Transportation and Traffic Engineering Handbook, I.T.E.  
 Manual on Uniform Traffic Control Devices  
 2021 Parks Master Plan  
 2017 Trails & Bikeways Master Plan

**PLANNING COMMISSION ACTION ALTERNATIVES:**

The Planning Commission, pursuant to the aforementioned, finds that the request of Jay Lange for a zone change to C-17(MO) should be adopted or rejected and hereby recommends to City Council that it adopt or reject the request.

*Attachment: Applicant's Narrative*



# APPLICANT'S APPLICATION



# ZONE CHANGE APPLICATION

**STAFF USE ONLY**  
 Date Submitted: 9/21/23 Received by: [Signature] Fee paid: 1506.00 Project # ZC-1-23

## REQUIRED SUBMITTALS

**Application Fee: \$ 1,200.00**  
 Publication Fee: \$300.00  
 Mailing Fee: \$6.00 per hearing

*\*Public Hearing with the Planning Commission and City Council required*

*\$1506.00*

A **COMPLETE APPLICATION** is required at time of application submittal, as determined and accepted by the Planning Department located at <http://cdaid.org/1105/departments/planning/application-forms>.

**PAID**  
**SEP 27 2023**  
 CITY OF COEUR D'ALENE

- Completed application form
- Application, Publication, and Mailing Fees
- A report(s) by an Idaho licensed Title Company:** Owner's list and three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:
  1. All property owners within 300ft of the external boundaries. **\* Non-owners list no longer required\***
  2. All property owners with the property boundaries.
- A report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company and a copy of the tax map showing the 300ft mailing boundary around the subject property. The report(s) shall be a full Title Report and include the Listing Packet.
- A written narrative:** Including zoning, how proposal relates to the 2007 Comprehensive Plan Category, Neighborhood Area, applicable Special Areas and appropriate Goals and Policies, and Policies and how they support your request.
- A legal description:** in MS Word compatible format.
- A vicinity map:** To scale, showing property lines, thoroughfares, existing and proposed zoning, etc.

## DEADLINE FOR SUBMITTALS

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

## PUBLIC HEARING NOTICE SIGN TO BE POSTED ON SUBJECT PROPERTY:

The applicant is required to post a public hearing notice, provided by the Planning Department, on the property at a location specified by the Planning Department. This posting must be done one (1) week prior to the date of the Planning Commission meeting at which this item will be heard. An affidavit testifying where and when the notice was posted, by whom, and a picture of the notice posed on the property is also required and must be returned to the Planning Department.

**CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:**

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: JAY Lange Telephone No.: 208-582-1121

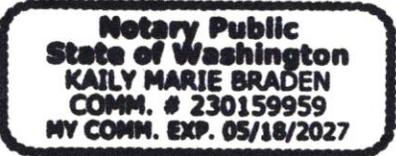
Address: PO 2235 Priest River ID 83856

Signed by Owner: [Signature]

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this 27 day of September, 2023.

Notary Public for <sup>Washington</sup> ~~Idaho~~ Residing at: 330 N Washington Ave Newport WA 99156



My commission expires: 5.18.27

Signed: Kaily Marie Braden  
(notary)

*For multiple applicants or owners of record, please submit multiple copies of this page.*

I (We) the undersigned do hereby make petition for a zone change of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REQUIRED CERTIFICATIONS:**

**OWNERSHIP LIST:**

Attached is a listing of the addresses of all property owners within 300 feet of this request as described under "Submittals".

The list was compiled by Alliance Title on 9-15-23.  
(title company) (date)

**RESIDENTS LIST:**

Attached is a listing of the addresses of all residences that are not owner-occupied within 300 feet of this request as described under "Submittals".

The list was compiled by Alliance Title on 9-15-23.  
(name) (date)

**CERTIFICATION OF APPLICANT:**

I, JAY LANGR, being duly sworn, attests that he/she is the applicant of this  
(Insert name of applicant)

request and knows the contents thereof to be true to his/her knowledge.

Signed:

[Signature]  
(applicant)

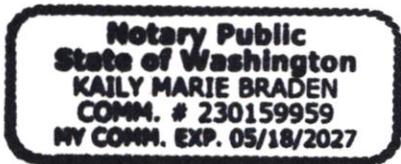
Notary to complete this section for applicant:

Subscribed and sworn to me before this 27 day of September, 2023.

Notary Public for ~~Idaho~~ <sup>Washington</sup> Residing at: ~~Mountain~~ 330 N Washington Ave Newport WA 99156

My commission expires: 5-18-27

Signed: Kaily Marie Braden  
(notary)



707 N 4<sup>th</sup> St. Coeur d' alene, ID

This location is currently zoned R17 in the MO special area requiring unique planning. I am requesting the zoning be changed to C17.

With the properties on each side zoned commercial (C17) changing the zoning on this parcel to C17 will allow this property to follow suit with the special area designation "MO" and the surrounding area. Allowing commercial/professional storefront on the street frontage and residential above and/or behind the frontage.

Legal Description of

707 N. 4<sup>th</sup> St Coeur D' Alene, ID 83856

A part of Lots four, five and six (4, 5 and 6) in Block three (3) of the Town of Coeur d'Alene, according to the corrected plat of said Town of Coeur d'Alene and Kings Addition, according to the corrected Plat recorded in Book C of Plats at Page(s) 144, Records of Kootenai County, Idaho, and particularly described as follows:

Commencing at a point on the East line of said Block 3, 60 feet North of the Southeast corner of said Block, running thence North along the East line of said Block 60 feet; thence

At right angles West a distance of 150 feet to the West line of Lot 4 in said Block 3, running thence at right angles South along the West line of Lot 4 of said Block 3 a distance of 60 feet, running thence at right angles East a distance of 150 feet to the Point of Beginning, being a lot 60 feet by 150 feet in size

**APPLICATION INFORMATION**

PROPERTY OWNER: JPL Living trust		
MAILING ADDRESS: Po 2235		
CITY: Priest River	STATE: ID	ZIP: 83856
PHONE: 208 582-1121	FAX:	EMAIL: CONTINUHELP@Gmail.com
APPLICANT OR CONSULTANT: JAY Lange		STATUS: ENGINEER OTHER
MAILING ADDRESS: Po 2235		
CITY: Priest River	STATE: ID	ZIP: 83856
PHONE: 208 582-1121	FAX:	EMAIL: CONTINUHELP@Gmail.com

**FILING CAPACITY**

- Recorded property owner as to of \_\_\_\_\_
- Purchasing (under contract) as of \_\_\_\_\_
- The Lessee/Renter as of \_\_\_\_\_
- Authorized agent of any of the foregoing, duly authorized in writing. (Written authorization must be attached)

**SITE INFORMATION:**

PROPERTY LOCATION OR ADDRESS OF PROPERTY: 707 4th St Coeur d Alene		
EXISTING ZONING (CHECK ALL THAT APPLY): R-1 <input type="checkbox"/> R-3 <input type="checkbox"/> R-5 <input type="checkbox"/> R-8 <input type="checkbox"/> R-12 <input type="checkbox"/> R-1 <input type="checkbox"/> MH-8 <input type="checkbox"/> NC <input type="checkbox"/> C-17 <input type="checkbox"/> C-17L <input type="checkbox"/> DC <input type="checkbox"/> LM <input type="checkbox"/> M <input type="checkbox"/> NW <input type="checkbox"/>		
PROPOSED ZONING (CHECK ALL THAT APPLY): R-1 <input type="checkbox"/> R-3 <input type="checkbox"/> R-5 <input type="checkbox"/> R-8 <input type="checkbox"/> R-12 <input type="checkbox"/> R-1 <input type="checkbox"/> MH-8 <input type="checkbox"/> NC <input type="checkbox"/> C-17 <input checked="" type="checkbox"/> C-17L <input type="checkbox"/> DC <input type="checkbox"/> LM <input type="checkbox"/> M <input type="checkbox"/> NW <input type="checkbox"/>		
TAX PARCEL #:	EXISTING ZONING:	TOTAL NET AREA/ACRES:
GROSS AREA/ACRES:	CURRENT LAND USE: Residential	ADJACENT LAND USE: Commercial
DESCRIPTION OF PROJECT/REASON FOR REQUEST:		

City of Coeur d'alene  
710 E Mullan Ave,  
Coeur d'Alene, ID 83814

Attn: CDA Planning Dept.

This location is currently zoned R17 in the MO special area requiring unique planning. I am requesting the zoning to be changed to C17.

The property is currently being used as a rental.

Expanding on my interest to change the zoning of 707 N 4th street. My interest in changing the zoning to C17 is to create professional office space utilizing the current building that consist of approx. 1400sqft as professional office space at ground level an additional approx. 1400sqft of space in the basement that would be utilized as storage. I would bring the existing building up to current code and ADA requirements as required. Additionally, I would ensure adequate parking for its intended use with a hammer head drive to providing safe ingress and egress to the property. My daughter has received her Masters Degree as a licensed therapist for drug and mental health and would like to run her practice here in Couer d' alene. This building and location would make an ideal place for that to occur with a minimal amount of daily traffic impact.

With the properties on each side zoned commercial (C17) changing the zoning on this parcel to C17 will allow this property to follow suit with the special area designation "MO" and the surrounding area. Allowing commercial/professional storefront on the street frontage with the potential to allow residential above and/or behind the frontage.

Thank you for your consideration.

Jay Lange  
208-582-1121

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

SP-8-23

**A. INTRODUCTION**

This matter came before the Planning Commission on November 14, 2023, on an application of a person requesting approval of ITEM: SP-8-23, a Multi-Use Special Use Permit in the LM (Light Manufacturing) zoning district.

APPLICANT: AZZARDO, LLC

LOCATION: LOT 4, BLOCK 2 OF COMMERCE PARK OF COEUR D A'LENE AS RECORDED IN BOOK F OF PLATS, PAGE 372 RECORDS KOOTENAI COUNTY, IDAHO AND COMMONLY KNOWN AS 3912 N. SCHREIBER WAY.

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

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

- B1. That the existing land uses are Commercial and Residential.
- B2. That the Comprehensive Plan Map designation is General Industrial.
- B3. That the zoning is LM.
- B4. That the notice of public hearing was published on October 28, 2023, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on November 2, 2023 which fulfills the proper legal requirement.
- B6. That sixteen (16) notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 26, 2023.
- B7. That public testimony was heard on November 14, 2023.

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

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

**Community & Identity**

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

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

**Environment & Recreation**

**Goal ER 2:** Provide diverse recreation options.

**Objective ER 2.2:** Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

**Growth & Development**

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

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

**Jobs & Economy**

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

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

The Planning Commission finds that the following facts have been established and support its conclusion that the proposal (conforms) (does not conform) to the noted provisions of the comprehensive plan: *(state the specific facts in the record which support the decision---it is not sufficient to refer generally to the comments of staff.)*.

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?

The Planning Commission finds that the following facts have been established and support its conclusion that the proposal (is) (is not) compatible with the location, setting, and existing uses: *(state the specific facts in the record which support the decision---it is not enough to refer generally to the comments of staff).*

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?

The Planning Commission finds that the following facts have been established and support its conclusion that the proposal (will) (will not) be adequately served by existing streets, public facilities, and services: *(state the specific facts in the record which support the decision---it is not enough to refer generally to the comments of staff).*

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that for a special use permit, as described in the application should be **(approved) (approved with conditions) (denied) (denied without prejudice)**.

The Planning Commission finds that the facts have been established and support its conclusion that the imposition of special conditions: *(state the specific facts in the record which support the decision---it is not enough to refer generally to the comments of staff)*.

**Special conditions applied are as follows:**

**WASTEWATER:**

- 1) No permanent structures or monuments can be built within the sewer line.

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

ROLL CALL:

Commissioner Fleming	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Coppess	Voted _____
Commissioner McCracken	Voted _____
Commissioner Ward	Voted _____
Chairman Messina	Voted _____

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

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

\_\_\_\_\_  
CHAIRMAN TOM MESSINA

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

PUD-5-23

**A. INTRODUCTION**

This matter came before the Planning Commission on November 14, 2023, on an application of a person requesting approval: PUD-5-23, a request for a proposed planned unit development known as "Birkdale Commons North PUD".

APPLICANT: 15<sup>th</sup> STREET INVESTMENTS, LLC

LOCATION: BEGINNING 30 FEET WEST AND 548.3 FEET NORTH OF THE EAST CORNER OF SECTION 1, TOWNSHIP 50 NORTH, RANGE 4 WEST BOISE MERIDIAN, KOOTENAI COUNTY AND COMMONLY KNOWN AS 3549 N. 15<sup>TH</sup> STREET.

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

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

- B1. That the existing land use is single-family residential.
- B2. That the Comprehensive Plan Map designation is Compact Neighborhood.
- B3. That the requested zoning is R-12 and the annexation hearing before City Council will be in December 2023, but the current zoning is Ag Suburban.
- B4. That the notice of public hearing was published on, November 14, 2023, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on November 2, 2023, which fulfills the proper legal requirement.
- B6. That fifty-four (54) notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 25, 2023.
- B7. That public testimony was heard on November 14, 2023.

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

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

### **Community & Identity**

#### **Goal CI 1**

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

##### **OBJECTIVE CI 1.1**

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

#### **Goal CI 3**

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

##### **OBJECTIVE CI 3.1**

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

### **Environment & Recreation**

#### **Goal ER 1**

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

##### **OBJECTIVE ER 1.4**

Reduce water consumption for landscaping throughout the city.

#### **Goal ER 2**

Provide diverse recreation options.

##### **OBJECTIVE ER 2.2**

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

##### **OBJECTIVE ER 2.3**

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

**Growth & Development**

**Goal GD 1**

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

**OBJECTIVE GD 1.1**

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

**OBJECTIVE GD 1.3**

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

**OBJECTIVE GD 1.5**

Recognize neighborhood and district identities.

**Goal GD 2**

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

**OBJECTIVE GD 2.1**

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

**OBJECTIVE GD 2.2**

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

**Goal GD 3**

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

**OBJECTIVE GD 3.1**

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

The Planning Commission finds that the following facts have been established and support its conclusion that the proposal (conforms) (does not conform) to the noted provisions of the comprehensive plan: *(state the specific facts in the record which support the decision---it is not sufficient to refer generally to the comments of staff.)*.

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		

The Planning Commission finds that the following facts have been established and support its conclusion that the proposal (is) (is not) compatible with the location, setting, and existing uses: *(state the specific facts in the record which support the decision---it is not enough to refer generally to the comments of staff).*

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

**Criteria to consider for B8C:**

- |                      |                                |
|----------------------|--------------------------------|
| 1. Topography        | 3. Native vegetation           |
| 2. Wildlife habitats | 4. Streams & other water areas |

The Planning Commission finds that the following facts have been established and support its conclusion that the proposal (is) (is not) compatible with the natural features and the site and adjoining properties: *(state the specific facts in the record which support the decision---it is not enough to refer generally to the comments of staff).*

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

The Planning Commission finds that the following facts have been established and support its conclusion that the proposal (will) (will not) be adequately serviced by existing streets, public facilities, and services: *(state the specific facts in the record which support the decision---it is not enough to refer generally to the comments of staff).*

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

The Planning Commission finds that the following facts have been established and support its conclusion that the proposal (does) (does not) provide adequate private common open space: (state the specific facts in the record which support the decision---it is not enough to refer generally to the comments of staff).

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

The Planning Commission finds that the following facts have been established and support its conclusion that the proposal (does) (does not) provide parking sufficient for users of the development: *(state the specific facts in the record which support the decision---it is not enough to refer generally to the comments of staff)*.

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

The Planning Commission finds that the following facts have been established and support its conclusion that the proposal (does) (does not) provide for an acceptable method for the perpetual maintenance of all common property: *(state the specific facts in the record which support the decision---it is not enough to refer generally to the comments of staff)*.

### **C. ORDER: CONCLUSION AND DECISION**

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

The Planning Commission finds that the facts have been established and support its conclusion that the imposition of special conditions: *(state the specific facts in the record which support the decision---it is not enough to refer generally to the comments of staff)*.

#### **Special conditions applied are:**

1. The creation of a homeowner's association will be required to ensure the perpetual maintenance of the open space, all other common areas, stormwater maintenance and snow removal.
2. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.

3. The Open Space must be installed and completed prior to the issuance of the first Certificate of Occupancy. The open space areas shall be consistent with this approval and include the same or better amenities and features.
4. An unobstructed City approved "all-weather" access shall be required over all public sewers.
5. All public sewer plans require IDEQ or QLPE Approval prior to construction.
6. Sewer Policy #716 requires all legally recognized parcels within the City to individually connect and discharge into (1) public sewer connection.
7. A utility easement for the public sewer located in the private road to the south shall be dedicated to the City prior to building permits.
8. Public sewer shall be ran to and through this project and installed to all city specifications and standards.
9. Ten feet of right-of-way along 15th Street shall be deeded to the City.
10. A single service currently exists for the proposed lot # 1 which will not require cap fees. All other lots will require individual services with cap fees due at time of building permits.
11. As there will be a private street that the lots will front, a 20' public utility easement centered on the water main, (30' if combined with public sewer), must be granted where no permanent structures such as building footings, car ports or garages are allowed.
12. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
13. Any additional service will have cap fees due at building permits.
14. At the time the existing single-family home on Lot 1 along 15<sup>th</sup> Street is remodeled, expanded, or demolished and reconstructed, a sidewalk will be required on the northside of the private street along the southern border of this lot.

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

ROLL CALL:

Commissioner Fleming	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Coppess	Voted _____
Commissioner McCracken	Voted _____
Commissioner Ward	Voted _____
Chairman Messina	Voted _____

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

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

\_\_\_\_\_  
CHAIRMAN TOM MESSINA

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**COEUR D'ALENE PLANNING COMMISSION  
FINDINGS AND ORDER  
S-6-23**

**A. INTRODUCTION**

This matter came before the Planning Commission on November 14, 2023, on the application of a person requesting approval of ITEM: S-6-23, a request for a 7-lot Preliminary Plat known as "Birkdale Commons North".

APPLICANT: 15<sup>th</sup> STREET INVESTMENTS, LLC

LOCATION: BEGINNING 30 FEET WEST AND 548.3 FEET NORTH OF THE EAST CORNER OF SECTION 1, TOWNSHIP 50 NORTH, RANGE 4 WEST BOISE MERIDIAN, KOOTENAI COUNTY AND COMMONLY KNOWN AS 3549 N. 15<sup>TH</sup> STREET.

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

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

- B1. That the existing land use is single-family residential.
- B2. That the requested zoning is R-12 and the annexation hearing before City Council will be in December 2023, but the current zoning is Ag Suburban.
- B3. That the notice of public hearing was published on, November 14, 2023, which fulfills the proper legal requirement.
- B4. That the notice of public hearing was posted on the property on November 2, 2023, which fulfills the proper legal requirement.
- B5. That fifty-four (54) notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 25, 2023.
- B6. That public testimony was heard on November 14, 2023.

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

B7A. That all of the general preliminary plat requirements **(have) (have not)** been met as determined by the City Engineer. This is based on the determination of the City Engineer that all of the requirements of Municipal Code § 16.20.030 have been satisfied.

B7B. That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities **(are) (are not)** adequate. This is based on *[Specific facts which were presented during the public hearing.]*

B7C. That the proposed preliminary plat **(does) (does not)** comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements. Specifically, the streets and paths as designed conform with the comprehensive plan which requires [specify], the continuity of streets and paths is preserved, intersection design is based on right angles and is appropriate for this area, street grades conform to the natural contour of the land, the width of rights-of-way conform to City standards, easements for public infrastructure are provided, block length complies with City standards, lot frontage, access and size conform to City standards, sidewalks, curbs and gutters comply with City standards, sewer and water connections meet City requirements, and street and traffic control signs and devices meet City requirements.

B7D. The lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district. This is based on *[Specify the requirements of Code and what is shown in the preliminary plat.]*

**Criteria to consider for B7D:**

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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of 15<sup>th</sup> STREET INVESTMENTS, LLC for preliminary plat of approval as described in the application should be **(approved) (approved with conditions) (denied) (denied without prejudice)**.

The Planning Commission finds that the facts have been established and support its conclusion that the imposition of special conditions: *(state the specific facts in the record which support the decision---it is not enough to refer generally to the comments of staff)*.

**Special conditions applied to the motion are:**

1. The creation of a homeowner's association will be required to ensure the perpetual maintenance of the open space, all other common areas, stormwater maintenance and snow removal.
2. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.
3. The Open Space must be installed and completed prior to the issuance of the first Certificate of Occupancy. The open space areas shall be consistent with this approval and include the same or better amenities and features.
4. An unobstructed City approved "all-weather" access shall be required over all public sewers.
5. All public sewer plans require IDEQ or QLPE Approval prior to construction.
6. Sewer Policy #716 requires all legally recognized parcels within the City to individually connect and discharge into (1) public sewer connection.
7. A utility easement for the public sewer located in the private road to the south shall be dedicated to the City prior to building permits.
8. Public sewer shall be ran to and through this project and installed to all city specifications and standards.
9. Ten feet of right-of-way along 15th Street shall be deeded to the City.
10. A single service currently exists for the proposed lot # 1 which will not require cap fees. All other lots will require individual services with cap fees due at time of building permits.
11. As there will be a private street that the lots will front, a 20' public utility easement centered on the water main, (30' if combined with public sewer), must be granted where no permanent structures such as building footings, car ports or garages are allowed.
12. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
13. Any additional service will have cap fees due at building permits.
14. At the time the existing single-family home on Lot 1 along 15<sup>th</sup> Street is remodeled, expanded, or demolished and reconstructed, a sidewalk will be required on the northside of the private street along the southern border of this lot.

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

ROLL CALL:

Commissioner Fleming	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Coppess	Voted _____
Commissioner McCracken	Voted _____
Commissioner Ward	Voted _____
Chairman Messina	Voted _____

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

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

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CHAIRMAN TOM MESSINA