

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

**FEBRUARY 12, 2013**

**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, Evans, Luttropp, Messina, Soumas, Haneline, Conery, (Student Rep.),  
Snow (Alt. Student Rep.)

**APPROVAL OF MINUTES:**

November 13, 2012  
January 8, 2013

**PUBLIC COMMENTS:**

**COMMISSION COMMENTS:**

**STAFF COMMENTS:**

**ADMINISTRATIVE ITEMS:**

1. Applicant: Crystal Creek, LLC  
Location: Lt 1 Block 1, Mill River 2<sup>nd</sup> Addition  
Request: A 2-lot preliminary plat "Mill River 4<sup>th</sup> Addition  
SHORT PLAT, (SS-1-13)

**PUBLIC HEARINGS:**

1. Applicant: Paul Delay  
Location: 3514 N. Fruitland Lane  
Request: A proposed Automobile Parking for adjacent  
commercial use Special Use Permit in the  
R-17 zoning district.  
QUASI-JUDICIAL, (SP-1-13)

**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  
NOVEMBER 13, 2012  
LOWER LEVEL – COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT:**

Brad Jordan, Chairman  
Heather Bowlby, Vice-Chair  
Amy Evans  
Peter Luttrupp  
Tom Messina  
Rob Haneline  
Grant Conery, Student Rep.  
Jennifer Snow, Alt Student Rep.

**STAFF MEMBERS PRESENT:**

Dave Yadon, Planning Director  
Shana Stuhlmiller, Public Hearing Assistant  
Warren Wilson, Deputy City Attorney  
Gordon Dobler, Engineering Services Director

**COMMISSIONERS ABSENT:**

Lou Soumas

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

Motion by Evans, seconded by Bowlby, to approve the minutes of the Planning Commission meeting on October 9, 2012. Motion approved.

**COMMISSION COMMENTS:**

None.

**STAFF COMMENTS:**

None.

**PUBLIC COMMENTS:**

Planner Yadon announced a workshop on the modifications to the Subdivision Ordinance to be held on November 20<sup>th</sup> at 12:00 p.m. in the city council chambers at city hall.

### **ADMINISTRATIVE:**

1.     Applicant:     Riverstone Hospitality, LLC  
       Location:    Lt 6 Blk 1, Plat of Riverstone  
       Request:     A proposed 2-lot preliminary plat " Riverstone East"  
                      SHORT PLAT (SS-9-12)

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

There were no questions for staff.

**Motion by Luttrupp, seconded by Bowlby, to approve Item SS-9-12. Motion approved.**

- 2,     Applicant:     Loco Investments, LLC.  
       Location:    Lt 8 & 9,10&11 Block 1 Varnums Addition  
       Request:     A proposed 4-lot preliminary plat "Loco Estates"  
                      SHORT PLAT (SS-10-12)

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

There were no questions for staff.

**Motion by Messina, seconded by Haneline, to approve Item SS-10-12. Motion approved.**

3.     Applicant:     Ron Dorn  
       Request:     Interpretation of PUD-1-11 condition #2 that portable classrooms  
                      removed from proposed open space prior to the approval of a  
                      Site Development permit anywhere within "lot 3".  
                      INTERPRETATION (I-3-12)

Planning Director Yadon presented the staff report and then asked if the Commission had any questions.

Commissioner Bowlby stated that this request seems appropriate since moving the portable classrooms would be disruptive during the school year.

**Motion by Bowlby, seconded by Evans, to approve Item I-3-12. Motion approved.**

### **PUBLIC HEARINGS:**

1.     Applicant:     North Idaho College  
       Location:    E. of NW. Blvd, N. of River Ave, and E. of Spokane River  
       Request:     A proposed 6-lot prelim plat "North Idaho College"  
                      QUASI-JUDICIAL (S-4-12)

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

Commissioner Bowlby inquired how much open space is currently provided on this project.

Planner Yadon answered that the amount is 11%.

Public testimony open.

Brad Marshall, Applicant representative, 7825 Meadowlark Way stated staff did an excellent job covering the issues on the staff report and stated how this is a unique plat since most of the improvements are in. He then asked if the commission had any questions.

The commission did not have any questions.

Public testimony closed.

**Motion by Bowlby, seconded by Evans, to approve Item S-4-12. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Haneline	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

**ADJOURNMENT:**

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

The meeting was adjourned at 6:30 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION  
MINUTES  
JANUARY 8, 2013  
CITY COUNCIL CHAMBERS  
701 E. MULLAN**

**COMMISSIONERS PRESENT:**

Brad Jordan, Chairman  
Amy Evans  
Peter Luttrupp  
Tom Messina

**STAFF MEMBERS PRESENT:**

Sean Holm, Planner  
Tami Stroud, Planner  
Shana Stuhlmiller, Public Hearing Assistant  
Warren Wilson, Deputy City Attorney  
Dave Yadon, Planning Director  
Gordon Dobler, Engineering Service Director  
Chris Bates, Engineering Project Manager  
Dennis Grant, Engineering Project Manager

**COMMISSIONERS ABSENT:**

Lou Soumas  
Rob Haneline  
Heather Bowlby

**12:00 P.M. CALL TO ORDER:**

**ROLL CALL:** Jordan, Bowlby, Evans, Luttrupp, Messina, Soumas, Haneline, Conery, (Student rep.)  
Snow, (Alt. Student rep.)

**ADMINISTRATIVE:**

1. Applicant: Greenstone  
Request: Interpretation of phasing plan for Coeur d'Alene Place PUD  
ADMINISTRATIVE (I-1-13)

Planning Director Yadon explained the applicant is requesting an interpretation for the following items to the preliminary plat and phasing plan approved by the Planning Commission on May 22, 2012. The changes are:

- Adjust the phasing plan to reflect a change in timing. No adjustment to boundaries of the phasing is requested.
- Reduce length of Malraux Dr. and eliminate pedestrian connection.

Commissioner Luttrupp feels that this item should be continued, so the community has an opportunity to hear this proposal.

Planner Yadon explained that the changes affect two of the items on the preliminary plat and phasing plan are minor and why staff felt was not a significant change for a public hearing.

Commissioner Luttrupp explained that when this item came before the Planning Commission on May 22<sup>nd</sup> a number of people testified about connectivity problems within the development and feels this item should be continued so the neighborhood can comment.

Kevin Schneidmiller commented that the proposed changes will not affect the infrastructure or the roads but reduce the length of a cul de sac on Malraux Drive. He feels this is not an impact to the overall design of the project and should be approved.

Commissioner Messina feels that the changes described by the applicant will not be noticeable other than the cul de sac on Malraux Drive will be shorter and would approve this request.

Chairman Jordan suggested if Commissioner Luttrupp feels this item should be continued that a motion would need to be made.

Commissioner Luttrupp made the motion to continue item I-1-14 to next month and died because of a lack of a second.

Motion by Messina, seconded by Evans, to approve I-1-13. Motion approved.

Commissioner Luttrupp voted no.

#### **SUBDIVISION WORKSHOP:**

Engineering Services Director Dobler presented a brief discussion on the following items that are modified in the subdivision ordinance. Topics discussed were:

- Removal of Short Plats
- Revisions to Street and Right-of-Way widths
- Revisions to Landscape Buffer requirements
- Addition of a section for Boundary Line Adjustments

After the discussion, Mr. Dobler suggested if the commission has further questions to send those to Planner Yadon. He stated that his goal would be this item placed on the next Planning Commission agenda for March.


The commission concurred.

#### **ADJOURNMENT:**

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

The meeting was adjourned at 1:00 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



# **S H O R T P L A T**



**TO:** Planning Commission  
**FROM:** Christopher H. Bates, Engineering Project Manager  
**DATE:** February 12, 2013  
**SUBJECT:** **SS-1-13, Mill River 4<sup>th</sup> Addition**

### **DECISION POINT**

Approve or deny the applicant's request for a two (2) lot subdivision.

### **GENERAL INFORMATION**

1. Applicant: Crystal Creek, LLC  
PO Box 949  
Hayden, ID 83835
2. Request: Approval of a two (2) lot subdivision.
  - a. Lot 1 – 4.7 acres
  - b. Lot 2 – 0.70 acres
3. Location: Along the south side of Seltice Way, between the Mill River subdivision and the Seltice Way roadway, adjacent to the Grand Mill Blvd. intersection.

### **PERFORMANCE ANALYSIS**

1. Zoning: Existing zoning for the subject property is C-17PUD, which is intended to be a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential at a density not to exceed 17 units/acre. The PUD designation allowed a comprehensive plan for the overall Mill River development which provided the blueprint for the subdivision. Any deviation from the plan would require Planning Commission approval.
2. Land Use: The surrounding properties are combination of single family, multi-family condominium and retail uses.
3. Infrastructure: Utilities, Streets, & Storm Water Facilities

**Utilities:** Sewer & Water

The sewer and water utility main lines are available to the subject property. There are existing sanitary sewer and water connections (both 8") that extend into proposed Lot 1 from the existing Mill River residential development to the south. These utility connections will be required to extend through Lot 1 to serve Lot 2 to the east, and if necessary, be designed in a manner that allows for the future extension or looping connections to be made. All public utility mains will be required to be placed in twenty foot (20') single, or, thirty foot (30') double utility easements.

**Streets:** The public roadways Seltice Way and Grand Mill Blvd. adjoin the northerly and easterly boundaries of the subject property respectively, and will provide the points of ingress and egress to the subject development. All proposed ingress/egress locations will be reviewed at the time of development of the subject property for compatibility with the adjacent properties and the Grand Mill Blvd. intersection.

Due to the unknown design considerations for the future reconstruction of the Seltice Way roadway along the northerly boundary of the subject property, with the exception of accel/decel lanes for traffic entering and leaving the site, roadway improvements will not be required. The Grand Mill Blvd. street frontage is currently improved to City standards, and no further improvements are necessary.

**Street Access:** As noted in “Streets”, accel/decel lanes will be required for vehicles entering and leaving the traffic flow to access the subject property. Due to the fact that a portion of the subject property frontage is under the jurisdiction of the Post Falls Highway District (PFHD), any improvements or access in an area under their jurisdiction, will require that approval in writing be provided prior to construction.

**Fire:** Fire hydrant installation will be required for the proposed lots. Hydrant locations will be a component of any infrastructure design plans with the locations approved by the City Fire Department prior to installation.

**Storm Water:** Drainage must be retained on the respective lots and cannot drain to any adjoining lots or roadways.

#### **Proposed Conditions:**

1. Construction of public utility main lines prior to final plat approval, and, placement of those main installations within easements to the City on the final plat document. The utility mains must be designed in a manner to allow for future extension, and looping, to provide for redundancy in the utility systems.
2. Construction of accel/decel lanes along the Seltice Way frontage at the time of site development.
3. Permission in writing from the Post Falls Highway District (PFHD) must be furnished prior to construction of any access points to portions of Seltice Way that are under their jurisdiction.

#### **DECISION POINT RECOMMENDATION**

Approve the subdivision as submitted with the attached conditions.

# MILL RIVER FOURTH ADDITION

A REPLAT OF LOT 1, BLOCK 1 OF MILL RIVER SECOND ADDITION  
LYING IN SECTION 4, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,  
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
INSTRUMENT No. \_\_\_\_\_

## BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 4, SHOWN HEREON AND ON P-15 AS NORTH 89°10'W, AND IS ON THE IDAHO STATE PLANE COORDINATE SYSTEM (NAD 83), WEST ZONE, AND 1983 (1983). TO ADJUST FROM STATE PLANE GRID TO PROJECT GROUND COORDINATES AND DISTANCES, A CONVERSION ANGLE OF -80°45'34" AT THE SOUTHWEST CORNER OF SECTION 4, THE PROJECT SCALE FACTOR IS 0.99994.

## NOTE

THERE WAS NO ATTEMPT MADE TO SHOW ALL OF THE PHYSICAL FEATURES OF THIS PROPERTY, EXCEPT FOR THOSE SHOWN HEREON.

## REFERENCE DOCUMENTS

- (R-1) RECORD OF SURVEY PREPARED BY LAKE CITY ENGINEERING, INC. AND FILED AT BOOK 37 OF SURVEYS, PAGE 216, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (R-2) RECORD OF SURVEY PREPARED BY LAKE CITY ENGINEERING, INC. AND FILED AT BOOK 37 OF SURVEYS, PAGE 001, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-1) PLAT OF MILL RIVER FIRST ADDITION PREPARED BY LAKE CITY ENGINEERING, INC. AND FILED AT BOOK J OF PLATS, PAGE 253, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-2) PLAT OF MILL RIVER SECOND ADDITION PREPARED BY LAKE CITY ENGINEERING, INC. AND FILED AT BOOK J OF PLATS, PAGE 246, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-3) PLAT OF THE CONDOS AT MILL RIVER PREPARED BY MEDICAL ENGINEERING AND SURVEYING AND FILED AT BOOK J OF PLATS, PAGE 347, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (D-1) HIGHWAY BASEMENT DEED FILED AT BOOK 143 OF DEEDS, PAGE 216, RECORDS OF KOOTENAI COUNTY, IDAHO.

## LEGEND

• SET 5/8" x 24" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 5387"	PROPOSED PROPERTY LINE
• SET 1/2" x 18" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 5387"	PROPOSED LOT LINE
○ FOUND 5/8" REBAR WITH UNREADABLE YELLOW PLASTIC CAP	PROPOSED EASEMENT LINE
□ FOUND 2 1/2" ALUMINUM CAP MARKED "PLS 5387"	EXISTING SECTION LINE
• FOUND 2" ALUMINUM CAP MARKED "PLS 4182"	EXISTING LOT LINE
△ CALCULATED POINT, NOTHING FOUND OR SET	EXISTING EASEMENT LINE
	EXISTING CENTER LINE
	POB POINT OF BEGINNING

Line Table			Line Table			Line Table		
Line #	Length	Direction	Line #	Length	Direction	Line #	Length	Direction
L1	111.83	S89°22'51"E	L8	30.80	N88°00'00"W	L17	17.16	S41°02'37"W
L2	16.31	S67°00'00"E	L9	34.85	N33°03'00"E	L18	7.37	N88°01'20"W
L3	20.00	S89°21'48"E	L10	34.50	S23°03'00"W	L19	13.80	N41°06'30"E
L4	20.00	S89°21'17"E	L11	20.00	N89°00'00"W	L20	3.85	N89°01'20"W
L5	20.00	N89°21'17"W	L12	24.50	N23°03'00"E	L21	37.81	N88°01'20"W
L6	16.38	N89°01'40"E	L13	21.32	S48°22'00"W	L22	34.00	N43°00'00"W
L7	28.85	N43°00'00"W	L14	17.40	N48°22'00"E	L23	33.89	N43°00'00"W
L8	34.05	S23°03'00"W	L15	12.80	N83°01'20"W	L24	6.88	S23°03'00"W

Curve Table					
Curve #	Length	Radius	Delta	Chord	Direction
C1	112.67	200.00	32°14'50"	111.83	N89°00'00"W
C2	151.44	160.00	47°04'58"	127.70	N43°03'12"W
C3	285.81	1000.00	16°22'22"	284.84	N77°00'00"W
C4	51.70	1000.00	3°57'54"	51.74	N89°00'00"W
C5	888.90	2914.79	13°41'59"	888.28	S88°14'13"E
C6	143.82	8679.94	1°07'03"	143.82	S89°00'00"E
C7	72.00	8679.94	0°43'58"	72.80	N81°21'40"W
C8	101.88	2000.00	2°10'00"	101.67	N89°00'00"E
C9	208.19	2000.00	8°47'17"	206.01	N21°27'17"E
C10	100.25	200.00	39°47'19"	148.57	S28°15'49"E
C11	37.76	101.00	13°28'18"	37.67	S28°00'18"E
C12	20.51	30.00	33°34'03"	20.21	S81°03'17"E
C13	33.30	165.40	12°18'30"	33.30	N88°17'10"W
C14	48.00	215.00	12°03'10"	44.37	S74°11'32"E

Curve Table					
Curve #	Length	Radius	Delta	Chord	Direction
C15	88.81	105.00	10°40'40"	51.80	N77°14'17"W
C16	78.57	289.00	18°34'38"	78.33	S43°22'00"E
C17	20.31	288.00	4°01'30"	20.31	N43°03'00"W
C18	61.37	288.00	10°11'01"	51.30	S28°27'40"E
C19	3.30	35.00	5°32'42"	3.29	S27°30'10"E
C20	13.19	35.00	21°31'07"	13.07	N82°00'00"W
C21	4.00	35.00	0°30'00"	4.00	S89°00'00"E
C22	38.07	200.00	11°41'38"	38.07	S48°40'10"E
C23	11.87	300.00	3°24'00"	11.87	N88°22'34"W
C24	61.83	300.00	17°39'00"	61.30	S27°30'44"E
C25	48.00	100.00	17°44'40"	48.38	S27°30'30"E
C26	38.17	100.00	13°40'00"	38.08	N43°00'00"W
C27	10.24	180.00	2°42'00"	10.24	S87°17'17"E



**Johnson Surveying**  
P.O. Box 3244, Post Falls, ID 83857  
208-680-1331  
johnsonsurveying.com

CHECKED BY: CARGOS  
CREATED BY: SARA  
SCALE: 1" = 100'  
DATE: 11/29/2022  
JOB NO: LCE 12-038-1

1 2

# MILL RIVER FOURTH ADDITION

A REPLAT OF LOT 1, BLOCK 1 OF MILL RIVER SECOND ADDITION LYING IN  
SECTION 4, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,  
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
INSTRUMENT No. \_\_\_\_\_

## KOOTENAI COUNTY RECORDER

THIS PLAT WAS RECORDED AT THE REQUEST OF CRYSTAL CREEK, LLC FOR RECORD IN THE OFFICE OF THE  
RECORDER OF KOOTENAI COUNTY, IDAHO, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_  
IN BOOK \_\_\_\_\_ OF PLATS, PAGES \_\_\_\_\_, AS INSTRUMENT NUMBER \_\_\_\_\_

KOOTENAI COUNTY RECORDER

## COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE TAXES DUE FOR THE PROPERTY DESCRIBED IN THE OWNERS CERTIFICATE AND  
DEDICATION HAVE BEEN PAID THROUGH \_\_\_\_\_, 20\_\_\_\_  
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

KOOTENAI COUNTY TREASURER

## CITY COUNCIL CERTIFICATE

THIS PLAT HAS BEEN ACCEPTED AND APPROVED BY CITY COUNCIL OF THE CITY OF COEUR  
D'ALENE, IDAHO,  
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

CITY OF COEUR D'ALENE - MAYOR

CITY OF COEUR D'ALENE - CLERK

CITY OF COEUR D'ALENE - CITY ENGINEER

## COUNTY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREIN PLAT AND CHECKED THE PLAT  
COMPUTATIONS AND HAVE DETERMINED THAT THE REQUIREMENTS OF THE STATE CODE  
PERTAINING TO PLATS AND SURVEYS HAVE BEEN MET.

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



## NOTARY PUBLIC CERTIFICATE

STATE OF IDAHO, COUNTY OF KOOTENAI, SS.

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, IN THE YEAR \_\_\_\_\_, BEFORE ME  
PERSONALLY APPEARED STEVE WHITE, KNOWN OR IDENTIFIED TO  
ME, TO BE THE MANAGER OF THE LIMITED LIABILITY COMPANY THAT EXECUTED THE INSTRUMENT OR  
THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID LIMITED LIABILITY COMPANY AND  
ACKNOWLEDGED TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME

NOTARY PUBLIC

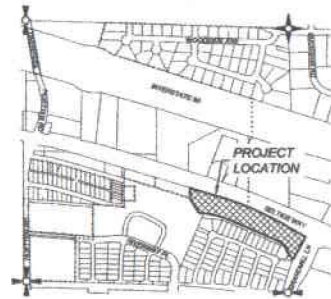
MY COMMISSION EXPIRES ON \_\_\_\_\_

RESIDING AT \_\_\_\_\_

## SURVEYOR'S CERTIFICATE

I, CHAD J. JOHNSON, PROFESSIONAL LAND SURVEYOR #9367, STATE OF IDAHO, DO HEREBY CERTIFY THAT THE PLAT OF THE MILL RIVER FOURTH ADDITION IS  
BASED UPON AN ACTUAL FIELD SURVEY OF THE LAND AND BUILDING DESCRIBED HEREIN, AND THAT ALL CORNERS ARE SET AS SHOWN ON THIS PLAT.

Chad J. Johnson 12-6-12  
CHAD J. JOHNSON, PLS 9367 DATE



SOUTH 1/2 OF SECTION 4, TOWNSHIP 50 NORTH, RANGE 4 WEST

VICINITY MAP  
NOT TO SCALE

## OWNER'S CERTIFICATE AND DEDICATION

BE IT KNOWN BY THESE PRESENTS THAT CRYSTAL CREEK, LLC, AN IDAHO LIMITED LIABILITY COMPANY, DOES HEREBY CERTIFY THAT IT OWNS AND HAS LAID OUT THE LAND  
SUBJACED WITHIN THIS PLAT TO BE KNOWN AS MILL RIVER FOURTH ADDITION BEING A REPLAT OF LOT 1, BLOCK 1 OF MILL RIVER SECOND ADDITION PLIES IN BOOK J OF  
PLATS AT PAGE 246, RECORDS OF KOOTENAI COUNTY, CITY OF COEUR D'ALENE, IDAHO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 4 BEING A FOUND 3/4" REBAR WITH 2" ALUMINUM CAP MARKED PLS 4182 PER CPMF 2008/0000 FROM WHICH  
THE SOUTHWEST CORNER BEARS N89°01'04"W A DISTANCE OF 5932.56 FEET; THENCE, ALONG THE CENTERLINE OF GRANDMALL LANE, ALONG A NON-TANGENT CURVE TO  
THE RIGHT WITH A RADIUS OF 2000.00 FEET, AN ARC LENGTH OF 385.19 FEET, A DELTA ANGLE OF 57°01'11" WITH A LONG CHORD THAT BEARS N01°37'10"E A DISTANCE OF  
396.51 FEET; THENCE, CONTINUING ALONG SAID CENTERLINE, ALONG A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 2000.00 FEET, AN ARC LENGTH OF 391.68  
FEET, A DELTA ANGLE OF 57°01'11" WITH A LONG CHORD THAT BEARS N01°37'10"E A DISTANCE OF 396.51 FEET; THENCE, CONTINUING ALONG SAID CENTERLINE, N02°21'07"E A  
DISTANCE OF 140.85 FEET TO A 3/4" ALUMINUM CAP MARKED PLS 4182; THENCE, LEAVING SAID CENTERLINE ALONG A NON-TANGENT CURVE TO THE RIGHT WITH A  
RADIUS OF 500.00 FEET, AN ARC LENGTH OF 75.00 FEET, A DELTA ANGLE OF 0°00'00" WITH A LONG CHORD THAT BEARS N01°37'10"E A DISTANCE OF 75.00 FEET TO THE  
NORTHEASTERN CORNER OF SAID LOT 1, BLOCK 1 ON THE WESTERLY RIGHT OF WAY OF GRANDMALL LANE BEING A 5/8" INCH REBAR, 24 INCHES LONG, WITH YELLOW  
PLASTIC CAP MARKED PLS 5367, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING.

THENCE, ALONG SAID WESTERLY RIGHT OF WAY, S28°21'05"W A DISTANCE OF 286.71 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 1 BEING A 5/8" INCH REBAR  
WITH UNREADABLE YELLOW CAP;

THENCE, ALONG THE SOUTHERLY LINE OF SAID LOT 1, BLOCK 1, THE FOLLOWING FIVE COURSES:

1. ALONG A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 200.00 FEET, AN ARC LENGTH OF 112.57 FEET, A DELTA ANGLE OF 32°43'58" WITH A LONG CHORD THAT  
BEARS N08°01'30"W A DISTANCE OF 111.00 FEET TO A 5/8" INCH REBAR, 24 INCHES LONG, WITH YELLOW PLASTIC CAP MARKED PLS 5367;
2. THENCE, ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 180.00 FEET, AN ARC LENGTH OF 131.44 FEET, A DELTA ANGLE OF 47°04'58" WITH A LONG  
CHORD THAT BEARS N42°33'12"W A DISTANCE OF 127.78 FEET TO A 5/8" INCH REBAR, 24 INCHES LONG, WITH YELLOW PLASTIC CAP MARKED PLS 5367;
3. THENCE, N05°06'16"W A DISTANCE OF 516.15 FEET TO A 5/8" INCH REBAR, 24 INCHES LONG, WITH YELLOW PLASTIC CAP MARKED PLS 5367;
4. THENCE, ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 1000.00 FEET, AN ARC LENGTH OF 385.19 FEET, A DELTA ANGLE OF 10°22'32" WITH A LONG  
CHORD THAT BEARS N74°10'32"W A DISTANCE OF 384.24 FEET TO A 5/8" INCH REBAR, 24 INCHES LONG, WITH YELLOW PLASTIC CAP MARKED PLS 5367;
5. THENCE, ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 1000.00 FEET, AN ARC LENGTH OF 51.74 FEET, A DELTA ANGLE OF 2°07'54" WITH A LONG  
CHORD THAT BEARS N82°58'45"W A DISTANCE OF 51.74 FEET TO THE SOUTHWESTERN CORNER OF SAID LOT 1, BLOCK 1 BEING A 5/8" INCH REBAR, 24 INCHES LONG, WITH YELLOW  
PLASTIC CAP MARKED PLS 5367;

THENCE, ALONG THE WESTERLY LINE OF SAID LOT 1, BLOCK 1, N02°29'44"W A DISTANCE OF 170.38 FEET TO A 5/8" INCH REBAR WITH 2" ALUMINUM CAP MARKED PLS 5374;  
THENCE, CONTINUING ALONG SAID WESTERLY LINE, N02°01'51"E A DISTANCE OF 104.73 FEET TO THE NORTHWESTERN CORNER OF SAID LOT 1, BLOCK 1 ON THE SOUTHERLY  
RIGHT OF WAY OF SELICE WAY, BEING A 5/8" INCH REBAR, 24 INCHES LONG, WITH YELLOW PLASTIC CAP MARKED PLS 5367;

THENCE, ALONG SAID SOUTHERLY RIGHT OF WAY, S72°09'51"E A DISTANCE OF 367.24 FEET TO A 5/8" INCH REBAR WITH UNREADABLE YELLOW CAP;

THENCE, CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY, ALONG A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 204.79 FEET, AN ARC LENGTH OF 66.95  
FEET, A DELTA ANGLE OF 12°14'18" WITH A LONG CHORD THAT BEARS S04°14'18"E A DISTANCE OF 66.29 FEET TO A 5/8" INCH REBAR, 24 INCHES LONG, WITH YELLOW  
PLASTIC CAP MARKED PLS 5367;

THENCE, CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY, S08°22'51"E A DISTANCE OF 111.93 FEET TO A 5/8" INCH REBAR, 24 INCHES LONG, WITH YELLOW PLASTIC CAP  
MARKED PLS 5367;

THENCE, CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY, ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 9876.58 FEET, AN ARC LENGTH OF 143.82  
FEET, A DELTA ANGLE OF 1°27'02" WITH A LONG CHORD THAT BEARS S08°22'51"E A DISTANCE OF 143.82 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINING 5.308 ACRES OF LAND, MORE OR LESS.

BE IT FURTHER KNOWN THAT:

DOMESTIC WATER SERVICES TO BE PROVIDED BY THE CITY OF COEUR D'ALENE.

SANITARY SEWER SERVICES TO BE PROVIDED BY THE CITY OF COEUR D'ALENE.

THE OWNER HEREBY RESERVES AN INGRESS/EGRESS EASEMENT OVER LOT 1, BLOCK 1 FOR THE BENEFIT OF LOT 2, BLOCK 1, AS SHOWN.

STEVE WHITE, MANAGER  
CRYSTAL CREEK, LLC

DATE: \_\_\_\_\_

**Johnson**  
Surveying  
P.O. Box 2544 Post Falls, ID 83877  
208-696-3351  
johnsonsurveyingnw.com

CHECKED BY: CJJ/COO  
DRAFTED BY: SMA  
SCALE: N.T.S.  
DATE: 11/08/2012  
JOB NO: LCF 13-018



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**PLANNING COMMISSION  
STAFF REPORT**

FROM: SEAN E. HOLM, PLANNER  
DATE: FEBRUARY 12, 2013  
SUBJECT: SP-1-13 – SPECIAL USE PERMIT REQUEST FOR COMMERCIAL  
PARKING IN AN R-17 ZONING DISTRICT  
LOCATION: TWO PARCELS FRONTING FRUITLAND LN. NORTH OF NEIDER AVE.  
WEST OF U.S. HWY 95

**DECISION POINT:**

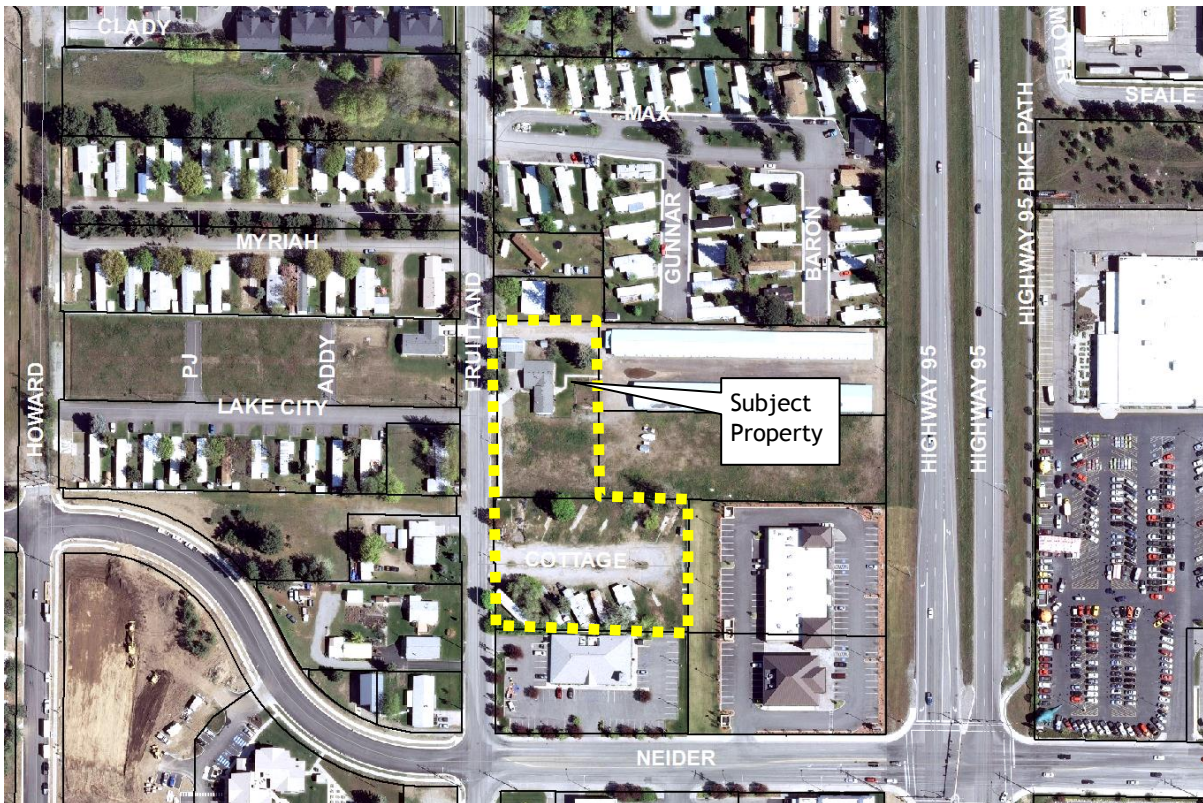
Paul Delay is requesting approval of a Commercial Parking Special Use Permit in the R-17 (Residential at 17 units/acre) zoning district. It would allow the construction of a parking lot to serve adjacent commercial use(s).

Applicant: Paul Delay  
2500 Smith Tower  
Seattle, WA 98104

Owner(s): Paul & Michael Delay  
2500 Smith Tower  
Seattle, WA 98104

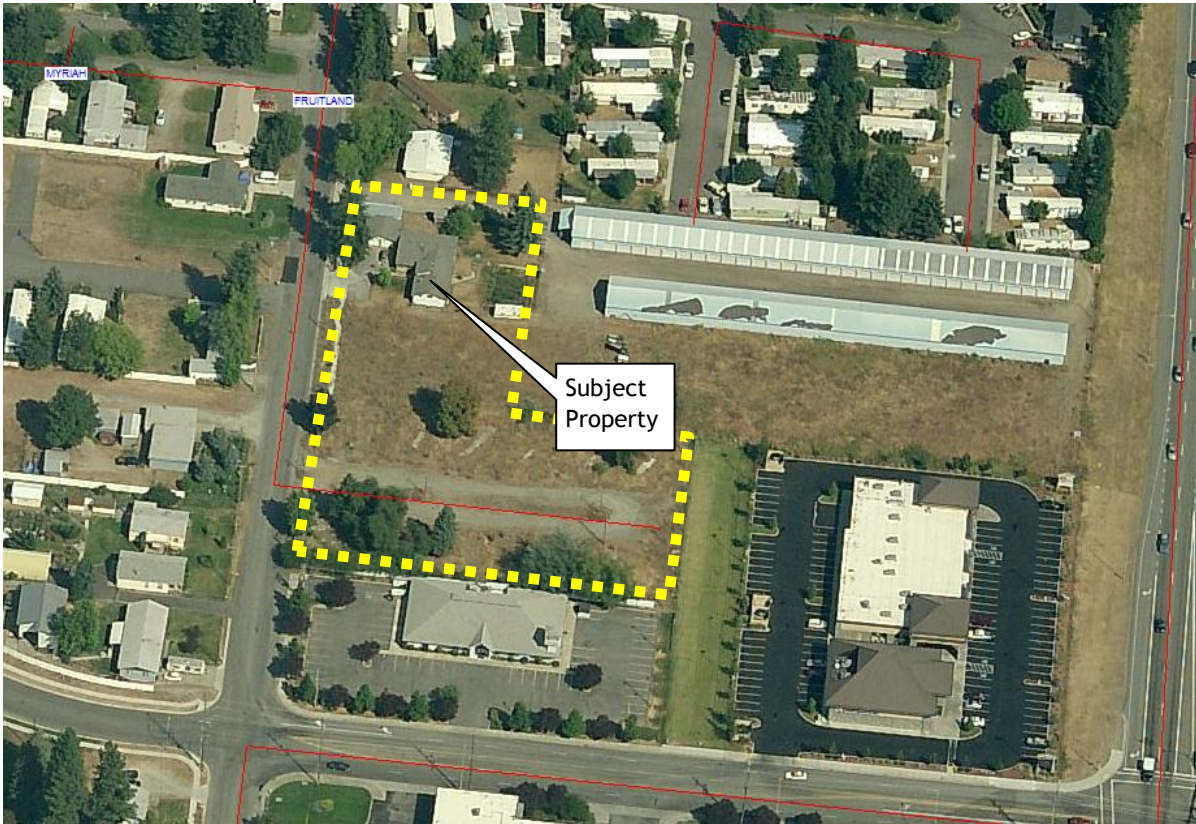
**GENERAL INFORMATION:**

A. Aerial view:





B. Oblique view:



C. Site Pictures:  
Proposed access from Neider behind retail (Facing North)





Proposed access from Neider behind retail (Facing South)



“Shady Lane” adult MH-8 park property to the north (Panoramic)





View toward Cottage Ln. from interior of request (Looking Southwest)



View of demoed home site w/ Fruitland as backdrop (Looking West)

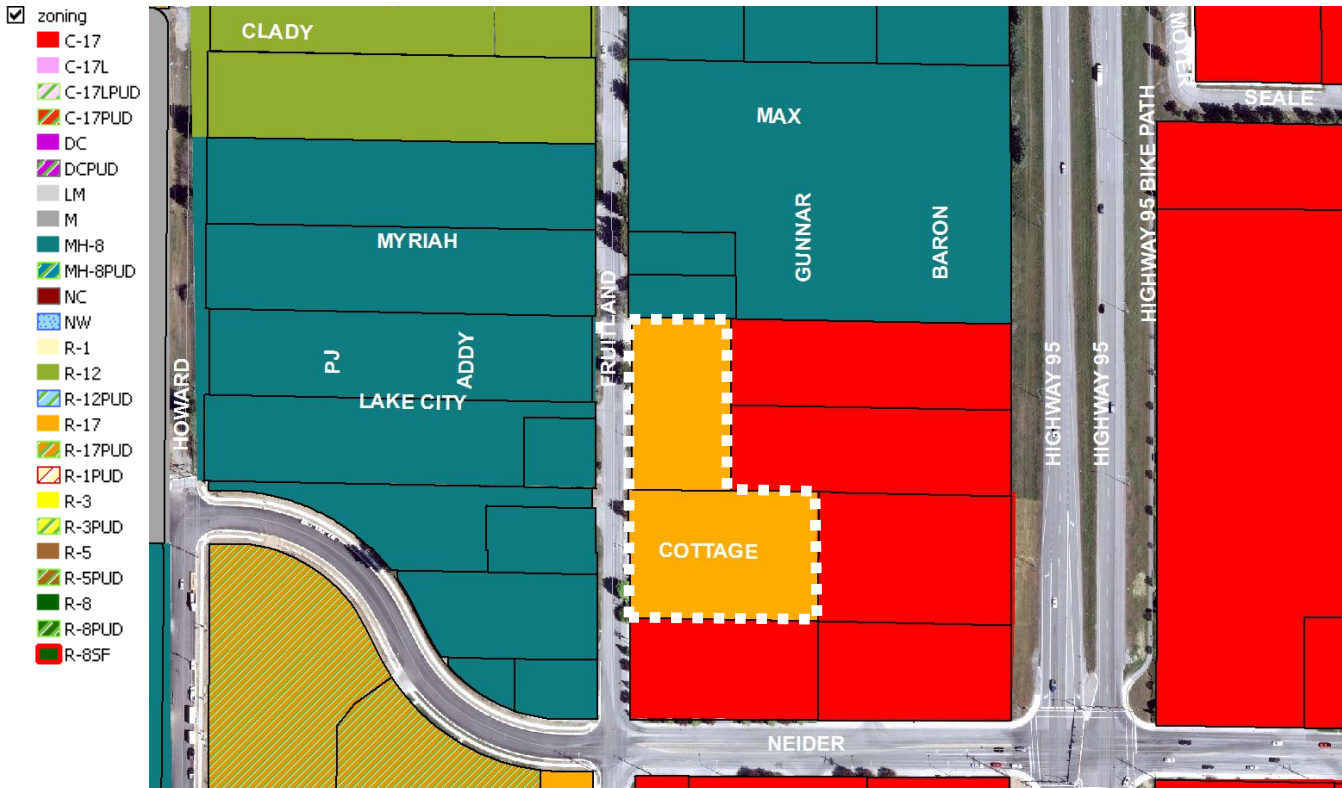




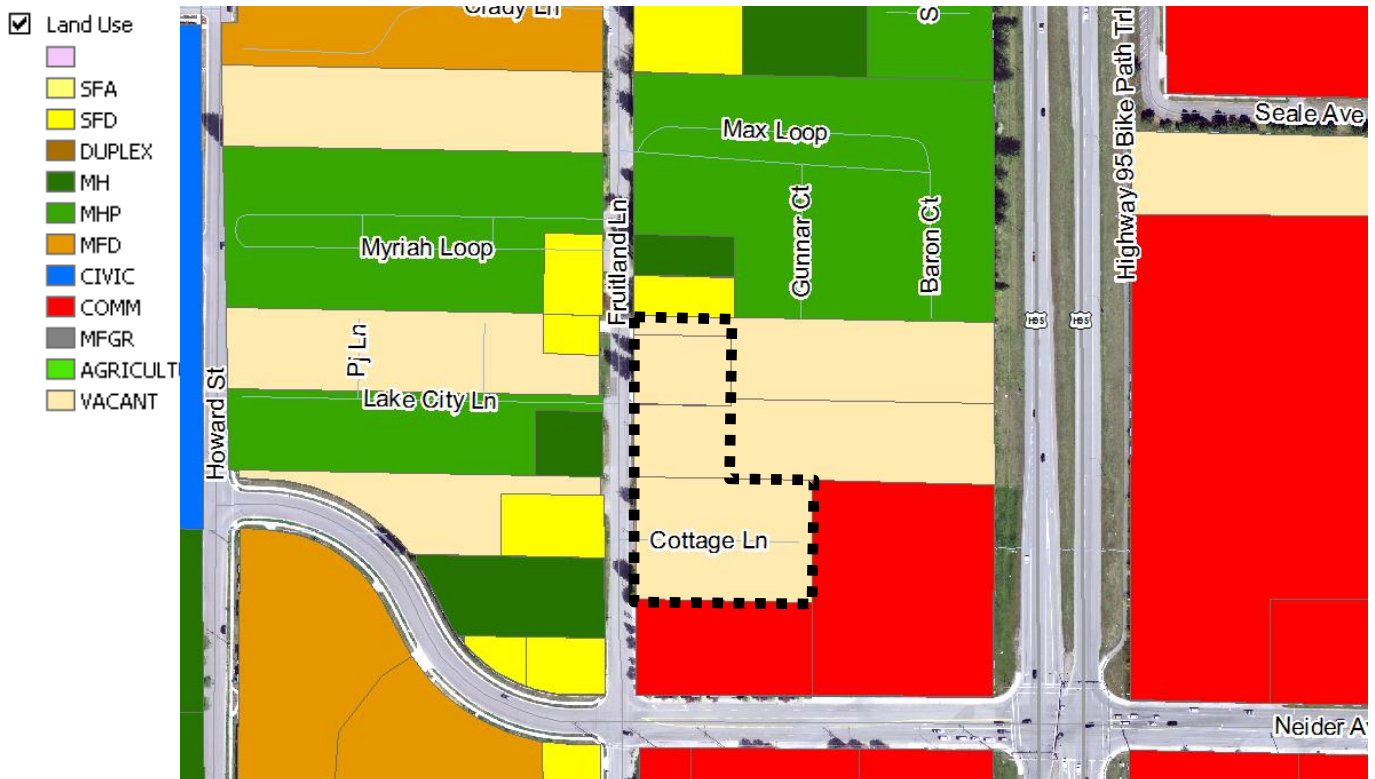
Edge of request looking toward C-17 site & US 95 (Facing East)



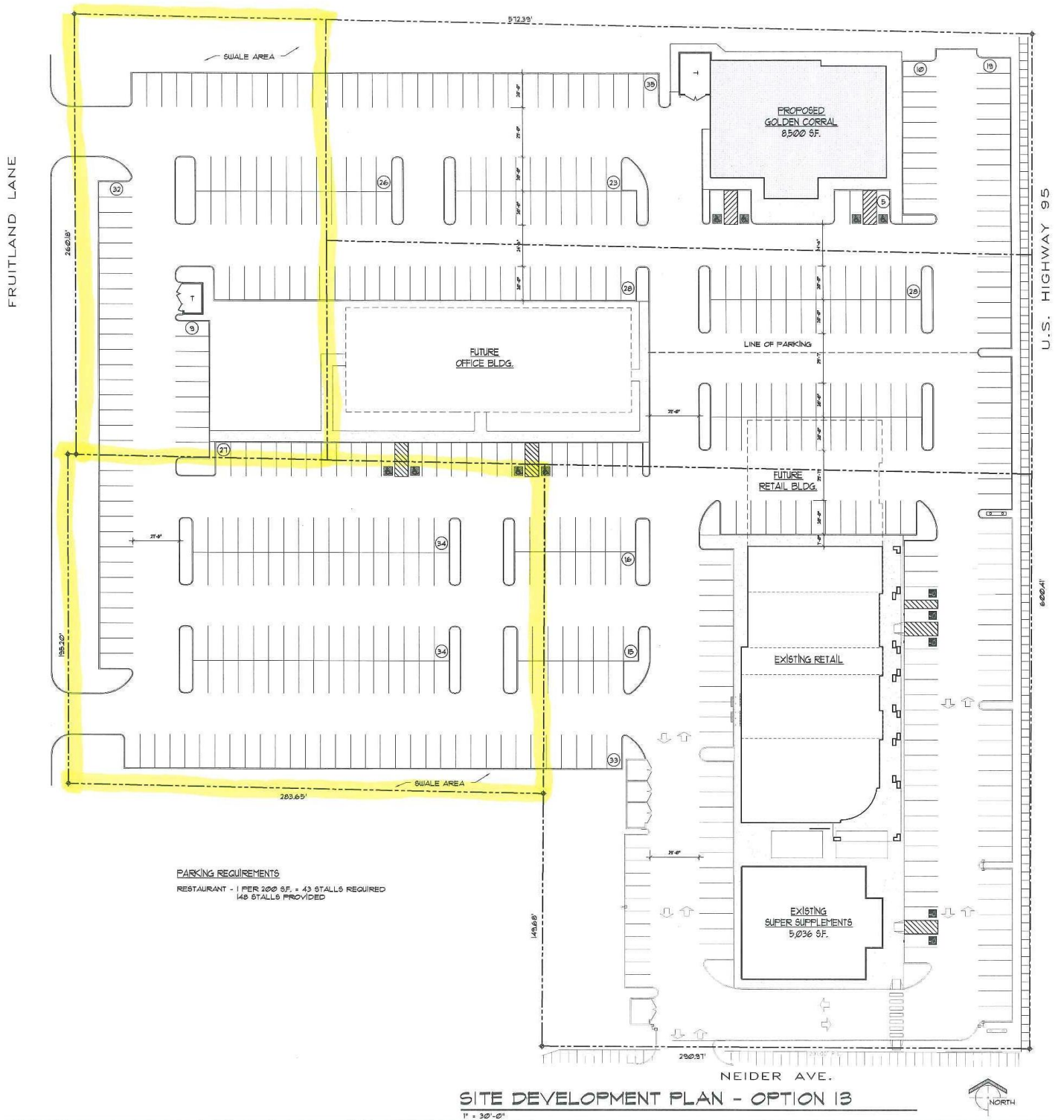
D. Zoning:



E. Generalized land use pattern (prior to demolition & after):

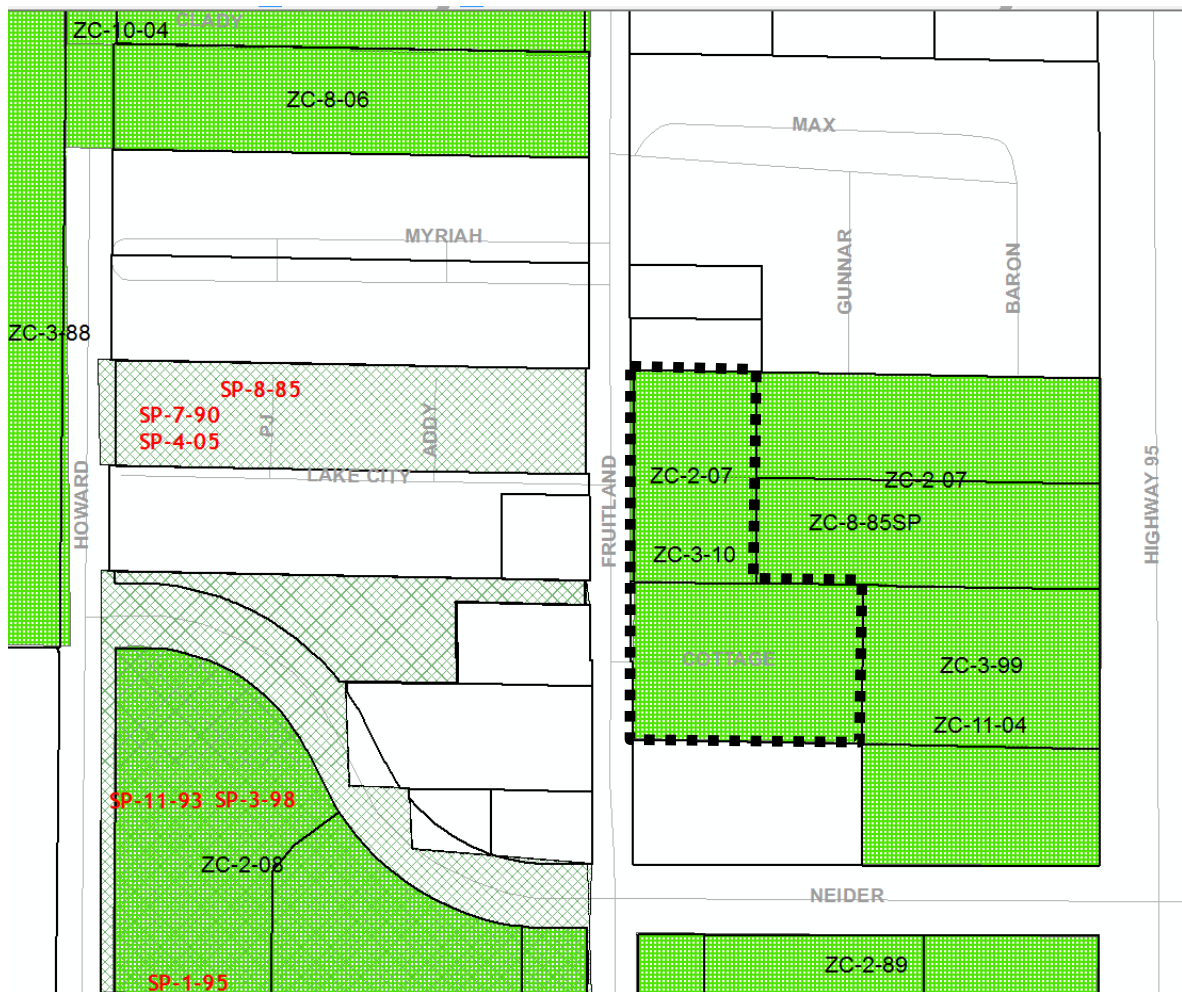


F. Conceptual Site Plan:





G. Prior Land Use Actions:



Zone Changes:

ZC-8-85SP	R-12 to MH-8, Mini Storage SUP	7.16.85 Approved
ZC-3-88	C-17 to M	2.16.88 Approved
ZC-2-89	R-12 & R-17 to C-17	3.7.89 Approved
ZC-3-99	R-12 TO C-17	8.03.99 Approved
ZC-10-04	MH8 to R-12	3.1.05 Approved
ZC-11-04	R-12 to C-17	1.18.05 Approved
ZC-8-06	MH-8 to R-12	9.19.06 Approved
ZC-2-07	MH8 to R-12 & C-17	3.20.07 Approved
ZC-2-08	MH8 to R-17	5.20.08 Approved
ZC-3-10	R-12 to R-17	4.20.10 Approved

Special Use Permits:

SP-8-85	MH-8 Park	6.11.85 Approved
SP-7-90	Mini Storage	9.11.90 Approved
SP-11-93	MH-8 Park	9.14.93 Approved
SP-1-95	MH-8 Park	1.24.95 Approved
SP-3-98	MH-8 Park	3.24.98 Approved
SP-4-05	MH-8 Park	5.10.05 Approved

- G. Existing land uses in the area include: Commercial - retail sales and service, vacant parcels, and residential - single-family, mobile-homes (and mobile-home parks),.
- H. The subject property is vacant. All prior uses have been removed.

#### PERFORMANCE ANALYSIS:

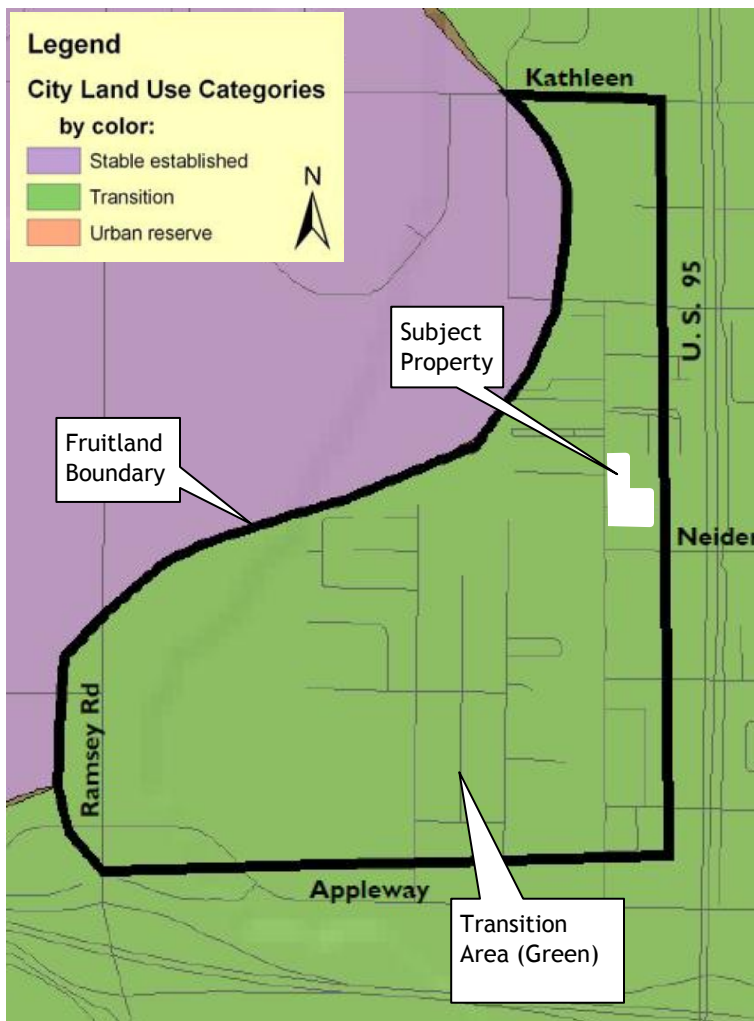
##### A. Zoning:

- The subject property is zoned R-17.

*Evaluation:* The R-17 zoning district allows an applicant to request a commercial parking lot (serving an adjacent commercial use) Special Use Permit through the approval of Planning Commission.

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

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



##### **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.

**Fruitland Today:**

Fruitland is generally known as the area bordered by commercial uses along US 95, Kathleen Avenue to the north, commercial uses on Appleway Avenue south, and the area separated by manufacturing and residential along the west.

The Fruitland area is home to diverse land uses. Commercial uses are common near major corridors transitioning to single-family housing with pockets of multi-family housing and mobile home parks. Manufactured homes are prevalent in areas removed from the US 95 corridor, and continued growth provides affordable housing for residents. Fruitland has the largest concentration of mobile home zoned property within city limits.

Topography is generally flat and development opportunities exist. A recent wastewater main extension north to Bosanko provides opportunity for development.

**Fruitland Tomorrow**

Generally this area is envisioned as a commercial corridor with adjacent multi-family uses and will maintain a mix of the housing types that currently exist. Commercial and manufacturing will continue to expand and care must be used for sensitive land use transition. A traffic study for US 95 is underway which may affect future development in this area.

**The characteristics of Fruitland neighborhoods will be:**

- That overall density will approach eight residential units per acre (8:1).
- That single- and multi-family housing should be located adjacent to compatible uses.
- Pedestrian and bicycle connections are encouraged.
- Uses that strengthen neighborhoods are encouraged.

**The characteristics of Fruitland commercial areas will be:**

- Commercial buildings will remain lower in scale than in the downtown core.
- Native variety trees will be encouraged along commercial corridors.

**Significant Comprehensive Plan policies for consideration:****Objective 1.12****Community Design:**

Support the enhancement of existing urbanized areas and discourage sprawl.

**Objective 1.14****Efficiency:**

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

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

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

**Objective 3.05****Neighborhoods:**

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

**Objective 4.01****City Services:**

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

**Objective 4.06****Public Participation:**

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

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

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

*Evaluation:* The proposed parking lot construction is located in the Fruitland District in an area of commercial and mobile home park zoning (C-17 & MH-8). The subject property is currently zoned R-17. The US 95 corridor is a high traffic area that the commercial portion of the project supports, however, access will be gained through either Neider (behind existing structure to the south) or by way of Fruitland Ln. as depicted on the site plan (No direct access from US 95). In addition, the proposed parking lot development will be required to follow the Commercial Design Guidelines as the use it supports is zoned C-17.

**COMMERCIAL DESIGN GUIDELINES**

**F. Residential/Parking Lot Screening**

*Intent:* To diminish the amount of asphalt and parked cars visible from the street and abutting residential by buffering it from less intensive uses.

2. Where a site abuts a residential district, there shall be a planting strip, at least 10 feet in width containing evergreen trees along the area bordering the two districts. This strip shall be planted with trees 8 to 12 feet tall spaced no more than 25 feet apart. In addition, there shall be evergreen shrubs at least 30" in height at time of planting, no less than 48" on center as approved by the urban forester. **(23 trees & 144 shrubs +/-)**

<http://www.cdaid.org/mod/userpage/images/ComDsgnStnds.pdf>

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

**WATER:** Existing water mains are adjacent to the request and may be extended to provide water service to the subject property. We encourage the developer to install a meter for parking lot landscaping foregoing sewer fees associated with commercial rates.

- Submitted by Terry Pickel, Assistant Water Superintendent

**SEWER:** Wastewater has no objection to the proposed Special Use Permit.

- Submitted by James (Jim) Remitz, Utility Project Manager

**ENGINEERING:** Engineering has no concerns for this special use permit request. All of the frontage improvements exist and Engineering will address any site issues that may arise at the time of building permit application.

**TRAFFIC:** The ITE Trip Generation Manual estimates the project may generate approximately 115 A.M trips and 157 P.M. trips during the peak hour periods (7-9 A.M./4-6 P.M.)

*Evaluation* The adjacent and/or connecting streets will accommodate the noted traffic volumes. The subject property has direct access to the main north/south arterial (US 95) that traverses the City via the signalized intersection at Hwy 95 and Neider Avenue. Also, any traffic flows that access the adjoining areas west of Hwy 95, all proceed through signalized intersections, therefore, the traffic flows are meted through at manageable rates. The subject property is also serviced by a network of local roads that allows for

*a large number of alternate routes to access and depart the site.*

*A comparable example for the subject property is the "Texas Roadhouse" restaurant that is adjacent to the south of the proposed development, and, traffic flows from that are very manageable. The proposed restaurant for which the parking lot is an axial use, is a destination facility, therefore, drivers will tend to take the most direct route to that site, and to do that they will utilize the main arterial roadways and not the local streets.*

STREET: Any street improvements that maybe necessary will be addressed during the site development or building permit process for the subject property.

*- Submitted by Chris Bates, Engineering Project Manager*

FIRE: The Fire Department will require two points of access to the commercial establishment at the time of building permit.

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

D. Proposed conditions:

***No conditions are proposed.***

E. Ordinances and Standards Used In Evaluation:

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

#### **ACTION ALTERNATIVES:**

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



## **JUSTIFICATION:**

Proposed Activity Group; COMMERCIAL PARKING LOT.

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

A. A description of your request; WE WANT TO MAKE SITE A PARKING LOT FOR COMMERCIAL USE (VEHICULAR/CARS). IN ORDER TO HAVE COMMERCIAL PARKING THE SITE NEEDS TO BE ZONED COMMERCIAL

B. Explain how your request conforms to the 2007 Comprehensive Plan; FRUITLAND COMMERCIAL BUILDINGS WILL REMAIN LOWER IN SCALE, NATIVE VARIETY TREES WILL BE INSTALLED ALONG CORRIDORS, PROVIDE PEDESTRIAN & BICYCLE CONNECTIONS AND OUR USE WILL STRENGTHEN THE NEIGHBORHOODS.

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

ADJACENT PROPERTIES ARE COMMERCIAL AND HAVE PARKING LOTS FOR VEHICULAR PARKING

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

THE SITE WILL HAVE A CITY APPROVED ACCESS FROM FRUITLAND LANE. ALL PUBLIC FACILITIES AND SERVICES ARE AVAILABLE TO THIS SITE

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



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

**A. INTRODUCTION**

This matter having come before the Planning Commission on February 12, 2013, and there being present a person requesting approval of ITEM SP-1-13, a request for a Commercial Parking Special Use Permit in the R-17 (Residential at 17 units/acre) zoning district.

APPLICANT: PAUL DELAY

LOCATION: TWO PARCELS FRONTING FRUITLAND LN. NORTH OF NEIDER AVE. WEST  
OF U.S. HWY 95

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

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

- B1. That the existing land uses are Commercial - retail sales and service, vacant parcels, and residential - single-family, mobile-homes (and mobile-home parks),
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is R-17 (Residential at 17 units/acre).
- B4. That the notice of public hearing was published on, January 26, 2013, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on January 31, 2013, which fulfills the proper legal requirement.
- B6. That 16 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 25, 2013.
- B7. That public testimony was heard on February 12, 2013.
- B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

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

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

**Criteria to consider for B8B:**

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

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

**Criteria to consider B8C:**

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

**C. ORDER: CONCLUSION AND DECISION**

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

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Evans	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Soumas	Voted _____
Commissioner Haneline	Voted _____

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

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

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

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