

WRITTEN RECOMMENDATION OF THE HAYDEN PLANNING AND ZONING
REGARDING ZONE MAP AMENDMENT (ZC-0029)

Bjurstrom Zone Map Amendment

Application of Michael Walker of Miller Stauffer Architects, 601 E Front Street, Coeur d'Alene, Idaho 83814, on behalf of the owner Chris and Andy Bjurstrom Investments, LLC, 1124 N C Street, Coeur d'Alene, Idaho 83814 requesting a zone map amendment from Agricultural (A) to Residential (R-1), which is approximately 2.45 acres in size, more particularly described below:

Legal Description:

The Northwest Quarter of the Southwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 22, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

Factual Background

1. The property is generally located at the east of North Atlas Road, approximately 650 feet south of West Hayden Avenue.
2. The owner of the subject property at the time of application was Chris and Andy Bjurstrom Investments, LLC, 1124 N C Street, Coeur d'Alene, Idaho 83814.
3. On June 12, 2018, Michael Walker of Miller Stauffer Architects, on behalf of the owner requested to change the current zoning designation from Agricultural (A) to Residential (R-1).
4. On June 13, 2018, agency notice was e-mailed to eighteen agencies.
5. On June 28, 2018, notice was mailed to property owners within 300 feet of the subject property; and the site was posted. Notice was also provided to the following media outlets: Q6 News, KREM News, KXLY, *Nickels Worth*, *Spokesman Review* and *Blue Sky Broadcasting*.
6. On June 29, 2018, public notice was published in the *Coeur d'Alene Press*.
7. On July 23, 2018, a properly noticed public hearing was held before the Hayden Planning and Zoning Commission. At the hearing the Commission heard testimony from Michael Walker, Miller Stauffer Architects representing the applicant. The public was properly noticed in accordance with the applicable standards though no public chose to provide testimony at the allotted time.

Zoning: The project site is currently zoned Agricultural (A).

Surrounding Zoning and Land Use Designations

- a. Zoning: Properties to the north have a Residential Multi-Family (R-MF), Light Industrial, and Commercial designation. Properties to the east, west, and south have the Residential (R-1) designation.
- b. Land Use Designations: Properties to the north, south, east and west have a Residential designation with properties adjacent to Hayden Avenue with a Commercial designation.

Surrounding Current Land Uses: Properties within residential subdivisions to the east, west and south are identified in the table below:

Subdivisions	Minimum Lot Size	Average Lot Size	Number of Lots
Balser Estates	0.189	0.231	45
Broadmoore Estates	0.177	0.288	304
Family of Dreams	0.616	0.787	5
Gianna Estates	0.189	0.228	33
Gianna Estates South	0.216	0.252	30
Giovanni Estates	0.189	0.205	18

Comprehensive Plan: The City's Comprehensive Plan supports the rezone of the subject site to Residential (R-1), as it is designated on the Future Land Use Map as Residential and the Land Use Density as medium density. The following goals, policies, statements and land use maps taken from the adopted 2008 Comprehensive Plan Update provide guidance for this rezone:

- Section I: Hayden's Comprehensive Plan
- Section I-C: Vision Statement
- Section III-A: Planning/Administration
- Section III-C: Land Use
- Section III-F: Public Services
- Section III-H: Housing

Applicable Law: Idaho Code Section 67-6511 and Hayden City Code Title II, Chapter 16.

Standard for Approval and Findings

- A. **Findings:** During the applicant's presentation, Mr. Walker, identified the standards of approval for a zone map amendment. He explained why the proposed zoning was consistent with the surrounding area and the comprehensive plan. He identified similar amenities, and the residential nature of the area. A will serve letter was provided by Hayden Lake Irrigation District for future development, sewer infrastructure exists in Atlas Road fronting the project site, and preliminary fire approval has been received with guidance related to development. The existing agricultural zone is not consistent with the comprehensive plan, and the proposed zone amendment to residential would bring the property into alignment with the comprehensive plan. During deliberations Commissioners Taylor and Anderson agreed that the zone map amendment would be

consistent with the surrounding area and residential would align with the neighborhoods in the area. Chair Petersen stated that all seven of the standards had been met to his satisfaction. Commissioner Prickett agreed with the Chair, and Commissioner Cramer stated that the proposed zoning amendment would be a benefit to keep the area consistent. At the conclusion of the hearing, the Planning and Zoning Commission deliberated the proposal, and voted to recommend approval of the request after finding that the facts supported such a change, based upon the testimony of the applicant's representative, Michael Walker, and the Staff Report.

B. Standards: After applying the standards and procedures of Hayden City Code 11-16-5, the Hayden City Planning and Zoning makes a recommendation to the City Council to adopt the requested amendment. In so doing, the Hayden Planning and Zoning finds that the request meets the following standards of approval based upon the facts in the record and the testimony received at the public hearing:

1. The amendment is consistent with adopted plans.
2. The amendment does further public health, safety and welfare.
3. The infrastructure is present or can be available within two years to support the development that the amendment will allow for.
4. The circumstances justify the amendment.
5. The amendment is consistent with the neighborhood context.
6. The amendment aligns with the zone district's purpose and intent.
7. The amendment does result in consistent regulations for each property with the same zoning designation citywide.

Conclusion

Based upon the record placed before it, and after considering all of the evidence in the record and the testimony and evidence presented at the public hearing on July 23, 2018, before the Planning and Zoning Commission, and having applied the facts to the applicable law for a zone map amendment, it is the recommendation of the Hayden Planning and Zoning Commission that the requested zone map amendment from Agricultural (A) to Residential (R-1) is compatible with the surrounding land uses and character of the neighborhood, both present and future, and that the requested change is compatible with the existing Comprehensive Plan.

FINDINGS AND RECOMMENDATION APPROVED on the ___ day of August, 2018, by the City of Hayden Planning and Zoning Commission.

CITY OF HAYDEN, IDAHO
Planning and Zoning Commission

By: _____
Brian Petersen, Chairman