

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

May 14, 2024

**THE PLANNING AND ZONING COMMISSION'S VISION OF ITS ROLE IN THE COMMUNITY**

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

**5:30 P.M. CALL TO ORDER:**

**ROLL CALL:** Messina, Fleming, Ingalls, Luttropp, Coppess, McCracken, Ward

**PLEDGE:**

**APPROVAL OF MINUTES:** \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.

April 9, 2024 – Planning & Zoning Commission Meeting

**PUBLIC COMMENTS:**

**STAFF COMMENTS:**

**COMMISSION COMMENTS:**

**PUBLIC HEARINGS:** \*\*\*ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS.

1. Applicant: Todd Kaufman (Continued from April 9, 2024)  
Location: 2810 N 17<sup>th</sup> Street  
Request: A proposed 9-Lot Subdivision QUASI-JUDICIAL, (S-1-24)  
*The applicant is requesting this item be continued to July 9, 2024. The Commission will need to vote to continue this hearing.*

2. Applicant: Thomas Hungerford (Neighborhood Sponsor)  
Location: Nettleton Gulch Road and 17<sup>th</sup> Street  
Request: Proposed SUP restricting 16.64-acres to single family designation QUASI-JUDICIAL, (SP-1-24)

**Presented by: Sean Holm, Senior Planner**

3. Applicant: City of Coeur d'Alene  
Request: Amendments to the Coeur d'Alene Municipal Code § 17.09.340 allowing for members of the public to testify during an appeal hearing of a decision of the Design Review Commission (ITEM 0-1-24).

**Presented by: Hilary Patterson, Community Planning Director**

**ADJOURNMENT/CONTINUATION:**

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

***\*The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact Traci Clark at (208)769-2240 at least 72 hours in advance of the meeting date and time.***

***\*Please note any final decision made by the Planning and Zoning Commission is appealable within 15 days of the decision pursuant to sections [17.09.705](#) through [17.09.715](#) of Title 17, Zoning.***

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# MINUTES



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**PLANNING COMMISSION  
MINUTES  
APRIL 9, 2024  
LOWER LEVEL – LIBRARY COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT:**

Tom Messina, Chairman  
Jon Ingalls, Vice-Chair  
Lynn Fleming  
Phil Ward  
Peter Luttrupp  
Sarah McCracken  
Mark Coppess

**STAFF MEMBERS PRESENT:**

Hilary Patterson, Community Planning Director  
Mike Behary, Associate Planner  
Traci Clark, Administrative Assistant  
Randy Adams, City Attorney  
Chris Bosley, City Engineer

**CALL TO ORDER:**

The meeting was called to order by Chairman Messina at 5:30 p.m.

**APPROVAL OF MINUTES:**

Motion by Commissioner Fleming, seconded by Commissioner McCracken, to approve the minutes of the Planning Commission meeting on March 12, 2024. Motion approved.

**PUBLIC COMMENTS:**

None.

**STAFF COMMENTS:**

Hilary Patterson, Community Planning Director, provided the following comments:

- At the May 14<sup>th</sup> Planning & Zoning Commission meeting staff is expecting two hearings.
- The month of May is Historic Preservation Month. The Historic Preservation Commission has been working hard with the Museum of North Idaho and pulling together a program of events for the month of May. This will kick off May 1 at the Jewett House, with a reception at an awards event starting at 6:00 p.m. Everyone is invited. There will be tours available on Saturdays in May and the Historic Preservation Commission will be doing Mother's Day Open Houses on May 12 from 2:00-4:00 p.m. One will be at the Depot Downtown and at the other at the Hamilton House. There will also be some outreach during the Farmers Market events, at both the Downtown Coeur d'Alene and Riverstone locations.

**COMMISSION COMMENTS:**

None.

**PUBLIC HEARING: \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.**

1.     Applicant:     Todd Kaufman  
       Location:     2810 N. 17<sup>th</sup> Street  
       Request:      A Proposed 9-Lot Subdivision  
                      QUASI-JUDICIAL, (S-1-24)

Mr. Behary, Associate Planner, provided the following statements.

- The applicant is requesting approval of a 9 lot and 1 tract preliminary plat to be known as "Kaufman Estates".
- The property is located immediately East and Southeast of the intersection of Stiner Avenue and 17<sup>th</sup> Street.
- All legal notices have been met.
- He provided an overview of the preliminary plat.
- There are 4 findings that must be met for a subdivision, B1 through B4.

Finding #B1:     That all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer.

- Per Chris Bosley, City Engineer, the preliminary plat submitted contains all of the general preliminary plat elements required by the Municipal code.

Finding #B2:     That the provisions for sidewalks, streets, alleys, rights-of- way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities (are) (are not) adequate.

- Per Chris Bosley, City Engineer, the subject property is bordered by 17<sup>th</sup> Street to the west. Approximately nine feet of right-of-way along the property frontage along 17<sup>th</sup> Street will need to be dedicated to the City to match the 25-foot right-of-way width that exists to the south. Frontage improvements, including concrete curb, sidewalk, and asphalt paving must be completed at the property frontage. Sidewalk along the frontage of 17<sup>th</sup> Street will need to be located with the right-of-way or an easement.
- City staff from Streets and Engineering, Water, Wastewater, Fire, Departments and Police have reviewed and Police have reviewed the application request in regards to sidewalks, streets, alleys, rights-of way, easements, utilities, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities.
- Staff has recommended 21 conditions as part of this Subdivision request. The conditions are required to bring the plat into full compliance with code requirements and performance standards.
- All departments have indicated the ability to serve the project with additional conditions.

Finding #B3:     That the proposed preliminary plat (does) (does not) comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.

- Per Chris Bosley, City Engineering review, for the purposes of preliminary plat, both subdivision standards (chapter 16.15 and improvement standards (chapter 16.40) have been vetted for compliance.

Finding #B4: The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.

- The existing zoning is R-12, which allows a single family and duplex housing types at a density of 12 units per acre.
- Setback of future buildings are tied to the R-12 setback requirements.
- The proposed subdivision is in conformance with the R-12 Zoning District.

Mr. Behary provided the list of 21 recommended conditions:

1. An unobstructed City approved "all-weather" access shall be required over all City sewers.
2. All City sewer plans require IDEQ or QLPE Approval prior to construction.
3. City Sewer Policy #716 requires all legal parcels within the City to connect and discharge into the public sewer through one (1) sewer connection (lateral).
4. City sewer shall comply with the to-and-through and installed to all City specifications and standards.
5. Any unused sewer laterals at the public main in 17th Street shall be capped.
6. The installation of any required water main extensions, additional fire hydrants and new services will be the responsibility of the owner/developer at their sole expense.
7. A minimum 20' public utility easement for any water main extension onto private property including fire hydrants is required.
8. No permanent structures such as building foundations are allowed within the public utility easement.
9. Capitalization fees will be due for domestic, irrigation and/or fire services at the time of building permits.
10. If it is determined that fire flow cannot be met, the developer will be responsible for upsizing the water mains in the area to meet the fire flow requirements.
11. Individual address numbers are required for all living units and visible from the street.
12. Fire Hydrants shall be spaced no farther than 450' apart.
13. A regulation Fire Department turn-around is required.
14. NO PARKING sign(s) shall be placed at the Fire Department turn-around.
15. An approved snowplow plan is required for access during winter.
16. 17th Street must be paved curb to curb from Stiner Avenue to Gilbert Avenue meeting City standards.

17. No Parking signs must be installed on Stiner Avenue and on 17th Street, meeting City standards.
18. Stop Signs must be installed on 17th Street, northbound and southbound, at Gilbert Avenue.
19. Stop Signs must be installed on Stiner Avenue, eastbound and westbound, at 17th Street.
20. Forty feet (40') of snow storage must be provided at the east end of the proposed Stiner Avenue without blocking driveway access.
21. The required sidewalk along the 17th Street frontage must be within public right-of-way or in a dedicated easement.

The Action Alternatives are that the Planning Commission must consider this request and make findings to approve, deny, or deny without prejudice.

Mr. Behary concluded his presentation.

**Commission Comments:**

Commissioner Ingalls asked Mr. Behary regarding Findings B3 and B4 on the Subdivision design standards, with the dead-end public street what is the length of that street.

Mr. Behary replied he does not know the length but he does know one of the conditions is to leave 40 feet for snow storage at the end of it.

Commissioner Ingalls commented he does not see the snow storage in the drawing, he is looking at the subdivision design code, municipal code 16-15.060. The code states that dead-end streets that are designed with one end permanently closed in the form of a cul-de-sac can be no longer than 400 feet. It also needs to terminate with either a cul-de-sac that is 50 feet in radius or a Y or a T. He states he does not see that here on the map. He raises the issues because in the staff report it says "this is an issue because this will be a public street that will be maintained by the City crews and the current design ends the Street to close to the neighboring property".

Mr. Behary states that is correct. At the time in reviewing the plat, the city engineer and the head of the Streets Department had indicated that getting snow removal from this street would be very difficult since it does abut right next to a neighbor's property. They recommend a condition to remove that back to 40 feet for the snow removal. He also pointed out T turn around for the Fire Department (*he points to the map on the screen*).

Commissioner Ingalls states he is struggling whether that is an appropriate condition, if it means a reorganization of flipping the hammer head, or turn around and shifting the lots to the West. He asked shouldn't that be done now and not as a condition. He would like the City Engineer to speak about the 400 feet and whether it meets the code.

Chairman Messina would like to clarify that Commissioner Ingalls is speaking about the staff report on the streets portion on page 7.

Commissioner Ingalls replied yes.

Mr. Bosley City Engineer, introduced himself, and replied that the street is a little over 600 feet long when he measured it to figure out where the street lights would be placed. He indicated they have relied upon the Fire Departments review of the turn arounds, he would prefer a cul-de-sac and he states that during the Development Review Team they did have a conversation regarding the code amendments that would require a cul-de-sac or element the possibility of having dead end streets. The last few dead-end streets



that have become before the commission have been private streets because they have been part of a planned unit development (PUD). He would much prefer to keep dead-end roads private, so the city does not have to push snow down to the end and deal with it. This could take a while to remove snow from a situation like this. The conversations they did have they didn't see anything that said that this did not meet the code.

Commissioner Ingalls stated again that when you read the code "it can no longer be 400 feet", so 600 feet is longer than 400 feet.

Mr. Adams, City Attorney stated, you are reading it correctly.

Commissioner Ingalls states if this exceeds the 400 feet and it appears problematic to him having been a snowplow guy in the past, he does not see how a piece of equipment can get down at the end of that street and turn around and ten years from now it will have mature trees with leaf pick up and it's a public street, how will a street sweeper be able to turn around.

Mr. Bosley stated it is something that the city struggles with and there are a couple of other streets that are like this. There is one in the Riverstone area that are very time consuming for snow removal.

Commissioner Fleming asked, would the waste management have to back into the street in order to pick up the garbage with the dead-end street.

Mr. Bosley replied yes, he assumes that is what they would have to do for garbage removal.

Chairman Messina asked Mr. Bosley during the discussions wouldn't there be a better design for the street.

Mr. Bosley stated in the Engineering Department they did look at it for the plat requirements but the 400 feet issue did not come up in any of the conversations.

Commissioner Luttrupp stated the codes says one thing, not more then so many feet but you are proposing something greater. This exceeds the code. So why would this come before the commission.

Mr. Bosley replied this was new information to him. He has not had to deal with a dead-end street like this until now.

Commissioner Ingalls stated it is not just the 400 feet that he is questioning. The code also says it is to terminate with either a 50-foot radius cul-de-sac or a Y or a T. Perhaps if the Hammer Head was moved down, and things re-organized, it might have a chance.

Commissioner Luttrupp stated his issue is when things come before us if it does not correspond to the code, he is having a hard time accepting this. If it is not meeting the code, why are we bothering with this tonight.

Chairman Messina asked City Attorney Mr. Adams, given what the commission is hearing, maybe we should table this for this evening.

Mr. Adams stated that the commission needs to hear from the applicant. This ordinance itself says "streets designed to have one end permanently closed or in the form of a cul-de-sac cannot be 400 feet." He would like to hear from the applicant to see what they have planned.

Commissioner Ward asked Mr. Bosley does this street have parking on both sides.

Mr. Bosley replied no, the street width is 25 feet, which doesn't allow for on-street parking. There are sidewalks on both sides.

Chairman Messina asked if there would be any “no parking” signs on the street.

Mr. Bosley replied that is one of his conditions is to add “no parking” signs on both sides of the streets on the extension of Stiner as well as 17<sup>th</sup> Street because that street is only 20 feet in width.

Commissioner Ward stated along with code regarding the 400-foot long street, it has to have parking on both sides, so the cul-de-sac may be an issue. If the code specifically says parking needs to be provided, the 9-lots would have 18 families that could be potentially 36 cars, and that could be problematic. He also asked how does this street align with Stiner to the West.

Mr. Bosely answered not very well. It is offset. Even if it was pushed to the far North end of the property, it still would not align. There is a jog.

Commissioner Ingalls states one of the conditions that he struggles with is #15 that requires an approved snow plan for access during winter. If that is a condition that the applicant has to put together a snow plan, that seems odd. The street department does a snow plan for the city. Having a snow plan by an applicant for a public street that the city is going to maintain does not seem right.

Mr. Bosley stated he agrees and he thinks that must have been a carry-over from the PUD staff reports. The city would not require a snow plan for this subdivision.

Commissioner Luttrupp asked Mr. Bosley about the two inconsistencies and why would this come before the commission with these deficiencies. He also said, because this is the third time the project has come before the commission, he would like Mr. Behary to explain what has changed from between the first two proposals and why they were denied and what is difference with this one.

Mr. Behary stated the first commission hearing the applicant wanted 24 twin homes and the second was 22 twin homes. They were both PUD. A PUD has open space requirements and they had to show the amenities. This one is now 9 duplexes with 18 units for a Subdivision. The subdivision does not require open space.

Mr. Adams stated one of the differences is there are 9 lots in this subdivision as opposed to the 24 lots which would be required for the twin homes.

Chairman Messina opened the public hearing and swore in the applicant and public as a group.

**Public testimony open:**

Jeramie Terzulli introduced himself and said he is with Olson Engineering. He said his client has a different interpretation of the code where it reads “a permanent dead end.” At this point in time, he can say this road will not be a permanent dead end because of the County Agriculture to the East there is a chance of annexing those properties into the city at some point into the future and having the extension of the roadway. In other jurisdictions he is required to allow for future connectivity if there are undeveloped parcels adjacent to the parcels that he is developing. His firm designed the subdivision and public street this way and was looking for feedback from the city. He received the staff report on Friday with the conditions of approval and nowhere was there any feedback from staff requiring it to be redesigned. He is willing to look at a redesigning this area and willing to look at a condition of approval to redesign it, but he took a shot as to what is the likelihood of Stiner continuing to the East at some point in the future and therefore, he left it. He provided a legal fire truck turn around, roughly at the 400-foot mark and he looked for feedback from staff. He provided a brief summary of how the applicant got here: This property went up for sale in November of 2021. Prior to this the gentleman that lived there had passed away and left it to his kids back in August. The Kaufman’s made an offer on the house after sitting on the market for over 80 days. The Kaufman family wanted to know what kind of redevelopment potential of the property there could be. He knew that the by right use would have been duplex or single-family homes. They felt to best

maximize the opportunity on the parcel would be to try for a PUD, and then to sell the twin homes fee simple and to create some entry level housing for the community. The Kaufman's bought the property in February of 2022. They brought forward a PUD to the commission in August of 2022, that was denied. Then the city staff encouraged him to go back to the adjacent property owners and see if they can come sort of compromise with them. They met in February 2023. That meeting lasted for over three hours here at City Hall. They came with a new proposal for a PUD that knocked off 25% of the density and added to the open space and agreed to the open space being used by the general public, not just the residents of the PUD. That came before the P&Z in August 2023 and was also denied. They did appeal to City Council. It was a divided council, but was also denied in October 2023. He has now tried to meet with the owners, engineering team and discussed the options. Todd Kaufman feels that they should just use the "by right use" on the property and go through with that. To honor the adjacent property owners, they did do an analysis of some large lots with single family homes on them, ranging from 1/3 to 1/2 acre although it should be noted those still have to have frontage on a public right of way, he would have still had to build a public right of way and after they did their analysis and built a pro forma, they could not create a situation where the project was profitable. In most scenarios it was losing money. They went back to the duplex option which is the by right option in the R-12 zoning. *(He pulled up a map on the screen and showed some redevelopment on the screen that is surrounding the neighborhood)*. The request for the subdivision is controlled by the Coeur d'Alene City Code 16.05.010 and the authorization and given to the city and that power is granted by Idaho Statute Section 67-6513 in summary: it grants every property owner in the State of Idaho the right to subdivide land as long as the subdivision complies with the standard set forth with the agency having jurisdiction, allows the city to collect fees for any impact of that subdivision, and also provided any remedies for any property owners who are denied a request to subdivided. In summary all of the required general preliminary plat requirements for a formal plat contained in the city code have been met as determined by the city engineer, which is all he is going on right now. He received the report on Friday that the city engineer confirmed the conditions have been met and all the departments provided comment on this project, water and sewer can be provided as before on the PUD, the street can be constructed, the police and fire can provide protection, stormwater can and will be managed through the additional site plan and the design of that street, pedestrian facilities can be constructed. He feels that that they have met all of those standards. The proposed preliminary plat complies with all of the design standards of the code and they can comply upon construction with all of the improvement standards contained in the title and any deviation or specific standards have been requested and granted. He feels they are in compliance with city code. The lots that are proposed in the preliminary plat meet the requirements of the applicable zoning designation, the underlying zoning of R-12. If the commission feels there needs to be some redesign at the end of Stiner to the East, he would entertain that, but this is information that is new to him. In summary the general preliminary plat requirements have been met, the proposal has been reviewed by city departments, the design can accommodate the conditions that he has seen, the preliminary plat complies with subdivision design standards per city code and the proposed lots meet the minimum design standards per code, duplex housing is an allowed principal housing. He has requested no deviations from the standards at this time.

Commissioner Ingalls stated there is no rational or feasibility for Stiner to be further extended to the East with the current lot configuration and orientation. This would also double fronted lots, which would open a door to a whole host of other problematic issues of requiring HOA, etc. He would like Mr. Terzulli to address the feasibility of this extending further to the East and the multiple ownerships that would have to come together. Also, the statement that he made about complying about the subdivision design standard, 400 feet v 600 feet. The code also states it has to be cul-de-sac wide or T in some suitable fashion for a turnaround because of practical concern of the ability to function and maintain.

Mr. Terzulli, replied that he disagrees with Commissioner Ingalls assessment that the likelihood of a future connection to the East. When he brings forth a proposal in other jurisdictions, Post Falls, Rathdrum, Hayden, Kootenai County, it is a requirement that he provide the ability to future connectivity to adjacent parcels. He is not allowed to dead end or put a parcel at the end. If that was the case, he would end the road at roughly 500 feet and move the hammer head further West and have the lot go all the way up to the Northern property boundary and have a shared driveway. That extra roadway to nothing to the benefit of the subdivision it is put there in anticipation for the connectivity to the East if and when it does occur. If

the commission believes that other standards are being met and the terminus of Stiner is an issue, they can direct city staff to work with the developer to come up with alternative. He does believe that within the R-12 zoning designation and within the city code that he has met the standards. He did not get the conditions of approval in the staff report until late last week. It did not give him enough time. Even if in that point of time it had been told that that terminus that this was an issue, he could have had a discussion of how they could have addressed this. He has had three business days, and it was never indicated up until 20 minutes ago that he was aware that this commission might find this problematic.

Commissioner Luttrupp stated it would be helpful to stop the proceeding tonight so the applicant can do his due diligence.

Mr. Terzulli replied I have done my due diligence, because of the feedback from the city engineer.

Commissioner Luttrupp stated the city engineer said that the length of the street does not meet the code tonight.

Mr. Terzulli stated it does not meet the code if we call this a permanent dead-end, that is the word.

Commissioner Luttrupp stated whatever we do is permanent here. We make a decision. It's permanent until changed. He cannot see how we can say this is not permanent because it is going to change. It would have to go through other steps to change. He is hard pressed to accept something that does not meet the city code. If the street was under the 400 feet that would be fine but this is over the 400 feet. He commends Commissioner Ingalls for findings this in the code.

Chairman Messina stated he has no idea how the vote will go tonight but if the applicant would like to take a step back from what has been heard tonight because of the 600 feet issue of the street. There might be a redesign that might need to take place.

Ms. Patterson asked City Attorney Adams to answer Mr. Terzulli's question about the possibility of having a quick conversation with his client regarding tabling the item tonight.

Mr. Terzulli stated he had put his application in at the end of January and now it is an April hearing and to have this be the first time that the road is not in compliance with city code based on interpretation that this will be a permanent dead-end. He is very frustrated.

Commissioner Ingalls stated that one is the length and the plating to the East shows the feasibility of any notion of extension to him is near nil. The other issue is it has to have a cul-de-sac or suitable Y or T. This is not done on this street.

Mr. Terzulli stated this is a fire truck T approved hammer head.

Commissioner Ingalls said to Mr. Terzulli, the hammer head is not at the end, wouldn't you agree.

Mr. Terzulli agreed with Commissioner Ingalls.

Chairman Messina stated this is something that just came up tonight. He would like to give the applicant the option to continue or table to the next hearing date.

Mr. Adams states that the commission may approve, deny, or deny without prejudice or may defer the action until the next scheduled meeting in order to review additional information that it deems necessary in order to render a final decision.

Chairman Messina stated the commission would make a decision based on the findings.

Mr. Adams stated that if the commission defers tonight, they would not have to make findings. But if the

commission does approve, conditionally approve, deny, or deny without prejudice, the commission will have to make findings.

Chairman Messina asked does the applicant have the ability at any point in time to hear public testimony or should he table this and continue.

Mr. Adams replied yes, there is nothing in the ordinance that says the applicant cannot request a postponement or a continuance. It does give the commission the options of what they can do.

Commissioner Ward stated he does not know if length is appropriate or not. It is not the city staff position to write a recommendation to us that says this is why we are approving it. All the staff is trying to say this is what is going on so the commission can review. He does not think it's ever the responsibility of the city to put up a road block and say no you cannot take that to the Planning Commission.

Mr. Adams commented that is correct. The only thing that the Planning Director can say is whether the application is complete or not.

Chairman Messina stated correct and it is up the applicant to move forward.

Mr. Adams asked if the applicant would like a recess.

Mr. Terzulli stated yes, he would like to speak with his client.

*There was a short recess before the hearing resumed.*

Mr. Terzulli stated that based on everything that occurred tonight, the applicant would like to meet with city staff and re-draw the street and comeback before the commission at the next scheduled hearing.

Ms. Patterson stated if the item is continued, the city will not re-mail the notices. The next meeting will take place on May 14, 2024. The property will be reposted. There will be no ex parte communication, which means no community members or applicant may communicate with the commission, and commissioners may not speak with one another about this. If you have specific questions for staff, you may reach out and the staff will meet with the applicant team. The public can reach out to staff as well, but not to the commissioners.

Commissioner Luttrupp stated the public comments that the commission received will be kept and put in the packet and the folks that showed up tonight and did not speak and wanted to will be able to speak at the next meeting.

**Motion by Commissioner Luttrupp, seconded by Commissioner Coppess, to continue the hearing for item S-1-24 to the Planning and Zoning Commission meeting on May 14, 2024. Motion approved.**

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Coppess	Voted	Aye
Commissioner McCracken	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	Aye

Motion to approve carried by a 7 to 0 vote.


**ADJOURNMENT:**

Motion by Commissioner Luttrupp, seconded by Commissioner Ward, to adjourn. Motion carried.


The meeting was adjourned at 6:27 p.m.

Prepared by Traci Clark, Administrative Assistant

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# **PUBLIC HEARING**




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# STAFF REPORT



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**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**FROM:** SEAN E. HOLM, SENIOR PLANNER  
**HEARING DATE:** MAY 14, 2024  
**SUBJECT:** SP-1-24 – SPECIAL USE PERMIT (SUP) REQUEST FOR A SINGLE FAMILY DETACHED ONLY DESIGNATION IN AN R-12 ZONE.  
**LOCATION:** A 16.5 +/- ACRE AREA EAST OF 17TH, WEST OF 19TH, SOUTH OF SATRE AVE., AND NORTH OF HAYCRAFT AVE.

**NEIGHBORHOOD SPONSOR:**

Thomas Hungerford  
1717 E. Nettleton Gulch Road  
Coeur d’Alene, ID 83815

**DECISION POINT:**

Thomas Hungerford, neighborhood sponsor, is requesting approval of a single family detached only designation in an R-12 zoning district. If approved, the special use permit request would limit future construction to single family detached residential homes and accessory uses in the subject area.

**BACKGROUND INFORMATION:**

**Prior Requests of a Similar Nature:**

Special Use Permit applications for a single family detached only designation are a rare occurrence in the city. To date, there has been two (2) requests for this specific action: Pinegrove Park (1994) and Ft. Grounds (2013-14). While both of these requests were ultimately approved, there was a difference in the threshold to qualify. Prior to 2013, city code required the neighborhood sponsor to prove there was both 75% of the subject area as well as 75% of the owners in agreement to sign on as “parties to the request”. This changed to 66% for both hurdles, in 2013, when City Council approved ordinance 3474. The minimum requirement for one-and-a-half acres (1.5 ac) as a whole remains the same.

**Neighborhood Character:**

The neighborhood, located at the eastern periphery of Coeur d’Alene, encompasses a blend of subdivisions including: Fruitdale, Corey Add., Jantz Add., Thomas Park Add., and a few tax numbers.

Predominately comprised of single-family homes, there are a few duplexes, and an undeveloped parcel within the request. Access to and through the neighborhood is a patchwork of developed streets with the main corridor through via Nettleton Gulch Road. The neighborhood provides convenient access to the Canfield Mountain Trail System. Despite some incomplete road infrastructure, the area’s predominantly flat terrain and abundant greenery offer picturesque views of surrounding hills and mountains. Residents engage in a variety of outdoor activities, contributing to the neighborhood’s vibrant character.

**Reason for Application:**

The applicant's written narrative includes a description of their justification for this request. The following portion of the narrative best summarizes the reasoning:

*This Special Use Permit will preserve the existing neighborhood identity, ensure a high quality of life for its residents, and provide for safe and efficient motorized, bicycle, and pedestrian public access to the Canfield Mountain area. The single family only designation allows property owners to subdivide existing lots to create additional single family housing units or ADUs but prevents building densities that are incompatible with the existing character of the neighborhood, capacity of the roadways, and the high use patterns of the Canfield Mountain Trail System.*

*This Special Use Permit will preserve the Best/Nettleton Gulch area as a transitional space between the rural undeveloped recreational land of Canfield Mountain and the more densely populated, amenity-rich urban fabric of downtown Coeur d'Alene.*

The applicant's full narrative is attached for your review.

**SUMMARY OF FACTS:**

The following facts align with the facts listed in the draft Findings and Order worksheet for the Planning and Zoning Commission's consideration. These facts can be modified and added to as part of the motion associated with the Findings and Order.

**A1.** All public hearing notice requirements have been met for Item SP-1-24.

- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing per Idaho Code § 67-6509(a). The Notice was published on April 27, 2024.
- Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing per Idaho Code § 67-6511(2)(b). The Notice was posted on the property on May 4, 2024.
- Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered per Idaho Code § 67-6511(2)(b). One hundred thirty four (134) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on April 26, 2024.
- Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing per Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts, on April 26, 2024.
- Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). April 26, 2024.

**A2.** A grand total of thirty-seven (37) parcels are included. The subject properties are mostly developed as single-family homes with the exception of four (4) duplexes and a large vacant parcel obtaining access from N. 17<sup>th</sup> Street.

**A3.** The subject area is currently zoned residential at twelve units per gross acre (R-12).

**A4.** The broader neighborhood is made up of a mix of residential zones and residential uses that include cluster/pocket housing projects to the west. To the east, the site is adjacent to single family development, located in the county, along with R-3 and R-8 PUD development. The closest commercial use is a gas station on the northwest corner of intersection of 15th Street and Best Avenue.

**A5.** The 2022-2042 Comprehensive Plan Future Land Use Map place type is Compact Neighborhood. The Comprehensive Plan states that compatible zones in a Compact Neighborhood include: R-12, R-17, MH-8, NC and CC.

**A6.** Further, the key characteristics of a Compact Neighborhood are medium density residential areas located in primarily older locations of Coeur d'Alene where there is an established street grid with bicycle and pedestrian facilities. Typical uses include single family and mixed residential with building types described as: single-family, duplex, triplex, four-plex, townhomes, green courts, and auto-courts.

**A7.** If this request for a single-family detached (SFD) only special use Permit request is approved, all future construction must be SFD. However, it should be noted that the existing duplexes would be "grandfathered" unless damaged or destroyed by more than fifty percent (50%), in which case an owner would be required to construct in conformity with the approved SUP. Accessory Dwelling Units (ADUs) would be acceptable in conjunction with a SFD, per city code.

**A8.** City departments reviewed the request for a special use permit that limits development to single-family detached and found that the existing streets, public facilities and services would adequately serve development at the allowable density and requested limitation of single-family detached and accessory dwelling units on large lots.

**GENERAL INFORMATION:**

Aerial view of Request:



**17.03.030: GENERAL DESCRIPTION OF RESIDENTIAL ACTIVITIES:**

***(bold/italic staff emphasis)***

- A. Residential activities include the occupancy of living accommodations on a permanent or semipermanent basis, but excluding criminal transitional facilities, juvenile offenders facilities and other institutional living arrangements involving special types of care or forced residence, and also excluding hotel/motel type living accommodations.
  
- B. Types of structures included within residential activities are:
  - 1. Detached housing: One dwelling unit, freestanding and structurally separated from any other dwelling unit or building, except for an accessory building located on a lot or building site which is unoccupied by any other dwelling unit or main building.
    - a. Single-family detached housing: One dwelling unit occupied by a "family" as defined in this title, including manufactured structures and designated manufactured homes as defined in this chapter.***

**17.05.170: GENERALLY:**

- A. The R-12 District is intended as a residential area that permits a mix of housing types at a density not greater than twelve (12) units per gross acre.
  
- B. *In this district a special use permit, as prescribed in chapter 17.09, article III of this title, may be requested by neighborhood sponsor to restrict development for a specific area in single-family detached housing. To constitute neighborhood sponsor, sixty six percent (66%) of the people who own at least sixty six percent (66%) of the property involved must be party to the request. The area of the request must be at least one and one-half (1½) gross acres bounded by streets, alleys, rear lot lines or other recognized boundary. Side lot lines may be used for the boundary only if it is also the rear lot line of the adjacent property.***

*Staff Evaluation: There are three measurement hurdles that must be met for the request to be considered:*

**OVERALL SIZE OF PROPERTIES GREATER THAN 1.5 ACRES:**

Total Ownership Parcels	37
Subject Properties in Aggregate	16.5078 acres (pass)

**66% HURDLE RATE FOR OWNERSHIP (PARTIES OF REQUEST):**

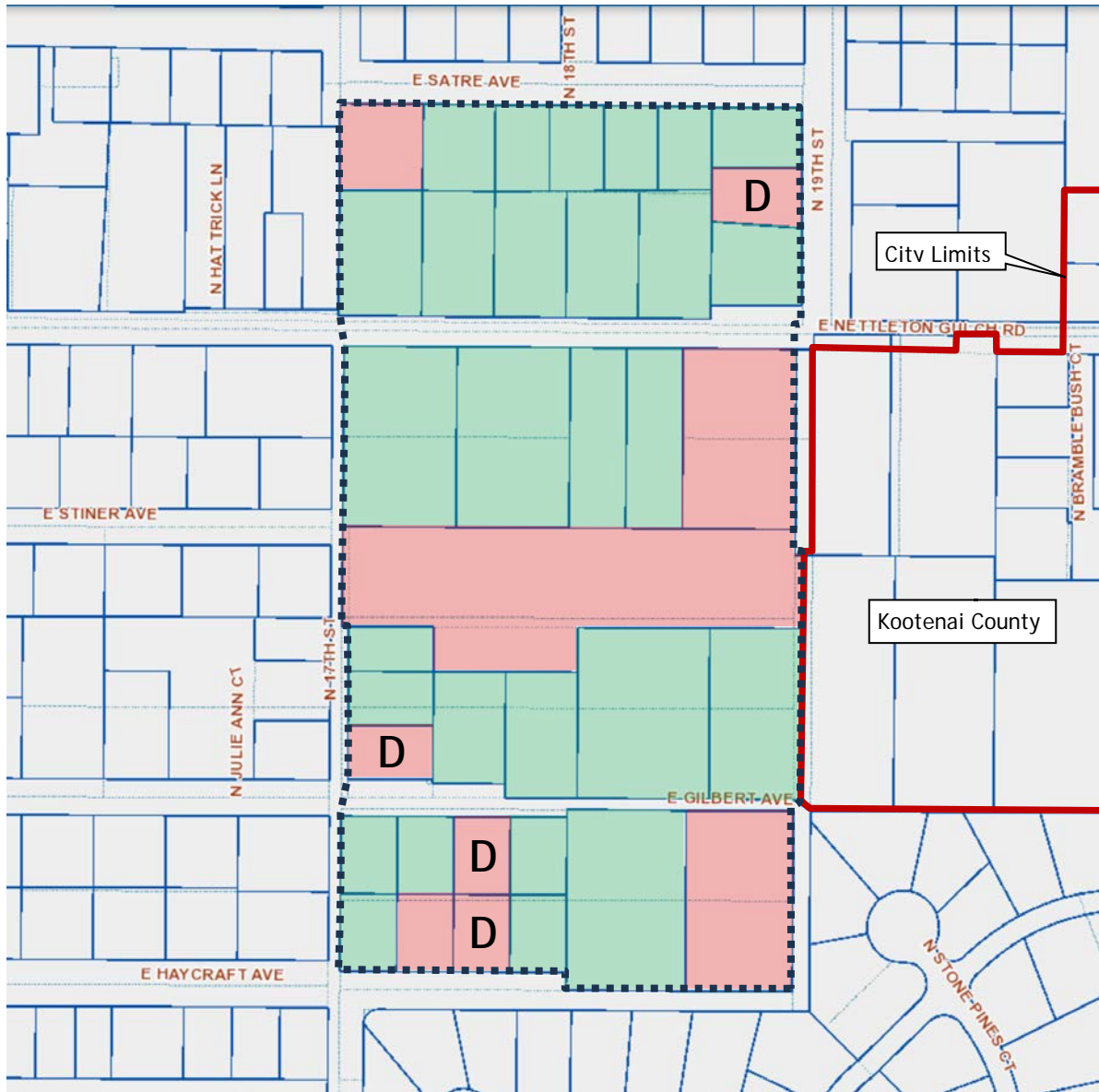
Ownership party to request	28
Percentage	75.68% (pass)

**66% HURDLE RATE FOR PROPERTY:**

Property party to request	11.1379 acres
Percentage	67.47% (pass)

**NOTE:** Area calculations and signatures are on file at the Planning Department in the SP-1-24 public hearing file folder.

**MAP OF SUBJECT PROPERTY SHOWING PARTIES TO REQUEST (IN GREEN):**



**NOTE:** All parcels within the subject area are currently large enough to qualify for a duplex in R-12. Properties that currently have a duplex are marked with a “D” in the map above. Red denotes property owners who declined to support the single-family only request.



## REQUIRED SPECIAL USE PERMIT (SUP) FINDINGS:

**Finding B1:** This proposal (is) (is not) in conformance with the Comprehensive Plan.

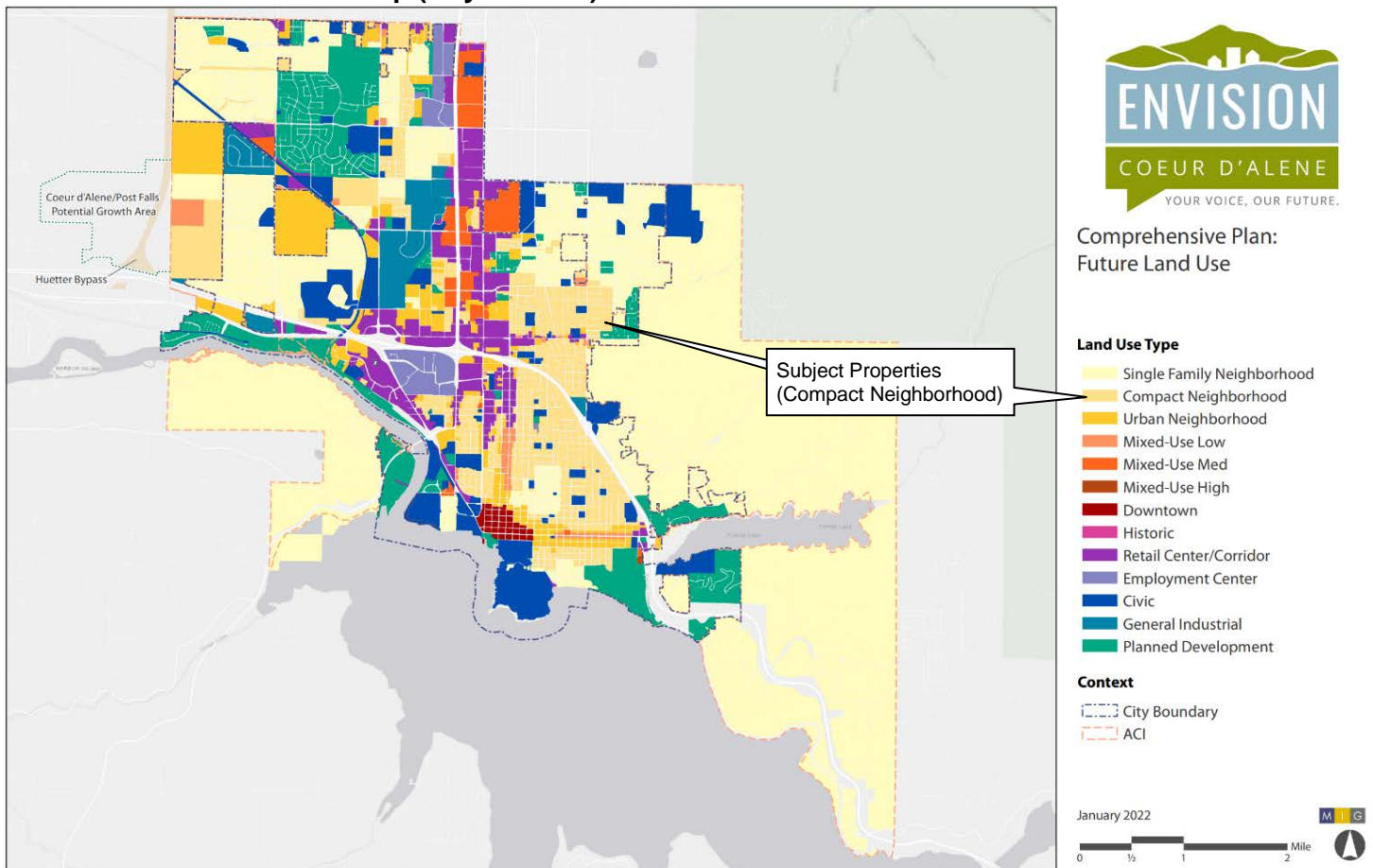
Use the following information as well as the attached Comprehensive Plan goals and objectives to make findings **A5 and A6** in the findings and order worksheet.

1. The subject property is within the existing city limits.
2. The City's Future Land Use Map designates this area as **Compact Neighborhood** place type.

### Place Types

Place Types represent the form of future development, as envisioned by the residents of Coeur d'Alene. These Place Types provide the policy-level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

### Future Land Use Map (City Context):



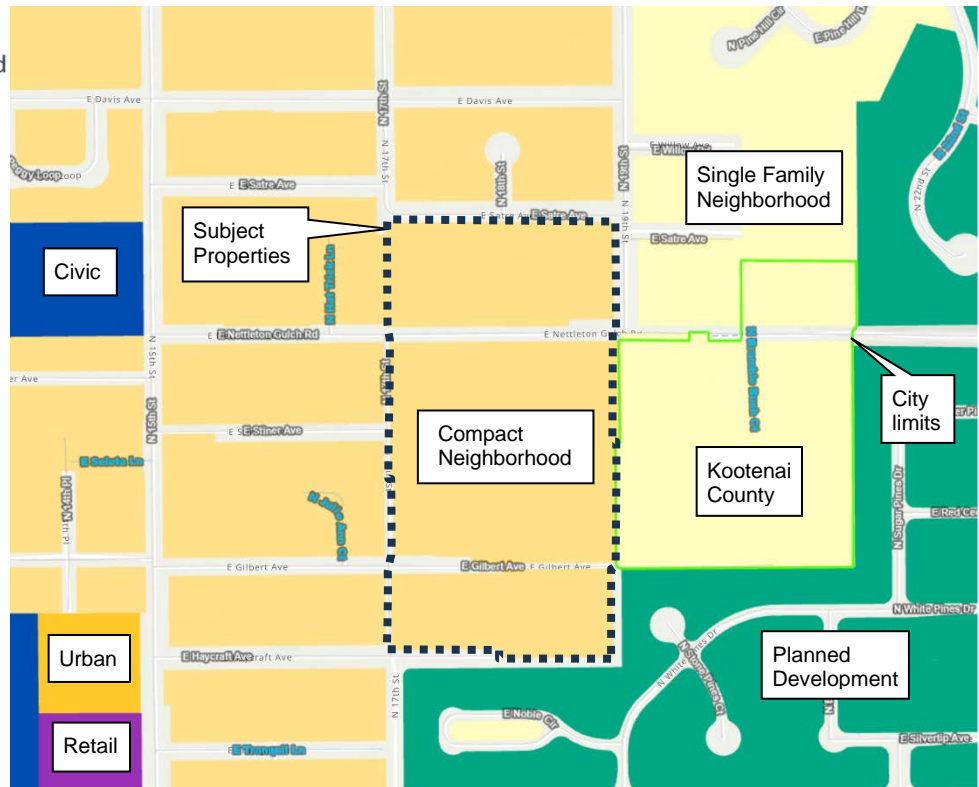
## Future Land Use Map (Neighborhood Context):

### Land Use Type

- Single Family Neighborhood
- Compact Neighborhood
- Urban Neighborhood
- Mixed-Use Low
- Mixed-Use Med
- Mixed-Use High
- Downtown
- Historic
- Retail Center/Corridor
- Employment Center
- Civic
- General Industrial
- Planned Development

### Context

- City Boundary
- ACI



## Compact Neighborhood



### Key Characteristics

Compact Neighborhood places are medium density residential areas located primarily in older locations of Coeur d'Alene where there is an established street grid with bicycle and pedestrian facilities. Development is typically single-family, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts. Supporting uses typically include neighborhood parks, recreation facilities, and parking areas.

### Transportation

- Gridded street pattern with pedestrian and bicycle facilities

### Typical Uses

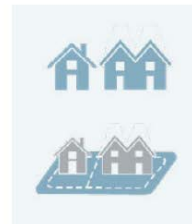
- Primary: Single and mixed residential
- Secondary: Neighborhood parks and recreation facilities, parking

### Building Types

- Single-family, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts

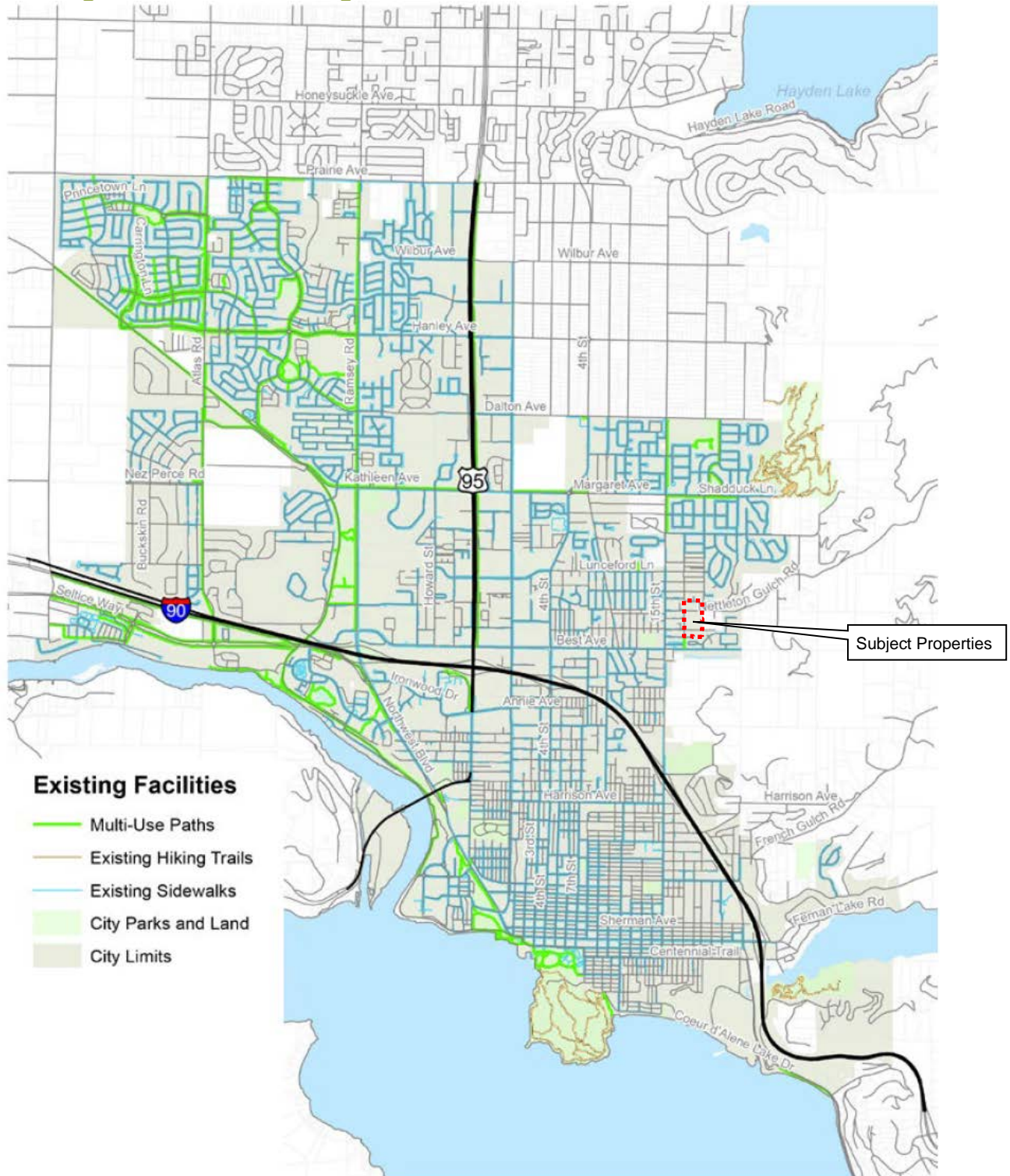
### Compatible Zoning

- R-12 and R-17; MH-8; NC and CC

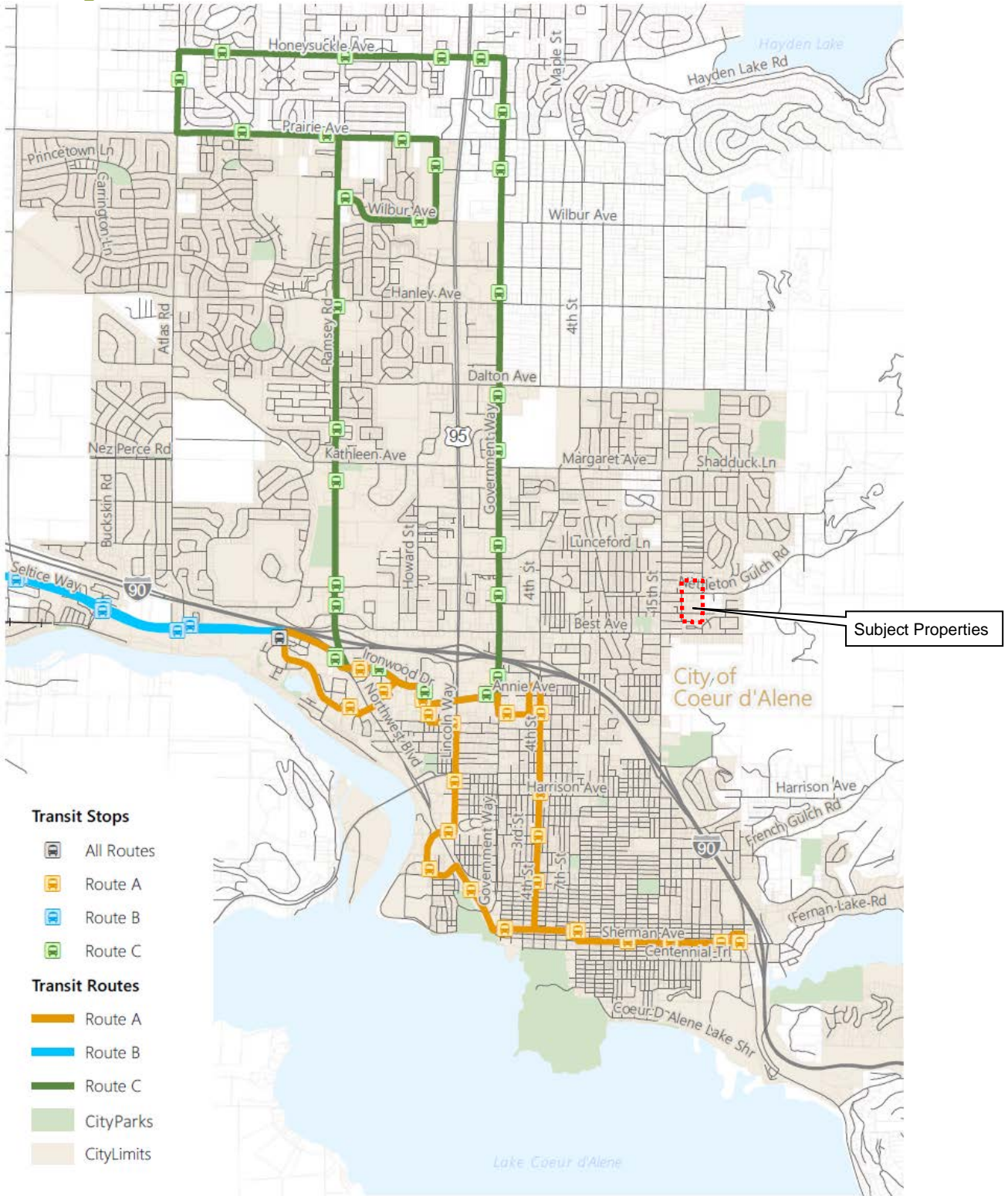




### Existing and Planned Walking Network:



## Existing Transit Network:



## Comprehensive Plan Policy Framework:

(NOTE: Staff curated policies below. The full list to choose from is attached for consideration.)

### Community & Identity

**Goal CI 1:** Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

**Objective CI 1.1:** Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

**Goal CI 2:** Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

**Objective CI 2.1:** Maintain the community's friendly, welcoming atmosphere and its small-town feel.

**Objective CI 2.2:** Support programs that preserve historical collections, key community features, cultural heritage, and traditions.

**Goal CI 3:** Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

**Objective CI 3.1:** Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

### Growth & Development

**Goal GD 1:** Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

**Objective GD 1.1:** Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

**Objective GD 1.5:** Recognize neighborhood and district identities.

*Evaluation: The Planning and Zoning Commission must determine, based on the information before them, whether the Comprehensive Plan goals, objectives and Future Land Use Map Place Type do or do not support the request. Specific ways in which the goals, objectives and Place Type is or is not supported by this request should be stated in the finding.*

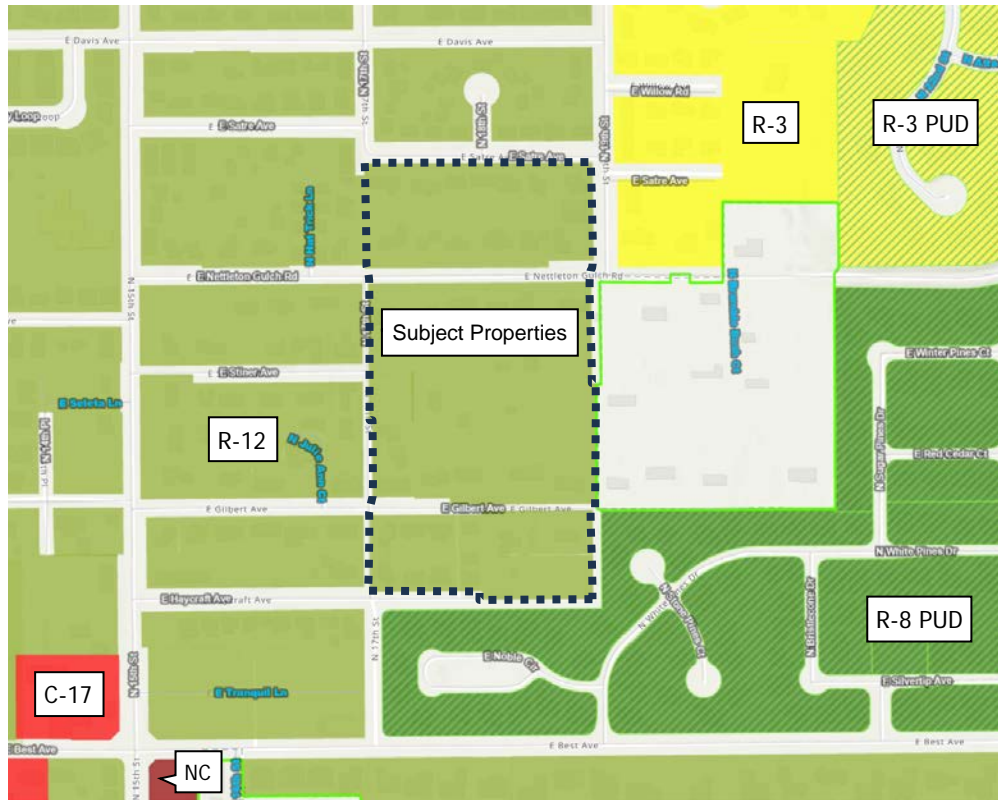
**Finding B2: The design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties.**

Use the following information as well as testimony from the hearing to make findings **A4** and **A7** in the findings and order worksheet.

**Zoning:** The subject properties are zoned R-12

zoning

- C-17
- C-17L
- C-17LPUD
- C-17PUD
- DC
- DCPUD
- LM
- M
- MH-8
- MH-8PUD
- NC
- NW
- R-1
- R-12
- R-12PUD
- R-17
- R-17PUD
- R-1PUD
- R-3
- R-3PUD
- R-5
- R-5PUD
- R-8
- R-8PUD
- R-8SF



**Generalized Land Use: Single family, duplexes, and vacant property**

- Land Use
- SFA
- SFD
- DUPLEX
- MH
- MHP
- MFD
- CIVIC
- COMM
- MFGR
- AGRICULTURE
- VACANT



**Site Photos:**

Intersection of E. Haycraft Ave. (terminus) and N. 17th St. looking east. Subject properties are on left side of photo:





Intersection of E. Haycraft Ave. and N. 17th St. looking north. Subject properties are on right side of photo:



Intersection of E. Haycraft Ave and N 17<sup>th</sup> St. looking south showing trail. No subject properties shown in photo (adjacent amenity):



Intersection of E. Gilbert Ave. and N. 17th St. looking east:



Intersection of E. Gilbert Ave. and N. 17th St. looking south:



Intersection of E. Gilbert Ave. and N. 17th St. looking north. Subject properties are on the right side of the photo:



Intersection of E. Stiner Ave. and N. 17th St. looking south:



E. Stiner Ave. and N. 17th St. looking east:



E. Stiner Ave. and N. 17th St. looking north. Subject properties are on the right side of the photo:



Intersection of E. Nettleton Gulch Rd. and N. 17th St. looking south. Subject properties are on the left side of the photo:



Intersection of E. Nettleton Gulch Rd. and N. 17th St. looking east:



Intersection of E. Nettleton Gulch Rd. and N. 17th St. looking north. Subject properties are on the right side of the photo:



Intersection of E. Satre Ave. and N. 17th St. (terminus) looking south. Subject properties are on left side of the gate in photo:



Intersection of E. Satre Ave. and N. 17th St. (terminus) looking east. Subject properties are on the right side of the photo:



Looking at the intersection of E. Satre Ave. and N. 19th St. facing west. Subject properties are on the left side of the photo:



Intersection of E. Satre Ave. and N. 19th St. looking south. Subject properties are on the right side of the photo:



Intersection of E. Nettleton Gulch Rd. and N. 19th St. (terminus) looking south. Subject property is on the right side of the photo:





Intersection of E. Nettleton Gulch Rd. and N. 19th St. looking west:



E. Gilbert Ave. and assumption of area where N. 19th St. right-of-way should be located looking west:



E. Gilbert Ave. and assumption of area where N. 19th St. right-of-way should be located looking north. Subject property on left of photo:



*Evaluation:* The Planning and Zoning Commission must determine, based on the information before them, whether the design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties. Specific ways in which the policy is or is not supported by this request should be stated in the finding.

**Finding B3:** The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing streets, public facilities and services.

Use the following information as well as testimony from the hearing to make findings **A8** in the findings and order worksheet.

**DEPARTMENT COMMENTS:**

WATER: No comment/issue.  
- Submitted by Glen Poelstra, Assistant Water Director

SEWER: No comment/issue.  
- Submitted by Larry Parsons, Utility Project Manager

STREETS &  
ENGINEERING: No comment/issue.  
- Submitted by Chris Bosley, City Engineer

FIRE: No comment/issue.  
- Submitted by Bobby Gonder- Fire Inspector/Investigator

**Evaluation:** The Planning and Zoning Commission must determine, based on the information before them, whether or not the existing streets, public facilities and services are adequate for the request.

**PROPOSED CONDITIONS:**

No conditions are proposed.

**ORDINANCES AND STANDARDS USED IN EVALUATION:**

- 2022-2042 Comprehensive Plan
- Municipal Code
- Idaho Code
- Wastewater Treatment Facility Plan
- Water and Sewer Service Policies
- Urban Forestry Standards
- Transportation and Traffic Engineering Handbook, I.T.E.
- Manual on Uniform Traffic Control Devices
- 2021 Parks Master Plan
- 2017 Trails and bikeways Master Plan

**ACTION ALTERNATIVES:**

The Planning and Zoning Commission must consider this special use permit request, which would limit future construction to single family detached residential homes and accessory uses in the subject area, and make appropriate findings to: approve, deny or deny without prejudice. The findings worksheet is attached.

Attachments:

*Applicant's Application and Narrative*

*Comprehensive Plan Goals and Objectives*

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# APPLICANT'S APPLICATION

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# SPECIAL USE PERMIT APPLICATION

**STAFF USE ONLY**

Date Submitted: 2/29/24 Received by: [Signature] Fee paid: \$1006 Project # TBD SP-1-24

## REQUIRED SUBMITTALS

**Application Fee: \$700.00**  
**Publication Fee: \$300.00**  
**Mailing Fee: \$6.00 per hearing**

*\* Public hearing required with the Planning Commission*

A **COMPLETE APPLICATION** is required at time of application submittal, as determined and accepted by the Planning Department located at <http://cdaid.org/1105/departments/planning/application-forms>. PAID MAR 01 2024

- Completed application form**
- Application, Publication, and Mailing Fees**
- A report(s) by an Idaho licensed Title Company:** Owner's list three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:
  1. All property owners within 300ft of the external boundaries. *\* Non-owners list no longer required\**
  2. All property owners with the property boundaries.
- A report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company and a copy of the tax map showing the 300ft mailing boundary around the subject property. The report(s) shall be a full Title Report and include the Listing Packet. Explain how the location, design, and size of the proposal will be adequately served by existing streets, public facilities and services.
- A written narrative:** Including a description of the request, how the request conforms to the 2007 Comprehensive Plan, how the design and planning of the site is compatible with the location, setting, and existing uses on adjacent properties. Explain how the location, design, and size of the proposal will be adequately served by existing street, public facilities and services.
- A legal description:** in MS Word compatible format, together with a meets and bounds map stamped by a licensed Surveyor.
- A plan set map:** A site plan with floor plans, and/or building elevations as deemed necessary to demonstrate the characteristics of the proposed use. All plans must be accurately drawn to an acceptable scale and complete with dimensions that show lot size, setbacks, required off-street parking, any landscaping that may be proposed to ensure the compatibility with the abutting properties, and surrounding neighborhood.

## DEADLINE FOR SUBMITTALS

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

## PUBLIC HEARING NOTICE SIGN TO BE POSTED ON SUBJECT PROPERTY

The applicant is required to post a public hearing notice, provided by the Planning Department, on the property at a location specified by the Planning Department. This posting must be done one (1) week prior to the date of the Planning Commission meeting at which this item will be heard. An affidavit testifying where and when the notice was posted, by whom, and a picture of the notice posted on the property is also required and must be returned to the Planning Department.

**RECEIVED**  
Planning Department  
City of Coeur d'Alene  
Date: \_\_\_\_\_

**APPLICATION INFORMATION**

PROPERTY OWNER: Thomas E. Hungerford (On Behalf of Nettleton Neighbors)		
MAILING ADDRESS: 1717 E. Nettleton Gulch Rd.		
CITY: Coeur d'Alene	STATE: Id	ZIP: 83815
PHONE: 509-998-0059	FAX:	EMAIL: mail4hungerford@aol.com
APPLICANT OR CONSULTANT: NA		STATUS: ENGINEER OTHER
MAILING ADDRESS:		
CITY:	STATE:	ZIP:
PHONE:	FAX:	EMAIL:

**FILING CAPACITY**

- Recorded property owner as to of \_\_\_\_\_
- Purchasing (under contract) as of \_\_\_\_\_
- The Lessee/Renter as of \_\_\_\_\_
- Authorized agent of any of the foregoing, duly authorized in writing. (Written authorization must be attached)

**SITE INFORMATION:**

GENERAL LOCATION OR ADDRESS OF THE PROPERTY: Nettleton Gulch Rd and 17 <sup>th</sup> (See Attached Maps)
GROSS AREA (ACRES): 16.64 Acres
EXISTING CITY ZONING (CHECK ALL THAT APPLY): R-1 <input type="checkbox"/> R-3 <input type="checkbox"/> R-5 <input type="checkbox"/> R-8 <input type="checkbox"/> R-12 <input checked="" type="checkbox"/> R-1 <input type="checkbox"/> MH-8 <input type="checkbox"/> NC <input type="checkbox"/> C-17 <input type="checkbox"/> C-17L <input type="checkbox"/> DC <input type="checkbox"/> LM <input type="checkbox"/> M <input type="checkbox"/> NW <input type="checkbox"/>
CURRENT LAND USE: Single Family Residence with Larger Lots and 4 Duplexes
DESCRIPTION OF PROJECT/REASON FOR REQUEST: Requesting Under "Special use permits" as R-12 Zoning a "Restriction to Single Family" to help to preserve and protect our neighborhood



**CERTIFICATION OF APPLICANT:**

I, Thomas E. Hungerford, being duly sworn, attests that he/she is the applicant of this  
*(Insert name of applicant)*

request and knows the contents thereof to be true to his/her knowledge.

Signed: [Signature]  
*(applicant)*

Notary to complete this section for applicant:

Subscribed and sworn to me before this 29th day of FEB, 2024

Notary Public for Idaho Residing at: Spirit Lake, ID



My commission expires: 8-18-26

Signed: [Signature]  
*(notary)*

**CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:**

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: \_\_\_\_\_ Telephone No.: \_\_\_\_\_

Address: \_\_\_\_\_

Signed by Owner: \_\_\_\_\_

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public for Idaho Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_

Signed: \_\_\_\_\_  
*(notary)*

*\*For multiple applicants or owners of record, please submit multiple copies of this page.*

I (We) the undersigned do hereby make petition for a special use permit of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS 29 DAY OF February 2024  
[Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### III. SPECIAL USE PERMIT PROCEDURE

**17.09.205: TITLE AND PURPOSE:**

The provisions of this article shall be known as the SPECIAL USE PERMIT PROCEDURE. The purpose of these provisions is to prescribe the procedure for the accommodation of uses with special site or design requirements, operating characteristics or potential adverse effects on surroundings, through review and, where necessary, the imposition of special conditions of approval. This procedure shall apply to all proposals for which a special use permit is required by the zoning ordinance. (Ord. 1691 §1(part), 1982)

**17.09.210: APPLICATION AND SUBMITTALS:**

Application for a special use permit shall be made on a form prescribed by the planning director, and shall be notarized. The application shall be accompanied by information including:

- A. A set of design drawings which shall include a site plan. The planning director or planning commission may require additional submittals such as floor plans and site and/or building elevations as deemed necessary to demonstrate the characteristics of the use being considered;
- B. A narrative depicting the operational characteristics of the use and its impact on the surrounding area, if any;
- C. Other such information as may be required by the planning director; and
- D. The fee referenced in the fee schedule. (Ord. 3127 §19, 2003: Ord. 3025 §18, 2001: Ord. 2314 §5, 1990: Ord. 1691 §1(part), 1982)

**17.09.215: PROCEDURE FOR CONSIDERATION:**

- A. Public Hearing: A public hearing before the planning commission shall be set for between twenty one (21) and sixty (60) days after formal acceptance, to be held on each application for a special use permit.
- B. Notice: Notice of the hearing shall be as prescribed in subsection 17.09.120B of this chapter. Notices also may be posted within the area of potential influence, if required by the planning director.
- C. Planning Commission Action: The planning commission shall determine whether the proposal conforms to the special use permit criteria and may grant or deny the application for the proposed special use permit or require such changes or impose such reasonable conditions of approval as are in their judgment necessary to ensure conformity of the criteria. They shall make specific written findings to support their decisions. A copy of the planning commission decision shall be mailed to the applicant and property owners who received mailed notice of the public hearing and notice of the decision by the planning commission shall be published in the official newspaper within seven (7) days of the decision. The determination of the planning commission shall be made within forty (40) days after the hearing. It shall become final ten (10) days after the date of written notice of the decision has been published in the official newspaper unless appealed to the city council pursuant to subsection 17.09.125B of this chapter. (Ord. 3127 §20, 2003: Ord. 3121 §5, 2003: Ord. 3025 §19, 2001: Ord. 2901 §4, 1999: Ord. 2886 §4, 1998: Ord. 1844 §6, 1984: Ord. 1691 §1(part), 1982)

**17.09.220: SPECIAL USE PERMIT CRITERIA:**

A special use permit may be approved only if the proposal conforms to all of the following criteria, to the satisfaction of the commission:

- A. The proposal is in conformance with the comprehensive plan.

B. The design and planning of the site is compatible with the location, setting and existing uses on adjacent properties.

C. The location, design, and size of the proposal are such that the development will be adequately served by existing streets, public facilities and services. (Ord. 3059 §5, 2002: Ord. 1691 §1(part), 1982)

**17.09.225: APPEALS TO THE CITY COUNCIL:**

An appeal by an affected person may be taken to the city council in accordance with subsection 17.09.125B of this chapter. In considering the appeal, the city council shall determine whether the proposed use conforms to the applicable special use permit criteria, and may grant or deny a permit or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to the criteria. (Ord. 1844 §7, 1984: Ord. 1691 §1(part), 1982)

**17.09.230: ADHERENCE TO APPROVED PLANS:**

A special use permit shall be subject to the plans and other conditions upon the basis of which it was granted. Unless a different termination date is prescribed, the permit shall terminate one year from the effective date of its granting unless substantial development or actual commencement of authorized activities has occurred, or if there is a cessation of use or occupancy for two (2) years. However, such period of time may be extended by the planning commission for one year, without public notice, upon written request filed at any time before the permit has expired and upon a showing of unusual hardship not caused by the owner or applicant. (Ord. 1691 §1(part), 1982)

**17.09.235: REVOCATION:**

In the event of a violation of any of the provisions of the zoning ordinance, or in the event of a failure to comply with any prescribed condition of approval, the planning commission may, after notice and hearing, revoke any special use permit. The determination of the planning commission shall become final ten (10) days after the date of written notice of the decision has been published in the official newspaper, unless appealed to the city council pursuant to subsection 17.09.125B of this chapter. (Ord. 1844 §8, 1984: Ord. 1691 §1(part), 1982)

JANE G HUNGERFORD OR  
THOMAS E HUNGERFORD  
1717 E NETTLETON GULCH RD  
COEUR D ALENE, ID 83815

Feb 29 - 2024

7089  
98-7107/3233  
114

Date CHECK ARMOR

Pay to the Order of City of Coeur d'Alene \$ 1006 00  
One Thousand Six and 00/100 Dollars

 BANNER BANK  
1-800-272-9933  
www.BannerBank.com

For Special use Permit (Nettledon) 

⑆323371076⑆ 1010007466⑆ 7089

## Written Narrative

### **Description**

This Special Use Permit application by the Best/Nettleton Neighborhood requests the “Restrict to Single Family” designation between E Satre Avenue to the north, E Haycraft Avenue to the south, N 17<sup>th</sup> Street to the west, and N 19<sup>th</sup> Street / Kootenai County line to the east.

### **Conformity to City’s Comprehensive Plan**

This Special Use Permit conforms to and supports the following elements of the City of Coeur d’Alene’s comprehensive plan:

- Community Involvement
  - CI 2 “Maintain a high quality of life for residents and businesses that make Coeur d’Alene a great place to live and visit.”
  - CI 2.1 “Maintain the community’s friendly welcoming atmosphere and its small-town feel.”
  - CI 3.1 “Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.”
- Environment & Recreation
  - ER 2.3 “Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.”
- Growth and Development
  - GD 1.5 “Recognize neighborhood and district identities.”
  - GD 1.7 “Increase physical and visual access to the lakes and rivers (mountains).”
  - GD 1.8 “Support and expand urban farming opportunities.”
  - GD 3.1 “Provide safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.”

### **Discussion**

The Best/Nettleton Gulch neighborhood sits at the eastern edge of the City of Coeur d’Alene, near the steep terrain of Best Hill and Canfield Mountain. Nettleton Gulch Road provides easy public access to the Canfield Mountain Trail System for hiking, biking, and motor vehicle use. The neighborhood is a significant gateway to the closest rural outdoor mountain experiences on USDA Forest Service lands for the City of Coeur d’Alene. This forest land and the parking area from which multiple trailheads are available is advertised in tourist information, outdoor guides, and in searchable trail applications used by outdoor enthusiasts including Trailforks, Gaia GPS, and AllTrails.

The Best/Nettleton Gulch neighborhood consists mainly of owner-occupied, single-family dwellings east of N 17<sup>th</sup> Street, and along a network of less-developed roadways. Some of these roadways do not meet current 2024 design standards for width, and there are few sidewalks. Nevertheless, there is a significant amount of internal and through traffic by bicycle, foot, and

vehicle to Canfield Mountain. The roadways are used by an assortment of vehicle types including mountain bikes, service vehicles, forest maintenance trucks, motocross motorbikes, side-by-sides, ATVs, cars, and trucks with trailers.

The residents of the Best/Nettleton Gulch neighborhood are committed to community involvement and are passionate about the place they live. They are diverse in age and span all socio-economic classes. Their professions and trades contribute to the local economy in many fields including construction, health care, professional consulting, and public safety. Retired households intermingle with young families, resulting in a supportive and engaged environment where community thrives. The neighborhood's plentiful trees and single-story housing types allow for views of the surrounding hills and mountains. Many residents have gardens, chicken coops, and beehives. There is also ample space for wildlife to forage safely in the neighborhood's transitional urban forest.

This Special Use Permit will preserve the existing neighborhood identity, ensure a high quality of life for its residents, and provide for safe and efficient motorized, bicycle and pedestrian public access to the Canfield Mountain area. The single family only designation allows property owners to subdivide existing lots to create additional single family housing units or ADUs but prevents building densities that are incompatible with the existing character of the neighborhood, capacity of the roadways, and the high use patterns of the Canfield Mountain Trail System.

This Special Use Permit will preserve the Best/Nettleton Gulch area as a transitional space between the rural undeveloped recreational land of Canfield Mountain and the more densely populated, amenity-rich urban fabric of downtown Coeur d'Alene. This transitional space will support the continued growth of all forms of recreation on Canfield Mountain.

BEFORE THE PLANNING DIRECTOR OF THE CITY OF COEUR D'ALENE,  
KOOTENAI COUNTY, IDAHO

In Re: )  
)  
Application for a Single Family )  
Use Restriction Special Use Permit )  
)  
)  
)  
)

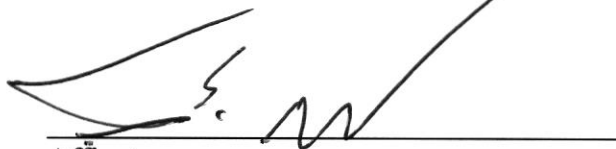
FILE NO. \_\_\_\_\_

AFFIDAVIT OF SIGNATURE  
GATHERER

STATE OF IDAHO )  
) ss  
COUNTY OF KOOTENAI )

I, THOMAS E. Hungerford swear under penalty of perjury, that

1. I collected signatures in support of the Single Family Use Restriction Special Use Permit Application listed above; and
2. The only presentation I made to each signer about the purpose of the signature gathering process was that the gathered signatures would allow for the application for a Single Family Use Restriction; and
3. I believe that each person who signed the signature sheet understood that the only purpose of gather signatures was for the application for a Single Family Use Restriction.

  
\_\_\_\_\_  
Affiant





BEFORE THE PLANNING DIRECTOR OF THE CITY OF COEUR D'ALENE,  
KOOTENAI COUNTY, IDAHO

In Re: )  
)  
Application for a Single Family )  
Use Restriction Special Use Permit )  
)  
)  
)  
)  
)

FILE NO. \_\_\_\_\_

AFFIDAVIT OF SIGNATURE  
GATHERER

STATE OF IDAHO )  
) ss  
COUNTY OF KOOTENAI )

I, Cody Jahns swear under penalty of perjury, that

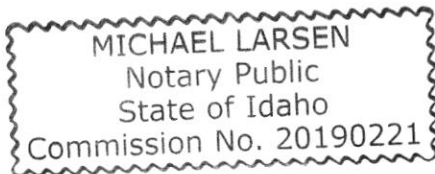
1. I collected signatures in support of the Single Family Use Restriction Special Use Permit Application listed above; and
2. The only presentation I made to each signer about the purpose of the signature gathering process was that the gathered signatures would allow for the application for a Single Family Use Restriction; and
3. I believe that each person who signed the signature sheet understood that the only purpose of gather signatures was for the application for a Single Family Use Restriction.

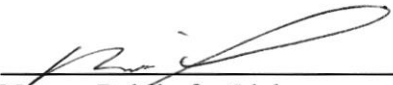
  
\_\_\_\_\_  
Affiant

STATE OF IDAHO )  
 ) ss  
County of Kootenai )

On this 27<sup>th</sup> day of February, 2024, before me, a Notary Public, personally appeared Cody Lee Jahss, known to me to be the person(s) whose name is subscribed to the within instrument and acknowledged to me the he voluntarily executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year this certificate first above written.



  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Coeur d'Alene  
My Commission Expires: 2-4-25  
1410 Government way, CPA ID 23814

BEFORE THE PLANNING DIRECTOR OF THE CITY OF COEUR D'ALENE,  
KOOTENAI COUNTY, IDAHO

In Re: )  
)  
Application for a Single Family )  
Use Restriction Special Use Permit )  
)  
)  
)  
)

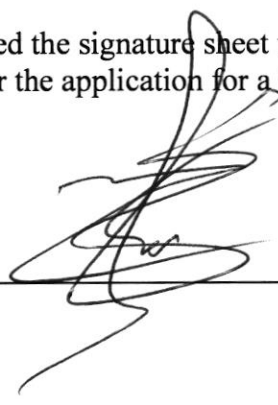
FILE NO. \_\_\_\_\_

AFFIDAVIT OF SIGNATURE  
GATHERER

STATE OF IDAHO )  
) ss  
COUNTY OF KOOTENAI )

I, SITAHAB MESBATH swear under penalty of perjury, that

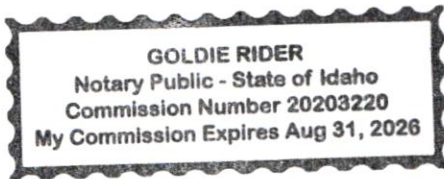
1. I collected signatures in support of the Single Family Use Restriction Special Use Permit Application listed above; and
2. The only presentation I made to each signer about the purpose of the signature gathering process was that the gathered signatures would allow for the application for a Single Family Use Restriction; and
3. I believe that each person who signed the signature sheet understood that the only purpose of gather signatures was for the application for a Single Family Use Restriction.

\_\_\_\_\_  
Affiant 

STATE OF IDAHO )  
 ) ss  
County of Kootenai )

On this 29 day of February, 2024, before me, a Notary Public, personally appeared Shahab Mesbah, known to me to be the person(s) whose name is subscribed to the within instrument and acknowledged to me the he voluntarily executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year this certificate first above written.



*Goldie Rider*  
Notary Public for Idaho  
Residing at Coeur d'Alene  
My Commission Expires: AUG 31, 2026

3 I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Bonnie Willette*  
*Bonnie Willette*

4 I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Harold & Sandra Brazil*  
*Sandra & Brazil*

5 I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Mark S Sonetti*  
*Mark S Sonetti*  
*Tami Sonetti*

6 I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Denise K Potts*  
*Denise K Potts*

12 I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Signed on Page 7*  
*Secondary Sheet #1*

2 I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Flaura George*  
*Flaura George*

1 I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

X **Owner Name:** Willette Bonnie L  
**Co-Owner:**  
**Site Addr:** 1712 E Satre Ave Coeur D Alene ID 83815  
**Owner Addr:** 1712 E Satre Ave Coeur D Alene ID 83815  
**Bedroom:** 2 **Bath:** 1 **Year Blt:** 1990  
**Legal:** COREY ADD, LT 1 BLK 1 0650N03W

X **Owner Name:** Harold And Sandra Brazil Family Trust  
**Co-Owner:**  
**Site Addr:** 1800 E Satre Ave Coeur D Alene ID 83815  
**Owner Addr:** 3835 N Jimmy St Coeur D Alene ID 83815  
**Bedroom:** 3 **Bath:** 2 **Year Blt:** 1988  
**Legal:** COREY ADD, LT 2 BLK 1 0650N03W

X **Owner Name:** Sonetti Mark S  
**Co-Owner:** Sonetti Tami  
**Site Addr:** 1806 E Satre Ave Coeur D Alene ID 83815  
**Owner Addr:** 1806 E Satre Ave Coeur D Alene ID 83815  
**Bedroom:** 4 **Bath:** 3 **Year Blt:** 1993  
**Legal:** COREY ADD, LT 3 BLK 1 0650N03W

X **Owner Name:** Potts Denise K  
**Co-Owner:**  
**Site Addr:** 1808 E Satre Ave Coeur D Alene ID 83815  
**Owner Addr:** 1808 E Satre Ave Coeur D Alene ID 83815  
**Bedroom:** 3 **Bath:** 2 **Year Blt:** 1989  
**Legal:** COREY ADD, LT 4 BLK 1 0650N03W

X **Owner Name:** Callan, Danny  
**Co-Owner:** Callan, Carol  
**Site Addr:** 1719 E Nettleton Gulch Rd Coeur D Alene ID 83815  
**Owner Addr:**  
**Bedroom:** 3 **Bath:** 2.5 **Year Blt:** 1990  
**Legal:** FRUITDALE, E2-TAX #4461-TR 29 & #13677 0650N03W

X **Owner Name:** George Flaura  
**Co-Owner:** Coren Ellen S  
**Site Addr:** 1704 E Satre Ave Coeur D Alene ID 83815  
**Owner Addr:** 1704 E Satre Ave Coeur D Alene ID 83815  
**Bedroom:** 4 **Bath:** 1.5 **Year Blt:** 1961  
**Legal:** FRUITDALE, TAX#26177 [IN TR 29] 0650N03W

X **Owner Name:** Drechsel James E  
**Co-Owner:** Drechsel Janis Joy  
**Site Addr:** 1702 E Satre Ave Coeur D Alene ID 83815  
**Owner Addr:** 1702 E Satre Ave Coeur D Alene ID 83815  
**Bedroom:** 4 **Bath:** 2.5 **Year Blt:** 1972  
**Legal:** FRUITDALE, TX #8469-TR 29 EX RW 0650N03W

**Parcel ID:** C20000010010 **Tax ID:** 166289  
**Recording Date:** 08/17/2018  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$383,450.00 **Sale Price:**  
**Bldg SqFt:** 1,452 SqFt **Acres:** 0.21 Acres

**Parcel ID:** C20000010020 **Tax ID:** 166290  
**Recording Date:** 08/17/2018  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$368,560.00 **Sale Price:**  
**Bldg SqFt:** 1,158 SqFt **Acres:** 0.20 Acres

**Parcel ID:** C20000010030 **Tax ID:** 166291  
**Recording Date:** 05/24/2021  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$574,370.00 **Sale Price:**  
**Bldg SqFt:** 2,480 SqFt **Acres:** 0.20 Acres

**Parcel ID:** C20000010040 **Tax ID:** 166292  
**Recording Date:** 06/28/2013  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$552,860.00 **Sale Price:**  
**Bldg SqFt:** 2,264 SqFt **Acres:** 0.20 Acres

**Parcel ID:** C4005000029C **Tax ID:** 148481  
**Recording Date:** 1/19/2024  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$622,640.00 **Sale Price:**  
**Bldg SqFt:** 2,762 SqFt **Acres:** 0.40 Acres

**Parcel ID:** C4005000029D **Tax ID:** 127416  
**Recording Date:** 05/13/2022  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$458,770.00 **Sale Price:**  
**Bldg SqFt:** 2,632 SqFt **Acres:** 0.28 Acres

**Parcel ID:** C4005000029E **Tax ID:** 110574  
**Recording Date:** 10/30/2013  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$462,730.00 **Sale Price:**  
**Bldg SqFt:** 2,440 SqFt **Acres:** 0.32 Acres

9  
9  
I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Joyce Weagley*  
*Joyce Weagley*

X Owner Name: Weagley Donald E Jr  
Co-Owner:  
Site Addr: 1709 E Nettleton Gulch Rd Coeur D Alene ID 83815  
Owner Addr: 512 S 10th Pl Coeur D Alene ID 83814  
Bedroom: 3 Bath: 1 Year Blt: 1954  
Legal: FRUITDALE, TAX #22972 IN TR 29 0650N03W

Parcel ID: C4005000029F Tax ID: 144319  
Recording Date:  
Use: Imp res lot/tract in city  
Assessed Total: \$314,540.00 Sale Price:  
Bldg SqFt: 840 SqFt Acres: 0.46 Acres

10  
I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Carrie Dahlman*

X Owner Name: Dahlman Carrie L  
Co-Owner:  
Site Addr: 1711 E Nettleton Gulch Rd Coeur D Alene ID 83815  
Owner Addr: 1711 E Nettleton Gulch Rd Coeur D Alene ID 83815  
Bedroom: 3 Bath: 1 Year Blt: 1955  
Legal: FRUITDALE, TAX #4460-TR 29 0650N03W

C4005000029G Tax ID: 110448  
Recording Date:  
Use: Imp res lot/tract in city  
Assessed Total: \$391,240.00 Sale Price:  
Bldg SqFt: 952 SqFt Acres: 0.40 Acres

11  
I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Thomas E. Hungerford*  
*Jane Hungerford*

X Owner Name: Hungerford Thomas  
Co-Owner: Hungerford Jane  
Site Addr: 1717 E Nettleton Gulch Rd Coeur D Alene ID 83815  
Owner Addr: 1717 E Nettleton Gulch Rd Coeur D Alene ID 83815  
Bedroom: 4 Bath: 2 Year Blt: 1955  
Legal: FRUITDALE, W2-TAX #4461-TR 29 & TAX #13676 0650N03W

Parcel ID: C4005000029H Tax ID: 132809  
Recording Date: 08/17/2018  
Use: Imp res lot/tract in city  
Assessed Total: \$518,200.00 Sale Price:  
Bldg SqFt: 2,204 SqFt Acres: 0.40 Acres

13  
I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Thomas R. Paulson*

X Owner Name: Paulson Thomas R  
Co-Owner:  
Site Addr: 1809 E Nettleton Gulch Rd Coeur D Alene ID 83815  
Owner Addr: 1809 E Nettleton Gulch Rd Coeur D Alene ID 83815  
Bedroom: 4 Bath: 2 Year Blt: 1955  
Legal: FRUITDALE, TAX #4462 & #13678- TR 29 0650N03W

Parcel ID: C4005000029I Tax ID: 114096  
Recording Date: 08/17/2012  
Use: Imp res lot/tract in city  
Assessed Total: \$487,680.00 Sale Price:  
Bldg SqFt: 1,878 SqFt Acres: 0.41 Acres

17  
I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Nathanael Haux*

X Owner Name: Haux Rodney  
Co-Owner: Haux Beth Ann  
Site Addr: 1802 E Nettleton Gulch Rd Coeur D Alene ID 83815  
Owner Addr: 1802 E Nettleton Gulch Rd Coeur D Alene ID 83815  
Bedroom: 3 Bath: 2 Year Blt: 1951  
Legal: HAUX I ADD, LT 1 BLK 1 0650N03W

Parcel ID: C45350010010 Tax ID: 206552  
Recording Date: 06/27/2005  
Use: Imp res lot/tract in city  
Assessed Total: \$563,470.00 Sale Price:  
Bldg SqFt: 2,643 SqFt Acres: 0.47 Acres

18  
I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Tom Renner*  
*Shannan Sardell*

X Owner Name: Renner Thomas  
Co-Owner: Sardell Shannon  
Site Addr: 1806 E Nettleton Gulch Rd Coeur D Alene ID 83815  
Owner Addr: 1806 E Nettleton Gulch Rd Coeur D Alene ID 83815  
Bedroom: 4 Bath: 2.5 Year Blt: 1997  
Legal: HAUX I ADD, LT 2 BLK 1 0650N03W

Parcel ID: C45350010020 Tax ID: 206553  
Recording Date: 12/27/2021  
Use: Imp res lot/tract in city  
Assessed Total: \$701,380.00 Sale Price:  
Bldg SqFt: 2,414 SqFt Acres: 0.43 Acres

7  
I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Earin Jeffrey D*  
*Elizabeth Earin*

X Owner Name: Earin Jeffrey D  
Co-Owner: Earin Elizabeth A  
Site Addr: 3027 N 19th St Coeur D Alene ID 83815  
Owner Addr: 3027 N 19th St Coeur D Alene ID 83815  
Bedroom: 4 Bath: 2.5 Year Blt: 1985  
Legal: JANTZ ADD TO CDA, LT 1 0650N03W

Parcel ID: C50100000010 Tax ID: 162221  
Recording Date: 03/14/2014  
Use: Imp res lot/tract in city  
Assessed Total: \$583,390.00 Sale Price:  
Bldg SqFt: 2,364 SqFt Acres: 0.24 Acres

<p>8 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p>	<p>X <b>Owner Name:</b> Bill And Dawn Novak Living Trust  <b>Co-Owner:</b> Dunn Family 2001 Trust  <b>Site Addr:</b> 3019 N 19th St Coeur D Alene ID 83815  <b>Owner Addr:</b> 4338 W Lennox Loop Coeur D Alene ID 83815  <b>Bedroom:</b> 6 <b>Bath:</b> 4 <b>Year Blt:</b> 2002  <b>Legal:</b> JANTZ ADD TO CDA, LT 2 0650N03W</p>	<p><b>Parcel ID:</b> C50100000020  <b>Recording Date:</b>  <b>Use:</b> Imp res lot/tract in city  <b>Assessed Total:</b> \$588,000.00  <b>Bldg SqFt:</b> 2,768 SqFt  <b>Tax ID:</b> 162222  <b>Sale Price:</b>  <b>Acres:</b> 0.23 Acres</p>
<p>14 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p><i>Robert Capaul Eleanora Capaul</i></p>	<p>X <b>Owner Name:</b> Capaul Robert Alan  <b>Co-Owner:</b> Capaul Eleanora Marie  <b>Site Addr:</b> 3011 N 19th St Coeur D Alene ID 83815  <b>Owner Addr:</b> 3011 N 19th St Coeur D Alene ID 83814  <b>Bedroom:</b> 3 <b>Bath:</b> 1 <b>Year Blt:</b> 1955  <b>Legal:</b> JANTZ ADD TO CDA, LT 3 0650N03W</p>	<p><b>Parcel ID:</b> C50100000030  <b>Recording Date:</b>  <b>Use:</b> Imp res lot/tract in city  <b>Assessed Total:</b> \$346,390.00  <b>Bldg SqFt:</b> 960 SqFt  <b>Tax ID:</b> 162223  <b>Sale Price:</b>  <b>Acres:</b> 0.32 Acres</p>
<p>20 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p><i>Signed Page 8 Secondary Sheet #2</i></p>	<p>X <b>Owner Name:</b> Hickman Sylvia E  <b>Co-Owner:</b>  <b>Site Addr:</b> Coeur D Alene ID 83815  <b>Owner Addr:</b> 1900 E Nettleton Gulch Rd Coeur D Alene ID 83815  <b>Bedroom:</b> <b>Bath:</b> <b>Year Blt:</b>  <b>Legal:</b> THOMAS PARK ADD, VAC ST E OF LTS 1,2 &amp; PTN OF 3 0650N03W</p>	<p><b>Parcel ID:</b> C9045000001A  <b>Recording Date:</b>  <b>Use:</b> Res lot/tract in city  <b>Assessed Total:</b> \$1,000.00  <b>Bldg SqFt:</b>  <b>Tax ID:</b> 119644  <b>Sale Price:</b>  <b>Acres:</b> 0.16 Acres</p>
<p>19 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p>	<p>X <b>Owner Name:</b> Hickman-Rosenthal Tammi  <b>Co-Owner:</b> Rosenthal Charles Matthew  <b>Site Addr:</b> 1824 E Nettleton Gulch Rd Coeur D Alene ID 83815  <b>Owner Addr:</b> 1824 E Nettleton Gulch Rd Coeur D Alene ID 83815  <b>Bedroom:</b> 3 <b>Bath:</b> 1 <b>Year Blt:</b> 1963  <b>Legal:</b> THOMAS PARK ADD, E2-E2-LT 1, E2-E2-LT 2 0650N03W</p>	<p><b>Parcel ID:</b> C9045000001B  <b>Recording Date:</b>  <b>Use:</b> Imp res lot/tract in city  <b>Assessed Total:</b> \$430,340.00  <b>Bldg SqFt:</b> 2,028 SqFt  <b>Tax ID:</b> 126704  <b>Sale Price:</b>  <b>Acres:</b> 0.89 Acres</p>
<p>16 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p><i>Ron T. Moen Ron T. Moen</i></p>	<p>X <b>Owner Name:</b> Moen Ron T  <b>Co-Owner:</b>  <b>Site Addr:</b> 1712 E Nettleton Gulch Rd Coeur D Alene ID 83815  <b>Owner Addr:</b> 710 W Dalton Ave #A Coeur D Alene ID 83815  <b>Bedroom:</b> 4 <b>Bath:</b> 2 <b>Year Blt:</b> 1963  <b>Legal:</b> THOMAS PARK ADD, E2-W2-LT 1,2 0650N03W</p>	<p><b>Parcel ID:</b> C9045000001D  <b>Recording Date:</b> 07/28/2020  <b>Use:</b> Imp res lot/tract in city  <b>Assessed Total:</b> \$598,870.00  <b>Bldg SqFt:</b> 2,564 SqFt  <b>Tax ID:</b> 141850  <b>Sale Price:</b>  <b>Acres:</b> 0.89 Acres</p>
<p>15 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p><i>Megan Jahns Cody Jahns</i></p>	<p>X <b>Owner Name:</b> Jahns Megan L  <b>Co-Owner:</b> Jahns Cody L  <b>Site Addr:</b> 1708 E Nettleton Gulch Rd Coeur D Alene ID 83815  <b>Owner Addr:</b> 1708 E Nettleton Gulch Rd Coeur D Alene ID 83815  <b>Bedroom:</b> 3 <b>Bath:</b> 1 <b>Year Blt:</b> 1938  <b>Legal:</b> THOMAS PARK ADD, W2-W2-LT 1, W2-W2-LT 2 0650N03W</p>	<p><b>Parcel ID:</b> C9045000001E  <b>Recording Date:</b> 02/22/2022  <b>Use:</b> Imp res lot/tract in city  <b>Assessed Total:</b> \$476,560.00  <b>Bldg SqFt:</b> 1,376 SqFt  <b>Tax ID:</b> 148947  <b>Sale Price:</b>  <b>Acres:</b> 0.89 Acres</p>
<p>21 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p>	<p>X <b>Owner Name:</b> Kaufman Todd P  <b>Co-Owner:</b> Kaufman Annie  <b>Site Addr:</b> 2810 N 17th St Coeur D Alene ID 83815  <b>Owner Addr:</b> 3389 E Harrison Ave Coeur D Alene ID 83814  <b>Bedroom:</b> 2 <b>Bath:</b> 1 <b>Year Blt:</b> 1943  <b>Legal:</b> THOMAS PARK ADD, LT 3, N 13 FT-LT 4, PTN VAC ST, TAX#10044 IN LT 4 0650N03W</p>	<p><b>Parcel ID:</b> C9045000003A  <b>Recording Date:</b> 02/02/2022  <b>Use:</b> Imp res lot/tract in city  <b>Assessed Total:</b> \$534,812.00  <b>Bldg SqFt:</b> 1,440 SqFt  <b>Tax ID:</b> 133976  <b>Sale Price:</b>  <b>Acres:</b> 2.30 Acres</p>



<p>28 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p><i>Pauline Jaklich</i> PAULINE JAKLICH <i>John Jaklich</i> JOHN JAKLICH</p>	<p>X Owner Name: Jaklich Pauline Co-Owner: Jaklich John Site Addr: 1721 E Gilbert Ave Coeur D Alene ID 83815 Owner Addr: 1721 E Gilbert Ave Coeur D Alene ID 83815 Bedroom: 3 Bath: 2 Year Blt: 1957 Legal: THOMAS PARK ADD, E 117 FT-LT 4 EX N 13 FT, E 117 FT LT 5,</p>	<p>Parcel ID: C9045000004A Recording Date: Use: Imp res lot/tract in city Assessed Total: \$432,680.00 Bldg SqFt: 1,460 SqFt Tax ID: 130369 Sale Price: Acres: 0.71 Acres</p>
<p>27 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p><i>Joshua Millikan</i> Joshua Millikan <i>Melissa Millikan</i> Melissa Millikan</p>	<p>X Owner Name: Millikan Joshua Co-Owner: Millikan Melissa Site Addr: 1719 E Gilbert Ave Coeur D Alene ID 83815 Owner Addr: 1719 E Gilbert Ave Coeur D Alene ID 83815 Bedroom: 3 Bath: 1 Year Blt: 1960 Legal: THOMAS PARK ADD, LT 4 EX N 13 FT &amp; EX E 117 FT &amp; EX W 327 FT, LT 5 EX E 117 FT &amp; EX W 327 FT</p>	<p>Parcel ID: C9045000004B Recording Date: 11/09/2021 Use: Imp res lot/tract in city Assessed Total: \$555,190.00 Bldg SqFt: 2,294 SqFt Tax ID: 125583 Sale Price: Acres: 1.00 Acres</p>
<p>22 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p>SIGNED Page 9 Secondary Sheet #3</p>	<p>X Owner Name: Harriman Lyndon Co-Owner: Harriman Peggy Site Addr: 2818 N 17th St Coeur D Alene ID 83815 Owner Addr: 461 S Park Dr Post Falls ID 83854 Bedroom: 4 Bath: 1.5 Year Blt: 1977 Legal: THOMAS PARK ADD, TAX#10045 IN LT 4 0650N03W</p>	<p>Parcel ID: C9045000004D Recording Date: 05/08/2023 Use: Imp res lot/tract in city Assessed Total: \$365,750.00 Bldg SqFt: 2,080 SqFt Tax ID: 117460 Sale Price: Acres: 0.17 Acres</p>
<p>23 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p><i>Nick Fiacco</i> Nick Fiacco <i>Myra Fiacco</i> Myra Fiacco</p>	<p>X Owner Name: Fiacco Nicholas A Co-Owner: Fiacco Myra Site Addr: 2814 N 17th St Coeur D Alene ID 83815 Owner Addr: 2814 N 17th St Coeur D Alene ID 83815 Bedroom: 4 Bath: 1.5 Year Blt: 1977 Legal: THOMAS PARK ADD, TAX#10046 IN LTS 4,5 0650N03W</p>	<p>Parcel ID: C9045000004E Recording Date: 12/20/2016 Use: Imp res lot/tract in city Assessed Total: \$453,920.00 Bldg SqFt: 2,288 SqFt Tax ID: 118120 Sale Price: Acres: 0.20 Acres</p>
<p>26 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p><i>Dennis Kluss</i> Dennis Kluss <i>Tanna Kluss</i> Tanna Kluss</p>	<p>X Owner Name: Kluss Tanna K Co-Owner: Kluss Dennis W Site Addr: 1705 E Gilbert Ave Coeur D Alene ID 83815 Owner Addr: 1705 E Gilbert Ave Coeur D Alene ID 83815 Bedroom: 5 Bath: 2 Year Blt: 1964 Legal: THOMAS PARK ADD, TAX#4934 IN LTS 4,5 0650N03W</p>	<p>Parcel ID: C9045000005A Recording Date: 08/28/2018 Use: Imp res lot/tract in city Assessed Total: \$561,790.00 Bldg SqFt: 2,709 SqFt Tax ID: 130025 Sale Price: Acres: 0.40 Acres</p>
<p>25 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p><i>Conor Kenna</i> Conor Kenna</p>	<p>X Owner Name: Kenna Conor M Co-Owner: Site Addr: 1703 E Gilbert Ave Coeur D Alene ID 83815 Owner Addr: 1703 E Gilbert Ave Coeur D Alene ID 83815 Bedroom: 4 Bath: 2 Year Blt: 1968 Legal: THOMAS PARK ADD, TAX#23565 IN LTS 4,5 EX RW 0650N0 3W</p>	<p>Parcel ID: C9045000005B Recording Date: 05/18/2018 Use: Imp res lot/tract in city Assessed Total: \$490,220.00 Bldg SqFt: 2,332 SqFt Tax ID: 107154 Sale Price: Acres: 0.36 Acres</p>
<p>24 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p>	<p>X Owner Name: Jared And Leeann Staples Living Trust Co-Owner: Site Addr: 1701 E Gilbert Ave Coeur D Alene ID 83815 Owner Addr: 3717 N 21st Pl Coeur D Alene ID 83815 Bedroom: 4 Bath: 2 Year Blt: 1968 Legal: THOMAS PARK ADD, TAX#10047 IN LT 5 0650N03W</p>	<p>Parcel ID: C9045000005C Recording Date: 03/14/2019 Use: Imp res lot/tract in city Assessed Total: \$469,800.00 Bldg SqFt: 1,716 SqFt Tax ID: 135305 Sale Price: Acres: 0.20 Acres</p>

<p>34 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p>	<p>X <b>Owner Name:</b> Brown J Brooks  <b>Co-Owner:</b> Brown Jennifer L  <b>Site Addr:</b> 1722 E Gilbert Ave Coeur D Alene ID 83815  <b>Owner Addr:</b> 1722 E Gilbert Ave Coeur D Alene ID 83815  <b>Bedroom:</b> 4 <b>Bath:</b> 2.5 <b>Year Blt:</b> 1964  <b>Legal:</b> THOMAS PARK ADD, E2 LT 6 &amp; 7 EX W 165 FT 0650N03W</p>	<p><b>Parcel ID:</b> C9045000006A  <b>Recording Date:</b> 07/29/2005  <b>Use:</b> Imp res lot/tract in city  <b>Assessed Total:</b> \$545,700.00  <b>Bldg SqFt:</b> 3,077 SqFt  <b>Tax ID:</b> 112902  <b>Sale Price:</b>  <b>Acres:</b> 0.85 Acres</p>
<p>33 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p>SAD HAD MESBAH  TRUSTEE  EXECUTOR</p>	<p>X <b>Owner Name:</b> Alaedin And Jaleh M Mesbah Family Trust  <b>Co-Owner:</b>  <b>Site Addr:</b> 1716 E Gilbert Ave Coeur D Alene ID 83815  <b>Owner Addr:</b> 1716 E Gilbert Ave Coeur D Alene ID 83815  <b>Bedroom:</b> 3 <b>Bath:</b> 1.5 <b>Year Blt:</b> 1955  <b>Legal:</b> THOMAS PARK ADD, W 165 FT E2-LTS 6 &amp; 7 0650N03W</p>	<p><b>Parcel ID:</b> C9045000006B  <b>Recording Date:</b>  <b>Use:</b> Imp res lot/tract in city  <b>Assessed Total:</b> \$345,984.00  <b>Bldg SqFt:</b> 2,190 SqFt  <b>Tax ID:</b> 113083  <b>Sale Price:</b>  <b>Acres:</b> 0.95 Acres</p>
<p>32 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p>Collette Bishop</p>	<p>X <b>Owner Name:</b> Bishop Colleta  <b>Co-Owner:</b>  <b>Site Addr:</b> 1710 E Gilbert Ave Coeur D Alene ID 83815  <b>Owner Addr:</b> 1710 E Gilbert Ave Coeur D Alene ID 83815  <b>Bedroom:</b> 5 <b>Bath:</b> 2 <b>Year Blt:</b> 1973  <b>Legal:</b> THOMAS PARK ADD, TAX #8660 TR 6 0650N03W</p>	<p><b>Parcel ID:</b> C9045000006C  <b>Recording Date:</b> 04/28/2017  <b>Use:</b> Imp res lot/tract in city  <b>Assessed Total:</b> \$364,770.00  <b>Bldg SqFt:</b> 2,184 SqFt  <b>Tax ID:</b> 106552  <b>Sale Price:</b>  <b>Acres:</b> 0.19 Acres</p>
<p>31 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p>	<p>X <b>Owner Name:</b> Whiteley Douglas  <b>Co-Owner:</b>  <b>Site Addr:</b> 1704 E Gilbert Ave Coeur D Alene ID 83815  <b>Owner Addr:</b> PO Box 1657 Magalia CA 95954  <b>Bedroom:</b> 6 <b>Bath:</b> 3 <b>Year Blt:</b> 1973  <b>Legal:</b> THOMAS PARK ADD, TAX #8702 - TR 6 0650N03W</p>	<p><b>Parcel ID:</b> C9045000006D  <b>Recording Date:</b>  <b>Use:</b> Imp res lot/tract in city  <b>Assessed Total:</b> \$526,500.00  <b>Bldg SqFt:</b> 3,240 SqFt  <b>Tax ID:</b> 100954  <b>Sale Price:</b>  <b>Acres:</b> 0.19 Acres</p>
<p>30 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p>Amber L. Hicks  Adam R. Hicks</p>	<p>X <b>Owner Name:</b> Hicks Amber  <b>Co-Owner:</b> Hicks Adam  <b>Site Addr:</b> 1702 E Gilbert Ave Coeur D Alene ID 83815  <b>Owner Addr:</b> 1702 E Gilbert Ave Coeur D Alene ID 83815  <b>Bedroom:</b> 4 <b>Bath:</b> 2 <b>Year Blt:</b> 1970  <b>Legal:</b> THOMAS PARK ADD, TAX #8759 LT 6 0650N03W</p>	<p><b>Parcel ID:</b> C9045000006E  <b>Recording Date:</b> 02/23/2021  <b>Use:</b> Imp res lot/tract in city  <b>Assessed Total:</b> \$428,130.00  <b>Bldg SqFt:</b> 2,080 SqFt  <b>Tax ID:</b> 115104  <b>Sale Price:</b>  <b>Acres:</b> 0.19 Acres</p>
<p>29 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p>Kyle Holmes  Brittney Holmes</p>	<p>X <b>Owner Name:</b> Holmes Kyle  <b>Co-Owner:</b> Holmes Brittney  <b>Site Addr:</b> 2726 N 17th St Coeur D Alene ID 83815  <b>Owner Addr:</b> 2726 N 17th St Coeur D Alene ID 83815  <b>Bedroom:</b> 4 <b>Bath:</b> 2 <b>Year Blt:</b> 1973  <b>Legal:</b> THOMAS PARK ADD TAX #9173 TR 6 0650N03W</p>	<p><b>Parcel ID:</b> C9045000006F  <b>Recording Date:</b> 04/05/2018  <b>Use:</b> Imp res lot/tract in city  <b>Assessed Total:</b> \$453,800.00  <b>Bldg SqFt:</b> 2,080 SqFt  <b>Tax ID:</b> 142956  <b>Sale Price:</b>  <b>Acres:</b> 0.19 Acres</p>
<p>38 I support Special use permit for "Restriction To Single Family Only" (Print Name &amp; Sign)</p> <p>Byanne Thurman  Matt Thurman  Christine Thurman</p>	<p>X <b>Owner Name:</b> Thurman Matt  <b>Co-Owner:</b> Thurman Bryanne  <b>Site Addr:</b> 1709 E Haycraft Ave Coeur D Alene ID 83815  <b>Owner Addr:</b> 1709 E Haycraft Ave Coeur D Alene ID 83815  <b>Bedroom:</b> 5 <b>Bath:</b> 2 <b>Year Blt:</b> 1974  <b>Legal:</b> THOMAS PARK ADD, TAX #9174 TR 6,7 0650N03W</p>	<p><b>Parcel ID:</b> C9045000007A  <b>Recording Date:</b> 02/25/2011  <b>Use:</b> Imp res lot/tract in city  <b>Assessed Total:</b> \$402,020.00  <b>Bldg SqFt:</b> 2,395 SqFt  <b>Tax ID:</b> 148091  <b>Sale Price:</b>  <b>Acres:</b> 0.19 Acres</p>

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I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

X **Owner Name:** 1271 Co Real Estate Group LLC  
**Co-Owner:**  
**Site Addr:** 1705 E Haycraft Ave Coeur D Alene ID 83815  
**Owner Addr:** 1705 E Haycraft Ave Coeur D Alene ID 83815  
**Bedroom:** 6 **Bath:** 4 **Year Blt:** 1974  
**Legal:** THOMAS PARK ADD, TAX #9023 LT 6,7 0650N03W

**Parcel ID:** C904500007B  
**Recording Date:** 06/20/2023  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$588,000.00  
**Bldg SqFt:** 3,240 SqFt

**Tax ID:** 120624  
**Sale Price:**  
**Acres:** 0.19 Acres

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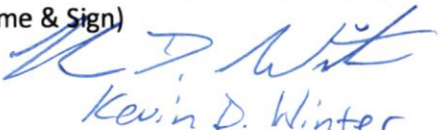
I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

X **Owner Name:** Hayenga Jonathan Owen  
**Co-Owner:** Hayenga Anthony Eugene  
**Site Addr:** 1703 E Haycraft Ave Coeur D Alene ID 83815  
**Owner Addr:** 1703 E Haycraft Ave Coeur D Alene ID 83815  
**Bedroom:** 3 **Bath:** 1 **Year Blt:** 1974  
**Legal:** THOMAS PARK ADD, TAX#9172 IN TR 6 & 7 0650N03W

**Parcel ID:** C904500007C  
**Recording Date:** 10/31/2019  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$389,780.00  
**Bldg SqFt:** 2,132 SqFt

**Tax ID:** 114864  
**Sale Price:**  
**Acres:** 0.19 Acres

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I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
  
Kevin D. Winter

X **Owner Name:** Winter Kevin D  
**Co-Owner:**  
**Site Addr:** 1701 E Haycraft Ave Coeur D Alene ID 83815  
**Owner Addr:** 1701 E Haycraft Ave Coeur D Alene ID 83815  
**Bedroom:** 4 **Bath:** 2 **Year Blt:** 1974  
**Legal:** THOMAS PARK ADD, TAX #9175 TR 6,7 0650N03W

**Parcel ID:** C904500007D  
**Recording Date:** 01/26/2016  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$426,260.00  
**Bldg SqFt:** 2,080 SqFt

**Tax ID:** 121627  
**Sale Price:**  
**Acres:** 0.19 Acres

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I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

Owner Name: Willette Bonnie L  
Co-Owner:  
Site Addr: 1712 E Satre Ave Coeur D Alene ID 83815  
Owner Addr: 1712 E Satre Ave Coeur D Alene ID 83815  
Bedroom: 2 Bath: 1 Year Blt: 1990  
Legal: COREY ADD, LT 1 BLK 1 0650N03W

Parcel ID: C20000010010 Tax ID: 166289  
Recording Date: 08/17/2018  
Use: Imp res lot/tract in city  
Assessed Total: \$383,450.00 Sale Price:  
Bldg SqFt: 1,452 SqFt Acres: 0.21 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

Owner Name: Harold And Sandra Brazil Family Trust  
Co-Owner:  
Site Addr: 1800 E Satre Ave Coeur D Alene ID 83815  
Owner Addr: 3835 N Jimmy St Coeur D Alene ID 83815  
Bedroom: 3 Bath: 2 Year Blt: 1988  
Legal: COREY ADD, LT 2 BLK 1 0650N03W

Parcel ID: C20000010020 Tax ID: 166290  
Recording Date: 08/17/2018  
Use: Imp res lot/tract in city  
Assessed Total: \$368,560.00 Sale Price:  
Bldg SqFt: 1,158 SqFt Acres: 0.20 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

Owner Name: Sonetti Mark S  
Co-Owner: Sonetti Tami  
Site Addr: 1806 E Satre Ave Coeur D Alene ID 83815  
Owner Addr: 1806 E Satre Ave Coeur D Alene ID 83815  
Bedroom: 4 Bath: 3 Year Blt: 1993  
Legal: COREY ADD, LT 3 BLK 1 0650N03W

Parcel ID: C20000010030 Tax ID: 166291  
Recording Date: 05/24/2021  
Use: Imp res lot/tract in city  
Assessed Total: \$574,370.00 Sale Price:  
Bldg SqFt: 2,480 SqFt Acres: 0.20 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

Owner Name: Potts Denise K  
Co-Owner:  
Site Addr: 1808 E Satre Ave Coeur D Alene ID 83815  
Owner Addr: 1808 E Satre Ave Coeur D Alene ID 83815  
Bedroom: 3 Bath: 2 Year Blt: 1989  
Legal: COREY ADD, LT 4 BLK 1 0650N03W

Parcel ID: C20000010040 Tax ID: 166292  
Recording Date: 06/28/2013  
Use: Imp res lot/tract in city  
Assessed Total: \$552,860.00 Sale Price:  
Bldg SqFt: 2,264 SqFt Acres: 0.20 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign) **DANNY CALLAN**  
*X Danny Callan*  
*Carol Callan*  
*Carol Callan*

Owner Name: Callan, Danny  
Co-Owner: Callan, Carol  
Site Addr: 1719 E Nettleton Gulch Rd Coeur D Alene ID 83815  
Owner Addr:  
Bedroom: 3 Bath: 2.5 Year Blt: 1990  
Legal: FRUITDALE, E2-TAX #4461-TR 29 & #13677 0650N03W

Parcel ID: C4005000029C Tax ID: 148481  
Recording Date: 1/19/2024  
Use: Imp res lot/tract in city  
Assessed Total: \$622,640.00 Sale Price:  
Bldg SqFt: 2,762 SqFt Acres: 0.40 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

Owner Name: George Flaura  
Co-Owner: Coren Ellen S  
Site Addr: 1704 E Satre Ave Coeur D Alene ID 83815  
Owner Addr: 1704 E Satre Ave Coeur D Alene ID 83815  
Bedroom: 4 Bath: 1.5 Year Blt: 1961  
Legal: FRUITDALE, TAX#26177 [IN TR 29] 0650N03W

Parcel ID: C4005000029D Tax ID: 127416  
Recording Date: 05/13/2022  
Use: Imp res lot/tract in city  
Assessed Total: \$458,770.00 Sale Price:  
Bldg SqFt: 2,632 SqFt Acres: 0.28 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

Owner Name: Drechsel James E  
Co-Owner: Drechsel Janis Joy  
Site Addr: 1702 E Satre Ave Coeur D Alene ID 83815  
Owner Addr: 1702 E Satre Ave Coeur D Alene ID 83815  
Bedroom: 4 Bath: 2.5 Year Blt: 1972  
Legal: FRUITDALE, TX #8469-TR 29 EX RW 0650N03W

Parcel ID: C4005000029E Tax ID: 110574  
Recording Date: 10/30/2013  
Use: Imp res lot/tract in city  
Assessed Total: \$462,730.00 Sale Price:  
Bldg SqFt: 2,440 SqFt Acres: 0.32 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

**Owner Name:** Bill And Dawn Novak Living Trust  
**Co-Owner:** Dunn Family 2001 Trust  
**Site Addr:** 3019 N 19th St Coeur D Alene ID 83815  
**Owner Addr:** 4338 W Lennox Loop Coeur D Alene ID 83815  
**Bedroom:** 6 **Bath:** 4 **Year Blt:** 2002  
**Legal:** JANTZ ADD TO CDA, LT 2 0650N03W

**Parcel ID:** C50100000020  
**Recording Date:**  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$588,000.00  
**Bldg SqFt:** 2,768 SqFt  
**Tax ID:** 162222  
**Sale Price:**  
**Acres:** 0.23 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

**Owner Name:** Capaul Robert Alan  
**Co-Owner:** Capaul Eleanora Marie  
**Site Addr:** 3011 N 19th St Coeur D Alene ID 83815  
**Owner Addr:** 3011 N 19th St Coeur D Alene ID 83814  
**Bedroom:** 3 **Bath:** 1 **Year Blt:** 1955  
**Legal:** JANTZ ADD TO CDA, LT 3 0650N03W

**Parcel ID:** C50100000030  
**Recording Date:**  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$346,390.00  
**Bldg SqFt:** 960 SqFt  
**Tax ID:** 162223  
**Sale Price:**  
**Acres:** 0.32 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*Sylvia E. Hickman*  
*Daphnia E. Hickman*

**Owner Name:** Hickman Sylvia E *Sylvia E. Hickman*  
**Co-Owner:**  
**Site Addr:** Coeur D Alene ID 83815  
**Owner Addr:** 1900 E Nettleton Gulch Rd Coeur D Alene ID 83815  
**Bedroom:** **Bath:** **Year Blt:**  
THOMAS PARK ADD, VAC ST E OF LTS 1,2 & PTN OF 3 0650N03W  
*Sylvia E. Hickman*

**Parcel ID:** C9045000001A  
**Recording Date:**  
**Use:** Res lot/tract in city  
**Assessed Total:** \$1,000.00  
**Bldg SqFt:**  
**Tax ID:** 119644  
**Sale Price:**  
**Acres:** 0.16 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

**Owner Name:** Hickman-Rosenthal Tammi  
**Co-Owner:** Rosenthal Charles Matthew  
**Site Addr:** 1824 E Nettleton Gulch Rd Coeur D Alene ID 83815  
**Owner Addr:** 1824 E Nettleton Gulch Rd Coeur D Alene ID 83815  
**Bedroom:** 3 **Bath:** 1 **Year Blt:** 1963  
**Legal:** THOMAS PARK ADD, E2-E2-LT 1, E2-E2-LT 2 0650N03W

**Parcel ID:** C9045000001B  
**Recording Date:**  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$430,340.00  
**Bldg SqFt:** 2,028 SqFt  
**Tax ID:** 126704  
**Sale Price:**  
**Acres:** 0.89 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

**Owner Name:** Moen Ron T  
**Co-Owner:**  
**Site Addr:** 1712 E Nettleton Gulch Rd Coeur D Alene ID 83815  
**Owner Addr:** 710 W Dalton Ave #A Coeur D Alene ID 83815  
**Bedroom:** 4 **Bath:** 2 **Year Blt:** 1963  
**Legal:** THOMAS PARK ADD, E2-W2-LT 1,2 0650N03W

**Parcel ID:** C9045000001D  
**Recording Date:** 07/28/2020  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$598,870.00  
**Bldg SqFt:** 2,564 SqFt  
**Tax ID:** 141850  
**Sale Price:**  
**Acres:** 0.89 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

**Owner Name:** Jahns Megan L  
**Co-Owner:** Jahns Dody L  
**Site Addr:** 1708 E Nettleton Gulch Rd Coeur D Alene ID 83815  
**Owner Addr:** 1708 E Nettleton Gulch Rd Coeur D Alene ID 83815  
**Bedroom:** 3 **Bath:** 1 **Year Blt:** 1938  
**Legal:** THOMAS PARK ADD, W2-W2-LT 1, W2-W2-LT 2 0650N03W

**Parcel ID:** C9045000001E  
**Recording Date:** 02/22/2022  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$476,560.00  
**Bldg SqFt:** 1,376 SqFt  
**Tax ID:** 148947  
**Sale Price:**  
**Acres:** 0.89 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

**Owner Name:** Kaufman Todd P  
**Co-Owner:** Kaufman Annie  
**Site Addr:** 2810 N 17th St Coeur D Alene ID 83815  
**Owner Addr:** 3389 E Harrison Ave Coeur D Alene ID 83814  
**Bedroom:** 2 **Bath:** 1 **Year Blt:** 1943  
**Legal:** THOMAS PARK ADD, LT 3, N 13 FT-LT 4, PTN VAC ST, TAX#10044 IN LT 4 0650N03W

**Parcel ID:** C9045000003A  
**Recording Date:** 02/02/2022  
**Use:** Imp res lot/tract in city  
**Assessed Total:** \$534,812.00  
**Bldg SqFt:** 1,440 SqFt  
**Tax ID:** 133976  
**Sale Price:**  
**Acres:** 2.30 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

Owner Name: Jaklich Pauline  
Co-Owner: Jaklich John  
Site Addr: 1721 E Gilbert Ave Coeur D Alene ID 83815  
Owner Addr: 1721 E Gilbert Ave Coeur D Alene ID 83815  
Bedroom: 3 Bath: 2 Year Blt: 1957  
Legal: THOMAS PARK ADD, E 117 FT-LT 4 EX N 13 FT, E 117 FT LT 5,

Parcel ID: C9045000004A  
Recording Date:  
Use: Imp res lot/tract in city  
Assessed Total: \$432,680.00  
Bldg SqFt: 1,460 SqFt  
Tax ID: 130369  
Sale Price:  
Acres: 0.71 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

Owner Name: Millikan Joshua  
Co-Owner: Millikan Melissa  
Site Addr: 1719 E Gilbert Ave Coeur D Alene ID 83815  
Owner Addr: 1719 E Gilbert Ave Coeur D Alene ID 83815  
Bedroom: 3 Bath: 1 Year Blt: 1960  
Legal: THOMAS PARK ADD, LT 4 EX N 13 FT & EX E 117 FT & EX W 327 FT, LT 5 EX E 117 FT & EX W 327 FT 0650N03W

Parcel ID: C9045000004B  
Recording Date: 11/09/2021  
Use: Imp res lot/tract in city  
Assessed Total: \$555,190.00  
Bldg SqFt: 2,294 SqFt  
Tax ID: 125583  
Sale Price:  
Acres: 1.00 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)  
*LYNDON HARRIMAN*  
*J. E. Harriman*  
*Peggy A. Harriman*  
*Dorothy A. Harriman*

Owner Name: Harriman Lyndon  
Co-Owner: Harriman Peggy  
Site Addr: 2818 N 17th St Coeur D Alene ID 83815  
Owner Addr: 461 S Park Dr Post Falls ID 83854  
Bedroom: 4 Bath: 1.5 Year Blt: 1977  
Legal: THOMAS PARK ADD, TAX#10045 IN LT 4 0650N03W

Parcel ID: C9045000004D  
Recording Date: 05/08/2023  
Use: Imp res lot/tract in city  
Assessed Total: \$365,750.00  
Bldg SqFt: 2,080 SqFt  
Tax ID: 117460  
Sale Price:  
Acres: 0.17 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

Owner Name: Fiacco Nicholas A  
Co-Owner: Fiacco Myra  
Site Addr: 2814 N 17th St Coeur D Alene ID 83815  
Owner Addr: 2814 N 17th St Coeur D Alene ID 83815  
Bedroom: 4 Bath: 1.5 Year Blt: 1977  
Legal: THOMAS PARK ADD, TAX#10046 IN LTS 4,5 0650N03W

Parcel ID: C9045000004E  
Recording Date: 12/20/2016  
Use: Imp res lot/tract in city  
Assessed Total: \$453,920.00  
Bldg SqFt: 2,288 SqFt  
Tax ID: 118120  
Sale Price:  
Acres: 0.20 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

Owner Name: Kluss Tanna K  
Co-Owner: Kluss Dennis W  
Site Addr: 1705 E Gilbert Ave Coeur D Alene ID 83815  
Owner Addr: 1705 E Gilbert Ave Coeur D Alene ID 83815  
Bedroom: 5 Bath: 2 Year Blt: 1964  
Legal: THOMAS PARK ADD, TAX#4934 IN LTS 4,5 0650N03W

Parcel ID: C9045000005A  
Recording Date: 08/28/2018  
Use: Imp res lot/tract in city  
Assessed Total: \$561,790.00  
Bldg SqFt: 2,709 SqFt  
Tax ID: 130025  
Sale Price:  
Acres: 0.40 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

Owner Name: Kenna Conor M  
Co-Owner:  
Site Addr: 1703 E Gilbert Ave Coeur D Alene ID 83815  
Owner Addr: 1703 E Gilbert Ave Coeur D Alene ID 83815  
Bedroom: 4 Bath: 2 Year Blt: 1968  
Legal: THOMAS PARK ADD, TAX#23565 IN LTS 4,5 EX RW 0650N0 3W

Parcel ID: C9045000005B  
Recording Date: 05/18/2018  
Use: Imp res lot/tract in city  
Assessed Total: \$490,220.00  
Bldg SqFt: 2,332 SqFt  
Tax ID: 107154  
Sale Price:  
Acres: 0.36 Acres

I support Special use permit for "Restriction To Single Family Only" (Print Name & Sign)

Owner Name: Jared And Leeann Staples Living Trust  
Co-Owner:  
Site Addr: 1701 E Gilbert Ave Coeur D Alene ID 83815  
Owner Addr: 3717 N 21st Pl Coeur D Alene ID 83815  
Bedroom: 4 Bath: 2 Year Blt: 1968  
Legal: THOMAS PARK ADD, TAX#10047 IN LT 5 0650N03W

Parcel ID: C9045000005C  
Recording Date: 03/14/2019  
Use: Imp res lot/tract in city  
Assessed Total: \$469,800.00  
Bldg SqFt: 1,716 SqFt  
Tax ID: 135305  
Sale Price:  
Acres: 0.20 Acres

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# **PUBLIC COMMENTS**





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**From:** Polak, Chad M  
**To:** [CLARK, TRACI](#)  
**Cc:** [Iverson, Seth M](#); [Beadles, Tanner J](#)  
**Subject:** FW: PUBLIC NOTICE HEARING SP-1-24 PLANNING & ZONING COMMISSION MEETING MAY 14, 2024  
**Date:** Friday, April 26, 2024 9:08:45 AM  
**Attachments:** [image001.png](#)  
[sp-1-24 public notice.pdf](#)

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**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning Traci,

Based on the location, there is no impact to the YPL ROW or pipeline and we do not have any questions/comments.

Sincerely,

Chad M. Polak  
Agent, Real Estate Services  
O: (+1) 303.376.4363 | M: (+1) 720.245.4683  
3960 East 56<sup>th</sup> Avenue | Commerce City, CO 80022  
Phillips 66

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**From:** CLARK, TRACI <TCLARK@cdaid.org>  
**Sent:** Friday, April 26, 2024 10:00 AM  
**To:** CLARK, TRACI <TCLARK@cdaid.org>  
**Subject:** [EXTERNAL]PUBLIC NOTICE HEARING SP-1-24 PLANNING & ZONING COMMISSION MEETING MAY 14, 2024

**This Message Is From an External Sender**

[Report Suspicious](#)

This message came from outside your organization.

Greetings,

Attached is a copy of the public hearing notice for the next P&Z Commission Meeting

**Tuesday May 14, 2024.**

If you have any comments, please let me know.

*Traci Clark*  
Planning Department, City of Coeur d'Alene  
Administrative Assistant

208.769-2240  
[tclark@cdaid.org](mailto:tclark@cdaid.org)

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

**SP-1-24**

**A. INTRODUCTION**

This matter came before the Planning and Zoning Commission on May 14, 2024, to consider SP-1-24, a request for approval of a single family detached only designation in an R-12 zoning district. If approved, the special use permit request would limit future construction to single family detached residential homes and accessory uses in the subject area.

APPLICANT: Thomas Hungerford (Neighborhood Sponsor)

LOCATION: A 16.5 +/- ACRE AREA EAST OF 17TH, WEST OF 19TH, SOUTH OF SATRE AVE., AND NORTH OF HAYCRAFT AVE.

**A. FINDINGS OF FACT:**

**The Planning and Zoning Commission finds that the following facts, A1 through A8, have been established on a more probable than not basis, as shown on the record before it and on the testimony presented at the public hearing.**

- A1.** All public hearing notice requirements have been met for item SP-1-24.
- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The Notice was published on April 27, 2024, seventeen days prior to the hearing.
  - Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on May 4, 2024, ten days prior to the hearing.
  - Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). One hundred thirty four (134) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on April 26, 2024.
  - Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts, on April 26, 2024, eighteen days prior to the hearing.
  - Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on April 26, 2024.

- A2.** A grand total of thirty-seven (37) parcels are included. The subject properties are mostly developed as single-family homes with the exception of four (4) duplexes and a large vacant parcel obtaining access from N. 17<sup>th</sup> Street.
- A3.** The Subject Area is currently zoned residential at twelve units per gross acre (R-12).
- A4.** The broader neighborhood is made up of a mix of residential zones and residential uses that include cluster/pocket housing projects to the west. To the east, the site is adjacent to single family development, located in the county, along with R-3 and R-8 PUD development. The closest commercial use is a gas station on the northwest corner of intersection of 15th Street and Best Avenue.
- A5.** The 2022-2042 Comprehensive Plan Future Land Use Map place type is Compact Neighborhood. The Comprehensive Plan states that compatible zones in a Compact Neighborhood include: R-12, R-17, MH-8, NC and CC.
- A6.** Further, the key characteristics of a Compact Neighborhood are medium density residential areas located in primarily older locations of Coeur d'Alene where there is an established street grid with bicycle and pedestrian facilities. Typical uses include single family and mixed residential with building types described as: single-family, duplex, triplex, four-plex, townhomes, green courts, and auto-courts.
- A7.** If this request for a single-family detached (SFD) only special use Permit request is approved, all future construction must be SFD. However, it should be noted that the existing duplexes would be "grandfathered" unless damaged or destroyed by more than fifty percent (50%), in which case an owner would be required to construct in conformity with the approved SUP. Accessory Dwelling Units (ADUs) would be acceptable in conjunction with a SFD, per city code.
- A8.** City departments reviewed the requests for a special use permit that limits development to single-family detached and found that the existing streets, public facilities and services would adequately serve development at the allowable density and requested limitation of single-family detached and accessory dwelling units on large lots.

*(The commission should add other facts here which it finds are relevant to its decision.)*

**B. CONCLUSIONS OF LAW:**

**Based on the foregoing Findings of Fact, the Planning and Zoning Commission makes the following Conclusions of Law.**

- B1.** The proposal **(is) (is not)** in conformance with the Comprehensive Plan.
- B2.** The design and planning of the site **(is) (is not)** compatible with location, setting, and exiting uses on adjacent properties.
- B3.** The location, design, and size of the proposal are such that the development **(will) (will not)** be adequately served by existing streets, public facilities and services.

**C. DECISION**

The Planning and Zoning Commission, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the proposed special use permit request for a single family detached only designation **(does) (does not)** comply with the required evaluation criteria, and the special use permit request is **(approved) (denied) (denied without prejudice)**.

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_, to adopt the foregoing Findings and Order and (approve) (deny) (deny without prejudice) the request.


**ROLL CALL:**

COMMISSION MEMBER INGALLS	Voted	(Aye) (Nay)
COMMISSION MEMBER LUTTROP	Voted	(Aye) (Nay)
COMMISSION MEMBER WARD	Voted	(Aye) (Nay)
COMMISSION MEMBER FLEMING	Voted	(Aye) (Nay)
COMMISSION MEMBER MCCRACKEN	Voted	(Aye) (Nay)
COMMISSION MEMBER COPPESS	Voted	(Aye) (Nay)
CHAIRMAN MESSINA	Voted	(Aye) (Nay)


Motion to (approve)(deny)(deny without prejudice) carried by a \_\_\_\_\_ to \_\_\_\_\_ vote.

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# STAFF REPORT



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**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**DATE:** MAY 14, 2024  
**FROM:** RANDY ADAMS, CITY ATTORNEY, AND HILARY PATTERSON,  
COMMUNITY PLANNING DIRECTOR  
**SUBJECT:** O-1-24 APPEAL HEARING PROCEDURES AMENDMENT

=====

**DECISION POINT:** Should the Planning and Zoning Commission approve an amendment to the Zoning Ordinance, specifically Municipal Code § 17.09.340, regarding the Appeal of a Decision of the Design Review Commission, to allow public testimony at the appeal hearing?

**HISTORY:** At the April 16, 2024, meeting, the City Council requested an amendment to the City’s Municipal Code (M.C.) § 17.09.340 to allow members of the public to also have the right to testify in an appeal hearing of a design review commission decision. The current code limits participation in the appeal hearing to the appellant and applicant, and their representatives, and City Staff. Because M.C. § 17.09.340 falls within the Zoning Ordinance, the Planning Commission must hear the amendment first and make a recommendation to Council. See Idaho Code § 67-6511(2)(b).

Following the Council meeting, the City Attorney drafted a code amendment that allows for public testimony as part of the appeal hearing. The amendment also clarifies other items related to time limits for speakers, that no testimony shall be taken on matters which cannot be modified by the Commission including, but not limited to, Zoning Code requirements, FAR, building height, density, use, parking or traffic impacts, and the timeframe for Council Action.

Due to the time-sensitive nature of Joan Woodard’s appeal of the Design Review Commission’s approval of the Marriott hotel’s design and due process requiring a timely appeal hearing for both the applicant and appellant, this amendment is coming before the commission as a standalone item at the first available commission meeting.

**PERFORMANCE ANALYSIS:** M.C. §17.09.340 currently limits participation in an appeal of a design review decision to the appellant and applicant, and their representatives, and City Staff. The public is not currently allowed to testify in the appeal hearing; however, the public is allowed to testify at the Design Review Commission hearing. Municipal Code § 13.40.100, Rathdrum Prairie Aquifer, allows for public testimony as part of an appeal hearing, and M.C. § 1.11.010 at least implies that the public is allowed to testify at any public hearing.

M.C. §17.09.130, Procedure for Consideration Upon City Council Initiation, requires that a text change request by the City Council shall be considered by the Planning Commission at the next possible regular meeting. Idaho Code (I.C.) § 67-6511(2)(a). See also I.C. § 67-6509(b). Recommendation and Adoption, Amendment, and Repeal of Plan also require a recommendation from the Commission on amendments to the zoning ordinance. Because notice of a hearing to consider changes to the Zoning Ordinance requires at least 15 days’ notice, the May 14, 2024, meeting was the earliest the item could come before the Commission.

Upon hearing the recommendation from the Commission, the City Council may act upon the amendment. This item is scheduled to be presented to the City Council on May 21, 2024. Once

the ordinance goes into effect, public testimony will be allowed in all future appeal hearings on Design Review Commission decisions.

**FINANCIAL ANALYSIS:** There is no financial impact associated with this request.

**DECISION POINT/RECOMMENDATION:** The Planning and Zoning Commission should make a recommendation to the City Council supporting the amendment to the Zoning Ordinance to allow public testimony during an appeal hearing of a Decision of the Design Review Commission.

ORDINANCE NO. \_\_\_\_\_  
COUNCIL BILL NO. 19-1005

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF COEUR D'ALENE MUNICIPAL CODE § 17.09.340; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendment be adopted;

NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

**SECTION 1.** *That section 17.09.340 of the Coeur d'Alene Municipal Code be amended as follows:*

A. Perfecting Appeal: A final decision of the Commission may be appealed to the Council. The appeal shall be perfected as provided by subsection 17.09.125(B) of ~~this chapter~~ the Code.

B. Appeal on The Record: The Council's review of the decision of the Commission shall be based on the record developed before the Commission. No new evidence or materials shall be allowed by any party in the appeals proceedings.

C. Hearing: ~~Only~~ The applicant, City staff, the appellant, and their representatives, and members of the public may participate in the appeals hearing. ~~Although the hearing is open to the public, no general public testimony will be taken.~~ Any participant in the appeal may only provide ~~comments~~ testimony and argument, based on the established record, concerning the decision of the Commission. The Mayor may establish time limits for each speaker and shall enforce the rules of procedure set out in Municipal Code § 1.11.010.

D. Burden Of Proof: The appellant must establish by a preponderance of evidence that an error was made in the decision or that design standards or guidelines were ignored or incorrectly applied, and further that the appellant was prejudiced thereby. No testimony shall be taken on matters which cannot be modified by the Commission, including, but not limited to, Zoning Code requirements, FAR, building height, density, use, Objections to the development, its height, intensity, parking, or traffic impacts ~~are not grounds for redress on appeal~~ because they are not design review criteria. Basic zoning standards and allowances embodied within the ~~e~~Code shall be presumed to be correct and are not subject to the appeal. Factual findings by the Commission will be accepted by the Council if they are supported by substantial evidence.

E. Council Action: The Council may affirm or reverse the Commission decision, or refer the project back to the Commission for further action or clarification. The Council shall issue its decision within fifteen (15) days ~~of~~ after the ~~appeal hearing~~ Council takes the matter under

advisement. If the project is referred back to the Commission, the Commission shall hold a public meeting to consider the referral and shall render a report to the Council within forty (40) days of such referral. The City Council shall then reconvene the appeal hearing to consider the report and render a final decision as prescribed in this section.

**SECTION 2.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 3.** The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein.

**SECTION 4.** After its passage and adoption, a summary of this Ordinance, pursuant to the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication this Ordinance shall be in full force and effect.

*Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on \_\_\_\_\_, 2024.*

APPROVED, ADOPTED and SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
James Hammond, Mayor

ATTEST:

\_\_\_\_\_  
Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. \_\_\_\_\_  
Amending Coeur d'Alene Municipal Code § 17.09.340

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF COEUR D'ALENE MUNICIPAL CODE § 17.09.340; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. \_\_\_\_\_ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

---

Renata McLeod, City Clerk

**STATEMENT OF LEGAL ADVISOR**

I, Randall R. Adams, am City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. \_\_\_\_\_, Amending Coeur d'Alene Municipal Code § 17.09.340; and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2024.

---

Randall R. Adams, City Attorney