

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on July 9, 2013 and continued to August 13, 2013, there being present a person requesting approval of ITEM: SP-3-13, a Special Use Permit allowing a criminal transition facility in the C-17 (Commercial) zoning district to operate a residential re-entry service for federal offenders

**APPLICANT:** PORT OF HOPE CENTERS INC.

**LOCATION:** 218 N. 23RD STREET – APPROX 0.842 OF AN ACRE

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

**(The Planning Commission may adopt Items B1 to B7.)**

- B1. That the existing land uses are Civic (Elementary school), single family (Attached & detached), duplex, multi-family, commercial, and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established.
- B3. That the zoning is C-17.
- B4. That the notice of public hearing was published on, June 22, 2013, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on June 26, 2013, which fulfills the proper legal requirement.
- B6. That 29 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on June 21, 2013.
- B7. That public testimony was heard on August 13, 2013.

B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal is not in conformance with the comprehensive plan, as follows:

2007 Comprehensive Plan pg. 42:

*...The historical heart of Coeur d'Alene contains a mix of uses with an array of historic residential, commercial, recreational, and mixed uses. A traditional, tree-lined, small block, grid style street system with alleys is the norm in this area. Neighborhood schools and parks exist in this location and residents have shown support for the long term viability of these amenities. Focusing on multimodal transportation within this area has made pedestrian travel enjoyable and efficient...*

Continued on pg. 43:

*The characteristics of Historical Heart neighborhoods will be:*

- *Encouraging growth that complements and strengthens existing neighborhoods, public open spaces, parks, and schools while providing pedestrian connectivity.*

Based on the description of the Historical Heart Today land use area, the special use permit request does not meet the above excerpt from the 2007 Comprehensive Plan, which includes support for the long term viability of neighborhoods and schools in the area.

Also, the request is deficient in the following goal and objectives of the plan;

**Objective 3.05**

**Neighborhoods:**

Protect and preserve existing neighborhoods from incompatible land uses and developments.

B8B. The design and planning of the site is not compatible with the location, setting, and existing uses on adjacent properties. This is based on the proximity to civic uses in the Historical Heart area, specifically, Fernan Elementary.

B8C. The location, design, and size of the proposal are such that the development will be adequately served by existing streets, public facilities and services. This is based on the information provided in the staff report which includes comments by various departments including but not limited to: Water, Sewer, Streets and Fire.

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of **PORT OF HOPE CENTERS, LLC** for a special use permit, as described in the application should be **denied**.

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

ROLL CALL:

Commissioner Evans	Voted Yes
Commissioner Luttrupp	Voted Yes
Commissioner Haneline	Voted Yes

Commissioners Jordon, Soumas and Messina were absent.

Motion to deny carried by a 3 to 0 vote.

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Vice-Chair Bowlby