

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

MAY 11, 2010

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

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

5:30 P.M. CALL TO ORDER:

ROLL CALL: Jordan, Bowlby, Evans, Luttrupp, Messina, Rasor, Soumas, Neal (Student Rep)
Kieswetter, (Alt Rep)

APPROVAL OF MINUTES:

April 13, 2010

PUBLIC COMMENTS:

COMMISSION COMMENTS:

STAFF COMMENTS:

PUBLIC HEARINGS:

1. Applicant: Rick Gunther
Request: Amendment to Shoreline Ordinance regarding height limits
along W. Shoreline Drive
LEGISLATIVE, (O-2-10)

2. Applicant: Gary Fredrickson
Location: 139 & 141 E. Spruce Avenue
Request: A proposed zone change from R-12 (Residential @12units/acre)
to C-17 (Commercial @ 17 units/acre)
QUASI-JUDICIAL, (ZC-4-10)

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.***

**PLANNING COMMISSION
MINUTES
APRIL 13, 2010
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT

Brad Jordan, Chairman
Heather Bowlby, Vice-Chair
Amy Evans
Peter Luttrupp
Scott Rasor
Aubrey Neal, Student Rep.
Jennifer Kiesewetter, Alt. Student Rep.

STAFF MEMBERS PRESENT

John Stamsos, Senior Planner
Shana Stuhlmiller, Public Hearing Assistant
Dave Yadon, Planning Director

COMMISSIONERS ABSENT

Tom Messina
Lou Soumas

CALL TO ORDER

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

APPROVAL OF MINUTES:

Motion by Bowlby, seconded by Luttrupp, to approve the minutes of the Planning Commission meeting on March 9, 2010. Motion approved.

COMMISSION COMMENTS:

There were none.

STAFF COMMENTS:

Planning Director Yadon commented that at the last Planning Commission meeting, staff was directed to bring back a list of areas within the parking ordinance to be addressed. He added that a question was raised regarding hiring a consultant, and because of the economy and budget issues, no extra funds will be available. He discussed a draft proposal from staff listing areas in the parking code they feel need to be addressed, and after tonight's review, will present this draft at the next Development Review meeting, on Tuesday, April 20th to get feedback from other departments. He continued that staff has scheduled a workshop for Tuesday, May 25th to go over any feedback and establish goals.

PUBLIC COMMENTS:

There were none.

PUBLIC HEARINGS:

1. Applicant: North Idaho College
Location: 909 W. Garden Avenue & 927 W. River Avenue
Request: A proposed zone change from R-17(Residential at 17 units/acre) & LM (Light manufacturing) to C-17 (Commercial at 17 units/acre) QUASI-JUDICIAL (ZC-1-10)

Senior Planner Stamsos presented the staff report, gave the mailing tally as 0 in favor, 0 opposed, and 3 neutral and answered questions from the Commission.

Commissioner Luttrupp commented that he is concerned with the lack of ingress/egress to these lots and questioned if Hubbard Avenue will be continued to the north when this project is completed.

Planning Director Yadon explained that the college has hired a consultant to perform a study on infrastructure, including traffic counts and utilities.

Public testimony open:

Marc Lyons, applicant representative, 700 Northwest Boulevard, explained that these two parcels, currently used by the college, have in the past been considered unimproved property and are now used as a temporary place for portable classrooms until their new building is completed this summer. He commented that the C-17 zoning was chosen to allow the use of temporary classrooms and will be consistent with the other lots that were zoned C-17 last year.

Commissioner Bowlby questioned, from looking at the map, there are a few more lots remaining zoned Light Manufacturing, and inquired why the college did not include these as one package.

Mr. Lyons explained that the C-17 zone request was needed specifically for these two lots since the current zoning is Light Manufacturing and does not allow the use of portable buildings in that zoning district.

Commissioner Luttrupp inquired if Mr. Lyons is representing the college.

Mr. Lyons commented that he is representing the college, but also has permission to represent the foundation.

Commissioner Luttrupp inquired if the parcel that North Idaho foundation owns will be owned by North Idaho College.

Mr. Lyons commented that there is a transaction pending, and if approved, North Idaho College will be the owner.

He added that the goal for North Idaho College and North Idaho Foundation is to eventually have the remaining lots zoned C-17.

Public testimony closed:

DISCUSSION:

Commissioner Luttrupp referenced finding B-11 in the staff report, stating if this project will adversely affect this neighborhood, and he feels if approved, the neighborhood will be affected.

Commissioner Bowlby commented that she is confident issues regarding noise and traffic will be resolved as the project is more defined.

Commissioner Rasor commented that noise should not be an issue since this site was originally the mill site and the neighborhood is already accustomed to the traffic and noise from the mill.

Senior Planner Stamos commented that the portable buildings currently on this lot will be removed once the new building is completed.

Motion by Bowlby, seconded by Rasor, to approve Item ZC-1-10. Motion approved.

ROLL CALL:

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

Motion to approve carried by a 4 to 0 vote.

WORKSHOP:

1. North Idaho Housing Coalition – Renata McLeod

Ms. McLeod presented a PowerPoint presentation on what was previously discussed at a workshop held in February, and will return in June to discuss a draft ordinance outlining information from other communities dealing with affordable housing in their communities.

Commissioner Luttrupp commented that last month, an applicant presented a low-income housing project similar to the housing project done by St. Vincent de Paul's and feels incentives given to help the developer will be a win/win for the city and the developer.

ADJOURNMENT:

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

The meeting was adjourned at 7:00 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

Date: May 11, 2010
To: Planning Commission
From: Planning Department
Subject: **Amendment to Zoning Regulations – O-2-10** Shoreline Height for West Lakeshore Drive.

Decision Point

The Planning Commission is asked to recommend allowing the height of structures in the West Lakeshore Drive portion of the Shoreline Overlay District to be changed from 20 feet to not greater than that provided in the underlying zoning district

History

The existing shoreline regulations were adopted in 1982 following a citizens' initiative to protect the shoreline in response to proposed development on the downtown waterfront and possible development of other shoreline properties.

The stated purpose of the Shoreline Regulations is:

...to protect, preserve and enhance visual resources and public access of the Coeur d'Alene shoreline, as defined herein, by establishing certain limitations and restrictions on specifically defined shoreline property located within the City limits. (Ord. 1722 §2(part), 1982)

These regulations consist of an overlay district that extends along the length and within 150 feet landward of the Coeur d'Alene Lake and Spokane River shorelines. This district has various levels of requirements depending on the location and distance from the shoreline.

Rick and Roxanne Gunther have requested amending to the height limit of the overlay district as it applies to the West Lakeshore Drive area between Hubbard Avenue and Park Drive (See attached letter)

The regulations that apply to that area and the proposed Guenther amendment follow:

17.08.230: HEIGHT LIMITS AND YARD REQUIREMENTS:

- A. *For shoreline properties located east of Seventh Street and more than one hundred fifty feet (150') west of First Street and then northeasterly to River Avenue, the following shall apply:*
1. *New structures may be erected provided that the height is not greater than twenty feet (20').*
 2. *Minimum yards shall be provided as prescribed in the applicable zoning district.*
 3. *Notwithstanding the foregoing for shoreline properties located north of West Lakeshore Drive between Park Drive and Hubbard Avenue, new structures*

may be erected provided the height is not greater than that provided in the underlying zoning district.

17.08.245: PROHIBITED CONSTRUCTION:

Construction within forty feet (40') of the shoreline shall be prohibited except as provided for in section [17.08.250](#) of this chapter.

17.08.250: ALLOWABLE CONSTRUCTION:

The provision of section [17.08.245](#) of this chapter shall not apply as follows:

- A. In the underlying DC zoning district.
- B. For construction which is necessary to replace or maintain existing essential public services such as streets, sidewalks, parking lots, streetlights, fire hydrants and underground utilities.
- C. For other public or private construction which is necessary to replace or maintain existing shoreline protective structures, fences, hedges and walls in their present location without extension toward the shoreline. (Ord. 3268 §25, 2006; Ord. 1722 §2(part), 1982)

The map below shows the properties affected by the regulations and the approximate 150 foot boundary.

Performance Analysis

Numerous Comprehensive Plan reference address the shoreline and this neighborhood including: 11, 1.03, 1.04, 1.05, 27, 32, 42, 43, 70, 71 and 72.

Quality of Life Analysis

The proposed amendment is intended to allow the existing character of the West Lakeshore streetscape to be developed by right.

Decision Point Recommendation

The Planning Commission is asked to recommend allowing the height of structures in the West Lakeshore Drive portion of the Shoreline Overlay District to be changed from 20 feet to not greater than that provided in the underlying zoning district

April 6, 2010

Mayor Sandy Bloem
Planning and Zoning Commission
Members of Coeur d'Alene City Council

Re: 17.08.230: HEIGHT LIMITS AND YARD REQUIREMENTS

Dear Mayor and Members of Planning and Zoning and City Council,

Roxanne and I request to be heard by the planning commission scheduled for May 11, 2010. The purpose of this request is to change the law regarding 17.08.230 Height Limits and Yard Requirements; see attached.

It was brought to our attention that at our present residence at 701 W. Lakeshore Drive, if we wanted to build new home, an addition or rebuild our home if destroyed, we would subject to the height restriction of 20 feet being within 150 feet of the shoreline. The normal height limitation in our zoning district is 31.25 feet. This ordinance affects all the residential homes with lots along West Lakeshore between Park Drive and Hubbard Avenue.

We met with members of the city staff; Dave Yadon, Warren Wilson, and Tami Stroud and it was suggested to change the language of the law with the help of an attorney. We contacted Jim Magnuson who together with Warren Wilson developed the following:
To add to the height requirements: 17.08.230; a new item #A3: "Notwithstanding the foregoing for shoreline properties located north of West Lakeshore Drive between Park Drive and Hubbard Avenue, new structures may be erected provided the height is not greater than that provided in the underlying zoning district."

We feel this change in the language would benefit the homes along West Lakeshore Drive to allow for new construction, or to re-build a home if it was destroyed in a fire or another disaster. These homes were built many years ago and all but one are two-story and were built to the normal 31.25 feet height limit. A two-story home best represents the historic character and craftsman design that is present throughout the Fort Grounds. A 20 foot high home along West Lakeshore would create miss aligning of the homes along Lakeshore Dr. and would distract from the character of the neighborhood.

We believe that when the ordinance was formed it was not directed towards a residential area where all the homes are at the normal 31.25 feet height. The ordinance that is in place did not take into consideration the effect of what this would cause along West Lakeshore Drive, and that its intent was not to provide restrictions such as this in this historic neighborhood.

We thank you in advance for your time and consideration regarding this matter and will provide design and examples of what we are requesting at both Planning and Zoning and/or City Council. If you should have any questions please feel free to contact Rick at 661-1641.

Best Regards,



Rick and Roxanne Gunther

17.08.230: HEIGHT LIMITS AND YARD REQUIREMENTS:

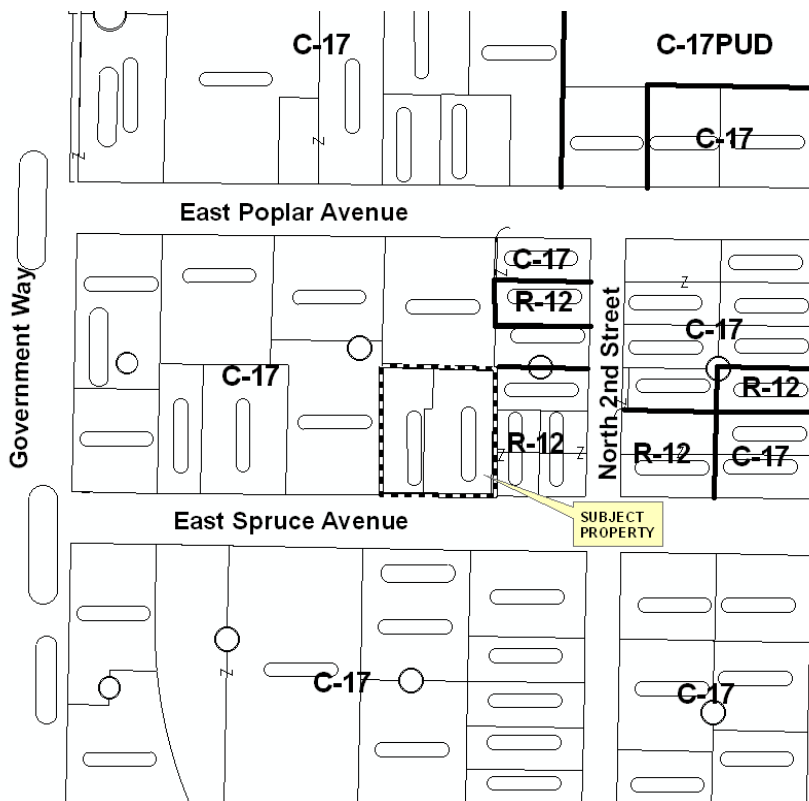
- A. For shoreline properties located east of Seventh Street and more than one hundred fifty feet (150') west of First Street and then northeasterly to River Avenue, the following shall apply:
1. New structures may be erected provided that the height is not greater than twenty feet (20').
 2. Minimum yards shall be provided as prescribed in the applicable zoning district.
 3. Notwithstanding the foregoing for shoreline properties located north of West Lakeshore Drive between Park Drive and Hubbard Avenue, new structures may be erected provided the height is not greater than that provided in the underlying zoning district.

- B. Existing house on subject property.

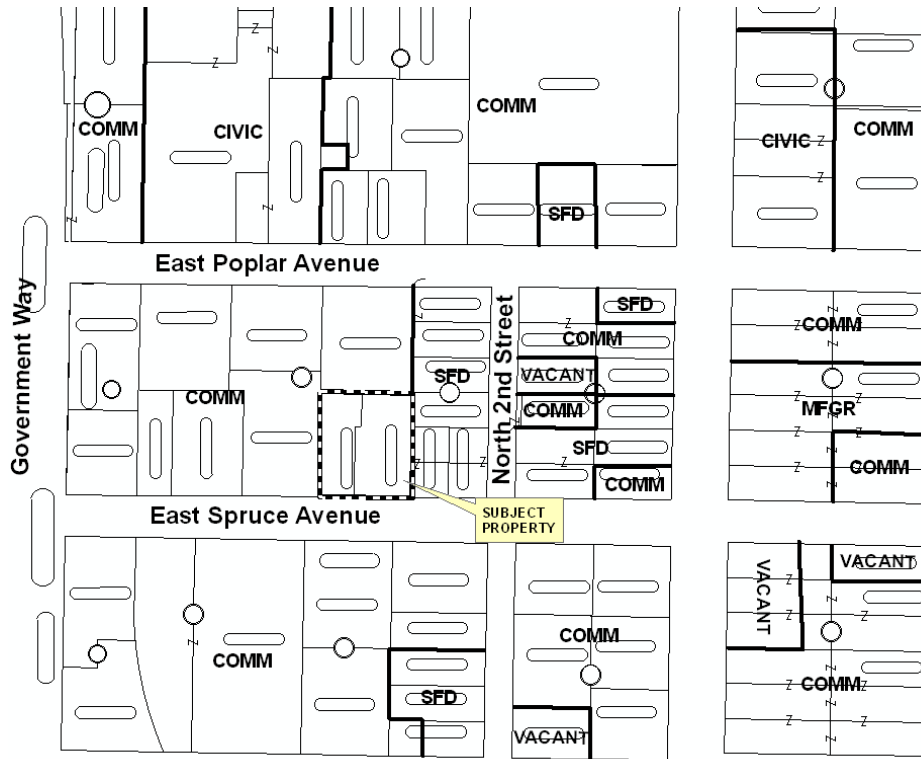


GENERAL INFORMATION:

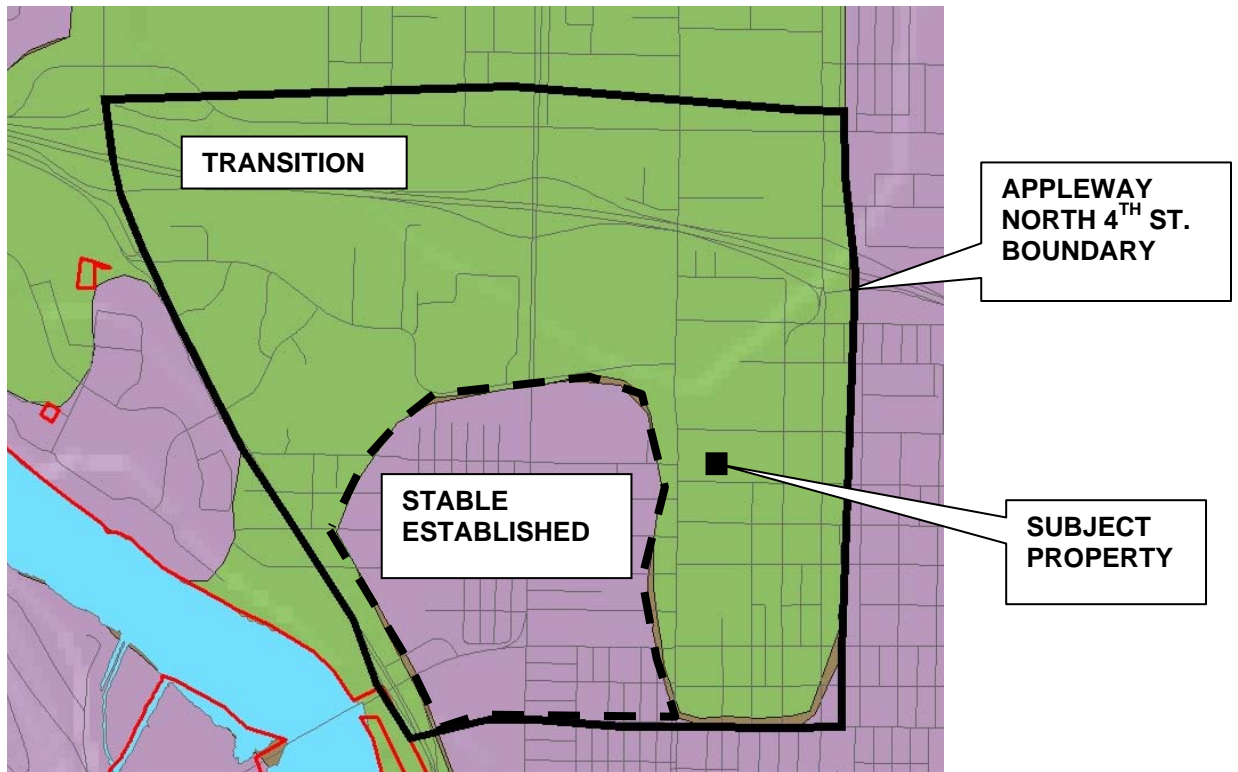
- A. Zoning:



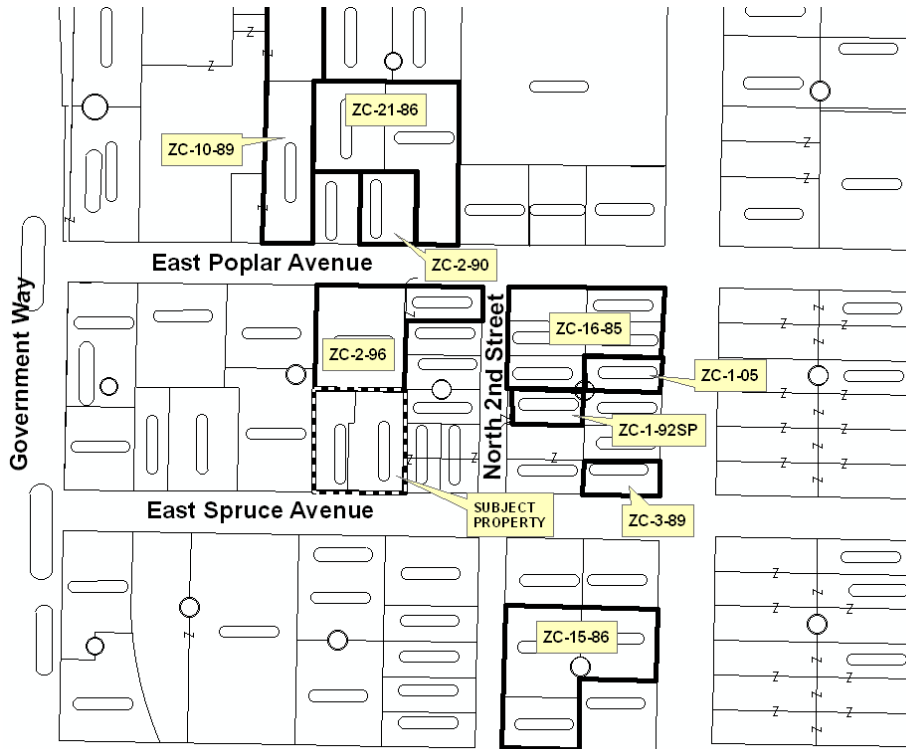
B. Generalized land use pattern:



C. 2007 Comprehensive plan designation – Transition – Appleyway – North 4th Street Land Use Area.



D. Zone changes in surrounding area.



E. Applicant: Gary Fredrickson
Owner: 2003 North 3rd Street
Coeur d'Alene, ID 83814

F. Land uses in the area include single-family, commercial, civic and vacant parcels.

G. The subject property has one vacant parcel and a single-family dwelling on the other.

H. Zone changes in surrounding area. (See zone changes map on page 4)

1. ZC-16-85 – R-12 & R-17 to C-17.
2. ZC-15-86 – R-12 to C-17.
3. ZC-21-86 – R-12 to C-17.
4. ZC-3-89 – R-12 to C-17
5. ZC-10-89 – R-12 to C-17
6. ZC-2-90 – R-12 to C-17
7. ZC-1-92SP – R-12 to C-17.
8. ZC-2-96 – R-12 to C-17
9. ZC-1-05 – R-12 to C-17

PERFORMANCE ANALYSIS:

A. Zoning ordinance considerations:

Approval of the zone change request to C-17 would intensify the potential use of the property by increasing the allowable residential density by right from 12 units to 17 units per gross acre and increase the range of uses allowed by right and special use permit. The existing R-12 zone and proposed C-17 zone are listed for comparison purposes:

R-12 Zoning District:

1. Purpose

The R-12 district is intended as a residential area that permits a mix of housing types at a density not greater than twelve (12) units per gross area.

2. Uses permitted by right:

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

3. Uses permitted by Special Use Permit:

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

C-17 Zoning District:

4. Purpose and Intent:

The requested C-17 zoning district is intended as a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing

residential development at a density of seventeen (17) units per gross acre. It should be located adjacent to arterials; however, joint access developments are encouraged:

5. **Uses permitted by right:**

- Single-family detached housing (as specified by the R-8 District).
- Duplex housing (as specified by the R-12 District).
- Cluster housing (as specified by the R-17 District).
- Multiple-family (as specified by the R-17 District).
- Home occupations.
- Community education.
- Essential service.
- Community assembly.
- Religious assembly.
- Public recreation.
- Neighborhood recreation.
- Commercial recreation.
- Automobile parking when serving an adjacent business or apartment.
- Hospitals/health care.
- Professional offices.
- Administrative offices.
- Banks and financial institutions.
- Personal service establishments.
- Agricultural supplies and commodity sales.
- Automobile and accessory sales.
- Business supply retail sales.
- Construction retail sales.
- Convenience sales.
- Department stores.
- Farm equipment sales.
- Food and beverage stores, on/off site consumption.
- Retail gasoline sales.
- Home furnishing retail sales.
- Specialty retail sales.
- Veterinary office.
- Hotel/motel.
- Automotive fleet storage.
- Automotive parking.
- Automobile renting.
- Automobile repair and cleaning.
- Building maintenance service.
- Business support service.
- Communication service.
- Consumer repair service.
- Convenience service.
- Funeral service.
- General construction service.
- Group assembly.
- Laundry service.
- Finished goods wholesale.
- Group dwelling-detached housing.
- Mini-storage facilities.
- Noncommercial kennel.

- Handicapped or minimal care facility.
- Rehabilitative facility.
- Child care facility.
- Juvenile offenders facility.
- Boarding house.
- Commercial kennel.
- Community organization.
- Nursing/convalescent/rest homes for the aged.
- Commercial film production.

6. **Uses allowed by special use permit:**

- Veterinary hospital.
- Warehouse/storage.
- Custom manufacturing.
- Extensive impact.
- Adult entertainment sales and service.
- Auto camp.
- Residential density of the R-34 district as specified.
- Underground bulk liquid fuel storage-wholesale.
- Criminal transitional facility.
- Wireless communication facility.

7. Evaluation: As indicated by the zoning, land use and zone changes maps, this area has been changing from a residential to a commercial area for many years with the C-17 zone now being the most common zoning designation and commercial land uses the predominate use in the area. Over the last 10 to 15 years there have been nine zones changes approved in the immediate area, all from R-12 to C-17.

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

1. The subject property is within the Area of City Impact Boundary.
2. The 2007 Comprehensive Plan Map (See page 4) designates the subject property as Transition and in the Appleway North 4th Street Land Use Area, as follows:

A. Transition:

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

B. Appleway North 4th Street Land Use Area:

Generally, this area is expected to be a mixed use area. The stable/established residential area will remain. The west Ironwood corridor will require careful evaluation of traffic flow. Ironwood will be connected to 4th Street, enabling higher intensity commercial and residential uses.

C. The characteristics of Appleway North 4th Street neighborhoods will be:

- That overall density will approach six units per acre (6:1) with infill and multi-family housing located next to arterial and collector streets.

- That pedestrian and bicycle connections will be provided.
- Street widening and potential reconfiguration of US 95 should be sensitive to adjacent uses.
- Uses that strengthen neighborhoods will be encouraged.

D. The characteristics of Appleyway North 4th Street commercial areas will be:

- That commercial buildings will remain lower in scale than in the downtown core.
- Streetscapes should be dominated by pedestrian facilities, landscaping, and buildings.
- Shared-use parking behind buildings is preferred

3. Significant 2007 Comprehensive Plan policies:

➤ Objective 1.02 - Water Quality:

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

➤ Objective 1.06 - Urban Forests:

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

➤ Objective 1.12 - Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

➤ Objective 1.14 - Efficiency:

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

➤ Objective 2.01 - Business Image & Diversity:

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

➤ Objective 2.02 - Economic & Workforce Development:

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

➤ Objective 3.01 – Managed growth.

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

- Objective 3.05 - Neighborhoods:
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- Objective 3.07 - Neighborhoods:
Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.
- Objective 3.08 – Housing:
Design new housing areas to meet the city’s need for quality neighborhoods for all income and family status categories.
- Objective 3.10 - Affordable & Workforce Housing:
Support efforts to preserve and provide affordable and workforce housing.
- Objective 3.16 - Capital Improvements:
Ensure infrastructure and essential services are available prior to approval for properties seeking development.
- Objective - 4.01 City Services:
Make decisions based on the needs and desires of the citizenry.
- Objective 4.02 - City Services:
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling and trash collection).

Transportation Plan policies:

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

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

Evaluation: The Planning Commission must determine, based on the information before them, whether the 2007 Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.

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

SEWER:

Public sewer is available and of adequate capacity.

Evaluation: Public sewer is available in Spruce Avenue and is adequately sized to handle the increased flow expected for the requested zone change from R-12 to C-17.

Submitted by Don Keil, Assistant Wastewater Superintendent

WATER:

Water is available and adequate.

Evaluation: Domestic service currently exists to each lot. There is an 8" C900 water main in the south side of the street adequate for fire service if needed. There are fire hydrants across the street and at the corner of Spruce Avenue and 2nd Street.

Submitted by Terry Pickel, Assistant Water Superintendent

STORMWATER:

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

Evaluation: Drainage from the street fronting the subject property is contained in the existing City hard pipe system and on-site storm water will be required to be contained on the subject property. That aspect will be addressed with the submittal of any building permit application for the subject property.

TRAFFIC:

The ITE Trip Generation Manual estimates the project may generate approximately 1.41 Average Daily Trips (ADT's) during the peak hour periods.

Evaluation: The peak hour generation from the proposed use would be considered insignificant and the adjacent and connecting streets will accommodate the additional traffic volume.

STREETS:

The subject property is bordered by East Spruce Avenue, which is a fully developed thirty six foot (36') street section in a standard sixty foot (60') right-of-way that meets City standards.

Evaluation: At such time that any development occurs on the subject property, sidewalk installation will be required along the easterly portion of the site frontage.

APPLICABLE CODES AND POLICIES

UTILITIES:

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

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

STREETS

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

STORMWATER

6. 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.

GENERAL

7. Building construction cannot straddle property boundaries without the recordation of a lot consolidation form.

Submitted by Chris Bates, Engineering Project Manager

FIRE:

The fire department will address other issues such as water supply, hydrants and access prior to any site development.

Submitted by Glen Lauper, Deputy Fire Chief

POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

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

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

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

The connecting streets will accommodate the additional traffic, as indicated in the engineering staff report. The neighborhood character and land uses in the Appleway and 4th Street area is in transition from single-family residential to commercial development, as indicated in the zoning and land use patterns and the subject property is in close proximity to Government Way, 3rd and 4th Streets.

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

F. Proposed conditions:

Engineering:

1. Any construction that may straddle the Tax # 4170/4171 boundary line will require the recordation of a City Lot Consolidation form, in order to create one (1) uniform parcel.

G. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 2007.

Transportation Plan

Municipal Code.

Idaho Code.

Wastewater Treatment Facility Plan.

Water and Sewer Service Policies.

Urban Forestry Standards.

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

Manual on Uniform Traffic Control Devices.

Coeur d'Alene Bikeways Plan

ACTION ALTERNATIVES:

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

Gary A Frederickson

Zone Change: 139 & 141 E Spruce

The reason for the requested zone change is to build a commercial office space with a residential unit on top.

The comprehensive plan states that the city of Coeur d'Alene supports businesses that provides for stable jobs. Vista Management Services has been in Coeur d'Alene since 1985.

Under the comprehensive plan providing suitable zones, mixed use areas and a diversity of housing within existing neighborhoods to meet the needs of a changing population are essential.

The Appleway North 4th Street area is defined as an area in transition. This area is expected to be a mixed use area of the city. This zone change is compatible with the existing area as it is surrounded by commercial properties with a small amount of existing residential lots. Adding a new commercial structure with a residence will enhance the appearance of the neighborhood and invite future investment.

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

A. INTRODUCTION

This matter having come before the Planning Commission on, May 11, 2010, and there being present a person requesting approval of ZC-4-10, from R-12 (Residential at 12 units/acre) to C-17 (Commercial at 17 units/acre).

LOCATION: +/- 19,425 SQ. FT. PARCEL AT 139 & 141 EAST SPRUCE AVENUE

APPLICANT: Gary Fredrickson

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 single-family, commercial, civic and vacant parcels

B2. That the Comprehensive Plan Map designation is

B3. That the zoning is Transition

B4. That the notice of public hearing was published on April 24, 2010, which fulfills the proper legal requirement.

B5. That the notice of public hearing was posted on the property on, April 23, 2010, which fulfills the proper legal requirement.

B6. That 38 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on, April 23, 2010, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.

B7. That public testimony was heard on May 11, 2010.

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 **GARY FREDRICKSON** for a zone change, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

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

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN