

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

NOVEMBER 12, 2013

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

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

5:30 P.M. CALL TO ORDER:

ROLL CALL: Jordan, Bowlby, Evans, Luttropp, Messina, Soumas, Haneline, Conery, (Student Rep.) (Alt. Student Rep. O'Brien)

APPROVAL OF MINUTES:

September 10, 2013

PUBLIC COMMENTS:

STAFF COMMENTS:

PUBLIC HEARINGS:

1. Applicant: Riverstone Waterfront, LLC
 Location: Bellerive Lane
 Request:

 A. A modification to "Riverwalk PUD"
 QUASI-JUDICIAL, (PUD-1-04m.2)

 B. A proposed 17-lot preliminary plat "Bellerive 4th Addition"
 QUASI-JUDICIAL, (S-4-05.m)

2. Applicant: Ann Melbourn, Fort Grounds Homeowners Association
 Request: Reduction of Single Family special use permit threshold
 LEGISLATIVE, (0-2-13)

ADJOURNMENT/CONTINUATION:

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

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



M I N U T E S

**PLANNING COMMISSION
MINUTES
SEPTEMBER 10, 2013
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Heather Bowlby, Vice-Chair
Amy Evans
Peter Luttrupp
Tom Messina
Grant Conery, Student Rep.
Cole O'Brien, Alt. Student Rep.

STAFF MEMBERS PRESENT:

Shana Stuhlmiller, Public Hearing Assistant
Warren Wilson, Deputy City Attorney

COMMISSIONERS ABSENT:

Brad Jordan, Chairman
Rob Haneline
Lou Soumas

CALL TO ORDER:

The meeting was called to order by Vice-Chair Bowlby at 5:30 p.m.

APPROVAL OF MINUTES:

Motion by Luttrupp, seconded by Evans, to approve the minutes of the Planning Commission meeting on August 13, 2013. Motion approved

STAFF COMMENTS:

There were none.

OTHER:

Findings for SP-5-13, 380 E. Kathleen

Motion by Evans, seconded by Luttrupp, to approve the findings for SP-5-13. Motion approved.

PUBLIC COMMENTS:

There were none.

PUBLIC HEARINGS

1. Applicant: Denny Davis
 Request: Amend Section 17.03.040 of the zoning code
 "Criminal Transitional Facility"
 LEGISLATIVE (0-1-13)

Deputy City Attorney Wilson presented a power point and explained that Pioneer Human Services has requested that the code be amended to update the definition of Criminal Transitional Facility and to allow Criminal Transitional Facilities to locate in the Manufacturing and Light manufacturing districts via the issuance of a Special Use Permit and to amend the definition of Criminal Transitional Facility.

Public testimony open:

Denny Davis, 608 Northwest Boulevard, stated his client operates 10 of the 16 state work release facilities, three of the four federal residential reentry services, and the only juvenile offender basic training camp in the state. He added that they have three facilities in Washington: Seattle, Tacoma and Spokane. He explained the difference between their facility and other programs currently in operation. He feels that the program his client represents is a unique combination that fits well in the manufacturing area and is before the commission for review.

Steve Woolworth, 7440 S. Marjinal Way, Vice President, Adult and Juvenile Reentry, Seattle WA, stated that Pioneer is the largest provider of reentry programs in Washington. They operate 10 of the 16 state work release facilities, three of the four federal residential reentry services, and the only juvenile offender basic training camp in the state. The goal of these programs is to give people the tools they need to successfully transition from incarceration back into the community. He stated that Pioneer is a facility that prepares trainees for employment. Upon entrance, trainees take a comprehensive assessment that serves as the basis for their employment plan. In 2012, 136 trainees graduated from the program.

Commissioner Luttropp referenced the proposed Definition Change to M.C. 17.03.04 (F) and would choose to keep shall rather than replacing that with may for reasons to develop a criteria with council for approving these type of facilities like the Port of Hope.

Commissioner Evans disagrees and feels that by using may gives the commission more flexibility when making a decision on a special use permit.

Commissioner Messina concurs with Commissioner Evans and feels by leaving shall is forced to make a decision rather than have a choice.

Commissioner Luttropp stated he strongly feels a criteria needs to be established before another application like the Port of Hope comes before the commission.

Commissioner Evans stated she would like to adopt may and have staff schedule future workshops with council and invite professionals from various agencies who deal with this type situation daily. She feels that the Port of Hope was tough in making a decision and felt by having more education could make the process easier with future applications.

After further discussion, the Planning Commission approved the changes recommended by staff.

Motion by Messina, seconded by Evans, to approve item 0-1-3. Motion approved.

ROLL CALL:

| | | |
|-----------------------|-------|-----|
| Commissioner Evans | Voted | Aye |
| Commissioner Messina | Voted | Aye |
| Commissioner Luttrupp | Voted | Aye |

Motion to approve carried by a 3 to 0 vote.

ADJOURNMENT:

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

The meeting was adjourned at 6:13 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI STROUD, PLANNER
DATE: NOVEMBER 12, 2013
SUBJECT: PUD-1-04m2 – MODIFY “RIVERWALK” PLANNED UNIT
DEVELOPMENT
S-4-05M – 17-LOT PRELIMINARY PLAT SUBDIVISION KNOWN AS
“BELLERIVE FOURTH ADDITION”
LOCATION – +/- 6.7 - ACRE PARCEL BETWEEN THE BURLINGTON
NORTHERN RAILROAD AND SPOKANE RIVER IN THE RIVERWALK
PLANNED UNIT DEVELOPMENT

DECISION POINT:

Riverstone Waterfront, LLC is requesting a preliminary plat approval of “Bellerive Fourth Addition” a 17-lot subdivision in the C-17PUD (Commercial at 17 units/acre Planned Unit Development) zoning district consisting of 17-lots totaling approximately +/- 3.4 acres, and modifications to a +/- 6.7 acre portion of the “Riverwalk” Planned Unit Development in the C-17PUD (Commercial at 17 units/acre) zoning district. The modifications include replacing the approved 100 residential units in the Riverfront Lodge with 17 single-family residential lots allowing for “Boardwalk Homes”, and “Carriage Homes” located over detached garages. In addition, the applicant has also requested the elimination of the requirement to construct and connect Lakewood Drive.

The following changes are proposed to the existing PUD-1.04.m.2:

- Replace 100 residential units in Riverfront Lodge with 17 single-family lots.
This modification would allow for Boardwalk Homes and/or Carriage Homes, previously approved in the planned unit development.
 - Boardwalk Homes-single family homes
 - Carriage Homes- are located over detached garages
- Remove Condition #3, requiring the applicant to construct and connect Lakewood Avenue.

Condition #3 is as follows:

The developer will be required to extend the existing Lakewood Drive and Lacrosse Avenue across the BNSF railroad tracks to Bellerive Lane with Phase 3 of the Bellerive development. Lacrosse Avenue shall be constructed to a thirty six foot (36') wide roadway, from Bellerive Lane to the existing edged of asphalt west of Northwest Boulevard. Roadway improvements shall include but not be limited to, concrete curb & gutter, paving and appurtenances, street illumination, stormwater drainage facilities, sidewalk on one side and all engineering design costs. Lakewood Drive shall be constructed to match the existing street section and shall include but not be limited to, concrete curb & gutter, paving and appurtenances, street illumination, stormwater drainage facilities, and sidewalk. Both roadways will be required to provide design considerations and improvements that facilitate the bike/ped Centennial Trail facility. All design must be completed to City standards, and approved by the City Engineer. All construction costs will be the responsibility of the developer.

The following change is proposed to the S-4-05m “Bellerive Subdivision”.

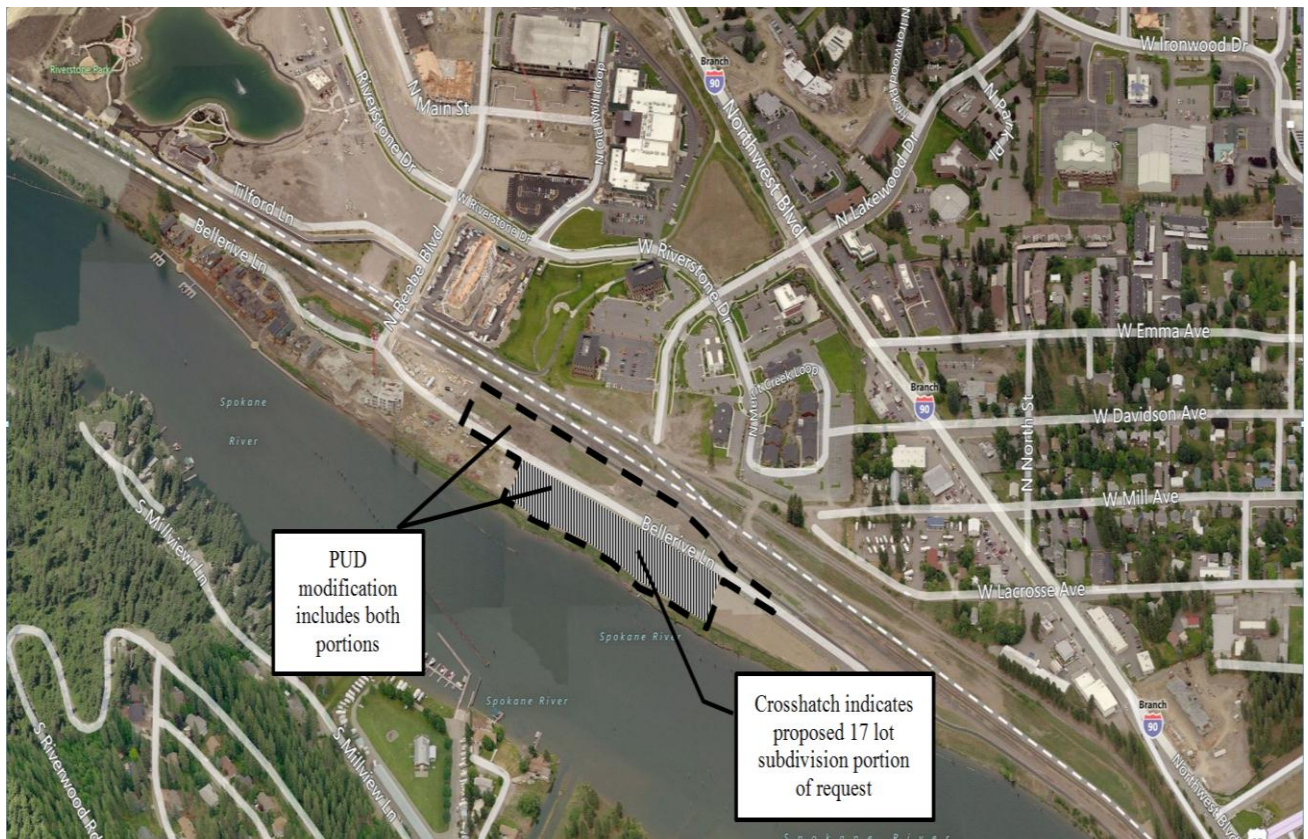
- Proposed 17-lot subdivision known as “Bellerive Fourth Addition”.

History:

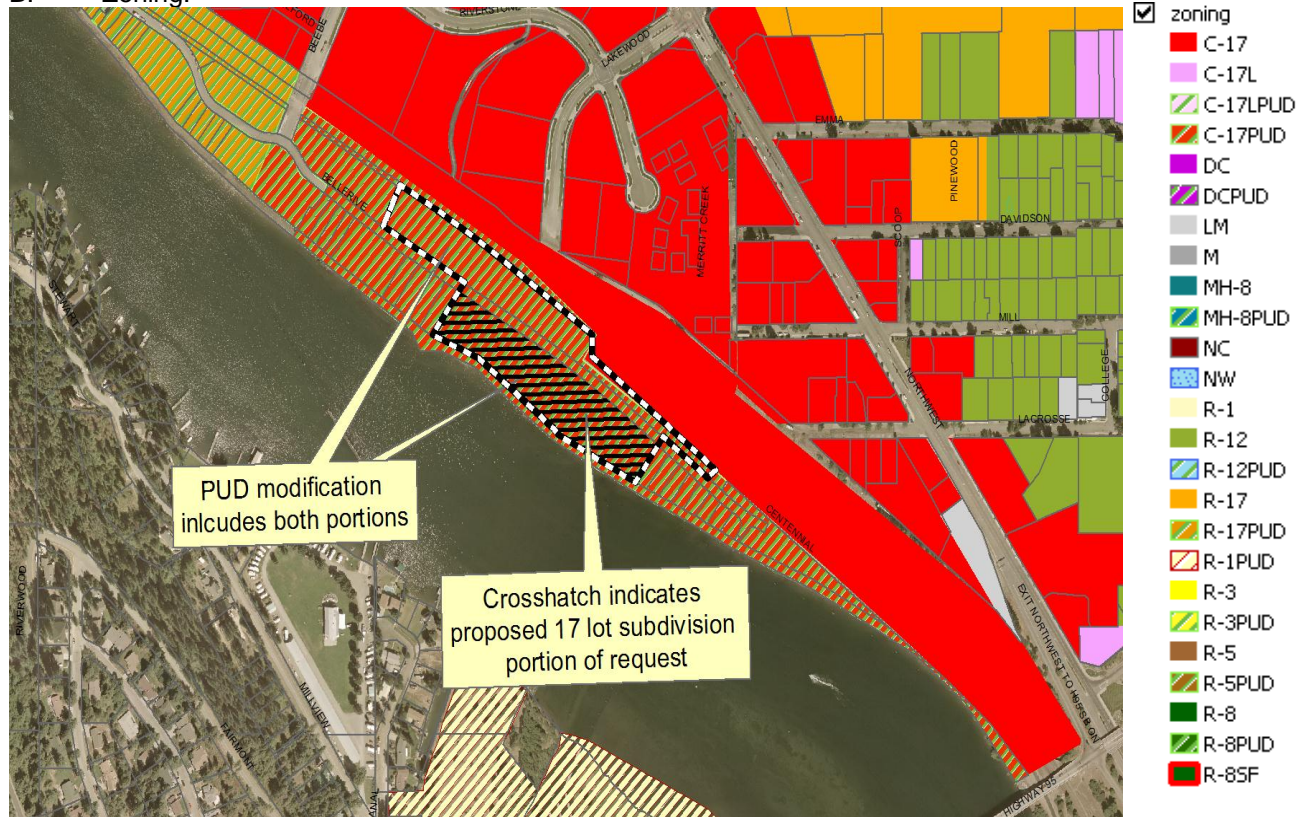
- On March 8, 2005, the Planning Commission approved the "Riverwalk PUD" and "Riverwalk" Preliminary Plat, which included two phases.
- On July 27, 2005, the Planning Commission approved an interpretation that moved the boundary between phase one and two.
- On February 13, 2007, the Planning Commission approved an interpretation (I-4-07) that expanded the phasing plan from two to three phases
- On October 9, 2012, the Planning Commission approved an interpretation (I-4-O6) that postponing Condition #3, requiring the extension of Lakewood Drive be postponed until a future phase, is not a major departure from the approved Bellerive Final Development Plan.

GENERAL INFORMATION:

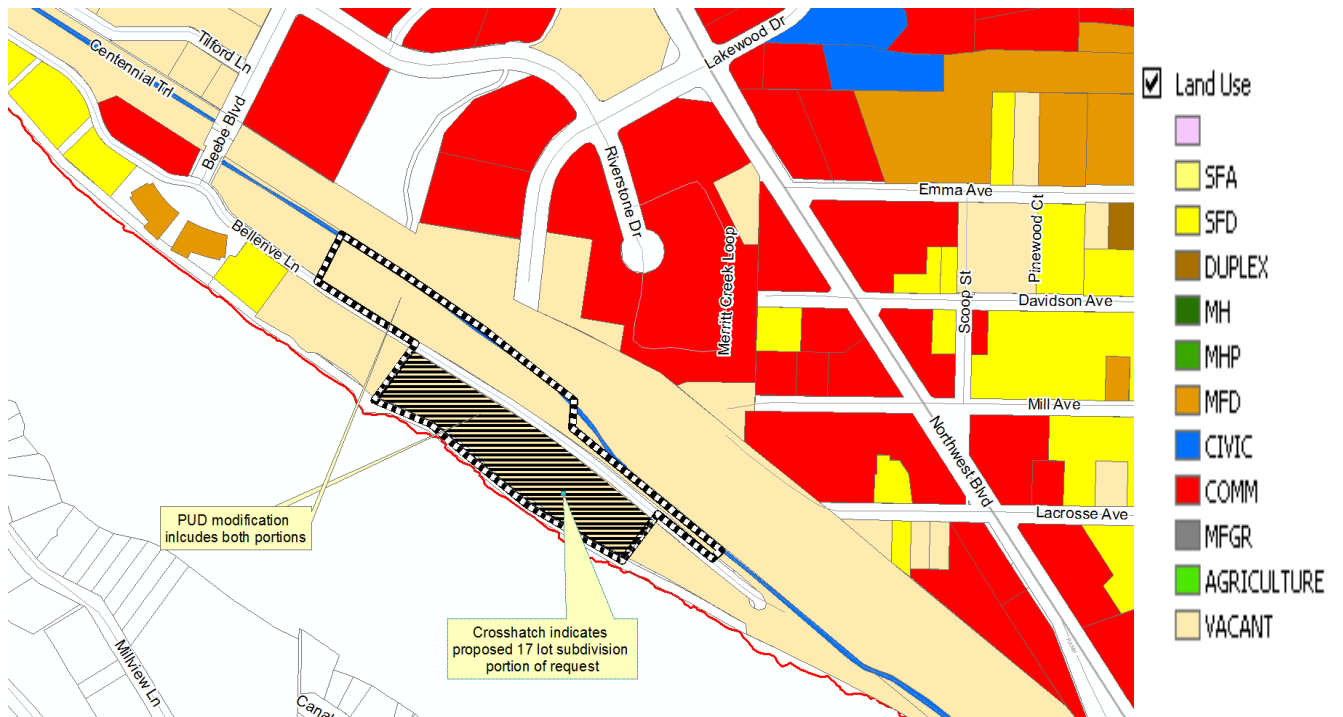
A. Aerial Site photo



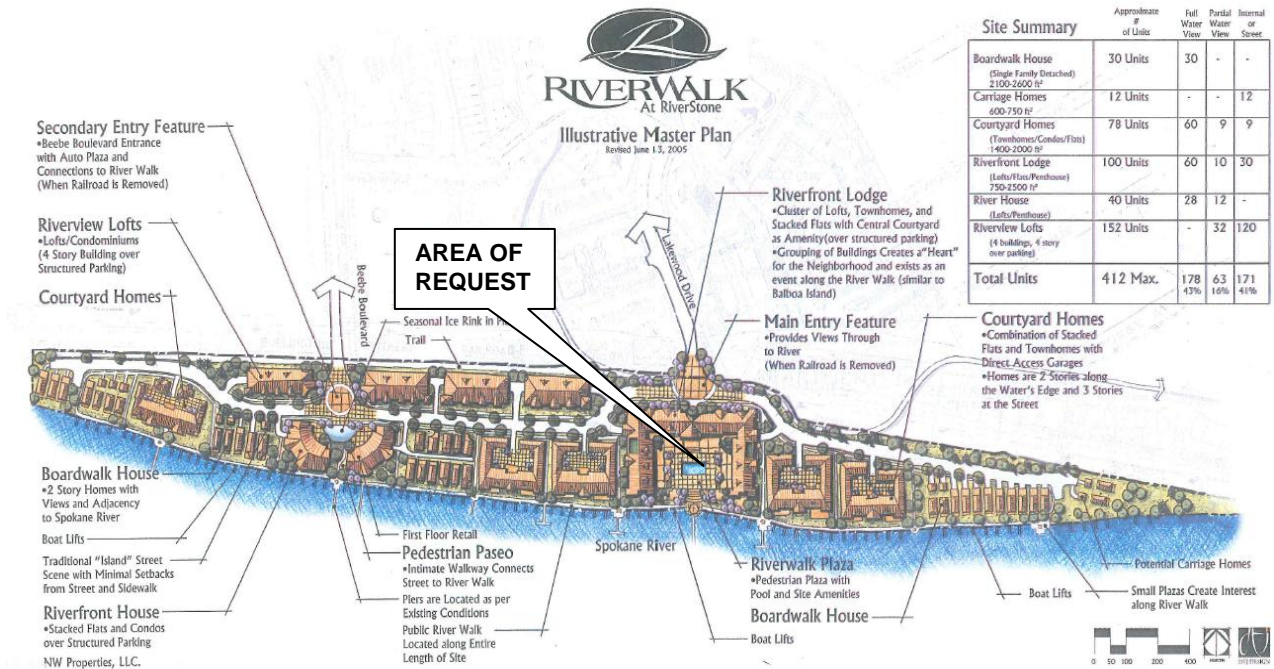
B. Zoning:



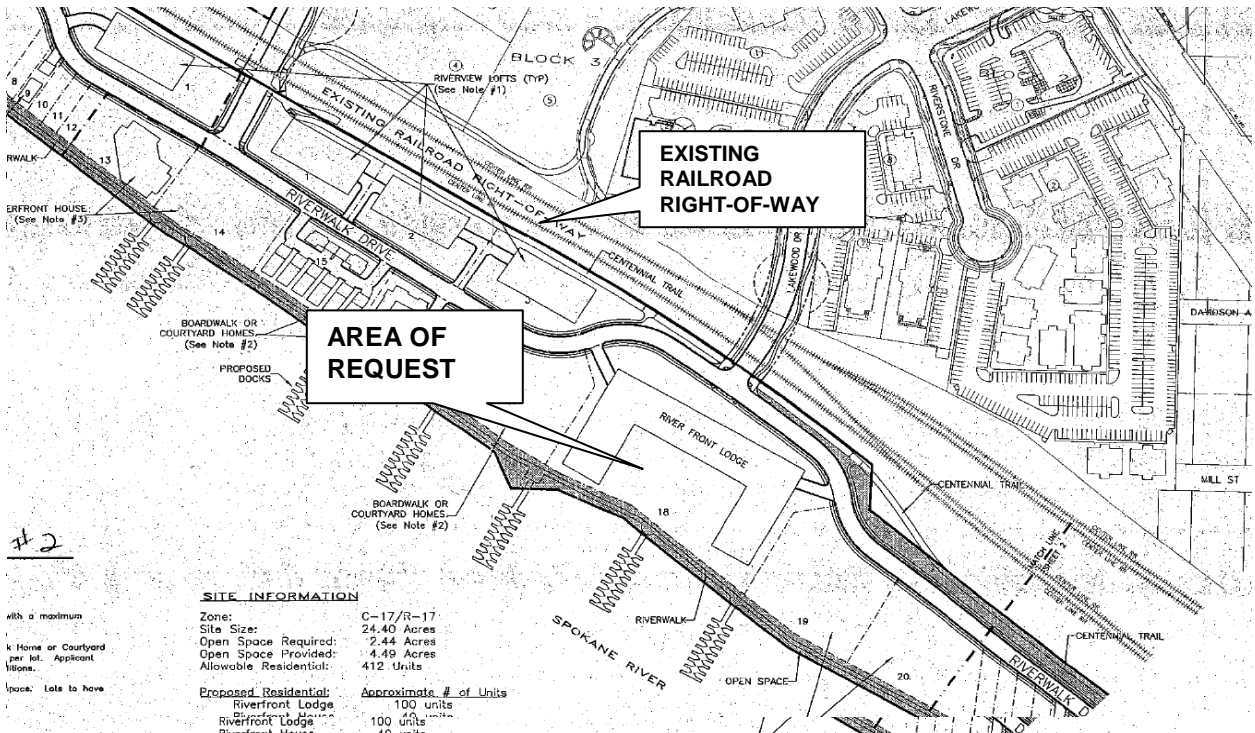
C. Generalized land use pattern:



D. Approved "RiverWalk" PUD Master Plan



E. "RiverWalk" PUD



[illegible]

H. Land uses in the area include residential - single-family, multi-family, commercial, and vacant land.

J. Previous actions on subject property.

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PERFORMANCE ANALYSIS:

Planned Unit Development Findings:

A. 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 Stable Established-Spokane River District.

Stable Established:

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

Spokane River District Tomorrow

This area is going through a multitude of changes and this trend will continue for many years. Generally, the Spokane River District is envisioned to be mixed use neighborhoods consisting of housing and commercial retail and service activities that embrace the aesthetics of the proximity to the Spokane River. As the mills are removed to make way for new development, the river shoreline is sure to change dramatically.

The characteristics of the Spokane River District will be:

Various commercial, residential, and mixed uses.

Public access should be provided to the river.

That overall density may approach ten to sixteen dwelling units per acre (10-16:1), but pockets of denser housing are appropriate and encouraged.

That open space, parks, pedestrian and bicycle connections, and other public spaces will be provided throughout, especially adjacent to the Spokane River.

That the scale of development will be urban in nature, promoting multi-modal connectivity to downtown.

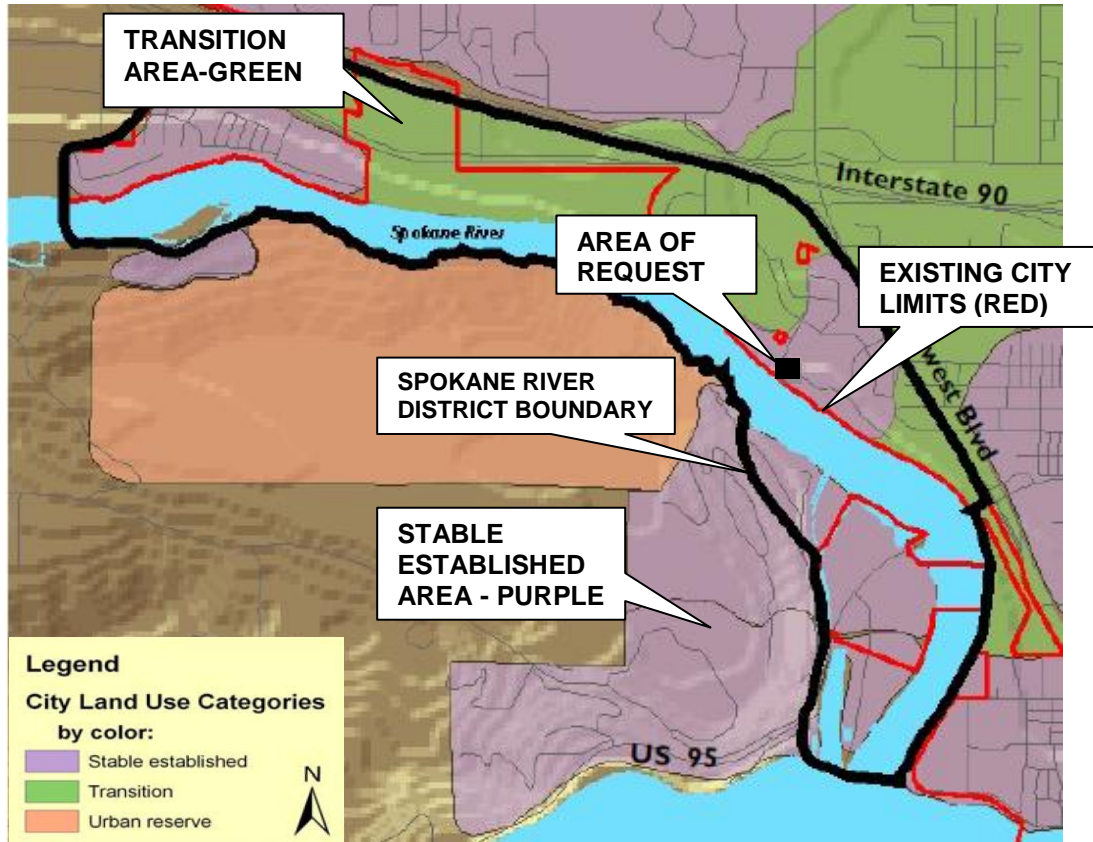
The scale and intensity of development will be less than the Downtown Core.

Neighborhood service nodes are encouraged where appropriate.

That street networks will be interconnected, defining and creating smaller residential blocks and avoiding cul-de-sacs.

That neighborhoods will retain and include planting of future, large-scale, native variety trees.

2007 COMPREHENSIVE PLAN MAP: SPOKANE RIVER DISTRICT-Stable Established



Significant Policies:

- Objective 1.01 - Environmental Quality:
Minimize potential pollution problems such as air, land, water, or hazardous materials.
- Objective 1.02 – Water Quality:
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- Objective 1.03 – Waterfront Development:
Encourage public and private development to incorporate and provide ample public access, both physical and visual, to the lakes and rivers.
- Objective 1.04 –Waterfront Development:
Provide strict protective requirements for all public and private waterfront developments.
- Objective 1.05 -Vistas:
Protect the key vistas and view corridors of the hillsides and waterfronts that make Coeur d'Alene unique.
- Objective 1.09 –Parks:
Provide an ample supply of urbanized open space in the form of beaches, squares, greens.and parks whose frequent use is encouraged by placement, design, and access.

- Objective 1.11 – Community Design:
Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.
- Objective 1.12 - Community Design:
Support the enhancement of existing urbanized areas and discourage sprawl.
- Objective 1.13 –Open Space:
Encourage all participants to make open space a priority with every development and annexation.
- Objective 1.14 - Efficiency:
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
- Objective 2.01 - Business Image & Diversity:
Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.
- Objective 2.02 - Economic & Workforce Development:
Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.
- Objective 3.05 - Neighborhoods:
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- Objective 3.06 - Neighborhoods:
Protect the residential character of neighborhoods by allowing residential/commercial/industrial transition boundaries at alleyways or along back lot lines if possible.
- Objective 3.16 - Capital Improvements:
Ensure infrastructure and essential services are available prior to approval for properties seeking development.
- Objective 4.01 - City Services:
Make decisions based on the needs and desires of the citizenry.
- Objective 4.02 - City Services:
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling, and trash collection).
- Objective 4.06 - Public Participation:
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision- making process.

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

The request is part of and consistent with the Riverwalk 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 uses on adjacent properties in terms of density, design, parking, open space and landscaping.

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

The subject property is relatively flat and has been graded along the Spokane River shoreline to create building pad sites.

D. **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.**

See Preliminary plat finding #B8B.

E. **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.**

Not applicable to this request.

The subject property is 24.4 acres in size and, in order to meet the required 10% open space area, would be required to have 2.44 acres open space that 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 three common open space areas (Identified on the PUD plan as open space) that represent 4.42 acres or 18% of the 24.4 acre gross land area including the +/- 30-foot wide shoreline area containing the walking public walking path, an open space area adjacent to the Riverview Lofts, and open space areas along the Centennial Trail.

As development continues along the shoreline, the developer/owner will be required to provide the 8' wide riverwalk on the Spokane River.

Evaluation: The approved Final Development Plan indicates the areas designated for open space within the development. The proposed request would not impact the previously approved open space areas.

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

Standard parking requirements for the proposed use in Riverwalk PUD were approved as follows:

Single-family dwellings: 2 spaces per unit

Carriage Homes: None required other than for the principal dwelling

Evaluation: The Planning Commission must determine that the requested modifications would provide parking that is sufficient to serve the parking needs for the proposed request.

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

Not applicable to this request.

The homeowner's association was a part of the original approval and Final Development Plan. Single-family lots will be privately maintained.

Evaluation: As a condition of approved PUD, the Planning Commission required the formation of a property owners association to ensure the maintenance of all common open space areas. The proposed request does not impact the HOA requirement.

- H. **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 part of the "Riverwalk" Master Plan and consistent with the existing uses and character of development in the approved PUD.
The proposal is a decrease in the density originally approved within "Riverwalk" PUD.

Preliminary plat Findings:

- A. **Finding #B8A: That all of the general preliminary plat requirements (have) (have not) been met, as attested to by the City Engineer.**

Per Gordon Dobler, City Engineer, the preliminary plat submitted contains all of the general information required by Section 16.12.020 of the Municipal Code, General Requirements.

- B. **Finding #B8B: That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities (are) (are not) adequate where applicable.**

SEWER:

1. Existing sewer services that are to be abandoned or any unused sewer services as part of this subdivision will need to be abandoned at the public sewer main in the Bellerive Right-of-Way. Inspection will be required prior to backfilling.
2. All new sewer services proposing to connect to existing public sewer main in Bellerive shall be installed per City Standards and are required to be inspected prior to backfilling.
3. Since the existing public sewer main in Bellerive is live, all new sewer services are required to be videotaped and reviewed by the City prior to paving.
4. Riverside interceptor is not shown in the submittal plans. Since this interceptor conveys nearly a third of the City's sewer flows, it should be shown along with a note clearly stating that no excavation work may take place in close proximity of the interceptor without provisions of protecting said interceptor and prior approval from the City.

Submitted by Mike Becker, Utility Project Manager

WATER:

Water service for the specified use is provided by a 12" main in Bellerive Lane. Any additional domestic, irrigation, fire services and fire hydrants that may be required per increased density and/or type of use will be the responsibility of the developer to install as a condition of plat final approval. Per the original PUD, a 20' public utility easement will be maintained over the existing 8" water main stub to the edge of property for future connection to Lacrosse Avenue.

Submitted by Terry Pickel, Assistant Water Superintendent

STORMWATER:

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

Evaluation: The existing roadway (Bellerive Lane) was designed and built to be a "shed" section and therefore, drains to the side opposite the proposed development. Stormwater drainage facilities were previously constructed to manage the storm water drainage, therefore no new roadway facilities will be required to be constructed. Any new activity that impedes the existing stormwater facilities will require that new facilities be constructed to accommodate any change in runoff containment and treatment conditions. All structures constructed on the proposed lots will be required to contain their runoff on the individual lots, typically directing it into on-site landscaping.

2. There is an existing twenty foot (20') stormwater easement crossing the proposed development that contains one of the City's major storm outfall lines into the Spokane River. This easement bisects the proposed development and the developer is planning to reposition it in order to accommodate the new lots.

Evaluation: Relocation of the stormwater outfall will be allowed, however, all agency approvals, permits, permit fees, design, materials and construction of the relocated line will be the responsibility of the developer. No costs for the relocation will be borne by the City. The developer is proposing a fifteen foot (15') easement over the relocated stormline outfall. This easement is required to be a minimum of twenty feet (20') in width. No fencing or other structural improvements not related to the function of the outfall line will be allowed to be constructed within the easement.

TRAFFIC:

The ITE Trip Generation Manual estimates the project may generate approximately 13 A.M. peak hour trips and 17 P.M. peak hour trips.

Evaluation: The adjacent and connecting streets (Beebe to Riverstone/Lakewood) are both under signalized control and therefore are able to accommodate the additional peak hour traffic volumes.

STREETS:

Bellerive Lane, the adjoining roadway is a private street and is fully developed. No changes or alterations will be required to the roadway.

The applicant has also requested the removal of conditions #3, stating there be a connection to Lakewood Drive.

Evaluation: On October 9, 2012, the Planning Commission approved an interpretation allowing the postponement of the condition requiring the extension of Lakewood Drive and that it could be reserved and moved to the final Phase 4, and, at if at that future phase it is still found to be not needed, can be eliminated at a future date.

Since that interpretation, staff has determined that at this time, the condition requiring the developer to provide the Lakewood connection can be eliminated, and is not a requirement for the "Bellerive Fourth Addition" a 17-lot subdivision.

APPLICABLE CODES AND POLICIES

Utilities:

1. All proposed utilities within the project shall be installed underground.
2. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.
3. All required utility easements shall be dedicated on the final plat.

Streets:

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

General:

- The final plat shall conform to the requirements of the City.

Submitted by Chris Bates, Engineering Project Manager

FIRE:

The attached City of Coeur d Alene Fire Department International Fire Code (IFC) requirements & comments are for the Bellerive PUD and Subdivision applications are from the 2009 IFC.

Note: Most of the Fire Department concerns have been addressed in prior PUD and Subdivision comments for this property and prior Fire Department comments appear to need specific IFC sections documented to meet the intent of the fire code.

- IFC Appendix D107.1 requires that developments of one-or two family-dwellings that are not equipped with automatic fire sprinklers and exceed 30 dwelling units (or more than 100 multi-families D106.1) shall be provided with separate and *approved* fire apparatus access roads and shall meet the requirements of D104.3 (Remoteness).

Currently there are 20 dwelling units on Bellerive that are not fire sprinklered. After 10 additional building permits are issued, the timing for the requirement for an *approved* fire apparatus access road falls under IFC 501.4 (timing). No other building permits for non-sprinklered, single or multi family dwelling shall be approved by the fire department or issued until the *approved* fire apparatus access road is available for Fire Department use.

The minimum specifications and fire apparatus access requirements are covered in Chapter 5 and Appendix D of the IFC. Any proposed modification to these minimum requirements would be viewed as temporary fire apparatus access solution until the 2nd fire apparatus access road meeting the minimum requirements or a public road described in the PUD is executed.

The existing Haul Road and/or the Centennial Trail have both been mentioned as possible temporary fire apparatus access road. One or both of these may be proposed to the fire department with comments on who will be responsible for maintaining this road year round, gate access and signage that would indicate this is a fire department apparatus access road and tow-away road. Some improvements are anticipated to be required and who is responsible for those costs should be addressed.

- IFC Appendix D Fire Apparatus Access Roads (when required)
- D102.1, D103.6, D105.1, Sections D105, D106 and D107 (w/o exceptions)
- IFC Chapter 5 Fire Apparatus access roads
- 501.3, 501.4* (see note below on construction documents approval and timing/and alternative methods approved)

IFC Chapter 9 Section 903 Automatic Fire Sprinkler Systems, if applied, may be used to credit available single family (D106) building permits.

IFC Chapter 45 Marina/ entire and all sections (including wharves, boardwalks, docks) fire protection standpipes, landings & portable fire extinguishers will be required and the FD requirements will be forwarded to the Idaho Department of Lands (IDL) when a permit application is made. The proposed public (FD) unobstructed access between building sites and expected dock access appears to be appropriate spacing.

- Chapter 1 Scope, (Intent) and Administration of IFC
104.8 (Modifications), 104.9 104.9.1, 104.9.2
- IFC 104.8 (Modifications) describes the procedure to be followed for the Fire Code Official to approve a modification when a special individual reason makes a difficulty that would prevent or prohibit the strict letter of this code impractical. The details of the special individual reason will need to be articulated and documented in FD files before the Fire Code Official can make any determination to approve any modifications including a temporary fire apparatus access road.

The 2009 IFC (and 2003, 2006 editions) list **any Alternative Materials and Methods (104.9, 104.9.1 & 104.9.2) need to have supporting research data in the form of a written proposal to be approved by the fire code official.....** to meet the intent and purpose of this code... &... shall not have the effect of waiving requirements specifically provide for in this code (IFC 104.1.) Any proposed deviations from this code should be made with the requesting persons understanding that approval from the fire code official for an written proposal for an alternative methods with supporting reports **will also require approval of the construction documents prior to construction (501.3 & 501.4).**

Standpipe spacing (every 300'), location & landings, standpipes numbering will be addressed at the plan review process prior to fire code official approval.

*501.4 Timing of Installation of the required fire apparatus access road, The request for any modification, deviation or alternative method for the minimum specifications for a Fire Apparatus access road (as defined by Appendix D), or any other modification of fire code requirement must be submitted in writing and describe what special individual reason exist to not meet the strict letter of this code. The Fire Code Official may then consider all documents required to clarify the request and may accept the proposal to become in compliance with the intent and purpose of this code.

Submitted by Glen Lauper, Deputy Fire Chief

PARKS:

The City of Coeur d' Alene Parks Master Plan and the Trails Master Plan specify the need for trail connectivity in Coeur d' Alene. A connection from the terminus of Lakewood Drive would provide connectivity from the east side of Riverstone to the trail, as well as a connection to the proposed development.

Submitted by Monte McCully, Trails Coordinator

C. Finding #B8C: That the preliminary plat (is) (is not) in conformance with the Comprehensive Plan as follows:

See Finding #B8A in Planned Unit Development Findings.

D. Finding #B8D: That the public interest (will) (will not) be served.

The subject property is within the corporate limits and will create a 17-lot subdivision on a private street that will become a residential component of the overall "Riverwalk" Development with a mixture of residential, retail and office uses. The development connects to existing public streets in the Riverstone development and access northwest Boulevard. This proposed 17-lot subdivision will be Boardwalk Homes and/Carriage Homes.

Evaluation: The Planning Commission must determine, based on the information before them, whether the request will or will not serve the public interest.

E. Finding #B8E: That all of the required engineering elements of the preliminary plat (have) (have not) been met, as attested to by the City Engineer.

A preliminary utility design was submitted indicating that all of the proposed lots could be served.

F. Finding #B8F: That the lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.

Residential uses are allowed in the C-17 zoning district and include single-family, duplex, pocket development and multi-family uses up to 17 units/acre. The applicant is requesting the creation of 17 single-family lots to be developed as Boardwalk and/or Carriage Homes.

The zoning pattern in the area shows C-17 zoning in the majority of the "Riverstone" development with R-17 along a small strip of the northern portion of the property between the Spokane River and the BN railroad. The zoning in the Riverwalk PUD is C-17 with R-17 Planned Unit Development (residential at 17 units/acre) on the west side of Beebe Boulevard.

NOTE: Any Zoning or Subdivision Code provisions modified previously would still apply.

- G. **Finding #B9: That the proposal (would) (would not) adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses.**

See PUD finding B8H.

H.

Proposed Subdivision Conditions:

ENGINEERING:

1. Relocation of the stormwater outfall will require that all agency approvals, permits, permit fees, design, materials and construction of the relocated line will be the responsibility of the developer. No costs for the relocation will be borne by the City.
2. Upon relocation, the developer will be required to dedicate an easement twenty feet (20') in width over the stormwater outfall line. Said easement will be required to allow unlimited access to the line for installation, operation and maintenance. No fencing or other structural improvements not related to the function of the outfall line will be allowed to be constructed within the easement.

- I. **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.

RIVERWALK (BELLERIVE) PUD AMENDMENT

Bellerive Fourth Addition



PROJECT BACKGROUND

The *Bellerive* Planned Unit Development (formerly known as *Riverwalk*) is a mixed-use project located in the City of Coeur d'Alene in the Riverstone Development along the Spokane River. The Final PUD and Development Plans for *Bellerive* were submitted to the City in September, 2005, and subsequently approved in October, 2005. A *Memorandum of Agreement* was filed between the developer and the City in December, 2005 outlining the respective responsibilities and obligations of both parties.

The majority of this project has been constructed and built in accordance with the approvals. The remaining portions consist of approximately 3.4 acres located along the shorelines of the Spokane River and 3.3 acres located between the Centennial Trail and Bellerive Lane. This property is legally known as Lot 1, Block 1 of Bellerive 2nd Addition and Lot 2, Block 1 of Bellerive 3rd Addition, respectively. The proposed PUD Amendments contained herein will deal with former property located adjacent to the Spokane River.

According to the approved *Bellerive* PUD, this property was to consist of 100 unit multi-family residential facility known as the Riverfront Lodge. The following summarizes the approvals received for the *Bellerive* PUD:

| | | |
|----------------------|---------------------------|-----------------|
| Total Project Area: | 24.40 acres | |
| Open Space Provided: | 4.49 acres | |
| # of units: | Riverfront Lodge | 100 units |
| | Riverfront House | 40 units |
| | Riverview Lofts | 152 units |
| | Courtyard Homes | 78 units |
| | Boardwalk Homes | 30 units |
| | <u>Carriage Homes</u> | <u>12 units</u> |
| | Total: | 412 units max. |
| Zoning: | C-17 / R-17 (PUD Overlay) | |

PROPOSED AMENDMENTS

The project proponent, Riverstone Waterfront, LLC, is proposing the following three (3) amendments to the *Bellerive (Riverwalk)* PUD:

- 1) Replace the approved 100 residential units in the Riverfront Lodge with 17 single-family residential lots. These lots will contain Boardwalk Homes and/or Carriage Homes as previously described and approved in the original PUD.

*Boardwalk Homes – single-family homes located to maximize views across the river and create diversity of architecture along the river’s edge. Homes are located on 35 foot **[50 foot min. proposed]** wide lots and range in size from 2,100 -2,600 square feet **[1800 square foot minimum proposed]**.*

*Carriage Homes – are located over detached garages to allow an alternative to units within larger buildings. Units range in size from 650-700 square feet **[500 – 900 square feet proposed]**.*

The following are the site performance standards proposed as a part of this amendment:

| | |
|-------------------|----------------------------------|
| Project Area: | 3.38 acres |
| Zoning: | C-17 (PUD Overlay) |
| # of Lots: | 17 Single-family |
| Density: | 5.0 du/ac |
| Min Lot Width: | 50' |
| Max lot Width: | 58' |
| Min Lot Area: | 8424 SF |
| Max Lot Area: | 11139 SF |
| Average Lot Size: | 9815 SF |
| Setbacks: | Front – 10' Side – 5' |
| | Rear – 35' Height – 35' max |

- 2) The project proponent is requesting to remove the previously required connection to Lakewood Avenue. We have discussed this request with City Staff, and they have agreed that this connection is no longer needed. The main access to *Bellerive Fourth Addition* is via Beebe Boulevard and Bellerive Lane.
- 3) An additional secondary access will need to be constructed at Lacrosse Avenue in order to satisfy the access requirements of the Fire Department. This issue was previously discussed and approved as a part of the *Bellerive* PUD. The City of Coeur d’Alene Planning and Zoning Commission approval for the *Bellerive* PUD states that the City will obtain the necessary public railroad crossing permit(s) prior to December 31, 2007, and if they can not obtain these permits, the City will not delay approval of subsequent phases of the project. To date, it is our

understanding that these permits have not been obtained by the City, but City Staff is working diligently to secure them.



Based on correspondence and meetings with City Staff, the developer has agreed to provide a hard surface connection to the existing Centennial Trail at the location of future Lacrosse Avenue. This will satisfy the requirements of the CDA Fire Department for a secondary access. Minor improvements to the Centennial Trail may be necessary that include the installation of removable bollards, removal of existing bollards that would prevent a fire apparatus from using the trail and appropriate signage stating "Emergency Vehicles Only".

Attached to this narrative, and submitted as a part of the PUD Amendment, are Site Development Plans showing the above requested changes.


UTILITIES AND INFRASTRUCTURE

The subject property fronts existing Bellerive Lane. This is an existing private street maintained by the Homeowner's Association with a pavement width of 32' from curb-to-curb. All major utilities including public water, public sewer, natural gas, power and communications are currently installed and are readily available to serve the project. Additional sewer and water services will need to be installed to accommodate the new lots, and will be installed per City of Coeur d'Alene standards and requirements. A 5' concrete sidewalk will also be constructed adjacent to the curbline to provide additional access to the public boardwalk facilities located along the Spokane River.

Fire Department standpipes will need to be installed at a 300' spacing with direct access provided to Bellerive Lane. Based on conversations with the Fire Department, 3 standpipes will be necessary and shall be installed per CDA Fire Department requirements.

PUBLIC ACCESS

The project proponent is currently working with the Department of Lands for permitting of the continuation of the riverwalk along the Spokane River for this portion of the project. An additional public access from Bellerive Lane to the riverwalk is proposed as a part of this PUD Amendment.



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

A. INTRODUCTION

This matter having come before the Planning Commission on November 12, 2013, and there being present a person requesting approval of: PUD-1-04m.2 for a modification to a +/- 6.6 acre portion of the "Riverwalk" Planned Unit Development in the C-17PUD (Commercial at 17 units/acre) zoning district.

APPLICANT: Riverstone Waterfront, LLC

LOCATION: +/- 6.6 - acre parcel between the Burlington Northern Railroad and Spokane River

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, multi-family, commercial, and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established.
- B3. That the zoning is C-17PUD.
- B4. That the notice of public hearing was published on, October 26, 2013, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on, October 28, 2013, which fulfills the proper legal requirement.
- B6. That 149 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 25, 2013.
- B7. That public testimony was heard on November 12, 2013.
- 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 planning of the site **(is) (is not)** compatible with the location, setting and existing uses on adjacent properties. This is based on

Criteria to consider for B8B:

- | | |
|----------------------------|----------------|
| 1. 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

Criteria to consider for B8C:

- | | |
|----------------------|--------------------------------|
| 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 streets, 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

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **RIVERSTONE DEVELOPMENT, LLC** for approval for 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 Evans | Voted _____ |
| Commissioner Luttrupp | Voted _____ |
| Commissioner Messina | Voted _____ |
| Commissioner Soumas | Voted _____ |
| Commissioner Haneline | Voted _____ |

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN



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

A. INTRODUCTION

This matter having come before the Planning Commission on November 12, 2013, and there being present a person requesting approval of ITEM S-4-05.m: a request for preliminary plat approval of "Bellerive Fourth Addition" a 17-lot subdivision in the C-17PUD (Commercial at 17 units/acre Planned Unit Development) zoning district.

APPLICANT: Riverstone Waterfront, LLC

LOCATION: +/- 6.6 - acre parcel between the Burlington Northern Railroad and Spokane River

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, multi-family, commercial, and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established.
- B3. That the zoning is C-17PUD.
- B4. That the notice of public hearing was published on, October 26, 2013, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on, October 28, 2013, which fulfills the proper legal requirement.
- B6. That 149 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 25, 2013.
- B7. That public testimony was heard on November 12, 2013.

- B8. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

B8A. That all of the general preliminary plat requirements **(have) (have not)** been met as attested to by the City Engineer. This is based on

B8B. That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities **(are) (are not)** adequate. This is based on

B8C. That the preliminary plat **(is) (is not)** in conformance with the Comprehensive Plan as follows:

B8D. That the public interest **(will) (will not)** be served based on

Criteria to consider for B8D:

1. Does this request achieve the goals and policies of the comp plan?
2. Does it provide for orderly growth and development that is compatible with uses in the surrounding area?
3. Does it protect the public safety by providing adequate public utilities and facilities to mitigate any development impacts?
4. Does the it protect and preserve the natural beauty of Coeur d'Alene?
5. Does this have a positive impact on Coeur d'Alene's economy?
6. Does it protect property rights and enhance property values?

B8E. That all of the required engineering elements of the preliminary plat **(have) (have not)** been met, as attested to by the City Engineer. This is based on

B8F That the lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district for the following reasons:

Criteria to consider for B8F:

1. Do all lots meet the required minimum lot size?
2. Do all lots meet the required minimum street frontage?
3. Is the gross density within the maximum allowed for the applicable zone?

- B9. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses because

Criteria to consider for B9:

1. Can the existing street system support traffic generated by this request?
2. Does the density or intensity of the project "fit" the surrounding area?
3. Is the proposed development compatible with the existing land use pattern? i.e. residential, commercial, residential w churches & schools etc.
4. Is the design and appearance of the project compatible with the surrounding neighborhood?

C. ORDER: CONCLUSION AND DECISION

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

Special conditions applied to the motion are:

ENGINEERING:

1. Relocation of the stormwater outfall will require that all agency approvals, permits, permit fees, design, materials and construction of the relocated line will be the responsibility of the developer. No costs for the relocation will be borne by the City.
2. Upon relocation, the developer will be required to dedicate an easement twenty feet (20') in width over the stormwater outfall line. Said easement will be required to allow unlimited access to the line for installation, operation and maintenance. No fencing or other structural improvements not related to the function of the outfall line will be allowed to be constructed within the easement.

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

ROLL CALL:

| | |
|-----------------------|-------------|
| Commissioner Bowlby | Voted _____ |
| Commissioner Evans | Voted _____ |
| Commissioner Luttropp | Voted _____ |
| Commissioner Messina | Voted _____ |
| Commissioner Soumas | Voted _____ |
| Commissioner Haneline | Voted _____ |

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN

Date: November 12, 2013

To: Planning Commission

From: Planning Department

Subject: **Amendment to Zoning Regulations – O-2-13** Change of neighborhood sponsor requirements for single-family detached housing designation.

Decision Point

The Planning Commission is asked to provide a recommendation regarding whether the percentage of property, based on those who are party to the request, should be changed. This request, if approved, would apply to both the R-8 and R-12 zones.

History

The zoning regulations were adopted by ordinance #1691 in 1982 providing a comprehensive recodification and revision of the ordinances of the City of Coeur d'Alene relating to zoning and planning under the local zoning act of 1975.

Prior Decision(s):

Pinegrove Park is the only neighborhood staff is aware of that has applied for and received a single family detached only designation in city limits. The request was approved January 11th, 1994. (SP-2-94)

Current Code and Request:

The regulations that apply to the request in R-8 and R-12 as well as the proposed amendment follow:

17.05.090: GENERALLY:

- A. The R-8 district is intended as a residential area that permits a mix of housing types at a density not greater than eight (8) units per gross acre.
- B. In this district a special use permit, as prescribed in section 17.09.205 of this title may be requested by neighborhood sponsor to restrict development for a specific area to single-family detached housing only at eight (8) units per gross acre. To constitute neighborhood sponsor, at least sixty six percent (66%) of the people who own at least seventy five percent (75%) of the property involved must be party to the request. The area of the request must be at least one and one-half (1 ½) acres bounded by streets, alleys, rear lot lines, or other recognized boundary. Side lot lines may be used for the boundary only if it is also the rear lot line of the adjacent property.

17.05.100: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-8 district shall be as follows:

1. Administrative.
2. Duplex housing.
3. Essential service (underground).
4. "Home occupation", as defined in this title.
5. Neighborhood recreation.
6. Pocket residential development.
7. Public recreation.
8. Single-family detached housing.

And;

17.05.170: GENERALLY:

- A. 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 acre.
- B. In this district a special use permit, as prescribed in chapter 17.09, article III of this title, may be requested by neighborhood sponsor to restrict development for a specific area in single-family detached housing. To constitute neighborhood sponsor, sixty six percent (66%) of the people who own at least seventy five percent (75%) of the property involved must be party to the request. The area of the request must be at least one and one-half (1 ½) gross acres bounded by streets, alleys, rear lot lines or other recognized boundary. Side lot lines may be used for the boundary only if it is also the rear lot line of the adjacent property.

17.05.180: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-12 district shall be as follows:

1. Administrative.
2. Duplex housing.
3. Essential service (underground).
4. "Home occupation", as defined in this title.
5. Neighborhood recreation.
6. Pocket residential development.
7. Public recreation
8. Single-family detached housing as specified by the R-8 district.

Request:

The proposed change would allow a special use permit request for a single-family detached only designation within prescribed bounds by the applicant (subject to code required boundaries), to move forward when 66% of the total property requested is subject to the party making the request, rather than the 75% threshold currently needed for qualification.

The necessity for 66% of the signatures of property owners within the request would remain.

Performance Analysis

Calculation Example:

Based on the minimum allowable area to qualify (1.5 AC), a 75% calculation currently requires 1.125 AC within the subject property to meet code. The requested change would reduce the hurdle to 0.99 AC at 66% of land area.

2007 Comprehensive Plan:

Goals & Objectives:

- Home Environment (#3), Pages 17-20

Special Areas:

- Neighborhoods, Pages 32-33

Property Rights:

- Coeur d'Alene, Page 72

Appendices:

- Housing, Page 79

Quality of Life Analysis

The proposed amendment is intended to allow a neighborhood the ability to designate single-family detached housing only within a proposed boundary upon qualification and approval.

Decision Point Recommendation

The Planning Commission is asked to review the single family designation criteria request to determine if it is appropriate for all areas in the city zoned R-8 or R-12.

TEXT AMENDMENT REQUEST

Members of the Planning Commission:

City code requires citizens to collect signatures representing 75% of property owners of existing acreage for a petition regarding land use change.

We believe this percentage is inconsistent with other percentage requirements in the city. Home lots in our neighborhood range in size from .095 acres to .562. Lots in our FSAMR (Fort Sherman Abandoned Military Reservation) subdivision between Military and Park Drives and Empire and Garden Avenues are uniformly .143 acres. Lots in our Finch addition range from .562 to .256 acres.

In our Democracy, where one citizen/one vote is the standard, using the 75% of total acreage requirement for Petitions of Change gives the owner of .562 acres the same voting power as nearly six who own .096 or nearly 4 times the vote of those homeowners whose lots are .143.

Criterion for Petition for Change property owner's signatures is 66%. This is one percentage less than the 67% required "supra-majority" in a city bond election.

On the recommendation of the City Attorney and the Head of Planning Department, our homeowners' association recently circulated a Petition for Change in our neighborhood. With 66% of 122 property owners signatures required for our petition, our minimum was 62 signatures. We have 88 signatures supporting our petition. Where we fell short was in the acreage requirement of 75% of total acreage (23.7 in the Fort Grounds). Of the property owners not signing and/or responding, ten of them control 3.169 acres. Their ten lots had the voting power of nearly twenty lot holders of smaller lots. (See Attachment)

We request with this letter a Text Amendment of City Code changing the required acreage for a Petition of Change to 66% so that the requirements are in line with accepted supra-majority percentages in the City of Coeur d'Alene.

Although the Fort Grounds is the only Historic District in the City, it is not the only neighborhood with multiple irregular lot sizes that deny those property owners equal vote. It is right and just that all property owners in a neighborhood have equal power of the vote, equal voice, in matters affecting the entire neighborhood whether they own .096, .143, or .552 acres. Please vote "yes" to our request for Text Amendment of City Code to a consistent 66%.

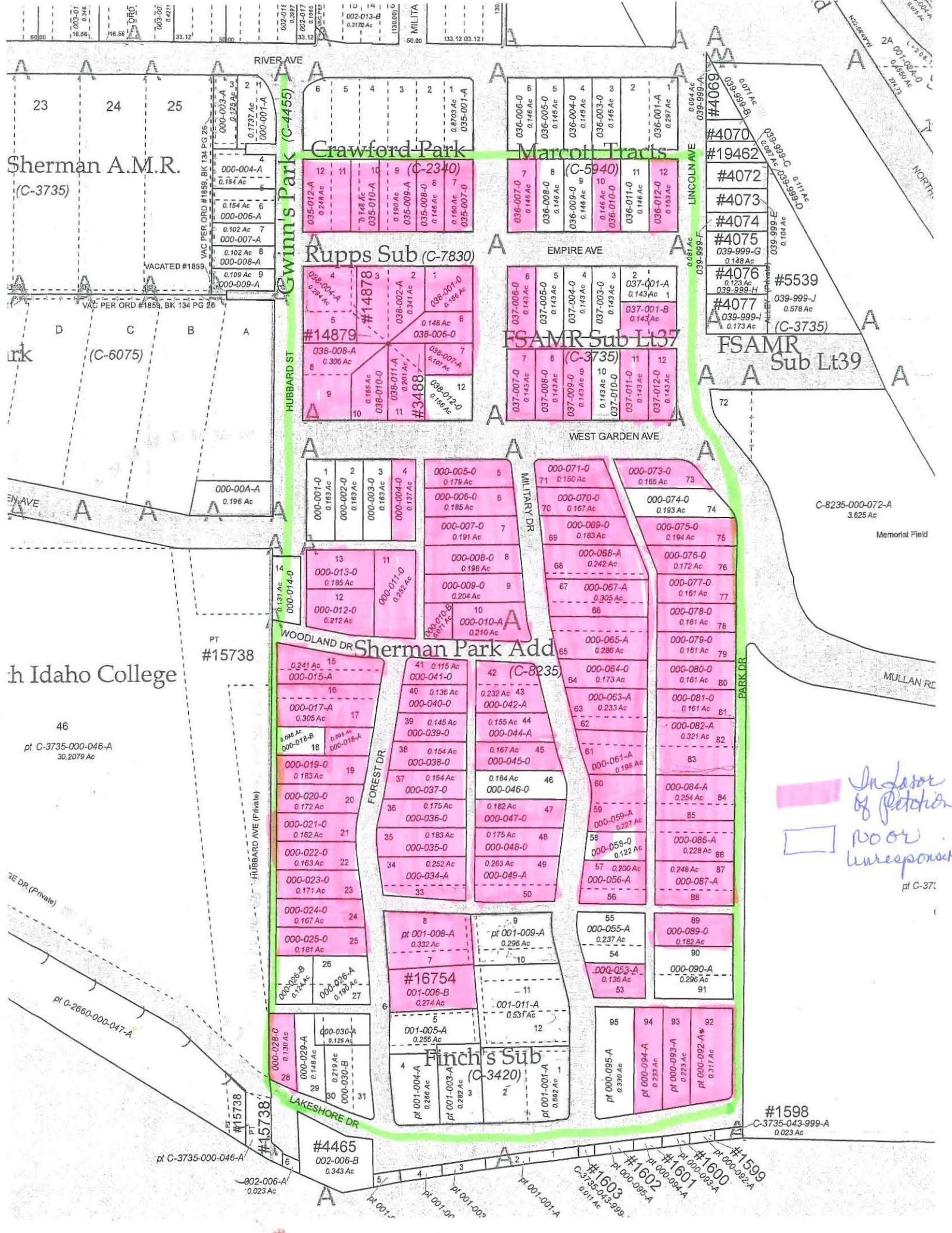
Sincerely,

Mark Faulkner
Marlo Faulkner



207 Park Drive
Coeur d'Alene, Idaho 83814
H: 664-2827
C: 755-5630 (Mark)
C: 691-1305 (Marlo)

Attachment: Map of the Fort Grounds showing support (in pink) for the recent Fort Ground Homeowners Association Petition for Change.



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pt C-3735-000-046-A

Sherman A.M.R.
(C-3735)

Crawford Park
Marcot Tracts

Rupps Sub (C-7830)

FSAMR Sub Lt37

FSAMR Sub Lt39

Sherman Park Add

Finch's Sub
(C-3420)

Idaho College

pt C-3735-000-046-A
30.2079 Ac

pt C-3735-000-046-A

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September 30, 2013

Planning Commission
City of Coeur d'Alene
710 E. Mullan Ave.
Coeur d'Alene, ID 83814

To Whom It May Concern:

This is a request for a review and adjustment by the Planning Commission to City code pertaining to special use permits.

City Code applying to Special Use Permits for the R-8 and R-12 zones requires that a Special Use Permit may be requested for single-family detached housing.

The Special Use Permit sponsor is to obtain signatures from at least 66% of the individual property owners as well as signatures representing at least 75% of the property ownership. These requirements are stipulated in City Code: for the R-8 zone, 17.05.090, and for the R-12 zone, 17.05.170

We feel it would be in the best interests of the citizens of Coeur d'Alene for the Planning Commission and City Council to adjust these signature requirements.

Areas such as our own Fort Grounds neighborhood, the Garden district, the East Mullan Historic neighborhood, as well as many other locations in the historic heart of the City, feature non-conforming lot sizes. These lot sizes make the 75% property ownership signature requirement for a Special Use Permit particularly onerous.

In such a situation, it would be possible for a supermajority of individual property owners to be in favor of the Special User Permit, while a small minority of large lot holders could thwart the change due to the 75% condition. This is exactly what has happened in our neighborhood, and why we are making this request.

As a solution, we suggest the City modify the signature requirements in both 17.05.090 and 17.05.170 to 66% for both individual property owners as well as total property ownership. We feel this threshold remains high enough to avoid speculative changes to the zoning while still reflecting the desires of a majority of the citizens.

Thank you for your time and consideration.



Ann Melbourn, President
Fort Grounds Homeowners Association

Attached: Fort Grounds Neighborhood Map showing lot locations of the 88 property owners who supported our recent Petition for Change campaign.

Sherman A.M.R.
(C-3735)

RIVER AVE

Crawford Park

Marconi Tracts

Rupps Sub (C-7830)

EMPIRE AVE

FSAMR Sub Lt37

FSAMR Sub Lt39

WEST GARDEN AVE

EN AVE

h Idaho College

Sherman Park Add

Finch's Sub
(C-3420)

C-8235-000-01
3.625 Ac

46
pt C-3735-000-046-A
30.2079 Ac

PT
#15738

SE DR (Private)

HUBBARD AVE (Private)

FOREST DR

MILITARY DR

PARK DR

pt C-2660-000-047-A

pt C-3735-000-046-A

#4465
002-006-B
0.343 Ac

#1598
C-3735-043-999-A
0.023 Ac

*In
Lion*
*no or
did not
respond*