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**PLANNING AND ZONING COMMISSION  
MEETING AGENDA**

**July 8, 2025  
5:30 PM**

**Location: City Council Chambers, 408 N. Spokane Street, Post Falls, ID 83854**

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**REGULAR MEETING – 5:30 PM**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS**

Vicky Jo Carey, Kibbee Walton, Ray Kimball, James Steffensen, Ross Schlotthauer, Chris Schreiber, Bobby Wilhelm

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:  
ACTION ITEM**

**AMENDMENTS TO THE AGENDA**

Final action cannot be taken on an item added to the agenda after the start of the meeting unless an emergency is declared that requires action at the meeting. The declaration and justification must be approved by motion of the Council.

**DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS**

Commission members are requested to declare if there is a conflict of interest, real or potential, pertaining to items on the agenda.

**1. CONSENT CALENDAR**

The consent calendar includes items which require formal Commission action, but which are typically routine or not of great controversy. Individual Commission members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the Commission agenda packet regarding these items and any contingencies are part of the approval.

**ACTION ITEMS:**

- a. Meeting Minutes 06-10-2025
- b. Zoning Recommendation Lingar Annexation File No ANNX-24-11
- c. Zoning Recommendation Painted Rock Annexation ANNX-25-3
- d. Reasoned Decision Harvest Meadows PUD File No PUD-25-1

**2. CITIZEN ISSUES**

This section of the agenda is reserved for citizens wishing to address the Commission on an issue that is not on the agenda. Persons wishing to speak will have 5 minutes. Comments related to pending public hearings, including

decisions that may be appealed to the City Council, are out of order and should be held for that public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor, by subsequent appointment. In order to ensure adequate public notice, Idaho Law provides that any item, other than emergencies, requiring action must be placed on the agenda of an upcoming meeting. As such, the Commission cannot take action on items raised during citizens issues at the same meeting but may request additional information or that the item be placed on a future agenda.

### **3. UNFINISHED / OLD BUSINESS**

This section of the agenda is to continue consideration of items that have been previously discussed by the Planning and Zoning Commission.

#### **ACTION ITEMS:**

### **4. PUBLIC HEARINGS**

There are generally two types of public hearings. In a legislative hearing, such as adopting an ordinance amending the zoning code or Comprehensive Plan amendments, the Mayor and City Council may consider any input provided by the public. In quasi-judicial hearings, such as subdivisions, special use permits and zone change requests, the Mayor and City Council must follow procedures similar to those used in court to ensure the fairness of the hearing. Additionally, the Mayor and City Council can only consider testimony that relates to the adopted approval criteria for each matter. Residents or visitors wishing to testify upon an item before the Council must sign up in advance and provide enough information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for submission of information from City staff, then presentation by the applicant (15 min.), followed by public testimony (4 min. each) and finally the applicant's rebuttal testimony (8 min.). Testimony should be addressed to the City Council, only address the relevant approval criteria (in quasi-judicial matters) and not be unduly repetitious.

#### **ACTION ITEMS:**

- a. Special Use Permit Soaring Learners File No SUP-25-4
- b. Special Use Permit Hope & Zorros File No. SUP-24-7
- c. Special Use Permit Early Dawn & Zorros File No SUP-25-2
- d. Special Use Permit Poleline & Zorros File No SUP-25-3

### **5. ADMINISTRATIVE / STAFF REPORTS**

### **6. COMMISSION COMMENT**

### **7. ADJOURNMENT**

Questions concerning items appearing on this Agenda should be addressed to the Community Development Department – Planning Division at 408 N. Spokane Street or call 208-773-8708.

The City Hall building is handicapped accessible. If any person needs special equipment to accommodate their disability, please notify the City Media Center at least 24 hours in advance of the meeting date. The Media Center telephone number is 208-457-3341.

Chair: James Steffensen      Vice Chair: Ray Kimball  
Members: Vicky Jo Carey, Chris Schreiber, Ross Schlotthauer, Bobby Wilhelm, Kibbee Walton







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**PLANNING AND ZONING COMMISSION  
MEETING MINUTES**

**June 10, 2025  
5:30 PM**

**Location: City Council Chambers, 408 N. Spokane Street, Post Falls, ID 83854**

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**REGULAR MEETING – 5:30 PM**

**CALL TO ORDER  
5:30 PM**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS**

Vicky Jo Carey, Kibbee Walton, Ray Kimball, James Steffensen, Ross Schlotthauer, Chris Schreiber, Bobby Wilhelm

Present - Carey, Walton, Steffensen, Schlotthauer, Schreiber, Wilhelm

Excused - Kimball

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:  
ACTION ITEM**

A joint workshop between the City Council and the Planning & Zoning Commission is scheduled for June 17, 2025, at 5:00 PM on the second floor of City Hall. This public meeting will serve as the official kickoff for the Comprehensive Plan Update and is open to all community members.

In staff updates, it was noted that the Planning Department has experienced some turnover. While the departure of previous staff is acknowledged, the City has welcomed new team members who bring strong qualifications and enthusiasm to their roles.

Andrew Millar, who holds a Bachelor's Degree in Geography from Marshall University, has been with the City for about two months. He expressed excitement about joining the team and has a strong interest in Planning and Geographic Information Systems (GIS).

Justin Sauder also joined the Planning team as an Associate Planner. He earned his degree in City and Regional Planning from Cal Poly and brings seven years of experience from his roles in Palmdale and Santa Clarita, California. Mr. Sauder moved to Idaho in early 2025 with his wife and two young children and shared that his proactive outreach to city staff during a January visit helped initiate his transition into the new role. He conveyed enthusiasm about contributing to the City's planning efforts.

**AMENDMENTS TO THE AGENDA**

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None

## **DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS**

Commission members are requested to declare if there is a conflict of interest, real or potential, pertaining to items on the agenda.

None

### **1. CONSENT CALENDAR**

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#### **ACTION ITEMS:**

- a. Meeting Minutes 2025-05-13

**Motion by Commissioner Walton to approve the consent calendar as presented.**

**Second by Commissioner Schreiber**

**Vote:**

**Carey - Yes, Walton - Yes, Steffensen - Yes, Schreiber - Yes, Wilhelm - Yes**

**Moved**

### **2. CITIZEN ISSUES**

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None

### **3. UNFINISHED / OLD BUSINESS**

This section of the agenda is to continue consideration of items that have been previously discussed by the Planning and Zoning Commission.

#### **ACTION ITEMS:**

None

### **4. PUBLIC HEARINGS**

There are generally two types of public hearings. In a legislative hearing, such as adopting an ordinance amending the zoning code or Comprehensive Plan amendments, the Mayor and City Council may consider any input provided by the public. In quasi-judicial hearings, such as subdivisions, special use permits and zone change requests, the Mayor and City Council must follow procedures similar to those used in court to ensure the fairness of the hearing.

Additionally, the Mayor and City Council can only consider testimony that relates to the adopted approval criteria for each matter. Residents or visitors wishing to testify upon an item before the Council must sign up in advance and provide enough information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for submission of information from City staff, then presentation by the applicant (15 min.), followed by public testimony (4 min. each) and finally the applicant's rebuttal testimony (8 min.). Testimony should be addressed to the City Council, only address the relevant approval criteria (in quasi-judicial matters) and not be unduly repetitious.

**ACTION ITEMS:**

- a. Harvest Meadows PUD & Subdivision File Nos PUD-25-4 & SUBD-25-1

**Opened: 5:36 PM**

**Staff Report:** Jon Manley, Planning Manager for the City of Post Falls, presented the Harvest Meadows Planned Unit Development (PUD-25-1) and Subdivision (SUBD-24-4) applications, submitted by Merle Van Houten on behalf of Blackwell Home Development. Manley explained that the PUD and subdivision requests would be reviewed concurrently. The proposal involves approximately 11.22 acres of land recently zoned R2, with a proposed maximum density of 8 dwelling units per acre. The subdivision portion of the request includes 92 single-family residential lots—a slight increase from the 85 lots conceptually shown during annexation, which the commission had then referred to as "R2 Light". Based on the approximate gross acreage of 11.57 acres, the proposed density of 7.56 dwelling units per acre remains compliant with zoning conditions imposed at the annexation. The site is located between Guy Road and Spokane Street, just west of the North Brookie Drive and Spokane Street intersection. The area is identified as transitional in land use, with some prior large-lot single-family homes and visible site preparation underway, indicating a shift toward more intensive development. The site lies over the Rathdrum Prairie Aquifer, with water service being provided by the East Green Acres Irrigation District and sanitary sewer by the City of Post Falls. Surrounding zoning primarily consists of R1 single-family residential homes, present on the north, south, and east sides of the project site. With agricultural and county land to the west. A golf course and smaller residential lots front Spokane Street to the east. The subdivision criteria were reviewed. East Greenacres Water District has issued a will-serve letter, and the City of Post Falls will provide sewer service. The proposed street layout complies with the City's transportation element of the Comprehensive Plan. No topographic or environmental hazards have been identified on-site. The site is zoned R2, and the proposed single-family detached residential would be consistent with the submitted PUD and Annexation Agreement. Design deviations are proposed which are typically under a standard R2 designation, but are allowable through PUD approval. Impact and sewer cap fees at the time of building permit issuance will offset impacts on parks, streets, emergency services, and public infrastructure.

**Agency Comments:**

- Post Falls School District: Neutral
- Kootenai County Fire & Rescue: Coordination deferred to construction plan stage
- Idaho Department of Environmental Quality: No environmental concerns
- Idaho Transportation Department: Neutral
- Gas Pipeline Provider: No conflict
- Highway District: No comment

**Commission Discussion:**

Wilhelm questioned the return of the project after a prior R2 zoning recommendation had been made. Staff clarified that developers commonly seek zoning entitlements before investing in detailed subdivision design. The prior plan proposed 85 lots; the current plan includes 92. The road layout remains largely unchanged. The R2 designation with a density cap of 8 dwelling units per acre was approved by City Council and included in the annexation agreement.

Schlotthauer raised questions about the trade-offs permitted under the PUD. Staff explained that the primary benefit is the flexibility to allow smaller lots in exchange for open space and community amenities. The PUD tool enables greater housing diversity and may support affordability goals, as indicated in the City's housing

needs analysis. In this case, 1.32 acres of open space is being provided alongside 35-foot-wide lots. The proposal remains compliant with the overall density limitation.

**Applicant:** Merle Van Houten, Van Houten Consulting & Design LLC, representing Blackwell Homes, presented the Harvest Meadows subdivision and Planned Unit Development (PUD) proposal for an 11.57-acre R2 single-family development in Post Falls. He emphasized that the project aligns with the city's Comprehensive Plan and housing affordability goals. The intent is to create detached single-family homes, affordable to local residents, without resorting to rental development. Van Houten highlighted that the plan focuses on "scaled housing", offering modestly sized homes that are larger than cottage-style but remain affordable. The subdivision includes 92 lots using a PUD to allow smaller lot sizes (down to 2,649 sq. ft. from 4,000 sq. ft.) while still capping density at 8 units per acre, per annexation agreement terms. He emphasized community compatibility by maintaining R2 setbacks, enhancing green space buffers, and improving key roadways. The design includes front-loaded and alley-loaded access with 122 on-street parking spaces and three open space tracts, including a trail connection along Spokane Street and recreation space for children. He explained the three-phase development plan, detailing how each will proceed with road extensions, open space implementation, and utilities. He also pointed out aesthetic transitions from adjacent R1 neighborhoods and clarified minor PUD deviations, such as a few adjusted setbacks and reduced right-of-way widths. In closing, he reiterated that the proposal conforms to zoning and PUD criteria and delivers enhanced community design. He concluded by opening the floor for questions from the commission.

Carey: Regarding the lower road with parking on one side, is it a private road?

Van Houten: Yes, Aryshire Lane is a private road.

Carey: How does snow plowing work for private roads versus public roads?

Manley: The city plows public roads only. Private roads are maintained and plowed by the HOA. There are existing cases in Post Falls with mixed public and private streets, coordinated through CC&Rs.

Carey: Does this arrangement cause issues with timing between city and HOA plowing?

Manley: Sometimes plowing occurs at different times, but CC&Rs clarify maintenance responsibilities.

Carey: Are the designated snow storage areas for private plowing?

Van Houten: Yes, two designated areas at the ends of private streets are intended for snow storage and storm water management.

Steffensen: What determines the transition from Phase One to Phase Two?

Van Houten: Ideally, phases progress consecutively, but economic conditions and market demand are key factors. Interest in nearby subdivisions is encouraging.

Steffensen: Are there any structures planned in the green spaces?

Van Houten: No structures like pavilions or splash pads; the design includes trails, vegetation, benches, and play fields to keep HOA costs low.

Schreiber: Is parking provided according to requirements?

Manley: Yes, each residence has two parking spaces via one-car garages plus driveways sized 12 by 20 feet.

Manley: What are the closest public parks? The closest parks are Crown Point Park and White Pines Park, with additional open spaces such as Prairie Meadows nearby.

Manley: Proposed Condition: Completion of the second park/green space is required prior to starting Phase Three to avoid issues seen in previous projects where phases were combined before amenities were finished.

Van Houten: Acknowledged and will address the proposal during rebuttal.

### **Testimony**

In-Favor: - None

Neutral - None

In Opposition - None

Molly Lorenzo, Post Falls, ID. Ms. Lorenzo expressed concerns about the proposed development. She questioned the project's characterization as having "no environmental impact," pointing out that the land was formerly agricultural and that converting it to residential use represents a significant environmental change. Ms. Lorenzo also raised concerns about utility costs, noting a \$30 increase in her personal water bill over the past decade. She inquired whether the proposed homes would be connected to City of Post Falls utilities or the Green Acres system. Lastly, Ms. Lorenzo asked about the timing of construction activities, specifically requesting that work not be scheduled during typical sleeping hours to minimize disruption to existing residents. Staff noted that construction timing would be subject to city regulations and any applicable

conditions of  
approval.

Manley responded that the Idaho Department of Environmental Quality (DEQ) had reviewed the project and reported “no environmental concerns.” He clarified that this determination reflects the agency’s regulatory perspective and does not negate the possibility of perceived impacts from nearby residents.

William Guy, Post Falls, ID: Mr. Guy expressed strong opposition to the proposed modifications to the Harvest Meadows subdivision. He noted that the original zoning was R1, and nearby homeowners expected similar development. He criticized the shift to smaller lots and narrower streets, stating the project is incompatible with the surrounding neighborhood and diminishes residents' privacy. He also questioned the affordability of the proposed homes, disputing claims that they qualify as low-income housing. Guy voiced concerns about traffic, parking, and future maintenance, warning the development could deteriorate over time. He urged the commission to deny the request.

Deborah Thomas, Post Falls, ID: Ms. Thomas expressed concern over the proposed Harvest Meadows PUD, citing increased density, smaller lot sizes, and incompatibility with surrounding neighborhoods. She objected to the significant reduction from the originally approved minimum lot size of 4,000 sq. ft. to 2,649 sq. ft., noting that 81 of 92 proposed lots fall below the 4,000 sq. ft. threshold. She requested conditions limiting the number of homes on the Elfers portion to 40, enforcing two-story height limits, restricting rentals, and ensuring more accurate plat information. She also requested a 10-foot setback for Lot 88, adjacent to her property, which the developer agreed to, along with the removal of a large cottonwood tree near her fence. Thomas offered to donate a replacement tree to be planted in the new development’s swale area.

Kristen Nelson, Post Falls, ID: Ms. Nelson expressed concern over the shift from low to medium density, stating that it would negatively impact her property and the character of the neighborhood. She objected to the small lot and home sizes, lack of yard space, and potential safety issues from children playing in crowded streets with limited parking. Nelson raised specific concerns about overflow parking spilling onto Tennessee Avenue and compared the proposed layout unfavorably to nearby alley-access subdivisions. She expressed strong opposition to the inclusion of what she characterized as low-income housing and stated the development may cause her to leave Post Falls.

## **Rebuttal**

Van Houten provided clarifications regarding the project. He acknowledged the validity of neighbors’ concerns while emphasizing the goal of providing affordable, cottage-style single-family homes for those priced out of the local market. Van Houten confirmed that construction hours would be limited to 7:00 a.m. to 5:00 p.m. to minimize disruption. Water service will be supplied by East Greenacres, with sewer provided by the City of Post Falls, both of which have been reviewed and found sufficient. He clarified the zoning history, noting that the subject property was previously under county zoning and received its R2 zoning only upon annexation to the City. Thus, it was not a change from R1 as some had suggested. The applicant explained that the development now represents a unified Planned Unit Development (PUD) encompassing three parcels, originally proposed separately by different applicants. This consolidation allows for a cohesive site plan and compliance with city code. Addressing specific concerns, Van Houten confirmed agreement to increase the side yard setback on Lot 88 from five feet to ten feet, as requested by an adjacent property owner, and agreed to the removal of a large cottonwood tree impacting the site, with these commitments reflected in the revised plans and subject to conditions of approval. Regarding parking concerns, the applicant highlighted that the project provides more on-street parking spaces than typical subdivisions, prohibits parking in alleys, and has incorporated a trail spur to accommodate residents and guests accessing alley-facing homes. Finally, Van Houten agreed to an additional staff-proposed condition that requires completion of the second phase green space prior to commencing Phase 3 construction, citing lessons learned from prior developments. Van Houten concluded by reiterating the intent to create a compatible, attractive, and affordable single-family residential community that balances the needs of future residents and existing neighbors.

**Public Hearing Closed: 6:50 PM.**

**PUD Review Criteria:**

**1. The proposed PUD provides for adequate utilities services and parking to service the proposed development by:**

**a. Providing a public water supply system that has adequate supply to serve the proposed development; and**

Based on testimony, the Commissioners confirmed that East Greenacres Irrigation District will provide public water service to the development. No concerns were raised regarding capacity or adequacy of supply.

**b. Providing a public wastewater collection system that is designed in accordance with the City's adopted Wastewater Master Plan and has sufficient capacity to accommodate the proposed sewer flows; and**

Gabbert: Noted that the City of Post Falls has issued a "will serve" letter for wastewater service, confirming that the City can accommodate the sewer flows as proposed.

**c. Providing adequate accommodation for other utilities necessary to support the proposed development**

Commissioners noted no concerns related to utility access. Commissioner Schreiber stated there were no questions raised regarding easements for electricity or gas. Commissioner Gabbert referenced testimony indicating that utility easements are shown on Exhibit A3 along both public and private roads.

**d. Providing sufficient parking throughout the development to adequately meet the parking needs of all uses proposed in the PUD.**

Commissioners deliberated extensively on whether the Harvest Meadows Planned Unit Development (PUD) provides sufficient parking for the proposed density and layout. While staff confirmed that the plan meets the Post Falls code for both on-street and off-street parking, several commissioners expressed concern about practical functionality:

Steffensen: questioned whether one-car garages and 20-foot driveways would accommodate modern vehicles and multi-car households, citing similar problems in existing neighborhoods.

Wilhelm and Schreiber: Echoed concerns, noting issues with large trucks overhanging into walkways or roads and the difficulty of snow removal in narrow streets.

Schlotthauer: He highlighted the trade-off between tighter roadways and the desire for open space but acknowledged it as a challenging compromise.

Gabbert: Emphasized the importance of considering community functionality beyond code compliance.

Robert Palus, City Engineer: Mr. Palus clarified that the road widths (28 feet for parking on one side, 32 feet for both sides) conform to city standards, even if the overall right-of-way is narrower.

**Conclusion:** There was consensus that while the development meets minimum parking standards, the real-world implications, particularly with street width, vehicle size, and increased density, could lead to congestion and accessibility issues. Concerns were formally noted for the record.

**2. The proposed PUD provides for an integrated transportation network which adequately serves the proposed development by subsection:**

**a. Providing for the continuation of arterial and collector streets meeting city standards for volume in a manner consistent with the city's adopted master transportation plan.**

Carey: Acknowledged that the applicant has addressed street connectivity for managing immediate traffic needs

Schreiber: Stated there were no concerns with connections to Spokane Street or Guy Road, noting that these align with city requirements.

Commissioners viewed right-of-way dedications along Spokane Street positively and see it as improving overall network continuity.

**c. Providing a pedestrian and bicycle system designed to provide adequate circulation throughout the entire development and to all open spaces.**

Commissioners generally viewed the connections as adequate.

Schreiber: Raised concerns about cars in short driveways potentially blocking sidewalks.

**3. The proposed PUD provides enhanced community design by:**

Schreiber: clarified that while neighbors expressed concern about increased density, the property is zoned R2, which permits significantly more homes than proposed. He explained that the PUD limits the project to 92 units—fewer than the 122 units that standard zoning would allow—offering a trade-off: less density in exchange for more open space. He framed the proposal as a compromise between allowable density and community benefit.

**a. Conserving and incorporating the sites significant natural, scenic and/or historical features in the development, if any; and**

The Commission found no significant scenic, natural, or historical features on the site. While a six-foot fence along the adjacent rail corridor was mentioned, there was no formal recognition or consensus that the corridor itself holds historical significance.

**b. Integrating a mix of compatible land uses in the development and adequately buffering and/or separating any incompatible uses in the development; and**

Schreiber: He acknowledged concerns about higher-density housing near existing low-density (R1) neighborhoods but emphasized that the site is zoned R2, which permits greater density. Without the PUD, the developer could build up to 122 homes under standard R2 zoning, but the current proposal limits it to 92 units and includes open space, making it a balanced trade-off between density and community benefits.

**c. Locating the proposed uses and lot sizes in the proposed PUD in a manner that blends with the surrounding uses, neighborhoods and public facilities located in the City;**

Commissioners evaluated how well the proposed Harvest Meadows development blends with surrounding neighborhoods.

Steffensen: Pointed out the surrounding area is zoned R1, this project falls under R2, and questioned whether the development type is appropriate.

Gabbert: Noted some efforts to position the denser units toward the interior of the site, away from neighboring R1 homes.

Schlotthauer acknowledged the applicant had made a clear effort to design a transition that respects the existing neighborhood context.

Schreiber raised questions about building height limits, but staff confirmed that both R1 and R2 zones allow up to 35 feet with no additional setback required above 25 feet.

**d. Providing at least ten percent (10%) of the gross land area for open space that meets the recreational needs of the users of the development and provides for a variety of recreational uses;**

Commissioners agreed the proposed PUD meets and exceeds the city's requirement to dedicate at least 10% of the gross land area to open space.

Walton: noted that the project includes approximately 11.7% open space, which is above the minimum threshold.

**4. The proposed PUD provides for timely development of the property and security for future completion and maintenance by:**

**a. Ensuring that each development block contains all the necessary element to exist independently from future blocks; and**

The commissioners discussed the phasing of the development, agreeing that the third phase should not begin until all open spaces are completed and dedicated. This condition was supported by the commissioners and agreed to by the applicant to ensure proper development and maintenance of open areas.

**b. Ensuring that each building in the development lot has sufficient access around the structure to allow for continual maintenance of the building and access for emergency services.**

The commissioners noted that the fire department will review the development plans, and any concerns regarding access, such as roads, turnarounds, and dead ends, will be addressed before final approval. The fire department's sign-off is required prior to project finalization.

**c. Ensuring that a funding mechanism exists to adequately maintain common areas that are not publicly maintained.**

The commissioners discussed the requirement for a homeowners association (HOA) to maintain private common areas in the development. While the city mandates the HOA's formation and maintenance responsibilities through CC&Rs, it does not manage the HOA or enforce funding mechanisms like capital reserves. Concerns were raised about the risk to homeowners if adequate reserves are not set aside, but it was acknowledged that this is standard for HOAs and beyond the city's control.

**Subdivision Review Criteria:**

**1. Definite provision has been made for a water supply system that is adequate in terms of quantity, and quality for the type of subdivision proposed.**

The commissioners confirmed that an adequate water supply is proposed through East Greenacres Irrigation District.

**2. Adequate provisions have been made for a public sewage system and that the existing municipal**



**system can accommodate the proposed sewer flows.**

The commissioners confirmed that the City of Post Falls can provide adequate sewage services for the development.

**3. Proposed streets are consistent with the transportation element of the comprehensive plan.**

The commissioners reviewed the proposed street layout, confirming it aligns with the city's transportation plan. They noted that private streets are allowed even without a PUD, so the PUD status does not affect this aspect. The design supports connectivity and meets city standards.

**4. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards have been identified and that the proposed uses of these areas are compatible with such conditions.**

The commissioners confirmed none were identified in the staff report.

**5. The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code.**

Gabbert stated that the single-family detached homes proposed are compliant with regulations and would be subject to PUD approval, indicating the development meets required standards aside from the PUD considerations.

**6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community.**

The commissioners confirmed that impact fees are standard charges collected at the time of development or when individual building permits are issued. These fees help offset the costs associated with the development's impact on public infrastructure or services.

**Motion by Commissioner Carey to move to approve Harvest Meadows PUD file number PUD-25-1 finding that it meets the approved criteria and Post Fall's Municipal Code 18.20.080 as outlined in our deliberation subject to conditions 1 through 12 contained in the staff report and adding condition 13 that both common areas be completed before the start of phase three of the development and direct the staff to prepare a written reason decision**

**Second by Commissioner Walton**

**Vote:**

**Carey - Yes, Walton - Yes, Steffensen - No, Schlotthauer - Yes, Schreiber - No, Wilhelm - No  
PUD Denied**

**b. Painted Rock Annexation File No ANNX-25-3**

**Opened: 7:29 PM.**

**Staff report** Jon Manley, Planning Manager for the City of Post Falls, presented the application on behalf of Ryno Land, LLC, represented by Ray Kimble of Whipple Consulting Engineers. The request was for a recommendation to City Council to apply R2 (Medium Density Residential) zoning to approximately 4.67 acres as part of an annexation proposal. The Planning and Zoning Commission was not voting on the annexation itself, only on the zoning recommendation. The subject property is located at the northwest corner of Midway Avenue and McGuire Road. It is currently a large-lot single-family residence situated over the Rathdrum Prairie Aquifer. Wastewater services would be provided by the City of Post Falls, which has available capacity. Water service would come from East Greenacres Irrigation District. Any existing septic systems will be removed as part of the development process. Additional rights-of-way and easements will be required for Midway and McGuire as part of annexation. It was noted that McGuire Road is scheduled for a closure at its northern end in the near future. The surrounding zoning includes R2 townhome products to the south, R1 zoning to the east, and a mix of commercial, industrial, and transitional zones nearby. The proposal is consistent with the City's Comprehensive Plan and lies within the West Prairie Focus Area. This area emphasizes walkability, pedestrian connectivity, diverse housing types, and transportation network improvements. The annexation would complete all four corners of the Midway/McGuire intersection within city limits, supporting connectivity and pedestrian

access in all directions. The medium-density proposal fits within the city's vision of transitioning from higher-intensity commercial and industrial uses along Seltice Way to residential neighborhoods. Residential development can support corridor revitalization, and the proposed zoning can help meet city goals related to housing diversity. Agency comments received showed no objections. The proposed R2 zoning does not create a demonstrable adverse impact on service delivery. A previous annexation near this area at Poleline and McGuire for R1 zoning was noted as having been denied by City Council. The Midway corridor is envisioned as an east-west connector that may eventually extend to Corbin Road, helping to ease traffic loads on McGuire. The R2 zoning request aligns with the comprehensive plan and the city's long-term planning goals.

**Applicant:** Ray Kimble, Whipple Consulting Engineers, representing the owner, Ryno Land, LLC, for the Painted Rock Annexation. The project site covers about 4.67 acres, and we're requesting the R2 zoning designation, which aligns with the City's Comprehensive Plan designation of Medium Density Residential. This zone allows for 50-foot-wide lots, which fits well with the type of single-family homes typical in Post Falls, which are generally 40-foot-wide houses on these lots. This lot size allows for more efficient use of land compared to R1 zoning, which requires 60-foot-wide lots, and helps reduce overall development costs without compromising product quality. The property is essentially a county "peninsula" surrounded by city limits, making it an ideal candidate for infill annexation. It meets the key criteria for redevelopment—appropriate size, shape, available city utilities, and is currently on the market. Annexing and developing this parcel helps reduce isolated county islands and supports the city's growth management objectives. One important aspect I want to highlight is the transportation benefit. McGuire Road, which fronts this property, is designated as a minor arterial and has the potential for a future interchange as part of the city's long-term transportation plan. The development will include right-of-way dedication and frontage improvements valued at roughly \$355,000 in today's dollars, which the city would otherwise need to fund in the future. This developer-funded infrastructure advances the city's transportation goals without tapping into taxpayer resources. We have received no negative agency feedback, and there are no anticipated adverse impacts on public services. Overall, the proposal supports the city's goals for housing diversity, infill development, and infrastructure planning.

**Testimony**

In-Favor: - None

Neutral - None

In Opposition - None

**Public Hearing Closed: 7:50 PM.**

**Review Criteria:**

**1. Is the proposed zoning district consistent with the Future Land Use Map and Focus Area contained in the currently adopted Post Falls Comprehensive Plan?**

The commissioners agreed that the proposed Medium Density Residential R2 zoning district is an appropriate implementing zone for this land use designation, consistent with the intent and focus of the adopted Comprehensive Plan.

**2. Is the proposed zoning district consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan that are relevant to the area under consideration?**

The commissioners agreed that the proposed zoning supports Policy 15 of the Comprehensive Plan, which calls for diverse housing options that meet a range of needs in terms of size, type, and affordability. R2 zoning allows for housing that is more attainable than larger-lot single-family homes found in lower-density districts.

**3. Does the proposed zoning district create a Demonstrable Adverse Impact upon the delivery of services by a political subdivision providing public services to the city?**

The commissioners agreed that there was no evidence in the record of any demonstrable adverse impact on the delivery of public services associated with the proposed zoning. No negative comments were received from utility or service providers. Staff identified the preservation of future transportation corridor options as a beneficial consideration for long-term planning.

**Motion by Commissioner Schreiber moves to recommend approval of the Painted Rock Annexation File No ANN-25-3 finding that the requested R2 zoning meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberation and direct staff to prepare a zoning recommendation to be provided to City Council.**

**Second by Commissioner Schlotthauer**

**Vote:**

**Wilhelm - Yes, Schreiber - Yes, Schlotthauer - Yes, Steffensen - Yes, Walton - Yes, Carey - Yes**

Moved

c. Text Amendment PPMC Title 18.24.020F File No TA-25-1

**Opened: 7:55 PM.**

**Staff report:** Jon Manley, Planning Manager for the City of Post Falls. The Post Falls Planning Division proposed a text amendment to Title 18 of the municipal code to clarify when frontage improvements and right-of-way dedications are required during development. The amendment is aimed at supporting infill and small-scale residential development by eliminating the need for frontage improvements in specific scenarios, such as when constructing residential accessory structures or small-scale infill (cottages or tiny homes), provided the lot is not in a SmartCode zone and does not front a collector or arterial roadway. The change replaces an existing section (Section F) in its entirety and removes the need for individual waiver requests to City Council. The goal is to make housing investment more attainable while maintaining consistency with city infrastructure and planning standards. The Planning and Zoning Commission voted unanimously to forward the amendment to City Council with a recommendation for approval following a public hearing and staff presentation.

**Testimony**

In-Favor: - None

Neutral - None

In Opposition - None

**Public Hearing Closed: 8:08 PM.**

**Motion by Commissioner Carey recommend that TA-25-1 be forwarded to City Council with our recommendation to approve.**

**Second by Commissioner Schreiber**

**Vote:**

**Carey - Yes, Walton - Yes, Steffensen - Yes, Schlotthauer - Yes, Wilhelm - Yes, Schreiber - Yes**

Moved

**5. ADMINISTRATIVE / STAFF REPORTS**

None

**6. COMMISSION COMMENT**

None

**7. ADJOURNMENT**

**8:10 PM**

Date: \_\_\_\_\_

Chair: \_\_\_\_\_

Attest: \_\_\_\_\_

Questions concerning items appearing on this Agenda should be addressed to the Community Development Department – Planning Division at 408 N. Spokane Street or call 208-773-8708.

The City Hall building is handicapped accessible. If any person needs special equipment to accommodate their disability, please notify the City Media Center at least 24 hours in advance of the meeting date. The Media Center telephone number is 208-457-3341.

Chair: James Steffensen      Vice Chair: Ray Kimball  
Members: Vicky Jo Carey, Chris Schreiber, Ross Schlotthauer, Bobby Wilhelm, Kibbee Walton

# **Lingar Annexation File No. ANNX-24-11**

## **Planning and Zoning Commission Zoning Recommendation**

### **A. INTRODUCTION:**

**APPLICANT:** Olson Engineering o/b/o Mickey Lingar, Owner

**LOCATION:** The property is generally located 670' (.13 miles) west of the intersection of N. McGuire Rd. and W. Midway Ave.

**REQUEST:** Zoning recommendation of Medium Density Residential (R2) on approximately 4.54-acres.

### **B. RECORD CREATED:**

1. A-1 Application
2. A-2 Narrative
3. A-3 Vicinity Map
4. A-4 Owners Authorization
5. S-1 Vicinity Map
6. S-2 Zoning Map
7. S-3 Future Land Use Map
8. PA-1 PFSD Comments
9. PA-2 KCFR Comments
10. PA-3 KCCD Comments
11. PA-4 PFPD Comments
12. PA-5 DEQ Comments
13. PA-6 PHILLIPS 66 Comments
14. PA-7 PFHD Comments
15. PZ Staff Report
16. Testimony at the April 8, 2025, Planning and Zoning Commission ("Commission") hearing including:

Planning and Zoning Commission (hereinafter "Commission") heard the request at the April 8, 2025, public hearing, and the meeting was in-person and live-streamed on the City of Post Falls YouTube Channel. The public hearing was properly noticed and conducted per the requirements of Idaho Code Sections 67-6511 and 67-6509, and City Code section 18.20.060. The purpose of the hearing was to afford the applicant and the public the opportunity to supply testimony and documentation to be taken by the Commission in their application of City Code 18.20.100 when making the Commission's recommendation on zoning to the City Council.

#### **Jon Manley, Planning Manager**

Mr. Manley presented the staff report. He testified that the applicant was seeking a recommendation for an initial zoning designation of Medium Density Residential (R-2) on approximately 4.54 acres upon the annexation into the city of Post Falls. The subject property is located 670' (.13 miles) west of the intersection of N. McGuire Road. and W. Midway Avenue.

Mr. Manley testified about the surrounding zoning and land uses. Surrounding the subject site are predominately single-family large residential lots within Kootenai County, except to the southeast where there is a mixed Medium Residential (R-2) zoned project within the city. The current land use is large lot residential in Kootenai County, it is located over the Rathdrum Prairie Aquifer and the water provider is the East Greenacres Irrigation District, and the City of Post Falls would be the wastewater service having the capacity and ability to serve. He further testified that the existing septic systems would be required to be abandoned and remaining structures to be connected to the City's Water Reclamation system at the time of development, if approved for annexation. Additionally, he identified Midway Ave. as a minor collector and N. McGuire Rd. as a minor arterial.

Mr. Manley testified that the Future Land Use designates this site as Transitional, which directs that land uses be consistent with the associated focus area—specifically, the West Prairie Focus Area. Growth in this area should embrace a variety of housing types and land uses, maintain quality standards, and provide even greater emphasis on pedestrian friendliness and connecting neighborhoods to community trails and nearby amenities.

Mr. Manley stated that this area presents a complex case for infill development as it is bounded by a rail corridor to the north and lies just above the commercial uses along Seltice Way. The current Comprehensive Plan identifies opportunities for high-density residential development behind some of these commercial and manufactured home park uses. The proposed R2 zone would be consistent with the adjacent properties in the city

Mr. Manley testified that the proposal could be supported by goal six of the Comprehensive Plan, which seeks to maintain and improve Post Falls' transportation network and goal seven promoting diverse land uses supporting community needs and the City's long-term sustainability. Policy 15 encourages addressing housing needs by encouraging diversity in housing types and the requested R2 zone addresses the missing middle housing segment.

Finally, Mr. Manley testified that there have been no significant concerns raised regarding any adverse impacts from public services. Mr. Manley stated that the zoning recommendation for R2 is recommended and satisfies the criteria.

#### **Jeramie Terzulli, Olson Engineering, Applicant**

Mr. Terzulli similarly testified about the property and the requested annexing and zoning to R-2. He emphasized the property's designation as "Transitional" in the city's Future Land Use Map and its location within the West Prairie focus area, making it suitable for the medium-density housing zoning designation. As the property is surrounded by a mix of residential, commercial industrial uses, and a nearby railroad line, Terzulli testified that the site was not an ideal location for high-end homes but instead well-suited for entry-level housing in the R-2 zone. The proposed development contemplated approximately 25 single-family homes on smaller lots, aligning with city policies promoting housing diversity, walkability, and efficient infrastructure use. He highlighted the availability of sewer and water infrastructure, the lack of any known adverse service impacts, and the site's proximity to schools, parks, and local amenities. The project is supported by the City's long-term planning goals of affordability and sustainable growth.

#### **Public Testimony:**

The hearing was opened for public testimony.

In Favor - None

Neutral - None

In Opposition - Debbie Vocca, Post Falls, ID: Ms. Vocca testified that the area should be kept rural, there's enough medium density everywhere and there should remain places for people to have little farms. She expressed concern that the water treatment plant is already an issue.

**Rebuttal:**

Mr. Terzulli clarified that the “Transitional” land use designation refers back to the comprehensive plan and is not based on personal opinion. He explained that the request for R-2 zoning is driven by a small group of local real estate professionals who now own the property and are entering the development space. While they considered submitting a subdivision application alongside the annexation request, the risk of annexation denial made such an investment—costing tens of thousands of dollars—too risky without initial annexation approval. They have engaged an engineer and partnered with a builder, and although they have a preliminary plat showing 25 single-family detached units, they have paused full subdivision plans until annexation is decided. The R-2 zoning request allows for slightly smaller lots than R-1, making the project financially viable. Terzulli emphasized the property's current state as uninhabitable and argued that without annexation, it could be redeveloped into a large single-family estate, preventing future urban integration for decades. Given the property's proximity to commercial areas, transportation corridors, and existing urban development, he re-asserted that R-2 zoning and the development of starter homes is the most appropriate and responsible use.

**Deliberations:** After the public hearing was complete, the hearing was closed, and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the criteria in City Code section 18.20.100.

**C. EVALUATION OF APPROVAL CRITERIA FOR INITIAL ZONING:**

**C1. Is the proposed zoning district consistent with the Future Land Use Map and Focus Area contained in the currently adopted Post Falls Comprehensive Plan?**

The applicant has requested initial zoning of R-2 on approximately 4.54 acres upon annexation into the city of Post Falls. The Future Land Use Map designates this location as Transitional R-2 would be an implementing zoning district within this future land use designation. The West Prairie District's goals of encouraging mixed residential and commercial uses with higher densities near major corridors would be consistent with this designation.

The Commission finds that the proposed R-2 zoning is in accordance with the Future Land Use Map and Focus Area.

**C2. Is the proposed zoning district consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan that are relevant to the area under consideration?**

Based on the testimony provided and the staff report, the Commission finds the requested zone change to be consistent with the following goals and policies contained in the comprehensive plan:

*Goals:* The proposal is consistent with Goal 6 as it improves Post Falls' transportation network by the addition of right of way upon annexation. It is also supported by Goal 7 in establishing land uses that support community needs in allowing for diverse housing types in the R-2 zone.

*Policies:* The proposal is consistent with policy 24 in planning for and protecting transportation corridors and preserving adequate rights-of-way by improving east/west connectivity opportunities. Policy 15 additionally supports the proposal in providing for future housing needs and encouraging housing diversification.

**C3. Does the proposed zoning district create a Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city?**

The Commission finds that political subdivisions were notified, and the city received no adverse

written comments. No evidence of a demonstrable adverse impact upon the delivery of services by any other political subdivisions as provided, and as such, the Commission finds this criterion satisfied.

**D. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:**

**ANNX-24-11, INITIAL ZONING:** Following the public hearing, the Planning and Zoning Commission considered all relevant evidence and comments, and a motion to recommend approval of the recommended zoning upon annexation was made, the motion passed unanimously. The Planning and Zoning Commission hereby recommends that the City Council approve the proposal, finding that it conforms to the general purpose of the comprehensive plan and meets the applicable approval criteria for the applicant's request for Medium Density Residential (R2) zoning on approximately 4.54-acres upon successful annexation of the property.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Attest



#### **NOTICE OF RIGHTS:**

**Any affected person aggrieved by a final decision of the Planning and Zoning Commission may submit a written notice of appeal along with the required fees in accordance with the City's adopted fee schedule, to the City Clerk for appeal to the Post Falls City Council within fourteen (14) days of the date of the written decision, pursuant to Post Falls City Code 18.20.60.E**

**The final decision of the Planning and Zoning Commission is not a final decision for purposes of judicial review until the City Council has issued a final decision on appeal and the party seeking judicial review has requested reconsideration of that final decision as provided by Idaho Code 67-6535(2)(b), pursuant to Post Falls City Code 18.20.60.E.**

**Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section 67-6535 must first seek reconsideration of the final decision within fourteen (14) days of such decision. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.**

**The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section 67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code Section 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.**

# **Painted Rock Annexation File No. ANNX-25-3**

## **Planning and Zoning Commission Zoning Recommendation**

### **A. INTRODUCTION:**

APPLICANT: Ray Kimble, Whipple Consulting Engineers o/b/o Ryno Land, LLC

LOCATION: The property is located at the northwest corner of Midway Avenue and McGuire Road.

REQUEST: Zoning recommendation of Medium Density Residential (R2) on approximately 4.67-acres.

### **B. RECORD CREATED:**

1. A-1 Application
2. A-2 Narrative
3. A-3 Vicinity Map
4. A-4 Owners Authorization
5. S-1 Vicinity Map
6. S-2 Zoning Map
7. S-3 Future Land Use Map
8. PA-1 PFSD Comments
9. PA-2 KCFR Comments
10. PA-3 DEQ Comments
11. PA-4 KCCD Comments
12. PA-5 ITD Comments
13. PA-6 PHILLIPS 66 Comments
14. PA-7 PFHD Comments
15. PC-1 VOCCA Comments
16. PZ Staff Report
17. Testimony at the June 10, 2025, Planning and Zoning Commission ("Commission") hearing including:

Planning and Zoning Commission (hereinafter "Commission") heard the request at the June 10, 2025, public hearing, and the meeting was in-person and live-streamed on the City of Post Falls YouTube Channel. The public hearing was properly noticed and conducted per the requirements of Idaho Code Sections 67-6511 and 67-6509, and City Code section 18.20.060. The purpose of the hearing was to afford the applicant and the public the opportunity to supply testimony and documentation to be taken by the Commission in their application of City Code 18.20.100 when making the Commission's recommendation on zoning to the City Council.

#### **Jon Manley, Planning Manager**

Mr. Manley presented the staff report. He testified that the applicant was seeking a recommendation for an initial zoning designation of Medium Density Residential (R-2) on approximately 4.67 acres upon the annexation into the city of Post Falls. The subject property is located at the northwest corner of Midway Avenue and McGuire Road.

During the hearing, Mr. Manley provided information about the surrounding zoning includes R-2 zoned townhome products to the south, R-1 zoning to the east, and a mix of commercial, industrial, and transitional zones nearby. The area is identified as medium density residential in the Future Land Use map and R-2 zoning designation would be an implementing zone. Mr. Manley testified that the proposal is consistent with the City's Comprehensive Plan and lies within the West Prairie Focus Area. Mr. Manley stated this area emphasizes walkability, pedestrian connectivity, diverse housing types, and transportation network improvements.

Mr. Manley testified that the current land use is of a large lot single-family residence over the Rathdrum Prairie Aquifer and that the water provider is the East Greenacres Irrigation District. The City of Post Falls would be the wastewater service having both the capacity and ability to serve. Any existing septic system will be removed as part of the development process. Mr. Manley testified that additional rights-of-way and easements will be required for both Midway Avenue and McGuire Road as part of the annexation. He noted that McGuire Road is scheduled for a closure at its northern end at HWY 53 at some time in the near future.

Mr. Manley testified that the request for R-2 zoning could be supported by and in accordance with Goals 6 and 7 and Policies 15, 24, 26, 33 of the comprehensive plan, by supporting transportation infrastructure improvements and providing for diverse and attainable housing. Using maps, proximity metrics, and imagery, he explained the area's transitional planned land use pattern from commercial along Seltice Way to medium and high-density residential further north, justifying the R-2 designation as a means of buffering uses, promoting redevelopment, and improving multimodal access.

Mr. Manley concluded that annexation and zoning of the property would facilitate infrastructure enhancements, fill a gap at a key intersection already mostly within city limits, and help implement long-range planning objectives for housing and transportation in the West Prairie Focus Area.

Mr. Manley also testified that there have been no "demonstrable Adverse Impacts" identified from comments received by the noticed agencies in response to the annexation and initial zoning request. Mr. Manley stated that the annexation and zoning recommendation for R-2 is recommended and satisfies all known criteria.

#### **Ray Kimball, Applicant**

Mr. Kimball similarly testified about the property and the requested annexation and zoning recommendation for R-2 zoning designation, which aligns with the City's Comprehensive Plan designation of Medium Density Residential. Mr. Kimball explained this zone allows for 50-foot-wide lots, which fits well with the type of single-family homes typical in Post Falls. This lot size allows for more efficient use of land compared to R1 zoning, which requires 60-foot-wide lots, and helps reduce overall development costs without compromising product quality.

Mr. Kimball testified that the property is essentially a county "peninsula" surrounded by city limits, making it an ideal candidate for infill annexation as it meets the key criteria for redevelopment—appropriate size, shape, available city utilities, and is currently on the market. Mr. Kimball highlighted the transportation benefit and right of way dedication. McGuire Road, which fronts this property, is designated as a minor arterial and has the potential for a future interchange as part of the city's long-term transportation plan. The development will include right-of-way dedication and frontage improvements valued at roughly \$355,000, which the city would otherwise need to fund in the future. This developer-funded infrastructure advances the city's transportation goals without tapping into taxpayer resources. Mr. Kimball further stated that the proposal supports the city's goals for housing diversity, infill development, and infrastructure planning.

#### **Public Testimony:**

The hearing was opened for public testimony

**In Favor** (Not wishing to Speak): Scott Krajack

**Rebuttal:** None

**Deliberations:** After the public hearing was complete, the hearing was closed, and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the criteria in City Code section 18.20.100.

**C. EVALUATION OF APPROVAL CRITERIA FOR INITIAL ZONING:**

**C1. Is the proposed zoning district consistent with the Future Land Use Map and Focus Area contained in the currently adopted Post Falls Comprehensive Plan?**

The applicant has requested initial zoning of Medium Density Residential (R-2) on approximately 4.67 acres upon the annexation into the city of Post Falls. The Future Land Use Map designates this area as medium density residential and inside the West Prairie Focus Area. The West Prairie's goals of encouraging mixed residential and commercial uses with higher densities near major corridors would be consistent with this designation.

The Commission finds that the proposed medium density residential (R-2) zone is in accordance with the Future Land Use Map and Focus Area, no other testimony or evidence was presented.

**C2. Is the proposed zoning district consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan that are relevant to the area under consideration?**

Based on the testimony provided and the staff report, the Commission finds the requested zone change to be consistent with the following goals and policies contained in the comprehensive plan:

*Goals:* The proposal is consistent with Goal 6 as it maintains and improves Post Falls' transportation network by including additional right of way in annexing the last corner of the intersection. It is also supported by Goal 7 in establishing land uses that support community needs by allowing for diverse housing types in the R-2 zone.

*Policies:* The proposal is consistent with Policy 15 by providing for the community in encouraging diverse and attainable housing.

**C3. Does the proposed zoning district create a Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city?**

The Commission finds that political subdivisions were notified, and the city received no adverse written comments. No evidence of a demonstrable adverse impact upon the delivery of services by any other political subdivisions as provided, and as such, the Commission finds this criterion satisfied.

**D. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:**

**ANNX-25-3, INITIAL ZONING:** Following the public hearing, the Planning and Zoning Commission considered all relevant evidence and comments, and a motion to recommend approval of the recommended zoning upon annexation was made, the motion passed unanimously. The Planning and Zoning Commission hereby recommends that the City Council approve the proposal, finding that it conforms to the general purpose of the comprehensive plan and meets the applicable approval criteria for the applicant's request for Medium Density Residential (R2) zoning on approximately 4.67-acres upon successful annexation of the property.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Attest

**NOTICE OF RIGHTS:**

**Any affected person aggrieved by a final decision of the Planning and Zoning Commission may submit a written notice of appeal along with the required fees in accordance with the City's adopted fee schedule, to the City Clerk for appeal to the Post Falls City Council within fourteen (14) days of the date of the written decision, pursuant to Post Falls City Code 18.20.60.E**

**The final decision of the Planning and Zoning Commission is not a final decision for purposes of judicial review until the City Council has issued a final decision on appeal and the party seeking judicial review has requested reconsideration of that final decision as provided by Idaho Code 67-6535(2)(b), pursuant to Post Falls City Code 18.20.60.E.**

**Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section 67-6535 must first seek reconsideration of the final decision within fourteen (14) days of such decision. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.**

**The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section 67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code Section 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.**

# Harvest Meadows PUD File No. PUD-25-1

## Planning and Zoning Commission Reasoned Decision

### A. INTRODUCTION:

**APPLICANT:** Merle Van Houten o/b/o Blackwell Homes and Development

**LOCATION:** Generally located between Guy Road and Spokane Street, southwest of the intersection of N. Brookie Drive and N. Spokane Street.

**REQUEST:** Planned Unit Development (PUD) and Subdivision of approximately 11.2 acres into 92 Medium Density Residential Lots as depicted in Exhibit A-2 and A-3.

### B. RECORD CREATED:

1. A-1A PUD Application
2. A-1B Subdivision Application
3. A-2 Narrative
4. A-3 Preliminary Plan
5. A-4 Letter of Authorization
6. A-5 EGID Will Serve Letter
7. S-1 Vicinity Map
8. S-2 Zoning Map
9. S-3 Future Land Use Map
10. PA-1 PHD Comments
11. PA-2 PHD Comments
12. PA-3 DEQ Comments
13. PA-4 ITD Comments
14. PA-5 Phillips 66 Comments
15. PA-6 PFHD Comments
16. PC-1 Norman Comments
17. PHC-1 Lorenzo Comments
18. PHC-2 Guy Comments
19. PHC-3 Thomas Comments
20. PHC-4 Furlestad Comments
21. PHC-5 LNelson Comments
22. PZ Staff Report
23. Testimony at the June 10, 2025, Planning and Zoning Commission ("Commission") hearing including:

The Planning and Zoning Commission (hereinafter "Commission"), conducted a public hearing in-person which was live-streamed on the City of Post Falls YouTube Channel. The request was for the Commission to review the requested PUD and subdivision of approximately 11.2 acres into 92 single family lots within the Medium Density (R2) zoning designation. The request is evaluated under the standards of Post Falls Municipal Code ("PFMC") § 17.12.060 and 18.20.080.

**Jon Manley, Planning Manager**

Mr. Manley presented the staff report to the Commission for the Harvest Meadows Planned Unit Development (PUD) and associated subdivision application, PUD-25-1 and SUBD-24. The applicant, Merle Van Houten is representing the property owner, Blackwell Home Development.

Mr. Manley testified that the application proposes development of approximately 11.57 gross acres, recently annexed and zoned at R2 though capped at eight (8.0) dwelling units per acre. The proposal includes a 92-lot single-family detached subdivision. The current proposal reflects a slight increase from the original annexation concept plan, which identified 85 residential lots.

Mr. Manley testified that the project is located between Guy Road and Spokane Street, just west of North Brookie Drive. The surrounding area is characterized by R1 zoning and existing single-family uses, with a golf course located to the east and undeveloped, unannexed agricultural land to the west. The site lies over the Rathdrum Prairie Aquifer, with water to be provided by East Green Acres Irrigation District and sewer service offered by the City of Post Falls.

Mr. Manley described the PUD as a mechanism used to provide design flexibility, enabling a more creative and efficient use of land, while balancing the flexibility with measurable community benefits such as open space, enhanced connectivity, and varied housing options. Mr. Manley identified and discussed review criteria for the PUD process.

Mr. Manley testified regarding the first review criteria, stating that the proposed PUD ensured a public water supply system would service the development as indicated by East Greenacres Irrigation District's response. Similarly, the City of Post Falls would provide for public wastewater collection service and has capacity to serve the development. The necessary utilities and easements are incorporated into the proposed layout which support the development. Additionally, the applicant submitted a proposed parking plan which is comparable to typical R1 zoned lots showing both on and off-street parking, with 122 on-street stalls being proposed to supplement the off-street parking requirements.

Mr. Manley continued regarding the second review criteria for an integrated transportation network with extensions of Tennessee Avenue to Spokane Street, ROW improvements and connections to Guy Road. Tennessee Avenue and Ayrshire Lane would provide emergency and local access and support traffic circulation in line with city design standards. Three distinct vehicular access points will serve the development. The proposed combination of public and private roadways are in conformance with city standards and include parking on one side of the roadways. A private alley with no parking is proposed for the lots abutting Spokane Street. The proposal also has an internal pedestrian network of sidewalks that will tie into a multi-use trail on Spokane Street.

Regarding review criteria three, there are no known significant natural scenic or historical features to be conserved or incorporated other than the installation of a six-foot fence along the rail corridor. The proposed development of two-story detached homes are similar in type to the surrounding residences and considered compatible with the adjacent single-family residential subdivisions though they are on smaller lots. The proposal is configured so the larger lot sizes are located on the exterior of the development to act as a buffer against and blend with the neighboring land uses. Variations in lot width are proposed, with front-loaded driveways on lots narrower than 45 feet, subject to deviation approval as part of the PUD request. Open space totals 1.32 acres, equating to 11.7 of the entire property, exceeding the 10% minimum requirement.

Under review criteria four, the subdivision will be developed in three phases, each capable of functioning independently. The proposal's layout shows that alleyways and private roadways will be utilized while maintaining access for maintenance and emergency services. A funding mechanism will be in place to maintain common areas through the requirement of an HOA.



Mr. Manley summarized the proposed modifications to the city code including reduced lot widths and front-loading on lots under 45 feet, a reduction of right-of-way widths from 65 to 60 feet on local roads, a setback reduction for specified lots which were adjacent to wider private roads and an adjustment in the smallest lot size from 2,800 sq. ft. to 2,649 sq. ft.

#### **Merle Van Houten, Applicant**

Mr. Van Houten, representing Blackwell Homes, presented the Harvest Meadows Planned Unit Development and subdivision proposal, a single-family residential project on 11.57 acres zoned R2 in Post Falls. He stated the development was consistent with the city's Comprehensive Plan and intended to provide attainable homeownership opportunities for local residents through "scaled housing"—detached homes that are modest in size but larger than typical cottage-style units.

Mr. Van Houten explained that the project includes 92 lots made possible through a PUD, which allows for reduced lot sizes (as small as 2,649 sq. ft.) while maintaining the annexation agreement's density cap at 8 units per acre. He emphasized that the project would remain consistent with R2 zoning standards, including setbacks, and would promote neighborhood compatibility by incorporating landscape buffers, phased infrastructure improvements, and transitions from the surrounding R1 zones.

The design includes both front-loaded and alley-loaded access points, 122 on-street parking spaces, and three open space tracts, one of which features a trail connection along Spokane Street. He outlined the project's three-phase implementation plan, detailing how each phase would introduce road extensions, open space improvements, and utility infrastructure improvements.

Mr. Van Houten also described the requested PUD deviations, including adjusted setbacks and narrower rights-of-way, and emphasized the HOA's role in long-term management of internal infrastructure, including roads, irrigation, stormwater, and snow removal. He concluded by asserting compliance with zoning and PUD criteria and opened the floor for Commission questions. He responded to Commission inquiries about the increased number of proposed lots from those identified during the initial conceptual plan at the annexation hearing.

#### **Public Testimony:**

The hearing was opened for public testimony.

#### **Molly Lorenzo**

Ms. Lorenzo testified in opposition expressed concerns about environmental impacts from converting farmland to housing, rising utility costs, utility service connections, and requested that any construction avoid nighttime hours to reduce disturbance.

#### **William Guy**

Mr. Guy testified in opposition, citing concerns about smaller lots, narrower streets, neighborhood compatibility, privacy, affordability claims, traffic, parking, and long-term maintenance. He urged denial of the request and testified that the narrowness of the streets coupled with the smaller lots and single car garages would make parking and driving impracticable.

#### **Deborah Thomas**

Ms. Thomas testified in opposition raising concerns about increased density, smaller lots, and compatibility with the adjacent neighborhood. She requested limits on home numbers, height restrictions, rental controls, and a 10-foot setback for her corner adjacent lot, which the developer agreed to, including removal of a large tree she offered to replace.

**Kristen Nelson**

Ms. Nelson testified in opposition expressing strong opposition to the impacts of the transition from low to medium density in the adjoining neighborhood, alleging negative impacts to her property and the neighborhood's character. She criticized small lot and home sizes, limited yard space, and safety concerns from children playing in crowded streets with insufficient parking and widths. She also worried about overflow parking on Tennessee Avenue and opposed the inclusion of low-income housing, stating the development might prompt her to leave Post Falls.

**Rebuttal:** Merle Van Houten thanked the public for their participation and acknowledged the concerns raised. Van Houten emphasized the intent of the project to provide a cottage-style, single-family residential neighborhood aimed at increasing housing attainability in Post Falls. Van Houten clarified and explained that the subject property was never zoned R1 but rather was annexed from the county and designated with an initial zoning designation of R2 at that time. Van Houten also explained that what was previously presented as two separate annexation requests was now a unified project under one applicant, allowing for a consolidated PUD proposal and subdivision layout that complies with city code.

Van Houten addressed specific concerns, noting a commitment to increase the rear setback on Lot 88 to 10 feet and to clearly label a tree for removal, based on neighbor feedback. Van Houten highlighted that the proposed layout provides more on-street parking than a typical subdivision, includes alley-loaded lots to enhance streetscape aesthetics, and strategically places open space as a transition to surrounding development. Van Houten confirmed a willingness of the applicant to accept a condition for constructing open space improvements during Phase 2 and expressed willingness to work with staff on final language. Van Houten reiterated that the project is thoughtfully designed to blend compatibility, affordability, and quality design.

**Deliberations:** The Chair closed the hearing upon completion and the Commission progressed to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the approval criteria contained in Post Falls Municipal Code ("PFMC") §§ 18.20.080 and 17.12.060.

**C. PUD REVIEW CRITERIA:** (Post Falls Municipal Code Title 18.20.080): In order to approve a proposed PUD plan, the Commission must determine that the proposal meets each of the following criteria:

**C1. The proposed PUD provides for adequate utilities, services, and parking to service the proposed development by:**

**C1a. Providing a public water supply system that has adequate supply to serve the proposed development.**

The Commission determined that East Greenacres Irrigation District will provide water service to the project. The applicant had provided a will-serve letter from the water district stating they have the capacity, willingness, and intent to serve the subdivision as proposed.

**C1b. Providing a public wastewater collection system that is designed in accordance with the City's adopted Wastewater Master Plan and has sufficient capacity to accommodate the proposed sewer flows.**

The Commission determined that the City would provide sanitary wastewater collection to the development and that there was adequate capacity to accommodate the proposed development.

**C1c. Providing adequate accommodation for other utilities to support the proposed development.**

The Commission determined that the applicant was providing utility easements via identified corridors adjacent to the roadways which would support the proposed development.

**C1d. Providing sufficient parking throughout the development to adequately meet the parking needs of all uses proposed in the PUD.**

The Commission recognized that while the proposed Harvest Meadows PUD met minimum parking and road width standards, there were significant concerns about the practical effects of the parking and roadway width design including actual vehicle size, limited off street parking, narrow streets, snow removal, and congestion. The Commission debated this issue and did not come to a consensus that this proposal would adequately meet the parking needs of all uses proposed.

**C2. The proposed PUD provides for an integrated transportation network that adequately serves the proposed development by:**

**C2a. Providing for the continuation of arterial and collector streets, meeting City standards for traffic volume, in a manner consistent with the City's adopted Transportation Master Plan.**

The Commission acknowledged that the applicant has addressed street connectivity for managing immediate traffic needs by extending Tennessee Avenue, connecting through the project and providing right-of-way improvements.

**C2b. Providing a local street network that allows adequate traffic circulation and snow storage throughout the entire development.**

The Commission recognized that the proposal provides for a combination of private and public streets and alleys which supports overall continuity and circulation. The Commission debated the proposed snow storage areas at each end of the private street, noting that while the plan shows some forethought, the proposal to effectively move snow to the end of the street with a front loader raises concerns about the implementation given the on-street parking concerns.

**C2c. Providing a pedestrian and bicycle system designed to provide adequate circulation throughout the entire development and to all open space areas.**

The Commission determined that the proposal provided an internal network of sidewalks on at least one side of the proposed streets as allowed, which connected to the open space areas, but the street widths could impede the circulation.

**C3. The proposed PUD provides enhanced community design by:**

**C3a. Conserving and incorporating the sites significant natural, scenic and/or historic features in the development, if any.**

The Commission determined that no significant scenic, natural, or historical features existed on the site and the criteria was inapplicable.

**C3b. Integrating a mix of compatible land uses in the development and adequately buffering and/or separating any incompatible uses in the development.**

The Commission recognized testimony and concerns about increased density but noted the site's existing R2 zoning allows more units than would be in an R1 zone. Within the R2 zone, the site

density was capped at 8 units per acre which this proposal meets. The Commission finds that differing densities of zoning for residential subdivisions does not create incompatibility here and the proposal adds open space buffers which balance any increased density against the adjacent properties.

**C3c. Locating the proposed uses and lot sizes in the proposed PUD in a manner that blends with the surrounding uses, neighborhoods and public facilities in the city.**

The Commission debated the project's compatibility with nearby neighborhoods but recognized that the proposed lot sizes and configurations were created to position denser units internally while confirming height limits of 35 feet (2 stories) in both zones.

**C3d. Providing at least ten percent (10%) of the gross land area for open space that meets the recreational needs of the users of the development and provides for a variety of recreational uses.**

The Commission determined that the proposal exceeded the minimum of the 10% open space requirement and provided interconnected walkways and greenspaces.

**C4. The proposed PUD provides for timely development of the property and security for future completion and maintenance by:**

**C4a. Ensuring that each development block contains all the necessary elements to exist independently from future blocks.**

The Commission found that the phased development as proposed would provide the necessary infrastructure elements to exist independently but recognized that the third phase would not be permitted to begin until all open spaces were completed and dedicated to ensure proper development and maintenance of open areas.

**C4b. Ensuring that each building in the development lot has sufficient access around the structure to allow for continual maintenance of the building and access for emergency services.**

The Commission noted that the proposal provided access for maintenance and emergency services through public and private roadways but the fire department would review development plans before final approval.

**C4c. Ensuring that a funding mechanism exists to adequately maintain common areas that are not publicly maintained.**

The Commission determined that the subdivision and PUD would be required to create a homeowner's association to maintain all common areas, private roads and the frontages along the public streets.

**F. STEPS THE APPLICANT CAN TAKE TO OBTAIN APPROVAL:**

The Commission remained concerned with the proposal's smaller lots coupled with minimal off-street parking, leading to narrow, crowded drive aisles, impeding connectivity, and safety. The Applicant is encouraged to revise its proposal for adequately meeting the parking needs of all uses in the PUD taking into account the space limitations imposed by the smaller and narrower lots sizes requested.

**G. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:**

Following the public hearing, the Planning and Zoning Commission considered all relevant

REASONED DECISION

evidence and comments and the motion to approve the proposed PUD did not carry a majority of the commission, as a result of a split vote of 3-3. As the PUD proposal did not pass, the accompanying subdivision request did not require deliberation and no action was taken by the Commission on that matter and SUBD 25-4 remains a pending application.

Based upon the record before the Commission, the testimony received at the properly noticed public hearing, the Post Falls Planning and Zoning Commission hereby denies the applicant's request for Harvest Meadows, PUD-25-1.

Approved by the Planning and Zoning Commission on \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Attest

**NOTICE OF RIGHTS:**

**Any affected person aggrieved by a final decision of the Planning and Zoning Commission may submit a written notice of appeal along with the required fees in accordance with the City's adopted fee schedule, to the City Clerk for appeal to the Post Falls City Council within fourteen (14) days of the date of the written decision, pursuant to Post Falls City Code 18.20.60.E**

**The final decision of the Planning and Zoning Commission is not a final decision for purposes of judicial review until the City Council has issued a final decision on appeal and the party seeking judicial review has requested reconsideration of that final decision as provided by Idaho Code 67-6535(2)(b), pursuant to Post Falls City Code 18.20.60.E.**

**Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section 67-6535 must first seek reconsideration of the final decision within fourteen (14) days of such decision. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.**

**The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section 67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code Section 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.**

**CITY OF POST FALLS  
AGENDA REPORT**

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**DATE:** June 23, 2025

**TO:** POST FALLS PLANNING AND ZONING COMMISSION

**FROM:** JON MANLEY, PLANNING MANAGER, 208-457-3344, [jmanley@postfalls.gov](mailto:jmanley@postfalls.gov)

**SUBJECT:** STAFF REPORT FOR JULY 8, 2025, P&Z COMMISSION MEETING – SOARING LEARNERS SPECIAL USE PERMIT File No. SUP-25-4 PUBLIC HEARING

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**INTRODUCTION:**

Robyn Bench has requested approval for a private microschool and tutoring center offering small-group academic instruction and enrichment programs for students within the Industrial (I) Zoning District per Exhibit A-2. The Planning & Zoning Commission must conduct a public hearing and determine if the proposed request meets the approval criteria contained in PFMC Section 18.20.070 (B). Following the public hearing, the Planning Commission will direct staff to prepare a Reasoned Decision, along with any appropriate conditions, that explains how the approval criteria are/are not met. The Planning Commission will review and approve the final Reasoned Decision at a subsequent meeting. The approval criteria are:

- A. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.
- B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.
- C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.
- D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

**PROJECT INFORMATION:**

**Project Name/File Number:** Soaring Learners Special Use Permit (SUP-25-4)

**Owner/Applicant:** Robyn and Douglas Bench, 1461 E. 3<sup>rd</sup> Avenue, Post Falls, ID 83854

**Project Description:** a private microschool and tutoring center offering small-group academic instruction and enrichment programs for students Exhibits A-2.

**Project Location:** 1461 E. 3<sup>rd</sup> Avenue, Northwest Corner of E. 3<sup>rd</sup> Ave. and N. Bay St. (see vicinity map below).

**Water Provider:** City of Post Falls

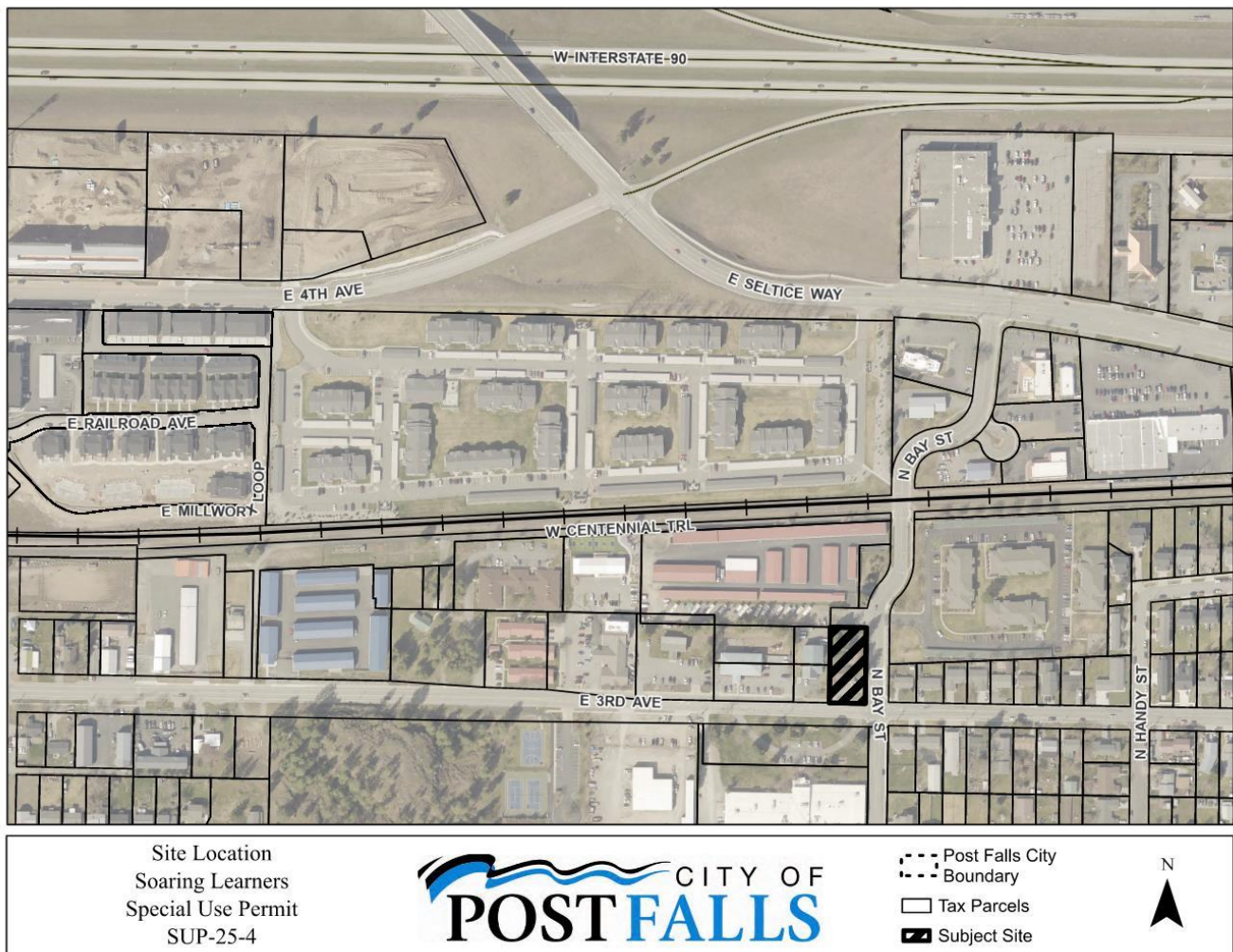


**Sewer Provider:** City of Post Falls

**AREA CONTEXT:**

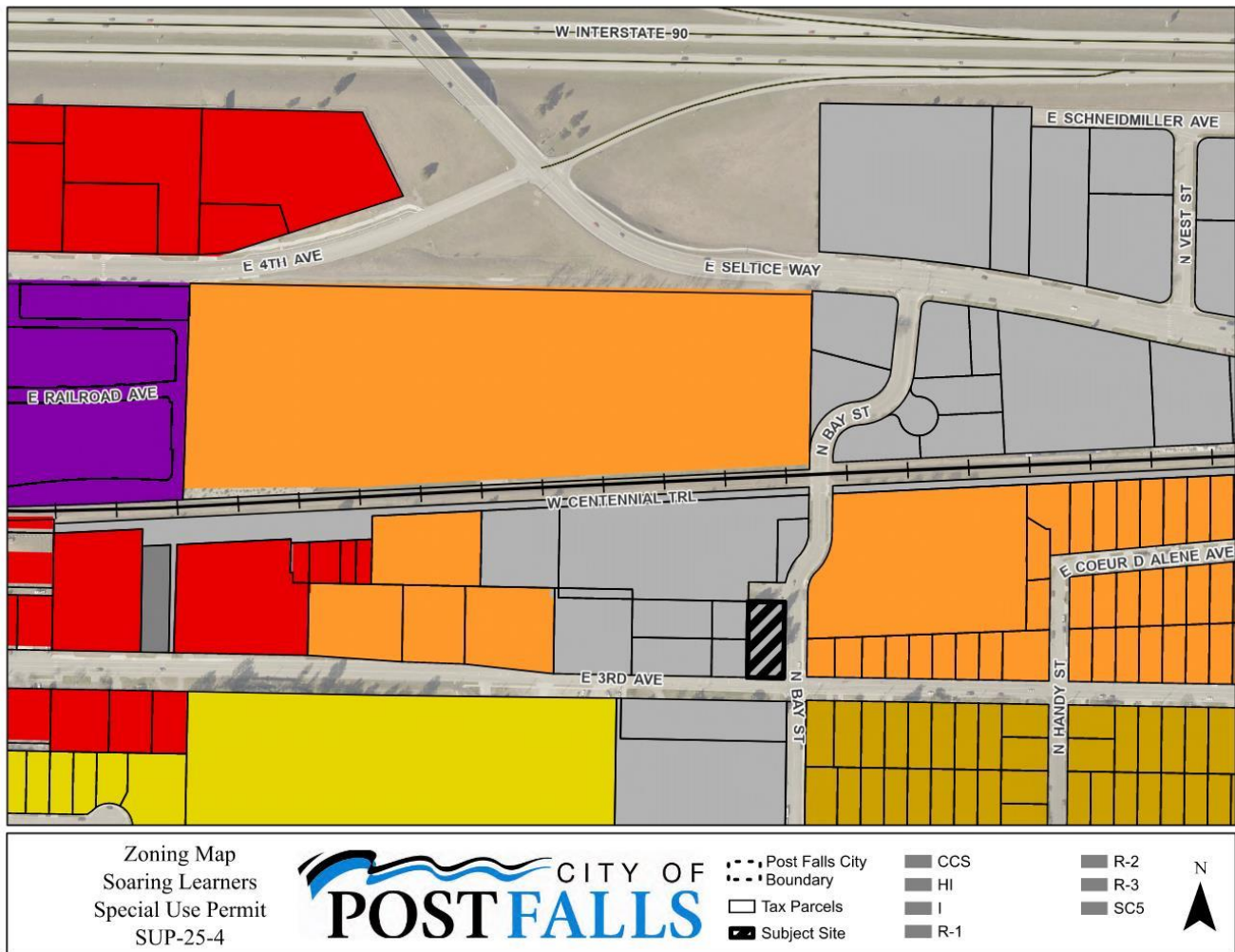
**Surrounding Land Uses:** To the north is a storage facility, to the east are single family and multifamily uses, to the west is a commercial/industrial lease building, and across E. 3<sup>rd</sup> Ave. is a multi-tenant industrial building.

**Area Context Vicinity Map:**



**Surrounding Zoning Districts:** To the west, north, and south are other Industrial (I) zones, to the east is High Density Residential (R-3) zoning, to the southeast is the Medium Density Residential (R-2) zoning.





#### EVALUATION OF SPECIAL USE PERMIT APPROVAL/ REVIEW CRITERIA:

**A. Implementation of the special use will/will not conform to the purposes of the applicable zoning district.**

The Industrial zone promotes use that have less detrimental effect upon surrounding properties by a reduction or elimination of nuisances such as smoke, noise, vibration, dust, glare, air pollution, and water pollution, and less demand upon public services such as electricity, gas, sewers, and streets; the proposed Education use would conform with this purpose.

**B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.**

This site has already been a daycare for a number of years and is an allowed use in this zone. The proposed education use is an allowed with a Special Use Permit per PFMC Land Use Table 18.20.030 in the Industrial (I) Zoning district. See Following Table:

| Land Use Category | Zoning Classifications |    |    |    |    |     |   |
|-------------------|------------------------|----|----|----|----|-----|---|
|                   | R1S                    | R1 | R2 | R3 | LC | CCS | I |
| Elementary school | S                      | S  | S  | S  | S  | P   | S |
| Middle school     | S                      | S  | S  | S  | S  | P   | S |
| High school       | S                      | S  | S  | S  | S  | P   | S |

**C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.**

The proposed use would be considered compatible the adjacent uses that are surrounding this request.

Transportation: The proposed special use is not anticipated to produce impacts that would adversely impact the adjoining transportation systems. 3<sup>rd</sup> Avenue is a Major Collector Roadway and intersects Bay Street, a Minor Collector, at the property's southeastern corner. Access points will remain where they exist, updated to meet ADA standards. The current roadway network has capacity.

Water Reclamation: The site is already connected to the City's Water Reclamation Facilities. No modifications to the reclamation system or change in usage is anticipated. The property is not subject to any Sewer Surcharges or Local Improvement Districts.

Domestic Water: The site is already connected to City Water Systems. Site-specific issues related to fire protection would be handled at the time of Site Plan Review.

**D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.**

**Goal 7:** Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability.

Cities exercise considerable influence over land use, in turn influencing the type and character of development, patterns of growth, and the short and long-term financial impact of growth on the local economy. The prosperity of the community schools plays and role in this endeavor. Consequently, the Comprehensive Plan supports the allocation of land use types, parks features and other areas sufficient to achieve overall plan objectives.

The following policies may or may not assist the review of this Special Use Permit request.

**Policy 8:** Encourage compatible infill development and redevelopment of vacant and underutilized properties within City limits.

Staff Comment: Being that this particular site has already been a daycare for a number of years, evolving into an education center may improve access to diversified education in Post Falls. Redevelopment of this site will improve sidewalk connectivity.

**Policy 10:** Prioritize location of schools in areas with:

- Access to arterial and collector streets;
- Ample sidewalks and pedestrian access;
- Proximity to residential areas being served;
- Cost-effective access to necessary utilities and services.

Staff Comment: E.3<sup>rd</sup> Ave. is a Major Collector and N. Bay St is a minor collector. There are residential uses to the east and south of this proposed site.

**OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:**

## Agencies Notified:

|                                   |                                 |                                     |
|-----------------------------------|---------------------------------|-------------------------------------|
| Bonneville Power Administration   | City Link                       | Post Falls Area Chamber             |
| Post Falls Post Office            | Post Falls Parks & Rec          | PF Police Department                |
| Post Falls School District        | Post Falls Highway District     | Utilities (W/WW)                    |
| Kootenai Electric                 | Kootenai County Fire            | Department of Environmental Quality |
| Ross Point Water                  | East Greenacres Irr. District   | Urban Renewal Agency                |
| Idaho Department of Lands         | Idaho Transportation Department | Panhandle Health District           |
| KMPO                              | Kootenai County Planning        | Yellowstone Pipeline Co.            |
| Phillips 66 Pipeline Co. (Conoco) | NW Pipeline Corp.               | BNSF                                |
| TC Energy (TransCanada GTN)       | Avista Corp. (WWP-3)            | TDS Telecom                         |
| Ziply Fiber                       | Spectrum                        | Coeur d'Alene Garbage               |
| Coeur d'Alene Press               |                                 |                                     |

**MOTION OPTIONS:** The Planning Commission may approve the requested Special Use Permit as presented, approve with conditions, or deny the Special Use Permit request.

**CONDITIONS (If any are applied):**

1. Prior to attaining a certificate of occupancy all building and site improvements, including frontage improvements, required by building codes and City Codes must be completed.

**ATTACHMENTS:**APPLICANT'S EXHIBITS:

Exhibit A-1                      Application  
Exhibit A-2                      Narrative

STAFF EXHIBITS:

Exhibit S-1                      Vicinity Map  
Exhibit S-2                      Zoning Map  
Exhibit S-3                      Future Land Use Map

SUP-25-4

Special Use Permit

Status: Active

Submitted On: 6/10/2025

Primary Location

1461 E 3RD AVE

POST FALLS, ID 83854

Owner

Robyn and Douglas Brock

Bench

Applicant

 Robyn bench

 208-431-0894

 robyn@soaringlearnerstutoring.com

 21619 n circle rd

Rathdrum, Idaho 83858

Applicant Information

Applicant Type\*

Owner

Applicant Name\*

Robyn Bench

Phone\*

2084310894

Email\*

robyn@soaringlearnerstutoring.com

Address\*

21619 n circle rd

City, State & Zip Code

rathdrum, Id, 83858

Site Information

Proposed Project Name\*

Soaring Learners Special Use Permit

## Description of Project\*

### Project Summary

Soaring Learners is a private microschool and tutoring center offering small-group academic instruction and enrichment programs for students in grades K–8. We are seeking a Special Use Permit to operate at 1461 E 3rd Ave, Post Falls, within a light industrial/commercial zone. This location will serve as our primary education center, providing both full-time and part-time programs for local families seeking flexible, high-quality educational alternatives. The building previously operated as a licensed daycare facility for many years, making it well-suited for continued use as an educational space.

### Educational Program & Mission

Our school is designed to meet the needs of students who benefit from personalized learning, including homeschoolers and those requiring academic support outside of traditional models. Instruction is delivered in small pods of 8–10 students using project-based methods and multisensory strategies. Core offerings include:

- Orton-Gillingham literacy instruction
- Nature-based math
- STEM and art enrichment
- Emotional wisdom and mindfulness
- Outdoor learning and exploration

Soaring Learners supports academic growth and social development in a nurturing, mixed-age setting.

### Use of Property

The building at 1461 E 3rd Ave will be used primarily for classroom instruction, tutoring, and enrichment programming. It includes multiple classrooms, administrative space, restrooms, and a dedicated area for outdoor play on the east side of the lot. No structural changes are being proposed. Activities will be conducted indoors and outdoors during standard operating hours with adult supervision.

### Proposed Hours of Operation

- **Learning Pods (Grades 1–8):** Monday–Thursday, 8:30 AM – 3:30 PM
- **Half-Day Kindergarten:** Monday–Thursday, 9:00 AM – 1:00 PM
- **Extended Care / After-School Program:** Monday–Friday, 3:30 PM – 5:30 PM

- **Friday Full-Day Care:** 9:00 AM – 5:00 PM
- Occasional weekend or evening events for parents/community may be held with prior notice.

**Capacity**

We anticipate up to 20-25 students on site at one time, with approximately 3-4 staff members. Class sizes will remain small to preserve our instructional model and minimize impact on the surrounding neighborhood.

**Parking & Traffic**

The property includes a dedicated parking lot with sufficient space for staff and family vehicles. Drop-off and pick-up will be staggered to reduce traffic flow, and staff will be present during these times to manage safety. No street parking will be necessary for daily operations.

**Site Improvements & Compliance**

We are working with a licensed engineer to address minor site improvements, including installation of ADA-compliant sidewalk access and landscaping updates such as tree planting for shaded parking. These upgrades will comply with city development requirements and will be completed prior to full occupancy.

**Community Impact**

Soaring Learners will enhance educational opportunities in Post Falls by offering a safe, supportive learning environment for children and families. The proposed use is low-impact, compatible with neighboring properties, and aligns with the city's goals for educational diversity, family services, and community enrichment.

Existing Zoning

Adjacent Zoning

|

Current Land Use

Adjacent Land Use

Size of Site

Site Density, if applicable

## Application Certification

All exhibits presented will need to be identified at the meeting, will be entered into the record, and retained on file.\*



The applicant (or representative) must be at the meeting representing this proposal or the application will not be heard. The applicant will be responsible for costs in re-noticing the public hearing.\*



I (We) the undersigned do hereby make application for the land use action contemplated herein on the property described in this application and do certify that the information contained in the application and any attachments or exhibits herewith are accurate to the best of my (our) knowledge. I (We) further acknowledge that any misrepresentation of the information contained in this application may be grounds for rejection of the application or revocation of a decision rendered. I (We) understand that the Administrator may decline this application if required information is deficient and/or the application fee has not been submitted. I (We) acknowledge that City staff may, in the performance of their functions, take photographs and/or videos of the property under consideration as deemed necessary, enter upon the property to inspect, post legal notices, and/or other standard activities in the course of processing this application. I (We) hereby certify that I am (we are) the owner or contract buyer of the property upon which the land use action is to be located, or that I (we) have been vested with the authority to act as agent for the owner or contact buyer.\*



Robyn Kathryn Bench

Jun 9, 2025

### **Project Summary**

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**Parking & Traffic**

The property includes a dedicated parking lot with sufficient space for staff and family vehicles. Drop-off and pick-up will be staggered to reduce traffic flow, and staff will be present during these times to manage safety. No street parking will be necessary for daily operations.

**Site Improvements & Compliance**

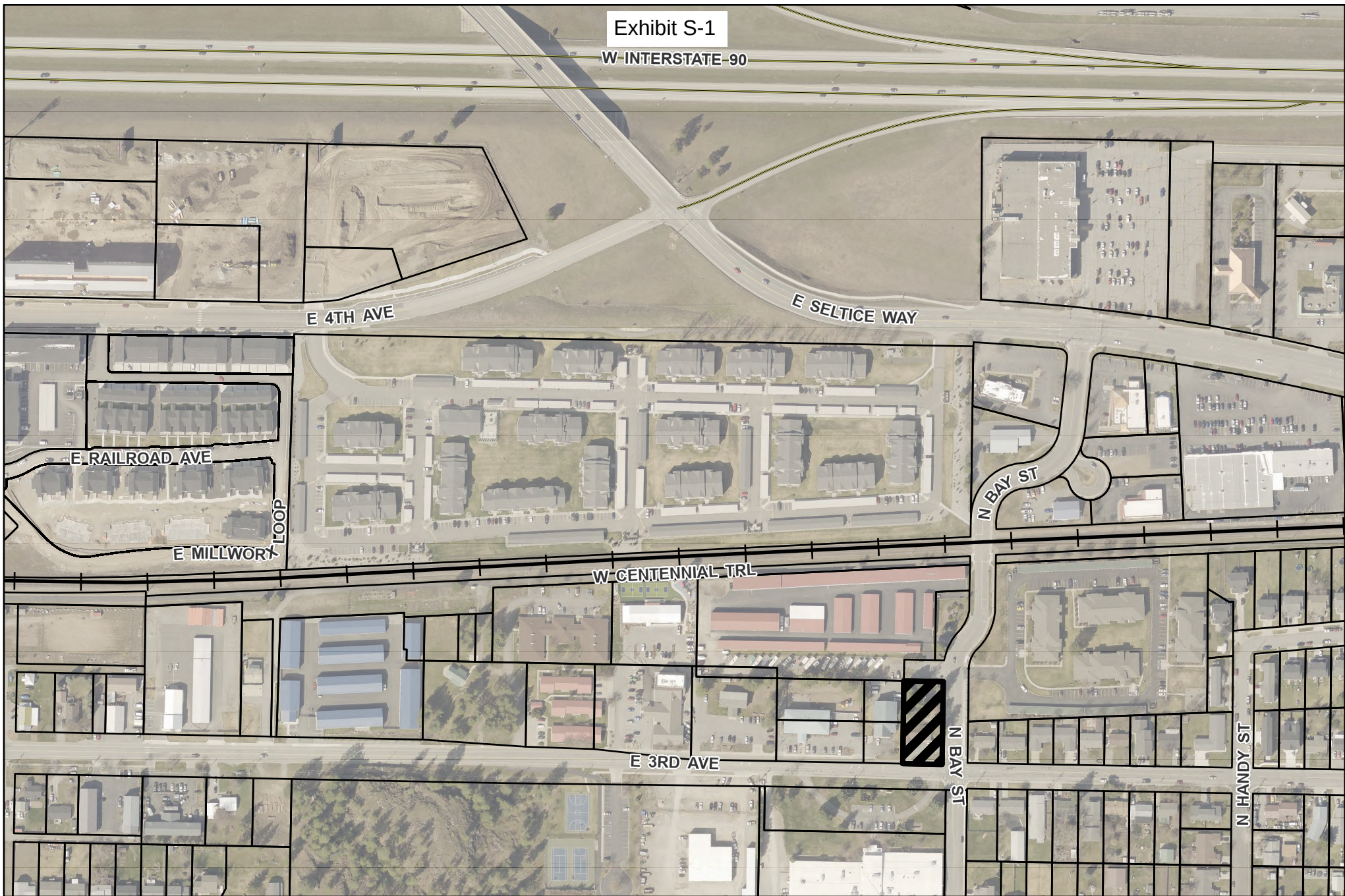
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**Community Impact**

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Exhibit S-1

W-INTERSTATE-90



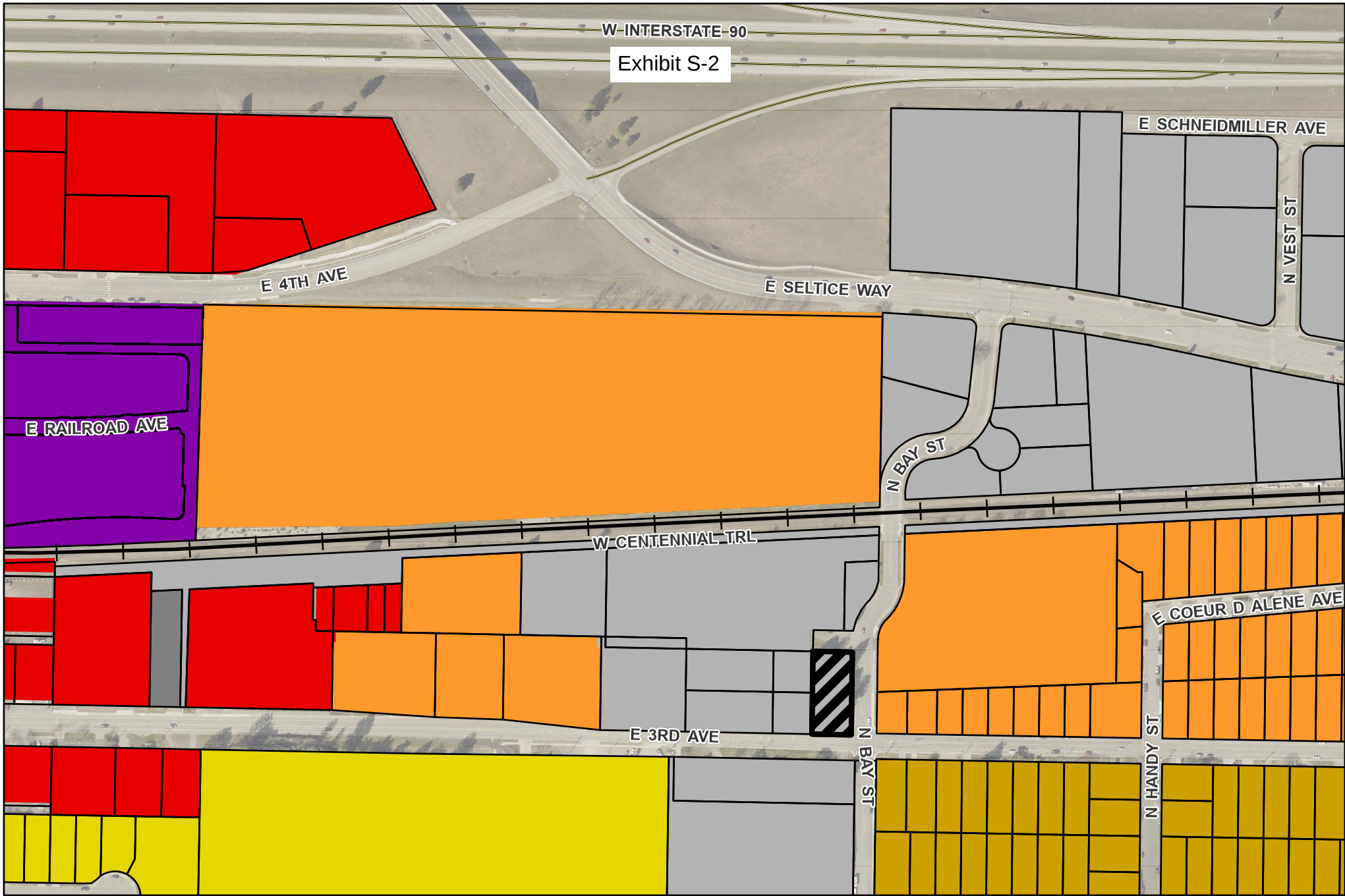
Site Location  
Soaring Learners  
Special Use Permit  
SUP-25-4



- Post Falls City
- Boundary
- Tax Parcels
- ▨ Subject Site







W-INTERSTATE-90

Exhibit S-2

E SCHNEIDMILLER AVE

E 4TH AVE

E SELTICE WAY

N VEST ST

E RAILROAD AVE

N BAY ST

W-CENTENNIAL-TRL

E COEUR D ALENE AVE

E 3RD AVE

N BAY ST

N HANDY ST

Zoning Map  
Soaring Learners  
Special Use Permit  
SUP-25-4

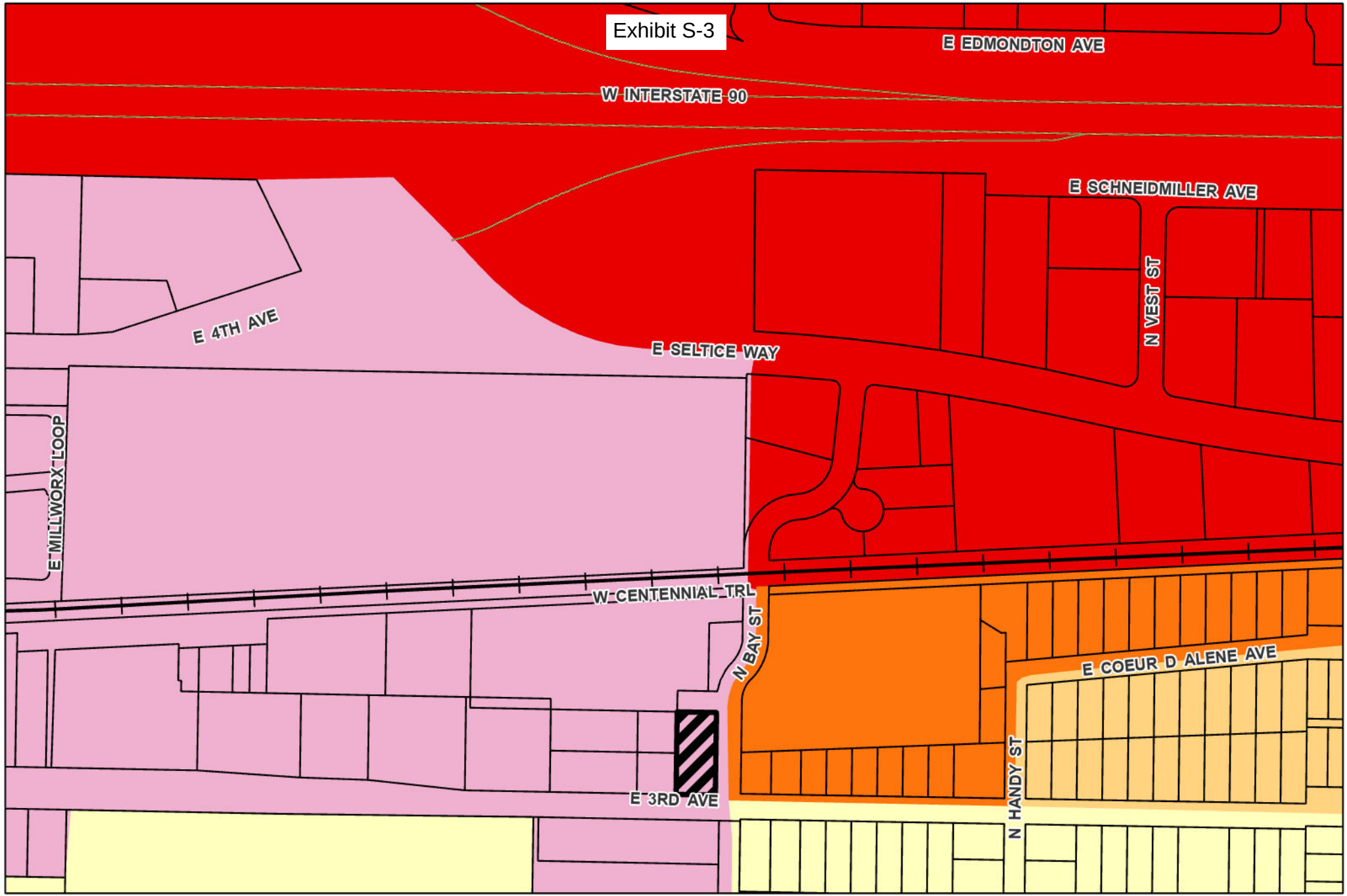


- Post Falls City Boundary
- Tax Parcels
- Subject Site

- CCS
- HI
- I
- R-1

- R-2
- R-3
- SC5





Future Land Use  
Soaring Learners  
Special Use Permit  
SUP-25-4



- Post Falls City Boundary
- Tax Parcels
- Subject Site
- Low Density Residential

- Medium Density Residential
- High Density Residential
- Business/Commercial
- Commercial





# POST FALLS

## SCHOOL DISTRICT #273

DISTRICT OFFICE  
P.O. Box 40  
Post Falls, ID 83877  
PHONE 208-773-1658  
FAX 208-773-3218  
[www.pfsd.com](http://www.pfsd.com)

October 17, 2024

Robert Seale  
Community Development Director  
City of Post Falls  
408 Spokane Street  
Post Falls, ID 83854

Dear Bob,

The purpose of this letter is to restate the status and position of the Post Falls School District regarding growth within the city and school district boundaries. The Post Falls School District will continue to remain neutral regarding proposed developments and will provide additional or modified comments in a timely manner when deemed necessary.

The district has a responsibility through State statute to provide an appropriate education for every student ages 6 through 21 who attend our schools. It is also the district's responsibility to provide an adequate educational program, organizational structure, and facilities.

Though there are pros and cons for new development growth, the district will continue to provide a quality education. The district appreciates the working relationship we have with the City of Post Falls.

With the anticipated growth in future years, the district requests assistance from the Planning Department to acquire school building sites in any large proposed residential developments and support financial mitigation for smaller developments.

The enrollment status and capacity of each school for the 2023-2024 school year are listed below.

The district will review the current long-range facility plan this fall. A copy of the current plan is included with this letter.

| School                   | 2024-2025 Enrollment | Building Capacity |
|--------------------------|----------------------|-------------------|
| Greensferry Elementary   | 409                  | 525               |
| Mullan Trail Elementary  | 343                  | 500               |
| Ponderosa Elementary     | 469                  | 570               |
| Prairie View Elementary  | 350                  | 525               |
| Seltice Elementary       | 375                  | 560               |
| Treaty Rock Elementary   | 383                  | 525               |
| West Ridge Elementary    | 427                  | 525               |
| Post Falls Middle School | 748                  | 920               |
| River City Middle School | 557                  | 750               |

***Our school community will develop relationships, skills, and knowledge to become responsible citizens who think critically to solve problems.***

|                        |      |      |
|------------------------|------|------|
| Post Falls High School | 1636 | 1800 |
| New Vision High School | 105  | 225  |

The school district looks forward to continuing the good working relationship we have with the City of Post Falls. Thank you for your support of the Post Falls School District.

Sincerely,



Dena Naccarato  
Superintendent

Cc: Post Falls School District Board of Trustees  
Shelly Enderud, City Administrator

# Kootenai County Fire & Rescue

Fire Marshal's Office

5271 E. Seltice Way  
Post Falls, ID 83854  
Tel: 208-777-8500  
Fax: 208-777-1569  
[www.kootenaifire.com](http://www.kootenaifire.com)

January 18, 2024

Nancy Thurwachter  
Planning Administrative Specialist  
[nthurwachter@postfalls.gov](mailto:nthurwachter@postfalls.gov)

## RE: Notice to Jurisdiction Response

Nancy,

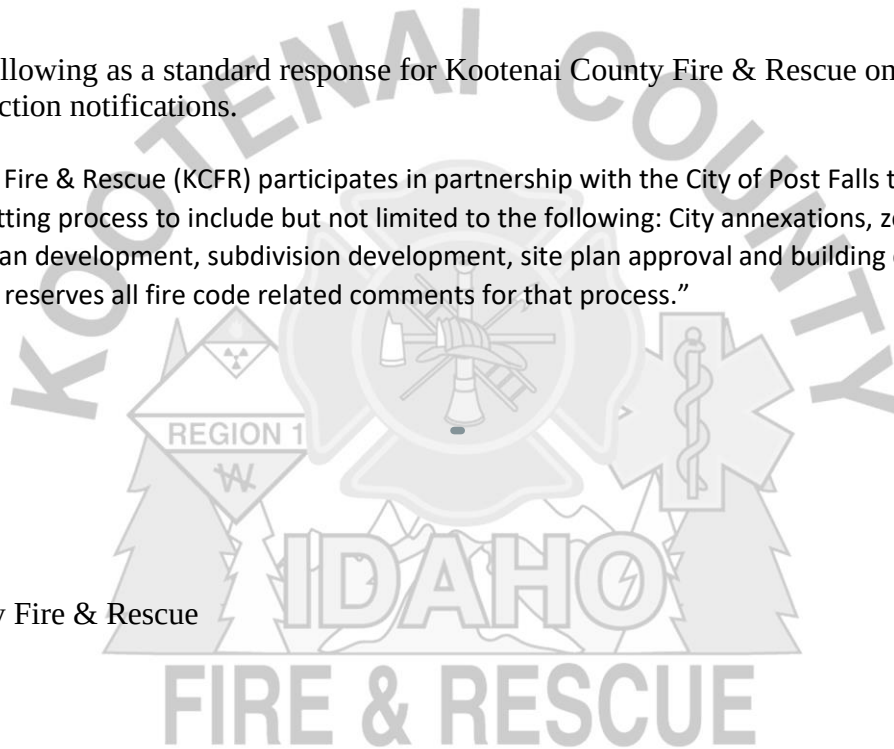
Please use the following as a standard response for Kootenai County Fire & Rescue on all applicable Notice to Jurisdiction notifications.

"Kootenai County Fire & Rescue (KCFR) participates in partnership with the City of Post Falls throughout the review and permitting process to include but not limited to the following: City annexations, zoning issues, comprehensive plan development, subdivision development, site plan approval and building construction code compliance. KCFR reserves all fire code related comments for that process."

Respectfully,



Jeryl Archer II  
Kootenai County Fire & Rescue  
Division Chief  
Fire Marshal





3

## Nancy Thurwachter

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**From:** Robert Beachler <Robert.Beachler@itd.idaho.gov>  
**Sent:** Monday, June 23, 2025 4:33 PM  
**To:** Nancy Thurwachter  
**Subject:** RE: Notice to Jurisdictions Soaring Learners Special Use Permit File No SUP-25-4

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

No Comment from the Idaho Transportation Department.

Robert Beachler  
District 1 Planning Program Manager  
Idaho Transportation Department  
600 W. Prairie Ave  
Coeur d'Alene, ID 83815  
[robert.beachler@itd.idaho.gov](mailto:robert.beachler@itd.idaho.gov)  
(208) 772-1216  
Office Hours M-TH 6-4:30

---

**From:** Nancy Thurwachter <nthurwachter@postfalls.gov>  
**Sent:** Monday, June 23, 2025 10:13 AM  
**To:** Ali Marenau <AMarienau@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01\_Real\_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <CarrieAnn.Hewitt@itd.idaho.gov>; cingle@kcgov.us; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; cschneider@kec.com <cschneider@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; DEQ <deqcomments@deq.idaho.gov>; Devin Weeks <dweeks@cdapress.com>; Gina Dillman <gdillman@republicservices.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Philips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Leo Martinez <leo.martinez@p66.com>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Mike Patton <Michael.m.patton@p66.com>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; contactus@postfallshd.com; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Scott Morton <smorton@republicservices.com>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>  
**Subject:** Notice to Jurisdictions Soaring Learners Special Use Permit File No SUP-25-4



## Nancy Thurwachter

---

**From:** David Callahan <dcallahan@kcgov.us>  
**Sent:** Monday, June 23, 2025 1:35 PM  
**To:** Nancy Thurwachter  
**Cc:** Ben Tarbutton  
**Subject:** RE: Notice to Jurisdictions Soaring Learners Special Use Permit File No SUP-25-4

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nancy,  
We have no issues or concerns.

David Callahan, AICP  
Director



Kootenai County  
Community Development

451 N Government Way • P.O. Box 9000  
Coeur d'Alene, Idaho 83816-9000

Phone: 208 446 1082 • Email: [dcallahan@kcgov.us](mailto:dcallahan@kcgov.us)  
Mobile: 208 660 3029

**From:** Nancy Thurwachter <nthurwachter@postfalls.gov>  
**Sent:** Monday, June 23, 2025 10:13 AM  
**To:** Ali Marenau <AMarienau@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01\_Real\_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; Chad Ingle <cingle@kcgov.us>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; cschneider@kec.com <cschneider@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; DEQ <deqcomments@deq.idaho.gov>; Devin Weeks <dweeks@cdapress.com>; Gina Dillman <gdillman@republicservices.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Leo Martinez <leo.martinez@p66.com>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Mike Patton <Michael.m.patton@p66.com>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; contactus@postfallshd.com; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Scott Morton <smorton@republicservices.com>; Tom Kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA



## Nancy Thurwachter

---

**From:** Martinez, Leo <Leo.Martinez@p66.com>  
**Sent:** Tuesday, June 24, 2025 12:37 PM  
**To:** Nancy Thurwachter  
**Subject:** Notice to Jurisdictions Soaring Learners Special Use Permit File No SUP-25-4  
**Attachments:** Exhibit PH-2 NTJ Soaring Learners SUP-25-4.pdf

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Nancy,

Phillips 66 does not have any utilities within your attached project vicinity.  
(Response 13028)

Regards,

**Leo Martinez**

Associate, Operations Support • Real Estate Services

O: 805-541-8912 | F: 805-538-6204  
18781 El Camino Real | Atascadero, CA 93422  
[Leo.Martinez@phillips66.com](mailto:Leo.Martinez@phillips66.com)



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**From:** Nancy Thurwachter <nthurwachter@postfalls.gov>  
**Sent:** Monday, June 23, 2025 10:13 AM  
**To:** Ali Marenau <AMarienau@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01\_Real\_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; cingle@kcgov.us; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; cschneider@kec.com <cschneider@kec.com>; Dan Ryan <dandr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; DEQ <deqcomments@deq.idaho.gov>; Devin Weeks <dweeks@cdapress.com>; Gina Dillman <gdillman@republicservices.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Philips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Martinez, Leo <Leo.Martinez@p66.com>; Lori Cogley <lcogley@kec.com>;



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1717 E Polston Ave. ♦ Post Falls, ID 83854 ♦ Phone (208) 773-3517 ♦ Fax (208) 773-3200

June 23<sup>rd</sup>, 2025

Nancy Thurwachter  
Planning Administrative Specialist  
[nthurwachter@postfalls.gov](mailto:nthurwachter@postfalls.gov)

Re: Soaring Learners Special Use Permit File No SUP-25-4

The Police Department has reviewed the above listed special use permit and will remain Neutral on this request. Please accept this letter as the Police Department's response to this request for both Planning and Zoning as well as City Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark J. Brantl".

Mark J. Brantl  
Captain  
Post Falls Police Department



## Nancy Thurwachter

---

**From:** DEQ Comments <deqcomments@deq.idaho.gov>  
**Sent:** Thursday, June 26, 2025 2:26 PM  
**To:** Nancy Thurwachter  
**Subject:** RE: Notice to Jurisdictions Soaring Learners Special Use Permit File No SUP-25-4

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,

Idaho Department of Environmental Quality  
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814  
Office Line: 208.769.1422  
[www.deq.idaho.gov](http://www.deq.idaho.gov)

**Our mission:** To protect human health and the quality of Idaho's air, land, and water.

---

**From:** Nancy Thurwachter <nthurwachter@postfalls.gov>  
**Sent:** Monday, June 23, 2025 10:13 AM  
**To:** Ali Marenau <AMarienau@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01\_Real\_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; cingle@kcgov.us; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <Christine.Harmon@deq.idaho.gov>; cschneider@kec.com <cschneider@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; DEQ Comments <deqcomments@deq.idaho.gov>; Devin Weeks <dweeks@cdapress.com>; Gina Dillman <gdillman@republicservices.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Philips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Leo Martinez <leo.martinez@p66.com>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Mike Patton <Michael.m.patton@p66.com>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; contactus@postfallshd.com; Robert Beachler <robert.beachler@itd.idaho.gov>; Ron

**CITY OF POST FALLS  
AGENDA REPORT**

---

**DATE:** JULY 8, 2025

**TO:** POST FALLS PLANNING AND ZONING COMMISSION

**FROM:** JON MANLEY, PLANNING MANAGER, 208-457-3344, jmanley@postfalls.gov

**SUBJECT:** STAFF REPORT FOR JULY 8, 2025, P&Z COMMISSION MEETING – HOPE AND ZORROS APARTMENTS SPECIAL USE PERMIT FILE NO. SUP-24-7 AND EARLY DAWN AND ZORROS SPECIAL USE PERMIT FILE NO. SUP-25-2 PUBLIC HEARINGS

---

**INTRODUCTION:**

Austin Fuller of Whipple Consulting Engineers has requested on behalf Lanzce Douglass approval for two projects requiring Special Use Permits (SUP) in the Community Commercial Services (CCS) Zone. The first project (SUP-24-7) is to allow for 96 multi-family units to be developed on 4.2 acres per Exhibit A-3a and the second project (SUP-25-2) is to allow for 192 multi-family units developed on 9.63 acres per Exhibit A-3b. The two projects are adjacent to each other and therefore presented within one staff report. The Planning & Zoning Commission must conduct a public hearing and determine if the proposed requests meet the approval criteria contained in Post Falls Municipal Code (PFMC) Section 18.20.070 (B). Following the public hearing, the Planning Commission will direct staff to prepare a Reasoned Decision, along with any appropriate conditions, that explains how the approval criteria are/are not met. The Planning Commission will review and approve the final Reasoned Decision at a subsequent meeting. The approval criteria are:

- A. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.
- B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.
- C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.
- D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

**PROJECT INFORMATION:**

**Project Name/File Number(s):** Hope and Zorros Apartments Special Use Permit (SUP-24-7) and Early Dawn and Zorros Special Use Permit (SUP-25-2)

**Owner:** Lanzce Douglass, 1402 E. Magnesium Road #202, Spokane, WA 99217

**Applicant:** Austin Fuller, 21 S. Pines Road, Spokane Valley, WA 99206

**Project Description:** The applicant is intending to develop 96 multi-family units on 4.2 acres per Exhibit A-3a and 192 multi-family units on 9.63 acres per Exhibit A-3b.

**Project Location:** SUP-24-7 is generally located on the southwest corner of Hope Avenue and Zorros Road and SUP-25-2 is generally located on the northwest corner of East Early Dawn Avenue and North Zorros Road and the two projects are contiguous to each other.

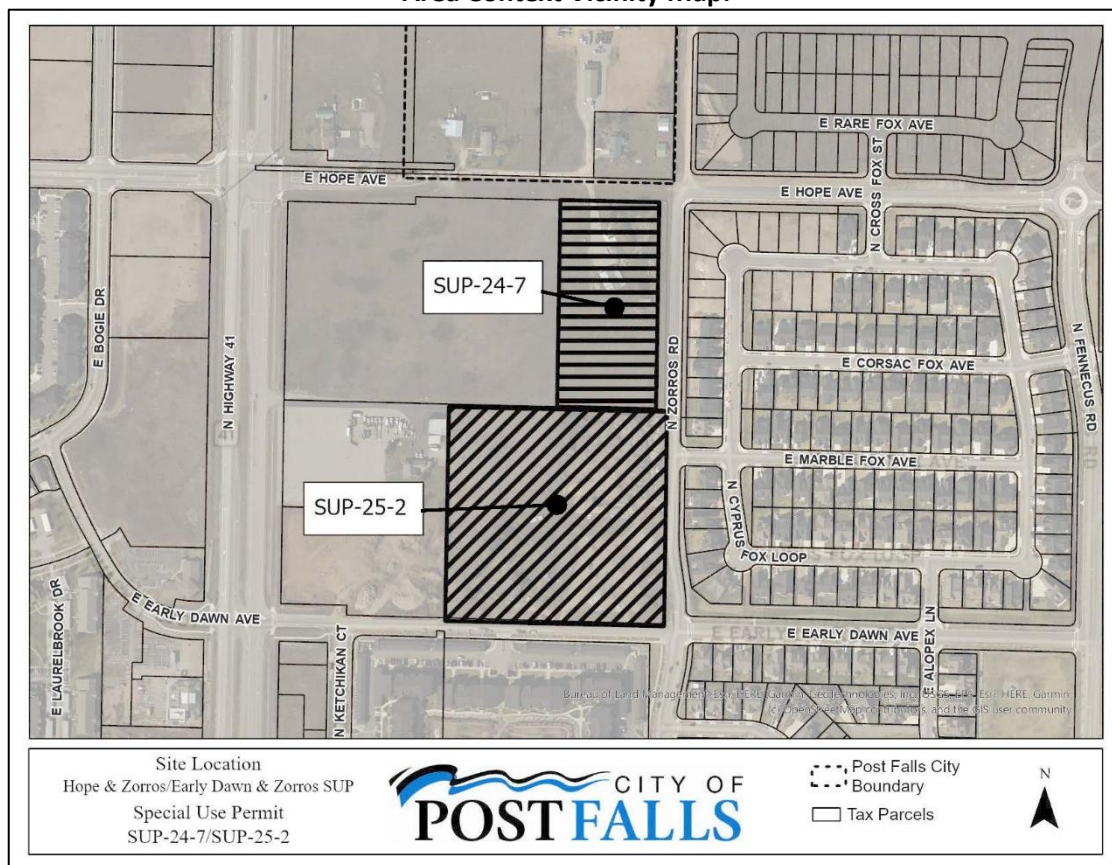
**Water Provider:** Ross Point Water District

**Sewer Provider:** City of Post Falls

#### AREA CONTEXT:

**Surrounding Land Uses:** The two sites are situated between Hope Avenue and Early Dawn Avenue on the west side of Zorros Road contiguous with each other. The project site for SUP-24-7 is north of the project site for SUP-25-2 as depicted in the Area Context Vicinity Map below. To the north of the project site across East Hope Avenue is a single-family home. Adjacent to the project site to the west is vacant land and underdeveloped commercial properties. To the east across North Zorros Road is a single-family residential subdivision with the Foxtail Housing Development. To the south across East Early Dawn Avenue are the Bluegrass Apartments.

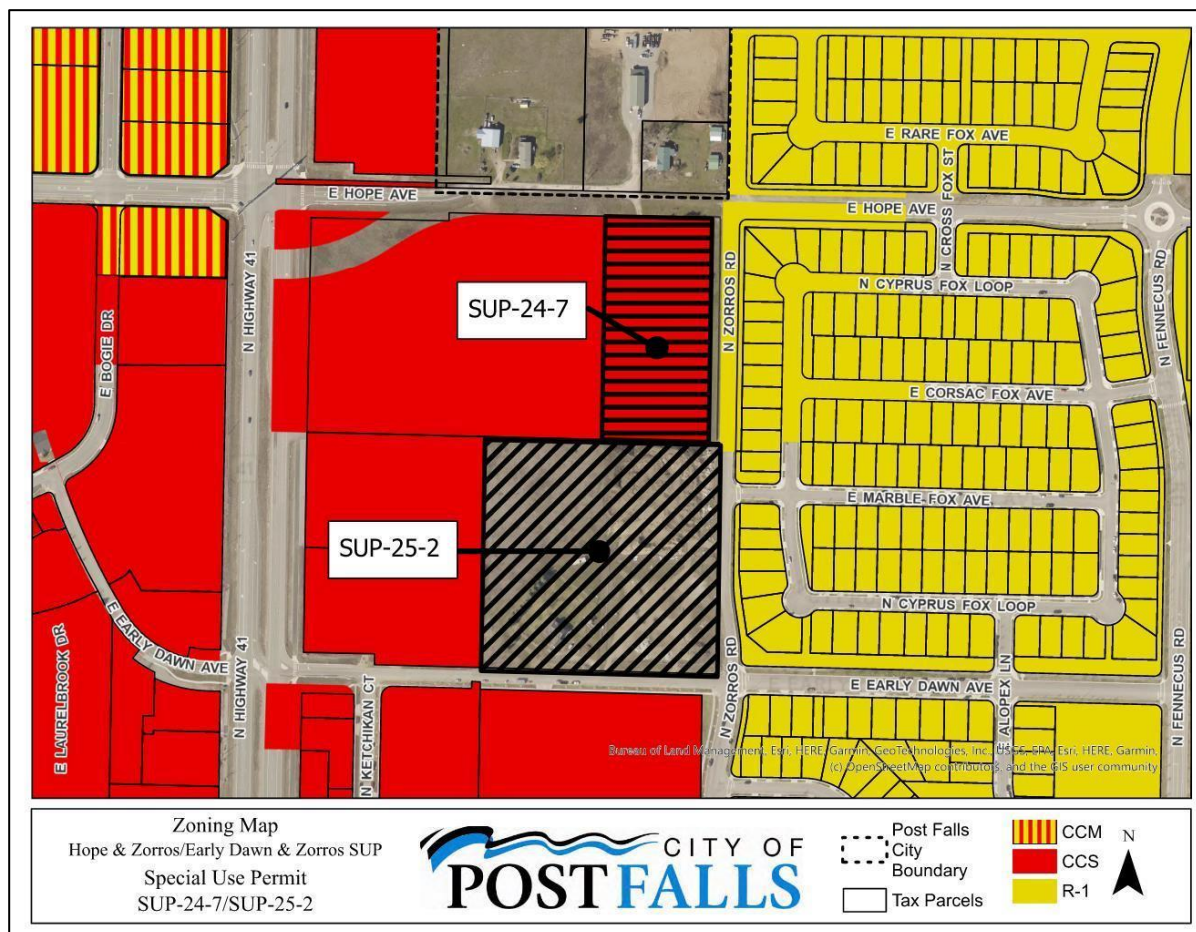
**Area Context Vicinity Map:**





**Surrounding Zoning Districts:** Adjacent to the site to the west and south across East Early Dawn Avenue is the Community Commercial Services (CCS) zoning district. To the north across, East Hope Avenue is land within the county. To the east, across North Zorros Road is Single-Family Residential (R-1) which is also in a Planned Unit Development (PUD) (See Following Map).

**Zoning Map:**



**EVALUATION OF SPECIAL USE PERMIT APPROVAL/ REVIEW CRITERIA:**

**A. Implementation of the special use will/will not conform to the purposes of the applicable zoning district.**

The CCS zone is applied in areas primarily located near arterials and collector streets. Residential Uses may be allowed within this zone at densities permitted by the High-Density Multi-Family Residential (R3) Zone by Special Use Permit when they will not compromise present Uses. Lot area and building bulk and placement requirements shall agree with the values set forth in section 18.20.040, "Official Bulk and Placement Regulations Table," of this title.

Hope Avenue is a major collector, Zorros Road is a minor collector, and Early Dawn Avenue is a minor collector. These roads are consistent with development in a CCS zoning designation. Higher-density housing near commercial areas can support stronger, more vibrant businesses by providing a steady customer base within walking distance. Allowing multi-family development in key locations—such as along Highway 41—can help attract and sustain higher-quality commercial uses, ultimately benefiting both residents and the local economy.



The proposed multi-family projects are within the CCS zoning district and is an allowed use with a Special Use Permit at densities permitted by the R3 Zone per PFMC Bulk and Placement Table 18.20.040, and per PFMC Establishment of zoning districts 18.16.010.

R3 multi-family sites require a minimum of 2,400 square feet per dwelling unit per the PFMC Bulk and Placement Table. The project site for SUP-24-7 is approximately 4.2 acres and allows for 76 dwelling units. However, the project proposes a total of 96 units, which necessitates an approximately 26% density bonus. The project may receive up to a 30% density bonus increase if additional amenities are provided. The project requires a minimum of two amenities and eight amenities are proposed, which would facilitate the requested density bonus pursuant to PMFC Section 18.24.030.7.d.

The project site for SUP-25-2 is approximately 9.67 acres and allows for 175 dwelling units and 192 are proposed, which necessitates an approximately 10% density bonus. The minimum number of required amenities is two and eight are proposed which would facilitate the requested density bonus.

**B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.**

See following excerpt from the PFMC Bulk and Placement Table 18.20.040, allowed with a Special Use Permit:

P = Permitted use

S = Special use

- = Nonpermitted use

| Land Use Category                           | Zoning Classifications |    |    |    |    |     |   |    |     |    | LBCS Code |
|---------------------------------------------|------------------------|----|----|----|----|-----|---|----|-----|----|-----------|
|                                             | R1S                    | R1 | R2 | R3 | LC | CCS | I | TM | CCM | RM |           |
| Twinhome                                    | -                      | S  | P  | P  | S  | S   | - | -  | -   | P  |           |
| Townhome, 6 or less units per structure     | -                      | S  | S  | P  | P  | S   | - | P  | P   | P  |           |
| Multi-family, 3 or more units per structure | -                      | -  | -  | P  | S  | S   | - | P  | P   | P  | 1103      |

**C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.**

Per PFMC Land Use Table 18.20.030 and being that the proposed project is allowed through a SUP, suggests that multi-family uses can be compatible with commercial uses. Additionally, the absence of a buffer requirement between multi-family and Commercial Land uses indicates the land uses may be compatible as well. The accessibility of this project site to major and minor collectors near HWY 41 offer good connectivity for potential residents.

Transportation: The adjoining roadways of Early Dawn Avenue and Zorros Road are both classified as Minor Collector Roadways. Hope Avenue is classified as a Major Collector Roadway. Zorros Road provides access to a restricted  $\frac{3}{4}$  turn movement at SH41 (left turns onto SH41 or crossing movements across SH41 are prohibited at Early Dawn Avenue). Zorros Road currently provides access to Poleline Ave. (Minor Arterial Roadway  $\frac{1}{4}$  mile to the south) and is projected to be extended to Prairie Avenue (Principal Arterial  $\frac{1}{2}$  mile to the north). Connections to SH41, Poleline Avenue and the future connections to the north are anticipated to distribute the projected traffic from the development. The City's Transportation Master Plan indicates a future controlled intersection (Traffic Signal or Roundabout) at the intersection of Poleline Avenue and Zorros Road. As the full roadway network in the vicinity of the SUP is not complete, half road plus 10-foot improvements should be required within the existing Hope Avenue rights-of-way

to provide connection to the Hope Ave / SH41 Traffic Signal. The project should additionally complete a Traffic Impact Analysis (TIA) to identify the impact and estimated timing of improvements at Poleline / Zorros or other necessary traffic mitigations. Access to the properties are shown with a single access on Early Dawn Avenue and a single access with Hope Avenue and two (2) access points with Zorros Road.

Early Dawn Avenue's existing roadway configuration, west of the project, is a standard 44' wide (curb face to curb face) roadway. Early Dawn Avenue should be widened to a 50' width between the western property line and the eastern proposed driveway approach to accommodate additional on-street parking while still providing for two (2) 11-foot travel lanes and bicycle lanes. Rights-of-way and a 15-foot Sidewalk, drainage and utility easement shall be required.

Zorros Road's existing roadway configuration, south of the project, is a 54' wide (curb face to curb face) roadway. This cross section should be continued along the properties frontage to accommodate parking, along with vehicular bicycle lanes. Rights-of-way and a 10-foot Sidewalk, drainage and utility easement shall be required.

Hope Avenue improvements should be based upon the standard 52-foot Major Collector cross section, with a 36-foot width being the centerline plus 10-foot requirement.

The proposed special may produce impacts that would alter timing of roadway improvements within the City's Transportation Capital Improvement Plan, due to missing pieces of the roadway network. A Traffic Impact Analysis (TIA) to identify the impact and estimated timing of improvements at Poleline / Zorros or other necessary traffic mitigations should be required, as a part of the site plan review process, to preserve roadway capacity and safety.

Water Reclamation: : The site will be connected to the City's Water Reclamation Facilities. Existing facilities are located at the properties southwest corner in Early Dawn Avenue and in Zorros Road. The main in Early Dawn discharges directly to the SH41 mainline. The main within Zorros Road goes through the Foxtail subdivision and discharges to the Poleline Avenue main before connecting to SH41. Current capacity exists within the SH41 mainline and at the 12<sup>th</sup> Avenue Lift Station.

SUP-25-2 is subject to the 12th Avenue Force Main Surcharge Basin and has previously agreed to pay the sewer surcharges established, per the annexation agreement, the surcharge is currently established at \$3,334.52 per service unit for the 12th Avenue Force Main and is adjusted in October of each year. The site also has potential limits to development based on capacity at the 12<sup>th</sup> Avenue Lift Station and 12<sup>th</sup> Avenue Force main, per the annexation agreement, that may limit development of the property at the time of site plan review.

SUP24-7 was not previously identified as being part of the 12<sup>th</sup> Avenue Lift Force Main Surcharge Basin. Issuance of a Special User Permit should include the requirement that the property be subject to the 12<sup>th</sup> Avenue Force Main Surcharge and limitations as identified in the annexation agreement that impacts SUP-25-2

City water reclamation facilities currently have the capacity and capability to handle the requested use.

Domestic Water: The proposed special use will be serviced by the Ross Point Water District. A will serve letter from the district has been provided and site-specific issues, including fire protection, would be handled at the time of Site Plan Review.

- D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.**

**Goal 1:** Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.

Higher residential density in strategic locations—such as near Highway 41— may create built-in demand for retail, services, and employment opportunities. This walkable proximity helps attract and sustain quality commercial investment, while also reducing infrastructure strain and vehicle miles traveled.

Additionally, by enabling a range of housing options close to job centers and commercial corridors, Post Falls may position itself as a more competitive and inclusive community. This not only supports workforce retention but also encourages small business growth and enhances fiscal stability through diversified tax revenues.

**Goal 7:** Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability.

Cities exercise considerable influence over land use, in turn influencing the type and character of development, patterns of growth, and the short and long-term financial impact of growth on the local economy. Diversification in housing choices may assist in achieving this goal.

**Goal 10:** Provide and support Post Falls' parks and recreational opportunities on-pace with growth.

Through development of the multi-family site, park impact fees would be paid at the time of permitting to assist parks and recreational development needs in all related plans and actions.

**Goal 15:** Maintain and Improve the City's water and sewer infrastructure, anticipating future needs regarding population and regulatory conditions.

Provision of clean, safe water and responsible treatment and disposition of wastewater are essential services for any community.

**The following policies may or may not assist the review of this Special Use Permit request.**

**Policy 1:** Support land use patterns that:

- Maintain or enhance community levels of service.

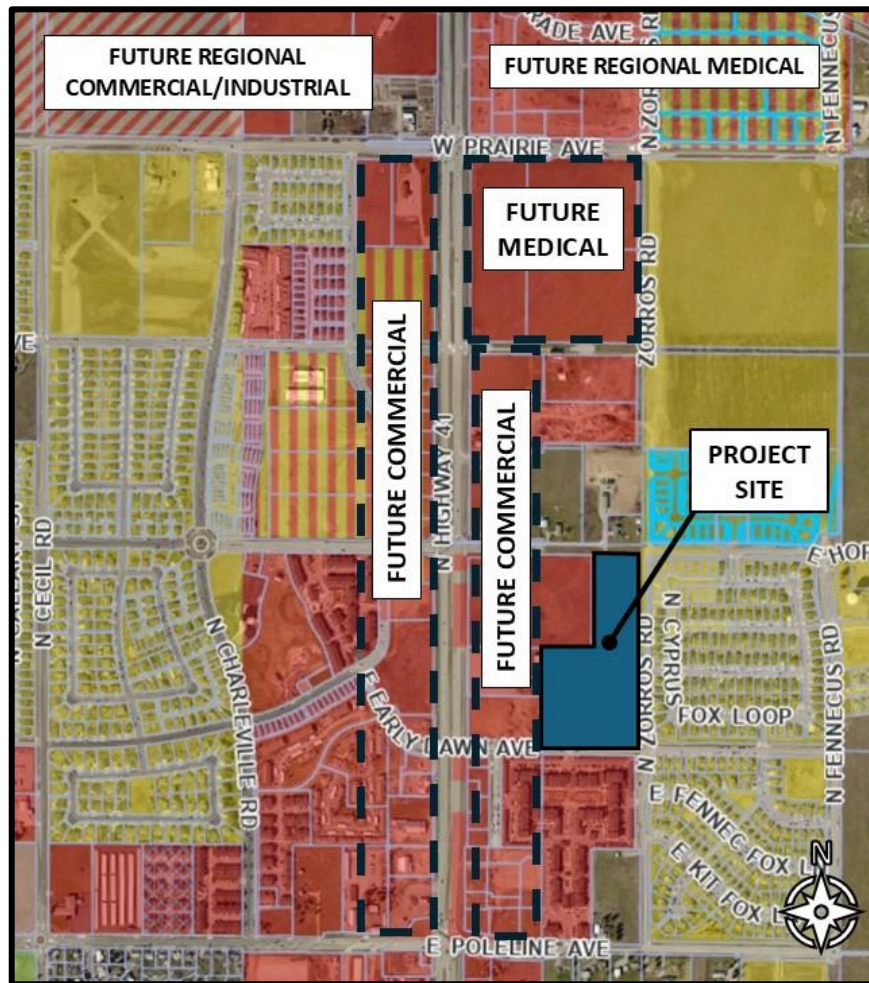
Staff Comment: Impact Fees will be paid at the time of permit issuance to assist maintaining the community levels of service.

- Foster the long-term fiscal health of the community.

Staff Comment: Diversified housing opportunities bolsters the long-term health of the housing sector within a community. The industrial and commercial sectors within a community benefit by having a healthy and diverse housing sector as it either offers securities that their employees have a place to live, or it puts rooftops to provide commerce.

- Maintain and enhance resident quality of life.

Staff Comment: The proposed location of the special use permits should be within walking distance to future nearby commercial businesses along Highway 41 that may provide for some daily needs, potentially improving quality of life. The proximity to existing and future Highway 41 businesses provides potential existing and future employment opportunities within walking distance as well.



- Promote compatible, well-designed development.

Staff Comment: The proposed development is on a Community Commercial Services (CCS) zoned property surrounded by other adjacent CCS Zoned Properties and to the east there is the single family Foxtail neighborhood. The nearest accessible signalized intersection with SH41 is Hope Ave. / SH41, approximately 0.25 miles to the west and the intersection of Poleline Avenue and SH41, approximately 0.33 miles to the southwest. The proximity to arterial connections is compatible with the proposed high-density development. City design standards assist creating compatible, well-designed developments.

- Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.

Staff Comment: The analysis within this staff report addresses this policy point.

**Policy 2:** Apply or revise zoning designations with careful consideration of factors including:

- Future land use mapping.

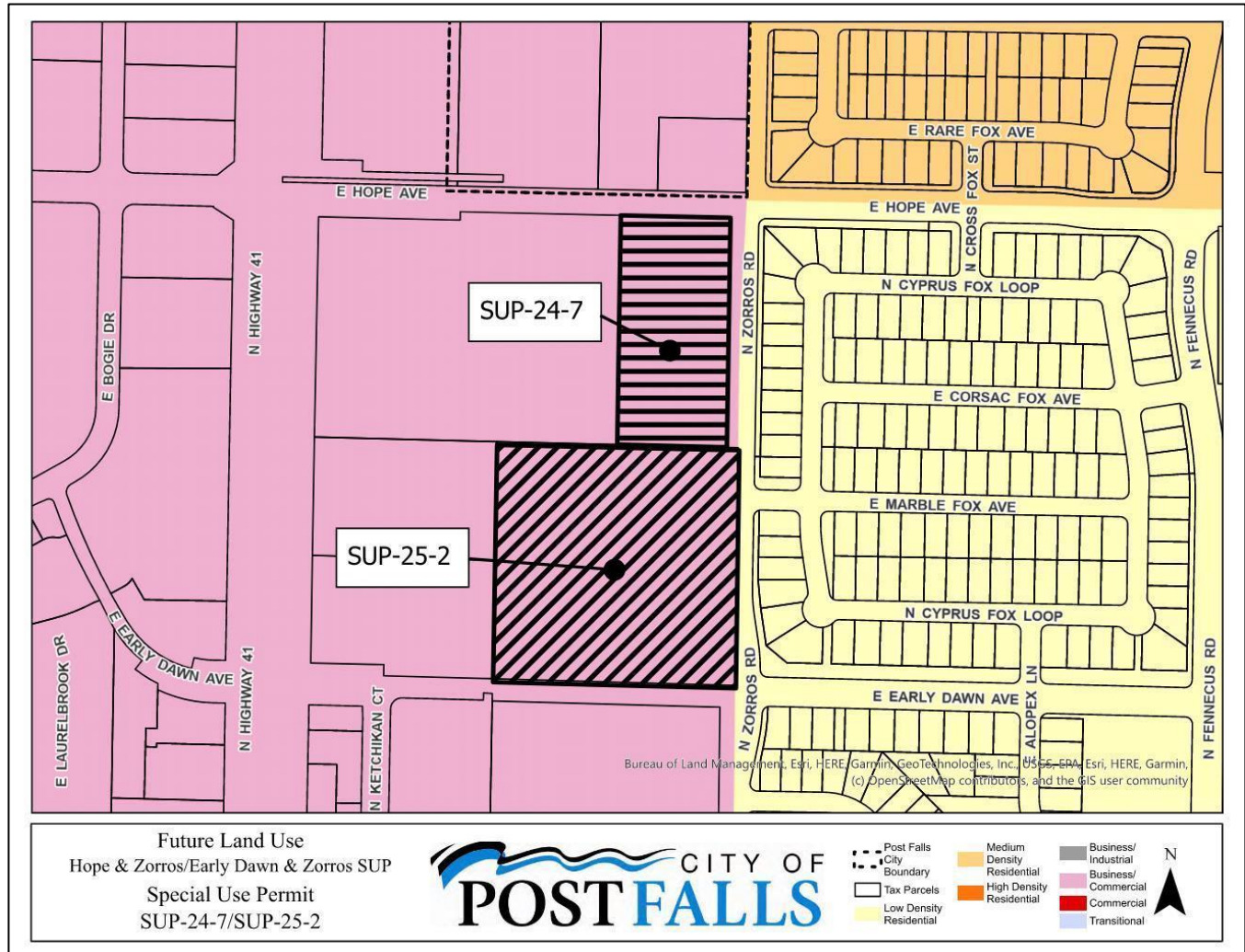
Staff Comment: The site has a future land use designation of Business Commercial (see following map). This land use designation provides for a wide variety of general service, retail, professional office, light industrial, artisan manufacturing and mixed-uses that serve local and regional residents as well as the traveling public. This category promotes a mixture of moderate/high density housing types within walking distance of the city center, neighborhood center and corridor commercial uses, as well as civic uses and other amenities within Post Falls. The site is in the 41 North Focus Area where it does state, "Focus provisions for multi-family, commercial, and



tech uses near higher classified roadways.” The project would provide multi-family near a Highway 41.

Implementing Zoning Districts LC, **CCS**, CCM, TM, R-2, R-3, SC4, SC5, Per **Focus Area**

Future Land Use Designation Map



- Compatibility with surrounding land uses;

Staff Comment: Per PFMC Land Use Table 18.20.030 and cited in Criteria A, multi-family being allowed through a Special Use Permit in CCS zones suggests that it is compatible with commercial land uses.

- Infrastructure and service plans.

Staff Comment: The site is located adjacent to existing sanitary sewer and water infrastructure. Existing facilities have sufficient capacity to provide service for the anticipated land uses. The City is continuing to develop and construct sewer infrastructure that is required to provide service at this location and all locations within the 12<sup>th</sup> Avenue Service Basin. The properties are subject to or should be made subject to the 12<sup>th</sup> Avenue Force Main Basin Surcharge.

- Existing and future traffic patterns.

Staff Comment: The site is located adjacent to the intersection of Early Dawn Avenue and Zorros Road (Minor Collectors), that provides connection to SH41 and Poleline Avenue. The site is additionally located adjacent to the intersection of Hope Avenue (Major Collector) and Zorros Road (Minor Collector), that would provide connection to the signalized intersection with SH41 upon extension of Hope Avenue westerly. Future connectivity would be created with the extension of Zorros Road northerly to Prairie Avenue.

Though capacity exists on the surrounding roadways, Hope Avenue should be required to be extended to SH41 with site development. A Traffic Impact Analysis (TIA) should be conducted to verify the projects impacts and timing on the intersection of Poleline Avenue / Zorros Road as part of the site plan review process.

- Goals and policies of the comprehensive plan, related master plan and/or facility plans.

Staff Comment: The analysis within this staff report addresses this policy point.

**Policy 3:** Encourage development patterns that provide suitably scaled, daily needs services within walking distance of residential areas, allowing a measure of independence for those who cannot or choose not to drive.

Staff Comment: The analysis within this staff report addresses this policy point.

**Policy 8:** Encourage compatible infill development and redevelopment of vacant and underutilized properties within City limits.

Staff Comment: This lot could be considered as under-utilized and infill. Redevelopment with a higher density could offer some relief to the housing concerns within the city.

**Policy 15:** Ensure that adequate land is available for future housing needs, helping serve residents of all ages, incomes, and abilities through provision of diverse housing types and price levels.

Staff Comment: The proposed special use permits could help create additional housing in the CCS zoning designation.

**Policy 19:** Encourage clustering of units in new residential development, providing service efficiencies and creating opportunities for private or community open space.

Staff Comment: The proposed special use permits are an example of clustered residential units that will also develop private open space for residents. Per PFMC section 18.24.030.D.7, Post Falls multi-family performance standards require 300 square feet of common open space for each 2-bedroom unit and 150 square feet of common space for each 1-bedroom unit. Additionally multi-family performance standards require sites greater than 2-acres to consolidate the majority of the required open space into a primary open space.

SUP-24-7: The proposed development contains 48 one-bedroom units and 48 two-bedroom units which necessitates a minimum of 21,600 square feet of open space. The proposal includes 25,948 square feet of open space, all of which is consolidated into a primary open space.

SUP-25-2: The proposed development contains 96 one-bedroom units and 96 two-bedroom units which necessitates a minimum of 43,200 square feet of open space. The proposal includes 44,251 square feet of open space, which is consolidated into a primary open space.



**Policy 20:** Consider location of multi-family development in areas that:

- Have access to arterial and collector streets;

Staff Comment: The proposed special use permits would develop multi-family in close proximity to collector roadways and SH41, which access I-90 2.5 miles to the south.

- Help buffer higher and lower-intensity development patterns;

Staff Comment: Multi-family development at this location may assist buffering this impact of Highway 41 to the lesser dense housing to the east.

- Abut compatible existing uses;

Staff Comment: This criterion is addressed in Policy 1.

- Are part of projects involving mixed use or master planned areas.

Staff Comment: The area bounded by North Zorros Road, Highway 41, and East Prairie Avenue has the potential, upon development, to evolve into a horizontally integrated mixed-use environment—ultimately resembling a master-planned community.

**Policy 21:** Maintain standards for multi-family housing that encourage quality building design, landscaping and usable open space, supporting long-term family living.

Staff Comment: This criterion is addressed in Policy 19.

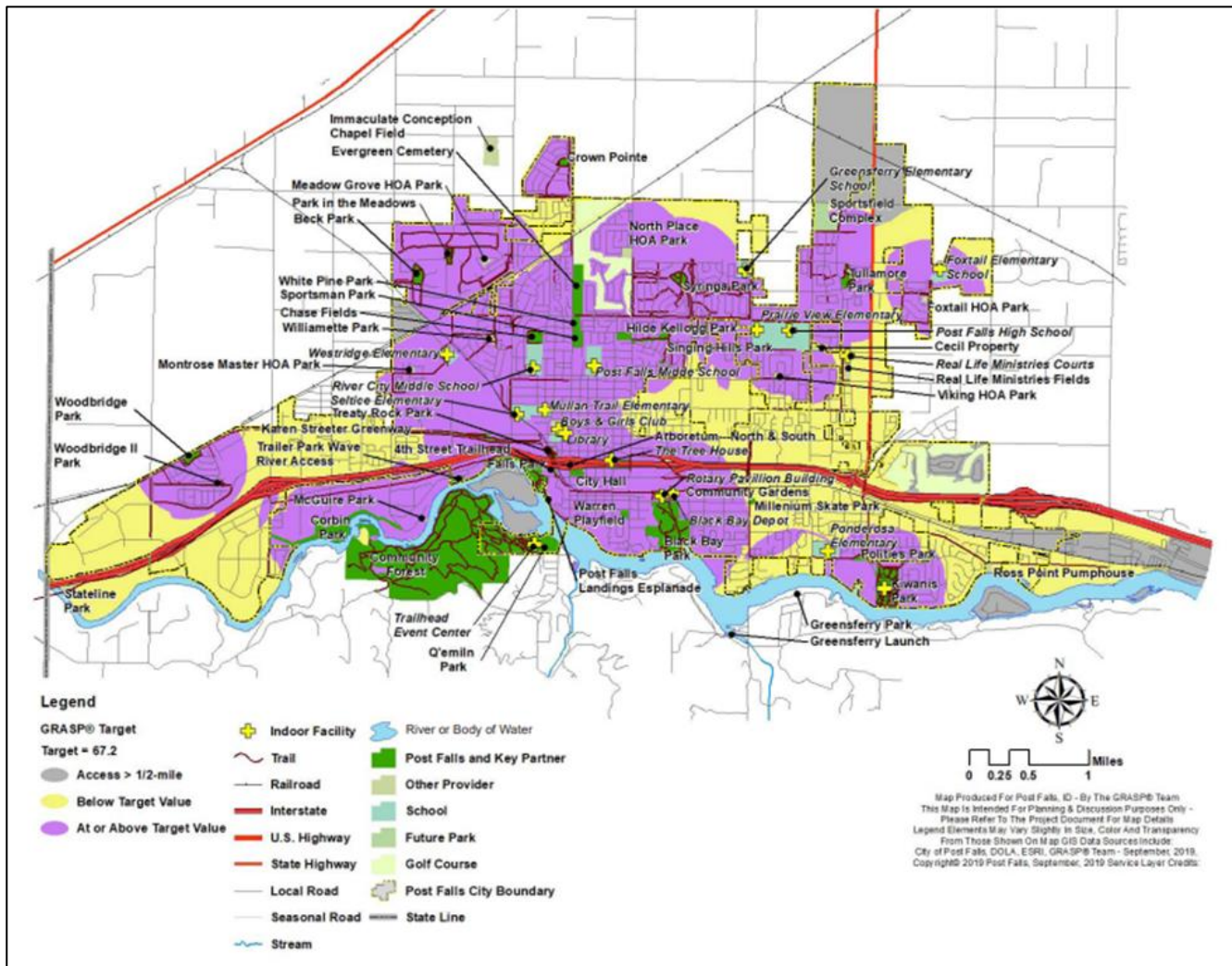
**Policy 38:** Plan new development to ensure provision of public services at current Levels of Service (LOS) or the LOS identified in City-adopted master plans.

Staff Comment: This criterion is discussed in Policy 19 and Policy 60.

**Policy 60:** Maintain adopted Levels of Service (LOS) for parks, recreation and open space, and continue to identify opportunities to acquire parkland.

Staff Comment: Both projects are located in an area identified in the Parks and Recreation Master Plan as at or above the established level of service, due to the amenities in Foxtail. As noted this development will be providing on-site amenities as well. Referring to Policy 19, open space requirements are provided in PFMC for multi-family projects to assist mitigating this matter. Additionally, as mentioned earlier, Park Impact Fees are paid at time of issuance of building permits.

#### Parks and Recreation LOS Analysis



## OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

### Agencies Notified:

|                                   |                                 |                                     |
|-----------------------------------|---------------------------------|-------------------------------------|
| Bonneville Power Administration   | City Link                       | Post Falls Area Chamber             |
| Post Falls Post Office            | Post Falls Parks & Rec          | PF Police Department                |
| Post Falls School District        | Post Falls Highway District     | Utilities (W/WW)                    |
| Kootenai Electric                 | Kootenai County Fire            | Department of Environmental Quality |
| Ross Point Water                  | East Greenacres Irr. District   | Urban Renewal Agency                |
| Idaho Department of Lands         | Idaho Transportation Department | Panhandle Health District           |
| KMPO                              | Kootenai County Planning        | Yellowstone Pipeline Co.            |
| Phillips 66 Pipeline Co. (Conoco) | NW Pipeline Corp.               | BNSF                                |
| TC Energy (TransCanada GTN)       | Avista Corp. (WWP-3)            | TDS Telecom                         |
| Ziply Fiber                       | Spectrum                        | Coeur d'Alene Garbage               |
| Coeur d'Alene Press               |                                 |                                     |

**PUBLIC PROCESS:** Notice of the proposed SUP was mailed to property owners within 300 feet of the proposed project June 16, 2025. Notice has been published in the Post Falls Press on June 20, 2025 and was sent to appropriate jurisdictions on June 23, 2025. The property is scheduled to be posted by June 27, 2025.

**MOTION OPTIONS:** The Planning Commission may approve the requested Special Use Permits as presented, approve with conditions, or deny the Special Use Permits request.

**CONDITIONS (If any are applied):**

1. Site Access points will be required to conform with City Access Management requirements.
2. Perform a Traffic Impact Analysis (TIA) as part of the site plan review process and address any identified mitigation(s) from the TIA.
3. Dedicate rights-of-way and easements along Hope Avenue, Early Dawn Avenue and Zorros Road
4. Include additional roadway width along Early Dawn Avenue to accommodate on-street parking on both sides of the roadway, along with drive lanes and bicycle lanes.
5. Match the roadway width of Zorros Road that exists immediately south the site.
6. Construct centerline plus 10-feet for Hope Avenue along the project's frontage and westerly to the existing roadway improvements near SH41. (36-foot roadway width for centerline plus 10-feet)
7. Sanitary Sewer Surcharges for the 12<sup>th</sup> Avenue Forcemain Basin for both applications (SUP 24-7 and SUP 25-2).

**ATTACHMENTS:**

APPLICANT'S EXHIBITS:

Exhibit A-1a: Application for SUP-24-7

Exhibit A-1b: Application for SUP-25-2

Exhibit A-2a: Narrative for SUP24-7

Exhibit A-2b: Narrative for SUP-25-2

Exhibit A-3a: Conceptual Plan for SUP-24-7

Exhibit A-3b: Conceptual Plan for SUP-25-2

Exhibit A-4a: Vicinity Map for SUP-24-7

ExhibitA-4b: Vicinity Map for SUP-25-2

Exhibit A-5a: Owner Authorization for SUP-24-7

Exhibit A-5b: Owner Authorization for SUP-25-2

STAFF EXHIBITS:

Exhibit S-1: Vicinity Map for SUP-24-7 and SUP-25-2

Exhibit S-2: Zoning Map for SUP-24-7 and SUP-25-2

Exhibit S-3: Future Land Use Map for SUP-24-7 and SUP-25-2

**SUP-24-7**  
Special Use Permit

**Applicant**



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## Applicant Information

**Applicant Type\***

Agent

**Applicant Name\***

Todd R. Whipple, P.E.

**Phone\***

509.893.2617

**Email\***

toddw@whipplece.com

**Address\***

21 S. Pines Rd.

**City, State & Zip Code**

Spokane Valley, WA 99206

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## Owner Information

**Name\***

BLUEGRASS FARMS NORTH  
APARTMENTS LLC

**Company**

**Phone\***

509.483.6632

**Email\***

lanzce@irentspokane.com

**Address\***

1402 E. Magnesium Rd. STE 202

**City, State & Zip Code**

Spokane, WA 99217

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## Site Information

**Proposed Project Name\***

Hope and Zorros Special Use Permit

**Description of Project\***

**Existing Zoning**

CCS

**Adjacent Zoning**

CCS, R-1,

**Current Land Use**

Single unit

**Adjacent Land Use**

Vacant, Single Family

**Size of Site**

4.20 acres

**Site Density, if applicable**

17.14 du/ac

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# Application Certification

All exhibits presented will need to be identified at the meeting, will be entered into the record, and retained on file.\*



The applicant (or representative) must be at the meeting representing this proposal or the application will not be heard. The applicant will be responsible for costs in re-noticing the public hearing.\*



I (We) the undersigned do hereby make application for the land use action contemplated herein on the property described in this application and do certify that the information contained in the application and any attachments or exhibits herewith are accurate to the best of my (our) knowledge. I (We) further acknowledge that any misrepresentation of the information contained in this application may be grounds for rejection of the application or revocation of a decision rendered. I (We) understand that the Administrator may decline this application if required information is deficient and/or the application fee has not been submitted. I (We) acknowledge that City staff may, in the performance of their functions, take photographs and/or videos of the property under consideration as deemed necessary, enter upon the property to inspect, post legal notices, and/or other standard activities in the course of processing this application. I (We) hereby certify that I am (we are) the owner or contract buyer of the property upon which the land use action is to be located, or that I (we) have been vested with the authority to act as agent for the owner or contact buyer. \*



Austin Joseph Fuller

Aug 29, 2024



**SUP-25-2**

Special Use Permit

Status: Active

Submitted On: 5/1/2025

**Applicant**

Austin Fuller



509-893-2617



permits@whipplece.com



21 S. Pines Rd.

Spokane Valley, Washington 99206

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**Applicant Information****Applicant Type\***

Engineer

**Applicant Name\***

Whipple Consulting Engineers, Inc.

**Phone\***

509.893.2617

**Email\***

permits@whipplece.com

**Address\***

21 S. Pines Road

**City, State & Zip Code**

Spokane Valley, WA 99206

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**Owner Information****Name\***

Douglass Properties, LLC

**Company****Phone\***

509.483.6632

**Email\***

lanzce@irentspokane.com

**Address\***

1402 E. Magnesium Rd. STE 202

**City, State & Zip Code**

Spokane, WA 99217

## Site Information

**Proposed Project Name\***

Early Dawn and Zorros Special Use Permit

**Description of Project\***

Special Use Permit to allow for 192 multifamily residential units on approximately 9.67 acres.

**Existing Zoning**

CCS

**Adjacent Zoning**

CCS, R1

**Current Land Use**

Business/Commercial

**Adjacent Land Use**

Business/Commercial, R1

**Size of Site**

9.67 ac +/-

**Site Density, if applicable**

19.855 du/ac

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## Application Certification

All exhibits presented will need to be identified at the meeting, will be entered into the record, and retained on file.\*



The applicant (or representative) must be at the meeting representing this proposal or the application will not be heard. The applicant will be responsible for costs in re-noticing the public hearing.\*



I (We) the undersigned do hereby make application for the land use action contemplated herein on the property described in this application and do certify that the information contained in the application and any attachments or exhibits herewith are accurate to the best of my (our) knowledge. I (We) further acknowledge that any misrepresentation of the information contained in this application may be grounds for rejection of the application or revocation of a decision rendered. I (We) understand that the Administrator may decline this application if required information is deficient and/or the application fee has not been submitted. I (We) acknowledge that City staff may, in the performance of their functions, take photographs and/or videos of the property under consideration as deemed necessary, enter upon the property to inspect, post legal notices, and/or other standard activities in the course of processing this application. I (We) hereby certify that I am (we are) the owner or contract buyer of the property upon which the land use action is to be located, or that I (we) have been vested with the authority to act as agent for the owner or contact buyer. \*

✓ Austin Joseph Fuller  
May 1, 2025



Whipple Consulting Engineers, Inc.

WCE No. 23-3546  
October 21, 2024

Post Falls Planning and Zoning Commission  
C.O.: Jon Manley, Planning Manager  
408 N. Spokane Street  
Post Falls, ID 83854

Re: City of Post Falls  
Hope & Zorros – Special Use Permit Narrative

To whom it may concern:

This letter is intended to serve as a written narrative for a proposed Special Use Permit to allow for multifamily residential uses on parcel P-7050-30-039-AB, AIN 176799, located at 4320 E. Hope Avenue (Hope & Zorros Property). This letter discusses zoning information, how the proposal relates to the City of Post Falls Goals and Policies Future Land Use Plans, and any impact the proposal would have on City services.

#### **Site Description**

This Special Use Permit application is regarding the Hope & Zorros Property located in the CCS Zone in the City of Post Falls, Idaho in Section 30, Township 51 North, Range 4 West, B.M. The City of Post Falls Future Land Use Map designates the property as Business/Commercial. The Hope & Zorros Property is one approximately 4.20-acre rectangular parcel, listed as Kootenai County tax parcel number P-7050-30-039-AB. The Hope & Zorros Property has frontage on Zorros Road to the east and Hope Avenue to the north.

Currently, both the subject property and several nearby commercial properties under separate ownership along Highway 41 are undeveloped. Although traffic on the highway provides exposure, additional residential development in the area is critical for the effort to attract commercial and retail businesses to the corridor; and provide multifamily residences in a regional housing shortage. The proposed Special Use Permit will create a housing transition consistent with R-3 zoning between the future commercial and retail uses adjacent to Highway 41 and the single-family residential located to the east in the Foxtail Subdivision. Not only will the approval of this Special Use Permit provide for residential housing within a walkable distance of future commercial and retail services, but the increased density will help foster commercial development along the Highway 41 corridor, reduce trips and continue to promote efficient land use within ½ mile of Highway 41.



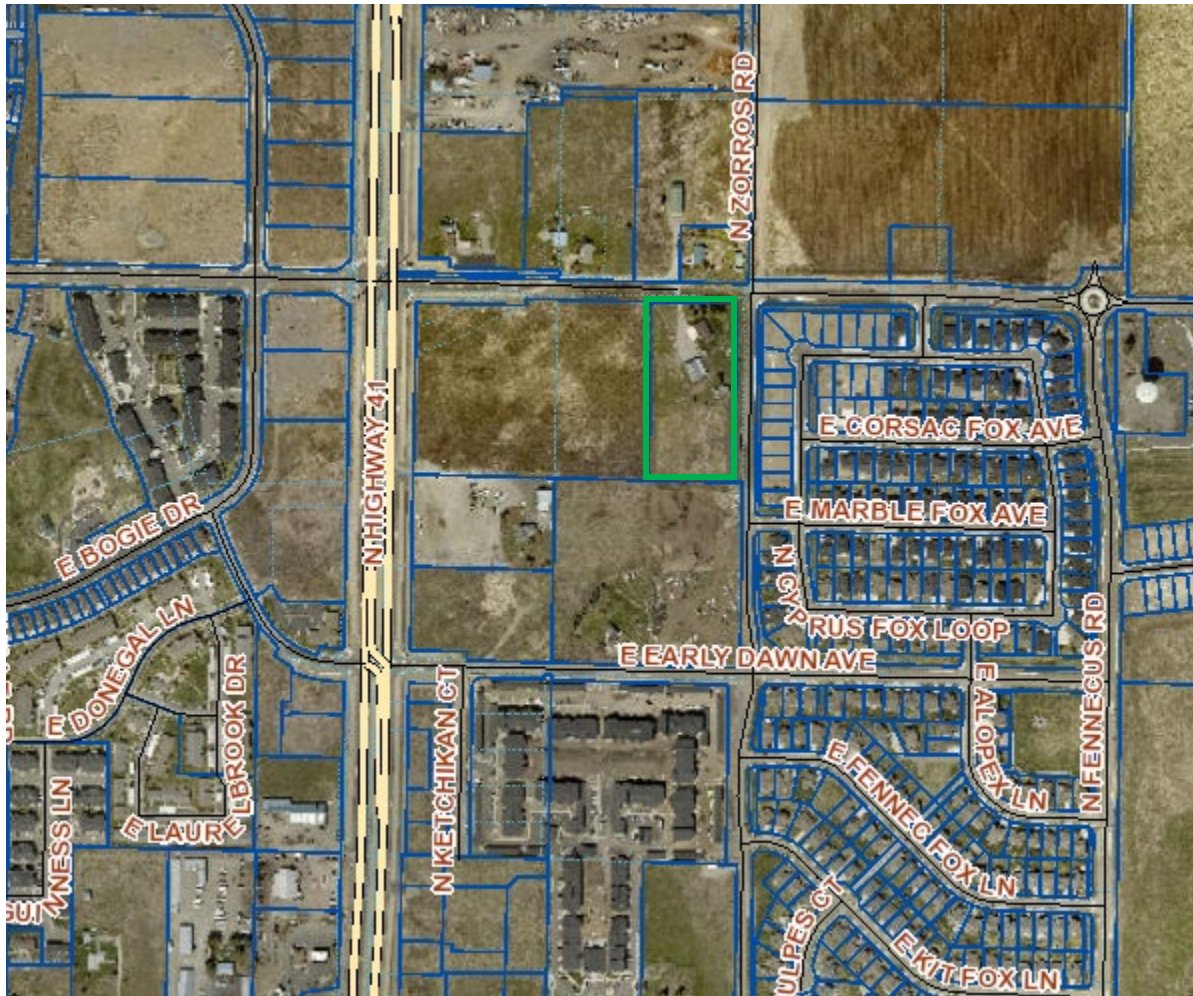
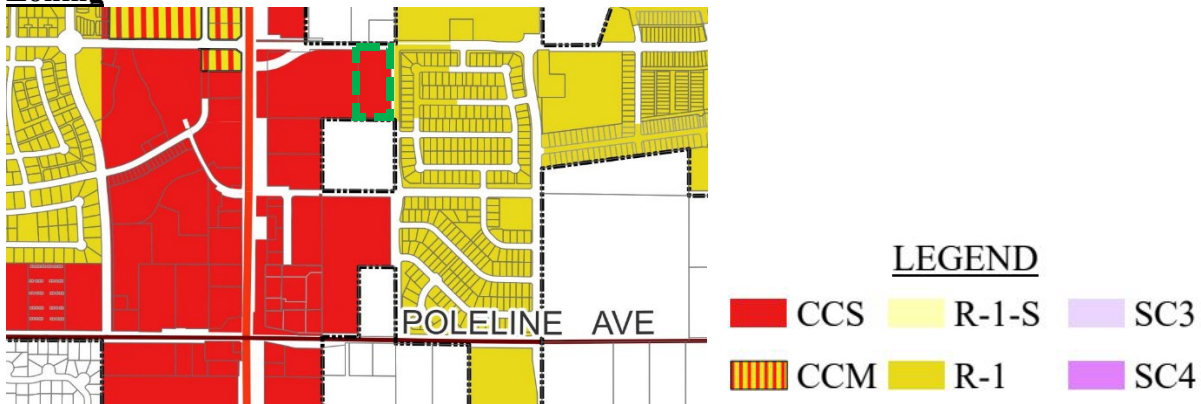


Figure 1: Property outlined in green.

### **Zoning**



The site is located in the Post Falls CCS Zone and is also located in the Business/Commercial designation of the City of Post Falls Comprehensive Plan.

Surrounding properties include single-family residences within a County island to the north (designated Business/Commercial in the Future Land Use Map), vacant land within the CCS

October 24, 2024

Zone to the west and R-1 residential to the east. South of the property is an unannexed County island, with the existing Bluegrass Apartments further south.

### **City Special Use Permit Code Review**

The Post Falls Municipal Code Section 18.20.070 regulates Special Use Permits. Below is a review of the Special Use Permit code and our responses to each section of the code:

*The purpose of a Special Use Permit is to establish procedures for the review and approval of Uses that are not permitted by right in a particular zoning district. A Special Use Permit is not transferable from one parcel of land to another nor shall it be considered as establishing a binding precedent to grant other Special Use Permits. Special Use Permits require a public hearing before the planning and zoning Commission following appropriate procedures.*

**WCE Response:** This section of code authorizes the use of Special Use Permits and identifies the required procedure for approval.

- A. *A completed Special Use Permit application shall be submitted to the Zoning Administrator which shall include a description of the Use proposed, the manner of implementation of the proposed Use including information about appearance and configuration, how it would be compatible with infrastructure and Land Uses present and future, and why the proposal would be in the public interest.*

**WCE Response:** This narrative and the associated site plan identifies the requirements within the Special Use Permit. For convenience, each requirement is listed below with our response:

- *A description of the use proposed:* The project proposes three apartment structures with a total of 96 residential units. Additionally, there will be approximately 73 parking stalls and 96 garages including ADA stalls across the 4.20 acres. Finally, an amenities area is identified on the site plan. These amenities are subject to change; however, the project will require two amenities per code and an additional two amenities per 10% increase in density proposed, for a total of eight amenities if all 96 dwelling units are desired. At this time, this project proposes 8+ amenities.
- *Appearance and configuration of the site:* The site is configured with three apartment buildings primarily located on the west 2/3rds of the property essentially fronting on Zorros Road and amenities between the three structures to ensure easy access. Parking will be to the east with stalls closer to the apartments and garages near Zorros Road to form a visual buffer. The proposed layout provides additional buffer between the proposed apartment units and the existing Foxtail Ridge subdivision. The site will be developed similarly to the approved and developed Bluegrass Farms Apartments to the south.
- *How the project would be compatible with infrastructure:* The property has access to a proposed major collector, Hope Avenue, to the north; and a proposed minor collector, Zorros Road, to the east. The property is nearby existing infrastructure including sewer, water and dry utilities within Zorros Road. Both Hope Avenue and Zorros Road will be improved along the site frontage with this project.
- *How the project would be compatible with present and future land uses:* The existing surrounding properties include R1-zoned residential properties to the east, unannexed County island properties under the Business/Commercial future



land use to the north and south, and an undeveloped property in the CCS Zone to the west. The nearby properties under the Business/Commercial future use map of the Comprehensive Plan are undeveloped or under-developed when compared to other CCS-zoned properties west of Highway 41. This project will increase the development potential of the adjacent future Business/Commercial-designated properties, providing opportunities for the development of CCS-zoned land. The project as proposed would provide a residential buffer between the single-family on the east side of Zorros and the Commercial and Highway 41 Corridor.

- *Why the proposal would be in the public interest:* There is a high demand for residential multifamily within Kootenai County due to the relatively high cost of single-family residences, and more specifically the City of Post Falls. In addition, this project will create an incentive for further commercial development along the Highway 41 Corridor. A future apartment project would create a buffer between the existing single-family residential to the east and future commercial to the west.

- B. *As its schedule and agenda allow, the planning and zoning Commission shall hold a public hearing and shall review the particular facts and circumstances of each proposed special use. In granting a Special Use Permit, the planning and zoning Commission may attach appropriate conditions to mitigate impacts, and to ensure conformance with the intent of the Comprehensive Plan and applicable provisions of this title. The application for a Special Use Permit may be approved as presented, conditionally approved, or denied by the planning and zoning Commission upon determining the following:*

**WCE Response:** The Special Use Permit approval criteria in the City of Post Falls has four requirements, listed below as 1 through 4. This Special Use Permit application meets the requirements in the following ways:

1. *Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.*

**WCE Response:** Implementation of this special use would conform to the purposes of the CCS Zoning district. The Post Falls Municipal Code Section 18.16.10(B)(2) establishes the CCS Zone and states that *...Residential Uses may be allowed within this zone at densities permitted by the High Density Multi-Family Residential (R3) Zone by Special Use Permit when they will not compromise present uses.* The PFMC Section 18.16.30 allows for multifamily residential under a special use, requiring a Special Use Permit.

Per PFMC Subsection 18.24.030(D)(7): *At least one hundred fifty (150) square feet of common Open Space must be provided for each one (1) bedroom unit and three hundred (300) square feet for each two-bedroom plus unit.* This project proposes 48 one-bedroom units (requiring 7,200 sf) and 48 two or greater-bedroom unit buildings (requiring 14,400 sf), for a total required open space of 21,600 sf. The project proposes 25,948 sf, which meets the minimum required open space for the project.

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Per PFMC Subsection 18.24.030(D)(7)(d): *The required Open Space must contain at least two of the following amenities that are accessible for Use by the residents and should be centrally located:*

*i. Play Structure;*

*ii. Community garden;*

*iii. Picnic tables and BBQ areas. Providing a gazebo or other permanently affixed shade Structures nearby counts as two (2) amenities;*

*iv. Swimming Pool;*

*v. Indoor recreation facility;*

*vi. Sports courts (e.g., tennis, basketball, volleyball);*

*vii. Internal courtyards;*

*viii. Connected internal trail/sidewalk system. (when possible, connect to nearby parks, trails, or other public amenities.);*

*ix. Natural Open Space area with benches/viewing areas and/or trails;*

*x. Other active or passive recreation areas as approved by the community development director that meets the intent of this requirement.*

This project proposes bonus density as allowed in PFMC Subsection 18.24.030(D)(7)(e): *Density bonus. For each additional amenity provided beyond the two (2) required amenities, a ten (10) percent Density increase, in excess of the maximum allowed Density, is available up to a maximum of three (3) bonuses.* As required to obtain all three bonuses required for approval of 96 units, the project proposes eight amenity types. While the amenities are subject to change, the following amenities are proposed:

- play structure;
- community garden;
- a Picnic table and BBQ area with a gazebo (counts as two amenities);
- two sports courts (pickleball, horseshoes);
- internal courtyard;
- connected internal trail/sidewalk system;
- a dog park which meets or will meet item x above; and
- Additionally the residents may be able to utilize the clubhouse and pool amenities at the Bluegrass Farms Apartments to the south.

2. *Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the City and the State.*

**WCE Response:** The proposed use will constitute an allowable special use as established by PFMC Chapter 18.16. The PFMC Section 18.16.30 table allows for multifamily residential under a special use, requiring a Special Use Permit. Section 67-6512 of the Idaho Statutes creates provisions for Special Use Permits, including notification requirements and conditions.

3. *Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses in the vicinity of the proposal.*

**WCE Response:** The proposed special use will be compatible with the health, safety and welfare of the public and with land uses in the vicinity of the proposal. The project will

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connect to water, sewer and electricity, as well as cable and gas, as allowed. The project will improve Hope Avenue along the project frontage with  $\frac{1}{2}$  Right-of-Way and a lane improvements; and Zorros Road along the project frontage with curb, gutter and sidewalk. Hope Avenue will be strip paved from the property frontage west to the existing improved roadway for connection to the signalized intersection at Highway 41 and Hope Avenue. Finally, the project has adequate connection to the public road system via Zorros Road and future Hope Avenue for police and fire access; therefore, it is our understanding that the project is compatible with public health, safety and welfare.

Regarding the land uses in the vicinity the project, to the east of the property is R1 Zoned single-family residences that are part of the Foxtail Addition plat. The Foxtail Addition plat is also adjacent to the Bluegrass Farm Apartments to the south, and generally this area has multifamily residential development adjacent to single-family residential development to provide a buffer from Highway 41, making this project compatible with adjacent land uses. Remaining land uses in the vicinity are single-family residential lots or vacant land. It should be noted that Business/Commercial future uses are identified in the Comprehensive Plan for this project.

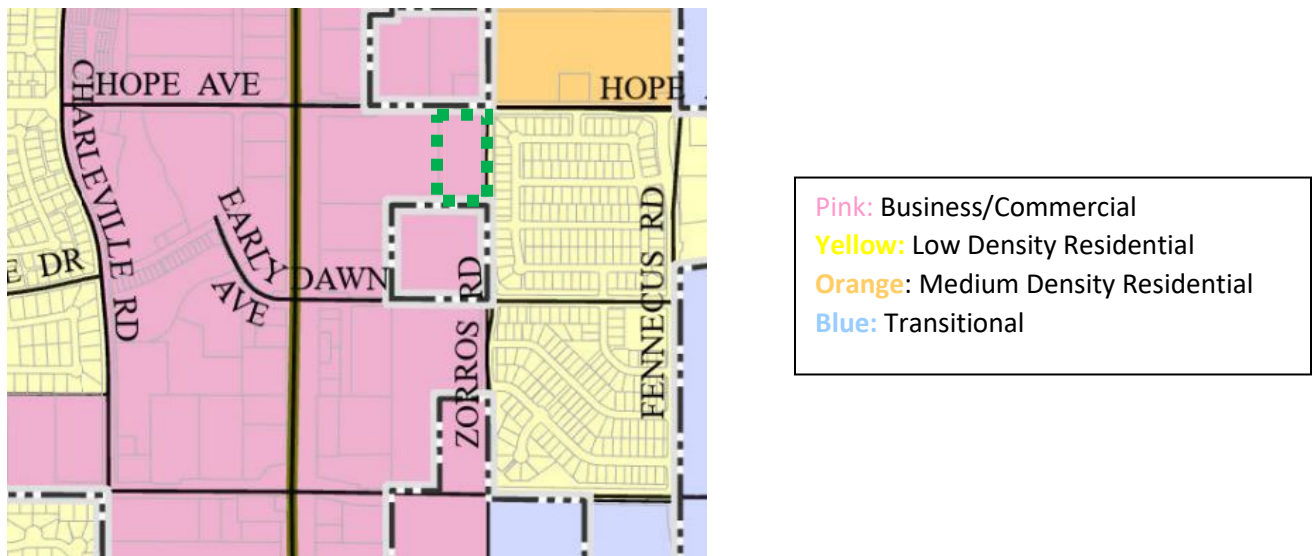


Figure 2: figure 2.03, page 37 of the Comprehensive Plan

4. *Whether the proposed use will/will not comply with the goals and policies found within the Comprehensive Plan.*

**WCE Response:** The proposed use will comply with the goals and policies found within the Comprehensive Plan. This project is located within the focus area 41 North, which identifies the following items:

- *Focus provisions for multi-family, commercial and tech uses near higher-classified roadways;*

**WCE Response:** This project proposes multifamily use within  $\frac{1}{2}$  mile of Highway 41; therefore, this item has been met with direct access via the Hope and Highway 41 signal for ease of ingress and egress.

October 24, 2024

- *Development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail;*  
**WCE Response:** This project proposes additional sidewalks on Zorros Road and Hope Avenue; therefore, this item has been met.
- *Manage development patterns in the airport fly zone east of 41 and north of Prairie Avenue, coordinating with the 2018 Coeur d’Alene Airport Master Plan;*  
**WCE Response:** This item is not applicable as the site is south of Prairie Avenue and therefore outside the airport fly zone.
- *Facilitate the creation of the “backage roads” system envisioned in the Highway 41 Corridor Master Plan, supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses;*  
**WCE Response:** This item is not applicable as the property does not align with the proposed “backage road” alignment, in this instance Zorros Road is the closest north/south road for this endeavor.
- *Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.*  
**WCE Response:** This project proposes apartments, a commercial use, along Zorros Road and proposes improvements to Hope Avenue along the project frontage and a strip pave continuation of Hope Avenue to the west for access to Highway 41 via a fully signalized intersection, thereby focusing traffic away from Zorros Road.

The project complies with the following goals found within the Comprehensive Plan:  
*Goal G.01: Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.*

*Goal G.07: Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City’s long-term sustainability.*

*Goal G.08: Protect and maintain Post Falls’ natural resources including clean air, soils, river and aquifer, and minimizing light and noise pollution citywide.*

*Goal G.09: Protect and enhance Post Falls’ scenic and natural areas for present and future generations.*

The above goals are implemented through the following policies:

*Policy P.01: Support land use patterns that:*

*Maintain or enhance community levels of service;*

**WCE Response:** This project will require public roads with sewer, water, electric and gas services. These services are already in place along or within Zorros Road and will be subject to service fees, thereby providing funding to utility purveyors as well as maintaining levels of service. Additionally, any road utility extension along the Hope Frontage would be extended for future development and connectivity.

October 24, 2024

*Foster the long-term fiscal health of the community;*

**WCE Response:** The project will provide for the long-term fiscal health of the community by providing residential development, intended to attract commercial development to the focus area 41 North, does not promote sprawl as an infill development of 96 units on 4.20 acres vs 96 single-family lots on 16.5 acres of prairie.

*Maintain and enhance resident quality of life;*

**WCE Response:** This project will provide new development, enhancing the quality of life for existing residents of the adjacent single-family residential use by buffering them from high-intensity commercial development. Additionally, rooftops adjacent to Highway 41 will promote infill community developments such as the new Grocery Outlet and Circle K on Poleline Avenue, both accessible via the pedestrian network reducing grocery vehicular trips.

*Promote compatible, well-designed development;*

**WCE Response:** The project is in proximity to both single-family and multifamily development, which are compatible uses for the proposed multifamily use. Care will be taken to limit impacts to the adjacent single-family residences by site buffering and providing onsite amenities. The onsite amenities will lesson the requirements for offsite park uses by providing dog parks, play structures, etc. for residents of the project.

*Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.*

**WCE Response:** This project will implement the goals and policies of the comprehensive plan as noted throughout this section. Facility plans will be implemented as facility approval is required for development as part of concurrency review.

*Policy P.02: Apply or revise zoning designations with careful consideration of factors including:*

*Future land use mapping;*

**WCE Response:** This project is an appropriate application of the Business/Commercial Future Land Use, as multifamily residential uses are specifically identified in this land use area.

*Compatibility with surrounding land uses;*

**WCE Response:** Surrounding land uses include single-family residential uses, which are compatible with multifamily residential development, as identified further below in Policy P.20.

*Infrastructure and service plans;*

**WCE Response:** This project is located in the business/residential category of the Comprehensive Plan and is located within the City of Post Falls. All infrastructure—including streets, wet and dry utilities—is within Zorros Road to the east. The project will strip pave from the frontage of Hope Avenue to the west, thereby connecting the site to the Highway 41 and Hope Avenue signalized intersection.

*Existing and future traffic patterns;*

**WCE Response:** This project will provide improvements to Hope Avenue to the north of the project site, allowing for future connectivity to/from Highway 41 as adjacent properties develop.

*Goals and policies of the comprehensive plan, related master plan and/or facility plans.*

**WCE Response:** The goals and policies of the comprehensive plan and related master plan are followed as identified throughout this section. The site is adjacent to Zorros Road, which contains all utilities necessary for development of a multifamily residential complex.

*Policy P.08: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.*

**WCE Response:** The Hope & Zorros Property is adjacent to a single-family residential subdivision and within the Highway 41 focus area; therefore, it is an under-utilized property within City limits. The development of this property will incentivize further commercial development to occur on adjacent properties within city limits, specifically those properties to the west.

*P. 15: Ensure that adequate land is available for future housing needs, helping serve residents of all ages, incomes and abilities through provision of diverse housing types and price levels.*

**WCE Response:** The application of multifamily residential housing will provide for current and future housing needs by providing additional residential housing near a travel corridor. Per the City of Post Falls Vacant Land Counter (accessed 10/15/2024), there are 711 approved multifamily units within six site plans yet to obtain Certificate of Occupancy and 862 lots within ten subdivisions yet to plat. Additional multifamily residential units will diversify the housing market, allow for more affordable housing than detached single-family residences, and maximize existing wet and dry utilities, roads, etc.

*P.19: Encourage clustering of units in new residential development, providing service efficiencies and creating opportunities for private or community open space.*

**WCE Response:** Multifamily residential development clusters units in new residential development, provides more efficient services including reduced water needs compared to single-family detached residences, and creates opportunities for private or community open space. The project proposes both community amenities and approximately 25,948 sf of community open space, which is greater than the required 21,600 sf of open space.

*P.20: Consider location of multi-family development in areas that:  
Have access to arterial and collector streets;*

**WCE Response:** As shown on the Post Falls Transportation Master Plan, the property has direct access to a proposed major collector, Hope Avenue, to the north; and a proposed minor collector, Zorros Road, to the east. Where applicable, these roads will be improved to ½ street collector standards.



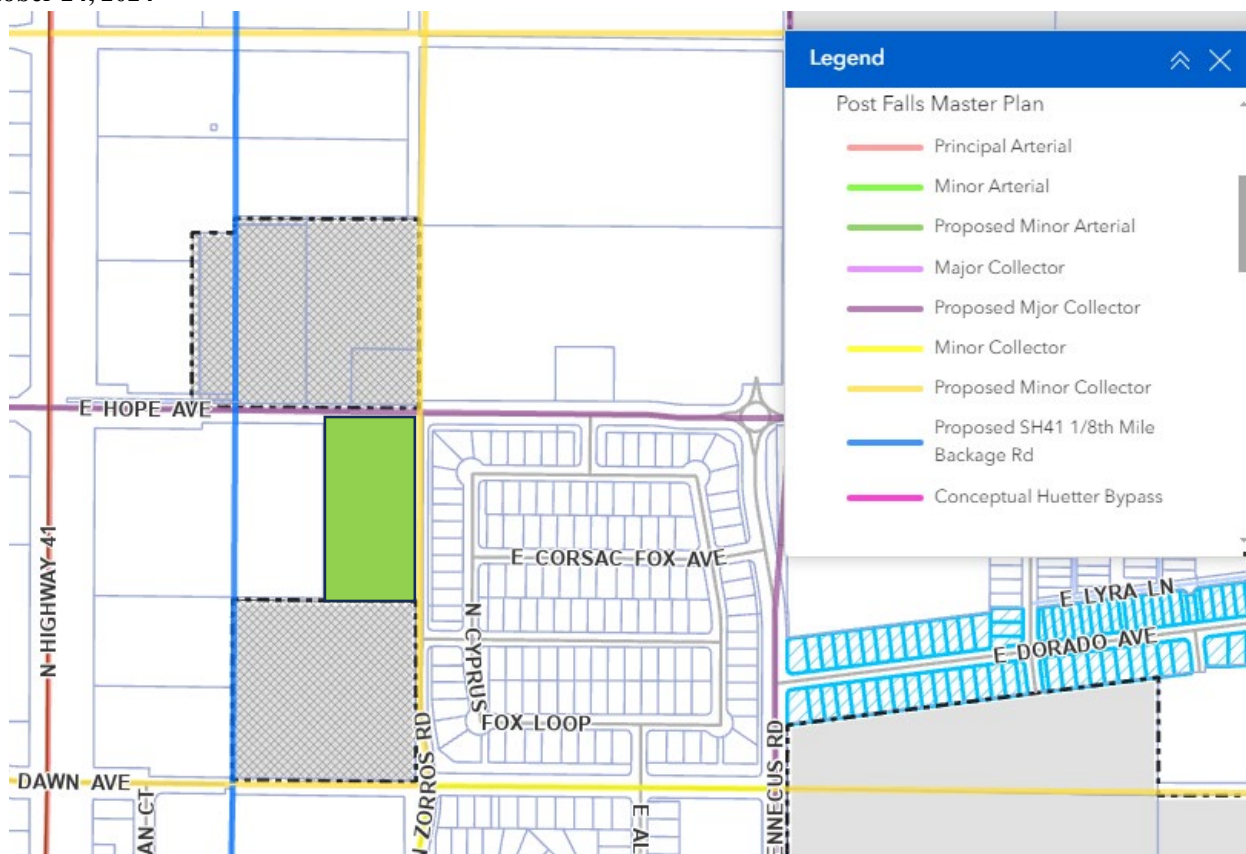


Figure 3: Post Falls GIS transportation layer, subject property in green.

*Help buffer higher and lower-intensity development patterns;*

**WCE Response:** Multifamily residential at this site would buffer the lower-density R1 zoned subdivision to the east from future commercial development and Highway 41 to the west.

*Abut compatible existing uses;*

**WCE Response:** Multifamily residential development is compatible with the existing single-family residential development to the west. Multifamily development is also compatible with undeveloped/underdeveloped land to the north, east and south, which are part of the Business/Commercial future use section of the comprehensive plan.

*Are part of projects involving mixed use or master planned areas.*

**WCE Response:** This property is located within the focus area 41 North, which includes provisions for multifamily residential property.

*P.21: Maintain standards for multi-family housing that encourage quality building design, landscaping and usable open space, supporting long-term family living.*

**WCE Response:** This project will develop multifamily housing to local and state building codes, ensuring quality building design. A landscaping plan will be provided as required by the City of Post Falls including usable open space and amenities between the three structures as shown on the current plan.

*P.26: Maintain and improve the continuity of sidewalks, trails, and bicycle paths in Post Falls.*

**WCE Response:** This project will include separated sidewalks on Zorros Road and Hope Avenue along the project frontage as required by the Post Falls Municipal Code, thus improving the continuity of sidewalks in the area.

*P.27: Work to improve street connectivity in all areas of Post Falls, improving walkability, public health and safety, and transportation efficiency.*

**WCE Response:** This project will make ½ street improvements to Hope Avenue and Zorros Road, improving street connectivity in the area. Currently, Hope Avenue ends in a dirt road, which becomes a driveway along the project frontage. This project would improve Hope Avenue along the project frontage, then strip pave to the paved portion of Hope Avenue, thereby connecting the site to a signalized access and lowering the demand this project would place on Zorros Road, increase area connectivity and diminish travel to/from the Poleline corridor.

*C. Upon granting a Special Use Permit, the planning and zoning Commission may attach conditions including, but not limited to:*

*1. Minimizing adverse impact on other development.*

**WCE Response:** This requirement has been noted. Please note that multifamily residential development may create less impact on adjacent development than commercial development outright permitted in the CCS Zone such as retail, general office buildings over 5 stories, a bar or other outright permitted uses.

*2. Controlling the sequence and timing of development.*

**WCE Response:** This requirement has been noted, no timing of the development has been proposed as of now; however, it should be expected that this development would be constructed in the 2025/2026 cycle.

*3. Controlling the duration of development.*

**WCE Response:** This requirement has been noted; however, it may not be applicable for an apartment development.

*4. Assuring that development is maintained properly.*

**WCE Response:** The developer takes pride in their apartment complexes; rarely, if ever selling a project. It is their utmost priority to maintain well cared for, sought after housing units. Additionally, maintaining a property increases revenue, so there is a natural incentive for the owner to maintain the apartment complex.

*5. Controlling the location and setbacks of development.*

**WCE Response:** This requirement has been noted and the project intends to comply with all setbacks as outlined in the PFZC.

October 24, 2024

6. *Requiring more restrictive standards than those generally required in the zoning ordinance.*

**WCE Response:** This requirement has been noted. It is our opinion that the standards for the CCS Zone for apartments have a similar intensity to commercial development.

- D. *Upon granting or denying an application, the planning and zoning Commission shall render its decision in accordance with the requirements established by Idaho law and as otherwise required by this title. If a Special Use Permit application is denied by city Council, a subsequent application for Special Use Permit of the subject property cannot be submitted to the city within one year of such denial unless a request for application consideration is received and approved by the city Council. Such request shall be submitted to the community development department, with the appropriate fee, and shall provide the city Council with reasons why the application should be accepted and processed. The city Council will review the request, determine whether or not the proposal is significantly different than the one denied and Permit an application to be accepted and processed or deny the request.*

**WCE Response:** This requirement has been noted.

- E. *Appeals of any decision of the planning and zoning Commission must follow the appeal procedure in this title.*

**WCE Response:** This requirement has been noted.

- F. *If development Permits for the requested special Use have not been issued within one year of the granting of the Special Use Permit, or if development of the approved special Use has not commenced with sustained effort to complete development within three (3) years after granting approval of the special use, the Special Use Permit shall become null and void, unless the planning and zoning Commission or city Council, whichever gave final approval, has granted an extension. An extension to the Permit may be granted if applied for in writing to the approving body prior to the date of expiration and if the approving body finds, upon review of the record, that an extension is warranted due to circumstances beyond control of the Applicant and upon finding that city regulations have not been changed significantly from those under which the original approval was reviewed.*

**WCE Response:** This requirement has been noted.

- G. *Any special Use that operates in violation of the requirements and conditions established in a Special Use Permit, pursuant to this section, may be revoked and the Use restricted, suspended, and/or be subject to penalties for violation of this title.*

**WCE Response:** This requirement has been noted.

We believe that all requirements regarding approval of a Special Use Permit have been met or will be met at time of project completion and we ask for approval of the Special Use Permit as we believe this is an important element to help meet housing needs in the greater Post Falls area.

October 24, 2024

If you have any questions or comments regarding this letter, please feel free to contact us at (509) 893-2617

Thank you,

A handwritten signature in blue ink, appearing to read "Todd R. Whipple". The signature is stylized with a large, looping "T" and a long horizontal stroke at the end.

Todd R. Whipple, P.E.  
President, Whipple Consulting Engineers, Inc.

TRW/ajf



Whipple Consulting Engineers, Inc.

WCE No. 23-3546

May 1, 2025

Post Falls Planning and Zoning Commission  
C.O.: Jon Manley, Planning Manager  
408 N. Spokane Street  
Post Falls, ID 83854

Re: City of Post Falls  
Early Dawn & Zorros – Special Use Permit Narrative

Dear Mr. Manley:

This letter is intended to serve as a written narrative for a proposed Special Use Permit to allow for multifamily residential uses on parcel 0-6360-30-042-AA, AIN 192891 (Early Dawn Property) on 4171 E. Early Dawn Avenue. This letter discusses zoning information, how the proposal relates to the City of Post Falls Goals and Policies Future Land Use Plans, and any impact the proposal would have on City services.

#### **Site Description**

This Special Use Permit application is one part of three applications along Zorros Road. The purpose of these applications is to create a connected apartment community spanning from Hope Avenue to Poleline Avenue that while providing additional living opportunities along the Highway 41 Corridor near services, these properties will contribute independent recreational amenities and relieve impacts to local parks. The projects will use and collectively improve neighboring roadways and will encourage commercial development along the Highway 41 Corridor.

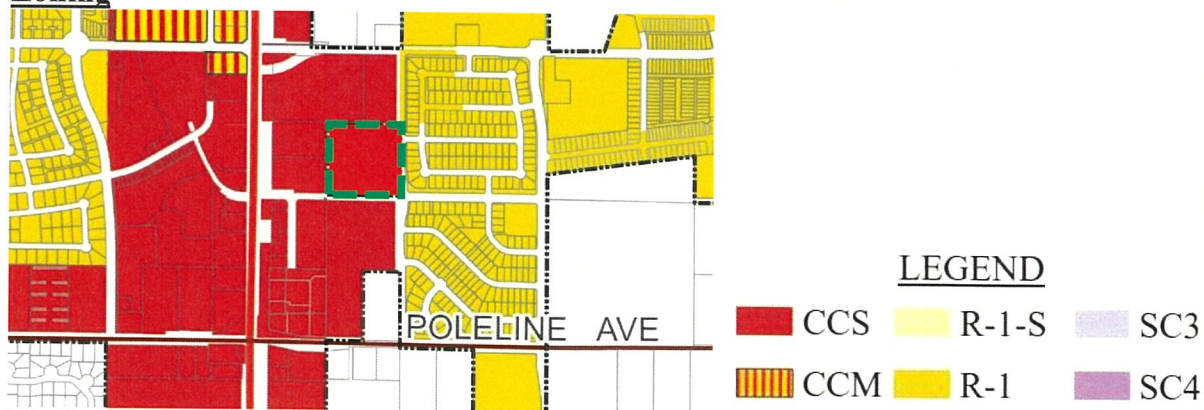
This Special Use Permit application is regarding the Early Dawn Property located in the CCS Zone in the City of Post Falls, Idaho in Section 30, Township 51 North, Range 4 West, B.M. The City of Post Falls Future Land Use Map designates the property as Business/Commercial. The Early Dawn Property is one approximately 9.67-acre rectangular parcel, listed as Kootenai County tax parcel number 0-6360-30-042-AA. The Early Dawn Property has frontage on Zorros Road to the east and Early Dawn Avenue to the south.

Currently, the subject property is undeveloped, with undeveloped and underdeveloped land to the north, the Foxtail Ridge Subdivision to the east, the Bluegrass Farm Apartments to the south, and boat storage to the west. Although traffic on the highway provides exposure, additional residential development in the area is critical for efforts to attract commercial and retail businesses to the corridor; and provide multifamily residences in a regional housing shortage. The proposed Special Use Permit will create a housing transition consistent with R-3 zoning between the future commercial and retail uses adjacent to Highway 41 and the single-family residential located to the east in the Foxtail Subdivision. Not only will the approval of this Special Use Permit provide for residential housing within a walkable distance of future



An aerial photograph of a residential neighborhood with blue street outlines. A specific lot is highlighted with a green border. The lot is located east of Highway 41 and north of EAD. Street names visible include N CHARLEVILLE RD, E DONEGAL LN, N GUINNESS LN, E LAUREL BROOK DR, N KETCHIKAN CT, N ZORROS RD, E CORSAG FOX AVE, E MARBLE FOX AVE, E RUS FOX LOOP, E ALPES LN, E FENNEC FOX LN, E KIT FOX LN, and N FENNECUS RD.

## Zoning



Surrounding properties include a single-family residential use on a large lot and vacant land to the north, single family to the east, the Bluegrass Farms Apartments to the south and boat storage to the west.



### **City Special Use Permit Code Review**

The Post Falls Municipal Code Section 18.20.070 regulates Special Use Permits. Below is a review of the Special Use Permit code and our responses to each section of the code:

*The purpose of a Special Use Permit is to establish procedures for the review and approval of Uses that are not permitted by right in a particular zoning district. A Special Use Permit is not transferable from one parcel of land to another nor shall it be considered as establishing a binding precedent to grant other Special Use Permits. Special Use Permits require a public hearing before the planning and zoning Commission following appropriate procedures.*

**WCE Response:** This section of code authorizes the use of Special Use Permits and identifies the required procedure for approval.

- A. *A completed Special Use Permit application shall be submitted to the Zoning Administrator which shall include a description of the Use proposed, the manner of implementation of the proposed Use including information about appearance and configuration, how it would be compatible with infrastructure and Land Uses present and future, and why the proposal would be in the public interest.*

**WCE Response:** This narrative and the associated site plan identifies the requirements within the Special Use Permit. For convenience, each requirement is listed below with our response:

- *A description of the use proposed:* The project proposes six apartment structures with a total of 192 residential units. Additionally, there will be approximately 243 parking stalls and 192 garages including ADA stalls across the 9.67 acres. Finally, an amenities area is identified on the site plan. These amenities are subject to change; however, the project will require two amenities per code and an additional two amenities per 10% increase in density proposed, for a total of six amenities if all 192 dwelling units are desired. At this time, this project proposes 8+ amenities.
- *Appearance and configuration of the site:* The site is configured with three apartment buildings primarily located on the west 3/4 of the property essentially fronting on Zorros Road and amenities between the three structures to ensure convenient access. Parking will be to the east with stalls closer to the apartments and garages near Zorros Road to form a visual buffer. The proposed layout provides additional buffer between the proposed apartment units and the existing Foxtail Ridge subdivision. The site will be developed similarly to the approved and developed Bluegrass Farms Apartments to the south.
- *How the project would be compatible with infrastructure:* The property has access to a future major collector, Zorros Road, to the east; and a minor collector, Early Dawn Avenue, to the south. The property is nearby existing infrastructure including sewer, water and dry utilities within Zorros Road. Both Early Dawn Avenue and Zorros Road will be improved along the site frontage with this project.
- *How the project would be compatible with present and future land uses:* The existing surrounding properties include apartments to the north and west, R1-zoned residential properties to the east, and unannexed County properties under the Business/Commercial future land use to the south. This project will increase the development potential of nearby Business/Commercial-designated properties,

providing opportunities for the development of CCS-zoned land. The project as proposed would provide a residential buffer between the single-family on the east side of Zorros and the Commercial and Highway 41 Corridor.

- *Why the proposal would be in the public interest:* There is a high demand for residential multifamily within Kootenai County due to the relatively high cost of single-family residences, and more specifically the City of Post Falls. In addition, this project will create an incentive for further commercial development along the Highway 41 Corridor. A future apartment project would create a buffer between the existing single-family residential to the east and future commercial to the west.

*B. As its schedule and agenda allow, the planning and zoning Commission shall hold a public hearing and shall review the particular facts and circumstances of each proposed special use. In granting a Special Use Permit, the planning and zoning Commission may attach appropriate conditions to mitigate impacts, and to ensure conformance with the intent of the Comprehensive Plan and applicable provisions of this title. The application for a Special Use Permit may be approved as presented, conditionally approved, or denied by the planning and zoning Commission upon determining the following:*

**WCE Response:** The Special Use Permit approval criteria in the City of Post Falls has four requirements, listed below as 1 through 4. This Special Use Permit application meets the requirements in the following ways:

*1. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.*

**WCE Response:** Implementation of this special use would conform to the purposes of the CCS Zoning district. The Post Falls Municipal Code Section 18.16.10(B)(2) establishes the CCS Zone and states that ...*Residential Uses may be allowed within this zone at densities permitted by the High Density Multi-Family Residential (R3) Zone by Special Use Permit when they will not compromise present uses.* The PFMC Section 18.16.30 allows for multifamily residential under a special use, requiring a Special Use Permit.

Per PFMC Subsection 18.24.030(D)(7): *At least one hundred fifty (150) square feet of common Open Space must be provided for each one (1) bedroom unit and three hundred (300) square feet for each two-bedroom plus unit.* This project proposes 96 one-bedroom units (requiring 14,400 sf) and 96 two or greater-bedroom unit buildings (requiring 28,800 sf), for a total required open space of 43,200 sf. The project proposes 44,251 sf, which meets the minimum required open space for the project.

Per PFMC Subsection 18.24.030(D)(7)(d): *The required Open Space must contain at least two of the following amenities that are accessible for Use by the residents and should be centrally located:*

*i. Play Structure;*

*ii. Community garden;*

*iii. Picnic tables and BBQ areas. Providing a gazebo or other permanently affixed shade Structures nearby counts as two (2) amenities;*

- iv. Swimming Pool;*
- v. Indoor recreation facility;*
- vi. Sports courts (e.g., tennis, basketball, volleyball);*
- vii. Internal courtyards;*
- viii. Connected internal trail/sidewalk system. (when possible, connect to nearby parks, trails, or other public amenities.);*
- ix. Natural Open Space area with benches/viewing areas and/or trails;*
- x. Other active or passive recreation areas as approved by the community development director that meets the intent of this requirement.*

This project proposes bonus density as allowed in PPMC Subsection 18.24.030(D)(7)(e): *Density bonus. For each additional amenity provided beyond the two (2) required amenities, a ten (10) percent Density increase, in excess of the maximum allowed Density, is available up to a maximum of three (3) bonuses.* As required to obtain all three bonuses required for approval of 96 units, the project proposes eight amenity types. While the amenities are subject to change, the following amenities are proposed:

- play structure;
- community garden;
- a Picnic table and BBQ area with a gazebo (counts as two amenities);
- two sports courts (pickleball, horseshoes);
- internal courtyard;
- connected internal trail/sidewalk system;
- a dog park which meets or will meet item x above; and
- Additionally the residents may be able to utilize the clubhouse and pool amenities at the Bluegrass Farms Apartments to the south.

2. *Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the City and the State.*

**WCE Response:** The proposed use will constitute an allowable special use as established by PPMC Chapter 18.16. The PPMC Section 18.16.30 table allows for multifamily residential under a special use, requiring a Special Use Permit. Section 67-6512 of the Idaho Statutes creates provisions for Special Use Permits, including notification requirements and conditions.

3. *Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses in the vicinity of the proposal.*

**WCE Response:** The proposed special use will be compatible with the health, safety and welfare of the public and with land uses in the vicinity of the proposal. The project will connect to water, sewer and electricity, as well as cable and gas, as allowed. The project will improve Poleline Avenue along the project frontage with ½ Right-of-Way and a lane improvements; and Zorros Road along the project frontage with curb, gutter and sidewalk. Finally, the project has adequate connection to the public road system via Zorros Road and Poleline Avenue for police and fire access; therefore, it is our understanding that the project is compatible with public health, safety and welfare.

May 1, 2025

Regarding the land uses in the vicinity the project, to the north and west of the site are the Bluegrass Farm Apartments and to the east of the property is R1 Zoned single-family residences that are part of the Foxtail Addition plat. The Foxtail Addition plat is also adjacent to the Bluegrass Farm Apartments to the north, and generally this area has multifamily residential development adjacent to single-family residential development to provide a buffer from Highway 41, making this project compatible with adjacent land uses. Remaining land uses in the vicinity are single-family residential lots or vacant land. It should be noted that Business/Commercial future uses are identified in the Comprehensive Plan for this project and area.

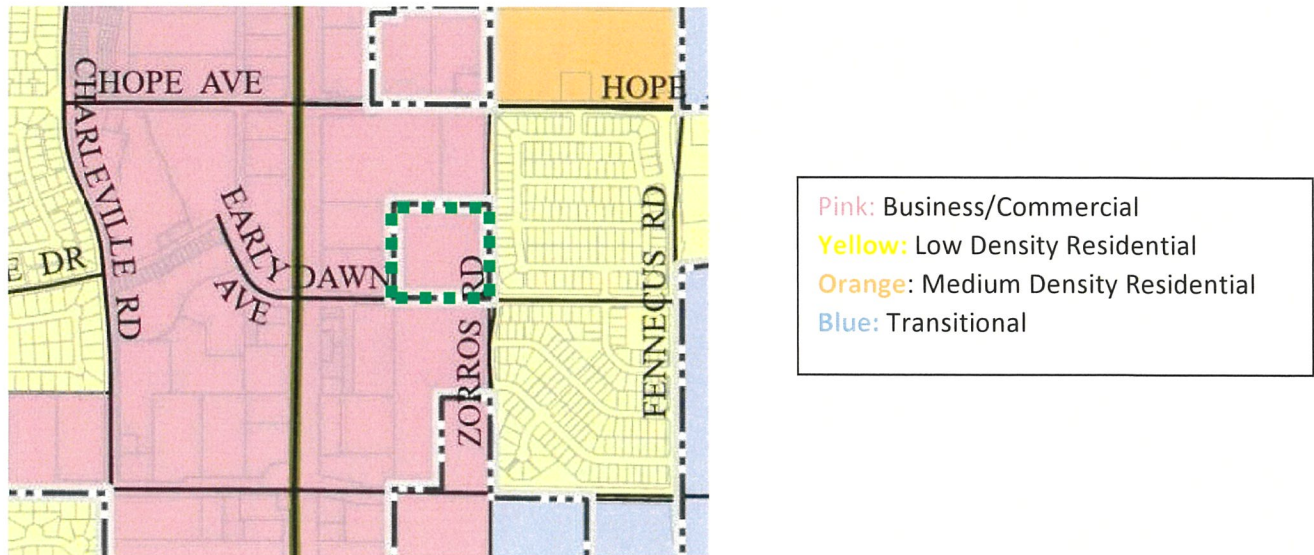


Figure 2: figure 2.03, page 37 of the Comprehensive Plan

4. *Whether the proposed use will/will not comply with the goals and policies found within the Comprehensive Plan.*

**WCE Response:** The proposed use will comply with the goals and policies found within the Comprehensive Plan. This project is located within the focus area 41 North, which identifies the following items:

- *Focus provisions for multi-family, commercial and tech uses near higher-classified roadways;*

**WCE Response:** This project proposes multifamily use within ½ mile of Highway 41; therefore, this item has been met with direct access via the Early Dawn and Highway 41 unsignalized access or the Poleline and Highway 41 signalized access for ease of ingress and egress.

- *Development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail;*

**WCE Response:** This project proposes additional sidewalks on Zorros Road and Early Dawn Avenue; therefore, this item has been met.

May 1, 2025

- *Manage development patterns in the airport fly zone east of 41 and north of Prairie Avenue, coordinating with the 2018 Coeur d'Alene Airport Master Plan;*

**WCE Response:** This item is not applicable as the site is south of Prairie Avenue and therefore outside the airport fly zone.

- *Facilitate the creation of the “backage roads” system envisioned in the Highway 41 Corridor Master Plan, supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses;*

**WCE Response:** The closest proposed backage road that meets the intent of this section is Zorros Road. Internal connectivity to parcels to the north and south of the site is proposed with this project and the developed properties to the west do not provide any connectivity.

- *Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.*

**WCE Response:** This project proposes apartments, a commercial use, along Zorros Road and proposes improvements to Poleline Avenue along the project frontage.

The project complies with the following goals found within the Comprehensive Plan:

*Goal G.01: Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.*

*Goal G.07: Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City’s long-term sustainability.*

*Goal G.08: Protect and maintain Post Falls’ natural resources including clean air, soils, river and aquifer, and minimizing light and noise pollution citywide.*

*Goal G.09: Protect and enhance Post Falls’ scenic and natural areas for present and future generations.*

The above goals are implemented through the following policies:

*Policy P.01: Support land use patterns that:*

*Maintain or enhance community levels of service;*

**WCE Response:** This project will require public roads with sewer, water, electric and gas services. These services are already in place along or within Zorros Road and Poleline Avenue and will be subject to service fees, thereby providing funding to utility purveyors as well as maintaining levels of service.

*Foster the long-term fiscal health of the community;*

**WCE Response:** The project will provide for the long-term fiscal health of the community by providing residential development, intended to attract commercial development to the focus area 41 North, does not promote sprawl as an infill development of 192 units on 4.76 acres vs 192 single-family lots on approximately 32 acres of prairie.

*Maintain and enhance resident quality of life;*

**WCE Response:** This project will provide new development, enhancing the quality of life for existing residents of the adjacent single-family residential use by buffering them from high-intensity commercial development. Additionally, rooftops adjacent to Highway 41 will promote infill community developments such as the new Grocery Outlet and Circle K on Poleline Avenue, both accessible via the pedestrian network reducing grocery vehicular trips.

*Promote compatible, well-designed development;*

**WCE Response:** The project is in proximity to both single-family and multifamily development, which are compatible uses for the proposed multifamily use. Care will be taken to limit impacts to the adjacent single-family residences by site buffering and providing onsite amenities. The onsite amenities will lessen the requirements for offsite park uses by providing dog parks, play structures, etc. for residents of the project.

*Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.*

**WCE Response:** This project will implement the goals and policies of the comprehensive plan as noted throughout this section. Facility plans will be implemented as facility approval is required for development as part of concurrency review.

*Policy P.02: Apply or revise zoning designations with careful consideration of factors including:*

*Future land use mapping;*

**WCE Response:** This project is an appropriate application of the Business/Commercial Future Land Use designation, as multifamily residential uses are specifically identified in this land use area.

*Compatibility with surrounding land uses;*

**WCE Response:** Surrounding land uses include single-family residential uses, which are compatible with multifamily residential development, as identified further below in Policy P.20.

*Infrastructure and service plans;*

**WCE Response:** This project is located in the business/residential category of the Comprehensive Plan and is located within the City of Post Falls. All infrastructure—including streets, wet and dry utilities—is within Zorros Road to the east. The project will improve the frontage of Early Dawn Avenue, thereby improving access to the Highway 41 and Early Dawn Avenue unsignalized intersection.

*Existing and future traffic patterns;*

**WCE Response:** This project will provide improvements to Early Dawn Avenue to the south of the project site, improving future connectivity to/from Highway 41 as adjacent properties develop.



May 1, 2025

*Goals and policies of the comprehensive plan, related master plan and/or facility plans.*

**WCE Response:** The goals and policies of the comprehensive plan and related master plan are followed as identified throughout this section. The site is adjacent to Zorros Road, which contains all utilities necessary for development of a multifamily residential complex.

*Policy P.08: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.*

**WCE Response:** The Early Dawn Property is adjacent to multifamily and a single-family residential subdivision and within the Highway 41 focus area; therefore, it is an under-utilized property within City limits. The development of this property will incentivize further commercial development to occur on nearby properties within city limits, specifically properties to the northwest adjacent to Highway 41.

*P. 15: Ensure that adequate land is available for future housing needs, helping serve residents of all ages, incomes and abilities through provision of diverse housing types and price levels.*

**WCE Response:** The application of multifamily residential housing will provide for current and future housing needs by providing additional residential housing near a travel corridor. Per the City of Post Falls Vacant Land Counter (accessed 4/24/25), there are 711 approved multifamily units within six site plans yet to obtain Certificate of Occupancy and 1,963 lots within 13 subdivisions yet to plat. Additional multifamily residential units will diversify the housing market, allow for more affordable housing than detached single-family residences, and maximize existing wet and dry utilities, roads, etc.

*P.19: Encourage clustering of units in new residential development, providing service efficiencies and creating opportunities for private or community open space.*

**WCE Response:** Multifamily residential development clusters units in new residential development, provides more efficient services including reduced water needs compared to single-family detached residences, and creates opportunities for private or community open space. The project proposes both community amenities and approximately 44,251 sf of community open space, which is greater than the required 43,200 sf of open space.

*P.20: Consider location of multi-family development in areas that:  
Have access to arterial and collector streets;*

**WCE Response:** As shown on the Post Falls Transportation Master Plan, the property has direct access to a proposed major collector, Zorros Road, to the east and a minor collector, Early Dawn Avenue, to the south. Where applicable, these roads will be improved to ½ street collector standards.

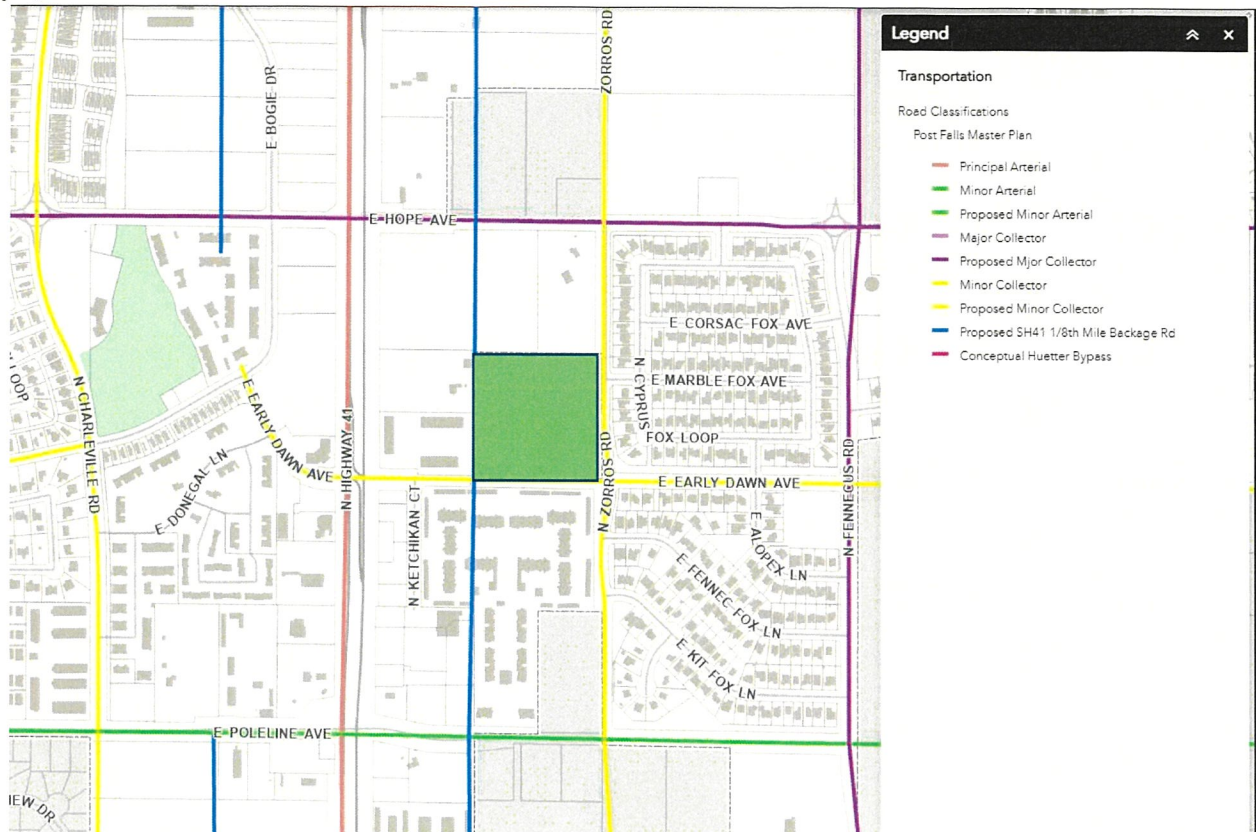


Figure 3: Post Falls GIS transportation layer, subject property in green.

*Help buffer higher and lower-intensity development patterns;*

**WCE Response:** Multifamily residential at this site would buffer the lower-density R1 zoned subdivision to the east from future commercial development and Highway 41 to the west.

*Abut compatible existing uses;*

**WCE Response:** Multifamily residential development is compatible with the existing single-family residential development to the east, the existing storage to the west and the multifamily development to the south. Multifamily development is also compatible with undeveloped/underdeveloped land to the north, which are part of the Business/Commercial future use section of the comprehensive plan.

*Are part of projects involving mixed use or master planned areas.*

**WCE Response:** This property is located within the focus area 41 North, which includes provisions for multifamily residential property.

*P.21: Maintain standards for multi-family housing that encourage quality building design, landscaping and usable open space, supporting long-term family living.*

**WCE Response:** This project will develop multifamily housing to local and state building codes, ensuring quality building design. A landscaping plan will be provided as

required by the City of Post Falls including usable open space and amenities between the three structures as shown on the current plan.

*P.26: Maintain and improve the continuity of sidewalks, trails, and bicycle paths in Post Falls.*

**WCE Response:** This project will include separated sidewalks on Zorros Road and Early Dawn Avenue along the project frontage as required by the Post Falls Municipal Code, thus improving the continuity of sidewalks in the area.

*P.27: Work to improve street connectivity in all areas of Post Falls, improving walkability, public health and safety, and transportation efficiency.*

**WCE Response:** This project will make ½ street improvements to Early Dawn Avenue and Zorros Road, improving street connectivity in the area. This project would improve Early Dawn Avenue along the project frontage thereby improving traffic flow to/from an unsignalized access and lowering the demand this project would place on Zorros Road.

*C. Upon granting a Special Use Permit, the planning and zoning Commission may attach conditions including, but not limited to:*

*1. Minimizing adverse impact on other development.*

**WCE Response:** This requirement has been noted. Please note that multifamily residential development may create less impact on adjacent development than commercial development that would be outright permitted in the CCS Zone such as retail, general office buildings over 5 stories, a bar or other outright permitted uses.

*2. Controlling the sequence and timing of development.*

**WCE Response:** This requirement has been noted, no timing of the development has been proposed as of now; however, it should be expected that this development would be constructed in the 2025/2026 cycle.

*3. Controlling the duration of development.*

**WCE Response:** This requirement has been noted; however, it may not be applicable for an apartment development.

*4. Assuring that development is maintained properly.*

**WCE Response:** The developer takes pride in their apartment complexes; rarely, if ever selling a project. It is their utmost priority to maintain well cared for, sought after housing units. Additionally, maintaining a property increases revenue, so there is a natural incentive for the owner to maintain the apartment complex.

*5. Controlling the location and setbacks of development.*

**WCE Response:** This requirement has been noted and the project intends to comply with all setbacks as outlined in the PFZC.

6. *Requiring more restrictive standards than those generally required in the zoning ordinance.*

**WCE Response:** This requirement has been noted. It is our opinion that the standards for the CCS Zone for apartments have a similar intensity to commercial development.

- D. *Upon granting or denying an application, the planning and zoning Commission shall render its decision in accordance with the requirements established by Idaho law and as otherwise required by this title. If a Special Use Permit application is denied by city Council, a subsequent application for Special Use Permit of the subject property cannot be submitted to the city within one year of such denial unless a request for application consideration is received and approved by the city Council. Such request shall be submitted to the community development department, with the appropriate fee, and shall provide the city Council with reasons why the application should be accepted and processed. The city Council will review the request, determine whether or not the proposal is significantly different than the one denied and Permit an application to be accepted and processed or deny the request.*

**WCE Response:** This requirement has been noted.

- E. *Appeals of any decision of the planning and zoning Commission must follow the appeal procedure in this title.*

**WCE Response:** This requirement has been noted.

- F. *If development Permits for the requested special Use have not been issued within one year of the granting of the Special Use Permit, or if development of the approved special Use has not commenced with sustained effort to complete development within three (3) years after granting approval of the special use, the Special Use Permit shall become null and void, unless the planning and zoning Commission or city Council, whichever gave final approval, has granted an extension. An extension to the Permit may be granted if applied for in writing to the approving body prior to the date of expiration and if the approving body finds, upon review of the record, that an extension is warranted due to circumstances beyond control of the Applicant and upon finding that city regulations have not been changed significantly from those under which the original approval was reviewed.*

**WCE Response:** This requirement has been noted.

- G. *Any special Use that operates in violation of the requirements and conditions established in a Special Use Permit, pursuant to this section, may be revoked and the Use restricted, suspended, and/or be subject to penalties for violation of this title.*

**WCE Response:** This requirement has been noted.

We believe that all requirements regarding approval of a Special Use Permit have been met or will be met at time of project completion, and we ask for approval of the Special Use Permit as we believe this is an important element to help meet housing needs in the greater Post Falls area.

May 1, 2025

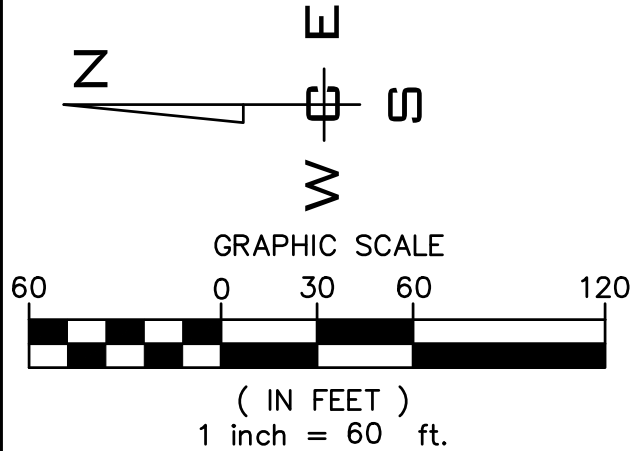
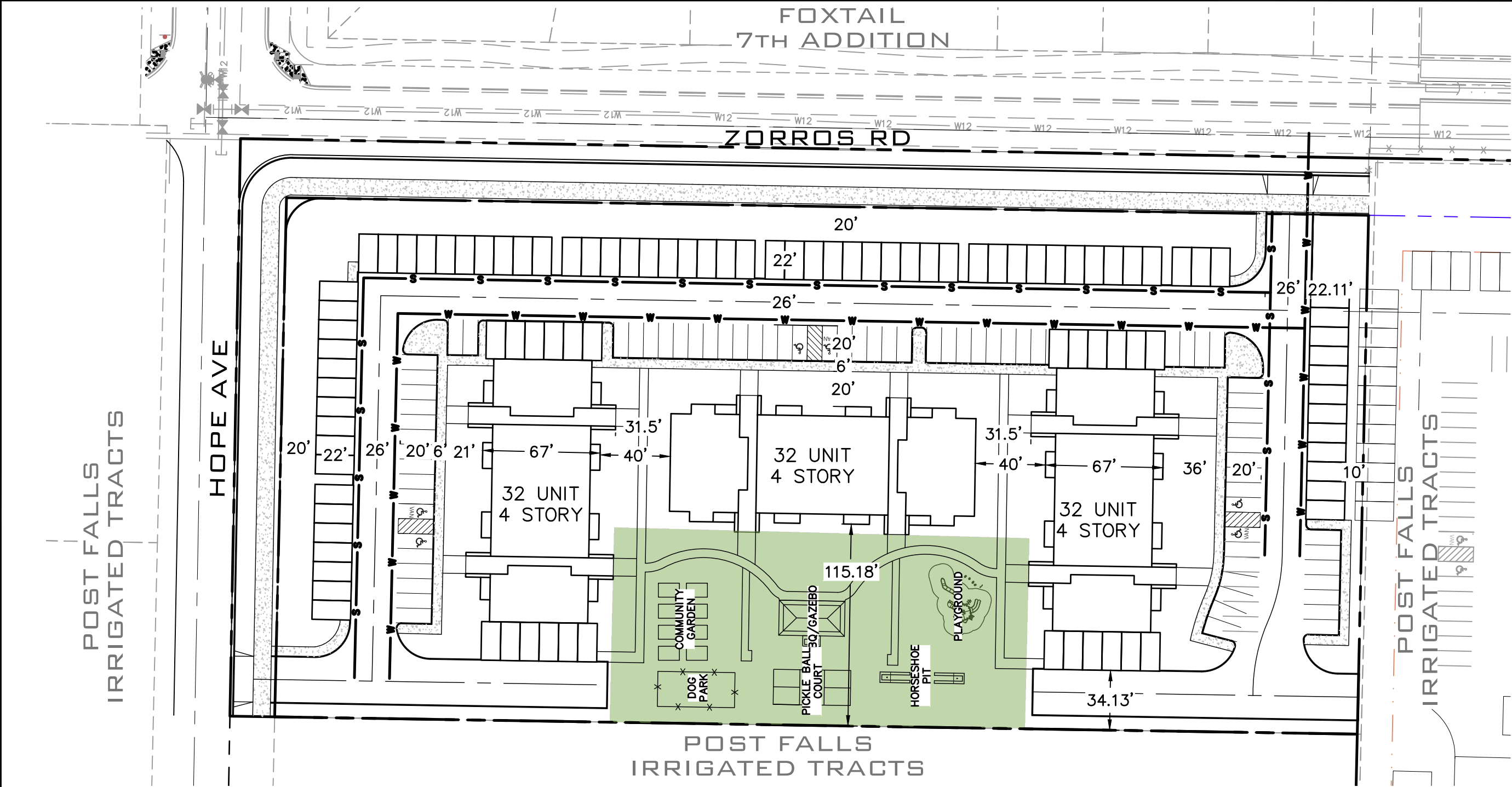
If you have any questions or comments regarding this letter, please feel free to contact us at (509) 893-2617

Thank you,

A handwritten signature in dark ink that reads "Austin J. Fuller for-". The signature is written in a cursive, flowing style.

Todd R. Whipple, P.E.  
President, Whipple Consulting Engineers, Inc.

TRW/ajf



LEGAL DESCRIPTION

POST FALLS IRR TRS, E2-TR 39 BLK 30 EX RW PF TECH URD 2018  
3051N04W

OPEN SPACE CALCULATIONS

| UNIT TYPE                   | UNIT COUNT | REQUIRED OPEN SPACE PER UNIT | PROJECT OPEN SPACE REQUIRED |
|-----------------------------|------------|------------------------------|-----------------------------|
| 1 BDR                       | 48         | 150 sf                       | 7,200 sf                    |
| ≥2 BDR                      | 48         | 300 sf                       | 14,400 sf                   |
| TOTAL REQUIRED OPEN SPACE   |            |                              | 21,600 sf                   |
| MINIMUM PROVIDED OPEN SPACE |            |                              | 25,948 sf                   |

SITE DATA

|                           |                    |
|---------------------------|--------------------|
| PARCEL NUMBER:            | 0636030058AA       |
| EXISTING ZONE:            | CCS                |
| PROPERTY AREA:            | 182,88.10sf 4.20ac |
| ALLOWED DENSITY (18u/ac): | 75                 |
| BONUS DENSITY (30%):      | 21                 |
| TOTAL ALLOWED DENSITY:    | 96                 |
| NUMBER OF UNITS:          | 96                 |
| PROPOSED DENSITY:         | 22.857 (u/ac)      |
| TOTAL PARKING PROVIDED:   | 169                |
| PARKING STALLS PROVIDED:  | 73                 |
| GARAGES PROVIDED:         | 96                 |



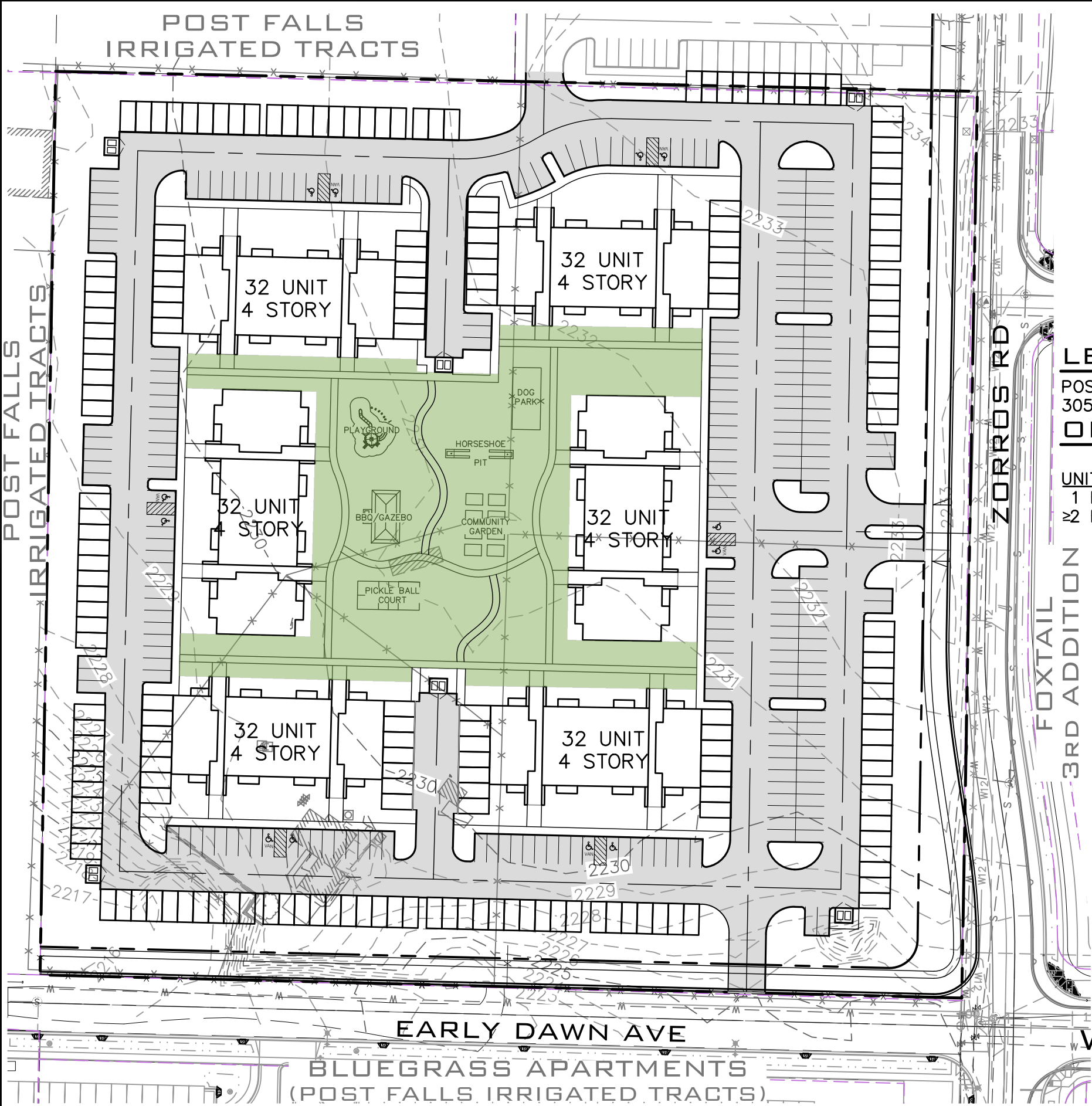
PROJ #: 23-3546  
DATE: 10/30/24  
DRAWN: SLS  
APPROVED: TRW

HOPE AND ZORROS  
VICINITY MAP  
4320 E. HOPE  
POST FALLS, ID

SHEET  
2  
OF  
2



P:\WCE\_WORK\2023 WCE PROJECTS\2023-3546 L. Douglass - Hope and Zorros\DWG\3546-LAYOUT.dwg, 4/15/2025 11:20:04 AM, sschutz



LEGAL DESCRIPTION

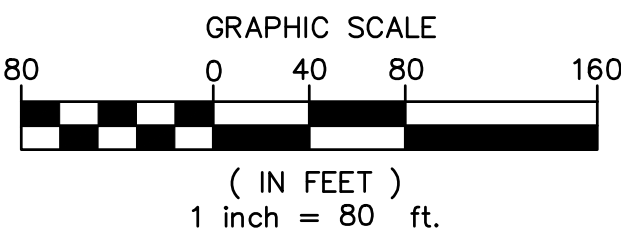
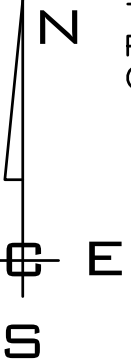
POST FALLS IRR TRS, E2-TR 39 BLK 30 EX RW PF TECH URD 2018 3051N04W

OPEN SPACE CALCULATIONS

| UNIT TYPE                   | UNIT COUNT | REQUIRED OPEN SPACE PER UNIT | PROJECT OPEN SPACE REQUIRED |
|-----------------------------|------------|------------------------------|-----------------------------|
| 1 BDR                       | 96         | 150 sf                       | 14,400 sf                   |
| ≥2 BDR                      | 96         | 300 sf                       | 28,800 sf                   |
| TOTAL REQUIRED OPEN SPACE   |            |                              | 43,200 sf                   |
| MINIMUM PROVIDED OPEN SPACE |            |                              | 44,251 sf                   |

SITE DATA

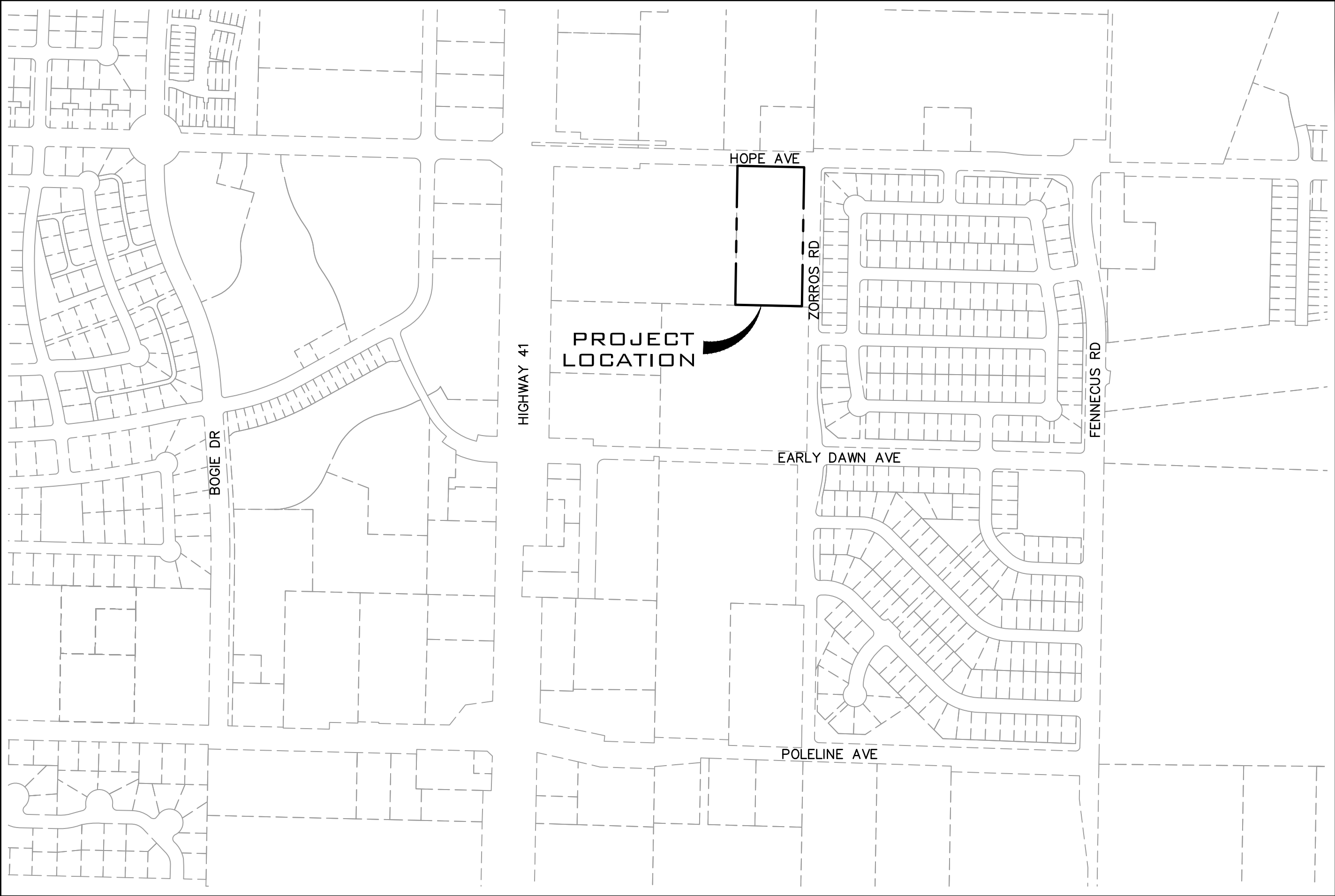
|                           |                    |
|---------------------------|--------------------|
| PARCEL NUMBER:            | 0636030042AA       |
| EXISTING ZONE:            | CCS                |
| PROPERTY AREA:            | 421243.33sf 9.67ac |
| ALLOWED DENSITY (18u/ac): | 174                |
| BONUS DENSITY (30%)       | 52                 |
| TOTAL ALLOWED DENSITY     | 226                |
| NUMBER OF UNITS:          | 192                |
| PROPOSED DENSITY:         | 19.855 (u/ac)      |
| TOTAL PARKING PROVIDED:   | 435                |
| PARKING STALLS PROVIDED:  | 243                |
| GARAGES PROVIDED:         | 192                |



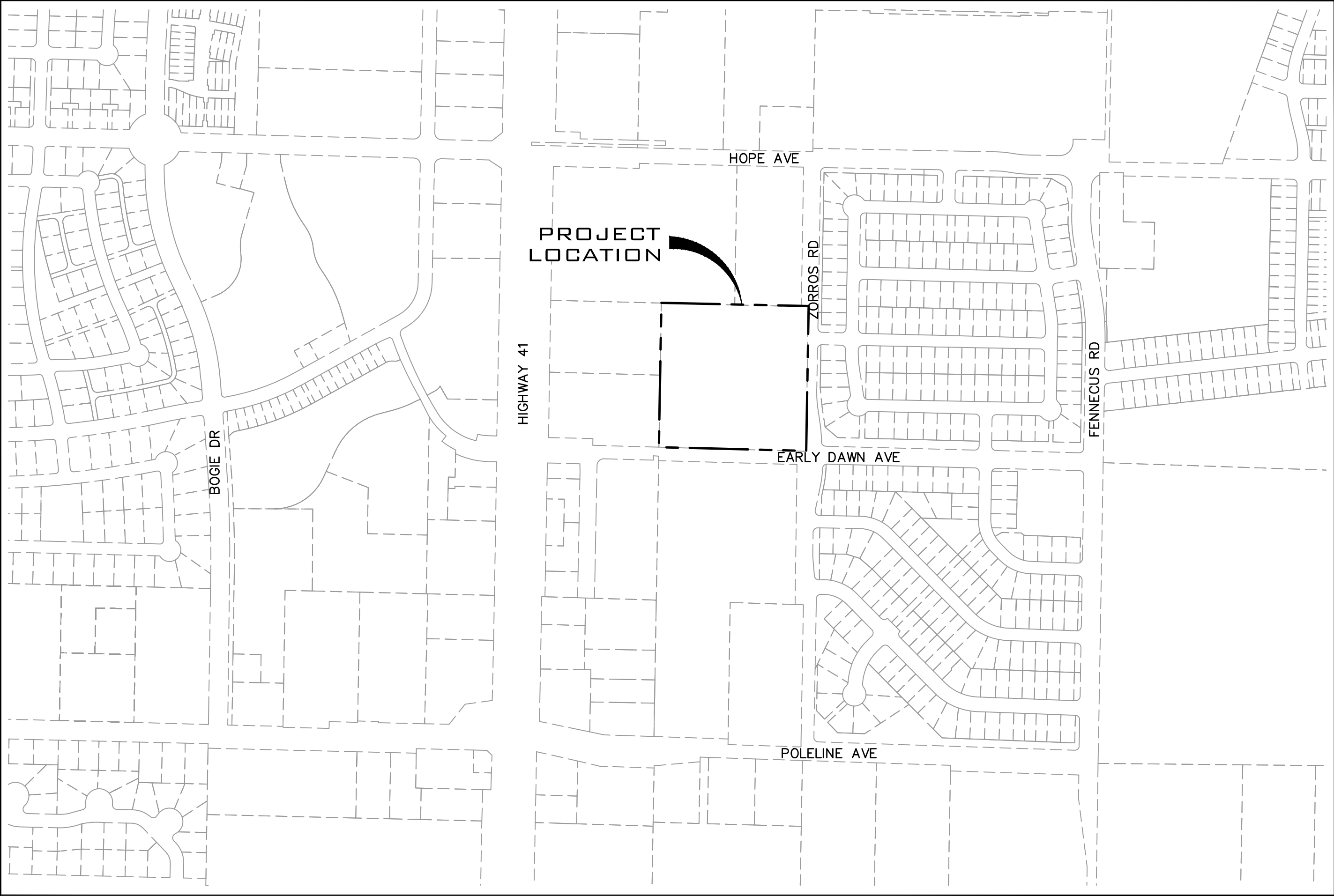
PROJ #: 23-3546  
DATE: 04/14/25  
DRAWN: SLS  
APPROVED: TRW

HOPE AND ZORROS  
SITE PLAN  
(0636030042AA)  
4171 E EARLY DAWN AVE  
POST FALLS, ID

SHEET  
2  
OF  
2



|                                                                                                                                                 |                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <div>HOPE AND ZORROS</div> <div>VICINITY MAP</div> <div>4320 E. HOPE</div> <div>POST FALLS, ID</div>                                            | <div>SHEET</div> <div>1</div> <div>OF</div> <div>2</div>                                                                                                                    |
| <div>PROJ #:</div> <div>23-3546</div> <div>DATE:</div> <div>08/07/24</div> <div>DRAWN:</div> <div>SLS</div> <div>APPROVED:</div> <div>TRW</div> | <div><div>WCE</div><div>WHIPPLE CONSULTING ENGINEERS</div><div>21 S. PINES ROAD</div><div>SPOKANE VALLEY, WA 99206</div><div>PH: 509-893-2617 FAX: 509-926-0227</div></div> |



|                                                                                                                            |                                                                                              |                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| <b>HOPE AND ZORROS<br/>VICINITY MAP</b><br><b>(06360030042AA)</b><br><b>4171 E EARLY DAWN AVE</b><br><b>POST FALLS, ID</b> | <b>PROJ #:</b> 23-3546<br><b>DATE:</b> 04/14/25<br><b>DRAWN:</b> SLS<br><b>APPROVED:</b> TRW | <b>IWCE</b><br>WHIPPLE CONSULTING ENGINEERS<br>21 S. PINES ROAD<br>SPOKANE VALLEY, WA 99206<br>PH: 509-893-2617 FAX: 509-926-0227 |
| <b>SHEET</b><br><b>1</b><br><b>OF</b><br><b>2</b>                                                                          |                                                                                              |                                                                                                                                   |



**Lanzce G. Douglass**  
CONSTRUCTION /PROPERTIES/ DEVELOPMENT

August 7, 2024

City of Post Falls Planning Division

Attn: Ethan Porter, Associate Planner

1st Floor of City Hall

408 N. Spokane St.

Post Falls, ID 83854

Re: Authorization Letter

Hope & Zorros Special Use Permit

Dear Mr. Porter:

Douglass Properties, LLC hereby authorizes Whipple Consulting Engineers to act on its behalf for the Hope and Zorros Special Use Permit on Kootenai County parcel number P-7050-30-039-AB.

Thank you,

A handwritten signature in blue ink that reads "Lanzce G. Douglass".

Lanzce G. Douglass, member

Douglass Properties, LL





**Lanzce G. Douglass**  
CONSTRUCTION / PROPERTIES / DEVELOPMENT

April 24, 2025

City of Post Falls Planning Division  
Attn: Jon Manley, Planning Manager  
1<sup>st</sup> Floor of City Hall  
408 N. Spokane St.  
Post Falls, ID 83854

**Re: Authorization Letter  
Early Dawn & Zorros Special Use Permit**

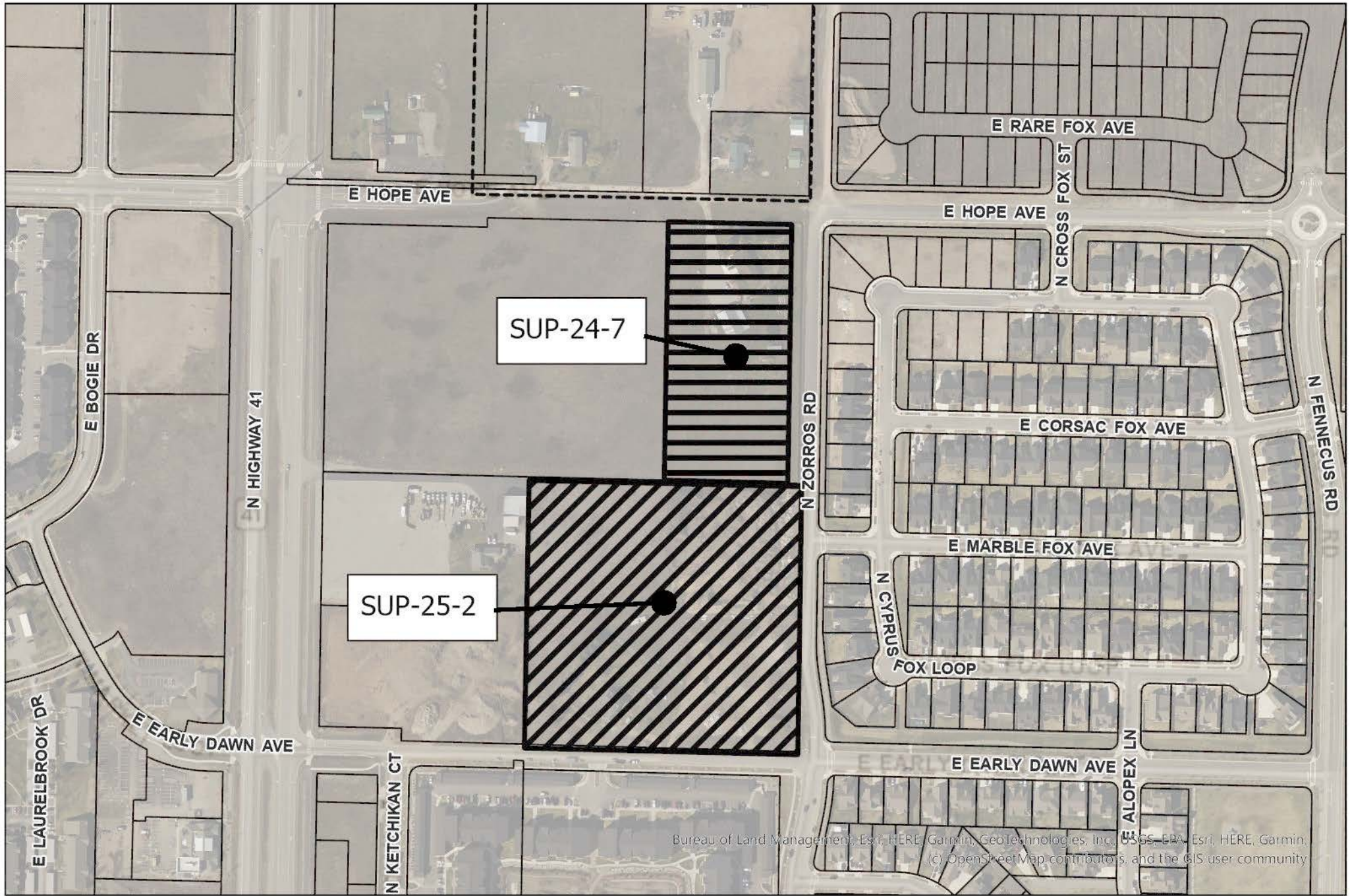
Dear Mr. Manley:

Douglass Properties, LLC hereby authorizes Whipple Consulting Engineers to act on its behalf for the Early Dawn and Zorros Special Use Permit on Kootenai County parcel number 0-6360-30-042-AA.

Thank you,

A handwritten signature in blue ink that reads 'Lanzce G. Douglass'. The signature is fluid and cursive, with the first and last names being more prominent.

Lanzce G. Douglass, member  
Douglass Properties, LLC



Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

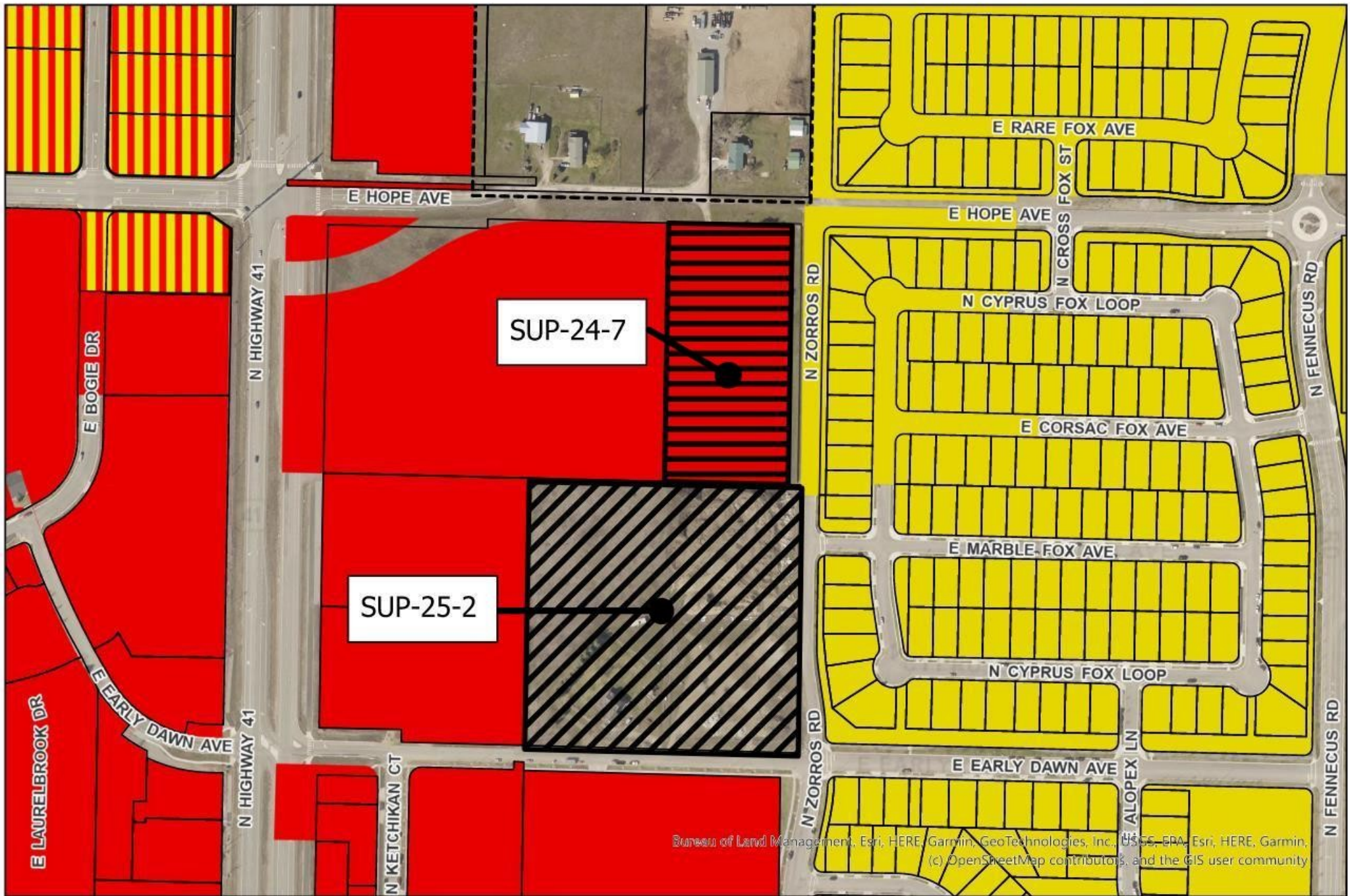
Site Location  
Hope & Zorros/Early Dawn & Zorros SUP  
Special Use Permit  
SUP-24-7/SUP-25-2



- Post Falls City Boundary
- Tax Parcels







Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Zoning Map  
Hope & Zorros/Early Dawn & Zorros SUP  
Special Use Permit  
SUP-24-7/SUP-25-2

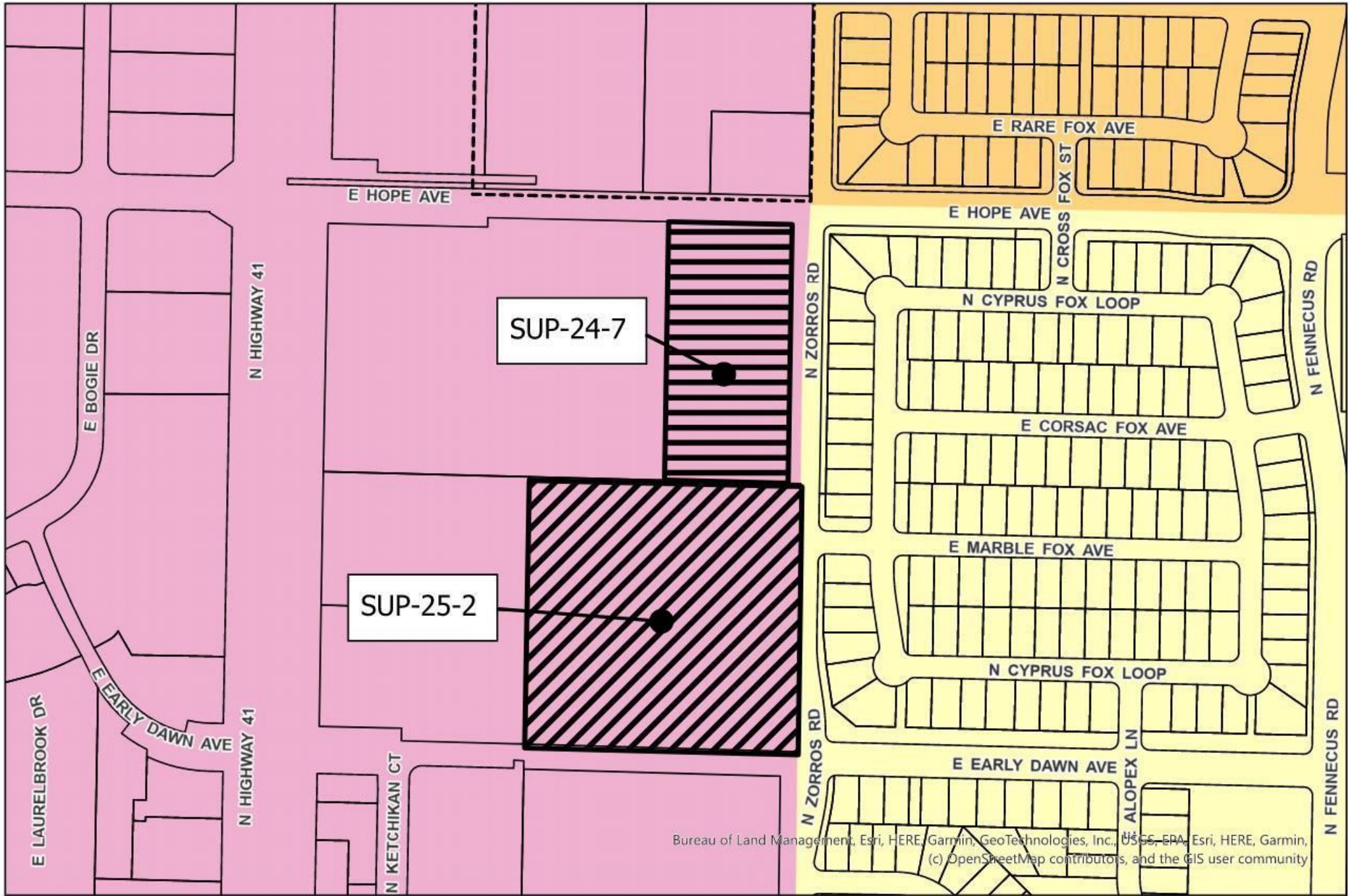


- Post Falls City Boundary
- Tax Parcels

- CCM
- CCS
- R-1







- Post Falls City Boundary
- Tax Parcels
- Low Density Residential

- Medium Density Residential
- High Density Residential

- Business/Industrial
- Business/Commercial
- Commercial
- Transitional



Exhibit S-3



# POST FALLS

## SCHOOL DISTRICT #273

DISTRICT OFFICE  
P.O. Box 40  
Post Falls, ID 83877  
PHONE 208-773-1658  
FAX 208-773-3218  
[www.pfsd.com](http://www.pfsd.com)

October 17, 2024

Robert Seale  
Community Development Director  
City of Post Falls  
408 Spokane Street  
Post Falls, ID 83854

Dear Bob,

The purpose of this letter is to restate the status and position of the Post Falls School District regarding growth within the city and school district boundaries. The Post Falls School District will continue to remain neutral regarding proposed developments and will provide additional or modified comments in a timely manner when deemed necessary.

The district has a responsibility through State statute to provide an appropriate education for every student ages 6 through 21 who attend our schools. It is also the district's responsibility to provide an adequate educational program, organizational structure, and facilities.

Though there are pros and cons for new development growth, the district will continue to provide a quality education. The district appreciates the working relationship we have with the City of Post Falls.

With the anticipated growth in future years, the district requests assistance from the Planning Department to acquire school building sites in any large proposed residential developments and support financial mitigation for smaller developments.

The enrollment status and capacity of each school for the 2023-2024 school year are listed below.

The district will review the current long-range facility plan this fall. A copy of the current plan is included with this letter.

| School                   | 2024-2025 Enrollment | Building Capacity |
|--------------------------|----------------------|-------------------|
| Greensferry Elementary   | 409                  | 525               |
| Mullan Trail Elementary  | 343                  | 500               |
| Ponderosa Elementry      | 469                  | 570               |
| Prairie View Elementary  | 350                  | 525               |
| Seltice Elementary       | 375                  | 560               |
| Treaty Rock Elementary   | 383                  | 525               |
| West Ridge Elementary    | 427                  | 525               |
| Post Falls Middle School | 748                  | 920               |
| River City Middle School | 557                  | 750               |

***Our school community will develop relationships, skills, and knowledge to become responsible citizens who think critically to solve problems.***

|                        |      |      |
|------------------------|------|------|
| Post Falls High School | 1636 | 1800 |
| New Vision High School | 105  | 225  |

The school district looks forward to continuing the good working relationship we have with the City of Post Falls. Thank you for your support of the Post Falls School District.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dena Naccarato", with a stylized, flowing script.

Dena Naccarato  
Superintendent

Cc: Post Falls School District Board of Trustees  
Shelly Enderud, City Administrator

# Kootenai County Fire & Rescue

Fire Marshal's Office

5271 E. Seltice Way  
Post Falls, ID 83854  
Tel: 208-777-8500  
Fax: 208-777-1569  
[www.kootenaifire.com](http://www.kootenaifire.com)

January 18, 2024

Nancy Thurwachter  
Planning Administrative Specialist  
[nthurwachter@postfalls.gov](mailto:nthurwachter@postfalls.gov)

## RE: Notice to Jurisdiction Response

Nancy,

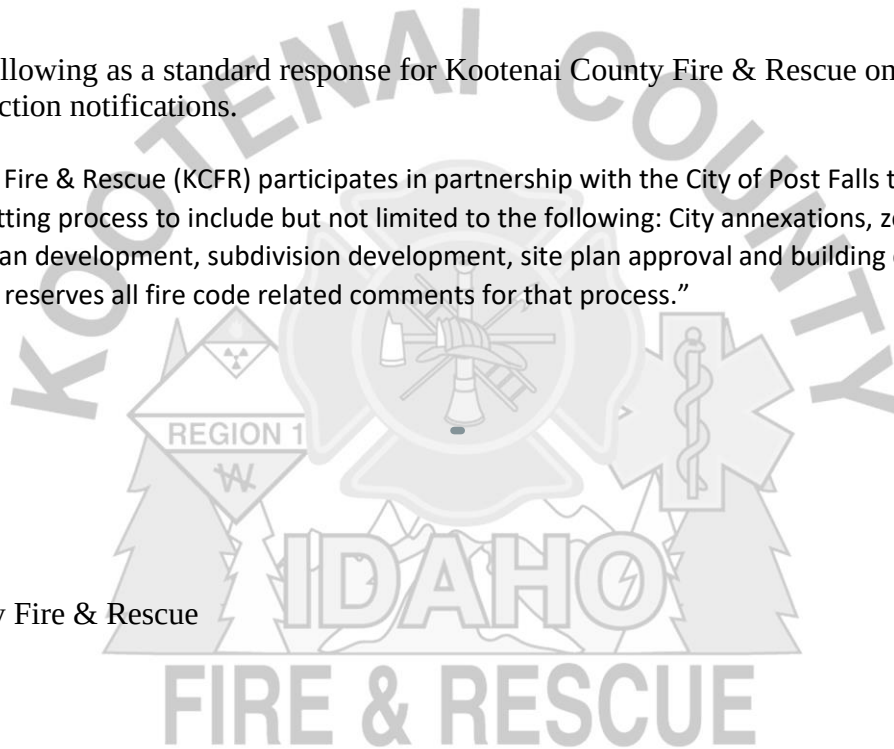
Please use the following as a standard response for Kootenai County Fire & Rescue on all applicable Notice to Jurisdiction notifications.

"Kootenai County Fire & Rescue (KCFR) participates in partnership with the City of Post Falls throughout the review and permitting process to include but not limited to the following: City annexations, zoning issues, comprehensive plan development, subdivision development, site plan approval and building construction code compliance. KCFR reserves all fire code related comments for that process."

Respectfully,



Jeryl Archer II  
Kootenai County Fire & Rescue  
Division Chief  
Fire Marshal





## Nancy Thurwachter

---

**From:** David Callahan <dcallahan@kcgov.us>  
**Sent:** Monday, June 23, 2025 1:38 PM  
**To:** Nancy Thurwachter  
**Cc:** Ben Tarbutton  
**Subject:** RE: Notice to Jurisdictions Hope & Zorros Special Use Permit File No SUP-24-7

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nancy,  
We have no issues or concerns.

David Callahan, AICP  
Director



Kootenai County  
Community Development

451 N Government Way • P.O. Box 9000  
Coeur d'Alene, Idaho 83816-9000

Phone: 208 446 1082 • Email: [dcallahan@kcgov.us](mailto:dcallahan@kcgov.us)  
Mobile: 208 660 3029

**From:** Nancy Thurwachter <nthurwachter@postfalls.gov>  
**Sent:** Monday, June 23, 2025 10:12 AM  
**To:** Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01\_Real\_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; Chad Ingle <cingle@kcgov.us>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; cschneider@kec.com <cschneider@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; DEQ <deqcomments@deq.idaho.gov>; Devin Weeks <dweeks@cdapress.com>; Gina Dillman <gdillman@republicservices.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Leo Martinez <leo.martinez@p66.com>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Mike Patton <Michael.m.patton@p66.com>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; contactus@postfallshd.com; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Scott Morton <smorton@republicservices.com>; Tom Kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>



## Nancy Thurwachter

---

**From:** Martinez, Leo <Leo.Martinez@p66.com>  
**Sent:** Tuesday, June 24, 2025 12:32 PM  
**To:** Nancy Thurwachter  
**Subject:** Notice to Jurisdictions Hope & Zorros Special Use Permit File No SUP-24-7  
**Attachments:** Exhibit PH-2 NTJ Hope & Zorros\_SUP-24-7.pdf

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Nancy,

Phillips 66 does not have any utilities within your attached project vicinity, our utilities run along E. Poleline Ave.  
(Response 13027)

Regards,

**Leo Martinez**

Associate, Operations Support • Real Estate Services

O: 805-541-8912 | F: 805-538-6204  
18781 El Camino Real | Atascadero, CA 93422  
[Leo.Martinez@phillips66.com](mailto:Leo.Martinez@phillips66.com)



The information in this electronic message is privileged and confidential and is intended solely for the use of the individual(s) and/or entity named above, and any unauthorized disclosure, copying, distribution or taking of any action in reliance upon on the contents of these electronically transmitted materials is strictly prohibited. If you are not the intended recipient, please notify the sender immediately and destroy this message and any copies.

**From:** Nancy Thurwachter <nthurwachter@postfalls.gov>

**Sent:** Monday, June 23, 2025 10:12 AM

**To:** Ali Marenau <AMarienau@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01\_Real\_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; cingle@kcgov.us; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; cschneider@kec.com <cschneider@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; DEQ <deqcomments@deq.idaho.gov>; Devin Weeks <dweeks@cdapress.com>; Gina Dillman <gdillman@republicservices.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Philips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Martinez, Leo <Leo.Martinez@p66.com>; Lori Cogley <lcogley@kec.com>;

June 26<sup>th</sup>, 2025

Nancy Thurwachter  
Planning Administrative Specialist  
[nthurwachter@postfalls.gov](mailto:nthurwachter@postfalls.gov)

Re: Hope & Zorros Special Use Permit File No SUP-24-7

The Police Department has reviewed the proposed special use permit for Poleline & Zorros Special Use Permit File No SUP-25-3, consisting of 96 residential units. Based on current call volumes and staffing levels, this project is anticipated to have an impact on police resources.

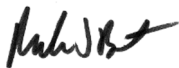
Similar multi-family developments in the city average approximately 1.32 calls for service per unit annually, translating to an estimated 126 additional calls per year for this complex alone. With staffing stretched to meet growing demands citywide, the department cannot accommodate increased service calls from new residential developments without carefully planning and resource alignment.

To mitigate the expected increase in calls for service, the Police Department recommends the following:

- Crime Prevention Through Environmental Design (CPTED) based layout
- Adequate lighting, camera systems, and gated access
- Emergency access plans for law enforcement and emergency responders
- Clearly visible unit numbering and directional signage

While the Police Department supports responsible development, we must emphasize the importance of aligning residential expansion with sustainable public safety planning. These developments, unless mitigated with appropriate design and resourcing, will place additional and immediate strain on current patrol staffing and response times.

Respectfully submitted,



Mark J. Brantl  
Captain  
Post Falls Police Department



## Nancy Thurwachter

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**From:** DEQ Comments <deqcomments@deq.idaho.gov>  
**Sent:** Thursday, June 26, 2025 2:26 PM  
**To:** Nancy Thurwachter  
**Subject:** RE: Notice to Jurisdictions Hope & Zorros Special Use Permit File No SUP-24-7

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,

Idaho Department of Environmental Quality  
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814  
Office Line: 208.769.1422  
[www.deq.idaho.gov](http://www.deq.idaho.gov)

**Our mission:** To protect human health and the quality of Idaho's air, land, and water.

---

**From:** Nancy Thurwachter <nthurwachter@postfalls.gov>  
**Sent:** Monday, June 23, 2025 10:12 AM  
**To:** Ali Marenau <AMarienau@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01\_Real\_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; cingle@kcgov.us; Chris Way <cway@kootenaifire.com>; Christina Petitt <christina@postfallschamber.com>; Christine Harmon <Christine.Harmon@deq.idaho.gov>; cschneider@kec.com <cschneider@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; DEQ Comments <deqcomments@deq.idaho.gov>; Devin Weeks <dweeks@cdapress.com>; Gina Dillman <gdillman@republicservices.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziplay.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Leo Martinez <leo.martinez@p66.com>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Mike Patton <Michael.m.patton@p66.com>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; contactus@postfallshd.com; Robert Beachler <robert.beachler@itd.idaho.gov>; Ron

**CITY OF POST FALLS  
AGENDA REPORT**

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**DATE:** JULY 8, 2025

**TO:** POST FALLS PLANNING AND ZONING COMMISSION

**FROM:** JON MANLEY, PLANNING MANAGER, 208-457-3344, jmanley@postfalls.gov

**SUBJECT:** STAFF REPORT FOR JULY 8, 2025, P&Z COMMISSION MEETING – HOPE AND ZORROS APARTMENTS SPECIAL USE PERMIT FILE NO. SUP-24-7 AND EARLY DAWN AND ZORROS SPECIAL USE PERMIT FILE NO. SUP-25-2 PUBLIC HEARINGS

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**INTRODUCTION:**

Austin Fuller of Whipple Consulting Engineers has requested on behalf Lanzce Douglass approval for two projects requiring Special Use Permits (SUP) in the Community Commercial Services (CCS) Zone. The first project (SUP-24-7) is to allow for 96 multi-family units to be developed on 4.2 acres per Exhibit A-3a and the second project (SUP-25-2) is to allow for 192 multi-family units developed on 9.63 acres per Exhibit A-3b. The two projects are adjacent to each other and therefore presented within one staff report. The Planning & Zoning Commission must conduct a public hearing and determine if the proposed requests meet the approval criteria contained in Post Falls Municipal Code (PFMC) Section 18.20.070 (B). Following the public hearing, the Planning Commission will direct staff to prepare a Reasoned Decision, along with any appropriate conditions, that explains how the approval criteria are/are not met. The Planning Commission will review and approve the final Reasoned Decision at a subsequent meeting. The approval criteria are:

- A. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.
- B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.
- C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.
- D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

**PROJECT INFORMATION:**

**Project Name/File Number(s):** Hope and Zorros Apartments Special Use Permit (SUP-24-7) and Early Dawn and Zorros Special Use Permit (SUP-25-2)

**Owner:** Lanzce Douglass, 1402 E. Magnesium Road #202, Spokane, WA 99217



**Applicant:** Austin Fuller, 21 S. Pines Road, Spokane Valley, WA 99206

**Project Description:** The applicant is intending to develop 96 multi-family units on 4.2 acres per Exhibit A-3a and 192 multi-family units on 9.63 acres per Exhibit A-3b.

**Project Location:** SUP-24-7 is generally located on the southwest corner of Hope Avenue and Zorros Road and SUP-25-2 is generally located on the northwest corner of East Early Dawn Avenue and North Zorros Road and the two projects are contiguous to each other.

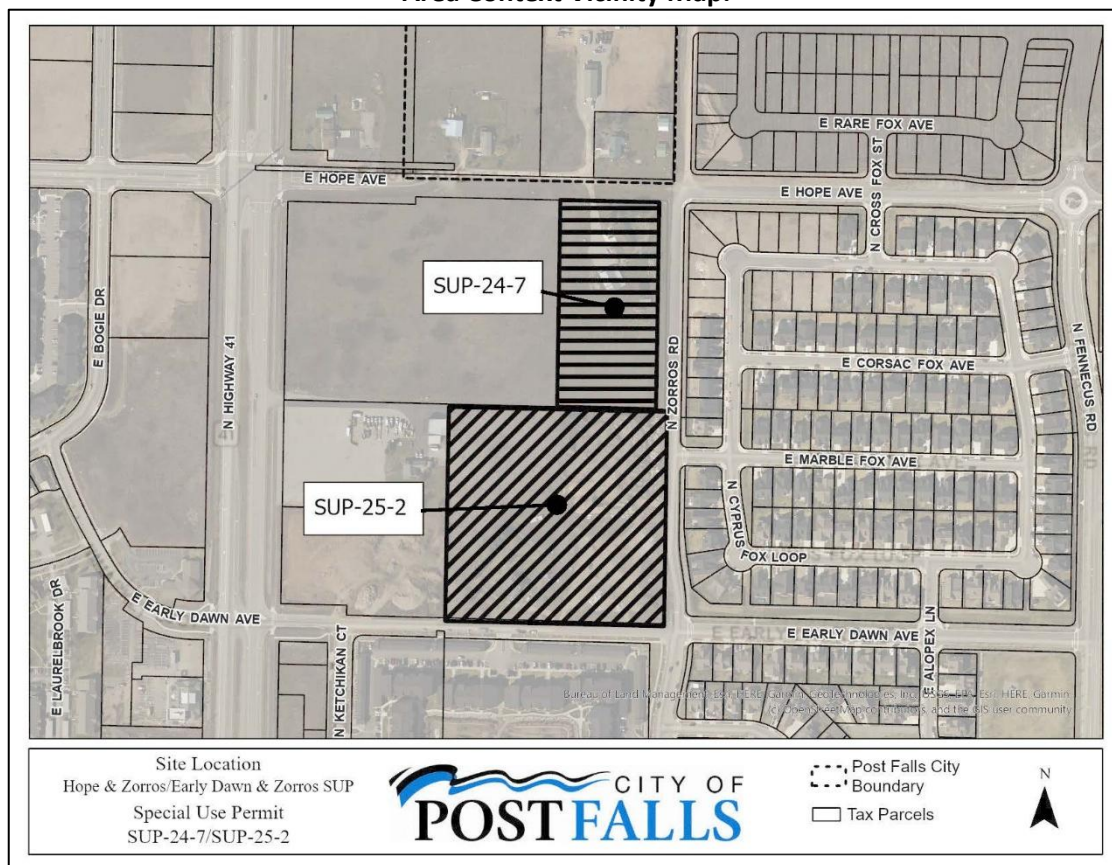
**Water Provider:** Ross Point Water District

**Sewer Provider:** City of Post Falls

#### AREA CONTEXT:

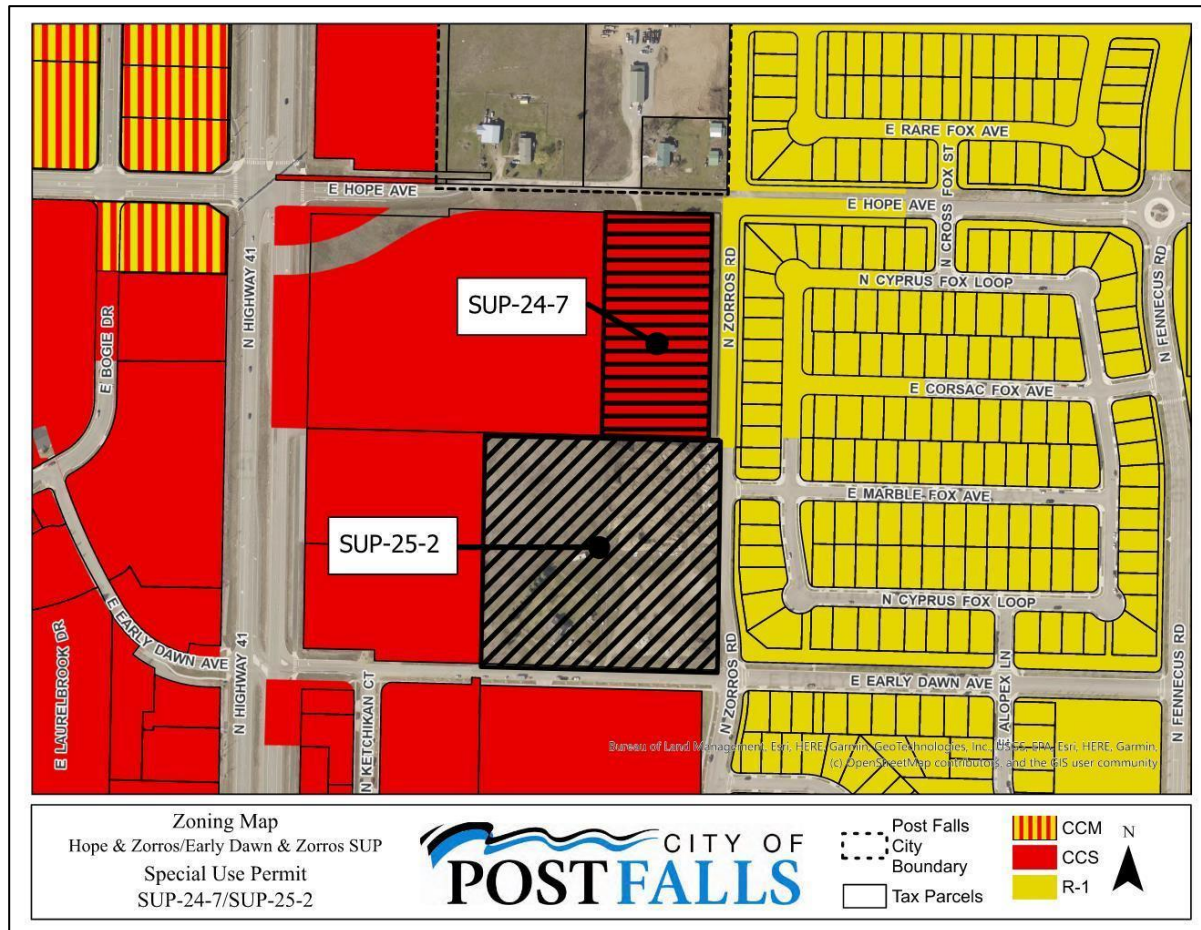
**Surrounding Land Uses:** The two sites are situated between Hope Avenue and Early Dawn Avenue on the west side of Zorros Road contiguous with each other. The project site for SUP-24-7 is north of the project site for SUP-25-2 as depicted in the Area Context Vicinity Map below. To the north of the project site across East Hope Avenue is a single-family home. Adjacent to the project site to the west is vacant land and underdeveloped commercial properties. To the east across North Zorros Road is a single-family residential subdivision with the Foxtail Housing Development. To the south across East Early Dawn Avenue are the Bluegrass Apartments.

**Area Context Vicinity Map:**



**Surrounding Zoning Districts:** Adjacent to the site to the west and south across East Early Dawn Avenue is the Community Commercial Services (CCS) zoning district. To the north across, East Hope Avenue is land within the county. To the east, across North Zorros Road is Single-Family Residential (R-1) which is also in a Planned Unit Development (PUD) (See Following Map).

**Zoning Map:**



**EVALUATION OF SPECIAL USE PERMIT APPROVAL/ REVIEW CRITERIA:**

**A. Implementation of the special use will/will not conform to the purposes of the applicable zoning district.**

The CCS zone is applied in areas primarily located near arterials and collector streets. Residential Uses may be allowed within this zone at densities permitted by the High-Density Multi-Family Residential (R3) Zone by Special Use Permit when they will not compromise present Uses. Lot area and building bulk and placement requirements shall agree with the values set forth in section 18.20.040, "Official Bulk and Placement Regulations Table," of this title.

Hope Avenue is a major collector, Zorros Road is a minor collector, and Early Dawn Avenue is a minor collector. These roads are consistent with development in a CCS zoning designation. Higher-density housing near commercial areas can support stronger, more vibrant businesses by providing a steady customer base within walking distance. Allowing multi-family development in key locations—such as along Highway 41—can help attract and sustain higher-quality commercial uses, ultimately benefiting both residents and the local economy.

The proposed multi-family projects are within the CCS zoning district and is an allowed use with a Special Use Permit at densities permitted by the R3 Zone per PFMC Bulk and Placement Table 18.20.040, and per PFMC Establishment of zoning districts 18.16.010.

R3 multi-family sites require a minimum of 2,400 square feet per dwelling unit per the PFMC Bulk and Placement Table. The project site for SUP-24-7 is approximately 4.2 acres and allows for 76 dwelling units. However, the project proposes a total of 96 units, which necessitates an approximately 26% density bonus. The project may receive up to a 30% density bonus increase if additional amenities are provided. The project requires a minimum of two amenities and eight amenities are proposed, which would facilitate the requested density bonus pursuant to PMFC Section 18.24.030.7.d.

The project site for SUP-25-2 is approximately 9.67 acres and allows for 175 dwelling units and 192 are proposed, which necessitates an approximately 10% density bonus. The minimum number of required amenities is two and eight are proposed which would facilitate the requested density bonus.

**B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.**

See following excerpt from the PFMC Bulk and Placement Table 18.20.040, allowed with a Special Use Permit:

P = Permitted use

S = Special use

- = Nonpermitted use

| Land Use Category                           | Zoning Classifications |    |    |    |    |     |   |    |     |    | LBCS Code |
|---------------------------------------------|------------------------|----|----|----|----|-----|---|----|-----|----|-----------|
|                                             | R1S                    | R1 | R2 | R3 | LC | CCS | I | TM | CCM | RM |           |
| Twinhome                                    | -                      | S  | P  | P  | S  | S   | - | -  | -   | P  |           |
| Townhome, 6 or less units per structure     | -                      | S  | S  | P  | P  | S   | - | P  | P   | P  |           |
| Multi-family, 3 or more units per structure | -                      | -  | -  | P  | S  | S   | - | P  | P   | P  | 1103      |

**C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.**

Per PFMC Land Use Table 18.20.030 and being that the proposed project is allowed through a SUP, suggests that multi-family uses can be compatible with commercial uses. Additionally, the absence of a buffer requirement between multi-family and Commercial Land uses indicates the land uses may be compatible as well. The accessibility of this project site to major and minor collectors near HWY 41 offer good connectivity for potential residents.

Transportation: The adjoining roadways of Early Dawn Avenue and Zorros Road are both classified as Minor Collector Roadways. Hope Avenue is classified as a Major Collector Roadway. Zorros Road provides access to a restricted  $\frac{3}{4}$  turn movement at SH41 (left turns onto SH41 or crossing movements across SH41 are prohibited at Early Dawn Avenue). Zorros Road currently provides access to Poleline Ave. (Minor Arterial Roadway  $\frac{1}{4}$  mile to the south) and is projected to be extended to Prairie Avenue (Principal Arterial  $\frac{1}{2}$  mile to the north). Connections to SH41, Poleline Avenue and the future connections to the north are anticipated to distribute the projected traffic from the development. The City's Transportation Master Plan indicates a future controlled intersection (Traffic Signal or Roundabout) at the intersection of Poleline Avenue and Zorros Road. As the full roadway network in the vicinity of the SUP is not complete, half road plus 10-foot improvements should be required within the existing Hope Avenue rights-of-way

to provide connection to the Hope Ave / SH41 Traffic Signal. The project should additionally complete a Traffic Impact Analysis (TIA) to identify the impact and estimated timing of improvements at Poleline / Zorros or other necessary traffic mitigations. Access to the properties are shown with a single access on Early Dawn Avenue and a single access with Hope Avenue and two (2) access points with Zorros Road.

Early Dawn Avenues existing roadway configuration, west of the project, is a standard 44' wide (curb face to curb face) roadway. Early Dawn Avenue should be widened to a 50' width between the western property line and the eastern proposed driveway approach to accommodate additional on-street parking while still providing for two (2) 11-foot travel lanes and bicycle lanes. Rights-of-way and a 15-foot Sidewalk, drainage and utility easement shall be required.

Zorros Roads existing roadway configuration, south of the project, is a 54' wide (curb face to curb face) roadway. This cross section should be continued along the properties frontage to accommodate parking, along with vehicular bicycle lanes. Rights-of-way and a 10-foot Sidewalk, drainage and utility easement shall be required.

Hope Avenue improvements should be based upon the standard 52-foot Major Collector cross section, with a 36-foot width being the centerline plus 10-foot requirement.

The proposed special may produce impacts that would alter timing of roadway improvements within the City's Transportation Capital Improvement Plan, due to missing pieces of the roadway network. a Traffic Impact Analysis (TIA) to identify the impact and estimated timing of improvements at Poleline / Zorros or other necessary traffic mitigations should be required, as a part of the site plan review process, to preserve roadway capacity and safety.

Water Reclamation: : The site will be connected to the City's Water Reclamation Facilities. Existing facilities are located at the properties southwest corner in Early Dawn Avenue and in Zorros Road. The main in Early Dawn discharges directly to the SH41 mainline. The main within Zorros Road goes through the Foxtail subdivision and discharges to the Poleline Avenue main before connecting to SH41. Current capacity exists within the SH41 mainline and at the 12<sup>th</sup> Avenue Lift Station.

SUP-25-2 is subject to the 12th Avenue Force Main Surcharge Basin and has previously agreed to pay the sewer surcharges established, per the annexation agreement, the surcharge is currently established at \$3,334.52 per service unit for the 12th Avenue Force Main and is adjusted in October of each year. The site also has potential limits to development based on capacity at the 12<sup>th</sup> Avenue Lift Station and 12<sup>th</sup> Avenue Forcemain, per the annexation agreement, that may limit development of the property at the time of site plan review.

SUP24-7 was not previously identified as being part of the 12<sup>th</sup> Avenue Lift Force Main Surcharge Basin. Issuance of a Special User Permit should include the requirement that the property be subject to the 12<sup>th</sup> Avenue Force Main Surcharge and limitations as identified in the annexation agreement that impacts SUP-25-2

City water reclamation facilities currently have the capacity and capability to handle the requested use.

Domestic Water: The proposed special use will be serviced by the Ross Point Water District. A will serve letter from the district has been provided and site-specific issues, including fire protection, would be handled at the time of Site Plan Review.

- D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.**



**Goal 1:** Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.

Higher residential density in strategic locations—such as near Highway 41— may create built-in demand for retail, services, and employment opportunities. This walkable proximity helps attract and sustain quality commercial investment, while also reducing infrastructure strain and vehicle miles traveled.

Additionally, by enabling a range of housing options close to job centers and commercial corridors, Post Falls may position itself as a more competitive and inclusive community. This not only supports workforce retention but also encourages small business growth and enhances fiscal stability through diversified tax revenues.

**Goal 7:** Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability.

Cities exercise considerable influence over land use, in turn influencing the type and character of development, patterns of growth, and the short and long-term financial impact of growth on the local economy. Diversification in housing choices may assist in achieving this goal.

**Goal 10:** Provide and support Post Falls' parks and recreational opportunities on-pace with growth.

Through development of the multi-family site, park impact fees would be paid at the time of permitting to assist parks and recreational development needs in all related plans and actions.

**Goal 15:** Maintain and Improve the City's water and sewer infrastructure, anticipating future needs regarding population and regulatory conditions.

Provision of clean, safe water and responsible treatment and disposition of wastewater are essential services for any community.

**The following policies may or may not assist the review of this Special Use Permit request.**

**Policy 1:** Support land use patterns that:

- Maintain or enhance community levels of service.

Staff Comment: Impact Fees will be paid at the time of permit issuance to assist maintaining the community levels of service.

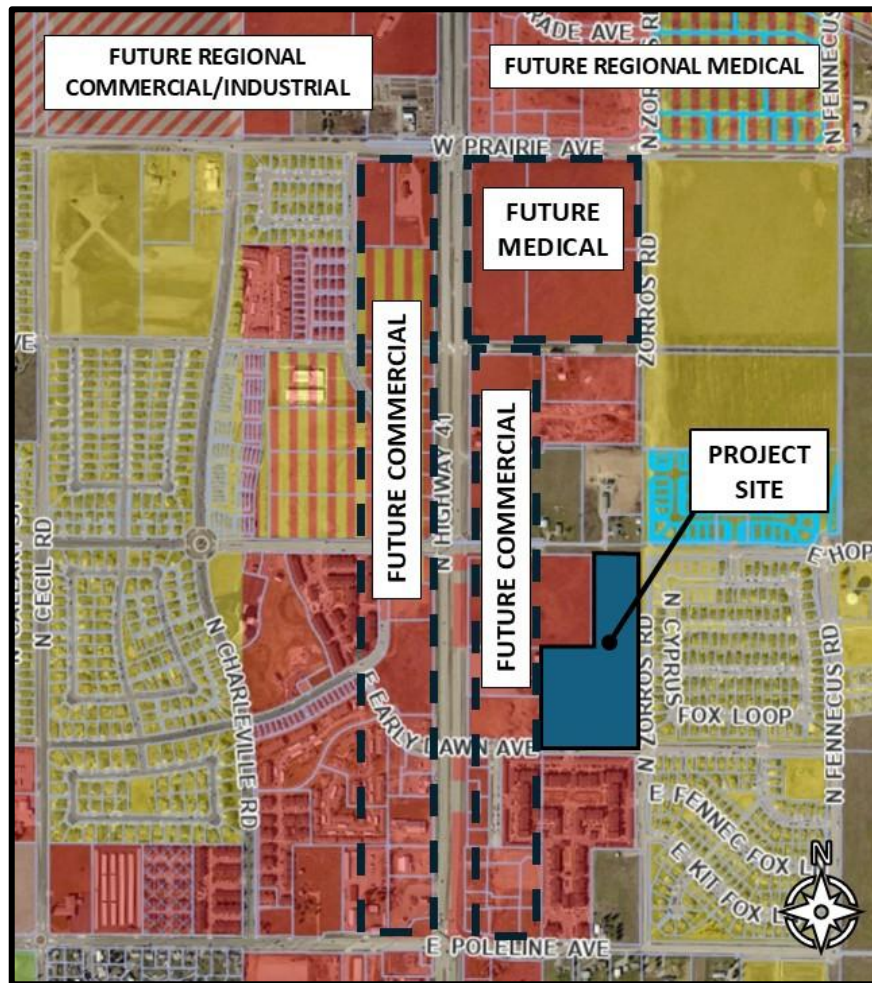
- Foster the long-term fiscal health of the community.

Staff Comment: Diversified housing opportunities bolsters the long-term health of the housing sector within a community. The industrial and commercial sectors within a community benefit by having a healthy and diverse housing sector as it either offers securities that their employees have a place to live, or it puts rooftops to provide commerce.

- Maintain and enhance resident quality of life.

Staff Comment: The proposed location of the special use permits should be within walking distance to future nearby commercial businesses along Highway 41 that may provide for some daily needs, potentially improving quality of life. The proximity to existing and future Highway 41 businesses provides potential existing and future employment opportunities within walking distance as well.





- Promote compatible, well-designed development.

Staff Comment: The proposed development is on a Community Commercial Services (CCS) zoned property surrounded by other adjacent CCS Zoned Properties and to the east there is the single family Foxtail neighborhood. The nearest accessible signalized intersection with SH41 is Hope Ave. / SH41, approximately 0.25 miles to the west and the intersection of Poleline Avenue and SH41, approximately 0.33 miles to the southwest. The proximity to arterial connections is compatible with the proposed high-density development. City design standards assist creating compatible, well-designed developments.

- Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.

Staff Comment: The analysis within this staff report addresses this policy point.

**Policy 2:** Apply or revise zoning designations with careful consideration of factors including:

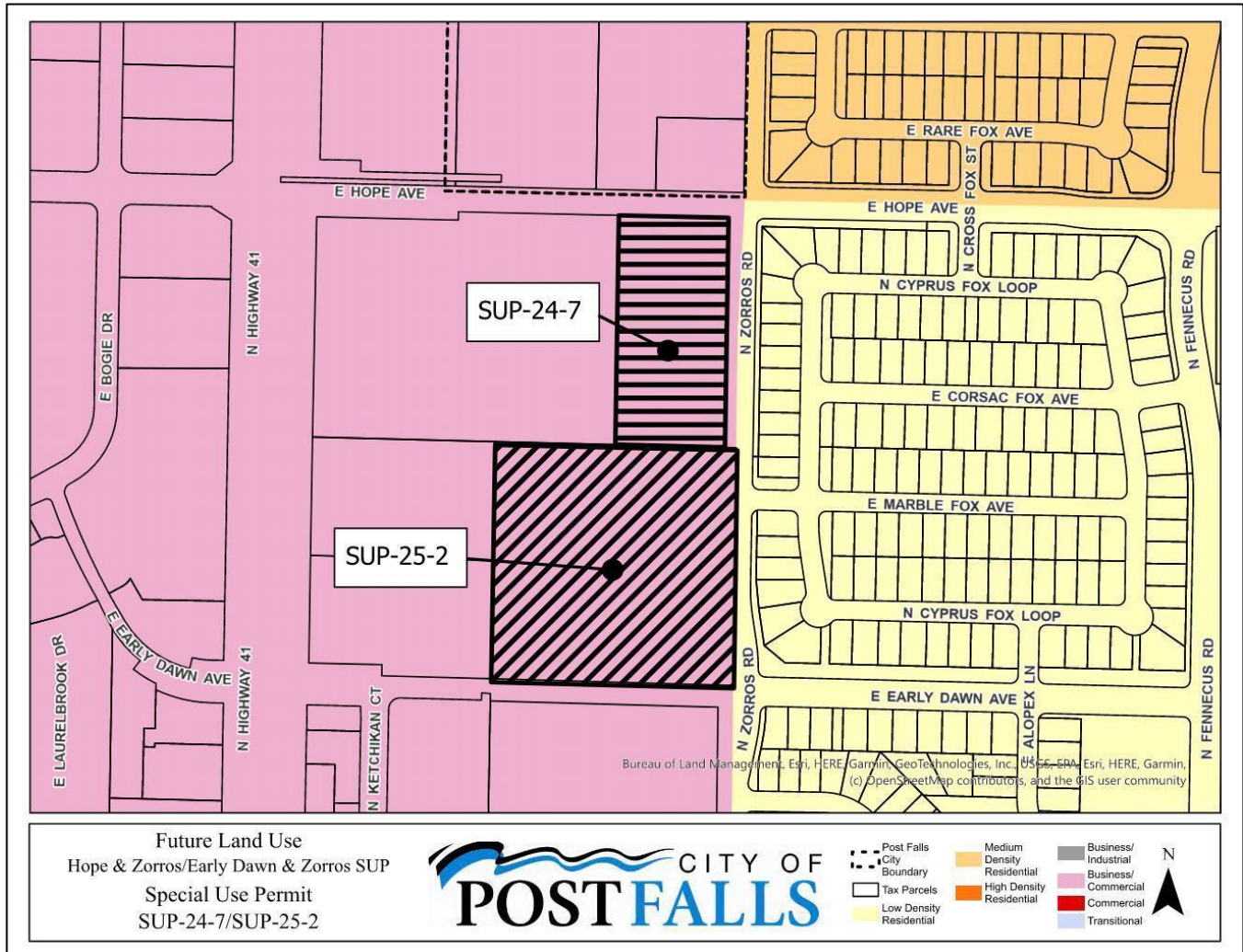
- Future land use mapping.

Staff Comment: The site has a future land use designation of Business Commercial (see following map). This land use designation provides for a wide variety of general service, retail, professional office, light industrial, artisan manufacturing and mixed-uses that serve local and regional residents as well as the traveling public. This category promotes a mixture of moderate/high density housing types within walking distance of the city center, neighborhood center and corridor commercial uses, as well as civic uses and other amenities within Post Falls. The site is in the 41 North Focus Area where it does state, "Focus provisions for multi-family, commercial, and

tech uses near higher classified roadways.” The project would provide multi-family near a Highway 41.

Implementing Zoning Districts LC, **CCS**, CCM, TM, R-2, R-3, SC4, SC5, Per **Focus Area**

Future Land Use Designation Map



- Compatibility with surrounding land uses;

Staff Comment: Per PFMC Land Use Table 18.20.030 and cited in Criteria A, multi-family being allowed through a Special Use Permit in CCS zones suggests that it is compatible with commercial land uses.

- Infrastructure and service plans.

Staff Comment: The site is located adjacent to existing sanitary sewer and water infrastructure. Existing facilities have sufficient capacity to provide service for the anticipated land uses. The City is continuing to develop and construct sewer infrastructure that is required to provide service at this location and all locations within the 12<sup>th</sup> Avenue Service Basin. The properties are subject to or should be made subject to the 12<sup>th</sup> Avenue Force Main Basin Surcharge.

- Existing and future traffic patterns.

Staff Comment: The site is located adjacent to the intersection of Early Dawn Avenue and Zorros Road (Minor Collectors), that provides connection to SH41 and Poleline Avenue. The site is additionally located adjacent to the intersection of Hope Avenue (Major Collector) and Zorros Road (Minor Collector), that would provide connection to the signalized intersection with SH41 upon extension of Hope Avenue westerly. Future connectivity would be created with the extension of Zorros Road northerly to Prairie Avenue.

Though capacity exists on the surrounding roadways, Hope Avenue should be required to be extended to SH41 with site development. A Traffic Impact Analysis (TIA) should be conducted to verify the projects impacts and timing on the intersection of Poleline Avenue / Zorros Road as part of the site plan review process.

- Goals and policies of the comprehensive plan, related master plan and/or facility plans.

Staff Comment: The analysis within this staff report addresses this policy point.

**Policy 3:** Encourage development patterns that provide suitably scaled, daily needs services within walking distance of residential areas, allowing a measure of independence for those who cannot or choose not to drive.

Staff Comment: The analysis within this staff report addresses this policy point.

**Policy 8:** Encourage compatible infill development and redevelopment of vacant and underutilized properties within City limits.

Staff Comment: This lot could be considered as under-utilized and infill. Redevelopment with a higher density could offer some relief to the housing concerns within the city.

**Policy 15:** Ensure that adequate land is available for future housing needs, helping serve residents of all ages, incomes, and abilities through provision of diverse housing types and price levels.

Staff Comment: The proposed special use permits could help create additional housing in the CCS zoning designation.

**Policy 19:** Encourage clustering of units in new residential development, providing service efficiencies and creating opportunities for private or community open space.

Staff Comment: The proposed special use permits are an example of clustered residential units that will also develop private open space for residents. Per PFMC section 18.24.030.D.7, Post Falls multi-family performance standards require 300 square feet of common open space for each 2-bedroom unit and 150 square feet of common space for each 1-bedroom unit. Additionally multi-family performance standards require sites greater than 2-acres to consolidate the majority of the required open space into a primary open space.

SUP-24-7: The proposed development contains 48 one-bedroom units and 48 two-bedroom units which necessitates a minimum of 21,600 square feet of open space. The proposal includes 25,948 square feet of open space, all of which is consolidated into a primary open space.

SUP-25-2: The proposed development contains 96 one-bedroom units and 96 two-bedroom units which necessitates a minimum of 43,200 square feet of open space. The proposal includes 44,251 square feet of open space, which is consolidated into a primary open space.

**Policy 20:** Consider location of multi-family development in areas that:

- Have access to arterial and collector streets;

Staff Comment: The proposed special use permits would develop multi-family in close proximity to collector roadways and SH41, which access I-90 2.5 miles to the south.

- Help buffer higher and lower-intensity development patterns;

Staff Comment: Multi-family development at this location may assist buffering this impact of Highway 41 to the lesser dense housing to the east.

- Abut compatible existing uses;

Staff Comment: This criterion is addressed in Policy 1.

- Are part of projects involving mixed use or master planned areas.

Staff Comment: The area bounded by North Zorros Road, Highway 41, and East Prairie Avenue has the potential, upon development, to evolve into a horizontally integrated mixed-use environment—ultimately resembling a master-planned community.

**Policy 21:** Maintain standards for multi-family housing that encourage quality building design, landscaping and usable open space, supporting long-term family living.

Staff Comment: This criterion is addressed in Policy 19.

**Policy 38:** Plan new development to ensure provision of public services at current Levels of Service (LOS) or the LOS identified in City-adopted master plans.

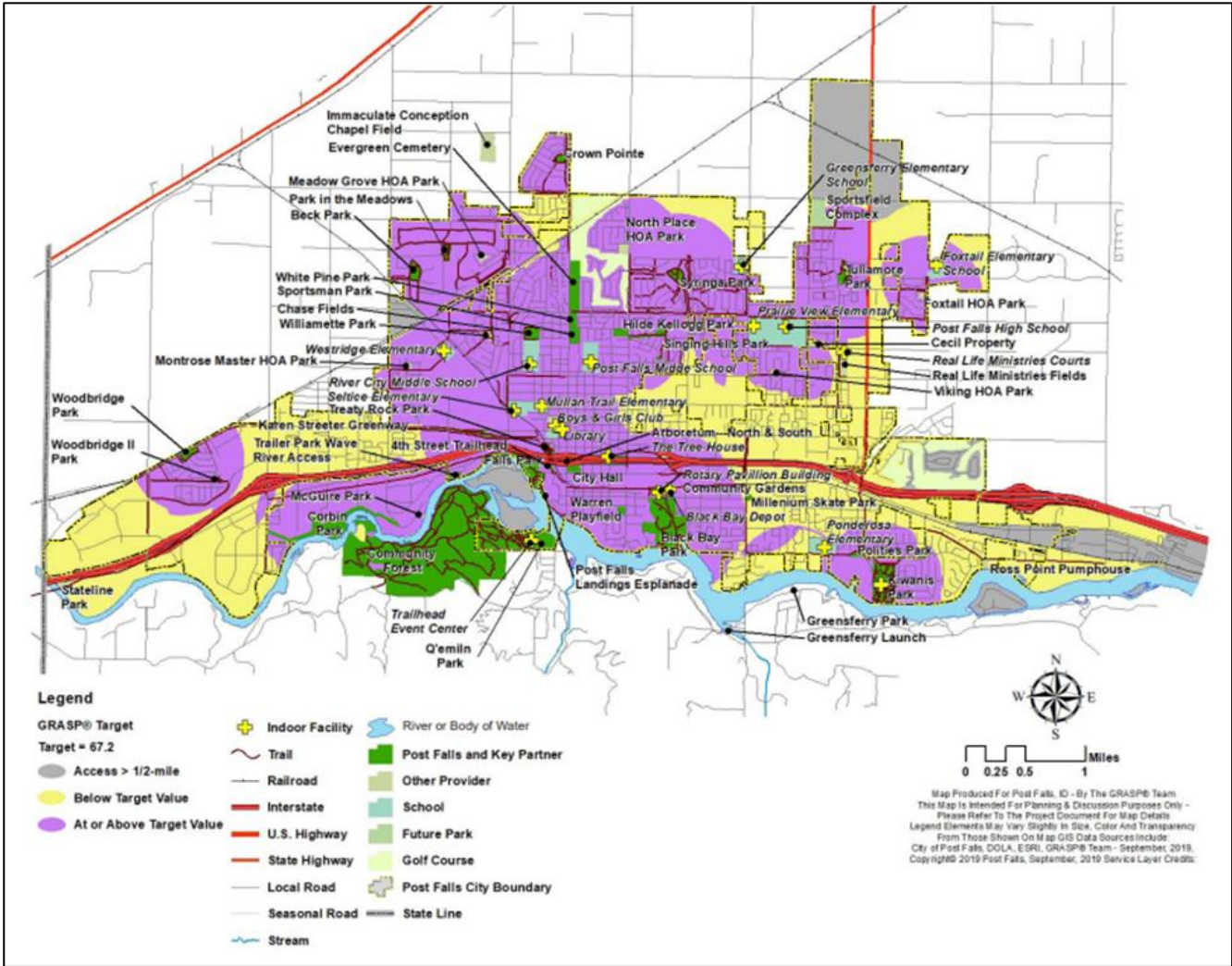
Staff Comment: This criterion is discussed in Policy 19 and Policy 60.

**Policy 60:** Maintain adopted Levels of Service (LOS) for parks, recreation and open space, and continue to identify opportunities to acquire parkland.

Staff Comment: Both projects are located in an area identified in the Parks and Recreation Master Plan as at or above the established level of service, due to the amenities in Foxtail. As noted this development will be providing on-site amenities as well. Referring to Policy 19, open space requirements are provided in PFMC for multi-family projects to assist mitigating this matter. Additionally, as mentioned earlier, Park Impact Fees are paid at time of issuance of building permits.

#### Parks and Recreation LOS Analysis





OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

Agencies Notified:

|                                   |                                 |                                     |
|-----------------------------------|---------------------------------|-------------------------------------|
| Bonneville Power Administration   | City Link                       | Post Falls Area Chamber             |
| Post Falls Post Office            | Post Falls Parks & Rec          | PF Police Department                |
| Post Falls School District        | Post Falls Highway District     | Utilities (W/WW)                    |
| Kootenai Electric                 | Kootenai County Fire            | Department of Environmental Quality |
| Ross Point Water                  | East Greenacres Irr. District   | Urban Renewal Agency                |
| Idaho Department of Lands         | Idaho Transportation Department | Panhandle Health District           |
| KMPO                              | Kootenai County Planning        | Yellowstone Pipeline Co.            |
| Phillips 66 Pipeline Co. (Conoco) | NW Pipeline Corp.               | BNSF                                |
| TC Energy (TransCanada GTN)       | Avista Corp. (WWP-3)            | TDS Telecom                         |
| Ziply Fiber                       | Spectrum                        | Coeur d’Alene Garbage               |
| Coeur d’Alene Press               |                                 |                                     |



**PUBLIC PROCESS:** Notice of the proposed SUP was mailed to property owners within 300 feet of the proposed project June 16, 2025. Notice has been published in the Post Falls Press on June 20, 2025 and was sent to appropriate jurisdictions on June 23, 2025. The property is scheduled to be posted by June 27, 2025.

**MOTION OPTIONS:** The Planning Commission may approve the requested Special Use Permits as presented, approve with conditions, or deny the Special Use Permits request.

**CONDITIONS (If any are applied):**

1. Site Access points will be required to conform with City Access Management requirements.
2. Perform a Traffic Impact Analysis (TIA) as part of the site plan review process and address any identified mitigation(s) from the TIA.
3. Dedicate rights-of-way and easements along Hope Avenue, Early Dawn Avenue and Zorros Road
4. Include additional roadway width along Early Dawn Avenue to accommodate on-street parking on both sides of the roadway, along with drive lanes and bicycle lanes.
5. Match the roadway width of Zorros Road that exists immediately south the site.
6. Construct centerline plus 10-feet for Hope Avenue along the project's frontage and westerly to the existing roadway improvements near SH41. (36-foot roadway width for centerline plus 10-feet)
7. Sanitary Sewer Surcharges for the 12<sup>th</sup> Avenue Forcemain Basin for both applications (SUP 24-7 and SUP 25-2).

**ATTACHMENTS:**

APPLICANT'S EXHIBITS:

Exhibit A-1a: Application for SUP-24-7

Exhibit A-1b: Application for SUP-25-2

Exhibit A-2a: Narrative for SUP24-7

Exhibit A-2b: Narrative for SUP-25-2

Exhibit A-3a: Conceptual Plan for SUP-24-7

Exhibit A-3b: Conceptual Plan for SUP-25-2

Exhibit A-4a: Vicinity Map for SUP-24-7

ExhibitA-4b: Vicinity Map for SUP-25-2

Exhibit A-5a: Owner Authorization for SUP-24-7

Exhibit A-5b: Owner Authorization for SUP-25-2

STAFF EXHIBITS:

Exhibit S-1: Vicinity Map for SUP-24-7 and SUP-25-2

Exhibit S-2: Zoning Map for SUP-24-7 and SUP-25-2

Exhibit S-3: Future Land Use Map for SUP-24-7 and SUP-25-2

**SUP-24-7**  
Special Use Permit

**Applicant**



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## Applicant Information

**Applicant Type\***

Agent

**Applicant Name\***

Todd R. Whipple, P.E.

**Phone\***

509.893.2617

**Email\***

toddw@whipplece.com

**Address\***

21 S. Pines Rd.

**City, State & Zip Code**

Spokane Valley, WA 99206

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## Owner Information

**Name\***

BLUEGRASS FARMS NORTH  
APARTMENTS LLC

**Company**

**Phone\***

509.483.6632

**Email\***

lanzce@irentspokane.com

**Address\***

1402 E. Magnesium Rd. STE 202

**City, State & Zip Code**

Spokane, WA 99217

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## Site Information

**Proposed Project Name\***

Hope and Zorros Special Use Permit

**Description of Project\***

**Existing Zoning**

CCS

**Adjacent Zoning**

CCS, R-1,

**Current Land Use**

Single unit

**Adjacent Land Use**

Vacant, Single Family

**Size of Site**

4.20 acres

**Site Density, if applicable**

17.14 du/ac

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# Application Certification

All exhibits presented will need to be identified at the meeting, will be entered into the record, and retained on file.\*



The applicant (or representative) must be at the meeting representing this proposal or the application will not be heard. The applicant will be responsible for costs in re-noticing the public hearing.\*



I (We) the undersigned do hereby make application for the land use action contemplated herein on the property described in this application and do certify that the information contained in the application and any attachments or exhibits herewith are accurate to the best of my (our) knowledge. I (We) further acknowledge that any misrepresentation of the information contained in this application may be grounds for rejection of the application or revocation of a decision rendered. I (We) understand that the Administrator may decline this application if required information is deficient and/or the application fee has not been submitted. I (We) acknowledge that City staff may, in the performance of their functions, take photographs and/or videos of the property under consideration as deemed necessary, enter upon the property to inspect, post legal notices, and/or other standard activities in the course of processing this application. I (We) hereby certify that I am (we are) the owner or contract buyer of the property upon which the land use action is to be located, or that I (we) have been vested with the authority to act as agent for the owner or contact buyer. \*



Austin Joseph Fuller

Aug 29, 2024

**SUP-25-2**

Special Use Permit

Status: Active

Submitted On: 5/1/2025

**Applicant** Austin Fuller 509-893-2617 permits@whipplece.com 21 S. Pines Rd.

Spokane Valley, Washington 99206

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**Applicant Information****Applicant Type\***

Engineer

**Applicant Name\***

Whipple Consulting Engineers, Inc.

**Phone\***

509.893.2617

**Email\***

permits@whipplece.com

**Address\***

21 S. Pines Road

**City, State & Zip Code**

Spokane Valley, WA 99206

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**Owner Information****Name\***

Douglass Properties, LLC

**Company****Phone\***

509.483.6632

**Email\***

lanzce@irentspokane.com

**Address\***

1402 E. Magnesium Rd. STE 202

**City, State & Zip Code**

Spokane, WA 99217



## Site Information

**Proposed Project Name\***

Early Dawn and Zorros Special Use Permit

**Description of Project\***

Special Use Permit to allow for 192 multifamily residential units on approximately 9.67 acres.

**Existing Zoning**

CCS

**Adjacent Zoning**

CCS, R1

**Current Land Use**

Business/Commercial

**Adjacent Land Use**

Business/Commercial, R1

**Size of Site**

9.67 ac +/-

**Site Density, if applicable**

19.855 du/ac

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## Application Certification

All exhibits presented will need to be identified at the meeting, will be entered into the record, and retained on file.\*



The applicant (or representative) must be at the meeting representing this proposal or the application will not be heard. The applicant will be responsible for costs in re-noticing the public hearing.\*



I (We) the undersigned do hereby make application for the land use action contemplated herein on the property described in this application and do certify that the information contained in the application and any attachments or exhibits herewith are accurate to the best of my (our) knowledge. I (We) further acknowledge that any misrepresentation of the information contained in this application may be grounds for rejection of the application or revocation of a decision rendered. I (We) understand that the Administrator may decline this application if required information is deficient and/or the application fee has not been submitted. I (We) acknowledge that City staff may, in the performance of their functions, take photographs and/or videos of the property under consideration as deemed necessary, enter upon the property to inspect, post legal notices, and/or other standard activities in the course of processing this application. I (We) hereby certify that I am (we are) the owner or contract buyer of the property upon which the land use action is to be located, or that I (we) have been vested with the authority to act as agent for the owner or contact buyer. \*

✓ Austin Joseph Fuller  
May 1, 2025



Whipple Consulting Engineers, Inc.

WCE No. 23-3546  
October 21, 2024

Post Falls Planning and Zoning Commission  
C.O.: Jon Manley, Planning Manager  
408 N. Spokane Street  
Post Falls, ID 83854

Re: City of Post Falls  
Hope & Zorros – Special Use Permit Narrative

To whom it may concern:

This letter is intended to serve as a written narrative for a proposed Special Use Permit to allow for multifamily residential uses on parcel P-7050-30-039-AB, AIN 176799, located at 4320 E. Hope Avenue (Hope & Zorros Property). This letter discusses zoning information, how the proposal relates to the City of Post Falls Goals and Policies Future Land Use Plans, and any impact the proposal would have on City services.

#### **Site Description**

This Special Use Permit application is regarding the Hope & Zorros Property located in the CCS Zone in the City of Post Falls, Idaho in Section 30, Township 51 North, Range 4 West, B.M. The City of Post Falls Future Land Use Map designates the property as Business/Commercial. The Hope & Zorros Property is one approximately 4.20-acre rectangular parcel, listed as Kootenai County tax parcel number P-7050-30-039-AB. The Hope & Zorros Property has frontage on Zorros Road to the east and Hope Avenue to the north.

Currently, both the subject property and several nearby commercial properties under separate ownership along Highway 41 are undeveloped. Although traffic on the highway provides exposure, additional residential development in the area is critical for the effort to attract commercial and retail businesses to the corridor; and provide multifamily residences in a regional housing shortage. The proposed Special Use Permit will create a housing transition consistent with R-3 zoning between the future commercial and retail uses adjacent to Highway 41 and the single-family residential located to the east in the Foxtail Subdivision. Not only will the approval of this Special Use Permit provide for residential housing within a walkable distance of future commercial and retail services, but the increased density will help foster commercial development along the Highway 41 corridor, reduce trips and continue to promote efficient land use within ½ mile of Highway 41.



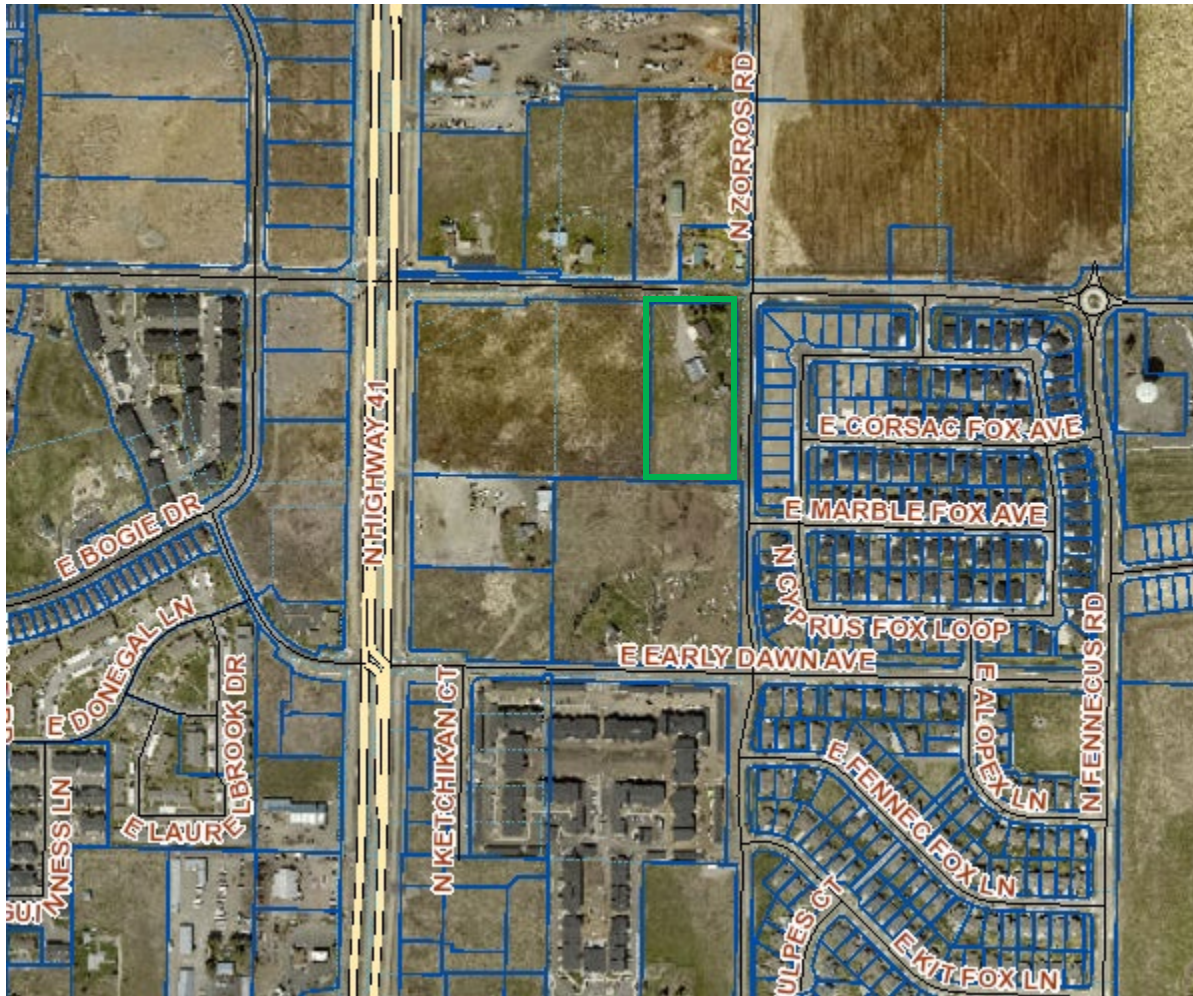
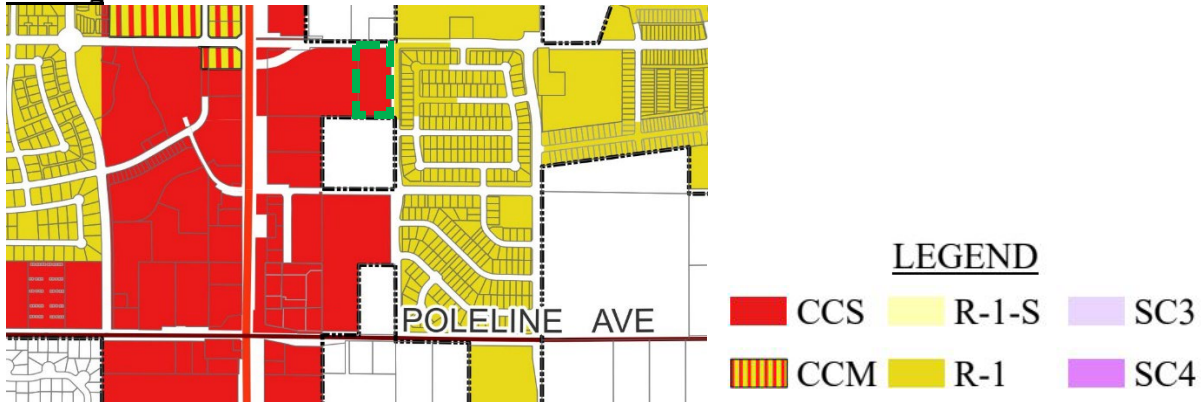


Figure 1: Property outlined in green.

### Zoning



The site is located in the Post Falls CCS Zone and is also located in the Business/Commercial designation of the City of Post Falls Comprehensive Plan.

Surrounding properties include single-family residences within a County island to the north (designated Business/Commercial in the Future Land Use Map), vacant land within the CCS

October 24, 2024

Zone to the west and R-1 residential to the east. South of the property is an unannexed County island, with the existing Bluegrass Apartments further south.

### **City Special Use Permit Code Review**

The Post Falls Municipal Code Section 18.20.070 regulates Special Use Permits. Below is a review of the Special Use Permit code and our responses to each section of the code:

*The purpose of a Special Use Permit is to establish procedures for the review and approval of Uses that are not permitted by right in a particular zoning district. A Special Use Permit is not transferable from one parcel of land to another nor shall it be considered as establishing a binding precedent to grant other Special Use Permits. Special Use Permits require a public hearing before the planning and zoning Commission following appropriate procedures.*

**WCE Response:** This section of code authorizes the use of Special Use Permits and identifies the required procedure for approval.

- A. *A completed Special Use Permit application shall be submitted to the Zoning Administrator which shall include a description of the Use proposed, the manner of implementation of the proposed Use including information about appearance and configuration, how it would be compatible with infrastructure and Land Uses present and future, and why the proposal would be in the public interest.*

**WCE Response:** This narrative and the associated site plan identifies the requirements within the Special Use Permit. For convenience, each requirement is listed below with our response:

- *A description of the use proposed:* The project proposes three apartment structures with a total of 96 residential units. Additionally, there will be approximately 73 parking stalls and 96 garages including ADA stalls across the 4.20 acres. Finally, an amenities area is identified on the site plan. These amenities are subject to change; however, the project will require two amenities per code and an additional two amenities per 10% increase in density proposed, for a total of eight amenities if all 96 dwelling units are desired. At this time, this project proposes 8+ amenities.
- *Appearance and configuration of the site:* The site is configured with three apartment buildings primarily located on the west 2/3rds of the property essentially fronting on Zorros Road and amenities between the three structures to ensure easy access. Parking will be to the east with stalls closer to the apartments and garages near Zorros Road to form a visual buffer. The proposed layout provides additional buffer between the proposed apartment units and the existing Foxtail Ridge subdivision. The site will be developed similarly to the approved and developed Bluegrass Farms Apartments to the south.
- *How the project would be compatible with infrastructure:* The property has access to a proposed major collector, Hope Avenue, to the north; and a proposed minor collector, Zorros Road, to the east. The property is nearby existing infrastructure including sewer, water and dry utilities within Zorros Road. Both Hope Avenue and Zorros Road will be improved along the site frontage with this project.
- *How the project would be compatible with present and future land uses:* The existing surrounding properties include R1-zoned residential properties to the east, unannexed County island properties under the Business/Commercial future



land use to the north and south, and an undeveloped property in the CCS Zone to the west. The nearby properties under the Business/Commercial future use map of the Comprehensive Plan are undeveloped or under-developed when compared to other CCS-zoned properties west of Highway 41. This project will increase the development potential of the adjacent future Business/Commercial-designated properties, providing opportunities for the development of CCS-zoned land. The project as proposed would provide a residential buffer between the single-family on the east side of Zorros and the Commercial and Highway 41 Corridor.

- *Why the proposal would be in the public interest:* There is a high demand for residential multifamily within Kootenai County due to the relatively high cost of single-family residences, and more specifically the City of Post Falls. In addition, this project will create an incentive for further commercial development along the Highway 41 Corridor. A future apartment project would create a buffer between the existing single-family residential to the east and future commercial to the west.

- B. *As its schedule and agenda allow, the planning and zoning Commission shall hold a public hearing and shall review the particular facts and circumstances of each proposed special use. In granting a Special Use Permit, the planning and zoning Commission may attach appropriate conditions to mitigate impacts, and to ensure conformance with the intent of the Comprehensive Plan and applicable provisions of this title. The application for a Special Use Permit may be approved as presented, conditionally approved, or denied by the planning and zoning Commission upon determining the following:*

**WCE Response:** The Special Use Permit approval criteria in the City of Post Falls has four requirements, listed below as 1 through 4. This Special Use Permit application meets the requirements in the following ways:

1. *Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.*

**WCE Response:** Implementation of this special use would conform to the purposes of the CCS Zoning district. The Post Falls Municipal Code Section 18.16.10(B)(2) establishes the CCS Zone and states that *...Residential Uses may be allowed within this zone at densities permitted by the High Density Multi-Family Residential (R3) Zone by Special Use Permit when they will not compromise present uses.* The PFMC Section 18.16.30 allows for multifamily residential under a special use, requiring a Special Use Permit.

Per PFMC Subsection 18.24.030(D)(7): *At least one hundred fifty (150) square feet of common Open Space must be provided for each one (1) bedroom unit and three hundred (300) square feet for each two-bedroom plus unit.* This project proposes 48 one-bedroom units (requiring 7,200 sf) and 48 two or greater-bedroom unit buildings (requiring 14,400 sf), for a total required open space of 21,600 sf. The project proposes 25,948 sf, which meets the minimum required open space for the project.

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Per PFMC Subsection 18.24.030(D)(7)(d): *The required Open Space must contain at least two of the following amenities that are accessible for Use by the residents and should be centrally located:*

*i. Play Structure;*

*ii. Community garden;*

*iii. Picnic tables and BBQ areas. Providing a gazebo or other permanently affixed shade Structures nearby counts as two (2) amenities;*

*iv. Swimming Pool;*

*v. Indoor recreation facility;*

*vi. Sports courts (e.g., tennis, basketball, volleyball);*

*vii. Internal courtyards;*

*viii. Connected internal trail/sidewalk system. (when possible, connect to nearby parks, trails, or other public amenities.);*

*ix. Natural Open Space area with benches/viewing areas and/or trails;*

*x. Other active or passive recreation areas as approved by the community development director that meets the intent of this requirement.*

This project proposes bonus density as allowed in PFMC Subsection 18.24.030(D)(7)(e): *Density bonus. For each additional amenity provided beyond the two (2) required amenities, a ten (10) percent Density increase, in excess of the maximum allowed Density, is available up to a maximum of three (3) bonuses.* As required to obtain all three bonuses required for approval of 96 units, the project proposes eight amenity types. While the amenities are subject to change, the following amenities are proposed:

- play structure;
- community garden;
- a Picnic table and BBQ area with a gazebo (counts as two amenities);
- two sports courts (pickleball, horseshoes);
- internal courtyard;
- connected internal trail/sidewalk system;
- a dog park which meets or will meet item x above; and
- Additionally the residents may be able to utilize the clubhouse and pool amenities at the Bluegrass Farms Apartments to the south.

2. *Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the City and the State.*

**WCE Response:** The proposed use will constitute an allowable special use as established by PFMC Chapter 18.16. The PFMC Section 18.16.30 table allows for multifamily residential under a special use, requiring a Special Use Permit. Section 67-6512 of the Idaho Statutes creates provisions for Special Use Permits, including notification requirements and conditions.

3. *Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses in the vicinity of the proposal.*

**WCE Response:** The proposed special use will be compatible with the health, safety and welfare of the public and with land uses in the vicinity of the proposal. The project will

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connect to water, sewer and electricity, as well as cable and gas, as allowed. The project will improve Hope Avenue along the project frontage with  $\frac{1}{2}$  Right-of-Way and a lane improvements; and Zorros Road along the project frontage with curb, gutter and sidewalk. Hope Avenue will be strip paved from the property frontage west to the existing improved roadway for connection to the signalized intersection at Highway 41 and Hope Avenue. Finally, the project has adequate connection to the public road system via Zorros Road and future Hope Avenue for police and fire access; therefore, it is our understanding that the project is compatible with public health, safety and welfare.

Regarding the land uses in the vicinity the project, to the east of the property is R1 Zoned single-family residences that are part of the Foxtail Addition plat. The Foxtail Addition plat is also adjacent to the Bluegrass Farm Apartments to the south, and generally this area has multifamily residential development adjacent to single-family residential development to provide a buffer from Highway 41, making this project compatible with adjacent land uses. Remaining land uses in the vicinity are single-family residential lots or vacant land. It should be noted that Business/Commercial future uses are identified in the Comprehensive Plan for this project.

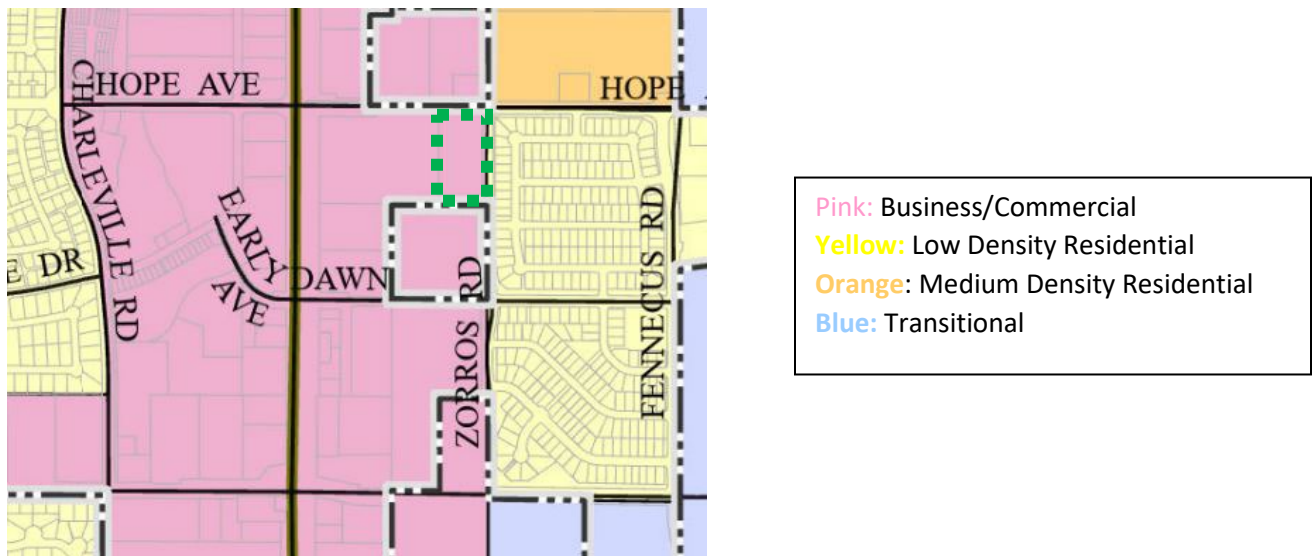


Figure 2: figure 2.03, page 37 of the Comprehensive Plan

4. *Whether the proposed use will/will not comply with the goals and policies found within the Comprehensive Plan.*

**WCE Response:** The proposed use will comply with the goals and policies found within the Comprehensive Plan. This project is located within the focus area 41 North, which identifies the following items:

- *Focus provisions for multi-family, commercial and tech uses near higher-classified roadways;*

**WCE Response:** This project proposes multifamily use within  $\frac{1}{2}$  mile of Highway 41; therefore, this item has been met with direct access via the Hope and Highway 41 signal for ease of ingress and egress.

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- *Development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail;*  
**WCE Response:** This project proposes additional sidewalks on Zorros Road and Hope Avenue; therefore, this item has been met.
- *Manage development patterns in the airport fly zone east of 41 and north of Prairie Avenue, coordinating with the 2018 Coeur d’Alene Airport Master Plan;*  
**WCE Response:** This item is not applicable as the site is south of Prairie Avenue and therefore outside the airport fly zone.
- *Facilitate the creation of the “backage roads” system envisioned in the Highway 41 Corridor Master Plan, supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses;*  
**WCE Response:** This item is not applicable as the property does not align with the proposed “backage road” alignment, in this instance Zorros Road is the closest north/south road for this endeavor.
- *Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.*  
**WCE Response:** This project proposes apartments, a commercial use, along Zorros Road and proposes improvements to Hope Avenue along the project frontage and a strip pave continuation of Hope Avenue to the west for access to Highway 41 via a fully signalized intersection, thereby focusing traffic away from Zorros Road.

The project complies with the following goals found within the Comprehensive Plan:  
*Goal G.01: Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.*

*Goal G.07: Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City’s long-term sustainability.*

*Goal G.08: Protect and maintain Post Falls’ natural resources including clean air, soils, river and aquifer, and minimizing light and noise pollution citywide.*

*Goal G.09: Protect and enhance Post Falls’ scenic and natural areas for present and future generations.*

The above goals are implemented through the following policies:

*Policy P.01: Support land use patterns that:*

*Maintain or enhance community levels of service;*

**WCE Response:** This project will require public roads with sewer, water, electric and gas services. These services are already in place along or within Zorros Road and will be subject to service fees, thereby providing funding to utility purveyors as well as maintaining levels of service. Additionally, any road utility extension along the Hope Frontage would be extended for future development and connectivity.

October 24, 2024

*Foster the long-term fiscal health of the community;*

**WCE Response:** The project will provide for the long-term fiscal health of the community by providing residential development, intended to attract commercial development to the focus area 41 North, does not promote sprawl as an infill development of 96 units on 4.20 acres vs 96 single-family lots on 16.5 acres of prairie.

*Maintain and enhance resident quality of life;*

**WCE Response:** This project will provide new development, enhancing the quality of life for existing residents of the adjacent single-family residential use by buffering them from high-intensity commercial development. Additionally, rooftops adjacent to Highway 41 will promote infill community developments such as the new Grocery Outlet and Circle K on Poleline Avenue, both accessible via the pedestrian network reducing grocery vehicular trips.

*Promote compatible, well-designed development;*

**WCE Response:** The project is in proximity to both single-family and multifamily development, which are compatible uses for the proposed multifamily use. Care will be taken to limit impacts to the adjacent single-family residences by site buffering and providing onsite amenities. The onsite amenities will lesson the requirements for offsite park uses by providing dog parks, play structures, etc. for residents of the project.

*Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.*

**WCE Response:** This project will implement the goals and policies of the comprehensive plan as noted throughout this section. Facility plans will be implemented as facility approval is required for development as part of concurrency review.

*Policy P.02: Apply or revise zoning designations with careful consideration of factors including:*

*Future land use mapping;*

**WCE Response:** This project is an appropriate application of the Business/Commercial Future Land Use, as multifamily residential uses are specifically identified in this land use area.

*Compatibility with surrounding land uses;*

**WCE Response:** Surrounding land uses include single-family residential uses, which are compatible with multifamily residential development, as identified further below in Policy P.20.

*Infrastructure and service plans;*

**WCE Response:** This project is located in the business/residential category of the Comprehensive Plan and is located within the City of Post Falls. All infrastructure—including streets, wet and dry utilities—is within Zorros Road to the east. The project will strip pave from the frontage of Hope Avenue to the west, thereby connecting the site to the Highway 41 and Hope Avenue signalized intersection.



*Existing and future traffic patterns;*

**WCE Response:** This project will provide improvements to Hope Avenue to the north of the project site, allowing for future connectivity to/from Highway 41 as adjacent properties develop.

*Goals and policies of the comprehensive plan, related master plan and/or facility plans.*

**WCE Response:** The goals and policies of the comprehensive plan and related master plan are followed as identified throughout this section. The site is adjacent to Zorros Road, which contains all utilities necessary for development of a multifamily residential complex.

*Policy P.08: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.*

**WCE Response:** The Hope & Zorros Property is adjacent to a single-family residential subdivision and within the Highway 41 focus area; therefore, it is an under-utilized property within City limits. The development of this property will incentivize further commercial development to occur on adjacent properties within city limits, specifically those properties to the west.

*P. 15: Ensure that adequate land is available for future housing needs, helping serve residents of all ages, incomes and abilities through provision of diverse housing types and price levels.*

**WCE Response:** The application of multifamily residential housing will provide for current and future housing needs by providing additional residential housing near a travel corridor. Per the City of Post Falls Vacant Land Counter (accessed 10/15/2024), there are 711 approved multifamily units within six site plans yet to obtain Certificate of Occupancy and 862 lots within ten subdivisions yet to plat. Additional multifamily residential units will diversify the housing market, allow for more affordable housing than detached single-family residences, and maximize existing wet and dry utilities, roads, etc.

*P.19: Encourage clustering of units in new residential development, providing service efficiencies and creating opportunities for private or community open space.*

**WCE Response:** Multifamily residential development clusters units in new residential development, provides more efficient services including reduced water needs compared to single-family detached residences, and creates opportunities for private or community open space. The project proposes both community amenities and approximately 25,948 sf of community open space, which is greater than the required 21,600 sf of open space.

*P.20: Consider location of multi-family development in areas that:  
Have access to arterial and collector streets;*

**WCE Response:** As shown on the Post Falls Transportation Master Plan, the property has direct access to a proposed major collector, Hope Avenue, to the north; and a proposed minor collector, Zorros Road, to the east. Where applicable, these roads will be improved to ½ street collector standards.

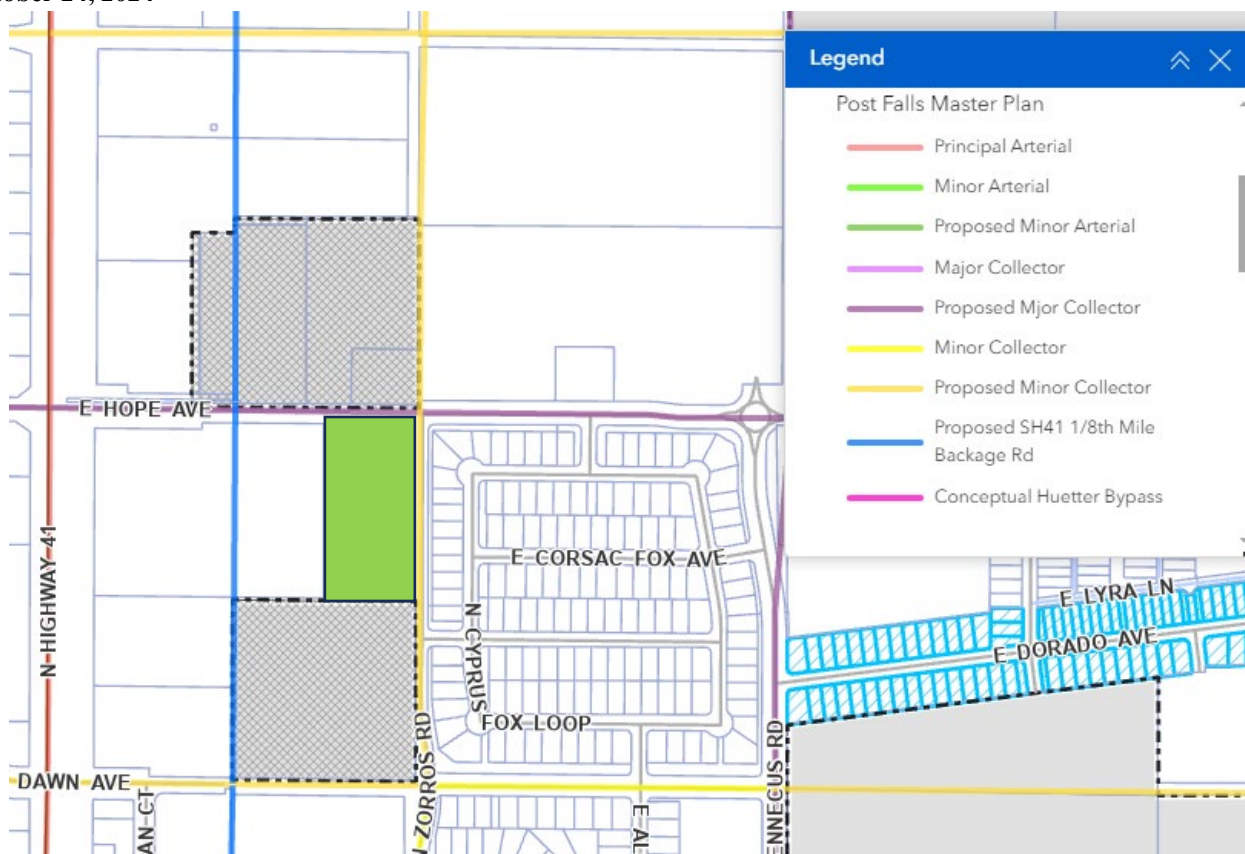


Figure 3: Post Falls GIS transportation layer, subject property in green.

*Help buffer higher and lower-intensity development patterns;*

**WCE Response:** Multifamily residential at this site would buffer the lower-density R1 zoned subdivision to the east from future commercial development and Highway 41 to the west.

*Abut compatible existing uses;*

**WCE Response:** Multifamily residential development is compatible with the existing single-family residential development to the west. Multifamily development is also compatible with undeveloped/underdeveloped land to the north, east and south, which are part of the Business/Commercial future use section of the comprehensive plan.

*Are part of projects involving mixed use or master planned areas.*

**WCE Response:** This property is located within the focus area 41 North, which includes provisions for multifamily residential property.

*P.21: Maintain standards for multi-family housing that encourage quality building design, landscaping and usable open space, supporting long-term family living.*

**WCE Response:** This project will develop multifamily housing to local and state building codes, ensuring quality building design. A landscaping plan will be provided as required by the City of Post Falls including usable open space and amenities between the three structures as shown on the current plan.

*P.26: Maintain and improve the continuity of sidewalks, trails, and bicycle paths in Post Falls.*

**WCE Response:** This project will include separated sidewalks on Zorros Road and Hope Avenue along the project frontage as required by the Post Falls Municipal Code, thus improving the continuity of sidewalks in the area.

*P.27: Work to improve street connectivity in all areas of Post Falls, improving walkability, public health and safety, and transportation efficiency.*

**WCE Response:** This project will make ½ street improvements to Hope Avenue and Zorros Road, improving street connectivity in the area. Currently, Hope Avenue ends in a dirt road, which becomes a driveway along the project frontage. This project would improve Hope Avenue along the project frontage, then strip pave to the paved portion of Hope Avenue, thereby connecting the site to a signalized access and lowering the demand this project would place on Zorros Road, increase area connectivity and diminish travel to/from the Poleline corridor.

*C. Upon granting a Special Use Permit, the planning and zoning Commission may attach conditions including, but not limited to:*

*1. Minimizing adverse impact on other development.*

**WCE Response:** This requirement has been noted. Please note that multifamily residential development may create less impact on adjacent development than commercial development outright permitted in the CCS Zone such as retail, general office buildings over 5 stories, a bar or other outright permitted uses.

*2. Controlling the sequence and timing of development.*

**WCE Response:** This requirement has been noted, no timing of the development has been proposed as of now; however, it should be expected that this development would be constructed in the 2025/2026 cycle.

*3. Controlling the duration of development.*

**WCE Response:** This requirement has been noted; however, it may not be applicable for an apartment development.

*4. Assuring that development is maintained properly.*

**WCE Response:** The developer takes pride in their apartment complexes; rarely, if ever selling a project. It is their utmost priority to maintain well cared for, sought after housing units. Additionally, maintaining a property increases revenue, so there is a natural incentive for the owner to maintain the apartment complex.

*5. Controlling the location and setbacks of development.*

**WCE Response:** This requirement has been noted and the project intends to comply with all setbacks as outlined in the PFZC.

6. *Requiring more restrictive standards than those generally required in the zoning ordinance.*

**WCE Response:** This requirement has been noted. It is our opinion that the standards for the CCS Zone for apartments have a similar intensity to commercial development.

- D. *Upon granting or denying an application, the planning and zoning Commission shall render its decision in accordance with the requirements established by Idaho law and as otherwise required by this title. If a Special Use Permit application is denied by city Council, a subsequent application for Special Use Permit of the subject property cannot be submitted to the city within one year of such denial unless a request for application consideration is received and approved by the city Council. Such request shall be submitted to the community development department, with the appropriate fee, and shall provide the city Council with reasons why the application should be accepted and processed. The city Council will review the request, determine whether or not the proposal is significantly different than the one denied and Permit an application to be accepted and processed or deny the request.*

**WCE Response:** This requirement has been noted.

- E. *Appeals of any decision of the planning and zoning Commission must follow the appeal procedure in this title.*

**WCE Response:** This requirement has been noted.

- F. *If development Permits for the requested special Use have not been issued within one year of the granting of the Special Use Permit, or if development of the approved special Use has not commenced with sustained effort to complete development within three (3) years after granting approval of the special use, the Special Use Permit shall become null and void, unless the planning and zoning Commission or city Council, whichever gave final approval, has granted an extension. An extension to the Permit may be granted if applied for in writing to the approving body prior to the date of expiration and if the approving body finds, upon review of the record, that an extension is warranted due to circumstances beyond control of the Applicant and upon finding that city regulations have not been changed significantly from those under which the original approval was reviewed.*

**WCE Response:** This requirement has been noted.

- G. *Any special Use that operates in violation of the requirements and conditions established in a Special Use Permit, pursuant to this section, may be revoked and the Use restricted, suspended, and/or be subject to penalties for violation of this title.*

**WCE Response:** This requirement has been noted.

We believe that all requirements regarding approval of a Special Use Permit have been met or will be met at time of project completion and we ask for approval of the Special Use Permit as we believe this is an important element to help meet housing needs in the greater Post Falls area.

October 24, 2024

If you have any questions or comments regarding this letter, please feel free to contact us at  
(509) 893-2617

Thank you,

A handwritten signature in blue ink, appearing to read "Todd R. Whipple". The signature is stylized with a large, looping initial "T" and a long horizontal stroke at the end.

Todd R. Whipple, P.E.  
President, Whipple Consulting Engineers, Inc.

TRW/ajf





Whipple Consulting Engineers, Inc.

WCE No. 23-3546

May 1, 2025

Post Falls Planning and Zoning Commission  
C.O.: Jon Manley, Planning Manager  
408 N. Spokane Street  
Post Falls, ID 83854

Re: City of Post Falls  
Early Dawn & Zorros – Special Use Permit Narrative

Dear Mr. Manley:

This letter is intended to serve as a written narrative for a proposed Special Use Permit to allow for multifamily residential uses on parcel 0-6360-30-042-AA, AIN 192891 (Early Dawn Property) on 4171 E. Early Dawn Avenue. This letter discusses zoning information, how the proposal relates to the City of Post Falls Goals and Policies Future Land Use Plans, and any impact the proposal would have on City services.

#### **Site Description**

This Special Use Permit application is one part of three applications along Zorros Road. The purpose of these applications is to create a connected apartment community spanning from Hope Avenue to Poleline Avenue that while providing additional living opportunities along the Highway 41 Corridor near services, these properties will contribute independent recreational amenities and relieve impacts to local parks. The projects will use and collectively improve neighboring roadways and will encourage commercial development along the Highway 41 Corridor.

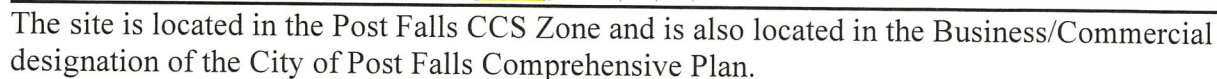
This Special Use Permit application is regarding the Early Dawn Property located in the CCS Zone in the City of Post Falls, Idaho in Section 30, Township 51 North, Range 4 West, B.M. The City of Post Falls Future Land Use Map designates the property as Business/Commercial. The Early Dawn Property is one approximately 9.67-acre rectangular parcel, listed as Kootenai County tax parcel number 0-6360-30-042-AA. The Early Dawn Property has frontage on Zorros Road to the east and Early Dawn Avenue to the south.

Currently, the subject property is undeveloped, with undeveloped and underdeveloped land to the north, the Foxtail Ridge Subdivision to the east, the Bluegrass Farm Apartments to the south, and boat storage to the west. Although traffic on the highway provides exposure, additional residential development in the area is critical for efforts to attract commercial and retail businesses to the corridor; and provide multifamily residences in a regional housing shortage. The proposed Special Use Permit will create a housing transition consistent with R-3 zoning between the future commercial and retail uses adjacent to Highway 41 and the single-family residential located to the east in the Foxtail Subdivision. Not only will the approval of this Special Use Permit provide for residential housing within a walkable distance of future



An aerial photograph of a residential neighborhood with a street grid. A large, rectangular parcel of land is highlighted with a thick green border. This parcel is located east of Highway 41 and north of N Ketchikan Ct. It is bounded by N Zorro Rd to the north and E Fox Blvd to the east. The parcel appears to be undeveloped or under construction, with some vegetation and a few structures visible. Surrounding streets include N Charleston Rd, N Gui Vness Ln, E Donegal Ln, E Lauro, E Brook Dr, N Ketchikan Ct, N Zorro Rd, E Corsac Fox Ave, E Marble Fox Ave, E Rus Fox Loop, E Fenner Fox Ln, E Kite Fox Ln, E Fenner Ln, and E Fenner Rd. The map also shows other residential lots and buildings in the area.

## Zoning



Page 147 of 218

### **City Special Use Permit Code Review**

The Post Falls Municipal Code Section 18.20.070 regulates Special Use Permits. Below is a review of the Special Use Permit code and our responses to each section of the code:

*The purpose of a Special Use Permit is to establish procedures for the review and approval of Uses that are not permitted by right in a particular zoning district. A Special Use Permit is not transferable from one parcel of land to another nor shall it be considered as establishing a binding precedent to grant other Special Use Permits. Special Use Permits require a public hearing before the planning and zoning Commission following appropriate procedures.*

**WCE Response:** This section of code authorizes the use of Special Use Permits and identifies the required procedure for approval.

- A. *A completed Special Use Permit application shall be submitted to the Zoning Administrator which shall include a description of the Use proposed, the manner of implementation of the proposed Use including information about appearance and configuration, how it would be compatible with infrastructure and Land Uses present and future, and why the proposal would be in the public interest.*

**WCE Response:** This narrative and the associated site plan identifies the requirements within the Special Use Permit. For convenience, each requirement is listed below with our response:

- *A description of the use proposed:* The project proposes six apartment structures with a total of 192 residential units. Additionally, there will be approximately 243 parking stalls and 192 garages including ADA stalls across the 9.67 acres. Finally, an amenities area is identified on the site plan. These amenities are subject to change; however, the project will require two amenities per code and an additional two amenities per 10% increase in density proposed, for a total of six amenities if all 192 dwelling units are desired. At this time, this project proposes 8+ amenities.
- *Appearance and configuration of the site:* The site is configured with three apartment buildings primarily located on the west 3/4 of the property essentially fronting on Zorros Road and amenities between the three structures to ensure convenient access. Parking will be to the east with stalls closer to the apartments and garages near Zorros Road to form a visual buffer. The proposed layout provides additional buffer between the proposed apartment units and the existing Foxtail Ridge subdivision. The site will be developed similarly to the approved and developed Bluegrass Farms Apartments to the south.
- *How the project would be compatible with infrastructure:* The property has access to a future major collector, Zorros Road, to the east; and a minor collector, Early Dawn Avenue, to the south. The property is nearby existing infrastructure including sewer, water and dry utilities within Zorros Road. Both Early Dawn Avenue and Zorros Road will be improved along the site frontage with this project.
- *How the project would be compatible with present and future land uses:* The existing surrounding properties include apartments to the north and west, R1-zoned residential properties to the east, and unannexed County properties under the Business/Commercial future land use to the south. This project will increase the development potential of nearby Business/Commercial-designated properties,

providing opportunities for the development of CCS-zoned land. The project as proposed would provide a residential buffer between the single-family on the east side of Zorros and the Commercial and Highway 41 Corridor.

- *Why the proposal would be in the public interest:* There is a high demand for residential multifamily within Kootenai County due to the relatively high cost of single-family residences, and more specifically the City of Post Falls. In addition, this project will create an incentive for further commercial development along the Highway 41 Corridor. A future apartment project would create a buffer between the existing single-family residential to the east and future commercial to the west.

*B. As its schedule and agenda allow, the planning and zoning Commission shall hold a public hearing and shall review the particular facts and circumstances of each proposed special use. In granting a Special Use Permit, the planning and zoning Commission may attach appropriate conditions to mitigate impacts, and to ensure conformance with the intent of the Comprehensive Plan and applicable provisions of this title. The application for a Special Use Permit may be approved as presented, conditionally approved, or denied by the planning and zoning Commission upon determining the following:*

**WCE Response:** The Special Use Permit approval criteria in the City of Post Falls has four requirements, listed below as 1 through 4. This Special Use Permit application meets the requirements in the following ways:

*1. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.*

**WCE Response:** Implementation of this special use would conform to the purposes of the CCS Zoning district. The Post Falls Municipal Code Section 18.16.10(B)(2) establishes the CCS Zone and states that ...*Residential Uses may be allowed within this zone at densities permitted by the High Density Multi-Family Residential (R3) Zone by Special Use Permit when they will not compromise present uses.* The PFMC Section 18.16.30 allows for multifamily residential under a special use, requiring a Special Use Permit.

Per PFMC Subsection 18.24.030(D)(7): *At least one hundred fifty (150) square feet of common Open Space must be provided for each one (1) bedroom unit and three hundred (300) square feet for each two-bedroom plus unit.* This project proposes 96 one-bedroom units (requiring 14,400 sf) and 96 two or greater-bedroom unit buildings (requiring 28,800 sf), for a total required open space of 43,200 sf. The project proposes 44,251 sf, which meets the minimum required open space for the project.

Per PFMC Subsection 18.24.030(D)(7)(d): *The required Open Space must contain at least two of the following amenities that are accessible for Use by the residents and should be centrally located:*

*i. Play Structure;*

*ii. Community garden;*

*iii. Picnic tables and BBQ areas. Providing a gazebo or other permanently affixed shade Structures nearby counts as two (2) amenities;*

- iv. Swimming Pool;*
- v. Indoor recreation facility;*
- vi. Sports courts (e.g., tennis, basketball, volleyball);*
- vii. Internal courtyards;*
- viii. Connected internal trail/sidewalk system. (when possible, connect to nearby parks, trails, or other public amenities.);*
- ix. Natural Open Space area with benches/viewing areas and/or trails;*
- x. Other active or passive recreation areas as approved by the community development director that meets the intent of this requirement.*

This project proposes bonus density as allowed in PPMC Subsection 18.24.030(D)(7)(e): *Density bonus. For each additional amenity provided beyond the two (2) required amenities, a ten (10) percent Density increase, in excess of the maximum allowed Density, is available up to a maximum of three (3) bonuses.* As required to obtain all three bonuses required for approval of 96 units, the project proposes eight amenity types. While the amenities are subject to change, the following amenities are proposed:

- play structure;
- community garden;
- a Picnic table and BBQ area with a gazebo (counts as two amenities);
- two sports courts (pickleball, horseshoes);
- internal courtyard;
- connected internal trail/sidewalk system;
- a dog park which meets or will meet item x above; and
- Additionally the residents may be able to utilize the clubhouse and pool amenities at the Bluegrass Farms Apartments to the south.

2. *Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the City and the State.*

**WCE Response:** The proposed use will constitute an allowable special use as established by PPMC Chapter 18.16. The PPMC Section 18.16.30 table allows for multifamily residential under a special use, requiring a Special Use Permit. Section 67-6512 of the Idaho Statutes creates provisions for Special Use Permits, including notification requirements and conditions.

3. *Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses in the vicinity of the proposal.*

**WCE Response:** The proposed special use will be compatible with the health, safety and welfare of the public and with land uses in the vicinity of the proposal. The project will connect to water, sewer and electricity, as well as cable and gas, as allowed. The project will improve Poleline Avenue along the project frontage with ½ Right-of-Way and a lane improvements; and Zorros Road along the project frontage with curb, gutter and sidewalk. Finally, the project has adequate connection to the public road system via Zorros Road and Poleline Avenue for police and fire access; therefore, it is our understanding that the project is compatible with public health, safety and welfare.



May 1, 2025

Regarding the land uses in the vicinity the project, to the north and west of the site are the Bluegrass Farm Apartments and to the east of the property is R1 Zoned single-family residences that are part of the Foxtail Addition plat. The Foxtail Addition plat is also adjacent to the Bluegrass Farm Apartments to the north, and generally this area has multifamily residential development adjacent to single-family residential development to provide a buffer from Highway 41, making this project compatible with adjacent land uses. Remaining land uses in the vicinity are single-family residential lots or vacant land. It should be noted that Business/Commercial future uses are identified in the Comprehensive Plan for this project and area.

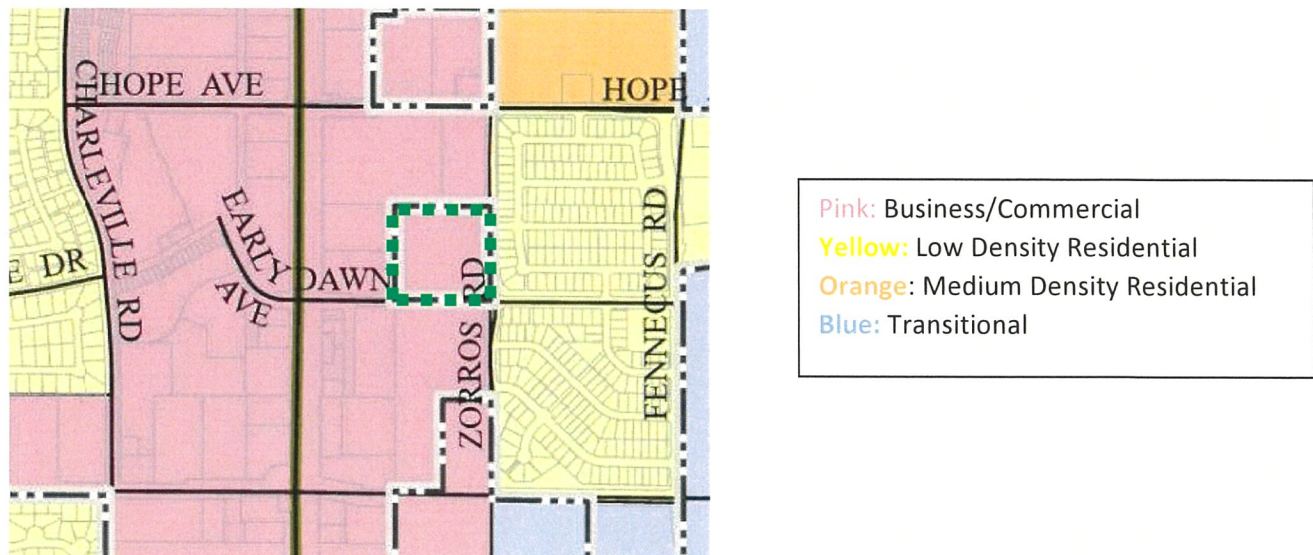


Figure 2: figure 2.03, page 37 of the Comprehensive Plan

4. *Whether the proposed use will/will not comply with the goals and policies found within the Comprehensive Plan.*

**WCE Response:** The proposed use will comply with the goals and policies found within the Comprehensive Plan. This project is located within the focus area 41 North, which identifies the following items:

- *Focus provisions for multi-family, commercial and tech uses near higher-classified roadways;*

**WCE Response:** This project proposes multifamily use within ½ mile of Highway 41; therefore, this item has been met with direct access via the Early Dawn and Highway 41 unsignalized access or the Poleline and Highway 41 signalized access for ease of ingress and egress.

- *Development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail;*

**WCE Response:** This project proposes additional sidewalks on Zorros Road and Early Dawn Avenue; therefore, this item has been met.

May 1, 2025

- *Manage development patterns in the airport fly zone east of 41 and north of Prairie Avenue, coordinating with the 2018 Coeur d'Alene Airport Master Plan;*

**WCE Response:** This item is not applicable as the site is south of Prairie Avenue and therefore outside the airport fly zone.

- *Facilitate the creation of the “backage roads” system envisioned in the Highway 41 Corridor Master Plan, supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses;*

**WCE Response:** The closest proposed backage road that meets the intent of this section is Zorros Road. Internal connectivity to parcels to the north and south of the site is proposed with this project and the developed properties to the west do not provide any connectivity.

- *Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.*

**WCE Response:** This project proposes apartments, a commercial use, along Zorros Road and proposes improvements to Poleline Avenue along the project frontage.

The project complies with the following goals found within the Comprehensive Plan:

*Goal G.01: Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.*

*Goal G.07: Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability.*

*Goal G.08: Protect and maintain Post Falls' natural resources including clean air, soils, river and aquifer, and minimizing light and noise pollution citywide.*

*Goal G.09: Protect and enhance Post Falls' scenic and natural areas for present and future generations.*

The above goals are implemented through the following policies:

*Policy P.01: Support land use patterns that:*

*Maintain or enhance community levels of service;*

**WCE Response:** This project will require public roads with sewer, water, electric and gas services. These services are already in place along or within Zorros Road and Poleline Avenue and will be subject to service fees, thereby providing funding to utility purveyors as well as maintaining levels of service.

*Foster the long-term fiscal health of the community;*

**WCE Response:** The project will provide for the long-term fiscal health of the community by providing residential development, intended to attract commercial development to the focus area 41 North, does not promote sprawl as an infill development of 192 units on 4.76 acres vs 192 single-family lots on approximately 32 acres of prairie.

*Maintain and enhance resident quality of life;*

**WCE Response:** This project will provide new development, enhancing the quality of life for existing residents of the adjacent single-family residential use by buffering them from high-intensity commercial development. Additionally, rooftops adjacent to Highway 41 will promote infill community developments such as the new Grocery Outlet and Circle K on Poleline Avenue, both accessible via the pedestrian network reducing grocery vehicular trips.

*Promote compatible, well-designed development;*

**WCE Response:** The project is in proximity to both single-family and multifamily development, which are compatible uses for the proposed multifamily use. Care will be taken to limit impacts to the adjacent single-family residences by site buffering and providing onsite amenities. The onsite amenities will lessen the requirements for offsite park uses by providing dog parks, play structures, etc. for residents of the project.

*Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.*

**WCE Response:** This project will implement the goals and policies of the comprehensive plan as noted throughout this section. Facility plans will be implemented as facility approval is required for development as part of concurrency review.

*Policy P.02: Apply or revise zoning designations with careful consideration of factors including:*

*Future land use mapping;*

**WCE Response:** This project is an appropriate application of the Business/Commercial Future Land Use designation, as multifamily residential uses are specifically identified in this land use area.

*Compatibility with surrounding land uses;*

**WCE Response:** Surrounding land uses include single-family residential uses, which are compatible with multifamily residential development, as identified further below in Policy P.20.

*Infrastructure and service plans;*

**WCE Response:** This project is located in the business/residential category of the Comprehensive Plan and is located within the City of Post Falls. All infrastructure—including streets, wet and dry utilities—is within Zorros Road to the east. The project will improve the frontage of Early Dawn Avenue, thereby improving access to the Highway 41 and Early Dawn Avenue unsignalized intersection.

*Existing and future traffic patterns;*

**WCE Response:** This project will provide improvements to Early Dawn Avenue to the south of the project site, improving future connectivity to/from Highway 41 as adjacent properties develop.

May 1, 2025

*Goals and policies of the comprehensive plan, related master plan and/or facility plans.*

**WCE Response:** The goals and policies of the comprehensive plan and related master plan are followed as identified throughout this section. The site is adjacent to Zorros Road, which contains all utilities necessary for development of a multifamily residential complex.

*Policy P.08: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.*

**WCE Response:** The Early Dawn Property is adjacent to multifamily and a single-family residential subdivision and within the Highway 41 focus area; therefore, it is an under-utilized property within City limits. The development of this property will incentivize further commercial development to occur on nearby properties within city limits, specifically properties to the northwest adjacent to Highway 41.

*P. 15: Ensure that adequate land is available for future housing needs, helping serve residents of all ages, incomes and abilities through provision of diverse housing types and price levels.*

**WCE Response:** The application of multifamily residential housing will provide for current and future housing needs by providing additional residential housing near a travel corridor. Per the City of Post Falls Vacant Land Counter (accessed 4/24/25), there are 711 approved multifamily units within six site plans yet to obtain Certificate of Occupancy and 1,963 lots within 13 subdivisions yet to plat. Additional multifamily residential units will diversify the housing market, allow for more affordable housing than detached single-family residences, and maximize existing wet and dry utilities, roads, etc.

*P.19: Encourage clustering of units in new residential development, providing service efficiencies and creating opportunities for private or community open space.*

**WCE Response:** Multifamily residential development clusters units in new residential development, provides more efficient services including reduced water needs compared to single-family detached residences, and creates opportunities for private or community open space. The project proposes both community amenities and approximately 44,251 sf of community open space, which is greater than the required 43,200 sf of open space.

*P.20: Consider location of multi-family development in areas that:  
Have access to arterial and collector streets;*

**WCE Response:** As shown on the Post Falls Transportation Master Plan, the property has direct access to a proposed major collector, Zorros Road, to the east and a minor collector, Early Dawn Avenue, to the south. Where applicable, these roads will be improved to ½ street collector standards.



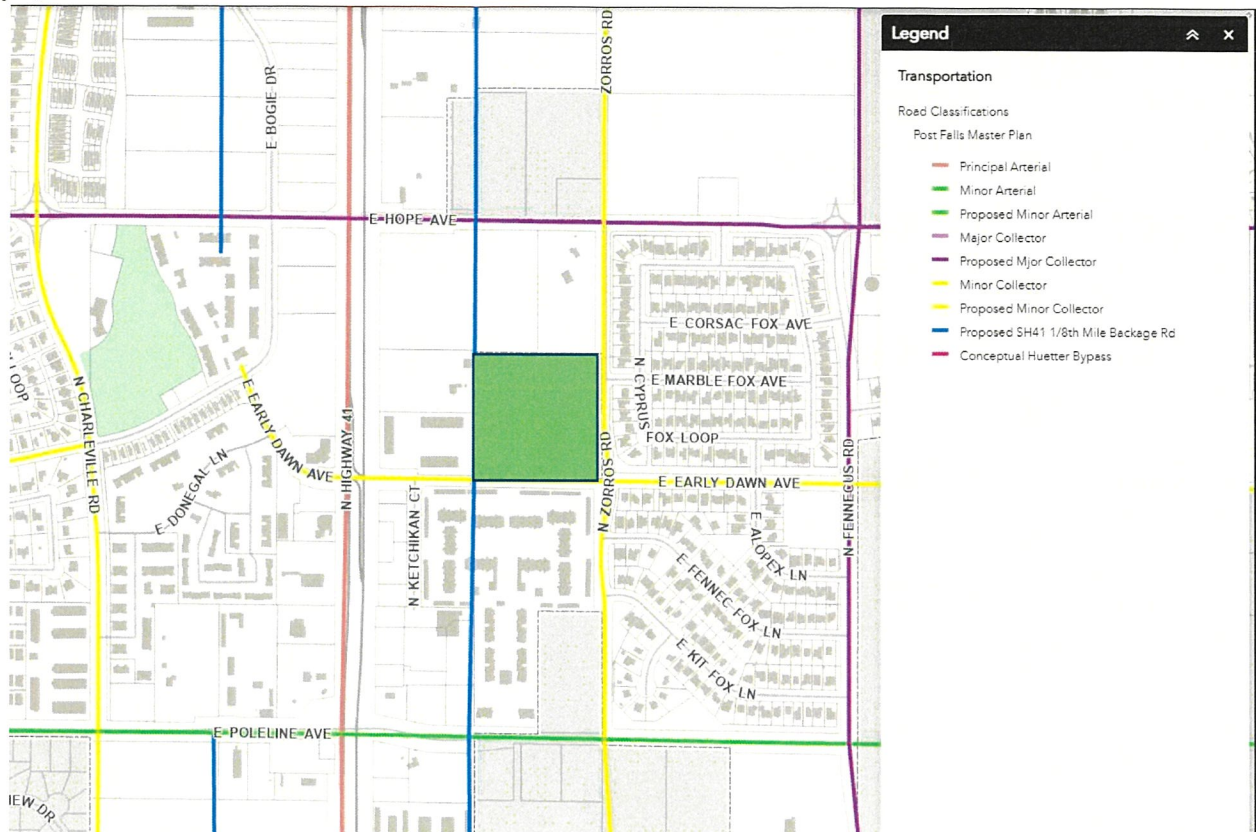


Figure 3: Post Falls GIS transportation layer, subject property in green.

*Help buffer higher and lower-intensity development patterns;*

**WCE Response:** Multifamily residential at this site would buffer the lower-density R1 zoned subdivision to the east from future commercial development and Highway 41 to the west.

*Abut compatible existing uses;*

**WCE Response:** Multifamily residential development is compatible with the existing single-family residential development to the east, the existing storage to the west and the multifamily development to the south. Multifamily development is also compatible with undeveloped/underdeveloped land to the north, which are part of the Business/Commercial future use section of the comprehensive plan.

*Are part of projects involving mixed use or master planned areas.*

**WCE Response:** This property is located within the focus area 41 North, which includes provisions for multifamily residential property.

*P.21: Maintain standards for multi-family housing that encourage quality building design, landscaping and usable open space, supporting long-term family living.*

**WCE Response:** This project will develop multifamily housing to local and state building codes, ensuring quality building design. A landscaping plan will be provided as



required by the City of Post Falls including usable open space and amenities between the three structures as shown on the current plan.

*P.26: Maintain and improve the continuity of sidewalks, trails, and bicycle paths in Post Falls.*

**WCE Response:** This project will include separated sidewalks on Zorros Road and Early Dawn Avenue along the project frontage as required by the Post Falls Municipal Code, thus improving the continuity of sidewalks in the area.

*P.27: Work to improve street connectivity in all areas of Post Falls, improving walkability, public health and safety, and transportation efficiency.*

**WCE Response:** This project will make ½ street improvements to Early Dawn Avenue and Zorros Road, improving street connectivity in the area. This project would improve Early Dawn Avenue along the project frontage thereby improving traffic flow to/from an unsignalized access and lowering the demand this project would place on Zorros Road.

*C. Upon granting a Special Use Permit, the planning and zoning Commission may attach conditions including, but not limited to:*

*1. Minimizing adverse impact on other development.*

**WCE Response:** This requirement has been noted. Please note that multifamily residential development may create less impact on adjacent development than commercial development that would be outright permitted in the CCS Zone such as retail, general office buildings over 5 stories, a bar or other outright permitted uses.

*2. Controlling the sequence and timing of development.*

**WCE Response:** This requirement has been noted, no timing of the development has been proposed as of now; however, it should be expected that this development would be constructed in the 2025/2026 cycle.

*3. Controlling the duration of development.*

**WCE Response:** This requirement has been noted; however, it may not be applicable for an apartment development.

*4. Assuring that development is maintained properly.*

**WCE Response:** The developer takes pride in their apartment complexes; rarely, if ever selling a project. It is their utmost priority to maintain well cared for, sought after housing units. Additionally, maintaining a property increases revenue, so there is a natural incentive for the owner to maintain the apartment complex.

*5. Controlling the location and setbacks of development.*

**WCE Response:** This requirement has been noted and the project intends to comply with all setbacks as outlined in the PFZC.

6. *Requiring more restrictive standards than those generally required in the zoning ordinance.*

**WCE Response:** This requirement has been noted. It is our opinion that the standards for the CCS Zone for apartments have a similar intensity to commercial development.

- D. *Upon granting or denying an application, the planning and zoning Commission shall render its decision in accordance with the requirements established by Idaho law and as otherwise required by this title. If a Special Use Permit application is denied by city Council, a subsequent application for Special Use Permit of the subject property cannot be submitted to the city within one year of such denial unless a request for application consideration is received and approved by the city Council. Such request shall be submitted to the community development department, with the appropriate fee, and shall provide the city Council with reasons why the application should be accepted and processed. The city Council will review the request, determine whether or not the proposal is significantly different than the one denied and Permit an application to be accepted and processed or deny the request.*

**WCE Response:** This requirement has been noted.

- E. *Appeals of any decision of the planning and zoning Commission must follow the appeal procedure in this title.*

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**WCE Response:** This requirement has been noted.

- G. *Any special Use that operates in violation of the requirements and conditions established in a Special Use Permit, pursuant to this section, may be revoked and the Use restricted, suspended, and/or be subject to penalties for violation of this title.*

**WCE Response:** This requirement has been noted.

We believe that all requirements regarding approval of a Special Use Permit have been met or will be met at time of project completion, and we ask for approval of the Special Use Permit as we believe this is an important element to help meet housing needs in the greater Post Falls area.

May 1, 2025

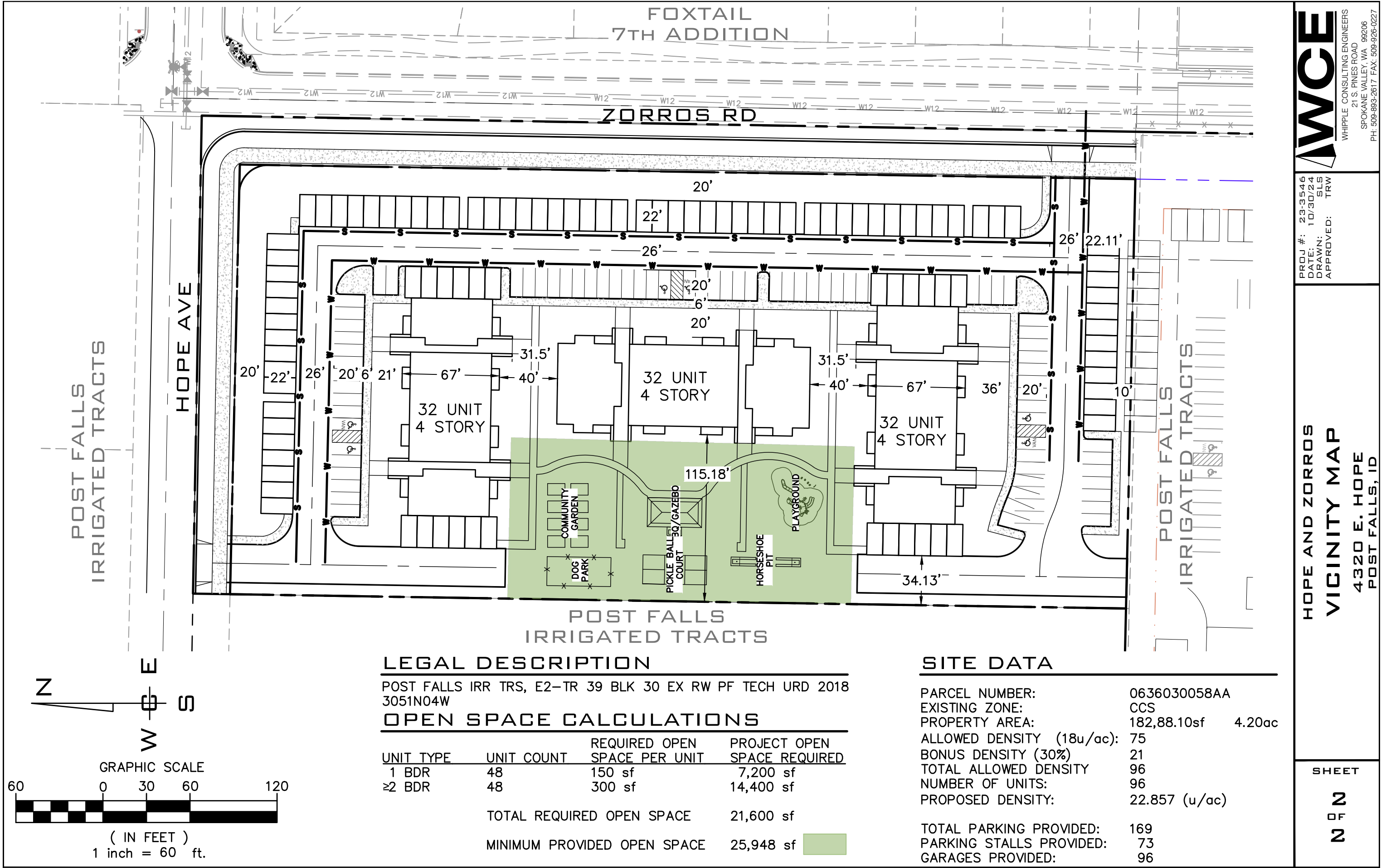
If you have any questions or comments regarding this letter, please feel free to contact us at  
(509) 893-2617

Thank you,

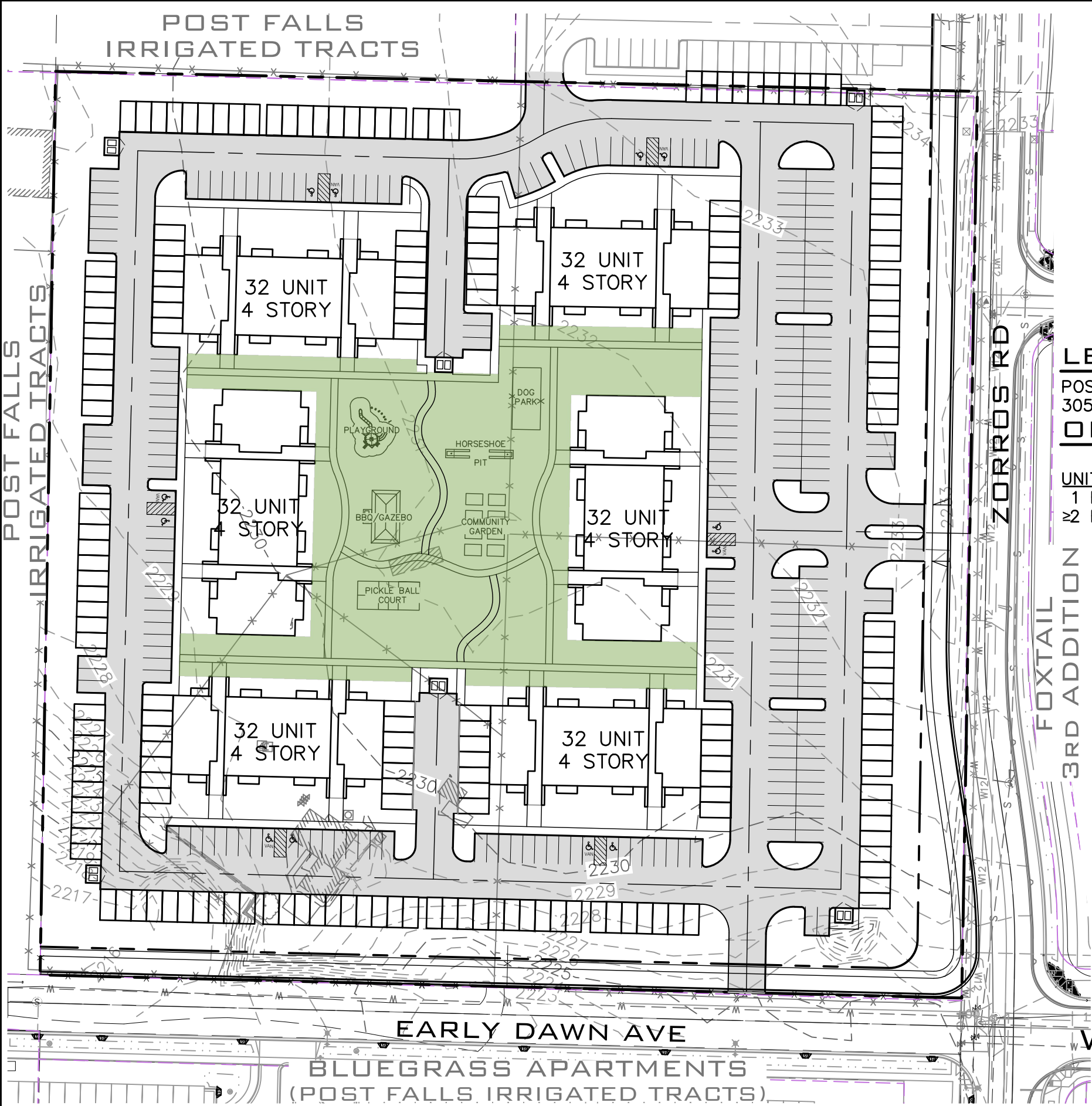
A handwritten signature in dark ink that reads "Austin J. Fuller for-". The signature is written in a cursive, flowing style.

Todd R. Whipple, P.E.  
President, Whipple Consulting Engineers, Inc.

TRW/ajf



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LEGAL DESCRIPTION

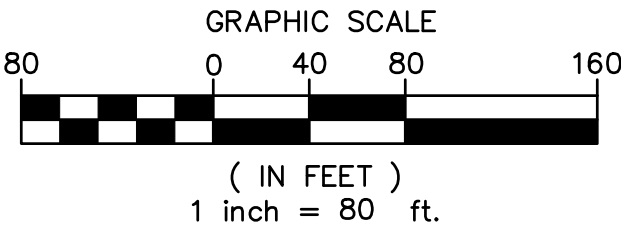
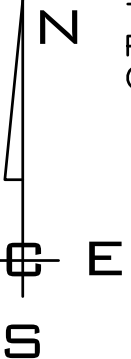
POST FALLS IRR TRS, E2-TR 39 BLK 30 EX RW PF TECH URD 2018  
3051N04W

OPEN SPACE CALCULATIONS

| UNIT TYPE                   | UNIT COUNT | REQUIRED OPEN SPACE PER UNIT | PROJECT OPEN SPACE REQUIRED |
|-----------------------------|------------|------------------------------|-----------------------------|
| 1 BDR                       | 96         | 150 sf                       | 14,400 sf                   |
| ≥2 BDR                      | 96         | 300 sf                       | 28,800 sf                   |
| TOTAL REQUIRED OPEN SPACE   |            |                              | 43,200 sf                   |
| MINIMUM PROVIDED OPEN SPACE |            |                              | 44,251 sf                   |

SITE DATA

|                           |                    |
|---------------------------|--------------------|
| PARCEL NUMBER:            | 0636030042AA       |
| EXISTING ZONE:            | CCS                |
| PROPERTY AREA:            | 421243.33sf 9.67ac |
| ALLOWED DENSITY (18u/ac): | 174                |
| BONUS DENSITY (30%)       | 52                 |
| TOTAL ALLOWED DENSITY     | 226                |
| NUMBER OF UNITS:          | 192                |
| PROPOSED DENSITY:         | 19.855 (u/ac)      |
| TOTAL PARKING PROVIDED:   | 435                |
| PARKING STALLS PROVIDED:  | 243                |
| GARAGES PROVIDED:         | 192                |

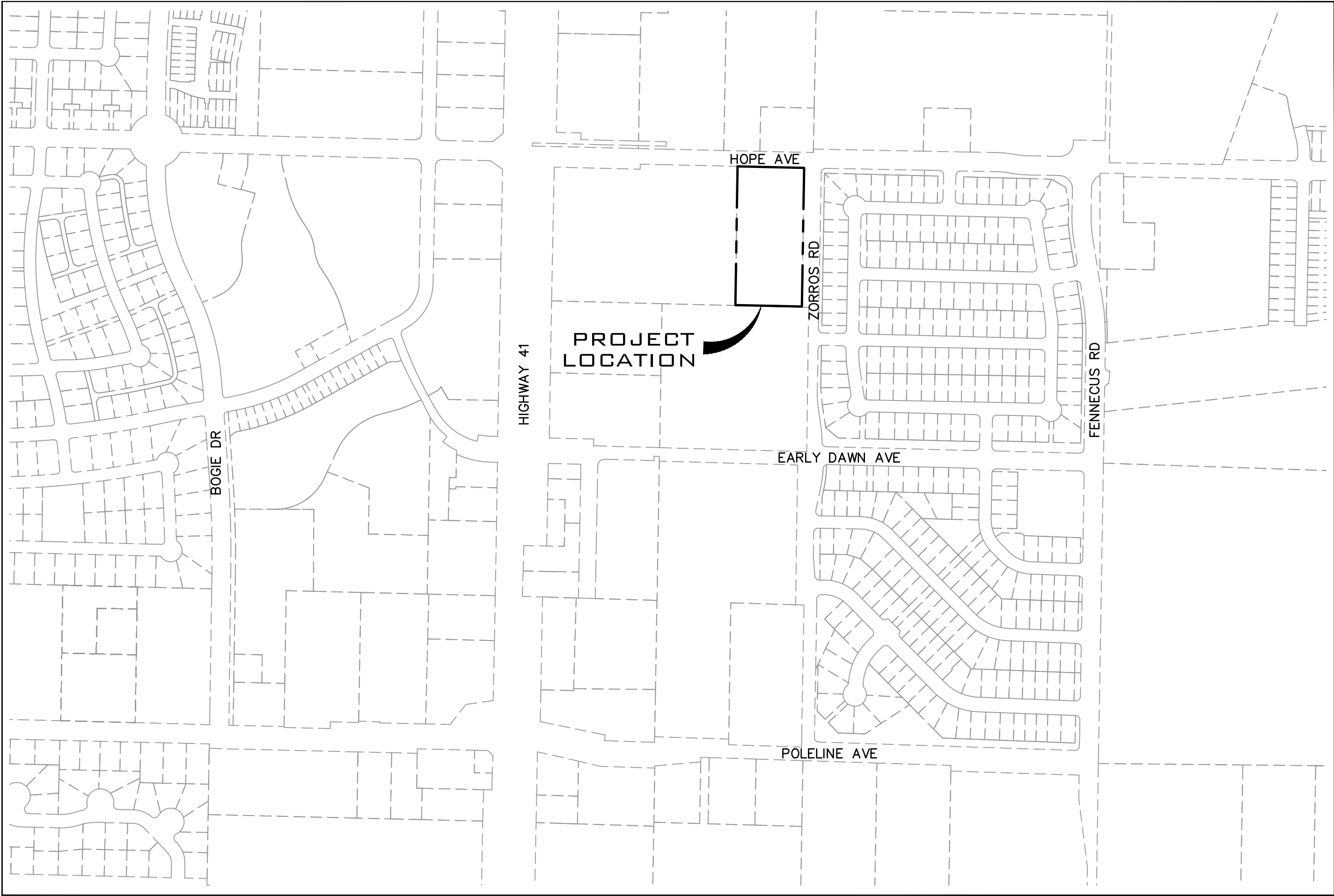


PROJ #: 23-3546  
DATE: 04/14/25  
DRAWN: SLS  
APPROVED: TRW

HOPE AND ZORROS  
SITE PLAN  
(0636030042AA)  
4171 E EARLY DAWN AVE  
POST FALLS, ID

SHEET  
2  
OF  
2





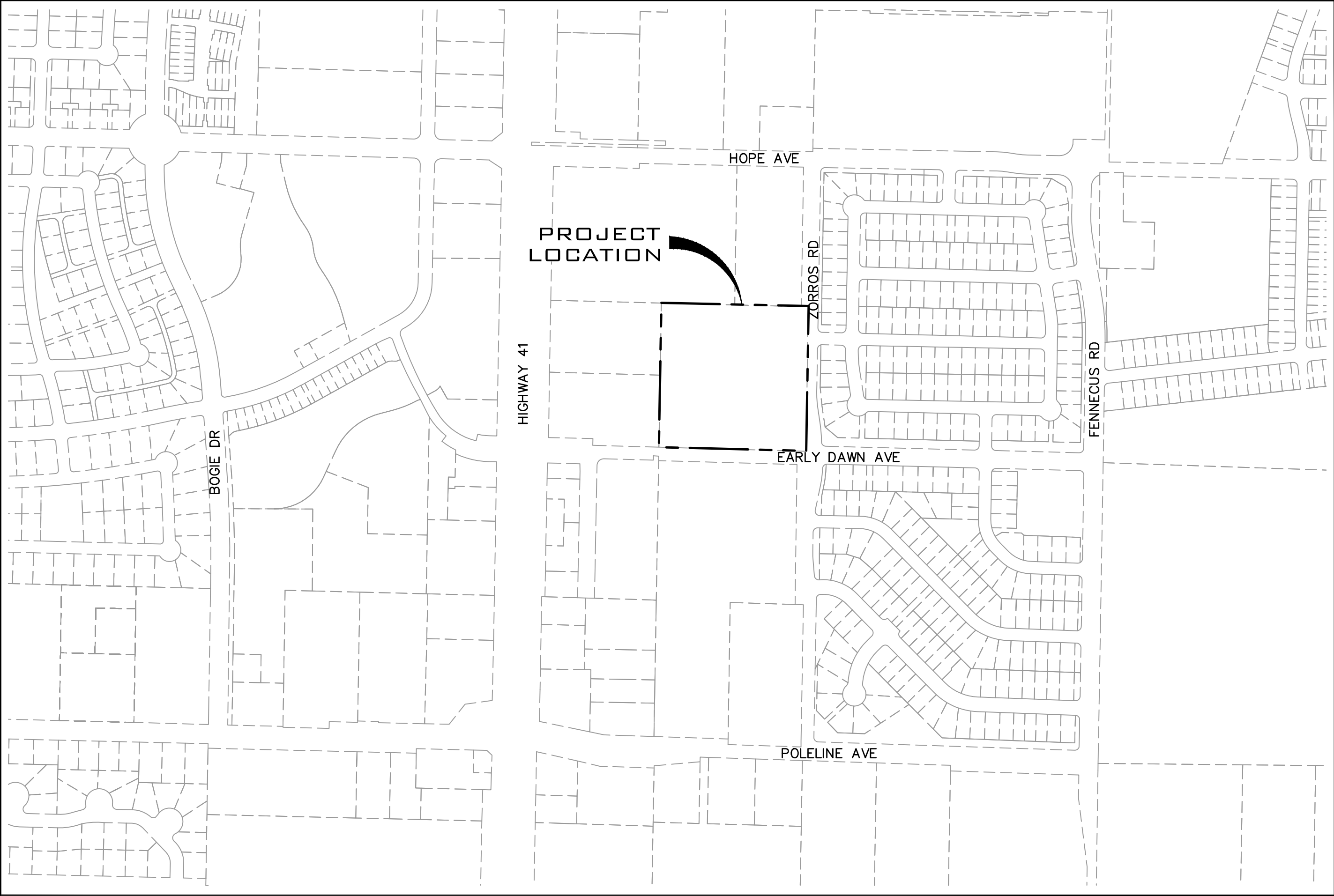
HOPE AND ZORROS  
VICINITY MAP  
4320 E. HOPE  
POST FALLS, ID

SHEET  
1  
OF  
2

PROJ #: 23-3546  
DATE: 08/07/24  
DRAWN: SLS  
APPROVED: TRW



WHIPPLE CONSULTING ENGINEERS  
21 S. PINES ROAD  
SPOKANE VALLEY, WA 99206  
PH: 509-893-2617 FAX: 509-926-0227



|                                                                                                                            |                                                                                              |                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>HOPE AND ZORROS<br/>VICINITY MAP</b><br><b>(06360030042AA)</b><br><b>4171 E EARLY DAWN AVE</b><br><b>POST FALLS, ID</b> | <b>PROJ #:</b> 23-3546<br><b>DATE:</b> 04/14/25<br><b>DRAWN:</b> SLS<br><b>APPROVED:</b> TRW | <br><b>IWCE</b><br>WHIPPLE CONSULTING ENGINEERS<br>21 S. PINES ROAD<br>SPOKANE VALLEY, WA 99206<br>PH: 509-893-2617 FAX: 509-926-0227 |
|                                                                                                                            | <b>SHEET</b><br><b>1</b><br><b>OF</b><br><b>2</b>                                            |                                                                                                                                                                                                                          |



**Lanzce G. Douglass**  
CONSTRUCTION /PROPERTIES/ DEVELOPMENT

August 7, 2024

City of Post Falls Planning Division

Attn: Ethan Porter, Associate Planner

1st Floor of City Hall

408 N. Spokane St.

Post Falls, ID 83854

Re: Authorization Letter

Hope & Zorros Special Use Permit

Dear Mr. Porter:

Douglass Properties, LLC hereby authorizes Whipple Consulting Engineers to act on its behalf for the Hope and Zorros Special Use Permit on Kootenai County parcel number P-7050-30-039-AB.

Thank you,

Lanzce G. Douglass, member

Douglass Properties, LL



**Lanzce G. Douglass**  
CONSTRUCTION / PROPERTIES / DEVELOPMENT

April 24, 2025

City of Post Falls Planning Division  
Attn: Jon Manley, Planning Manager  
1<sup>st</sup> Floor of City Hall  
408 N. Spokane St.  
Post Falls, ID 83854

**Re: Authorization Letter  
Early Dawn & Zorros Special Use Permit**

Dear Mr. Manley:

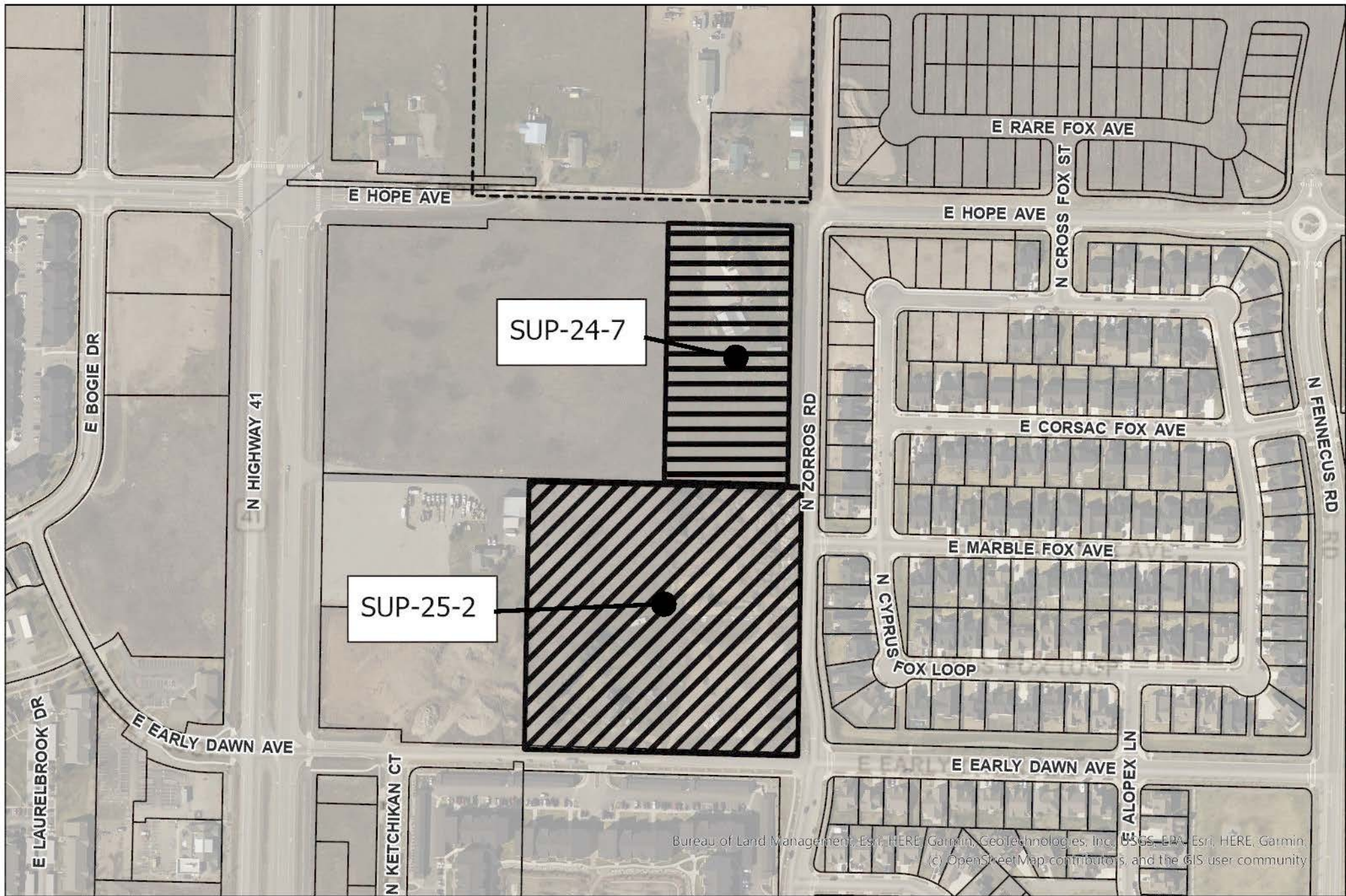
Douglass Properties, LLC hereby authorizes Whipple Consulting Engineers to act on its behalf for the Early Dawn and Zorros Special Use Permit on Kootenai County parcel number 0-6360-30-042-AA.

Thank you,

A handwritten signature in blue ink that reads "Lanzce G. Douglass". The signature is fluid and cursive, with the first and last names being more prominent.

Lanzce G. Douglass, member  
Douglass Properties, LLC





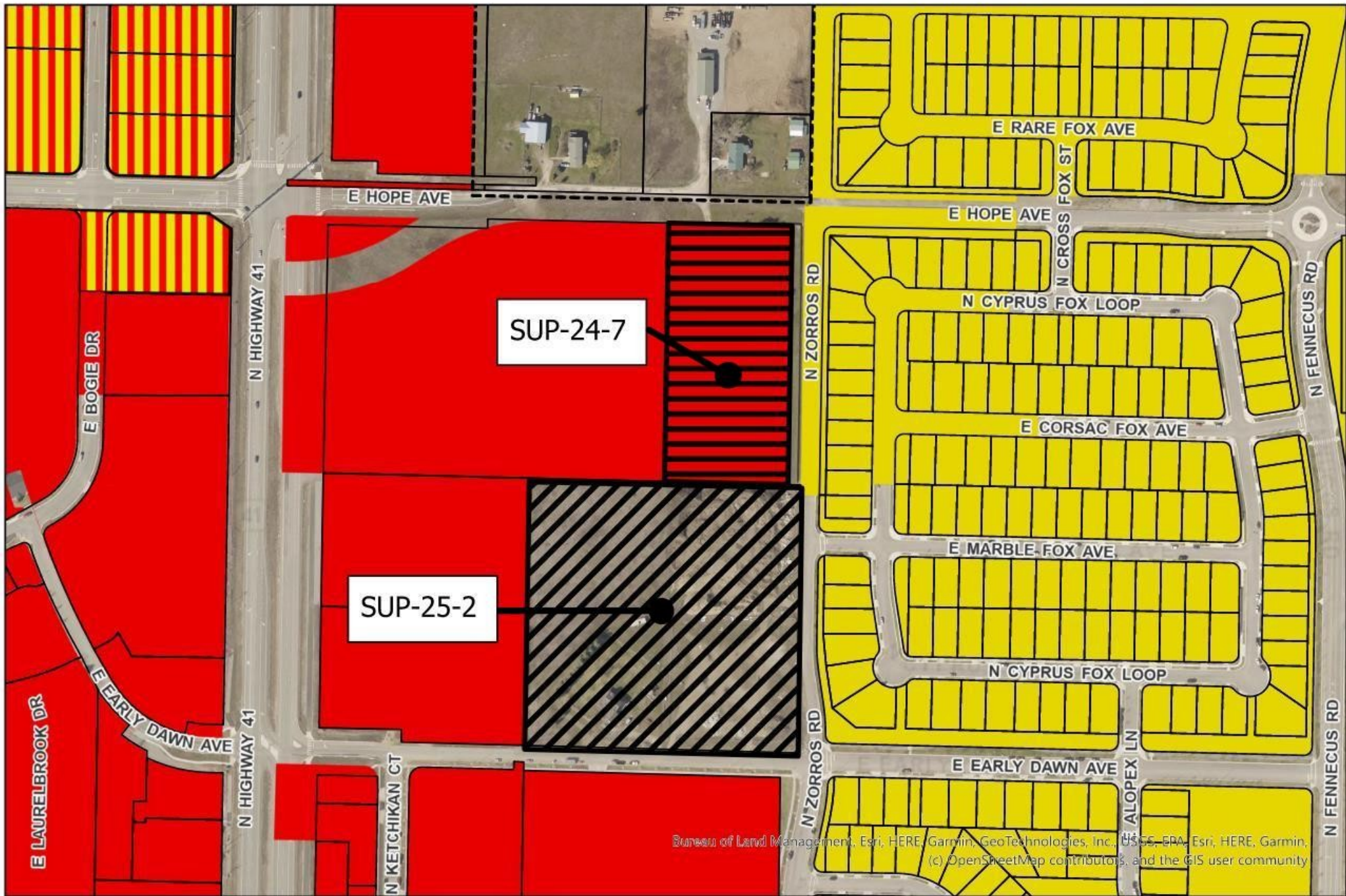
Site Location  
Hope & Zorros/Early Dawn & Zorros SUP  
Special Use Permit  
SUP-24-7/SUP-25-2



- Post Falls City Boundary
- Tax Parcels







Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Zoning Map  
Hope & Zorros/Early Dawn & Zorros SUP  
Special Use Permit  
SUP-24-7/SUP-25-2



Post Falls  
City  
Boundary  
Tax Parcels

CCM  
CCS  
R-1





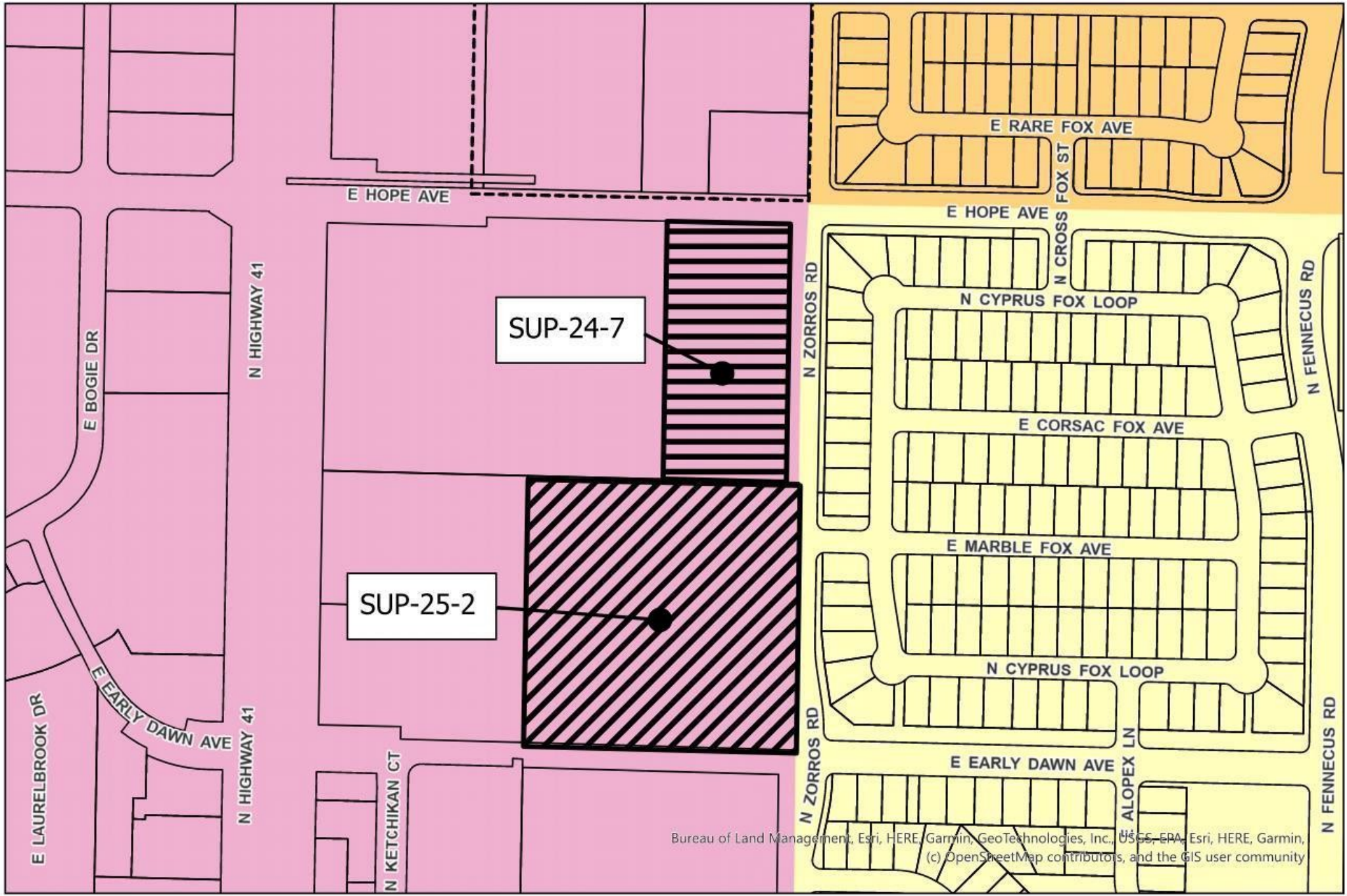


Exhibit S-3

N

Page 167 of 218



# POST FALLS

## SCHOOL DISTRICT #273

DISTRICT OFFICE  
P.O. Box 40  
Post Falls, ID 83877  
PHONE 208-773-1658  
FAX 208-773-3218  
[www.pfsd.com](http://www.pfsd.com)

October 17, 2024

Robert Seale  
Community Development Director  
City of Post Falls  
408 Spokane Street  
Post Falls, ID 83854

Dear Bob,

The purpose of this letter is to restate the status and position of the Post Falls School District regarding growth within the city and school district boundaries. The Post Falls School District will continue to remain neutral regarding proposed developments and will provide additional or modified comments in a timely manner when deemed necessary.

The district has a responsibility through State statute to provide an appropriate education for every student ages 6 through 21 who attend our schools. It is also the district's responsibility to provide an adequate educational program, organizational structure, and facilities.

Though there are pros and cons for new development growth, the district will continue to provide a quality education. The district appreciates the working relationship we have with the City of Post Falls.

With the anticipated growth in future years, the district requests assistance from the Planning Department to acquire school building sites in any large proposed residential developments and support financial mitigation for smaller developments.

The enrollment status and capacity of each school for the 2023-2024 school year are listed below.

The district will review the current long-range facility plan this fall. A copy of the current plan is included with this letter.

| School                   | 2024-2025 Enrollment | Building Capacity |
|--------------------------|----------------------|-------------------|
| Greensferry Elementary   | 409                  | 525               |
| Mullan Trail Elementary  | 343                  | 500               |
| Ponderosa Elementry      | 469                  | 570               |
| Prairie View Elementary  | 350                  | 525               |
| Seltice Elementary       | 375                  | 560               |
| Treaty Rock Elementary   | 383                  | 525               |
| West Ridge Elementary    | 427                  | 525               |
| Post Falls Middle School | 748                  | 920               |
| River City Middle School | 557                  | 750               |

***Our school community will develop relationships, skills, and knowledge to become responsible citizens who think critically to solve problems.***

|                        |      |      |
|------------------------|------|------|
| Post Falls High School | 1636 | 1800 |
| New Vision High School | 105  | 225  |

The school district looks forward to continuing the good working relationship we have with the City of Post Falls. Thank you for your support of the Post Falls School District.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dena Naccarato", with a stylized, flowing script.

Dena Naccarato  
Superintendent

Cc: Post Falls School District Board of Trustees  
Shelly Enderud, City Administrator

# Kootenai County Fire & Rescue

Fire Marshal's Office

5271 E. Seltice Way  
Post Falls, ID 83854  
Tel: 208-777-8500  
Fax: 208-777-1569  
[www.kootenaifire.com](http://www.kootenaifire.com)

January 18, 2024

Nancy Thurwachter  
Planning Administrative Specialist  
[nthurwachter@postfalls.gov](mailto:nthurwachter@postfalls.gov)

## RE: Notice to Jurisdiction Response

Nancy,

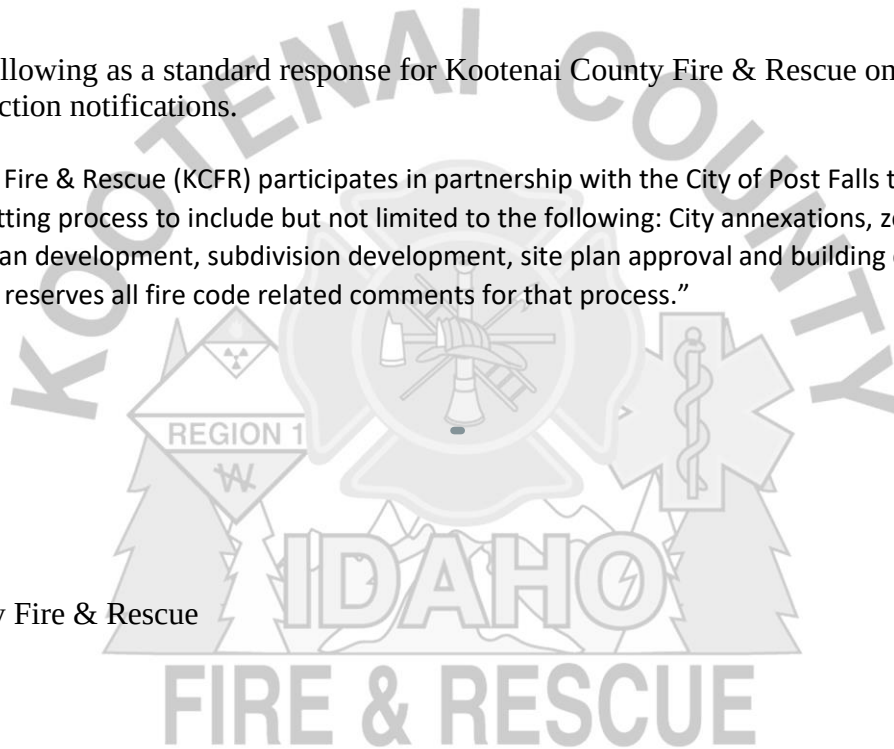
Please use the following as a standard response for Kootenai County Fire & Rescue on all applicable Notice to Jurisdiction notifications.

"Kootenai County Fire & Rescue (KCFR) participates in partnership with the City of Post Falls throughout the review and permitting process to include but not limited to the following: City annexations, zoning issues, comprehensive plan development, subdivision development, site plan approval and building construction code compliance. KCFR reserves all fire code related comments for that process."

Respectfully,



Jeryl Archer II  
Kootenai County Fire & Rescue  
Division Chief  
Fire Marshal





## Nancy Thurwachter

---

**From:** David Callahan <dcallahan@kcgov.us>  
**Sent:** Monday, June 23, 2025 1:37 PM  
**To:** Nancy Thurwachter  
**Cc:** Ben Tarbutton  
**Subject:** RE: Notice to Jurisdictions Early Dawn & Zorros Special Use Permit File No SUP-25-2

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nancy,  
We have no issues or concerns.

David Callahan, AICP  
Director



Kootenai County  
Community Development

451 N Government Way • P.O. Box 9000  
Coeur d'Alene, Idaho 83816-9000

Phone: 208 446 1082 • Email: [dcallahan@kcgov.us](mailto:dcallahan@kcgov.us)  
Mobile: 208 660 3029

**From:** Nancy Thurwachter <nthurwachter@postfalls.gov>  
**Sent:** Monday, June 23, 2025 10:11 AM  
**To:** Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01\_Real\_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; Chad Ingle <cingle@kcgov.us>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; cschneider@kec.com <cschneider@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; DEQ <deqcomments@deq.idaho.gov>; Devin Weeks <dweeks@cdapress.com>; Gina Dillman <gdillman@republicservices.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Leo Martinez <leo.martinez@p66.com>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Mike Patton <Michael.m.patton@p66.com>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; contactus@postfallshd.com; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Scott Morton <smorton@republicservices.com>; Tom Kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>



## Nancy Thurwachter

---

**From:** Martinez, Leo <Leo.Martinez@p66.com>  
**Sent:** Tuesday, June 24, 2025 12:05 PM  
**To:** Nancy Thurwachter  
**Subject:** Notice to Jurisdictions Early Dawn & Zorros Special Use Permit File No SUP-25-2  
**Attachments:** Exhibit PH-2 NTJ Early Dawn & Sorros SUP-25-2.pdf

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Nancy,

Phillips 66 does not have any utilities within your attached project vicinity. Our asset runs along E Poleline Ave.  
(Response 13026)

Regards,

  
**Leo Martinez**

Associate, Operations Support • Real Estate Services

O: 805-541-8912 | F: 805-538-6204  
18781 El Camino Real | Atascadero, CA 93422  
Leo.Martinez@phillips66.com



The information in this electronic message is privileged and confidential and is intended solely for the use of the individual(s) and/or entity named above, and any unauthorized disclosure, copying, distribution or taking of any action in reliance upon on the contents of these electronically transmitted materials is strictly prohibited. If you are not the intended recipient, please notify the sender immediately and destroy this message and any copies.

---

**From:** Nancy Thurwachter <nthurwachter@postfalls.gov>  
**Sent:** Monday, June 23, 2025 10:11 AM  
**To:** Ali Marenau <AMarienau@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01\_Real\_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; cingle@kcgov.us; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; cschneider@kec.com <cschneider@kec.com>; Dan Ryan <dandr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; DEQ <deqcomments@deq.idaho.gov>; Devin Weeks <dweeks@cdapress.com>; Gina Dillman <gdillman@republicservices.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Philips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Martinez, Leo <Leo.Martinez@p66.com>; Lori Cogley <lcogley@kec.com>;

June 26<sup>th</sup>, 2025

Nancy Thurwachter  
Planning Administrative Specialist  
[nthurwachter@postfalls.gov](mailto:nthurwachter@postfalls.gov)

Re: Early Dawn & Zorros Special Use Permit File No SUP-25-2

The Police Department has reviewed the proposed special use permit for Poleline & Zorros Special Use Permit File No SUP-25-3, consisting of 192 residential units. Based on current call volumes and staffing levels, this project is anticipated to have an impact on police resources.

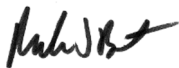
Similar multi-family developments in the city average approximately 1.32 calls for service per unit annually, translating to an estimated 253 additional calls per year for this complex alone. With staffing stretched to meet growing demands citywide, the department cannot accommodate increased service calls from new residential developments without carefully planning and resource alignment.

To mitigate the expected increase in calls for service, the Police Department recommends the following:

- Crime Prevention Through Environmental Design (CPTED) based layout
- Adequate lighting, camera systems, and gated access
- Emergency access plans for law enforcement and emergency responders
- Clearly visible unit numbering and directional signage

While the Police Department supports responsible development, we must emphasize the importance of aligning residential expansion with sustainable public safety planning. These developments, unless mitigated with appropriate design and resourcing, will place additional and immediate strain on current patrol staffing and response times.

Respectfully submitted,



Mark J. Brantl  
Captain  
Post Falls Police Department



## Nancy Thurwachter

---

**From:** DEQ Comments <deqcomments@deq.idaho.gov>  
**Sent:** Thursday, June 26, 2025 2:27 PM  
**To:** Nancy Thurwachter  
**Subject:** RE: Notice to Jurisdictions Early Dawn & Zorros Special Use Permit File No SUP-25-2

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,

Idaho Department of Environmental Quality  
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814  
Office Line: 208.769.1422  
[www.deq.idaho.gov](http://www.deq.idaho.gov)

**Our mission:** To protect human health and the quality of Idaho's air, land, and water.

---

**From:** Nancy Thurwachter <nthurwachter@postfalls.gov>  
**Sent:** Monday, June 23, 2025 10:11 AM  
**To:** Ali Marenau <AMarienau@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01\_Real\_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; cingle@kcgov.us; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <Christine.Harmon@deq.idaho.gov>; cschneider@kec.com <cschneider@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; DEQ Comments <deqcomments@deq.idaho.gov>; Devin Weeks <dweeks@cdapress.com>; Gina Dillman <gdillman@republicservices.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Philips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Leo Martinez <leo.martinez@p66.com>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Mike Patton <Michael.m.patton@p66.com>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; contactus@postfallshd.com; Robert Beachler <robert.beachler@itd.idaho.gov>; Ron

**Nancy Thurwachter**

---

**From:** mindil.pettit@charter.net  
**Sent:** Tuesday, June 24, 2025 6:59 AM  
**To:** Public Hearing Notice  
**Cc:** 'Mindi Pettit'  
**Subject:** Early Dawn & Zorros Special Use Permit ( File No. SUP-25-2)

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,  
My husband and I live at 4430 East Marble Fox Avenue in Post Falls. We bought in March 2020. We feel that packing in an additional 192 multifamily units on this 9-acre parcel, on top of all of the apartments already packed in, will add to the already overflow of traffic and congestion in this few block area. So we strongly oppose the proposed use.

How much can you pack in without it being ridiculous? Not to mention how it will affect everyone in existing homes and the value of the properties. At some point enough is enough. 192 units??? Unbelievable and makes us regret ever considering this area.

Can Post Falls not try to consider aesthetics as well, or is it only about tax revenue?

Jeff and Mindi Pettit  
We will be at the hearing.



## Nancy Thurwachter

---

**From:** Jeffrey Williams <jeffreywilliams27@yahoo.com>  
**Sent:** Tuesday, June 24, 2025 9:33 PM  
**To:** Public Hearing Notice  
**Subject:** Re: Comments for use at Public Hearing- File no. SUP-25-2

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attn: Post falls Planning & Zoning commission.

This is a formal request to have my comments heard regarding the public hearing/notice to be held on July 8th at 5:30 PM, regarding the request for a special use permit for multifamily units at the general location of 4171 E. Early Dawn Avenue, NW corner of the intersection of N. Zorros Rd and Early Dawn Avenue.

I object to the request for a special use permit or rezoning & request that it be denied.

I've written in and requested the rezoning be denied at the previous hearing for this same parcel as well & received a response stating my comments had been received but not sure they were shared, there is other land in which could be used on the west side of highway 41, or to the north as it wouldn't be impeding on the airspace (air rights) of any already built homes, blocking sunsets & reducing views for which is homeowners paid for when purchasing these homes, I am urging the community to decline this request.

As stated in my previous write in, my wife & I sold our last home due to this exact issue, a several level multifamily unit was built within a block to the west of our home completely blocking our view of any sunset which immensely decreased our homes value, this parcel IF ALLOWED should be restricted to 2 levels maximum to not impede views & cause loss of value to homeowners in the foxtail HOA community. There is so much multifamily being built in post falls that it cannot even be filled, what we do need on this side of post falls is full size grocery stores & full size shopping centers, please speak for the current citizens on this matter.

Regarding the criteria for special use permits I'll place my rebuttals below in accordance with your numerical system as stated on the letter received in the mail:

1. I understand this has already been zoned for community commercial services (CCS) which typically allows a mix of retail, office, serviced based businesses, well also considering the needs of the surrounding community. These zones are designed to create vibrant business districts that are integrated into the community and provide essential services. As I stated above, what we truly need is NOT more multi family, but retail space that takes in the needs of the present community members in this particular area, and doing so without blocking our west facing views.
2. I do not know what the cities master plan is so I cannot speak to it constituting allowable special use for this purpose, but it should be reconsidered.
3. Regarding whether the proposed used will/will not be compatible with the health, safety, and welfare of the public or with land uses in the vicinity of the proposal, I believe it would degrade the area, which is already being misused with too many gas stations, and too much multifamily units, Has stated previously the proposal should improve the areas rather than degrade them, again propose that if anything has to be built to be limited to two levels or less, and not peed on Western facing views of the homeowners in the Foxtail neighborhood.

**CITY OF POST FALLS  
AGENDA REPORT**

---

**DATE:** JULY 8, 2025

**TO:** POST FALLS PLANNING AND ZONING COMMISSION

**FROM:** JON MANLEY, PLANNING MANAGER, 208-457-3344 , jmanley@postfalls.gov

**SUBJECT:** STAFF REPORT FOR JULY 8, 2025, P&Z COMMISSION MEETING – POLELINE AND ZORROS SPECIAL USE PERMIT FILE NO. SUP-25-3 PUBLIC HEARING

---

**INTRODUCTION:**

Austin Fuller of Whipple Consulting Engineers has requested on behalf of Lanzce Douglass, approval for a Special Use Permit in the Community Commercial Services (CCS) Zone to allow for 96 multi-family units to be developed on 4.76 acres per Exhibit A-3. The Planning & Zoning Commission must conduct a public hearing and determine if the proposed request meets the approval criteria contained in PFMC Section 18.20.070 (B). Following the public hearing, the Planning Commission will direct staff to prepare a Reasoned Decision, along with any appropriate conditions, that explains how the approval criteria are/are not met. The Planning Commission will review and approve the final Reasoned Decision at a subsequent meeting. The approval criteria are:

- A. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.
- B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.
- C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.
- D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

**PROJECT INFORMATION:**

**Project Name/File Number:** Poleline and Zorros Special Use Permit (SUP-25-3)

**Owner:** Lanzce Douglass, 1402 E. Magnesium Road #202, Spokane, WA 99217

**Applicant:** Austin Fuller, 21 S. Pines Road, Spokane Valley, WA 99206

**Project Description:** The applicant is intending to develop 96 multi-family units on 4.76 acres per Exhibit A-3.



**Project Location:** Generally located at the northwest corner of East Poleline Avenue and North Zorros Road.

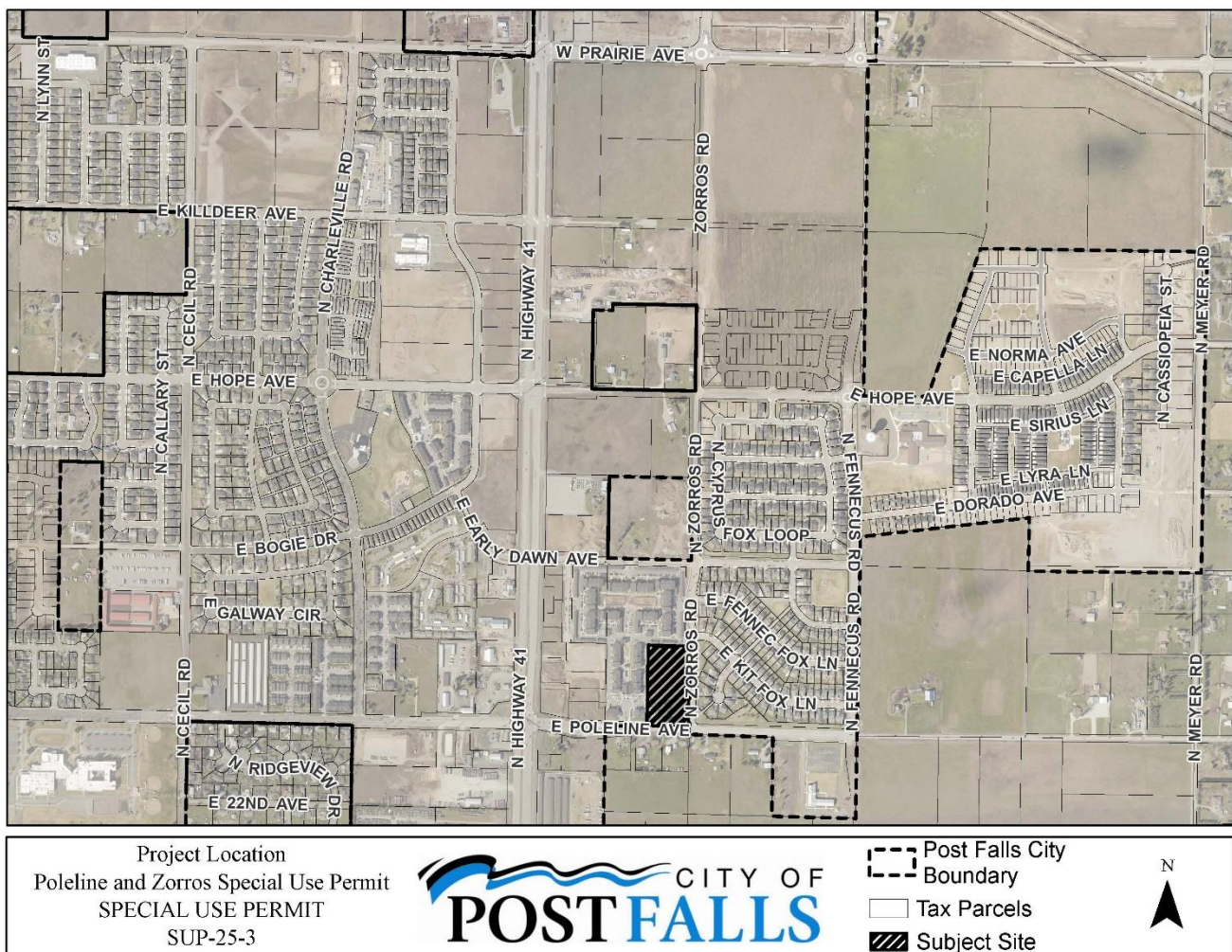
**Water Provider:** Ross Point Water District

**Sewer Provider:** City of Post Falls

#### AREA CONTEXT:

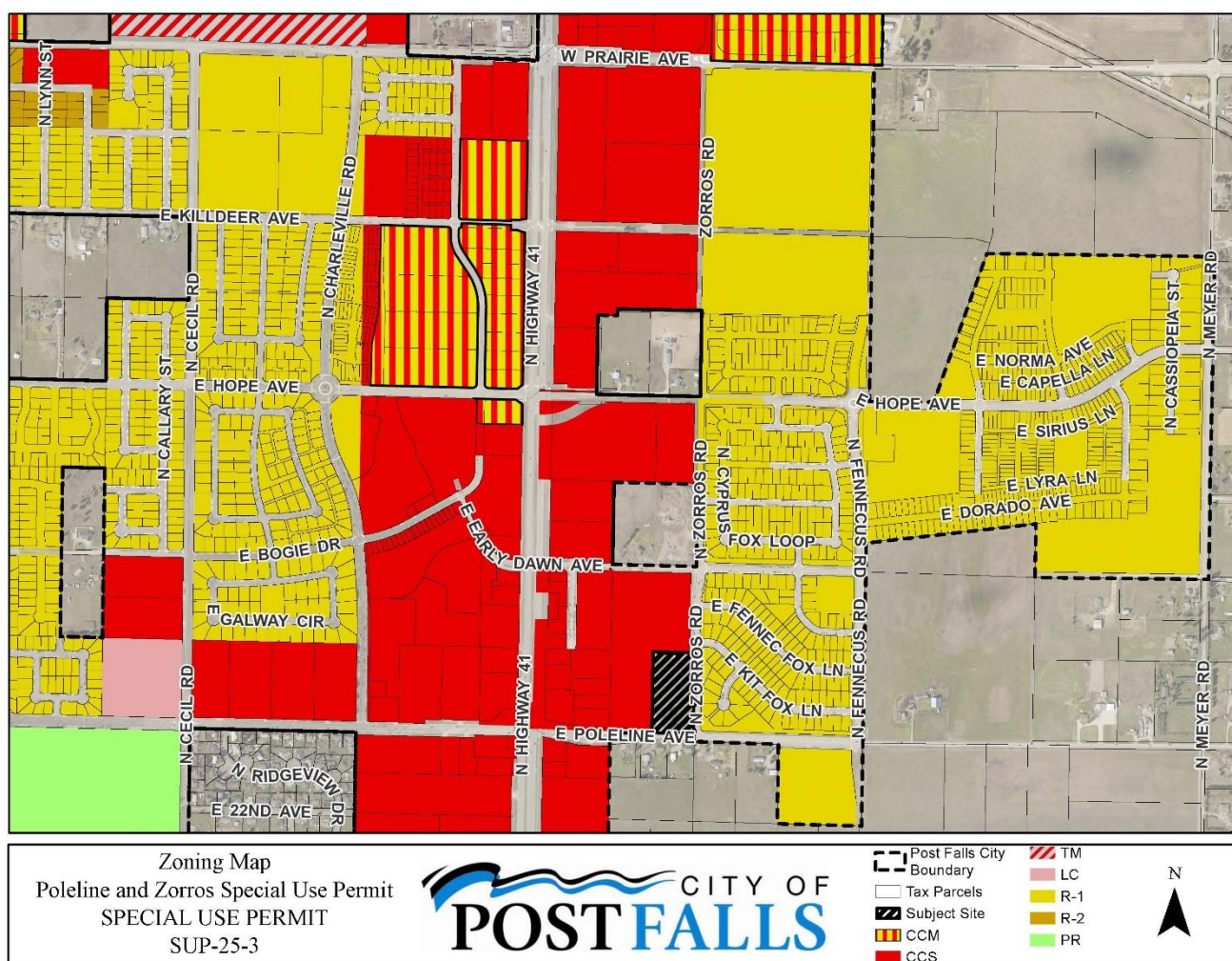
**Surrounding Land Uses:** Adjacent to the project site to the north and the west is the Bluegrass Apartments. The Foxtail housing development is to the east across North Zorros Road containing single-family homes. To the south across Poleline Avenue are larger lots with single-family homes within Kootenai County.

**Area Context Vicinity Map:**



**Surrounding Zoning Districts:** Adjacent to project site to the north and west is the Community Commercial Services (CCS) zoning district. To the east, across North Zorros Road is Single-Family Residential (R-1) which is also in a Planned Unit Development (PUD). To the south are county zoned properties.

**Zoning Map:**



#### EVALUATION OF SPECIAL USE PERMIT APPROVAL/ REVIEW CRITERIA:

**A. Implementation of the special use will/will not conform to the purposes of the applicable zoning district.**

The CCS zone is applied in areas primarily located near arterials and collector streets. Residential Uses may be allowed within this zone at densities permitted by the High-Density Multi-Family Residential (R3) Zone by Special Use Permit when they will not compromise present Uses. Lot area and building bulk and placement requirements shall agree with the values set forth in section 18.20.040, "Official Bulk and Placement Regulations Table," of this title.

Zorros Road is a minor collector and Poleline Avenue is a minor arterial. These roads are consistent with a development within a CCS zoning designation. Higher-density housing near commercial areas can support stronger, more vibrant businesses by providing a steady customer base within walking distance. Allowing multi-family development in key locations—such as along Highway 41—can help attract and sustain higher-quality commercial uses, ultimately benefiting both residents and the local economy.

The proposed multi-family within the CCS zoning district is an allowed use with a Special Use Permit at densities permitted by the R3 Zone per PFMC Bulk and Placement Table 18.20.040 and per PFMC Establishment of zoning districts 18.16.010.

R3 multi-family sites require a minimum of 2,400 square feet per dwelling unit per the PFMC Bulk and Placement Table. The project site is approximately 4.76 acres and allows for 86 dwelling units. However, the



project proposes a total of 96 units, which necessitates an approximately 12% density bonus. The project may receive up to a 30% density bonus increase if additional amenities are provided. The project requires a minimum of two amenities and eight amenities are proposed, which would facilitate the requested density bonus pursuant to PMFC Section 18.24.030.7.d.

**B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.**

See following excerpt from the Land Use Table, allowed with a Special Use Permit:

P = Permitted use

S = Special use

- = Nonpermitted use

| Land Use Category                           | Zoning Classifications |    |    |    |    |     |   |    |     |    | LBCS Code |
|---------------------------------------------|------------------------|----|----|----|----|-----|---|----|-----|----|-----------|
|                                             | R1S                    | R1 | R2 | R3 | LC | CCS | I | TM | CCM | RM |           |
| Twinhome                                    | -                      | S  | P  | P  | S  | S   | - | -  | -   | P  |           |
| Townhome, 6 or less units per structure     | -                      | S  | S  | P  | P  | S   | - | P  | P   | P  |           |
| Multi-family, 3 or more units per structure | -                      | -  | -  | P  | S  | S   | - | P  | P   | P  | 1103      |

**C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.**

Per PFMC Land Use Table 18.20.030 and being that the proposed project is allowed through a SUP, suggests that multi-family uses can be compatible with commercial uses. Additionally, the absence of a buffer requirement between multi-family and Commercial Land uses indicates the land uses may be compatible as well. The accessibility of this project site to major and minor collectors near HWY 41 offer good connectivity for potential residents.

Transportation: The site abuts Poleline Avenue a classified minor arterial and Zorros Road a classified Minor Collector. Poleline Avenue provides signalized access to SH41, ¼ mile to the west. Zorros Road is projected to be extended to Prairie Avenue (Principal Arterial ½ mile to the north). Connections to SH41, Poleline Avenue and the future connections to the north are anticipated to distribute the projected traffic from the development. The City's Transportation Master Plan indicates a future controlled intersection (Traffic Signal or Roundabout) at the intersection of Poleline Avenue and Zorros Road. As the full roadway network in the vicinity of the SUP is not complete a Traffic Impact Analysis (TIA) should be completed with the site plan review process to identify the impact and estimated timing of improvements at Poleline / Zorros or other necessary traffic mitigations. Access to the property is shown with a single access with Zorros Road and internal connections with the Bluegrass Apartments to the west. No new access points are being requested on Poleline Avenue.

Zorros Roads existing roadway configuration, north of the project, is a 54' wide (curb face to curb face) roadway. This cross section should be continued along the properties frontage to accommodate parking, along with vehicular bicycle lanes. Rights-of-way and a 10-foot Sidewalk, drainage and utility easement shall be required.



The proposed special use may produce impacts that would alter timing of roadway improvements within the City's Transportation Capital Improvement Plan, due to missing pieces of the roadway network. a Traffic Impact Analysis (TIA) to identify the impact and estimated timing of improvements at Poleline / Zorros or other necessary traffic mitigations should be required, as a part of the site plan review process, to preserve roadway capacity and safety.

Water Reclamation: The site will be connected to the City's Water Reclamation Facilities. Existing facilities are located at the properties southern boundary in Poleline Avenue. which discharges directly to the SH41 mainline. Current capacity exists within the SH41 mainline and at the 12<sup>th</sup> Avenue Lift Station.

SUP-25-3 is subject to the 12th Avenue Force Main Surcharge Basin and has previously agreed to pay the sewer surcharges established, per the annexation agreement, the surcharge is currently established at \$3,334.52 per service unit for the 12th Avenue Force Main and is adjusted in October of each year. The site also has potential limits to development based on capacity at the 12<sup>th</sup> Avenue Lift Station and 12<sup>th</sup> Avenue Forcemain, per the annexation agreement, that may limit development of the property at the time of site plan review.

SUP-25-3 is subject to the Meyer Line Sewer Surcharge and has previously agreed to pay the sewer surcharges established, per the annexation agreement, the surcharge is currently established at \$837.41 per service unit and is adjusted in October of each year.

City water reclamation facilities currently have the capacity and capability to handle the requested use.

Domestic Water: The proposed special use will be serviced by the Ross Point Water District. A will serve letter from the district has been provided and site-specific issues, including fire protection, would be handled at the time of Site Plan Review.

**D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.**

**Goal 1:** Higher residential density in strategic locations—such as near Highway 41— may create built-in demand for retail, services, and employment opportunities. This walkable proximity helps attract and sustain quality commercial investment, while also reducing infrastructure strain and vehicle miles traveled.

Additionally, by enabling a range of housing options close to job centers and commercial corridors, Post Falls may position itself as a more competitive and inclusive community. This not only supports workforce retention but also encourages small business growth and enhances fiscal stability through diversified tax revenues.

**Goal 7:** Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability.

Cities exercise considerable influence over land use, in turn influencing the type and character of development, patterns of growth, and the short and long-term financial impact of growth on the local economy. Diversification in housing choices may assist in achieving this goal.

**Goal 10:** Provide and support Post Falls' parks and recreational opportunities on-pace with growth.

Through development of the multi-family site, park impact fees would be paid at the time of permitting to assist parks and recreational development needs in all related plans and actions. Additionally, the open space requirements for multi-family project will creating on-site opportunities.

**Goal 15:** Maintain and Improve the City's water and sewer infrastructure, anticipating future needs regarding population and regulatory conditions.

Provision of clean, safe water and responsible treatment and disposition of wastewater are essential services for any community.

**The following policies may or may not assist the review of this Special Use Permit request.**

**Policy 1:** Support land use patterns that:

- Maintain or enhance community levels of service.

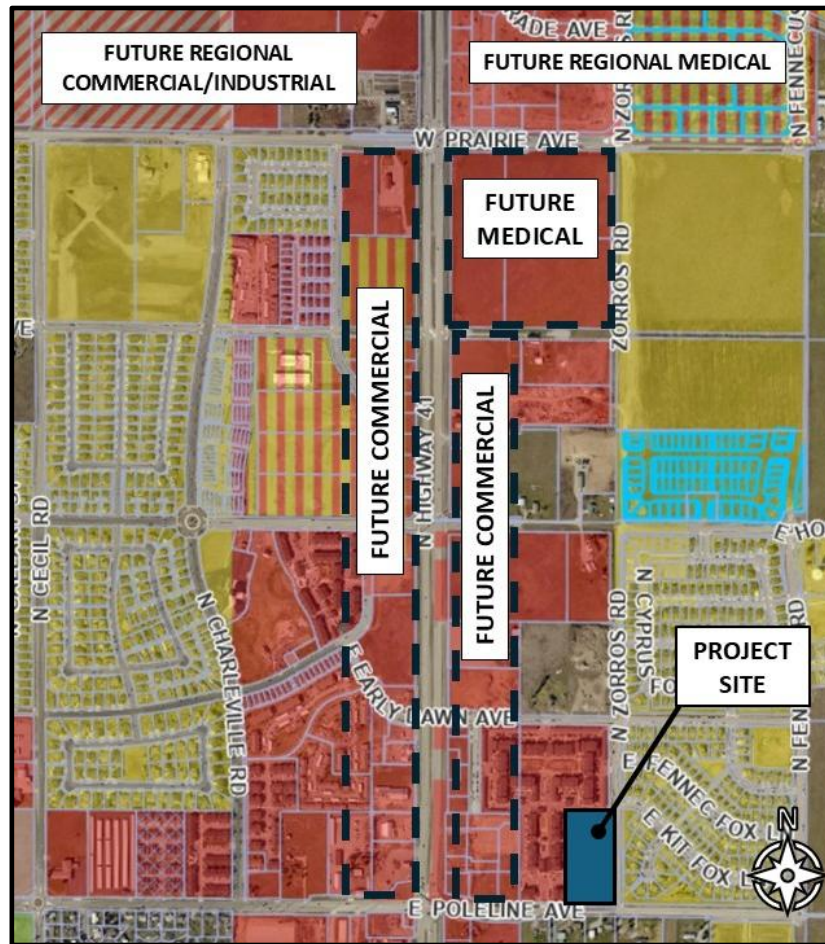
Staff Comment: Impact Fees will be paid at the time of permit issuance to assist maintaining the community levels of service.

- Foster the long-term fiscal health of the community.

Staff Comment: Diversified housing opportunities bolsters the long-term health of the housing sector within a community. The industrial and commercial sectors within a community benefit by having a healthy and diverse housing sector as it either offers securities that their employees have a place to live, or it puts rooftops to provide commerce.

- Maintain and enhance resident quality of life.

Staff Comment: The proposed location of the special use permits should be within walking distance to future nearby commercial businesses along Highway 41 that may provide for some daily needs, potentially improving quality of life. The proximity to existing and future Highway 41 businesses provides potential existing and future employment opportunities within walking distance as well.



- Promote compatible, well-designed development.

Staff Comment: The proposed development is on a CCS zoned property surrounded by other adjacent CCS Zoned Properties and to the east there is the single-family Foxtail neighborhood. The nearest intersection is the signalized intersection of Poleline Avenue / SH41, .2 miles to the west. The proximity to arterial connections is compatible with the proposed high-density development. City design standards assist creating compatible, well-designed developments.

- Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.

Staff Comment: The analysis within this staff report addresses this policy point.

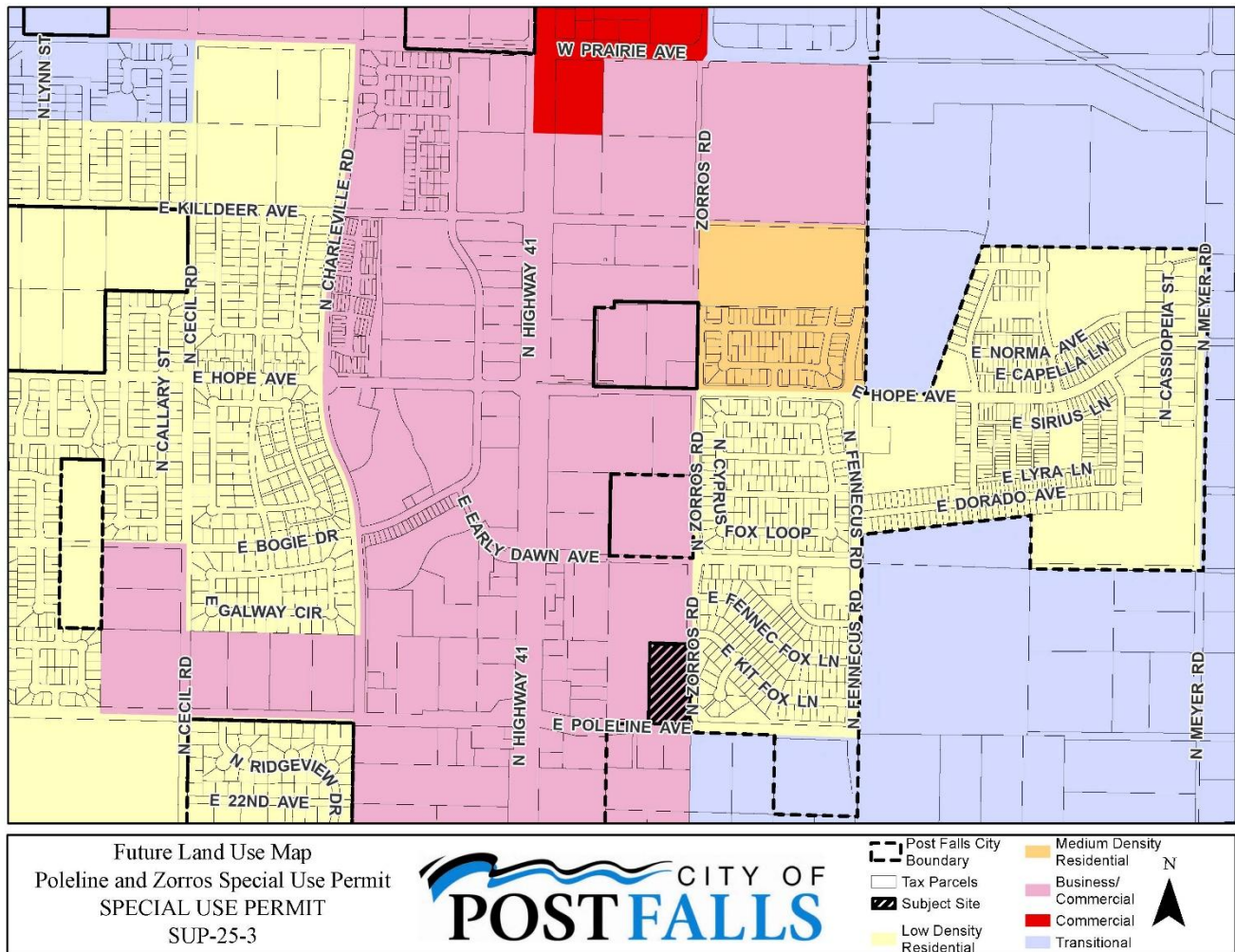
**Policy 2:** Apply or revise zoning designations with careful consideration of factors including:

- Future land use mapping.

Staff Comment: The site has a future land use designation of Business Commercial (see following map). This land use designation provides for a wide variety of general service, retail, professional office, light industrial, artisan manufacturing and mixed-uses that serve local and regional residents as well as the traveling public. This category promotes a mixture of moderate/high density housing types within walking distance of the city center, neighborhood center and corridor commercial uses, as well as civic uses and other amenities within Post Falls. The site is in the 41 North Focus Area where it does state, "Focus provisions for multi-family, commercial, and tech uses near higher classified roadways." The project would provide multi-family near a Highway 41.

## Implementing Zoning Districts CCM, LC, CCS, SC4, SC5, Per Focus Area

## Future Land Use Designation Map



- Compatibility with surrounding land uses;

Staff Comment: Per PPMC Land Use Table 18.20.030 and cited in Criteria A, multi-family being allowed through a Special Use Permit in CCS zones suggests that it is compatible with Commercial land uses.

- Infrastructure and service plans.

Staff Comment: The site is located adjacent to existing sanitary sewer and water infrastructure. Existing facilities have sufficient capacity to provide service for the anticipated land uses. The city is in the design process for repairs to the Poleline Avenue main at SH41, repairs are scheduled for construction in 2026. The site is subject to the limitations of the 12<sup>th</sup> Avenue Forcemain Basin as identified in the Annexation Agreement.

- Existing and future traffic patterns.

Staff Comment: The site is located adjacent to the intersection of Poleline Avenue and Zorros Road, that provides connection to the signalized intersection of SH41 and Poleline Avenue. The site is additionally located 2 miles north of I90.

Though capacity exists on the surrounding roadways, a Traffic Impact Analysis (TIA) should be conducted to verify the projects impacts and timing on the intersection of Poleline Avenue / Zorros Road as part of the site plan review process.

Goals and policies of the comprehensive plan, related master plan and/or facility plans.

Staff Comment: The analysis within this staff report addresses this policy point.

**Policy 3:** Encourage development patterns that provide suitably scaled, daily needs services within walking distance of residential areas, allowing a measure of independence for those who cannot or choose not to drive.

Staff Comment: The analysis within this staff report addresses this policy point.

**Policy 8:** Encourage compatible infill development and redevelopment of vacant and underutilized properties within City limits.

Staff Comment: This lot could be considered as under-utilized and infill. Redevelopment with a higher density could offer some relief to the housing concerns within the city.

**Policy 15:** Ensure that adequate land is available for future housing needs, helping serve residents of all ages, incomes, and abilities through provision of diverse housing types and price levels.

Staff Comment: The proposed special use permit could help create additional housing in the CCS zoning designation.

**Policy 19:** Encourage clustering of units in new residential development, providing service efficiencies and creating opportunities for private or community open space.

Staff Comment: The proposed special use permit is an example of clustered residential units that will also develop private open space for residents. Per PFMC section 18.24.030.D.7, Post Falls multi-family performance standards require 300 square feet of common open space for each 2-bedroom unit and 150 square feet of common space for each 1-bedroom unit. Additionally multi-family performance standards require sites greater than 2-acres to consolidate the majority of the required open space into a primary open space.

The proposed development contains 48 one-bedroom units and 48 two-bedroom units, which necessitates a minimum of 21,600 square feet of open space. The proposal includes 27,164 square feet of open space, which is consolidated into a primary open space.

**Policy 20:** Consider location of multi-family development in areas that:

- Have access to arterial and collector streets;

Staff Comment: The proposed special use permit would develop multi-family in close proximity to arterial roadways near I-90, located 2 miles to the south on SH41. Poleline Avenue provides connection to the City of Coeur d'Alene to the east.

- Help buffer higher and lower-intensity development patterns;

Staff Comment: Multi-family development at this location may assist buffering this impact of Highway 41 to the lesser dense housing to the east.



- Abut compatible existing uses;

Staff Comment: This criterion is addressed in Policy 1.

- Are part of projects involving mixed use or master planned areas.

Staff Comment: The area bounded by North Zorros Road, Highway 41, and East Prairie Avenue has the potential, upon development, to evolve into a horizontally integrated mixed-use environment—ultimately resembling a master-planned community.

**Policy 21:** Maintain standards for multi-family housing that encourage quality building design, landscaping and usable open space, supporting long-term family living.

Staff Comment: This criterion is addressed in Policy 19.

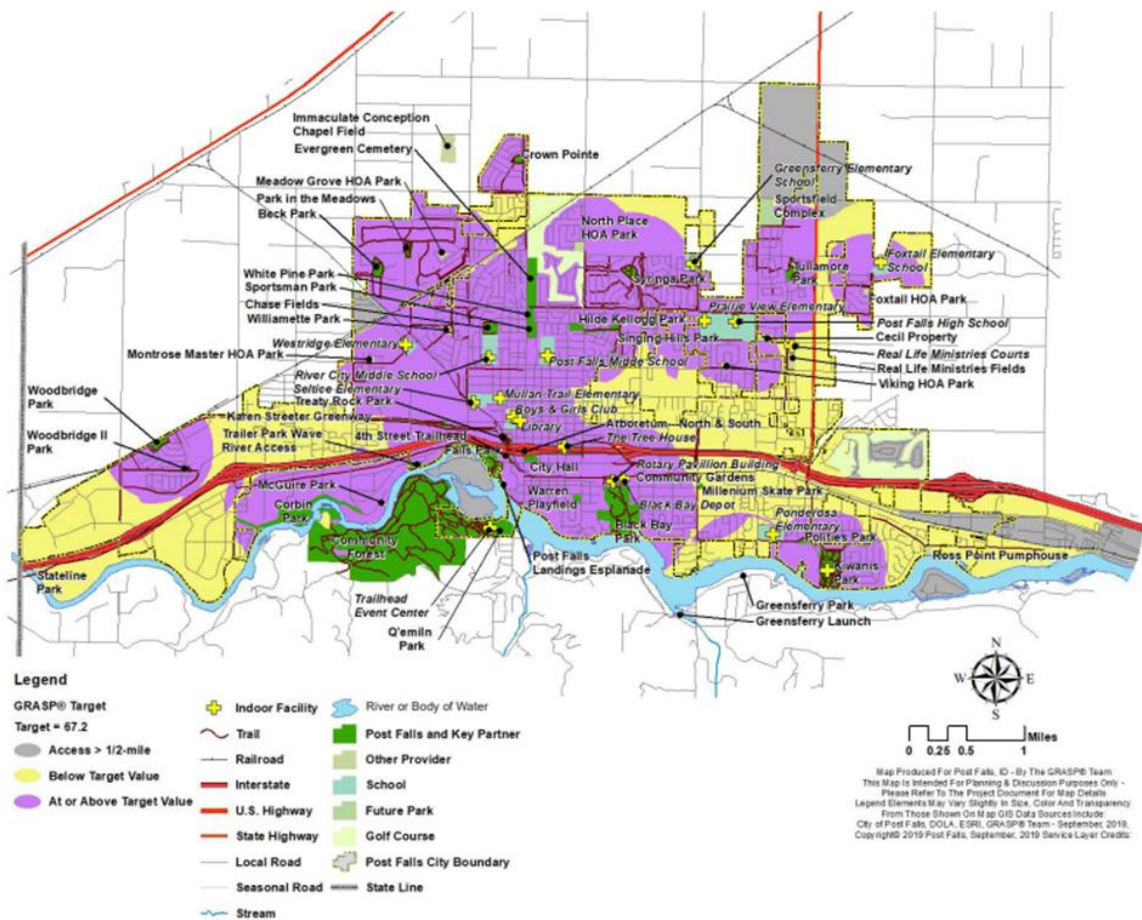
**Policy 38:** Plan new development to ensure provision of public services at current Levels of Service (LOS) or the LOS identified in City-adopted master plans.

Staff Comment: This criterion is discussed in Policy 19 and Policy 60.

**Policy 60:** Maintain adopted Levels of Service (LOS) for parks, recreation and open space, and continue to identify opportunities to acquire parkland.

Staff Comment: This project is located in an area identified in the Parks and Recreation Master Plan as at or above the established level of service, due to the amenities in Foxtail. As noted this development will be providing on-site amenities as well. Referring to Policy 19, open space requirements are provided in PFMC for multi-family projects to assist mitigating this matter. Additionally, as mentioned earlier, Park Impact Fees are paid at time of issuance of building permits.

Parks and Recreation LOS Analysis (Following Image)



OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

Agencies Notified:

|                                   |                                 |                                     |
|-----------------------------------|---------------------------------|-------------------------------------|
| Bonneville Power Administration   | City Link                       | Post Falls Area Chamber             |
| Post Falls Post Office            | Post Falls Parks & Rec          | PF Police Department                |
| Post Falls School District        | Post Falls Highway District     | Utilities (W/WW)                    |
| Kootenai Electric                 | Kootenai County Fire            | Department of Environmental Quality |
| Ross Point Water                  | East Greenacres Irr. District   | Urban Renewal Agency                |
| Idaho Department of Lands         | Idaho Transportation Department | Panhandle Health District           |
| KMPO                              | Kootenai County Planning        | Yellowstone Pipeline Co.            |
| Phillips 66 Pipeline Co. (Conoco) | NW Pipeline Corp.               | BNSF                                |
| TC Energy (TransCanada GTN)       | Avista Corp. (WWP-3)            | TDS Telecom                         |
| Ziply Fiber                       | Spectrum                        | Coeur d'Alene Garbage               |
| Coeur d'Alene Press               |                                 |                                     |

**PUBLIC PROCESS:** Notice of the proposed SUP was mailed to property owners within 300 feet of the proposed project June 16, 2025. Notice has been published in the Post Falls Press on June 20, 2025 and was sent to appropriate jurisdictions on June 23, 2025. The property is scheduled to be posted by June 27, 2025.

**MOTION OPTIONS:** The Planning Commission may approve the requested Special Use Permit as presented, approve with conditions, or deny the Special Use Permit request.

**CONDITIONS (If any are applied):**

1. Site Access points will be required to conform with City Access Management requirements.
2. Perform a Traffic Impact Analysis (TIA) as part of the site plan review process and address any identified mitigation(s) from the TIA.
3. Dedicate rights-of-way and easements along Poleline Avenue and Zorros Road
4. Match the roadway width of Zorros Road that exists immediately north the site.
5. Sanitary Sewer Surcharges for the 12<sup>th</sup> Avenue Forcemain Basin and Meyer Line Sewer per the Annexation Agreement.
6. No direct access to Poleline Avenue would be allowed.

**ATTACHMENTS:**

APPLICANT'S EXHIBITS:

Exhibit A-1: Application

Exhibit A-2: Narrative

Exhibit A-3: Conceptual Plan

Exhibit A-4: Vicinity map

Exhibit A-5: Owner Authorization

STAFF EXHIBITS:

Exhibit S-1: Vicinity Map

Exhibit S-2: Zoning Map

Exhibit S-3: Future Land Use Map

**SUP-25-3**

Special Use Permit

Status: Active

Submitted On: 5/1/2025

**Applicant**

Austin Fuller



509-893-2617



permits@whipplece.com



21 S. Pines Rd.

Spokane Valley, Washington 99206

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**Applicant Information****Applicant Type\***

Engineer

**Applicant Name\***

Whipple Consulting Engineers, Inc.

**Phone\***

509.893.2617

**Email\***

permits@whipplece.com

**Address\***

21 S. Pines Road

**City, State & Zip Code**

Spokane Valley, WA 99206

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**Owner Information****Name\***

Douglass Properties, LLC

**Company****Phone\***

509.483.66632

**Email\***

lanzce@irentspokane.com

**Address\***

1402 E Magnesium Rd. STE 202

**City, State & Zip Code**

Spokane, WA 99217

## Site Information

**Proposed Project Name\***

Poleline and Zorros Special Use Permit

**Description of Project\***

Special Use Permit to construct 96 multifamily units on approximately 4.76 acres.

**Existing Zoning**

CCS

**Adjacent Zoning**

CCS, R-1

**Current Land Use**

Single unit

**Adjacent Land Use**

single-family, multifamily

**Size of Site**

4.76 acres +/-

**Site Density, if applicable**

20.17 u/ac

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## Application Certification

All exhibits presented will need to be identified at the meeting, will be entered into the record, and retained on file.\*



The applicant (or representative) must be at the meeting representing this proposal or the application will not be heard. The applicant will be responsible for costs in re-noticing the public hearing.\*





I (We) the undersigned do hereby make application for the land use action contemplated herein on the property described in this application and do certify that the information contained in the application and any attachments or exhibits herewith are accurate to the best of my (our) knowledge. I (We) further acknowledge that any misrepresentation of the information contained in this application may be grounds for rejection of the application or revocation of a decision rendered. I (We) understand that the Administrator may decline this application if required information is deficient and/or the application fee has not been submitted. I (We) acknowledge that City staff may, in the performance of their functions, take photographs and/or videos of the property under consideration as deemed necessary, enter upon the property to inspect, post legal notices, and/or other standard activities in the course of processing this application. I (We) hereby certify that I am (we are) the owner or contract buyer of the property upon which the land use action is to be located, or that I (we) have been vested with the authority to act as agent for the owner or contact buyer. \*

✓ Austin J Fuller

May 1, 2025



Whipple Consulting Engineers, Inc.

WCE No. 23-3546

May 1, 2025

Post Falls Planning and Zoning Commission  
C.O.: Jon Manley, Planning Manager  
408 N. Spokane Street  
Post Falls, ID 83854

Re: City of Post Falls  
Poleline & Zorros – Special Use Permit Narrative

Dear Mr. Manley:

This letter is intended to serve as a written narrative for a proposed Special Use Permit to allow for multifamily residential uses on parcel 0-6360-30-058-AA, AIN 115171 (Poleline Property) on 4353 E. Poleline Avenue. This letter discusses zoning information, how the proposal relates to the City of Post Falls Goals and Policies Future Land Use Plans, and any impact the proposal would have on City services.

### **Site Description**

This Special Use Permit application is one part of three applications along Zorros Road. The purpose of these applications is to create a connected apartment community spanning from Hope Avenue to Poleline Avenue that while providing additional living opportunities along the Highway 41 Corridor near services, these properties will contribute independent recreational amenities and relieve impacts to local parks. The projects will use and collectively improve neighboring roadways and will encourage commercial development along the Highway 41 Corridor.

This Special Use Permit application is regarding the Poleline Property located in the CCS Zone in the City of Post Falls, Idaho in Section 30, Township 51 North, Range 4 West, B.M. The City of Post Falls Future Land Use Map designates the property as Business/Commercial. The Poleline Property is one approximately 4.76-acre rectangular parcel, listed as Kootenai County tax parcel number 0-6360-30-058-AA. The Poleline Property has frontage on Zorros Road to the east and Poleline Avenue to the south.

Currently, the subject property is undeveloped, with the Bluegrass Apartments to the north and west, the Foxtail Ridge Subdivision to the east and unincorporated land to the south. Although traffic on the highway provides exposure, additional residential development in the area is critical for the effort to attract commercial and retail businesses to the corridor; and provide multifamily residences in a regional housing shortage. The proposed Special Use Permit will create a housing transition consistent with R-3 zoning between the future commercial and retail uses adjacent to Highway 41 and the single-family residential located to the east in the Foxtail Subdivision. Not only will the approval of this Special Use Permit provide for residential housing within a walkable distance of future commercial and retail services, but the increased



May 1, 2025

density will help foster commercial development along the Highway 41 corridor, reduce trips and continue to promote efficient land use within ½ mile of Highway 41.

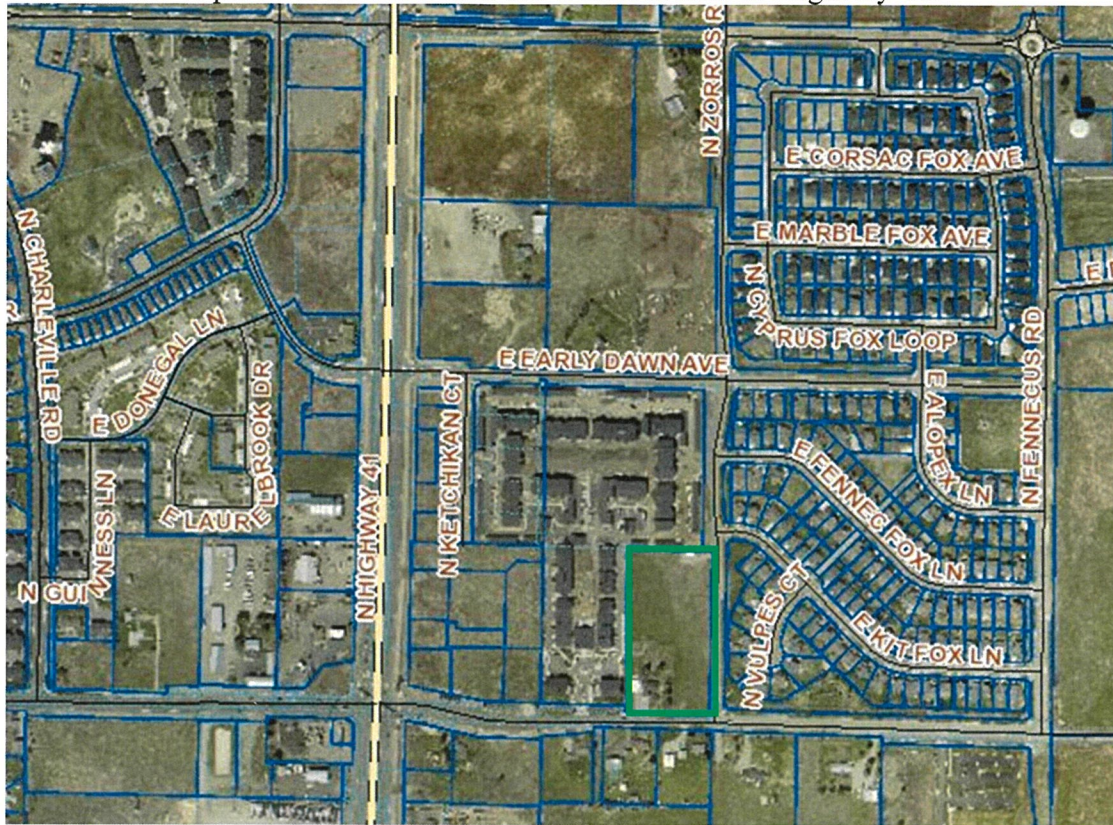
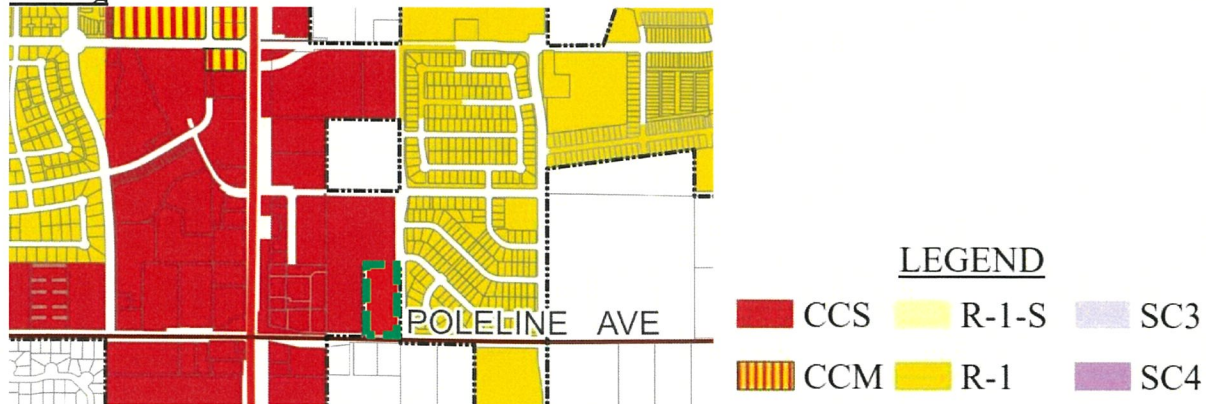


Figure 1: Property outlined in green.

### Zoning



The site is located in the Post Falls CCS Zone and is also located in the Business/Commercial designation of the City of Post Falls Comprehensive Plan.

Surrounding properties include the Bluegrass Apartments to the north and west, single-family residential to the east and unannexed single-family residential on large lots to the south.

### City Special Use Permit Code Review

The Post Falls Municipal Code Section 18.20.070 regulates Special Use Permits. Below is a review of the Special Use Permit code and our responses to each section of the code:

*The purpose of a Special Use Permit is to establish procedures for the review and approval of Uses that are not permitted by right in a particular zoning district. A Special Use Permit is not transferable from one parcel of land to another nor shall it be considered as establishing a binding precedent to grant other Special Use Permits. Special Use Permits require a public hearing before the planning and zoning Commission following appropriate procedures.*

**WCE Response:** This section of code authorizes the use of Special Use Permits and identifies the required procedure for approval.

- A. *A completed Special Use Permit application shall be submitted to the Zoning Administrator which shall include a description of the Use proposed, the manner of implementation of the proposed Use including information about appearance and configuration, how it would be compatible with infrastructure and Land Uses present and future, and why the proposal would be in the public interest.*

**WCE Response:** This narrative and the associated site plan identifies the requirements within the Special Use Permit. For convenience, each requirement is listed below with our response:

- *A description of the use proposed:* The project proposes three apartment structures with a total of 96 residential units. Additionally, there will be approximately 104 parking stalls and 96 garages including ADA stalls across the 4.76 acres. Finally, an amenities area is identified on the site plan. These amenities are subject to change; however, the project will require two amenities per code and an additional two amenities per 10% increase in density proposed, for a total of eight amenities if all 96 dwelling units are desired. At this time, this project proposes 8+ amenities.
- *Appearance and configuration of the site:* The site is configured with three apartment buildings primarily located on the west 2/3rds of the property essentially fronting on Zorros Road and amenities between the three structures to ensure easy access. Parking will be to the east with stalls closer to the apartments and garages near Zorros Road to form a visual buffer. The proposed layout provides additional buffer between the proposed apartment units and the existing Foxtail Ridge subdivision. The site will be developed similarly to the approved and developed Bluegrass Farms Apartments to the north and west.
- *How the project would be compatible with infrastructure:* The property has access to a future major collector, Zorros Road, to the east; and a minor arterial, Poleline Avenue, to the south. The property is nearby existing infrastructure including sewer, water and dry utilities within Zorros Road. Both Poleline Avenue and Zorros Road will be improved along the site frontage with this project.
- *How the project would be compatible with present and future land uses:* The existing surrounding properties include apartments to the north and west, R1-zoned residential properties to the east, and unannexed County properties under the Business/Commercial future land use to the south. This project will increase the development potential of nearby Business/Commercial-designated properties, providing opportunities for the development of CCS-zoned land. The project as proposed would provide a residential buffer between the single-family on the east side of Zorros and the Commercial and Highway 41 Corridor.

- *Why the proposal would be in the public interest:* There is a high demand for residential multifamily within Kootenai County due to the relatively high cost of single-family residences, and more specifically the City of Post Falls. In addition, this project will create an incentive for further commercial development along the Highway 41 Corridor. A future apartment project would create a buffer between the existing single-family residential to the east and future commercial to the west.

*B. As its schedule and agenda allow, the planning and zoning Commission shall hold a public hearing and shall review the particular facts and circumstances of each proposed special use. In granting a Special Use Permit, the planning and zoning Commission may attach appropriate conditions to mitigate impacts, and to ensure conformance with the intent of the Comprehensive Plan and applicable provisions of this title. The application for a Special Use Permit may be approved as presented, conditionally approved, or denied by the planning and zoning Commission upon determining the following:*

**WCE Response:** The Special Use Permit approval criteria in the City of Post Falls has four requirements, listed below as 1 through 4. This Special Use Permit application meets the requirements in the following ways:

*1. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.*

**WCE Response:** Implementation of this special use would conform to the purposes of the CCS Zoning district. The Post Falls Municipal Code Section 18.16.10(B)(2) establishes the CCS Zone and states that ...*Residential Uses may be allowed within this zone at densities permitted by the High Density Multi-Family Residential (R3) Zone by Special Use Permit when they will not compromise present uses.* The PFMC Section 18.16.30 allows for multifamily residential under a special use, requiring a Special Use Permit.

Per PFMC Subsection 18.24.030(D)(7): *At least one hundred fifty (150) square feet of common Open Space must be provided for each one (1) bedroom unit and three hundred (300) square feet for each two-bedroom plus unit.* This project proposes 48 one-bedroom units (requiring 7,200 sf) and 48 two or greater-bedroom unit buildings (requiring 14,400 sf), for a total required open space of 21,600 sf. The project proposes 27,164 sf, which meets the minimum required open space for the project.

Per PFMC Subsection 18.24.030(D)(7)(d): *The required Open Space must contain at least two of the following amenities that are accessible for Use by the residents and should be centrally located:*

- Play Structure;*
- Community garden;*
- Picnic tables and BBQ areas. Providing a gazebo or other permanently affixed shade Structures nearby counts as two (2) amenities;*
- Swimming Pool;*
- Indoor recreation facility;*
- Sports courts (e.g., tennis, basketball, volleyball);*



- vii. Internal courtyards;*
- viii. Connected internal trail/sidewalk system. (when possible, connect to nearby parks, trails, or other public amenities.);*
- ix. Natural Open Space area with benches/viewing areas and/or trails;*
- x. Other active or passive recreation areas as approved by the community development director that meets the intent of this requirement.*

This project proposes bonus density as allowed in PPMC Subsection 18.24.030(D)(7)(e): *Density bonus. For each additional amenity provided beyond the two (2) required amenities, a ten (10) percent Density increase, in excess of the maximum allowed Density, is available up to a maximum of three (3) bonuses.* As required to obtain all three bonuses required for approval of 96 units, the project proposes eight amenity types. While the amenities are subject to change, the following amenities are proposed:

- play structure;
- community garden;
- a Picnic table and BBQ area with a gazebo (counts as two amenities);
- two sports courts (pickleball, horseshoes);
- internal courtyard;
- connected internal trail/sidewalk system;
- a dog park which meets or will meet item x above; and
- Additionally the residents may be able to utilize the clubhouse and pool amenities at the Bluegrass Farms Apartments to the north and west.

2. *Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the City and the State.*

**WCE Response:** The proposed use will constitute an allowable special use as established by PPMC Chapter 18.16. The PPMC Section 18.16.30 table allows for multifamily residential under a special use, requiring a Special Use Permit. Section 67-6512 of the Idaho Statutes creates provisions for Special Use Permits, including notification requirements and conditions.

3. *Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses in the vicinity of the proposal.*

**WCE Response:** The proposed special use will be compatible with the health, safety and welfare of the public and with land uses in the vicinity of the proposal. The project will connect to water, sewer and electricity, as well as cable and gas, as allowed. The project will improve Poleline Avenue along the project frontage with ½ Right-of-Way and a lane improvements; and Zorros Road along the project frontage with curb, gutter and sidewalk. Finally, the project has adequate connection to the public road system via Zorros Road and Poleline Avenue for police and fire access; therefore, it is our understanding that the project is compatible with public health, safety and welfare.

Regarding the land uses in the vicinity the project, to the north and west of the site are the Bluegrass Farm Apartments and to the east of the property is R1 Zoned single-family residences that are part of the Foxtail Addition plat. The Foxtail Addition plat is also

adjacent to the Bluegrass Farm Apartments to the north, and generally this area has multifamily residential development adjacent to single-family residential development to provide a buffer from Highway 41, making this project compatible with adjacent land uses. Remaining land uses in the vicinity are single-family residential lots or vacant land. It should be noted that Business/Commercial future uses are identified in the Comprehensive Plan for this project and area.

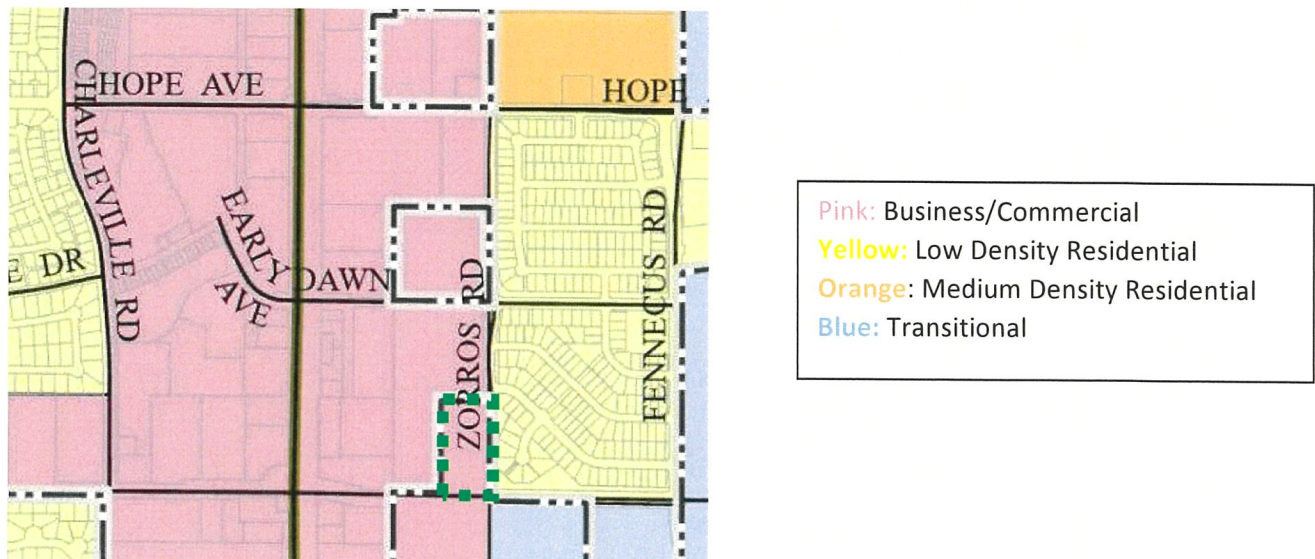


Figure 2: figure 2.03, page 37 of the Comprehensive Plan

4. *Whether the proposed use will/will not comply with the goals and policies found within the Comprehensive Plan.*

**WCE Response:** The proposed use will comply with the goals and policies found within the Comprehensive Plan. This project is located within the focus area 41 North, which identifies the following items:

- *Focus provisions for multi-family, commercial and tech uses near higher-classified roadways;*

**WCE Response:** This project proposes multifamily use within ½ mile of Highway 41; therefore, this item has been met with direct access via the Poleline and Highway 41 signal for ease of ingress and egress.

- *Development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail;*

**WCE Response:** This project proposes additional sidewalks on Zorros Road and Poleline Avenue; therefore, this item has been met.

- *Manage development patterns in the airport fly zone east of 41 and north of Prairie Avenue, coordinating with the 2018 Coeur d'Alene Airport Master Plan;*

**WCE Response:** This item is not applicable as the site is south of Prairie Avenue and therefore outside the airport fly zone.

May 1, 2025

- *Facilitate the creation of the “backage roads” system envisioned in the Highway 41 Corridor Master Plan, supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses;*

**WCE Response:** This item is not applicable as the property does not align with the proposed “backage road” alignment, in this instance Zorros Road is the closest north/south road for this endeavor.

- *Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.*

**WCE Response:** This project proposes apartments, a commercial use, along Zorros Road and proposes improvements to Poleline Avenue along the project frontage.

The project complies with the following goals found within the Comprehensive Plan:

*Goal G.01: Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.*

*Goal G.07: Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City’s long-term sustainability.*

*Goal G.08: Protect and maintain Post Falls’ natural resources including clean air, soils, river and aquifer, and minimizing light and noise pollution citywide.*

*Goal G.09: Protect and enhance Post Falls’ scenic and natural areas for present and future generations.*

The above goals are implemented through the following policies:

*Policy P.01: Support land use patterns that:*

*Maintain or enhance community levels of service;*

**WCE Response:** This project will require public roads with sewer, water, electric and gas services. These services are already in place along or within Zorros Road and Poleline Avenue and will be subject to service fees, thereby providing funding to utility purveyors as well as maintaining levels of service.

*Foster the long-term fiscal health of the community;*

**WCE Response:** The project will provide for the long-term fiscal health of the community by providing residential development, intended to attract commercial development to the focus area 41 North, does not promote sprawl as an infill development of 96 units on 4.76 acres vs 96 single-family lots on 16.5 acres of prairie.

*Maintain and enhance resident quality of life;*

**WCE Response:** This project will provide new development, enhancing the quality of life for existing residents of the adjacent single-family residential use by buffering them from high-intensity commercial development. Additionally, rooftops adjacent to Highway 41 will promote infill community developments such as the new Grocery Outlet and Circle K on Poleline Avenue, both accessible via the pedestrian network reducing grocery vehicular trips.

*Promote compatible, well-designed development;*

**WCE Response:** The project is in proximity to both single-family and multifamily development, which are compatible uses for the proposed multifamily use. Care will be taken to limit impacts to the adjacent single-family residences by site buffering and providing onsite amenities. The onsite amenities will lesson the requirements for offsite park uses by providing dog parks, play structures, etc. for residents of the project.

*Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.*

**WCE Response:** This project will implement the goals and policies of the comprehensive plan as noted throughout this section. Facility plans will be implemented as facility approval is required for development as part of concurrency review.

*Policy P.02: Apply or revise zoning designations with careful consideration of factors including:*

*Future land use mapping;*

**WCE Response:** This project is an appropriate application of the Business/Commercial Future Land Use, as multifamily residential uses are specifically identified in this land use area.

*Compatibility with surrounding land uses;*

**WCE Response:** Surrounding land uses include single-family residential uses, which are compatible with multifamily residential development, as identified further below in Policy P.20.

*Infrastructure and service plans;*

**WCE Response:** This project is located in the business/residential category of the Comprehensive Plan and is located within the City of Post Falls. All infrastructure—including streets, wet and dry utilities—is within Zorros Road to the east. The project will improve the frontage of Poleline Avenue, thereby improving access to the Highway 41 and Poleline Avenue signalized intersection.

*Existing and future traffic patterns;*

**WCE Response:** This project will provide improvements to Poleline Avenue to the south of the project site, improving future connectivity to/from Highway 41 as adjacent properties develop.

*Goals and policies of the comprehensive plan, related master plan and/or facility plans.*

**WCE Response:** The goals and policies of the comprehensive plan and related master plan are followed as identified throughout this section. The site is adjacent to Zorros Road, which contains all utilities necessary for development of a multifamily residential complex.

*Policy P.08: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.*

**WCE Response:** The Poleline Property is adjacent to multifamily and a single-family residential subdivision and within the Highway 41 focus area; therefore, it is an under-utilized property within City limits. The development of this property will incentivize further commercial development to occur on nearby properties within city limits, specifically properties to the northwest adjacent to Highway 41.

*P. 15: Ensure that adequate land is available for future housing needs, helping serve residents of all ages, incomes and abilities through provision of diverse housing types and price levels.*

**WCE Response:** The application of multifamily residential housing will provide for current and future housing needs by providing additional residential housing near a travel corridor. Per the City of Post Falls Vacant Land Counter (accessed 4/24/25), there are 711 approved multifamily units within six site plans yet to obtain Certificate of Occupancy and 1,963 lots within 13 subdivisions yet to plat. Additional multifamily residential units will diversify the housing market, allow for more affordable housing than detached single-family residences, and maximize existing wet and dry utilities, roads, etc.

*P.19: Encourage clustering of units in new residential development, providing service efficiencies and creating opportunities for private or community open space.*

**WCE Response:** Multifamily residential development clusters units in new residential development, provides more efficient services including reduced water needs compared to single-family detached residences, and creates opportunities for private or community open space. The project proposes both community amenities and approximately 27,164 sf of community open space, which is greater than the required 21,600 sf of open space.

*P.20: Consider location of multi-family development in areas that:  
Have access to arterial and collector streets;*

**WCE Response:** As shown on the Post Falls Transportation Master Plan, the property has direct access to a minor arterial, Poleline Avenue, to the south; and a proposed major collector, Zorros Road, to the east. Where applicable, these roads will be improved to ½ street collector standards.



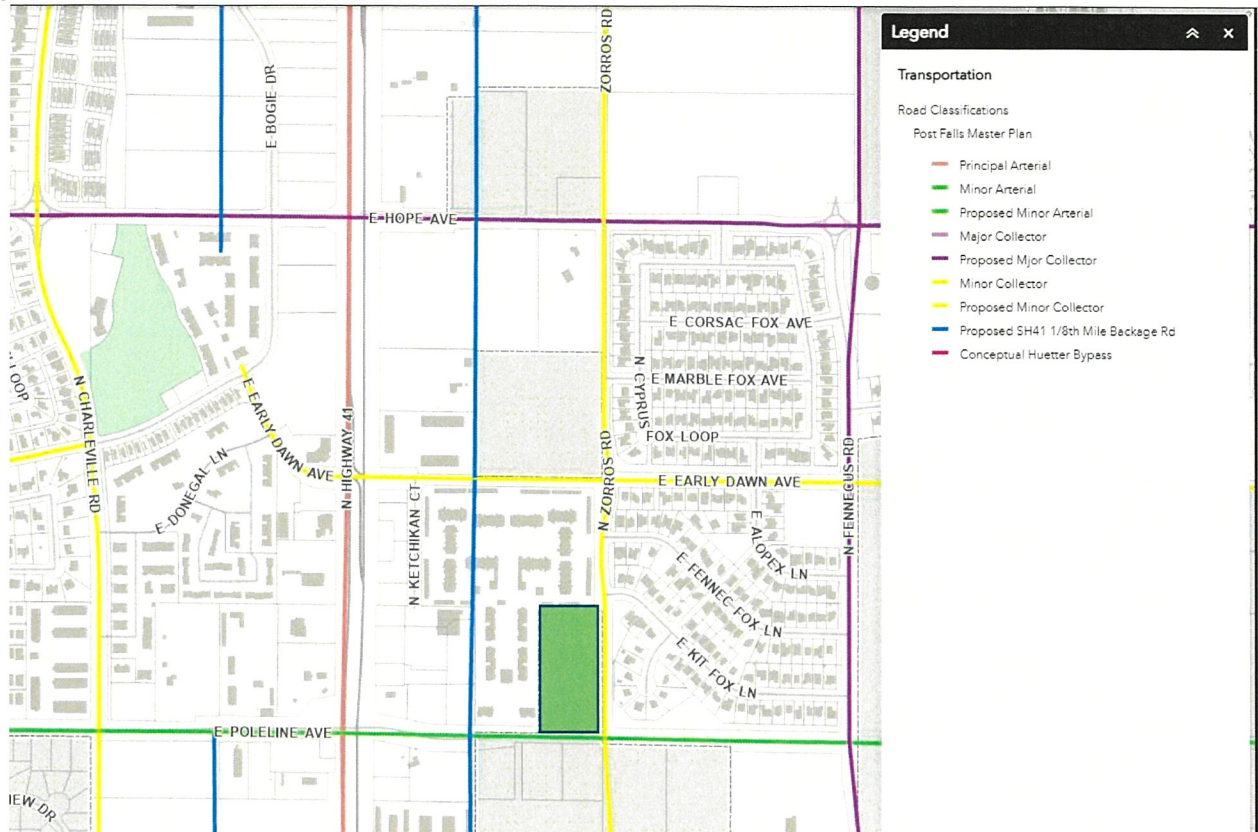


Figure 3: Post Falls GIS transportation layer, subject property in green.

*Help buffer higher and lower-intensity development patterns;*

**WCE Response:** Multifamily residential at this site would buffer the lower-density R1 zoned subdivision to the east from future commercial development and Highway 41 to the west.

*Abut compatible existing uses;*

**WCE Response:** Multifamily residential development is compatible with the existing single-family residential development to the east and the multifamily development to the north and west. Multifamily development is also compatible with undeveloped/underdeveloped land to the south, which are part of the Business/Commercial future use section of the comprehensive plan.

*Are part of projects involving mixed use or master planned areas.*

**WCE Response:** This property is located within the focus area 41 North, which includes provisions for multifamily residential property.

*P.21: Maintain standards for multi-family housing that encourage quality building design, landscaping and usable open space, supporting long-term family living.*

**WCE Response:** This project will develop multifamily housing to local and state building codes, ensuring quality building design. A landscaping plan will be provided as

required by the City of Post Falls including usable open space and amenities between the three structures as shown on the current plan.

*P.26: Maintain and improve the continuity of sidewalks, trails, and bicycle paths in Post Falls.*

**WCE Response:** This project will include separated sidewalks on Zorros Road and Poleline Avenue along the project frontage as required by the Post Falls Municipal Code, thus improving the continuity of sidewalks in the area.

*P.27: Work to improve street connectivity in all areas of Post Falls, improving walkability, public health and safety, and transportation efficiency.*

**WCE Response:** This project will make ½ street improvements to Poleline Avenue and Zorros Road, improving street connectivity in the area. This project would improve Poleline Avenue along the project frontage thereby improving traffic flow to/from a signalized access and lowering the demand this project would place on Zorros Road.

*C. Upon granting a Special Use Permit, the planning and zoning Commission may attach conditions including, but not limited to:*

*1. Minimizing adverse impact on other development.*

**WCE Response:** This requirement has been noted. Please note that multifamily residential development may create less impact on adjacent development than commercial development that would be outright permitted in the CCS Zone such as retail, general office buildings over 5 stories, a bar or other outright permitted uses.

*2. Controlling the sequence and timing of development.*

**WCE Response:** This requirement has been noted, no timing of the development has been proposed as of now; however, it should be expected that this development would be constructed in the 2026/2027 cycle.

*3. Controlling the duration of development.*

**WCE Response:** This requirement has been noted; however, it may not be applicable for an apartment development.

*4. Assuring that development is maintained properly.*

**WCE Response:** The developer takes pride in their apartment complexes; rarely, if ever selling a project. It is their utmost priority to maintain well cared for, sought after housing units. Additionally, maintaining a property increases revenue, so there is a natural incentive for the owner to maintain the apartment complex.

*5. Controlling the location and setbacks of development.*

**WCE Response:** This requirement has been noted and the project intends to comply with all setbacks as outlined in the PFZC.

May 1, 2025

6. *Requiring more restrictive standards than those generally required in the zoning ordinance.*

**WCE Response:** This requirement has been noted. It is our opinion that the standards for the CCS Zone for apartments have a similar intensity to commercial development.

- D. *Upon granting or denying an application, the planning and zoning Commission shall render its decision in accordance with the requirements established by Idaho law and as otherwise required by this title. If a Special Use Permit application is denied by city Council, a subsequent application for Special Use Permit of the subject property cannot be submitted to the city within one year of such denial unless a request for application consideration is received and approved by the city Council. Such request shall be submitted to the community development department, with the appropriate fee, and shall provide the city Council with reasons why the application should be accepted and processed. The city Council will review the request, determine whether or not the proposal is significantly different than the one denied and Permit an application to be accepted and processed or deny the request.*

**WCE Response:** This requirement has been noted.

- E. *Appeals of any decision of the planning and zoning Commission must follow the appeal procedure in this title.*

**WCE Response:** This requirement has been noted.

- F. *If development Permits for the requested special Use have not been issued within one year of the granting of the Special Use Permit, or if development of the approved special Use has not commenced with sustained effort to complete development within three (3) years after granting approval of the special use, the Special Use Permit shall become null and void, unless the planning and zoning Commission or city Council, whichever gave final approval, has granted an extension. An extension to the Permit may be granted if applied for in writing to the approving body prior to the date of expiration and if the approving body finds, upon review of the record, that an extension is warranted due to circumstances beyond control of the Applicant and upon finding that city regulations have not been changed significantly from those under which the original approval was reviewed.*

**WCE Response:** This requirement has been noted.

- G. *Any special Use that operates in violation of the requirements and conditions established in a Special Use Permit, pursuant to this section, may be revoked and the Use restricted, suspended, and/or be subject to penalties for violation of this title.*

**WCE Response:** This requirement has been noted.

We believe that all requirements regarding approval of a Special Use Permit have been met or will be met at time of project completion, and we ask for approval of the Special Use Permit as we believe this is an important element to help meet housing needs in the greater Post Falls area.

May 1, 2025

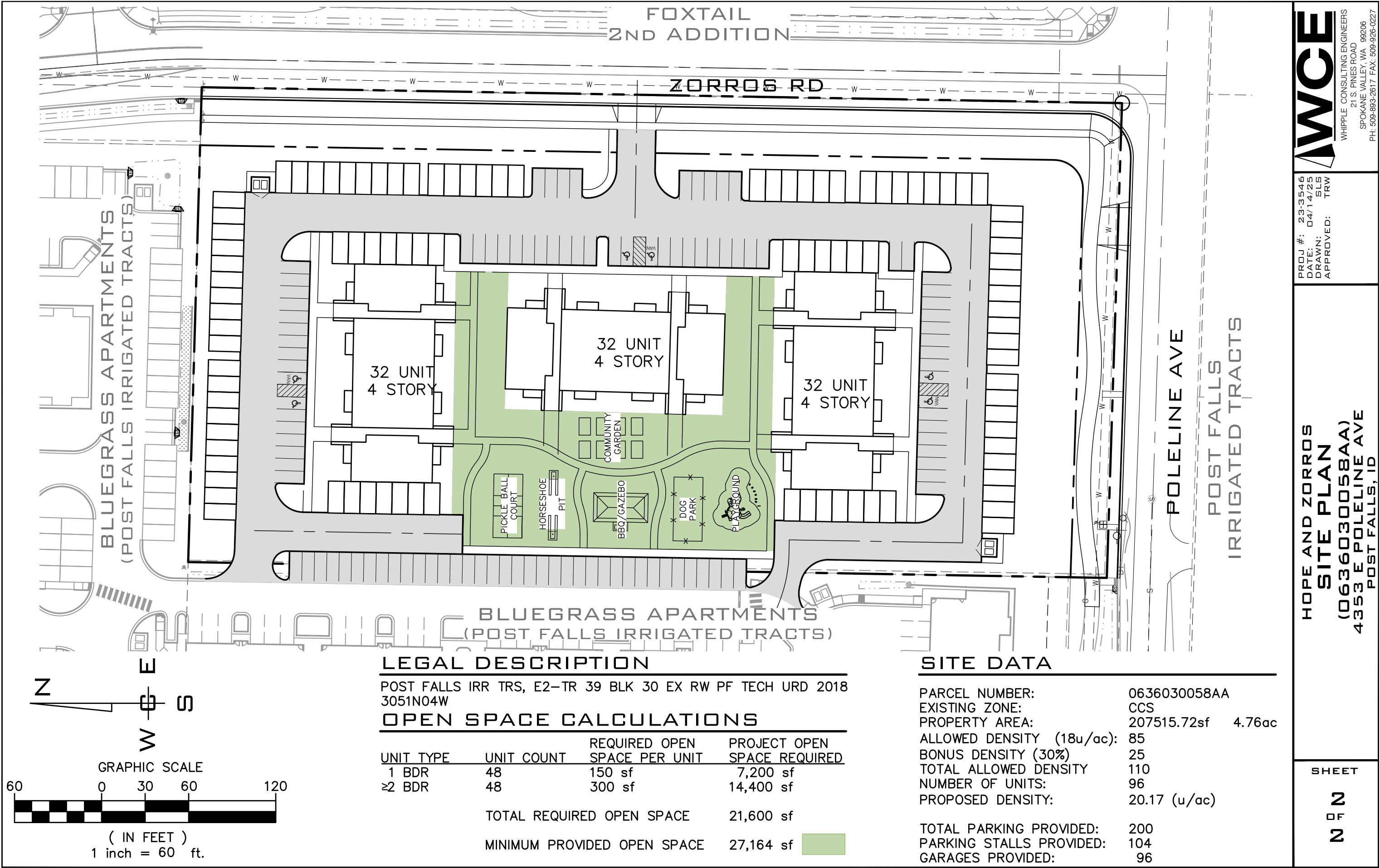
If you have any questions or comments regarding this letter, please feel free to contact us at  
(509) 893-2617

Thank you,

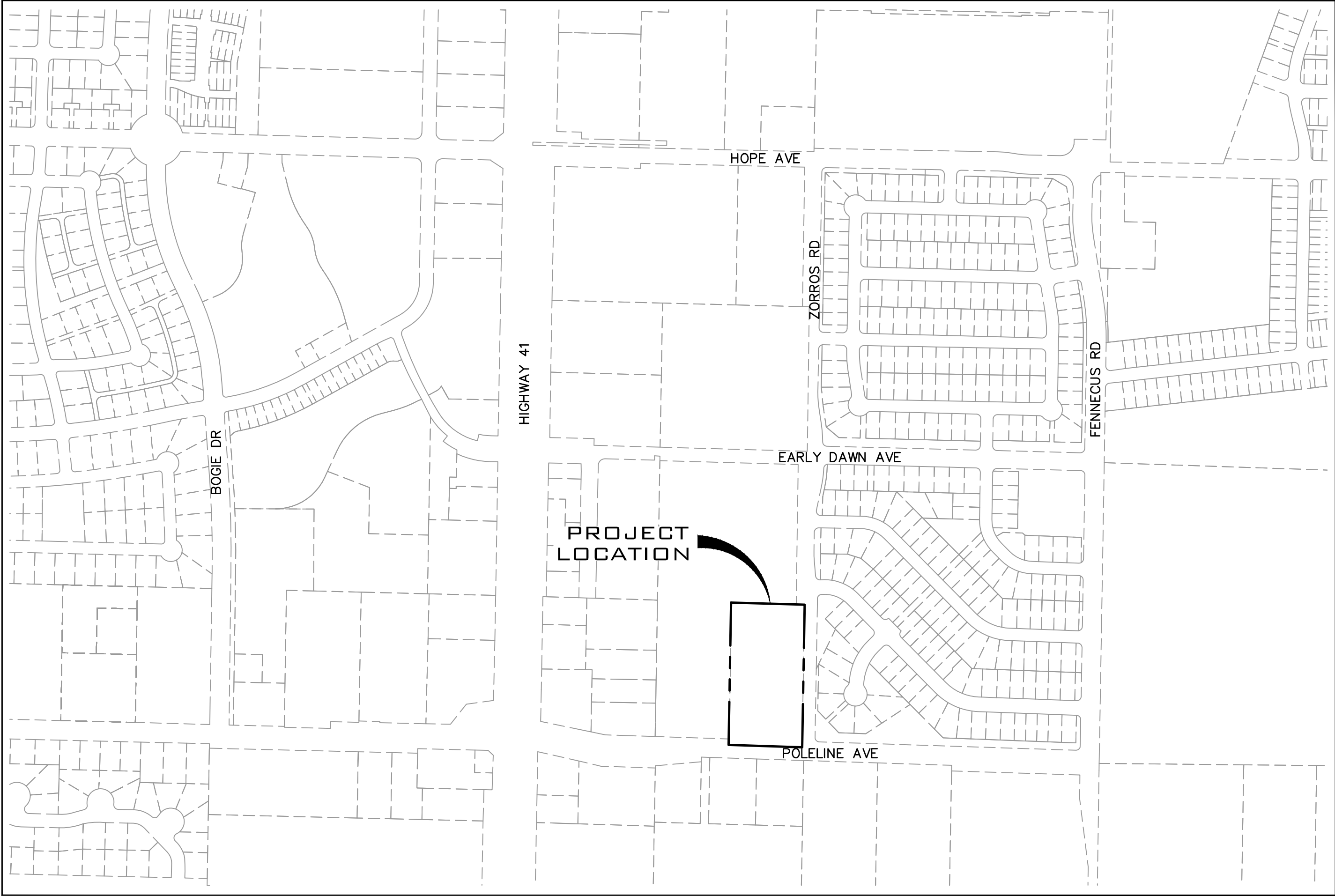
A handwritten signature in dark ink, reading "Austin J. Fuller for-". The signature is fluid and cursive, with a horizontal line extending from the end.

Todd R. Whipple, P.E.  
President, Whipple Consulting Engineers, Inc.

TRW/ajf







|                                                                                                       |                                                                                              |                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| <b>HOPE AND ZORROS<br/>VICINITY MAP<br/>(0636030058AA)<br/>4353 E POLELINE AVE<br/>POST FALLS, ID</b> | <b>PROJ #:</b> 23-3546<br><b>DATE:</b> 04/14/25<br><b>DRAWN:</b> SLS<br><b>APPROVED:</b> TRW | <b>IWCE</b><br>WHIPPLE CONSULTING ENGINEERS<br>21 S. PINES ROAD<br>SPOKANE VALLEY, WA 99206<br>PH: 509-893-2617 FAX: 509-926-0227 |
| <b>SHEET<br/>1<br/>OF<br/>2</b>                                                                       |                                                                                              |                                                                                                                                   |



**Lanzce G. Douglass**  
CONSTRUCTION / PROPERTIES / DEVELOPMENT

April 24, 2025

City of Post Falls Planning Division  
Attn: Jon Manley, Planning Manager  
1<sup>st</sup> Floor of City Hall  
408 N. Spokane St.  
Post Falls, ID 83854

**Re: Authorization Letter  
Poleline & Zorros Special Use Permit**

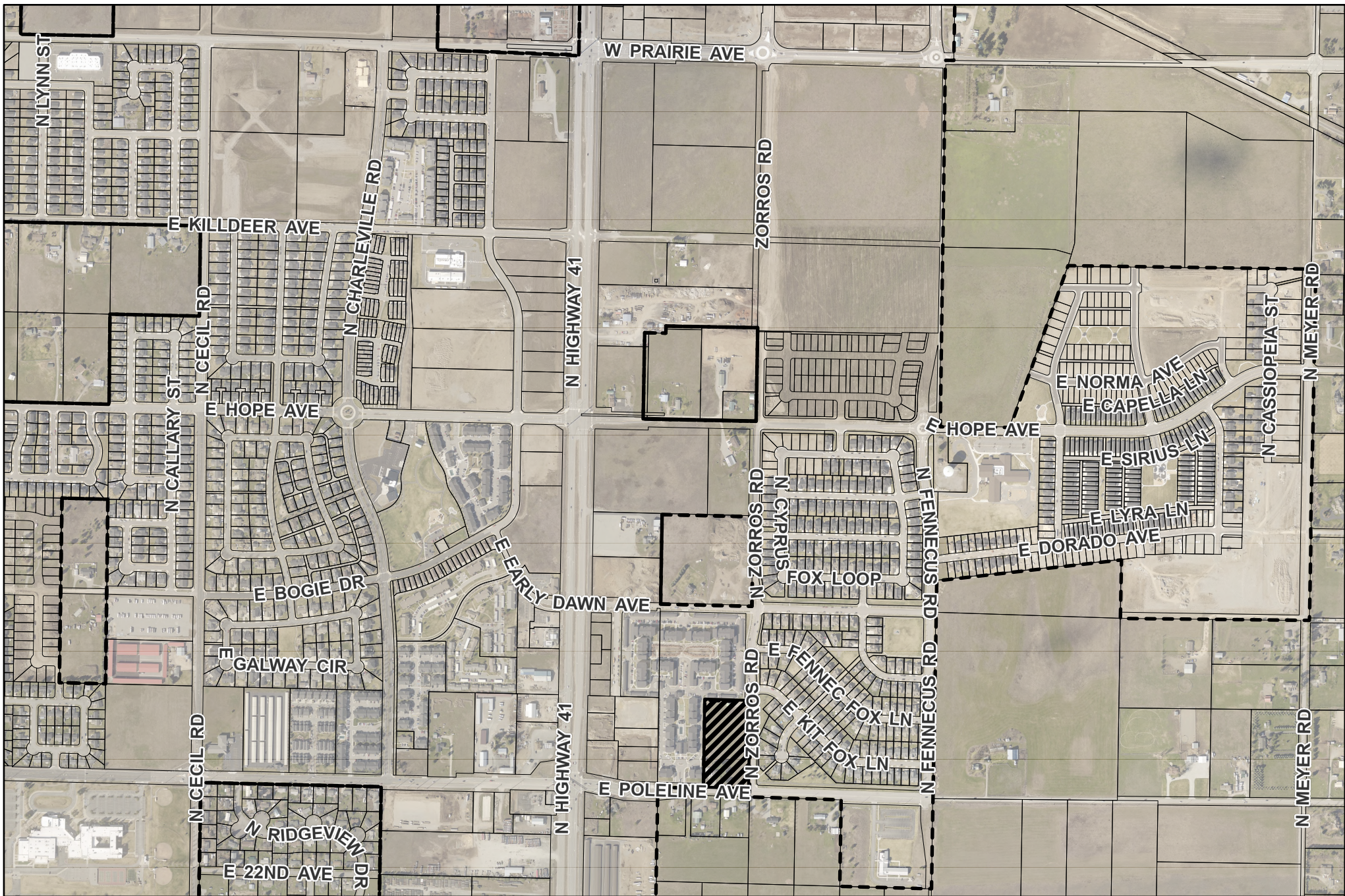
Dear Mr. Manley:

Douglass Properties, LLC hereby authorizes Whipple Consulting Engineers to act on its behalf for the Poleline and Zorros Special Use Permit on Kootenai County parcel number 0-6360-30-058-AA.

Thank you,

Lanzce G. Douglass, member  
Douglass Properties, LLC



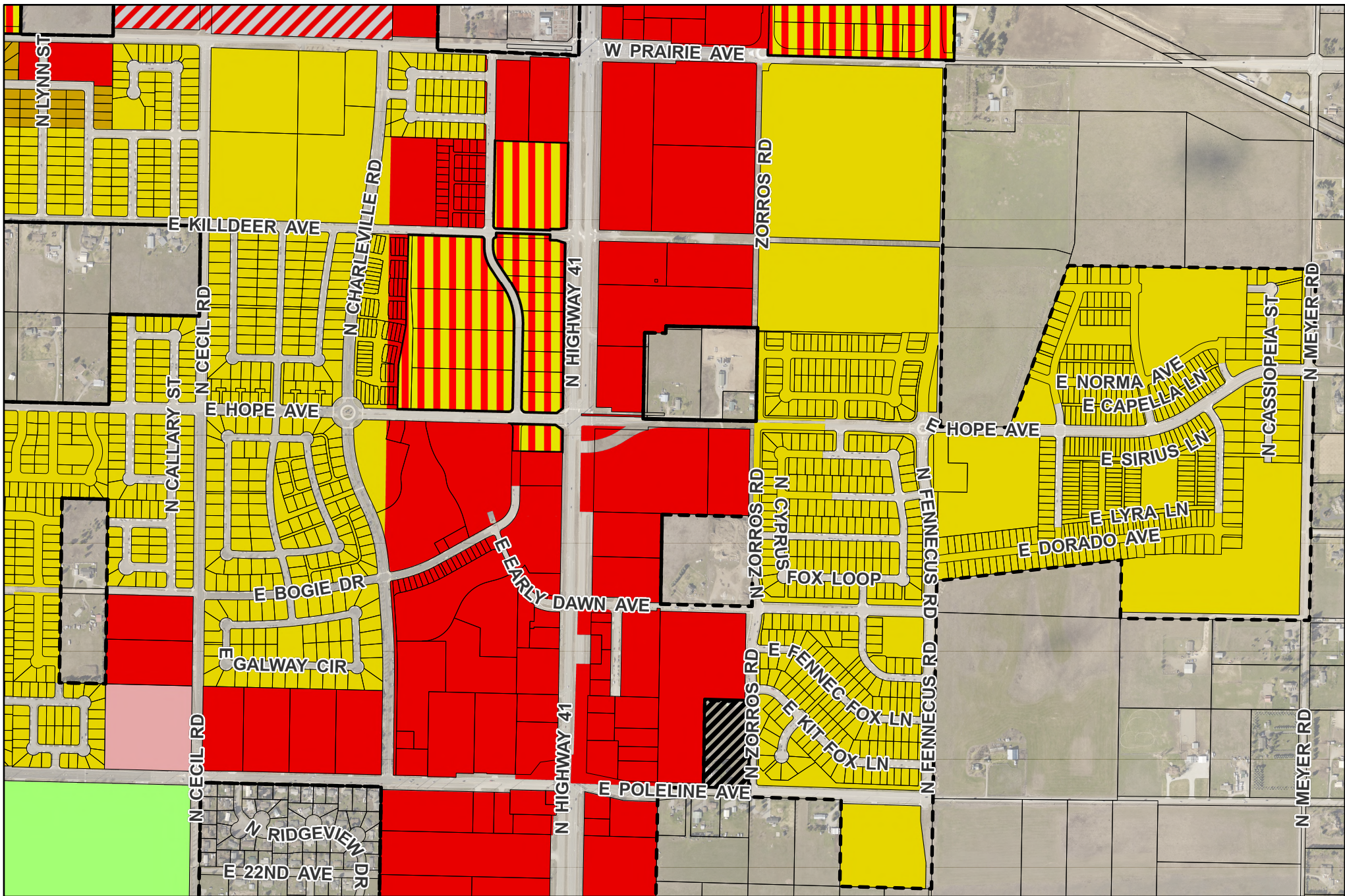


Project Location  
Poleline and Zorros Special Use Permit  
**SPECIAL USE PERMIT**  
SUP-25-3



- Post Falls City Boundary
- Tax Parcels
- Subject Site





Zoning Map  
Poleline and Zorros Special Use Permit  
SPECIAL USE PERMIT  
SUP-25-3

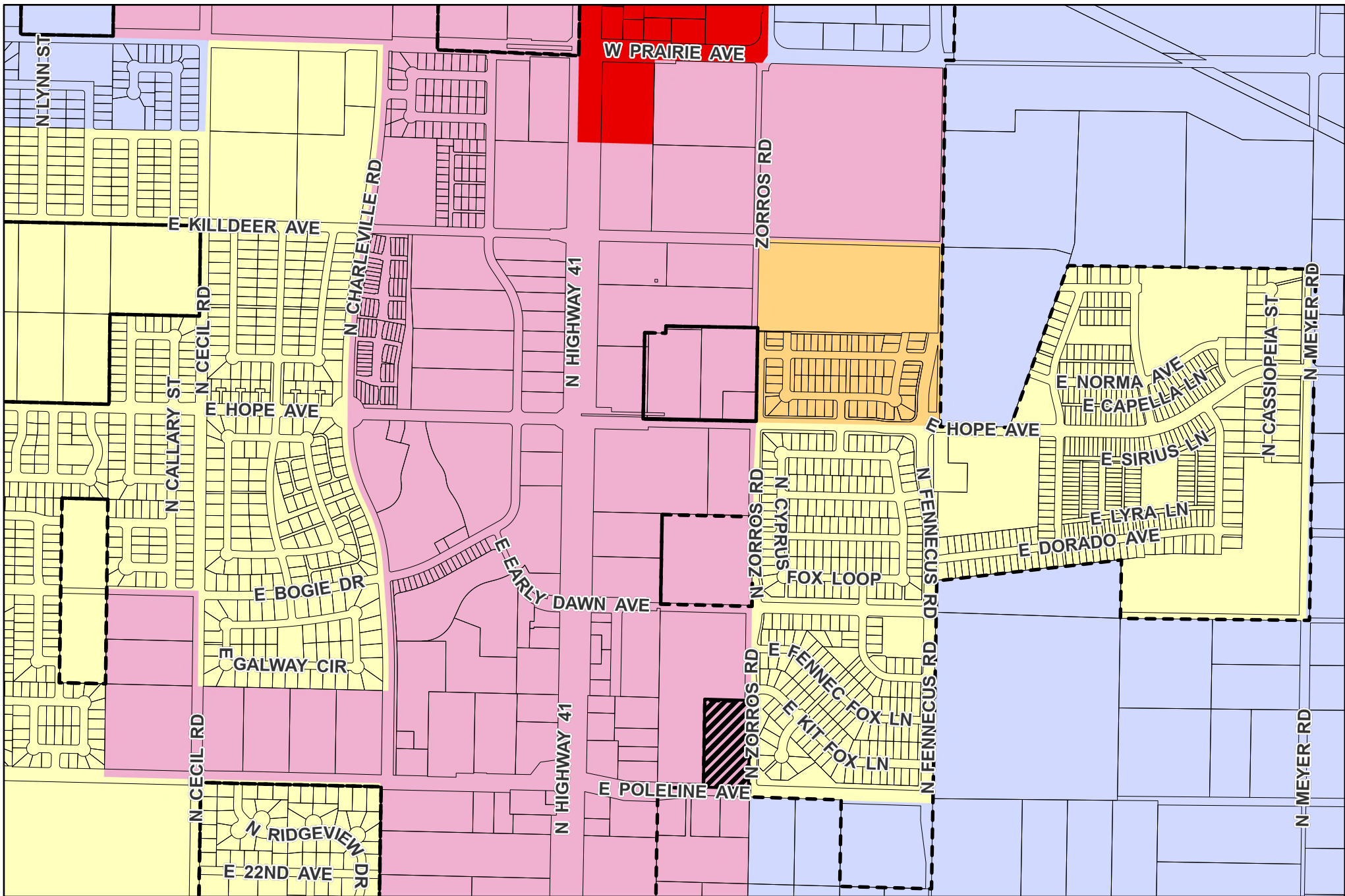


- Post Falls City Boundary
- Tax Parcels
- Subject Site
- CCM
- CCS

- TM
- LC
- R-1
- R-2
- PR











# POST FALLS

## SCHOOL DISTRICT #273

DISTRICT OFFICE  
P.O. Box 40  
Post Falls, ID 83877  
PHONE 208-773-1658  
FAX 208-773-3218  
[www.pfsd.com](http://www.pfsd.com)

October 17, 2024

Robert Seale  
Community Development Director  
City of Post Falls  
408 Spokane Street  
Post Falls, ID 83854

Dear Bob,

The purpose of this letter is to restate the status and position of the Post Falls School District regarding growth within the city and school district boundaries. The Post Falls School District will continue to remain neutral regarding proposed developments and will provide additional or modified comments in a timely manner when deemed necessary.

The district has a responsibility through State statute to provide an appropriate education for every student ages 6 through 21 who attend our schools. It is also the district's responsibility to provide an adequate educational program, organizational structure, and facilities.

Though there are pros and cons for new development growth, the district will continue to provide a quality education. The district appreciates the working relationship we have with the City of Post Falls.

With the anticipated growth in future years, the district requests assistance from the Planning Department to acquire school building sites in any large proposed residential developments and support financial mitigation for smaller developments.

The enrollment status and capacity of each school for the 2023-2024 school year are listed below.

The district will review the current long-range facility plan this fall. A copy of the current plan is included with this letter.

| School                   | 2024-2025 Enrollment | Building Capacity |
|--------------------------|----------------------|-------------------|
| Greensferry Elementary   | 409                  | 525               |
| Mullan Trail Elementary  | 343                  | 500               |
| Ponderosa Elementary     | 469                  | 570               |
| Prairie View Elementary  | 350                  | 525               |
| Seltice Elementary       | 375                  | 560               |
| Treaty Rock Elementary   | 383                  | 525               |
| West Ridge Elementary    | 427                  | 525               |
| Post Falls Middle School | 748                  | 920               |
| River City Middle School | 557                  | 750               |

***Our school community will develop relationships, skills, and knowledge to become responsible citizens who think critically to solve problems.***

|                        |      |      |
|------------------------|------|------|
| Post Falls High School | 1636 | 1800 |
| New Vision High School | 105  | 225  |

The school district looks forward to continuing the good working relationship we have with the City of Post Falls. Thank you for your support of the Post Falls School District.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dena Naccarato", with a stylized, flowing script.

Dena Naccarato  
Superintendent

Cc: Post Falls School District Board of Trustees  
Shelly Enderud, City Administrator

# Kootenai County Fire & Rescue

Fire Marshal's Office

5271 E. Seltice Way  
Post Falls, ID 83854  
Tel: 208-777-8500  
Fax: 208-777-1569  
[www.kootenaifire.com](http://www.kootenaifire.com)

January 18, 2024

Nancy Thurwachter  
Planning Administrative Specialist  
[nthurwachter@postfalls.gov](mailto:nthurwachter@postfalls.gov)

## RE: Notice to Jurisdiction Response

Nancy,

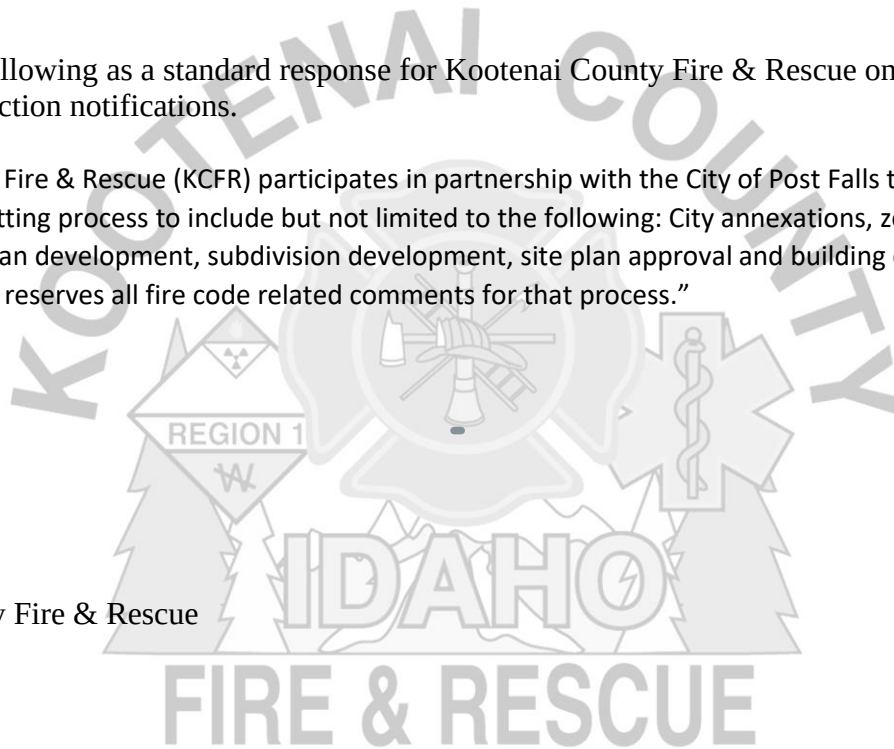
Please use the following as a standard response for Kootenai County Fire & Rescue on all applicable Notice to Jurisdiction notifications.

"Kootenai County Fire & Rescue (KCFR) participates in partnership with the City of Post Falls throughout the review and permitting process to include but not limited to the following: City annexations, zoning issues, comprehensive plan development, subdivision development, site plan approval and building construction code compliance. KCFR reserves all fire code related comments for that process."

Respectfully,



Jeryl Archer II  
Kootenai County Fire & Rescue  
Division Chief  
Fire Marshal



## Nancy Thurwachter

---

**From:** Martinez, Leo <Leo.Martinez@p66.com>  
**Sent:** Tuesday, June 24, 2025 12:46 PM  
**To:** Nancy Thurwachter  
**Subject:** Notice to Jurisdictions Poleline & Zorros Special Use Permit File No SUP-25-3  
**Attachments:** Exhibit PH-2 NTJ\_Poleline & Zorros.2.pdf; YPL\_226.pdf

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Nancy,

Phillips 66 Pipeline LLC (P66) has facilities in the project area that may conflict with your proposed plans. Attached for your information, is a copy of our Engineering Alignment Sheet depicting P66's pipeline facilities.

Please be sure to keep me updated as the project moves forward.  
(P66 Response 13029)

Regards,

  
**Leo Martinez**

Associate, Operations Support • Real Estate Services

O: 805-541-8912 | F: 805-538-6204  
18781 El Camino Real | Atascadero, CA 93422  
[Leo.Martinez@phillips66.com](mailto:Leo.Martinez@phillips66.com)



The information in this electronic message is privileged and confidential and is intended solely for the use of the individual(s) and/or entity named above, and any unauthorized disclosure, copying, distribution or taking of any action in reliance upon on the contents of these electronically transmitted materials is strictly prohibited. If you are not the intended recipient, please notify the sender immediately and destroy this message and any copies.

**From:** Nancy Thurwachter <nthurwachter@postfalls.gov>  
**Sent:** Monday, June 23, 2025 10:13 AM  
**To:** Ali Marenau <AMarienau@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01\_Real\_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; cingle@kcgov.us; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; cschneider@kec.com <cschneider@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; DEQ <deqcomments@deq.idaho.gov>; Devin Weeks <dweeks@cdapress.com>; Gina Dillman <gdillman@republicservices.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie



## Nancy Thurwachter

---

**From:** DEQ Comments <deqcomments@deq.idaho.gov>  
**Sent:** Thursday, June 26, 2025 2:26 PM  
**To:** Nancy Thurwachter  
**Subject:** RE: Notice to Jurisdictions Poleline & Zorros Special Use Permit File No SUP-25-3

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,

Idaho Department of Environmental Quality  
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814  
Office Line: 208.769.1422  
[www.deq.idaho.gov](http://www.deq.idaho.gov)

**Our mission:** To protect human health and the quality of Idaho's air, land, and water.

---

**From:** Nancy Thurwachter <nthurwachter@postfalls.gov>  
**Sent:** Monday, June 23, 2025 10:13 AM  
**To:** Ali Marenau <AMarienau@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01\_Real\_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; cingle@kcgov.us; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <Christine.Harmon@deq.idaho.gov>; cschneider@kec.com <cschneider@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; DEQ Comments <deqcomments@deq.idaho.gov>; Devin Weeks <dweeks@cdapress.com>; Gina Dillman <gdillman@republicservices.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Philips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Leo Martinez <leo.martinez@p66.com>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Mike Patton <Michael.m.patton@p66.com>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; contactus@postfallshd.com; Robert Beachler <robert.beachler@itd.idaho.gov>; Ron

## **Testimony in Opposition to Special Use Permit SUP-25-3**

**Submitted by:** James and Molly Robbins

**Address:** 4438 E. Kit Fox Lane, Foxtail Development

**Date:** July 8, 2025

We live in the Foxtail Development at 4438 E. Kit Fox Lane and are directly across Zorros Road from the proposed Special Use Permit parcel in file No. SUP-25-3. We respectfully submit the following testimony opposing the approval of this permit to allow Lanzce Douglass to build apartments for three primary reasons: the developer's documented history of significantly altering approved plans, inadequate dust and debris control practices, and the loss of essential open space contrary to the city's Comprehensive Plan goals.

### **Developer's Pattern of Plan Changes**

When Lanzce Douglass built the Blue Grass Farms apartments just west of and adjacent to the parcel in these proceedings, the developer materially altered the plans that were originally submitted and approved. The original plans presented to the public in Planning and Zoning meetings called for mostly single-level buildings with one wing of two-story apartments, along with a dog park and other non-residential facilities in the center of the complex.

After approval and some construction delays, the construction plans were changed without proper public review. What was actually built were all two-story and three-story apartments, and the promised dog park was eliminated entirely. This pattern of submitting one plan for approval and then significantly changing it after receiving permits raises serious concerns about this developer's reliability and commitment to approved designs.

The current residents of the Blue Grass Farms apartments now use the vacant farm parcel in these proceedings as their informal dog park for exercise and pet waste disposal, since the promised amenities were never built.

### **Environmental and Health Concerns**

During the construction of Blue Grass Farms apartments, we repeatedly called the Post Falls Engineering Department regarding inadequate dust and construction debris control. The parcel under consideration is directly southwest of the Fox Tail community, and since prevailing winds are from the southwest, dust and debris blow directly into our neighborhood.

During the Blue Grass Farms construction, Molly suffered respiratory infections that her doctor attributed to inhaling construction dust. Medical documentation is available upon request, though we prefer not to discuss personal health details in this public forum. Each time we complained about dust and debris problems, construction workers addressed the problem inadequately with garden hoses. Rarely did Lanzce Douglass's crews use proper watering trucks for dust suppression.

This stands in stark contrast to Architerra, the contractor currently expanding the Foxtail development, who uses water trucks continuously and maintains strict controls to prevent construction debris from blowing around the construction site. As adjacent residents who observe construction practices daily, we can attest that responsible contractors use proactive dust control measures, while Lanzce Douglass has demonstrated a reactive approach only after complaints.

### **Comprehensive Plan Consistency**

The Post Falls Comprehensive Plan states that the goal is to retain Post Falls' rural community feel, with open spaces being essential to this objective. As rapid development consumes all available land for both multi-unit and single residential housing, preserving remaining parcels like this one becomes critical for maintaining the community character outlined in the city's planning documents. This would be an ideal location to implement the Comprehensive Plan's vision for preserving open space and rural character.

### **Commission Responsibility and Community Vision**

This case represents more than just one development proposal - it is a test of whether the Planning and Zoning Commission and City Council will uphold their responsibility to protect the Post Falls community that citizens grew up in or moved here to enjoy. The decisions made today will determine whether Post Falls retains the rural and open feel outlined in our Comprehensive Plan, or becomes just another crammed together, overdeveloped city that we all moved here to escape.

Citizens demand that this Commission and City Council make decisions consistent with the Comprehensive Plan's goal of retaining our rural community character. When developers like Lanzce Douglass demonstrate a pattern of submitting one plan for approval and then building something entirely different, it is the Commission's responsibility to protect citizens by denying future permits to unreliable developers.

The Commission has the authority and obligation to ensure that the structures built today create the Post Falls of the future that reflects our community values, not developer profits. Every approval of high-density development that contradicts our Comprehensive Plan

moves us further from the community character we value and closer to becoming another generic, overdeveloped city.

We urge the Commission to establish precedent that developers who violate approved plans forfeit the privilege of future development rights in Post Falls. Citizens deserve commissioners who will prioritize long-term community character over short-term development pressure.

### **Request for Action**

We respectfully request that the Planning and Zoning Commission deny Special Use Permit SUP-25-3 based on the developer's documented history of plan alterations, inadequate environmental controls, and inconsistency with Comprehensive Plan goals.

If the Commission decides to approve the zoning change despite these concerns, we request that the Engineering Department include mandatory conditions requiring:

- Substantial dust and debris control measures with daily monitoring
- Use of water trucks for continuous dust suppression during all construction phases
- Performance bonds to ensure compliance with environmental controls
- Rigorous enforcement mechanisms with meaningful penalties for violations

Lanzce Douglass's construction practices have proven inadequate for protecting neighboring residents' health and property. More stringent rules and enforcement are essential if this development proceeds.

Thank you for your consideration of our concerns.