

**PLANNING COMMISSION AGENDA**  
**CITY COUNCIL CHAMBERS**

**OCTOBER 10, 2006**

**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:** Bruning, Bowlby, George, Jordan, Rasor, Messina, Souza, McCloskey, (Student Rep)

**APPROVAL OF MINUTES:**

August 22, 2006  
September 12, 2006

**PUBLIC COMMENTS:**

**COMMISSION COMMENTS:**

**STAFF COMMENTS:**

**ADMINISTRATIVE ITEMS:**

1. Applicant: Ruen-Yeager and Associates  
Location: 1377 and 1379 Kaleigh Court  
Request: Proposed 2-unit Condominium Plat "Daniel Condominiums"  
SHORT PLAT, (SS-23-06)
2. Applicant: Ruen-Yeager and Associates  
Location: 1501 and 1503 N. 9<sup>th</sup> Street  
Request: Proposed 2-unit Condominium Plat "DeCorna Condominiums"  
SHORT PLAT, (SS-24-06)
3. Applicant: Kohl's Department Inc.  
Request: Approval of Landscaping plan  
ADMINISTRATIVE, (LS-2-06)

**PUBLIC HEARINGS:**

1. Applicant: Riverstone West, LLC  
Location: 2800 Seltice Way  
Request: A proposed PUD "Riverstone West"  
QUASI-JUDICIAL, (PUD-4-06)

2. Applicant: Michael R. O'Malley  
Location: 2003 Lincoln Way  
Request: A proposed 21 foot height variance above the maximum 62.5 feet allowed in the C-17L (Commercial limited at 17 units/acre) zoning district. QUASI-JUDICIAL, (V-4-06)
  
3. Applicant: Ron Ayers  
Location: 1101, 1103 and 1113 W. Davidson  
Request: A proposed zone change from R-12 (Residential at 12 units/acre) to C-17 (Commercial at 17 units/acre) QUASI-JUDICIAL, (ZC-10-06)
  
4. Applicant: Stephen Shortridge & Harry Robertson  
Location: 821 Mullan  
Request:
  1. A zone change from R-17 (Residential at 17 units/acre) to DC (Downtown Core)
  2. Amend Downtown East Infill Overlay District to exclude subject property
  3. Amend Downtown Design Regulations Overlay district boundary to include subject property.  
QUASI-JUDICIAL, (ZC-11-06)

**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.***



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**PLANNING COMMISSION  
MINUTES  
AUGUST 22, 2006  
CITY COUNCIL CHAMBERS**

**COMMISSIONERS PRESENT**

John Bruning, Chairman  
Brad Jordan  
Tom Messina  
Scott Rasor  
Mary Souza

**STAFF MEMBERS PRESENT**

John Stamsos, Associate Planner  
Shana Stuhlmiller, Public Hearing Assistant  
Warren Wilson, Deputy City Attorney  
Gordon Dobler, Engineering Services Director

**COMMISSIONERS ABSENT**

Heather Bowlby  
Melinda George

**CALL TO ORDER**

Chairman Bruning called the meeting to order at 5:45 p.m.

**COMMISSION COMMENTS:**

There were none.

**STAFF COMMENTS:**

Associate Planner Stamsos announced that the application for Meadow Ranch has been appealed and will be heard by the City Council scheduled for November 7, 2006.

**PUBLIC COMMENTS:**

There were none.

**ADMINISTRATIVE ITEMS:**

1. Applicant: Sheldon Jackson, Pend Oreille Associates, LLC  
Location: 3836 N. Fruitland Lane  
Request: Proposed 2-lot preliminary plat "Bosanko Plaza"  
SHORT PLAT (SS-21-06)

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

There were none.

**Motion by Rasor, seconded by Souza, to approve Item SS-21-06. Motion approved.**

Chairman Bruning announced that Item 0-3-06 will be continued to the next Planning Commission Meeting  
PLANNING COMMISSION MINUTES: AUGUST 22, 2006

scheduled on September 12, 2006.

**Motion by Razor, seconded by Souza, to continue Item 0-3-06 to the next Planning Commission Meeting scheduled on September 12, 2006 at 6:00 p.m. Motion approved.**

## **PUBLIC HEARINGS**

1. Applicant: Thomas Walsh  
Location: 1027 Sherman Avenue  
Request: A proposed 9-foot variance to increase the building height from 38 to 47 feet.  
QUASI-JUDICIAL (V-2-06)

Associate Planner Stamosos presented the staff report, gave the mailing tally as 2 in favor, 6 opposed and 4 neutral, and answered questions from the Commission.

Commissioner Jordan questioned how tall is the applicant's home on the property.

Associate Planner Stamosos commented that the applicant is present who is able to address that question.

### **Public testimony open:**

Tom Walsh, applicant, 1027 Sherman Avenue, Coeur d'Alene, commented that the building has been downsized from what was originally presented at the last Planning Commission Meeting held on August 8<sup>th</sup>. He explained that the penthouse that was originally located in the center of the building is now designed to be stepped back allowing more building floor area, while minimizing impact of building height.

He continued that his home located on the property would be relocated to a lot purchased at a nearby location. He added that he recently discussed with Ace Hardware if they will allow them to use their site as a staging site when construction begins for this project, and they agreed. He added that he feels that this design addresses concerns brought forward from the previous hearing and that the height has been reduced to only nine-feet above what is allowed in the overlay zone.

Chairman Bruning commented that after reviewing the written comments submitted, there are still a number of people opposed to this request, and questioned if the applicant had made any attempts to meet with the neighbors after the last hearing.

Mr. Walsh answered that recently he received a call from a neighbor who did not identify herself supporting this request. He added that other than that call, he has not had a chance to meet with the other neighbors. He commented that he feels it works both ways and if any of the neighbors had concerns his door is always open.

Commissioner Souza commented that at the previous hearing, there were numerous comments regarding the trees on the property, and questioned if they will remain.

Mr. Walsh commented that he recently had a meeting with an arborist to evaluate the trees on the property, and was told that all the trees can be preserved, including the large spruce.

Scott Cranston, 729 Government Way, Coeur d'Alene, Applicant's representative, presented a slide show explaining the changes recently made to the project and commented that this project is a good example for residential and commercial mixed use.

Chairman Bruning inquired if any landscaping will be located in the alley, and feels that by providing this, it will make a positive visual impact to the neighborhood.

Mr. Cranston explained that landscaping would be located along the wall to help soften that area. He explained that with parking located in the alley, there is not a lot of room for anything additional in that area.

Commissioner Souza inquired if a buffer will be allowed on the terrace to help obstruct views from the rooftop.

Mr. Cranston concurred and explained that the design of that area is intended to allow tenant's space to be landscaped if they choose.

Commissioner Messina questioned if this request is denied, are there plans for another building excluding the penthouse design.

Mr. Cranston explained that if this request is denied, that the building will be a three-story building and designed as a mixed-use building.

Commissioner Messina commented that without the penthouse, the building would look like a box when it is constructed.

Mr. Cranston explained that this building is designed to be a three-dimensional building that addresses concerns from the neighborhood and if not approved many of these things will not happen.

Commissioner Messina commented that the applicant can still build this building without another public hearing and that the building can be wider and built to the density of the zone.

Commissioner Souza inquired if the landscaping would be in jeopardy such as the large trees on the site.

Mr. Cranston commented that if this request is not approved those trees might be in jeopardy but will do everything possible to not have that happen.

Keith Thorhaug, 1025 E. Lakeside Avenue, Coeur d'Alene, commented that his neighbor, Mr. Coutts could not attend the hearing and asked if he could read a letter written by him opposing this request. He added that if a height variance was approved for this area for any reason that this ordinance would be useless. He commented that Mr. Walsh has made no attempt to communicate to the neighbors and feels that this request will have major impacts on the environment with the use of the large HVAC systems to be located on the building and that view and vistas will be impacted.

Lloyd Vivian, 1020 Lakeside Avenue, Coeur d'Alene, commented that he is concerned with the amount of traffic that will be generated in the alley. He explained that he lives behind the alley and in the winter his garage gets flooded and feels that the upkeep of the alley has not been addressed. He added that the picture that was shown by the applicant of the alley was nice but was not the true picture.

Commissioner Souza inquired where Mr. Vivian lives.

Mr. Vivian responded that he lives directly in back of the property across the alley and recently spent a lot of money to put a gate to keep the family safe from traffic in the alley. He commented that, when construction begins would the alley be used and questioned where snow will be stored.

Mike Whallon, 1022 E Lakeside Avenue, Coeur d'Alene, commented that he lives behind the building and is not opposed to the request but feels that the Infill should be protected. He added that it is a shame that that Dr. Walsh's house will be moved and feels that if this request is approved, the floodgates will be open.

Barb Crumpacker, 1015 Lakeside Avenue, Coeur d'Alene commented that the overlay district was established to protect the neighborhood and that the building proposed is a bad design. She commented that existing water lines that were put in a long time ago will be affected once construction begins and questioned who will replace them if they are damaged. She commented that this is a historical neighborhood and should be preserved.

Commissioner Messina explained that the Planning Commission does not have any control over the design of the building and feels that the building will be constructed anyway.

Ms. Crumpacker replied that this is an area of old houses and a building of this size does not fit this area. She questioned how the staging area mentioned by previous testimony would work if it were located across the street.

Ms. Crumpacker also questioned if the City is liable for the repair of water and sewer lines if they are damaged.

Deputy City Attorney Wilson answered that the City is not liable because the property is zoned for commercial development. He explained that if the plans submitted meet code and an accident happens, that needs to be worked out between the contractor and the neighborhood.

Tom Anderson, 814 Coeur d'Alene, commented that if this request were approved, it would set a precedent for future projects. He suggested that if this request is granted that the developer design the HVAC system to not disturb the neighborhood and that lighting be down turned to not disrupt the neighborhood. He continued that at the last hearing he presented a petition that 100 people signed who were opposed to this request and asked that the Commission listen to what the people want and deny the request.

Commissioner Souza questioned if staff felt that by approving this request would this set a precedence for future projects.

Deputy City Attorney Wilson commented that each item heard needs to be judged on its own merits and treated individually. He added that every project presented has different facts for approval and feels that every case is different.

Chris Copstead, 502 N. 20<sup>th</sup> Street, commented that he disagrees with Commissioner Souza that if this project is approved, it will set a precedence. He added that he understands the passion for the applicant and this project but it is unfortunate that the applicant and the neighbors could not meet to discuss their concerns. He concluded that if this request is approved the Commission will have to make a strong case to deny future projects.

Commissioner Messina commented that the applicant can still build a building on this property and that the neighborhood will not have any control over the design.

#### **REBUTTAL:**

Scott Cranston commented that the building will not encroach in the alley and that the alley will be improved because of this project. He commented that current parking will not be impacted because the parking will be located underground and that snow will be removed and placed at the side of the perimeter sidewalks and walkways. He commented that the building was designed to encourage a "live, walk, work" philosophy and provide a good example of a mixed-use building.

Chairman Bruning commented that from previous testimony, there is concern for large HVAC systems that might be used which will be located outside of the building.

Mr. Cranston explained that the heating systems will be installed like a residential home and not located outside of the building.

Commissioner Souza inquired about trash pickup and when will that be scheduled.

Mr. Cranston commented that trash pickup will be done once a week and picked up in the alley.

**Public testimony closed.**

**DISCUSSION:**

Commissioner Razor commented that he feels that there are two sides to this. He explained that when the Infill Regulations were approved, they were created to have a variance as a tool for dealing with circumstances like this. He added that the other side is if we approve this request, will we be setting precedence for future projects. He commented that if we approve this request would we be going against the height limits set for the Infill regulations, which were approved for a reason.

Commissioner Jordan concurred and added that this request is odd. He explained that on the other side of 11<sup>th</sup> street there are no limitations, which does not make sense. He commented that he is sympathetic to the neighborhood, and on the fence for his decision.

Commissioner Souza commented that she is glad that there is an option such as the variance. She commented that the first time this project was presented that she did not like the design, but now with changes made to the penthouse that is set back, water features that are added, and under ground parking is a plus. She commented that she is sympathetic to the neighborhood, but if this request is denied, the applicant can still build a 38-foot tall building that will eliminate trees and reduce parking. She commented that she feels that by approving this request, it will not set a precedence and would rather have this request go forward to preserve the vegetation and open space on the property.

Commissioner Jordan commented that this request is a reminder that the Commission should look at extending the boundary to the east, including 11<sup>th</sup> Street, which does not have any height restrictions.

Commissioner Messina concurred with Commissioner Souza and appreciates that the applicant is trying to make changes to the building based on the concerns of the neighborhood. He commented that he has to stand behind what the intent was when approving the Infill Regulations including the height restriction for this area.

Commissioner Razor inquired if this request is approved will the design of the building be part of the approval.

Deputy City Attorney Wilson answered that the overall design of the building will go forward to staff for their review and will not be approved with this project.

Commissioner Jordan inquired if the proportions of the building can be conditioned if this request is approved.

Assistant Deputy City Attorney Wilson responded yes.

Commissioner Souza commented that the only way she feels comfortable approving this request is by knowing that the dimensions of the building can be conditioned. She added that granting this request will help maintain open space and preserve the trees on the property and feels that this is something to consider.

**Motion by Razor, seconded by Messina, to deny Item V-2-06**

ROLL CALL:

Commissioner Jordan	Voted	Nay
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Souza	Voted	Nay
Chairman Bruning	Voted	Nay

Motion to deny carried by a 3 to 2 vote.

Chairman Bruning explained that he voted to approve the request only because a condition can be added that the footprint and setbacks cannot change as presented by the applicant tonight.

**Motion by Jordan, seconded by Souza, to approve item V-2-06. Motion approved**

ROLL CALL:

Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Nay
Commissioner Rasor	Voted	Nay
Commissioner Souza	Voted	Aye
Chairman Bruning	Voted	Aye

Motion to approve carried by a 3 to 2 vote.

- 2. Applicant: Becky Randles
- Location: 307 Haycraft
- Request: Proposed zone change from R-12 (Residential at 12 units/acre) to C-17L (Commercial Limited) QUASI-JUDICIAL, (ZC-9-06)

Associate Planner Stamsos presented the staff report, gave the mailing tally as 5 in favor, 1 opposed and 2 neutral, and answered questions from the Commission.

Commissioner Souza commented that the lots located behind the property are oddly shaped.

Associate Planner Stamsos explained that the lot behind the applicant’s property is Carriage Court, which is a mobile home subdivision that has been there for years, and the lots are conforming.

**Public testimony open**

Becky Randles, applicant representative, 6744 W. Eden, Coeur d’Alene, explained that this request is to increase parking and add a second approach to be located off of Haycraft. She commented this would help alleviate traffic congestion if approved and that the majority of the landscaping will stay on the property and not be affected by these changes.

Chairman Bruning commented that he hopes the applicant will consider different lighting than what is presently located on the property.

Commissioner Souza commented that a written comment submitted that a neighbor was concerned that the road will connect to the mobile home subdivision located next to the Holiday Station if approved.

Ms. Randles explained that could not happen because you would have to cross another property to connect to the street.

James Rafferty, 2841 Carriage Court, Coeur d'Alene, commented that he is opposed to this request because of the impact added by traffic and lights. He also inquired if there are any plans for a carwash to be added on the property.

Chairman Bruning questioned if a carwash would be allowed on the property.

Deputy City Attorney Wilson commented that the only way a carwash would be allowed is by a special use permit.

**REBUTTAL:**

Becky Randles commented that currently there are no plans for a carwash to be located on the property.

**Public testimony closed.**

**Motion by Souza, seconded by Razor, to approve Item ZC-9-06. Motion approved.**

**ROLL CALL:**

Commissioner Messina	Voted	Aye
Commissioner Razor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

3. Applicant: Lake City Community Church  
Location: 6000 N. Ramsey Road  
Request: A proposed Religious Assembly special use permit in the R-12 (Residential at 12 units/acre) zoning district QUASI-JUDICIAL (SP-11-98m)

Associate Planner Stamosos presented the staff report, gave the mailing tally as 4 in favor, 4 opposed, 3 neutral, and then answered questions from the Commission.

There were no questions for staff.

**Public testimony open.**

Mike Rima, Pastor of Lakes Community Church, applicant representative, 9061 Baldwin Court, Hayden, explained the history of when the church was started and that through the years the church has outgrown the current facility. He explained that presently, the auditorium seats 400 people and that the church averages 1,800 people for services and how additional services have been added to accommodate the growing congregation. He commented that the former pastor had the vision when the church was started, for the need for expansion and that time is now. He explained that many of the church activities are located off-site to accommodate the growing need for people wanting to make a change to their lives. He added that what he is most proud of is the great programs for school kids that the church offers. He then introduced the landscape artist that will be designing the landscape design for the church.

Tom Nishimura, 12737 Bel Red Road #220, Bellvue, Washington, commented that this request was originally approved in 1998 and that the landscape design submitted has tried to incorporate the needs of the public. He commented that the church is bursting at the seams and by approving this request, will provide a larger sanctuary, bigger nurseries and room to expand the classrooms.

He commented that parking has been an issue with a growing congregation. He explained that from studies done, the majority of families who come to church drive three cars and that in this area, there is not a lot of walk-in traffic. He commented that he has had conversations with City staff and neighbors to the south to try and come up with a plan that will provide a 30-foot buffer between the neighbors to the south end of the property.

Commissioner Jordan inquired if there is any fencing on the property and the type of trees that will be considered to be placed on the property.

Mr. Nishimura answered that there is not any fencing on the property and explained that he would choose such as a locust that does not have a lot of leaves and is low maintenance. He added that he will wait and talk with staff for recommendations on different trees before a decision is made.

Commissioner Messina inquired if the applicant has a time-frame when the landscaping plan will be completed.

Mr. Nishimura commented that the parking lot would be done with the building.

Bill McFadden, 5930 Genoa Court, Coeur d'Alene, commented that he is the block watch chairman for the neighborhood and that back in 1998, when the church was approved, he talked to the former pastor and was told that the lower portion of the property would be retained for a buffer. He explained that if this project is approved that the wildlife would be affected, the buffer would be eliminated, and that the parking lot located on the south side would affect their property. He added that the wishes of the former pastor should still remain and that the conditions approved by the City Council should still be in affect. He commented that he and his wife love to hear and see the kids walk by their property and does not want that to end.

Susan Weeks, 5924 Genoa Court, Coeur d'Alene, commented that when the church was proposed in 1998, that it was promised that open space would be retained and that the church would not expand. She added that recently, six trees had been removed that acted as a buffer for her backyard and was told that they would be replaced which has not happened. She commented that this church has many activities and provided photos for the Commission showing actives that occur on the site. She commented that by approving this request it would not preserve our neighborhood and asked the Commission to deny the request.

Commissioner Rasor inquired what it would take on the applicant's part to make this proposal work for the neighborhood.

Ms. Weeks answered that she would like to see the buffer retained, the pine trees replaced, and to reduce the parking lot.

Stan Weeks, 5924 Genoa Court, Coeur d'Alene, commented that he has been an appraiser for years and added that this request is an example of aggressive development. He explained that by providing parking for 400 plus cars in a lot, and by approving this request, it will lower property values. He commented that he wants to enjoy his backyard and not have to worry about car headlights or noise pollution in back of his property. He added that by eliminating the twenty parking spaces and providing a six-foot vinyl fence with twelve-foot trees as a buffer would be acceptable.

Commissioner Souza inquired how long has Mr. Weeks lived in his residence.

Mr. Weeks answered that he has lived in his residence since 1994.

Commissioner Souza inquired if staff is aware of a condition that the church could not expand.

Associate Planner Stamsos commented that was probably discussed but not noted as a condition.

Commissioner Jordan commented that he remembers when this request came forward for a public hearing and from that meeting the intentions were to provide a church that was smaller and more intimate. He added that he does not want to fault the church for being successful.

Chairman Bruning commented that a forty-foot buffer was approved for a reason.

Ron Gross, 5927 Genoa Court, Coeur d'Alene, commented that he has lived at his residence for five years and stressed how important it is to retain the current buffer. He explained if this were removed, headlights would shine into his backyard. He added that he spoke with the former pastor and was told that a fence would be erected and trees planted. He commented that after hearing testimony from the applicant, he is concerned. He commented that the church has been a great neighbor in the past, but needs to be considerate to the neighborhood's requests.

Dallas Thompson, 5907 Genoa Court, Coeur d'Alene, commented that he is concerned with an increase in traffic and feels that the church could have communicated with the neighborhood a little better.

Debra Gross, 5927 Genoa Court, Coeur d'Alene, warned the applicant that they need to be good to the neighbors and wants to know why they lied. She added that she feels the church has a right to grow, but to leave the buffer and work with the neighborhood.

#### **REBUTTAL:**

Mr. Nishimura commented that he appreciates all the comments from the neighborhood and that it is not their intent to misrepresent to them. He added that he would be willing to negotiate with the neighborhood and feels that there is room to remove parking spaces. He commented that they want to be a good neighbor and work with the neighborhood.

Commissioner Razor inquired if the applicant would agree to come back with a revised site plan.

Mr. Nishimura explained that because of the time frame for the project, he would appreciate a decision tonight, rather than having to return.

Chairman Bruning inquired if the applicant met their parking requirement.

Associate Planner Stamos commented that they have exceeded their required amount of parking.

Commissioner Jordan commented that if the applicant has met their requirements, he feels that they should move forward with a decision.

Commissioner Razor commented that he would disagree, and feels that the site plan needs to be cleaned up and a new one should be submitted, and by continuing the hearing would allow the applicant to meet with the neighborhood.

Commissioner Souza concurred with Commissioner Razor and feels that the applicant can come back with the revised site plan that will set the perimeters for a buffer.

The Commission concurred.

**Motion by Razor, seconded by Souza, to continue Item SP-11-98m to the next Planning Commission Meeting scheduled on September 12, 2006 starting at 6:00 p.m. Motion approved.**

**Motion by Razor, seconded by Jordan, to extend beyond 10:00 p.m. to hear V-3-06. Motion approved.**

ROLL CALL:

Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to continue carried by a 4 to 0 vote.

4. Applicant: Riverstone West LLC & Riverstone Center, LLC  
Location: 1650, 1651 and 1751 Main Street  
Request: A proposed variance to allow an increase in height of approximately 9-feet above what is allowed in the R-17 zoning district.  
QUASI-JUDICIAL, (V-3-06)

Associate Planner Stamsos presented the staff report, gave the mailing tally as 1 in favor, 1 opposed and 0 neutral, and answered questions from the Commission.

Mike Craven, applicant representative, 1115 E. 15<sup>th</sup>, Spokane, made a presentation to the Commission explaining an overview of the project and then asked if the Commission had any questions.

The Commission did not have any questions for the applicant.

**Motion by Jordan, seconded by Rasor, to approve Item V-3-06. Motion approved.**

ROLL CALL:

Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

**ADJOURNMENT:**

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

Respectfully submitted by John Stamsos, Associate Planner

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION  
MINUTES  
SEPTEMBER 12, 2006  
CITY COUNCIL CHAMBERS**

**COMMISSIONERS PRESENT**

John Bruning, Chairman  
Heather Bowlby  
Melinda George  
Tom Messina  
Scott Rasor  
Mary Souza

**STAFF MEMBERS PRESENT**

Dave Yadon, Planning Director  
John Stamos, Associate Planner  
Shana Stuhmiller, Public Hearing Assistant  
Warren Wilson, Deputy City Attorney  
Gordon Dobler, Engineering Services Director

**COMMISSIONERS ABSENT**

Brad Jordan

**CALL TO ORDER**

The meeting was called to order by Chairman Bruning at 5:45 p.m.

**APPROVAL OF MINUTES:**

Motion by Bowlby, seconded by Messina, to approve the minutes of the Planning Commission meeting on August 8, 2006.

**COMMISSION COMMENTS:**

Chairman Bruning announced that Item I-4-06 will be continued to October 10, 2006 and Item A-5-06 will be continued to November 12, 2006.

**STAFF COMMENTS:**

Associate Planner Stamos announced that the variance for Dr. Walsh that was approved by the Planning Commission on August 22, 2006, has been appealed. The date for that appeal to be heard by the City Council will be held on Tuesday, November 17<sup>th</sup>.

**PUBLIC COMMENTS:**

There were none.

**ADMINISTRATIVE ITEMS:**

1. Applicant: Norton Karno  
Location: Lt B Showboat Addition  
Request: A proposed 48 unit Condominium plat "Trails End"  
SHORT PLAT (SS-22-06)

Commissioner Rasor had a conflict and was excused from the hearing.

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

questions.

Commissioner Bowlby commented that she has been concerned with the number of condominiums that are being approved in the City, and recently found information on the web regarding people living in apartments who are being displaced because they now cannot afford to buy their apartment.

Deputy City Attorney Wilson commented that he can sympathize, but the owner has rights. He added that the City would be looking at this in the future.

**Motion by Souza, seconded by Messina, to approve Item SS-22-06. Motion approved.**

### **PUBLIC HEARINGS**

Commissioners Bowlby and George had a conflict and were excused from the hearing.

1. Applicant: Lake City Community Church  
Location: 6000 N. Ramsey Road  
  
Request: A proposed Religious Assembly special use permit  
in the R-12 (Residential at 12 units/acre) zoning district  
QUASI-JUDICIAL (SP-11-98m)

Associate Planner Stamos presented the staff report and then answered the questions from the Commission.

The Commission did not have any questions for staff.

### **Public testimony open.**

Tom Nishamura, applicant representative, 12737 Bel Red Road, Bellevue, Washington, commented that after the Planning Commission meeting held on August 22, 2006, he met with the neighborhood and came up with a revised site plan. He explained the changes that were made, including removing the parking stalls along the fence, realigning the upper road, and providing a 30-foot set back along the South property line extending to the west end of the property. He continued that in the future, he will be sitting down with the neighborhood to get suggestions on the type of trees they would like to see planted next to their homes. He then asked if the Commission if they had any questions.

Commissioner Souza inquired if the applicant would consider dimming the lights after hours.

Mr. Nishamura commented that they would consider that request.

Susan Weeks, 5924 Genoa Ct., Coeur d'Alene, commented that she is very pleased with this site plan and would concur with Commissioner Souza to have the lights dimmed after the church activities.

Stan Weeks, 5924 Genoa Ct., Coeur d'Alene, commented that he personally met with the pastor twice and commented that they were great to work with and supports this request.

### **Public testimony closed.**

Commissioner Souza commented that she would like to congratulate the applicant and neighborhood for working together and feels that "the system does work".

**Motion by Souza, seconded by Rasor, to approve Item SP-11-98m. Motion approved.**

ROLL CALL:

Commissioner Messina	Voted	Aye
Commissioner Razor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

2. Applicant: City of Coeur d'Alene  
Request: Determination of spacing for the landscaping plan for the Lake City Community Church  
ADMINISTRATIVE (LS-1-06)

**Motion by Razor, seconded by Souza, to approve Item LS-1-06. Motion approved.**

3. Applicant: City of Coeur d'Alene  
Request: Cluster Housing Regulations  
LEGISLATIVE (O-3-06)

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

Commissioner Souza inquired if staff could explain the differences between the old cluster housing regulations and the proposed regulations.

Planning Director Yadon directed the Commission to a copy of a housing type comparison chart and explained to the Commission the proposed changes. He commented that by approving these new regulations, it will open up many opportunities that will include design standards that will add creative designs to these types of homes and give opportunity for home ownership. He then asked if the Commission had any questions.

Commissioner Souza commented that the usable space allowed in a pocket housing development is 300 feet per dwelling unit and questioned if decks are allowed within this area.

Mr. Hinshaw explained that decks can occupy up to one-half of the required area and as for design will be regulated through the building codes. He added that he feels that this idea is going to catch on in this area and will be exciting for first time homebuyers.

Chairman Bruning questioned if staff could give an example of where this type of project is being done in the City.

Planning Director Yadon answered that the "Icehouse" project is a good example of type of this type of home. He added that this type of housing would be popular in the future.

Commissioner Souza commented that she is concerned that this type of project could be approved on a smaller version and questioned if there should be a limit on the number of lots allowed.

Mr. Hinshaw commented that this is a good question and if the Commission wanted to set a limit that would be something to consider.

Mr. Yadon commented that the Commission could restrict the number of lots allowed by setting a minimum and maximum to be allowed in the future.

Commissioner Bowlby commented that the Icehouse project is a good example of this type of housing and

hopes to see more of these in the future.

Planning Director Yadon explained an overview of the proposed accessory dwelling unit regulations and then asked if the Commission if they had any questions.

Commissioner Souza commented that in a single-family residence, eight people who are unrelated can live together and is defined as a "family". She questioned how that is compared to the Lords House that was in the paper recently.

Deputy City Attorney Wilson explained a brief history of the Lord's House and how this residence was considered a boarding house where the owner was renting rooms to people.

Commissioner Souza commented that she feels comfortable with the definition for accessory dwelling units but is a little uncomfortable with the amount of people that are allowed to live in the residence.

Commissioner Bowlby commented that she is concerned with the amount of long driveways used in the City for parking.

Commissioner Souza questioned if there are other options available for parking, if parking is not adequate.

Planning Director Yadon explained that one off-street parking space is required for the ADU, in addition to the off-street parking required for the main building. He referenced the Tacoma ordinance where these types of homes are common and how they wanted to keep parking behind the units, if adequate access is available. He explained that by parking in the back of the units it allows more open space on the property.

Commissioner Souza inquired if people are allowed to park on the grass.

Planning Director Yadon commented that the City Engineer is the person to make that determination.

Commissioner Bowlby commented that she feels that there should be options available for parking.

Mr. Hinshaw questioned if the Commission wanted more asphalt or open space. He explained that people who live in these homes might not have a car, which creates a lot of options for the property. He commented that this type of project can promote a lot of options for design and added that this will be a great project for the community. He commented that he would not advise to set restrictions for parking so there can be other creative ways to design this project.

Commissioner Bowlby commented that the City does not have a lot of options for mass transportation and that currently, if you live in this area, you need to have a car. She added that she likes the concept.

Commissioner Razor commented that he would agree to not put a restriction on parking.

Planning Director Yadon commented that he predicts in the future that many of these projects will be approved in the City.

**Motion by Razor, seconded by Messina, to approve Item 0-3-06 A and 0-3-06 B. Motion approved.**

Planning Director Yadon explained the next amendment change that would reduce the allowed height from 25 feet to 18 feet for high pitched roof and 14 feet for low pitched roofs for Accessory Structures in the R-3, R-5, R-8, and R-12 residential districts. He added that in the R-1 zoning district the Commission might want to consider a height of 25 feet for this area.

Commissioner Souza inquired if an RV has enough room to fit in a building that is 18 feet tall.

Mr. Hinshaw explained that there is room but not enough height to use the attic space for a room. He also noted that this would allow for clearances consistent with many interstate bridges.

Commissioner Souza inquired if staff has received many complaints from neighborhoods like Indian Meadows where there are large storage buildings.

Planning Director Yadon answered that there have not been any complaints since a lot of the older sections do have large storage buildings and that with the newer subdivisions that have CC&Rs to regulate what can be built on the property.

**Motion by Souza, seconded by Razor, to approve Item 0-3-06 C. Motion approved.**

Planning Director Yadon explained the next two code changes for Items 0-3-06 D and E, and then asked if the Commission had any questions.

**Motion by Razor, seconded by Souza, to approve Item 0-3-06D. Motion approved.**

**Motion by Razor, seconded by George, to approve Item 0-3-06E. Motion approved.**

ADJOURNMENT:

Motion by Razor, seconded by Souza, to adjourn the meeting. Motion approved.

Respectfully submitted by John Stamosos, Associate Planner

Prepared by Shana Stuhlmiller, Public Hearing Assistant



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**TO:** Planning Commission  
**FROM:** Christopher H. Bates, Project Manager  
**DATE:** October 10, 2006  
**SUBJECT:** **SS-23-06, Daniel Condominiums**

---

### **DECISION POINT**

Approve or deny the applicant's request for a one (1) building, two (2) unit residential condominium subdivision.

### **GENERAL INFORMATION**

1. Applicant: Mike Hathaway  
Ruen-Yeager & Associates  
3201 N Huetter Road  
Suite 102  
Coeur d'Alene, ID 83814
2. Request: Approval of a one (1) building, two (2) unit residential condominium subdivision.
3. Location: Kaleigh Court, north of Spokane Avenue between 7<sup>th</sup> & 9<sup>th</sup> Streets.

### **PERFORMANCE ANALYSIS**

1. Zoning: Existing zoning for the subject property is R-12 which is intended to be a residential area that permits a mix of housing types at a density not to exceed 12 units/acre.
2. Land Use: The structure on the subject property is existing and was permitted as a duplex unit.

Infrastructure: Utilities, Streets, & Storm Water Facilities

**Utilities:** Sewer & Water

The existing structure is connected to City sewer and water utilities.

**Streets:** The public street adjoining the subject property is fully developed.

**Fire:** Fire protection was adequately addressed at the time of building construction on the subject property, and, with the underlying subdivision.

**Storm Water:** Street and site drainage were addressed with the underlying development and meet City requirements.

### **Proposed Conditions:**

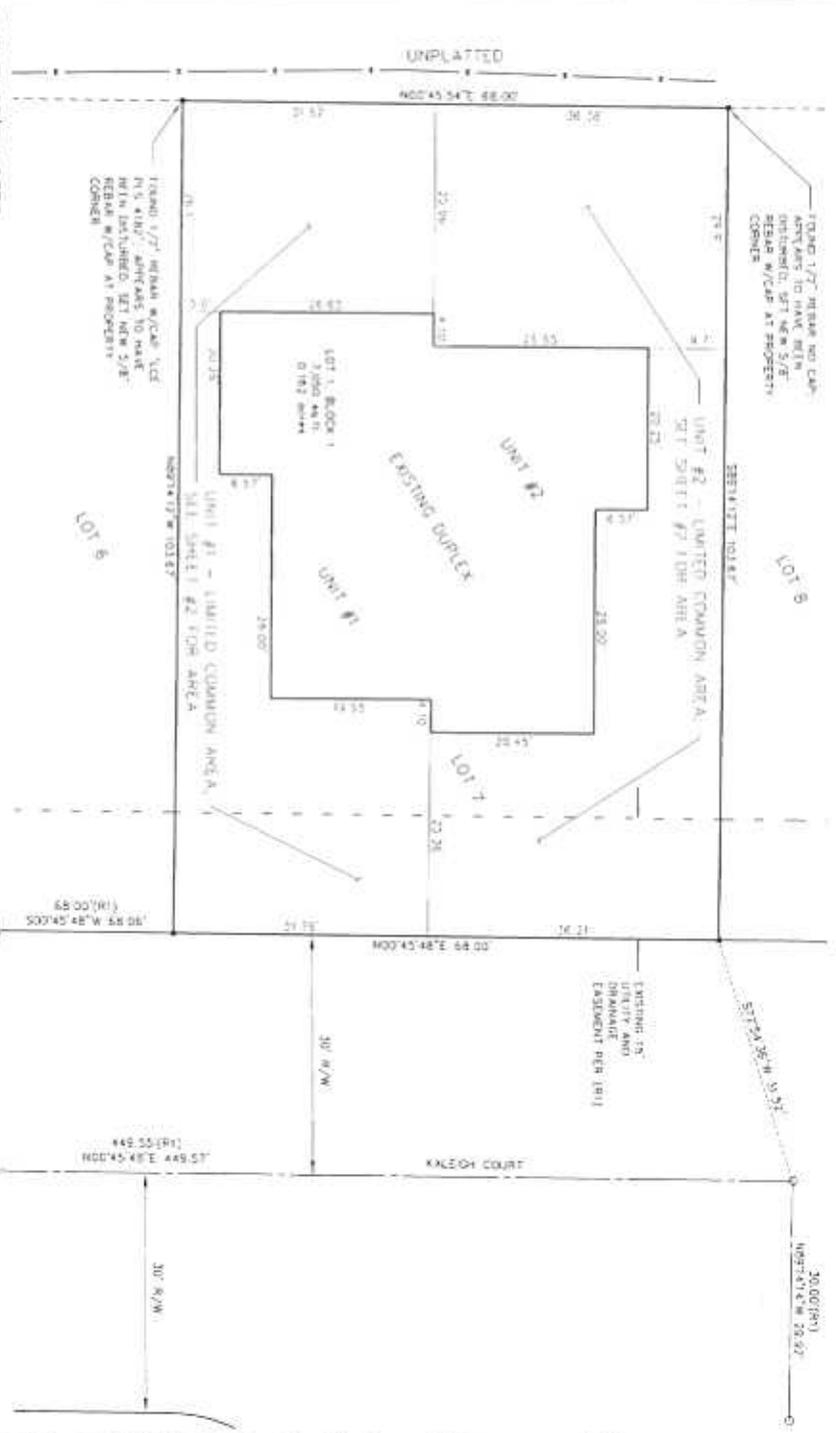
None

### **DECISION POINT RECOMMENDATION**

Approve the proposed subdivision plat in its submitted configuration.

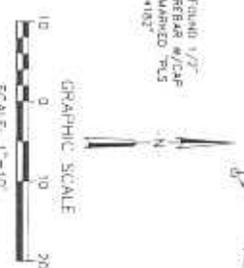
# DANIEL CONDOMINIUMS

LOT 7, BLOCK 1 OF JAE'S PLACE  
 LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 50 NORTH,  
 RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



## SURVEYOR'S NOTES

- All measurements shown on this plan are based on the ground surface. The position, dimensions, and location of the interior surfaces of the exterior walls, doors, windows, and doors, steps, porches, and the unit includes both the positions of the building set of corners and the as-built so encumbered.
- As per title to Chapter 15, Section 55-1509 of the Idaho Statutes, in preparing this plan, the surveyor has assumed that the as-built conditions of the building are as shown on the plan. The surveyor is not responsible for the accuracy of the as-built conditions of the building. The surveyor is not responsible for the accuracy of the as-built conditions of the building. The surveyor is not responsible for the accuracy of the as-built conditions of the building.
- This condominium plat is subject to the declaration recorded under map # \_\_\_\_\_ in Kootenai County.
- This map does not attempt to show all unencumbered easements, preexisting easements or physical features of the property.
- See sheet 2 for additional dimensions and areas.
- Use of this plan is subject to the terms and conditions of the plat and the actual lot line and are to meet floor elevation and corner.



## REFERENCES

- PLAT OF JAE'S PLACE, RECORDED IN BOOK 2 OF PLATS, PAGE 254 AND 254A RECORDS OF KOOTENAI COUNTY, IDAHO.
- PLAT OF ASSUMED ADDITION, RECORDED IN BOOK 6 OF PLATS, RECORDS OF KOOTENAI COUNTY, IDAHO.

## LEGEND

- Found 1/2" rebar with cap marked 'TAMAR' attached with new 5/8" x 30" rebar with a plastic cap marked 'RJA N.S. 1187, UNITS OVERWALK NORTH'
- Found 2" Aluminum Cap marked 'CCL N.S. 1187'
- Boundary Line
- Existing Easement
- Level Line
- Property Line

## BASIS OF BEARING

The bearings of north-south lines are based on the magnetic declination for the date of the survey. The declination is 11.187 degrees west of true north. The declination is 11.187 degrees west of true north. The declination is 11.187 degrees west of true north.

## BASIS OF ELEVATIONS

The elevations are based on the mean sea level datum. The datum is the mean sea level datum. The datum is the mean sea level datum. The datum is the mean sea level datum.

## SURVEYOR'S CERTIFICATE

I, DANIEL C. RAY, P.L.S. NO. 11187, A PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE PLAT AS Laid out by me or under my direct supervision in compliance with the laws of the State of Idaho.



**D & A ASSOCIATES, INC.**  
 201 N. JAYSON  
 SANDOZ, IDAHO 83401-4222  
 PHONE: 208-243-2244  
 FAX: 208-243-2244

SECTION	TWN.	RNG.	BLK.	PLAT	SHEET
12	50	4	W	N	1 OF 1

55-23-06



# DANIEL CONDOMINIUMS

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 50 NORTH,  
 RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

## OWNERS' CERTIFICATE AND DEDICATION

THIS IS TO CERTIFY THAT THE LITCHHOPE GROUP, INC. AN OREGON CORPORATION AND THE RECORD OWNERS OF THE REAL PROPERTY DESCRIBED ON THIS CERTIFICATION, HAS CAUSED THE SAME TO BE SURVEYED AND DIVIDED INTO LOTS AS HEREIN PLANNED, TO BE KNOWN AS DANIEL CONDOMINIUMS, LOTS IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 7, BLOCK 1, LOT 5 PLAT, ACCORDING TO THE PLAT RECORDED IN BOOK 77 OF PLATS AT PAGE 224, RECORDS OF KOOTENAI COUNTY, IDAHO.  
 BE IT FURTHER KNOWN THAT THE SAID LOTS AND RESERVATION RIGHTS FOR THIS PLAT ARE TO BE SURRENDERED BY THE CITY OF COEUR D'ALENE.  
 BE IT FURTHER KNOWN THAT SURRENDER OF SAID LOTS HAS TO BE SURRENDERED BY THE CITY OF COEUR D'ALENE.

THE TECHNIQUE GROUP, INC. DATE

## STATE OF IDAHO, COUNTY OF KOOTENAI

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2006, I, \_\_\_\_\_, PERSONAL REPRESENTATIVE OF THE ESTATE OF \_\_\_\_\_, HUSBAND AND SURVIVOR OF \_\_\_\_\_, DO HEREBY CERTIFY THAT THE INSTRUMENT OF THE ESTATE OF \_\_\_\_\_, HUSBAND AND SURVIVOR OF \_\_\_\_\_, HAS BEEN RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF KOOTENAI, IDAHO, AND THAT THE SAID INSTRUMENT IS VALID AND EFFECTIVE AS TO THE SAID REAL PROPERTY DESCRIBED THEREIN.

NOTARY PUBLIC FOR \_\_\_\_\_  
 RECORD AT \_\_\_\_\_  
 BY COMMISSION EXPIRES: \_\_\_\_\_

## COUNTY SURVEYOR

I HEREBY CERTIFY THAT I HAVE EXAMINED THE INSTRUMENT AND RECORD OF THE SAID INSTRUMENTS AND HAVE DETERMINED THAT THE REQUIREMENTS OF THE STATE CODE PERTAINING TO THIS INSTRUMENT HAVE BEEN MET.  
 I HAVE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

KOOTENAI COUNTY SURVEYOR

## COUNTY RECORDER'S CERTIFICATE

I HEREBY CERTIFY THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF KOOTENAI COUNTY, IDAHO, AT THE HOUR OF \_\_\_\_\_ THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006. INSTRUMENT NO. \_\_\_\_\_ AND BOOK AND PAGE NO. \_\_\_\_\_

KOOTENAI COUNTY RECORDER

## CITY COUNCIL CERTIFICATE

THIS PLAT HAS BEEN APPROVED BY CITY COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO.  
 PASSED AND ADOPTED BY THE CITY OF COEUR D'ALENE, IDAHO, ON \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

CITY OF COEUR D'ALENE, MAYOR CITY OF COEUR D'ALENE, CITY CLERK

## CITY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED, ACCEPTED AND APPROVED THIS PLAT.  
 DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

CITY OF COEUR D'ALENE - CITY ENGINEER

## HEALTH DISTRICT APPROVAL

A SANITARY INSPECTION ACCORDING TO IDAHO LOCAL ORDINANCE NO. 500-1229 IS WARRANTEED ON THIS PLAT AND NO OTHER SANITARY OR PUBLIC HEALTH CONCERNS ARE IDENTIFIED. SANITARY RESTRICTIONS ARE SANITARY RESTRICTIONS AND SANITARY RESTRICTIONS ARE SANITARY RESTRICTIONS.

THIS PLAT APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

PERMITS/HEALTH DISTRICT

SANITARY RESTRICTION SATISFIED AND LIFTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

PERMITS/HEALTH DISTRICT

## COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006, THAT THE REQUIRED TAXES ON THE HEREIN DESCRIBED LAND HAVE BEEN PAID THROUGH \_\_\_\_\_.

KOOTENAI COUNTY TREASURER



**BREEN-KRUEGER & ASSOCIATES, INC.**  
 REGISTERED PROFESSIONAL LAND SURVEYORS  
 200 WEST 1ST AVENUE, SUITE 200  
 COEUR D'ALENE, IDAHO 83814-3000  
 200 WEST 1ST AVENUE, SUITE 200  
 COEUR D'ALENE, IDAHO 83814-3000  
 PHONE: (208) 684-1234  
 FAX: (208) 684-1234

## SURVEYOR'S CERTIFICATE

I, DAVID R. BREEN, PLS NO. 11187, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE PLANNED LAND AND THAT THE INSTRUMENT HAS BEEN FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF KOOTENAI COUNTY, IDAHO, AT THE HOUR OF \_\_\_\_\_ THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

SECTION	TWN.	RNG.	SCALE	PROJECT NO.	DATE
12	50	4	1"=40'	11187	2/20/06
	N	W			

**TO:** Planning Commission  
**FROM:** Christopher H. Bates, Project Manager  
**DATE:** October 10, 2006  
**SUBJECT:** **SS-24-06, DeCrona Condominiums**

---

### **DECISION POINT**

Approve or deny the applicant's request for a one (1) building, two (2) unit residential condominium subdivision.

### **GENERAL INFORMATION**

1. Applicant: Mike Hathaway  
Ruen-Yeager & Associates  
3201 N Huetter Road  
Suite 102  
Coeur d'Alene, ID 83814
2. Request: Approval of a one (1) building, two (2) unit residential condominium subdivision.
3. Location: Kaleigh Court, north of Spokane Avenue between 7<sup>th</sup> & 9<sup>th</sup> Streets.

### **PERFORMANCE ANALYSIS**

1. Zoning: Existing zoning for the subject property is R-12 which is intended to be a residential area that permits a mix of housing types at a density not to exceed 12 units/acre.
2. Land Use: The structure on the subject property is existing and was permitted as a duplex unit.

Infrastructure: Utilities, Streets, & Storm Water Facilities

**Utilities:** Sewer & Water

The existing structure is connected to City sewer and water utilities.

**Streets:** The public street adjoining the subject property is fully developed.

**Fire:** Fire protection was adequately addressed at the time of building construction on the subject property, and, with the underlying subdivision.

**Storm Water:** Street and site drainage were addressed with the underlying development and meet City requirements.

### **Proposed Conditions:**

None

### **DECISION POINT RECOMMENDATION**

Approve the proposed subdivision plat in its submitted configuration.

# DECRONA CONDOMINIUMS

LOT 11, BLOCK 1 OF JAE'S PLACE  
 LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 50 NORTH,  
 RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

## LEGEND

- FOUND 1/2" BEARS WITH CAP MARKED "PLASTER" REPLACED WITH NEW 5/8" x 3/8" BEARS WITH A PLASTIC CAP MARKED "PLASTER" UNLESS OTHERWISE NOTED
- FOUND 2" ALUMINUM CAP MARKED "100 R.S. CAP"

- MONUMENT LINE
- EXISTING EASEMENT
- FENCE LINE
- PROPERTY LINE

## BASIS OF BEARING

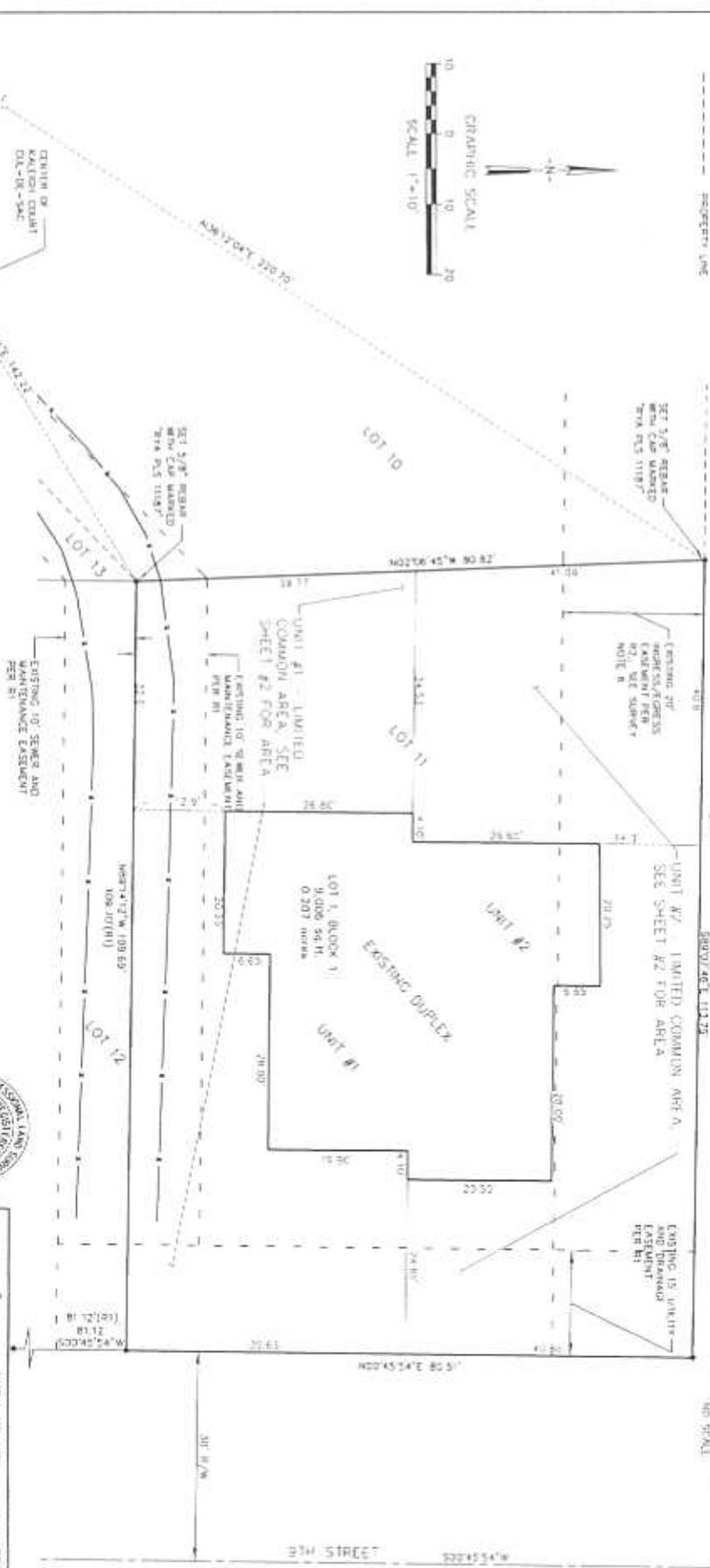
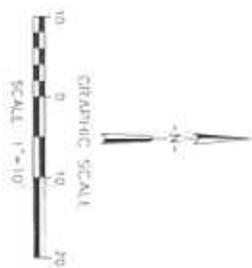
THE BEARING OF NORTH DECREE 1, EAST OF BURNING OIL FOUNDRY WORKSHOPS ON THE CENTERLINE OF KALLOD CANYON ACCORDING TO THE PLAT OF JAE'S PLACE.

## BASIS OF ELEVATIONS

DATE OF COVER SHEET: DECEMBER 0-1-88. SEE SPEC. IN ANY FUTURE PLAT AT THE CORNER OF SUMMIT AVE. AND COVEY. ELEVATION: 2709.23 FEET.

## REFERENCES

- #1 PLAT OF JAE'S PLACE, RECORDED IN BOOK 7 OF PLATS, PAGE 234 AND 234A, RECORDS OF KOOTENAI COUNTY, IDAHO
- #2 PLAT OF WILSONS ADDITION, RECORDED IN BOOK 6 OF PLATS, PAGE 228 AND 228A, RECORDS OF KOOTENAI COUNTY, IDAHO



## SURVEYOR'S NOTES

SEE SHEET 3

## SURVEYOR'S CERTIFICATE

I, GABRIEL G. RAHBE, ARE NO. 1187, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO. HEREIN I CERTIFY THAT THIS IS A TRUE SURVEY OF THE PLATED LAND MADE BY ME OR UNDER MY DIRECT SUPERVISION IN COMPLIANCE WITH THE LAWS OF THE STATE OF IDAHO.



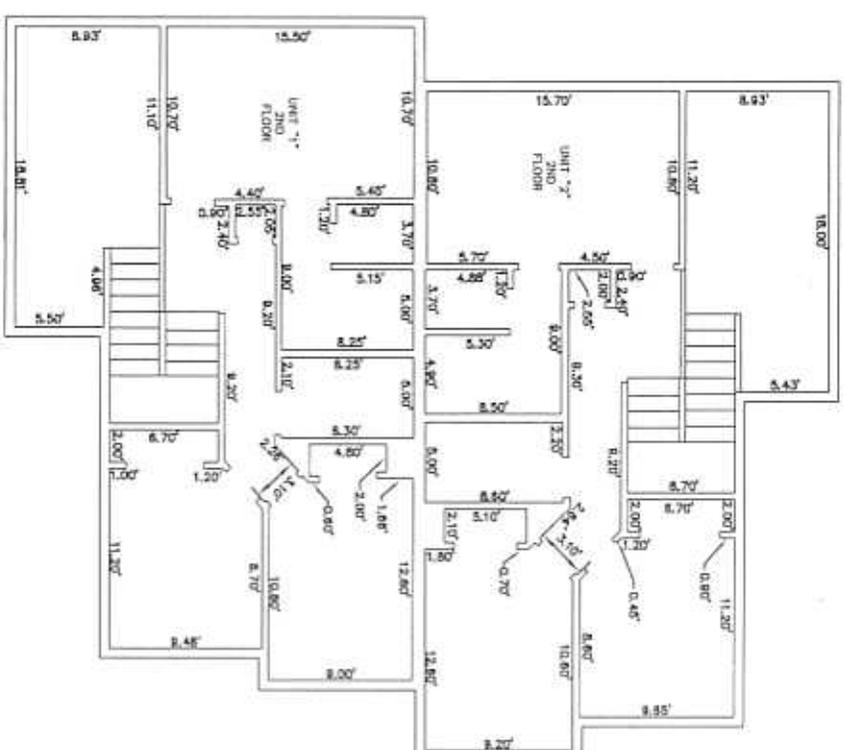
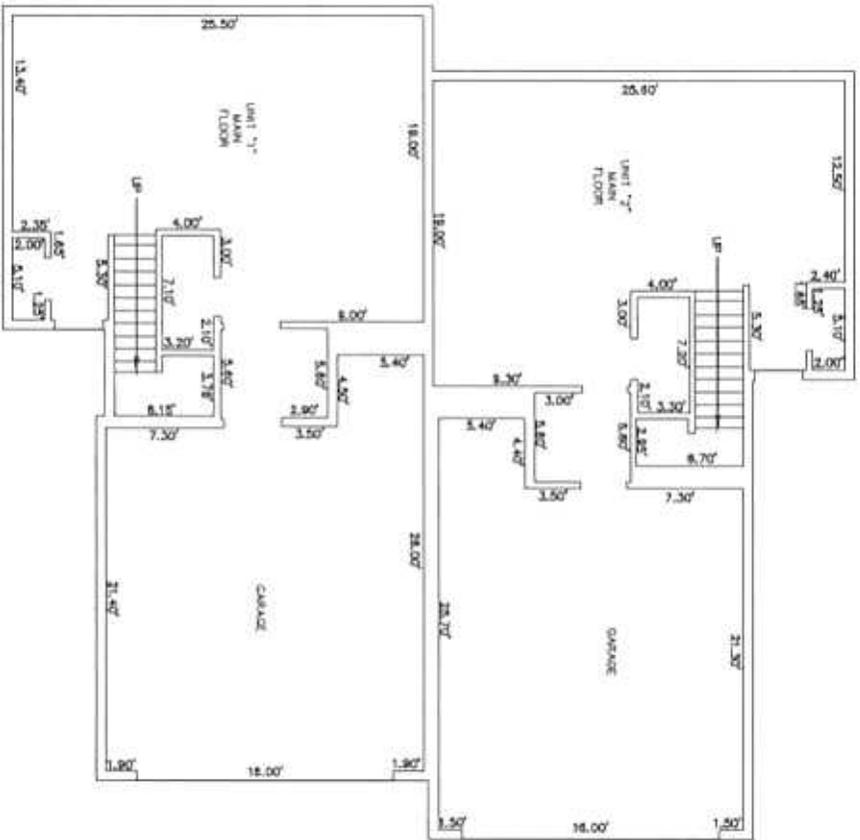
SECTION	TWN.	RNG.	SCALE	PROJECT NO.	PROJECT DATE
12	50 N	4 W	1"=10'	1187	11/11/88

SS-24-06

# DECRONA CONDOMINIUMS

LOT 11, BLOCK 1 OF JAE'S PLACE  
 LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 50 NORTH,  
 RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 INSTRUMENT NO. \_\_\_\_\_



UNIT #	AREA	FLOOR ELEVATION	CEILING ELEVATION
1 - GARAGE	218.71'	2204.71'	2204.71'
1 - MAIN FLOOR	818.50' FT. ±	2184.71'	2204.71'
1 - 2ND FLOOR	607.50' FT. ±	2207.85'	2215.85'
1 - STAIRWELL	59.50' FT. ±	N/A	N/A
1 - L.C.A.	2,292.50' FT. ±	N/A	N/A
2 - GARAGE	218.71'	2204.71'	2204.71'
2 - MAIN FLOOR	833.50' FT. ±	2184.71'	2204.71'
2 - 2ND FLOOR	522.50' FT. ±	2197.25'	2215.25'
2 - L.C.A.	3,484.50' FT. ±	N/A	N/A

L.C.A. = LIMITED COMMON AREA

## SURVEYOR'S CERTIFICATE

I, DANIEL S. BAKER, PLS. NO. 11187, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THE FOREGOING IS IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO ON OR ABOUT MY DIRECT SUPERVISION IN COMPLIANCE WITH THE LAWS OF THE STATE OF IDAHO.



PETER-ZIEGLER & ASSOCIATES, INC.  
 CONSULTING ENGINEERS - LAND SURVEYORS  
 200 N. WALTER BL. 2ND FLOOR  
 COEUR D'ALENE, IDAHO 83814-4400  
 PHONE: 208-765-2200  
 FAX: 208-765-2201  
 WWW: WWW.PZANDASSOCIATES.COM

SECTION	TWN.	RNG.	BLK.	PLAT	DATE
12	50	4	W	PLAT 12, 1988	1988



# PLANNING COMMISSION STAFF REPORT

FROM: SEAN HOLM, ASSISTANT PLANNER  
DATE: OCTOBER 10, 2006  
SUBJECT: LS-2-06 – DETERMINE THE AMOUNT AND SPACING OF PARKING LOT  
LANDSCAPING FOR A 7.11 ACRE LOT (309,840 SF) WITH 360 PARKING SPACES  
FOR THE PROPOSED KOHL'S DEPARTMENT STORE AT AQUA AVE. AND US -95

## DECISION POINT:

Kohl's Department Stores, Inc. is requesting Planning Commission approval of the amount and spacing of landscaping for a parking lot with 360 spaces.

The Planning Commission must approve the following:

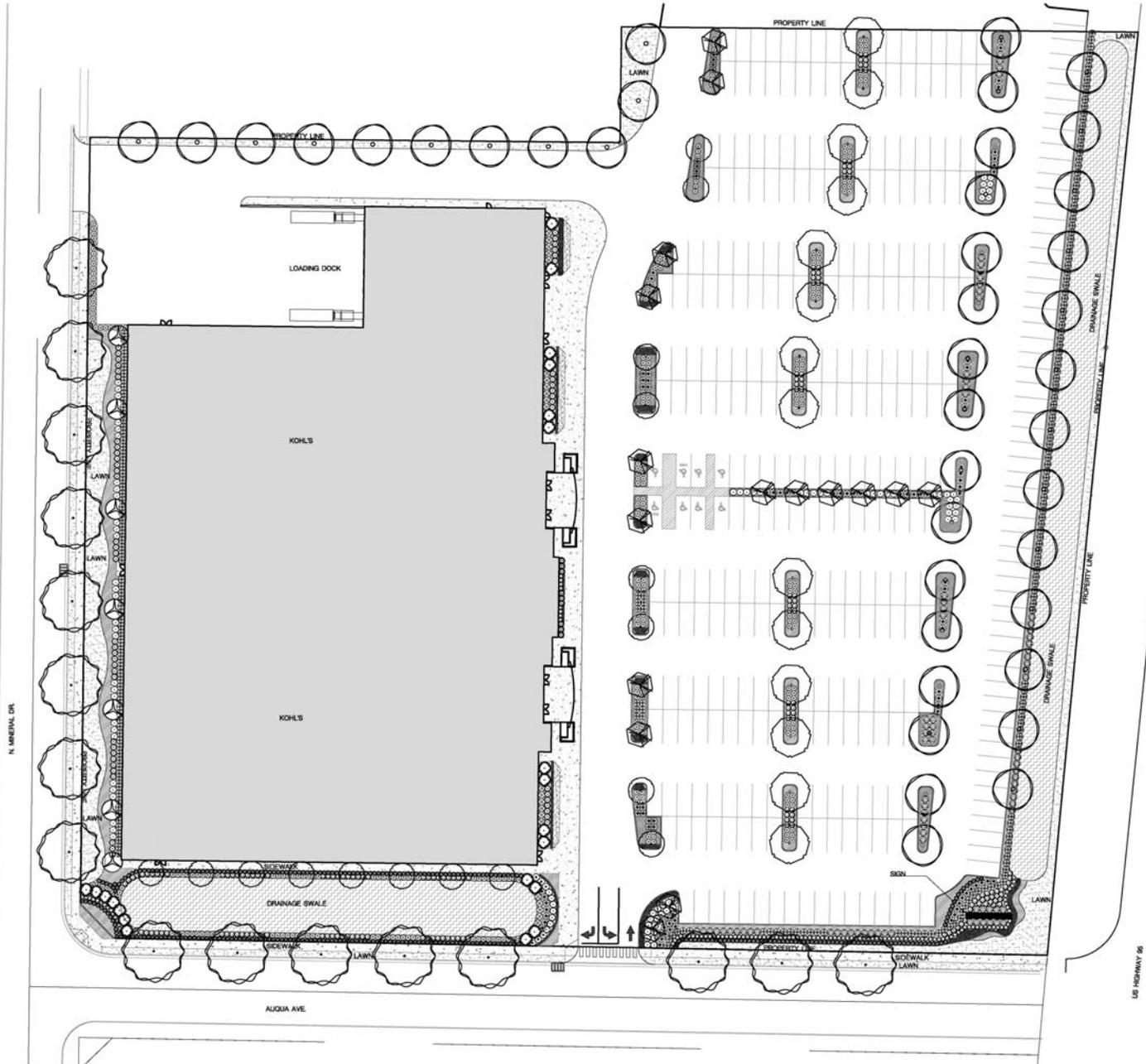
1. The amount of parking lot landscaping.
2. The spacing (maximum distance) between landscaped areas.

## GENERAL INFORMATION:

### A. Site photo



B. Landscaping plan:



**PLANT MATERIALS SCHEDULE**

COMMON NAME	BOTANICAL NAME	SIZE	SPACING	COMMON NAME	BOTANICAL NAME	SIZE	SPACING	COMMON NAME	BOTANICAL NAME	SIZE	SPACING
<b>TREES</b>											
AUTUMN PURPLE WHITE ASH	FRAXINUS AMERICANA 'AUTUMN PURPLE'	2" CAL.	50'-0" O.C.	OTTO LUYKEN LAUREL	PRUNUS LAUROCERAS 'OTTO LUYKEN'	5 GAL.	3'-0" O.C.	<b>GROUNDCOVER</b>			
THUNDERCLOUD PLUM	PRUNUS CINEREA 'THUNDERCLOUD'	15" CAL.	AS SHOWN	DAVID'S VIBURNUM	VIBURNUM DAVIDI	3 GAL.	4'-0" O.C.	SPORTS TURF SEED MIX BY SUNMARK SEEDS (0882147333) 6LBS/1000SF			
SCARLET OAK	QUERCUS COCCINEA	15" CAL.	AS SHOWN	JAPANESE HOLLY	ILEX GRENATA	3 GAL.	4'-0" O.C.	COTONEASTER LOWFAST	COTONEASTER DAMMER LOWFAST	1 GAL.	3'-0" O.C.
BRADFORD PEAR	PIRUS CALLERYANA 'BRADFORD'	15" CAL.	AS SHOWN	IBANTI REDOSIER DOGWOOD	CORNUS SERICEA 'IBANTI'	1 GAL.	4'-0" O.C.	KINNKINICK	ANCTOSTAPHYLOS UVA-UREI	1 GAL.	2'-0" O.C.
SUMMIT ASH	FRAXINUS PENNSYLVANICA 'SUMMIT'	2" CAL.	AS SHOWN	DAYLILY	HEMEROCALLIS 'STELLA D'ORO'	1 GAL.	1'-6" O.C.	SUNMARK NATIVE WATER QUALITY MIXTURE (LUB/1005F)			
HOGAN CEDAR	THUJA PLICATA 'HASTIGATA'	8" HT.	AS SHOWN	KOREANSPICE VIBURNUM	VIBURNUM CARLISII	3 GAL.	4'-0" O.C.	<b>MIXTURE COMPOSITION</b>			
HOOPSIE BLUE SPRUCE	PICEA PLUNGENS 'HOOPSIE'	8" HT.	AS SHOWN	JAPANESE PRIVET	LIGUSTRUM JAPONICUM	3 GAL.	4'-0" O.C.	-BLUE WILDYIE	48%		
SKYROCKET JUNIPER	JUNIPERUS 'SKYROCKET'	5 GAL.	AS SHOWN	YOUNGSTOWN JUNIPER	JUNIPERUS HORIZONTALIS 'YOUNGSTOWN'	3 GAL.	5'-0" O.C.	-NATIVE RED FESCUE	38%		
<b>SHRUBS</b>				OREGON GRAPE	MAHONIA AQUIFOLIUM	3 GAL.	3'-6" O.C.	-TUFTED HAIRGRASS	12%		
FEATHERED REED GRASS	CLAMADROSTIS 'HAIL FORNSTER'	3 GAL.	2'-6" O.C.	BLUE FESCUE	FESTUCA OVINA 'GAULICA'	1 GAL.	1'-6" O.C.	-WESTERN MANNAGRASS	2%		
SNOWMOUND SPIRAEA	SPRAEA JAPONICA 'TOSANBE'	3 GAL.	3'-0" O.C.	ROSY LIGHTS AZALEA	AZALEA 'ROSY LIGHTS'	3 GAL.	4'-0" O.C.	-AMERICAN BLOODGRASS	2%		

- C. Applicant: Kohl's Department Stores, Inc.  
N56 W17000 Ridgewood Dr.  
Menomonee Falls, WI 53051

**PERFORMANCE ANALYSIS:**

- A. The intent of the Landscaping Regulations as they pertain to parking lots is to mitigate the impact of noise, glare, sun, and air pollution through the use of landscaping.
- B. The standards the Planning Commission must use are in Section 17.06.835.E, as follows:
- For parking lots with more than three hundred 300 parking spaces, the Planning Commission shall determine:
1. The amount and spacing of landscaping required up to a maximum not to exceed 2% additional area per each 100 additional cars or fraction thereof.
  2. No parking space shall be more than 100 feet from a landscaped area.
- C. Applying the above standards to the 360 spaces, there would be a minimum of 7,776 sq. ft. of parking lot landscaping required, a maximum spacing between landscaped areas of 100 feet, and a minimum of 26 parking lot landscape trees.
- D. The proposed plan shows approximately 57,081 sq. ft. of parking lot landscaping (per applicant) contained in planter islands, end caps, and landscaped areas on the North, South, East, and West property lines as well as along the front, rear and side of the proposed building. There are approximately 138 proposed new landscape trees within or on the perimeter of the parking lot of which 29 would be considered street trees (some may require an easement).
- E. In summary:
1. Total proposed parking lot landscaping is 57,081 SF. (see included narrative)
  2. The calculation of building lot to landscaping is shown at 18.5%. The plan exceeds the minimum requirement for parking lot tree requirements by more than a 4 to 1 margin.
  3. The maximum proposed distance between any parking stall and proposed landscaping is approximately 60 feet where a maximum of 100 feet is allowed.
  4. The parking lot landscape trees proposed for this project include:  
**Thundercloud plum, Scarlet oak, Bradford pear, Summit ash, Hogan cedar, Hoopsii blue spruce, and Skyrocket juniper** (see landscape plan for locations)
  5. The street trees proposed for this project include:  
Large trees: **Autumn Purple White Ash** (16 trees at approx 60' spacing)  
Medium trees: **Summit Ash** (13 trees at approx 45' spacing)

**ACTION ALTERNATIVES:**

The Planning Commission must consider this request and by voice motion approve, deny or continue the item for further study. Findings are not required.

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMOS, ASSOCIATE PLANNER  
DATE: OCTOBER 10, 2006  
SUBJECT: PUD-4-06 – "RIVERSTONE"  
LOCATION – +/- 36.6- ACRE PARCEL ADJACENT TO RIVERSTONE  
DRIVE AND BEEBE BOULEVARD

**SITE PHOTOS:**

A. Subject property looking North along Riverstone Drive.



- B. Subject property looking West at future park and lake.



**DECISION POINT:**

- A. Riverstone West, LLC is requesting Preliminary Planned Unit Development approval of "Riverstone" a commercial and 637 residential unit mixed use development in the C-17 (Commercial at 17 units/acre) zoning district with the following designated land use areas (See plan map on page 4):
1. 7.81 acre mixed use high rise area with three 15 story buildings.
  2. 8.1 acre commercial area.
  3. 9.66 acre mixed use area.
  4. 6.17 acre lake.
  5. 4.85 acre park.
- B. The applicant is requesting the following deviations to provisions in the Zoning and Subdivision Ordinances:
1. Zoning Ordinance

- A. Modify the allowable height for multi-family uses in the C-17 zone for the mixed use high rise area ("blue zone") from the currently allowed 43 3/4 feet to 225 feet.
  - B. In the Commercial ("brown zone"), modify the design standard for parking stall widths from 9 feet to 8 feet.
2. Subdivision Ordinance
- A. Approve Tilford Lane as a private street in a 30 foot easement with 24 feet of pavement, rolled curb, no sidewalks and a 6 drainage swale on one side. (See page 6)

**NOTE: The above deviations are the only ones requested. All other zoning and subdivision ordinance requirements apply.**

- C. Evaluation: The Commission should bear in mind that a PUD is intended to provide for flexibility and diversity of use by removing the limitations in the typical lot-by-lot approach to development. It is not intended to be a means to waive certain development regulations. The Commission must, therefore, determine if the concept of the proposal is unique enough that it merits the flexibility afforded by the PUD regulations.

In making this determination, the Planning Commission should decide if the deviations requested represent a substantial change over what would be allowed if the regulations were applied on a lot-by-lot basis. The chief benefits of this PUD for the applicant are:

- Potentially, three 225 foot high rise buildings.
- Approval of Tilford Lane (The only access to the future City park) as a private street built to less than City standards.
- Approval to use 8 foot wide parking stalls in the "salmon zone").

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

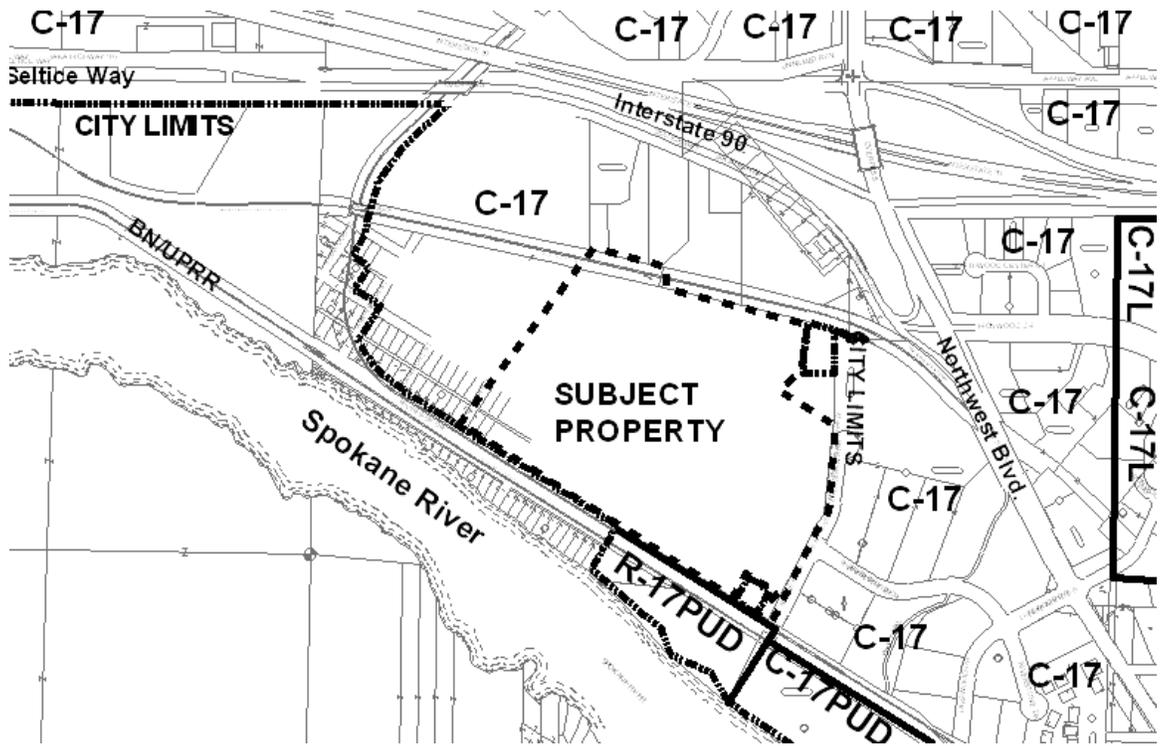
- Ability to add conditions to an approval.
- Ability to lock in development plans for the future to the approved PUD Final Development Plan.
- Ability to negotiate solutions that benefit all.

**GENERAL INFORMATION:**

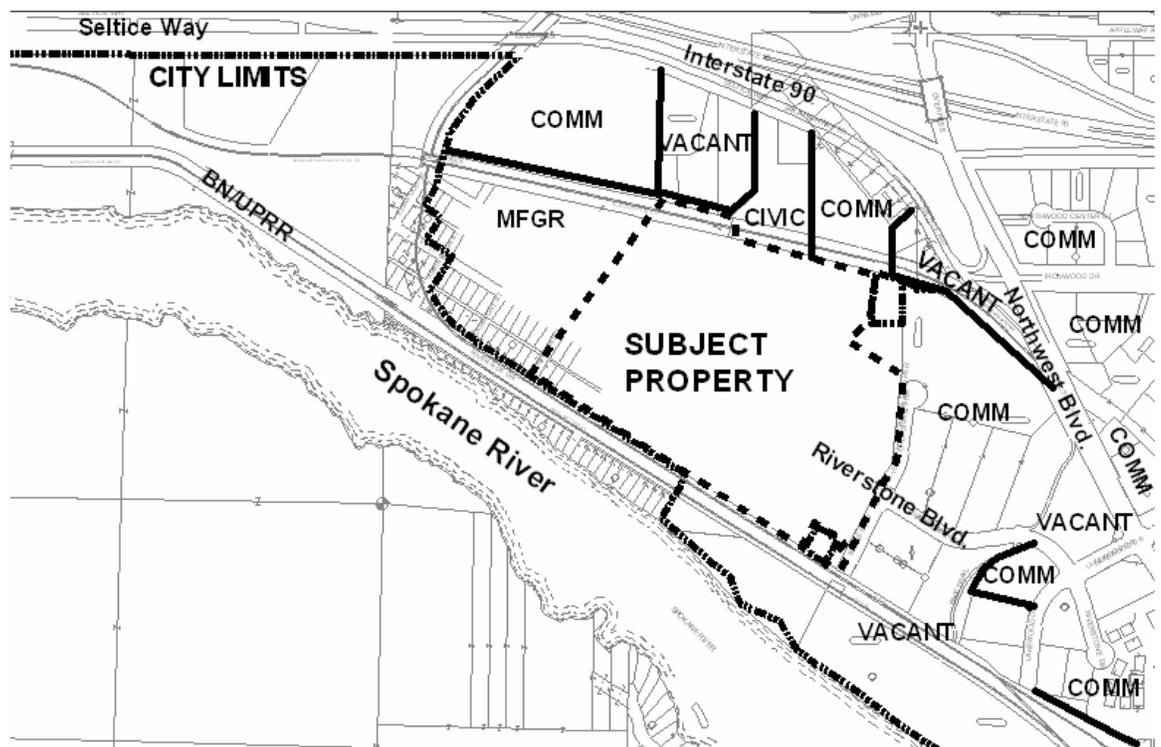
A. Proposed plan



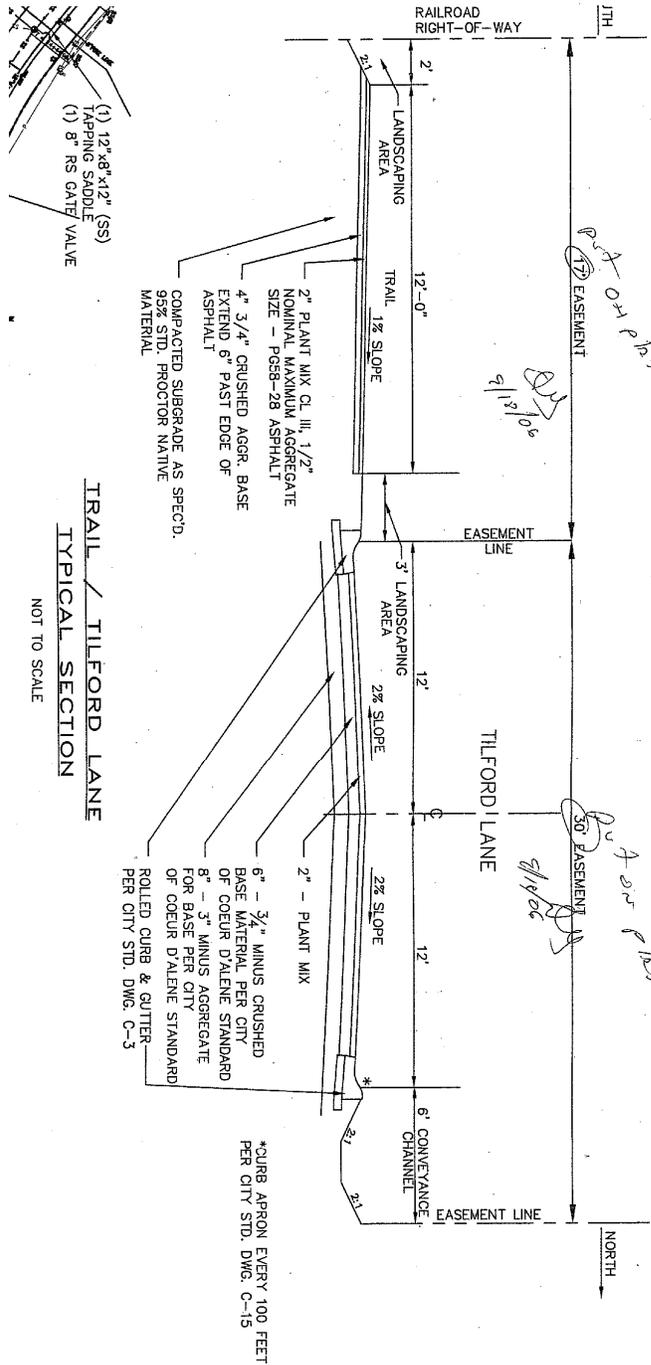
B. Zoning:



C. Generalized land use pattern:



D. Street profile Tilford Lane.



Riverstone West - Phase 2  
Coeur d'Alene, Idaho  
Tilford Lane & Centennial Trail

- E. Applicant/  
Owner: Rivermill West, LLC  
104 S. Division Street  
Spokane, WA 99202
- F. Land uses in the area include residential - civic, commercial retail sales & service, and vacant land.
- G. The subject property is under development.

**PERFORMANCE ANALYSIS:**

- A. Zoning and density:
1. The zoning of all property within the PUD boundary is C-17 (Commercial at 17 units/acre) which allows civic and commercial uses and residential development at a density of 17 units per gross acre. The maximum allowable density for this request would be 637 dwelling units and, by virtue of the PUD, can be distributed throughout the lots within the PUD boundary without regard to the maximum density of each lot as a function of the PUD approval. As indicated in the narrative, the applicant will distribute this density throughout the plan area, with the exception of the park area (Green area).

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

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map designates this area as a Transition Area. It is also adjacent to Northwest Boulevard and Seltice Way, which are designated as Medium Intensity Corridors, as follows:

**Transition Areas:**

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

**Medium Intensity Corridors:**

“These areas primarily consist of areas where commercial and residential uses may be encouraged.”

- Residential/commercial mix.
- Possible residential density = 17/34 du/acre
- Encourage lower intensity commercial service and manufacturing uses close or abutting major transportation routes.
- Discourage uses that are detrimental to neighboring stable established neighborhoods.
- Arterial/collector corridors defined by landscaping/street trees.

**Page 28** – All requests for zone changes, special use permits etc., will be made considering, but not limited to:

1. The individual characteristics of the site;
2. The existing conditions within the area, and
3. The goals of the community.

**Significant policies:**

- 4C: “New growth should enhance the quality and character of existing areas and the general community.”
- 4C1: “Development that proposes to increase the density of a given area may be allowed, provided that the increase maintains the character of the community.”
- 4C3: Population growth should be compatible with preserving Coeur d’Alene’s character and quality of life.”
- 6A: “Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses.”
- 42A2: “Property rights of citizens should be protected in land use decisions.”
- 46A: “Provide for the safe and efficient circulation of vehicular traffic.”

3. 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.

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

The request is adjacent to and an extension of the Riverstone Master Plan development, which is a mixed-use residential, retail and office development.

Evaluation: The Planning Commission must determine, based on the information before them, that the request is compatible with existing uses on adjacent properties

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

The subject property is a former gravel pit and has been re-surfaced to create a relatively flat site that will now accommodate residential and commercial development in accordance with the proposed plan.

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

WATER:

This project will be adequately served.

Evaluation: We have not as of yet received any as built for any of this project. However, the majority of the facilities are in place for the current portion of the development. There are still some other minor issues to be sorted out.

Comments submitted by Terry Pickel, Assistant Water Superintendent

SEWER:

Public sewer is available and of adequate capacity to support this PUD request.

Evaluation: Public sewer is already available within this applicant's property. This sewer is of adequate size and capacity to support this PUD request and conforms to the sewer master plan.

Comments submitted by Don Keil, Assistant Wastewater Superintendent

STORMWATER, STREETS AND TRAFFIC:

Neither of these items will have any impact on streets, or, infrastructure, therefore Engineering has no comment. It is my understanding that the revision to the PUD does not alter previously attached conditions to the development, if that is incorrect then we will need to take another look at the request.

Comments submitted by Chris Bates, Engineering Project Manager

FIRE:

The standard Fire Department issues of access, water supplies, etc. will be addressed at the plan review phase. However, the bigger issue is the ability of the Fire Department (and other city services) to meet the increased demands on services such developments bring to the table, without increasing personnel and equipment.

Comments submitted by Dan Cochran, Deputy Fire Chief

POLICE:

I have no comments at this time.

Comments submitted by Steve Childers, Captain, Police Department

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

The subject property for the PUD is 36.6 acres in size or 1,594,296 sq. ft. The required 10% open space requirement would be 3.7 acres and must be free of buildings, streets, driveways and parking areas, accessible to all users of the development, and usable for open space and recreational purposes.

The site plan shows a +/- 11 acre future park and lake that has been designed by the Coeur d'Alene Parks Department, is being built by the applicant and will become a City park upon completion of construction.

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

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

Because of the uncertainty about how the now vacant lots will be developed, the exact parking requirement has not been identified. As development occurs, however, each use will be required to comply with City parking requirements, prior to issuance of a certificate of occupancy for the use.

Evaluation: As development occurs, required parking will be determined through the development review process.

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

Management and maintenance of residence park areas are proposed to be done by a resident's association.

Pursuant to Section 17.07.235 of the Planned Unit Development Regulations, "the Planning Commission can require the formation of a homeowners association to perpetually maintain all open space areas. The association shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain the open space. The association shall perpetually exist and can only be terminated by a majority vote of the members and consent of the City Council shall terminate it".

Evaluation: As a condition of approval of the PUD, the Planning Commission should require the formation of a property owners association to ensure the maintenance of all common open space areas.

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

The proposed development is an extension of the Riverstone Master Plan and consistent with the existing uses and character of the Riverstone development.

J. Proposed conditions:

1. Formation of a homeowners association with CC&R's that includes detailed maintenance responsibilities of all private infrastructure (roads, drainage structures, street lighting, and all open space areas etc.), prior to recordation of the final plat.

K. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.  
Transportation Plan  
Municipal Code.  
Idaho Code.  
Wastewater Treatment Facility Plan.  
Water and Sewer Service Policies.  
Urban Forestry Standards.  
Transportation and Traffic Engineering Handbook, I.T.E.  
Manual on Uniform Traffic Control Devices.  
Coeur d'Alene Bikeways Plan

**ACTION ALTERNATIVES:**

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

[C:pcstaffrptsPUD406]

## Riverstone West Limited Design Planned Unit Development Narrative

### Application Page 3-

#### **Please Describe the Concept of Development proposed:**

Riverstone West is a mixed use development consisting of residential, retail and commercial uses interconnected by pedestrian trails and superior public open space designed around the concept of "Live, Work and Walk." The development will be served by city of Coeur d' Alene streets and utilities and the development will be regulated by strict covenants, conditions and restrictions to ensure high quality construction and thoughtful planning.

#### **Proposed uses and activities:**

The proposed PUD area will consist of low high rise residential, restaurants, retail, commercial office and business space as well as a publicly owned and maintained 6 acre pond and 5 acre park. The park will consist of open space, an amphitheater, shelter, and children's play area. The PUD area, as well as the entire development, will be linked by a 'Class A' extension of the Centennial Trail.

#### **Physical land alteration required by development:**

As the site of a fully mined 100' deep gravel pit, substantial land alteration was required to make this development possible. Over 2 million cubic yards of material were moved to reclaim the first phase of Riverstone West in what amounts to one of the largest Brownfield reclamations in the Pacific Northwest.

### Application Page 4-

- a. **The legal description of the Property-**please see attached documents
- b. **An Overall description of the location of the proposed uses and activates and alternative similar uses include public and private open space;**

**Green Zone-**The green zone is the site of the 5 acre public that partially surrounds the central 6 acre public pond. Both park and pond will be publicly owned, accessible and maintained with the exception of the pond lining structure and pumping system which will be maintained in perpetuity by the Riverstone Master Association. The park and pond will consist of 51 parking stalls, a central stage and amphitheatre overlooking the pond, picnic shelter, public restrooms and an extensive network of trails. All associated uses will be permitted but specifically managed by the city of Coeur d' Alene Parks director.

**Purple Zone-**The purple zone will accommodate mixed use development that could include a combination of town homes, office, mixed use buildings with ground floor retail with residential above, commercial businesses, apartments or condos. The Purple Zone will be subject to all applicable regulations within the C-17 zoning designation including height and setbacks limitation as well as the Covenants, Conditions and Restrictions of the Riverstone master Association.

**Blue Zone-**The blue zone specifically calls for high residential structures up to 220 feet or 15 stories. The southern blue site will consist of residential units above the main floor and is presently planned to have a high end gym and work out facility on the ground floor and below grade secured parking. The northern blue site will consist of two interconnected towers with above grade residential units with below grade secured parking. Both condo buildings will be sited and designed to maximize view corridors both within Riverstone and for adjacent property.

**Brown Zone-**The salmon zone will accommodate commercial uses including retail, restaurants and commercial offices. The Brown Zone will be subject to all applicable regulations within the C-17 zoning designation including height and setbacks limitation as well as the Covenants, Conditions and Restrictions of the Riverstone Master Association with the exception of a variance on the width of parking stalls. As opposed to the 9' standard width for parking stalls, the Brown zone will only be required to have 8" wide parking stalls.

**Density Distribution for All Zones-**The entire PUD area consists of a total of 36.59 acres that are Zoned C-17 for a total allowed density of 637 units. (36.59 x 43,560s.f. (One acre) divided by 2,500s.f.). The PUD would allow for a distribution of units anywhere within the boundaries of the PUD zone with the exception of the green zone. This allows for a more progressive site design that specifically clusters the units in some areas of the PUD thus allowing for greater open space overall. The park and Pond (Green Zone) comprise 30% of the entire PUD area which is well in excess of the normal required 10% open space.

The PUD takes the maximum density allowed within the bounds of the PUD area and within the limitations of the C-17 zone and allows for distribution of the units within the zone which will lead to a more progressive cluster design and more expansive open space. This PUD does not exceed the allowable density under the C-17 zone, it simply allows for a more effective method of distribution within the PUD area.

**a. A general description of proposed building envelope, landscaping and circulation elements;**

**Proposed Building Envelope-**The only building envelopes shown are within the two blue zones for the two high rise residential products. No other building envelopes are shown because currently all of the other buildings in the PUD area will be subject to the limitations of the C-17 zone including height and setback standards. The two residential tower envelopes may vary slightly to accommodate superior view corridors and layout.

**Landscaping Elements-**All Rights of way with the exception of Tilford Lane will be lined with grassy swales and street trees on both sides that are consistent with the planting plan of the Riverstone Development. Further, each individual building site will be designed by a landscape architect to ensure an extensive landscaping plan that is consistent with the existing character and standards of Riverstone. All landscaping within Riverstone will be irrigated by a private irrigation system that will be managed by the property owners association. The private irrigation system will pull water from the pond thus ensuring a high turnover of water in the pond and utilizing surface water as opposed to aquifer water for irrigation.

**Circulation Elements-**The major arterials within the PUD area are Riverstone Drive and John Loop. Both streets are built to City of Coeur d' Alene standards and are publicly dedicated rights of way. Riverstone Drive will connect through the development all the way to Seltice Way ensuring an additional point of access to the Riverstone Development. Tilford Lane will be a non-conforming publicly dedicated street that is 30' in with and will not have sidewalks on either side. Tilford Lane will be the primary point of vehicular access to the park and pond and the Centennial Trail (12' width) will run immediately adjacent to it to serve pedestrian and bicycle access needs. The Centennial Trail will run along the Southern boundary of the property and into the park and pond. Connections will be left open that will allow for future extensions onto the Union Pacific Right of Way that may be acquired by the Centennial Trail Foundation.

- d. A general designation of utilities-**All of the utilities in Riverstone are built or designed to city of Coeur d' Alene standards with more than sufficient capacity to serve all of the development contemplated.
- e. A general statement that the owner agrees there will be a lawful form of management proposed in areas of common ownership-**All areas of Common Ownership will be subject to a lawful form of management through a Property Owners Association
- f. A statement detailing the relationship of the proposed development project with existing major public development programs, including, but not limited to freeways, highways, parks, trails, open spaces, utility transmission lines and other major public facilities-**

The Riverstone Development is located along the Spokane River with access to both Northwest Boulevard and Seltice Way. The Northwest Boulevard entrance/exit from Interstate 90 is less than 1 mile from the two major access points to the development.

Both the Union Pacific and Burlington Northern railway rights of way bisect the development to the south. The Union Pacific right of way has been abandoned and will likely be acquired by the Centennial Trail Foundation to accommodate pedestrian and bicycle use. The Burlington Northern right of way will be abandoned upon the closing of the DeArmond Mill, reportedly within the next two years.

Sewer and Water mains are located within the major arterials in Riverstone. Additionally the primary city sewer trunk main runs inside the railroad right of way within Riverstone. The entire development has been designed with redundant water loops to ensure adequate service and pressure.

The park at Rivestone will be located at the center of the development and fully accessible to both the residents of Coeur d'Alene as well as visitors. The Centennial Trail runs throughout the entire development with established connections to the East and future connections to the West.

**g. A statement indicating that the owner will provide streets and driveways, sidewalks and pedestrian ways and off street parking and loading pursuant to other requirements of code-**The Owner will provide street and driveways, extensive landscaping, sidewalks and pedestrian ways and off street parking and loading areas pursuant to other requirements of this code.

**h. A statement that utilization of the site will be pursuant to the underlying zoning district-**The owner will utilize the site pursuant to the underlying zoning district with the exception of the following:

- I. The height variance for the 'Blue Zone' (see page 4.b)
- II. The density distribution method for the PUD area (not including Green Zone see page 4.b) to allow for cluster development.
- III. The width and character of "Tilford Lane" (see page 4.c"circulation elements")
- IV. The width of parking stalls in the Salmon Zone (see page 4.b)

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on October 10, 2006, and there being present a person requesting approval of ITEM PUD-4-06, a request for a planned unit development known as "Riverstone".

LOCATION: +/- 36.6- acre parcel adjacent to Riverstone Drive and Beebe Boulevard

APPLICANT: Riverstone West, LLC

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

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

- B1. That the existing land uses are residential - single-family, commercial retail sales & service, and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is C-17 (Commercial at 17 units/acre)
- B4. That the notice of public hearing was published on September 23, 2006, and October 3, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on October 2, 2006, which fulfills the proper legal requirement.
- B6. That 14 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on September 22, 2006, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on October 10, 2006.
- B8. Pursuant to Section 17.07.230, Planned Unit Development Review Criteria, a planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the Planning Commission:

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

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

<b>Criteria to consider for B8B:</b>			
1.	Density	6.	Open space
2.	Architectural style	7.	Landscaping
3.	Layout of buildings		
4.	Building heights & bulk		
5.	Off-street parking		

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

<b>Criteria to consider for B8C:</b>			
1.	Topography	3.	Native vegetation
2.	Wildlife habitats	4.	Streams & other water areas

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

**Criteria to consider for B8D:**

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

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

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

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

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

**Criteria to consider for B8H:**

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

**C. ORDER: CONCLUSION AND DECISION**

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

Special conditions applied are:

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

**ROLL CALL:**

Commissioner Bowlby	Voted _____
Commissioner George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Razor	Voted _____
Commissioner Souza	Voted _____

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

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

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

\_\_\_\_\_  
CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMOS, ASSOCIATE PLANNER  
DATE: OCTOBER 10, 2006  
SUBJECT: V-4-06 - 21-FOOT HEIGHT VARIANCE IN THE C-17L ZONING DISTRICT  
LOCATION – KOOTENAI MEDICAL CENTER AT THE NORTHWEST CORNER OF US  
95 AND IRONWOOD DRIVE

**DECISION POINT:**

Michael R. O'Malley for Kootenai Medical Center is requesting approval of a 21 foot height variance from the allowed height of 62 1/2 feet in the C-17L (Commercial Limited at 17 units/acre) zoning district to allow construction of three additional levels to the existing parking garage and expand the garage 65 feet to the south to bring the structure to a maximum height 82 feet 2 inches. If approved, this variance would apply to all existing or future buildings constructed within the boundaries of this request up to 83 1/2 feet.

**SITE PHOTOS:**

- A. Overall site.



B. South side of parking garage from Ironwood Drive.



C. West side of parking garage looking south along Ironwood Drive.



D. South side of Ironwood Drive looking East towards Interlake Medical Center.

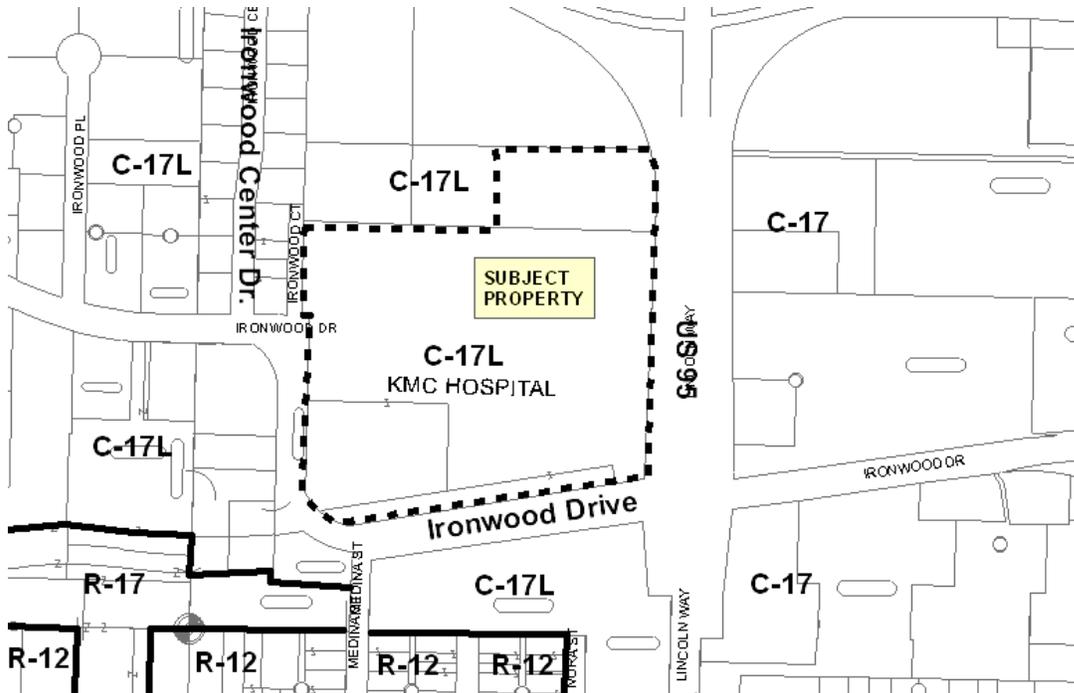


E. Looking North on Ironwood Drive along West side of parking garage.

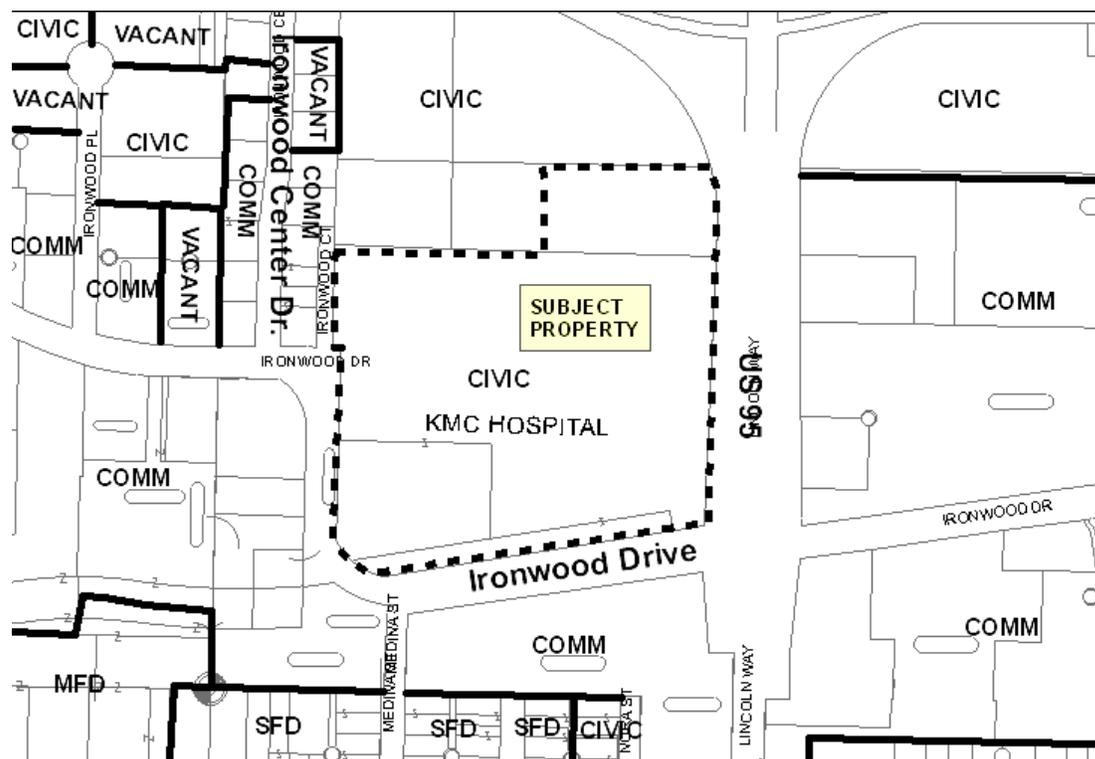


**GENERAL INFORMATION:**

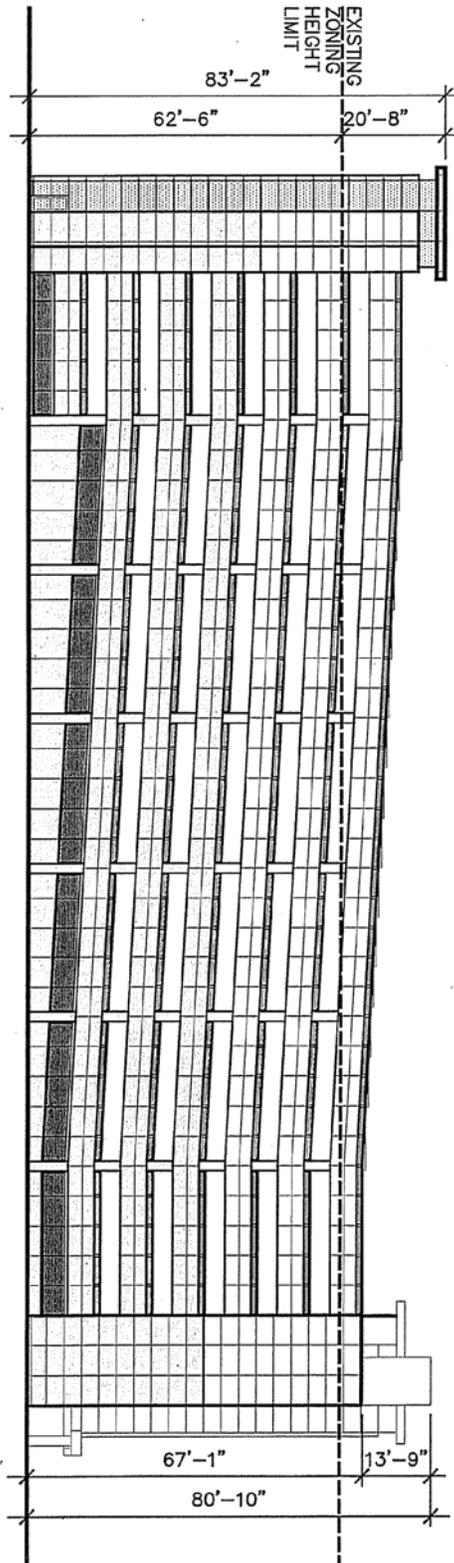
A. Zoning:



B. Generalized land use pattern:



C. Proposed building elevation



3

SOUTH ELEVATION  
Scale: 1" = 30'-0"

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PARKING GARAGE  
KOOTENAI MEDICAL CENTER  
CORNER D'ALENE, IDAHO



NAC NO.	
FILE	DAK
DRAWN	WMP
CHECKED	
DATE	9/21/06

3
RE: PARKING GARAGE

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- D. Applicant: Michael R. O'Malley for Kootenai Medical Center  
Owner 1203 West Riverside Avenue  
Spokane, WA 99201
- E. Land uses in the area include residential - commercial sales and service, civic and vacant land.
- F. The subject property contains the Kootenai Medical Center

**PERFORMANCE ANALYSIS:**

- A. Zoning:

The subject property is zoned C-17L (Commercial Limited at 17 units/acre). In this zoning district there is a height requirement of 62 1/2 feet for commercial and civic uses.

Approval of the requested 9 foot height variance would allow a building height of 83 1/2 feet with approval based on making the following two findings:

- B. **Finding #1: The Structure may be safely erected and maintained at such height considering surrounding conditions and circumstances.**

The structure must be designed by an Idaho licensed architect and built to the requirements of the International Building Code.

- C. **Finding #2: The structure will/will not impose major adverse environmental, and specifically, adverse visual impacts.**

The area of request is part of the Kootenai Medical Center campus and in the Ironwood Medical Office area, which has other 2 and 3 story buildings in the vicinity of KMC.

In determining if the request will impose a major adverse environmental/visual impact, the Commission can only consider the impact of the 21 foot portion of the structure over 62 1/2 feet.

Evaluation: The requested variance would allow a building height of up to 83 1/2 feet.

- D. **Comprehensive Plan Policies:**

Significant Comprehensive Plan policies for consideration:

- 4C: New growth should enhance the quality and character of existing areas and the general community.
- 4C3: Population growth should be compatible with preserving Coeur d'Alene's character and quality of life.
- 42A: The development of Coeur d'Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, effects and goals of citizens.
- 42A2: Property rights of citizens should be protected in land use decisions.
- 51A: Protect and preserve neighborhoods, both old and new.
- 52B: "Promote a high standard of landscaping, building design and community development."

F. Proposed Conditions:

None.

G. Ordinances and Standards Used in Evaluation:

Comprehensive Plan – Amended 1995.

Municipal Code

Idaho Code

**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.

[F:pcstaffrptsV406]

A. A description of your request:

Kootenai Medical Center (KMC) proposes adding (3) three parking levels to the existing parking garage on the southwest corner of the KMC campus adjacent to Ironwood Drive. KMC respectfully requests a height variance for those portions of the garage addition that exceeds the 62'-6" height restriction. This proposed addition will increase the highest parking level guardrail to approximately 74'-7", and the elevator roof (the highest point on the structure) to approximately 83'-2". The KMC parking garage was also designed to expand approximately 65' to the south, and remain within all zoning setback requirements. KMC requests that this height variance also apply to such future addition.

B. The undue hardship caused by the physical characteristics of the site:

Although KMC's campus is a relatively large site, it is important that the facility properly plan the development of that site to assure the Hospital has the ability to grow and expand as the needs of the community grow. KMC's campus master plan recommends that all future Hospital additions and related new medical buildings be located on the north side of the existing Hospital, which is the only area where land is available. It is critical to preserve this land for the Hospital's future growth. It is also best planning practice to locate patient and staff parking as near to the campus entry driveways off Ironwood Drive, and as near to the building's entries as practical to reduce travel distances and minimize pedestrian/vehicular conflicts. KMC's primary entry is now on the south side of the facility.

Based upon these criteria, the master plan directs that parking should be developed on the south side of the campus. The best and most efficient use of this limited portion of the site is to concentrate parking near the entry driveways in a parking garage, as per the existing garage. Any other location on the south campus would obstruct the view to the hospital, which is a safety concern, and interfere with access driveways. Locating a garage on the north campus would ignore the building's entries and internal corridor circulation. Therefore KMC's best option is to extend the existing garage as proposed. This is also the most economical approach to providing additional parking.

C. The compatibility of this request with the public interest:

KMC's ability to continue providing high quality healthcare to the community in an economical and efficient manner impacts the City of Coeur d'Alene and the region in terms of public health, welfare and economic vitality of the community. KMC is in the planning phases of a new office/administration building that allows KMC to consolidate back onto the campus many of the administrative and support services that are now scattered in other locations. This consolidation of services allows the Hospital to better serve patients and families, and the community as a whole, through a more centralized location.

The return of these services in the new office building will bring additional staff and patients to the campus, creating a new demand for parking. KMC's construction of the existing parking garage alleviated a pressing parking problem on the campus. The added parking levels will allow KMC to meet this increased demand as well as replace the parking stalls displaced by the new office building. The added parking also assures that all KMC related parking remains on site and does not spill out into the neighboring business and residential streets.

D. Any other justifications that you feel are important and should be considered by the Planning Commission:

KMC's garage addition was originally planned to be safely erected and maintained at the proposed height, considering surrounding conditions and circumstances. The footings and structure were designed for these additional three levels and open space was preserved on the north and south sides of the building for construction access and the erection crane. The garage interior vehicular circulation, driveway entries, pedestrian exits and elevators were also designed and constructed based upon a larger structure with the added parking load and traffic flow, thus assuring compliance with all Building Codes. All maintenance features including parking controls, security and maintenance access were incorporated into the original design.

KMC believes that the portion of the expanded garage that exceeds the height limitation will not impose major adverse environmental and specifically adverse visual impacts to this area. KMC is permitted to expand the existing garage vertically and erect a future south expansion up to a 62'-6" height. The limited height increases over the 62'-6" restriction, represented in this request will not materially increase the visual impact of this structure because of the following:

- The portion of this expansion that exceeds the 62'-6" height limitation represents only the top parking level and the extension of the stair and elevator towers. The majority of this garage expansion will be within the height limitation.
- The top parking level is a sloping configuration that varies from approximately 64'-1" (1'-7" above height limitation) to 74'-7" (12'-1" above height limitation) at the uppermost points.
- The stair towers and elevator shaft, the tallest elements of the structure, are 80'-10" (18'-4" above height limitation) and 83'-2" (20'-8" above height limitation). These elements are very small footprints at the building corners and do not significantly contribute to the overall building mass, especially at the top of the structure.
- The garage has been located to comply with the zoning setbacks and the south face of the future horizontal expansion remains 40' to 60' back from Ironwood Drive to maintain a landscaping buffer to the street.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on October 10, 2006, and there being present a person requesting approval of ITEM V-4-06, a request for approval of a 21 foot height variance from the allowed height of 62 1/2 feet in the C-17L (Commercial Limited at 17 units/acre) zoning district

LOCATION: Kootenai Medical Center at the Northwest Corner of US 95  
and Ironwood Drive

APPLICANT: Michael R. O'Malley for Kootenai Medical Center

**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 residential - commercial sales and service, civic and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is C-17L (Commercial Limited at 17 units/acre)
- B4. That the notice of public hearing was published on, September 23, 2006, and, October 3, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, September 28, 2006, which fulfills the proper legal requirement.
- B6. That 49 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, September 22, 2006, and \_\_\_\_\_ responses were received: \_\_\_\_\_ in favor, \_\_\_\_\_ opposed, and \_\_\_\_\_ neutral.
- B7. That public testimony was heard on October 10, 2006.

B8. Pursuant to Section 17.06.330, Exceptions to height maximums by variance, a variance may be granted when:

B8A. The structure may be safely erected and maintained at such height considering surrounding conditions and circumstances.

B8B. The structure will not impose major adverse environmental and specifically adverse visual impacts.

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **MICHAEL R. O'MALLEY** for Kootenai Medical Center for a variance, 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 George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

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

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

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

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CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMOS, ASSOCIATE PLANNER  
DATE: OCTOBER 10, 2006  
SUBJECT: ZC-10-06 – ZONE CHANGE FROM R-12 TO C-17

LOCATION: 3 PARCELS TOTALLING +/- 20,560 SQ. AT 1101, 1103 & 1113 WEST DAVIDSON AVENUE

**SITE PHOTOS:**

A. Subject property



B. Existing houses on subject property



C. View to South of the subject property.



D. View to North along North Street - subject property on left side of street.



**DECISION POINT:**

Ron Ayers is requesting a zone change from R-12 (residential at 12 units per gross acre) to C-17 (Commercial at 17 units per gross acre).

**GENERAL INFORMATION:**

A. Zoning and recent zone changes in the area:



B. Generalized land use pattern:



C. Applicant/ Owner Ron Ayers  
157 South Pleasant View Road  
Post Falls, ID 83854

D. Land uses in the area include residential - single-family, duplex and multi-family, commercial – retail sales and service, and vacant land.

E. The subject property contains two single-family dwellings.

F. Previous actions in surrounding area (See zoning map on page 2):

1. ZC-8-86SP - R-12 to R-17 with an R-34 density Special Use Permit.
2. ZC-6-90 - R-12 to C-17L.
3. ZC-5-91SP - R-12 to C-17
4. ZC-7-91SP - R-12 to R-17 with an R-34 density Special Use Permit.
5. ZC-8-92SP - R-12 to R-17 with an R-34 density Special Use Permit.
6. ZC-10-93SP - R-12 to R-17 with an R-34 density Special Use Permit.
7. ZC-7-04 - R-12 to C17
8. ZC-4-05 - R-12 to R-17

**PERFORMANCE ANALYSIS:**

A. Zoning:

Approval of the zone change request would intensify the potential uses on the property by allowing commercial retail sales and service uses on a parcel that now only allows residential and civic uses.

The C-17 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.  
This District should be located adjacent to arterials; however, joint access developments are encouraged.

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

1. Single-family detached housing (as specified by the R-8 District).
2. Duplex housing (as specified by the R-12 District).
3. Cluster 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 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.
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.
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.

Permitted uses by special use permit in a C-17 district shall be as follows:

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

The zoning pattern (see zoning map on page 2) in the surrounding area shows C-17 zoning on both sides of Northwest Boulevard commercial corridor including the block occupied by the subject property. To the east of the subject property, the zoning is R-12 or R-17. This is also supported by the land use pattern that shows commercial uses along the commercial corridor and residential uses to the east of the subject property

Evaluation: The Planning Commission, based on the information before them, must determine if the C-17 zone is appropriate for this location and setting.

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

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map designates this area as a Transition Area. It is also adjacent to Northwest Boulevard, which is a medium intensity corridor, as follows:

**Transition Areas:**

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

- Protect and/or enhance the integrity of existing residential areas.
- Encourage lower intensity commercial service and manufacturing uses close or abutting major transportation routes.
- Discourage uses that are detrimental to neighboring uses.
- Encourage commercial clusters that will serve adjacent neighborhoods vs. city as a whole.
- Pedestrian/bicycle connections.

**Medium Intensity Corridors:**

“These areas primarily consist of areas where commercial and residential uses may be

encouraged.”

- Residential/commercial mix.
- Possible residential density = 17/34 du/acre
- Encourage lower intensity commercial service and manufacturing uses close or abutting major transportation routes.
- Discourage uses that are detrimental to neighboring stable established neighborhoods.
- Arterial/collector corridors defined by landscaping/street trees.

**Page 28** – All requests for zone changes, special use permits etc., will be made considering, but not limited to:

1. The individual characteristics of the site;
2. The existing conditions within the area, and
3. The goals of the community.

Significant policies for consideration:

4C: “New growth should enhance the quality and character of existing areas and the general community.”

6A: “Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses.”

6A2: “Encourage high-intensity commercial development, including professional offices, to concentrate in existing areas so as to minimize negative influences on adjacent land uses, such as traffic congestion, parking and noise.

6A3: “Commercial development should be limited to collector and arterial streets.”

6A5: “Encourage renewal and enhancement of commercial sales and service corridors.”

46A: “Provide for the safe and efficient circulation of vehicular traffic.”

47C1: “Locate major arterials and provide adequate screening so as to minimize levels of noise pollution in or near residential areas.”

51A: “Protect and preserve neighborhoods both old and new.”

51A5: “Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects.”

62A: “Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects.”

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.

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

**WATER:**

Water is available to the subject property.

Evaluation: There are currently adequate facilities. However, changes in type of any new construction may be affected by the lack of adequate fire flow in this area which has been a past problem.

Comments submitted by Terry Pickel, Assistant Water Superintendent

**SEWER:**

Public sewer is available and of adequate capacity to support the zone change request.

Evaluation: Public sewer is available within West Davidson Avenue and of adequate capacity to support this zone change.

Don Keil, Assistant Wastewater Superintendent

**STORMWATER:**

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. This will be addressed at the time of permit submittal on the subject property.

**TRAFFIC:**

Although there is no change in the proposed use at this time this proposed rezoning would, in theory, allow other uses that could generate additional traffic.

Evaluation: Any change in use and related traffic impacts are evaluated prior to issuance of building permits. The Development Impact Fee Ordinance requires any extraordinary traffic impacts to be mitigated by the applicant as a condition of permit issuance. Therefore, potential traffic impacts need not be addressed at this time.

**STREETS:**

The proposed subdivision is bordered by Northwest Boulevard on the west, Davidson and Emma Avenues on the north and south.

Evaluation: The Northwest Boulevard corridor adjoining the subject property is fully developed with no changes required at this time. The Davidson and Emma frontages will be required to have sidewalk installed, and that will be made a component of any building permit or site development for the subject property. This will insure that the sidewalk is installed in a manner that compliments the development of the site and best serves the public that will utilize it.

APPLICABLE CODES AND POLICIES:

UTILITIES

1. If developed, any proposed utilities within the project shall be installed underground.
2. All water and sewer facilities shall be designed and constructed to the requirements of the City of Coeur d'Alene. Improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.

STREETS

3. Any required street improvements shall be constructed prior to issuance of building permits.
4. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

STORMWATER

5. 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.

F. Proposed conditions:

None.

E. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.  
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.

[D:staffrptsZC1006]

## Exhibit A

### Comp Plan Goals & Policies Supporting the Request

The lots are contiguous and internal to additional parcels assembled under ownership of the applicant. The parcels are adjacent to existing C-17 on two sides, across the street from existing C-17 on a third side and across the street from R-17 on the fourth side. This zone change would allow a more flexible planning of the larger 2.5 acre parcel.

The larger parcel has over 350 lf of frontage on NW Boulevard and is currently developed as a 15-unit motel.

Comp plan goals and policies supporting this zone change include:

1. 4C2 Transportation - The proposed zone change will provide opportunity for mixed use development including high density housing and services within walking distance of the Ironwood Corridor and the rapidly developing Riverstone area.
2. 29/32/52B5 Transition - The comp plan map. Designates this general area as in transition. This particular request will complete transition of old single family parcels making way for rapidly developing northwest boulevard commercial corridor east of the subject and commercial development along NW Blvd.
3. 53C1 Proximity to Arterials - The proposed assembled parcel has frontage on established streets that will funnel most traffic in the direction of established arterials (NW Blvd.)
4. 53C3 Transition - See 2 above.
5. 53D2 Discourage Sprawl - This is an underutilized parcel (s) with fully developed commercial neighbors and existing infrastructure.

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on October 10, 2006, and there being present a person requesting approval of ITEM ZC-10-06 , a request for a zone change from R-12 (residential at 12 units per gross acre) to C-17 (Commercial at 17 units per gross acre).

LOCATION: 3 parcels totaling +/- 20,560 sq. at 1101, 1103 & 1113 West Davidson Avenue

APPLICANT: Ron Ayers

**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 – retail sales and service, and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is R-12 (residential at 12 units per gross acre)
- B4. That the notice of public hearing was published on September 23, 2006, and October 3, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on September 29, 2006, which fulfills the proper legal requirement.
- B6. That 181 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on September 22, 2006, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on October 10, 2006.
- 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 **RON AYERS** 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 George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

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

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

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

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CHAIRMAN JOHN BRUNING

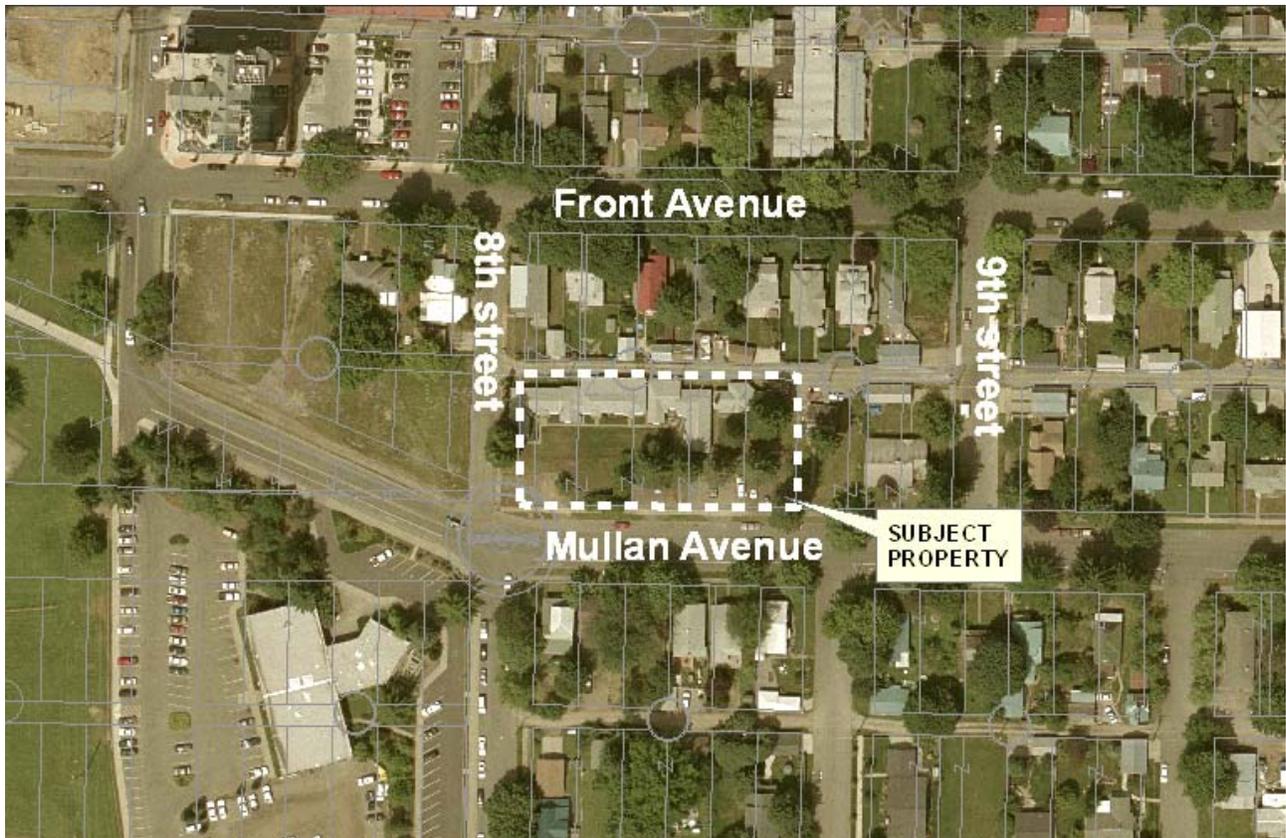
**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER  
DATE: OCTOBER 10, 2006  
SUBJECT: ZC-11-06 – 1. ZONE CHANGE FROM R-17 TO DC (DOWNTOWN CORE)  
2. AMEND THE DOWNTOWN EAST INFILL OVERLAY DISTRICT BOUNDARY TO EXCLUDE THE SUBJECT PROPERTY  
3. AMEND THE DOWNTOWN DESIGN REGULATIONS OVERLAY DISTRICT BOUNDARY TO INCLUDE THE SUBJECT PROPERTY

LOCATION: +/- 27,753 SQ. FT. PARCEL AT THE NORTHEAST CORNER OF EIGHTTH STREET AND MULLAN AVENUE

**PHOTOS:**

- A. Subject property.



B. Apartments on subject property.



C. South side of Mullan Avenue looking east - subject property to left.



D. Houses on North side of alley in block containing the subject property



E. Looking towards new library, McEuen Terrace and downtown.

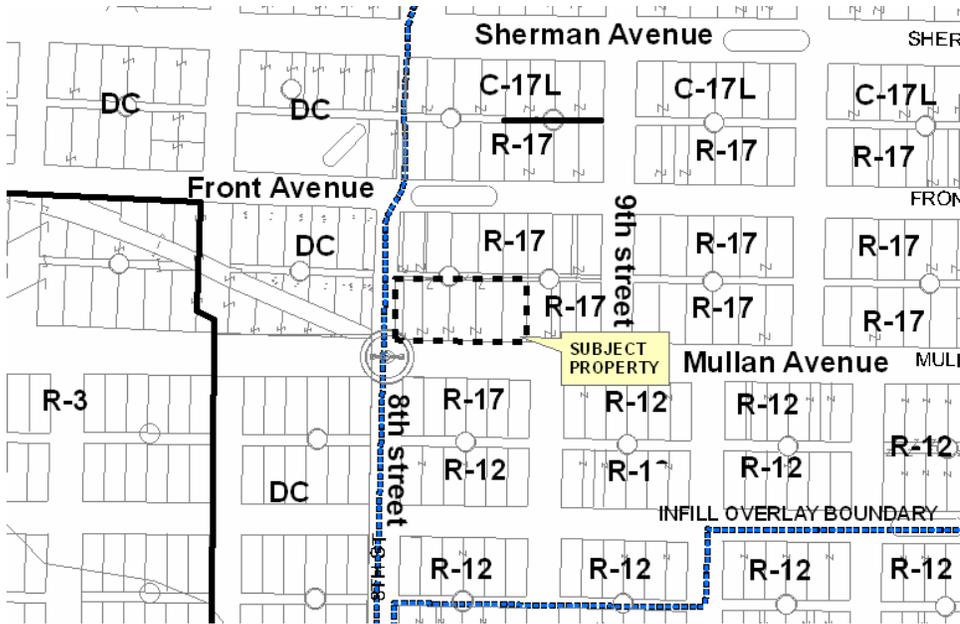


**DECISION POINT:**

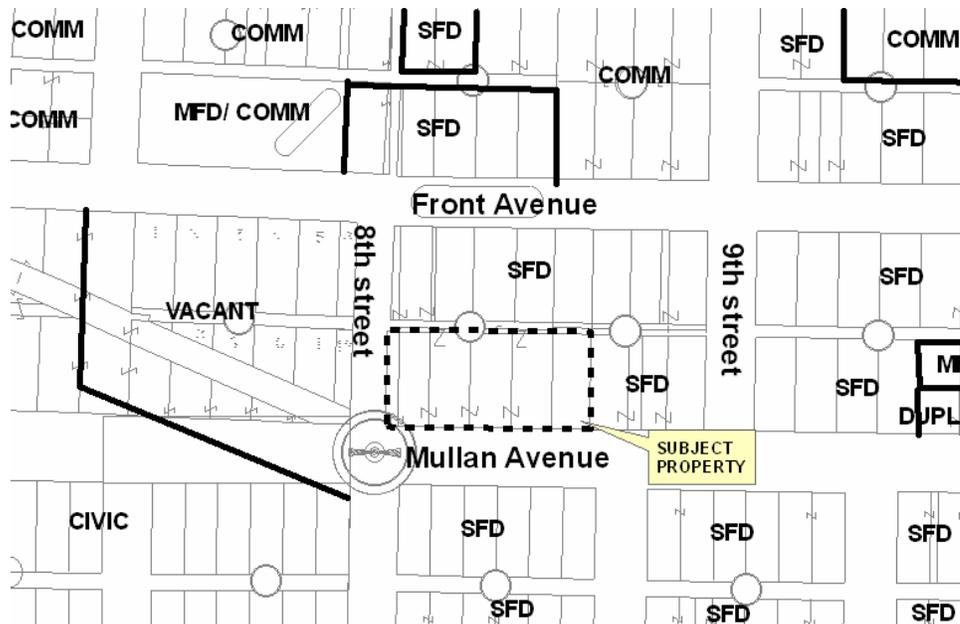
Steve Shortridge and Harry Robertson are requesting a zone change from R-17 (residential at 17 units per gross acre) to DC (Downtown Core) zoning district, removal of the Downtown East Infill Overlay District from the subject property and addition of the Downtown Design Regulations Overlay District to the subject property at the southeast corner of Emma Avenue and North Street.

**GENERAL INFORMATION:**

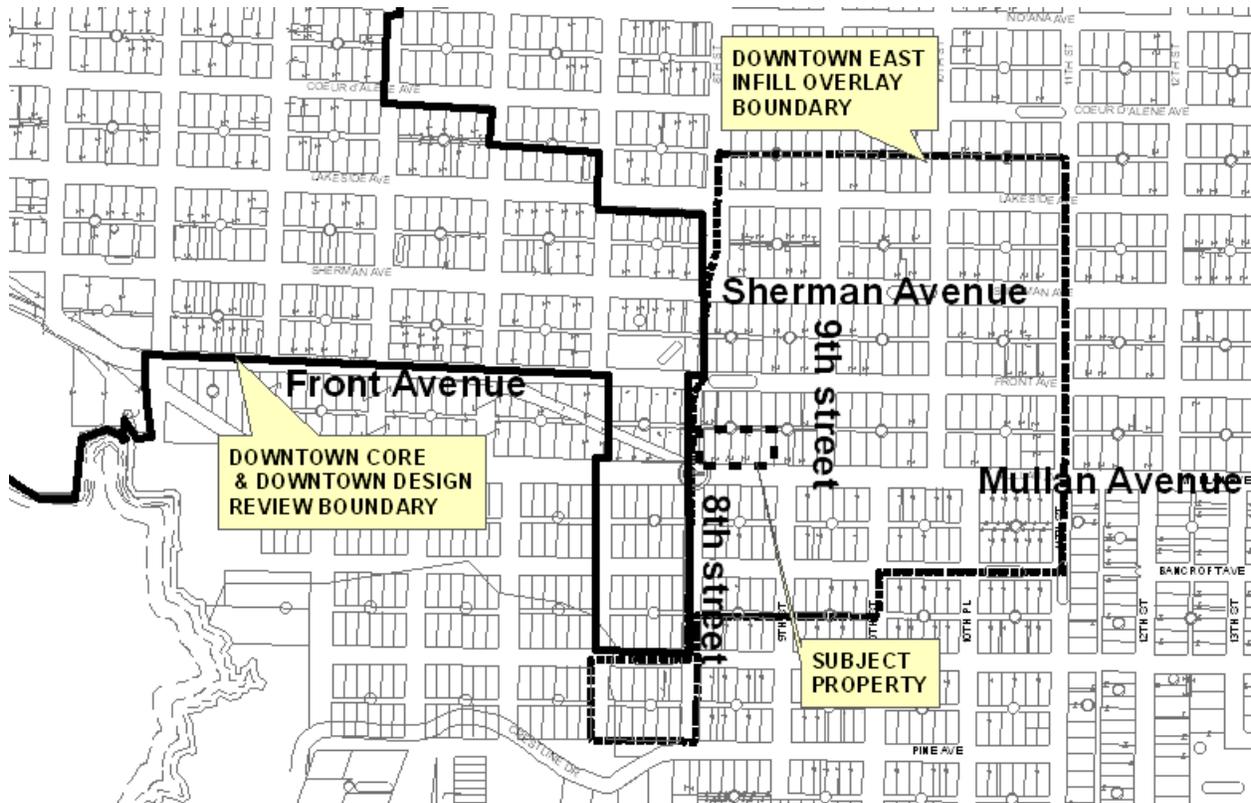
A. Zoning:



B. Generalized land use pattern:



C. Existing DC (Downtown Core), DOE and DDR district boundaries



C. Applicant/ Owner Stephen Shortridge and Harry Robertson  
3696 Skyharbor Drive  
Coeur d'Alene, ID 83814

D. Land uses in the area include residential - single-family, duplex and multi-family, commercial – retail sales and service, civic and vacant land.

E. The subject property contains apartments.

**PERFORMANCE ANALYSIS:**

A. Zoning:

Approval of the zone change request would re-zone the subject property to the Downtown Core (This is the new revised C-34 zone) from the R-17 zoning district, remove the Downtown East Infill Overlay district and add the Downtown Design Regulations Overlay district, as follows:

**Downtown Core district**

**The purpose of the Downtown Core district is:**

To create a distinct, strong identity for the downtown core, preserving a civic heart for

Coeur d'Alene.

To encourage private and public investment, attract shoppers and visitors, and appeal to existing and new residents.

To produce a concentration and a mixture of commercial, office, retail, residential, and public uses within the downtown.

To develop a downtown that supports pedestrian movement and use of public transit.

To implement the City's Comprehensive Plan

**All uses shall be allowed, unless prohibited below:**

**Prohibited uses:**

1. Adult Entertainment
2. Billboards
3. Drive-Through Businesses along Pedestrian-Oriented Streets
4. Gasoline Sales
5. Industrial Uses
6. Heliports as a principal use
7. Mini-Storage on the street level.
8. Outdoor Sales or Rental of Boats, Vehicles, or Equipment
9. Outdoor Storage of materials and equipment (except during construction)
10. Repair of Vehicles, unless entirely within a building
11. Sewage Treatment Plants and other Extensive Impact activities.
12. Surface Parking on Pedestrian-Oriented Streets
13. Work Release Facilities
14. Wrecking Yards
15. Vehicle Washing, unless located within a building or parking structure

Any other use that the Planning Director determines not to comport with the intent of the district as expressed in Section I Overall Purpose

**R-17DOE District**

**Purpose and intent:**

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

**Permitted uses in the underlying R-17 zone:**

All activity groups/uses permitted in the underlying zoning district shall be allowed, unless otherwise noted in this section.

Single-family detached housing as specified by the R-8 district.

Duplex housing as specified by the R-12 district.

Cluster housing.

Multiple-family.

Community education.

Essential service.

Home occupations as defined in this title.

Childcare facility.

Administrative.

**Uses allowed by Special Use Permit in the underlying R-17 zone:**

Community assembly.

Religious assembly.

Public recreation.

Neighborhood recreation.

Convenience sales.

Commercial recreation.

Automobile parking when the lot is adjoining, at least one point, intervening streets and alleys excluded, the establishment which it is to serve; this is not to be used for the parking of commercial vehicles.

Three (3) unit per gross acre density increase (see district column).

Mobile home manufactured in accordance with section [17.02.085](#) of this title.

Residential density of the R-34 district as specified.

Group dwelling-detached housing.

Mini-storage facilities.

Community organization.

Nursing/convalescent/rest homes for the aged.

Handicapped or minimal care facility.

Boarding house.

Rehabilitative facility.

Juvenile offenders facility.

Noncommercial kennel.

Commercial film production.

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

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

Criminal Transitional Facilities.

Juvenile Offenders Facilities.  
Adult Entertainment.  
Adult Entertainment Retail Sales.  
All other uses that includes the outdoor storage of inventory, materials, or supplies.

**Additional Activity Groups Expressly Prohibited in the DO-N and DO-E Overlay Districts:**

All Industry Activity Groups.  
All Wholesale Sales Activity Groups.  
Automotive Sales.  
Automotive Accessory Retail Sales.  
Automotive Repair/Cleaning.  
Automotive Rental.  
Automotive Parking (unless serving a principal use).  
Automotive Fleet Storage.  
Gasoline Sales.  
All Veterinary Activities and Commercial Kennels other than Veterinary Office.  
All drive-through sales or service uses.

- Evaluation:
- A. The Downtown Core District would allow a significant number of uses that are not allowed in the R-17DOE zone.
  - B. The Downtown Core zone would enable a significant increase in the allowable density over what would be allowed in the R-17DOE zone:

Calculating the floor area ratio (FAR) using the basic FAR and the FAR with bonuses and deriving the number of units by assuming 1,500 sq. ft./unit:

- 1. R-17DOE:
  - using basic FAR - 9 units
  - using FAR w bonuses - 30 units.
- 2. Downtown Core:
  - using basic FAR - 74 units
  - using FAR w bonuses - 111 units

- C. There would be a significant increase in building height:

R-17DOE - 38 feet.

Downtown Core - basic 75 feet  
with bonuses 200 feet, if they comply with bulk, spacing and setback standards.

- D. There would a significant change in parking requirements, as follows:

R-17DOE - Residential - 1 bedroom - 1space/unit; 2 bedroom - 1.75 spaces/unit

Commercial - 1 space/ 330 sq. ft.

Downtown Core - Residential - .5 spaces/unit

Commercial - 2 spaces/1,000 nsf.

- E. It would also extend the Downtown Core further east into an area that was zoned R-17DOE and is a mixed of single-family and multi-family neighborhood.
- F. Would extend the Downtown Design Review Regulations to the subject property.
- G. The zoning pattern (see zoning map on page 2) in the surrounding area shows R-17DOE to the North, East and South of the subject property and DC zoning to the west.
- H. The Planning Commission, based on the information before them, must determine if the request is appropriate for this location and setting.

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

The subject property is within the existing city limits.

The Comprehensive Plan Map designates this area as Stable Established. The subject property is also located adjacent to the Central Business District, which is designated by the plan as the Coeur d'Alene Center. Their descriptions are as follows:

**Stable Established Areas:**

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

**Coeur d'Alene Center:**

Encourage high intensity pedestrian oriented retail, service, and residential uses.  
Encourage clustered parking.  
Encourage design that is sensitive to the character of the district.  
Encourage residential infill with a possible residential density of 70 du's/acre.  
Encourage smaller scale buildings such as Coeur d'Alene Mines and the new Spokesman Review buildings. Taller buildings may be acceptable with design precaution although none should exceed the Coeur d'Alene resort / 215 feet.

**In reviewing all projects, the following should be considered:**

Page 28 – All requests for zone changes, special use permits etc., will be made considering, but not limited to:

1. The individual characteristics of the site;
2. The existing conditions within the area, and
3. The goals of the community.

**Significant policies for consideration:**

4C: "New growth should enhance the quality and character of existing areas and the

general community.”

- 6A: “Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses.”
- 6A2: “Encourage high-intensity commercial development, including professional offices, to concentrate in existing areas so as to minimize negative influences on adjacent land uses, such as traffic congestion, parking and noise.
- 6A3: “Commercial development should be limited to collector and arterial streets.”
- 15G: “City government should be responsive to the needs and desires of the citizenry.”
- 42A: “The physical development of Coeur d’Alene should be directed by consistent and thoughtful decisions, recognizing alternatives, affects and goals of citizens
- 42A2: “Property rights of citizens should be protected in land use decisions.”
- 46A: “Provide for the safe and efficient circulation of vehicular traffic.”
- 47C1: “Locate major arterials and provide adequate screening so as to minimize levels of noise pollution in or near residential areas.”
- 51A: “Protect and preserve neighborhoods both old and new.”
- 51A4: “Trees should be preserved and protected by support of the Urban Forestry Program and indiscriminate removal discouraged.”
- 51A5: “Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects.”
- 53C5: “Encourage the highest density allowable within and adjacent to the CBD.”
- 62A: “Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentalley harmonious projects.”
- 6416: “Encourage development of high quality building and site design, which is sensitive to the existing or planned character of the surrounding community.”

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.

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

WATER:

Water is available to the subject property.

Evaluation: With the addition of the new 8 inch main on 8<sup>th</sup> Street, the current utilities should be adequate.

Submitted by Terry Pickel, Assistant Water Superintendent  
SEWER:

Public sewer is available but may not be of adequate capacity.

Evaluation: Public sewer is available within 8<sup>th</sup> Street. The applicant's property will utilize a portion of the newly installed eight-inch PVC line that was rerouted to accommodate the new city library site. This new pipe connects to an older existing eight-inch concrete pipe of unknown grade. Because the applicant is requesting additional sewer capacity (the applicants zone change and addition to the Downtown Design district request), this older 450 foot segment will need capacity review at no cost to the city.

Submitted by Don Keil, Assistant Wastewater Superintendent

STORMWATER, STREETS AND TRAFFIC:

Neither of these items will have any impact on streets, or, infrastructure, therefore Engineering has no comment. It is my understanding that the revision to the PUD does not alter previously attached conditions to the development, if that is incorrect then we will need to take another look at the request.

Submitted by CHRIS BATES, ENGINEERING PROJECT MANAGER

FIRE:

No issues at this time. We will address any fire department issues such as water supply and fire department access, prior to any site development.

Submitted by Dan Cochran, 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 (do)(do not) make it suitable for the request at this time.**

The subject property is relatively level with no physical constraints.

Evaluation: There are no physical limitations to future 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.**

As indicated on the land use map on page 2, this area is a residential neighbor to the north, east and south that is a mix of single-family and multi-family residences. The DOE infill district was intended to provide regulations to allow infill development while protecting the surrounding neighborhood and ensuring that it complements the visual character of the City. With approval of the request, the types of uses allowed will change significantly and the intensity and density of development will greatly impact the character of the surrounding neighborhood as well as traffic generated by any future use.

Evaluation: The Planning Commission must determine, based on the information before them, what effect the request will have on traffic, neighborhood character and existing land uses.

F. Proposed conditions:

**Wastewater:**

1. A signed engineering report indicating that this older segment of public sewer has the additional capacity to support the applicant's request.
2. Should the report indicate capacity issues, applicant will be required to upgrade this portion of public sewer to address the eight-inch sewer deficiencies.
3. This report should also confirm that this extra capacity request does not affect capacity needed for the already approved footprint of the Downtown Design District.

E. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.  
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.

[F:\pcstaff\frpts\ZC1106]

**PROPERTY INFORMATION**

1. Gross area: (all land involved): \_\_\_\_\_ acres, and/or 27,753.07 <sup>PLUS PUBLIC SETBACKS</sup> sq.ft.
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): \_\_\_\_\_ acres, and/or 27,753.07 sq. ft.
3. Total length of streets included: 331.38 ft., and/or \_\_\_\_\_ miles.
4. Total number of lots included: 5
5. Average lot size included: 48' x 113'
6. Existing land use: Residential
7. Existing Zoning (circle all that apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8  
C-17 C-17L C-34 LM M
8. Proposed Zoning (circle all the apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8  
C-17 C-17L C-34 LM M

*Downtown Core Zone*

**JUSTIFICATION**

Proposed Activity Group; 823 Mullon, L.L.C.

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

Appropriate Comprehensive Plan goals and policies should be included in your reasons.

*Higher Density Residential*

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on October 10, 2006, and there being present a person requesting approval of ITEM ZC-11-06, a request for a zone change from R-17 (residential at 17 units per gross acre) to DC (Downtown Core) zoning district, amend the downtown east Infill Overlay District Boundary to exclude the subject property, amend the downtown Design Regulations Overlay District Boundary to include the subject property.

LOCATION: +/- 27,753 sq. ft. parcel at the Northeast Corner of Eighth Street and Mullan Avenue

APPLICANT: Steve Shortridge and Harry Robertson

**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 – retail sales and service, civic and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established
- B3. That the zoning is R-17 (residential at 17 units per gross acre)
- B4. That the notice of public hearing was published on September 23, 2006, and October 3, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on October 2, 2006, which fulfills the proper legal requirement.
- B6. That 126 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on September 22, 2006, and \_\_\_\_\_ responses were received: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ neutral.
- B7. That public testimony was heard on October 10, 2006.

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 **STEVE SHORTRIDGE AND HARRY ROBERTSON** for a zone change, to amend the Downtown East Infill Overlay District boundary to exclude the subject property, to amend the Downtown Design Regulations Overlay District boundary to include the subject property 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 George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____
Chairman Bruning	Voted _____ (tie breaker)

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

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

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CHAIRMAN JOHN BRUNING