

**MINUTES OF THE PLANNING AND ZONING COMMISSION
CITY OF HAYDEN, KOOTENAI COUNTY, IDAHO**

June 17, 2019

**Regular Meeting: 5:00 PM
Council Chambers**

Hayden City Hall, 8930 N. Government Way, Hayden, ID 83835

CALL TO ORDER

Chair Petersen called the meeting to order at 5:00p.m.

ROLL CALL OF COMMISSION MEMBERS

Brian Petersen, Chair	Present
Michael Cramer, Vice-Chair	Present
Corey Andersen	Present
Alan Davis	Not-Present
Gavin Mobraten	Present
Benjamin Prickett	Present
Shawn Taylor	Present

STAFF PRESENT

Melissa Cleveland, Community Development Director
John Cafferty, Legal Counsel
Donna Phillips, Senior Planner
Heather McNulty, Commission Clerk

FLAG SALUTE

Mr. Cafferty led the meeting in the Pledge of Allegiance

CALL FOR CONFLICTS OF INTEREST

Gavin Mobraten recused himself from the public hearing Case No. SUP 0060. He stated that he has Commercial investment ties to Viking Construction, Inc.:-

CONSENT CALENDAR

The consent calendar included the approval of the meeting minutes for June 03, 2019, June 09, 2019, and the written recommendations in Case ANNEX 0011, PUD 0007, and SUB 0028 a request by Hayden Canyon. The motion was made by Commissioner Taylor, and seconded by Vice-Chair Cramer to approve the consent calendar as presented. All were in favor, none were opposed.

PUBLIC HEARING

Case No. SUP 0060, a request by Viking Construction, Inc.

Staff Presentation:

Donna Phillips, Senior Planner introduced the application for a special use permit (SUP) for a residential multi-family complex to be known as Carrington Apartments to be located south of West Hayden Avenue and approximately ½ mile west of North Atlas Road on a split zoned property. The property is approximately 80.0 acres; however, the area of the site is proposed to be within the three hundred feet to the north of the project site within the Commercial Zone.

Applicants Presentation:

Ray Kimball, PE, the engineer of record for Whipple Engineering, 2140 Columbine Court Post Falls, Idaho introduced the proposal for the 144 multi-family residential dwellings. Mr. Kimball reviewed the zoning of the property and the adjacent property. Mr. Kimball reviewed the Master plan of the development which included the description of the large 16acre public community park; development of a parks plan highlights the possible use of schools or public usage. The 144 apartment complexes would be on the north of the property. He noted that the parking was increased in order to accommodate resident's needs; they have seen a greater parking need with other developments. There are no entrances off of Hayden Avenue, and the amenities include a work out center, BBQ/gazebo, community garden beds, and play area. The landscape plan was reviewed and the buildings are spaced out with buffering throughout the parking space. Mr. Kimball reviewed all seven standards for approval, this included the applicant's narrative, Hayden City Code, and he discussed the parks plan and stated that if the land is developed as Commercial there will be no impact fees given for the City Parks infrastructure. The amenities will all be available within the Park. The developer agrees to the traffic impact study and the sewer is about ready to be finished. Mr. Kimball stated that he had already applied to Hayden Lake Water District (HLID), the property has a well and water site and on the 2nd of July the [annexation into the district] contract should be signed with HLID. He continued by stating that the Developer will pay for the impact fees that are noted by the City. Mr. Kimball continued by stating that the Developer would ask that condition #12 will allow for six years too finish the development. The first phase gives them time to address any market concerns that may need to be adjusted before phase two.

- Commissioner Pricket asked if there was average rent for the apartments in Post Falls.

Mr. Kimball replied that he was not sure but it is a market rate value and there is no subsidized apartment within the proposal.

- Commissioner Pricket asked if there were any concerns with the future development of that property having more residential then commercial development to satisfy the residents moving into the area.

Mr. Kimball replied that there are other developments near this proposal that want to develop Commercial, so instead of competing with them they are working together.

- Commissioner Taylor asked how the residents move from the apartments to the Park that is being suggested.

Mr. Kimball stated that there will be pedestrian facilities in the project. The traffic study will address the issues that may arise and that they will all be addressed before development occurs.

- Commissioner Taylor asked about the school zone and the possible impact the apartments may place on the school system.

Mr. Kimball noted the he believes it would be in the Coeur d'Alene School District, and that the demographics show that the property value will increase the money to the school district. The vast majority of school age kids do not live in apartment complexes.

- Chair Petersen stated that he would like to have Mr. Kimball address the streets and traffic flow of the new development.

Mr. Kimball stated that any impact that would be above and beyond a normal scope would be up to the developer to address. He would rely on the engineers to address the traffic. He understands there is new data coming with the City's new updates. Ms. Cleveland also noted that 22 separate intersections are currently being studied to find impacts to the traffic flow. The developer would pay the portion needed to adjust the traffic so that it flows.

- Chair Petersen asked how the Developer planned to mediate traffic coming on to Hayden Avenue.

Mr. Kimball replied that he would be relying on the traffic study and they would work with the City to resolve any traffic issues the study finds. There will also be turn lanes and the road will be widened.

Staff Presentation:

Ms. Phillips then continued with the staff review where she noted that this is an allowed use with a special use permit in the Commercial zoned area. Ms. Phillips continued by stating that the Comprehensive Plan and the Zoning Ordinances were both reviewed. The Comprehensive plan shows that this is a low density area which is defined as an average density of 1 to 4 dwelling units per acre. The eighty (80) acres could have a maximum density of three hundred twenty (320) dwelling units. The maximum density would require the following four items.

1. Dedicated public space, common areas, park facilities
 2. Quality of development
 3. Clustered development, mixed use concepts, variety of housing types
 4. Adequacy of transportation network, an emphasis on connectivity and walk –ability
- Chair Petersen asked when the Traffic impact fees are determined.

Ms. Phillips continued the discussion with the following Comprehensive Plan – Section 111; 111-C: Land Use, 111-D-2: Water, 111-F: Public Services, 111-F-1: Sewer& water Services, 111-G, Transportation, 111-G Transportation, 111-H Housing 1V-C: Property. She noted that the applicant will include a Traffic Impact Study. The study would be reviewed by staff to determine what or if, additional impact fees will be needed and/or if there would be additional mitigation to the traffic issues. Any mitigation shall be addressed as part of the site and building plan review process. Ms. Phillips continued by stating that the lighting requirements shall consist of both street lights and interior parking lot lighting for the complex. Frontage improvements will all be met by the developer. No approaches shall be granted from Hayden Avenue and future approaches shall be located from the internal road network. Ms. Phillips then reviewed the fourteen standards for approval and she noted that the developer did ask for the six year period in order to finish construction. If development stops for one full year for any reason the special use permit would be voided, and the developer would be required to reapply.

- Vice-chair Cramer asked about the H-7 Lift Station and when it would be functional.

Ms. Phillips stated that she did not have a date however the building permit cannot be issued until the Lift Station and required piping is accepted by the City. .

- Commissioner Andersen asked if something catastrophic were to happen, could the developer reconstruct the apartments.

Ms. Phillips replied that the City would work with the developer.

Public Testimony:**Testimony for**

Kristen Agoshnelli, 11925 North Kensington Avenue, Hayden, Idaho 83835, property manager for New View, stated they would manage the proposed complex. She noted there are several ages looking for this type of housing to include but not be limited by college age, retirees, and that there does not seem to be large families looking to live in apartments. Ms. Agoshnelli continued that the apartment management process has strict guidelines for screening to rent out the apartment; they perform a background check, sex offender check, criminal background check, employment history, etc. She stated that we are looking to see that the resident will be successful in the complex. She noted that there is a high demand for this housing in Hayden; one bedroom or two bedroom apartments are in need.

Brett Nearing, 714 East Maple Place Hayden, Idaho 83835 did not speak, but provided written comments as follows: “Best use for the property comparable to the apartments on Lancaster – Hayden North Subdivision.”

Wendell Olson, 11925 N Kensington Avenue Hayden, Idaho 83835 written comments as follows
“Best use for land.”

Jessica O’Neal, 3033 West Ashland Lane Hayden, Idaho 83835 written comments as follows
“Hayden needs more affordable housing options.”

Rebuttal:

Ray Kimball would like to follow up regarding the traffic question and the trip generation manual. He found it interesting that if he chose to only construct commercial that it may not trip the requirement for the traffic study. The impact will be mitigated that is why it is a phased plan and the developer will pay the fair share of infrastructure improvements. Residential housing shows that the average trips would be more than the proposed apartment complex.

- Vice-Chair Cramer wanted to know if the apartments were a new addition to the Annexation agreement.

Mr. Kimball replied no, it was not an addition to the agreement. The annexation agreement addressed the allowable density for the development of the property to a maximum of four units per acre. It has always had the ability to have 320 dwelling units on the 80 acres of property.

Commission Discussion:

- Vice-Chair Cramer stated this is a well planned development with nice features and it appears to be well thought out. He is concerned about the density even with the slow growth of six years for the phased development. He is wondering when the development on growth slows down. The traffic study will be needed and understood for the traffic mitigation. It is a great design and his concerns are whether the traffic mitigations will work. Number five is hard to see if that really can be at no cost to the residents of Hayden.
- Chair Petersen stated that there are eight findings for approval and he is hung up on number three. The mitigations after the traffic study are being addressed, by the City and Developer, however a little unsure without seeing the plan.
- Commissioner Anderson noted it is a great design for the proposed apartments but to the east and west of the project will there be adequate infrastructure. He continued that with staff recommendations he would approve the proposal.
- Commissioner Prickett has concerns with traffic, snow storage and people that have already developed to the north of the property being upset with the proposed apartments. The Park going into the south side of the development and how it would be accessed by pedestrians.
- Commissioner Taylor acknowledged traffic concerns are for infrastructure that is lagging related to impact fees for improvements which come after the development is approved. Impact fees are needed to improve Hayden Avenue and this development will generate the needed fees.

Motion:

Commissioner Taylor made a motion to approve Case No. SUP 0060, Carrington Apartments that will expire in six years, and must complete construction and be fully operational prior to the expiration of this six year period, and to include all fourteen staff recommended conditions of approval. Commissioner Andersen seconded the motion.

Roll Call:

Commissioner Andersen:	Yes
Commissioner Prickett:	No
Commissioner Taylor:	Yes
Vice-Chair Cramer:	No
Chair Petersen:	Yes

Three were in favor and two opposed. The motion passed.

REVIEW OF UP COMING MEETING CALENDAR, AND REPORT ON COUNCIL ACTION**Director's Review**

Ms. Cleveland stated that the transportation plan is underway currently "Imagine Hayden" is underway.

There will be an update for the commission as the plans are developed. This will include the Traffic Impact Study and as all plans move forward the Commission would like to review them with Staff.

Planning and Zoning Commission

July 1, 2019

- Consent Calendar
- Case No. PZE-19-0016 Mountain Ridge Holding Annexation-Public Hearing
- Misc. Code-Continuing Business

City Council Actions

June 11, 2019

- Cancelled

June 25, 2019

- Hayden Canyon Amendments- Public Hearing
- Vacation of Right of Ways-Ordinances

ADJOURNMENT

The meeting adjourned at 6:37 p.m.


Heather McNulty, Commission Clerk