

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

**MARCH 10, 2009**

**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, Rasor, Messina, Klatt, (Student Rep), Anderson (Alt. Student Rep)

**PLEDGE OF ALLIGANCE:**

**APPROVAL OF MINUTES:**

February 10, 2009

**PUBLIC COMMENTS:**

**COMMISSION COMMENTS:**

**STAFF COMMENTS:**

**OTHER:**

Adminster oath of office to current members

**PUBLIC HEARINGS:**

1. Applicant: George Mitchell  
Location: 2903 4<sup>th</sup> Street  
Request: Proposed zone change from R-12 to R-17  
QUASI-JUDICIAL, (ZC-2-09)

**ADJOURNMENT/CONTINUATION:**

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

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



# **M I N U T E S**

**PLANNING COMMISSION  
MINUTES  
FEBRUARY 10, 2009  
LOWER LEVEL – COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT**

Brad Jordan, Chairman  
Heather Bowlby, Vice-Chair  
Amy Evans  
Peter Luttrupp  
Tom Messina  
Scott Rasor

**STAFF MEMBERS PRESENT**

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

**COMMISSIONERS ABSENT**

Brian Klatt, Student Rep.

**CALL TO ORDER**

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

**APPROVAL OF MINUTES:**

Motion by Rasor, seconded by Messina, to approve the minutes of the Planning Commission meeting on January 13, 2009. Motion approved.

**COMMISSION COMMENTS:**

Commissioner Luttrupp inquired if staff had an update when the Oath of Office will be administered.

Deputy City Attorney Wilson commented that arrangements have been made with Susan Weathers, City Clerk, to administer the Oath of Office at the next Planning Commission meeting scheduled for March 10<sup>th</sup>.

**STAFF COMMENTS:**

Planning Director Yadon announced that one item is scheduled for the March Planning Commission meeting.

**OTHER:**

1. Approval of findings for:

- a. A-7-08, 1130 E. Skyline Drive
- b. ZC-1-09, S.W. corner of Hwy 95 and Hanley Avenue

**Motion by Bowlby seconded, by Rasor, to approve Findings A-7-08. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

**Motion by Bowlby, seconded by Rasor, to approve Findings ZC-1-09. Motion approved**

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

**PUBLIC COMMENTS:**

None

**ADMINISTRATIVE ITEMS:**

Engineering Project Manager Bates presented the staff report and then asked if the Commission had any questions.

- 1. Applicant: Zanetti Bros. INC.  
Location: N.E. corner of Appleway Avenue and Ramsey Road  
Request: Proposed 4-lot preliminary plat "Zanetti Subdivision"  
SHORT PLAT, (SS-1-09)

**Motion by Rasor, seconded by Luttrupp, to approve Item SS-1-09. Motion approved.**

2.      Applicant:      Kenneth A. Wilkinson  
         Location:      The W. 90 ft. of lots 7 & 8, and the W. 90 ft of the S. half  
                                 of lot 9, blk 12, Simm's Addition  
         Request:      Proposed 2-lot preliminary plat "KWI Tracts"  
                                 SHORT PLAT, (SS-2-09)

Engineering Project Manager Bates presented the staff report and then asked if the Commission had any questions.

**Motion by Razor, seconded by Bowlby, to approve Item SS-2-09. Motion approved.**

### **PUBLIC HEARINGS**

1.      Applicant:      City of Coeur d'Alene  
         Request:      Establishing the East Sherman Gateway District  
                                 LEGISLATIVE (0-9-08)

Planning Director Yadon gave a brief presentation on what has happened at past workshops and noted one change that was made at the last workshop held on January 27<sup>th</sup>. He explained the change was made in the Design Standards section stating that 100% of parking needs to be within a structure and is now changed to allow 20% of parking to be unenclosed.

#### **Public testimony open:**

Bruce MacNeil, 524 N. 17<sup>th</sup> Street, thanked the Planning Commission for the opportunity to voice his concerns and stated that the notification process can be improved, so everyone is notified. He commented that Sherman Avenue is different heading west, because Sherman Avenue runs through residential neighborhoods that are on both sides of the street. He commented that the polices listed in the Comprehensive Plan should be identified in this draft so people can use the Comprehensive Plan as a reference guide if they do not understand what is presented in this draft. He feels that this draft does not go with these polices listed in this draft and needs to be fixed. He commented that he understands that this is not an easy process and feels that there has to be give and take by the developers and homeowner's to be happy. This is a difficult process and should not be rushed. He commented that height is not a concern and what he is concerned with is that the buildings should match the architecture in the area, and cited the Ice House development and Bee Hive Homes as good examples.

Commissioner Razor inquired if he feels that 38 feet is a balanced height limit for this area.

Mr. MacNeil commented he does not agree or disagree, because he feels that there is an obligation to both the developer and the homeowner. He explained that the developer should not be restricted to what he can build on his property and that the homeowner should not be penalized.

Joe Morris, 304 11<sup>th</sup> Street, President of The East Mullan Historical District Homeowner's Association, presented a PowerPoint presentation and explained the history behind the previous activities that have occurred with the community. He discussed their group's concerns and how they feel that the height of a building should be restricted to 45 feet and showed various photos of homes where buildings are sitting close to the homes. He commented that if the Commission wanted an example of an area that is comparable to Sherman Avenue, it would be mid-town. He explained that mid-town is similar, because 4<sup>th</sup> Street goes between residential homes that are on both sides of the street. He concluded that their group would like building heights to be limited to 45 feet on Sherman Avenue to 23<sup>rd</sup> Street and that height from 23<sup>rd</sup> to Coeur d'Alene Lake Drive be limited to 65 feet. He added that 65 feet is consistent with the building height limits for the City of Fernan. He thanked the Commission for the many hours of work on this draft.

Chairman Jordan thanked Mr. Morris for his presentation.

Commissioner Bowlby concurred and commented that Mr. Morris made many good points for the Commission to consider.

George Mitchell, 1026 Front Street, commented that he is concerned if his property rights will be taken away. He explained that he bought his property on Sherman Avenue with the intent to build. He commented that he is disappointed with the residential community and feels that they are the driving force behind this draft and that there should be compromise between the residential property owners and people who own businesses along Sherman Avenue, and not just for one group.

Commissioner Bowlby inquired where his property is located.

Mr. Mitchell answered that he owns property on Mullan and Lakeside Drive.

Steve Saunders, 608 Foster Avenue, stated that he would like to discuss the economic impact on the community. He explained that by proposing strict guidelines, it will limit the number of businesses and could eliminate the possibility of future jobs generated by development. He commented that this section of town has been known as a commercial corridor and pointed out in the Comprehensive Plan where it designates this area for commercial development. He stressed that we should not stop the expansion of our city, especially in an unhealthy economy.

Commissioner Rasor commented that the economics were addressed and policies written for those needs in past workshops for the Comprehensive Plan. He added that the City had also hired a consultant who was helpful identifying those special areas.

Mr. Saunders commented that he feels from listening to testimony that the issues are not just about building heights, but other concerns that are deeper and the decision to pass this draft or not should not be taken lightly. He commented that in the past it has been proven that the little shops do not survive and that it would take a "big box store" to locate at this end of town that would generate jobs and business. He suggested that the Commission consider more communication between developers and homeowners, and commented that a subcommittee be formed to work on those issues. He added that he would like to be part of that subcommittee.

R.J. Obeid, 518 W. Spokane Street, commented that the issue is about efficiency and agrees instead of building a lot of little stores to have the tools available to build one big store that would be the best use of the land. He concurs and feels that the policies listed in the Comprehensive Plan go with this draft and that the surrounding neighborhoods should not be scared. He suggested that the city should look at the available land on Lakeside Avenue to help with the need for parking on Sherman Avenue.

Peter Cooper, 1671 E. Miles Avenue, Hayden Lake, commented that he is longtime resident and from having read this draft, suggested the way to fix the problem would be to stop thinking of this area as a corridor. He explained that the city needs a transit system to provide transportation for people to this community. He proposes to set up a design review community.

Rick Garnett, 1006 Bancroft, commented that he owns property on Sherman Avenue and has lived in this area for many years. He explained that many years ago, when he owned a business that this area was known by the "old" guys as commercial. He commented that for any business to thrive there needs to be less "mom and pop" shops and more "big box" businesses to attract people to this part of town.

Stan Huffaker, 315 Garden Avenue, commented that he would agree to have two different zones for Sherman Avenue and Lakeshore Drive. He commented that he recently returned from a trip to Panama where when driving through one of their residential neighborhoods noticed a few large buildings located in the middle of these neighborhoods that did not blend with the area residences, and was not attractive. He feels the city, by approving these guidelines, will be setting the right tone for this area of town.

Pat Acuff, 112 Hazel Drive, commented that he understands why the Planning Commission is ready to pass this on to council, because this is a difficult decision. He commented that he understands the feelings of the homeowners in this area, but cautioned when a decision is made for this draft that the decision should not be driven by the needs of one group. He commented that he previously owned a business in this area many years ago, and back then there was not a lot of building activity and feels with the unstable economy. doubts there is going to be a rush of high rise building permits issued in the future. He commented that this decision does not have to be rushed. He commented that building heights are not the issue, but feels the problem is parking, and suggested that the Planning Commission look at the possibility of available parking on Lakeside Avenue.

Commissioner Bowlby commented that through the years, Sherman Avenue has been known for having commercial businesses on this street and realizes that there is a division. She added that this is a difficult decision, and from hearing testimony, maybe this issue needs to be studied further, and will have a hard time approving this draft as presented tonight.

**Public testimony closed.**

#### **DISCUSSION:**

Commissioner Luttrupp commented that he appreciates all the comments presented tonight. He stated that from reading the Comprehensive Plan that property rights are a concern and discussed the various policies listed in the Comprehensive Plan supporting these policies. He explained that when the Comprehensive Plan was approved two years ago by the Council, it has been used as a reference when making decisions for approval. He noted in the Comprehensive Plan the four major goals listed and feels that two of those goals do not support this draft which is natural environment and protection of views and vistas and home environment. He feels more discussion is needed before he can make a decision for approval. He does not agree with the heights listed and feels that heights for buildings should not go over 45 feet.

Commissioner Rasor commented that property rights should be even on both sides and feels that this draft is fair to both sides; the developer and homeowner. He commented that people who buy property on Sherman Avenue should have the right to develop their property the way they want and that this draft as presented gives and takes to both the developer and the homeowners and feels that it is time to move this forward.

Commissioner Evans commented that she feels this draft represents solutions for both the developer and homeowner. She added that there has been a lot of public input and feels that this draft is a representation of those concerns and is ready to move it forward. She added that she feels comfortable with the draft presented tonight and stated that this draft represents what is presented in the Comprehensive Plan.

Commissioner Messina commented that he supports the draft that is presented tonight. He added that the Commission has worked on this for a long time and feels that it is time to pass it on to "new eyes". He commented that he would have one suggestion to the draft and maybe the Commission might consider splitting the area into two, making it two different zones.

Assistant Attorney Wilson suggested if this is approved, maybe the Planning Commission could consider having a workshop with the City Council before their hearing is scheduled.

The Planning Commission concurred and will direct staff to schedule that workshop.

**Motion by Rasor, seconded by Evans, to approve Item 0-9-08. Motion approved.**

ROLL CALL:

Commissioner Bowlby	Voted	Nay
Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Luttrupp	Voted	Nay

Motion to approve carried by a 3 to 2 vote.

**ADJOURNMENT:**

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

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

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMSOS, SENIOR PLANNER  
DATE: MARCH 10, 2009  
SUBJECT: ZC-2-09 - ZONE CHANGE FROM R-12 TO R-17  
LOCATION: +/- 40,000 SQ. FT. PARCEL AT 2903 4<sup>TH</sup> STREET

**DECISION POINT:**

George Mitchell is requesting approval of a Zone Change from R-12 (Residential at 12 units/acre) to R-17 (Residential at 17 units/acre).

**SITE PHOTOS:**

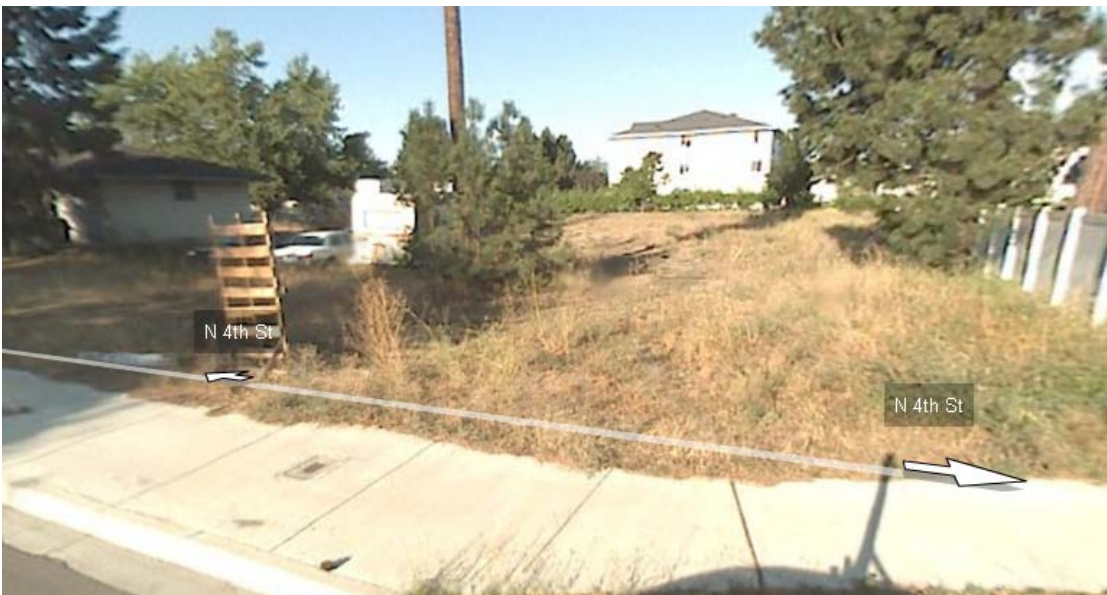
- A. Aerial photo



- B. Existing house on subject property.

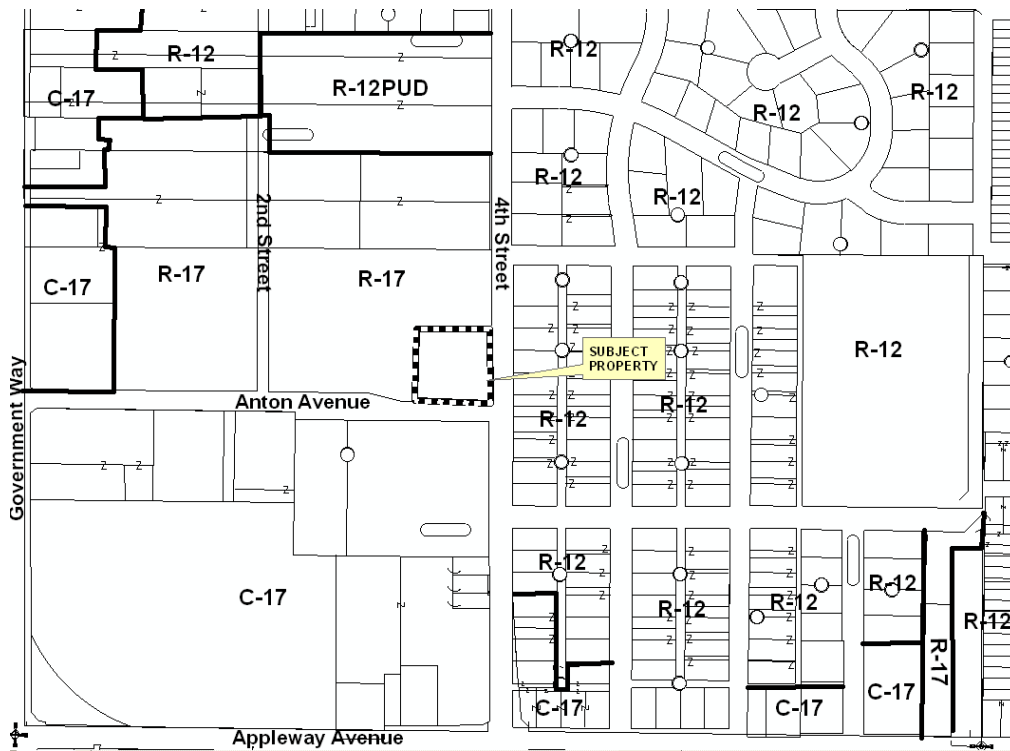


- C. Looking west from 4<sup>th</sup> Street

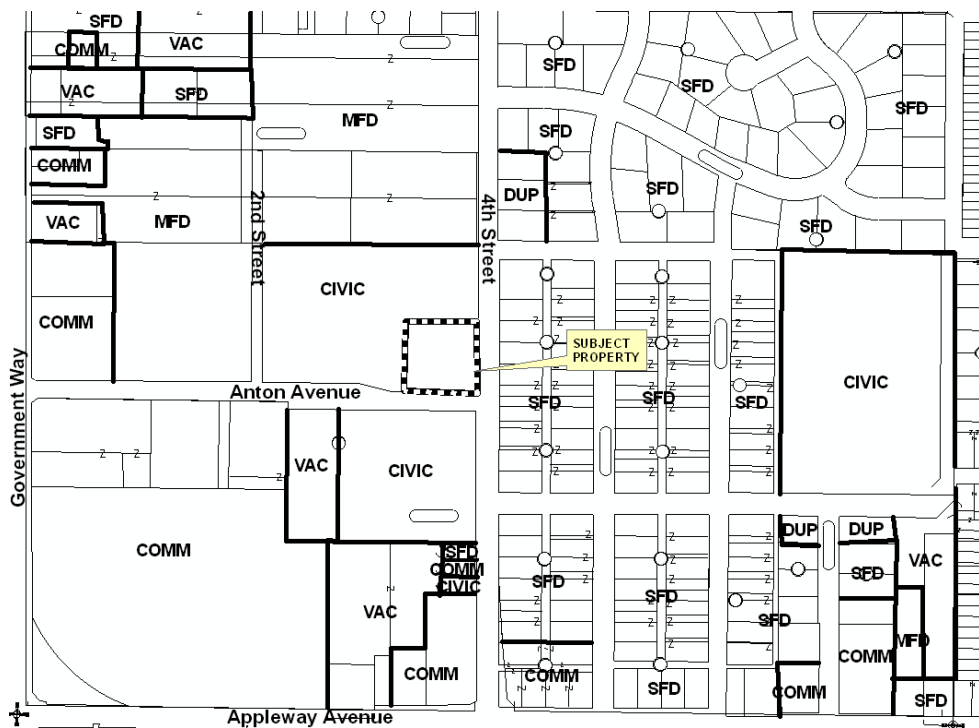


## GENERAL INFORMATION:

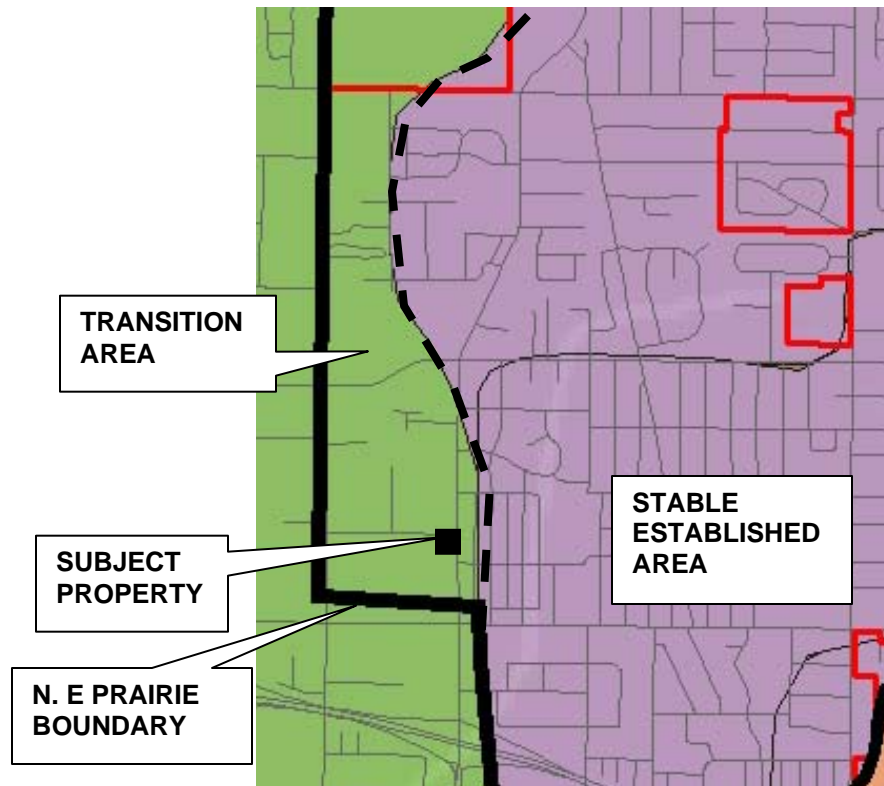
### A. Zoning:



### B. Generalized land use pattern:



C. 2007 Comprehensive plan designation – Transition – N. E. Prairie.



D. Zone changes in surrounding area.



- E. Applicant/ Owner: George Mitchell  
7842 Mill Hollow Lane  
Coeur d'Alene, ID 83814
- F. Land uses in the area include residential – single-family, duplex and Multi-family, commercial, civic and vacant parcels.
- G. The subject property contains a single-family dwelling.
- H. Zone changes in surrounding area. (See above map)
1. ZC-22-86 – R-12 to R-17.
  2. ZC-4-90 – R-12 to R-17.
  3. ZC-9-93 – R-12 to R-17
  4. ZC-11-93 – R-17 to C-17.

**PERFORMANCE ANALYSIS:**

- A. Zoning ordinance considerations:

Approval of the zone change request would intensify the potential use of the property by increasing the allowable density by right from 12 units to 17 units per gross acre and increasing the range of uses allowed by right and special use permit.

**R-12 Zoning District:**

1. Purpose  
  
The R-12 district is intended as a residential area that permits a mix of housing types at a density not greater than twelve (12) units per gross area.
2. Uses permitted by right:
  - Single-family detached housing
  - Duplex housing
  - Pocket residential development
  - Home occupations.
  - Administrative.
  - Public recreation.
  - Neighborhood recreation.
  - Essential service (underground)
3. Uses permitted by Special Use Permit:
  - Boarding house.
  - Childcare facility.
  - Commercial film production.
  - Commercial recreation.
  - Community assembly.
  - Community education.

- Community organization.
- Convenience sales.
- Essential service (aboveground).
- Group dwelling - detached housing.
- Handicapped or minimal care facility.
- Juvenile offenders facility.
- Noncommercial kennel.
- Religious assembly.
- Restriction to single-family only.
- Two (2) unit per gross acre density increase

## **R-17 Zoning District:**

### **1. Purpose**

The R-17 district is intended as a medium/high density residential district that permits a mix of housing types at a density not greater than seventeen (17) units per gross acre.

### **2. Uses permitted by right**

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

### **3. Uses permitted by Special Use Permit:**

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

- Residential density of the R-34 district as specified.
  - Three (3) units per gross acre density increase.
4. Evaluation: The R-17 zone allows an increased residential density of 17 units by right, 34 units by special use permit and increased nonresidential uses by special use permit that are not allowed in the R- 12 zone.

**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 (See page 3) designates the subject property as Transition and in the N E Prairie area, as follows:

**A. 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.

**B. N E Prairie:**

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

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

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

3. Significant 2007 Comprehensive Plan policies:

- Objective 1.02 - Water Quality:

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

➤ 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 and natural habitats:

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

➤ 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 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 3.08 – Housing:

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

➤ Objective 3.16 - Capital Improvements:

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

➤ Objective - 4.01 City Services:

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

➤ 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: The Comprehensive plan indicates that densities in the N E Prairie neighborhood can exceed the target of 3 to 4 units per acre in pockets that are appropriate for higher density housing and multi-family units in compatible areas. The subject property meets this criteria and is supported by the R-17 zoning, multifamily development in the surrounding area and is adjacent to an urban collector (4<sup>th</sup> Street) and Anton Avenue, both of which can accommodate traffic from the proposed 15 unit multi-family development.

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.**

**SEWER:**

The subject property is currently served by public sewer.

**Evaluation:**

Sewer is available along the south lot line of Anton Avenue and of adequate size to support this request. The existing sewer lateral will be reviewed for appropriate sizing for this R-17 designation at building permit time.

Submitted by Don Keil, Assistant Wastewater Superintendent

**WATER:**

Water is available to the proposed development.

Evaluation: There are water mains in both 4<sup>th</sup> Street and Anton Avenue (10 inch and 8 inch respectively) of sufficient size to meet domestic and fire flow requirements for this project. There is an 8 inch main that runs through the adjacent private property but it is not clear whether this is in a public easement or is classified as a public water main. This will be determined at permit review stage.

Submitted by Terry Pickel, Assistant Water Superintendent

#### STORMWATER:

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

Evaluation: The required stormwater management plan (per Ordinance #3348) will be a necessary component of any development submittal for the subject property. Also, prior to any activity on the subject property, the entire site will be required to be wrapped in silt fencing (per City Standard Drawing M-20) to prevent material from washing off of the site onto adjoining properties and/or into the existing storm drainage facilities in the vicinity.

#### TRAFFIC

During average peak hours, the ITE Trip Generation Manual estimates the project may generate approximately 0.9 Average Daily Trip's from the existing single family dwelling unit and 6.2 ADT's from 15 apartment units (maximum units allowable in the R-17 zone)

Evaluation: The adjacent and/or connecting streets will accommodate the additional traffic volume. Proximity to the signalized intersection of 4<sup>th</sup> St./Best/Appleway and the location of the subject property between signalized intersections at Neider and Best/Appleway should allow for controlled movements of traffic to and from the site.

#### STREETS:

The subject property is bordered by Anton Avenue on the south and 4<sup>th</sup> Street on the east.

Evaluation: Both roadways are fully developed street sections, with 4<sup>th</sup> St. being a three lane section with a center turn lane.

#### APPLICABLE CODES AND POLICIES:

##### UTILITIES

All proposed utilities within the project shall be installed underground.

##### STREETS

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

##### STORMWATER

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

Submitted by Chris Bates, Engineering Project Manager

#### FIRE:

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

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

There are no physical constraints such as topography that would make the subject property unsuitable for development.

**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 is located at the northwest corner of the intersection of Anton Avenue and 4<sup>th</sup> Street and, as indicated in the comments on traffic; both streets can accommodate traffic generated by future development of the property. To the north and west of the subject property the neighborhood character and existing land uses show multi-family uses and a large assisted living facility that would justify R-17 zoning and possible future multi-family uses. To the south of the subject property are civic and commercial uses which are part of the commercial corridor along Appleway Avenue. On the east side of 4<sup>th</sup> Street is a single-family neighborhood which makes 4<sup>th</sup> Street an appropriate boundary between low density residential uses to the east of 4<sup>th</sup> Street and higher density residential uses to the west.

Evaluation: The Planning Commission must determine what affect the proposed R-17 zoning would have on traffic, land uses and the character of the surrounding area.

**F. Proposed conditions:**

None.

**G. Ordinances and Standards Used In Evaluation:**

Comprehensive Plan - Amended 2007.  
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.

## PROPERTY INFORMATION


1. Gross area: (all land involved): \_\_\_\_\_ acres, and/or 40,000 sq.ft.
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): \_\_\_\_\_ acres, and/or 40,000 sq. ft.
3. Total number of lots included: 1
4. Existing land use: single home on property (rented out)
5. Existing Zoning (circle all that apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8  
NC CC C-17 C-17L DC LM M
6. Proposed Zoning (circle all the apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8  
NC CC C-17 C-17L DC LM M

## JUSTIFICATION

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

We have had the property for a number of years  
and want to build apts. At this time it's a corner  
lot and the two sides that surround our property  
is R17.

**Note:** The 2007 Comprehensive Plan is available by going to [www.cdavid.org](http://www.cdavid.org) under Departments / Planning



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

**A. INTRODUCTION**

This matter having come before the Planning Commission on, March 10, 2009, and there being present a person requesting approval of ITEM: ZC-2-09, a request for a zone change from R-12 (Residential at 12 units/acre) to R-17 (Residential at 17 units/acre).

LOCATION: +/- 40,000 sq. ft. parcel at 2903 4<sup>th</sup> Street

APPLICANT: George Mitchell

**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, duplex and Multi-family, commercial, civic and vacant parcels.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is R-12 (Residential at 12 units/acre)
- B4. That the notice of public hearing was published on, February 21, 2009, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, February 27, 2009, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on March 10, 2009.
- 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 **GEORGE MITCHELL** 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 Evans	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.

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CHAIRMAN BRAD JORDAN

# 2009 Planning Commission Priorities Progress

MARCH 2009

<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." <b>Note: The PC is encouraged to select what "color" is appropriate.</b></p>		
<b>Administration of the Commission's Business</b>		
▪ Follow-up of Commission requests & comments		No new requests.
▪ Meeting with other boards and committees		
▪ Goal achievement		Checklist of projects w/updated 6/08
▪ Building Heart Awards		Awards given as identified.
• Speakers		
• Public Hearings		April no items scheduled
<b>Long Range Planning</b>		
▪ No current projects		
<b>Public Hearing Management</b>		
▪ No changes anticipated		
<b>Regulation Development by priority</b>		
<b>1. Zoning Ordinance Updates</b>		
Continued evaluation and modification of existing districts with comprehensive plan.		
<ul style="list-style-type: none"> <li>• Lot berming</li> <li>• Non-Conforming Use Reg cleanup</li> <li>• Average Finish Grade</li> <li>• Screening of rooftop equipment</li> <li>• PUD Standards</li> <li>• Lighting</li> <li>• Re-codification or re-org to Unified Development Code</li> </ul>		<p>Fort Grounds Example, research continuing.</p> <p>Commercial design guidelines review w/M. Hinshaw</p> <p>Commercial design guidelines review w/M. Hinshaw</p> <p>Research begun</p>
<b>1. Expansion of Design Review</b>		Complete. Possible expansion in concert with revised zoning
<b>3. Off-Street Parking Standards</b>		Review and updating. Anticipate cooperation with Parking Commission on certain aspects.
<b>4. Revise Landscaping Regulations</b>		w/Urban Forestry
<ul style="list-style-type: none"> <li>• General review &amp; update</li> <li>• Double Frontage Lot landscaping</li> <li>• Tree Retention</li> </ul>		<p>Also revised standards w/commercial design guidelines project</p> <p>Sample ord from Hinshaw given to Urban Forestry</p>
<b>5. Subdivision Standards</b>		
<ul style="list-style-type: none"> <li>• Double Frontage Lot landscaping</li> <li>• Tree Retention</li> <li>• Condition tracking &amp; completion</li> <li>• Alternate standards to reflect common PUD issues such as:</li> <li>• Road widths, sidewalks, conditions for open space and other design standards</li> </ul>		<p>Pending – some research begun</p> <p>Sample ord from Hinshaw given to Urban Forestry</p> <p>Discussed (07) by DRT. Implementation pending</p>
<b>6. Workforce &amp; Affordable Housing</b>		
Support for Council efforts recognizing that primary means of implementation in Cd'A are outside of Commission authority.		City staff & consultant working on various aspects ie Community Development Block Grant.
<b>Other Action</b>		
Mid Town Fees-In-Lieu Parking		Approved by City Council on 1-6-09
Area of City Impact		Request from City Council forwarded to county Public Hearing Cty PC 2/23/09
East Sherman Zoning		PC approved on 2/10 workshop scheduled with Council 3/17
Mixed –Use Districts		Work continues w/M.Hinshaw