

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

JUNE 12, 2012

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, Luttrupp, Messina, Soumas, Haneline, Garringer, (Student Rep)

APPROVAL OF MINUTES:

May 8, 2012
May 22, 2012

PUBLIC COMMENTS:

COMMISSION COMMENTS:

STAFF COMMENTS:

PUBLIC HEARINGS:

ITEM SP-9-12 CONTINUED TO THE NEXT PLANNING COMMISSION MEETING ON JULY 10, 2012

1. Applicant: Verdis, Sandy Young
 Location: 219 Coeur d'Alene Lk Dr
 Request: A proposed Wireless Communication special use permit in
 the C-17 (Commercial at 17 units/acre) zoning district
 QUASI-JUDICIAL, (SP-9-12)

2. Applicant: Scott Stephens
 Location: 1354 S. Silver Beach
 Request: A proposed 0.234 acre annexation from County HDR
 (High Density Residential) to City R-5 (Residential at 5 units/acre)
 QUASI-JUDICIAL (A-4-12)

3. Applicant: City of Coeur d'Alene
 Location: North side of Seltice Way immediately adjacent to, and to the West of,
 the newly constructed Mill River Seniors facility.
 Request: A proposed annexation from County Light Industrial (LI) to City
 C-17 (Commercial 17 units/acre) zoning district
 QUASI-JUDICIAL, (A-2-12)

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
MAY 8, 2012
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Brad Jordan, Chairman
Heather Bowlby, Vice-Chair
Amy Evans
Tom Messina
Lou Soumas
Jake Garringer, Student Rep.

STAFF MEMBERS PRESENT:

Sean Holm, Planner
Tami Stroud, Planner
Shana Stuhlmiller, Public Hearing Assistant
Warren Wilson, Deputy City Attorney

COMMISSIONERS ABSENT:

Rob Haneline
Peter Luttrupp

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Bowlby, seconded by Messina, to approve the minutes of the Planning Commission meeting on April 10, 2012. Motion approved.

COMMISSION COMMENTS:

There was none.

STAFF COMMENTS:

Planner Stroud announced the upcoming items for the months of May and June and that SP-7-12 denied by the planning commission on April 12, 2012 was appealed and scheduled to be heard by the city council on June 5th.

PRESENTATION:

Sid Fredrickson, Wastewater Superintendent

Mr. Fredrickson reported that a rate study will be done in the up-coming year and explained new requirements from EPA and how they will affect the city.

PUBLIC HEARINGS:

1. Applicant: Xiaobo Ellsworth
 Location: 2202 N. Government Way
 Request: A proposed zone change from R-12 (Residential at 12 units/acre) to
 NC (Neighborhood Commercial)
 QUASI-JUDICIAL (ZC-3-12)

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

Commissioner Soumas inquired if staff discussed other zoning options with the applicant.

Planner Holm stated he did discuss other types of zoning and based on the type of business he intends to provide and felt that NC (Neighborhood Commercial) would be the right choice. He explained that the NC zoning district is designed to work within a mixed use neighborhood that is more restrictive.

Public Testimony open:

Marty Ellsworth, applicant representative, 1311 Richardson Avenue, Lewiston, stated that they are proposing a Chinese massage business and if it does well, they would like to expand the business in the future.

Commissioner Soumas inquired if the applicant could estimate the number of customers expected per day.

Mr. Ellsworth stated he would estimate ten a day.

Commissioner Soumas feels that the NC (neighborhood commercial) zoning is not appropriate based on that this zoning district is intended for a business located in a neighborhood that is used by the neighborhood and based on the amount of customers the applicant estimated would not all come from this neighborhood.

Planner Holm explained that personal services are listed under the description for uses within the NC zoning district. He added that the applicant told him that if this business does not succeed, he would like to change the use and propose a restaurant.

Bob Wilson, 2213 N. 1st commented that he is concerned with the amount of traffic on Homestead Avenue if a restaurant is proposed.

Brian Hildahl, 111 S. Fourwinds, commented that the use is not an issue but parking is a concern.

Public Testimony closed:

Rebuttal:

Mr. Ellsworth stated that additional parking for customers will be provided in the back of the house.

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

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Soumas	Voted	Nay

Motion to approve carried by a 3 to 1 vote.

2. Applicant: Bill Wendlandt
 Location: 820 Sherman Avenue
 Request: A proposed Bed/Breakfast Group Assembly special use permit in the
 R-17 (Residential at 17 units/acre) zoning district
 QUASI-JUDICIAL (SP-8-12)

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

There were no questions for staff.

Public Testimony open:

Janet Robnett, applicant representative, P.O. Box E, commented that the applicant wishes to restore this back to how it looked originally. She commented that the Blackwell House is considered an historical site and is excited to see it restored.

Bill Wendlandt, applicant, 820 Sherman Avenue, commented that when he would visit Coeur d' Alene, he would drive by the Blackwell House and remember the various events happening at that home. He stated that if the house was ever for sale he would like to own it and happened to drive by the house last year, and noticed it for sale and bought it. He stated that he is excited to renovate this home to its full potential. He added that he is already getting calls asking when the house will be available for weddings.

Public Testimony closed:

Motion by Soumas, seconded by Bowlby, to approve Item SP-8-12. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Soumas	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

3. Applicant: Verdis, Sandy Young
 Location: 219 Coeur d'Alene Lake Dr.
 Request: A proposed Wireless Communication special use permit in
 the C-17 (Commercial at 17 units/acre) zoning district
 QUASI-JUDICIAL (SP-9-12)

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

There were no questions for staff.

Public Testimony open:

Sandy Young, applicant representative, 602 Garden Avenue, commented that she was not at the last hearing, but is aware of some of the concerns why this item was denied. She presented before and after pictures of how the tower will be improved and suggested the color of the tower to be painted dark green to blend with the area. She presented a rendering showing the Centennial Trail and the placement of the tower surrounded with trees and other enhancements to the property. She commented that the applicant looked at other alternative sites. The relocation will improve the visual aspect of the area and provide better services for cell towers.

Commissioner Bowlby stated that she does not like cell towers and that many years ago she was part of a sub-committee on other alternatives to cell towers. She stated that she understands that cell towers are needed and commented that the cell tower located at Beauty Bay is hardly noticed and questioned if that design could be used at this location.

Ms. Young commented that the applicant is open to suggestions for the design of the tower and would be agreeable to a condition placed stating how the tower is designed.

Commissioner Evans commented that she still has concerns with the location of the tower and explained how this area is in transition and is not an appropriate place for a cell tower.

Commissioner Messina explained that at the last hearing, his denial was not based on what is placed at the base of the tower but the location. He added that his feelings have not changed and concurs with Commissioner Evans and feels that this is not an appropriate location for a cell tower.

Ms. Young stated that based on tonight's testimony and before a decision is made, she would like to continue this discussion, so she can go back and have time to prepare additional drawings of the tower and present them at the next Planning Commission meeting.

The commission concurred and will continue this item to the June 12, 2012 Planning Commission meeting.

Motion by Soumas, seconded by Bowlby, to continue Item SP-9-12 to the Planning Commission meeting on June 12, 2012. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Soumas	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

ADJOURNMENT/CONTINUATION:

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

The meeting was adjourned at 7:11 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION
MINUTES
MAY 22, 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
Lou Soumas
Jake Garringer, Student Rep.

STAFF MEMBERS PRESENT:

Dave Yadon, Planning Director
Shana Stuhlmiller, Public Hearing Assistant
Gordon Dobler, Engineering Services Director

COMMISSIONERS ABSENT:

None

CALL TO ORDER:

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

COMMISSION COMMENTS:

Commissioner Luttrupp stated that he was absent from the May 8th Planning Commission meeting when a cell tower on Coeur d'Alene Lake Drive was proposed and suggested that the applicant work with the Arts Commission to see if they have any ideas on a design that would enhance the area.

STAFF COMMENTS:

Planning Director Yadon announced there are two items scheduled for the next Planning Commission meeting on June 12, 2012.

PUBLIC COMMENTS:

None

ADMINISTRATIVE ITEMS:

1, Applicant: Riverstone West, LLC
 Location: Between Riverstone Drive and W. Tilford Lane, west of Beebe Blvd

Request: A request for a four (4) lot commercial subdivision "Riverstone West 4th Addition
SHORT PLAT (SS-6-12)

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

Commissioner Bowlby inquired if this is the first commercial business on Tilford Lane and feels that the original concept of this mixed-use development has changed.

Mr. Dobler explained that currently there are other existing commercial businesses located on Tilford Lane and feels that the economy has been the deciding factor for this development.

Motion by Messina, seconded by Luttrupp, to approve Item SS-6-12. Motion approved.

PUBLIC HEARINGS:

- 1, Applicant: Greenstone-Kootenai Inc.
Location: W. of Ramsey W. of Kathleen Avenue
 - A. A proposed modification to CDA Place PUD"
QUASI-JUDICIAL (PUD-2-94m.5)
 - B. An amended 325-lot prelim plat "CDA Place"
QUASI-JUDICIAL (S-3-12)

Planning Director Yadon presented the staff report and answered questions from the Commission.

Commissioner Bowlby questioned if this modification affects the entire Coeur d'Alene Place PUD approved many years ago.

Planner Yadon explained that this request is to combine the Sorbonne Addition, approved by the Planning Commission in 2007, with the existing Coeur d'Alene Place PUD.

Commissioner Soumas inquired if the city has a number of trees allowed to be removed through the construction phase.

Planner Yadon explained that the city does not regulate the amount of trees removed during the construction process. The intent promised by the developer is to preserve as many trees as possible.

Public testimony open:

Kevin Schneidmiller, applicant representative, 1551 Chase Road, presented an update to the existing Coeur d'Alene Place PUD and modifications to the Sorbonne Addition approved by the Planning Commission in 2007. He explained the phasing map for the entire project that will incorporate the modifications to the Sorbonne Addition with the original Coeur d'Alene Place PUD and upon approval, will submit the final development plan later this year.

Commissioner Soumas inquired if the applicant agrees with the condition stating the preservation of trees.

Mr. Schneidmiller explained that he does not know how many trees will be eliminated until the project is started, but if trees are removed; replacements will be planted to take the place of those removed. He stated that in past projects, the applicant has tried to keep as many trees as possible.

Commissioner Haneline inquired if a tree inventory was ever done on the property.

Mr. Schneidmiller stated that an inventory was never done and recently, they cleared the smaller trees from the larger trees on the property between Sunshine Meadows and the construction area. He stated that area has had complaints and because of those complaints, they cleaned up that area.

Brent Schlotthauer, 2322 Tumbleweed Circle, commented that he is the legal representative for the Sunshine Meadows Homeowner's Association and that the homeowners feel that the decreased lots would increase the density of the area, increasing traffic. He explained that in Phase 2 of the proposed plan, that the applicant will be required to connect Courcelles Parkway and feels if that happens, traffic will increase through Sunshine Meadows. He stated that Sunshine Meadows has a lot of children and is concerned for their safety.

Mark Worth, 3214 Wilbur Avenue, commented he lives in Sunshine Meadows and is concerned about additional traffic going through the subdivision.

Janine Wilson, 2827 W. Timberlake Loop, stated she lives in Sunshine Meadows and is President of the Homeowners Association and feels that the city's notification process needs to be reviewed since they were not notified and feels it affects this area as well. She added that Coeur d'Alene Place has been a good neighbor in the past, but the residents are concerned with the added traffic - now that Courcelles Parkway is proposed to be constructed. She stated that the forest in back of Sunshine Meadows is home to different kinds of wildlife and feels if the trees are removed, that the wildlife should be relocated. She requested that during the construction phase that the dump trucks don't go through the subdivision. She stated their biggest concern is for the safety of the community - that is home to many children - and would like to propose additional signage or a light to control traffic.

Commissioner Messina inquired regarding which access is commonly used when leaving Sunshine Meadows.

Ms. Wilson explained that normally people will go north on Courcelles Parkway to Prairie Avenue.

Commissioner Bowlby inquired if staff could estimate when Wilbur Avenue will be extended to Ramsey Avenue.

Engineering Services Director Dobler commented that they had discussed this issue many times with the applicant, and from those discussions, it will not happen anytime soon.

Mary Jo Lennings, 2101 Monet Drive, commented she is concerned this will decrease property values. She explained when she purchased her home a few years ago, it was one of the more expensive homes on the block and smaller homes will decrease values.

Patrick Jones, 2703 W. Tours Drive, stated he has concerns with traffic and has been writing down license plate numbers of people who are going too fast on his street.

Ryan Evans, 3031 W. Wilbur Avenue, stated he lives on Wilbur Avenue and contacted the Homeowner's Association regarding the increase in traffic because of the construction activity in Coeur d'Alene Place. He stated they only have one speed limit sign posted and feels more are needed.

Rebuttal:

Mr. Schneidmiller stated that if the Sunshine Meadows Homeowner's Association wants a meeting to discuss traffic, he will contact them. He stated that they are working with staff to place a better barrier on Cornwall Street so trucks and traffic cannot use that until the road is constructed.

Commssioner Luttrupp inquired when Cornwall Street will be completed.

Mr. Schneidmiller answered that they have five years from when the PUD is approved.

Public testimony closed.

Discussion:

Commissioner Bowlby commented that she appreciates the neighbors comments, but feels that Coeur d'Alene Place is an established development that has had a good relationship with the city and surrounding neighbors. She added that she is confident that staff will address concerns regarding traffic and explained that, in the future, if changes are proposed, they will need to return for approval.

Commissioner Soumas concurred with Commissioner Bowlby regarding comments from the neighbors and stated this is something we cannot enforce and that issues need to be addressed with the appropriate city staff. He feels that the developer is requesting minor changes to the existing PUD, which is part of the master plan approved a few years ago that we cannot change.

Commissioner Luttrupp stated that he is confident that if the two homeowner's associations discuss their concerns, the problems can be solved. He feels that this is an established development and that the issues with traffic will be addressed by staff.

Motion by Soumas, seconded by Messina, to approve Item PUD-2-94m.5. Motion approved.

ROLL CALL:

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

Motion to approve carried by a 6 to 0 vote.

Motion by Soumas, seconded by Messina, to approve Item S-3-12. Motion approved.

ROLL CALL:

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

Motion to approve carried by a 6 to 0 vote.

ADJOURNMENT:

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

The meeting was adjourned at 8:37 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



602 east garden avenue
p. o. box 580
coeur d' alene, idaho 83816
tel.208.667.1214
fax.208 765.2516

www.verdisnw.com

Memo

To: City of Coeur d'Alene Planning Commission
From: Sandy Young, Principal Planner
Re: Crown Castle Request for a Special Use Permit SP 02-12

Due to pending litigation on the current cell tower site, Crown Castle requests that their June 12, 2012 hearing be continued to July 10, 2012. I will be available at the June 12th hearing to answer any questions.

Thank you for your consideration and I apologize for any inconvenience.

**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI A. STROUD, PLANNER
DATE: JUNE 12, 2012
SUBJECT: A-4-12 –ZONING IN CONJUNCTION WITH ANNEXATION FROM COUNTY HIGH DENSITY RESIDENTIAL TO THE CITY R-5 (Residential at 5 units/acre) ZONING DISTRICT.
LOCATION: +/- .234 ACRE PARCEL LOCATED AT 1354 SILVER BEACH ROAD

Applicant/Owner
Scott Stevens
1354 Silver Beach Road
Coeur d'Alene, ID 83814

DECISION POINT:

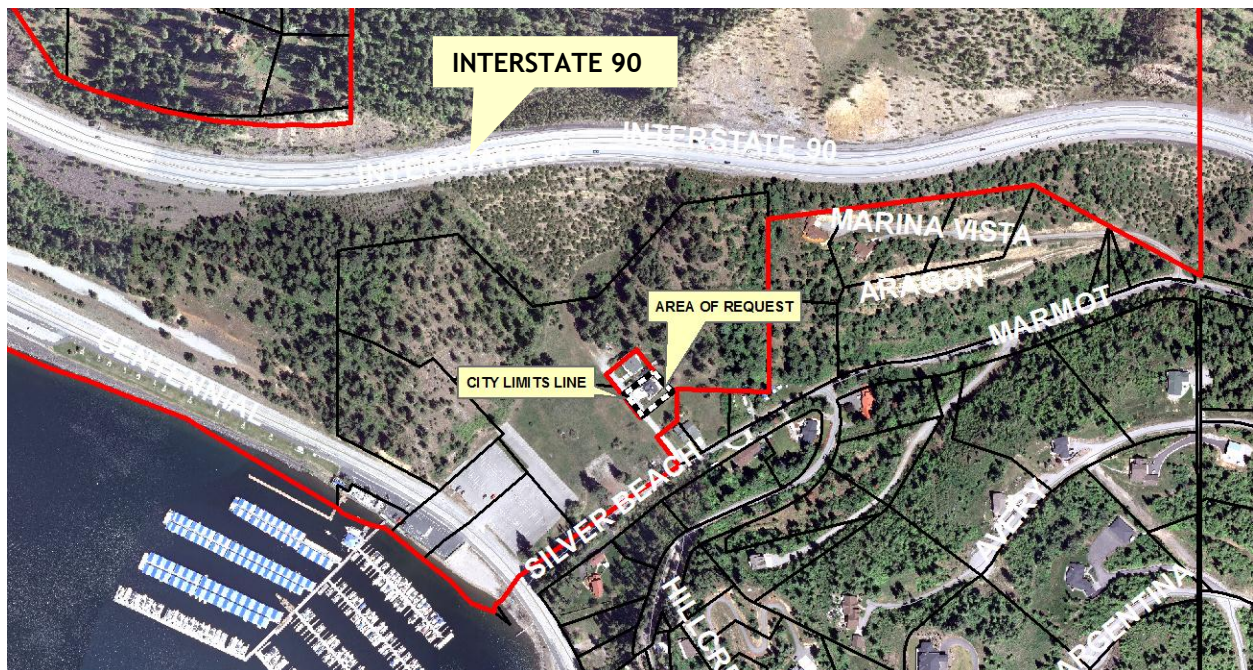
Scott Stevens is requesting approval of Zoning in conjunction with annexation from County High Density Residential to City R-5 (Residential at 5 units/acre) zoning district.

GENERAL INFORMATION:

The purpose of the request is to annex the County parcel into the City R-5 (Residential at 5 units/acre) zoning district.

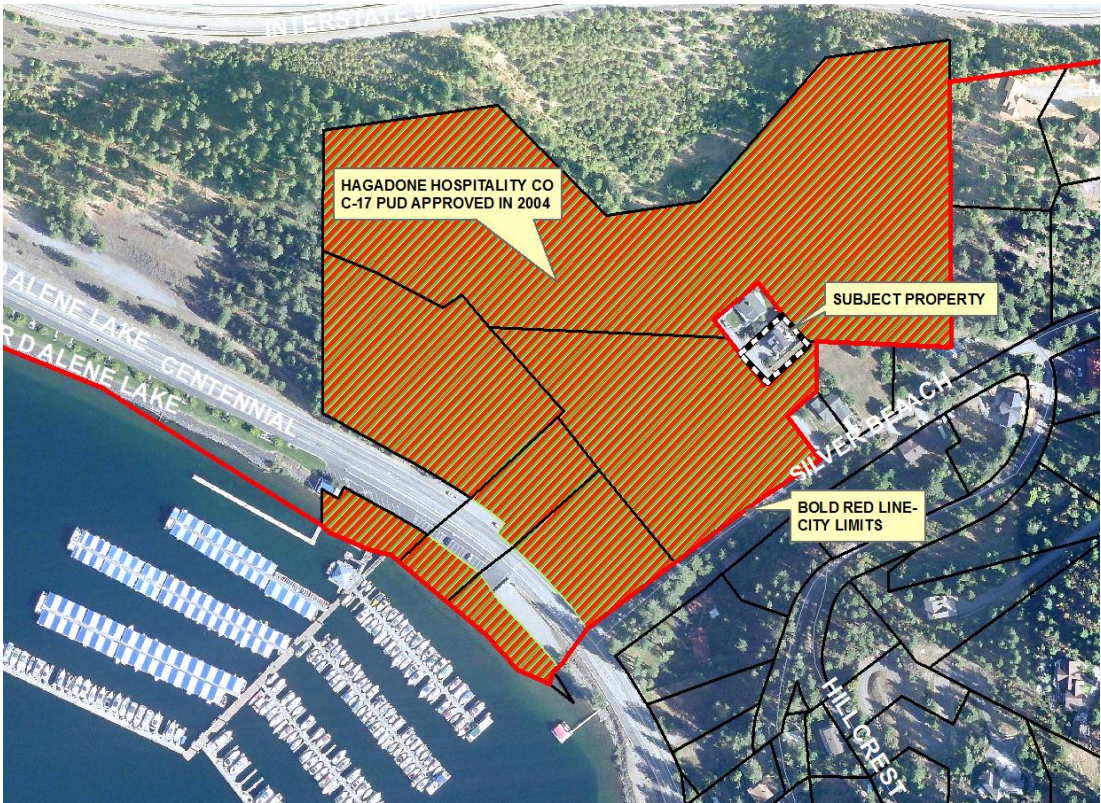
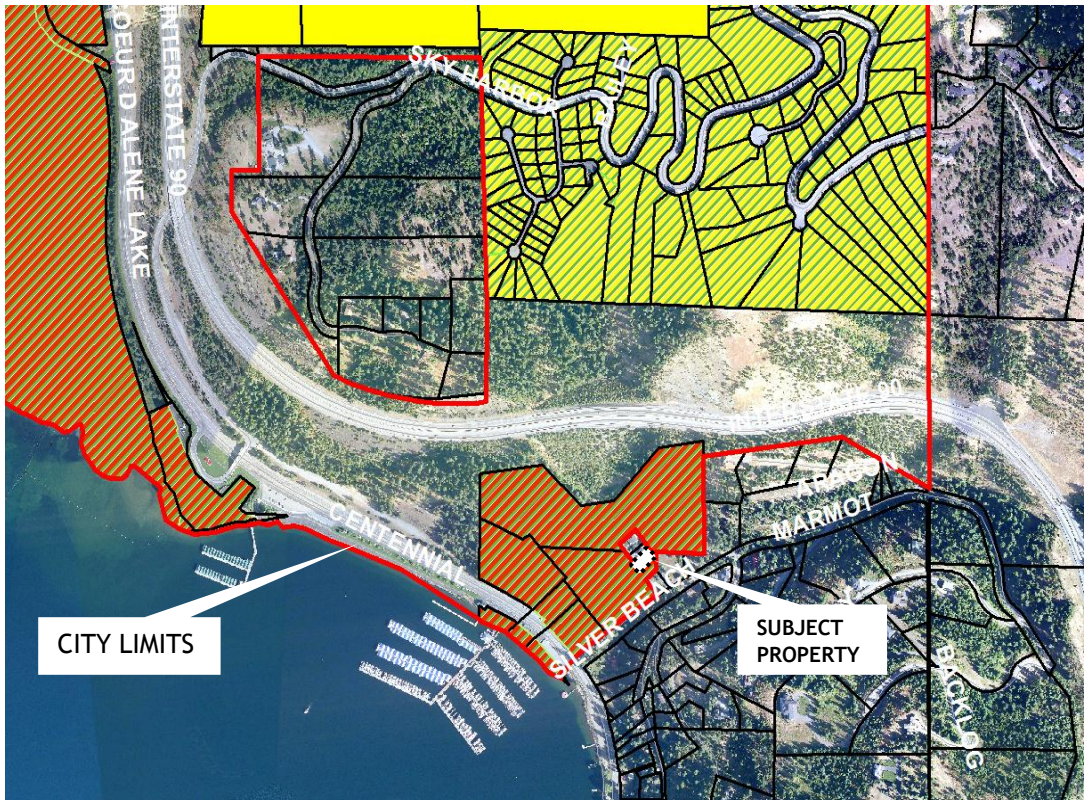
The subject property is within the Area of City Impact Boundary.

Aerial photo:



Zoning:

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



PERFORMANCE ANALYSIS:

Proposed Zoning: Residential R-5:

This district is intended as a residential area that permits single-family housing at a density of 5 dwelling units per gross acre.

This district is intended for those areas of the city that are developed at this density or are preferably developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard.

17.05.082: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-5 district shall be as follows:

Administrative.

Essential service (underground).

"Home occupation", as defined in this title.

Neighborhood recreation.

Public recreation.

Single-family detached housing.

17.05.083: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-5 district shall be as follows:

Accessory dwelling units.

Garage or carport (attached or detached).

Open areas and swimming pools.

Outside storage when incidental to the principal use.

Private recreation facility (enclosed or unenclosed).

Temporary construction yard.

Temporary real estate office.

17.05.084: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an R-5 district shall be as follows:

Bed and breakfast facility.

Commercial film production.

Community assembly.

Community education.

Community organization.

Convenience sales.

Essential service (aboveground).

Noncommercial kennel.

Evaluation:

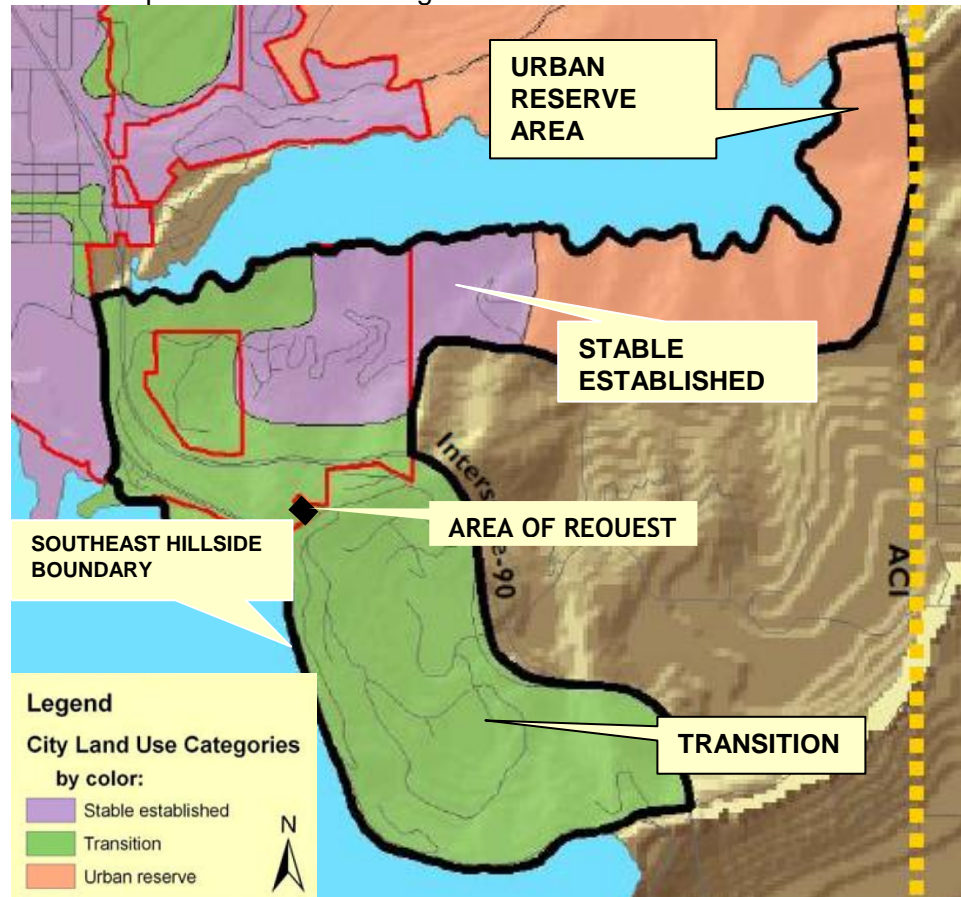
The R-5 zone allows a residential density of 5 units by right. Minimum lot size in the R-5 zoning district is 8,500 SF/du.

The zoning pattern (see zoning map on page 2) in the surrounding area shows Hagadone Hospitality LLC C-17 Limited PUD surrounding the subject property.

FINDING ANALYSIS:

Finding #B8: THAT THIS PROPOSAL (IS) (IS NOT) IN CONFORMANCE WITH THE COMPREHENSIVE PLAN POLICIES.

2007 Comprehensive Plan designation –Transition- SE Hillside



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.

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.

Urban Reserve:

These areas represent lower priorities for city growth due to natural constraints such as topography, soils, and wetlands. They also have city service constraints such as water, sewer, and police and fire protection.

SE Hillside Tomorrow

This area is generally envisioned to be a sparsely developed area with preservation of its natural vegetation, views and vistas, with open space being the main priority. Where development occurs, it will be lower density residential.

The characteristics of SE Hillside neighborhoods will be:

- That overall density in this area will be approximately one dwelling unit per ten acres (1:10). 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.
- Infrastructure needs will guide development.
- Large natural open spaces will require careful planning for wildfire mitigation.
- Developments within the Fernan Lake Watershed should reflect careful consideration of ensuring water quality and preserving visual aesthetics.
- 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.
- Open space preservation is preferred.

Significant policies:

- Objective 1.01 - Environmental Quality:
Minimize potential pollution problems such as air, land, water, or hazardous materials.
- 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 1.08 –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 1.13 - 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 1.17 - 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 3.05 - Neighborhoods:
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- Objective 3.06 - Neighborhoods:
Protect the residential character of neighborhoods by allowing residential/commercial/industrial transition boundaries at alleyways or along back lot lines if possible.
- Objective 3.12 - Education:
Support quality educational facilities throughout the city, from the pre-school through the university level
- 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).
- 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 evidence before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.

Finding #B9: THAT PUBLIC FACILITIES AND UTILITIES (ARE) (ARE NOT) AVAILABLE AND ADEQUATE FOR THE PROPOSED USE.

SEWER: Public Sewer is not available to this property.

Evaluation: At this time, public sewer availability for this applicant is probably too costly for the applicant to pursue as the public connection point currently is at the South 300 block of 23rd Avenue (6,000 ft. away). This is because-

- The property that surrounds this applicant's property is tied in with the annexation agreement of the Resort Golf Course in which public sewer was only to be provided for a portion of the 6,000-foot length needed to reach the Silver Beach. Approximately 4,000 ft of public sewer is to be constructed at such time that the Hagadone Hospitality Co. Silver Beach property is developed (by the same)
- Even when the above occurs, public sewer requirement costs for this applicant (upgrades needed to the private lift station and private force main) will be extremely prohibitive from such a small amount of property.

Comments submitted by Don Keil, Utility Project Manager

WATER:

There are no existing water mains, domestic services or fire hydrants near the residence in question. If owner desires service or fire protection, he will need to extend a main from the Terraces to and across the property frontage by way of road/street right-of-way or easement at his expense. Mains and services will not be permitted to cross adjacent private property.

Comments submitted by Terry Pickel, Assistant Superintendent

TRAFFIC:

The ITE Trip Generation Manual estimates the subject property could generate approximately 9.55 trips per day, or, an average one (1) ATD during peak A.M. and P.M. peak hour periods.

Evaluation

The traffic generation numbers for a one (1) lot residential annexation are insignificant and will not impact the adjacent roadways.

STREETS:

The area proposed for annexation does not adjoin or have frontage on a public street.

Evaluation:

Access is via a driveway that crosses an adjoiners property. There were no easement submittals with the application for annexation to provide proof of legal, unobstructed access to the subject property.

Submitted by Chris Bates, Engineering Project Manager

FIRE:.

There are no water/hydrants for fire protection.

Submitted by Brian Keating, Fire Inspector

Evaluation: The Planning Commission must determine, based on the evidence before them, that public facilities and utilities are or are not available and adequate for the proposed use.

Finding #B10: THAT THE PHYSICAL CHARACTERISTICS OF THE SITE (MAKE) (DO NOT MAKE) IT SUITABLE FOR THE REQUEST AT THIS TIME.

The subject property is level and does not contain any topographic constraints. There is currently a single family dwelling unit and two accessory structures on the +/- 10,193 SF parcel.

The applicant does not comply with the Kootenai County Building code and did not obtain necessary county permits for several structures on the site. He has not had a final inspection nor been issued a certificate of occupancy for the single-family dwelling.



Evaluation: The Planning Commission must determine, based on the evidence before them, whether the physical characteristics of the site make it suitable for request at this time.

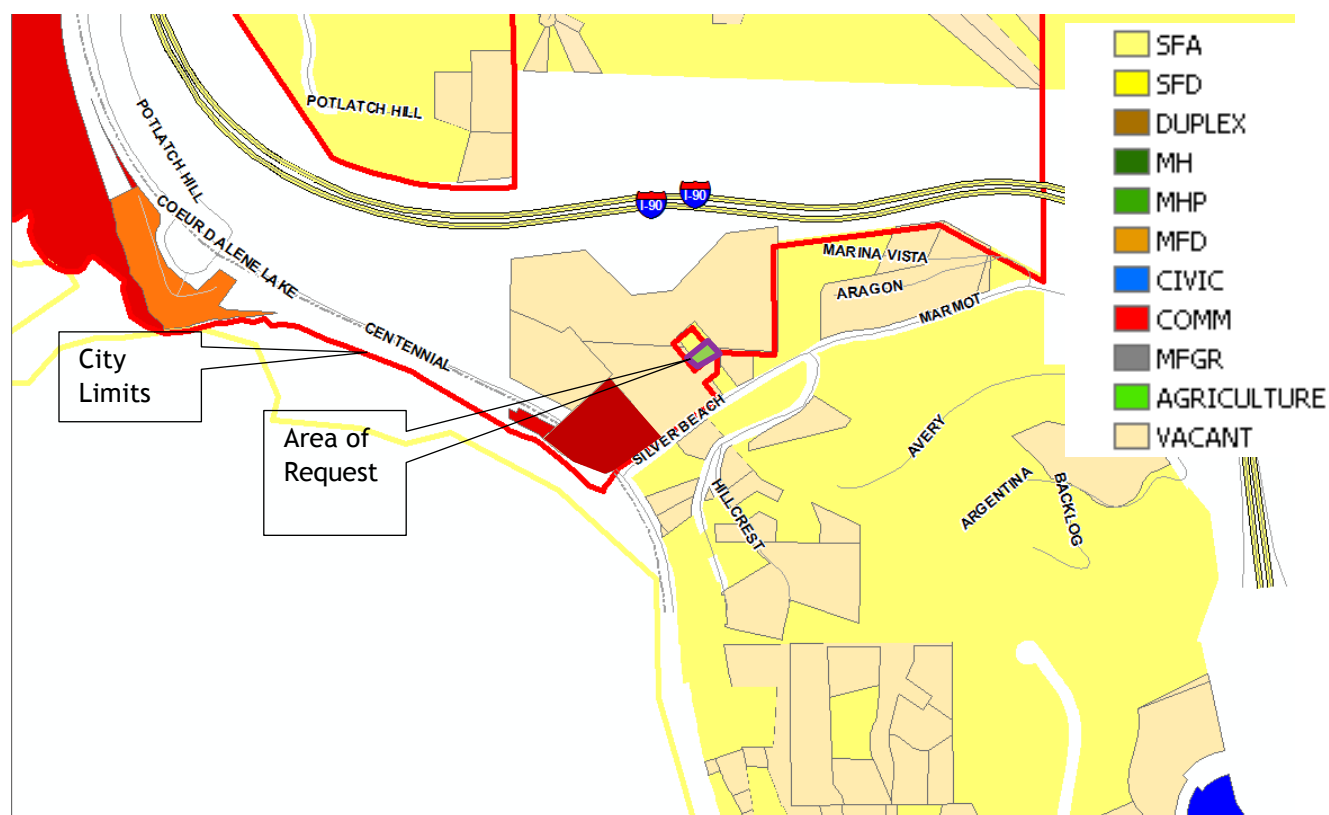
Finding #B11: THAT THE PROPOSAL (WOULD) (WOULD NOT) ADVERSELY AFFECT THE SURROUNDING NEIGHBORHOOD WITH REGARD TO TRAFFIC, NEIGHBORHOOD CHARACTER, (AND) (OR) EXISTING LAND USES.

Existing land uses in the area include residential-single family and multi-family, commercial, commercial recreation and civic.

Previous actions in surrounding area:

1. A-1-04/PUD-2-04- Annexation & PUD approved February 10, 2004. (See zoning map page 2.)

C. Generalized land use.



ITEMS RECOMMENDED FOR AN ANNEXATION AGREEMENT:

WASTEWATER:

1. The approval of this annexation will require the need to provide the public sewer force main from the east side of the Terraces to the subjects property and obligate the applicant to the money necessary to upgrade Hagadone's private lift station to be a public lift station (as found in the Resort Golf Course annexation agreement).

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

Please use this space to state the reason(s) for the requested annexation 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.

This request for annexation is supported by the following reasons.

The area is largely undeveloped with some subdivisions, this is an existing home measuring 85x120 and follows the desired overall density in this area. Appropriate density ranges from one dwelling unit per 10 acres (1:10) to a higher density of three units per acre (3:1) this property falls in the middle at 5 dwelling units per gross acre. This also falls into the minimum lot size of 8,500 sq ft per dwelling unit. As per the 2007 Comprehensive Plan this existing home is sited appropriately and gains access by an existing road, the terrain is flat & will not significantly impact views or vistas. This home is clustered next to only 1 additional home.



**F
I
N
D
I
N
G
S**

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

A. INTRODUCTION

This matter having come before the Planning Commission on June 12, 2012, and there being present a person requesting approval of ITEM A-4-12, a request for Zoning in conjunction with annexation from County High Density Residential to City R-5 (Residential at 5 units/acre) zoning district.

LOCATION: +/- .234 ACRE PARCEL LOCATED AT 1354 SILVER BEACH ROAD

APPLICANT: SCOTT STEVENS

**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 multi-family, commercial, commercial recreation and civic.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is County High Density Residential
- B4. That the notice of public hearing was published on May 26, 2012, 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 6 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on May 25, 2012.
- B7. That public testimony was heard on June 12, 2012.
- 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 **SCOTT STEPHENS** for zoning in conjunction with annexation, as described in the application should be **(approved) (denied) (denied without prejudice)**.

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

WASTEWATER:

1. The approval of this annexation will require the need to provide the public sewer force main from the east side of the Terraces to the subjects property and obligate the applicant to the money necessary to upgrade Hagadone's private lift station to be a public lift station (as found in the Resort Golf Course annexation agreement).

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

**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI A. STROUD, PLANNER
DATE: JUNE 12, 2012
SUBJECT: A-2-12 –ZONING PRIOR TO ANNEXATION FROM COUNTY LIGHT INDUSTRIAL
TO THE CITY C-17 (Commercial-17) ZONING DISTRICT.
LOCATION: +/- .88 ACRES KNOWN AS A TRIANGULAR PARCEL ABUTTING THE WEST
BOUNDARY OF THE MILL RIVER SENIORS APARTMENTS

Applicant/ City of Coeur d'Alene
Owner: Mill River Seniors LLC
8421 N. Government Way
Hayden, ID 83835

DECISION POINT:

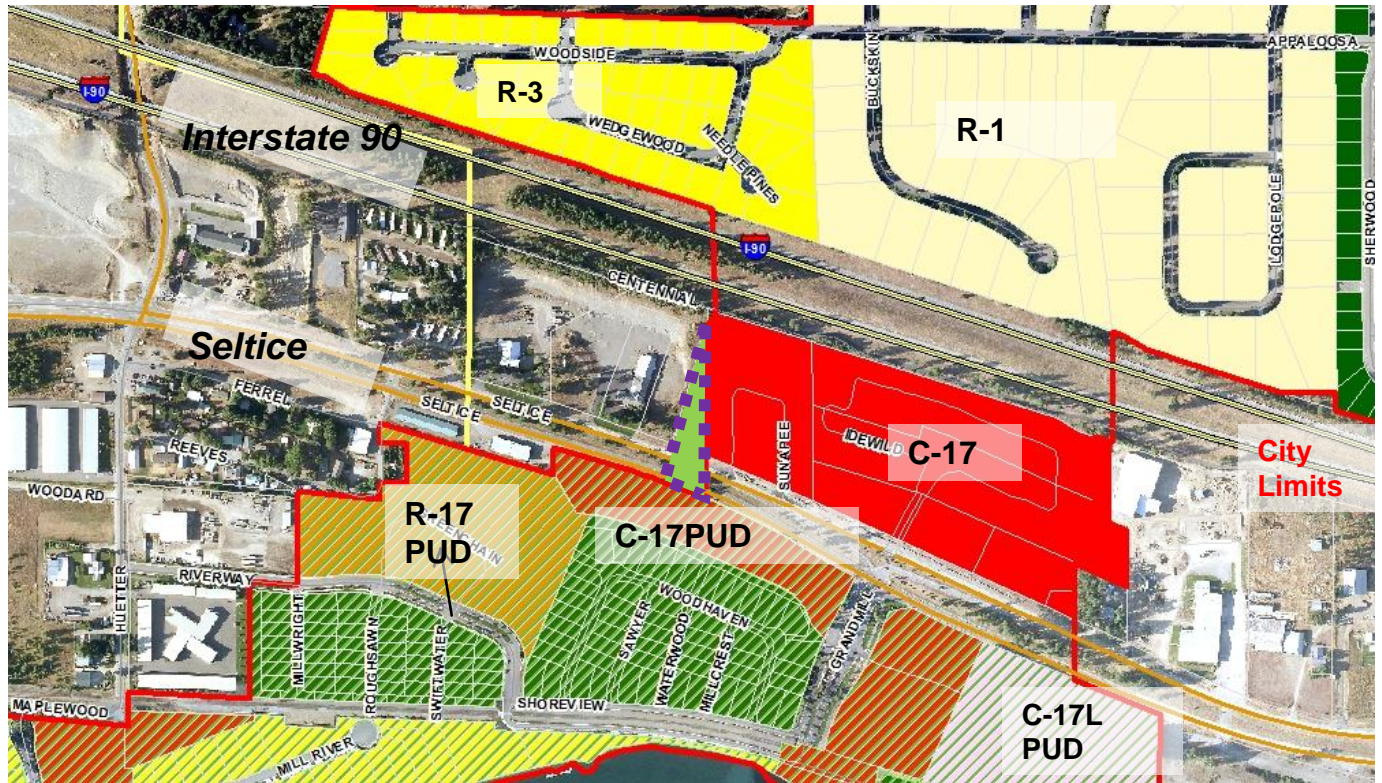
The City of Coeur d'Alene is requesting approval of Zoning prior to annexation from County Light Industrial to the City C-17 (Commercial -17) zoning district.

SITE PHOTOS:

A. Aerial photo:



B. Zoning.



C-17 District

Purpose and Intent:

The requested C-17 zoning district is intended as a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) units per gross acre. It should be located adjacent to arterials, however, joint access developments are encouraged:

Uses permitted by right:

1. Single-family detached housing (as specified by the R-8 District).
2. Duplex housing (as specified by the R-12 District).
3. Pocket housing (as specified by the R-17 District).
4. Multiple-family (as specified by the R-17 District).
5. Home occupations.
6. Community education.
7. Essential service.
8. Community assembly.
9. Religious assembly.
10. Public recreation.
11. Neighborhood recreation.
12. Commercial recreation.
13. Automobile parking when serving an
27. Retail gasoline sales.
28. Home furnishing retail sales.
29. Specialty retail sales.
30. Veterinary office.
31. Hotel/motel.
32. Automotive fleet storage.
33. Automotive parking.
34. Automobile renting.
35. Automobile repair and cleaning.
36. Building maintenance service.
37. Business support service.
38. Communication service.
39. Consumer repair service.
40. Convenience service.
41. Funeral service.
42. General construction service.
43. Group assembly.

- adjacent business or apartment.
14. Hospitals/health care.
 15. Professional offices.
 16. Administrative offices.
 17. Banks and financial institutions.
 18. Personal service establishments.
 19. Agricultural supplies and commodity sales.
 20. Automobile and accessory sales.
 21. Business supply retail sales.
 22. Construction retail sales.
 23. Convenience sales.
 24. Department stores.
 25. Farm equipment sales.
 26. Food and beverage stores, on/off site consumption.

Uses allowed by special use permit:

1. Veterinary hospital.
2. Warehouse/storage.
3. Custom manufacturing.
4. Extensive impact.
5. Adult entertainment sales and service.
6. Auto camp.

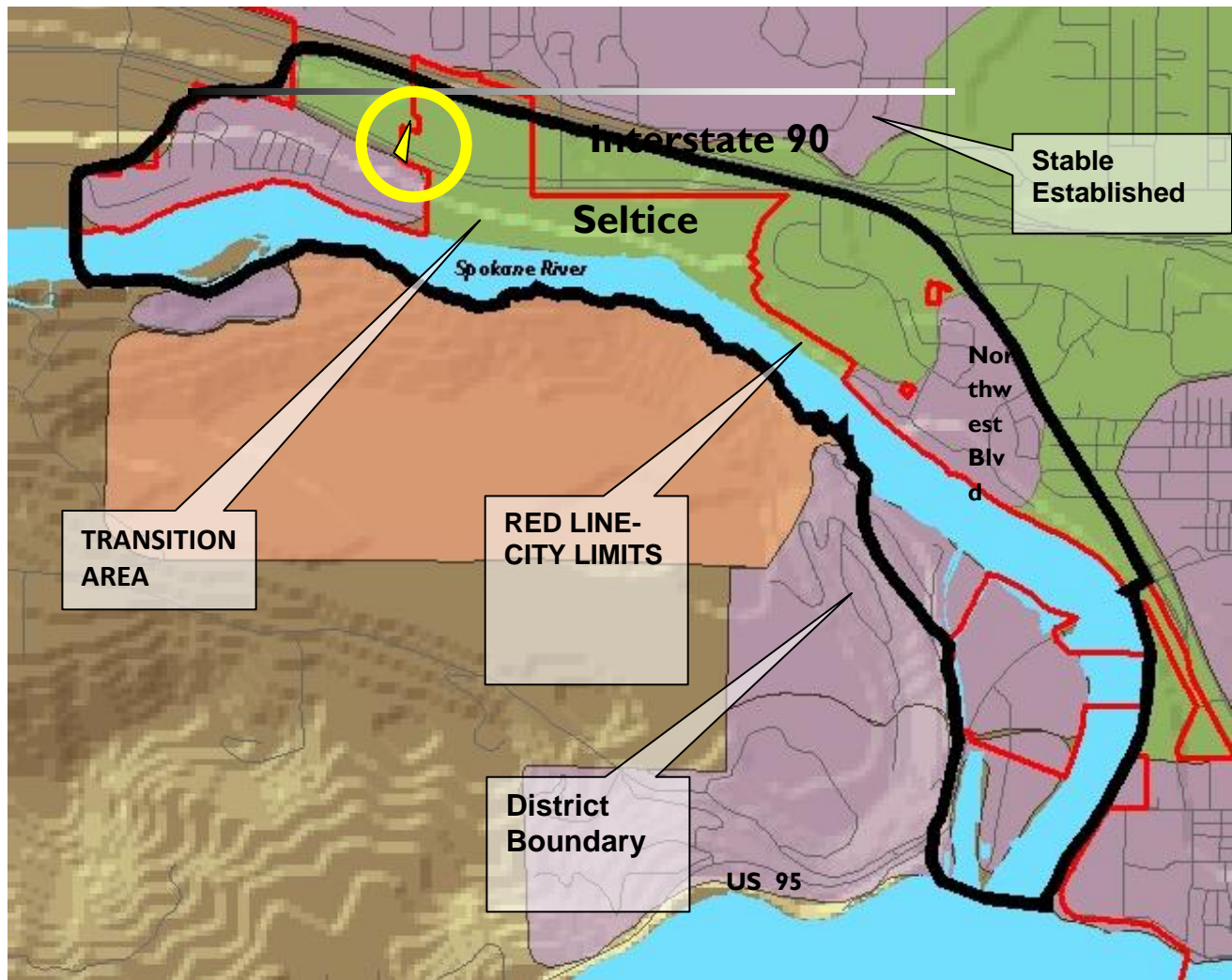
44. Laundry service.
45. Finished goods wholesale.
46. Group dwelling-detached housing.
47. Mini-storage facilities.
48. Noncommercial kennel.
49. Handicapped or minimal care facility.
50. Rehabilitative facility.
51. Child care facility.
52. Juvenile offenders facility.
53. Boarding house.
54. Commercial kennel.
55. Community organization.
56. Nursing/convalescent/rest homes for the aged.
57. Commercial film production.

7. Residential density of the R-34 district as specified.
8. Underground bulk liquid fuel storage-wholesale.
9. Criminal transitional facility.
10. Wireless communication facility

FINDINGS

A **Finding #B8: THAT THIS PROPOSAL (IS) (IS NOT) IN CONFORMANCE WITH THE COMPREHENSIVE PLAN POLICIES.**

2007 Comprehensive Plan designation - Transition and Stable Established – Education Corridor



1. The subject property is within the Area of City Impact Boundary.
2. The subject property has a land use designation of Transition

Transition Areas:

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.

Stable Established Areas:

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.

Significant policies:

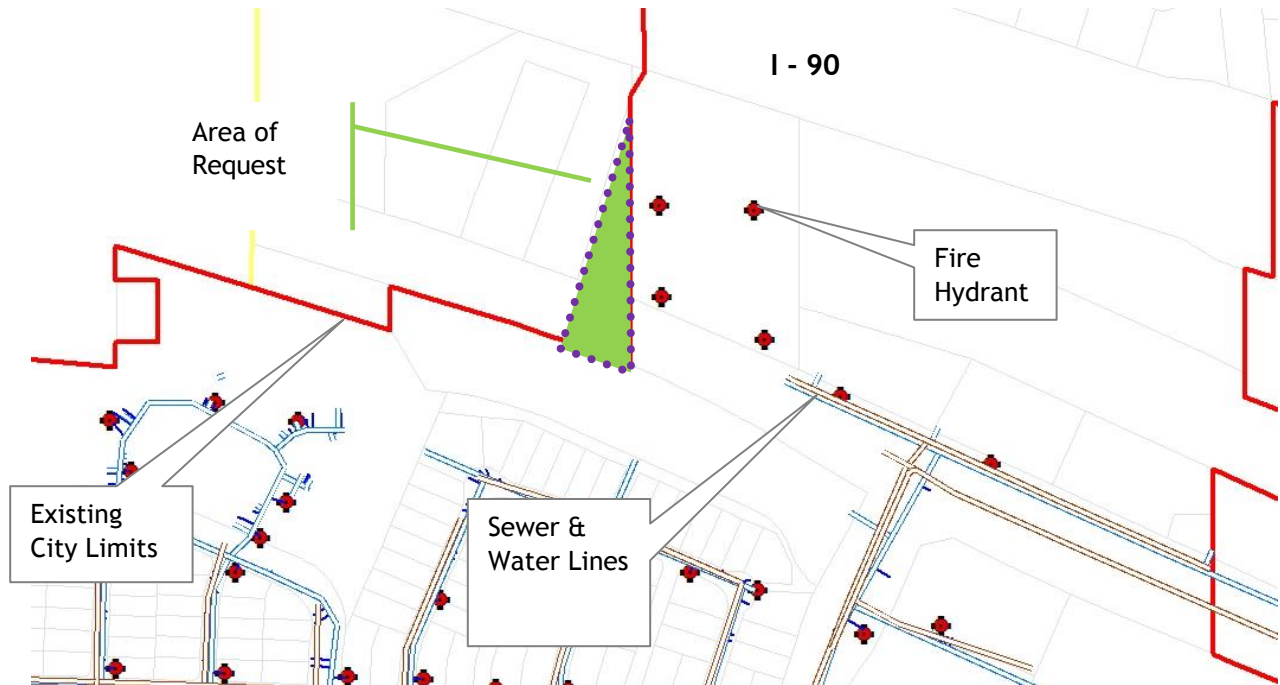
- Objective 1.01 - Environmental Quality:
Minimize potential pollution problems such as air, land, water, or hazardous materials.
- Objective 1.12 - Community Design:
Support the enhancement of existing urbanized areas and discourage sprawl.
- Objective 1.14 - Efficiency:
Promote the efficient use of 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 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 3.05 - Neighborhoods:
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- Objective 3.06 - Neighborhoods:
Protect the residential character of neighborhoods by allowing residential/commercial/industrial transition boundaries at alleyways or along back lot lines if possible.
- Objective 3.16 - 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).
- 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 evidence before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this

request should be stated in the finding.

B. **Finding #B9: THAT PUBLIC FACILITIES AND UTILITIES (ARE) (ARE NOT) AVAILABLE AND ADEQUATE FOR THE PROPOSED USE.**

Water and Sewer Lines



SEWER:

Public sewer is available for the proposed annexation and has adequate capacity to serve the area.

Comment submitted by Jim Remitz, Utility Project Manager

WATER: Public mains will need to be extended at the time of future development.

Comment submitted by: Terry Pickel

STORMWATER:

The Engineering Department has no comments.

Submitted by Chris Bates, Engineering Project Manager

FIRE: All Fire Department access and hydrant requirements will be addressed at a future project review.

Submitted by Glenn Lauper, Deputy Fire Chief

C. **Finding #B10: THAT THE PHYSICAL CHARACTERISTICS OF THE SITE (MAKE) (DO NOT MAKE) IT SUITABLE FOR THE REQUEST AT THIS TIME.**

The area of request slopes north toward Interstate 90. The preexisting grade was altered to allow for construction of the adjacent apartments.

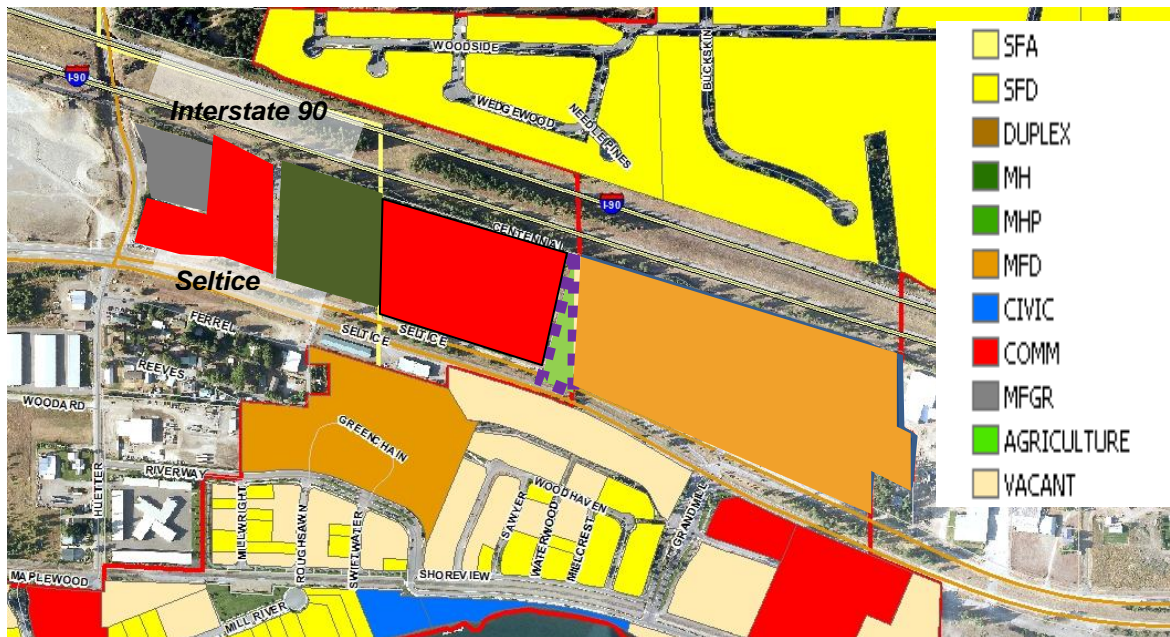


Evaluation: The Planning commission must determine, based on the evidence before them, whether the physical characteristics of the site make it suitable for annexation at this time.

D. **Finding #B11: THAT THE PROPOSAL (WOULD) (WOULD NOT) ADVERSELY AFFECT THE SURROUNDING NEIGHBORHOOD WITH REGARD TO TRAFFIC, NEIGHBORHOOD CHARACTER, (AND) (OR) EXISTING LAND USES.**

Traffic: The existing and proposed use will have no traffic impact.
Submitted by Chris Bates, Engineering Project Manager

Generalized land use.



Land Use and Character

Land uses in the area include: mobile home, single-family and multi-family residential, commercial and vacant land. Since the removal of interstate auto traffic from Seltice, closure and subsequent annexation of the sawmills. The character of the neighborhood has been in transition from the highway commercial & industrial uses to a mix of residential and commercial uses.

The proposed C-17 zone will have less of an impact on the surrounding area than the present County Light Industrial zone and will allow the City to utilize the property for a sewer collection line and the abutting apartment owner to have their entire development in the city.

The existing and proposed use generate will have no traffic impact.

Submitted by Chris Bates, Engineering Project Manager

G. Items recommended for an Annexation Agreement:

None.

H. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - 2007.

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.

City of Coeur d'Alene
710 E. Mullan Avenue
Coeur d'Alene, Idaho 83815

February 28, 2012



ATTN: Honorable Mayor Bloem and City Council Members

RE: Seltice Way Annexation

Dear Mayor and Council;

The purpose of this letter is to formally request that the City Council consider the Annexation of Parcel # 50N04W-04-5200. This parcel is located along the North side of Seltice Way immediately adjacent to, and to the West of, the newly constructed Mill River Seniors facility. The subject property is approximately 0.8 acres and is currently owned by Mill River Seniors, LLC.

The City of Coeur d'Alene Wastewater Utility has entered into a formal agreement with Mill River Seniors, LLC to obtain this property for the future extension of sanitary sewer infrastructure. However, prior to the actual conveyance of property and/or any construction of City infrastructure, it is imperative that this property is annexed into the City of Coeur d'Alene. Attached to this application is a copy of an authorization letter from Mill River Seniors, LLC authorizing the City of Coeur d'Alene to move forward with this annexation on their behalf.

It is our understanding that because the City of Coeur d'Alene Wastewater Utility is the applicant that any annexation fees will be waived. We are also aware that an Annexation Agreement will be negotiated and executed by the applicant subsequent the approval by City Council.


On behalf of the City of Coeur d'Alene Wastewater Utility, we thank you for your time and consideration in this matter.

Best regards,

A handwritten signature in black ink, appearing to read "Drew C. Dittman", is written over a horizontal line.

Drew C. Dittman, P.E.
Principal

cc: Mr. Sid Frederickson – CDA Wastewater
Mr. Gordon Dobler – CDA Engineering
Ms. Renata McLeod – CDA Administration



**F
I
N
D
I
N
G
S**

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

A. INTRODUCTION

This matter having come before the Planning Commission on June 12, 2012, and there being present a person requesting approval of ITEM A-2-12, a request for zoning prior to annexation from County Light Industrial to the City C-17 (Commercial -17) zoning district.

LOCATION: +/- .88 ACRES KNOWN AS A TRIANGULAR PARCEL ABUTTING THE WEST
BOUNDARY OF THE MILL RIVER SENIORS APARTMENTS

APPLICANT: THE CITY OF COEUR D'ALENE

**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 mobile home, single-family and multi-family residential, commercial and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition and Stable Established.
- B3. That the zoning is County Light Industrial.
- B4. That the notice of public hearing was published on May 26, 2012, 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 6 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on May 25, 2012.
- B7. That public testimony was heard on June 12, 2012.
- 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 **THE CITY OF COEUR D ALENE** 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 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