

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

FEBRUARY 12, 2008

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

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

5:30 P.M. CALL TO ORDER:

ROLL CALL: Jordan, Bowlby, Luttrupp, Rasor, Messina, Satterly, (Student Rep)

APPROVAL OF MINUTES:

December 11, 2007
January 8, 2008

PUBLIC COMMENTS:

COMMISSION COMMENTS:

STAFF COMMENTS:

PRESENTATION:

1. Affordable Housing – Kootenai Perspectives, Phil Boyd & Bruce Cyr

ADMINISTRATIVE:

1. Applicant: Doerfler/Donahoe
Request: To request an extension for PUD-3-07 & S-5-07
"Ramsey Cove PUD"

PUBLIC HEARINGS:

1. Applicant: Pennsylvania Avenue ,LLC
 Location: 415 Lilac Lane & 2310 Pennsylvania Avenue

 Request:

 A. A proposed 2.24 acre annexation from Agricultural Suburban
 to City R-8 (Residential at 8 units/acre)
 QUASI-JUDICIAL, (A-1-08)

 B. A proposed zone change from R-3 (Residential at 3 units/acre)
 to R-8 (Residential at 8 units/acre)
 QUASI-JUDICIAL, (ZC-1-08)

 C. A proposed 11.528 acre PUD "Pennsylvania Highlands"
 QUASI-JUDICIAL, (PUD-1-08)

 D. A proposed 82- unit preliminary plat "Pennsylvania Highlands"
 QUASI-JUDICIAL, (S-1-08)

2. Applicant: City of Coeur d'Alene
 Request: Expanded role of Design Review Commission for projects
 In Downtown Core and the East, North, and Midtown Infill Overlay
 Districts.
 LEGISLATIVE, (O-1-08)

3. Applicant: City of Coeur d'Alene
 Request: Proposed amendments to the existing Downtown Design Regulations
 LEGISLATIVE, (O-2-08)

ADJOURNMENT/CONTINUATION:

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

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



M I N U T E S

**PLANNING COMMISSION
MINUTES
DECEMBER 11, 2007
CITY COUNCIL CHAMBERS**

COMMISSIONERS PRESENT

John Bruning, Chairman
Heather Bowlby
Peter Luttrupp
Brad Jordan
Tom Messina
Scott Rasor
Julianna Satterly, (Student Rep)

STAFF MEMBERS PRESENT

John Stamsos, Senior Planner
Shana Stuhlmiller, Public Hearing Assistant
Warren Wilson, Deputy City Attorney
Gordon Dobler, Engineering Services Director
Dave Yadon, Planning Director
Sean Holm, Assistant Planner

COMMISSIONERS ABSENT

CALL TO ORDER

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

APPROVAL OF MINUTES:

Motion by Jordan, seconded by Luttrupp, to approve the minutes of the Planning Commission meeting held on November 13, 2007.

COMMISSION COMMENTS:

Chairman Bruning announced a Design Review workshop will be held on Thursday, December 13th with two presentations given by Mark Hinshaw. The first presentation will begin at 12:00 and the next one at 6:00 p.m. These presentations will be the same, so if people can not attend the one at 12:00 they can see the same presentation given at 6:00 p.m. The workshops will be held in the City Council Chambers.

Commissioner Rasor inquired if staff could explain the process on how to select a new Planning Commissioner.

Senior Planner Stamsos explained that a data sheet is required to be filled out and then the Mayor reviews those data sheets and picks the person most qualified for the position.

Chairman Bruning commented that filling the two vacant positions will be a high priority based on recent discussions with Mayor.

STAFF COMMENTS:

Planning Director Yadon presented an RFQ for off-street parking and parking lot landscaping requirements for the commission to review. He explained that included in the packet every month is a report card listing the projects currently being worked on by the Commission and since Mark Hinshaw will be here to review the Design Review procedures this would fit in. He then asked if the Commission had any comments.

The Commission discussed this item and decided to review the RFQ presented and if they have any questions will direct them to staff.

PUBLIC COMMENTS:

ADMINISTRATIVE ITEMS:

1. Applicant: Steve Widmyer
 Location: Lots 70 and 71 of the plat of Fruitland Addition to Coeur d'Alene
 amended
 Request: A proposed 3-lot preliminary plat "Fruitland First Addition"
 SHORT PLAT (SS-21-07)

Engineering Services Director Dobler presented the staff report and then asked if the Commission had any questions.

The Commission did not have any questions for staff.

Motion by Rasor, seconded by Bowlby, to approve Item SS-21-07. Motion approved.

2. Applicant: Larry and Cheryl Herres
 Location: A portion of Lot 3, Block 3, Mauser Subdivison
 Request: A proposed 2-lot preliminary plat "Sanders Shores"
 SHORT PLAT (SS-22-07)

Engineering Services Director Dobler presented the staff report and then asked if the Commission had any questions.

Commissioner Luttrupp referenced a condition in the staff report for the removal of the vacant house on the property and questioned if there is a deadline when the house needs to be removed.

Engineering Services Director Dobler answered that they have one year to remove the house from the property.

Commissioner Luttrupp commented if the applicant does not have a need for the house suggested that it would be a good idea to contact an agency such as Habitat for Humanity who may have a need for the house.

Motion by Rasor, seconded by Messina, to approve Item SS-22-07. Motion approved

PUBLIC HEARINGS

1. Applicant: Shefoot Investments, LLC
 Location: 2001 Nettleton Gulch Road
 Request: A proposed 2-lot subdivision "Shefoot" in the
 R-3 (Residential at 3 units/acre) zoning district
 QUASI-JUDICIAL (S-1-07m)

Senior Planner Stamosos presented the staff report, gave the mailing tally as 4 in favor, 1 opposed and 1 neutral and answered questions from the Commission.

Commissioner Bowlby referenced the conditions in the staff report and questioned if the applicant intends to split the lots in the future.

Engineering Services Director Dobler commented that he understands from reading those conditions how they are confusing and explained that if the applicant intends to add additional lots in the future, they would have to pay for the utilities for those additional lots.

Public Testimony open:

Ed Price, 1905 Nettleton Gulch Road, Coeur d'Alene, explained that in the original request they had planned for 5-lots and after estimating the costs to put in utilities decided to reduce the lots. He commented that the goal of himself and his partner was to buy the land and develop it so there would not be anymore houses developed in this area. He added that they are sympathetic to the neighborhood and will work with surrounding neighbors on issues that may come up.

Public testimony closed.

Commissioner Luttrupp commented that he is in favor of this request and relieved knowing that in the future if more lots are added would need to come back to the Planning Commission for approval.

Commissioner Bowlby commented that staff's explanation regarding the conditions listed in the staff report did not make sense and feels those conditions should be eliminated before a motion is made.

Commissioner Jordan commented that he disagrees and will leave the conditions in the staff report as written.

Motion by Jordan, seconded by Luttrupp, to approve Item S-1-07m. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

2. Applicant: James Asper/Mary Hansen
 Location: 1917 Lakewood Drive
 Request: A proposed Funeral Services special use permit in the
 C-17L (Commercial Limited) zoning district
 QUASI-JUDICIAL (SP-9-07)

Senior Planner Stamosos presented the staff report, gave the mailing tally as 1 in favor, 0 opposed and 0

neutral and answered questions from the Commission.

Chairman Bruning inquired if this request meets the parking requirements for this type of use.

Senior Planner Stamsos commented that this facility meets the parking requirements, which is one parking space per 300 square feet of gross floor area.

Public Testimony open:

Jim Asper, 3680 W. Evergreen, Coeur d'Alene, commented that they have been searching a long time for a facility and feels that this building will meet their needs. He commented that the thirty-six parking spaces proposed will be adequate and explained that if larger funeral services are scheduled, they have good working relationships with other area churches that would be able to accommodate any additional parking. He added that he feels this building meets all the requirements necessary for a funeral home and asked if the Commission had any questions.

Commissioner Rasor inquired if cremations will be performed at this facility.

Mr. Asper commented that service will not be available at this facility and explained that a license must be obtained from the State of Idaho and EPA regulations before those services are offered. He added that in the future they may wish to offer that service and will then have to find another facility to accommodate that service.

Commissioner Luttopp inquired if a crematorium would be allowed within this use.

Senior Planner Stamsos answered that a crematorium is an allowable use within this special use permit.

Public testimony closed.

Motion by Jordan, seconded by Rasor, to approve Item SP-9-07. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Luttopp	Voted	Aye
Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

3. Applicant: City of Coeur d'Alene, Parks Department
 Request: Revise bicycle space standards
 LEGISLATIVE (0-4-07)

Monty McCully presented the staff report and explained the proposed changes to the Commission and then asked if the Commission had any questions.

Commissioner Bowlby questioned the design of the bike rack and inquired where the bike rack would be placed for a store.

Mr. McCully explained that the design would be in a "U" shape and placed as close to the door as

possible.

Mr. Luttrupp commented that many of the citizens in Coeur d'Alene are not aware that there is a Pedestrian and Bike committee and questioned if the applicant could explain the function of this committee.

Mr. McCully explained that the Pedestrian and Bike Committee is made up of various citizens discussing ways to incorporate bikes into the community through the connectivity of trails within the city. He added Coeur d'Alene is becoming well-known nationwide for our trails.

Chairman Bruning noted that the bus service now has racks on the front of the busses for people who commute on bikes.

Commissioner Messina inquired from reading the ordinance that it states that the bike rack needs to be placed on a "pad" and inquired how big that pad needs to be.

Deputy City Attorney Wilson explained that this draft ordinance request presented tonight only reflects the use of bike racks when off-street parking is required. He added that the Commission should not be concerned with the design details because that information will be discussed in another ordinance to be addressed at a later date.

Motion by Luttrupp, seconded by Rasor, to approve Item 0-4-07. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

ADJOURNMENT:

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

The meeting was adjourned at 8:30 p.m.

Respectfully submitted by John Stamsos, Senior Planner

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION
MINUTES
JANUARY 8, 2008
CITY COUNCIL CHAMBERS**

COMMISSIONERS PRESENT

Brad Jordan, Chairman
Heather Bowlby
Peter Luttrupp
Tom Messina
Scott Rasor

STAFF MEMBERS PRESENT

John Stamsos, Senior Planner
Shana Stuhlmiller, Public Hearing Assistant

COMMISSIONERS ABSENT

None

CALL TO ORDER

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

ELECTIONS:

1. Chair and Vice-Chair

Motion by Rasor, seconded by Bowlby, to nominate Commissioner Jordan for Chairman. Motion approved.

Motion by Rasor, seconded by Messina, to nominate Commissioner Bowlby for Vice-Chair. Motion approved.

COMMISSION COMMENTS:

Commissioner Luttrupp suggested some changes to our process he would like the Planning Commission to consider for the up-coming year. He explained that when the two vacancies for Planning Commissioner are filled he feels that they should take an oath of office similar to what the City Council does with new members. He also suggested that the voting order be randomly changed , so that the same person doesn't always vote first and the same order of voting is not used for every vote.

STAFF COMMENTS:

Senior Planner Stamsos announced that there will be a workshop on "The Seven Keys to Sustainable Zoning or Subdivision Decisions" by Jerry Mason and Will Herrington. He added that the workshop will be held on Saturday, January 26th in Post Falls. He commented that if anyone is interested to please let staff know and they will make the arrangements.

PUBLIC COMMENTS:

None.

PUBLIC HEARINGS

Motion by Rasor, seconded by Messina, to continue Items A-1-08, ZC-1-08, PUD-1-08 and S-1-08 to the next Planning Commission meeting scheduled on February 12, 2008. Motion approved.

ADJOURNMENT:

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

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

Respectfully submitted by John Stamsos, Senior Planner

Prepared by Shana Stuhlmiller, Public Hearing Assistant

Adams & Clark, Inc.

306 N. Spokane Street, Suite J • Post Falls, ID 83854 • (208) 777-1812 • Fax (208) 773-6439 • adamsandclark.com

January 24, 2008

John Stamosos, Senior Planner

City of Coeur d'Alene Planning Department

710 Mullan Ave.

Coeur d'Alene, ID 83814-3964

RE: Ramsey Cove Prelim. Subdivision (S-5-07)/P.U.D. (PUD-3-07) – One Year Extension Request
A&C Project No. 2004-02-502, 2004-02-513

Dear John:

On behalf of our clients, Mark and Kory Doerfler and David and Jenni Donohoe, *Adams & Clark, Inc.* respectfully requests a one-year extension for the 18-lot Ramsey Cove Preliminary Plat Subdivision (S-5-07) and PUD (PUD-3-07) that received preliminary approval on March 15, 2007, and is set to expire on March 27, 2008.

The Ramsey Cove PUD consists of 18 single-family residential lots with proposed lots that range from 11,500 square feet to 43,999 square feet. It will be served by a new private road with ingress and egress to Ramsey Road and by city sewer. Water service will be provided by Hayden Lake Irrigation District.

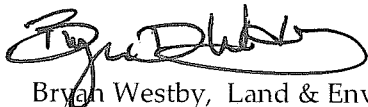
A significant amount of progress has been made toward the completion of this project. The City Engineer's Office has conditionally approved the roads, drainage and sewer improvement plans submitted on November 1, 2007. We have also received a Will Serve Letter from the Hayden Lake Irrigation District, dated November 21, 2007, based upon the water plans submitted to the Irrigation District on November 1, 2007. Subsequent to the initial review of the Irrigation District, the water plans were submitted to Idaho DEQ for review on November 21, 2007. Our firm is currently addressing DEQ's comments of January 14, 2008.

Also, our firm has prepared the final plat and anticipates submittal to the City of Coeur d'Alene by Friday, February 1, 2008. We do not anticipate completion of public agency review prior to the end of March. As a result, we are requesting a one-year extension for the Ramsey Cove Preliminary Plat Subdivision (S-5-07) and PUD (PUD-3-07) to March 27, 2009.

If you have any questions please give me call at (208) 777-1812 or on my cell phone at (208) 755-1119.

Respectfully,

Adams & Clark, Inc.



Bryan Westby, Land & Environmental Planner

FROM: JOHN J. STAMSOS, SENIOR PLANNER
DATE: FEBRUARY 12, 2008
SUBJECT: A-1-08 – ZONING PRIOR TO ANNEXATION FROM COUNTY
AGRICULTURAL-SUBURBAN TO R-8
ZC-1-08 - ZONE CHANGE FROM R-3 TO R-8
PUD-1-08 – “PENNSYLVANIA HIGHLANDS PUD” PLANNED UNIT
DEVELOPMENT
S-1-08 – 11-LOT PRELIMINARY PLAT SUBDIVISION KNOWN AS
"PENNSYLVANIA HIGHLANDS"
LOCATION: +/- 11.6 - ACRE PARCEL BETWEEN PENNSYLVANIA AVENUE, FERNAN HILL
ROAD, LILAC LANE AND INTERSTATE 90

A. Aerial photo



- B. Subject property from Pennsylvania Avenue with French Gulch Creek just beyond sign.



- C. Subject property in background from Lilac Lane.



- D. Interior of subject property



DECISION POINT:

Pennsylvania Avenue, LLC is requesting approval of:

- A. Zoning Prior to Annexation from County Agricultural-Suburban to R-8 (Residential at 8 units/acre) for a +/- 1.9 acre parcel.
- B. A Zone Change from R-3 (Residential at 3 units/acre) to R-8 (Residential at 8 units/acre) for a 9.7 acre parcel.
- C. Preliminary Plat known as "Pennsylvania Highlands" an 11-lot subdivision in the R-8 (Residential at 8 units/acre) zoning district to be built in two phases, as follows:
 - 1. 11 residential lots on 4.4-acres ranging in size from 7,202 sq. ft. to 72,118 sq. ft. and 9 unbuildable tracts on 7.2 acres for a total of 11.6 acres.
 - 2. Overall allowable density for the R-8 zoned parcel would be 92 units. The applicant is proposing a residential development with a combination of duplexes, fourplexes and multi-family units with a total of 82 units or 7.1 units per acre.
 - 3. A gated community on private streets with access from Pennsylvania Avenue. Also shown is a gate at the south end of the development that would provide emergency access only to Lilac Lane.
 - 4. Streets in the development would be private and maintained by a homeowner's association with the following typical street sections:
 - A. Lower road:

- 42 feet of pavement with curb/gutter on both sides and no sidewalks.
- Street designed for two 12 foot travel lanes, 8 foot parking lane on one side and a 10 foot ped/bike lane on one side.

B. Upper road:

- 32 feet of pavement with curb/gutter on both sides and no sidewalks.
- Street designed for two 12 foot travel lanes with an 8 foot parking lane on one side.

C. Entry and connection road:

- 34 feet of pavement with curb/gutter on both sides and no sidewalks.
- Street designed for two 12 foot travel lanes and a 10 foot ped/bike lane on one side.

D. Planned Unit Development approval of "Pennsylvania Highlands PUD", as follows

1. An 82 unit residential development consisting of 3 two story duplexes, 7 two story fourplexes and 3 three story multifamily buildings. (one with 12 units and two with 18 units each) This is proposed to be a workforce housing development, as further explained in the applicant's narrative.
2. A gated community with private streets built to reduced standards, primary access from Pennsylvania Avenue and a gated emergency access to Lilac Lane.
3. 7.2 acres of open space comprising 62% of the 11.6 acres including a 9,402 sq. ft. private park, a play area, recreation building and open space tracts covering hillside and flood plain areas and land for the private streets. All open space areas would be maintained by a homeowner's association.
4. A ped/bike trail along the lower and connecting streets that would connect with Pennsylvania Avenue and provide access throughout the development.
5. Parking for the entire development includes 95 covered spaces (2 per duplex, 5 for each fourplex building and 1 space per unit for the 48 multi-family units) and 120 outside spaces including 94 on street spaces.
6. As a part of the PUD, the applicant is requesting the following modifications to various provisions of both the Zoning and Subdivision ordinances.

A. Zoning Ordinance:

1. Section 17.05.100, R-8 Zone, Principal Permitted Uses – allow multi-family housing as a permitted use.
2. Section 17.05.130, R-8 Zone, Height Requirements – increase allowable height for principal structures from 32 feet to 41½ feet.
3. Section 17.05.150, R-8 Zone, Minimum Lot:
 - a. Reduce minimum lot size for duplex lots from 11,000 sq. ft. to 7,202 sq. ft. (R-8 zone minimum lot size of 5,500 sq. ft. x 2 units = 11,000 sq. ft.)

- b. Reduce minimum lot size for fourplex lots from 22,000 sq. ft. to 11,897 sq. ft. (R-8 zone minimum lot size of 5,500 sq. ft. x 4 units = 22,000 sq. ft.)
- c. Reduce minimum lot size for multi-family lots from 264,000 sq. ft. to 72,118 sq. ft. (R-8 zone minimum lot size of 5,500 sq. ft. x 48 units = 72,118 sq. ft.)
- 4. Section 17.05.150, R-8 Zone, Minimum Lot - reduce the minimum lot frontage requirement for lots from 50-feet of frontage on a public street to 0- feet on a private street.
- 5. Section 17.05.160, R-8 Zone, Minimum Yard – reduce the required front yard setback from 20 feet to 0 feet.
- 6. Section 17.06.495, Extensions Into Required Yards – allow a 5 foot projection for porches and a 2 foot projection for bay windows into the front yard setback.
- 7. 17.44.280.C, Access To Streets, Reduce required 10 foot separation between driveway approaches to 0 feet and 5 foot distance from side property lines to 0 feet.
- 8. 17.44.280. E – Access to Streets, For residential uses greater than 4 units, reduce driveway width from 24 feet to 16 feet.

B. Subdivision Ordinance, Street Design standards.

- 1. Lower road:
 - 42 feet of pavement with curb/gutter on both sides and no sidewalks.
 - Street designed for two 12 foot travel lanes, 8 foot parking lane on one side and a 10 foot ped/bike lane on one side.
- 2. Upper road:
 - 32 feet of pavement with curb/gutter on both sides and no sidewalks.
 - Street designed for two 12 foot travel lanes with an 8 foot parking lane on one side.
- 3. Entry and connection road:
 - 34 feet of pavement with curb/gutter on both sides and no sidewalks.
 - Street designed for two 12 foot travel lanes and a 10 foot ped/bike lane on one side.

The City's standard street section is a 60-foot right-of-way with a 36-foot paved street with curb and gutter, 11 foot grassy swale both sides, 5-foot sidewalks both sides in an easement and street trees both sides.

- 7. Evaluation: **The Commission should bear in mind that a PUD is intended to provide for flexibility and diversity of use by removing the limitations in the typical lot-by-lot approach to development. It is not intended to**

be a means to waive certain development regulations. The Commission must, therefore, determine if the concept of the proposal is unique enough that it merits the flexibility afforded by the PUD regulations.

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

The chief benefits of this PUD for the applicant are:

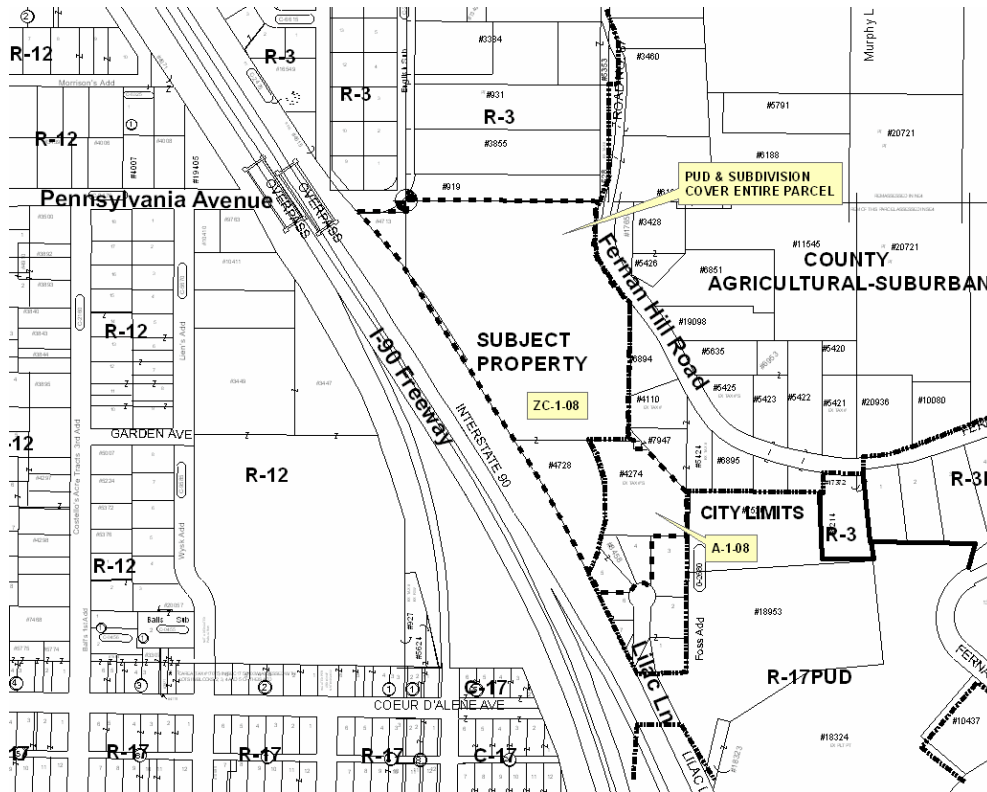
- A gated residential development on private streets consisting of duplex, pocket, and multi-family housing on lots with less than standard lot sizes.
- A development with 3.4 acres of private usable open space including a private park area, children's playground, recreation building and natural hillside areas.
- A development providing workforce housing to the community.

The Commission must decide if this request meets the intent of the PUD regulations and in so doing may wish to consider that certain benefits accrue to the city and the public by virtue of a planned unit development:

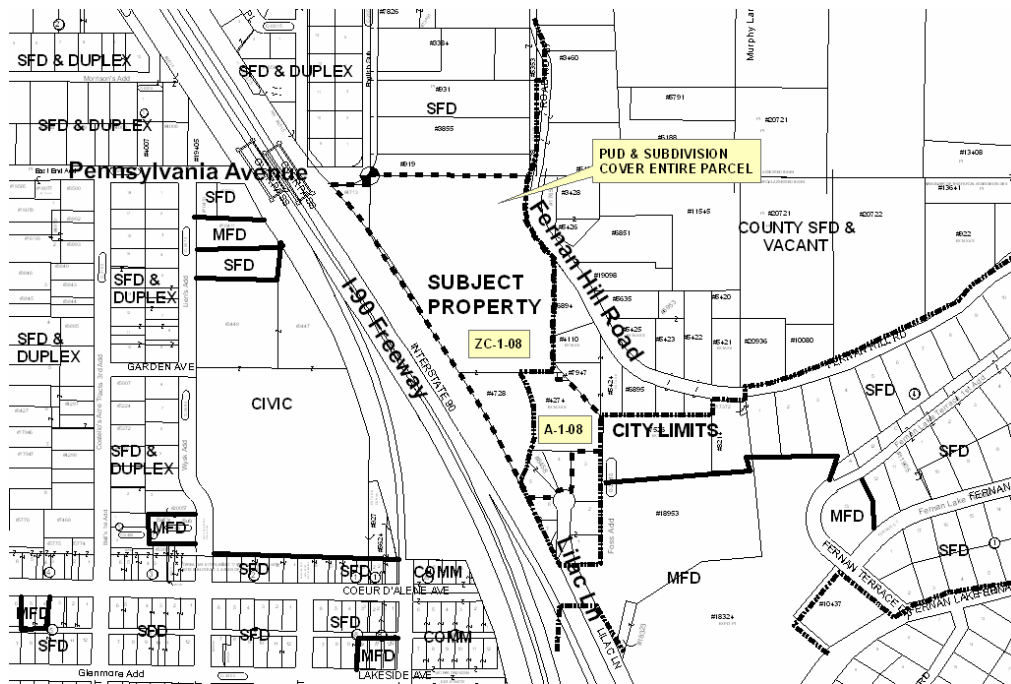
- Preservation of private open space.
- Ability to add conditions to an approval.
- Ability to lock in development plans for the future through the approved final development plan.
- Ability to negotiate solutions that benefit all.

GENERAL INFORMATION:

A. Zoning:



B. Generalized land use pattern:



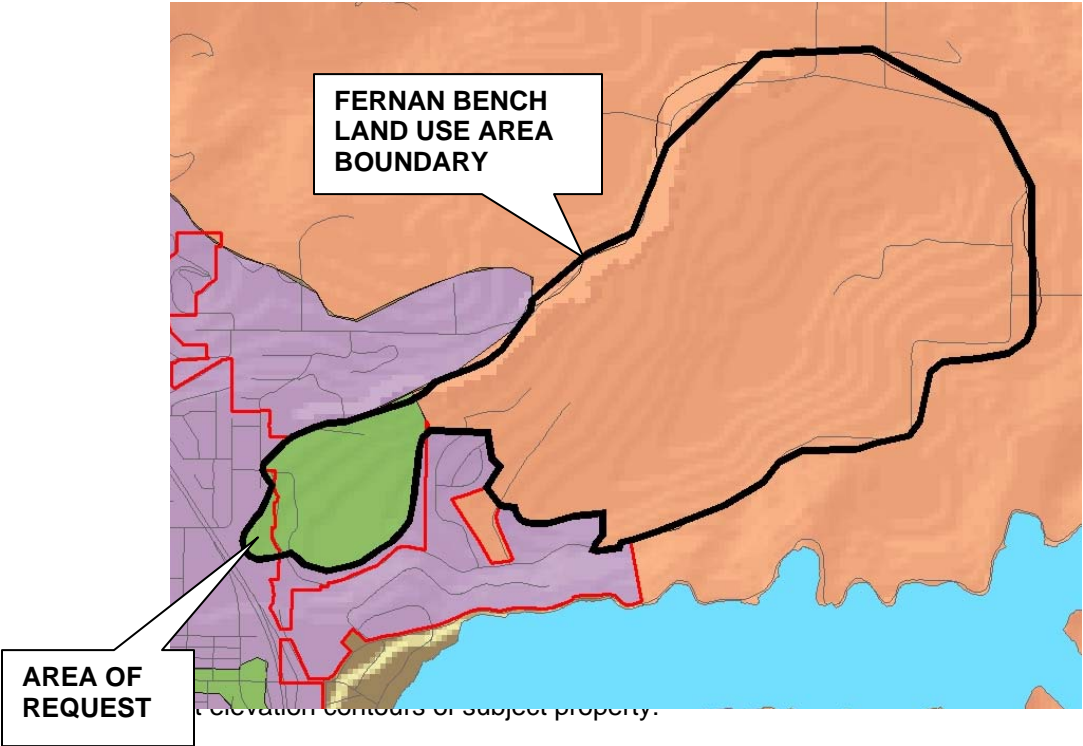
C. 2007 Comprehensive plan designation - Stable Established - Cherry Hill Area.

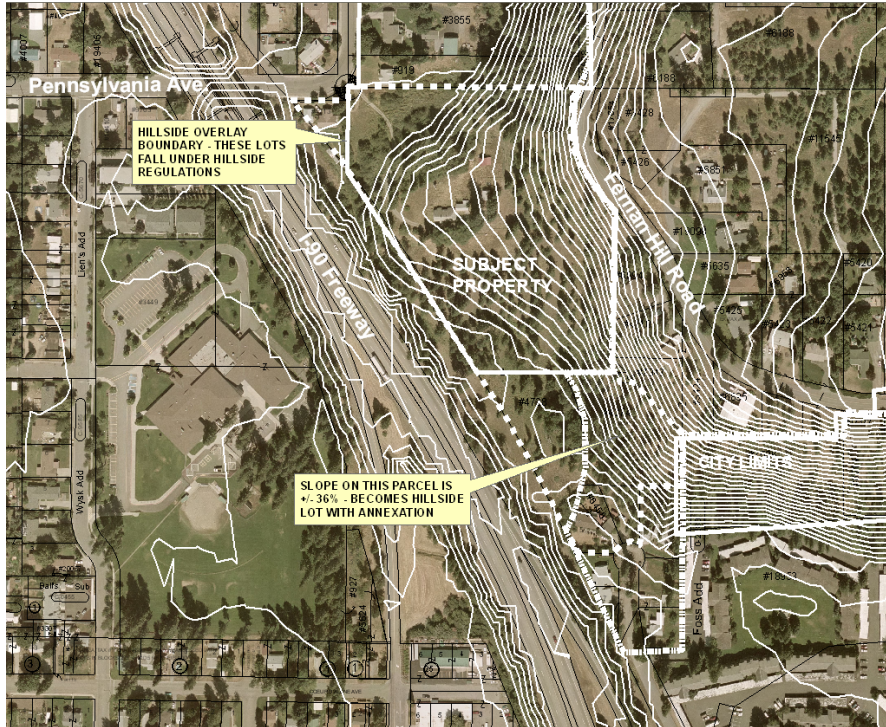


CHERRY HILL
LAND USE AREA
BOUNDARY

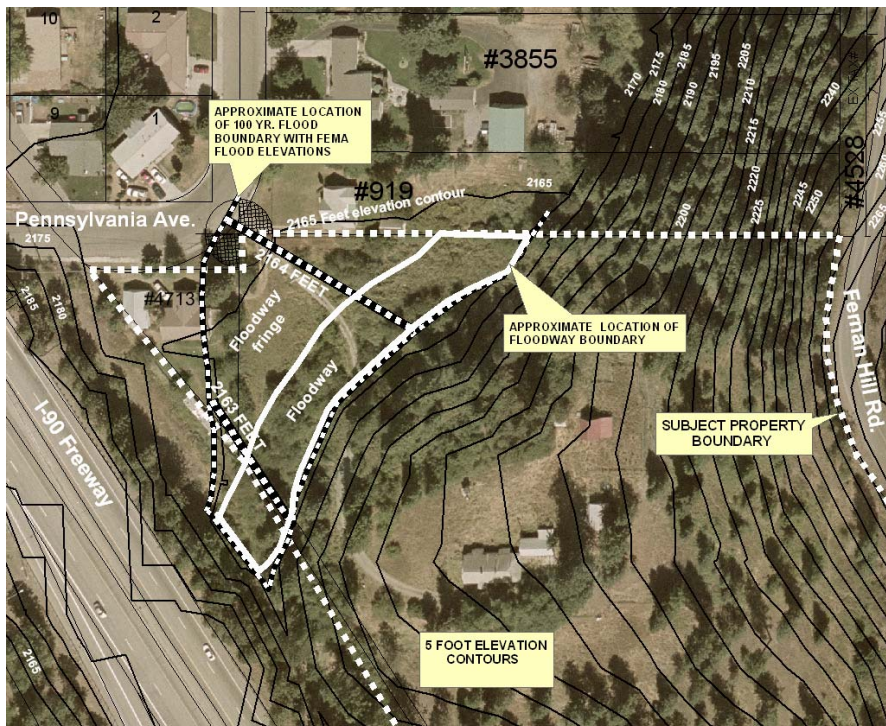
AREA OF
REQUEST

D. 2007 Comprehensive plan designation – Transition – Fernan Hill Bench Area.

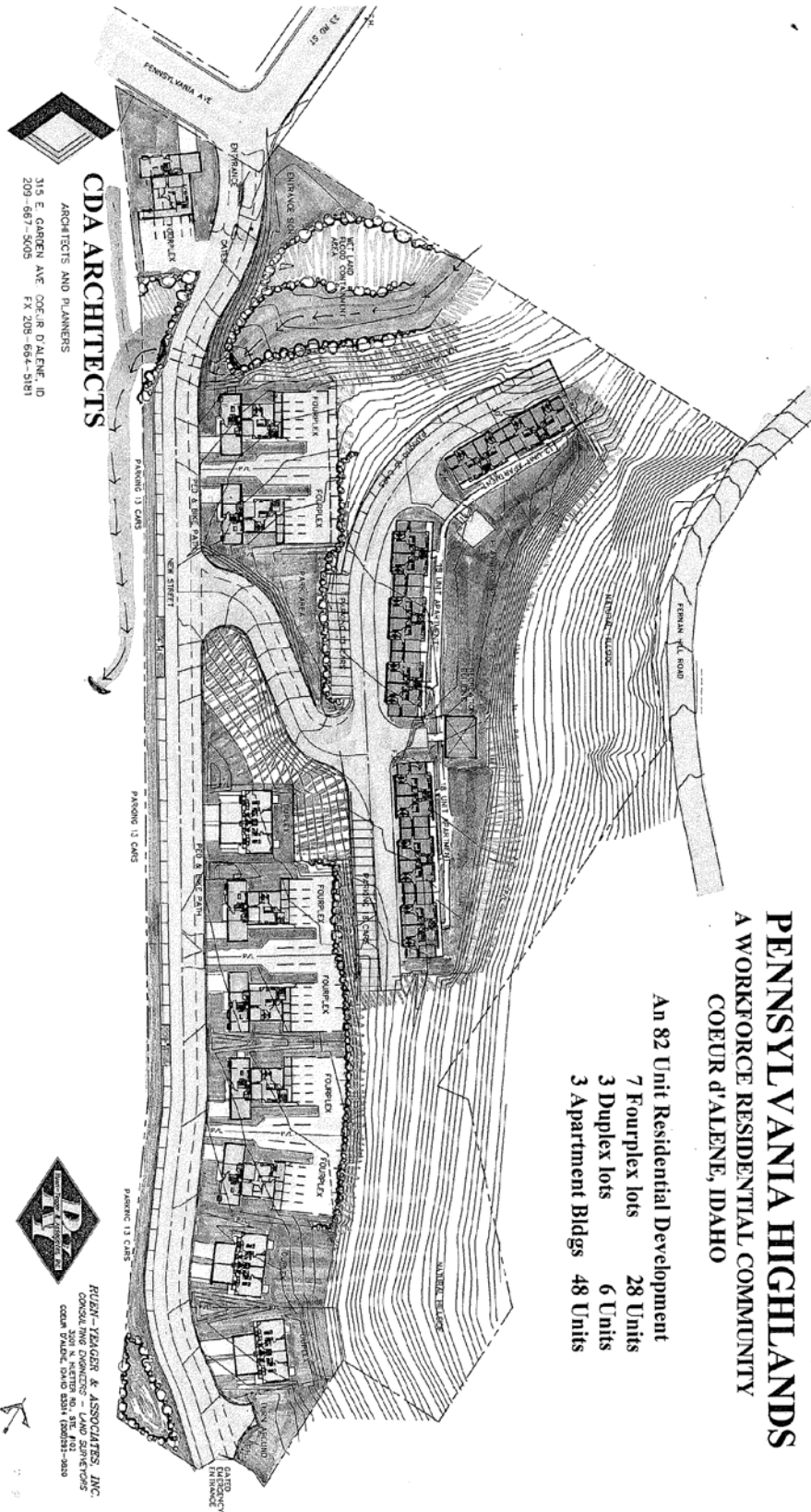




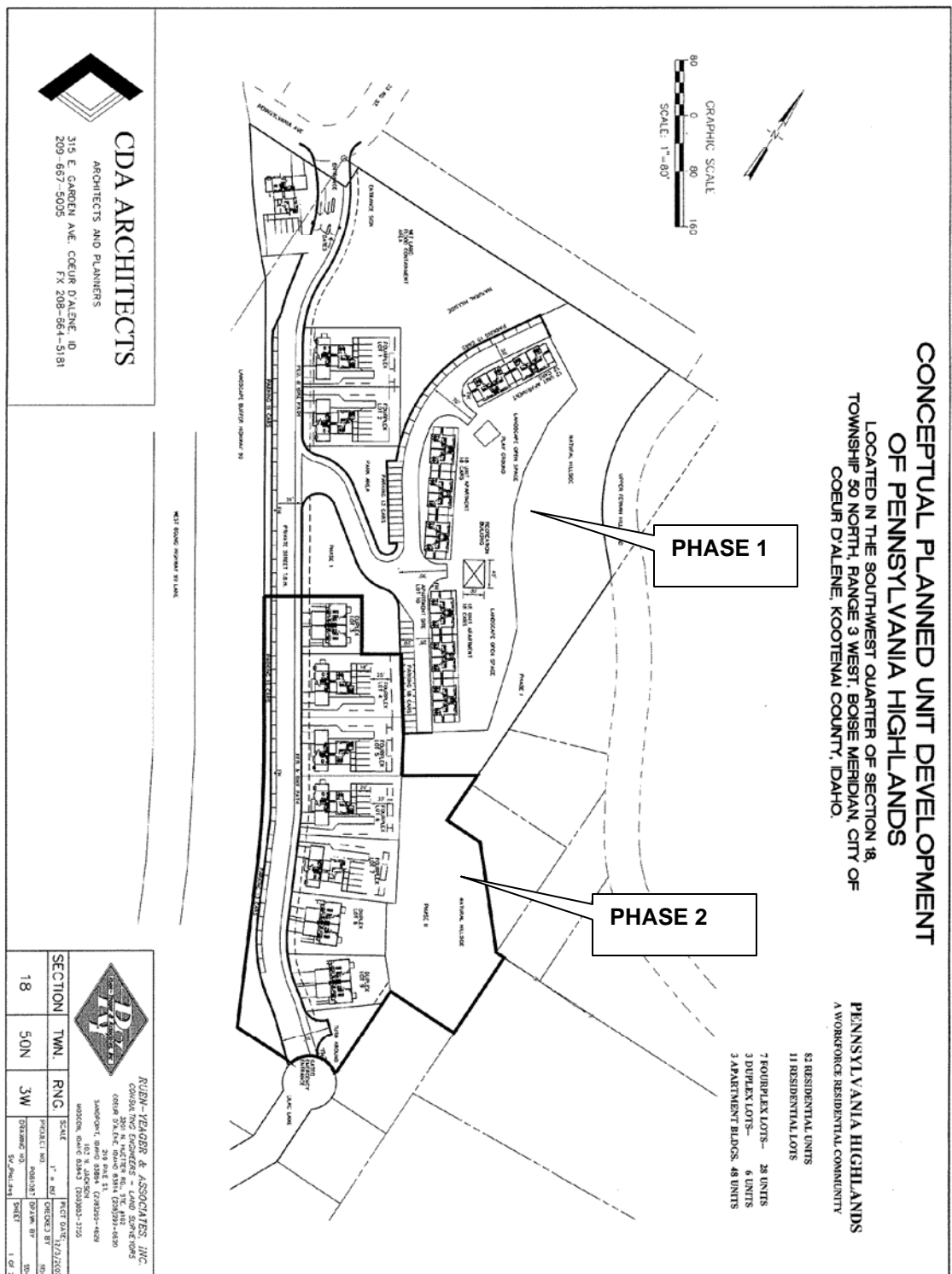
- F. Approximate location of French Gulch Creek 100 year floodway boundary with FEMA base flood elevations – Zone AE.



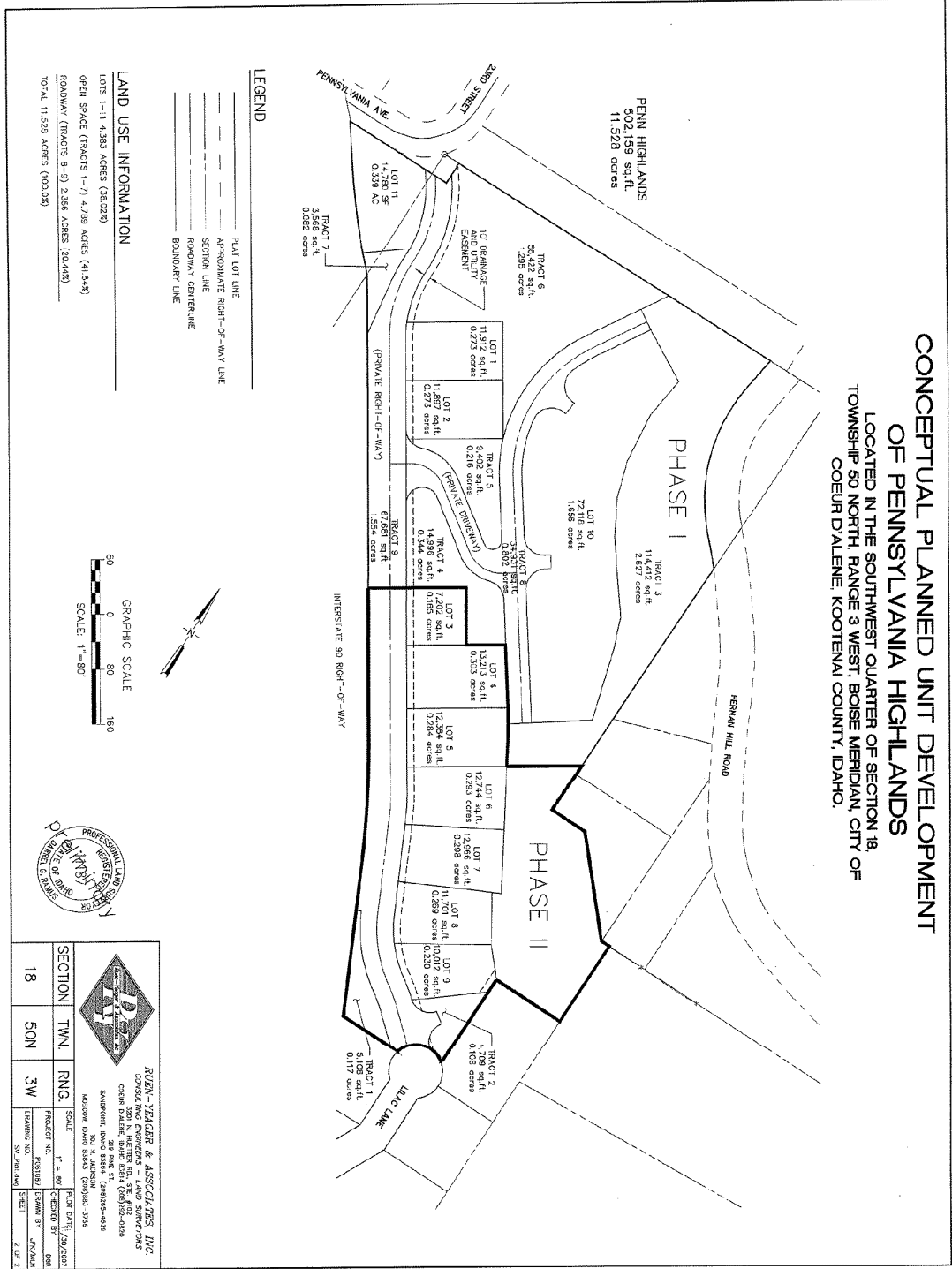
- G. Pennsylvania Highlands PUD:



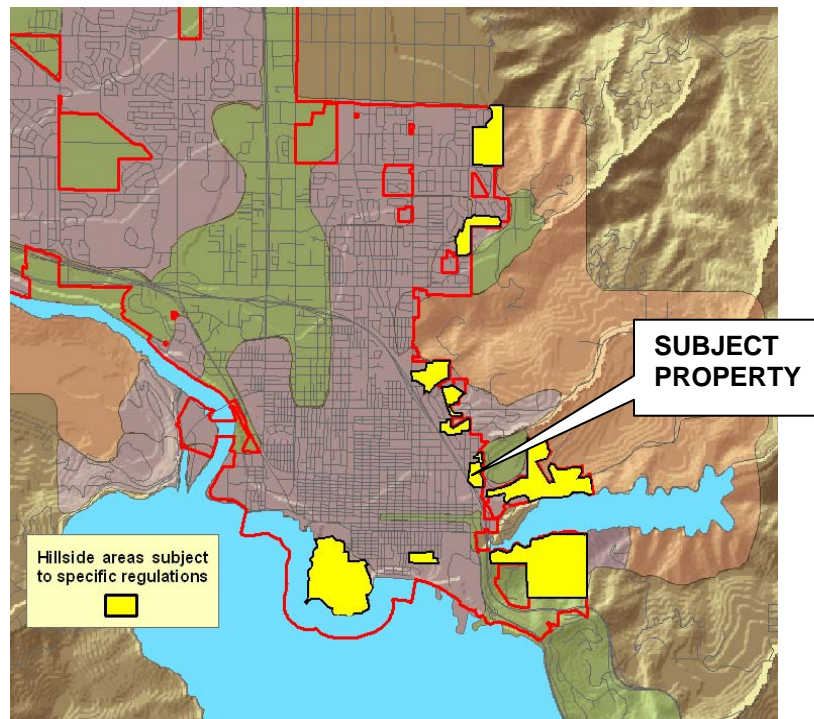
H. Pennsylvania Highlands conceptual layout plan:



I. Pennsylvania Highlands plat:



J. 2007 Comprehensive Plan – Designated Hillside Areas:



- K. Applicant/ Owner Pennsylvania Avenue, LLC
315 Garden Avenue
Coeur d'Alene, ID 83814
- L. Land uses in the area include residential - single-family, duplex and multi-family and vacant land.
- M. The subject property is predominately undeveloped but does contain two single-family dwellings.
- N. Previous actions on subject property:
1. A-6-94 - Annexation of a portion of the property in the above request with an R-3 zoning was approved by the City Council on December 6, 1994.
 2. A-7-03 - (requested zoning R-12) & ZC-8-03 to R-12 from R-3 was denied by the Planning Commission on November 11, 2003. The reason for denial was that the request exceeded the overall build out density of the Stable Established designation of approximately 3 dwelling units/acre above the freeway.
 3. A-2-07 & ZC-14-07 – October 9, 2007 - Applicant withdrew the request.
 4. A-1-08 & ZC-1-08 & PUD-1-08 & S-1-08 – was scheduled to be heard on January 8, 2008 but was continued by the Planning Commission to February 12, 2008.

PERFORMANCE ANALYSIS:

- A. Zoning ordinance considerations:
1. The requested zoning for the annexation and zone change is R-8 (Residential at 8 units/acre). This zone allows single-family, duplex and pocket housing and requires a

minimum lot size of 5,500 sq. ft. for all housing types with 50 feet of frontage on a public street.

2. The property already in the City is zoned R-3, which is intended as a residential area that permits single-family, detached housing at a density of three (3) units per gross acre and requires a minimum lot size of 11,500 sq. ft. with 75 feet of frontage. This zone is also intended for those areas of the city that are developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard.
3. The allowable density of the 11.6-acre parcel using R-3 zoning would be 44 dwelling units with a minimum lot size of 11,500 sq. ft. with 75 feet of frontage on a public street.
4. The allowable density of the 11.6-acre parcel using R-8 zoning would be 92 dwelling units with a minimum lot size of 5,500 sq. ft. with 50 feet of frontage on a public street. The applicant is proposing a residential development with 82 units for an overall density of 7.1 units per acre.
5. Zoning in the surrounding area, as shown on the zoning map, is R-3 to the north of the subject property, R-17 to the south (Lake Villa apartments), County Agricultural-Suburban to the east (5 units/acre and 8,250 minimum lot size) and R-12 on the west side of the I-90 freeway.
6. The northwest corner of the subject property is in the 100-year floodway for French Gulch Creek (Zone AE – Base flood elevations determined) and includes the floodway and floodway fringe with base flood elevations (See 100 year flood plain map on page 9), as determined by the Federal Emergency Management Agency.

Pursuant to Section 17.02.045.D of the Zoning Ordinance, Definitions, the following definition pertains to development in any designated 100 year flood area, as follows:

“For flood hazard purposes, any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or within the area of special flood hazard.”

A flood hazard development permit for any alterations within the 100 year floodway would require approval from the City of Coeur d’Alene. In addition, any alterations to the existing 100 year floodway would also require approval from the Federal Emergency Management Agency and the U.S. Army, Corp of Engineers.

7. The Hillside Development Regulations apply to this property and would require compliance with the Hillside Development Regulations for any future development.

Annexation and Zone Change Findings:

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

1. The subject property is within the Area of City Impact Boundary.
2. The 2007 Comprehensive Plan Map designates portions of the subject property in both the Stable Established and Transition land use categories, in both the Cherry Hill and Fernan Bench Areas and part of the Hillside Landmarks Special Area, as follows:

A. Stable Established.

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

B. Transition.

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

C. Cherry Hill Area.

- Cherry Hill Today:

This area is actually comprised of two hillsides, Cherry/ Stanley Hill and Fernan Hill, as well as surrounding lands with less challenging slopes. Deer, elk, and bear frequent the area. These characteristics provide a very pleasant environment, but combined with clay soils, can provide development challenges.

The majority of this area is already inside city boundaries with the exception of the eastern part of the Cherry/Stamley Hill area.

Development in this area is typically single-family with densities ranging between one and three units per acre (1-3:1). Sewer is provided to all areas within city limits, but developments in unincorporated areas use septic tanks. Coeur d'Alene's Sewer Master Plan shows that sewer service can be provided to this area in the future.

Water is provided to most of the developed area by the city's water system, which was acquired by the city from the Idaho Water Company in the 1970s. A unique aspect of the water system in the Cherry/Stamley Hill area that has a major impact on the development of the area is that, although this area is served by the city water system, generally, new water hookups are not allowed unless the property is within city boundaries. The Coeur d'Alene Water Master Plan indicates that this area can be served with water, with the exception of those areas above elevation contour 2,240 feet (the maximum water service elevation for the city).

- Cherry Hill tomorrow:

This area will continue to develop as a lower density single-family residential area with care taken to preserve natural vegetation, views, and open space on steeper slopes. Future development will present challenges in preserving open space and tree cover, and providing necessary infrastructure in the context of hillside development. As this area continues to develop, parcels not suitable for development should be preserved as open space through conservation easements, clustering, and acquisitions.

- The characteristics of Cherry Hill neighborhoods will be:

- ✓ That overall density in this area will be approximately one dwelling unit per acre (1:1). However, in any given development, higher densities, up to three units per acre (3:1) are appropriate where site access is gained without significant disturbance, terrain is relatively flat, natural landforms

permit development, and where development will not significantly impact views and vistas.

- ✓ Limited opportunity for future development.
- ✓ Developments within the Fernan Lake Watershed should reflect careful consideration of the impacts of the development on water quality in Fernan Lake.
- ✓ Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- ✓ Incentives will be provided to encourage clustering.

D. Fernan Bench Area.

- Fernan Hill Bench Today

This area is generally located between French Gulch and Fernan Hill roads and extends east from Interstate 90 approaching the Area of City Impact (ACI) boundary. The area is sparsely developed with single-family dwellings on lots ranging in size from two acres to several hundred acres.

The Fernan Hill Bench consists of gently rolling terrain with adjacent, increasingly steep slopes. Coniferous forest dominates a majority of this area.

- Fernan Hill Bench Tomorrow

Future development will require infrastructure and hillside development, and will present tree and open space preservation challenges. The area is generally envisioned to continue to develop as a lower density, single-family area with care taken to preserve the natural vegetation, views, and open space on steeper slopes.

- The characteristics of Fernan Hill Bench neighborhoods will be:

- ✓ That overall density in this area will be approximately one dwelling unit per five acres (1:5). However, in any given development, higher densities up to three units per acre (3:1) are appropriate where site access is gained without significant disturbance, terrain is relatively flat, natural landforms permit development and where development will not significantly impact views and vistas.
- ✓ As the area grows, parcels not suitable for development should be preserved for open space through conservation easements, clustering, acquisitions, etc.
- ✓ Provision of infrastructure to this area will make development difficult because of a significant increase in topographical extremes east of Fernan Hill Estates subdivision.
- ✓ Potential traffic issues must be addressed prior to development as "downstream" neighborhoods will be impacted.
- ✓ Clustering of smaller lots to preserve large connected open space areas

as well as views and vistas are encouraged.

- ✓ Incentives will be provided to encourage clustering.

E. Special Areas – Hillside Landmarks:

The City of Coeur d'Alene enjoys a rich topography of mountains, hills, rivers, streams, flatlands, and lakes. This terrain frames the setting where we live and recreate. Because some of this rich land surface is often fragile, and because so much of the city's ambiance depends on its health and stability, it must be preserved for the entire community.

The protection of hillsides is particularly important to the community because of their panoramic prominence.

Best Hill, Canfield Mountain, and Tubbs Hill are recognized as unique landmarks for the City of Coeur d'Alene and its neighbors. Lakeview Hill, Blackwell Hill and the slopes above Fernan Lake within our planning area also contribute to the setting and help define our physical image.

Although outside of our planning area, mountains such as Mica Peak, Blossom, Coeur d'Alene Mountain, and Rathdrum Mountain serve as significant backdrops.

As the tallest mountain in the area, Canfield Mountain is highly visible and is the first peak most residents and visitors see as they approach the city from the west. Canfield is an example of a landmark that is under the jurisdiction of several agencies. Coeur d'Alene's influence is over portions of the lower southwest flank of the mountain.

In 2003, the City of Coeur d'Alene enacted the "Hillside Ordinance" to protect the hillsides and preserve the visual asset they represent to the entire community.

Policy:

- We will protect the natural ecology and visual beauty of all hillsides.

Methods:

- ✓ Monitor the health and beauty of the city's hillsides to ensure that the Hillside Ordinance is sufficient to maintain our environmental and aesthetic goals.
- ✓ Encourage development that works in a cooperative effort to accomplish these public goals
- ✓ Work with land owners, citizens' groups, and governmental agencies to acquire additional lands or development rights for use as a city park or open space.
- ✓ Work with land owners, citizens' groups, and governmental agencies to establish and maintain trails linking the city property to the established US Forest Service recreational trail system.
- ✓ Encourage jurisdictions with control of hillside landmarks outside of our Area of City Impact (ACI) to protect the mountains' visual quality.

3. Significant policies:

➤ Objective 1.02 - Water Quality:

Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.

➤ Objective 1.05 - Vistas:

Protect the key vistas and view corridors of the hillsides and waterfronts that make Coeur d'Alene unique.

➤ Objective 1.06 - Urban Forests:

Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.

➤ Objective 1.08 - Forests & Natural Habitats:

Preserve native tree cover and natural vegetative cover as the city's dominant characteristic.

➤ Objective 1.10 - Hillside Protection:

Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

➤ Objective 1.11- Community Design:

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

➤ Objective 1.12 - Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

➤ Objective 1.13 - Open Space:

Encourage all participants to make open space a priority with every development and annexation.

➤ Objective 1.14 - Efficiency:

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

➤ Objective 1.15 - Natural Terrain:

Wherever possible, the natural terrain, drainage, and vegetation should be preserved with superior examples featured within parks and open spaces

➤ Objective 1.16 - Connectivity:

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

➤ Objective 1.17 - Hazardous Areas:

Areas susceptible to hazardous conditions (e.g. flooding, landslides, earthquakes, etc.) should be left in a natural state unless impacts are mitigated.

➤ Objective 2.02 - Economic & Workforce Development:

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

➤ Objective 2.05 - Pedestrian & Bicycle Environment:

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

➤ Objective 3.01 - Managed Growth:

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

➤ Objective 3.05 - Neighborhoods:

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

➤ Objective 3.14 - Recreation:

Encourage city-sponsored and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities, hiking and biking pathways, open space, passive parks, and water access for people and boats.

➤ Objective 3.08 - Housing:

Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.

➤ Objective 3.10 - Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

➤ Objective 3.16 - Capital Improvements:

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

➤ Objective 3.18 - Transportation:

Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.

➤ Objective 4.02 - City Services:

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

Transportation Plan policies:

The Transportation Plan is an addendum to the Comprehensive Plan and is a policy document that is intended to guide decisions that affect transportation issues. Its goal is to correct existing deficiencies and to anticipate, plan and provide for future transportation needs.

- 31A: "Develop an improved arterial system that integrates with existing street Patterns."
- 33A: "Safe vehicular and pedestrian circulation should be enhanced through careful design and active enforcement."
- 34A: "Use existing street systems better."
- 34B: "Reduce automobile dependency by providing bike paths and sidewalks."

4. Evaluation:

- A. The proposed R-8 zoning has an allowable density of 8 units per gross acre with a two unit per gross acre increase for every acre in pocket housing.
- B. The Cherry Hill land use area has a target density of one dwelling unit per acre and the Fernan Bench area one unit per five acres. However, in any given development, higher densities, up to three units per acre (3:1) are appropriate where site access is gained without significant disturbance, terrain is relatively flat, natural landforms permit development, and where development will not significantly impact views and vistas.
- C. The overall density of the proposed project is 7.1 units per acre so, in order for the Planning Commission to approve the proposed R-8 zoning they should determine that the increase of 4 units per acre increase from the maximum 3 acres per unit for any given development to the requested 7.1 units per acre is justifiable.
- D. In both the Cherry Hill and Fernan Bench neighborhoods, the plan indicates that incentives will be provided to encourage clustering; however, the plan does not specify what those incentives might be.
- E. The Planning Commission must determine, based on the information before them, whether the 2007 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.

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

SEE PRELIMINARY PLAT FINDING B8B ON PAGES 23-27.

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

See PUD finding B8C on pages 21 & 22.

- E. **Finding #B11: 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 has access to Pennsylvania Avenue and emergency access only to Lilac Lane and can accommodate any increased traffic from future development on the property (See engineering comments on traffic). The land uses and character of the surrounding area is that of a single-family neighborhood to the east, single-family and duplex neighborhood to the north and single-family and multi-family (Lake Villa apartments - +/- 275 units) to the south.

Evaluation: The Planning Commission must determine what affect the proposed R-8 zoning would have on traffic, land uses and the character of the surrounding area.

Planned Unit Development Findings:

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

See Annexation and Zone Change finding #B8 on pages 14-20.

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

The proposed development is an 82-unit workforce housing development with 3 duplexes, 7 fourplexes and 3 multi-family buildings totaling 48 units, is in a proposed R-8 zone that allows single-family, duplex and pocket housing as the only form of residential development, has an overall density 7.1 units per gross acre and has one point of ingress and egress at Pennsylvania Avenue and one emergency access at Lilac Lane for emergency vehicles only. No buildings are proposed to be built in the 100 year flood plain at the north end of the property

The surrounding area is that of a single-family neighborhood to the east, single-family and duplex neighborhood to the north and single-family and multi-family (Lake Villa apartments - +/- 275 units) to the south.

Evaluation: The Planning Commission must determine, based on the information before them, whether the request is or is not compatible with uses on adjacent properties.

- C. **Finding #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 wild land urban interface; and complements the visual character and nature of the city.

The subject property is on a hillside between Fernan Hill Road and the Interstate 90 freeway and is generally steepest as you approach Fernan Hill Road. The steepest portions of the property are a +/- 36% average slope on a parcel in the southern portion of the property, which will fall under

the Hillside Regulations upon annexation and a +/- 17% average slope on a parcel in the northern portion, which is a designated hillside lot. (See map on page 9).

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

SEE PRELIMINARY PLAT FINDING B8B ON PAGES 23-27.

- E. **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 subject property is 11.6 acres in size and, in order to meet the required 10% open space area, would be required to have 1.6 acres of open space that must be free of buildings, streets, driveways and parking areas, accessible to all users of the development, and usable for open space and recreational purposes.

On the preliminary plat, several tracts and a portion of one lot are designated for various types of open space or recreational uses that total of 5.5 acres, as follows:

- Natural hillside open space Tract 3 – 2.6 acres – 22.4% of total
- Wetland area in the 100 year flood area Tracts 6 & 7 - 1.4 acres – 12.1% of total
- Park & playground area Tract 5 & portion of lot 10 – 1.5 acres – 12.9%

These areas total 5.5 acres of the 11.6 acre development or 47% of the total.

Evaluation: The Planning Commission must determine that the open space is accessible to all users of the development and usable for open space and recreational purposes.

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

The Municipal Code requires compliance with the City's parking code, at the time of building permit issuance. The parking requirement for this development would be 212 parking spaces and the number of spaces shown on the site plan and layout plans for the various kinds of units is 215 spaces including 95 covered spaces (2 per duplex, 5 for each fourplex building and 1 space per unit for the 48 multi-family units) and 120 outside spaces including 94 on street spaces.

Evaluation: The Planning Commission must determine that parking is sufficient to serve the parking needs of the proposed development.

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

The applicant has not indicated that all open space areas will be maintained and managed by a homeowner's association, the Planning Commission can require this as a condition of approval, as follows:

Pursuant to Section 17.07.235 of the Planned Unit Development Regulations, "the Planning Commission can require the formation of a homeowners association to perpetually maintain all

open space areas. The association shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain the open space. The association shall perpetually exist and can only be terminated by a majority vote of the members and consent of the City Council shall terminate it".

Evaluation: As a condition of approval of the PUD, the Planning Commission should require the formation of a homeowners association, pursuant to Section 17.07.235 of the Municipal Code, to ensure the maintenance of all open space areas identified as tracts on the preliminary plat.

- H. **Finding #B8H: That the proposal (would) (would not) adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character (and) (or) existing land uses.**

See annexation and zone change finding # B11 on page 21.

Preliminary Plat Findings:

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

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

- B. **Finding #B8B: That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities (are) (are not) adequate where applicable.**

SEWER:

Sanitary sewer is available to the proposed subdivision from the Pennsylvania Avenue and 23rd Street intersection. This sewer has sufficient capacity to serve the subject property and development.

Evaluation: The depth of the existing sanitary line into which the connection will be made has a depth of 6.8 feet to the pipe invert. Due to the shallowness at the point of connection, the utilization of gravity flow for the sanitary sewer may not be possible. The developer is required to cross the French Gulch Creek channel per the criteria established in the IDAPA Rules 58.01.16.430(k), which states that "the top of all wastewater pipelines...shall be at sufficient depth below the natural bottom of the bed or otherwise designed to protect the wastewater pipeline." Also, any pipeline crossing the stream channel must be encased to insure that accidental discharges or breaks in the pipe do not have a negative impact on the stream. All sanitary installations and/or enhancements will be completed by the developer at no cost to the City.

WATER:

City water is available to the proposed subdivision.

Evaluation: The location, design and size of the proposal are such that the development will not be adequately served by existing public facilities and services. The developer will be required to replace the under sized mains at both ends of the proposed project to a point where an adequate provision for fire flow and domestic flow capacity is available. These points will likely be determined by the maximum fire

flow needed for this project but the developer should at least plan from 20th Street and Pennsylvania Avenue to Lilac Lane and Sherman Avenue, although a flow model may be required to assist with this determination. The cost for the flow analysis and all water facilities improvements will be completed by the developer at not cost to the City.

STORMWATER:

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

Evaluation:

1. Prior to any site work being initiated, silt fencing is required to be installed along the perimeter of the creek on the subject property to reduce the possibility of runoff generated debris and silt from entering the stream channel. The silt fencing is required to remain in place until the final Certificate of Occupancy is issued for the site. The developer will be responsible to maintain the fencing through the duration of the project.
2. Storm runoff from the hillside areas that are unaltered may be directed to the creek as natural runoff.
3. Stormwater from the developed sites may be directed to the creek channel after it has been treated in swale areas.
4. The sizing of the road crossing culvert must be based upon the 50 year storm event model for French Gulch Creek.

FLOODPLAIN:

1. A portion of the subject property is situated within the floodway of French Gulch Creek. The 100 year flood elevation for the traversing stream, as taken from the FEMA map for the site is 2163 feet; therefore, any construction within this zone must have any habitable floor at or above this noted elevation.
2. A hydraulic analysis is required to be completed for the floodway area of Nettleton Creek utilizing a 50 year storm event (per Ordinance #2634, 13.30.050A.2) in the model.

HILLSIDE:

A portion of the subject property falls within the Hillside Overlay Zone; therefore, any construction activity is required to adhere to all established regulations that govern development within this area, as well as any and all recommendations put forth in the geotechnical report submitted for the subject property at the time of application.

TRAFFIC:

The applicant's consulting engineer has submitted a traffic study for the subject property that had recent traffic counts (October, 2007) with a weekday average of 520 trips and 48 of those trips occurring during the PM peak hour period at the 15th St. and Pennsylvania Avenue intersection.

Evaluation:

Currently the level of service (LOS) at the intersection of 15th Street and Pennsylvania Avenue is Level "B". Future projections through 2021 (per the submitted study), either with or without the

project, indicate that the LOS will only fall to Level "C". An LOS of "C" is within the acceptable range. The average delay time, per the study, will only change by 3 seconds during that period.

STREETS:

The proposed subdivision is bordered by Pennsylvania Avenue on the north and Lilac Lane on the south. The current right-of-way widths meet City standards. Lilac Lane to the south is under the jurisdiction of East Side Highway District.

Evaluation:

1. The developer is proposing through the PUD that the internal roadways in the development be private. If this request is granted the developer may only deviate from the standard width of City streets (as approved by the City Engineer), not grade percentage. Roadways will not be allowed to exceed the 8% maximum that is the City standard. All turning radii, turnarounds, and, fire truck access must meet the standards established by the City Fire Department.
2. Street maintenance is proposed to be managed by the "owners" association. This maintenance will be required to be detailed in the CC&R's for the subject property and approved by the City to verify that all aspects of the roadway maintenance will be ensured. If approved, the City will not be responsible for any aspect or cost of the road maintenance. If at some point the roadway system is requested to become public, the association will be required to bring it up to "new" City standard prior to acceptance.
3. The roadway portion that "fronts" the apartment area of the development will be required to be curbed on the downhill side in order to control and direct street drainage to the appropriate drainage structures. The runoff will not be allowed to "sheet drain" off of the roadway in order to prevent hillside erosion and untreated flow to the traversing watercourse.
4. The developer is proposing to gate the entrances to the development. All gates are required to meet the established criteria of the local public safety agencies. The connection to the south on Lilac Lane must be approved by the controlling Highway District and the approval submitted in writing for verification, prior to any construction on the subject property.
5. Due to the presence of the French Gulch Creek road crossing, any proposed design must be approved by the City Engineer prior to construction.

SUBDIVISION IMPROVEMENTS:

1. Provision for pedestrian public access, in the form of a public access easement, will be required across the internal roadway from Pennsylvania Avenue to Lilac Lane. This easement will be required to be dedicated on the final plat for the subject property.
2. All "tracts" will be required to be noted as "unbuildable" on the final plat document. No construction of habitable structures or structures requiring the installation of sewer or water utilities will be allowed on the "tract" parcels.

APPLICABLE CODES AND POLICIES:

UTILITIES

1. All proposed utilities within the project shall be installed underground.

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

STREETS

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

STORMWATER

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

FIRE PROTECTION

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

GENERAL

11. The final plat shall conform to the requirements of the City.
12. Written permission for access onto Lilac Lane from the controlling Highway District shall be obtained prior to recording the final plat.
13. The Covenants, Conditions, and Restrictions and/or Articles of Incorporation of the homeowners association shall be subject to review for compliance with the conditions herein by the City Attorney.

Submitted by Chris Bates, Engineering Project Manager

FIRE:

The Coeur d'Alene Fire Department has a response time objective of four (4) minutes or less to respond to a fire or medical emergency. (NFPA 1710) The location of this proposal will not allow the fire department to meet this response objective. The fire department will address other issues such as water supply, hydrants and access prior to any site development.

Submitted by Glen Lauper, Deputy Fire Chief

POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

C. **Finding #B8C: That the preliminary plat (is) (is not) in conformance with the Comprehensive Plan as follows:**

See Annexation and Zone Change finding #B8 on pages 14-20.

D. **Finding #B8D: That the public interest (will) (will not) be served.**

The proposed subdivision is compatible with the surrounding land use pattern of single-family, duplex and multi-family development, is not compatible with the Comprehensive Plan Cherry Hill and Fernan Bench neighborhoods maximum density of 3 dwelling units per acre, can be served by water, sewer, streets, police and fire, provides connectivity with the street pattern in the area, will preserve open space by creating unbuildable tracts within the preliminary and final plats to preserve the open space.

Evaluation:

The Planning Commission must determine, based on the information before them, whether the request will or will not serve the public interest. Specific ways in which this request does or does not should be stated in the finding.

E. **Finding #B8E: That all of the required engineering elements of the preliminary plat (have) (have not) been met, as attested to by the City Engineer.**

A preliminary utility design was submitted indicating that all proposed lots could be served.

F. **Finding #B8F: That the lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.**

If the requested PUD is approved, a new set of development standards would be created that apply only to the proposed "Pennsylvania Highlands" subdivision and PUD, as follows:

Zoning Ordinance:

1. Section 17.05.100, R-8 Zone, Principal Permitted Uses – allow multi-family housing as a permitted use.
2. Section 17.05.130, R-8 Zone, Height Requirements – increase allowable height for principal structures from 32 feet to 41½ feet.
3. Section 17.05.150, R-8 Zone, Minimum Lot:
 - a. Reduce minimum lot size for duplex lots from 11,000 sq. ft. to 7,202 sq. ft. (R-8 zone minimum lot size of 5,500 sq. ft. x 2 units = 11,000 sq. ft.)
 - b. Reduce minimum lot size for fourplex lots from 22,000 sq. ft. to 11,897 sq. ft. (R-8 zone minimum lot size of 5,500 sq. ft. x 4 units = 22,000 sq. ft.)

- c. Reduce minimum lot size for multi-family lots from 264,000 sq. ft. to 72,118 sq. ft. (R-8 zone minimum lot size of 5,500 sq. ft. x 48 units = 72,118 sq. ft.)
4. Section 17.05.150, R-8 Zone, Minimum Lot - reduce the minimum lot frontage requirement for lots from 50-feet of frontage on a public street to 0- feet on a private street.
5. Section 17.05.160, R-8 Zone, Minimum Yard – reduce the required front yard setback from 20 feet to 0 feet.
6. Section 17.06.495, Extensions Into Required Yards – allow a 5 foot projection for porches and a 2 foot projection for bay windows into the front yard setback.
7. 17.44.280.C, Access To Streets, Reduce required 10 foot separation between driveway approaches to 0 feet and 5 foot distance from side property lines to 0 feet.
8. 17.44.280. E – Access to Streets, for residential uses greater than 4 units; reduce driveway width from 24 feet to 16 feet.

Subdivision Ordinance, Street Design standards.

1. Lower road:
 - 42 feet of pavement with curb/gutter on both sides and no sidewalks.
 - Street designed for two 12 foot travel lanes, 8 foot parking lane on one side and a 10 foot ped/bike lane on one side.
2. Upper road:
 - 32 feet of pavement with curb/gutter on both sides and no sidewalks.
 - Street designed for two 12 foot travel lanes with an 8 foot parking lane on one side.
3. Entry and connection road:
 - 34 feet of pavement with curb/gutter on both sides and no sidewalks.
 - Street designed for two 12 foot travel lanes and a 10 foot ped/bike lane on one side.

NOTE: Any Zoning or Subdivision Code provisions not modified by the PUD, as Shown above, would still apply.

Evaluation: The Planning Commission must determine, based on the information before them, whether the lots in the preliminary plat meet the requirements of the applicable zoning district. Specific ways in which this request does or does not should be stated in the finding.

- G. **Finding #B9: That the proposal (would) (would not) adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses.**

See annexation finding # B11 on page 21.

- H. Items recommended for inclusion in an annexation agreement:

No items recommended.

I. Proposed conditions:

Planned Unit Development:

Planning

1. The formation of a homeowners association, pursuant to Section 17.07.235 of the Municipal Code, to ensure the perpetual maintenance of all open space areas.

Preliminary Plat:

Engineering:

1. Any pipeline crossing the French Gulch Creek stream channel must be encased to insure that accidental discharges or breaks in the pipe do not have a negative impact on the stream.
2. Silt fencing is required to be installed and maintained along the perimeter of the creek on the subject property from the onset of the project until the final Certificate of Occupancy (CO), to reduce the possibility of runoff generated debris from entering the stream channel.
3. The sizing of the road crossing culvert over the French Gulch Creek stream channel must be based upon the 50 year storm event model for the drainage and approved by the City Engineer.
4. Any construction in the floodway zone must have a habitable floor elevation at or above 2163 feet, as determined from the FEMA map for the subject property.
5. A hydraulic analysis is required to be completed for the floodway area of French Gulch Creek utilizing the 50 year storm event.
6. All construction activity must adhere to established regulations governing development in the hillside overlay zones, as well as all recommendations put forth in the geotechnical report submitted for the subject property.
7. Road grades may not exceed the City maximum of 8% for any length.
8. Should at any point, the developer or association wish to have the proposed private roads made public, they will be required to be brought up to new City standards before any consideration or acceptance can occur. This is required to be included in the CC&R's for the subject property.
9. All roadway sections will be required to be curbed in order to direct stormwater runoff to the appropriate drainage facilities and reduce the possibility of sheet drainage across hillside slopes.
10. Any and all roadway gates are required to meet the criteria established by all public safety agencies that may be required to provide service to the subject property.
11. Written permission from the appropriate Highway District for access to Lilac Lane must be provided, prior to recordation of the initial phase final plat document.
12. A public access easement for pedestrian travel is required to be placed over the roadway connecting Pennsylvania Avenue to Lilac Lane. This easement must be dedicated on the

final plat document for the initial phase.

13. All tract lots shall be noted as “unbuildable” on the final plat document.

J. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.

Transportation Plan

Municipal Code.

Idaho Code.

Wastewater Treatment Facility Plan.

Water and Sewer Service Policies.

Urban Forestry Standards.

Transportation and Traffic Engineering Handbook, I.T.E.

Manual on Uniform Traffic Control Devices.

Coeur d'Alene Bikeways Plan

ACTION ALTERNATIVES:

The Planning Commission must consider this request and make separate findings to approve, deny or deny without prejudice the Annexation, Zone Change, Planned Unit Development and Preliminary Plat. The findings worksheets are attached.

[F:\pcstaff\frptsA108&ZC108&PUD108&S108]

Pennsylvania Highlands

Workforce Housing Community

With the increase in price of the existing housing base in the downtown general area, there are no affordable residences left in the price ranges necessary to support the workforce housing. The developers have procured a 13 acre parcel of land East of the 90 Freeway and adjacent to Sherman Ave on the South and intersecting Pennsylvania Ave and 23 St on the North. This property because of it's proximity to the freeway and to Sherman Ave. is an ideal area for the development of Workforce Housing. That is housing that falls in the purchase price range of \$110,000 to \$150,000 for a two bedroom two bath unit and up to \$175,000 for a three bedroom residence. The rental range is \$650-\$950 per month for rental housing.

We are proposing two different types of housing for this property. The lots directly adjacent to the freeway are below the freeway road elevation and the majority of the freeway noise passes overhead. We are proposing to develop for sale housing with Fourplex and Duplex style housing in this area. They can be purchased as an owner occupied master unit with three rental units attached. That can be set up for retired buyers who want to own and manage their own rental units and live in the master unit. Or the buildings can be sold as a four unit condominium building with individual ownership for each of the units. We have been in contact with business owners and municipal agencies that are interested in providing "Employee Assisted Housing" utilizing the fourplex concept. for Work Force Housing. We are including duplex style housing in the same area for first time buyers in the Work Force economic range. We are designing these units with sweat equity expansion in mind as the owners family grows. With state and federal down payment programs young people can move in with little or no money down and have ownership in their own residence. The front Yards for all the Fourplex and Duplex buildings will be maintained by a condominium association, which will keep the project always looking good and upgrading the local neighborhoods.

On the reduced slope area above the for sale housing we are proposing an affordable apartment complex of 48 units. The building will be designed so that the patios and living areas are facing away from the freeway and shielded from the traffic noise. The buildings are three stories of living space with garages on the lower level. All these buildings are fully fire sprinklered. The center two buildings will be elevator equipped so that all the units are handicap available. These building will have views of the local area and some view of the lake. The Landscaped courtyard to the East of the buildings has a playground and large open space for recreation use. A recreation building is provide in that area and will be available for all the occupants of the development. The recreation building will be designed so that a community day school can be setup for the working mothers. The project will have its own wireless internet system available to the workforce occupants for a minimal cost. The system can have mini-cam's at the day school for the participants to view activities when ever they choose. The community network can be utilized for self help programming to facilitate this market group to better their educations. Rents will be kept in the workforce affordability range. Approximately 10% of th4e rental units will be affordable and qualify for subsidy rent programs.

Pennsylvania Highlands

Workforce Housing Community

The development location is close to schools and local recreation areas. The project will provide a bike trail connecting the Project to the neighborhood to the north and provide access to the local elementary school

The development will require an annexation of a small portion of the property into the City as presently it is in the County. The zoning being requested is R-8 which will allow us to build the cluster and multifamily buildings. The actual density for the project is 6.5 units to the Acre and will be built under the Planned Unit Development format. The entrance will be from Pennsylvania Ave. and 23rd St. with a gated entrance to discourage traffic and provide a sense of security for the residents. A limited emergency exit to Lilac Lane is proposed for access by the Fire and Police service vehicles. It is anticipated that public transportation via local bus service can be added to the site to provide employee transportation to local businesses.

The streets will be private streets maintained by the association, the main access from Pennsylvania Ave. street will have a 10 ft. bike and pedestrian way on the East side and two traffic lanes with parking on the West side. This entrance will be gated to control traffic into and the project and give the occupants a sense of security. The driveway access to the apartment site will be graded at a maximum grade of 8% for normal and emergency access and the upper driveway will have parking on the West side. The parking area will be provided with curbs at the hillside edge and boulders to limit accidents. Each of the apartment units will have one covered parking spaces and additional parking provided on the driveway side. See attached schedule of parking and unit breakdown.

This property is in the "Hillside Ordinance" boundary and the slope areas have been left natural with minimal grading at the toe of the slope as it abuts the individual lots. The wetland and flood control basin area at the North entrance will be upgraded to provide added water storage capacity for the spring runoff and landscaped with indigenous wetland plants to create a pleasant entrance to the project. A larger arched conduit will provide additional water capacity where the new roadway crosses the stream. A formal application to the Corps of Engineers will be made after preliminary approval is received for the project. The entrance wetland is also in the 100 year flood zone. All improvements will be located above the 100 yr flood mark of el. 2165 at the stream crossing. The extreme limits of the flood zone will be reinforced with landscape boulders to provide protection to the local area and blend into the natural landscape of the project. The slope at the South edge of the wetlands area will be left natural to provide a landscape screen to the local neighbors.

The sewer and water system have been designed to city standards with the apartment area having a private gravity sewer system that connects to the public system in the street. The area south of the apartment access road will be served by a pressurized main sewer with grinders and pumps to move the sewage to the gravity connection. Future connection capability will be provided for the residences in the Foss subdivision. The project has been reviewed by the fire department and all the required fire hydrants and

Pennsylvania Highlands

Workforce Housing Community

turnarounds provided to local standards. The maximum grade on any street is 8% for short distances. Storm water is collected in grassy swales between the fourplex and duplex lots and the overflow is directed to the large swale area at the South property line, which will also take occasional overflow runoff from Highway 90 which is adjacent. The Northern properties swales overflow will be directed to the wetlands area. A general storm water overview design has been completed and the required areas shown on the site plans.

The site has a preliminary Geotech review and all slopes are within the recommend tolerances. See attached preliminary report from Earth Systems Northwest. A wetlands review is also included, see Environmental Inc. report.

We are requesting the building size for the apartments be adjusted to allow larger building that will be required to achieve the economic balance for workforce housing. We will have two building of three stories and 18 units each and one building of three stories with 12 units. The balance of the buildings on the site are within the Cities standards. The PUD designation is required to restrict the total number of units on the site to the 82 proposed, not the greater number that would be available under an R-8 zone.

The project will be developed in two phases.

Phase One the land North of the apartment driveway

Three fourplex lots	12 fourplex Units
Two Apartment buildings	30 Apartments
Project entrance and wetlands improvements	
Gravity sewer system	
Private street complete to apartments	
Water service to phase one	
All mass grading for site	

Phase Two


Four fourplex lots	16 Units
Three Duplex lots	6 Units
One apartment building	18 Units
Recreation Building	
Balance of water and sewer systems	
Balance of private street	

See the attached exhibit "PUD OVERVIEW" for breakdown of land use and code modification with the project building schedule. It is anticipated that the project would be developed over a three to five year period depending on financing and market forces.

CDA Architects pllc

Stanley D. Huffaker AIA





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

A. INTRODUCTION

This matter having come before the Planning Commission on February 12, 2008, and there being present a person requesting approval of ITEM A-1-08, a request for Zoning Prior to Annexation from County Agricultural-Suburban to R-8 (Residential at 8 units/acre).

LOCATION: +/- 11.6 - acre parcel between Pennsylvania Avenue, Fernan Hill Road, Lilac Lane and Interstate 90

APPLICANT: Pennsylvania Avenue, LLC

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

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

- B1. That the existing land uses are residential - single-family and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is County Agricultural-Suburban.
- B4. That the notice of public hearing was published on January 26, 2008, and February 5, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That 253 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 25, 2008 and _____ responses were received: _____ in favor, _____ opposed, and _____ neutral.
- B7. That public testimony was heard on February 12, 2008.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

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

Criteria to consider for B9:

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

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

Criteria to consider for B10:

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

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

Criteria to consider for B11:

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

C. ORDER: CONCLUSION AND DECISION

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

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

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN



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

A. INTRODUCTION

This matter having come before the Planning Commission on, February 12, 2008 and there being present a person requesting approval of ITEM ZC-1-08, a request for a zone change from R-3 (Residential at 3 units/acre) to R-8 (Residential at 8 units/acre)

LOCATION: +/- 11.6 - acre parcel between Pennsylvania Avenue, Fernan Hill Road, Lilac Lane and Interstate 90

APPLICANT: Pennsylvania Avenue, LLC

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

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

- B1. That the existing land uses are residential - single-family and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is R-3 (Residential at 3 units/acre)
- B4. That the notice of public hearing was published on January 26, 2008, and February 5, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, February 4, 2008, which fulfills the proper legal requirement.
- B6. That 253 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 25, 2008 and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on February 12, 2008.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

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

Criteria to consider for B9:

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

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

Criteria to consider for B10:

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

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

Criteria to consider for B11:

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

C. ORDER: CONCLUSION AND DECISION

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

Special conditions applied are as follows:

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

ROLL CALL:


Commissioner Bowlby	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN



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

A. INTRODUCTION

This matter having come before the Planning Commission on February 12, 2008, and there being present a person requesting approval of ITEM PUD-1-08: a request for a planned unit development known as Pennsylvania Highlands PUD.

LOCATION: +/- 11.6 - acre parcel between Pennsylvania Avenue, Fernan Hill Road, Lilac Lane and Interstate 90

APPLICANT: Pennsylvania Avenue, LLC

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

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

- B1. That the existing land uses are residential - single-family and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is R-3 (Residential at 3 units/acre)
- B4. That the notice of public hearing was published on January 26, 2008, and February 5, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, February 4, 2008, which fulfills the proper legal requirement.
- B6. That 253 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 25, 2008 and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on February 12, 2008.

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

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

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

Criteria to consider for B8B:

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

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

Criteria to consider for B8C:

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

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

Criteria to consider for B8D:

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

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

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

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

B8H That the proposal **(would) (would not)** adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character **(and) (or)** existing land uses because

Criteria to consider for B8H:

1. Will the change in traffic flow adversely affect the livability of the surrounding neighborhood?
2. Does the proposed development "fit" with the surrounding area in terms of density, layout & appearance?
3. Is the proposed development compatible with the existing land use pattern? i.e. residential, commercial, residential w churches & schools

C. ORDER: CONCLUSION AND DECISION

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

Special conditions applied are as follows:

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

ROLL CALL:


Commissioner Bowlby	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN



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

A. INTRODUCTION

This matter having come before the Planning Commission on February 12, 2008, and there being present a person requesting approval of ITEM S-1-08: A request for preliminary plat approval of Pennsylvania Highlands, a 82 -lot subdivision located in the R-8 (Residential at 8 units/acre) zoning district.

LOCATION: +/- 11.6 - acre parcel between Pennsylvania Avenue, Fernan Hill Road, Lilac Lane and Interstate 90

APPLICANT: Pennsylvania Avenue, LLC

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

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

- B1. That the existing land uses are residential - single-family and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is R-3 (Residential at 3 units/acre)
- B4. That the notice of public hearing was published on January 26, 2008, and February 5, 2008, which fulfills the proper legal requirement.
- B5. That the notice was not required to be posted on the property.
- B6. That 253 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 25, 2008 and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on February 12, 2008.
- B8. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

B8A. That all of the general preliminary plat requirements **(have) (have not)** been met as attested to by the City Engineer. This is based on

B8B. That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities **(are) (are not)** adequate where applicable. This is based on

B8C. That the preliminary plat **(is) (is not)** in conformance with the Comprehensive Plan as follows:

B8D. That the public interest **(will) (will not)** be served based on

Criteria to consider for B8D:

1. Does this request achieve the goals and policies of the comp plan?
2. Does it provide for orderly growth and development that is compatible with uses in the surrounding area?
3. Does it protect the public safety by providing adequate public utilities and facilities to mitigate any development impacts?
4. Does the it protect and preserve the natural beauty of Coeur d'Alene?
5. Does this have a positive impact on Coeur d'Alene's economy?
6. Does it protect property rights and enhance property values?

B8E. That all of the required engineering elements of the preliminary plat **(have) (have not)** been met, as attested to by the City Engineer. This is based on

B8F That the lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district for the following reasons:

Criteria to consider for B8F:

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?

B9. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses because

Criteria to consider for B9:

1. Can the existing street system support traffic generated by this request?
2. Does the density or intensity of the project "fit " the surrounding area?
3. Is the proposed development compatible with the existing land use pattern? i.e. residential, commercial, residential w churches & schools etc.
4. Is the design and appearance of the project compatible with the surrounding neighborhood?

C. ORDER: CONCLUSION AND DECISION

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

Special conditions applied to the motion are:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN

0-1-08

CHAPTER 2.98
DESIGN REVIEW COMMISSION COMMITTEE

2.98.010: ESTABLISHED:

There is established a Design Rreview Commission.

2.98.020: MEMBERSHIP; TERMS; VACANCIES; COMPENSATION:

A. The Design Rreview Commission of the city shall consist of ~~seven~~ eight (78) members. The members shall be appointed by the mayor and confirmed by the city council. The Commission membership shall be made up of:

1. Two (2) members of the Planning Commission;
2. One (1) person who resides within any of the districts under the purview of the design review commission resident and/or merchant and/or professional businessperson located in the DC zoning district;
3. One (1) resident of Coeur d'Alene erce member of the Downtown Merchants and Professional Association;
4. One (1) registered Two (2) licensed architects or licensed in the State of Idaho landscape architects;
5. One (1) person licensed in building or site design (i.e. landscape architecture) citizen;
6. One (1) person employed in the real estate or development industry member shall be a high school student, who attends school within the boundary of School District 271, between the ages of fourteen (14) and eighteen (18) years old and shall serve in an advisory capacity only and may not vote.

In addition, there shall be at least two "standing alternates," possessing any of the attributes above, who are available in the event that one of the regular members is absent or is recused from the review process due to a conflict of interest.

The term of office for each ~~voting~~ member shall be for four (4) years or until his successor is appointed and qualified; ~~except for the high school student whose term shall be one year; provided, however, that the voting members of the design review commission theretofore appointed shall continue to serve as members for the term for which they were originally appointed.~~ The terms shall be staggered so that no more than three (3) terms shall expire on May 1, every two (2) years.

- B. Vacancies occurring otherwise than through the expiration of terms shall be filled by the mayor and confirmed by the city council and members may, in like manner, be removed. ~~Any member who does not attend at least a majority of the regularly called meetings of the commission over any consecutive three (3) month period may be replaced by appointment of the mayor and confirmation by the city council.~~
- C. Members of the Commission shall be selected without respect to political affiliations and shall serve without compensation.

2.98.030: DUTIES AND AUTHORITY OF COMMISSION:

It shall be the duty of the Design Revue Commission:

- A. To protect property rights and values; and
- B. To enhance the built environment, make reports, hold public hearings and perform all other duties as may be prescribed by the Idaho Code and this code.
- C. Commission ~~Board~~ members shall comply with all city policies, procedures, and regulations.
- D. To review development proposals as required by the Municipal Code; and
- E. To provide recommendations to the City Council on issues that the City Council may refer to the commission.

2.98.040: COOPERATION WITH CITY PLANNING COMMISSION:

The Design Revue Commission is granted full authority to cooperate with and/or to join with the City Planning Commission in setting up or establishing such coordinating commission or overall commission as the two (2) commissions may determine.

2.98.050: QUORUM AND MEETINGS:

A. Quorum Requirement:

The Commission may hold meetings with only four (4) members present but a quorum of five (5) members is required to render any decisions.

B. Meeting Schedule:

The Commission shall have a standing meeting twice a month, but meetings may be cancelled if there is no subject matter to discuss.

C. Conduct of Meetings:

For any given project in any given meeting, the Commission shall strive to maintain meetings that are expeditious and orderly, with an objective of conducting its review of any individual project within 90 minutes, including both presentation by the applicant and public comment. The Chair of the Commission is empowered to keep the meeting progressing expeditiously, including cutting off debate, determining appropriate comments by either the applicant or the public, and ensuring that all direction from the Commission is arrived at collectively, rather than from individual members.

IV. DESIGN REVIEW PROCEDURES

17.09.305: TITLE AND PURPOSE:

The provisions of this article shall be known as the *DESIGN REVIEW PROCEDURES*. The purpose of this article is to prescribe the procedure for Design Review Commission review of all projects, including requests for design departures, falling within their authority. The purpose of these provisions is to prescribe the procedure for the modification of specific provisions of chapter 17.08, article IV, "Downtown Design Regulations", of this title.

17.09.310: PUBLIC NOTICE AND COMMENT ON PROPOSED PROJECTS APPLICATION AND SUBMITTALS:

A. Public Notice:

When the Design Review Commission is scheduled to consider a project requiring Commission review, other than awning replacements, public notice of the first meeting to consider the project will be given as required by M.C. 17.09.120(B). Notice of all subsequent meetings regarding the project will be posted on the site as required by M.C. 17.09.120(B). Additionally, notices and notices of decisions regarding the project, including appeals, will be mailed to all persons requesting, in writing, notice of future meetings regarding the project.

B. Public Comments on Proposed Projects:

Meetings of the Commission shall include a period of time for public comment on proposed projects, but this shall be no more than 30 minutes total. Any public comment on a proposed project, shall be on the subject of design -- that is, how to make a project better comport with the design guidelines. No comment shall be taken on matters such as basic zoning standards, FAR, building height, density, or use, as these matters are not open to Commission modification.

Application for design review 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 that shall include a site plan and/or building elevations. The planning director or design review commission may require additional submittals such as floor plans sections and models as deemed necessary to demonstrate the characteristics of the design being considered;
- B. A narrative depicting the design characteristics of the use and how the design meets the applicable design guidelines and Coeur d'Alene comprehensive plan;
- C. Other such information as may be required by the planning director; and
- D. By the fee referenced in the fee schedule.

17.09.315: DEVELOPMENT PROJECTS REQUIRING COMMISSION REVIEW: PROCEDURE FOR CONSIDERATION:

A. Projects Subject to Design Review Commission Review:

Design Review Commission review is required as follows:

	District	New Construction	Street Façade Alterations*	Exterior Expansion
<i>Areas where Design Guidelines and Standards exist with trigger points for DRC review.</i>	DC District Downtown Core	All exterior projects south of midblock Lakeside / CdA	All	All
	Infill Overlay <ul style="list-style-type: none"> • DO-E • DO-N • MO 	Any project lot over 2 stories &/or 4 units	no	no

*Painting, window replacement or other minor repairs are not required to go through design review where the Planning Director, or his or her designee, determines that the repair does not constitute a substantial change to the façade or that the replacement windows are substantially similar to those being replaced. Awning replacements are

subject to Design Review Commission Review but only one meeting with the Commission is required. The applicant for an awning replacement must submit the items referenced in Section 17.09.320(D) in order to be placed on the next available agenda.

B. Planning Director's Determination of Commission Review:

The Planning Director, or his or her designee, is authorized to require Commission review of other projects subject to design review requirements in the DC District or the DO-E, DO-N and MO overlay districts, where the location, size, layout or design of the project creates unusual sensitivity or context issues.

~~A. Public Hearing: A public hearing before the design review commission shall be set for between twenty one (21) and sixty (60) days after formal acceptance, to be held on each application for alternative design review.~~

~~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. Design Review Commission Action: The design review commission shall determine whether the proposal conforms to the design review criteria and may grant or deny the application for the proposed design approval 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 design review commission decision shall be mailed to the applicant, property owners and residents within three hundred feet (300') of the external boundaries of the property described in the application and notice of the decision by the design review commission shall be published in the official newspaper within seven (7) days of the decision. The determination of the design review 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.~~

17.09.320: APPLICATION AND SUBMITTALDESIGN REVIEW CRITERIA:

A. Purpose of Application Submittals:

Development applicants shall seek to engage with the City review processes as soon as possible, before numerous substantive design decisions are made and fixed. Therefore, initial meetings with the City shall not include definitive designs, but rather broader descriptions of the development program and objectives, the constraints and opportunities presented by the site, and an analysis of the neighborhood setting that surrounds the site. The City intends to work in a collaborative fashion so that the outcome can meet both the

goals of the City and the applicant, as well as address concerns of people who live and own property and businesses in close proximity to the development.

In order for this process to work effectively, the applicant must be willing to consider options, not merely to details, but to basic form, orientation, massing, relationships to existing sites and structures, surrounding street and sidewalks, and how the building is seen from a distance. Accordingly, renderings, models, finished elevations and other illustrations that imply a final design will not be accepted at initial meetings. As the review proceeds and the applicant receives direction from the Commission, more detail will be requested.

B. Materials to be Submitted for Pre-Application Meeting with Planning Staff:

A pre-application meeting with the planning staff is required before the first meeting with the Design Review Commission. In order to schedule a pre-application meeting, the applicant must submit:

1. A site map, showing property lines, rights-of-way, easements, topography; and
2. A context map, showing building footprints and parcels within 300 feet; and
3. A summary of the development plan including the areas for each use, number of floors, etc; and
4. General parking information including the number of stalls, access point(s), and indicating if the parking will be surface or structured parking.

C. Materials to be Submitted for Initial Meeting with Design Review Commission:

1. An ownership list prepared by a title insurance company, listing the owners of property within a 300' radius of the external boundaries of the subject property. The list shall use the last known name and address of such owners as shown on the latest adopted tax roll of the county; and
2. A map showing all residences within the subject property and within a 300' radius of the external boundaries of the subject property; and
3. Photographs of nearby buildings that are visible from the site, with a key map; and
4. Views of the site, with a key map; and
5. A generalized massing, bulk and orientation study of the proposal; and
6. An elevation along the block, showing massing of the proposal; and
7. A list of any "design departures" being requested; and

8. All revisions to the materials submitted for the pre-application meeting.

9. The fee referenced in the fee schedule.

D. Materials to be Submitted for Second Meeting with Design Review Commission:

1. A site plan with major landscaped areas, parking, access, sidewalks and amenities; and

2. Elevations of the conceptual design for all sides of the proposal; and

3. Perspective sketches (but not finished renderings); and

4. A conceptual model is strongly suggested (this can be a computer model).

5. The fee referenced in the fee schedule.

E. Materials to be Submitted for Final Meeting with Design Review Commission:

1. Refined site plan and elevations; and

2. Large scale drawings of entry, street level façade, site amenities; and

3. Samples of materials and colors; and

4. Finished perspective rendering(s).

5. The fee referenced in the fee schedule.

~~An alternate design review standard may be approved only if the proposal conforms to all of the following criteria, to the satisfaction of the design review commission:~~

~~A. The resulting development is consistent with the applicable design guidelines;~~

~~B. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested; and~~

~~C. The granting of such design will not be contrary to the goals and policies of the comprehensive plan.~~

17.09.325: COMPLIANCE WITH STANDARDS AND GUIDELINES APPEALS TO THE CITY COUNCIL:

The applicant has the obligation to prove that the project complies with the adopted design standards and guidelines, which serve as the basis for the design review. The Design Review Commission may not substitute the adopted standards and guidelines with other criteria of its own choosing. Nor may it merely express individual, personal opinions about the project and its merits. Nevertheless, it may apply its collective judgment to determine how well a project comports with the standards and guidelines and may impose conditions to ensure better or more effective compliance. It also must be recognized that there will be site-specific conditions that need to be addressed by the Commission as it deliberates. The Commission is authorized to give direction to an applicant to rectify aspects of the design to bring it more into compliance. The Commission is authorized to approve, approve with conditions or deny a design following the final meeting with the applicant.

~~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 criteria, and may grant or deny alternate design standards or require such changes in the proposed design or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to the criteria in section 17.09.320 of this chapter.~~

17.09.330: FINAL DECISION BY THE COMMISSION ADHERENCE TO APPROVED PLANS:

A. Record of Decision:

The Design Review Commission shall issue a final written decision on the application within thirty (30) days after the final required meeting with the applicant. The record of decision shall include:

1. A brief description of standards and guidelines that have been met.
2. A description of standards and guidelines not met and any conditions.
3. Any "design departures" being sought and the resolution.
4. Public comments germane to design how they have been addressed.
5. The final decision, with any conditions listed.
6. Time limit for an appeal.

B. Distribution of Decision:

The record of decision will be mailed to the applicant, authorized representatives, and any other persons who have requested that they receive notice of future meetings

regarding the project as allowed by M.C. Section 17.09.907(A). Once the final decision has been issued and the appeal period is exhausted, the decisions shall be recorded as a part of the deed of record and title, so that subsequent owners are made aware of the conditions of approval.

An alternate design approval 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 design approval shall terminate one year from the effective date of its granting unless substantial development or actual commencement of authorized activities has occurred. However, such period of time may be extended by the design review commission for one year, without public notice, upon written request filed at any time before the approval has expired and upon a showing of unusual hardship not caused by the owner or applicant.

17.09.335: APPEALS OF A DECISION OF THE DESIGN REVIEW COMMISSION-REVOCATION:

A. Appellate Body:

Final decisions of the Design Review Commission may be appealed to the City Council if an appeal is requested within 10 days after the notice of decision has been issued. The appeal shall be in the form of a letter written to the Mayor and City Council and shall be filed with the Planning Director or his or her designee. The appeal shall be accompanied by the appeal fee established by resolution of the City Council and state the file number of the item. Upon receipt of an appeal, the Planning Director shall notify the City Clerk to set a public hearing before the City Council.

B. Appeal of the Record:

The City Council's review of the decision of the Design Review Commission shall be based on the record developed by the Commission. No new evidence or materials shall be allowed by any party in the appeals proceedings. The appeal hearing is not a *de novo* hearing.

C. Limited to Parties of Record:

Only the applicant, staff, appellants and their representatives, and the appeals body may participate in the appeals hearing. Although the hearing is open to the public, no general public testimony will be taken. Any party of record may provide argument, based on the established record, concerning the decision of the Design Review Commission.

D. Burden of Proof:

The appellant must establish by a preponderance of evidence that an error was made in the decision or that design standards were ignored or incorrectly applied. Merely objecting to the development, its height, intensity, parking or traffic impacts are not grounds for appeal because they are not design review criteria. Basic zoning standards and allowances embodied within the code shall be presumed to be correct because they were adopted through prior legislative action and are not subject to the appeal.

E. City Council Action:

The City Council may affirm or overrule the Design Review Commission decision or refer the project back to the Commission for further action or clarification. The City Council also may defer action upon the consent of the applicant. The City Council shall issue a decision affirming or overruling the Commission within fifteen (15) days of the hearing. If the project has been referred back to the Commission, the Commission shall hold a public hearing to consider the referral and shall render a report to the City Council within forty (40) days of such referral. The City Council shall then reconvene the public hearing to consider the report and render a decision as prescribed in this section.

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 design review commission may, after notice and hearing, revoke any design approval. The determination of the design review 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.

17.09.340: ADHERENCE TO APPROVED PLANS:

A. Compliance with Approved Plan:

Once approved, the project must be developed in accordance with the approved plans and all conditions of approval. If the development applicant wishes to modify the design in a substantial manner or submits an application for permit approval that does not incorporate all of the substantive elements of the approved design, the development applicant must submit the revised plan for design review and approval as outlined by this Article.

B. Determination of Compliance:

The Planning Director, or his or her designee, is authorized to determine if a submitted plan complies with the approved design and conditions or to refer that determination to the Design Review Commission. If the submitted plan does not comply with the approved design and conditions, the Planning Director, or his or her designee, shall determine at which point, in the design review process outlined in this Article, the development applicant must begin at to seek approval of the amended plan. This determination will be based on which step in the process best addresses the extent of the proposed changes.

C. Lapse of Approval:

Unless a different termination date is prescribed, the design approval shall terminate one year from the effective date of its granting unless substantial development or actual commencement of authorized activities has occurred. However, such period of time may be extended by the Design Review Commission for one year, without public notice, upon written request filed at any time before the approval has expired and upon a showing of unusual hardship not caused by the owner or applicant.

~~X. DESIGN DEPARTURE PROCEDURES~~

~~17.09.905: TITLE AND PURPOSE:~~

~~The provisions of this article shall be known as the *DESIGN DEPARTURE PROCEDURES*. The purpose of this article is to prescribe the procedure for relaxing specific provisions of the zoning ordinance in order to provide greater flexibility to the applicant for creative designs while requiring a higher level of design review to ensure that the underlying intent of the zoning ordinance is met even though the project may depart from the technical requirements of the ordinance. This procedure shall apply to all proposals for design departures allowed by the zoning ordinance.~~

~~17.09.910: APPLICATION AND SUBMITTAL:~~

~~Application for a design departure shall be made by the owner of the affected property on a form prescribed by the planning director. The application shall be notarized and accompanied by necessary information including an ownership list, site and building plans, and other data as may be required by the planning director. The ownership list shall be prepared by a title insurance company, listing the owners of property adjoining the property described in the application, using the last known name and address of such owners as shown on the latest adopted tax roll of the county. The application shall be accompanied by the fee referenced in the fee schedule.~~

~~17.09.920: PROCEDURE FOR CONSIDERATION:~~

~~An application for a design departure from a provision of the zoning ordinance, where authorized, shall be considered by the design review commission or planning director with an appeal allowable to the city council.~~

~~A. Planning Director Review: The planning director is authorized to administratively approve limited departures for a maximum of twenty percent (20%) of standard requirements. The director is not authorized to waive requirements in this title, grant variances, or modify conditions, considerations, or other requirements imposed by the design review commission or city council in any case. An appeal by an affected~~

person of a planning director decision may be taken to the design review commission by requesting a hearing in writing no later than ten (10) days after the date the planning director's written notice of decision is mailed to the applicant.

~~B. Design Review Commission: The design review commission shall hear all requests for design departures that exceed the authority of the planning director as well as appeals of decisions of the planning director under this section. The design review commission shall follow these procedures:~~

~~1. Hearings And Notice: Notice of the public hearing shall contain a description of the property under consideration, a summary of the request, the time and place of the hearing, and any other pertinent information. Such notice shall be mailed to owners of property adjoining the subject property not less than fifteen (15) days prior to the date of the hearing. After notice, the design review commission shall hold a public hearing on the design departure request between twenty one (21) and sixty (60) days after the completed application is accepted by the planning director. The design review commission shall determine whether the conditions required in section 17.09.930 of this chapter are satisfied and may approve, deny, deny without prejudice or require such changes in the proposed use or impose such conditions of approval necessary to satisfy the purposes of the zoning ordinance. A copy of the design review commission decision shall be mailed to the applicant and owners of property adjoining the subject property. A determination of the design review commission shall become final ten (10) days after the date of written notice of the decision has been published in the official newspaper unless it is appealed to the city council pursuant to subsection 17.09.125B of this chapter.~~

17.09.930: FINDINGS REQUIRED:

~~A design departure shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing that the departure would truly provide a superior design that benefits the private and public interests. In order to grant a design departure the planning director or design review commission must find that the applicant has met all of the following conditions:~~

- ~~A. The requested departure meets the intent statements relating to applicable development standards and design guidelines.~~
- ~~B. The departure will not have a detrimental effect on nearby properties or the city as a whole.~~
- ~~C. The project's building(s) exhibits a high degree of craftsmanship, building detail, architectural design, or quality of materials that are not typically found in standard construction. In order to meet this standard, an applicant must demonstrate to the DRC/planning director that the project's design offers a significant improvement over what otherwise could have been built under minimum standards and guidelines.~~
- ~~D. The proposed departure is part of an overall, thoughtful and comprehensive approach to the design of the project as a whole.~~

~~E. The project must be consistent with the comprehensive plan and any applicable plan.~~

~~17.09.940: APPEAL TO CITY COUNCIL:~~

~~An appeal by an affected person of a design review commission decision 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 conditions required by section 17.09.930 of this chapter are present, and may approve, deny, deny without prejudice or require such changes in the proposed use or impose such conditions of approval necessary to satisfy the purposes of the zoning ordinance.~~

~~17.09.950: TERMINATION, REVOCATION AND REAPPLICATION:~~

~~Unless a different termination date is prescribed, the design departure shall terminate one year from the date of approval, unless actual construction, alteration or commencement of activities has begun under valid permits within such period, or is not pursued diligently to completion. However, such period of time may be extended upon written request filed with the planning director at any time before the period has expired, for a period not exceeding one additional year. 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 design review commission may, after notice and hearing, revoke any design departure. Any revocation hearing shall comply with procedures prescribed in subsection 17.09.920 of this chapter.~~

17.07.935: DESIGN STANDARDS:

The Ceity Ceouncil shall adopt by resolution a list of mandatory design standards that must be met by all developments subject to the requirements of this article. Compliance with these design standards will be determined by the Pplanning Ddirector or the Design Review Commission as provided by M.C. Section 17.09.315. ~~based on his or her review of the proposed development. If the project is reviewed by the Planning Director, a~~An appeal may be taken to the Ddesign Rreview Ceommission by an aggrieved party by following the appeal procedures specified in section 17.07.945 of this article.

17.07.940: DESIGN GUIDELINES:

A. Establishment Oof Design Guidelines:

The Ceity Ceouncil shall adopt by resolution a list of design guidelines that are applicable to all developments subject to the requirements of this article. Each design guideline must be met by the proposed development. However, the design guidelines are intended to provide some flexibility in application provided that the basic intent of the guideline is met ~~to the satisfaction of the design review commission.~~ Compliance with these design guidelines will be determined by the Planning Director or the Design Review

Commission as provided by M.C. Section 17.09.315. If the project is reviewed by the Planning Director, an appeal may be taken to the Design Review Commission by an aggrieved party by following the appeal procedures specified in section 17.07.945 of this article.

B. Design Departures Review By Design Review Committee:

An applicant may request a design departure from any of the design guidelines adopted pursuant to this Section. The Planning Director will review all requests for design departures on projects not subject to Design Review Commission review under M.C. Section 17.09.315. In order for the Planning Director-design review committee to approve a design deviation, the developer must establish, to the satisfaction of the committee, that the basic intent of the guideline for which the deviation is sought can be met through the proposed alternative. departure, he or she must find that:

1. The requested departure meets the intent statements relating to applicable development standards and design guidelines.
2. The departure will not have a detrimental effect on nearby properties or the city as a whole.
3. The project's building(s) exhibits a high degree of craftsmanship, building detail, architectural design, or quality of materials that are not typically found in standard construction. In order to meet this standard, an applicant must demonstrate to the Planning Director that the project's design offers a significant improvement over what otherwise could have been built under minimum standards and guidelines.
4. The proposed departure is part of an overall, thoughtful and comprehensive approach to the design of the project as a whole.
5. The project must be consistent with the comprehensive plan and any applicable plan.

17.07.945: APPEAL OF DECISION OF PLANNING DIRECTOR:

- A. Timing Of Appeal: An appeal may be taken to the Design Rreview Commission by an aggrieved party from a determination of the Planning Director made pursuant to subsection 17.07.920C, or section 17.07.935, or section 17.0.940 of this article. Such appeal must be filed in writing with the planning director within ten (10) days following the mailing date of the official written notice of the decision. The appeal shall state specifically the objections to the decision or abuse of discretion or otherwise state how the decision is not supported by the evidence in the record. The appeal shall be accompanied by such information as may be required to facilitate review, and by the appeal fee set by resolution of the city council.
- B. Setting Of Hearing: The design review commission shall hear the appeal within forty (40) days after filing. At least ten (10) days prior to the hearing date, written notice

shall be given to the appellant and to any known adverse parties, or their representatives, of the time and place of the hearing on the appeal.

- C. Design Review Commission Action: The design review commission shall hold a public hearing to consider the appeal. The commission shall consider the purpose and intent, as well as the language, of the pertinent provisions, and may affirm, modify or reverse the determination of the planning director. Notice of the decision of the commission shall be given to the appellant in writing within forty (40) days of the hearing.

17.08.945: DEVIATION FROM DEVELOPMENT STANDARDS:

The developer, or the property owner, may request deviations from any of the development standards of the hillside overlay ordinance to the planning director. Deviations may be granted only as listed herein:

- A. Minor Deviations: ~~The planning director shall notify the public of the request for minor deviation in accordance with subsection A6 of this section. After public notice and comment on the deviation request, the city~~ planning director will review and decide on the proposed deviations. This decision may be appealed to the planning commission for approval or denial. Minor deviations may only be granted if all of the following circumstances are found to exist:

1. The deviation will result in equal or greater protection of the resources protected under this chapter;
2. The deviation is the minimum necessary to alleviate the difficulty;
3. The deviation does not conflict with Idaho Code, the city of Coeur d'Alene comprehensive plan and zoning ordinance and, in the case of the Fernan Lake planning area, the Fernan watershed management plan.
4. The requested modification was not specifically appealed during the public hearing process; and
5. The requested modification will not cause adverse physical impacts on adjacent properties.

Deviations typical of this category include:

- a. Reduction of portion or all of the requirements for geotechnical study, grading plan, tree survey, etc., if the work is minor in nature or if adequate information already exists to determine the impact of the development.
- b. Modification of dimensional requirements for driveway lengths, curb and sidewalk requirements, architectural features.
- c. The use of seedlings (rather than 4 foot - 8 foot tall B&B trees) for tree replacements on steep slopes where there are shallow soils.

d. Deviation from the maximum cut and fill slopes and fill slope inclination all as defined in subsection 17.08.920E of this chapter.

~~6. Prior to granting or denying a minor deviation request, notice and opportunity to be heard shall be provided to property owners adjoining the parcel under consideration. The city shall cause notice to be mailed to adjoining property owners no less than seven (7) calendar days before application review. The applicant shall provide an accurate mailing list and shall be responsible for all costs of public notice.~~

B. Substantial Deviations: Substantial deviations may be granted by the planning commission to the conditions and limitations of the hillside development regulations, after public notice and hearing. This decision may be appealed to the city council for approval or denial. Substantial deviations may only be granted if all of the following circumstances are found to exist:

1. The deviation is the minimum necessary to alleviate the difficulty;
2. The deviation will result in equal or greater protection of the resources protected under this article;
3. The requested modification was not specifically appealed during the public hearing process;
4. The requested modification will not cause adverse physical impacts on adjacent properties; and
5. The deviation does not conflict with Idaho Code, the city of Coeur d'Alene comprehensive plan and zoning ordinance and, in the case of the Fernan Lake planning area, the Fernan watershed management plan.

C. Planned Unit Developments: Modifications to the development standards of this article approved through the planned unit development process (section 17.07.205 et seq., of this title) shall not be subject to the foregoing review and hearing process for deviations.

Public notice for substantial deviations shall be pursuant to section 67-6509 Idaho Code, and shall include mailed notice to abutting property owners not less than fifteen (15) days before the public hearing. The applicant shall provide an accurate mailing list and shall be responsible for all costs of public notice.

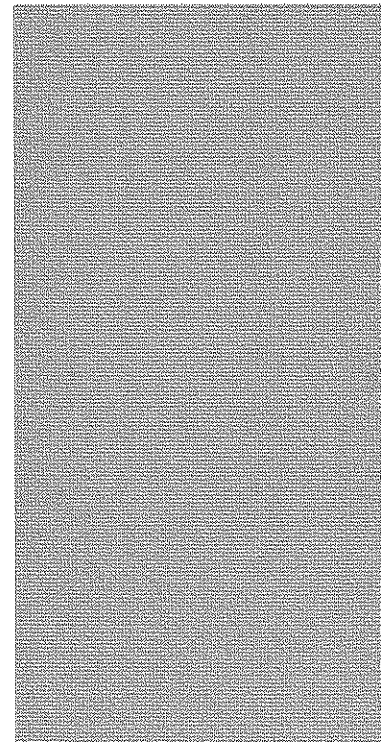
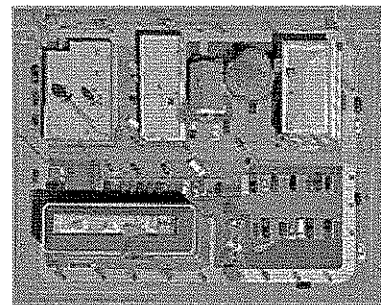
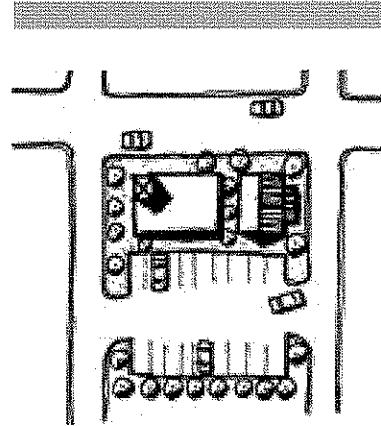
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DESIGN STANDARDS & GUIDELINES

LOCATION OF PARKING

In order to diminish the visual impact of parking areas and to enhance the pedestrian experience:

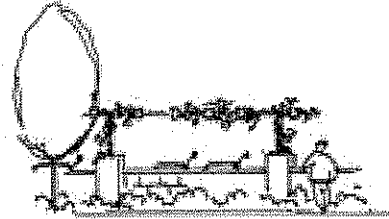
1. Surface parking lots shall be located behind buildings to the greatest extent possible. If necessary, parking lots may be located to the side of the building. Surface parking lots should never be located between the public street and the building or at intersection corners.
2. Sharing surface parking lots, between surrounding businesses or day and night uses is encouraged.



SCREENING OF PARKING LOTS

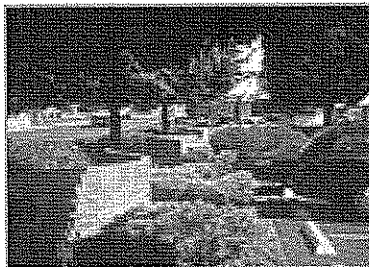
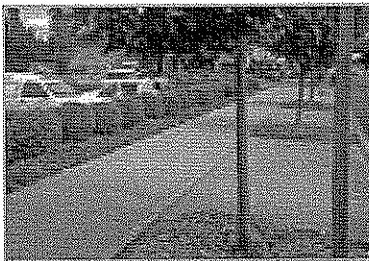


In order to reduce the visual impact of surface parking lots:



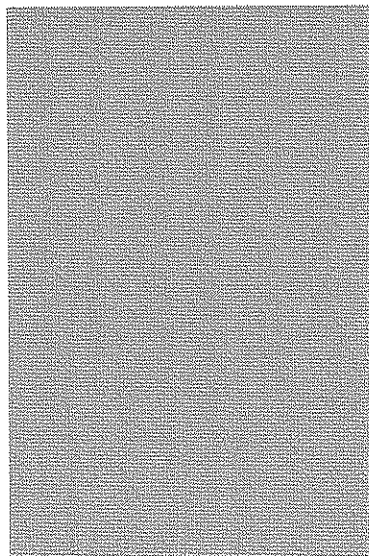
1. Parking lots that abut a public street shall be screened with a continuous screen that is at least 2 feet in height and no more than 3 feet in height. The screen may be one or a combination of the following treatments:

- a. Landscape plantings consisting of evergreen shrubs and groundcover materials.
- b. Low walls made of concrete, masonry, or other similar material.
- c. Continuous raised planters planted with evergreen shrubs.
- d. Use of Railings:
In the event that there is insufficient space to allow the use of evergreen plant material or low walls to screen parking areas, a railing with articulation of detail may be used.



2. Walls and raised planters shall not exceed a maximum height of 3 feet, unless all of the following are provided:

- a. Screen treatment does not create a safety hazard.
- b. Portion of treatment that is above 3 feet in height is a minimum 75% transparent (i.e. see-through metal railing, trellis, or other similar treatment).
- c. Portion of wall/landscape treatment that is above 3 feet in height provides added visual interest, detail, and character suitable to the character of the development.

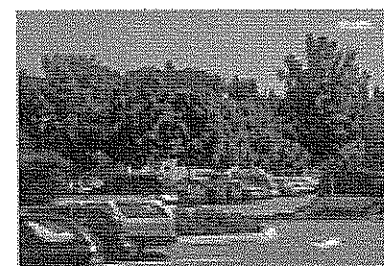
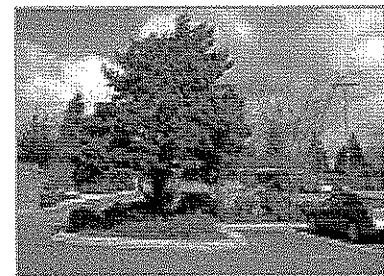
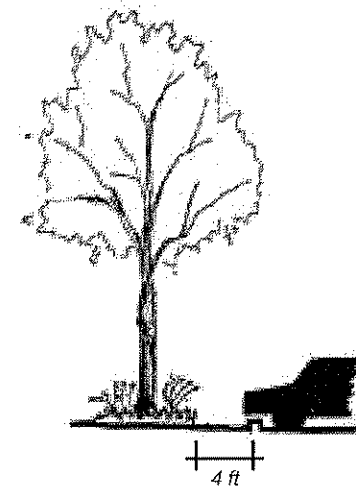
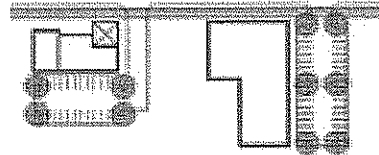
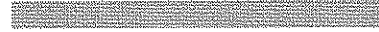


3. Chain link fencing shall not be permitted to be used to screen or enclose parking along a public sidewalk.

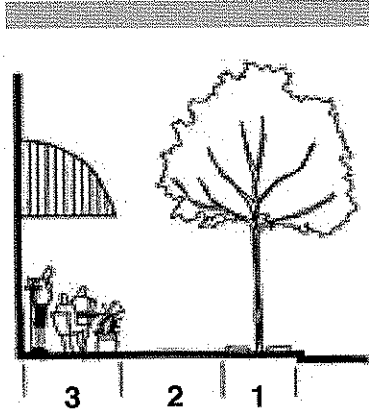
PARKING LOT LANDSCAPE

In order to reduce the visual mass of surface parking lots:

1. Parking lot landscape should reinforce the pedestrian and vehicular circulation, especially parking lot entrances, ends of driving aisles, and pedestrian walkways leading through parking lots.
2. Where the parking lot is located to the side of the building and partially abuts the public street, one shade tree for every six spaces shall be provided. (In those rare instances in which lots are in front of buildings this same guideline shall apply.)
3. Where the parking lot is located behind the building and is not visible from the public street, one shade tree for every eight spaces shall be provided.
4. A minimum 4-foot setback shall be provided for all trees and shrubs where vehicle overhang extends into landscape areas.



SIDEWALK USES



In order to produce a streetscape that is safe, convenient, comfortable and appealing for people on foot:

1. Amenity Zone:

Signs, street furniture, lighting, landscaping, etc., are allowed in the amenity zone. Street trees shall be spaced 20 feet to 40 feet apart, in tree grates or 4 or 5 foot wide planted area.

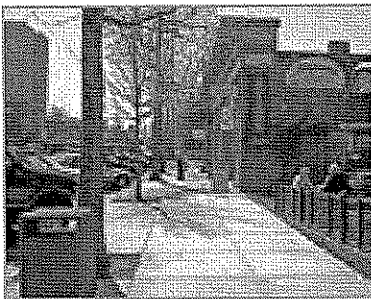
2. Clear Walkway Area:

Sidewalk area shall maintain a clear 7-foot dimension for pedestrian travel. Signs, street furniture, planters and other amenities shall not encroach upon the clear walkway area.



3. Storefront Area:

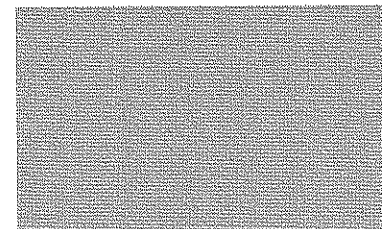
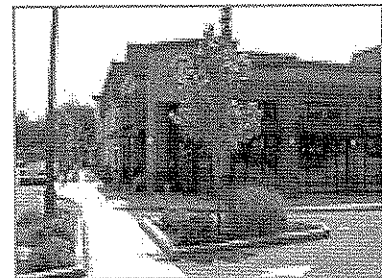
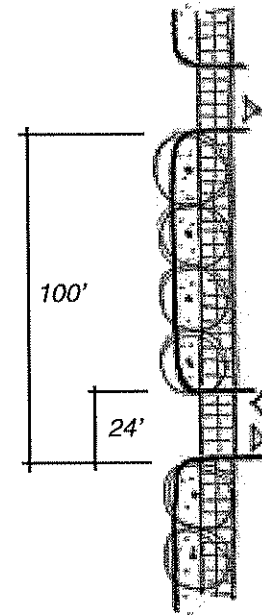
Sidewalk area outside the pedestrian travel area may be used for outdoor dining and/or display.



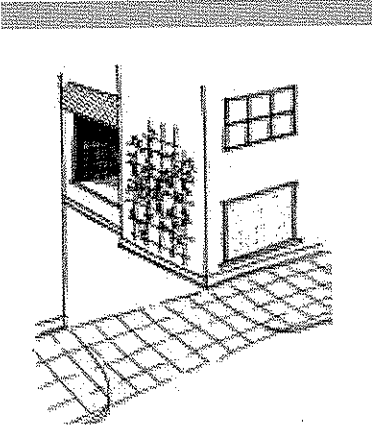
WIDTH AND SPACING OF CURB CUTS

In order to maintain continuous uninterrupted sidewalks within the Downtown District:

1. Curb cuts for non-residential uses shall not exceed 24 feet for combined entry/exits for every 100 feet of street frontage.
2. The sidewalk pattern and material shall carry across the driveway.
3. Adjacent developments shall share driveways, to the greatest extent possible.
4. No curb cuts are allowed along Pedestrian-Oriented Streets.

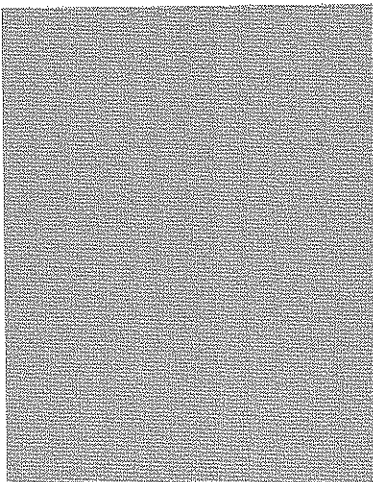
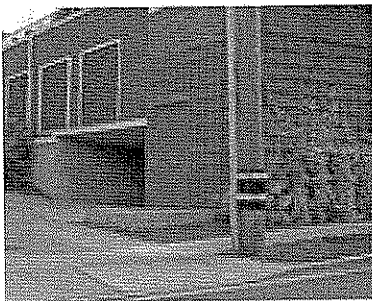
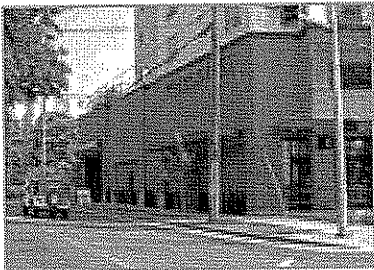


SCREENING OF TRASH/SERVICE AREAS



In order to reduce the visual impacts of trash and service areas:

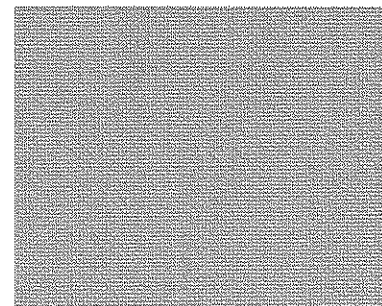
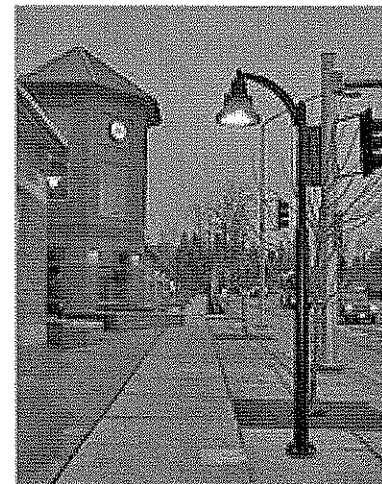
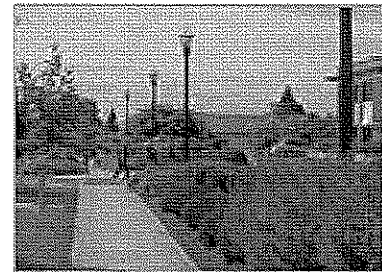
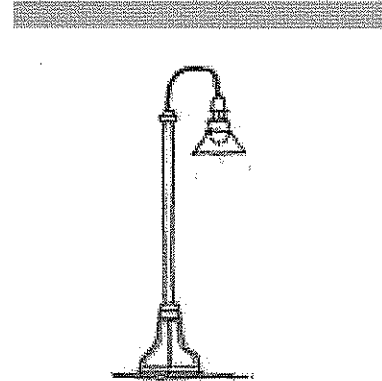
1. Trash and service areas shall be placed away from the public right-of-way.
2. Trash and service areas shall be screened from view on all sides with solid evergreen plant material or architectural treatment similar to the design of the adjacent building.
3. Loading and service areas shall not face any residential areas, unless no other location is possible.



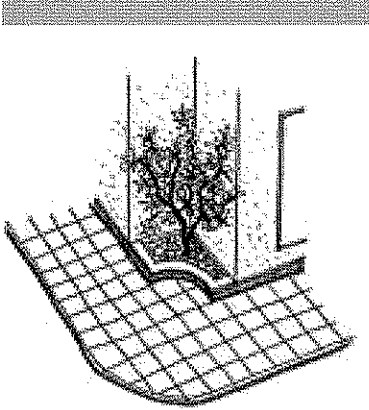
LIGHTING INTENSITY

In order to conserve energy, prevent glare and reduce atmospheric light pollution while providing sufficient site lighting for safety and security:

1. All fixtures must be shielded to prevent light trespassing outside the property boundaries.
2. All fixtures used for site lighting shall incorporate shields to minimize up-light spill and glare from the light source.
3. Flashing lights are prohibited with the following exception:
 - a. Low-wattage holiday and special occasion accent lights.
4. Lighting directed upwards above the horizontal plane (up-lighting) is prohibited, with the exception of Government Flags.

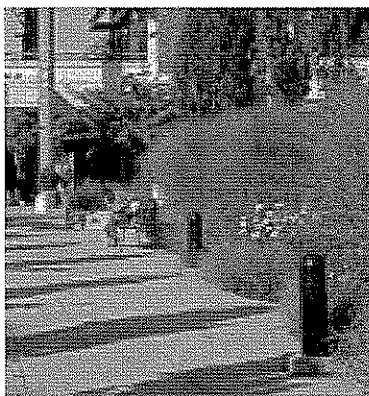
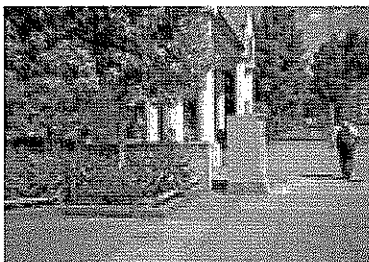
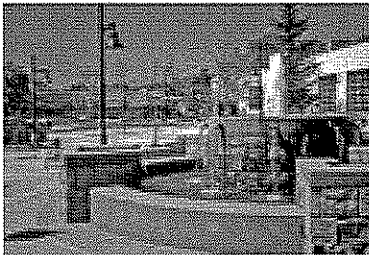


GATEWAYS



In order to mark key intersections within and around the edges of the Downtown District:

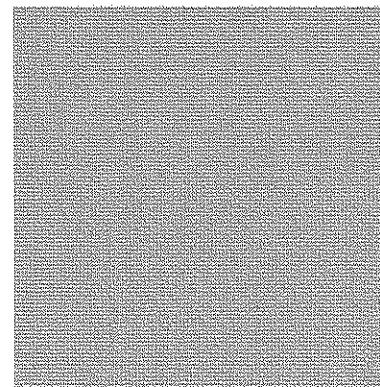
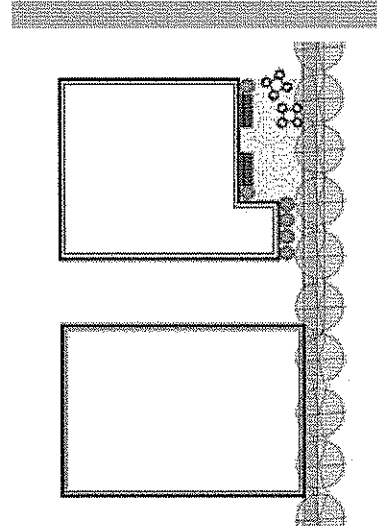
1. At designated Gateways, there shall be a special feature provided at the corner of a site next to the street(s) and composed of at least two of the following elements:
 - a. seasonal planting
 - b. flowering specimen tree
 - c. artwork
 - d. water feature
 - e. public space
 - f. unique lighting



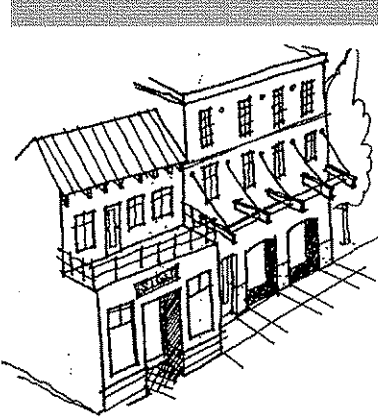
MAXIMUM SETBACK

In order to promote a lively, pedestrian friendly sidewalk environment along Pedestrian-Oriented Streets within the downtown:

1. Buildings shall be set up to the back of the sidewalk, unless providing usable public space, forecourts, or vegetative screening of parking structures. Buildings may be set back from the sidewalk a maximum of 20 feet for public space or entries, or a maximum of 10 feet for vegetative screening.
2. Setting façades close to the street may be accomplished through base structures that extend out to the sidewalk, not necessarily the full height of the building.

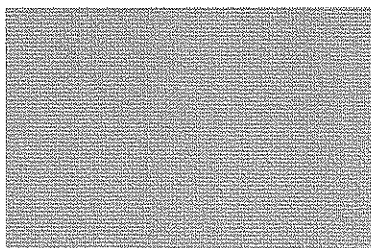
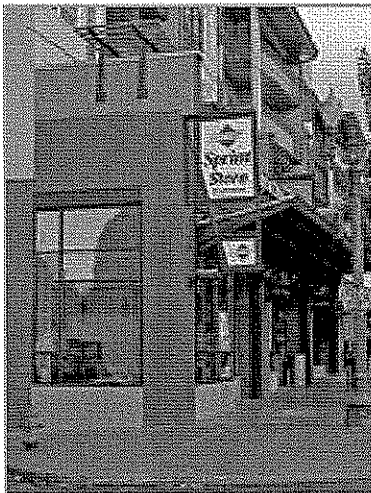
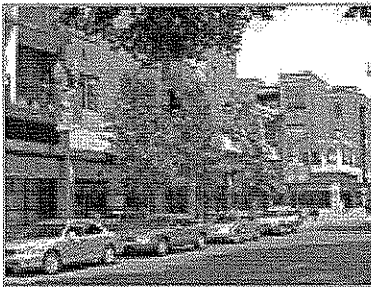


ORIENTATION TO THE STREET



To reinforce pedestrian activity and enhance the liveliness of downtown streets through building design, the following guidelines must be met:

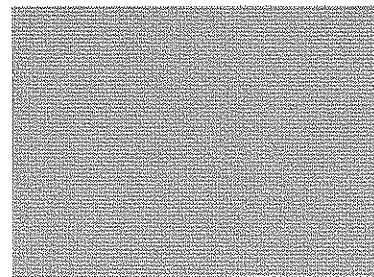
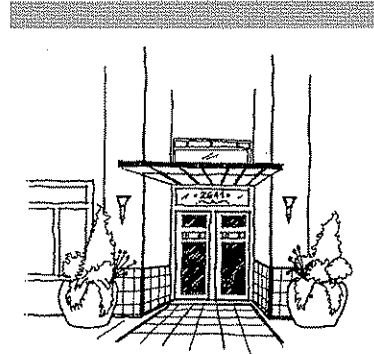
1. Buildings shall be oriented to the adjacent street, rather than to a parking lot or structure.
2. The façade nearest the sidewalk should incorporate windows, entrances, canopies and other features (see the following building design guidelines).
3. Primary building entries should face the street. If the doorway does not face the street, a clearly marked and well-maintained path shall connect the entry to the sidewalk.



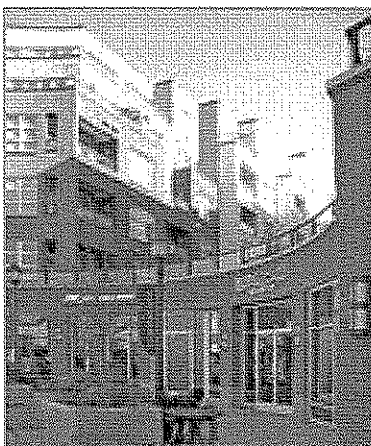
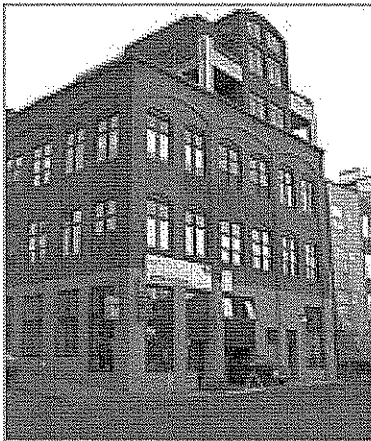
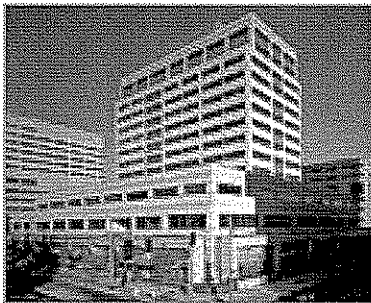
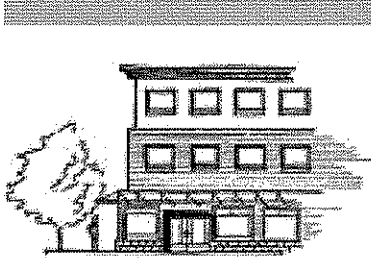
ENTRANCES

In order to ensure that building entrances are welcoming to pedestrians, easily identifiable and accessible from streets and sidewalks, the following guidelines must be met:

1. The principal entry to the building shall be marked by two or more of the following elements:
 - a) recess
 - b) forecourt
 - c) projecting canopy
 - d) portico with distinctive roof form
 - e) taller bay
 - f) clerestory and/or side windows
 - g) other feature, as approved, that meets the intent.
2. Some form of weather protection (wind, sun, rain) shall be provided at the entrance to buildings. This can be combined with the method used to achieve visual prominence.



MASSING



To reduce the bulk of taller buildings and maintain pedestrian scale by providing a sense of “base,” “middle,” and “top”, the following guidelines must be met:

1. Top:

The “top” of the building shall emphasize a distinct profile or outline with elements such as projecting parapets, cornices, upper level setbacks, or pitched rooflines.

2. Middle:

The “middle” of the building must be made distinct by change in material or color, windows, balconies, step backs, or signage.

3. Base:

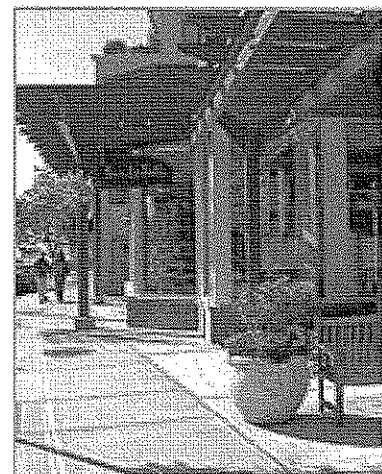
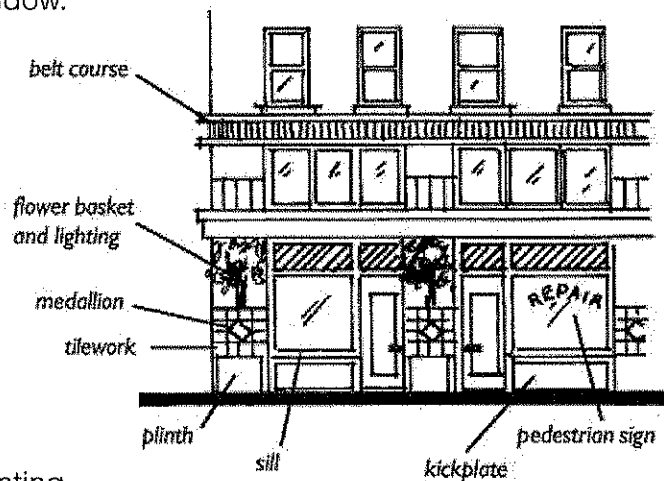
Buildings shall have a distinct “base” at the ground level, using articulation and materials such as stone, masonry, or decorative concrete. Distinction may also be defined by the following:

- a) windows d) bays
- b) details e) overhangs
- c) canopies f) masonry strips & cornice lines

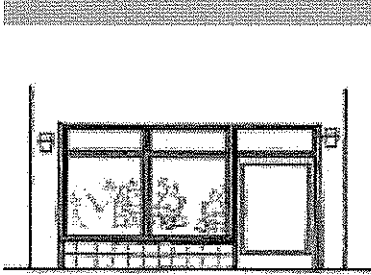
GROUND LEVEL DETAILS

To reinforce the character of the streetscape by encouraging the greatest amount of visual interest along the ground level of buildings facing downtown streets.

1. The ground-floor, street-facing façades of commercial and mixed-use buildings shall incorporate at least five of the following elements:
 - a) Kickplates for storefront window.
 - b) Projecting sills.
 - c) Pedestrian scale signs.
 - d) Canopies or Awnings.
 - e) Plinth.
 - f) Pilasters.
 - g) Ornamental tile work.
 - h) Medallions.
 - i) Belt courses.
 - j) Cornice.
 - k) Containers for seasonal planting.
 - l) Lighting or hanging baskets supported by ornamental brackets.
 - m) Pedestrian-scale signs or signs painted on windows.
 - n) An element not listed here, as approved, that meets the intent.

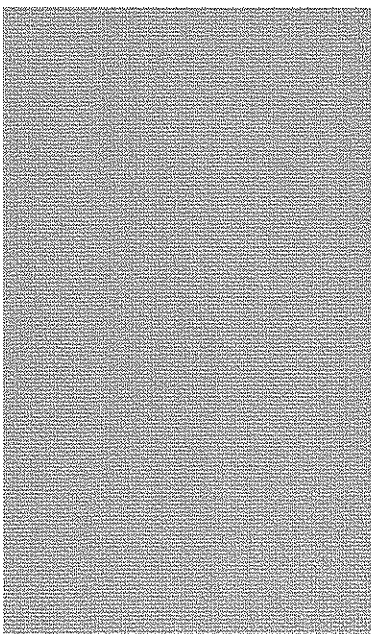
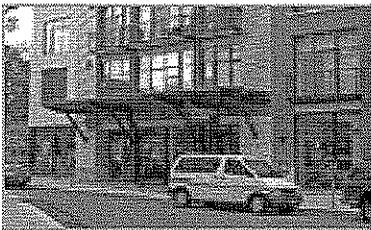


GROUND FLOOR WINDOWS



To provide visual connection between activities inside and outside the building:

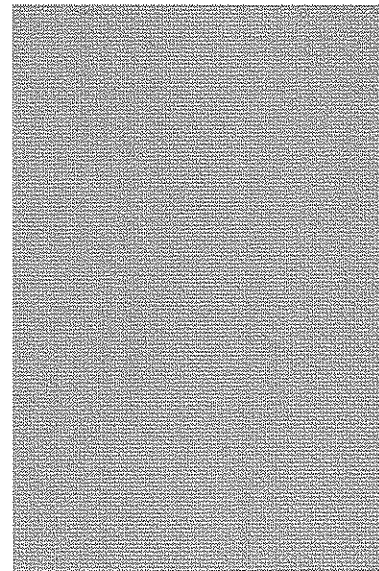
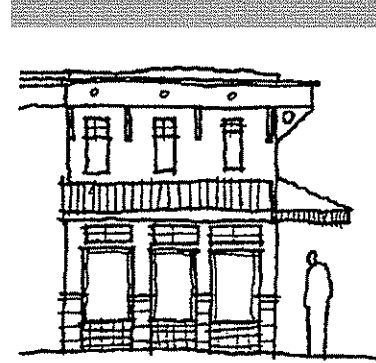
1. The ground level façades of buildings that are oriented to particular streets shall have transparent windows between an average of 2 feet and 10 feet above grade, according to the following:
 - a. Pedestrian-Oriented Streets:
minimum of 60% transparency
 - b. Vehicular -Oriented Streets:
minimum of 40% transparency
 - c. Along Other Streets:
minimum of 20% transparency
2. To qualify as transparent, windows shall not be mirrored glass or darkly tinted glass.
3. Where transparency is not provided, the façade should comply with the guidelines under section 'Treating Blank Walls.'



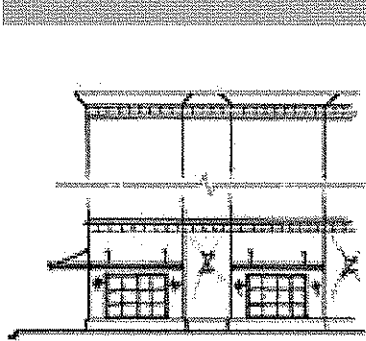
WEATHER PROTECTION

To provide pedestrians with cover from rainfall and snow thereby making the experience of walking during inclement weather more pleasant.

1. The minimum depth of any canopy or awning shall be 5 feet unless limited by the building code. The vertical dimension between the underside of a canopy or awning and the sidewalk shall be at least 8 feet and no more than 12 feet.
2. Canopies may be constructed of any permanent, durable material, but glass and steel are strongly suggested. Internal illumination of awnings shall not be allowed unless the awning material is opaque. However, pedestrian-scale lighting and other down-lighting is allowed beneath awnings.



TREATMENT OF BLANK WALLS



To ensure that buildings do not display blank, unattractive walls to the abutting street(s) or nearby residential neighborhoods, the following guidelines must be met:

1. Walls within public view shall have windows, reveals or other architectural detail.
2. Uninterrupted expanses of blank wall, façade or foundation longer than 30 feet shall be broken up by using two or more of the following:

a. Vegetation:

Vegetation, such as trees, shrubs, groundcover and/or vines, adjacent to the wall surface;

b. Artwork:

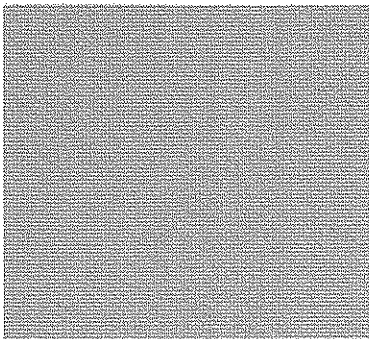
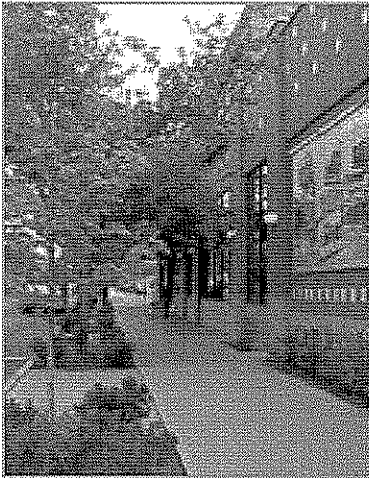
Artwork, such as bas-relief sculpture, mural or trellis/vine panels;

c. Seating:

Seating area with special paving and seasonal planting.

d. Architectural details:

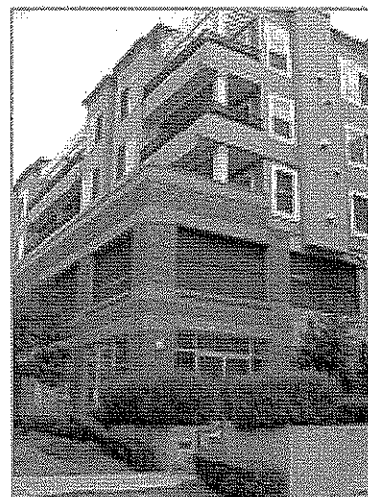
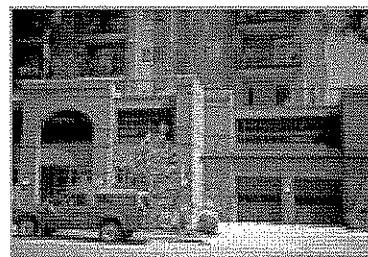
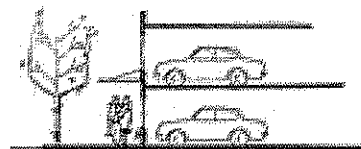
Architectural detailing, reveals, contrasting materials or other special interest.



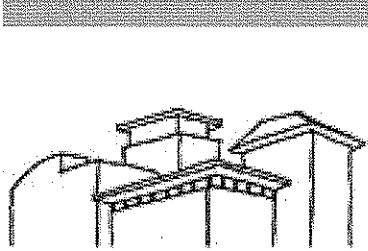
SCREENING PARKING STRUCTURES

To reduce the visual impact of structured parking located above grade:

1. At ground level, free-standing parking structures shall comply with guidelines addressed under 'Weather Protection' and 'Ground Level Details.'
2. Street-facing façades of parking levels within the building as well as ground levels of free-standing parking structures should be screened or treated architecturally. Treatment should allow the levels to appear more like a typical floor, rather than open slabs with visible cars and ceiling lights. Architectural treatment shall require two or more of the following:
 - a) Square openings, rather than horizontal
 - b) Planting designed to grow on the façade
 - c) Louvers
 - d) Expanded metal panels
 - e) Decorative metal grills
 - f) Spandrel (opaque) glass
 - g) Other devices, as approved, that meet the intent.

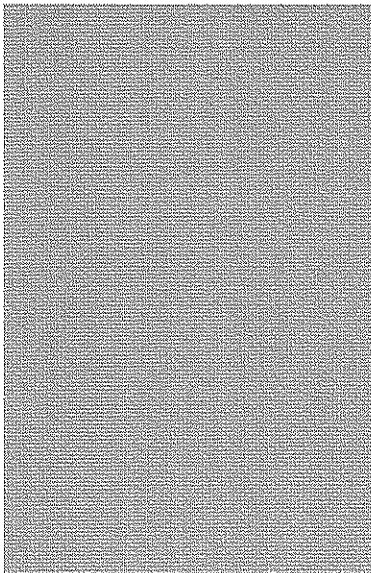
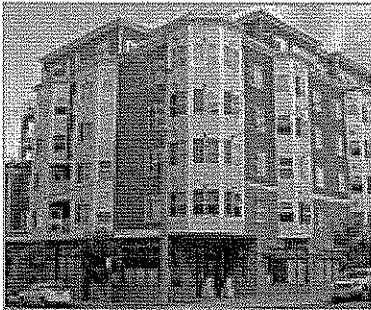


ROOF EDGE



In order to ensure that rooflines present a distinct profile and appearance for the building and expresses the neighborhood character, the following guidelines must be met:

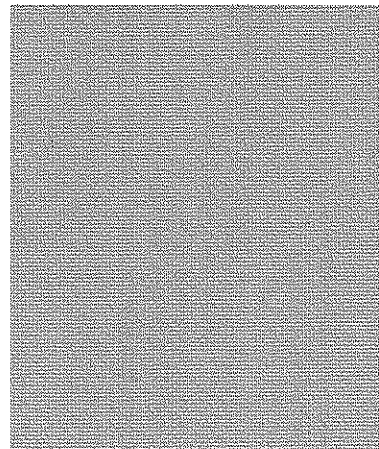
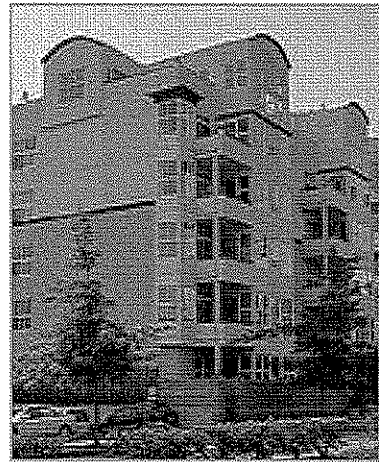
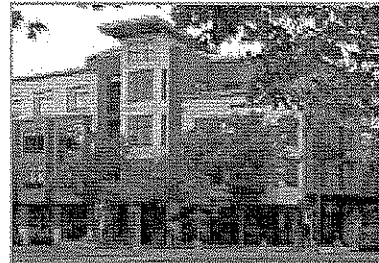
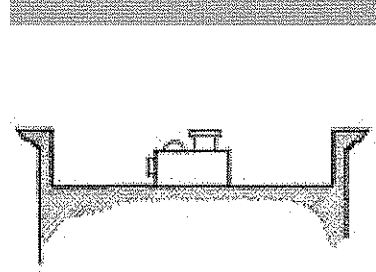
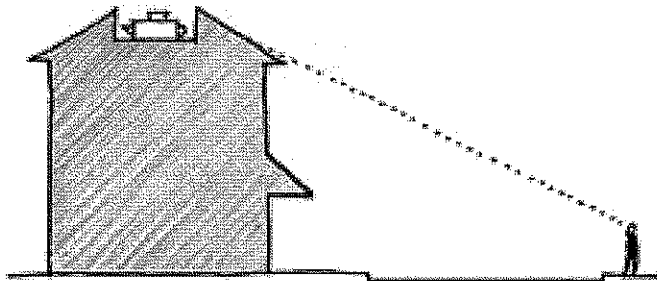
1. Buildings with pitched roofs shall have a minimum slope of 4:12 and maximum slope of 12:12.
2. Buildings with flat roofs shall have projecting cornices to create a prominent edge when viewed against the sky.



SCREENING OF ROOFTOP MECHANICAL EQUIPMENT

In order to screen rooftop mechanical and communications equipment from the ground level of nearby streets and residential areas, the following requirements must be met:

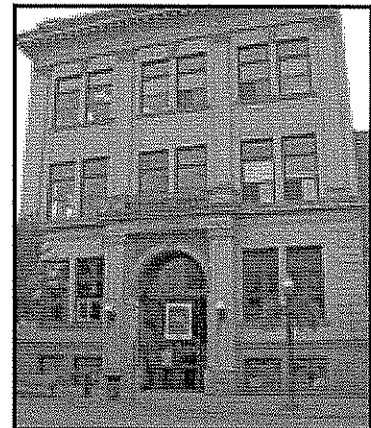
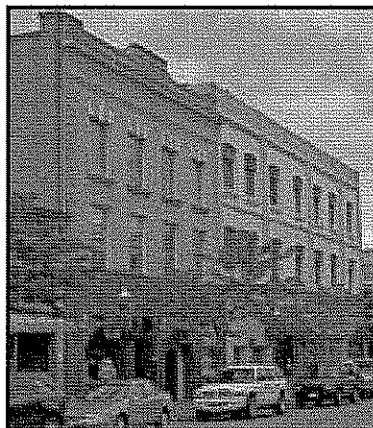
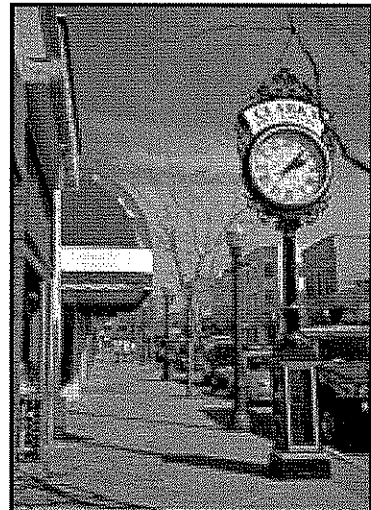
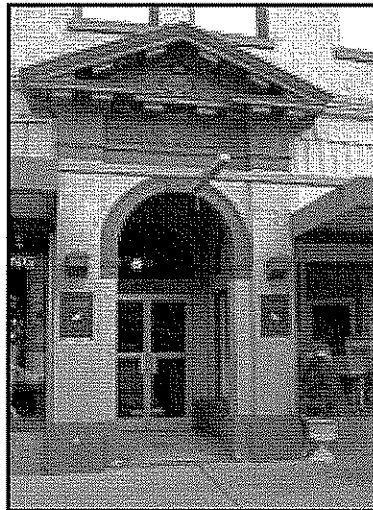
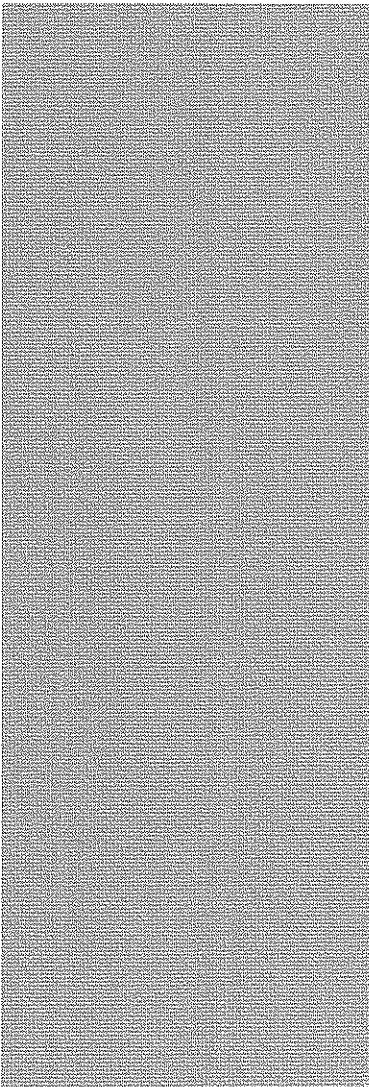
1. Mechanical equipment must be screened by extended parapet walls or other roof forms that are integrated with the architecture of the building. Painting rooftop equipment or erecting fences are not acceptable methods of screening rooftop equipment.
2. Any rooftop mounted voice/data transmission equipment shall be integrated with the design of the roofs, rather than being simply attached to the roof-deck.



UNIQUE HISTORIC FEATURES

In order to retain the unique character of the neighborhood and businesses, the following guidelines must be met:

1. Retaining Major Elements in Renovation or Redevelopment
2. Relating New Construction to Context



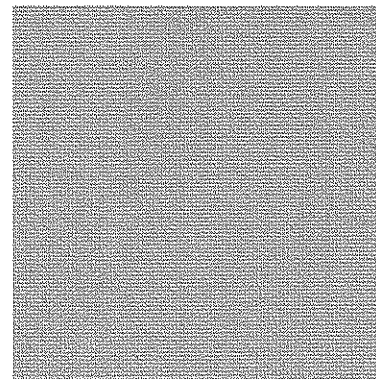
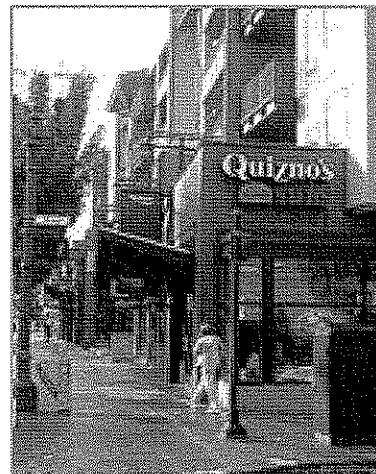
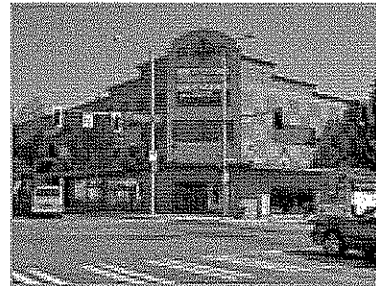
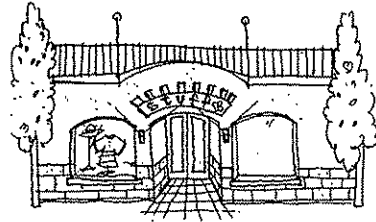
INTEGRATION OF SIGNS WITH ARCHITECTURE

In order to ensure that signage is part of the overall design of a project, the following guidelines must be met:

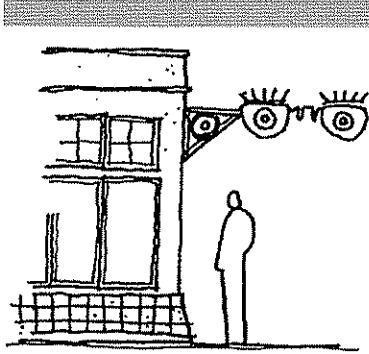
1. Sign Plan:

The design of buildings and sites shall identify locations and sizes for future signs. As tenants install signs, such signs shall be in conformance with an overall sign plan that allows for advertising which fits with the architectural character, proportions, and details of the development. The sign plan shall indicate location, size, and general design.

2. Signs shall not project above the roof, parapet, or exterior wall.

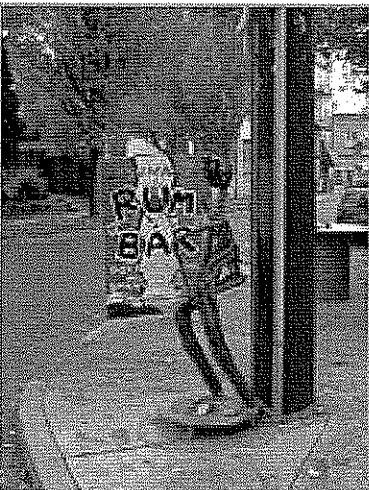
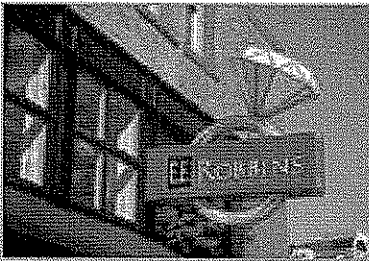


CREATIVITY/INDIVIDUALITY OF SIGNS



In order to encourage interesting, creative and unique approaches to the design of signs, the following guidelines must be met:

1. Signs should be highly graphic in form, expressive and individualized.
2. Projecting signs supported by ornamental brackets and oriented to pedestrians are strongly encouraged.



2003 Downtown Design Regulations Recommended Candidates for Deletion

The following regulations are generally found to be rather rigid and therefore unnecessary for the downtown urban design standards. However, a few particular pieces have been retained and incorporated into this draft.

17.08.450 Scale (Modulation)

17.08.455 Building Material, Color and Detail

УШПЗ-УСВ РПИ-О

2008 Planning Commission Priorities Progress

FEBRUARY 2008

<p>.A note on the colors from from Tony Berns: "I use the stop light analogy: Red is bad – either that initiative has failed, or our Board goal for the year will not be met. Yellow is caution – could get to "red" if we don't do something pronto. Green is good. he other colors like "pending" are place holders until action on those items can occur." Note: The PC is encouraged to select what "color" is appropriate.</p>		
Administration of the Commission's Business		
▪ Follow-up of Commission requests & comments		No new requests.
▪ Meeting with other boards and committees		Park/rec Comm workshop 6/07. Sign Bd 06, CC 3/07
▪ Goal achievement		Checklist of projects w/updated 12/ 07
▪ Building Heart Awards		Discussed 7/06 No awards will be given.
• Speakers		Wastewater & LCDDC completed
• Public Hearings		March 11, 5 Items
Long Range Planning		
▪ Comprehensive Plan Update		Approved by City Council on November 20, 2007
Public Hearing Management		
▪ Continued work on Findings and Motions		Warren and Plg staff to review
▪ Public hearing scheduling		Chrman Jordan consulted on agenda
Regulation Development		
1. Subdivision Standards		Pending – some research begun
2. Revise Landscaping Regulations		w/Urban Forestry & rfq/p being drafted
3. Expansion of Design Review		PC hearing scheduled February 12, 2008.
4. Commercial Zoning Districts		Hgts/Commercial Zoning study of E Sherman assigned by council.
5. Off-Street Parking Standards		Rfq/p being drafted.
6. Workforce & Affordable Housing		City staff & consultant working on various aspects ie Community Development Block Grant.
Misc Zoning Ord. Updates		
<ul style="list-style-type: none"> • Non-Conforming Use Reg cleanup • Average Finish Grade • Screening of rooftop equipment • Mediation – state law • Planned Unit Development Standards • Lighting • Surface Water, Irrigation – ID law • Re-codification or re-org to Unified Development Code 		<p>Fort Grounds Example, research continuing.</p> <p>CC Approved 5/1</p> <p>Research begun</p>
Other Code Provisions under Development Supported by Commission		
<ul style="list-style-type: none"> • Variance criteria • Design Review Procedure • Downtown Design Review – cleanup • Height Projections 		<p>CC approved hgt 5/1</p> <p>PC Hearing February 12, 2008</p> <p>PC Hearing February 12, 2008</p>
Other Action		
Infill East Revisions		CC approved East Infill Boundary 9-18-07 Additional amend wkshp/PH 3/08