



**CITY COUNCIL
MEETING AGENDA**

**May 17, 2022
6:00 PM**

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

WORKSHOP – 5:00 pm Basement Conference Room

Topic: FY 2023 Budget

REGULAR MEETING – 6:00 pm City Council Chambers

CALL TO ORDER BY MAYOR JACOBSON

PLEDGE OF ALLEGIANCE

ROLL CALL OF CITY COUNCIL MEMBERS

Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- a. Proclamation – National Public Works Week

AMENDMENTS TO THE AGENDA

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

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

The Mayor and members of the City Council have a duty to serve honestly and in the public interest. Where the Mayor or a member of the City Council have a conflict of interest, they may need to disclose the conflict and in certain circumstances, including land use decisions, they cannot participate in the decision-making process. Similarly, ex-parte contacts and site visits in most land use decisions must also be disclosed.

1. CONSENT CALENDAR

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

ACTION ITEMS:

- a. Minutes – May 3, 2022, City Council Meeting
- b. Payables – April 26, 2022 – May 9, 2022
- c. March Cash and Investments
- d. Agreement with Avista for Installation of Public Safety Signs
- e. Fixed Asset Disposals
- f. Second Addendum to the Cecil Road Memorandum of Understanding with the Post Falls Urban Renewal Agency

- g. Preliminary Engineering Services Agreement – BNSF Railways, Chase Road BNSF RRX Project A19(955) KN19955

2. PUBLIC HEARINGS

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

ACTION ITEMS:

- a. FY 2022 Budget Amendment #2
- b. Morris Annexation ANNX-0013-2022
- c. Wellsprings Annexation ANNX-0001-2022

3. UNFINISHED BUSINESS/RETURNING ORDINANCES AND RESOLUTIONS

This section of the agenda is to continue consideration of items that have been previously discussed by the City Council and to formally adopt ordinances and resolutions that were previously approved by the Council. Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements.

ACTION ITEMS:

4. NEW BUSINESS

This portion of the agenda is for City Council consideration of items that have not been previously discussed by the Council. Ordinances and Resolutions are generally added to a subsequent agenda for adoption under Unfinished Business, however, the Council may consider adoption of an ordinance or resolution under New Business if timely approval is necessary.

ACTION ITEMS:

- a. Ordinance Closing Expo Urban Renewal Area
- b. Greensferry Grove ROW Issue

5. CITIZEN ISSUES

This section of the agenda is reserved for citizens wishing to address the Council regarding City-related issues that are not on the agenda. Persons wishing to speak will have 5 minutes. Comments related to pending public hearings, including decisions that may be appealed to the City Council, are out of order and should be held for the public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor, either by subsequent appointment or after tonight's meeting, if time permits. In order to ensure adequate public notice, Idaho Law provides that any item, other than emergencies, requiring Council action must be placed on the agenda of an upcoming Council meeting. As such, the City Council can't take action on items raised during citizens issues at the same meeting but may request additional information or that the item be placed on a future agenda.

6. ADMINISTRATIVE / STAFF REPORTS

This portion of the agenda is for City staff members to provide reports and updates to the Mayor and City Council regarding City business as well as responses to public comments. These items are for information only and no final action will be taken.

- a. Frontage Improvement Waiver Requests Process
- b. Citizens Issues with TDS
- c. Coeur Terre Update (Hemmingson Property)

7. MAYOR AND COUNCIL COMMENTS

This section of the agenda is provided to allow the Mayor and City Councilors to make announcements and general comments relevant to City business and to request that items be added to future agendas for discussion. No final action or in-depth discussion of issues will occur.

8. EXECUTIVE SESSION

Certain City-related matters may need to be discussed confidentially subject to applicable legal requirements; the Council may enter executive session to discuss such matters. The motion to enter into executive session must reference the specific statutory section that authorizes the executive session. No final decision or action may be taken in executive session.

ACTION ITEM (To enter into executive session only):

RETURN TO REGULAR SESSION

ADJOURNMENT

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 408 Spokane Street or call 208-773-3511. City Council and City commission meetings are broadcast live on Post Falls City Cable on cable channel 1300 (formerly 97.103) as well as the City's YouTube Channel (<https://www.youtube.com/c/CityofPostFallsIdaho>).

Mayor Ronald G. Jacobson

Councilors: Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

Mission

The City of Post Falls mission is to provide leadership, support common community values, promote citizen involvement and provide services which ensure a superior quality of life.

Vision

Post Falls, Idaho is a vibrant city with a balance of community and economic vitality that is distinguished by its engaged citizens, diverse businesses, progressive leaders, responsible management of fiscal and environmental resources, superior service, and a full range of opportunities for education and healthy lifestyles.

“Where opportunities flow and community is a way of life”

Calendar of Meetings & Event

May 16		Public Works Week
May 17	5:00 pm	<u>City Council Workshop – FY2023 Budget</u>
May 17	6:00 pm	<u>City Council</u>
May 19	9:00 am	Urban Renewal Agency
May 24	6:00 pm	Parks and Recreation Commission
May 30		Memorial Day – City Business Offices Will Be Closed
June 7	5:00 pm	<u>City Council Workshop – Residential Mixed Zoning (RM)</u>
June 7	6:00 pm	<u>City Council</u>
June 10		Last Day of School
June 14	5:30 pm	Planning & Zoning Commission
June 14		Flag Day
June 16	9:00 am	Urban Renewal Agency
June 19		Father’s Day
June 21	5:00 pm	<u>City Council Workshop – FY2023 Budget</u>
June 21	6:00 pm	<u>City Council</u>
June 21		Summer Solstice
Jun 28	6:00 pm	Parks and Recreation Commission
July 4		4th of July – City Business Offices Will Be Closed
July 5	5:00 pm	<u>City Council Workshop - Workforce Planning – Police and Parks and Recreation</u>
July 5	6:00 pm	<u>City Council</u>
July 8		Post Falls Festival
July 9		Post Falls Festival
July 10		Post Falls Festival
July 12	5:30 pm	Planning & Zoning Commission
July 19	5:00 pm	<u>City Council Workshop – Workforce Planning – Public Works & Community Development</u>
July 19	6:00 pm	<u>City Council</u>
July 21	9:00 am	Urban Renewal Agency
July 26	6:00 pm	Parks and Recreation Commission

Post Falls City Council Meeting

May 17th, 2022

Council Agenda Memorandum

TO: Mayor Ron Jacobson
Council President Kerri Thoreson
Councilors Josh Walker, Joe Malloy,
Nathan Ziegler, Lynn Borders, Kenny Shove
Legal Counsel Warren Wilson

FROM: Shelly Enderud, City Administrator

CC: Department Heads

5:00pm Workshop: FY 2023 Budget

Ceremonies, Announcements, Appointments, Presentation:

- a. Proclamation – National Public Works Week

1. Consent Calendar

- c. March Cash and Investments – The Finance Department presents the March 2022 cash and investment balances in compliance with Idaho code.
- d. Agreement with Avista for Installation of Public Safety Signs – City Attorney Warren Wilson requests approval of the agreement with Avista for them to install and maintain public safety signs around the Post Falls Dam. Last year the City Council, in conjunction with the board of County Commissioners, updated the ordinances regulating entry into the Spokane River around the Post Falls Dam. This agreement calls for the City and Avista to confer on sign location and is terminable with 90 days notice. If approved, the Mayor will sign the agreement.
- e. Fixed Asset Disposals – The Fleet Division requests approval to dispose of seven vehicles as they are beyond their useful life. If approved for disposal, the vehicles will be sold at auction.
- f. Second Addendum to the Cecil Road Memorandum of Understanding with the Post Falls Urban Renewal Agency – City Attorney Warren Wilson requests approval of the second addendum to the Cecil Road MOU with the PFURA. This addendum is needed as the bids for the project were higher than the estimated amounts contained in the original MOU. The project bids were approved at the last Council Meeting. If approved, the Mayor shall sign the addendum.

- g. Preliminary Engineering Services Agreement – BNSF Railways, Chase Road BNSF RRX Project A19(955) KN19955 – Assistant City Engineer Rob Palus requests approval of the agreement with BNSF Railways preliminary engineering services associated with the grant project: Chase Road BNSF RRX Project A19(955). The project has reached a stage that to proceed further with the design, an agreement with BNSF is needed to facilitate their activities to provide needed diagnostic evaluations, preliminary engineering services, develop cost estimates, and other work associated with the project. BNSF's costs are estimated at \$18,000 which are reimbursable to the City as part of the grant, minus the City's 7.34% match requirement. If approved, the Mayor will sign the agreement.

2. Public Hearings

- a. FY 2022 Budget Amendment #2 – Opportunity for public comment is given on the FY 22 Budget Amendment #2. The amendment is for a total of \$5,521,903. Some of the projects in the amendment will be funded with reserve cash funds including the Corbin Lift Station, Bentley Lift Station, decommissioning of the Prairie Falls/Grayling, and a land purchase. The Highway 41 Gravity Sewer and 12th Avenue Force Main will be reimbursed by PFURA. Converting the part-time Building/Electrical Inspector to a full-time employee will be funded with permit revenues. Finally, the Ponderosa Lift Station will be funded through wastewater fund replacement dollars that have been set aside in previous fiscal years. None of the requests affect the property tax levy certified for the fiscal year. After comment and discussion, council may approve or deny the amendment.
- b. Morris Annexation ANNX-0013-2022 – Opportunity for public comment is given on the application of Dobler Engineering to annex 12 acres into the City of Post Falls with a zoning designation of Community Commercial Services. The property is generally located near the northwest corner of the Highway 41 and Prairie Avenue intersection. The surrounding land to the west, east, and north is currently vacant Technology Mixed and Community Commercial Services city zoned land. To the south is commercial nursery with a residence operating in Kootenai County. At their April 12th, 2022, public hearing, the Planning and Zoning Commission recommended approval of the zoning as requested. At the meeting, one person testified as opposed only to the zoning designation of the proposed annexation. One person wrote in as opposed to the annexation. No additional comments in favor or opposed were received. After comment and discussion, Council should either approve or deny the annexation as presented.
- c. Wellsprings Annexation ANNX-0001-2022 - Opportunity for public comment is given on the application of North Engineering, on behalf of Fivefold Foundation Ministries, Inc., to annex 9 acres into the City of Post Falls with a zoning request of Medium Density Residential (R-2) and Limited Commercial (LC). The property is generally located on the southeast corner at the intersection of West Prairie Avenue and North Greensferry Road. The surrounding land to the north is single-family residential in the County, to the east is single-family (R-2) city zoning, to the west are two single-family homes, one within the County and one recently annexed into the City with a zoning designation of Commercial. At their April 12th, 2022, public hearing, the Planning and Zoning Commission recommended approval of the zoning as requested. At the meeting, one written comment as opposed to the annexation was read. No additional comments in favor or opposed were received. After comment and discussion, Council should either approve or deny the annexation as presented.

3. Unfinished Business

4. New Business

- a. Ordinance: Closing Expo Urban Renewal Area– This ordinance will formalize termination of the Expo Urban Renewal Area as required by Idaho Code. Council may adopt the ordinance or take no action.
- b. Greensferry Grove ROW Issue – Community Development Director Bob Seale requests City Council direction on the rehabilitation of unfinished rights of way (between the sidewalk and Greensferry Grove fence line) along Greensferry Avenue. This issue was previously brought to Council in mid-2021 by a resident of Greensferry Grove. At that time, Council directed staff to find options for the rights of way. The HOA and staff propose that the best solution is to excavate the area to an appropriate depth, apply long-acting weed and bug killer, and finish with a black basalt rock. If this option is directed by Council, total fiscal impact would be around \$10,000-\$15,000.

6. Administrative / Staff Reports

- a. Frontage Improvement Waiver Requests Process – Planning Manager Jon Manley will present this report.
- b. Citizens Issues with TDS – City Administrator Shelly Enderud will present this issue.
- c. Coeur Terre Update (Hemmingson Property) – This project held an open house on May 4th at the Kroc Center. The current design and zoning of this project, east of Huetter, is primarily residential. City Administrator Shelly Enderud will present this update and take any questions. There are no annexation plans for the property west of Huetter at this time.

Executive Session

No executive session is needed at the time of the writing of this memorandum; however, Council may reserve the right to conduct a session should it see the necessity.

City of Post Falls
Budget Workshop Agenda
May 17, 2022
5:00 PM

City Hall Council Chambers

Approximate Time:

5:00 PM

Description:

Introductions/Welcome to FY 2023 Budget Workshop.

Discussion of the FY 2023 Budget Hearing dates.

- July 5th
 - Tentative Budget.
- July 19th
 - Unfinished Business – Budget Summary w/ Legal Notice.
- August 17th
 - Fee Public Hearing.
 - Adopt Fee Resolution
- August 16th
 - FY 2023 Budget Hearing.

Discussion of Department Requests. (Hand-out)

Discussion of Impact Fees for FY 2023. (Hand-out)

Discussion of property taxes.

- 1% property tax: Not Available
- Discuss foregone taxes: Not Available

(Source: Kootenai County)

Mayor and Council Questions.

Adjourn.



**CITY COUNCIL
MEETING MINUTES**

**May 3, 2022
6:00 PM**

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

REGULAR MEETING – 6:00 pm City Council Chambers

CALL TO ORDER BY MAYOR JACOBSON

PLEDGE OF ALLEGIANCE

ROLL CALL OF CITY COUNCIL MEMBERS

Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove - **Present**
Kerri Thoreson – **Excused**

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- a. The Landings Park dedication is this Friday, May 6th, starting at 4:30 pm. The evening includes a ribbon cutting dedication and guest speakers. There will also be free hot dogs, live music, games, and ice cream. The Park path is located at the Falls Park parking lot, 305 W. 4th Ave.
- b. Also, this Friday, May 6th, is the Support Local Gems initiative to encourage Idahoans to support small businesses in their communities. I encourage you to try a new local restaurant or shop your favorite local store and Support Local Gems in Post Falls.
- c. Congratulations to Shelly Enderud, City Administrator for her 25 years with the city.
- d. Q'emiln Park Boat Launch Parking Passes: Dave Fair, Parks and Recreation Director presenting: Boat Launch Parking Passes are available to all Post Falls Citizens. To pick up your pass please come into to the Parks and Recreation office. One pass will be issued per Post Falls household.
- e. Regional Housing and Growth Issues Partnership, Housing Availability and Affordability Study: Maggie Lyons and Gynii Gilliam presenting: The current goal is for home ownership to be achievable for the residents of Kootenai County, and to build and retain housing inventory for local workers.
- f. Proclamation – National Historic Preservation Month
- g. Proclamation – Mental Health Awareness Month

AMENDMENTS TO THE AGENDA

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

None

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

The Mayor and members of the City Council have a duty to serve honestly and in the public interest. Where the Mayor or a member of the City Council have a conflict of interest, they may need to disclose the conflict and in certain circumstances, including land use decisions, they cannot participate in the decision-making process. Similarly, ex-parte contacts and site visits in most land use decisions must also be disclosed.

None

1. CONSENT CALENDAR

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

ACTION ITEMS:

- a. Minutes – April 19, 2022, City Council Meeting
- b. Payables – April 12, 2022 – April 25, 2022
- c. Foxtail 8th Addition Subdivision Construction Improvement Agreement
- d. 2022 Chip Seal Contract Award to Poe Asphalt
- e. Cash and Investments for February 2022
- f. Trade In Disposal for a New Tractor
- g. Blue Spruce Meadows Subdivision Master Development Agreement
- h. Apartment Twenty-Six Construction Improvement Agreement
- i. Expo at Post Falls 9th Addition Subdivision Plat Application
- j. River City Center Subdivision Plat Application
- k. Elevate Academy North Charter School Request for a School Resource Officer
- l. North Spencer Senior Apartments – Grant of Utility Easement
- m. AXON Body Worn Cameras and Digital Evidence Storage Agreement

Motion by Borders to accept the Consent Calendar as presented.

Second by Malloy.

Vote: Shove-Aye, Walker-Aye, Borders-Aye, Malloy-Aye, Ziegler-Aye

Motion Carried

2. PUBLIC HEARINGS

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

ACTION ITEMS:

None

3. UNFINISHED BUSINESS/RETURNING ORDINANCES AND RESOLUTIONS

This section of the agenda is to continue consideration of items that have been previously discussed by the City Council and to formally adopt ordinances and resolutions that were previously approved by the Council. Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws

which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements.

ACTION ITEMS:

- a. Ordinance -Title 18 Alternative Compliance TA-0003-2022

Motion by Borders to place the proposed Ordinance Title 18 Alternative Compliance on its first and only reading by title only while under suspension of the rules.

Second by Malloy.

Vote: Walker-Aye, Borders-Aye, Malloy-Aye, Ziegler-Aye, Shove-Aye

Motion Carried

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE AMENDMENT OF SECTION 18.20.110 AND THE ADOPTION OF A NEW SECTION 18.20.155 TO ESTABLISH A PROCESS TO APPROVE METHODS OF ALTERNATIVE COMPLIANCE WITH CERTAIN ZONING REGULATIONS WHERE THE INTENT OF THOSE REGULATIONS CAN STILL BE MET; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

Motion by Borders to approve Ordinance Title 18 Alternative Compliance, and to direct the Clerk to assign the appropriate ordinance number, and that it be published by summary only.

Second by Malloy.

Vote: Borders-Aye, Malloy-Aye, Ziegler-Aye, Shove, Walker-Aye

Motion Carried

- b. Ordinance – Title 18 Housekeeping Text Amendment TA-0001-2022

Motion by Borders to place the proposed Ordinance Title 18 Housekeeping Text Amendment on its first and only reading by title only while under suspension of the rules.

Second by Malloy.

Vote: Malloy-Aye, Ziegler-Aye, Shove-Aye, Walker-Aye, Borders-Aye

Motion Carried

AN ORDINANCE AMENDING SECTIONS OF TITLE 18 ZONING, THE MUNICIPAL CODE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO; AMENDING 18.16.010 W. PUBLIC RESERVE ZONE; REPEALING AND REPLACING 18.20.030 LAND USE TABLE; AMENDING 18.24.020 H.1. RESIDENTIAL SURFACING; AMENDING 18.24.030 A. SINGLE FAMILY AND DUPLEX RESIDENTIAL STANDARDS; REPEALING AND REPLACING 18.24.070 PARKING; AMENDING 18.24.080 B.1. EXEMPTIONA FOR BUFFERS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SURVIVAL OF ACTIONS FOR VIOLATIONS OF PRIOR ORDINANCES; PROVIDING SEVERABILITY; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE BY SUMMARY AND PROVIDING AN EFFECTIVE DATE.

Motion by Borders to approve Ordinance Title 18 Housekeeping Text Amendment, and to direct the Clerk to assign the appropriate ordinance number, and that it be published by summary only.

Second by Malloy.

Vote: Ziegler-Aye, Shove-Aye, Walker-Aye, Borders-Aye, Malloy-Aye
Motion Carried

- c. Ordinance – Amending City Code 5.04.080 to Issue Licenses for Bars and Taverns Based on Zoning Code.

Motion by Borders to place the proposed Ordinance Amending City Code 5.04.080 to Issue Licenses for Bars and Taverns Based on Zoning Code on its first and only reading by title only while under suspension of the rules.

Second by Malloy.

Vote: Shove-Aye, Walker-Aye, Borders-Aye, Malloy-Aye, Ziegler-Aye

Motion Carried

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING MUNICIPAL CODE SECTION 5.04.080 TO ALLOW THE ISSUANCE OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON THE PREMISES CONSUMPTION IN AREAS ZONED FOR BARS AND TAVERNS AS AUTHORIZED BY IDHAO CODE 23-913; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

Motion by Borders to approve Ordinance Amending City Code 5.04.080 to Issue Licenses for Bars and Taverns Based on Zoning Code, and to direct the Clerk to assign the appropriate ordinance number, and that it be published by summary only.

Second by Walker.

Vote: Walker-Aye, Borders-Aye, Malloy-Aye, Ziegler-Aye, Shove-Aye

Motion Carried

4. NEW BUSINESS

This portion of the agenda is for City Council consideration of items that have not been previously discussed by the Council. Ordinances and Resolutions are generally added to a subsequent agenda for adoption under Unfinished Business, however, the Council may consider adoption of an ordinance or resolution under New Business if timely approval is necessary.

ACTION ITEMS:

a. Approval of Contract Award – Mullan Ave. and Cecil Rd. Access Safety Project
Rob Palus, Assistant City Engineer presenting: At the March 15, 2022, City Council meeting, City Council authorized staff to advertise for bids to construct the project titled Mullan Ave. and Cecil Rd. Access Safety Project. A pre-bid conference was not held for this project. A bid opening was held on Friday, April 8th. There were 2 responsive bidders. The City’s Consulting Engineer, JUB Engineering, has reviewed the bid packets. The low bid for the project was from LaRiviere Inc. at a bid cost of \$107,062.20. The Engineers Opinion of Probable Cost for the project was \$125,355.00. Funding is being provided by the Post Falls Urban Renewal Agency. City Staff requested additional funding for the project from Urban Renewal on April 21st. Additional funding of up to \$760,182.38 was approved to cover additional costs on this project and the Poleline Ave. and Cecil Rd. Roundabout Project. Completion of this project revises access along Mullan Ave. to address an identified safety concern.

Motion by Malloy to approve the Contract Award for the Mullan Ave. and Cecil Rd. Access Safety Project to T. LaRiviere.

Second by Borders.

Vote: Borders-Aye, Malloy-Aye, Ziegler-Aye, Shove-Aye, Walker-Aye

Motion Carried

b. Poleline Ave. and Cecil Rd. Roundabout – Acquisition of Rights-Of-Way and Easements
Rob Palus, Assistant City Engineer presenting: At the March 15th, 2022, City Council meeting, staff requested approval to advertise and receive bids for the Poleline Ave. and Cecil Rd. roundabout. At that meeting, it was identified that staff had negotiated acquisitions of rights-of-way and easements necessary to construct the roundabout, however, the acquisitions were verbal only at that time. Staff has acquired completed acquisitions and purchase agreements from the 3 properties. The agreements are summarized as follows:

- SL Investments, LLC (NW Corner of Intersection) - \$15,049.00 plus roadway improvements along Poleline.
 - Acquire 3,574.73 square feet of rights-of-way
 - Acquire 1,860.86 square feet of easement
 - Acquire temporary construction easement
- Upper Columbia Mission Society of Seventh Day Adventist (NE Corner of Intersection) - \$20,974.64 plus roadway improvements along Poleline Ave., sign relocation and driveway relocation.
 - Acquire 230 square feet of rights-of-way
 - Acquire 4,873.66 square feet of easement
 - Acquire temporary construction easement
- Post Falls School District – (SW Corner of Intersection) - \$0.00 plus improvements regarding fencing and access modifications.
 - Acquire 917.73 square feet of rights-of-way
 - Acquire 2,225.27 square feet of easement
 - Acquire temporary construction easement

Most of the project's funding is being provided by the Post Falls Urban Renewal Agency. The costs for acquisition of rights-of-way and easements were not covered by the PFURA and are a City Responsibility.

Motion by Malloy to approve the Poleline Ave. and Cecil Rd. Roundabout Acquisition of Rights-Of-Way and Easements.

Second by Borders.

Vote: Malloy-Aye, Ziegler-Aye, Shove-Aye, Walker-Aye, Borders-Aye

Motion Carried

- c. Poleline Ave and Cecil Rd. Roundabout – Utility Construction Reimbursement Agreement with Ross Point Water District

Rob Palus, Assistant City Engineer presenting: City Staff has recommended to City Council to award construction of the Poleline Ave. and Cecil Rd. roundabout project. A portion of the contracted work includes the construction of water main improvements for the benefit of the Ross Point Water District. Replacement of the existing watermain is needed to accommodate long-term maintenance of facilities and improve system reliability. The Utility Construction Reimbursement Agreement identifies an estimated reimbursement of \$197,335.00 from Ross Point Water. The reimbursement is for construction of Ross Point Water facilities. Construction engineering

associated with construction and project certification is being completed by the Ross Point Water District and their engineering representative. Actual reimbursement will be based on the actual quantities of materials installed and the rates identified within the projects contract documents.

Motion by Malloy to approve the Poleline Ave. and Cecil Rd. Roundabout Utility Construction Reimbursement Agreement with Ross Point Water District.

Second by Borders.

Vote: Ziegler-Aye, Shove-Aye, Walker-Aye, Borders-Aye, Malloy-Aye

Motion Carried

d. Approval of Contract Award – Poleline Ave. and Cecil Rd. Roundabout
Rob Palus, Assistant City Engineer presenting: At the March 15, 2022, City Council meeting, City Council authorized staff to advertise for bids to construct the project titled Poleline Ave. and Cecil Rd. Roundabout. A pre-bid conference was held with perspective bidders on March 30th. A bid opening was held on Friday, April 8th. There were 2 responsive bidders. The City's Consulting Engineer, JUB Engineers, has reviewed the bid packets. The low bid for the project was from LaRiviere Inc. at a bid cost of \$2,189,332.65. the Engineers Opinion of Probable Cost for the project was \$1,680,000.00. Most of the project funding is being provided by the Post Falls Urban Renewal Agency (PFURA). City Staff requested additional funding for the project from the PFURA on April 21st. Additional funding of up to \$760,182.38 was approved to cover additional costs on this project and the Cecil Rd. and Mullan Ave. Access Safety Project. PFURA funding cannot be spent on right-of-way/easement acquisitions or on improvements outside of the PFURA boundary. Ross Point Water District has a waterline that needs to be replaced with the project and has agreed to enter into a Utility Construction Improvement Agreement with the City. Funding for the project is thru a mixture of PFURA finding, Transportation Impact Fees, Developer Cash Out, and Ross Point Water District. Completion of this project addresses identified roadway capacity and safety needs from the City's Transportation Master Plan. The project also addresses increased needs of providing better and safer facilities for pedestrians and bicyclists at this intersection.

Motion by Malloy to approve the Contract Award for the Poleline Ave. and Cecil Rd. Roundabout to T. LaRiviere.

Second by Borders.

Vote: Shove-Aye, Walker-Aye, Borders-Aye, Malloy-Aye, Ziegler-Aye

Motion Carried

e. Purchase of Replacement Vehicle Lifts for the Fleet Shop
Ross Junkin, Maintenance Manager presenting: The Fleet Shop currently has one 4-post lift used to service our heavy trucks. We also have three 2-post lifts, two of which were inherited when the City purchased the property. The current status of these lifts are as follows:

- Two of the 2-post lifts are already out of commission. The third has worn parts and is a safety concern (inherited and estimated at 20+ years old). All three are recommended for replacement.
- The 4-post lift has multiple issues (major rust, cracked/heaving concrete floor, safety latch not catching).

The Fleet Division has been nursing these pieces of equipment for a number of years now and recently had the lifts looked at, as we had operational and safety concerns. The inspector indicated that all four lifts should be replaced as soon as possible. Also, the inspector told us that our existing shop floor is inadequate to install any lift as it is severely damaged, uneven, and deflects under load.

A new concrete floor would be part of this replacement project (demo to be done by City staff, concrete pour to be done by contractor). The concrete floor will be addressed soon as we need to have it designed as well as get it bid out. We may need to bring this back to Council in the future. Staff has consulted with the Finance Department to determine that there are funds to support these purchases in the FY22 budget. The quote was procured using Sourcewell cooperative pricing.

Malloy: If in the future the Street shop is moved to a new location will these lifts be able to move too?

Junkin: Yes, they can be moved and maintenance on them will be easier.

**Motion by Malloy to approve the Purchase of Replacement Vehicle Lifts for the Fleet Shop.
Second by Walker.**

**Vote: Walker-Aye, Borders-Aye, Malloy-Aye, Ziegler-Aye, Shove-Aye
Motion Carried**

5. CITIZEN ISSUES

This section of the agenda is reserved for citizens wishing to address the Council regarding City-related issues that are not on the agenda. Persons wishing to speak will have 5 minutes. Comments related to pending public hearings, including decisions that may be appealed to the City Council, are out of order and should be held for the public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor, either by subsequent appointment or after tonight's meeting, if time permits. In order to ensure adequate public notice, Idaho Law provides that any item, other than emergencies, requiring Council action must be placed on the agenda of an upcoming Council meeting. As such, the City Council can't take action on items raised during citizens issues at the same meeting but may request additional information or that the item be placed on a future agenda.

Renee Zimmerman: Ziplly Fiber is having a 4-Chamber Ribbon Cutting on May 11, 2022, from 11am to 1pm at the Ziplly Fiber Retail store at 2115 N Government Way in Coeur d' Alene.

Bob Flowers: Mr. Flowers is having trouble with the TDS fiber line installation going on in the city. They have cut his sprinkler line in three locations, and he is having a hard time getting through to TDS and having them fix the problem.

Cherri Cofield: Does not think having three stoplights within four blocks on Spokane St. is good and there needs to be a better arrangement.

6. ADMINISTRATIVE / STAFF REPORTS

This portion of the agenda is for City staff members to provide reports and updates to the Mayor and City Council regarding City business as well as responses to public comments. These items are for information only and no final action will be taken.

a. Guided Deliberations Following Land Use Hearings

Warren Wilson, City Attorney presenting: New procedure for deliberations was rolled out at the Planning Commission at the first meeting in January. The new structure has proven to be beneficial with deliberations for the members of the Commission as well as the public. Council's current process is to discuss the proposal as a whole rather than each criterion. The new process will address each criterion individually. After the hearing closes, staff will pull up slides for deliberation. The Mayor opens deliberation with the first review criterion asking each Council member if/how the criterion is met (based on the evidence). This will be repeated for all criterion. After deliberation a motion would be used to direct staff to prepare a reasoned decision consistent with Council's deliberation.

7. MAYOR AND COUNCIL COMMENTS

This section of the agenda is provided to allow the Mayor and City Councilors to make announcements and general comments relevant to City business and to request that items be added to future agendas for discussion. No final action or in-depth discussion of issues will occur.

None

8. EXECUTIVE SESSION

Certain City-related matters may need to be discussed confidentially subject to applicable legal requirements; the Council may enter executive session to discuss such matters. The motion to enter into executive session must reference the specific statutory section that authorizes the executive session. No final decision or action may be taken in executive session.

ACTION ITEM (To enter into executive session only):

None

ADJOURNMENT 7:25 PM

Ronald G. Jacobson, Mayor

Shannon Howard, City Clerk

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 408 Spokane Street or call 208-773-3511. City Council and City commission meetings are broadcast live on Post Falls City Cable on cable channel 1300 (formerly 97.103) as well as the City's YouTube Channel (<https://www.youtube.com/c/CityofPostFallsIdaho>).

Mayor Ronald G. Jacobson

Councilors: Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

Mission

The City of Post Falls mission is to provide leadership, support common community values, promote citizen involvement and provide services which ensure a superior quality of life.

Vision

Post Falls, Idaho is a vibrant city with a balance of community and economic vitality that is distinguished by its engaged citizens, diverse businesses, progressive leaders, responsible management of fiscal and environmental resources, superior service, and a full range of opportunities for education and healthy lifestyles.

“Where opportunities flow and community is a way of life”

Post Falls Check Approval



City of Post Falls

Packet: APPKT09353 - Check Run 5.18.22
 Vendor Set: 01 - Vendor Set 01

Check Date: 5/11/2022

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
Fund: 001 - GENERAL FUND					
Balance Sheet Accounts					
VEN08624	HALLMARK HOMES				
APMWB	Check	BOND RELEASE - 2	BOND RELEASE - 2902 N. MADEIRA	001-22115	2,000.00
		BOND RELEASE - 3	BOND RELEASE - 3032 N. MADEIRA	001-22115	2,000.00
		BOND RELEASE - 2	BOND RELEASE - 2939 N. MADEIRA	001-22115	2,000.00
		BOND RELEASE - 2	BOND RELEASE - 2921 N. MADEIRA	001-22115	2,000.00
		BOND RELEASE - 2	BOND RELEASE - 2903 N. MADEIRA	001-22115	2,000.00
		BOND RELEASE - 2	BOND RELEASE - 2884 N. MADEIRA	001-22115	2,000.00
		BOND RELEASE - 2	BOND RELEASE - 2665 N. SIDE SADDLE	001-22115	2,000.00
		BOND RELEASE - 3	BOND RELEASE - 3050 N. MADEIRA	001-22115	2,000.00
VEN07931	HAYDEN HOMES				
APMWB	Check	BOND RELEASE - 3	BOND RELEASE - 3800 N. MAY ELLA LOOP	001-22115	2,000.00
		BOND RELEASE - 3	BOND RELEASE - 3862 N. MAY ELLA LOOP	001-22115	2,000.00
		BOND RELEASE - 3	BOND RELEASE - 3882 N. MAY ELLA LOOP	001-22115	2,000.00
		BOND RELEASE - 4	BOND RELEASE - 4388 N. MAY ELLA LOOP	001-22115	2,000.00
		BOND RELEASE - 3	BOND RELEASE - 3945 N. MAY ELLA LOOP	001-22115	2,000.00
		BOND RELEASE - 3	BOND RELEASE - 3924 N. MAY ELLA LOOP	001-22115	2,000.00
		BOND RELEASE - 3	BOND RELEASE - 3925 N. MAY ELLA LOOP	001-22115	2,000.00
I150	Idaho State Tax Commission				
APMWB	Check	5.10.22	April 2022 Sales Tax	001-22095	372.18
VEN14597	Jitterz				
APMWB	Check	BOND RELEASE - 7	BOND RELEASE - 711 N. SPOKANE STREET	001-22115	2,000.00
VEN10000	MORT CONSTRUCTION				
APMWB	Check	BOND RELEASE - 3	BOND RELEASE - 3260 N. CARRIAGE	001-22115	2,000.00
P380	Post Falls Food Bank				
APMWB	Check	5.10.22	April Donations	001-22110	750.91
VEN12718	VIKING CONSTRUCTION				
APMWB	Check	BOND RELEASE - 1	BOND RELEASE - 1526 N. MINAM LOOP	001-22115	2,000.00
		BOND RELEASE - 1	BOND RELEASE - 1504 N. MINAM LOOP	001-22115	2,000.00
		BOND RELEASE - 1	BOND RELEASE - 1466 N. MINAM LOOP	001-22115	2,000.00
		BOND RELEASE - 1	BOND RELEASE - 1562 N. MINAM LOOP	001-22115	2,000.00
		BOND RELEASE - 1	BOND RELEASE - 1574 N. MINAM LOOP	001-22115	2,000.00
Balance Sheet Accounts Total:					45,123.09
Dept: 411 Mayor & Council					
H001	H & H Business Systems, Inc.				
APMWB	Check	AR236424	Admin/Mayor/Clerk & HR Copier	001-411.0000.66050	44.78
Dept 411 Total:					44.78
Dept: 412 Information Systems					
C140	CDW Government Inc.				
APMWB	Check	V873410	Duo hardware tokens	001-412.0000.66180	575.54
Dept 412 Total:					575.54
Dept: 413 General Services					
H001	H & H Business Systems, Inc.				
APMWB	Check	AR236424	Admin/Mayor/Clerk & HR Copier	001-413.0000.66050	59.66
Dept 413 Total:					59.66
Dept: 414 Finance					
C239	CMRS-FP				
APMWB	Check	105000635877 5.2.2	postage for postage machine	001-414.0000.63070	2,000.00
V040	ODP Business Solutions				

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
P4835	APMWB	241507396001	Office Supplies- Finance	001-414.0000.63060	133.48
	APMWB	61050	Envelopes-Finance	001-414.0000.63050	158.00
Dept 414 Total:					2,291.48
Dept: 415 City Clerk					
A4761	APMWB	84349	Postage Machine	001-415.0000.66080	395.00
C291	APMWB	527460	Printing of Ordinance 1451	001-415.0000.62000	52.93
		527211	Printing of Ordinance 1450	001-415.0000.62000	111.68
VEN03335	APMWB	R1105279570	Postage Machine	001-415.0000.66080	135.00
H001	APMWB	AR236424	Admin/Mayor/Clerk & HR Copier	001-415.0000.66050	29.85
Dept 415 Total:					724.46
Dept: 418 Human Resources					
H001	APMWB	AR236424	Admin/Mayor/Clerk & HR Copier	001-418.0000.66050	59.66
Dept 418 Total:					59.66
Dept: 421 Police					
A0001	APMWB	LSPO2511380	Shop uniforms	001-421.4000.72000	12.63
		LSPO2507115		001-421.4000.72000	12.63
		LSPO2502738		001-421.4000.72000	12.63
		LSP2504950		001-421.4000.72000	12.63
		LSPO2509256		001-421.4000.72000	12.63
C140	APMWB	W512927	Surface covers	001-421.0000.66041	586.84
C210	APMWB	INV0142037	City Utilities April 2022	001-421.0000.65004	278.54
C220	APMWB	CL64555	Animal safety fuel, Patrol fuel	001-421.0000.64030	7,024.54
VEN04300	APMWB	14531	Fender graphics - PFPD111	001-421.0000.67100	100.00
D102	APMWB	2022-0428	Website update	001-421.0000.66043	1,000.00
VEN02615	APMWB	2013078	Fitness for duty eval	001-421.0000.62040	1,200.00
G020	APMWB	020866768	Uniform shirt - Cope	001-421.4000.72000	92.11
		020836748	Uniform pants - Welch	001-421.4000.72000	82.80
VEN01683	APMWB	197-1141916	Tires - PFPD127	001-421.0000.67190	642.72
H001	APMWB	AR236421	Serial Number W915P200786	001-421.0000.66042	5.16
VEN02177	APMWB	2022-201	Registration for Jason Mealer	001-421.0000.64020	320.00
VEN13191	APMWB	193534	Direct link to County	001-421.0000.62040	475.00
V040	APMWB	240570255001	Office Supplies- Police	001-421.0000.63060	463.47
				001-421.0000.63920	109.17
VEN03694	APMWB	100400717572	City Hall and PD elevator maintenance split	001-421.0000.68060	618.06
R251	APMWB	330126/1	2 - wire plug	001-421.0000.67100	7.72
VEN14584	APMWB	16293	SentinelOne antivirus/antiransomeware	001-421.0000.66043	9,625.00

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>VEN14328</u>	ZaccWorks				
APMWB	Check	2022-0428B	Website maintenance	001-421.0000.66043	125.00
		2022-0428A	Server maintenance	001-421.0000.66043	135.00
Dept 421 Total:					22,954.28
Dept: 423 Oasis					
<u>VEN12997</u>	Jillian L Roderick, Attorney at Law, LLC				
APMWB	Check	616	VSU client legal fees	001-423.1153.68400	1,495.00
		592		001-423.1153.68400	1,495.00
		539	VSU client legal services	001-423.1153.68400	1,495.00
		593	VSU client legal fees	001-423.1153.68400	1,495.00
<u>VEN14554</u>	Kacey Wall, PLLC				
APMWB	Check	6315	VSU client legal fees	001-423.1153.68400	1,495.00
Dept 423 Total:					7,475.00
Dept: 424 Legal					
<u>A510</u>	AIC - Association of Id Cities				
APMWB	Check	200008878	IMA Annual Meeting	001-424.0000.64010	65.00
<u>C220</u>	Coleman Oil Co				
APMWB	Check	CL66976	Fuel	001-424.0000.64030	170.95
<u>D09750</u>	DeVries Info Management				
APMWB	Check	0150396	Onsite record destruction	001-424.0000.63060	55.00
Dept 424 Total:					290.95
Dept: 427 Animal Control					
<u>VEN14369</u>	Better Together Animal Alliance				
APMWB	Check	PF25	Kennel cleaner for animal shelter	001-427.0000.63151	188.64
<u>C220</u>	Coleman Oil Co				
APMWB	Check	CL64555	Animal safety fuel, Patrol fuel	001-427.0000.64030	262.19
Dept 427 Total:					450.83
Dept: 431 Streets					
<u>A497</u>	Arrow Construction Supply, Inc				
APMWB	Check	333579	Straight Edge and Pry bar for streets	001-431.0000.63000	230.72
		331937	SwivelTip, Flail Shaft & Cutter set for Crack Se	001-431.0000.68110	457.91
<u>VEN05261</u>	CDA PAVING				
APMWB	Check	67094	Hot Mix Asphalt-53	001-431.0000.68110	129.80
		65238C	Credit Memo: October Dumped Asphalt	001-431.0000.68110	-437.92
		70227	Dumping Dirty Concrete/Ashpalt	001-431.0000.68130	743.85
		70292	Dumping Dirty Concrete/Asphalt	001-431.0000.68130	602.02
		63232C	Recycled Dirty Asphalt	001-431.0000.68130	-135.96
		66944	Dumping Dirty Mixed Concrete-Asphalt	001-431.0000.68130	39.63
<u>C210</u>	City of Post Falls				
APMWB	Check	INV0142037	City Utilities April 2022	001-431.0000.65004	404.41
<u>C291</u>	Coeur d' Alene Press				
APMWB	Check	I00525259-04052022	Advertising for 2022 Chip Seal Bid	001-431.0000.62000	107.84
<u>C220</u>	Coleman Oil Co				
APMWB	Check	CL66976	Fuel	001-431.0000.64030	5,868.58
<u>G098</u>	Grainger				
APMWB	Check	9298521882	Faceshield and Visor for Streets	001-431.0000.63000	42.00
		9293840436	Cleaner Degreaser for Fleet	001-431.0000.68130	590.81
<u>I070</u>	Idaho Asphalt Supply, Inc.				
APMWB	Check	4-498244	Asphalt for streets	001-431.0000.68130	238.00
<u>VEN01373</u>	Intermountain Sign & Safety				
APMWB	Check	15252	Post Caps and crosspieces for sign shop	001-431.0000.63260	87.25
		15178	Aluminum Blanks for the Sign Shop	001-431.0000.63260	104.00
		15165	Telespar posts for Signs	001-431.0000.63260	1,400.00
<u>I340</u>	Interstate Concrete & Asphalt				
APMWB	Check	751215	Asphalt for streets	001-431.0000.68130	204.16
<u>N001</u>	Napa Auto Parts				
APMWB	Check	3688-150821	Exhaust Stack Pipe Rain Caps for S555	001-431.0000.63520	15.32

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
		APMWB	Check	3688-151866	Oil Filter and Cartridge for S556	001-431.0000.63520	94.62
P410	Post Falls Highway District						
		APMWB	Check	1649	January 2022 Mag	001-431.0000.68080	19,616.53
R251	Serights Ace Hardware						
		APMWB	Check	330415/1	Propane and sprayer for Streets	001-431.0000.63000	37.86
				330602/1	Dish Soap and Car Wash for Streets	001-431.0000.63000	23.36
				330425/1	Duct Tape and Measuring Tape for the sign sh	001-431.0000.63000	27.88
				330328/1	Connectors and 3 wire plug for streets	001-431.0000.63000	17.34
				330586/1	Sprayer for Detack for Crack Sealing	001-431.0000.63000	11.69
				330553/1	Propane for Crack Sealing	001-431.0000.68110	21.78
				330559/1	Propane for Tack Wagon	001-431.0000.68130	27.47
T118	TPI Embroidery						
		APMWB	Check	18053	Uniforms for Streets	001-431.4000.72000	2,764.87
T1195	Traffic Safety Supply Co, Inc.						
		APMWB	Check	INV048619	Orange Tri Pods for signs	001-431.0000.63260	735.90
Dept 431 Total:							34,071.72
Dept: 433 Facility Maintenance							
C185	Chemsearch						
		APMWB	Check	7732064	Cooling Tower chemicals	001-433.0000.68030	985.34
C220	Coleman Oil Co						
		APMWB	Check	CL66976	Fuel	001-433.0000.64030	247.06
M106	Midway Appliance Parts						
		APMWB	Check	297690	fridge parts	001-433.0000.68010	139.73
P310	Platt Electric Supply						
		APMWB	Check	0z21880	light bulbs	001-433.0000.63720	62.74
				1z16711	heat gun	001-433.0000.67070	89.00
S0760	Seltice Laundry						
		APMWB	Check	2056	laundry service	001-433.0000.63160	23.10
				2046		001-433.0000.63160	18.60
				2024	Laundry service	001-433.0000.63160	16.35
				2042	laundry service	001-433.0000.63160	21.60
				2045		001-433.0000.63160	23.10
				2031	Laundry service	001-433.0000.63160	27.45
				1998		001-433.0000.63160	27.55
				2054	laundry service	001-433.0000.63160	29.10
				2026	Laundry service	001-433.0000.63160	20.40
				2051	laundry service	001-433.0000.63160	34.80
				2049		001-433.0000.63160	30.90
				1995	Laundry service	001-433.0000.63160	29.73
R251	Serights Ace Hardware						
		APMWB	Check	329476/1	Drill bits	001-433.0000.66190	23.39
				329801/1	hvac fuses	001-433.0000.68030	16.19
W0226	Walter E Nelson Co						
		APMWB	Check	467680	paper supplies	001-433.0000.63140	383.08
				469324	paper supplies CH and PD	001-433.0000.63140	276.52
				467682	cleaning supplies	001-433.0000.63150	123.63
Dept 433 Total:							2,649.36
Dept: 434 Fleet Maintenance							
VEN07171	208Tools						
		APMWB	Check	04282277821	1 AMP Probe for DMM	001-434.0000.67090	126.50
A1395	Advanced Compressor & Hose Inc						
		APMWB	Check	87559	Hydraulic Hose, hex and Ferrule for P304	001-434.0000.63012	26.89
A0001	Alsco						
		APMWB	Check	LSPO2517934	Uniforms for fleet	001-434.0000.63011	102.79
				LSPO2522246	Uniforms for Fleet	001-434.0000.63160	102.79
				LSPO2515765		001-434.0000.63160	158.44
				LSPO2520064	Uniforms for fleet	001-434.0000.63160	158.44
VEN05068	AutoNation Parts Center						
		APMWB	Check	1030731	Clip for F101	001-434.0000.63011	25.60

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>C220</u>	Coleman Oil Co				
APMWB	Check	CL66976	Fuel	001-434.0000.64030	330.00
<u>VEN03826</u>	FMI Equipment				
APMWB	Check	100-1000783	Cutter Deck Belts for Parks	001-434.0000.63012	274.43
<u>F1275</u>	Fox Trailer Sales				
APMWB	Check	5434	Gate Spring for S612	001-434.0000.63011	25.00
<u>G098</u>	Grainger				
APMWB	Check	9293840444	Gloves and Cable Ties for Fleet	001-434.0000.63011	12.55
				001-434.0000.63110	9.94
<u>K080</u>	Knudtsen Chevrolet and GMAC				
APMWB	Check	5506600	Wire and Connector kits for S221	001-434.0000.63011	226.37
<u>N001</u>	Napa Auto Parts				
APMWB	Check	3688-160051	Oil Filter for S234	001-434.0000.63011	14.72
		3688-155167	Micro Fiber Dry Towel	001-434.0000.63011	13.24
		3688-151846	Silicone Sealant for Fleet	001-434.0000.63011	24.32
		3688-154689	Sprayer for Fleet	001-434.0000.63011	9.90
		3688-154687	Oil Filter for S306	001-434.0000.63011	4.95
		3688-156309	Grommets for Fleet	001-434.0000.63011	2.27
		3688-155956	Credit for Filter Kit and Micro Fiber Dry Towel	001-434.0000.63011	-44.72
		3688-155171	Flex Handle Jelly Blade for Fleet	001-434.0000.63011	20.37
		3688-157119	Cabin Air Filter for S307	001-434.0000.63011	10.74
		3688-138851	Permatex Quicktite for fleet	001-434.0000.63011	4.86
		3688-158720	Sealant Tape for Fleet	001-434.0000.63011	17.16
		3688-156929	Boxed Capsules for S306	001-434.0000.63011	15.20
		3688-156047	Oil Filters and Fuel Filters for Fleet	001-434.0000.63011	35.29
		3688-158719	Electrical Tape for Fleet	001-434.0000.63011	38.52
		3688-154484	Loom for up fit	001-434.0000.63011	39.50
		3688-160050	Fuel Filter, Air Filter and Oil Filter for S234	001-434.0000.63011	56.60
		3688-159190	Air Filters and Oil Filters for Fleet	001-434.0000.63011	90.25
		3688-152248	Wiper Blades, Fuel Filters and Air Filters	001-434.0000.63011	117.39
		3688-141878	Air Filters, Oil Filters and Spark Plugs for Stock	001-434.0000.63011	123.14
		3688-158366	Battery for S612	001-434.0000.63011	125.87
		3688-157118	Air Filters, Fuel Filter, Hydraulic and Oil Filter	001-434.0000.63011	126.12
		3688-158427	Micro Fuse for Streets, ATC Fuse Asst for Park	001-434.0000.63011	47.88
		3688-154393	Filter Kit for S123	001-434.0000.63011	31.48
		3688-155019	Razor Blades and Straight edge blades for fleet	001-434.0000.63011	16.49
		3688-155912	Oil Filter and Hydraulic Filter fo C302	001-434.0000.63012	66.10
		3688-156301	Grease Fittings for C302	001-434.0000.63012	3.05
		3688-155913	Oil Filter for C302	001-434.0000.63012	30.90
		3688-158427	Micro Fuse for Streets, ATC Fuse Asst for Park	001-434.0000.63012	102.54
		3688-156074	Cabin Air Filter for C302	001-434.0000.63012	10.74
		3688-157538	Ball Mount and Trailer ball for P116	001-434.0000.63012	73.04
		3688-147023	Wrench Kit for Fleet	001-434.0000.67090	173.42
<u>P1001</u>	Pape Machinery				
APMWB	Check	13506916	Tank for S307	001-434.0000.63011	140.36
		13485738	Oil Filter fir S307	001-434.0000.63011	67.59
<u>R190</u>	Robideaux Motors Co., Inc.				
APMWB	Check	12939	Floor Mats for F101	001-434.0000.90010	206.26
<u>R251</u>	Serights Ace Hardware				
APMWB	Check	330345/1	Power Strip, Grommet, Quick Clips, Bolts and r	001-434.0000.63011	118.40
		330387/1	Trailer Jack and Pins for Readerboard	001-434.0000.63011	73.77
		330424/1	U Bolts, Nylon Tee and hose for S234	001-434.0000.63011	38.02
		330534/1	Lithium Battery and Soap for Fleet	001-434.0000.63011	28.00
		330316/1	Starter Rope for S909	001-434.0000.63011	4.45
		330683/1	Conduit and Spider traps for fleet	001-434.0000.68010	76.08
<u>VEN08163</u>	Superior Towing & Recovery LLC				
APMWB	Check	41960	Towing for B108	001-434.0000.63013	145.00
<u>VEN13988</u>	Tacoma Screw Products, Inc				
APMWB	Check	240034169-00	Nuts, Bolts, Rivets and washers for fleet	001-434.0000.63011	322.53
		240034873-00	Screws, Nut Drivers, and Flat Washers for fleet	001-434.0000.63011	62.92
		240035212-00	Hex cap screws for fleet	001-434.0000.63011	8.44

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>T106</u>	Titan Truck Equipment				
APMWB	Check	1322872	Directional LED	001-434.0000.63011	567.12
		1321579	No Drill Platform	001-434.0000.90010	301.85
		1319579	Tommy gate High side box	001-434.0000.90010	6,149.18
<u>VEN13040</u>	Turf Star Western				
APMWB	Check	9503729-00	Service Charge on a Parks Mower	001-434.0000.67170	295.00
Dept 434 Total:					11,586.04
Dept: 441 Urban Forestry					
<u>C220</u>	Coleman Oil Co				
APMWB	Check	CL66976	Fuel	001-441.0000.64030	83.80
Dept 441 Total:					83.80
Dept: 442 Cemetery					
<u>A497</u>	Arrow Construction Supply, Inc				
APMWB	Check	332487	Form oil	001-442.0000.68170	70.63
<u>C210</u>	City of Post Falls				
APMWB	Check	INV0142037	City Utilities April 2022	001-442.0000.65004	79.21
<u>C220</u>	Coleman Oil Co				
APMWB	Check	CL66976	Fuel	001-442.0000.64030	521.01
<u>R060</u>	Ragan Equipment Co.				
APMWB	Check	01-108242	3 sets of mower blades	001-442.0000.67020	173.73
<u>R251</u>	Serights Ace Hardware				
APMWB	Check	330480	masonry drill bits	001-442.0000.67090	85.07
Dept 442 Total:					929.65
Dept: 443 Parks					
<u>A365</u>	American On-Site Services				
APMWB	Check	457655	Skate Park Portable	001-443.0000.65050	85.00
		457679	4th St. Trailhead	001-443.0000.65050	85.00
		457722	Warren Portable	001-443.0000.65050	85.00
		457640	White Pine Portable	001-443.0000.65050	100.96
		457653	Hilde Kellogg Portable	001-443.0000.65050	85.00
		457652	Q'emiln Portables	001-443.0000.65050	167.00
		457654	Black Bay Portables	001-443.0000.65050	130.00
		457641	Syringa Portable	001-443.0000.65050	65.00
<u>C210</u>	City of Post Falls				
APMWB	Check	INV0142037	City Utilities April 2022	001-443.0000.65004	1,653.16
				001-443.0000.68230	96.74
<u>C220</u>	Coleman Oil Co				
APMWB	Check	CL66976	Fuel	001-443.0000.64030	4,176.60
<u>H001</u>	H & H Business Systems, Inc.				
APMWB	Check	AR236422	Serial Number C737M642227	001-443.0000.66061	30.20
Dept 443 Total:					6,759.66
Dept: 445 Recreation					
<u>N170</u>	North Idaho College				
APMWB	Check	4.26.22	Contract for outdoor pursuits classes	001-445.0000.62040	96.00
<u>R097</u>	Rebecca Powell				
APMWB	Check	042622	Summer Guide Design	001-445.0000.63210	1,145.00
<u>VEN02035</u>	Staples, Inc				
APMWB	Check	3506745747	Office Supplies- Recreation	001-445.0000.63060	57.94
<u>U140</u>	UpScale Mail				
APMWB	Check	5.5.22	Return dance costume postage	001-445.0000.63070	6.11
<u>VEN09501</u>	Yoke's Foods Inc				
APMWB	Check	144632	Food for P&R training	001-445.0000.64010	43.71
Dept 445 Total:					1,348.76
Dept: 450 Economic & Comm. Dev. Rev					
<u>VEN14594</u>	Fire Protection Specialists				
APMWB	Check	04-28-2022	Voided permit in Energov ELEC-001225-2021.001-450.1753.38502		118.80

Packet: APPKT09353 - Check Run 5.18.22
 Vendor Set: 01 - Vendor Set 01

Check Date: 5/11/2022

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
Dept: 451 Planning & Zoning					
C291	Coeur d' Alene Press				
APMWB	Check	0000527427	P&Z Annexation Publication	001-451.0000.62000	189.65
		0000527430	Planning and Zoning Publication for Annexatio	001-451.0000.62000	388.60
		0000527431	P&Z Annexation and Subdivision Publication	001-451.0000.62000	227.71
VEN02035	Staples, Inc				
APMWB	Check	3506745746	Office Supplies- Comm Dev	001-451.0000.63060	66.40
Dept 451 Total:					872.36
Dept: 452 Building Inspector					
C220	Coleman Oil Co				
APMWB	Check	CL66976	Fuel	001-452.0000.64030	537.16
Dept 452 Total:					537.16
Dept: 453 Engineering					
C220	Coleman Oil Co				
APMWB	Check	CL66976	Fuel	001-453.0000.64030	366.86
UB*06027	HARGRAVE, KIMBERLY				
APMWB	Check	4.14.22	Subdivision Pre-App Fee Reimbursement	001-453.1757.38511	605.50
VEN14595	Northwest Wattage				
APMWB	Check	5.2.22	Voided permit ELER-000230-2022 in Energov.	001-453.1758.38509	130.00
VEN02035	Staples, Inc				
APMWB	Check	3506745745	Office Supplies- Community Dev.	001-453.0000.63060	29.49
Dept 453 Total:					1,131.85
Dept: 481 Capital Improvements/Contracts					
C210	City of Post Falls				
APMWB	Check	INV0142037	City Utilities April 2022	001-481.0000.68390	149.03
D070	Dell Marketing LP				
APMWB	Check	10579023106	Compellant Hard Drive storage space increase	001-481.0000.68395	5,986.00
VEN03694	Otis Elevator Company				
APMWB	Check	100400717572	City Hall and PD elevator maintenance split	001-481.0000.68060	618.06
Dept 481 Total:					6,753.09
Fund 001 Total:					146,891.98
Fund: 007 - DRUG SEIZURE PROGRAM					
Dept: 425 Drug Seizure Program					
VEN14457	Horizon Structures LLC				
APMWB	Check	2666 A	Balance due on K9 dog kennel	007-425.0000.67120	5,372.50
Dept 425 Total:					5,372.50
Fund 007 Total:					5,372.50
Fund: 008 - 911 SUPPORT					
Dept: 426 911 Support					
D053	Day Management Corporation				
APMWB	Check	INV722292	Ice Shield Blossom MT microwave dishes	008-426.0000.67280	5,445.08
Dept 426 Total:					5,445.08
Fund 008 Total:					5,445.08
Fund: 037 - STREETS IMPACT FEES					
Dept: 431 Streets					
W090	Welch Comer & Associates, Inc.				
APMWB	Check	41354090-001	DESIGN SERVICES - CHASE RD BNSF RR-X037	037-431.0000.95134	6,679.94
		41354090-002		037-431.0000.95134	8,238.94
Dept 463 Total:					14,918.88

Packet: APPKT09353 - Check Run 5.18.22
Vendor Set: 01 - Vendor Set 01

Check Date: 5/11/2022

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
Fund: 650 - RECLAIMED WATER OPERATING							
Dept: 463 Wastewater Operating							
A090	Accurate Testing Labs LLC						
APMWB	Check			123254	Fecal Coliform, Total Solids	650-463.0000.68360	220.00
				122969	Cyanide Test	650-463.0000.68360	120.00
				123302	Fecal Coliform, Total Solids	650-463.0000.68360	110.00
A424	Anatek Labs, Inc.						
APMWB	Check			2206174	BLM @ Corbin Park	650-463.0000.68360	330.00
C210	City of Post Falls						
APMWB	Check			INV0142037	City Utilities April 2022	650-463.0000.65080	131.24
C220	Coleman Oil Co						
APMWB	Check			CL66976	Fuel	650-463.0000.65005	565.47
VEN03982	Dally Environmental LLC						
APMWB	Check			2609	Avista Contract for Stakeholder April 2022	650-463.0000.62040	464.30
I2731	Inland Environmental Resources						
APMWB	Check			2022-0432	mag 3/28/22	650-463.0000.63008	7,704.40
P180	Perfection Tire						
APMWB	Check			1039572	Installed Front Struts and rear brakes on T112	650-463.0000.67170	518.97
VEN06538	SGS AXYS Analytical Services Ltd						
APMWB	Check			11505809	PCB samples	650-463.0000.68360	980.06
VEN03527	Suez Treatment Solutions, Inc						
APMWB	Check			901456049	UV ballasts	650-463.0000.68025	2,614.65
T11390	T-O Engineers, Inc.						
APMWB	Check			210756-6	Phase 2 Community Forest Work	650-463.0000.62040	41,538.75
Dept 463 Total:							55,297.84
Dept: 466 Wastewater - Collections							
C210	City of Post Falls						
APMWB	Check			INV0142037	City Utilities April 2022	650-466.0000.65080	12.07
						650-466.0000.65081	12.07
C220	Coleman Oil Co						
APMWB	Check			CL66976	Fuel	650-466.0000.65005	2,076.89
Dept 466 Total:							2,101.03
Dept: 468 Wastewater - Surface Water							
C210	City of Post Falls						
APMWB	Check			INV0142037	City Utilities April 2022	650-468.0000.65081	15.96
C220	Coleman Oil Co						
APMWB	Check			CL66976	Fuel	650-468.0000.65005	379.95
Dept 468 Total:							395.91
Fund 650 Total:							57,794.78
Fund: 651 - RECLAIMED WATER CAPITAL - WWTP							
Dept: 463 Wastewater Operating							
A293	Allwest Testing & Engin., LLC						
APMWB	Check			24439	WRF Tertiary Construction Testing April 2022	651-463.3213.90015	5,373.65
P050	Panhandle Area Council						
APMWB	Check			24-PFLM	Wage Compliance Services for the construction	651-463.3213.90015	1,871.00
Dept 463 Total:							7,244.65
Fund 651 Total:							7,244.65
Fund: 652 - RECLAIMED WATER CAPITAL - COLLECTOR							
Dept: 463 Wastewater Operating							
T11390	T-O Engineers, Inc.						
APMWB	Check			200143-24	Engineering and CMS services for the construc	652-463.3214.95520	2,400.00
				210583-5	Post Falls Bentley Lift Station Rehab per contr	652-463.3220.95520	12,200.65
W090	Welch Comer & Associates, Inc.						

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
APMWB	Check	41354050-010	Final consulting services invoice for abandonm	652-463.3220.95520	1,800.00
Dept 463 Total:					16,400.65
Fund 652 Total:					16,400.65
Fund: 750 - WATER OPERATING					
Dept: 462 Water Operating					
A090	Accurate Testing Labs LLC				
APMWB	Check	122163	Radium, Alpha Activity, Uranium	750-462.0000.68360	410.00
		123100	Coliform Presence/Absence	750-462.0000.68360	100.00
		122595	Water Samples	750-462.0000.68360	2,510.00
		123290	Coliform Presence/Absence	750-462.0000.68360	150.00
C1161	CDA Garbage				
APMWB	Check	1422562	Recycle Bin	750-462.0000.65050	34.50
C1170	CDA Metals				
APMWB	Check	860307	Metal for Hydrant Filling Stations	750-462.0000.63280	729.52
C210	City of Post Falls				
APMWB	Check	INV0142037	City Utilities April 2022	750-462.0000.65004	69.12
C220	Coleman Oil Co				
APMWB	Check	CL66976	Fuel	750-462.0000.64030	1,930.57
H215	Core & Main LP				
APMWB	Check	Q672902	Curb Lids	750-462.0000.63280	186.40
		Q732256	Thrust Block, Base Block	750-462.0000.63280	703.72
		Q575347	16" and 18" coupling	750-462.0000.63280	7,382.74
		Q261011	Plugs & Nipples	750-462.0000.63280	77.64
		Q343196	V-Box Lids, V-Box Slip Top	750-462.0000.63280	667.20
VEN01107	Filtration Technology				
APMWB	Check	8551-1	1/2" Grating, Drain Connection, Spill Containm	750-462.0000.68025	1,250.00
VEN14305	General Pacific, Inc				
APMWB	Check	1436085	2' Meter	750-462.0000.63280	2,201.00
VEN14482	Gunnerson Consulting and Communication Site Services, LLC				
APMWB	Check	4453	Cell tower lease support for March 2022 author	750-462.0000.62040	1,956.50
H001	H & H Business Systems, Inc.				
APMWB	Check	AR237615	Serial Number G707M360361-01	750-462.0000.63060	32.32
H003	H.D. Fowler Company				
APMWB	Check	I6070006	16" Pipe	750-462.0000.63280	2,319.80
		I6067589		750-462.0000.63280	2,819.80
		I6062555	SERVICE PARTS	750-462.0000.63280	6,307.16
		I6062558		750-462.0000.63280	2,099.90
K037	Hotstart Sales				
APMWB	Check	CD99503342	Highlands Heater	750-462.0000.68025	82.92
VEN09639	McHugh Bromley PLLC				
APMWB	Check	1000 3014	April legal consulting services for water rights	750-462.0000.62010	318.00
N001	Napa Auto Parts				
APMWB	Check	3688-157792	Air Filters for D404	750-462.0000.67170	34.99
		3688-158675	Cabin and Air Filter for T114	750-462.0000.67170	27.23
N0991	Norco Inc				
APMWB	Check	34800379	Gloves	750-462.0000.63110	166.56
R251	Serights Ace Hardware				
APMWB	Check	330199-1	Drill Bits & Bolts	750-462.0000.63280	45.79
		330526-1	Shop Supplies, Parts for Josh & Jason Trucks	750-462.0000.63280	105.02
		330030-1	Mix System Well # 3/10	750-462.0000.68025	21.12
Dept 462 Total:					34,739.52
Fund 750 Total:					34,739.52
Report Total:					288,808.04



Fund	Account	Amount
001 - GENERAL FUND		
	001-22095	372.18
	001-22110	750.91
	001-22115	44,000.00
	001-411.0000.66050	44.78
	001-412.0000.66180	575.54
	001-413.0000.66050	59.66
	001-414.0000.63050	158.00
	001-414.0000.63060	133.48
	001-414.0000.63070	2,000.00
	001-415.0000.62000	164.61
	001-415.0000.66050	29.85
	001-415.0000.66080	530.00
	001-418.0000.66050	59.66
	001-421.0000.62040	1,675.00
	001-421.0000.63060	463.47
	001-421.0000.63920	109.17
	001-421.0000.64020	320.00
	001-421.0000.64030	7,024.54
	001-421.0000.65004	278.54
	001-421.0000.66041	586.84
	001-421.0000.66042	5.16
	001-421.0000.66043	10,885.00
	001-421.0000.67100	107.72
	001-421.0000.67190	642.72
	001-421.0000.68060	618.06
	001-421.4000.72000	238.06
	001-423.1153.68400	7,475.00
	001-424.0000.63060	55.00
	001-424.0000.64010	65.00
	001-424.0000.64030	170.95
	001-427.0000.63151	188.64
	001-427.0000.64030	262.19
	001-431.0000.62000	107.84
	001-431.0000.63000	390.85
	001-431.0000.63260	2,327.15
	001-431.0000.63520	109.94
	001-431.0000.64030	5,868.58
	001-431.0000.65004	404.41
	001-431.0000.68080	19,616.53
	001-431.0000.68110	171.57
	001-431.0000.68130	2,309.98
	001-431.4000.72000	2,764.87
	001-433.0000.63140	659.60
	001-433.0000.63150	123.63
	001-433.0000.63160	302.68
	001-433.0000.63720	62.74
	001-433.0000.64030	247.06
	001-433.0000.66190	23.39
	001-433.0000.67070	89.00
	001-433.0000.68010	139.73
	001-433.0000.68030	1,001.53
	001-434.0000.63011	2,765.45
	001-434.0000.63012	587.69
	001-434.0000.63013	145.00
	001-434.0000.63110	9.94
	001-434.0000.63160	419.67

001-434.0000.64030	330.00
001-434.0000.67090	299.92
001-434.0000.67170	295.00
001-434.0000.68010	76.08
001-434.0000.90010	6,657.29
001-441.0000.64030	83.80
001-442.0000.64030	521.01
001-442.0000.65004	79.21
001-442.0000.67020	173.73
001-442.0000.67090	85.07
001-442.0000.68170	70.63
001-443.0000.64030	4,176.60
001-443.0000.65004	1,653.16
001-443.0000.65050	802.96
001-443.0000.66061	30.20
001-443.0000.68230	96.74
001-445.0000.62040	96.00
001-445.0000.63060	57.94
001-445.0000.63070	6.11
001-445.0000.63210	1,145.00
001-445.0000.64010	43.71
001-450.1753.38502	118.80
001-451.0000.62000	805.96
001-451.0000.63060	66.40
001-452.0000.64030	537.16
001-453.0000.63060	29.49
001-453.0000.64030	366.86
001-453.1757.38511	605.50
001-453.1758.38509	130.00
001-481.0000.68060	618.06
001-481.0000.68390	149.03
001-481.0000.68395	5,986.00
Fund 001 Total:	146,891.98
007 - DRUG SEIZURE PROGRAM	
007-425.0000.67120	5,372.50
Fund 007 Total:	5,372.50
008 - 911 SUPPORT	
008-426.0000.67280	5,445.08
Fund 008 Total:	5,445.08
037 - STREETS IMPACT FEES	
037-431.0000.95134	14,918.88
Fund 037 Total:	14,918.88
650 - RECLAIMED WATER OPERATING	
650-463.0000.62040	42,003.05
650-463.0000.63008	7,704.40
650-463.0000.65005	565.47
650-463.0000.65080	131.24
650-463.0000.67170	518.97
650-463.0000.68025	2,614.65
650-463.0000.68360	1,760.06
650-466.0000.65005	2,076.89
650-466.0000.65080	12.07
650-466.0000.65081	12.07
650-468.0000.65005	379.95
650-468.0000.65081	15.96
Fund 650 Total:	57,794.78
651 - RECLAIMED WATER CAPITAL - WWTP	
651-463.3213.90015	7,244.65
Fund 651 Total:	7,244.65
652 - RECLAIMED WATER CAPITAL - COLLECTOR	
652-463.3214.95520	2,400.00
652-463.3220.95520	14,000.65
Fund 652 Total:	16,400.65
750 - WATER OPERATING	
750-462.0000.62010	318.00
750-462.0000.62040	1,956.50

750-462.0000.63060	32.32
750-462.0000.63110	166.56
750-462.0000.63280	25,645.69
750-462.0000.64030	1,930.57
750-462.0000.65004	69.12
750-462.0000.65050	34.50
750-462.0000.67170	62.22
750-462.0000.68025	1,354.04
750-462.0000.68360	3,170.00

Fund 750 Total:	34,739.52
Report Total:	288,808.04

ACCOUNTS PAYABLE HANDCHECK ACCOUNTABILITY FOR CHECK RUN 05.18.22

4/29/2022	\$ 72.62	87347	AT&T LongDistance	Pay Before Due Date	001-431.0000.65030
4/29/2022	\$ 350.00	87348	East Greenacres Irrigation Water Shut Offs	Pay Before Due Date	750-462.3317.33610
4/29/2022	\$ 538.44	87349	Idaho State Tax Commission	Pay Before Due Date	001-22095
4/29/2022	\$ 3,171.10	87350	Kootenai County Solid Waste	Pay Before Due Date	Various
4/29/2022	\$ 43.27	87351	Kootenai Electric	Pay Before Due Date	001-443.0000.65021
4/29/2022	\$ 2,414.90	87352	Level 3 Communications	Pay Before Due Date	Various
4/29/2022	\$ 448.85	87353	Level 3 Communications	Pay Before Due Date	Various
4/29/2022	\$ 559.34	87354	Post Falls Food Bank	Pay Before Due Date	001-22110
4/29/2022	\$ 501.32	87355	Ricoh USA Inc.	Pay Before Due Date	001-421.0000.66050
4/29/2022	\$ 105.00	87356	Ross Point Water	Pay Before Due Date	750-462.3317.33610
4/29/2022	\$ 86.55	87357	Spectrum	Pay Before Due Date	650-466.0000.65040
4/29/2022	\$ 149.46	87358	Ziplay Fiber	Pay Before Due Date	Various
4/29/2022	\$ 473.01	87359	Verizon Wireless	Pay Before Due Date	Various
5/6/2022	\$ 400.88	87471	AT&T Mobility	Pay Before Due Date	Various
5/6/2022	\$ 1,684.12	87472	AT&T Mobility	Pay Before Due Date	001-421.0000.65030
5/6/2022	\$ 375.36	87473	AT&T Mobility	Pay Before Due Date	Various
5/6/2022	\$ 1,372.06	87474	Avista Utilities	Pay Before Due Date	Various
5/6/2022	\$ 159.98	87475	Charter Communications	Pay Before Due Date	001-421.0000.65030
5/6/2022	\$ 1,025.57	87476	Cummins Inc	Past Due	Various
5/6/2022	\$ 52.80	87477	H & H Express	Past Due	750-462.0000.68025
5/6/2022	\$ 807.06	87478	Kootenai Electric	Pay Before Due Date	Various
5/6/2022	\$ 1,525.40	87479	Level 3 Communications	Pay Before Due Date	001-421.0000.65030
5/6/2022	\$ 1.42	87480	Verizon Wireless	Pay Before Due Date	650-463.0000.65030
5/6/2022	\$ 200.19	87481	Verizon Wireless	Pay Before Due Date	Various
5/6/2022	\$ 120.03	87482	Verizon Wireless	Pay Before Due Date	001-453.0000.65030
5/6/2022	\$ 360.09	87483	Verizon Wireless	Pay Before Due Date	Various
5/6/2022	\$ 170.22	87484	Verizon Wireless	Pay Before Due Date	001-443.0000.65030
5/6/2022	\$ 80.02	87485	Verizon Wireless	Pay Before Due Date	001-452.0000.65030
5/6/2022	\$ 120.03	87486	Verizon Wireless	Pay Before Due Date	001-424.0000.65030
5/6/2022	\$ 438.49	87487	Ziplay Fiber	Pay Before Due Date	Various
	\$ 17,807.58				

MEMORANDUM

To: Mayor and Council Members
From: Jason Faulkner, Finance Director
Date: 04/29/2022
Subject: Cash and Investments

Agenda Item

Consent Calendar

Summary

The Finance Department is providing the cash and investment balances for each month to be in compliance with the following: Idaho Code 50-208, Idaho Code 50-708 and Idaho Code 57-135. Please let me know if you have any questions and the details are available upon request.

Recommended Action or Motion

Approve.

Fiscal Impact

None.

City of Post Falls
Cash and Investments
3/31/2022

Description	City's Balance
<u>Idaho State Investment Pool</u>	
LGIP Acct 1399	37,634,996.09
LGIP Accts 1401-2302	33,053,807.45
<u>First Financial Equity Corporation</u>	
General Accts Investments	23,355,964.19
Contingency Accts	6,043,915.29
<u>Moreton Capital Investments</u>	
Moreton Securities	14,160,103.70
<u>Mountain West bank</u>	
Repurchase Sweep Account	36,371,261.26
Checking Account	75,000.64
<u>Cash on Hand</u>	
Finance	400.00
Animal Control	150.00
Police	525.00
Recreation	205.00
Park	203.00
Planning and Zoning	150.00
Total	<u><u>\$ 150,696,681.62</u></u>

I HEREBY SWEAR UNDER OATH THAT THE AMOUNTS



 Jason Faulkner, Finance Director, City of Post Falls, Idaho

City of Post Falls
Treasurer's Report of Cash and Investment Transactions
As Of 03/31/2022

FUND	BALANCE 02/28/2022	RECEIPTS	DISBURSEMENTS	BALANCE 03/31/2022
001 - GENERAL FUND	\$ 41,320,389.12	\$ 1,530,811.22	\$ 2,166,614.75	\$ 40,684,585.59
002 - COMPREHENSIVE LIABILITY	271,381.44	40,459.58	-	311,841.02
003 - PERSONNEL BENEFIT POOL	(207,813.22)	292,730.70	324,889.44	(239,971.96)
004 - STREET LIGHTS	128,292.61	9.79	-	128,302.40
007 - DRUG SEIZURE PROGRAM	164,857.15	3,118.68	4,000.00	163,975.83
008 - 911 SUPPORT	1,996,057.97	47,759.77	7,598.58	2,036,219.16
011 - FACILITY BUILDING RESERVE	1,858,378.05	29,310.66	-	1,887,688.71
017 - ANNEXATION FEES	3,287,390.25	34,878.99	10,810.71	3,311,458.53
023 - SPECIAL EVENTS	249,543.49	6,628.62	-	256,172.11
029 - CEMETERY CAPITAL IMPROVEMENT	273,939.27	1,996.05	-	275,935.32
035 - PUBLIC SAFETY IMPACT FEES	1,970,275.47	34,849.95	2,871.73	2,002,253.69
037 - STREETS IMPACT FEES	6,195,829.04	1,316,845.03	101,383.33	7,411,290.74
038 - PARKS IMPACT FEES	4,140,256.58	161,905.40	28,552.41	4,273,609.57
039 - STREETS CAPITAL PROJECTS	20,763.33	1.58	-	20,764.91
402 - LID 99-1	(30,979.88)	-	-	(30,979.88)
410 - LID 2004	(96,798.10)	39.65	-	(96,758.45)
450 - LID GUARANTEE	17,330.62	1.32	-	17,331.94
650 - RECLAIMED WATER OPERATING	60,932,074.25	26,603,119.58	50,419,413.12	37,115,780.71
651 - RECLAIMED WATER CAPITAL - WWTP	(6,034,498.30)	25,516,178.29	580,197.67	18,901,482.32
652 - RECLAIMED WATER CAPITAL - COLLECTOR	7,031,221.47	273,309.76	561,177.91	6,743,353.32
700 - SANITATION	1,097,637.81	322,722.76	320,532.95	1,099,827.62
750 - WATER OPERATING	19,851,093.60	265,213.77	431,190.02	19,685,117.35
753 - WATER CAPITAL	4,546,123.41	211,902.66	20,625.00	4,737,401.07
GRAND TOTAL:	\$ 148,982,745.43	\$ 56,693,793.81	\$ 54,979,857.62	\$ 150,696,681.62

I HEREBY SWEAR UNDER OATH THAT THE AMOUNTS REPORTED ABOVE, ON THE CASH BASIS, ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



Jason Faulkner, Finance Director, City of Post Falls, Idaho

CITY OF POST FALLS
 BUDGET STATUS REPORT
 FOR MONTH ENDED March 31, 2022

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGET	YTD EXPENDITURE	PERCENT EXPENDED
411 - MAYOR COUNCIL	Operating	\$ 97,542.00	\$ 75,008.55	76.9%
	Personnel	<u>103,412.46</u>	<u>47,087.70</u>	45.5%
		200,954.46	122,096.25	60.8%
412 - INFORMATION SYSTEMS	Operating	114,868.00	48,577.71	42.3%
	Capital	-	-	0.0%
	Personnel	<u>302,007.25</u>	<u>140,105.79</u>	46.4%
		416,875.25	188,683.50	45.3%
413 - GENERAL SERVICES	Operating	14,950.00	6,628.53	44.3%
	Personnel	<u>262,043.22</u>	<u>122,640.87</u>	46.8%
		276,993.22	129,269.40	46.7%
414 - FINANCE	Operating	238,893.00	172,521.58	72.2%
	Personnel	<u>567,328.98</u>	<u>264,002.99</u>	46.5%
		806,221.98	436,524.57	54.1%
415 - CITY CLERK	Operating	10,450.00	7,793.07	74.6%
	Capital	-	-	0.0%
	Personnel	<u>72,137.91</u>	<u>34,334.30</u>	47.6%
		82,587.91	42,127.37	51.0%
417 - MEDIA/CABLE FRANCHISE	Operating	7,200.00	1,929.39	26.8%
	Capital	-	-	0.0%
	Personnel	<u>133,622.19</u>	<u>61,151.95</u>	45.8%
		140,822.19	63,081.34	44.8%
418 - HUMAN RESOURCES	Operating	7,950.00	3,058.63	38.5%
	Personnel	<u>239,077.70</u>	<u>113,953.46</u>	47.7%
		247,027.70	117,012.09	47.4%
419 - LIBRARY	Operating	<u>-</u>	<u>17.22</u>	
		-	17.22	
421 - POLICE	Operating	646,105.48	323,524.51	50.1%
	Capital	186,000.00	-	0.0%
	Personnel	<u>6,507,818.65</u>	<u>2,779,466.04</u>	42.7%
		7,339,924.13	3,102,990.55	42.3%
423 - OASIS	Operating	4,000.00	11,194.20	279.9%
	Personnel	<u>124,978.71</u>	<u>67,005.98</u>	53.6%
		128,978.71	78,200.18	60.6%
424 - LEGAL (PROSECUTING)	Operating	56,750.00	19,324.31	34.1%
	Capital	25,000.00	-	0.0%
	Personnel	<u>736,149.10</u>	<u>340,229.13</u>	46.2%
		817,899.10	359,553.44	44.0%
427 - ANIMAL CONTROL	Operating	17,250.00	3,702.08	21.5%
	Personnel	<u>162,597.58</u>	<u>78,301.27</u>	48.2%
		179,847.58	82,003.35	45.6%
431 - STREETS	Operating	1,987,099.30	347,144.03	17.5%
	Capital	235,000.00	109,557.18	0.0%
	Personnel	<u>1,074,995.66</u>	<u>510,660.42</u>	47.5%
		3,297,094.96	967,361.63	29.3%

CITY OF POST FALLS
BUDGET STATUS REPORT
FOR MONTH ENDED March 31, 2022

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGET	YTD EXPENDITURE	PERCENT EXPENDED
432 - PUBLIC WORKS ADMIN.	Operating	8,850.00	4,082.96	46.1%
		<u>8,850.00</u>	<u>4,082.96</u>	46.1%
433 - FACILITY MAINTENANCE	Operating	33,650.00	13,129.14	39.0%
	Capital	2,000.00	-	0.0%
	Personnel	269,505.65	112,498.22	41.7%
		<u>305,155.65</u>	<u>125,627.36</u>	41.2%
434 - FLEET MAINTENANCE	Operating	165,812.00	119,148.69	71.9%
	Capital	690,000.00	139,840.25	20.3%
	Personnel	363,300.47	167,628.59	46.1%
		<u>1,219,112.47</u>	<u>426,617.53</u>	35.0%
435 - -GIS	Operating	44,734.00	37,698.85	84.3%
	Personnel	167,995.10	76,718.97	45.7%
		<u>212,729.10</u>	<u>114,417.82</u>	53.8%
441 - URBAN FORESTRY	Operating	45,530.00	26,919.75	59.1%
	Capital	151,300.00	11,995.00	0.0%
	Personnel	184,150.59	60,472.03	32.8%
		<u>380,980.59</u>	<u>99,386.78</u>	26.1%
442 - CEMETERY	Operating	109,395.00	49,179.73	45.0%
	Capital	16,650.00	-	0.0%
	Personnel	164,263.17	73,582.00	44.8%
		<u>290,308.17</u>	<u>122,761.73</u>	42.3%
443 - PARKS	Operating	690,894.74	224,971.36	32.6%
	Capital	545,700.00	-	0.0%
	Personnel	1,116,114.64	460,485.12	41.3%
		<u>2,352,709.38</u>	<u>685,456.48</u>	29.1%
444 - PARKS CONSTRUCTION	Operating	-	-	0.0%
	Capital	893,000.00	324,102.84	36.3%
		<u>893,000.00</u>	<u>324,102.84</u>	36.3%
445 - RECREATION	Operating	199,199.00	90,069.08	45.2%
	Personnel	859,831.75	274,482.89	31.9%
		<u>1,059,030.75</u>	<u>364,551.97</u>	34.4%
451 - PLANNING & ZONING	Operating	36,519.00	18,130.33	49.6%
	Personnel	303,384.37	141,202.57	46.5%
		<u>339,903.37</u>	<u>159,332.90</u>	46.9%
452 - BUILDING INSPECTOR	Operating	29,750.00	16,339.55	54.9%
	Personnel	618,701.99	288,180.62	46.6%
		<u>648,451.99</u>	<u>304,520.17</u>	47.0%
453 - ENGINEERING	Operating	40,800.00	34,674.29	85.0%
	Capital	-	-	0.0%
	Personnel	651,766.84	274,068.99	42.1%
		<u>692,566.84</u>	<u>308,743.28</u>	44.6%

CITY OF POST FALLS
BUDGET STATUS REPORT
FOR MONTH ENDED March 31, 2022

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGET	YTD EXPENDITURE	PERCENT EXPENDED
454 - Community Development Admin	Operating	9,680.00	56,734.66	586.1%
	Personnel	195,131.63	93,555.12	47.9%
		<u>204,811.63</u>	<u>150,289.78</u>	73.4%
465 - STREET LIGHTS	Operating	620,000.00	259,253.14	41.8%
		<u>620,000.00</u>	<u>259,253.14</u>	41.8%
481 - CAPITAL IMPROVEMENTS/CONTRACTS	Operating	1,826,447.92	248,198.61	13.6%
	Capital	580,000.00	8,840.00	0.0%
		<u>2,406,447.92</u>	<u>257,038.61</u>	10.7%
482 - PERSONNEL POOL	Operating	3,300,000.00	1,650,000.00	50.0%
	Personnel	263,212.33	15,746.04	6.0%
		<u>3,563,212.33</u>	<u>1,665,746.04</u>	46.7%
497 - TRANSFERS OUT	Operating	375,000.00	187,500.00	50.0%
		<u>375,000.00</u>	<u>187,500.00</u>	50.0%
TOTAL GENERAL FUND		<u>29,507,497.38</u>	<u>11,248,350.28</u>	38.1%
002 - INSURANCE FUND	Operating	338,249.38	137,315.50	40.6%
		<u>338,249.38</u>	<u>137,315.50</u>	40.6%
003 - PERSONNEL FUND	Operating	112,152.00	68,667.86	61.2%
	Capital	-	-	0.0%
	Personnel	4,448,700.00	1,869,505.93	42.0%
		<u>4,560,852.00</u>	<u>1,938,173.79</u>	42.5%
007 - DRUG SEIZURE FUND	Operating	135,000.00	5,384.77	4.0%
		<u>135,000.00</u>	<u>5,384.77</u>	4.0%
008 - 911 FUND	Operating	452,763.74	22,219.66	4.9%
	Capital	-	4,126.88	0.0%
	Personnel	74,742.80	33,382.85	44.7%
		<u>527,506.54</u>	<u>59,729.39</u>	11.3%
011 - FACILITY BUILDING RESERVE FUND	Operating	1,807,000.00	-	0.0%
	Capital	-	-	0.0%
		<u>1,807,000.00</u>	<u>-</u>	0.0%
017 - ANNEXATION FUND	Operating	1,900,000.00	51,847.24	2.7%
	Capital	1,000,000.00	-	-
		<u>2,900,000.00</u>	<u>51,847.24</u>	1.8%
023 - SPECIAL EVENTS FUND	Operating	46,248.00	3,754.51	8.1%
		<u>46,248.00</u>	<u>3,754.51</u>	8.1%
029 - CEMETERY IMPROVEMENTS FUND	Operating	202,500.00	-	0.0%
	Capital	-	-	-
		<u>202,500.00</u>	<u>-</u>	0.0%
035 - PUBLIC SAFETY IMPACT FEES FUND	Operating	1,463,000.00	17,230.38	1.2%
	Capital	-	-	0.0%
		<u>1,463,000.00</u>	<u>17,230.38</u>	1.2%

CITY OF POST FALLS
BUDGET STATUS REPORT
FOR MONTH ENDED March 31, 2022

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGET	YTD EXPENDITURE	PERCENT EXPENDED
037 - STREET IMPACT FEE FUND	Operating	475,000.00	-	0.0%
	Capital	<u>24,720,984.00</u>	<u>2,270,323.22</u>	
		25,195,984.00	2,270,323.22	0.0%
038 - PARK IMPACT FEE FUND	Operating	1,885,000.00	-	0.0%
	Capital	<u>2,375,000.00</u>	<u>550,518.39</u>	23.2%
		4,260,000.00	550,518.39	12.9%
039 - STREET CAPITAL PROJECTS	Operating	-	-	0.0%
		-	-	0.0%
402 - LID 99-1 FUND	Operating	-	-	0.0%
		-	-	0.0%
410 - LID 2004	Operating	<u>528,000.00</u>	-	0.0%
		528,000.00	-	0.0%
450 - LID GUARANTEE FUND	Operating	<u>150.00</u>	<u>75.00</u>	50.0%
		150.00	75.00	50.0%
650 - RECLAIMED WATER OPERATING FUND incl: wwo, collections, recycled, surface	Operating	11,305,311.52	26,463,178.74	234.1%
	Capital	215,000.00	-	0.0%
	Personnel	<u>1,853,787.83</u>	<u>797,152.31</u>	43.0%
		13,374,099.35	27,260,331.05	203.8%
651 - RECLAIMED WATER - CAPITAL WWTP FUND	Operating	923,389.00	301,943.38	32.7%
	Capital	<u>22,620,000.00</u>	<u>4,967,509.86</u>	22.0%
		23,543,389.00	5,269,453.24	22.4%
652 - RECLAIMED WATER CAPITAL - COLLECTOR FUND	Capital	<u>1,800,000.00</u>	<u>773,085.90</u>	42.9%
		1,800,000.00	773,085.90	42.9%
700 - SANITATION FUND	Operating	<u>3,553,481.24</u>	<u>1,653,467.23</u>	46.5%
		3,553,481.24	1,653,467.23	46.5%
750 - WATER OPERATING FUND	Operating	1,943,076.31	850,886.73	43.8%
	Capital	424,316.00	110,088.86	
	Personnel	<u>720,293.80</u>	<u>340,624.33</u>	47.3%
		3,087,686.11	1,301,599.92	42.2%
753 - WATER CAPITAL FUND	Operating	-	-	0.0%
	Capital	<u>1,100,000.00</u>	<u>32,758.88</u>	3.0%
		1,100,000.00	32,758.88	3.0%
GRAND TOTAL		<u>\$ 117,930,643.00</u>	<u>\$ 52,573,398.69</u>	44.6%

I HEREBY SWEAR UNDER OATH THAT THE AMOUNTS REPORTED ABOVE, ON THE CASH BASIS, ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.


 Jason Faulkner, Finance Director, City of Post Falls, Idaho.

CITY OF POST FALLS
AGENDA REPORT
Consent Calendar
MEETING DATE: 5/17/2022

DATE: 5/10/2022 3:40 PM
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Warren Wilson
SUBJECT: Agreement with Avista for Installation of Public Safety Signs

ITEM AND RECOMMENDED ACTION:

Staff recommends that the City Council authorize an agreement with Avista for the installation and maintenance of public safety signs around the Post Falls Dam.

DISCUSSION:

Last year the City Council, in conjunction with the Board of County Commissioners, updated the ordinances regulating entry into the Spokane River around the Post Falls Dam. Avista has agreed to install and maintain signage around the "no-entry" areas to inform the public about areas that are closed. The agreement calls for the City and Avista to confer on sign location. The agreement is terminable with 90 days notice.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:

N/A

APPROVED OR DIRECTION GIVEN:

N/A

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

Avista will be installing and maintaining the signs that would otherwise be a cost to the City. Beyond that, there should be no financial impact to the City from this agreement.

BUDGET CODE:

N/A

Sign Placement and Maintenance Agreement
Avista Contract No. R-43899

This **Sign Placement and Maintenance Agreement** (“**Agreement**”) is entered into between Avista Corporation (“**Avista**”) and the City of Post Falls, Idaho (the “**City**”), sometimes referred to, individually, as a “**Party**” and collectively, as the “**Parties**”.

Background and Purpose: Avista operates the Spokane River Hydroelectric Project under a license (“**License**”) issued by the Federal Energy Regulatory Commission (“**FERC**”). In furtherance of its dam safety obligations related to its License, and in alignment with certain dam safety ordinances (“**Ordinances**”) of Kootenai County, Idaho and the City of Post Falls, Idaho (“**City**”), Avista has created and seeks to install dam safety signage (the “**Signs**”) on City property (the “**Premises**”). The purpose of this Agreement is to set forth the terms under which the City will allow Avista to install and maintain such Signs on the Premises. For good and valuable consideration, the receipt and sufficiency of which are hereby expressly acknowledged, the Parties agree as follows:

1. **Signs and Premises.** The City hereby permits Avista to access the Premises as reasonably necessary to, install and maintain the Signs as generally depicted on the attached map, which is incorporated into this Agreement as “**Exhibit A**”. The parties agree to confer regarding the exact placement of each sign in order to place the sign as close to the water as possible while accounting for seasonal fluctuations in water levels. For the avoidance of doubt, the City’s grant of permission to Avista to access the Premises shall in no way be construed to limit, modify, or affect any other rights that Avista may have with respect to the Premises.
2. **Avista’s Obligations.** Avista will be responsible for creating, installing, and maintaining the Signs, at its expense. Avista and the City have agreed on the general design and sizes for the Signs as shown in the attached depiction, which is incorporated into this Agreement as “**Exhibit B**”. Avista shall use commercially reasonable efforts to install the Signs by April 30, 2022, weather permitting. Avista agrees to provide notice of its intent to enter onto the Premises for the purpose contemplated by this Agreement at least one business day in advance. In the event that the City has planned activities that would prevent access by Avista, the parties agree to coordinate an alternate time for Avista to enter onto the Premises.
3. **Term.** This Agreement will be effective from the last date of execution set forth below (the “**Effective Date**”). Either Party may terminate this Agreement by providing written notice to the other Party at least ninety (90) days’ advance notice of their intent to terminate this Agreement.
4. **Independence.** Avista shall at all times be deemed an independent contractor and not an agent or representative of the City and shall not represent that it is or hold itself out as an agent or representative of the City. In no event is Avista authorized to enter into any agreements or undertakings for or on behalf of the City.
5. **Means and Methods.** Subject to compliance with this Agreement, Avista shall be free of any control by the City in selecting the means, methods, techniques, and/or procedures used in the installation or maintenance of the Signs.
6. **City’s Rights.** The City reserves all rights and interests in the Premises other than those specifically granted under this Agreement.
7. **Insurance.** Avista certifies that it carries adequate insurance for the protection of itself, its employees and/or agents covering its activities while carrying out its responsibilities under this Agreement.
8. **Representatives.** Avista’s Representative, Rene’ Wiley, Recreation and Cultural Specialist, who has the authority to bind Avista in all matters requiring Avista’s approval, acceptance, authorization, and/or notice (subject to Avista financial authority limits) under this Agreement requiring Avista’s approval, acceptance, authorization, or notice, may be contacted by email at rene.wiley@avistacorp.com or by telephone at (509) 495-2919. The City’s Representative, Dave Fair, Parks and Recreation Director, may be contacted by email at dfair@postfallsidaho.org or by telephone at (208) 773-0539.
9. **Indemnity.** To the extent allowed by law, each Party (the “**Indemnifying Party**”) expressly agrees to indemnify and, upon request, defend the other Party (the “**Indemnified Party**”), its directors, officers, employees, and agents, from and against all third-party claims, demands, suits, losses, expenses (including court costs and reasonable attorneys’ fees), and damages (individually or collectively, “**Loss**”) brought against or incurred by the Indemnified Party resulting from, arising out of, or in any way connected with any negligent act, omission, or fault of the Indemnifying Party or its employees, agents, suppliers and subcontractors of any tier in the performance or nonperformance of the Indemnifying Party’s obligations under this Agreement. In the event that any such Loss is caused by the concurrent

negligence of both the Indemnifying Party and the Indemnified Party, including their respective employees, agents, suppliers and subcontractors, the Loss will be borne by both the Indemnifying Party and the Indemnified Party in the proportion that their respective negligence bears to the total negligence causing such Loss.

10. **Dispute Resolution.**

10.1 If any dispute arises between the Parties regarding this Agreement, the Parties shall first negotiate informally, in good faith, to resolve such dispute or claim. Such informal negotiations will be conducted between Representatives of each Party described in Section 8 above and their respective contracting officials.

10.2 If the Representatives are unable to resolve the dispute after five (5) days of negotiations then, upon the written request of either Party, each of the Parties shall designate a director level or above employee: (i) to meet at a mutually convenient time and place to evaluate the position or contention of each Party, and (ii) endeavor to negotiate a resolution of the dispute. If the dispute is not resolved in this meeting, either Party may request non-binding mediation (“Mediation”) by written notice to the other Party. Within seven (7) calendar days after a request for Mediation from either Party, the Parties will select a mutually acceptable mediator and commence non-binding Mediation. Each Party will bear its own cost of Mediation and one-half of the cost of the mediator. The venue of Mediation proceedings will be in Kootenai County, Idaho. If the Parties are unable to resolve the dispute after conclusion of Mediation, then all unresolved disputes may be resolved in a court of competent jurisdiction and venue as described in Section 12 below.

11. **Attorney's Fees.** In the event either Party brings a legal action against the other Party, the Party in whose favor final judgment is entered (the “Prevailing Party”) shall be entitled to recover from the other Party, reasonable attorney's fees, to be fixed by the court, together with all costs and expenses expended or incurred by the Prevailing Party in connection with such action.

12. **Governing Law.** The exclusive venue and jurisdiction for any dispute arising out of, or relating to, this Agreement shall be the District Court of Kootenai County, Idaho. This Agreement will be interpreted and enforced in all respects in accordance with the laws of the State of Idaho without giving effect to its principles of conflicts of law.

13. **Conflict of Interest.** Avista declares that: (i) it is not aware of the existence of any relationship (family, business, contractual or otherwise) between Avista, its principals, officers or employees and the City, its directors, officers or employees, that could be construed as a conflict of interest, and (ii) they will not perform any work for or enter into any contract with others that may conflict with its contractual, professional, equitable or other obligations to the City during the term of this Agreement, without first obtaining the written approval of the City.

14. **Entire Agreement.** This Agreement contains the entire understanding between the Parties on its subject matter. Any representation, promise, modification, or amendment to this Agreement (including any incorporated documents), except as provided for in this Agreement, will not be binding upon either Party unless reduced to writing and signed by each Party's authorized representative. The invalidity or unenforceability of any provision under this Agreement will not affect the other provisions, and this Agreement will be construed in all respects as if such invalid or unenforceable provisions were omitted. The failure of either Party to insist upon or enforce strict performance of any of the provisions of this Agreement, or to exercise any rights available to it under this Agreement, will not be construed as a waiver or relinquishment to any extent of such Party's right to assert or rely upon any such provisions or rights in that or any other instance; rather, the same will be and remain in full force and effect.

15. **Headings.** Section headings are for convenience only and will not be given effect in interpretation of this Agreement.

16. **Successors and Assigns.** This Agreement shall inure to the benefit of and be binding upon Parties and their respective successors and assigns.

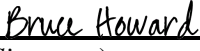
17. **ADDITIONAL REQUIREMENTS OF THE STATE OF IDAHO:** The clauses contained in this Section are required by the State of Idaho. The inclusion of these clauses in this Agreement by the City does not indicate the City's support or opposition to these clauses nor acknowledgement by the City that these clauses are relevant to the subject matter of this Agreement. Rather, these clauses are included solely to comply with Idaho state law.

17.1. **Contract with Abortion Providers:** To the extent this Agreement authorizes the expenditure of public funds, Avista, to its knowledge, is not, and will not, for the duration of this Agreement become, an abortion provider or an affiliate of an abortion provider as those terms are defined in the “No Public Funds for Abortions Act” (Idaho Code Title 18, Chapter 87).

This Agreement has been signed by each Party's authorized representative on the date(s) set forth below.

Avista Corporation

City of Post Falls

DocuSigned by:


(Signature) D0114A5...
Bruce Howard

(Printed Name)
Director, Environmental Affairs

(Title)
Mar-24-2022 | 12:13 PM PDT

(Date Signed)

(Signature)
Ronald G. Jacobson

(Printed Name)
Mayor

(Title)

(Date Signed)

UNLAWFUL TO ACCESS BEYOND THIS POINT



**STAY SAFE • NO SWIMMING
NO BOATING • NO WATER ACCESS**

Per City and County Ordinance

Reflective vinyl cut graphics - white unreflective ACM
background

**CITY OF POST FALLS
AGENDA REPORT
Consent Calendar
MEETING DATE: 5/17/2022**

DATE: 5/11/2022 9:33 AM
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Amy Rainville
SUBJECT: Fixed Asset Disposals

ITEM AND RECOMMENDED ACTION:

These are vehicles that need Council Approval to be disposed of as they are beyond their useful life. If approved for disposal, the vehicles will be taken to auction to be sold.

DISCUSSION:

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:

APPROVED OR DIRECTION GIVEN:

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

BUDGET CODE:

CITY OF POST FALLS

FIXED ASSET DISPOSAL

DEPT. NAME _____ Street _____ DEPT.# _____ DATE: _____
OF DISPOSAL

CATEGORY OF ASSET:

- LAND
- BUILDING
- MACHINERY & EQUIPMENT
- VEHICLE (Enter Mileage) 133996
- OTHER IMPROVEMENTS

CONTROLLABLE ASSETS (UNDER \$5,000 COST)

- MACHINERY & EQUIPMENT
- OTHER

ASSET DESCRIPTION: _____ 2008 Ford F250 _____

TAG# _____ SERIAL # 1FTNF215X8EA94316 MODEL# _____

- ABANDONED IN PLACE
- DESTROYED
- SOLD AT AUCTION
- SOLD
- TRADED IN

SELLING PRICE _____
 SELLING PRICE _____
 CASH VALUE/TRADE IN _____

AUTHORIZED SIGNATURE

- LOST
Please attach police report
- STOLEN
Please attach police report

ASSET MANAGER SIGNATURE

REPLACED YES _____ NO _____
 USEFUL LIFE OF ASSET INCREASED YES ___ ___ NO ___ ___

ESTIMATED REMAINING USEFUL LIFE _____

(PLEASE ATTACH FIXED ASSET ACQUISITION FORM)

CITY OF POST FALLS

FIXED ASSET DISPOSAL

DEPT. NAME Wase Water DEPT.# _____ DATE: _____ OF DISPOSAL

CATEGORY OF ASSET:

- LAND
BUILDING
MACHINERY & EQUIPMENT
VEHICLE(Enter Mileage) 75503
OTHER IMPROVEMENTS

CONTROLLABLE ASSETS (UNDER \$5,000 COST)

- MACHINERY & EQUIPMENT
OTHER

ASSET DESCRIPTION: 2004 Mazda Tribute

TAG# _____ SERIAL # 4F2YZ94144KM34562 MODEL# _____

- ABANDONED IN PLACE
DESTROYED
SOLD AT AUCTION
SOLD
TRADED IN

SELLING PRICE _____
SELLING PRICE _____
CASH VALUE/TRADE IN _____

AUTHORIZED SIGNATURE

- LOST
Please attach police report
STOLEN
Please attach police report

ASSET MANAGER SIGNATURE

REPLACED YES _____ NO _____
USEFUL LIFE OF ASSET INCREASED YES _____ NO _____

ESTIMATED REMAINING USEFUL LIFE _____

(PLEASE ATTACH FIXED ASSET ACQUISITION FORM)

CITY OF POST FALLS

FIXED ASSET DISPOSAL

DEPT. NAME _____ Legal _____ DEPT.# _____ DATE: _____
OF DISPOSAL

CATEGORY OF ASSET:

- LAND
- BUILDING
- MACHINERY & EQUIPMENT
- VEHICLE (Enter Mileage) 86987
- OTHER IMPROVEMENTS

CONTROLLABLE ASSETS (UNDER \$5,000 COST)

- MACHINERY & EQUIPMENT
- OTHER

ASSET DESCRIPTION: _____ 1996 Chevy Lumina _____

TAG# _____ SERIAL # 2G1WL52MOT9247505 MODEL# _____

- ABANDONED IN PLACE
- DESTROYED
- SOLD AT AUCTION
- SOLD
- TRADED IN

SELLING PRICE _____
 SELLING PRICE _____
 CASH VALUE/TRADE IN _____

AUTHORIZED SIGNATURE

- LOST
Please attach police report
- STOLEN
Please attach police report

ASSET MANAGER SIGNATURE

REPLACED YES _____ NO _____
 USEFUL LIFE OF ASSET INCREASED YES ___ ___ NO ___ ___

ESTIMATED REMAINING USEFUL LIFE _____

(PLEASE ATTACH FIXED ASSET ACQUISITION FORM)

CITY OF POST FALLS

FIXED ASSET DISPOSAL

DEPT. NAME Cemetary DEPT.# _____ DATE: _____
OF DISPOSAL

CATEGORY OF ASSET:

- LAND
- BUILDING
- MACHINERY & EQUIPMENT
- VEHICLE(Enter Mileage) 109354
- OTHER IMPROVEMENTS

CONTROLLABLE ASSETS (UNDER \$5,000 COST)

- MACHINERY & EQUIPMENT
- OTHER

ASSET DESCRIPTION: 2007 Chevy Silverado

TAG# _____ SERIAL # 3GCEC14X27G161885 MODEL# _____

- ABANDONED IN PLACE
- DESTROYED
- SOLD AT AUCTION
- SOLD
- TRADED IN

SELLING PRICE _____
 SELLING PRICE _____
 CASH VALUE/TRADE IN _____

AUTHORIZED SIGNATURE

- LOST
Please attach police report
- STOLEN
Please attach police report

ASSET MANAGER SIGNATURE

REPLACED YES _____ NO _____
 USEFUL LIFE OF ASSET INCREASED YES ___ ___ NO ___ ___

ESTIMATED REMAINING USEFUL LIFE _____

(PLEASE ATTACH FIXED ASSET ACQUISITION FORM)

CITY OF POST FALLS

FIXED ASSET DISPOSAL

DEPT. NAME _____ Street _____ DEPT.# _____ DATE: _____
OF DISPOSAL

CATEGORY OF ASSET:

- LAND
- BUILDING
- MACHINERY & EQUIPMENT
- VEHICLE (Enter Mileage) 41851
- OTHER IMPROVEMENTS

CONTROLLABLE ASSETS (UNDER \$5,000 COST)

- MACHINERY & EQUIPMENT
- OTHER

ASSET DESCRIPTION: _____ 2015 Ford F250 _____

TAG# _____ SERIAL # 1FTBF2A69FEC55862 MODEL# _____

- ABANDONED IN PLACE
- DESTROYED
- SOLD AT AUCTION
- SOLD
- TRADED IN

SELLING PRICE _____
SELLING PRICE _____
CASH VALUE/TRADE IN _____

AUTHORIZED SIGNATURE

- LOST
Please attach police report
- STOLEN
Please attach police report

ASSET MANAGER SIGNATURE

REPLACED YES _____ NO _____
USEFUL LIFE OF ASSET INCREASED YES ___ ___ NO ___ ___

ESTIMATED REMAINING USEFUL LIFE _____

(PLEASE ATTACH FIXED ASSET ACQUISITION FORM)

CITY OF POST FALLS

FIXED ASSET DISPOSAL

DEPT. NAME Water DEPT.# _____ DATE: _____
OF DISPOSAL

CATEGORY OF ASSET:

- LAND
- BUILDING
- MACHINERY & EQUIPMENT
- VEHICLE(Enter Mileage) 120450
- OTHER IMPROVEMENTS

CONTROLLABLE ASSETS (UNDER \$5,000 COST)

- MACHINERY & EQUIPMENT
- OTHER

ASSET DESCRIPTION: 2009 Ford F150

TAG# _____ SERIAL # 1FTRF14W49KC43211 MODEL# _____

- ABANDONED IN PLACE
- DESTROYED
- SOLD AT AUCTION
- SOLD
- TRADED IN

SELLING PRICE _____
 SELLING PRICE _____
 CASH VALUE/TRADE IN _____

AUTHORIZED SIGNATURE

- LOST
Please attach police report
- STOLEN
Please attach police report

ASSET MANAGER SIGNATURE

REPLACED YES _____ NO _____
 USEFUL LIFE OF ASSET INCREASED YES ___ ___ NO ___ ___

ESTIMATED REMAINING USEFUL LIFE _____

(PLEASE ATTACH FIXED ASSET ACQUISITION FORM)

CITY OF POST FALLS

FIXED ASSET DISPOSAL

DEPT. NAME Waste Water DEPT.# _____ DATE: _____
OF DISPOSAL

CATEGORY OF ASSET:

- LAND
- BUILDING
- MACHINERY & EQUIPMENT
- VEHICLE(Enter Mileage) 115365
- OTHER IMPROVEMENTS

CONTROLLABLE ASSETS (UNDER \$5,000 COST)

- MACHINERY & EQUIPMENT
- OTHER

ASSET DESCRIPTION: 2009 Ford F150

TAG# _____ SERIAL # 1FTRF14W69KC43212 MODEL# _____

- ABANDONED IN PLACE
- DESTROYED
- SOLD AT AUCTION
- SOLD
- TRADED IN

SELLING PRICE _____
 SELLING PRICE _____
 CASH VALUE/TRADE IN _____

AUTHORIZED SIGNATURE

- LOST
Please attach police report
- STOLEN
Please attach police report

ASSET MANAGER SIGNATURE

REPLACED YES _____ NO _____
 USEFUL LIFE OF ASSET INCREASED YES ___ ___ NO ___ ___

ESTIMATED REMAINING USEFUL LIFE _____

(PLEASE ATTACH FIXED ASSET ACQUISITION FORM)

CITY OF POST FALLS
AGENDA REPORT
Consent Calendar
MEETING DATE: 5/17/2022

DATE: 5/12/2022 9:26 AM

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Warren Wilson

SUBJECT: Second Addendum to the Cecil Road Memorandum of Understanding with the Post Falls Urban Renewal Agency

ITEM AND RECOMMENDED ACTION:

Staff recommends that the City Council approve the Second Addendum to the Cecil Road Memorandum of Understanding with the Post Falls Urban Renewal Agency.

DISCUSSION:

The City Council at its last meeting awarded construction contracts for two road projects on Cecil Road that are being funded by the Post Falls Urban Renewal Agency. Because the bids were higher than the estimated amounts contained in the original MOU, the Agency has requested that the City approve this second addendum to update the agreement to reflect the bid award amounts. There are no other changes.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:

N/A

APPROVED OR DIRECTION GIVEN:

N/A

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

No impact. The amendment just updates the MOU to reflect the updated project costs.

BUDGET CODE:

N/A

FIRST ADDENDUM TO MEMORANDUM OF UNDERSTANDING FOR
CECIL/POLELINE AND CECIL/MULLAN INTERSECTION IMPROVEMENTS

This First Addendum to the above entitled Memorandum of Understanding (hereinafter "First Addendum") is entered into as of the dates set forth below by and between the Post Falls Urban Renewal Agency, an Idaho urban renewal agency, 201 E. 4th Avenue, Post Falls, Idaho, 83854 (hereinafter the "Agency"), and the City of Post Falls, an Idaho municipal corporation, with its principal address at 408 North Spokane Street, Post Falls, Idaho 83854 (hereinafter the "City").

RECITALS:

WHEREAS the Agency, in conjunction with the City, has formed an urban renewal district known as the East Post Falls Urban Renewal District, and has adopted an Urban Renewal Plan for the District;

WHEREAS it is the charter of the Agency pursuant to the East Post Falls Urban Renewal Plan (the "Plan") to encourage the development and economic growth of the District;

WHEREAS the Plan provides for various improvements to facilitate the orderly development and economic growth of the District including the project described below;

WHEREAS the City has determined that improvements to the Cecil Road and Poleline Avenue intersection and the Mullan Avenue and Cecil Road intersection (the "Projects") are needed to accommodate increased traffic in the area and facilitate economic growth in the area and are eligible infrastructure within the Plan;

WHEREAS, the Projects are located within the East Post Falls District;

WHEREAS, the City requested that the Agency help fund the Projects to facilitate orderly growth of the District;

WHEREAS, pursuant to Idaho Code Section 50-2015(d)(1), the City and the Agency may enter into agreements (which agreements may extend over any period, notwithstanding any provisions or rule of law to the contrary), respecting action to be taken by the City pursuant to any of the powers granted by the Idaho Urban Renewal Law of 1965 (Idaho Code §§ 50-2001 - 50-2033 et seq.);

WHEREAS, in 2021 the Agency and the City entered into the above entitled Memorandum of Understanding governing the funding of the Projects; and

WHEREAS, the parties now desire to amend the Memorandum of Understanding as set forth below.

NOW, THEREFORE, in consideration of the mutual goals and consideration to be derived by the parties to this First Addendum, the parties agree to amend the following provisions of the Memorandum of Understanding as indicated below:

1. Amendment to Section 7. The first paragraph of Section 7 of the Memorandum of Understanding entitled "Financial Agreement" is amended as follows:

"The Agency agrees to reimburse the City for the costs of completing the Projects in and not to exceed the aggregate amounts described above including design, construction, and Project management costs using tax increment dollars arising from the East Post Falls Urban Renewal District as outlined in this Section. If the cost of one of the Projects is less than the amount estimated above, the difference may be applied to the other Project for purposes of this reimbursement limitation."

2. Remainder of Memorandum of Understanding. The other terms of the Memorandum of Understanding shall remain in full force and effect unless amended by this First Addendum or any other valid modifications executed by the parties.

CITY OF POST FALLS

POST FALLS URBAN
RENEWAL AGENCY


Ronald G. Jacobson, Mayor

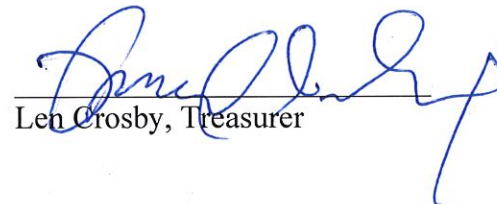
Date: 3/1/2022


Jerry Baltzell, Chairman

Date: 1/20/2022

ATTEST:


Shannon Howard, City Clerk


Len Crosby, Treasurer

SECOND ADDENDUM TO MEMORANDUM OF UNDERSTANDING FOR
CECIL/POLELINE AND CECIL/MULLAN INTERSECTION IMPROVEMENTS

This Second Addendum to the above entitled Memorandum of Understanding (hereinafter “Second Addendum”) is entered into as of the dates set forth below by and between the Post Falls Urban Renewal Agency, an Idaho urban renewal agency, 201 E. 4th Avenue, Post Falls, Idaho, 83854 (hereinafter the “Agency”), and the City of Post Falls, an Idaho municipal corporation, with its principal address at 408 North Spokane Street, Post Falls, Idaho 83854 (hereinafter the “City”).

RECITALS:

WHEREAS the Agency, in conjunction with the City, has formed an urban renewal district known as the East Post Falls Urban Renewal District, and has adopted an Urban Renewal Plan for the District;

WHEREAS it is the charter of the Agency pursuant to the East Post Falls Urban Renewal Plan (the “Plan”) to encourage the development and economic growth of the District;

WHEREAS the Plan provides for various improvements to facilitate the orderly development and economic growth of the District including the project described below;

WHEREAS the City has determined that improvements to the Cecil Road and Poleline Avenue intersection and the Mullan Avenue and Cecil Road intersection (the “Projects”) are needed to accommodate increased traffic in the area and facilitate economic growth in the area and are eligible infrastructure within the Plan;

WHEREAS, the Projects are located within the East Post Falls District;

WHEREAS, the City requested that the Agency help fund the Projects to facilitate orderly growth of the District;

WHEREAS, pursuant to Idaho Code Section 50-2015(d)(1), the City and the Agency may enter into agreements (which agreements may extend over any period, notwithstanding any provisions or rule of law to the contrary), respecting action to be taken by the City pursuant to any of the powers granted by the Idaho Urban Renewal Law of 1965 (Idaho Code §§ 50-2001 - 50-2033 et seq.);

WHEREAS, in 2021 the Agency and the City entered into the above entitled Memorandum of Understanding governing the funding of the Projects; and

WHEREAS, in 2022 the Agency and the City executed a First Addendum to the Memorandum of Understanding (hereinafter the “First Addendum”) allowing Project cost savings from one of the Projects to be applied to the other Project.

WHEREAS, the parties now desire to further amend the Memorandum of Understanding as set forth below.

NOW THEREFORE, in consideration of the mutual goals and consideration to be derived by the parties to this Second Addendum, the parties agree to amend the following provisions of the Memorandum of Understanding as indicated below:

1. Amendment to Section 2. Section 2 of the Memorandum of Understanding entitled "Project Cost" is amended as follows:

"The total Project costs have been estimated as follows:

A. Cecil Road/Poleline Ave.:	\$1,300,000.00 <u>\$1,931,576.47</u>
B. Cecil Road/Mullan Ave.:	\$110,000.00 <u>\$238,605.91</u>

The City acknowledges the conditions of reimbursement concerning these amounts as set forth in Section 7."

2. Remainder of Memorandum of Understanding and First Addendum. The other terms of the Memorandum of Understanding and First Addendum shall remain in full force and effect unless amended by this Second Addendum or any other valid modifications executed by the parties.

CITY OF POST FALLS

POST FALLS URBAN
RENEWAL AGENCY

Ronald G. Jacobson, Mayor

Jerry Baltzell, Chairman

Date: _____

Date: _____

ATTEST:

Shannon Howard, City Clerk

Len Crosby, Treasurer

MEMORANDUM OF UNDERSTANDING

CECIL/POLELINE AND CECIL/MULLAN INTERSECTION IMPROVEMENTS

THIS MEMORANDUM OF UNDERSTANDING (MOU) is made and entered into this 20th day of May, 2021 between the POST FALLS URBAN RENEWAL AGENCY (the "Agency"), an Idaho urban renewal agency, with its principal address at 201 E. 4th Ave., Post Falls, Idaho 83854, and the CITY OF POST FALLS (the "City"), an Idaho municipal corporation, with its principal address at 408 North Spokane Street, Post Falls, Idaho 83854.

WITNESSETH:

WHEREAS the Agency, in conjunction with the City, has formed an urban renewal district known as the East Post Falls Urban Renewal District, and has adopted an Urban Renewal Plan for the District; and

WHEREAS it is the charter of the Agency pursuant to the East Post Falls Urban Renewal Plan (the "Plan") to encourage the development and economic growth of the District; and

WHEREAS the Plan provides for various improvements to facilitate the orderly development and economic growth of the District including the Project; and

WHEREAS the City has determined that improvements to the Cecil Road and Poleline Avenue intersection and the Mullan Avenue and Cecil Road intersection are needed to accommodate increased traffic in the area and, facilitate economic growth in the area and are eligible infrastructure within the District Plan and

WHEREAS, both Project areas are located within the East Post Falls District; and

WHEREAS, the City requested that the Agency help fund the Project to facilitate orderly growth of the District; and

WHEREAS, pursuant to Idaho Code Section 50-2015(d)(1), the City and the Agency may enter into agreements (which agreements may extend over any period, notwithstanding any provisions or rule of law to the contrary), respecting action to be taken by the City pursuant to any of the powers granted by the Idaho Urban Renewal Law of 1965 (Idaho Code §§ 50-2001 - 50-2033 et seq.).

NOW, THEREFORE, in consideration of the mutual goals and consideration to be derived by the Parties to this Agreement, the Parties agree as follows:

1. Project Description.

The Project consists of improvements to the Cecil Road/Poleline Ave. intersection and the Cecil Road/Mullan Ave. intersection as follows:

A. Cecil Road/Poleline Ave. Intersection:

Installation of a traffic control device (traffic signal or roundabout) with associated pedestrian safety and urban improvements.

B. Cecil Road/Mullan Ave. Intersection:

Installation of curbing along Mullan Avenue and the west side of Cecil Avenue to improve safety through the elimination of a two-way center left turn lane and islands. Restripe the intersection of Cecil and Mullan Avenue and retime the existing traffic signal to accommodate the new striping and turning movements.

2. Project Cost.

The total Project costs have been estimated as follows:

A. Cecil Road/Poleline Ave.:	\$1,300,000.00
B. Cecil Road/Mullan Ave.:	\$110,000.00

3. Design of Project Improvements.

The City agrees to select a qualified consultant(s) to design the Projects and perform construction management services for the Project. The City may elect to hire one consultant to design both Project elements or select two different consultants based on the City's determination of which approach will provide the best value to the Parties. The City will follow the consultant selection requirements contained in Idaho Code 67-2320 for entering into contracts with design professionals. The Project will be designed under direction from City engineering staff and the completed design will be presented to the Agency prior to bidding along with an Engineer's Estimate of Probable Cost for the Project.

4. Project Bidding.

The City agrees to manage the bidding process to select a contractor(s) to construct the Project. The City may elect to bid both Project elements together or separately based on the City's determination of which approach will provide the best value to the Parties. The City will follow the public works contracting requirements of Idaho Code 67-2805. In the event it is necessary to rebid the Project, the costs associated with this effort will be a part of the complete Project costs that will be reimbursed by the Agency.

5. Property Acquisition.

In the event the acquisition of property is needed for the Project, the City will manage that property acquisition effort and be responsible for all associated costs. Property acquisition may delay the design and construction of the Project.

6. Construction Phases.

Following bidding, the City will award a construction contract to the lowest responsive bidder. The City agrees to manage construction of the Project, using City staff and/or third-party consultants. The Agency will reimburse all third-party consultant costs. Upon completion of the Project, a construction summary and copies of all third-party invoices will be presented to the Agency by City Staff.

7. Financial Agreement.

The Agency agrees to reimburse the City for the costs of completing the Projects in and not to exceed the amounts described above including design, construction, and Project management costs using tax increment dollars arising from the East Post Falls Urban Renewal District as outlined in this Section.

The Agency will reimburse the City for invoices submitted by the selected consultant(s) and contractor(s) after those invoices are reviewed and approved by the City Council. The Agency will reimburse the City for invoices within sixty (60) days after the invoice is provided to the Agency.

The City understands and agrees that the Agency's financial obligations under this Agreement will be satisfied after the Agency's payment of any of the Agency's obligations to proponents within the District including repayment of the Agency's outstanding bonds for the construction of the Greensferry Overpass. The Agency agrees to advise the City on a quarterly basis of the status of such repayments, and the accrued tax increment available to reimburse or make payments for the Project.

The Parties agree to meet and finalize the financial reimbursement processes to be used for the Project while the Project is being designed.

Due to the time constraints of the Project and the need for completion of the Project for future development, both parties agree to work cooperatively and understand that timely completion of this Project is in the best interest both parties in order to facilitate orderly growth of the area.

The City understands and acknowledges that the East Post Falls Urban Renewal District has a finite life, and that all reimbursements/payments must be completed prior to the District maturity date of December 31, 2022. The City also understands and acknowledges that any costs or other obligations associated with the Project which are not documented and provided to the Agency by August 31, 2022 will not be reimbursed and will not be an obligation or liability of the Agency.

8. Intent of the Parties and Cooperation:


The purpose of the Memorandum is to formally document the understanding and the relationship between the Parties as to the Project. It is the intent of both parties to design the Project in 2021 and fully complete the Project by 2022. The City will meet with the Agency's Executive Director monthly to provide updates on the Project and will notify the Agency of any unanticipated change to the Project that substantially changes the scope or cost of the Project.

9. No Third-Party Beneficiaries:

The terms and provisions of this Memorandum are intended solely for the benefit of each party hereto and it is not the intention of the Parties to confer third-party beneficiary rights upon any other person or entity.

CITY OF POST FALLS

POST FALLS URBAN
RENEWAL AGENCY



Ronald G. Jacobson, Mayor

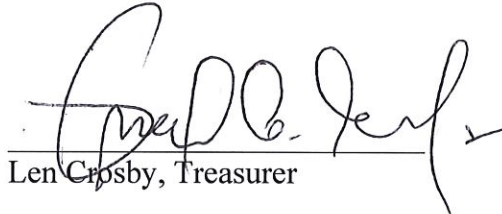

Jerry Baltzell, Chairman

Date: 5/16/21

Date: 5-20-21

ATTEST:


Shannon Howard, City Clerk


Len Crosby, Treasurer

CITY OF POST FALLS
AGENDA REPORT
Consent Calendar
MEETING DATE: 5/17/2022

DATE: 5/12/2022 1:27 PM
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Rob Palus
SUBJECT: PRELIMINARY ENGINEERING SERVICES AGREEMENT – BNSF RAILWAYS
CHASE RD. BNSF RRX Project A19(955) KN19955

ITEM AND RECOMMENDED ACTION:

With approval, City Council authorizes the Mayor's signature to enter into a Preliminary Engineering Services Agreement and make payment to BNSF Railways for Preliminary Engineering Services associated with the grant project: Chase Rd. BNSF RRX Project A19(955).

DISCUSSION:

In February 2016, the City applied for and was awarded a grant for the development and construction of railroad crossing and pedestrian system improvements located at the BNSF Railway crossing of Chase Rd., near Seltice Elementary School. In September 2020, the City entered into a State / Local Agreement for the project, with design funding obligated for Fiscal Year 2022. In December of 2021, the City entered into a Local Professional Services Agreement with Welch Comer and Associates to proceed with the design work on the project. The project has now reached a stage that to proceed further with the design, an agreement with BNSF Railways is needed to facilitate BNSF's activities to provide needed diagnostic evaluations, preliminary engineering services, develop cost estimates and other work associated with the project. City Staff has been working with BNSF Railways for several months in the development of this agreement. Execution of this agreement allows the projects design to continue. BNSF's costs are estimated at \$18,000.00 which are reimbursable to the City as part of the grant, minus the City's 7.34% match requirement. The Funding date for construction has not been identified by the State at this time.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:

See attached.

APPROVED OR DIRECTION GIVEN:

Council has approved project related actions to date.

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

\$18,000.00 (reimbursement to City)

BUDGET CODE:

037-431.0000.95134

PRELIMINARY ENGINEERING SERVICES AGREEMENT
Project Review and Diagnostic Evaluation

BNSF File No.: BF-20201174
Mile Post 3.382
Line Segment 381
U.S. DOT Number 095918N
Coeur D Alene Subdivision

This Agreement (“**Agreement**”), is executed to be effective as of _____ (“**Effective Date**”), by and between BNSF RAILWAY COMPANY, a Delaware corporation (“**BNSF**”) and the City of Post Falls, a political subdivision of the State of Idaho (“**Agency**”).

RECITALS

WHEREAS, BNSF owns and operates a line of railroad in and through the City of Post Falls, State of Idaho;

WHEREAS, Agency has stated its intention to proceed initially with a project to widen Chase Road (**the “Project”**);

WHEREAS, Agency has requested that BNSF perform certain services with respect to its railroad facilities located at or near the Project site to facilitate Agency’s evaluation of the feasibility of proceeding with the Project (**the “Work”**);

WHEREAS, BNSF is agreeable to performing the Work, subject to the terms and conditions of this Agreement;

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Scope of Work.

As used herein, the term “**Work**” includes all work performed by BNSF pursuant to this Agreement, whether performed by BNSF employees or by BNSF’s sub-contractors, including, but not necessarily limited to, on-site visits including diagnostic evaluations, preliminary engineering services, developing cost estimates for construction of the Project, preparing draft agreements including legal review, and reviewing and/or providing comments on preliminary layouts or other designs, plans, and/or documents in connection with the Project.

2. Payment and Deposit for Work.

Agency authorizes BNSF to proceed with the Work relating to the Project. Agency shall pay and reimburse BNSF for all actual costs and expenses that BNSF incurs in performing the Work including without limitation: labor, supplies, and material; direct and indirect labor and contractor charges including additives; delivery charges; BNSF's additives and overhead, as such are in effect on the date BNSF prepares its final billing; and all applicable taxes due, paid, or payable by BNSF on such products and services, including sales and use taxes, business and occupation taxes, and similar taxes ("**Actual Costs**"). BNSF's estimated Cost for Work on this Project is \$18,000.00 ("**Estimated Cost**"). Any estimate provided by BNSF for the Work shall not be a limitation on the Work to be performed or the costs and expenses incurred, which Agency shall reimburse to BNSF in full. In the event Agency expands the scope of the Work or BNSF expects the Actual Costs to exceed the Estimated Costs, and if thereafter requested by Agency, the parties agree to work together in good faith to execute an amendment of this Agreement setting forth the new Estimated Cost, provided that, BNSF may but shall not be required to complete any additional Work until the new Estimated Cost is approved by Agency.

During its performance of the Work pursuant to this Agreement, BNSF will send Agency progressive invoices detailing the costs of the Work performed by BNSF. Agency must reimburse BNSF for completed work within thirty (30) days of the date of the invoice for such work. Upon completion of the Work, BNSF will send Agency a detailed invoice of final costs. Agency must pay the final invoice within ninety (90) days of the date of the final invoice. BNSF will assess a finance charge of .033% per day (12% per annum) on any unpaid sums or other charges due under this Agreement which are past its credit terms. The finance charge continues to accrue daily until the date payment is received by BNSF, not the date payment is made or the date postmarked on the payment. Finance charges will be assessed on delinquent sums and other charges as of the end of the month and will be reduced by amounts in dispute and any unposted payments received by the month's end. Finance charges will be noted on invoices sent to Agency under this section.

3. Scope and Limitations of Agreement

The Parties acknowledge that by entering into this Agreement, neither BNSF nor Agency agree to participate in the construction of the Project. If Agency elects to proceed with the Project after the Work is performed, BNSF and Agency agree to enter into negotiations for construction of the Project and other activities. Nothing in this Agreement including the performance of the Work shall obligate BNSF to enter into any subsequent agreement or otherwise permit the Project except and subject to any terms and conditions as may be subsequently approved by BNSF in its sole discretion.

Notwithstanding anything to the contrary in this Agreement, BNSF's review, approval, and/or other participation in the Project or any element thereof, including the Work performed by BNSF or its contractors hereunder, is expressly limited, and intended and

understood by the parties to be in furtherance of BNSF's railroad purposes, and not in furtherance of Agency's purposes in undertaking the Project. All of the Work performed hereunder is intended for use in the evaluation of the impact of the Project on BNSF's railroad and the costs to Agency associated therewith. The Work is provided in consideration of the subjective standards of BNSF for its railroad purposes only, and shall in no way be construed or deemed to be a condition or direction to Agency, or an opinion or approval that the plans and specifications or any work intended or completed on the Project is appropriate for any other purpose including highway purposes, is structurally sound, or that such plans, specifications, or intended or completed work meet applicable standards, regulations, laws, statutes, local ordinances, and/or building codes. No benefits to Agency or any third party are provided, intended or implied herein. Agency shall at all times be solely responsible for the adequacy and compliance of all design elements of the Project for highway and other public purposes, and shall waive and release BNSF for any and all claims which may or could result from the Work performed hereunder, and if applicable to the fullest extent permitted by law, indemnity and hold BNSF harmless for the same.

4. No Right of Entry

Nothing in this Agreement shall be construed as providing Agency or its contractors, consultants, or other agents any right of entry upon property owned or occupied by BNSF. Any preliminary engineering or other work required by Agency in connection with the Project necessitating entry upon railroad right of way shall not be conducted except as authorized by separate permit obtained by Agency for such entry.

Any on-site visits including diagnostic evaluations provided under this Agreement or otherwise required for the Project shall be conducted only from adjoining properties and Agency shall ensure that no attendees enter or remain on BNSF right of way, except when using an authorized highway-rail crossing designated for such purpose.

Agency or its agents shall contact BNSF's Manager or Public Projects Amber Stoffels at amber.stoffels@bnsf.com, or BNSF's permitting partner Jones Lang LaSalle Brokerage, Inc. (JLL) at <http://bnsf.railpermitting.com/> to obtain the required permit prior to any entry.

5. Disclaimer

BNSF GIVES NO WARRANTY, EXPRESS OR IMPLIED, AS TO THE ACCURACY, QUALITY, MERCHANTABILITY, FITNESS FOR ANY PARTICULAR PURPOSE, OR ANY OTHER MATTER, OF THE WORK PERFORMED PURSUANT TO THIS AGREEMENT OR ANY REPORT OR OTHER DELIVERABLE WHICH BNSF MAY FURNISH TO AGENCY PURSUANT TO THIS AGREEMENT. BNSF SHALL BE IN NO WAY RESPONSIBLE FOR THE PROPER RELIANCE UPON, INTERPRETATION OF, OR OTHER USE OF THE WORK BY AGENCY.

6. Additional Requirements of the State of Idaho.

The clause contained in this section is required by the State of Idaho. The inclusion of this clause in this Agreement by the Agency does not indicate the Agency's support or opposition to this clause nor acknowledgement by the Agency that this clause is relevant to the subject matter of this Agreement. Rather, this clause is included solely to comply with Idaho state law.

Contracts with Abortion Providers. To the extent that this Agreement authorizes the expenditure of public funds, BNSF, to its knowledge, is not, and will not, for the duration of this Agreement become, an abortion provider or an affiliate of an abortion provider as those terms are defined in the "No Public Funds for Abortions Act" (Idaho Code Title 18, Chapter 87).

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first written above.

City of Post Falls

BNSF Railway Company

By: _____

By: _____

Name: _____

Name: _____

Asst. Dir. Public Projects

Accepted and effective this ___ day of _____, 20__.

CITY OF POST FALLS
AGENDA REPORT
Public Hearings
MEETING DATE: 5/17/2022

DATE: 4/27/2022 9:23 AM
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Jason Faulkner
SUBJECT: FY 2022 Budget Amendment #2

ITEM AND RECOMMENDED ACTION:

Staff is requesting to amend the FY 2022 budget based on the information below. If approved, Mayor and Council will instruct staff to return at the next council meeting with an updated budget ordinance.

DISCUSSION:

- * Ponderosa Lift Station: \$2,000,000 will be funded through wastewater fund replacement dollars that have been set aside in previous fiscal years.
- * Corbin Lift Station: \$300,000 will be funded with reserve cash funds.
- * Bentley Lift Station: \$115,000 will be funded with reserve cash funds.
- * Land: \$165,000 will be funded with reserve cash funds.
- * Highway 41 Gravity Sewer: \$550,000 will be reimbursed by Post Falls Urban Renewal Agency.
- * 12th Avenue Force Main: \$4,000 will be reimbursed by Post Falls Urban Renewal Agency.
- * Decommission Prairie Falls/Grayling: \$367,000 will be funded with reserve cash funds.
- * PT Building/Electrical Inspector to FT Building/Electrical Inspector: \$20,903 will be funded with permit revenues.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:

APPROVED OR DIRECTION GIVEN:

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

\$5,521,903

BUDGET CODE:

Various

CITY OF POST FALLS
AMENDING THE BUDGET AND APPROPRIATION ORDINANCE

Notice is hereby given that the City Council of Post Falls will hold a public hearing for consideration of an amendment to the 2021-2022 fiscal year budget by appropriating additional monies received by the City of Post Falls, said hearing to be held at City Hall at 6:00 p.m. on the 17th day of May, 2022.

PROPOSED EXPENDITURES

	Proposed FY 2021-2022
GENERAL FUND:	
BUILDING	\$ 20,903
TOTAL GENERAL FUND	\$ 20,903
ENTERPRISE FUNDS:	
SEWER (OPERATING)	\$ 2,000,000
SEWER CONST - WWTP	\$ 3,501,000
TOTAL ENTERPRISE FUND EXP.	\$ 5,501,000
TOTAL ALL FUND EXPENDITURES	\$ 5,521,903

PROPOSED REVENUES/FUNDING RESOURCES

GENERAL FUND:	
FUND BALANCE REBUDGETED	\$ 20,903
TOTAL GENERAL FUND RESOURCES	\$ 20,903
ENTERPRISE FUNDS:	
CONTRIBUTED CAPITAL/CAP FEES	\$ 554,000
FUND EQUITY REBGTD./BOND	\$ 2,947,000
OTHER FINANCING SOURCES	\$ 2,000,000
TOTAL ENTERPRISE FUND RESOURCES	\$ 5,501,000
TOTAL ALL ESTIMATED RESOURCES	\$ 5,521,903

Expenditure of the monies will be in accordance with the provisions by the Funding source and will not affect property taxes.

Dated: April 26, 2022



City Treasurer

Publish: May 6th, 2022 & May 13th, 2022.

FY 2022
CITY OF POST FALLS
PROPOSED BUDGET AMENDMENT #2

DESCRIPTION	ACCT #	AMOUNT	DESCRIPTION	ACCT #	AMOUNT
1 Ponderosa Lift Station	652-463.3214.95520	\$ 2,000,000.00	Cash Carryover	652-463.1920.37201	\$ 2,000,000.00
2 Corbin Lift Station	652-463.3235.95520	\$ 300,000.00	Cash Carryover	652-463.1920.37201	\$ 300,000.00
3 Bentley Lift Station	652-463.3230.95520	\$ 115,000.00	Cash Carryover	652-463.1920.37201	\$ 115,000.00
4 Land	652-463.3103.96000	\$ 165,000.00	Cash Carryover	652-463.1920.37201	\$ 165,000.00
5 Transfer to Fund 652	650-463.1903.69652	\$ 2,000,000.00	Transfer from 650	652-463.1903.37650	\$ 2,000,000.00
6 Highway 41 Gravity Sewer	652-463.3121.95520	\$ 550,000.00	Highway 41 Gravity Sewer: URA	652-463.3121.31900	\$ 550,000.00
7 12TH Avenue Force Main	652-463.3228.95520	\$ 4,000.00	12th Avenue Lift Station: URA	652-463.3219.31900	\$ 4,000.00
8 Decommission PF/Gravling	652-463.3226.95520	\$ 367,000.00	Cash Carryover	652-463.1920.37201	\$ 367,000.00
9 Building/Electrical Inspector	001-452.4155.7XXXX	\$ 20,903.00	Cash Carryover	001-410.1920.37200	\$ 20,903.00
		<u>\$ 5,521,903.00</u>			<u>\$ 5,521,903.00</u>
Subtotals		\$ 5,521,903.00			\$ -

City Administrator *SWL* Date 4/25/22
 *Approves to advertise for Public Hearing

CITY OF POST FALLS
AGENDA REPORT
Public Hearings
MEETING DATE: 5/17/2022

DATE: 5/11/2022 11:10 AM
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Amber Blanchette
SUBJECT: Morris Annexation File No. ANNX-0013-2021

ITEM AND RECOMMENDED ACTION:

Gordon Dobler of Dobler Engineering has requested approval to annex approximately 12 acres into the City of Post Falls with a zoning designation of Community Commercial Services (See P&Z staff report and zoning recommendation, Exhibit S-5, and S-7.)

DISCUSSION:

The City Council must conduct a public hearing and review the annexation proposal based on the recommendation for the Community Commercial Services zoning district by the Planning and Zoning Commission at their April 12, 2022, meeting. Their recommendation of zoning was determined to meet the following zone change criteria contained in Post Falls Municipal Code Section 18.16.010 and 18.20.100. The approval criteria for establishing zoning are:

- A. Amendments to the zoning map should be in accordance with the zoning map.
- B. Amendments to the zoning map should be in accordance with the goals and policies found in the Post Falls Comprehensive Plan.
- C. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.
- D. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
- E. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.
- F. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

In review for establishing zoning, a Comprehensive Plan analysis was completed within the P&Z Staff Report (Exhibit S-5) and may be utilized in determining whether the property should be annexed. Generally, the City Council can determine whether an annexation request is appropriate based on their best judgement. Ideally, the Council would base that decision on planning principles such as whether the annexation is a logical extension of the city, whether it reduces a county pocket, whether extension of public infrastructure is feasible etc.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:

N/A

APPROVED OR DIRECTION GIVEN:

The Planning and Zoning Commission made a recommendation for the Community Commercial Service (CCS) zoning district at their April 12, 2022, meeting as part of the annexation request.

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

N/A

BUDGET CODE:

N/A

**CITY OF POST FALLS
AGENDA REPORT
PUBLIC HEARING
MEETING DATE: May 17, 2022**

DATE: May 11, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JON MANLEY, PLANNING MANAGER
jmanley@postfallsidaho.org / 208-457-3344
SUBJECT: FINAL STAFF REPORT: MORRIS ANNEXATION FILE NO. ANN-0013-2021

ITEM AND RECOMMENDED ACTION:

Gordon Dobler of Dobler Engineering has requested approval to annex approximately 12 acres into the City of Post Falls with a zoning designation of Community Commercial Services (See P&Z staff report and zoning recommendation, Exhibit S-5, and S-7.)

DISCUSSION:

The City Council must conduct a public hearing and review the annexation proposal based on the recommendation for the Community Commercial Services zoning district by the Planning and Zoning Commission at their April 12, 2022, meeting. Their recommendation of zoning was determined to meet the following zone change criteria contained in Post Falls Municipal Code Section 18.16.010 and 18.20.100. The approval criteria for establishing zoning are:

- A. Amendments to the zoning map should be in accordance with the zoning map.
- B. Amendments to the zoning map should be in accordance with the goals and policies found in the Post Falls Comprehensive Plan.
- C. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.
- D. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
- E. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.
- F. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

In review for establishing zoning, a Comprehensive Plan analysis was completed within the P&Z Staff Report (Exhibit S-5) and may be utilized in determining whether the property should be annexed. Generally, the City Council can determine whether an annexation request is appropriate based on their

best judgement. Ideally, the Council would base that decision on planning principles such as whether the annexation is a logical extension of the city, whether it reduces a county pocket, whether extension of public infrastructure is feasible etc.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON: N/A

APPROVED OR DIRECTION GIVEN: The Planning and Zoning Commission made a recommendation for the Community Commercial Service (CCS) zoning district at their April 12, 2022, meeting as part of the annexation request.

MOTION OPTIONS FOR ESTABLISHING ZONING: City Council may approve the proposed annexation and items for inclusion in an annexation agreement, may approve with modifications, or deny the annexation request. Should the City Council need additional information or wish to hear additional testimony, it may wish to move to continue the public hearing to a date certain. If the City Council has heard sufficient testimony but need additional time to deliberate and make a recommendation, it may close the public hearing and move the deliberations to a date certain.

FISCAL IMPACT OR OTHER SOURCE OF FUNDING: N/A

BUDGET CODE: N/A

SUPPORTING DOCUMENTS:

STAFF EXHIBITS:

Exhibit S-5	Planning and Zoning Commission Staff Report
Exhibit A-1	Application
Exhibit A-2	Narrative
Exhibit A-3	Legal and Exhibit Map
Exhibit A-5	Auth Letter
Exhibit A-6	Title Report
Exhibit A-8	Will Serve
Exhibit S-1	Vicinity Map
Exhibit S-2	Zoning Map
Exhibit S-3	Future Land Use Map
Exhibit S-4	Annexation Development Agreement
Exhibit PA-1	KCFR Comments
Exhibit PA-2	PFPD Comments
Exhibit PA-3	PFHD Comments
Exhibit PA-4	DEQ Comments
Exhibit PC-1	Burns Comments
Exhibit S-6	Signed Meeting Minutes 4-12-2022
Exhibit S-7	Signed Zoning Recommendation

**CITY OF POST FALLS
STAFF REPORT**

DATE: April 8, 2022

TO: POST FALLS PLANNING AND ZONING COMMISSION

FROM: JON MANLEY, PLANNING MANAGER
(208) 457-3344, jmanley@postfallsidaho.org

SUBJECT: STAFF REPORT FOR THE APRIL 12, 2022 P&Z COMMISSION MEETING
Morris Annexation Request – ANN-0013-2021

INTRODUCTION:

Gordon Dobler of Dobler Engineering has requested on behalf of Harlan Douglas (Exhibit A-5) approval to annex approximately 12 acres into the City of Post Falls and assign the zoning designation of Community Commercial Services (CCS). The Planning & Zoning Commission must conduct a public hearing and determine if the requested zone change meets the approval criteria contained in Municipal Code Section 18.16.010 and 18.20.100. Following the public hearing, **the Planning Commission will forward its recommendation on zoning to City Council** for review and final action pertaining to the annexation. The approval criteria for establishing zoning are:

- A. Amendments to the zoning map should be in accordance with the Future Land Use Map.
- B. Amendments to the zoning map should be in accordance with the goals and policies found in the Post Falls Comprehensive Plan.
- C. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.
- D. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
- E. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.
- F. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

PROJECT INFORMATION:

Project Name / File Number: Morris Annexation, File No. ANN-0013-2021

Owner: Harlan Douglas, 815 Rosewood Avenue, Spokane, WA 99208

Applicant: Gordon Dobler, Dobler Engineering, P.O. Box 3181, Hayden, ID 83835

Project Description: Annex approximately 12 acres into the City of Post Falls and assign the zoning designation of Community Commercial Services (CCS)

AREA CONTEXT:

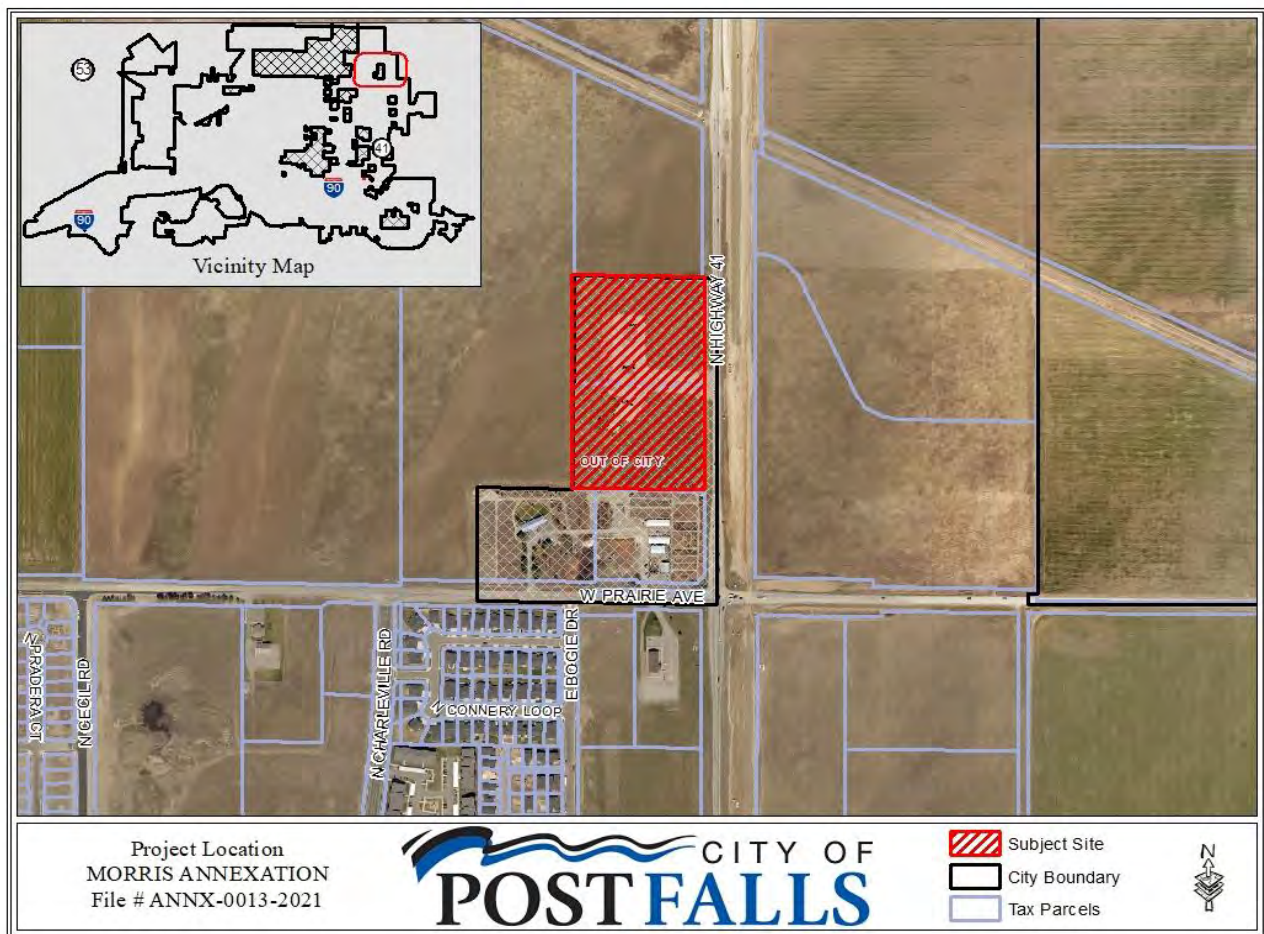
Project Location: Approximately 500' due north of Prairie Avenue along the west side of HWY 41. Generally, near the northwest corner of the Highway 41/Prairie Ave intersection.

Water Provider: Ross Point Water District

Sewer Provider: The City of Post Falls

Surrounding Land Uses: To the west and north is vacant Technology Mixed (TM) and other vacant Community Commercial Services (CCS) zoned undeveloped lands. To the east is vacant undeveloped Community Commercial Services (CCS) zoned lands. To the south is commercial nursery with a residence operating in Kootenai County.

Area Context Map:



EVALUATION OF ZONE CHANGE APPROVAL/REVIEW CRITERIA:

A. Amendments to the zoning map should be in accordance with the Future Land Use Map. The Future Land Use Map designated this property with the land use designation of **Business Commercial**, the following are the implementing zoning districts of this land use designation.

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

The Community Commercial Service (CCS) zoning district is an implementing zoning district outright.

The proposed Zone Change is in the 41 North Focus Area which states development trends along and adjacent to the HWY 41 Corridor have been commercial in nature. With the improvement along HWY 41, future growth should continue this development pattern. HWY 41's role as a major north/south corridor may spur continued interest in commercial use development.

The following items affirm or guide development of key policies for this area, or suggest future action items for the 41 North focus area:

- Focus provisions for multi-family, commercial, and tech uses near higher-classified roadways;
- Development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail;
- Manage development patterns in the airport fly zone east of 41 and north of Prairie Avenue, coordinating with the 2018 Coeur d'Alene Airport Master Plan;
- Facilitate the creation of the "backage roads" system envisioned in the Highway 41 Corridor Master Plan, supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses;
- Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.

B. Amendments to the zoning map should be in accordance with the goals and policies found in the Post Falls Comprehensive Plan. The following Goals and Policies that may be relevant to this request are provided below, followed by staff comments.

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

Staff Comment: Creating a diverse community with a variety of different types of commercial activities assists creating live, work, play neighborhoods. The CCS zoning district states the following:

The Community Commercial Services (CCS): The CCS Zone supports uses that include retail sales or performance of consumer services and permits a variety of retail, professional, or service businesses, including some manufacturing, technical, or other professional uses. This zone is applied in areas primarily located near arterials and collector streets. Residential uses may be allowed within this zone at densities permitted by the High-Density Multi-Family Residential (R3) Zone by special use permit when they will not compromise present uses. Lot area and building bulk and placement requirements shall agree with the values set forth in section [18.20.040](#), "Official Bulk And Placement Regulations Table", of this title.

Goal 2: Maintain and improve the provision of high-quality, affordable and efficient community services in Post Falls.

Staff Comment: Commercial Corridors may provide opportunities to create high-quality, affordable and efficient community services.

Goal 3: Maintain and improve Post Falls' small-town scale, charm and aesthetic beauty.

Whether newly-arrived or long-term, residents of Post Falls often cite the community's "small-town charm," its modest size, and its valley setting with open space prairie and the Spokane River as attractive features. Due to this, many of the goals, policies and programs contained in the Comprehensive Plan help retain the City's lower-scale, walkable, small-lot development patterns common in early Post Falls, while at the same time, providing for urban growth in other, appropriate areas; support the development of cultural features and activities; and direct land use decisions encouraging infill and thoughtful expansion.

Staff Comment:

Placing Community Commercial Services at this location may be an appropriate area for more intense commercial growth along the HWY 41 Principal Arterial.

Placing Community Commercial Services at this location may not be appropriate as it may be contrary to retaining the City's lower-scale, walkable, small-lot development patterns in the area.

If relevant, the Commission and Council must determine if the proposal maintains and improves the City's small-town scale, charm and aesthetic beauty.

Goal 5: Keep Post Falls' neighborhoods safe, vital, and attractive.

Residents prize the character and unhurried pace of Post Falls neighborhoods, and wish to ensure their neighborhoods are kept safe, active and aesthetically pleasing. Supporting this goal, a diverse set of policies have been provided, including encouraging attractive, pedestrian-friendly development, provision of diverse housing types, parks facilities, and neighborhood-scale commercial services.

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

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

Goal 8: Protect and maintain Post Falls' natural resources including clean air, soils, river and aquifer, and minimizing light and noise pollution citywide.

City livability, health and value are fully dependent on clean, safe and sustainable natural resources. This goal underscores Post Falls' commitment to maintaining its natural resources as a top priority, recognizing them as essential to the community's survival.

Goal 12: Maintain the City of Post Falls' long-term fiscal health.

Services that cities provide cannot be sustained without fiscal balance and accountability. This goal serves to anchor the City of Post Falls' obligation to sustain its fiscal health – achieved through the gathering of income in responsible, equitable ways, and through decisions, investments and actions that provide rate-payers with efficient, effective services now and in the future.

Goal 14: Involve the community of Post Falls in all local government planning and decision-making.

The development of the Comprehensive Plan is community-driven, involving numerous residents including some representing large groups of residents. For plans to succeed, community buy-in and support is critical. Future conditions will certainly require the creation of new objectives and strategies, and this goal supports keeping residents highly involved in such work.

The following policies may or may not assist the review of this Zone Change request.

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service;

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

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

Staff Comment: Providing the opportunities for creating the variety of service, retail and office in the Community Commercial Services (CCS) such as this proposal may further the establishment of having residential housing near commercial uses to create sustainable and independent living communities. The interaction between these uses may increase their value and assist in contributing to the long-term fiscal health of the community.

- Maintain and enhance resident quality of life;

Staff Comment: The proposed annexation is in the area that may provide amenities currently unavailable to existing and future residents in the vicinity.

- Promote compatible, well-designed development;

Staff Comment: As stated previously, providing the opportunities for creating the variety of service, retail and office in the Community Commercial Services (CCS) such as this proposal may further the establishment of having residential housing near commercial uses to create sustainable and independent living communities

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

Staff Comment: The proposed Zoning request is in the 41 North Focus Area. The development trends along and adjacent to the HWY 41 Corridor have been commercial in nature. With the improvement along HWY 41, future growth should continue this development pattern. HWY 41's role as a major north/south corridor may spur continued interest in commercial use development.

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

- Future land use mapping;

Staff Comment: This is addressed by the first review criteria in Section A of this report.

- Compatibility with the surrounding land uses;

Staff Comment: To the west and north is vacant Technology Mixed (TM) and other vacant Community Commercial Services (CCS) zoned undeveloped lands. To the east is vacant undeveloped Community Commercial Services (CCS) zoned lands. To the south is a

commercial nursery with a residence operating in Kootenai County.

- Infrastructure and service plans;

Staff Comment: Water is provided by the Ross Point Water District. Sanitary Sewer would be provided by the City of Post Falls. Sanitary sewer is not currently available to the site. The nearest connection point for the sanitary sewer is at the intersection of Prairie Avenue and Charleville Rd. The City of Post Falls has the capacity and is willing to serve the property at the requested zoning, subject to the limitations identified within the Development and Annexation Agreement related to the 12th Avenue Force Main Surcharge. Extensions of the City's sanitary sewer shall be in compliance with the current version of the Water Reclamation Master Plan.

- Existing and future traffic patterns;

Staff Comment: The requested zoning is consistent with the anticipated land uses and trip generations within the City's Transportation Master Plan. Further analysis can be found in the third review criteria in Section C of this report.

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

Staff Comment: The response to this is embedded within the analysis within this section.

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

Staff Comment: The Community Commercial Services (CCS) zone is intended to accommodate commercial and possibly high-density residential development through a Special Use Permit being granted by the Planning and Zoning Commission. The proposal is located along the west side of HWY 41, which is a Principal Arterial. Development in the CCS zone provides an opportunity to provide residences in Post Falls to be situated within walking distance to commercial development and may provide suitably scaled daily needs services.

Policy 4: Encourage compact, pedestrian-oriented, mixed-use development patterns along the ID-41 corridor and in neighborhood and regional centers.

Staff Comment: The Community Commercial Services (CCS) zone is intended to accommodate commercial and possibly high-density residential development through a Special Use Permit. compact, pedestrian-oriented, mixed-use development patterns along the ID-41 corridor.

Policy 5: Encourage compact, pedestrian-oriented, mixed-use development patterns along the ID-41 corridor and in neighborhood and regional centers.

Staff Comment: The CCS zone may provide this opportunity as vertical mixed-use and commercial uses are a permitted development pattern. Multi-family may be allowed, but only by review and approval by the Planning and Zoning Commission.

Policy 7: Encourage the development of off-corridor access and circulation for commercial and mixed-use areas abutting limited-access arterials.

Staff Comment: The CCS zone in this area may provide this opportunity.

Policy 8: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.

Staff Comment: Redevelopment of this area would be considered infill and may be under-utilized. If relevant, the Commission and Council must determine whether the development is compatible and under-utilized.

Policy 9: Encourage annexation of County “islands” within the City, with priority given to areas:

- Surrounded by incorporated areas;

Staff Comment: This is true regarding this request

- That have readily available service infrastructure and capacity;

Staff Comment: An internal roadway system from the site to the future “backage road” system would need to be created and sanitary sewer extended to the property.

- That support increased development intensity near the urban core.

Staff Comment: At this point in time Post Falls is a Corridor Community. The Corridors are Seltice Way, Mullan Avenue, HWY 41, and I-90.

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

Staff Comment: The HWY 41 Construction project is installing a multi-use trail along the east side of that corridor and will not be installing it on the west side. The multi-use trail along the west side will be completed incrementally through private develop along this corridor.

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

Staff Comment: The multi-use trail along the west side will be completed incrementally through private develop along this corridor.

Policy 67: Promote linking greenbelts, trails and open space areas with related features and destinations throughout the region.

Staff Comment: The multi-use trail along the west side will be completed incrementally through private develop along this corridor. This multi-use trail will eventually connect into the Prairie Trail due north.

C. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.

Streets/Traffic: The proposed annexation area is adjacent to SH41 (Principal Arterial / State Highway). The requested zoning is in conformance with the anticipated land uses and trip generations within the City’s Transportation Master Plan. Annexation at the requested zoning is not anticipated to have any negative impacts to the City’s transportation network that are not previously identified as being mitigated thru collection of Transportation Impact Fees. Removal of the existing access to SH41 will be required at such time that access can be provided from the site to the backpage road system identified in the City’s Transportation Master Plan. The site would be subject to the access restrictions identified within the City’s Transportation Master Plan, SH41 Corridor Master Plan and KMPO Critical Arterial Corridor Policy.

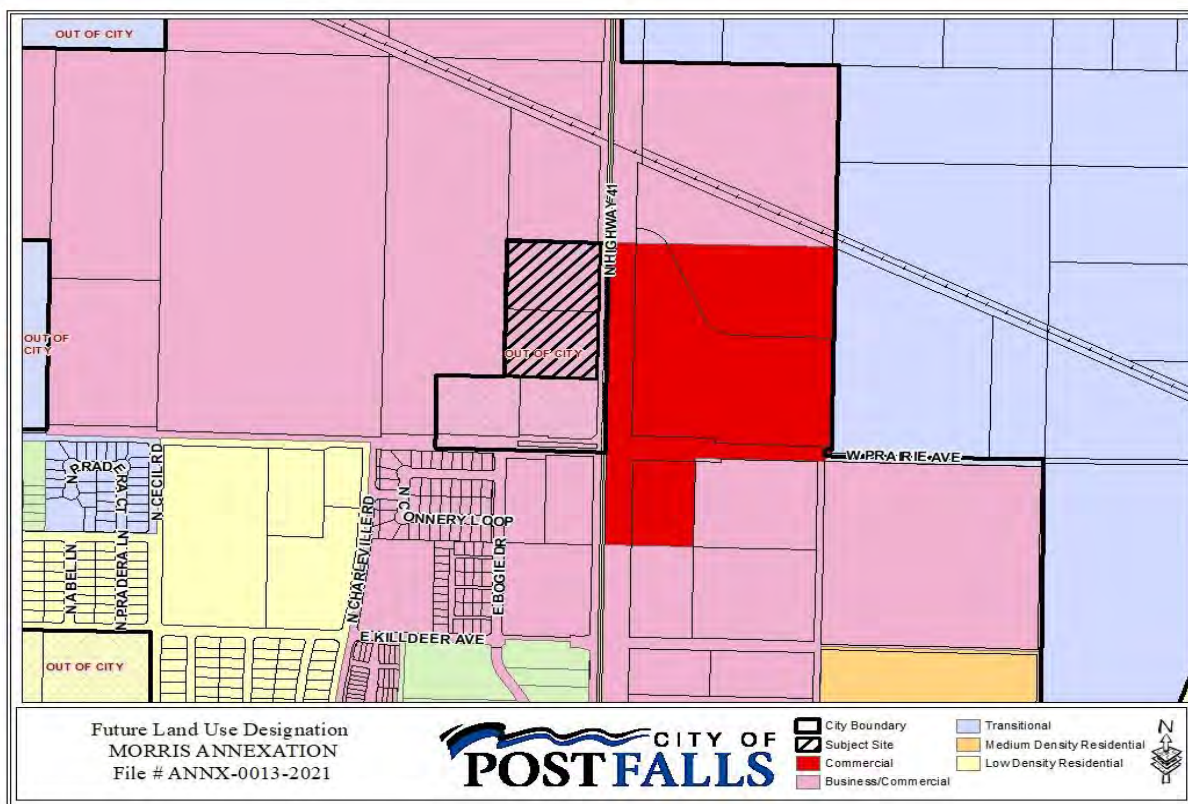
Water and Sanitary Sewer: Water is provided by the Ross Point Water District. Sanitary sewer would be provided by the City. The nearest connection point for sanitary sewer is at the intersection of Prairie Avenue / Charleville Road. The requested zoning is in conformance with the land use assumptions in the City’s Sanitary Sewer Master Plan. The City of Post Falls has the capacity and is willing to provide sanitary sewer service the property at the requested zoning, subject to the limitations identified within the Development and Annexation Agreement and associated with the 12th Avenue Force Main Surcharge Area.

Compatibility with Existing Development and Future Uses:

To the west and north is vacant Technology Mixed (TM) and other vacant Community Commercial Services (CCS) zoned undeveloped lands. To the east is vacant undeveloped Community Commercial Services (CCS) zoned lands. To the south is commercial nursery with a residence operating in Kootenai County.

Future Land Use Designation:

Exhibit S-3: Future Land Use Map, depicts the land use designation for this area as Business/Commercial. The proposed CCS Zone is allowable per the direction of the HWY 41 Focus Area and the road classification of HWY 41 (Principal Arterial).



Community Plans: As previously stated this is within the HWY 41 Focus Area within the Post Falls Comprehensive Plan. The following is a link to the 2016 KMPO HWY 41 Corridor Plan:

http://www.kmpo.net/wp-content/uploads/2018/09/Hwy41CorridorMasterPlanUpdateApproved-12-08-2016_FINAL.pdf

Geographic/Natural Features:

The site contains no geographic or other natural features that would affect development of the site.

D. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.

Staff Comment: The proposed zone change is located along higher classified roadways. HW-41 is classified as a Principal Arterial. **Principal Arterials** are intended to serve as primary routes for travel between major urban centers. These function in a similar manner to Minor Arterials but generally carry higher traffic volumes from 12,000 to a maximum of 32,000 vehicles per day. Only three roadways are identified as Principal Arterials within Post Falls: Seltice Way, Prairie Avenue and ID-41.

E. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.

Staff Comment: The proposed zone change is located along higher classified roadways.

F. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

Staff Comment: Not Applicable as Industrial zoning isn't being requested.

OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

Agencies Notified:

Post Falls Post Office	PF Park & Rec	East Greenacres Irr. District
Kootenai County Fire	Kootenai Electric	Time Warner Cable
PF Highway District	Ross Point Water	PF Police Department
PF School District	Verizon	Utilities (W/WW)
Avista Corp. (WWP-3)	Idaho Department of Lands	Urban Renewal Agency
Department of Environmental Quality	Panhandle Health District	Kootenai County Planning
Conoco, Inc. (Pipeline Co.)	NW Pipeline Corp.	KMPO
Yellowstone Pipeline Co.	TransCanada GTN	TDS

- **Kootenai County Fire and Rescue (Exhibit PA-1)** – Provides comments during the review process.
- **Post Falls Police Department (Exhibit PA-2)** – Remains neutral
- **Post Falls Highway District (Exhibit PA-3)** – Has no comments.
- **Idaho Department of Environmental Quality (Exhibit PA-4)** – Has no comments at this time.

MOTION OPTIONS: The Planning Commission must provide a recommendation of zoning to the City Council along with an evaluation of how the proposed development does/does not meet the required evaluation criteria. Should the Commission need additional information or wish to hear additional testimony, it may wish to move to continue the public hearing to a date certain. If the Commission has heard sufficient testimony but needs additional time to deliberate and make a recommendation, it may close the public hearing and move the deliberations to a date certain.

ATTACHMENTS:

Applicant Exhibits:

Exhibit A-1	Application
Exhibit A-2	Narrative
Exhibit A-3	Legal and Exhibit Map
Exhibit A-5	Authorization Letter
Exhibit A-6	Title Report
Exhibit A-8	Will Serve

Staff Exhibits:

Exhibit S-1	Vicinity Map
Exhibit S-2	Zoning Map
Exhibit S-3	Future Land Use Map
Exhibit S-4	Signed Development Agreement

Testimony:

Exhibit PA-1	KCFR Comments
Exhibit PA-2	PFPD Comments
Exhibit PA-3	PFHD Comments
Exhibit PA-4	DEQ Comments
Exhibit PC-1	Burns Comments



ANNEXATION APPLICATION

Post Falls Comprehensive Plan

Public Services Department – Planning Division
408 N. Spokane St. Post Falls, ID 83854
208.773.8708 Fax: 208.773.2505

STAFF USE ONLY
Date Submitted: <u>11-17-2021</u> Received by: <u>AB</u> File # <u>ANNX-0013-2021</u>
Application Fee <u>3,000</u> Public Hearings: <u>\$600</u> Mailing <u>\$6*</u> = <u>120</u>

PART 1 – Process of Completion and Public Hearing Schedule

- 1. Applications will need to be deemed complete by the Planning Department prior to being scheduled for a public hearing. Once the applicant has been issued a completeness letter from the Planning Department verifying the application is complete, the application will be eligible to be scheduled at the next available Public Hearing.**
- 2. Each Completeness Review Period, will be reviewed within a 2-week period**
- 3. There is a 45-day cut-off windows for a fully completed application (deemed complete) required, prior to being scheduled for the next available Public Hearing (See Note Below).**

*****NOTE: Once we have 4 Public Hearings the following applicants will be moved to the next month’s Hearing Date. *****

PART 1/A – REQUIRED MATERIAL

****THE APPLICATION WILL NOT BE ACCEPTED IF THE REQUIRED MATERIALS ARE NOT PROVIDED****

Annexing land and expanding public services is based on careful planning, adopted regulations and Comprehensive Plan policies. Annexation should provide a means for orderly, logical expansion of the city and increased efficiency, and economic provisions of public services. The City of Post Falls considers approval of annexing lands when such will lead to orderly future development that would result in benefit to the community. See the Comprehensive Plan 4.0 Future Land Use; Annexation Goals and Policies.

- Completed Annexation Pre-application**
- Completed application form**
- Application fee**
- Will Serve Letter:** (water service)
- A written narrative:** Including zoning, how proposal relates to Annexation Goals and Policies, and the impact on City services.
- A legal description:** in MS Word compatible format, together with a meets and bounds map.
- A report(s) by an Idaho licensed Title Company:** showing ownership of record, any interest of record, and a list of property owners of record within 300 feet of external boundaries of the subject property and mailing labels, provided by the Title Company.
- A vicinity map:** To scale, showing property lines, thoroughfares, existing and proposed zoning, etc.

- Public hearing notification:** Two required public hearings incur a mailing fee of \$6.00 per hearing notice per property within 300ft radius of the site (3 sets of labels are also required). The cost for publication notices in the local newspaper for both Planning and Zoning and City Council is \$300 per public hearing equaling \$600.
- Owner authorization:** If there is to be an applicant or consultant acting on the owner's behalf.

PART 2 – APPLICATION INFORMATION

PROPERTY OWNER: Harlan Douglas		
MAILING ADDRESS: 815 Rosewood Ave		
CITY: Spokane	STATE: WA	ZIP: 99208
PHONE:	FAX:	EMAIL:
APPLICANT OR CONSULTANT: Dobler Engineering		STATUS: ENGINEER OTHER
MAILING ADDRESS: PO Box 3181		
CITY: Hayden	STATE: Id	ZIP: 83835
PHONE: 208 755-9732	FAX:	EMAIL: gordon@doblerengineering.com

SITE INFORMATION:

PROPERTY GENERAL LOCATION OR ADDRESS: SW corner of Hwy 41 & Stone Ave		
PROPERTY LEGAL DESCRIPTION (ATTACH OR DESCRIBE): See Attached		
TAX PARCEL #: 51N05W249000 51N05W249850	EXISTING ZONING: Agriculture	ADJACENT ZONING: CCS
	CURRENT LAND USE: Residential	ADJACENT LAND USE: Residential
DESCRIPTION OF PROJECT/REASON FOR REQUEST:		
Annex 12.0 ac into the City with a zoning request of Community Commercial Services (CCS)		

PART 3 – CERTIFICATION

The applicant (or representative) must be present at the public hearing to represent this proposal or the application will not be heard. The applicant will be responsible for costs to re-notice the public hearing.

Petitioner's name(s), address, and phone number:

Name	Address	Phone
------	---------	-------

I (We) the undersigned do hereby make petition for annexation and zone classification 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 14 DAY OF February 2022

Gordon Doble

PART 4 – COMPLETED BY CITY STAFF

COMPLETED PRE-APP:	YES:	NO:
	PRE-APP NAME:	PRE-APP FILE#:
IF NO PRE-APPLICATION, REASON?		

Retail Center Annexation Narrative

INTRODUCTION:

J-U-B ENGINEERS, Inc, on behalf of GVD Commercial Properties, Inc. (GVD) and H. Douglas is respectfully requesting annexation of approximately 12 acres with a Community Commercial Services (CCS) zoning district for property north of Prairie Avenue. The request is in accordance with the Highway 41 Corridor Plan, Comprehensive Plan, adjacent City Zoning, and Land Use. The approval criteria for establishing zoning are:

- A. Amendments to the zoning map should be in accordance with the Future Land Use Map.
- B. Amendments to the zoning map should be consistent with the goals and policies found in the Comprehensive Plan.
- C. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.
- D. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
- E. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.
- F. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

PROJECT INFORMATION:

Project Name / File Number: Morris Annexation

Owner: H. Douglas

Applicant: GVD COMMERCIAL PROPERTIES INC

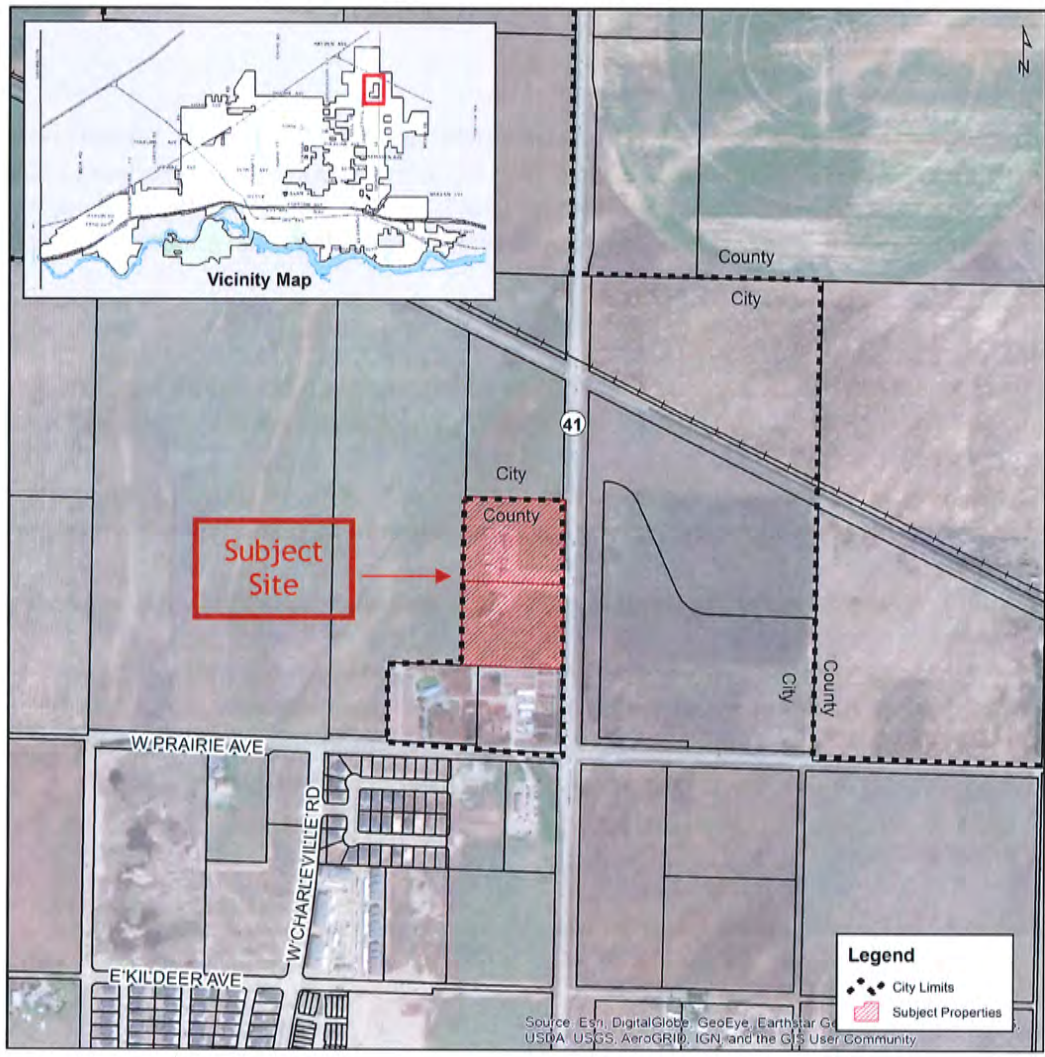
Project Description: Annex approximately 12 acres from Kootenai County into the City with a zoning request of Community Commercial Services (CCS).

Project Location: The property is located near the northwest corner of the intersection of W. Prairie Ave. and HWY 41.

AREA CONTEXT (proposed site hatched red below)

Surrounding Land Uses: To the south there is a nursery. The east, north, and west is undeveloped land planned for commercial (Shopping Center and Tech Park), which is an annexed with the property immediately adjacent to the 12 acres at issue here being zoned CCS.

Area Context Vicinity Map:



SEE FOLLOWING IMAGES:

EVALUATION OF ZONING APPROVAL CRITERIA

The following section provides the applicant analysis to the Annexation Application and the establishment of zoning. The zone change review criteria set forth within the Post Falls Municipal Code section 18.16.010 and 18.20.100 are cited within the following analysis in **BOLD**. This review criteria provides the framework for decision making for the Planning Commission and City Council.

ZONE CHANGE REVIEW CRITERIA

- A. Amendments to the zoning map should be in accordance with the Future Land Use Map.**
The Future Land Use Map in the Comprehensive Plan depicts the land use designation for these properties as Business/Commercial. This land use designation supports Community Commercial Services (CCS) development.

B. Amendments to the zoning map should be consistent with the goals and policies found in the Comprehensive Plan. Goal and Policies (listed by policy number) that are relevant to this annexation are shown below.

Goal:

Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability. [G.07]

Policy:

[P.01] Support land use patterns that:

- Maintain or enhance community levels of service;
With additional commercially zoned properties along HWY 41, commercial development opportunities will increase. This will create additional opportunities for increased transit service and other services for this corridor.
- Foster the long-term fiscal health of the community;
Removing a County "island" that has existing city services in the immediate area will create additional development opportunities without a large water/sewer expansion project.
- Maintain and enhance resident quality of life;
Increasing commercial development opportunities on the northern edge of city limits will create additional options for those residences who may not want to travel into the urban core of the city for Community Commercial Services.
- Promote compatible, well-designed development;
These properties are currently outside of city limits and within Kootenai County jurisdiction. This creates a County "island" and reduces compatibility with adjacent properties.
- Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.
This analysis within this report addresses this policy point.

[P.02] Apply or revise zoning designations with careful consideration of factors including:

- Future land use mapping;
The Future Land Use Map in the Comprehensive Plan depicts the land use designation for these properties as Business/Commercial. This land use designation supports Community Commercial Services (CCS) development.
- Compatibility with surrounding land uses;
Properties along HWY 41 and north of W Prairie Ave are designated CCS. The proposed CCS zoning would increase compatibility in the project area.
- Infrastructure and service plans;

Water and Sewer services are existing within the project area and could be extended up HWY 41.

- Existing and future traffic patterns;
Development along HWY 41 will benefit the surrounding areas by keeping traffic off of the Collector and Arterial Roadways.
- Goals and policies of the comprehensive plan, related master plan and/or facility plans.
The response to this is embedded within the analysis within this section.

[P.05] Direct the location of commercial shopping centers to areas near arterial intersections and high-traffic areas.

This rezone will create commercial opportunities near HWY 41 and a major arterial, W Prairie Ave, north of Post Falls.

[P.09] Encourage annexation of County “islands” within the City, with priority given to areas:

- Surrounded by incorporated areas;
This area is completely surrounded by incorporated areas and would increase compatibility with adjacent properties.
- That have readily-available service infrastructure and capacity;
Services are not readily available, but are within the project vicinity and may be extended.
- That support increased development intensity near the urban core.
Not applicable.

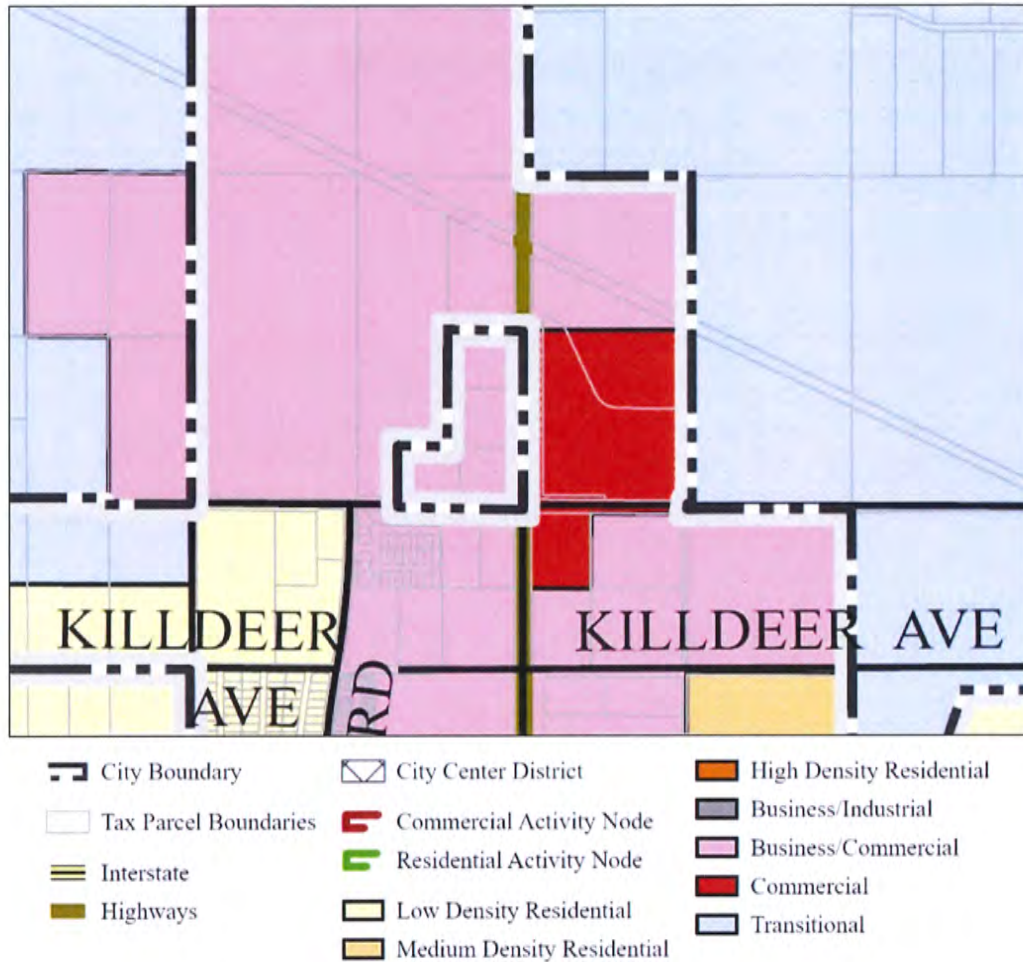
C. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.

Streets/Traffic: The property will be served by the soon to be reconstructed Highway 41, Prairie and Hayden Avenue.

Water and Sanitary Sewer: With approval of this rezone, Ross Point Water District will provide water service. Sanitary sewer service will be provided by the City of Post Falls.

Compatibility with Existing Development and Future Uses: In review of compatibility to existing development and future uses, this was addressed previously within Section B of this Report.

Future Land Use Designation: The Future Land Use Map in the Comprehensive Plan designates this area as Business/Commercial in pink (See following map), therefore the proposed zone change would be consistent with this land use designation as it is an allowable implementing zoning district within the Business/Commercial land use designation.



Community Plans: None.

Geographic/Natural Features: The site contains no geographic or other natural features that would affect development of the site.

D. Commercial and high-density residential zoning is typically assigned along streets with a high road classification.

The proposed zoning request has nearly 0.2 miles of frontage along HWY 41, which provides a direct connection to a high capacity roadway.

E. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.

The proposed zoning request fronts HWY 41.

F. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

Not applicable.

OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS



J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

EXHIBIT A

LEGAL DESCRIPTION OF THE ANNEXATION BOUNDARY TO THE CITY OF POST FALLS

November 16, 2021

That portion of the SE1/4 of Section 24, Township 51 North, Range 5 West, B.M., Kootenai County, Idaho, more particularly described as follows:

COMMENCING at the southeast corner of said Section 24; (from which the E1/4 corner of said Section 24 bears North 01°01'59" East a distance of 2,640.05 feet);

thence North 01°01'59" East along the east line of the SE1/4 of said Section 24 also being the existing Post Falls city limits, a distance of 466.73 feet, more or less;

thence North 88°00'04" West along said existing Post Falls city limits, a distance of 49.68 feet, more or less, to the POINT OF BEGINNING;

thence North 88°00'04" West continuing along said existing Post Falls city limits, a distance of 561.06 feet, more or less;

thence North 01°01'59" East, a distance of 933.44 feet, more or less;

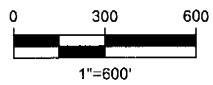
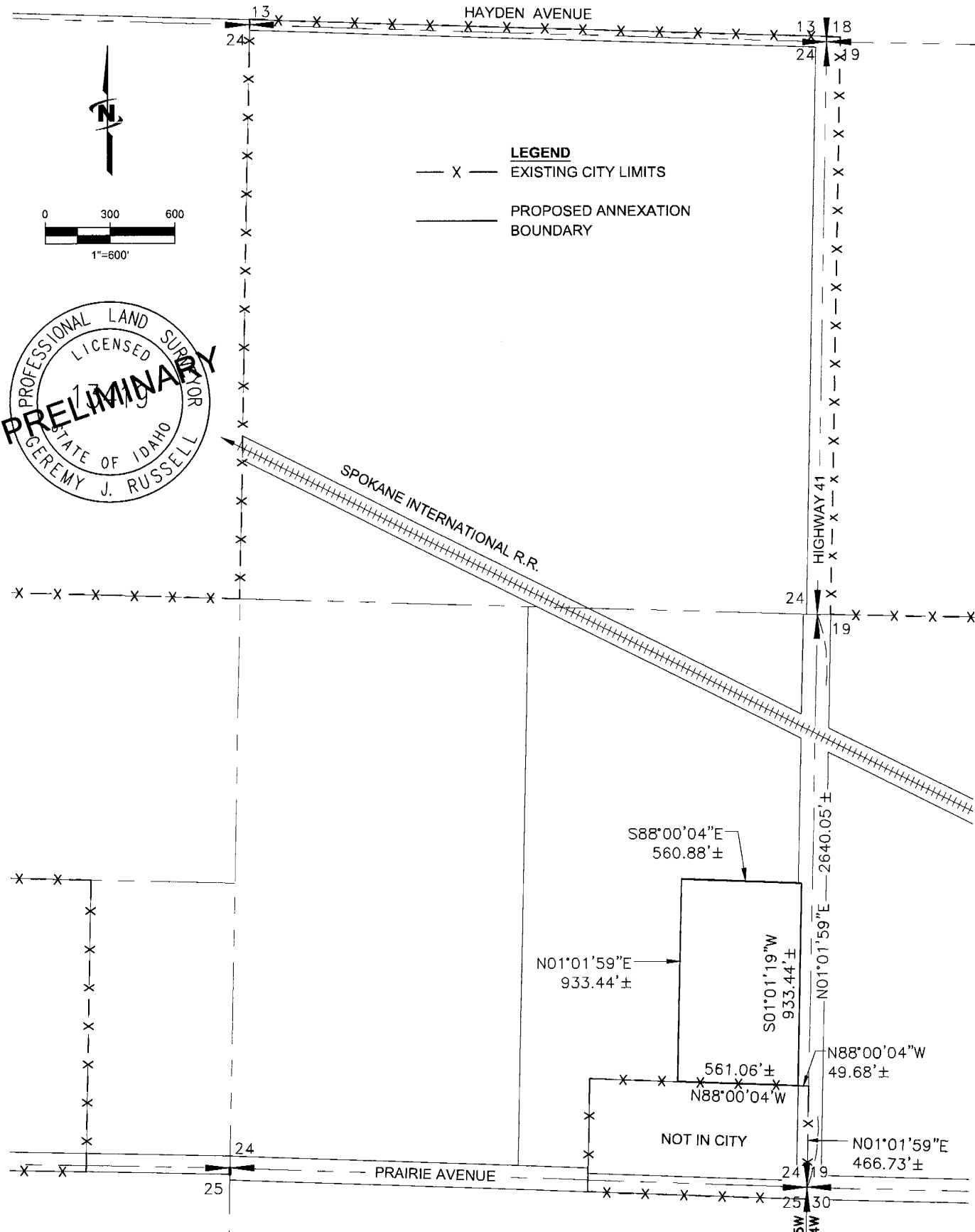
thence South 88°00'04" East, a distance of 560.88 feet, more or less, to the westerly right-of-way line of State Highway 41;

thence South 01°01'19" West along said westerly right-of-way line, a distance of 933.44 feet, more or less, to the to the POINT OF BEGINNING.

Gross Area: 12.02 acres, more or less



Plot Date: 1/16/2021 \\CDAFILES\PUBLIC\PROJECTS\JUB\20-18-019 BEYOND GREEN INC\CAD\SURVEY\INW TECH PARK\MODEL\2021_ANNEXATION EX.DWG



LEGEND
 - X - EXISTING CITY LIMITS
 ——— PROPOSED ANNEXATION BOUNDARY



CITY OF POST FALLS
 ANNEXATION ORDINANCE NO. _____
 PORTION OF THE SE1/4 OF SEC. 24, T 51N, R 5W, B.M.
 KOOTENAI COUNTY, IDAHO

LETTER OF AUTHORIZATION

We, Harlan Douglass, hereby authorize Dobler Engineering to submit an annexation application on our behalf to the City of Post Falls for our +/- 12 acre property located west of Highway 41 between Prairie Avenue and Hayden Avenue.

02/14/2022

Date

Harlan D. Douglass

By: Deanna N. Malcolm A.I.F.

Signature

Harlan D. Douglass

By: Deanna N. Malcolm A.I.F.

Printed Name, Title

CHICAGO TITLE INSURANCE COMPANY

Commitment No.: 415164
2nd Report

SCHEDULE A

Escrow Officer: -
Title Officer: Nikki Droll - nikkid@kootenaititle.com

1. Commitment Date: November 5, 2021 at 05:00 PM

2. Policy to be issued:

a. Owner's Policy (MINIMUM REPORT)	Amount:	\$0.00
Proposed Insured:	Premium:	\$220.00
	Total:	\$220.00

3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.

4. Title to the Fee Simple estate or interest in the Land is at the Commitment Date vested in:

Harlan D. Douglass, an unmarried man

5. The Land is described as follows:

SEE SCHEDULE C ATTACHED HERETO

CHICAGO TITLE INSURANCE COMPANY

Chicago Title Insurance Company

Nikki Droll

By: _____
Kootenai County Title Company, Inc.



By: *Agnes Medina*

ATTEST

[Signature]

President

Secretary

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CHICAGO TITLE INSURANCE COMPANY
SCHEDULE B, PART I
Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Note 1: In the event this transaction fails to close and this commitment is cancelled, a fee will be charged to comply with the state insurance code.

Note 2: The address of the herein described property is:
8309 & 8289 N. Highway 41
Post Falls, ID 83854

Note 3: This report is based on a search of our tract indexes of the County records. No Liability beyond the amount paid for this report is assumed hereunder, and the company is not responsible beyond the amount paid for any errors and omissions contained herein.

Note 4: Notwithstanding anything to the contrary in this Commitment, if the policy to be issued is other than an ALTA Owner's Policy (6/17/06) or ALTA Loan Policy (6/17/06), the policy may not contain an arbitration clause, or the terms of the arbitration clause may be different from those set forth in this Commitment. If the policy does contain an arbitration clause, and the Amount of Insurance is less than the amount, if any, set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.

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SCHEDULE B

(Continued)

SCHEDULE B, PART II Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

- A. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
- B. General Exceptions:
1. Rights or claims of parties in possession not shown by the Public Records.
 2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
 3. Easements, or claims of easements, not shown by the Public Records.
 4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
 5. (a) Unpatented mining claims; (b) reservations in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by Public Records.
 6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments of real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- C. Special Exceptions:
7. General Taxes and Assessments, which are a lien, for the year 2021, of which the 1st installment is due December 20 of the tax year and the 2nd installment is due June 20 of the subsequent year (amounts do not include penalty and interest if delinquent) :
1st Installment: \$1,333.42, payable
2nd Installment: \$1,333.41, payable
Parcel No.: 51N05W249850 (Parcel 1)
AIN No.: 182202

1st Installment: \$697.00, payable
2nd Installment: \$696.99, payable

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SCHEDULE B

(Continued)

Parcel No.: 51N05W249000 (Parcel 2)

AIN No.: 187082

8. Assessments of Ross Point Water District.

9. An easement and/or negative easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: State of Idaho
Purpose: Grantor agrees that no buildings or structures, except irrigation or drainage structures, will be permitted to be constructed within 20 feet of the real property above described. Relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway. Construction or relocation of right of way fencing shall be by and at the sole expense of the State, and grantors further agree that no advertising or other signs will be permitted closer than 100 feet from the right of way line.
Recorded: March 26, 1952
Instrument No.: Book 149 of Deeds at Page 517, records of Kootenai County, Idaho.

10. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: Kootenai Electric Cooperative, Inc.
Purpose: Electric transmission and/or distribution line or system
Recorded: May 20, 1992
Instrument No.: 1260086, records of Kootenai County, Idaho.

11. Any rights, interests, claims or other adverse matters which may exist or arise by reason of facts shown on Record of Survey recorded September 17, 1992 in Book 11 of Surveys at Page 198, records of Kootenai County, Idaho, including without limitation those described as follows:
 - A. Discrepancies between the bearings, measurements and locations of record and those shown on said survey.
 - B. Highway 41 right of way and the location thereof
 - C. Unknown matter, presumed to be a fence line, along the southern boundary line of Parcel 2 of the Land

12. Any rights, interests, claims or other adverse matters which may exist or arise by reason of facts shown on Record of Survey recorded July 22, 1993 in Book 13 of Surveys at Page 118, records of Kootenai County, Idaho, including without limitation those described as follows:
 - A. Discrepancies between the bearings, measurements and locations of record and those shown on said survey.

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SCHEDULE B
(Continued)

- B. Highway 41 right of way and the location thereof
 - C. Unknown matter, presumed to be a fence line, along the southern boundary line of Parcel 2 of the Land
 - D. Lot line adjustment
13. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: Kootenai Electric Cooperative, Inc.
Purpose: Electric transmission and/or distribution line or system
Recorded: October 28, 1993
Instrument No.: 1326582, records of Kootenai County, Idaho.
14. Any rights, interests, claims or other adverse matters which may exist or arise by reason of facts shown on Record of Survey recorded January 18, 2019 in Book 30 of Surveys at Page 397, records of Kootenai County, Idaho, including without limitation those described as follows:
- A. Discrepancies between the bearings, measurements and locations of record and those shown on said survey.
 - B. Highway 41 right of way and the location thereof

END OF SCHEDULE B

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CHICAGO TITLE INSURANCE COMPANY
SCHEDULE C

The Land is described as follows:

PARCEL 1:

A tract of land located in the Southeast Quarter of Section 24, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, and being described by metes and bounds as follows:

COMMENCING at a found railroad spike marking the Southeast corner of Section 24;

Thence, along the South line of Section 24, North 88°44'37" West, a distance of 50.01 feet to the West line of Highway 41;

Thence, parallel with the East line of Section 24 and along the West right-of-way line of Highway 41, North 00°17'26" East, a distance of 466.72 feet to a found iron rod and cap marking the POINT OF BEGINNING;

Thence, parallel with the South line of Section 24, North 88°44'37" West, a distance of 466.72 feet to a found iron rod and cap;

Thence, parallel with the East line of Section 24, North 00°17'26" East, a distance of 466.72 feet to a set iron rod and cap;

Thence, parallel with the South line of Section 24, South 88°44'37" East, a distance of 466.72 feet to a set iron rod and cap on the West right-of-way line of Highway 41;

Thence, parallel with the East line of Section 24 and along the West right-of-way line of Highway 41, South 00°17'26" West, a distance of 466.72 feet to the POINT OF BEGINNING.

TOGETHER WITH the South Half of a strip of land located in the Southeast Quarter of Section 24, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho and being described by metes and bounds as follows:

COMMENCING at a found railroad spike marking the Southeast corner of Section 24;

Thence, North 88°44'37" West, a distance of 516.73 feet to a point;

Thence, North 00°17'26" East, a distance of 466.72 feet to a found 5/8 inch iron rod and cap marking the POINT OF BEGINNING;

Thence, North 88°44'37" West, a distance of 94.01 feet to a set 5/8 inch iron rod and cap;

Thence, North 00°17'26" East, a distance of 933.44 feet to a set 5/8 inch iron rod and cap;

Thence, South 88°44'37" East, a distance of 94.01 feet to a set 5/8 inch iron rod and cap;

Thence, South 00°17'26" West, a distance of 933.44 feet to the POINT OF BEGINNING.

Said parcel also being described of record as follows:

COMMENCING at a found railroad spike marking the Southeast corner of Section 24;

Thence, North 88°44'37" West, a distance of 516.73 feet to a point;

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SCHEDULE C

(Continued)

Thence, North 00°17'26" East, a distance of 466.72 feet to a found 5/8 inch iron rod and cap marking the POINT OF BEGINNING;

Thence, North 88°44'37" West, a distance of 94.01 feet to a set 5/8 inch iron rod and cap;

Thence, North 00°17'26" East, a distance of 466.72 feet to a set 5/8 inch iron rod and cap;

Thence, South 88°44'37" East, a distance of 94.01 feet to a set 5/8 inch iron rod and cap;

Thence, South 00°17'26" West, a distance of 466.72 feet to the POINT OF BEGINNING.

PARCEL 2:

A tract of land located in the Southeast quarter of Section 24, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho and being described by metes and bounds as follows:

Commencing at a found railroad spike marking the Southeast corner of Section 24;

Thence, along the South line of Section 24, North 88°44'37" West, a distance of 50.01 feet to the West line of Highway 41;

Thence, parallel with the East line of Section 24 and along the West right of way line of Highway 41, North 00°17'26" East, a distance of 933.44 feet to a found iron rod and cap marking the POINT OF BEGINNING;

Thence, parallel with the South line of Section 24, North 88°44'37" West, a distance of 466.72 feet to a found iron rod and cap;

Thence, parallel with the East line of Section 24, North 00°17'26" East, a distance of 466.72 feet to a set iron rod and cap;

Thence, parallel with the South line of Section 24, South 88°44'37" East, a distance of 466.72 feet to a set iron rod and cap on the West right of way line of Highway 41;

Thence, parallel with the East line of Section 24 and along the West right of way line of Highway 41, South 00°17'26" West, a distance of 466.72 feet to the POINT OF BEGINNING.

TOGETHER WITH the North Half of a strip of land located in the Southeast Quarter of Section 24, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho and being described by metes and bounds as follows:

COMMENCING at a found railroad spike marking the Southeast corner of Section 24;

Thence, North 88°44'37" West, a distance of 516.73 feet to a point;

Thence, North 00°17'26" East, a distance of 466.72 feet to a found 5/8 inch iron rod and cap marking the POINT OF BEGINNING;

Thence, North 88°44'37" West, a distance of 94.01 feet to a set 5/8 inch iron rod and cap;

Thence, North 00°17'26" East, a distance of 933.44 feet to a set 5/8 inch iron rod and cap;

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SCHEDULE C
(Continued)

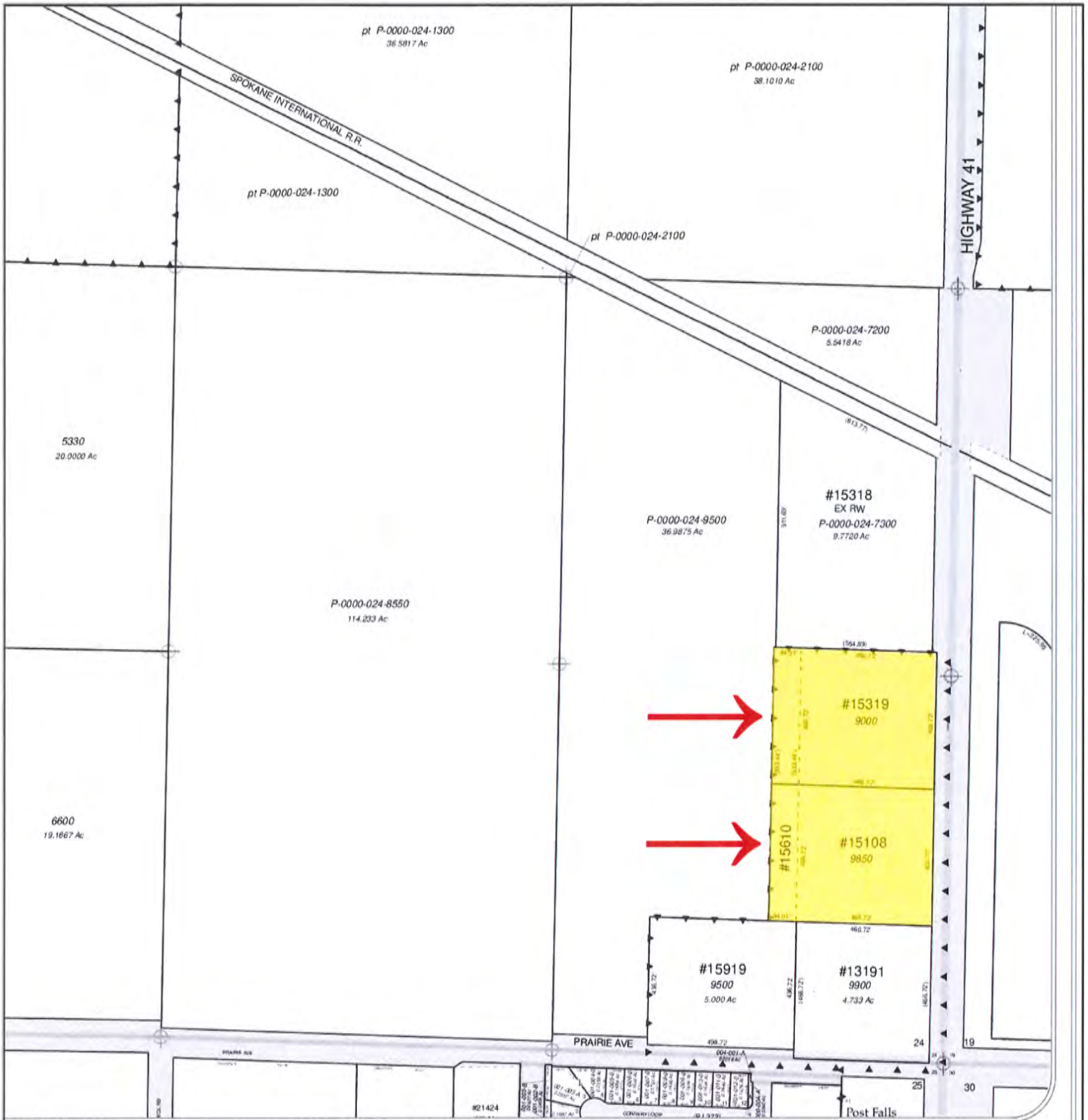
Thence, South 88°44'37" East, a distance of 94.01 feet to a set 5/8 inch iron rod and cap;

Thence, South 00°17'26" West, a distance of 933.44 feet to the POINT OF BEGINNING.

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Sec. 24 Twp 51 N. R. 5 W. B. M.

KT KOOTENAI TITLE
 MAKE A REQUEST FOR THE BEST
 1450 Northwest Blvd Ste 200 Coeur d'Alene, ID 83814
 Phone: (208)667-9431 Fax: (208)208-666-0410

ParcelID: 51N05W249850
8289 N Highway 41
Post Falls, ID 83854

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

ROSS POINT WATER DISTRICT

November 23, 2021

REC'D
NOV 29 2021
HARLAN B. DOUGLASS

TO: Bill Melvin, P.E.
City Engineer, City of Post Falls
408 Spokane Street
Post Falls ID 83854

RE: GVD-MORRIS ANNEXATION

Dear Mr. Melvin:

Ross Point Water District has reviewed the preliminary plans for on-site improvements for the above referenced project and found them to be acceptable. We will need to review the completed construction plans before we can give final approval of the water system.

Ross Point Water District's Consulting Engineer, Whipple Consulting Engineers, Inc., have completed a study, which analyses the impact the proposed subdivision will have on our water supply and distribution system. The study identifies improvements that if made by the Developer, will allow the District to provide service to the subject project and maintain the existing level of service in the Ross Point Water District.

Ross Point Water District will provide water service to the GVD-Morris Annexation, conditioned upon the developer completing off-site improvements, if any.

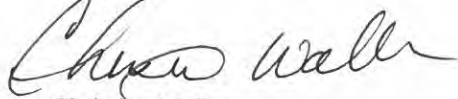
Additional requirements include:

1. Annexation of the subdivision into the Ross Point Water District service area, if applicable.
2. Satisfactory completion and dedication of approved on-site and off-site water system improvements.
3. Payment of all applicable fees and charges.
4. Compliance with all Ross Point Water District policies, rules and regulations.
5. Transfer of all water rights associated with project property, if applicable.

If work on the project is not begun within one year this "Will Serve" letter becomes void.

If you have any questions regarding this matter please call.

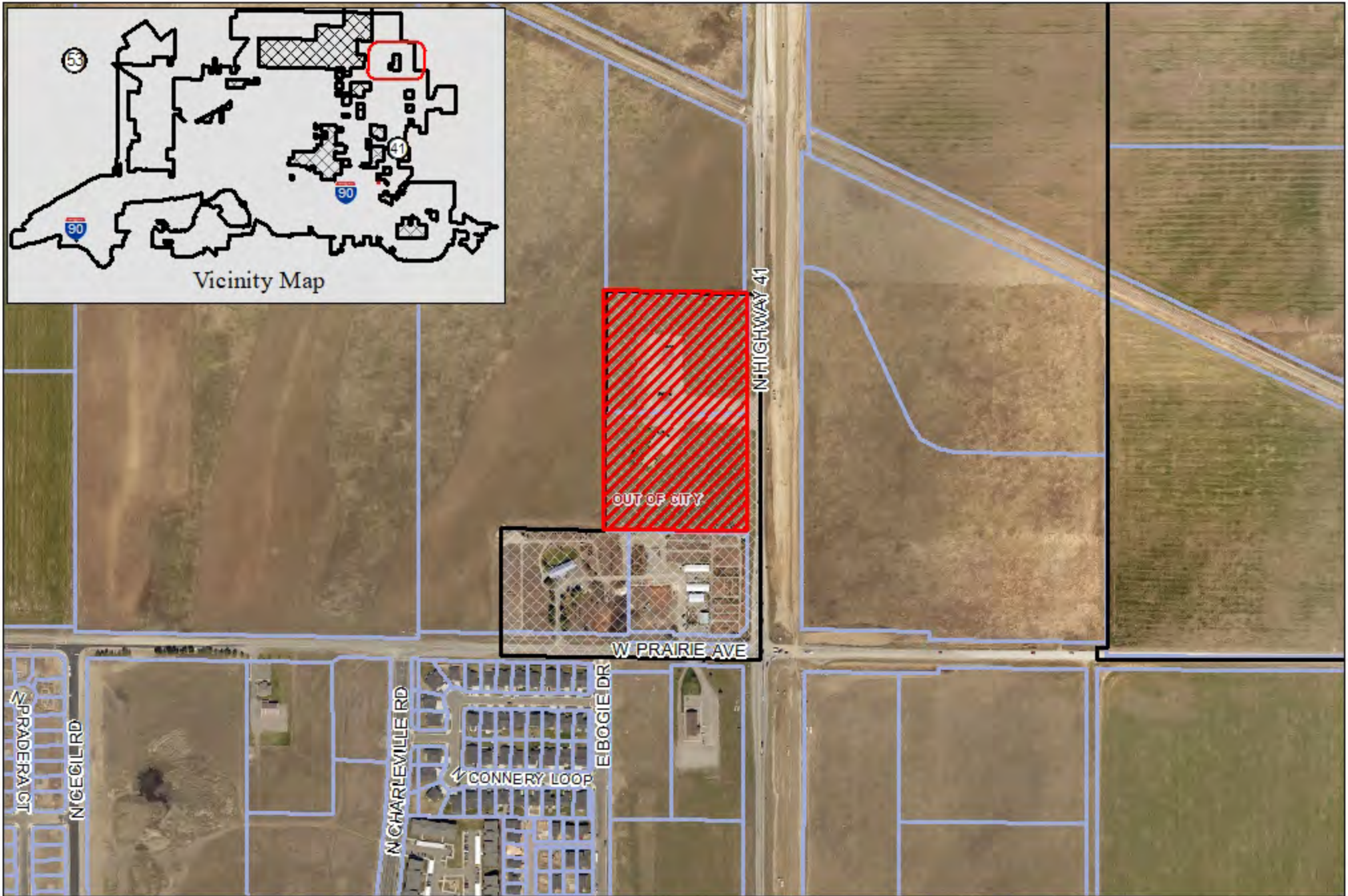
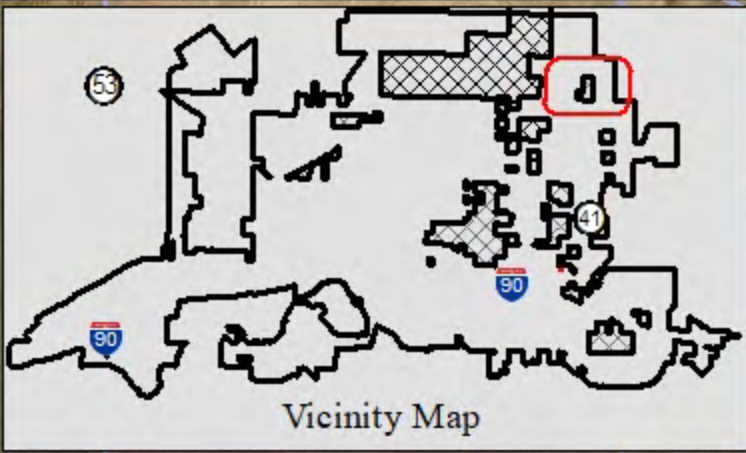
Sincerely,



Christine Waller
Ross Point Water District




Cc: Ray Kimball, Whipple Consulting Engineers, Inc.
Idaho Department of Quality
Panhandle Health District
Harlan B. Douglas, Douglas Properties



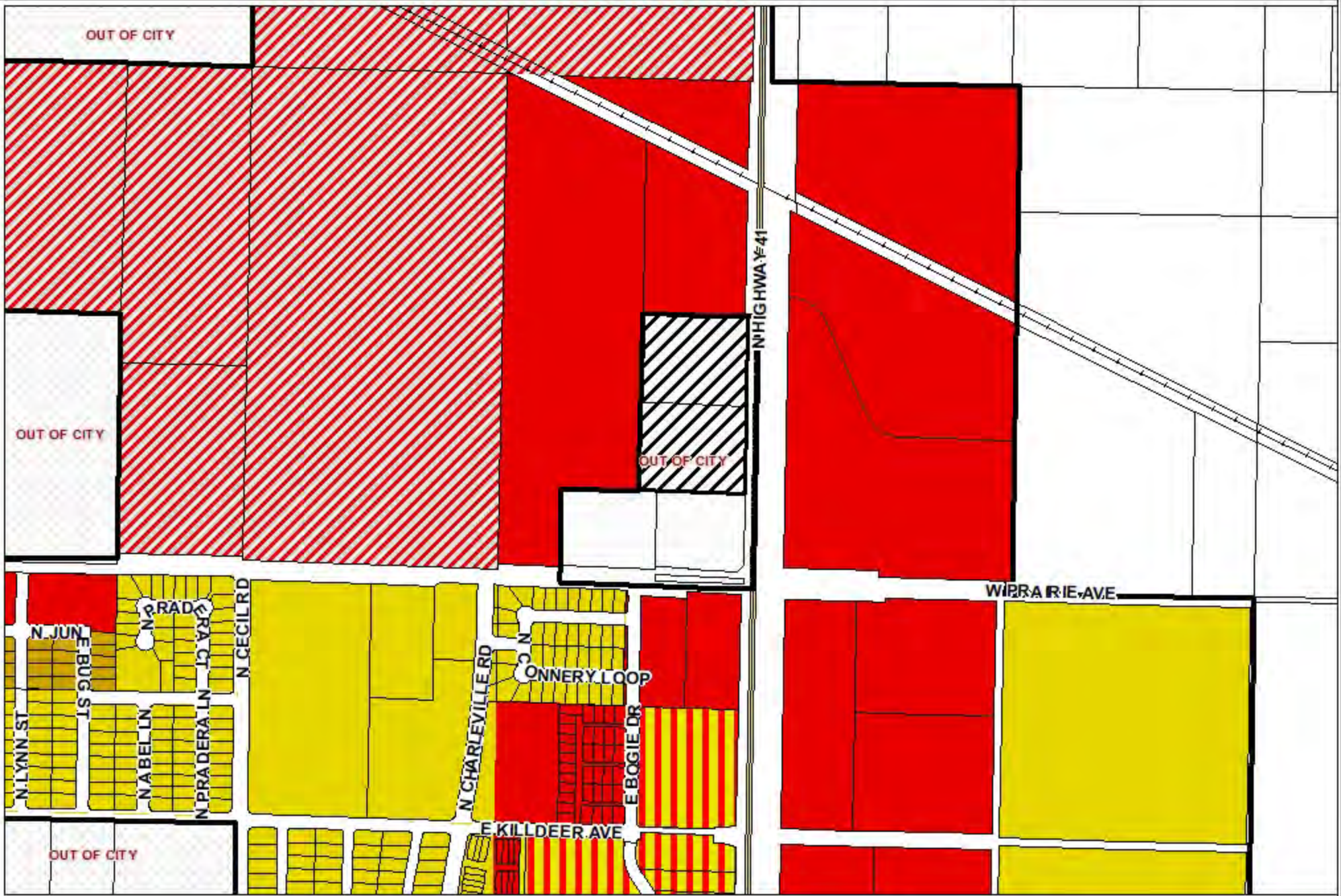


Project Location
 MORRIS ANNEXATION
 File # ANNX-0013-2021










-  Subject Site
-  City Boundary
-  Tax Parcels



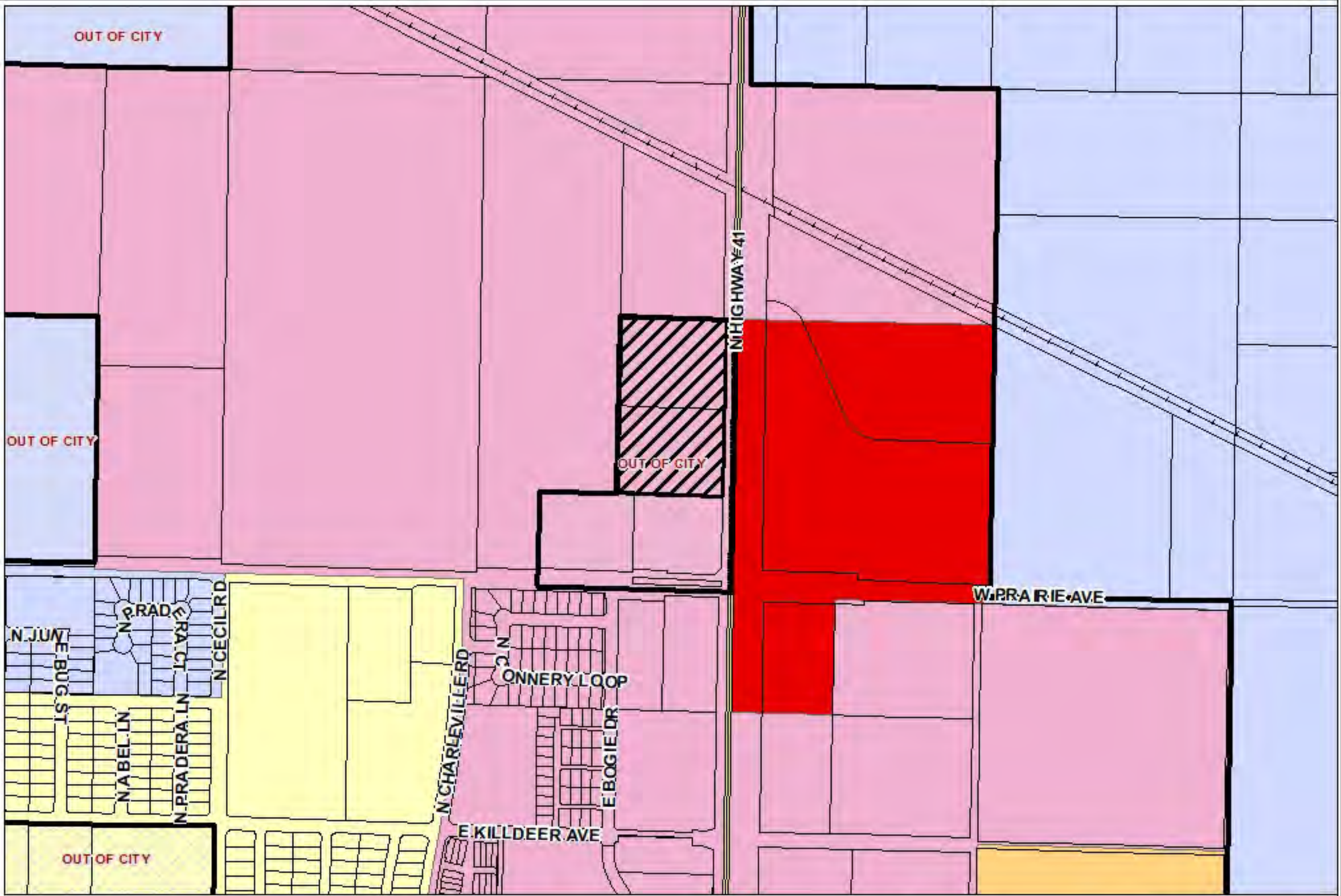


Zoning Map
 MORRIS ANNEXATION
 File # ANNX-0013-2021



-  City Boundary
-  Subject Site
-  CCS
-  CCM
-  TM
-  R-1
-  R-2





Future Land Use Designation
 MORRIS ANNEXATION
 File # ANNX-0013-2021



-  City Boundary
-  Subject Site
-  Commercial
-  Business/Commercial
-  Transitional
-  Medium Density Residential
-  Low Density Residential

Exhibit S-3



DEVELOPMENT AND ANNEXATION AGREEMENT

Morris Annexation (File No. ANNX-0013-2021)

THIS AGREEMENT is made this 21 day of Feb, 2022 by and between the **City of Post Falls**, a municipal corporation organized and existing pursuant to the laws of the State of Idaho, with its principal place of business at 408 N. Spokane Street, Post Falls, ID, and **Harlan D. Douglass**, an unmarried man, with his principal place of residence at 815 Rosewood Ave., Spokane, WA 99208.

WHEREAS, Harlan D. Douglass, (hereinafter the "Owner") owns a tract of land (hereinafter the "Property") adjacent to the city limits of the City of Post Falls (hereinafter the "City"), which the Owner wishes to annex and develop within the City; and

WHEREAS, the legal description and depiction of the Property is attached hereto as Exhibit "A"; and

WHEREAS, the Mayor and City Council of the City have determined it to be in the best interests of the City to annex the Property subject to the Owner performing the covenants and conditions in this Agreement.

NOW THEREFORE, IN CONSIDERATION of the covenants and conditions set forth herein, the parties agree as follows:

ARTICLE I: PURPOSE AND DESCRIPTION OF PROPERTY

- 1.1. Purpose: Owner enters into this Agreement in order to obtain annexation of the Property while the City seeks to obtain partial mitigation of the impacts of annexation of the Property on the City. Owner acknowledges that City has no duty to annex the Property and that the promises of Owner contained in this Agreement are an inducement for City to do so. The term "Owner" includes any successor in interest in the Property.
- 1.2. Description of the Property: The Property is generally located west of Highway 41 and north of Prairie Avenue and is more particularly described in Exhibit "A".

ARTICLE II: STANDARDS

- 2.1. Construct to City Standards: Owner agrees that all improvements required by this Agreement or by City codes will be built to City standards or to the standards of any public agency providing service to the Property. Owner agrees to adhere to all City policies and procedures; including, but not limited to sanitary sewer improvements, water lines, fire hydrants, parks, flood works, storm water management, curbs, sidewalks, street trees, streetlights, pedestrian/bicycle facilities and roads. Such policies include extending utility lines in a manner acceptable to the City to make service available to adjoining

lands and limitations on gaining site access from arterial and collector roadways (including the KMPO Critical Access Corridor Policy).

- 2.2. Applicable Standards: Owner agrees that all laws, standards, policies and procedures regarding public improvement construction that the Owner is required to comply with or otherwise meet pursuant to this Agreement or City codes are those in effect when construction is commenced. If Owner fails to comply with applicable laws in the course of constructing improvements, public or otherwise, on the Property, the Owner consents to the City withholding further development approvals for the Property including, but not limited to, building permits, certificates of occupancy, site plan approval, and subdivision approval until such compliance is attained. Owner waives, on behalf of itself and its successors in interest, any and all claims against the City relating to the City withholding development approval as authorized by this Section.
- 2.3. Inspection and Testing: Owner agrees that it will retain the services of a civil engineer, licensed by the State of Idaho, to perform construction inspection and testing during the construction of all public improvements on the Property. Owner agrees to provide copies of all field inspection reports and test results to the City Engineer accompanied by a certification that the improvements have been installed in compliance with applicable City requirements prior to requesting that the City accept the public improvements for ownership and maintenance. The inspection, testing and certification reports must be provided at no cost to the City. Owner agrees that a representative of the City must be present at the pressure testing of water mains and sanitary sewer mains. Owner agrees to provide the City with at least twenty-four (24) hours-notice before such testing.
- 2.4. As-Built Drawings: Owner agrees to provide accurate “as-built” drawings of public improvements to the City within thirty (30) days of the date of substantial completion of construction of any public improvement on the Property. If as-builts are not provided as required by this Agreement, the Owner agrees that the City may withhold further development approvals for the Property as provided in Section 2.2 and waives, on behalf of itself and its successors in interest, any and all claims against the City relating to the City withholding development approvals. The Owner understands and agrees that the City will not accept public improvements for maintenance or allow occupancy of constructed improvements on the Property until accurate “as-builts” are provided and until planned improvements have complied with the inspection requirements contained in Section 2.3 and have been accepted for public maintenance or approved for private use.
- 2.5. Street Access to the Property: Owner agrees that at the time street access to the Property can be obtained from the west via the planned backage road system identified in the City’s Transportation Master Plan, Owner will remove the current access point onto State Highway 41 and install matching curb, gutter, and other site improvements consistent with the requirements of the City of Post Falls and Idaho Transportation Department along Highway 41. Additionally, Owner agrees to comply with all access restrictions contained in the City’s Transportation Master Plan, the Highway 41 Corridor Master Plan and KMPO Critical Arterial Corridor Policy.

ARTICLE III. UTILITIES AND PUBLIC SERVICES

- 3.1. Water: Owner agrees to use a public water supply system for any development of the Property and to pay all required fees and charges including all connection and/or capitalization charges generally applicable at the time service is requested. If water service cannot be obtained from a public water supply system that has the legal authority to provide service to the Property, the Owner may seek to obtain temporary water service from any lawful source whether public or private beginning 90 days after the date that the Owner requested water service from each public water supply system that has legal authority to serve the Property. Upon public water service becoming available to the Property, Owner will disconnect from the temporary service and connect to the public water service.
- 3.1.1. Water Rights: Prior to commencement of development of the Property, Owner agrees to grant to the public water supply system agreeing to provide water service to the Property, in form acceptable to the grantee, all water rights associated with the Property in order to assure that the public water supply system has adequate water rights to supply domestic water to the Property.
- 3.2. Wastewater Reclamation: The Owner agrees to use the Post Falls Sanitary Sewer system for all development of the Property and to be responsible for all required fees and charges including all connection and/or capitalization charges generally applicable at the time service is requested. Sanitary sewer service will be provided in accordance with rules and regulations of the City. The City does not warrant that sanitary sewer capacity will be available at the time Owner requests connection to the sanitary sewer system. If sanitary sewer capacity cannot be assured within 90 days of the date that service is requested by the Owner, the Owner is authorized to provide temporary service by resorting to any lawful public or private alternative so long as legal requirements can be met. Upon the availability of treatment capacity from the City, the owner will disconnect from the temporary service and connect to and divert flows to the public system. Any proposed alternative must not inhibit the expansion, progression, or continuity of the City's wastewater collection system.
- 3.2.1. Connection of Existing Structure to Sanitary Sewer Infrastructure: Any existing structures located on the Property at the time of this Agreement that are serviced by a septic system must be connected to the Post Falls Sanitary Sewer system or removed from the Property at the time of any development on the Property and the existing septic system abandoned in compliance with all legal requirements. Owner is solely responsible for the costs of connecting to the sanitary sewer and abandoning the septic system.
- 3.2.2. Sanitary Sewer Surcharges: Owner acknowledges that the Property is within the 12th Avenue Force Main Surcharge Basin and agrees to pay the sewer surcharges established for the basin to fund the downstream collection system infrastructure needed to provide permanent sewer service to the Property. The surcharge is based on supplementing the City's existing sewer infrastructure to meet anticipated buildout within the sewer basin, as identified within the Cities Wastewater Collection System Master Plan (May 2019 – Keller Associates) and the NE Quadrant Sewer Study (July 2018 – JUB Engineers). The

surcharge is currently established at \$2,918.73 per service unit for the 12th Avenue Force Main. Owner agrees to pay the surcharges at the time of building permit issuance for any structures that will be connected to the City's wastewater collection system. Owner further agrees that the amount of the surcharge will be adjusted annually to account for inflation based on the ENR-CCI Index.

- 3.2.3. Limitation on Development Based on Sewer Flows: The parties agree that the 12th Avenue Force Main Surcharge is based on the need to construct a force main, as contemplated by Section 3.2.2, from the 12th Avenue Lift Station to the Water Reclamation Facility prior to flows in the Caton Line reaching 2.1 cubic feet per second or the flow rate entering the 12th Avenue lift station reaching 650 gallons per minute, whichever occurs first. Owner agrees that if the 12th Avenue Force main has not been constructed by the time that the first of these conditions have been reached, the City may withhold approval of further subdivision, building permit, or other development permits for the Property until such time as the 12th Avenue Force Main has been constructed and accepted by the City. Owner waives any and all claims it may have, or acquire, against the City or its officers, employees, or agents arising in any way from the City withholding development permits or approvals as contemplated by this Section 3.2.3.
- 3.3. Maintenance of Private Sanitary Sewer and Water Lines: The Owner acknowledges that the City is not responsible for maintenance of any private sanitary sewer lines or water lines, including appurtenances, within the Property.
- 3.4. Size of Sewer Mains: The Owner agrees to provide on-site sewer lines sized to accommodate the projected flows from the Property and from any upstream property, with no reimbursement for oversizing.
- 3.5. Garbage Collection: The Owner agrees that upon the expiration of the term of any contract to provide garbage collection services to the Property, that the Owner will begin using the garbage collection service in effect with the City of Post Falls.

ARTICLE IV. PUBLIC PROPERTY DEDICATIONS

- 4.1. Rights of Way and Easements: As partial consideration for this Agreement, Owner agrees to dedicate the following grants of rights of way and easements to the City at the time of execution of this Agreement:
 - 4.1.1. By grant of easement in a form acceptable to the City, Owner will grant a 15-foot wide easement along the SH41 rights-of-way for utilities, sidewalks, and storm drainage.

ARTICLE V. CONSIDERATION/FEES

- 5.1. Owner's Consideration: In addition to other consideration contained in this Agreement, Owner agrees to provide specific consideration to the City in the amounts and at the times specified in this Article. The sums specified are deemed by the parties to be reasonable in exchange for benefits provided by the City to the Owners' use and development of the Property, including, but not limited to; public safety, street services,

police equipment, community and traffic planning. The following consideration may be used in any manner that the City, in its sole discretion decides.

- 5.2. Annexation Fee: Prior to issuance of a permit for any development on the Property, the Owner, or their successors in interest, must pay the appropriate annexation fee in effect at the time of the issuance of the permit as adopted by the City Council by resolution.
- 5.3. No Extension of Credit: The parties, after careful consideration of the actual burdens on the City, have agreed to a specific timeline in which those burdens will occur. This Article anticipates specific payment at a specific date and is in no manner a loan of services or an extension of credit by the City.
- 5.4. Other Fees: Additionally, the Owner agrees to pay all required fees and charges including but not necessarily limited to water hook-up fee(s), water connection (capitalization) fee(s), sanitary sewer connection (capitalization) fee(s) and building permit fees and any applicable impact fees that may be imposed. Fees referred to in this Section are established by City ordinance and/or resolution and arise independent of this Agreement.
- 5.5. Sanitary Sewer Surcharges: Additionally, the Owner acknowledges and agrees to pay all required fees and charges associated with the 12th Ave. Surcharge as contemplated in Section 3.2.2. Fees are assessed at the time of connection to the City's Water Reclamation System.
- 5.5. City's Consideration: Upon the proper execution and recordation of this Agreement, the City will prepare for passage an annexation ordinance annexing the Property. The parties agree that until the date of publication of the annexation ordinance, no final annexation of Owners' property will occur.

ARTICLE VI. MISCELLANEOUS

- 6.1. Subdivision: The parties acknowledge that in the event the Owner desires to sell a portion of the Property rather than the Property as a whole, that a plat may be necessary. Owner agrees that in the event a plat is necessary, Owner will submit a proper subdivision plat and comply with the subdivision ordinance in effect at the time of the desired division.
- 6.2. De-annexation: Owner agrees that in the event the Owner fails to comply with the terms of this Agreement, defaults, or is otherwise in breach of this Agreement, the City may de-annex the Property and terminate utility services without objection from owners, assigns or successors in interest of such portions of the Property as the City in its sole discretion decides. Owner waives, on behalf of itself and any successors in interest, any claims it may have against the City for de-annexing the Property as allowed by this Section.
- 6.3. Owner to Hold City Harmless: The Owner further agrees it will indemnify, defend (in the City's sole option, and hold the City harmless from any and all causes of action, claims and damages that arise, may arise, or are alleged, as a result of the Owner's development, operation, maintenance, and use of the Property. Owner further agrees to pay City's legal costs, including reasonable attorney fees in the event this annexation is

challenged in a court of law. Payment for City's legal costs will be remitted within thirty (30) days after receipt of invoice from the City for legal expenses.

- 6.4. Time is of the Essence: Time is of the essence in this Agreement.
- 6.5. Merger and Amendment: All promises and prior negotiations of the parties' merge into this Agreement and the representations, warranties, covenants, conditions and agreements of the parties contained in the Agreement shall survive the acceptance of any deeds and/or easements. The parties agree that this Agreement may only be amended by a written instrument that is signed by both parties. The parties agree that this Agreement will not be amended by a change in law.
- 6.6. Effect on City Code: The parties agree that Agreement is not intended to replace any other requirement of City Code and that its execution does not constitute a waiver of requirements established by City ordinance or other applicable provisions of law.
- 6.7. Recordation: The Owner agrees this Agreement will be recorded by the City at the Owner's expense.
- 6.8. Section Headings: The section headings of this Agreement are for clarity in reading and not intended to limit or expand the contents of the sections to which they apply.
- 6.9. Incorporation of Recitals and Exhibits: The recitals to this Agreement and all exhibits referred to in this Agreement are incorporated herein by this reference and made a part of this Agreement.
- 6.10. Compliance with Applicable Laws: Owner agrees to comply with all applicable laws.
- 6.11. Covenants Run with the Land: The covenants contained herein to be performed by the Owner are binding upon the Owner and Owner's heirs, assigns and successors in interest, and shall be deemed to be covenants running with the land.
- 6.12. Promise of Cooperation: Should circumstances change, operational difficulties arise or misunderstandings develop, the parties agree to meet and confer at the request of either party to discuss the issue and proposed solutions. Further, each party agrees not to bring a claim, initiate other legal action or suspend performance without meeting directly with the other party regarding the subject matter of the disagreement and if the parties cannot amicably resolve the disagreement, retain a mediator, acceptable to both parties, to mediate a solution to the disagreement.
- 6.13. Severability: Should any provision of this Agreement be declared invalid by a court of competent jurisdiction the remaining provisions continue in full force and effect and must be interpreted to effectuate the purposes of the entire Agreement to the greatest extent possible.
- 6.14. Enforcement - Attorney's Fees: Should either party require the services of legal counsel to enforce compliance with the terms of this Agreement, the prevailing party will be entitled to its reasonable attorney's fees and related costs of enforcement.

IN WITNESS WHEREOF, the City of Post Falls has caused this Agreement to be executed by its Mayor and City Clerk, and the Owner has executed this Agreement to be effective the day and year first above written.

CITY OF POST FALLS

HARLAN D. DOUGLASS

By: _____
Ronald G. Jacobson, Mayor

Harlan D. Douglass
By: *By: D.N. Mal A.I.F.*
Harlan D. Douglass

Attest:

Shannon Howard, City Clerk

By: Deanna M. Malorn
Attorney in Fact for
Harlan D. Douglass

ACKNOWLEDGEMENTS

STATE OF IDAHO)
 : ss
County of Kootenai)

On this ____ day of ____, 20__, before me, a Notary for the State of Idaho, personally appeared **Ronald G. Jacobson and Shannon Howard** known, or identified to me to be the **Mayor and City Clerk**, respectively of the City of Post Falls, Kootenai County, Idaho, executing the herein instrument, and acknowledged to me that such City of Post Falls executed the same.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal the date and year in this certificate first above written.

Notary Public for the State of Idaho
Residing at: _____
Commission Expires: _____

STATE OF WASHINGTON)

: ss

County of Spokane)

On this 21st day of February, 2022, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Deanna N. Malcom, to me known to be the individual described in and who executed the foregoing instrument for himself and as Power of Attorney, for Harlan D. Douglass, also therein described, and acknowledged to me that he signed and sealed the same as his voluntary act and deed and as the free and voluntary act and deed of the said Harlan D. Douglass, and Harlan D. Douglass is still living.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Jeanine Patterson

NOTARY PUBLIC in and for the State
of Washington, residing at Spokane
My commission expires: June 11, 2024





J-U-B COMPANIES



THE LANGDON GROUP



GATEWAY MAPPING INC.

EXHIBIT A

LEGAL DESCRIPTION OF THE ANNEXATION BOUNDARY TO THE CITY OF POST FALLS

November 16, 2021

That portion of the SE1/4 of Section 24, Township 51 North, Range 5 West, B.M., Kootenai County, Idaho, more particularly described as follows:

COMMENCING at the southeast corner of said Section 24; (from which the E1/4 corner of said Section 24 bears North 01°01'59" East a distance of 2,640.05 feet);

thence North 01°01'59" East along the east line of the SE1/4 of said Section 24 also being the existing Post Falls city limits, a distance of 466.73 feet, more or less;

thence North 88°00'04" West along said existing Post Falls city limits, a distance of 49.68 feet, more or less, to the POINT OF BEGINNING;

thence North 88°00'04" West continuing along said existing Post Falls city limits, a distance of 561.06 feet, more or less;

thence North 01°01'59" East, a distance of 933.44 feet, more or less;

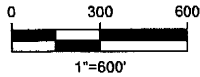
thence South 88°00'04" East, a distance of 560.88 feet, more or less, to the westerly right-of-way line of State Highway 41;

thence South 01°01'19" West along said westerly right-of-way line, a distance of 933.44 feet, more or less, to the to the POINT OF BEGINNING.

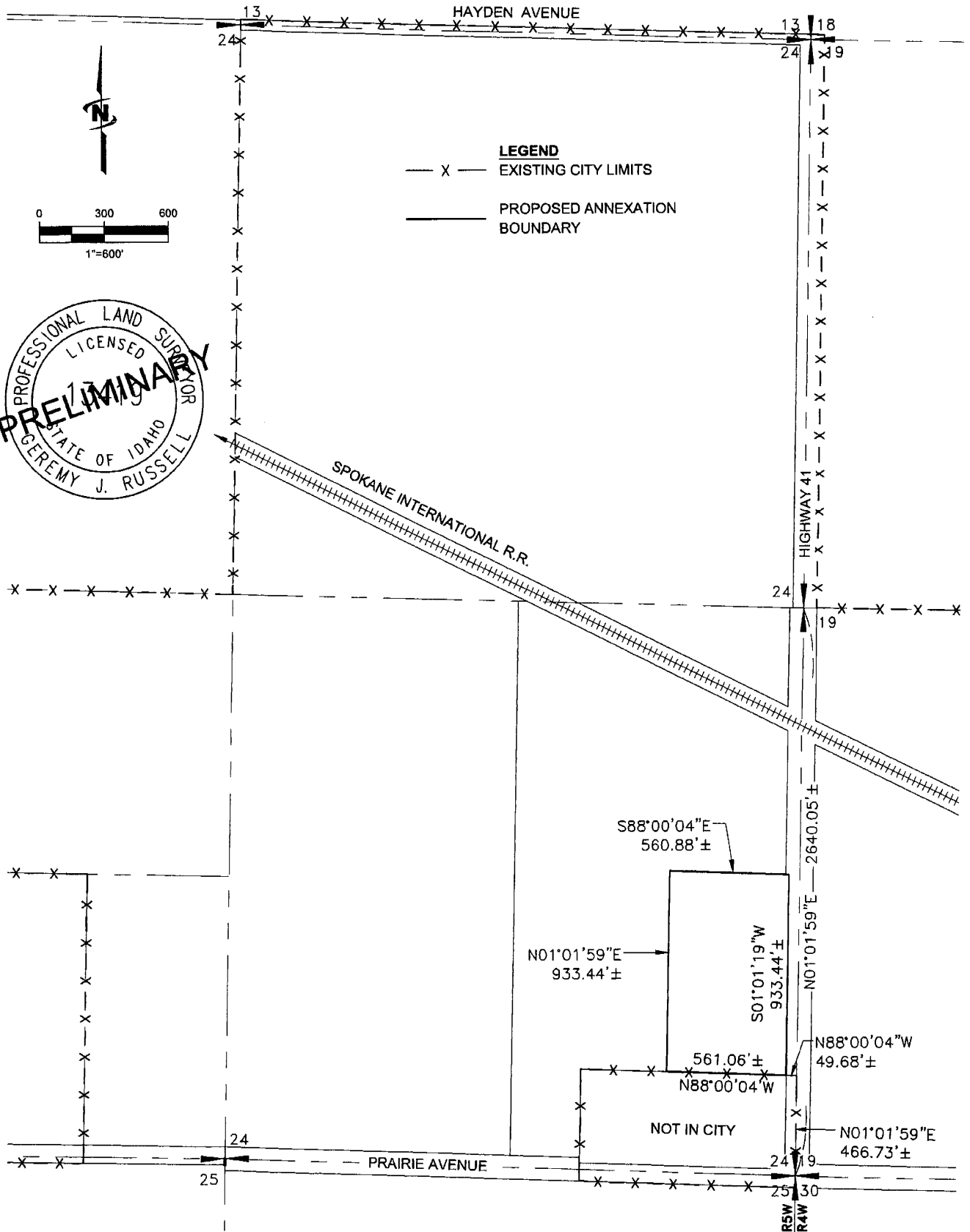
Gross Area: 12.02 acres, more or less



Plot Date: 11/16/2021 \\CDAFILES\PUBLIC\PROJECTS\JUB\20-18-019 BEYOND GREEN INC\CAD\SURVEY\INW TECH PARK\MODEL\2021_ANNEXATION EX.DWG



LEGEND
— X — EXISTING CITY LIMITS
— PROPOSED ANNEXATION BOUNDARY



J-U-B ENGINEERS, INC.

**CITY OF POST FALLS
ANNEXATION ORDINANCE NO. _____**

PORTION OF THE SE1/4 OF SEC. 24, T 51N, R 5W, B.M.
KOOTENAI COUNTY, IDAHO

Kootenai County Fire & Rescue

Fire Marshal's Office

1590 E. Seltice Way
Post Falls, ID 83854
Tel: 208-777-8500
Fax: 208-777-1569
www.kootenaifire.com

March 22, 2022

Amber Blanchette
Planning Administrative Specialist
amberb@postfallsidaho.org

RE: Notice to Jurisdiction Response

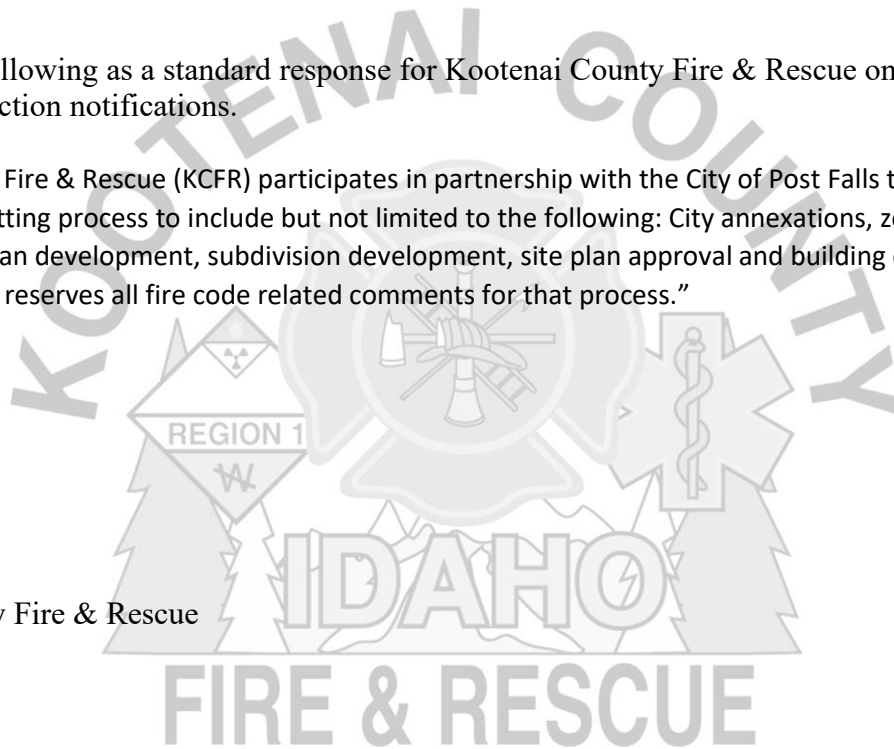
Amber,

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

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

Respectfully,

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





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

March 23rd, 2022

Amber Blanchette
Planning Administrative Specialist
amberb@postfallsidaho.org

Re: Morris Annexation File No. ANN-0013-2021

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

Respectfully submitted,

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

Mark J. Brantl
Captain
Post Falls Police Department

Amber Blanchette

From: jonie@postfallshd.com
Sent: Tuesday, April 5, 2022 12:10 PM
To: Amber Blanchette
Subject: RE: Morris Annexation File No. ANNX-0013-2021

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

PFHD has no comment

Thank you

Jonie Anderson
Administrative Assistant 1
Post Falls Highway District
p 208.765.3717
f 208.765.0493
contactus@postfallshd.com



From: Amber Blanchette <amberb@postfallsidaho.org>
Sent: Tuesday, March 22, 2022 9:06 AM
To: Ali Marienau <AMarienau@kmpo.net>; Andy Obermueller <aobermueller@cdapress.com>; audie.neuson@williams.com; Avista <c01_Real_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfallsidaho.org>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfallsidaho.org>; David Sauer (ZiPLY) <david.sauer@ziply.com>; Dena Naccarato <dnaccarato@273.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellie Hilbert <ehilbert@cdapress.com>; Erik Ketner <eketner@phd1.idaho.gov>; Erika Auger <eauger@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eportner@postfallsidaho.org>; Field Herrington <fherrington@postfallsidaho.org>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; J Mcmillin <jmcmillin@postfallspolice.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jpoindexter@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Jodi Meyer <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfallsidaho.org>; Judah Lopez <judah_lopez@tranacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson <kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric

Amber Blanchette

From: Kristie May <Kristie.May@deq.idaho.gov>
Sent: Wednesday, April 6, 2022 9:05 AM
To: Amber Blanchette
Subject: RE: Morris Annexation File No. ANNX-0013-2021

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

Good Morning,

DEQ has no environmental impact comments at this stage of the project.

Thank you,
Kristie

Kristie May | Admin Assistant II
Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Direct: 208.666.4608
Office Line: 208.769.1422
www.deq.idaho.gov

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

From: Amber Blanchette <amberb@postfallsidaho.org>
Sent: Tuesday, March 22, 2022 9:06 AM
To: Ali Marienau <AMarienau@kmpo.net>; Andy Obermueller <aobermueller@cdapress.com>; audie.neuson@williams.com; Avista <c01_Real_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfallsidaho.org>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfallsidaho.org>; David Sauer (ZiPLY) <david.sauer@ziPLY.com>; Dena Naccarato <dnaccarato@273.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellie Hilbert <ehilbert@cdapress.com>; Erik Ketner <eketner@phd1.idaho.gov>; Erika Auger <eauger@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eporter@postfallsidaho.org>; Field Herrington <fherrington@postfallsidaho.org>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; J Mcmillin <jmcmillin@postfallspolice.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jpoindexter@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Jodi Meyer <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfallsidaho.org>; Judah Lopez <judah_lopez@tranacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson <kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristie May <Kristie.May@deq.idaho.gov>; Laura Jones <ljones@postfallsidaho.org>; lauriep@kootenaifire.com; Lindsay Spencer <lindsay@eastgreenacres.org>; Lynn Sandsor, AECOM <lynn.sandsor@aecom.com>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF

Howard Burns
502 S Rocky Pt Ct
Post Falls, ID 83854
208-457-3890

April 4, 2022

To the Planning Commissioners and City Council Members of Post Falls:
Sent electronically via email

Some Thoughts on the Morris Annexation, 12 acres just north of the Northeast corner of Prairie and Hwy 41.

The question for me is whether the residents of Post Falls plus the Planning Commission & City Council get a full picture of what is being requested and what is in process in and around the property. At the risk of being called a 'nay-sayer', I'd ask for the City to NOT annex the property in at this time. It is premature and potentially damaging to what the Tech Park might (should?) become as it could have a detrimental influence on future development.

If the annexation must be granted (there is no reason that I know of where this would be so), Condition the project to:

Prohibit Rental dwelling units of all types. Residential 'for sale' housing might be acceptable but it should be required to have Conditions, Covenants and Restrictions (CC&R's) that prohibit renting of any unit by an owner until they have lived in it as their principal residence for not less than two (2) years as this might help to alleviate the acquisition of units by large corporate entities that are buying up the housing stock and keeping home ownership beyond the reach of many.

Allow cross easement(s) to property on the north, west and south to contribute a holistic development.

Restrict the property from being added to the adjacent URD. That should not be allowed, there is enough tax-benefitted land now.

Of course, my original point stands: Don't annex the property into the City now.

As it seems to me some information has left out of the provided reports I have attached a rather lengthy compilation of data I came across in my research.

Sincerely,

Howard W. Burns

+ 9 page Attachment:

From Howard Burns, 9 page Attachment to letter of April 4, 2022 on Morris Annexation

First, the Staff Report, in my opinion, seems to be lacking items that might, if known, alter or affect a decision. Let's consider some of them:

There is no definitive statement on just how many apartments could be built if the zoning of CCS is granted. By my calculations there could be: 12 acres = 43,560sf x 12= 522,720sf, subtract 25% for roads, sidewalks, etc. (generic) = 392,040 sf. Using the Bulk table, at the required 'minimum lot per dwelling unit of 2000 sf' for the "TH" designation, there could be 196 units, yet using the 18 per acre calculation there could be 216, **with no City Council hearing needed (note Bluegrass Apts mentioned further on).**

The development information in the area is ignored. The paragraph from the report states:

Surrounding Land Uses: To the west and north is vacant Technology Mixed (TM) and other vacant Community Commercial Services (CCS) zoned undeveloped lands. To the east is vacant undeveloped Community Commercial Services (CCS) zoned lands. To the south is commercial nursery with a residence operating in Kootenai County.

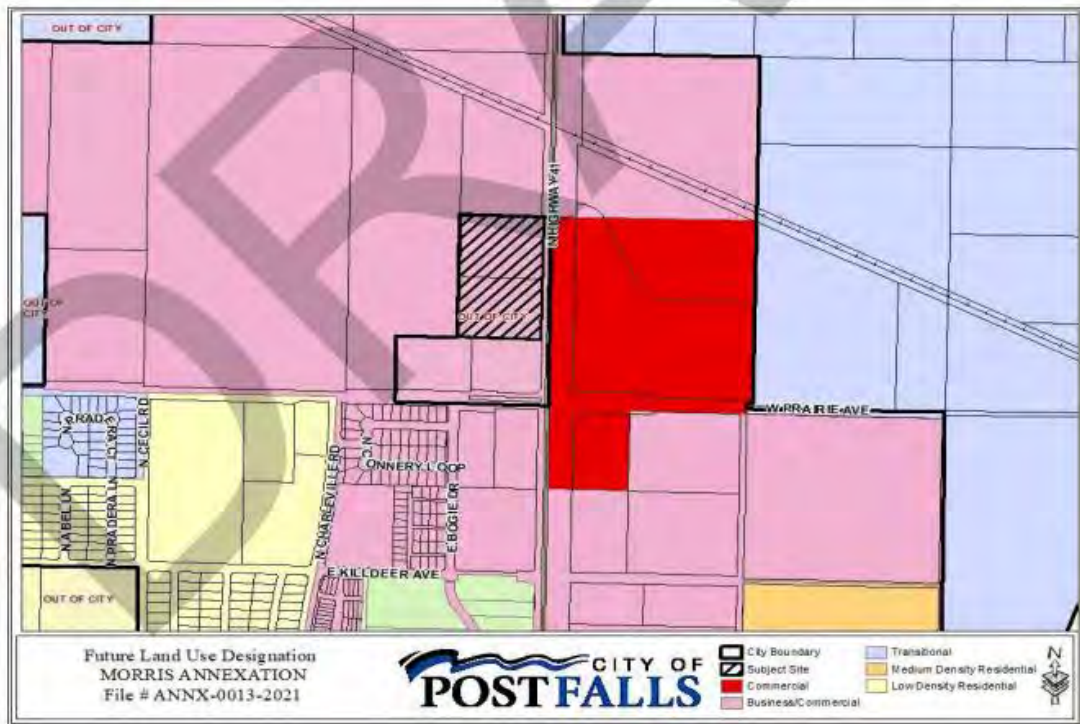
While that statement is correct at this moment, why isn't the paragraph written something like this?

To the west and north is the vacant land area planned for the "Post Falls Technology Park" with the applicable Urban Renewal Zone (URD). There is a lengthy report on this URD available through the Post Falls URD web site, www.pfura.com, <http://pfura.com/our-districts/post-falls-technology>, and one of the possible site plans is attached here as Exhibit _____. Of course it is just a concept plan but it was used by the URD in analyzing the financial benefits of the URD. To the east across Hwy 41, is a 50 acre property, also part of the URD, that is, per the News media and the Real Estate Community, going to be a shopping center with apartments (a possible site plan is provided as Exhibit _____) Since the ownership of the 50 acre property to the east has not applied for any building permits at this *time (IS THIS CORRECT? If building permits have been applied for then certainly it would have been in the staff report?)* we cannot be certain that the project will be built. Directly south of the property is the "Northland Nursery", a retail plant nursery that is also a "County Island". *{This is my personal opinion of how this paragraph might be re-written, and I have included a paste in this document of the URD site plan and the shopping center site plan in this attachment. I note that NOTHING in the URD feasibility discusses OR contemplates RESIDENTIAL}*

The Future land use designation Exhibit 5-3 in the Staff Report, pasted below for ease of reference, shows that the Land Use is Business commercial NOT "Commercial", it is not shown in Red and therefore the uses allowed were, at least at the time the Future Land Use was considered, DIFFERENT in some significant manner from CCS. Why is there no discussion of the difference (purple vs red)

Future Land Use Designation:

Exhibit S-3: Future Land Use Map, depicts the land use designation for this area as Business/Commercial. The proposed CCS Zone is allowable per the direction of the HWY 41 Focus Area and the road classification of HWY 41 (Principal Arterial).



Another item that is not discussed is that the property owner, Harlan Douglass, Douglass Properties, has multiple (15+) large apartment complexes in Spokane. Apartment ownership seems to be one of the main businesses he is in. Why is the ownership's primary business acumen/efforts not discussed or at least a link provided? In addition, Lanzce Douglass, son of Harlan Douglass, is in the midst of finishing construction on 300+ apartments at 4185 East Poleline, the newly named "Bluegrass" apartments. These were constructed on CCS land and there were, to my knowledge, **no hearings of any kind**. The residents of Foxtail were VERY surprised when construction commenced on a massive apartment complex adjacent to them. These are not what I'd refer to as "affordable" apartments, here is the rent schedule from the website:

1 Bedroom, 1 Bathroom \$1,950
1 BED • 1 BATH

2 Bedrooms, 2 Bathrooms \$2,250
2 BEDS • 2 BATHS

3 Bedrooms, 2 Bathrooms \$2,295
3 BEDS • 2 BATHS

Harlan Douglass from 2019 news article. To show that he does not necessarily develop apartments:

‘During his 60-plus years as a developer, Douglass has assembled a real estate empire that includes owning, constructing, and leasing over 250 commercial buildings, about 2,000 apartment units, and several self-storage complexes across seven states’.

Link to article <https://www.spokanejournal.com/local-news/icons-harlan-douglass-constructing-a-path-to-success/>

The applicant’s application states that Harlan Douglass is the Property Owner (recently acquiring the property via a purchase) and that he is represented by Dobler Engineering. Yet later on in the application there is a statement that the applicant is not ‘just’ Harlan Douglass but also GVD Commercial Properties and that JUB Engineering is somehow also affiliated with the application. See pastes below for ease of reference.

PART 2 – APPLICATION INFORMATION

PROPERTY OWNER: Harlan Douglas		
MAILING ADDRESS: 815 Rosewood Ave		
CITY: Spokane	STATE: WA	ZIP: 99208
PHONE:	FAX:	EMAIL:
APPLICANT OR CONSULTANT: Dobler Engineering		STATUS: ENGINEER OTHER
MAILING ADDRESS: PO Box 3181		
CITY: Hayden	STATE: Id	ZIP: 83835
PHONE: 208 755-9732	FAX:	EMAIL: gordon@doblerengineering.com

INTRODUCTION:

J-U-B ENGINEERS, Inc, on behalf of GVD Commercial Properties, Inc. (GVD) and H. Douglas is respectfully requesting annexation of approximately 12 acres with a Community Commercial Services (CCS) zoning district for property north of Prairie Avenue. The request is in accordance with the Highway 41 Corridor Plan, Comprehensive Plan, adjacent City Zoning, and Land Use. The approval criteria for establishing zoning are:

PROJECT INFORMATION:

Project Name / File Number: Morris Annexation

Owner: H. Douglas

Applicant: GVD COMMERCIAL PROPERTIES INC

Project Description: Annex approximately 12 acres from Kootenai County into the City with a zoning request of Community Commercial Services (CCS).

Project Location: The property is located near the northwest corner of the intersection of W. Prairie Ave. and HWY 41.

AREA CONTEXT (proposed site hatched red below)

Surrounding Land Uses: To the south there is a nursery. The east, north, and west is undeveloped land planned for commercial (Shopping Center and Tech Park), which is an annexed with the property immediately adjacent to the 12 acres at issue here being zoned CCS.

MORE on the URD "PLAN" LINK to URD DOCUMENT: <http://pfura.com/wp-content/uploads/2018/10/PF-Technology-District-Plan-submitted-to-State.pdf>

SECTION 3

PROPOSED DEVELOPMENT ACTIONS

a. General

The Project Area has been determined to be a Competitively Disadvantaged Border Community Area within a Deteriorated/Deteriorating area and as such adopts the following purposes and major goals for this Plan:

- To stimulate the development of a High Tech Industrial Park in the northeast portion of the City of Post Falls;
- To enhance this potential site for commercial development and expansion;
- To create and expand public infrastructure and public facilities within the entire Urban Renewal District;
- To enhance and improve transportation routes and collector streets within the District to enhance future development;
- To strengthen the District and enhance related commercial development and support within the Project Area; and
- To provide commercial and recreational facilities for the residents of Post Falls and visitors.

h. Owner Participation Agreements

The Owner Participation Agreement (OPA) is a legal document that forms a Public/Private partnership between the Urban Renewal Agency and one or more private developers within an Urban Renewal District. OPAs are used by the URA when entering into an agreement with a private developer for a specific project or public improvement within an Urban Renewal District. The URA may enter into OPAs with several developers within a District or require multiple participants to enter into separate agreements between themselves and the URA regarding the use, reimbursement priority and percentages of reimbursement available from tax increment generated by new development within a District.

The Agency's form OPAs are included as Appendix H and Appendix I. The OPAs require the participant to own or control real estate within the boundaries of the Urban Renewal District and construct specific public infrastructure improvements as set forth in this Plan and as approved by the City of Post Falls. The proponent must pay for the improvements and they must be dedicated to and accepted by the city of Post Falls.

In the OPA, the URA agrees to reimburse specific costs for public infrastructure improvements, once completed and dedicated to the City, by allocating all or a portion of the increase in tax increment accruing from new development to such reimbursement. Infrastructure costs must be documented and reviewed by a third-party engineering firm employed by the URA prior to payment.

The URA's commitment to reimburse a proponent's cost for public infrastructure improvements is entirely contingent on the amount of tax increment generated within the District and expires upon the maturity of the District. Within the OPA, the URA sets the percentage of costs that may be reimbursed from tax increment, based on the type of new development (industrial, technical, commercial and residential). These percentages may range from 100% to 25% with higher percentages allocated to development which supports job growth and economic development.

=====

b. Designated Land Uses of the Comprehensive Plan

The Urban Renewal District land uses are consistent with the Future Land Use Map of the Post Falls Comprehensive Plan. If the necessary resources are available, the Urban Renewal Agency will assist any project that desires support, but that project must be consistent with this Urban Renewal Plan and the Comprehensive Plan of the City. The following is a list of the land uses in the Urban Renewal Plan as they are described in the Comprehensive Plan. All proposed uses must comply with the appropriate land use designation in which it will be located.

(1) Regional/Community Commercial/Office/Industrial/Manufacturing/Technology

The Commercial designation is found in most of the Project Area along Highway 41. The function of this designation is to provide regional, local and tourist needs in readily accessible locations. Compatible land uses within the Project Area are to be consistent with the Future Land Use Map of the Comprehensive Plan and the applied zoning district. The intent is to create a mixture of office, retail, service commercial uses and technology as well as other supporting development to compliment this objective. For the sake of brevity and clarification, this designation will be referred to as the "Technology Mixed District" in this document, as the intent is to create a sustainable mixed-use development area (horizontal or vertical) for job creation, commerce, and connecting neighborhoods.

=====

(4) Nonconforming uses

Uses which do not conform to the Post Falls Technology District Urban Renewal Plan and/or the City of Post Falls Comprehensive Plan and/or zoning district are not eligible for support or assistance from the Urban Renewal Agency.

=====

Future Development

Projections for future development in the proposed district are shown in the table below. Any of the proposed zones can be developed at any time. Project cost estimates for the Inland Northwest Technology Park were provided by JUB Engineers (see Appendix A for more detail). For assessment purposes, infrastructure improvements were distributed evenly amongst each building. Only high-level plans were provided for other planned developments in the area with no project cost estimates. This analysis does not include any other developments that may arise from the remaining properties situated in the district.

INLAND NORTHWEST TECHNOLOGY PARK

(TECHNOLOGICAL MANUFACTURING DATA STORAGE, AEROSPACE, RESEARCH, ETC.)



ENGINEER'S OPINION OF PROBABLE COST

PRELIMINARY

PROJECT: ZONE B - Inland Northwest Technology Park - CCS Zone	DATE: July 2018
PROJECT DESCRIPTION: Construction Cost Estimates for proposed buildings.	
CLIENT:	PREPARED BY: ETH

ITEM NO.	DESCRIPTION	SCHEDULE OF VALUES			
		QNTY	UNIT	UNIT PRICE	TOTAL COST
	Pad Sites (up to 10K SF)				
	2,300 SQ. FT.	2,300	SF	\$ 200	\$ 460,000
	2,940 SQ. FT.	2,940	SF	\$ 200	\$ 588,000
	2,940 SQ. FT.	2,940	SF	\$ 200	\$ 588,000
	2,940 SQ. FT.	2,940	SF	\$ 200	\$ 588,000
	2,940 SQ. FT.	2,940	SF	\$ 200	\$ 588,000
	2,940 SQ. FT.	2,940	SF	\$ 200	\$ 588,000
	Mid-size Buildings (10K - 50K SF)				
	13,000 SQ. FT.	13,000	SF	\$ 150	\$ 1,950,000
	25,200 SQ. FT.	25,000	SF	\$ 150	\$ 3,750,000
	30,000 SQ. FT.	30,000	SF	\$ 150	\$ 4,500,000
	30,000 SQ. FT.	30,000	SF	\$ 150	\$ 4,500,000
	33,000 SQ. FT.	33,000	SF	\$ 150	\$ 4,950,000
	50,000 SQ. FT.	50,000	SF	\$ 150	\$ 7,500,000
	Large Buildings (50K - 100K SF)				
	58,000 SQ. FT.	58,000	SF	\$ 125	\$ 7,250,000
	58,000 SQ. FT.	58,000	SF	\$ 125	\$ 7,250,000
	68,000 SQ. FT.	68,000	SF	\$ 125	\$ 8,500,000
	70,000 SQ. FT.	70,000	SF	\$ 125	\$ 8,750,000

SUBTOTAL	\$ 62,300,000
Construction Contingency (20%):	\$ 12,460,000

TOTAL PROBABLE COST (2018 DOLLARS) \$ 74,760,000

OPINIONS OF COST AND PROJECT FINANCIAL INFORMATION

CLIENT understands that J-U-B has no control over the cost of labor, materials, equipment or services furnished by others, the contractor(s) methods of determining prices, nor bidding or market conditions. J-U-B's opinions of probable Project costs and construction, if any, are to be made on the basis of J-U-B's experience, and represent J-U-B's best judgment as a professional engineer, familiar with the construction industry. CLIENT understands and acknowledges that J-U-B cannot and does not guarantee that proposals, bids or actual Project or construction costs will not vary from opinions of probable cost prepared by J-U-B. J-U-B's Services to modify the Project to bring the construction costs within any limitation established by the CLIENT will be considered Additional Services and paid for as such by the CLIENT in accordance with the terms herein. CLIENT agrees that J-U-B is not acting as a financial advisor to the CLIENT and does not owe CLIENT or any third party a fiduciary duty pursuant to Section 15B of the Exchange Act with respect to J-U-B's professional Services. J-U-B will not give advice or make specific recommendations regarding municipal securities or investments and is therefore exempt from registration with the SEC under the municipal advisors rule. CLIENT agrees to retain a registered financial municipal advisor as appropriate for Project financing and implementation.

Site plan of NEC Prairie and Hwy 41, taken from NAI Black real estate web site on 4-2-2022 so believed current.



two arterials with a traffic signal and they're proposing less intensive uses than what could be there under a CCS, high use commercial node and the Transportation Master Plan is pretty specific that those 2 streets. Greensferry and Prairie are arterials that must be built to that standard and the local street is the standard, so they are consistent with the transportation element in the Comprehensive Plan. We haven't heard any testimony from any engineers to say that there's any problems with any transportation elements in the area. I'm sure that traffic signal is operating at a level of surface of A or B probably and a church doesn't operate during peak hours so I mean they're not..

Davis - Your transportation issues are going to be Wednesday evening and Sunday morning.

Kimball - Right not Thursday at 8 00 a.m. or 7 30.

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

Davis - I thought about this earlier in the last several dozen of our public hearings this is where two different times this policy has jumped in or this uh this process has jumped in and worked to where we found mysterious landfills and things of that nature, but I think everything has been covered here any thoughts?

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

Schlotthauer – As conditioned.

Kimball – I think as conditioned everything meets the requirements of the zoning ordinance if it's zoned as recommended.

6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.

Kimball – We are an impact fee city and so any development does pay impact fees for parks, streets, and pedestrian facilities, also police and maybe soon EMS and Fire, the impact fees make sure the developer pays their fair share. The city is set up well to make sure development pays for development.

Schlotthauer – I probably stand on the opposite side of this, I think we go overboard on fair share, for instance if it was just the church developing just the corner, I doubt they could possibly pull off the fees and the infrastructure requirements. Adding the residential buffer around the property probably helps them pull the whole project off.

Subdivision Motion recommend approval finding meets criteria 1-6 and adopting the conditions 1-9 plus 4 found in the staff report by Kimball

2nd by Schlotthauer

Vote Hampe – No; Schlotthauer – Yes; Davis – Yes; Kimball – Yes; Carey – Yes;

Steffensen - No

Moved

- B. **Zoning Recommendation for Morris Annexation File No. ANNX-0013-2021** – Jon Manley, Planning Manager, to present a request for a recommendation to city council for a zoning designation of Community Commercial Services (CCS) upon annexation of

approximately 12 acres. Requested action is to recommend the CCS zoning in support of an approximate 12-acre annexation request into the City of Post Falls. The request is located north of the northwest corner of Highway 41 and W. Prairie Ave. It is currently Ag within the county and has no significant topology or vegetation matters that would present a hazard. The water provider will be Ross Point Water District and the sewer is to be provided by the City of Post Falls.

Zoning Criteria:

- Majority of the land surrounding this request is zoned CCS within the city limits hence the request, it was deemed consistent with the adjacent uses. To the west is the Technology Mixed zone, south of Prairie are some R1 and a PUD, Community Commercial Mixed with a band up along Highway 41 of Community Commercial Services.
- Within the Future Land Use Map shows Business Commercial for the designation and Community Commercial Services is an implementing zoning district. Southwest of this area you have some low density residential and just west of Charleville south of Prairie you have commercial with a little medium density to the south in the Foxtail Subdivision.

The purpose of Business Commercial is to provide a wide variety of general service, retail, professional office, light industrial, artisan manufacturing and mixed-uses that serve local and regional residents as well as the traveling public. The CCS zoning is part of the implementing zoning district. Multifamily uses may also be integrated into business/commercial areas. Compatible non-residential uses are also allowed under special conditions. Technology Park land uses that provides for a mix of light manufacturing, warehousing, business park, service commercial, and multifamily uses in area with suitable land and transportation access that are buffered appropriately to residential and other uses typically seen as incompatible with technology park activities. The 41 North focus area analysis states these uses should be near higher classified roadways; development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail.

Zoning Criteria continued:

- The proposed zone is located along higher classified roadways; The proposed Zone Change area is adjacent to Prairie Ave. (Principal Arterial), Fennecus Rd. and Meyer Rd. (Major Collectors). The requested zoning is in conformance with the anticipated land uses and trip generations within the City's Transportation Master Plan.
- This location is near the higher intensity urban activity area of Highway 41/Prairie Ave.
- The applicant is not requesting industrial zoning, therefore Criteria 6 not applicable.

All agencies have been notified and KCFR reserves comments for the permitting process and the PFPD, PFHD remain neutral and the DEQ stated there is no environmental impacts at this stage.

Kimball – I have a question with regards to the Commercial Mixed and Technology Mixed, what are the minimum property sizes for those zones?

Manley - 20 acres.

Kimball – So, those zones would be off the table for this application because there is only 12?

Manley – The CCM might be 4, I know the Technology Mixed is 20 acres.

Kimball – So, they couldn't do the Technology Mixed.

Manley – They couldn't do the Technology Mixed, the applicant can speak to why they are requested CCS rather than going down the CCM route.

Applicant – Gordon Dobler, Dobler Engineering - I can answer one question why the CCS versus CCM, well this property is owned by the abutting property owner Douglass which owns the whole Tech Park which is CCS so their attempts to fold it into the Tech Park with the same kind of land use as the Tech Park. That's the whole point of this really in fact it almost needs to be integral with the Tech Park. I'm jumping ahead a little bit but that's where all the transportation and infrastructure is coming from, it would need to come through the Tech Park. So, let's jump back to the zone, surrounded by CCS across the street is CCS being developed by GVD Properties as a Commercial Center. Of course, all around this property is Tech Park. We've already had a pre-app with staff on planning this whole tech part piece, not relevant at this point. The plan is to extend Charleville up and would access this parcel from the backside; in fact, there's some verbiage in the Development Agreement that says when that happens access to 41 would be eliminated. So again, the intent is to integrate this with the surrounding Tech Park therefore the zoning we feel is consistent certainly with the surrounding zonings and with the Tech Park. Access again, ultimately will come from the Tech Park right now there is an access off 41 that's being constructed with the 41 project however, in the Development Agreement, states that access will go away when future access is provided. CCS we feel is appropriate up against 41 because it conforms to the Highway 41 Plan etc. Water is Ross Point you have the will serve letter in the packet and this development is bringing water across the freeway and just a smidge north of this property. It'll come up into the Tech Park so theoretically it would have access to water as soon as these improvements are constructed this summer. Sewer will be brought in from the west side up through the Tech Park a statement from staff says that the city is willing and able to provide sewer that covers the facilities. Pedestrian access, when we had our pre-app with staff with the subdivision of the Tech Park there would be a requirement to extend a multi-use path down 41. So, as well as development of the Prairie Trail along the tracks, when they're vacated, on the site of 41. So, we've got pedestrian connectivity on all those points for the project, and I think in short that that pretty much covers the points that staff hasn't.

Testimony:

In Favor – None

Neutral – None

In Opposition – Bob Flowers, Maplewood Ave - I don't really object to this piece I mean it's a logical annexation. What I object to is the CCS zoning and all these mentions of high density, in other words what's allowed in a CCS zone, and I have this bad feeling that if this piece of property gets annexed in and gets that zoning designation what guarantees do we have that it's just not going to become a giant apartment complex. They're going to say they need it for employees of the Tech Park or district or whatever in other words we've seen it a thousand times or not maybe a thousand, but we've seen CCS suddenly go into high density apartments and I think before you grant them what they're asking for you should get some assurances and something in writing. Stating that isn't going to happen with this piece of property because dumping a bunch more apartments along 41 especially right now is crazy. 41, once everything is developed that's already been approved along 41 it's already going to be full by the time everything's built

out that's been approved with all these improvements on 41, we've already overloaded it and I think before you jump into this you should get some assurances from the developer or the owner or both.

Davis – Thank you, Mr. Manley, can that be controlled because it would need a Special Use Permit, correct?

Manley – I have a couple comments on that, in the CCS zone in order to construct multi-family you need a Special Use Permit which is a separate Public Hearing that goes before Planning and Zoning. The issue that culminated the creation of some of our mixed zoning districts because it creates a container of control. So, with the mixed zoning district you have a Development Agreement and in that it allows a measure for the body to add caps or remove certain elements that would otherwise be permitted. So, there's 2 avenues with that, through the CCS you would do the Special Use Permit.

Carey – To clarify the multi-family is not an allowed use in the CCS without a Special Use Permit?

Manley – Its not a permitted outright use its only allowed with the Special Use Permit.

Herrington – That is any residential, duplexes, town homes, anything, you couldn't do single-family.

Comments

Annexation:

1. Amendments to the zoning map should be in accordance with the Future Land Use Map.

Steffensen – Right along the commercial corridor.

Davis – Fits the surroundings.

2. Amendments to the zoning map should be consistent with the goals and policies found in the Comprehensive Plan.

Davis – I believe 1 and 2 go hand in hand. ***Everyone agreed***

3. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.

Kimball – I think the CCS zone is going to fill a hole and with the traffic patterns it's going to be accessed internally from the west and will be at one point restricted from Highway 41. Follows the street classifications, Highway 41 is the highest classification we have other than I-90.

4. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.

Davis – You just covered that.

Kimball – I just did.

5. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.

Not applicable

6. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

Not applicable

Davis – Anything else anyone wants to add?

Kimball – This is an infill annexation, if the property owner would have sold it 10 years ago, this piece would be annexed with the rest of it.

Davis – Does the idea of a Special Use Permit make you feel better?

Hampe and Carey said yes

Motion to recommend approval finding its consistent with the Comp Plan, facts findings and conclusions contained in the staff report with the requested CCS zoning designation by Steffensen

2nd by Carey

Vote Steffensen – Yes; Carey – Yes; Kimball – Yes; Davis – Yes; Schlotthauer – Yes;

Hampe - Yes

Moved

~~C. **Review Requested** Stone's Throw Subdivision File No. SUBD-0006-2022 – Ethan Porter, Associate Planner, to present – Requesting to subdivide approximately 5.05 acres into 17 single-family residential (R1) lots with a residential density of 3.36 du/acre; lot sizes, on average, are about 10,457 square feet. Requested action is an approval to subdivide 5.08 acres into 17 lots within the Residential Single-Family (R-1) zone. The property is generally located along the east side of S. Greensferry Rd between E. Black Forest St. and W. Woodcrest Dr. and south of Plummer Forest. Current land use is a single-family home, the water and sewer will be provided by the City of Post Falls. This is an incorporated piece into the city, as you can see here the zoning is R1 single-family residential surrounded by R1 single-family residential. Across the road from Greensferry you have residential mobile home park which is a subdivision plotted on their own lots. Majority of this is surrounded by single family homes. The proposal is 17 lots the larger one on the south has an existing home that they will be retaining that home through the subdivision. So, they will be developing and subdividing around it into those extra lots that you see the widths and the lot sizes do meet the R1 standards with a cul-de-sac layout.~~

~~Subdivision Review Criteria:~~

- ~~– Water will be provided by the City of Post Falls~~
- ~~– The city has adequate capacity to provide services to the proposed subdivision.~~
- ~~– Due to the existing developments surrounding the site, additional connectivity is not practical, therefore a cul-de-sac as proposed is acceptable and will not have negative impact on the local transportation system. The proposed layout is consistent with the City's Transportation Master Plan.~~
- ~~– The site is currently heavily vegetated and is currently above the Rathdrum Prairie Aquifer.~~
- ~~– The subdivision and proposed lots conform to the requirements of Title 17 (Subdivision) and Title 18 (Zoning) for an R-1 zoning district.~~
- ~~– Impact and cap fees will be assessed and collected on individual building permits to assist in mitigating the off-site impacts to multi-modal services, parks, public safety, streets, City water and water reclamation facilities.~~

~~All agencies have been notified, KCFR will provide comments during the review process and the PFPD and PFHD both remain neutral.~~

~~**Applicant – Gordon Dobler**, Lake City Engineering was double booked so I am standing in for them tonight. I'm prepared to answer any questions, again straightforward five-acre subdivision you've gone through the evaluation criteria, but just to touch on the provisions.~~

**Morris Annexation
File No. ANN-0013-2021**

**Planning and Zoning Commission
Zoning Recommendation**

A. INTRODUCTION:

APPLICANT: Dobler Engineering – Gordon Dobler

LOCATION: Generally located approximately 500' due north of Prairie Ave. along the west side of Highway 41, near the northwest corner of the Highway 41 and Prairie Ave. intersection.

REQUEST: Zoning recommendation of Community Commercial Services (CCS) of approximately 12 acres AS DEPICTED IN EXHIBIT S-4.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Legal and Exhibit Map
4. A-5 Auth Letter
5. A-6 Title Report
6. A-8 Will Serve
7. S-1 Vicinity Map
8. S-2 Zoning Map
9. S-3 Future Land Use Map
10. S-4 Annexation Development Agreement
11. PA-1 KCFR Comments
12. PA-2 PFPD Comments
13. PA-3 PFHD Comments
14. PA-4 DEQ Comments
15. PC-1 Burns Comments
16. PZ Staff Report
17. Testimony at the April 12, 2022 Planning and Zoning Commission hearing including:

The request was heard before the Planning and Zoning Commission (hereinafter "Commission") at the April 12, 2022 public hearing, the meeting was in-person and live-streamed on the City of Post Falls YouTube Channel. The public hearing was properly noticed and conducted in accordance with the requirements of Idaho Code Sections 67-6511 and 67-6509, and City Code section 18.20.060. The purpose of the hearing was to afford the applicant and the public the opportunity to provide testimony and documentation to be taken by the Commission in their application of City Code section 18.16.010 and 18.20.100 when making the Commission's recommendation on zoning to the City Council.

Jon Manley, Planning Manager.

Mr. Manley presented the staff report. He testified that the applicant was seeking a recommendation for an initial zoning of Community Commercial Services (CCS) on 12 acres upon the annexation into the City of Post Falls. He explained that the general location is north of the intersection of Prairie and Highway 41 in the northwest corner.

Mr. Manley testified that the site is currently is Agriculture land in the county with no significant topology or vegetation. He stated that water will be provided by Ross Point Water District, as per the Will Serve Letter, and by the City of Post Falls will provide sewer service.

Mr. Manley testified that all the lands around this area in the city are zoned CCS therefore making the request consistent with the surrounding zoning and adjacent uses. He noted that to the west is the technology mixed zoning and farther to the south there is some mixed zoning. He noted that CCS is a common zoning district along Hwy 41. He stated that the Future Land Use Map designates the area as Business/Commercial and CCS is an implementing zoning district. He explained that the purpose of Business/Commercial is to provide a wide variety of general service, retail, professional office, light industrial, artisan manufacturing, and mixed uses to serve local regional residents as well as the traveling public. He argued that one may deduce that the proposal's location on Prairie and Hwy 41 would serve that purpose.

Mr. Manley testified that that this area is within the 41 North focus area, which provides for multi-family, commercial, and tech uses near higher classified roadways. He explained that Hwy 41 provides for those higher uses along that corridor. He described that development would provide connectivity to multi-use paths and trails, including the Prairie Trail, which crosses the property to the north and would aid in providing that connectivity.

Mr. Manley testified as to whether the proposal is in accordance with the goals and policies of the comprehensive plan, illustrating goal one, three, five, seven, eight, and twelve are possibly relevant and applicable goals. He testified that policies one, two, three, and seven, as well as those in the staff report may be appropriate for consideration by the Commission.

Mr. Manley testified that commercial and high-density residential zoning is typically assigned along streets with a higher road classification. He explained that the site is located along higher classified roadways of Highway 41 and is adjacent to Prairie, Fennecus Rd., and Meyer Rd.

Mr. Manley testified that limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity. He noted that Highway 41 and Prairie is a higher intense urban activity area and they are not requesting limited or neighborhood commercial or lower density residential.

Mr. Manley testified that the last criteria is inapplicable as there is not a request for industrial zoning.

Mr. Manley testified that they could not request the Technology mixed zone as they do not have requisite minimum acreage and the applicant may explain why they chose CCS versus going for a CCM.

Gordon Dobler, Dobler Engineering, Applicant

Mr. Dobler testified that as to why the CCS versus CCM, stating that this property is owned by the abutting property owner Douglass that owns the whole Tech Park which is CCS so they are attempting to fold it into the Tech Park with the same kind of land use as the Tech Park. He explained that it is an integral part of the Tech Park. He indicated that is where all the transportation and infrastructure is coming from, it would need to come through this site to the Tech Park.

Mr. Dobler testified that it is surrounded by CCS, across the street is CCS, being developed by GVD Properties as a Commercial Center. As previously states, all around this property is Tech Park and they have already had a pre-app with staff on planning this whole tech part piece. He testified that the plan is to extend Charleville up and streets would access this parcel from the backside. He noted that in fact, there is some verbiage in the Development Agreement that says when that happens access to 41 would be eliminated. He reiterated that the intent is to integrate this with the surrounding Tech Park therefore the zoning is consistent certainly with the surrounding zonings and with the Tech Park.

Mr. Dobler testified that access ultimately will come from the Tech Park, right now there is an access off 41 that is being constructed with the 41 project however, in the Development Agreement, states that access will go away when future access is provided. He explained that they feel CCS is appropriate up against 41 because it conforms to the Highway 41 Plan etc. He testified that Water is Ross Point you have the will serve letter in the packet and this development is bringing water across the freeway and just a smidge north of this property. He went on to state that water will come up into the Tech Park so theoretically it would have access to water as soon as these improvements are constructed this summer. He testified that sewer will be brought in from the west side up through the Tech Park and the city is willing and able to provide sewer.

Mr. Dobler testified that when we had our pre-app with staff about the subdivision of the Tech Park there would be a requirement to extend a multi-use path down 41. So, he explained, as well as development of the Prairie Trail along the tracks, when they are vacated, on this side of 41. He stated that they have pedestrian connectivity on all those points for the project, and I think in short that that pretty much covers the points that staff has not.

Public Testimony:

The hearing was opened for public testimony.

Bob Flowers

Mr. Flowers testified he does not object to this piece, as it is a logical annexation. He objected to the CCS zoning and all these mentions of high density, in other words what is allowed in a CCS zone, and he has this bad feeling that if this piece of property gets annexed in and gets that zoning designation what guarantees do we have that it is just not going to become a giant apartment complex. He theorized that they are going to say they need it for employees of the Tech Park or district or whatever in other words we've seen it a thousand times, or not maybe a thousand, but we've seen CCS suddenly go into high density apartments and he thought before you grant them what they are asking for you should get some assurances. He thought they should provide something in writing, stating that is not going to happen with this piece of property because dumping a bunch more apartments along 41 especially right now is crazy as we have already overloaded it and I think before you jump into this you should get some assurances from the developer or the owner or both.

Questions for Staff:

Jon Manley, Planning Manager.

Mr. Manley, in response to a question from the Commission, stated that in the CCS zone to construct multi-family you need a Special Use Permit which is a separate Public Hearing that goes before the Commission. He explained that that issue that culminated the creation of some of our mixed zoning districts because it creates a container of control. He went on to clarify that with the mixed zoning district you have a Development Agreement and in that it allows a measure for the body to add caps or remove certain elements that would otherwise be permitted. With this request, the CCS you would do the Special Use Permit for any multi-family, which would be a separate public hearing.

Field Herrington, Deputy City Attorney.

Mr. Herrington clarified that single-family is not allowed at all, and duplexes, town homes, or any other multi-family requires the special use permit.

Deliberations: After the public hearing was complete the hearing was closed, and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the criteria in City Code sections 18.16.010 and 18.20.100.

C. EVALUATION OF APPROVAL CRITERIA FOR INITIAL ZONING:

C1. Amendments to the zoning map should be in accordance with the Future Land Use Map.

The applicant has requested initial zoning of Community Commercial Services (CCS) on 12 acres as part of the annexation into the City of Post Falls. The Future Land Use Map designates this area as Business/Commercial within the 41 North focus area.

The Commission finds that Community Commercial Service (CCS) zoning district is an implementing zoning district outright.

The proposed zone is in the 41 North Focus Area which states development trends along and adjacent to the HWY 41 corridor have been commercial in nature. With the improvement along HWY 41, future growth should continue this development pattern. HWY 41's role as a major north/south corridor may spur continued interest in commercial use development.

The following items affirm or guide development of key policies for this area, or suggest future action items for the 41 North focus area:

- Focus provisions for multi-family, commercial, and tech uses near higher-classified roadways;
- Development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail;
- Manage development patterns in the airport fly zone east of 41 and north of Prairie Avenue, coordinating with the 2018 Coeur d'Alene Airport Master Plan;
- Facilitate the creation of the "backage roads" system envisioned in the Highway 41 Corridor Master Plan, supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses;
- Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.

The Commission finds that evidence and testimony demonstrate that the requested zoning designation is one of the implementing zones the Business Commercial area allows, it is along an existing commercial corridor and fits in with the surrounding area. Therefore, the request would be consistent with the Future Land Use Map.

C2. Amendments to the zoning map should be in accordance with the goals and policies found in the Post Falls Comprehensive Plan.

Based on the testimony provided and the staff report, the Commission finds the requested zoning is consistent with the following goals and policies contained in the comprehensive plan:

Goals:

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

Creating a diverse community with a variety of different types of commercial activities assists creating live, work, play neighborhoods. The CCS zoning district states the following:

The Community Commercial Services (CCS): The CCS Zone supports uses that include retail sales or performance of consumer services and permits a variety of retail, professional, or service businesses, including some manufacturing, technical, or other professional uses. This zone is applied in areas primarily located near arterials and collector streets. Residential uses may be allowed within this zone at densities permitted by the High-Density Multi-Family Residential (R3) Zone

by special use permit when they will not compromise present uses. Lot area and building bulk and placement requirements shall agree with the values set forth in section [18.20.040](#), "Official Bulk And Placement Regulations Table", of this title.

Goal 2: Maintain and improve the provision of high-quality, affordable and efficient community services in Post Falls.

Commercial Corridors provide opportunities to create high-quality, affordable and efficient community services.

Goal 3: Maintain and improve Post Falls' small-town scale, charm and aesthetic beauty.

Whether newly-arrived or long-term, residents of Post Falls often cite the community's "small-town charm," its modest size, and its valley setting with open space prairie and the Spokane River as attractive features. Due to this, many of the goals, policies and programs contained in the Comprehensive Plan help retain the City's lower-scale, walkable, small-lot development patterns common in early Post Falls, while at the same time, providing for urban growth in other, appropriate areas; support the development of cultural features and activities; and direct land use decisions encouraging infill and thoughtful expansion.

Placing Community Commercial Services at this location is an appropriate area for more intense commercial growth along the HWY 41 Principal Arterial.

Goal 5: Keep Post Falls' neighborhoods safe, vital, and attractive.

Residents prize the character and unhurried pace of Post Falls neighborhoods, and wish to ensure their neighborhoods are kept safe, active and aesthetically pleasing. Supporting this goal, a diverse set of policies have been provided, including encouraging attractive, pedestrian-friendly development, provision of diverse housing types, parks facilities, and neighborhood-scale commercial services.

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

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

Goal 8: Protect and maintain Post Falls' natural resources including clean air, soils, river and aquifer, and minimizing light and noise pollution citywide.

City livability, health and value are fully dependent on clean, safe, and sustainable natural resources. This goal underscores Post Falls' commitment to maintaining its natural resources as a top priority, recognizing them as essential to the community's survival.

Goal 12: Maintain the City of Post Falls' long-term fiscal health.

Services that cities provide cannot be sustained without fiscal balance and accountability. This goal serves to anchor the City of Post Falls' obligation to sustain its fiscal health – achieved through the gathering of income in responsible, equitable ways, and through decisions, investments and actions that provide rate-payers with efficient, effective services now and in the future.

Goal 14: Involve the community of Post Falls in all local government planning and decision-making. The development of the Comprehensive Plan is community-driven, involving numerous residents including some representing large groups of residents. For plans to succeed, community buy-in

and support is critical. Future conditions will certainly require the creation of new objectives and strategies, and this goal supports keeping residents highly involved in such work.

Policies:

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service;
Impact Fees are paid at the time of permit issuance to assist maintaining the community levels of service.
- Foster the long-term fiscal health of the community;
Providing the opportunities for creating the variety of service, retail, and office in the Community Commercial Services (CCS) such as this proposal furthers the establishment of having residential housing near commercial uses to create sustainable and independent living communities. The interaction between these uses may increase their value and assist in contributing to the long-term fiscal health of the community.
- Maintain and enhance resident quality of life;
The proposed annexation is in the area that may provide amenities currently unavailable to existing and future residents in the vicinity.
- Promote compatible, well-designed development;
Providing the opportunities for creating the variety of service, retail, and office in the Community Commercial Services (CCS) such as this proposal furthers the establishment of having residential housing near commercial uses to create sustainable and independent living communities
- Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.
The proposed Zoning request is in the 41 North Focus Area. The development trends along and adjacent to the HWY 41 Corridor have been commercial in nature. With the improvement along HWY 41, future growth should continue this development pattern. HWY 41's role as a major north/south corridor may spur continued interest in commercial use development.

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

- Future land use mapping;
This is addressed by the first review criterion of this recommendation.
- Compatibility with the surrounding land uses;
To the west and north is vacant Technology Mixed (TM) and other vacant Community Commercial Services (CCS) zoned undeveloped lands. To the east is vacant undeveloped Community Commercial Services (CCS) zoned lands. To the south is a commercial nursery with a residence operating in Kootenai County.
- Infrastructure and service plans;
Ross Point Water District would provide water and the city of Post Falls would provide Sanitary Sewer. Sanitary sewer is not currently available to the site. The nearest connection point for the sanitary sewer is at the intersection of Prairie Avenue and Charleville Rd. The City of Post Falls has the capacity and is willing to serve the property at the requested zoning, subject to the limitations identified within the Development and Annexation Agreement related to the 12th Avenue Force Main Surcharge. Extensions of the City's sanitary sewer shall be in compliance with the current version of the Water Reclamation Master Plan.

- Existing and future traffic patterns;
The requested zoning is consistent with the anticipated land uses and trip generations within the City's Transportation Master Plan.
- Goals and policies of the comprehensive plan, related master plan and/or facility plans.
The response to this is embedded within the analysis within this section.

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

The Community Commercial Services (CCS) zone is intended to accommodate commercial and possibly high-density residential development through a Special Use Permit being granted by the Planning and Zoning Commission. The proposal is located along the west side of HWY 41, which is a Principal Arterial. Development in the CCS zone provides an opportunity to provide residences in Post Falls to be situated within walking distance to commercial development and may provide suitably scaled daily needs services.

Policy 4: Encourage compact, pedestrian-oriented, mixed-use development patterns along the ID-41 corridor and in neighborhood and regional centers.

The Community Commercial Services (CCS) zone is intended to accommodate commercial and possibly high-density residential development through a Special Use Permit. Compact, pedestrian-oriented, mixed-use development patterns along the ID-41 corridor.

Policy 5: Encourage compact, pedestrian-oriented, mixed-use development patterns along the ID-41 corridor and in neighborhood and regional centers.

The CCS zone provides this opportunity as vertical mixed-use and commercial uses are a permitted development pattern. Multi-family may be allowed, but only by review and approval by the Planning and Zoning Commission.

Policy 7: Encourage the development of off-corridor access and circulation for commercial and mixed-use areas abutting limited-access arterials.

The CCS zone in this area provides this opportunity.

Policy 8: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.

Redevelopment of this area would be considered compatible infill and is currently under-utilized

Policy 9: Encourage annexation of County "islands" within the City, with priority given to areas:

- Surrounded by incorporated areas;
This is true regarding this request
- That have readily available service infrastructure and capacity;
An internal roadway system from the site to the future "backage road" system will need to be created and sanitary sewer extended to the property.
- That support increased development intensity near the urban core.
At this point in time Post Falls is a Corridor Community. The Corridors are Seltice Way, Mullan Avenue, HWY 41, and I-90.

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

The HWY 41 Construction project is installing a multi-use trail along the east side of that corridor and will not be installing it on the west side. The multi-use trail along the west side will be completed incrementally through private develop along this corridor.

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

The multi-use trail along the west side will be completed incrementally through private develop along this corridor.

Policy 67: Promote linking greenbelts, trails and open space areas with related features and destinations throughout the region.

The multi-use trail along the west side will be completed incrementally through private develop along this corridor. This multi-use trail will eventually connect into the Prairie Trail due north.

C3. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.

Streets/Traffic:

The Commission finds that the proposed area is adjacent to SH41 (Principal Arterial / State Highway), the highest road classification we have aside from the interstate. The requested zoning is in conformance with the anticipated land uses and trip generations within the City's Transportation Master Plan. Annexation at the requested zoning is not anticipated to have any negative impacts to the City's transportation network that are not previously identified as being mitigated thru collection of Transportation Impact Fees. Removal of the existing access to SH41 will be required at such time that access can be provided from the site to the backage road system identified in the City's Transportation Master Plan. The site would be subject to the access restrictions identified within the City's Transportation Master Plan, SH41 Corridor Master Plan and KMPO Critical Arterial Corridor Policy.

Water and Sanitary Sewer:

The Commission finds that water is provided by the Ross Point Water District and sanitary sewer would be provided by the city. The nearest connection point for sanitary sewer is at the intersection of Prairie Avenue / Charleville Road. The requested zoning is in conformance with the land use assumptions in the City's Sanitary Sewer Master Plan. The City of Post Falls has the capacity and is willing to provide sanitary sewer service the property at the requested zoning, subject to the limitations identified within the Development and Annexation Agreement and associated with the 12th Avenue Force Main Surcharge Area.

Compatibility with Existing Development and Future Uses:

To the west and north is vacant Technology Mixed (TM) and other vacant Community Commercial Services (CCS) zoned undeveloped lands. To the east is vacant undeveloped Community Commercial Services (CCS) zoned lands. To the south is commercial nursery with a residence operating in Kootenai County. As such, the Commission finds the proposal compatible with existing development and future uses.

Future Land Use Designation:

The Commission finds that the Future Land Use Map, depicts the land use designation for this area as Business/Commercial. The proposed CCS Zone is allowable per the direction of the HWY 41 Focus Area and the road classification of HWY 41 (Principal Arterial).

Community Plans: This is within the Hwy 41 Focus Area within the Post Falls Comprehensive Plan.

Geographic/Natural Features:

The site contains no geographic or other natural features that would affect development of the site.

The Commission finds that the proposed zoning agrees with base assumptions made in Master Planning as well as other considerations already addressed above, satisfies these criteria.

C4. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.

The proposed zone is located along higher classified roadways. HW-41 is classified as a Principal Arterial. Principal Arterials are intended to serve as primary routes for travel between major urban centers. These function in an analogous manner to Minor Arterials but generally carry higher traffic volumes from 12,000 to a maximum of 32,000 vehicles per day. Only three roadways are identified as Principal Arterials within Post Falls: Seltice Way, Prairie Avenue and ID-41.

C5. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.

The Commission finds that this criterion is not applicable to the request, the proposal is along higher classified roadways and is not for limited commercial or lower density residential, nor is any in the immediate area.

C6. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

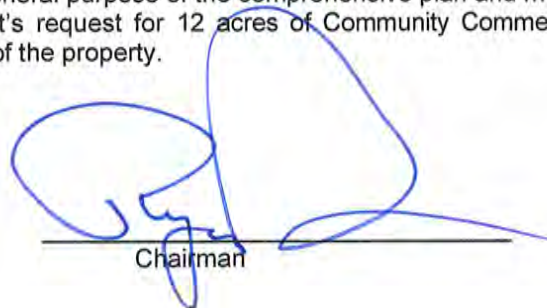
The Commission finds this criterion inapplicable as there are no industrial uses or industrial zoned properties within the area.

D. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:

ANNX-0013-2021, INITIAL ZONING: Following the public hearing, the Planning and Zoning Commission considered all relevant evidence and comments and a motion to recommend approval of the recommended zoning upon annexation was made, the motion carried a majority of the Commission. The Planning and Zoning Commission hereby recommends that City Council approve the proposal finding that it conforms to the general purpose of the comprehensive plan and meets the applicable approval criteria for applicant's request for 12 acres of Community Commercial Services (CCS) upon successful annexation of the property.

5/10/22
Date


Attest


Chairman

NOTICE OF RIGHTS:

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

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

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

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

CITY OF POST FALLS
AGENDA REPORT
Public Hearings
MEETING DATE: 5/17/2022

DATE: 5/11/2022 11:10 AM
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Amber Blanchette
SUBJECT: Wellsprings Annexation File No. ANNX-0001-2022

ITEM AND RECOMMENDED ACTION:

Bart North, of North Engineering is requesting, on behalf of Fivefold Foundation Ministries, Inc., the property owner, approval to annex approximately 9-acres into the City of Post Falls with a zoning request of Medium Density Residential (R-2) and Limited Commercial (LC). (See P&Z staff report and zoning recommendation, Exhibit S-5, and S-7).

DISCUSSION:

The City Council must conduct a public hearing and review the annexation proposal based on the recommendation for the Limited Commercial (LC) and Medium Density Residential (R-2) zoning districts by the Planning and Zoning Commission at their April 12, 2022, meeting. Their recommendation of zoning was determined to meet the following zone change criteria contained in Post Falls Municipal Code Section 18.16.010 and 18.20.100. The approval criteria for establishing zoning are:

- A. Amendments to the zoning map should be in accordance with the zoning map.
- B. Amendments to the zoning map should be in accordance with the goals and policies found in the Post Falls Comprehensive Plan.
- C. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.
- D. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
- E. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.
- F. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

In review for establishing zoning, a Comprehensive Plan analysis was completed within the P&Z Staff Report (Exhibit S-5) and may be utilized in determining whether the property should be annexed. Generally, the City Council can determine whether an annexation request is appropriate based on their best judgement. Ideally, the Council would base that decision on planning principles such as whether the annexation is a logical extension of the city, whether it reduces a county pocket, whether extension of public infrastructure is feasible etc.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:

N/A

APPROVED OR DIRECTION GIVEN:

The Planning and Zoning Commission made a recommendation for the Limited Commercial (LC) and Medium Density Residential (R-2) zoning districts at their April 12, 2022, meeting as part of the annexation request.

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

N/A

BUDGET CODE:

N/A

**CITY OF POST FALLS
AGENDA REPORT
PUBLIC HEARING
MEETING DATE: May 17, 2022**

DATE: May 11, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: LAURA JONES, ASSOCIATE PLANNER
ljones@postfallsidaho.org / 208-457-3336
SUBJECT: FINAL STAFF REPORT: WELLSRING ANNEXATION NO. ANNX-0001-2022

ITEM AND RECOMMENDED ACTION:

Bart North, of North Engineering is requesting, on behalf of Fivefold Foundation Ministries, Inc., the property owner, approval to annex approximately 9-acres into the City of Post Falls with a zoning request of Medium Density Residential (R-2) and Limited Commercial (LC). (See P&Z staff report and zoning recommendation, Exhibit S-5, and S-7).

DISCUSSION:

The City Council must conduct a public hearing and review the annexation proposal based on the recommendation for the Limited Commercial (LC) and Medium Density Residential (R-2) zoning districts by the Planning and Zoning Commission at their April 12, 2022, meeting. Their recommendation of zoning was determined to meet the following zone change criteria contained in Post Falls Municipal Code Section 18.16.010 and 18.20.100. The approval criteria for establishing zoning are:

- A. Amendments to the zoning map should be in accordance with the zoning map.
- B. Amendments to the zoning map should be in accordance with the goals and policies found in the Post Falls Comprehensive Plan.
- C. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.
- D. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
- E. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.
- F. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

In review for establishing zoning, a Comprehensive Plan analysis was completed within the P&Z Staff Report (Exhibit S-5) and may be utilized in determining whether the property should be annexed. Generally, the City Council can determine whether an annexation request is appropriate based on their best judgement. Ideally, the Council would base that decision on planning principles such as whether the annexation is a logical extension of the city, whether it reduces a county pocket, whether extension of public infrastructure is feasible etc.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON: N/A

APPROVED OR DIRECTION GIVEN: The Planning and Zoning Commission made a recommendation for the Limited Commercial (LC) and Medium Density Residential (R-2) zoning districts at their April 12, 2022, meeting as part of the annexation request.

MOTION OPTIONS FOR ESTABLISHING ZONING: City Council may approve the proposed annexation and items for inclusion in an annexation agreement, may approve with modifications, or deny the annexation request. Should the City Council need additional information or wish to hear additional testimony, it may wish to move to continue the public hearing to a date certain. If the City Council has heard sufficient testimony but need additional time to deliberate and make a recommendation, it may close the public hearing and move the deliberations to a date certain.

FISCAL IMPACT OR OTHER SOURCE OF FUNDING: N/A

BUDGET CODE: N/A

SUPPORTING DOCUMENTS:

STAFF EXHIBITS:

- Exhibit S-5 Planning and Zoning Commission Staff Report
- Exhibit A-1a Annexation Application
- Exhibit A-1b Subdivision Application
- Exhibit A-2a Annexation Narrative
- Exhibit A-2b Subdivision Narrative
- Exhibit A-3 Preliminary Plat
- Exhibit A-4 Will Serve
- Exhibit A-5 Auth Letter
- Exhibit A-6 Title Report
- Exhibit S-1 Vicinity Map
- Exhibit S-2 Zoning Map
- Exhibit S-3 Future Land Use Map
- Exhibit S-4 Annexation Development Agreement
- Exhibit PA-1 KCFR Comments
- Exhibit PA-2 PFPD Comments
- Exhibit PA-3 PFHD Comments
- Exhibit PA-4 DEQ Comments
- Exhibit S-6 Signed Minutes 4-12-2021
- Exhibit S-7 Signed Zoning Recommendation

CITY OF POST FALLS
STAFF REPORT

DATE: April 8, 2022

TO: POST FALLS PLANNING AND ZONING COMMISSION

FROM: LAURA JONES, ASSOCIATE PLANNER • ljones@postfallsidaho.org • 208-457-3336

SUBJECT: STAFF REPORT FOR THE APRIL 12, 2022, P&Z COMMISSION MEETING
WELLSPRING ANNEXATION AND WELLSPRING ADDITION SUBDIVISION
ANNX-0001-2022 & SUBD-0001-2022

INTRODUCTION:

Bart North, of North Engineering is requesting, on behalf of Fivefold Foundation Ministries, Inc., the property owner, approval to annex and subdivide approximately 9-acres into a total of 24 lots within the City of Post Falls with a zoning request of Medium Density Residential (R-2) zoning on 23 of the lots and Limited Commercial (LC) zoning on the remaining lot (Exhibit S-1). The Planning & Zoning Commission must conduct a public hearing and review the proposed zoning as part of the annexation proposal per the Zone Change approval criteria contained in Post Falls Municipal Code Section 18.16.010 and 18.20.100. The Planning & Zoning Commission is also being asked to review the proposed subdivision and determine that it meets the requirements of the City's ordinances and approve the Subdivision with appropriate conditions. Following the public hearing, **the Planning Commission will forward its recommendation on zoning to City Council** for review and final action pertaining to the annexation. The approval criteria for establishing zoning are:

- A. Amendments to the zoning map should be in accordance with the Future Land Use Map.
- B. Amendments to the zoning map should be consistent with the goals and policies found in the Comprehensive Plan.
- C. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.
- D. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
- E. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.
- F. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

PROJECT INFORMATION:

Project Name / File Number: Wellspring Annexation and Wellspring Addition Subdivision
File No. ANNX-0001-2022 & SUBD-0001-2022

Owner(s): Fivefold Foundation Ministries, Inc., P.O. Box 450, Post Falls, ID 83877

Applicant: North Engineering, P.O. Box 2486, Hayden, ID 83835

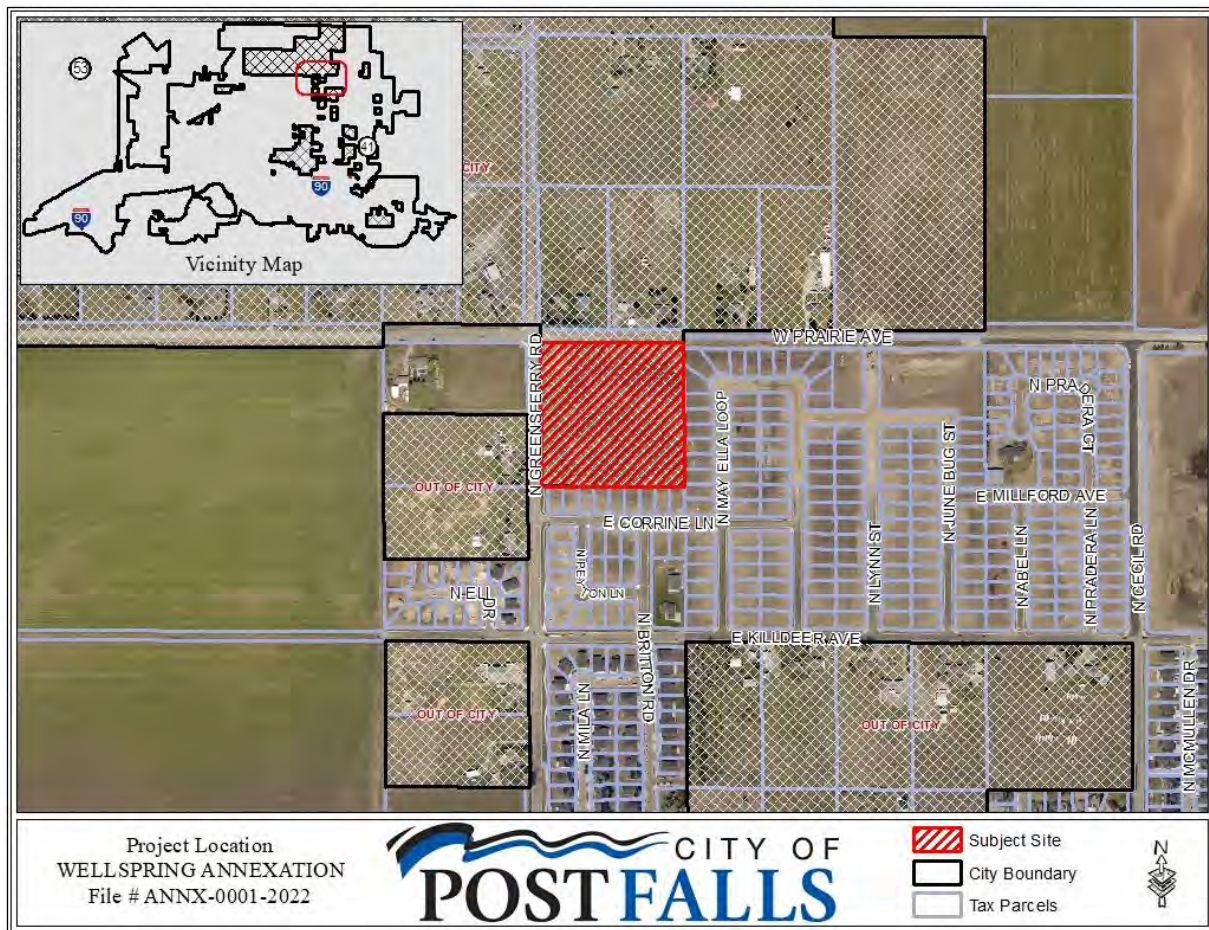
Project Description: Annex and subdivide 9.14-acres into 24 lots within the City of Post Falls with a zoning request of Medium Density Residential (R-2) zoning on 23 of the proposed lots and Limited Commercial (LC) zoning on the remaining proposed lot.

Project Location: The property is generally located on the southeast corner at the intersection of W. Prairie Avenue and N. Greensferry Road.

AREA CONTEXT (proposed site hatched red below):

Surrounding Land Uses: Located north of the project site, across W. Prairie Avenue, are single family residential properties within an unincorporated part of Kootenai County. Adjacent to the site on the east are single-family residential homes, with Medium Density Residential (R-2) zoning, within the Green Meadows 1st Addition Subdivision. The properties to the south consist of Single Family Residential (R-1) homes within the Green Meadows Subdivision. To the west of the project site, across N. Greensferry Road, are two single family residential homes, one within an unincorporated portion of Kootenai County and one recently annexed into the City of Post Falls with a zoning designation of Commercial.

Area Context Vicinity Map:



EVALUATION OF ZONING APPROVAL CRITERIA:

The following section provides the staff analysis pertaining to the Annexation Application and the establishment of zoning. The zone change review criteria set forth within the Post Falls Municipal Code sections 18.16.010 and 18.20.100 are cited within the following staff analysis in **BOLD**. This review criteria provides the framework for decision making for the Planning Commission and City Council.

ZONE CHANGE REVIEW CRITERIA**A. Amendments to the zoning map should be in accordance with the Future Land Use Map.**

The Future Land Use Map classifies this property with the land use designation of **Transitional**. This designation is assigned to lands suitable for growth. The timing for growth is undetermined, and guidance for proposed growth can be located within the associated Focused Area. Assigned zones should be compatible with adjacent zones and uses within the City and consistent with the guiding principles within the associated 41 North focus area.

The 41 North focus area states the following:

Residential development has been predominant in recent years, and with some forecasts estimating as many as 30,000 new residents in this area by 2040, it's a trend that's likely to continue. Such growth is expected to spur commercial uses adjacent to the highway, especially at stop-controlled intersections. As with North Prairie, land values will pressure development to attract a range of residents, offering shared amenities, housing variety and neighborhood-scale services. To help enrich the future identity of 41 North, growth should include strategically located, carefully designated land uses incorporating trails and an interconnected, walkable street network.

Post Falls recently annexed additional lands for a planned technology park to be located near the northwest corner of Highway 41 and Prairie Avenue. This feature is expected to help diversify land uses and boost demand for commercial services. The following items affirm or guide development of key policies for this area, or suggest future action items for the 41 North focus area:

- Focus provisions for multi-family, commercial, and tech uses near higher classified roadways;
- Development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail;
- Manage development patterns in the airport fly zone east of 41 and north of Prairie Avenue, coordinating with the 2018 Coeur d'Alene Airport Master Plan;
- Facilitate the creation of the "backage roads" system envisioned in the Highway 41 Corridor Master Plan, supporting appropriately scaled commercial and mixed-use development along 41 and improving access for nearby residential uses;
- Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.

B. Amendments to the zoning map should be in accordance with the goals and policies found in the Post Falls Comprehensive Plan. Goals and Policies (listed by policy number) that may be relevant to this annexation request are shown below, followed by staff comments.

The following goals may or may not assist with this zone change request.

Goal 5: Keep Post Falls' neighborhoods safe, vital, and attractive.

Residents prize the character and unhurried pace of Post Falls neighborhoods, and wish to ensure their neighborhoods are kept safe, active, and aesthetically pleasing. Supporting this goal, a diverse set of policies have been provided, including encouraging attractive, pedestrian-friendly development, provision of diverse housing types, parks facilities, and neighborhood-scale commercial services.

Goal 6: Maintain and improve Post Falls' transportation network, on pace and in concert with need and plan objectives.

All cities require functional, resilient transportation networks providing for the flow of people and materials. In assisting with this plan, residents urged improvements to the existing fabric and criteria that provide a full-featured street network for Post Falls, improving the efficiency, function and value of the City. Residents also recognize the importance of transit services, as well as connectivity too regional ground, rail and air transportation systems.

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

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

Goal 8: Protect and maintain Post Falls' natural resources including clean air, soils, river, and aquifer, and minimizing light and noise pollution citywide.

City livability, health and value are fully dependent on clean, safe, and sustainable natural resources. This goal underscores Post Falls' commitment to maintaining its natural resources as a top priority, recognizing them as essential to the community's survival.

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

Post Falls residents value current parks and recreational services, and wish to retain the same or higher levels of service as the community grows. This goal directs the City to consider parks and recreational needs in all related plans and actions, including land use decisions, regulatory requirements, and budgeting.

Goal 14: Involve the community of Post Falls in all local government planning and decision-making.

The development of the Comprehensive Plan is community-driven, involving numerous residents including some representing large groups of residents. For plans to succeed, community buy-in and support is critical. Future conditions will certainly require the creation of new objectives and strategies, and this goal supports keeping residents highly involved in such work.

The following policies may or may not assist with this zone change request.

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service;

Staff Comment: Impact Fees are paid at the time of permit issuance to assist in mitigating impacts and maintain/enhance community levels of service.

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

Staff Comment: Additional housing may help further long-term fiscal health of the community by provide living accommodations to current and future workforce within the City.

- Maintain and enhance resident quality of life;

Staff Comment: Diversified housing options assists with providing quality housing for different sectors of the community.

- Promote compatible, well-designed development;

Staff Comment: Development will be required to meet City design standards for the proposed limited commercial and residential uses.

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

Staff Comment: Transportation impacts, and sewer and water capacity are reviewed by City staff. Any anticipated inadequacy's identified are addressed and/or have a plan on how to be in compliance with the relevant master plan prior to public hearing.

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

- Future land use mapping;

Staff Comment: This is addressed by the first review criteria in Section A of this report.

- Compatibility with surrounding land uses;

Staff Comment: The proposed development pattern for this proposal would not be incompatible with the surrounding uses as they are primarily residential in nature.

- Infrastructure and service plans;

Staff Comment: Sanitary Sewer for the location would need to be extended from the southwest corner of the property to Prairie Avenue, in conformance to the City's Water Reclamation Master Plan. The property requesting annexation and zoning is identified in the City of Post Falls Water Reclamation Master Plan as being serviced by the referenced sewer main. The requested zoning is in conformance with the land use assumptions within the City's Water Reclamation Master Plan.

The City's Water Reclamation System has the capacity to provide service and the City is willing to serve to the property at the requested density. Existing capacity is not a guarantee of future service.

The property is not subject to any Local Improvement Districts (LID's), Subsequent User Agreements or Sewer Surcharges.

Water would be serviced by the Ross Point Water District.

- Existing and future traffic patterns;

Staff Comment: The property is adjacent to Greensferry Road, a classified Minor

Arterial; and Prairie Avenue, a classified Principal Arterial and Critical Arterial Corridor. Dedications of rights-of-way and easement would be required, at the time of annexation and complying with adopted City Design Standards:

Greensferry Road - minor Arterial: 110-foot total right-of-way width, along with a 15-foot sidewalk, drainage and utility easement. 55-foot half road right-of-way measured from the section line near the existing centerline of Greensferry Road. Right-of-way line to align with the subdivision immediately to the south.

Prairie Avenue- Principal Arterial: 110-foot total right-of-way width, along with a 15-foot sidewalk, drainage and utility easement. 55-foot half road right-of-way measured from the section line near the existing centerline of Prairie Avenue. Right-of-way line to align with the subdivision immediately to the east.

Future traffic patterns to/from this site are benefitted from the proximity to adjoining Arterial Roadways that would distribute traffic from the subject site to SH41, Poleline Ave., as identified in the City's Transportation Master Plan. Access to the site would be restricted in conformance with City Standards to Greensferry Rd. and Prairie Avenue. Additional access restrictions exist along Prairie Avenue, in conformance with the KMPO Critical Arterial Corridor Policy.

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

Staff Comment: The response to this is embedded within the analysis within this section.

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

Staff Comment: The proposal is partially located within a commercial node as outlined in the Comprehensive Plan. The owner's intent to build a church within this commercial area might provide daily needs services within walking distance of residences.

Policy 8: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.

Staff Comment: This site is currently undeveloped and under-utilized.

Policy 9: Encourage annexation of County "islands" within the City, with priority given to areas:

- Surrounded by incorporated areas;
Staff Comment: Due to recent annexation the site is currently located within a County "island".
- That have readily-available service infrastructure and capacity;
Staff Comment:
- That support increased development intensity near the urban core.

Staff Comment: The site is not located within the urban core however it is

located within a commercial node.

Policy 14: Follow all annexation procedures established by Idaho State Statutes and applicable City ordinances.

Staff Comment: Idaho State Statutes and City ordinances associated with annexations have been followed.

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

Staff Comment: Annexation with residential zoning could allow for further housing types and price levels.

Policy 24: Plan for and protect transportation corridors from encroachment, and preserve adequate rights-of-way for future corridors including utility facilities.

Staff Comment: Additional rights-of-way along W. Prairie Avenue and N. Greensferry Road will be dedicated as part of the annexation agreement.

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

Staff Comment: Existing multi-use paths and sidewalks will be extended as part of the development of this site.

Policy 45: Guide annexation decisions guided by and considering:

- Master plans for water, sewer, transportation, parks, schools and emergency services;

Staff Comment: Compliance with associated master plans has been outline herein. Schools and emergency services have been notified of this request and have been given the chance to comment on the request.

- Provision of necessary rights-of-way and easements;

Staff Comment: Dedication of additional rights-of-way and associated easements have been described as part of the annexation agreement.

- Studies that evaluate environmental and public service factors;

Staff Comment: No know environmental studies have been conducted however Panhandle Health District and the Department of Environmental Quality have been notified of this request and have been given the chance to comment on the request.

- Timing that supports orderly development and/or coordinated extension of public services;

Staff Comment: The recently annexed commercial property to the west could coordinate extension of public services associated with this annexation request.

- Comprehensive plan goals and policies.

Staff Comment: The response to this is embedded within the analysis within this section.

Policy 47: On an ongoing basis, work to obtain water rights whenever possible through annexation, acquisition from landowners, or through application.

Staff Comment: All water rights associated with the site will be relinquished to Ross Point Water District as part of the annexation agreement.

Policy 71: Promote the planting and protection of trees citywide, helping;

- Beautify and enhance community value;
- Provide shade and comfort;
- Affirm the city's association with the outdoors and its historic origins;
- Provide wildlife habitat.

Staff Comment: Frontage improvements associated with the proposed development, including the planting of street trees and adequate irrigation, are required. Additionally, street trees, 1 per lot per frontage will be required with the associated residential subdivision. Lastly, parking lot trees within the limited commercial site will be required to meet the standard for shade as outline in the commercial performance standards of the Post Falls Municipal Code.

Policy 72: Support and participate in efforts to protect the high quality of water from the Rathdrum Prairie Aquifer, which provides the existing and future municipal water supply.

Staff Comment: All development associated with this proposal will be connected to municipal wastewater systems will not utilize a septic system.

C. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.

Streets/Traffic:

Staff Comment:

Greensferry Road, a minor arterial, is designed to accommodate traffic volumes of 6,000 - 15,000 vehicles per day. In 2035 the projected volumes along this section of roadway are approximately 5,000 vehicles per day.

Prairie Avenue, a principal arterial, is designed to accommodate traffic volumes of 12,000 - 30,000 vehicles per day. In 2035 the projected volumes along this section of roadway are approximately 9,000 vehicles per day.

Future traffic patterns to/from this site are benefitted from the proximity to adjoining arterial roadways that would distribute traffic from the subject site to SH41, Poleline Avenue, as identified in the City's Transportation Master Plan. Access to the site would be restricted in conformance with City Standards to Greensferry Road and Prairie Avenue. Additional access restrictions exist along Prairie Avenue, in conformance with the KMPO Critical Arterial Corridor Policy.

Water and Sanitary Sewer:

Staff Comment: Water service is provided by the Ross Point Water District and sanitary sewer service is being provided by the City of Post Falls. Sanitary sewer currently exists at the southwest corner of the property and would need to be extended to Prairie Avenue at the time of site development. The property requesting annexation and zoning is identified in the City of Post Falls Water Reclamation Master Plan as being serviced by the referenced main. The requested zoning is in conformance with the land use assumptions within the City's Water Reclamation Master Plan.

The property is not subject to any Local Improvement Districts (LID's), Subsequent User Agreements or Sewer Surcharges.

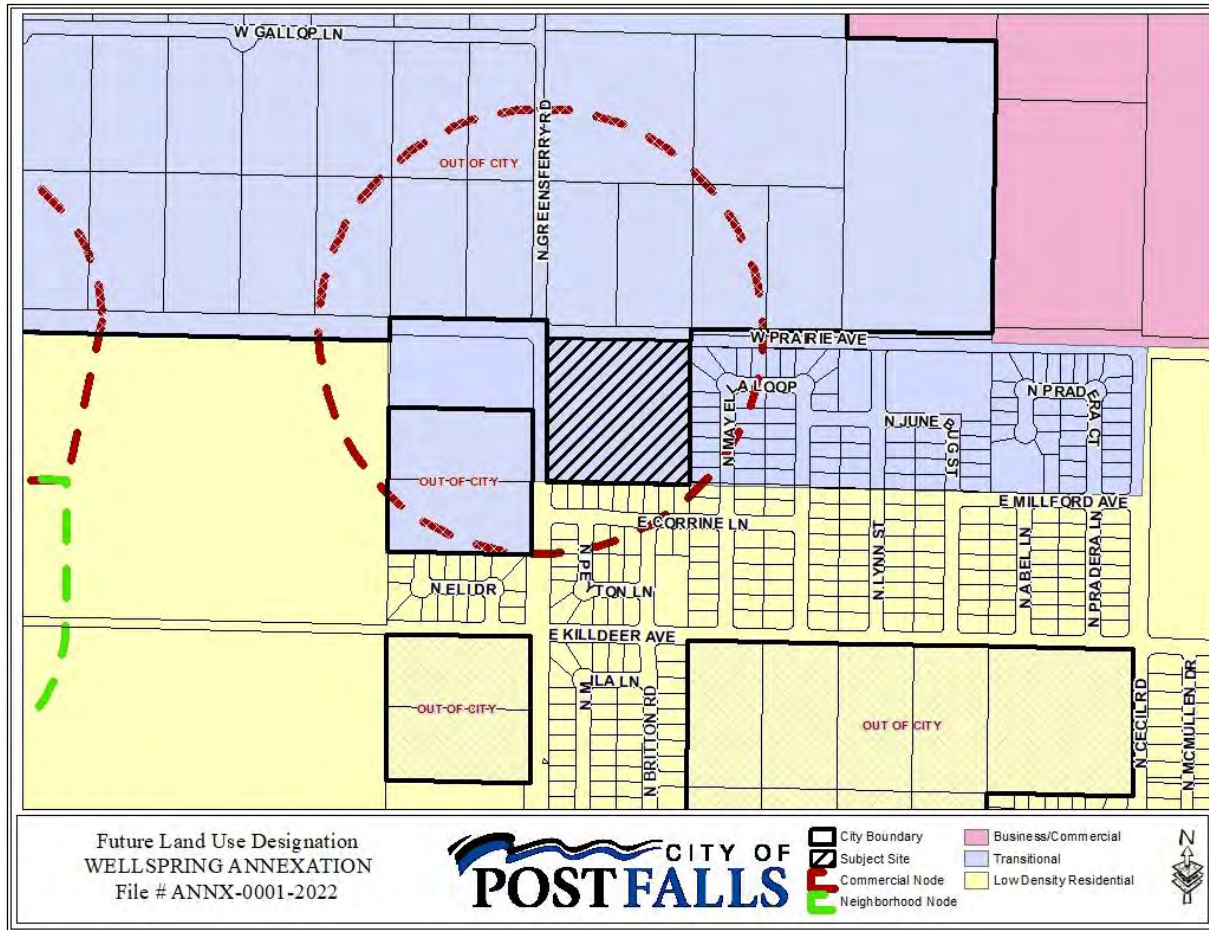
The City's Water Reclamation System has the capacity to provide service and the City is willing to serve to the property at the requested density. The proposed zoning is compatible with the land uses anticipated within the City's Water Reclamation Master Plan – Collections. Current capacity of the City's Water Reclamation System is not a guarantee of future service.

Compatibility with Existing Development and Future Uses:

Staff Comment: The propose residential use is adjacent to other residential uses and is therefore compatible. Churches are permitted within residential zones, with approval of a special use permit, and therefore shows compatibility with the neighboring residential uses within the area.

Future Land Use Designation:

Staff Comment: Future Land Use Designation is stated in Policy 2.



Community Plans: None

Geographic/Natural Features:

Staff Comment: The site is located over the Rathdrum Prairie Aquifer.

D. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.

Staff Comment: Prairie Avenue is classified as a Principal Arterial and N. Greensferry Road is classified as a Minor Arterial. Both roads should accommodate the proposed residential and limited commercial uses without adversely impacting the existing transportation network.

E. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.

Staff Comment: The proposed zoning request is outside an intense urban activity node or corridor.

F. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

Staff Comment: Not applicable

SUBDIVISION REVIEW CRITERIA (Post Falls Municipal Code Title 17.12.060, Subsection H):

No subdivision shall be approved from the planning and zoning commission unless findings and conclusions are made that:

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

Staff's Response: Water service to the project will be provided by the Ross Point Water District. Staff as received a will serve letter from the water district stating they have the capacity and willingness to serve this site.

2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.

Staff's Response: The City of Post Falls has adequate capacity to provide service to the subdivision as proposed. The layout of the sanitary sewer system would be extended along Greensferry Rd. in conformance with the City's Water Reclamation Master Plan.

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

Staff's Response: The subdivision and proposed layout accommodate connectivity and will not have a negative impact on the local transportation system. Though reduction of cul-de-sacs in the roadway network is generally desirable to facilitate connectivity, emergency services and maintenance; a cul-de-sac in this layout is a preferred option in order to preserve safety and roadway capacity on Prairie Avenue by complying with the City's Access Spacing requirements. The roadways shall dedicate rights of way and easements and be constructed to the roadway standards as outlined within the City Transportation Master Plan.

Roadway illumination, ADA ramps and roadway markings / signs shall comply with City Standards.

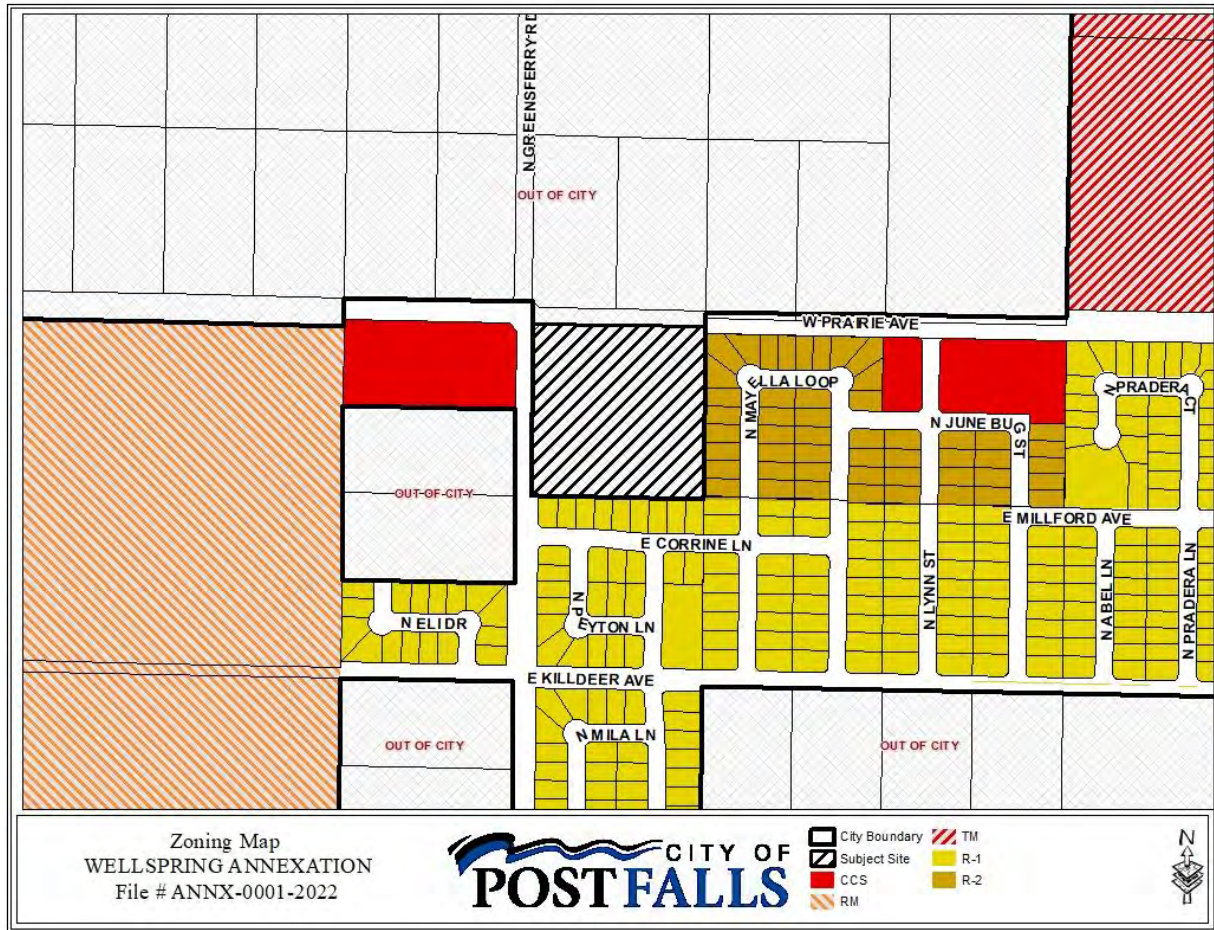
Direct access from residential lots to Greensferry Rd. or Prairie Avenue will not be allowed.

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

Staff's Response: There are no soil or topographical conditions which have been identified as presenting hazards, however the site is located over the Rathdrum Prairie Aquifer.

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

Staff's Response: The applicant is also requesting annexation into the City and the requested zoning for this subdivision is appropriate based on the existing land use in the general area (refer to zone change review criteria above). The subdivision and proposed lots conform to the requirements of Title 17 (Subdivisions) and Title 18 (Zoning).



6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.

Staff's Response: Impact fees will be assessed on individual building permits to assist in mitigating the off-site impacts to parks, public safety, and streets.

OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

Agencies Notified:

Post Falls Post Office	PF Park & Rec	East Greenacres Irr. District
Kootenai County Fire	Kootenai Electric	Time Warner Cable
PF Highway District	Ross Point Water	PF Police Department
PF School District	Verizon	Utilities (W/WW)
Avista Corp. (WWP-3)	Idaho Department of Lands	Urban Renewal Agency
Department of Environmental Quality	Panhandle Health District	Kootenai County Planning
Conoco, Inc. (Pipeline Co.)	NW Pipeline Corp.	KMPO

Yellowstone Pipeline Co.	TransCanada GTN	TDS
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- **Kootenai County Fire and Rescue (Exhibit PA-1)** – Provides comment throughout the process
- **Post Falls Police Department (Exhibit PA-2)** – Remains Neutral
- **Post Falls Highway District (Exhibit PA-3)** – Requesting no access onto Prairie Ave.; the right-of-way to be included in the annexation and for the City to take complete ownership of the signals at Greensferry Rd. and Prairie Ave.
- **Idaho Department of Environmental Quality (Exhibit PA-4)** – No comments at this time.

ITEMS TO BE CONSIDERED FOR INCLUSION IN AN ANNEXATION AGREEMENT:

1. Prior to commencement of development of the property, the Owners shall grant to the City or to a municipal water purveyor designated by the City all water rights associated with the land being annexed, but may continue the use of the water for agricultural purposes from the well located on site, if any, until such time that the annexed area is fully developed, at which time Owners shall discontinue the use of any well serving the property and the use of the water for agricultural purposes.
2. Dedication of Rights-of-way and easements along Greensferry Rd.
 - a. 110-foot right-of-way (55-foot half-width measured from section line in Greensferry)
 - b. 10-foot sidewalk, drainage and utility easement
3. Dedication of Rights-of-way and easements along Prairie Avenue
 - a. 110-foot right-of-way (measured from the section line in Prairie Avenue)
 - b. 15-foot sidewalk, drainage and utility easement

MOTION OPTIONS: The Planning and Zoning Commission must provide a recommendation of zoning to City Council along with an evaluation of how the proposed development does/does not meet the required evaluation criteria for the requested annexation. Accompanying the annexation is the proposed Subdivision, which the Planning and Zoning Commission shall approve as presented, make an approval with conditions or modifications, or disapprove the proposed Subdivision. Should the Commission need additional information or wish to hear additional testimony, it may wish to move to continue the public hearing to a date certain. If the Commission has heard sufficient testimony but needs additional time to deliberate and make a recommendation, it may close the public hearing and move the deliberations to a date certain.

FINDINGS & CONCLUSIONS: The Planning & Zoning Commission should adopt Findings and Conclusions when forming a reasoned decision. Staff proposes the following conditions upon a potential recommendation of approval of the proposed Wellspring Addition Subdivision. The Commission may adopt additional conditions from review of the application or from discussion at the Commission meeting.

SUBDIVISION CONDITIONS: Should the Planning & Zoning Commission move to recommend approval; staff proposes the following conditions:

1. This subdivision may only be approved subject to annexation approval.
2. Corrections and additions, if any, to the Subdivision requested by staff and/or the Planning & Zoning Commission should be completed by the applicant and reviewed by staff prior to approval by the City Council.
3. A Master Development Agreement shall be prepared by staff, reviewed and approved by the City Council, and signed by the parties prior to commencement of any construction.
4. The proposed subdivision must be completed in a single phase.

5. A Construction Improvement Agreement shall be prepared and executed prior to commencement of construction for the subdivision.
6. Submitted Preliminary Plans were reviewed from a conceptual basis only and reflected only the Phase I construction. Final construction plans of the streets and utilities shall be reviewed and approved by the Engineering Division prior to any street or utility construction. Such plans shall also include driveway approaches and location of proposed mailboxes. Construction limits shall correspond with the improvements indicated on the Preliminary Plat.
7. Except where an exception is granted, all streetlights, roadways and City owned utilities shall be designed and constructed in accordance with City standards. The application did not request any exceptions from City Code or Design Standards.
8. Direct access from residential lots to Prairie Avenue and/or Greensferry Road shall be prohibited on the face of the plat.
9. A Homeowners Association (HOA) shall be formed to maintain the common right-of-way frontage along Prairie Avenue and Greensferry Road; including all landscaping, irrigation and removal of snow from sidewalks and trails.
4. Lot Access along Prairie Avenue in conformance with the KMPO Critical Arterial Policy

ATTACHMENTS:

Applicant Exhibits:

Exhibit A-1a	Annexation Application
Exhibit A-1b	Subdivision Application
Exhibit A-2a	Annexation Narrative
Exhibit A-2b	Subdivision Narrative
Exhibit A-3	Preliminary Plat
Exhibit A-4	Will Serve
Exhibit A-5	Auth Letter
Exhibit A-6	Title Report

Staff Exhibits:

Exhibit S-1	Vicinity Map
Exhibit S-2	Zoning Map
Exhibit S-3	Future Land Use Map
Exhibit S-4	Annexation Agreement

Testimony:

Exhibit PA-1	KCFR Comments
Exhibit PA-2	PFPD Comments
Exhibit PA-3	PFHD Comments
Exhibit PA-4	DEQ Comments



ANNEXATION APPLICATION

Post Falls Comprehensive Plan

Public Services Department – Planning Division
408 N. Spokane St. Post Falls, ID 83854
208.773.8708 Fax: 208.773.2505

STAFF USE ONLY	Date Submitted: <u>1/11</u>	Received by: <u>AB</u>	File # <u>ANNX-0001-2022</u>
	Application Fee <u>3,000</u>	Public Hearings: <u>\$600³⁰⁰</u>	Mailing \$6*31 = <u>186</u>

PART 1 – Process of Completion and Public Hearing Schedule

- 1. Applications will need to be deemed complete by the Planning Department prior to being scheduled for a public hearing. Once the applicant has been issued a completeness letter from the Planning Department verifying the application is complete, the application will be eligible to be scheduled at the next available Public Hearing.*
- 2. Each Completeness Review Period, will be reviewed within a 2-week period*
- 3. There is a 45-day cut-off windows for a fully completed application (deemed complete) required, prior to being scheduled for the next available Public Hearing (See Note Below).*

*****NOTE:** *Once we have 4 Public Hearings the following applicants will be moved to the next month's Hearing Date. ****

PART 1/A – REQUIRED MATERIAL

****THE APPLICATION WILL NOT BE ACCEPTED IF THE REQUIRED MATERIALS ARE NOT PROVIDED****

Annexing land and expanding public services is based on careful planning, adopted regulations and Comprehensive Plan policies. Annexation should provide a means for orderly, logical expansion of the city and increased efficiency, and economic provisions of public services. The City of Post Falls considers approval of annexing lands when such will lead to orderly future development that would result in benefit to the community. See the Comprehensive Plan 4.0 Future Land Use; Annexation Goals and Policies.

- Completed Annexation Pre-application**
- Completed application form**
- Application fee**
- Will Serve Letter:** (water service)
- A written narrative:** Including zoning, how proposal relates to Annexation Goals and Policies, and the impact on City services.
- A legal description:** in MS Word compatible format, together with a meets and bounds map.
- A report(s) by an Idaho licensed Title Company:** showing ownership of record, any interest of record, and a list of property owners of record within 300 feet of external boundaries of the subject property and mailing labels, provided by the Title Company.
- A vicinity map:** To scale, showing property lines, thoroughfares, existing and proposed zoning, etc.

- Public hearing notification:** Two required public hearings incur a mailing fee of \$6.00 per hearing notice per property within 300ft radius of the site (3 sets of labels are also required). The cost for publication notices in the local newspaper for both Planning and Zoning and City Council is \$300 per public hearing equaling \$600.
- Owner authorization:** If there is to be an applicant or consultant acting on the owner's behalf.

PART 2 – APPLICATION INFORMATION

PROPERTY OWNER: APPLICANT/ FIVEFOLD FOUNDATION MINISTRIES, INC. (CONTACT: JOHN DEVRIES)		
MAILING ADDRESS: PO BOX 457		
CITY: POST FALLS	STATE: ID	ZIP: 83877
PHONE: 208.651.1213	FAX:	EMAIL: 5-fold@twc.com
APPLICANT OR CONSULTANT: NORTH ENGINEERING (CONTACT: BART NORTH)		STATUS: ENGINEER OTHER
MAILING ADDRESS: PO BOX 2486		
CITY: HAYDEN	STATE: ID	ZIP: 83835
PHONE: 208.755.6255	FAX:	EMAIL: bartdnorth@frontier.com

SITE INFORMATION: WELLSPRINGS ADDITION

PROPERTY GENERAL LOCATION OR ADDRESS: SE CORNER OF PRAIRIE AVE & GREENSFERRY ROAD		
PROPERTY LEGAL DESCRIPTION (ATTACH OR DESCRIBE): TRACT 8, BLOCK 25, POST FALLS IRRIGATED TRACTS		
TAX PARCEL #: 0-6360-25-bdb-ac AIN 233035	EXISTING ZONING: AGRICULTURE (COUNTY)	ADJACENT ZONING: R-1, R-2, CCS, AGRICULTURE
	CURRENT LAND USE: VACANT	ADJACENT LAND USE: RESIDENTIAL
DESCRIPTION OF PROJECT/REASON FOR REQUEST: PRIMARY OBJECTIVE OF APPLICANT IS TO CONSTRUCT CHURCH FACILITY. IN ORDER TO DERIVE REVENUE FOR ANNEXATION, REQUEST INCLUDES LC ZONE FOR CHURCH LOT AND R2 ZONE FOR 23 RESIDENTIAL LOTS (19 SINGLE FAMILY DETACHED AND 4 DUPLEX LOTS).		

PART 3 – CERTIFICATION

The applicant (or representative) must be present at the public hearing to represent this proposal or the application will not be heard. The applicant will be responsible for costs to re-notice the public hearing.

Petitioner's name(s), address, and phone number:

Name	Address	Phone
------	---------	-------

I (We) the undersigned do hereby make petition for annexation and zone classification 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 10TH DAY OF JAN. 2022 20

John DeVries
JOHN DEVRIES, (PRES FFMI)

PART 4 – COMPLETED BY CITY STAFF

COMPLETED PRE-APP:	YES:	NO:
	PRE-APP NAME:	PRE-APP FILE#:
IF NO PRE-APPLICATION, REASON?		



SUBDIVISION APPLICATION

Public Services Department – Planning Division

408 N. Spokane St. Post Falls, ID 83854
208.773.8708 Fax: 208.773.2505

STAFF USE ONLY			
Date Submitted: <u>1/11</u>	Received by: <u>AB</u>	File # <u>SUBD-0001-2022</u>	
Application Fee <u>3,700</u>	Public Hearings: <u>\$300</u>	Mailing \$6* 31 = <u>186</u>	

PART 1 – Process of Completion and Public Hearing Schedule

1. Applications will need to be deemed complete by the Planning Department prior to being scheduled for a public hearing. Once the applicant has been issued a completeness letter from the Planning Department verifying the application is complete, the application will be eligible to be scheduled at the next available Public Hearing.
2. Each Completeness Review Period, will be reviewed within a 2-week period
3. There is a 45-day cut-off windows for a fully completed application (deemed complete) required, prior to being scheduled for the next available Public Hearing (See Note Below).

*****NOTE: Once we have 4 Public Hearings the following applicants will be moved to the next month's Hearing Date. *****

PART 1/A – REQUIRED MATERIAL

****THE APPLICATION WILL NOT BE ACCEPTED IF THE REQUIRED MATERIALS ARE NOT PROVIDED****

A subdivision is any division of a lot, tract or parcel into two or more lots and accompanied by proposed new streets or extension of existing streets, municipal sewer and water services.

(For additional information on this process and requirements please see PFMC 17.04)

- Completed Subdivision Pre-application:** Name of Subdivision at Pre-application stage, and Date of pre-app.
- Completed application form**
- Application fee** *(Per most recently adopted fee resolution)*
- A written narrative:** Describing the proposal
- Subdivision Plans:** (specific elements are identified in PFMC 17.12.040(A-C)) - *To include all lots being dimensioned and with square footage for each lot depicted, for the application to be considered complete.*
- Water District Will-Serve Letter:** (MC Section 17.17.060(H)(1) – a subdivision cannot be approved unless a definite provision has been made for a water supply system that is adequate in terms of quantity, and quality for the type of subdivision proposed.
- Owner authorization letter:** If there is to be an applicant or consultant acting on the owner's behalf.
- A report(s) by an Idaho licensed Title Company:** *By a Title Company licensed in the state of Idaho, as to ownership of record and any interest of record in the subject property. Provide a report of property owners within 300 feet*

of the external boundaries of the proposed development. (Labels are required – 2 sets) The applicant will incur a public hearing mailing fee in the amount of \$6.00 per hearing notice per property within the 300 feet radius. Applications are required to one (1) publication notice in the local newspaper and are \$300 per public hearing, of which can be paid at the time of application. ****NOTE** if the notices are not paid at the time of application, the planning department will mail an invoice to the applicant for the public hearing mailing and publication fees; these fees must be paid before the application is place on the agenda**

NOTE: Subdivision applications that are not deemed complete will not be processed.

Plans Checked By: _____ Date: _____

PART 2 – APPLICATION INFORMATION

PROPERTY OWNER: FIVEFOLD FOUNDATION MINISTRIES, INC. CONTACT: JOHN DEVRIES		
MAILING ADDRESS: PO Box 457		
CITY: Post Falls	STATE: ID	ZIP: 83877
PHONE: 208.651.1213	FAX:	EMAIL: 5-fold@twc.com
APPLICANT OR <u>CONSULTANT</u> : NORTH ENGINEERING AND SURVEYING		STATUS: <u>ENGINEER</u> OTHER
MAILING ADDRESS: PO Box 2436 CONTACT: BART NORTH		
CITY: HAYDEN	STATE: ID	ZIP: 83835
PHONE: 208.755.6255	FAX:	EMAIL: bartdnorth@frontier.com

SUBDIVISION INFORMATION:

PROPOSED SUBDIVISION NAME: WELLSPRINGS ADDITION		
PROPERTY GENERAL LOCATION OR ADDRESS: SE CORNER PRAIRIE AVE & GREENSFERRY RD		
PROPERTY LEGAL DESCRIPTION (ATTACH OR DESCRIBE): TRACT 2, BLOCK 25, POST FALLS IRRIGATED TRACTS		
TAX PARCEL #: 0-6360-25-DOB-AC	EXISTING ZONING: R-2, LC PENDING ANNEXATION	ADJACENT ZONING: R-1, R-2, CCS, AG (COUNTY)
AVERAGE LOT SIZE: 7990 SF (EXCLUDES LC LOT)	CURRENT LAND USE: VACANT	ADJACENT LAND USE: RESIDENTIAL
SIZE OF SITE: 9.194 ACRES	NUMBER OF LOTS: 24	DENSITY: 2.6 LOTS/ACRE (GROSS) 3.7 LOTS/ACRE (RESIDENTIAL)

DESCRIPTION OF PROJECT/REASON FOR REQUEST: **APPLICANT'S INTENT IS TO DEVELOP A CHURCH FACILITY ON SUBJECT PARCEL. ANNEXATION IS REQUIRED. RESIDENTIAL DEVELOPMENT IS REQUESTED TO GENERATE REVENUE FOR ANNEXATION.**

SITE INFORMATION:

ASSESSOR'S PARCEL NUMBER(S): 0-6360-25-008-AC		
COMPREHENSIVE PLAN DESIGNATION: TRANSITIONAL		
LOCATION OF PROPOSED ACCESS TO THE SITE: SW CORNER OF PARCEL OFF OF GREENSFERRY ROAD		
SIZE AND POINT OF UTILITIES CONNECTION:	WATER SIZE: 8"	LOCATION: SW CORNER OF PARCEL
	SEWER SIZE: 8"	LOCATION: SW CORNER OF PARCEL
NAME AND LOCATION OF NEAREST SCHOOL(S): GREENSFERRY ELEMENTARY 0.4 MI		
LOCATION OF AND DISTANCE TO NEAREST FIRE STATION OR SUB-STATION: KCFR STATION ON 16th ST. - 2.2 MILES		
STREET(S) SERVING THE PROJECT (PROVIDE R-O-W AND PAVEMENT WIDTH):		
PRAIRIE AVE: 110' ROW, 76' TRAVEL WIDTH, GREENSFERRY RD = 110' ROW, 56' TRAVEL WIDTH		
PHYSICAL DESCRIPTION OF SITE (TOPOGRAPHY, COVER, FEATURES): FLAT TOPOGRAPHY, VOLUNTEER GRASS, VACANT		
ANY PHYSICAL LIMITATIONS? (ROCK OUTCROPS, SLOPE, ETC.): (NO) YES (PLEASE ATTACH DESCRIPTION)		

PART 3 – CERTIFICATION

**Applications will be scheduled to go before the Planning and Zoning Commission once the material submitted has been reviewed by staff and has been determined to be considered a complete application.

CERTIFICATION:

I understand that the applicant or representative shall attend the public hearing before the Planning and Zoning Commission and that the decision on a Subdivision is final; unless appealed by myself, by adjoining property owners, or by other affected persons. I also understand that the Subdivision Plat is a separate application to be approved by the City Council before it can be recorded. All the information, statements, attachments and exhibits transmitted herewith are true to the best of my knowledge. I hereby certify that I am the owner or contract buyer.

DATED THIS 10th DAY OF JANUARY 2027
John DeVries
JOHN DEVRIES, (PRES. FFM)

PART 4 – COMPLETED BY CITY STAFF:

COMPLETED PRE-APP:	YES:	NO:
	PRE-APP NAME:	PRE-APP FILE#:
IF NO PRE-APPLICATION, REASON?		

WELLSPRINGS ADDITION

ANNEXATION APPLICATION NARRATIVE

PARCEL LOCATION/DESCRIPTION

With reference to Application Figures A.1 to A.3 included in Attachment A to this narrative:

- Parcel Area: 9.17 Acres
- Parcel Location:
 - The parcel is located at southeast corner of Prairie Avenue and Greensferry Road intersection.
 - Parcel is located in the northwest quarter of the northwest quarter of Section 25, Twp. 51 N., R 5 W.B.M.
- Legal Description: The parcel is generally described as Tract 8, Block 25, Post Falls Irrigated Tracts (except Right-of-Way).
- Existing Parcel Number: The parcel is assigned Assessor Parcel Number 0-6360-25-008-AC.
- parcel has no current street address.

EXISTING/ADJACENT PARCEL ZONING

With reference to Figure A.4, the parcel is currently zoned "Agriculture" in Kootenai County.

Parcels to the north of subject parcel (on north side of Prairie Avenue) are currently zoned "Agriculture" in Kootenai County.

Parcels to the west of the subject parcel (on west side of Greensferry Road):

- North half was recently annexed into the City with Community Commercial Services (CCS) zoning.
- South half is currently zoned "Agriculture" in Kootenai County.

Adjacent parcels to the east of subject parcel are currently zoned R2 in the City of Post Falls.

Adjacent parcels to the south of subject parcel are currently zoned R1 in the City of Post Falls.

BACKGROUND

Conditional Use Permit C-1121-05 was obtained in 2007 to construct a Church facility in Ag Zone on the subject parcel. For reference, the approved site configuration for the CUP is provided by Figure A.5

Re-application to the County in 2020 for the CUP resulted the need to obtain City of Post Falls approval of the CUP in order to proceed. By email dated January 6, 2021, Kootenai County stated that CUP approval doesn't necessarily require annexation (to the City of Post Falls), but would require the City's determination as to whether they would be willing to provide municipal service outside of the City boundary.

Subsequent meeting with City of Post Falls Staff resulted in the requirement to annex the subject parcel into City of Post Falls in order to obtain sanitary sewer service and construct the proposed Church facility.

In order to satisfy annexation fee(s) and required parcel perimeter infrastructure development cost(s), the Applicant proposes to develop single family residential detached housing lots (with several duplex lots) adjacent to a Church facility lot as described/depicted by this narrative.

CITY OF POST FALLS PARCEL INFORMATION

With reference to the City of Post Falls Future Land Use Map included as Figure A.6, the parcel lies within the "Transitional" and within a "Commercial Activity Node".

- *Transitional* designation is applied to areas outside of the City boundary but identified as an area suitable for growth and a part of the City's long-term future. Guidance for development within *Transitional* area designation is provided within the Comprehensive Plan's "Focus Areas".
- *Commercial Activity Node* designation is intended to encourage commercial activities at major transportation nodes to compliment the overall community. "Land use at these nodes would consist of a variety of retail, office, or other commercial services to be integrated into the nearby community with the intent to create a focal point of vibrancy conveniently located near neighborhoods and other commercial services along nearby arterial and collector streets".

With reference to Figure A.7, the parcel lies along the west border of the "41 North" Focus Area and adjacent to the east edge of the "Central Prairie" Focus Area.

- *41 North* Focus Area encompasses the Hwy 41 corridor and much of the discussion provided relates to the Hwy 41 corridor. Several of the guidance points apply to the subject parcel as follows:
 - Growth should include strategically located, carefully-designated land uses incorporating trails and interconnected, walkable street network.
 - Provision for multi-family, commercial and tech uses near higher-classified roadways.

- Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.
- Central Prairie Focus Area guidance points provided in the Comprehensive Plan are as follows:
 - Focus multi-family along Prairie Avenue.
 - Focus commercial development along Prairie Avenue and near identified commercial nodes.
 - Support provisions for a variety of housing types and densities.
 - Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.

ANNEXATION PROPOSAL

As depicted by Figure A.8, The Applicant requests annexation of the subject parcel with Medium Density Residential (R2) zoning for the proposed residential lots and Limited Commercial (LC) zoning for the Church Facility lot.

Limited Commercial (LC): The LC Zone permits neighborhood compatible commercial retail and service uses of modest scale in areas not conveniently served by existing or proposed commercially designated lands. This zoning district is compatible with residential lands that would accommodate medium density residential land uses.

Medium Density Residential (R2): The R2 Zone is intended for residential structures containing one or more dwelling units and for accessory uses that are associated and compatible with residential uses. This zone is primarily applied in areas suitable for residential development where such residentially designated areas are readily serviced by collector and arterial streets suitable for higher levels of traffic; where other public services are sufficiently available for the intensity of use contemplated; and where the configuration of Municipal infrastructure and neighboring land uses are compatible with the use allowed hereby.

PROPOSED PROJECT DESCRIPTION

As depicted by Application drawing A.9, 19 single family detached lots and 4 duplex lots are proposed along the south and east perimeter of the parcel in R2 zone, and 1 lot upon which a Church facility is proposed in the northwest portion of the parcel in LC zone.

An initial phase of the proposed Church facility is configured (conceptually) on the south half of the LC zoned lot (indicated as Phase 1) with primary ingress/egress access on to "Road A" and secondary ingress/egress (right-in/right-out) on to Greensferry Road.

Future phase(s) of development of the LC zoned lot is not currently defined but are proposed to develop according to PFMC requirements at the time of submittal. In order to facilitate community access to the LC lot, right-in/right out approaches are proposed on Greensferry Road and Prairie Avenue frontages.

PROJECT PHASING/SCHEDULING

Annexation, subdivision, and subdivision infrastructure construction is proposed to proceed in one (1) phase. The intent is to record the subdivision plat in 2022. Development of the proposed Church facility is proposed to occur as soon as allowable through/following the annexation and subdivision process.

INFRASTRUCTURE TO SERVE PROPOSED DEVELOPMENT

SEWER

Gravity sewer service to the parcel exists in Greensferry Rd at the southwest corner of the parcel. The existing sewer depth is adequate to provide gravity sewer service to the proposed parcel configuration.

WATER

Domestic, irrigation, and fire protection water service to the development is proposed by extending the existing Ross Point Water District (RPWD) 12" water main from the southwest corner of the parcel.

RPWD will require extension of the 12" water main along the Greensferry Rd and Prairie Avenue frontages.

TRANSPORTATION

As depicted on the project drawings, the parcel has frontage on Greensferry Rd and Prairie Avenue. This intersection is currently signalized.

Adequate carrying capacity exists on Greensferry Rd and Prairie Ave to support the proposed development.

As extension of development to south and east, Greensferry Rd and Prairie Avenue frontage improvements to current applicable street section standards are required/proposed.

Residential Development:

Primary access to the proposed residential development is proposed near the southwest parcel corner on Greensferry Rd.

As depicted, interior parcel access is proposed to consist of standard City street with knuckle and culdesac.

MAINTENANCE OF PROJECT STREET FRONTAGE LANDSCAPING

Maintenance responsibility of Greensferry and Prairie Ave frontage landscaping is proposed to be allocated to Homeowners Association (HOA) to be formed during the subdivision process.

DRAINAGE

Streets: Street drainage is proposed by surface grading utilizing curbs/curb drops with discharge into roadside grassed infiltrative areas sized for both treatment and attenuation of peak storm flows. Street stormwater overflow is proposed to be contained on site with shallow injection wells (drywells) as may be warranted.

Lots: Lot drainage will be contained on site by surface grading to the grassed infiltrative areas sized for both treatment and attenuation of peak storm flows with overflow directed to surface drain(s). Lot drainage will be addressed for each lot at the time of building permit.

EMERGENCY SERVICES

The proposed development design will be confirmed with input from both the fire and police departments to ensure their ability to provide their services to the development. Streets are provided with sufficient width and turning radius for emergency vehicles. Fire hydrants will be set throughout the subdivision at intervals specified by the Fire District to provide fire protection.

ADDITIONAL SITE INFORMATION

EXISTING STRUCTURES: Currently there is a sign at the northwest corner of the site. Kootenai Electric also has several above ground facilities along the street frontage perimeter. No residential structures currently exist on the site.

SITE TOPOGRAPHY: The site is essentially flat with a maximum relief of approximately four (4) vertical feet (less than 1%).

SITE SOILS: NRCS identifies the site soils as 119 – Garrison gravelly silt loam, 0 to 7 percent slopes. This soil is a deep, well-drained soil and exceptionally suited for the proposed development having superior bearing capacity and being classified in hydrologic soil group B.

SENSITIVE AREAS: No wetlands, floodplain or other sensitive area have been identified on the site.

JUSTIFICATION AND BASIS FOR ANNEXATION APPROVAL

The basis and justification for annexation approval of the subject parcel with R2 and LC zone is summarized as follows:

1. **The proposed annexation provides for orderly and logical expansion of the City of Post Falls and will lead to orderly future development.**

The Comprehensive Plan represents the City's best effort to provide for logical and orderly development of the City.

- *As developed by this narrative, the proposed annexation and requested zoning is consistent with the future land use map of the comprehensive plan.*
- *The proposal is also compliant with the comprehensive plan focus area diagram development guidelines.*

2. **The proposed annexation will result in a benefit to the community of Post Falls.**

Community benefits resulting from the proposed annexation are noted as follows:

- *The proposed annexation will add additional housing opportunities to the City of Post Falls.*
- *Development of the subject parcel will connect the gap between Greensferry Road pedestrian access and Prairie Avenue pedestrian access.*
- *The Church facility proposed for the LC zoned lot will exist as an outreach to the Post Falls community.*
- *Future phase(s) of the LC zoned lot provide potential development of community commercial services at the intersection of Prairie Avenue and Greensferry Road.*

3. **Annexation and Zoning assignment must consider street classification, traffic patterns, existing development, future land uses, community plans, geographic and natural features.**

As developed by this narrative, the proposed annexation and zoning is consistent with the considerations listed above.

- 4. Annexation and Zoning assignment must encourage a balance of land uses to help Post Falls remain a desirable, stable, and sustainable community.**

The proposed annexation and zoning are consistent with the comprehensive plan, future land use map, and focus area designation. It is proposed that this is the best indicator that the proposed project will promote the City OF Pot Falls as a desirable, stable, and sustainable community.

- 5. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.**

The proposed annexation and zoning are consistent with the comprehensive plan, future land use map, and focus area designation, which has assumedly addressed this consideration.

- 6. Ensure that adequate land is available for future housing needs.**

The proposed annexation and zoning provide residential housing opportunities to the Post Falls community as part of the proposal.

END OF NARRATIVE

ATTACHMENT A

<u>FIGURE</u>	<u>DESCRIPTION</u>
1	VICINITY MAP
2	KOOTENAI COUNTY ASSESSOR MAP
3	KC EARTH PARCEL INFORMATION
4	KOOTENAI COUNTY ZONING OVERVIEW
5	CUP C-1132-05 SITE DEVELOPMENT OVERVIEW
6	CITY OF POST FALLS COMPREHENSIVE PLAN FUTURE LAND USE MAP
7	CITY OF POST FALLS COMPREHENSIVE PLAN FOCUS AREA DIAGRAM
8	PROPOSED ZONING OVERVIEW
9	CONCEPT SITE DEVELOPMENT OVERVIEW

FIGURE A.1 – VICINITY OVERVIEW

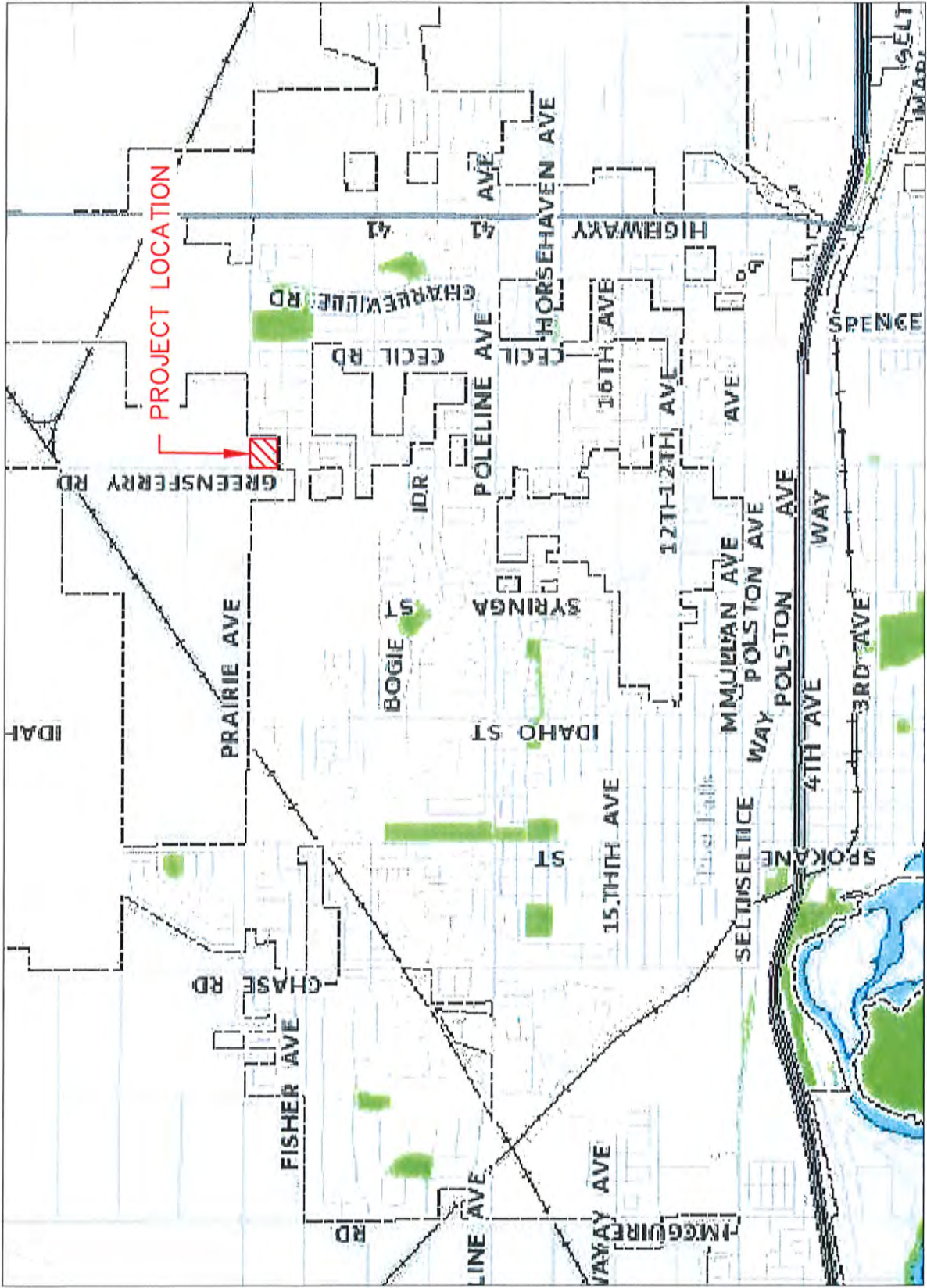
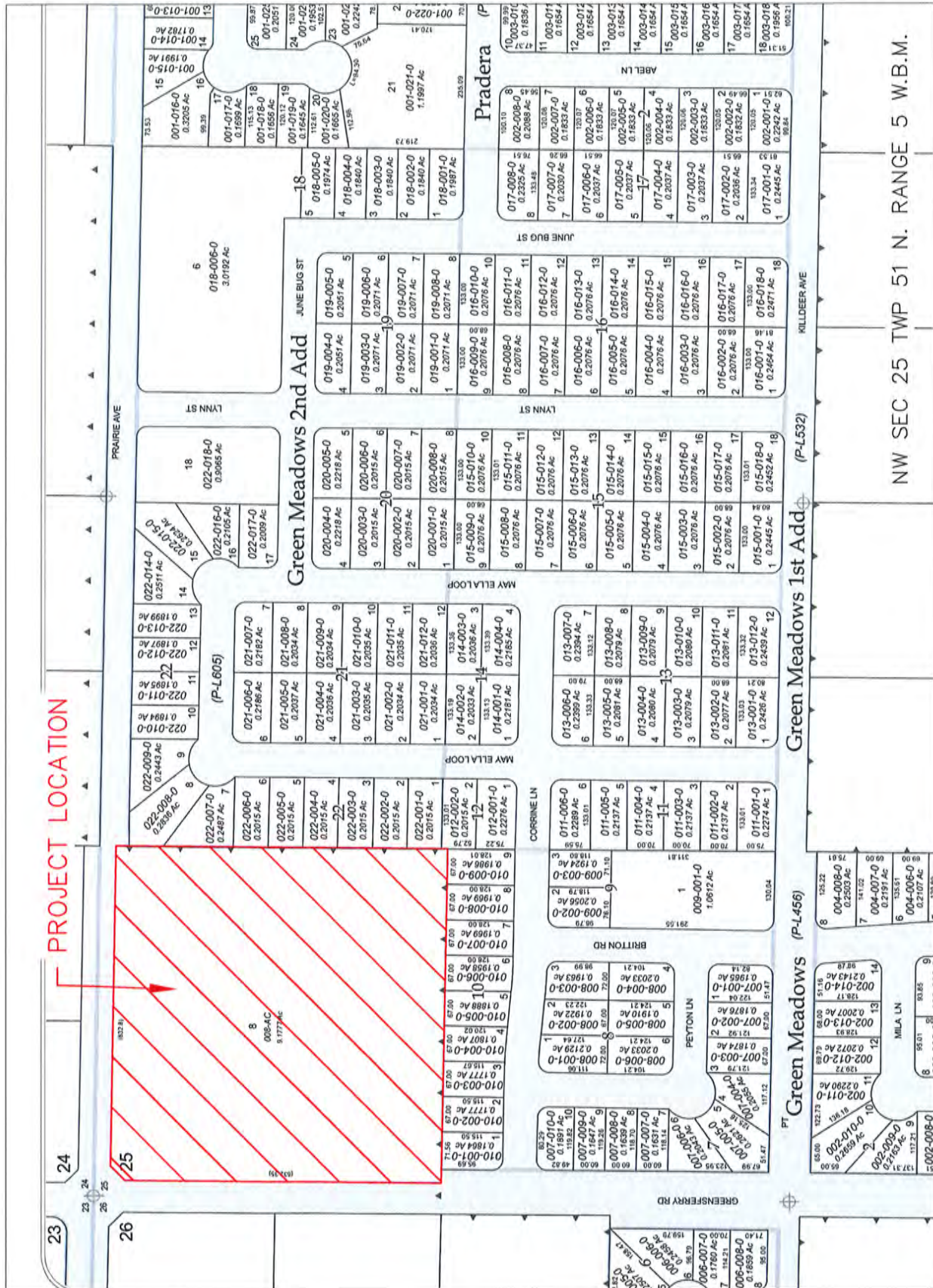


FIGURE A.2 – KOOTENAI CO. ASSESSOR MAP



NW SEC 25 TWP 51 N. RANGE 5 W.B.M.

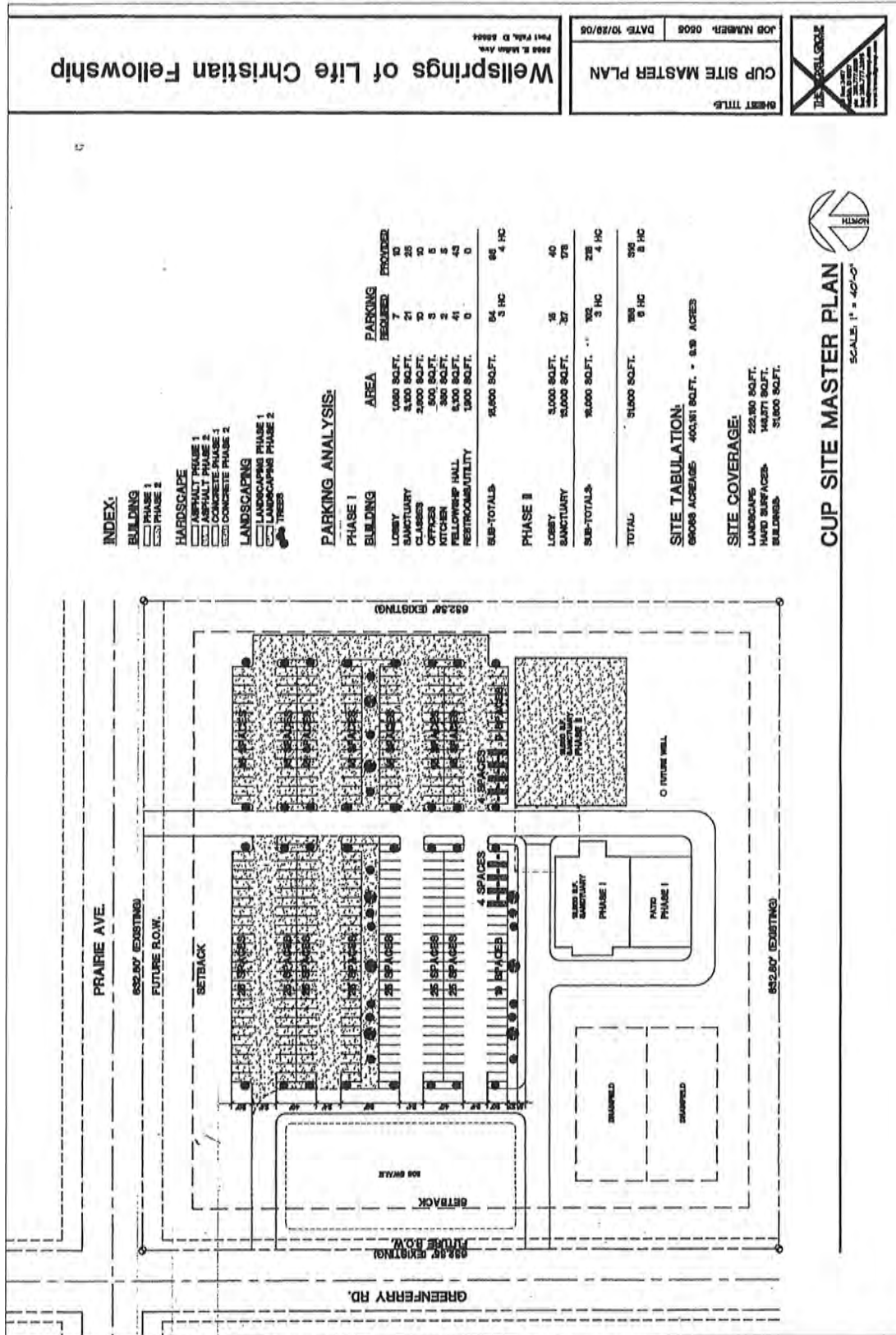
FIGURE A.3 – KC EARTH PARCEL INFO



FIGURE A.4 – KC ZONING OVERVIEW



FIGURE A.5 – CUP C-1132-05
SITE DEVELOPMENT OVERVIEW



Wellsprings of Life Christian Fellowship
2008 E. Main Ave
Fair Park, TX 75045

JOB NUMBER: 0208
DATE: 10/18/05



FIGURE A.6 – COPF FUTURE LAND USE MAP

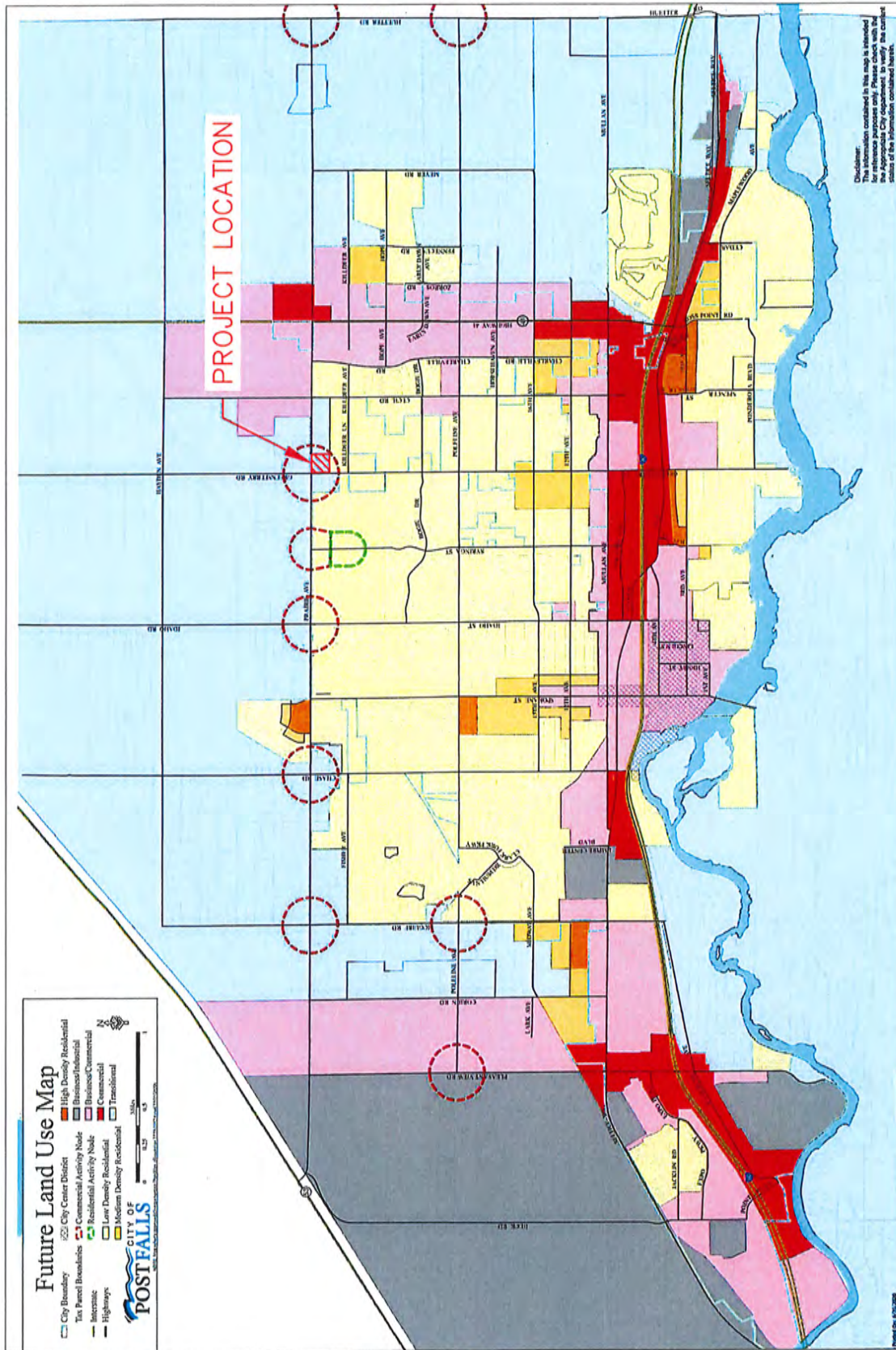


FIGURE A.7 – COPF FOCUS AREA DIAGRAM

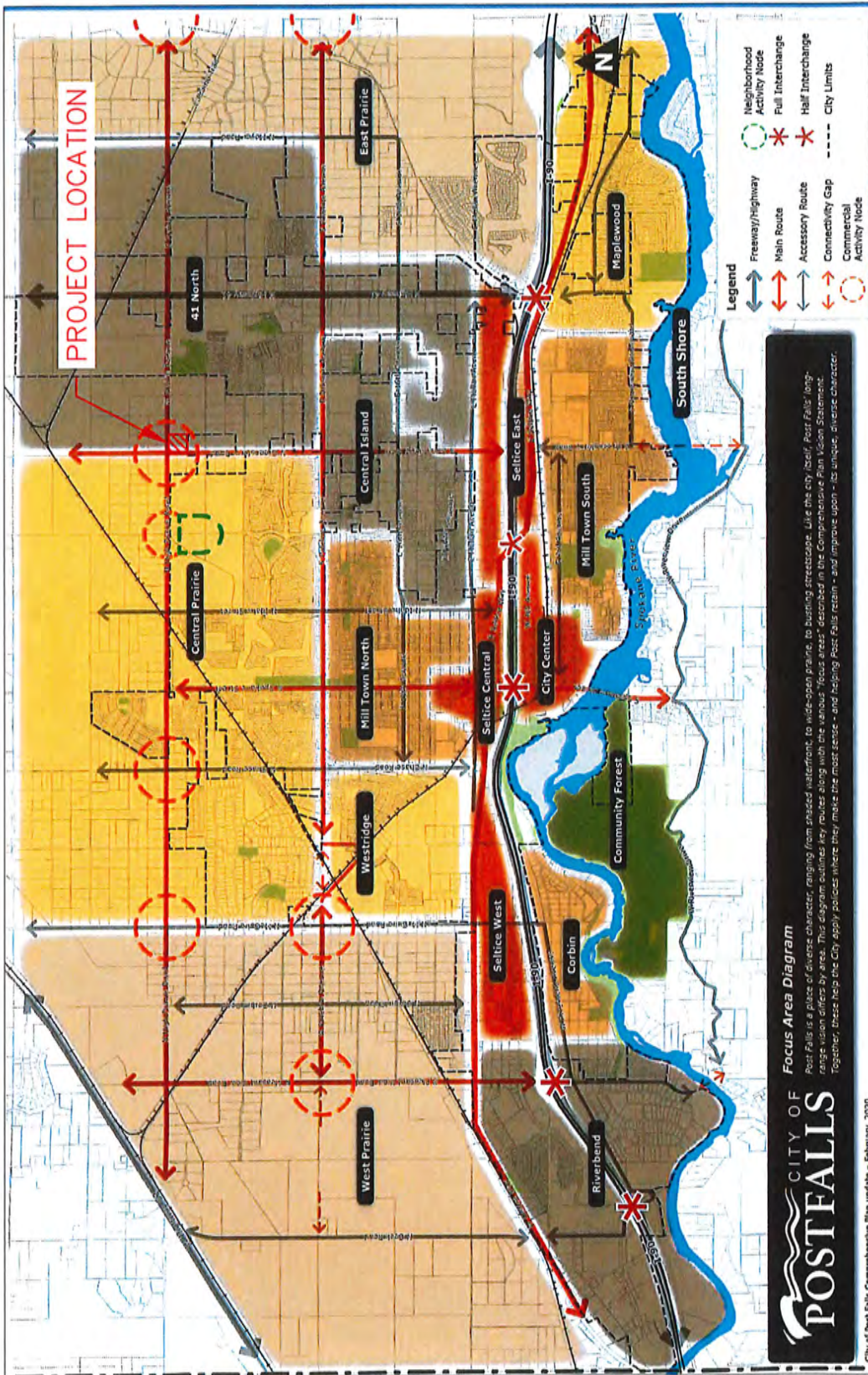
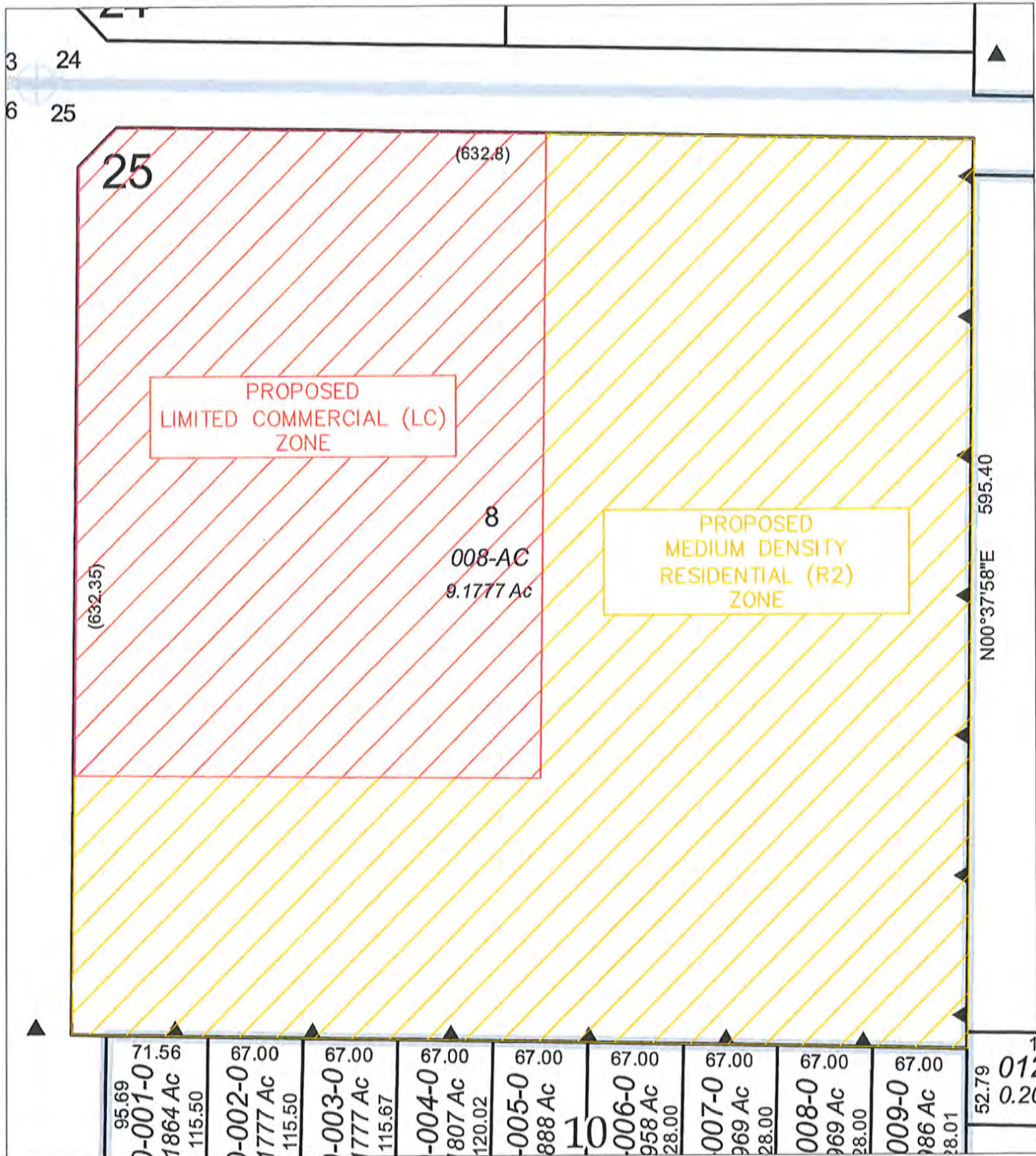
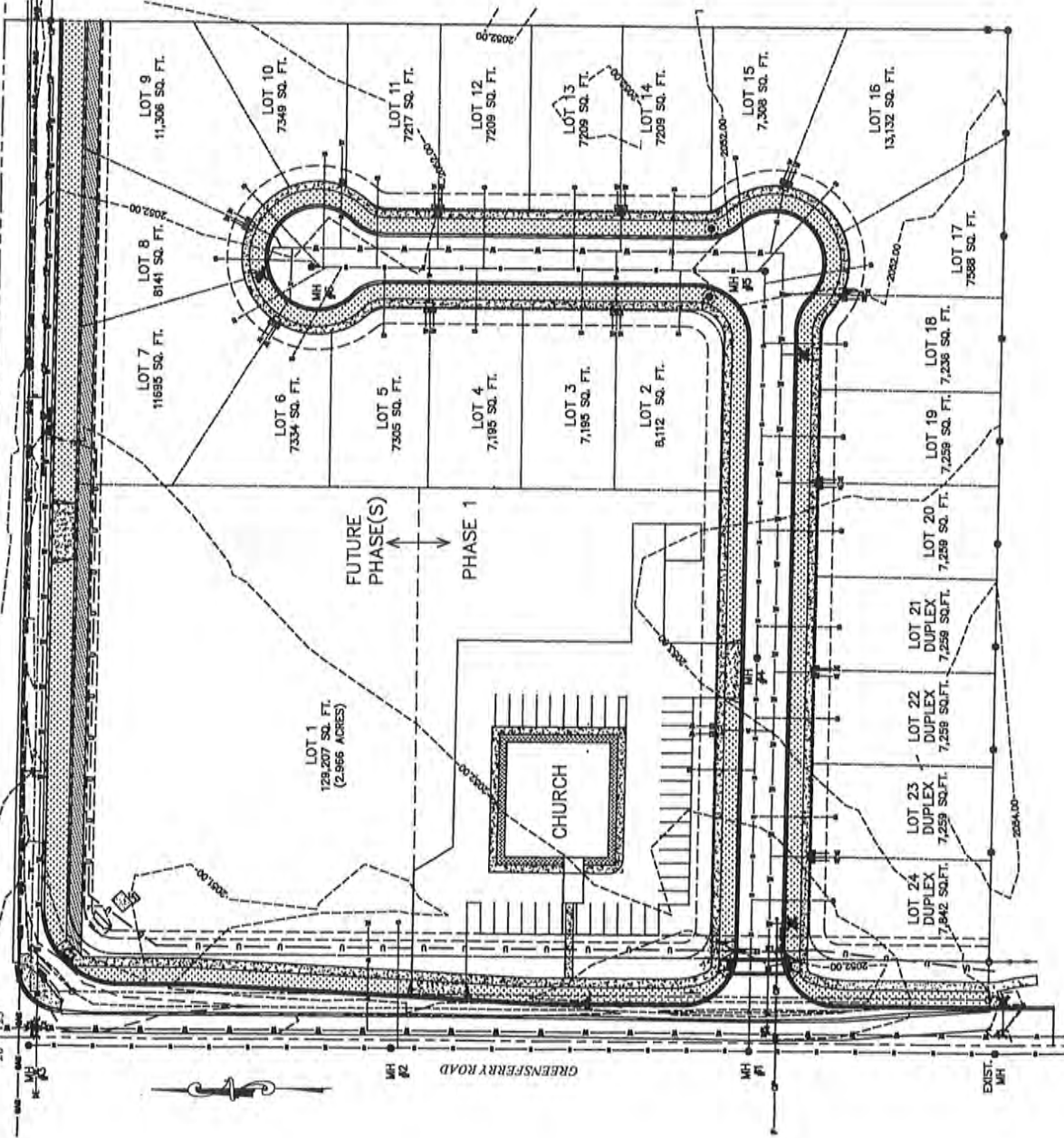


FIGURE A.8 – ANNEXATION PARCEL
PROPOSED ZONING



PRAIRIE AVENUE

23 24
26 25



LOCATED IN SECTION 25, T51N, R5W, B.M.,
CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO
WELLSPRINGS ADDITION

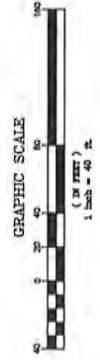


FIGURE A.9
ANNEXATION PARCEL
CONCEPT DEVELOPMENT
PLAN

FUTURE PHASE(S)
PHASE 1

CHURCH

GREENSFERRY ROAD

EXIST. MH

WELLSPRINGS ADDITION SUBDIVISION APPLICATION NARRATIVE

**TRACT 8, BLOCK 25, POST FALLS IRRIGATED TRACTS
Parcel Number: 0-6360-25-008-AC**

**PREPARED BY
NORTH ENGINEERING AND SURVEYING, PLLC
PO BOX 2486
HAYDEN, ID 83835
bartdnorth@frontier.com
208.755.6255**

WELLSPRINGS ADDITION
SUBDIVISION APPLICATION NARRATIVE

PARCEL LOCATION/DESCRIPTION

With reference to Application Figures A.1 to A.3 included in Attachment A to this narrative:

- Parcel Area: 9.17 Acres
- Parcel Location:
 - The parcel is located at southeast corner of Prairie Avenue and Greensferry Road intersection.
 - Parcel is located in the northwest quarter of the northwest quarter of Section 25, Twp. 51 N., R 5 W.B.M.
- Legal Description: The parcel is generally described as Tract 8, Block 25, Post Falls Irrigated Tracts (except Right-of-Way).
- Existing Parcel Number: The parcel is assigned Assessor Parcel Number 0-6360-25-008-AC.
- parcel has no current street address.

EXISTING/ADJACENT PARCEL ZONING

With reference to Figure A.4, (and assuming the subject parcel is annexed into the City of Post Falls), the parcel is currently zoned Limited Commercial (LC) and Medium Density Residential (R2).

Parcels to the north of subject parcel (on north side of Prairie Avenue) are currently zoned "Agriculture" in Kootenai County.

Parcels to the west of the subject parcel (on west side of Greensferry Road):

- North half was recently annexed into the City with Community Commercial Services (CCS) zoning.
- South half is currently zoned "Agriculture" in Kootenai County.

Adjacent parcels to the east of subject parcel are currently zoned R2 in the City of Post Falls.

Adjacent parcels to the south of subject parcel are currently zoned R1 in the City of Post Falls.

BACKGROUND

Conditional Use Permit C-1121-05 was obtained in 2007 to construct a Church facility in Ag Zone on the subject parcel. For reference, the approved site configuration for the CUP is provided by Figure A.5

Re-application to the County in 2020 for the CUP resulted the need to obtain City of Post Falls approval of the CUP in order to proceed. By email dated January 6, 2021, Kootenai County stated that CUP approval doesn't necessarily require annexation (to the City of Post Falls), but would require the City's determination as to whether they would be willing to provide municipal service outside of the City boundary.

Subsequent meeting with City of Post Falls Staff resulted in the requirement to annex the subject parcel into City of Post Falls in order to obtain sanitary sewer service and construct the proposed Church facility.

In order to satisfy annexation fee(s) and required parcel perimeter infrastructure development cost(s), the Applicant proposes to develop single family residential detached housing lots (with several duplex lots) adjacent to a Church facility lot as described/depicted by this narrative.

CITY OF POST FALLS PARCEL INFORMATION

With reference to the City of Post Falls Future Land Use Map included as Figure A.6, the parcel lies within the "Transitional" and within a "Commercial Activity Node".

- *Transitional* designation is applied to areas outside of the City boundary but identified as an area suitable for growth and a part of the City's long-term future. Guidance for development within *Transitional* area designation is provided within the Comprehensive Plan's "Focus Areas".
- *Commercial Activity Node* designation is intended to encourage commercial activities at major transportation nodes to compliment the overall community. "Land use at these nodes would consist of a variety of retail, office, or other commercial services to be integrated into the nearby community with the intent to create a focal point of vibrancy conveniently located near neighborhoods and other commercial services along nearby arterial and collector streets".

With reference to Figure A.7, the parcel lies along the west border of the "41 North" Focus Area and adjacent to the east edge of the "Central Prairie" Focus Area.

- *41 North* Focus Area encompasses the Hwy 41 corridor and much of the discussion provided relates to the Hwy 41 corridor. Several of the guidance points apply to the subject parcel as follows:

- Growth should include strategically located, carefully-designated land uses incorporating trails and interconnected, walkable street network.
- Provision for multi-family, commercial and tech uses near higher-classified roadways.
- Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.
- Central Prairie Focus Area guidance points provided in the Comprehensive Plan are as follows:
 - Focus multi-family along Prairie Avenue.
 - Focus commercial development along Prairie Avenue and near identified commercial nodes.
 - Support provisions for a variety of housing types and densities.
 - Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.

SUBDIVISION PROPOSAL

As depicted by Application drawing A.8 (Preliminary Plat) and A.9 (Subdivision Improvement Overview), 19 single family detached lots and 4 duplex lots are proposed along the south and east perimeter of the parcel in R2 zone, and 1 lot upon which a Church facility is proposed in the northwest portion of the parcel in LC zone.

An initial phase of the proposed Church facility is configured (conceptually) on the south half of the LC zoned lot (indicated as Phase 1) with primary ingress/egress access on to "Road A" and secondary ingress/egress (right-in/right-out) on to Greensferry Road.

Future phase(s) of development of the LC zoned lot is not currently defined but are proposed to develop according to PFMC requirements at the time of submittal. In order to facilitate community access to the LC lot, right-in/right out approaches are proposed on Greensferry Road and Prairie Avenue frontages.

PROJECT PHASING/SCHEDULING

Subdivision, and subdivision infrastructure construction is proposed to proceed in one (1) phase. The intent is to record the subdivision plat in 2022. Development of the proposed Church facility is proposed to occur as soon as allowable through/following the subdivision process.

INFRASTRUCTURE TO SERVE PROPOSED DEVELOPMENT

SEWER

Gravity sewer service to the parcel exists in Greensferry Rd at the southwest corner of the parcel. The existing sewer depth is adequate to provide gravity sewer service to the proposed parcel configuration.

WATER

Domestic, irrigation, and fire protection water service to the development is proposed by extending the existing Ross Point Water District (RPWD) 12" water main from the southwest corner of the parcel.

By letter dated April 20, 2021, RPWD has agreed to provide water service to the proposed subdivision.

RPWD will require extension of the 12" water main along the Greensferry Rd and Prairie Avenue frontages.

TRANSPORTATION

As depicted on the project drawings, the parcel has frontage on Greensferry Rd and Prairie Avenue. This intersection is currently signalized.

Adequate carrying capacity exists on Greensferry Rd and Prairie Ave to support the proposed development.

As extension of development to the south, Greensferry Road is proposed to be widened east of centerline to minor arterial street section standards.

As extension of development to the east, Prairie Avenue is proposed to be widened south of centerline to principal arterial street section standards. Initial discussion with City Staff indicates that a portion of this improvement will be obligated by fees-in-lieu of construction.

Residential Development:

Primary access to the proposed residential development is proposed near the southwest parcel corner on Greensferry Rd.

As depicted, interior parcel access is proposed to consist of standard City street with knuckle and culdesac.

MAINTENANCE OF PROJECT STREET FRONTAGE LANDSCAPING

Maintenance responsibility of Greensferry and Prairie Ave frontage landscaping is proposed to be allocated to Homeowners Association (HOA) to be formed during the subdivision process.

DRAINAGE

Streets: Street drainage is proposed by surface grading utilizing curbs/curb drops with discharge into roadside grassed infiltrative areas sized for both treatment and attenuation of peak storm flows. Street stormwater overflow is proposed to be contained on site with shallow injection wells (drywells) as may be warranted.

Lots: Lot drainage will be contained on site by surface grading to the grassed infiltrative areas sized for both treatment and attenuation of peak storm flows with overflow directed to surface drain(s). Lot drainage will be addressed for each lot at the time of building permit.

EMERGENCY SERVICES

The proposed development design will be confirmed with input from both the fire and police departments to insure their ability to provide their services to the development. Streets are provided with sufficient width and turning radius for emergency vehicles. Fire hydrants will be set throughout the subdivision at intervals specified by the Fire District to provide fire protection.

ADDITIONAL SITE INFORMATION

EXISTING STRUCTURES: Currently there is a sign at the northwest corner of the site. Kootenai Electric also has several above ground facilities along the street frontage perimeter. No residential structures currently exist on the site.

SITE TOPOGRAPHY: The site is essentially flat with a maximum relief of approximately four (4) vertical feet (less than 1%).

SITE SOILS: NRCS identifies the site soils as 119 – Garrison gravelly silt loam, 0 to 7 percent slopes. This soil is a deep, well-drained soil and exceptionally suited for the proposed development having superior bearing capacity and being classified in hydrologic soil group B.

SENSITIVE AREAS: No wetlands, floodplain or other sensitive area have been identified on the site.

JUSTIFICATION AND BASIS FOR SUBDIVISION APPROVAL

The basis and justification for subdivision approval of the subject parcel is summarized as follows:

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

The subdivision has received approval for service from Ross Point Water District. The project will extend 12" water main along the Greensferry and Prairie Avenue frontages completing a loop in the Ross Point Water District water system which provides increased reliability to the water system and benefit to the entire community.

2. **Adequate provision has been made for a public sewage system and that Municipal system can accommodate the proposed sewer flows.**

The subdivision proposes to connect to the City of Post Falls sewer system. Formal approval for service has not been provided by the City of Post Falls and is assumed to be forthcoming.

The project will extend sanitary sewer on Greensferry Road to Prairie Avenue, which will benefit properties adjacent to the intersection of Prairie Avenue and Greensferry Road.

3. **Proposed streets are consistent with the transportation element of the Comprehensive Plan.**

As stated in this narrative, Greensferry Road frontage will be constructed to centerline to minor arterial standards and Prairie Avenue frontage will be constructed to principal arterial standards, consistent with the transportation element of the Comprehensive Plan.

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

As stated in this narrative, no sensitive, hazardous, or topographical constraints are known to exist or have been identified on the site. The proposed use of the site is compatible with the known site conditions.

5. **The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in Post Falls Municipal Code.**

The subdivision proposed by this application is predicated on annexation and zoning approval. It is the intent of the project to conform to all applicable requirements found in the Post Falls Municipal Code.

6. **The developer has made adequate plans to ensure that the community will bear no more than its fair share costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.**

It is the intent of this project to bear its fair share of costs to provide service to the proposed subdivision.

Fees, as may be established by City Code and applied to this project to reach equity with the Post Falls community's investment in infrastructure and community amenities, intend to be paid.

The subdivision proposes to dedicate road right of way and grant easement (land) along the Greensferry and Prairie Avenue frontages to accommodate the required street sections.

END OF NARRATIVE

ATTACHMENT A

<u>FIGURE</u>	<u>DESCRIPTION</u>
1	VICINITY MAP
2	KOOTENAI COUNTY ASSESSOR MAP
3	KC EARTH PARCEL INFORMATION
4	KOOTENAI COUNTY ZONING OVERVIEW
5	CUP C-1132-05 SITE DEVELOPMENT OVERVIEW
6	CITY OF POST FALLS COMPREHENSIVE PLAN FUTURE LAND USE MAP
7	CITY OF POST FALLS COMPREHENSIVE PLAN FOCUS AREA DIAGRAM
8	WELLSPRINGS ADDITION PRELIMINARY PLAT
9	SUBDIVISION IMPROVEMENT OVERVIEW

FIGURE A.1 – VICINITY OVERVIEW

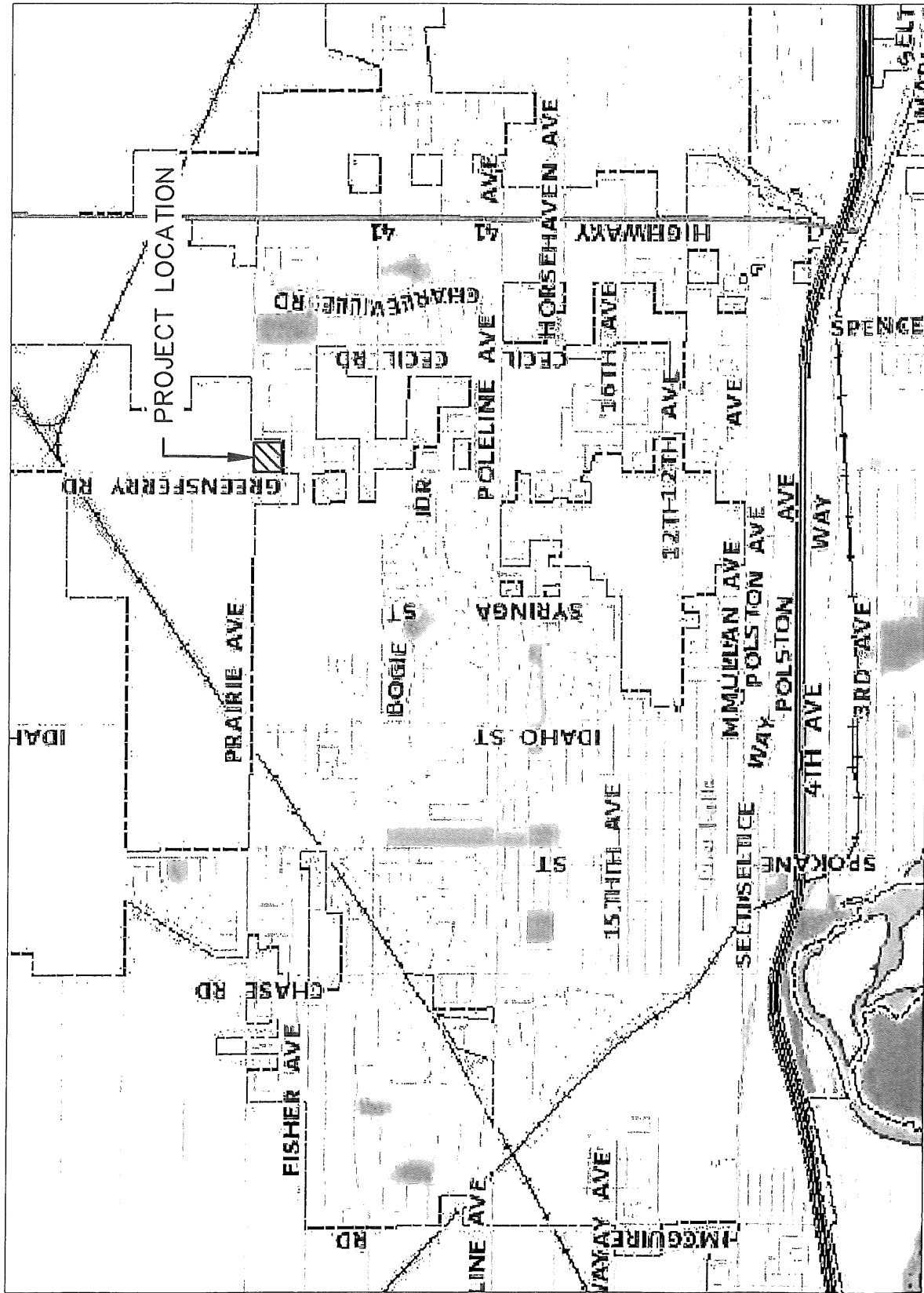
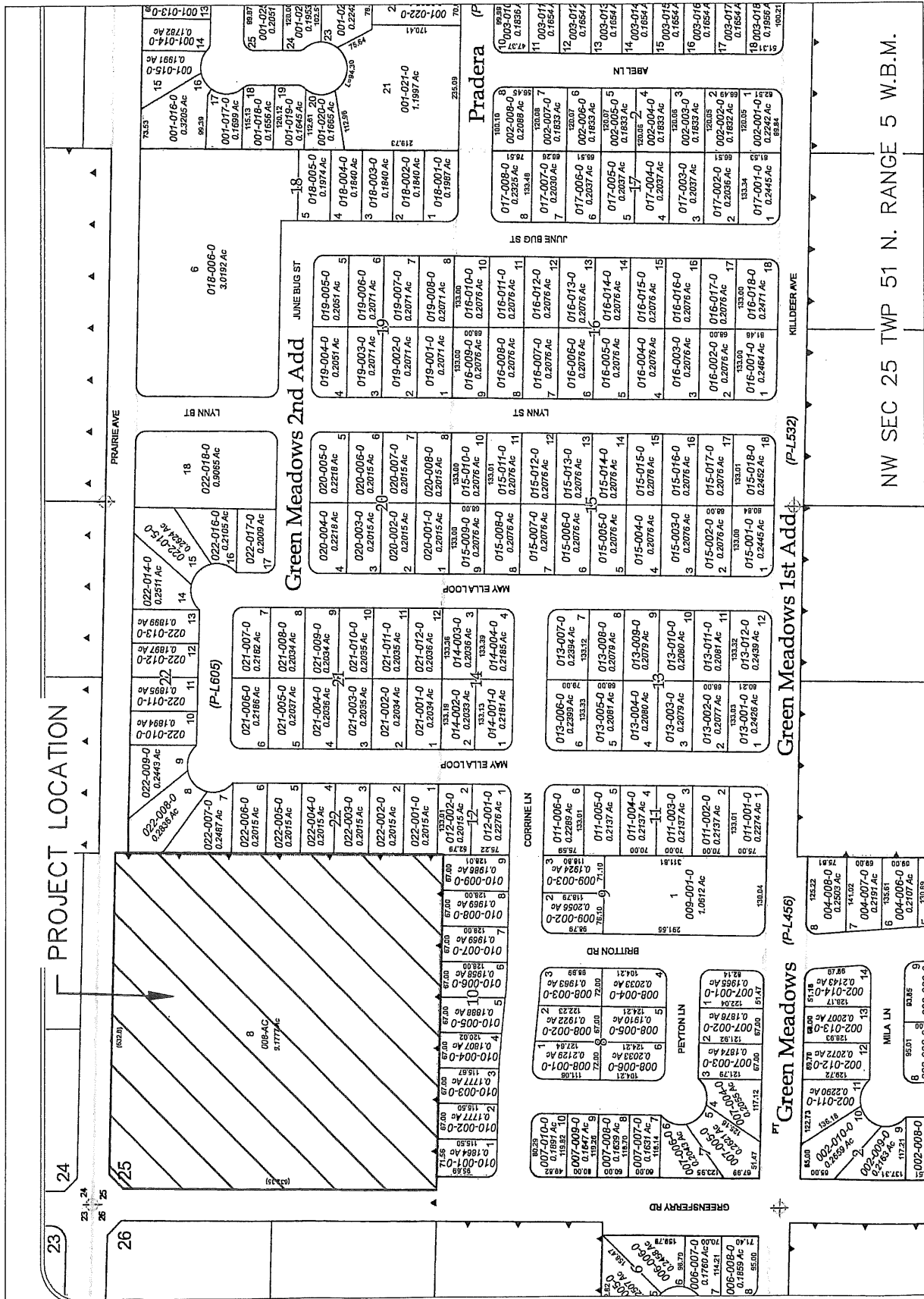


FIGURE A.2 – KOOTENAI CO. ASSESSOR MAP



NW SEC 25 TWP 51 N. RANGE 5 W.B.M.

FIGURE A.3 – KC EARTH PARCEL INFO

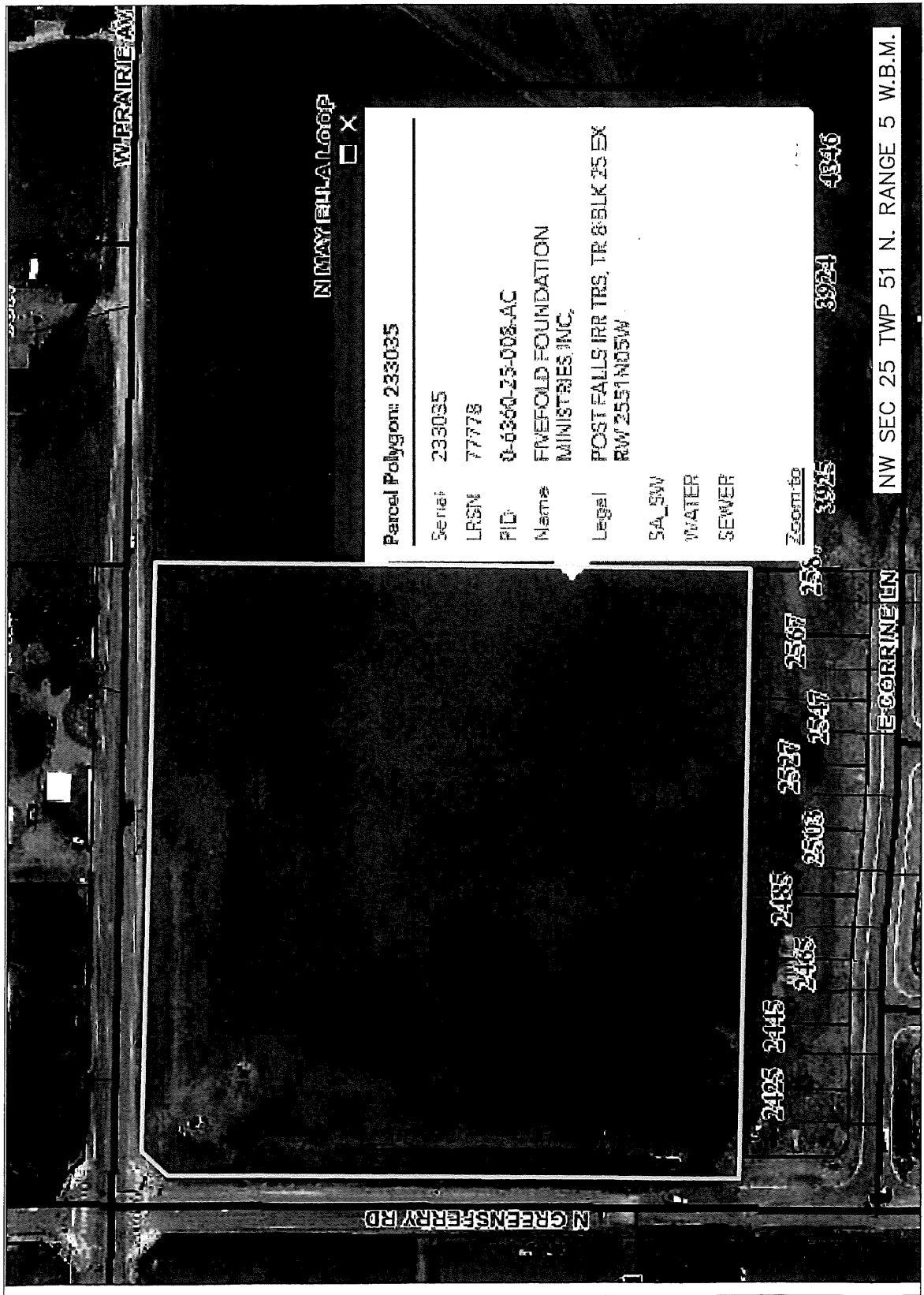


FIGURE A.4 – KC ZONING OVERVIEW

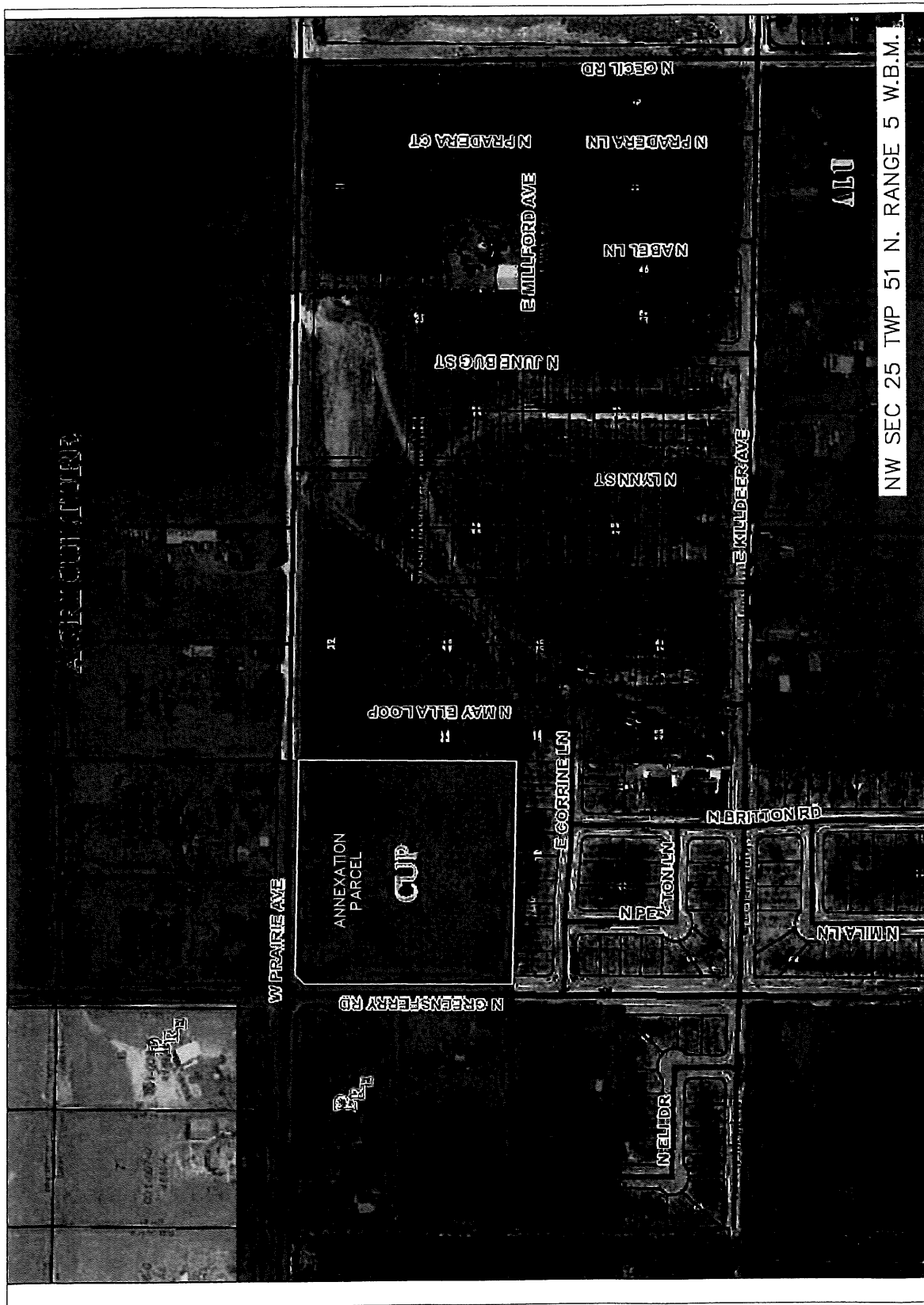
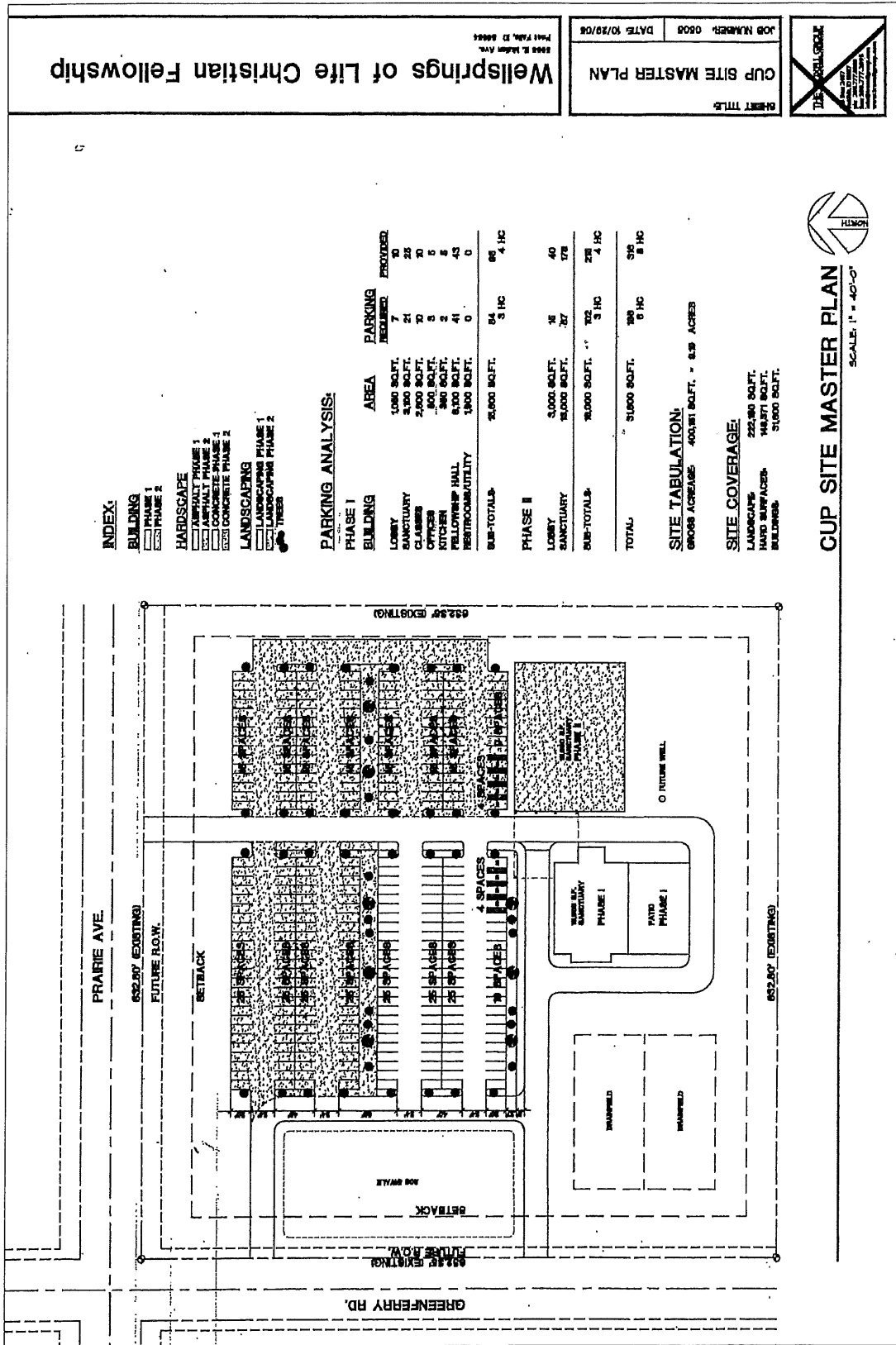


FIGURE A.5 - CUP C-1132-05
SITE DEVELOPMENT OVERVIEW



INDEX:

- BUILDING
- PHASE 1
- PHASE 2
- HARDSCAPE
- ASPHALT PHASE 1
- ASPHALT PHASE 2
- CONCRETE PHASE 1
- CONCRETE PHASE 2
- LANDSCAPING
- LANDSCAPING PHASE 1
- LANDSCAPING PHASE 2
- TREES

PARKING ANALYSIS:

BUILDING	AREA	PARKING REQUIRED	PROVIDED
LOBBY	1,000 SQ.FT.	7	10
SANCTUARY	2,000 SQ.FT.	21	25
CLASSROOMS	2,000 SQ.FT.	10	10
OFFICES	500 SQ.FT.	3	5
KITCHEN	300 SQ.FT.	2	5
FELLOWSHIP HALL	6,000 SQ.FT.	41	43
RESTROOM/UTILITY	1,000 SQ.FT.	0	0
PHASE I SUB-TOTALS:	25,000 SQ.FT.	84 HC	98 HC
LOBBY	3,000 SQ.FT.	18	40
SANCTUARY	10,000 SQ.FT.	37	178
PHASE II SUB-TOTALS:	13,000 SQ.FT.	55 HC	218 HC
TOTAL	38,000 SQ.FT.	139 HC	316 HC

SITE TABULATION:

GROSS ACRES: 400,000 SQ.FT. = 9.2 ACRES

SITE COVERAGE:

LANDSCAPE: 222,500 SQ.FT.
HAND SURFACES: 148,000 SQ.FT.
BUILDINGS: 31,000 SQ.FT.



CUP SITE MASTER PLAN
SCALE: 1" = 40'-0"

Wellsprings of Life Christian Fellowship
1000 E. Main Ave.
Fair Park, TX 75041

PROJECT TITLE
CUP SITE MASTER PLAN
JOB NUMBER: 0503
DATE: 10/29/05



FIGURE A.6 – COPF FUTURE LAND USE MAP

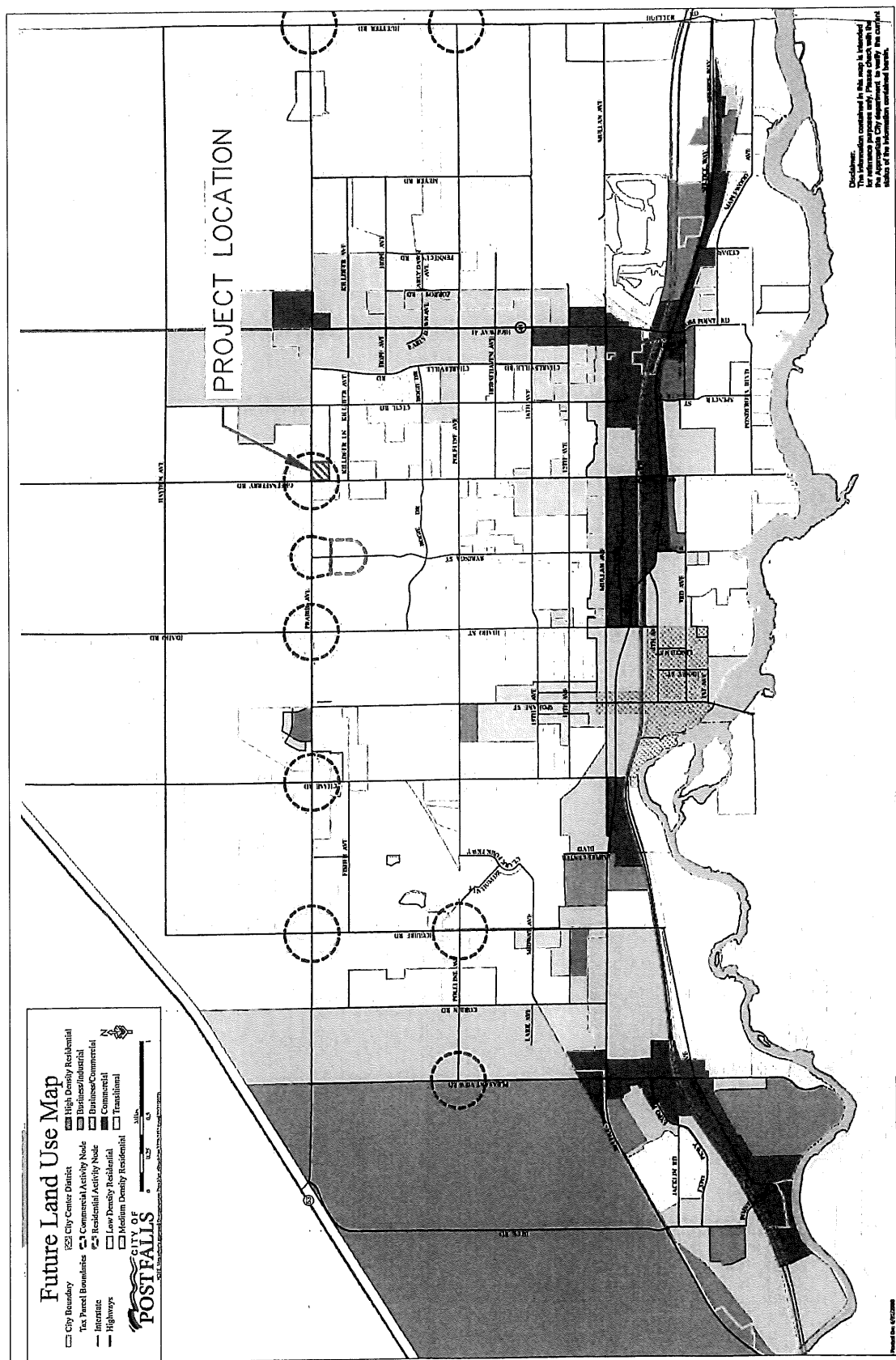
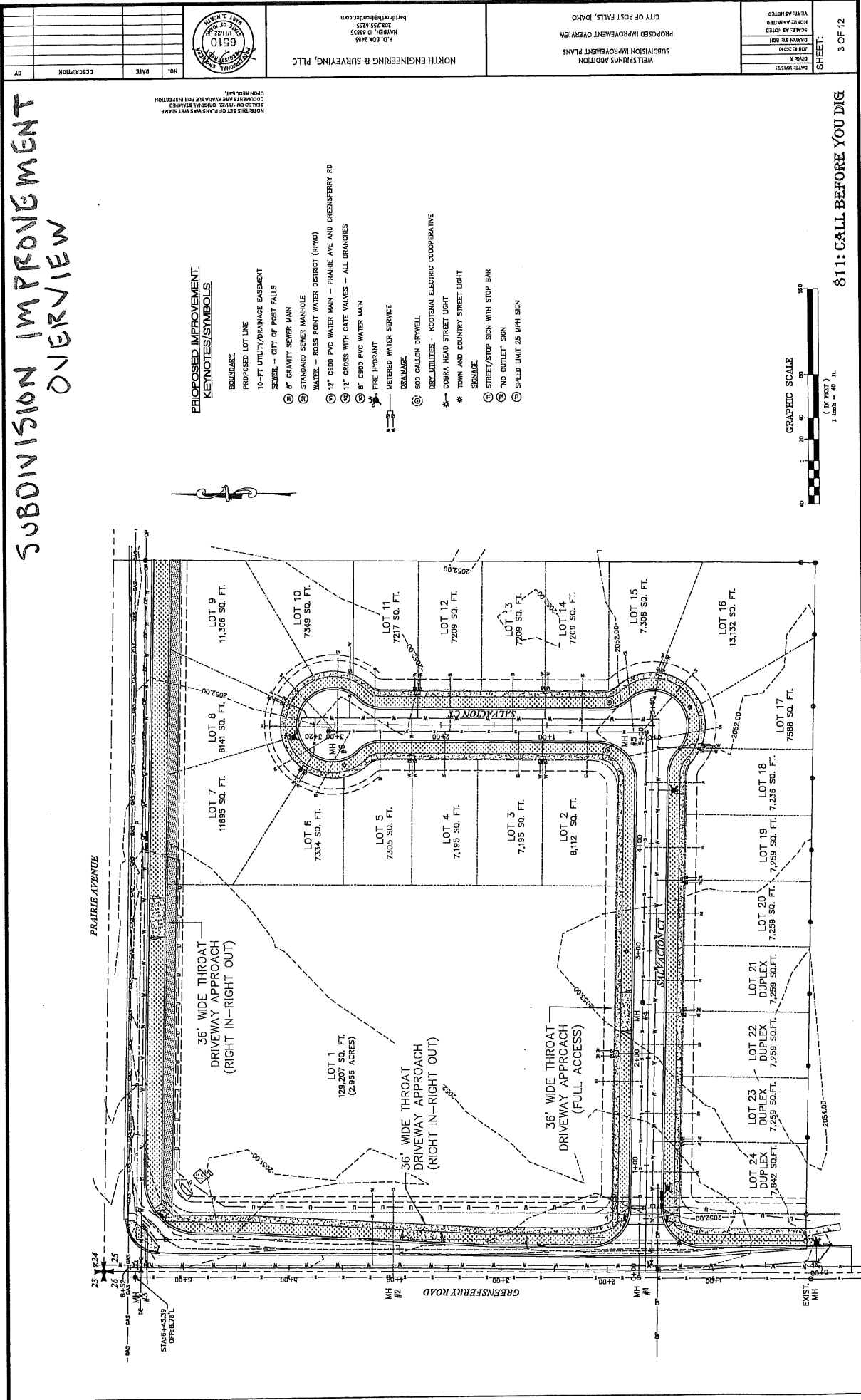


FIGURE A.9 SUBDIVISION IMPROVEMENT OVERVIEW



NO.	DATE	DESCRIPTION

DATE: 10/19/21
 DRAWN BY: JRM
 CHECKED BY: JRM
 SCALE: AS SHOWN
 PROJECT: WELLSRINGS ADDITION
 SHEET: 3 OF 12

WELLSRINGS ADDITION
 SUBDIVISION IMPROVEMENT PLANS
 NORTH ENGINEERING & SURVEYING, PLLC
 P.O. BOX 2406
 HELEN, IDAHO 83403
 202.552.2255
 helen@northsurvey.com

CITY OF POST FALLS, IDAHO
 PROPOSED IMPROVEMENT OVERVIEW

WELLSPRINGS ADDITION

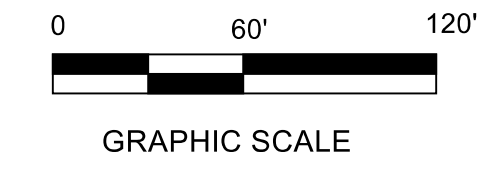
TRACT 8, POST FALLS IRRIGATED TRACTS,
SITUATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 51 N.,
RANGE 5 W., B. M., CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO

BOOK _____ PAGE _____

INSTRUMENT # _____

LEGEND

- Set 5/8" x 24" Rebar With Yellow Plastic Cap Marked "PLS 14220"
- ⊕ Found Quarter Corner
- Found 5/8" Rebar With Yellow Plastic Cap "PLS 8962" Except as Noted
- ⊕ Section Corner
- ⊙ Center of Section
- △ Calculated Point
- POB Point of Beginning

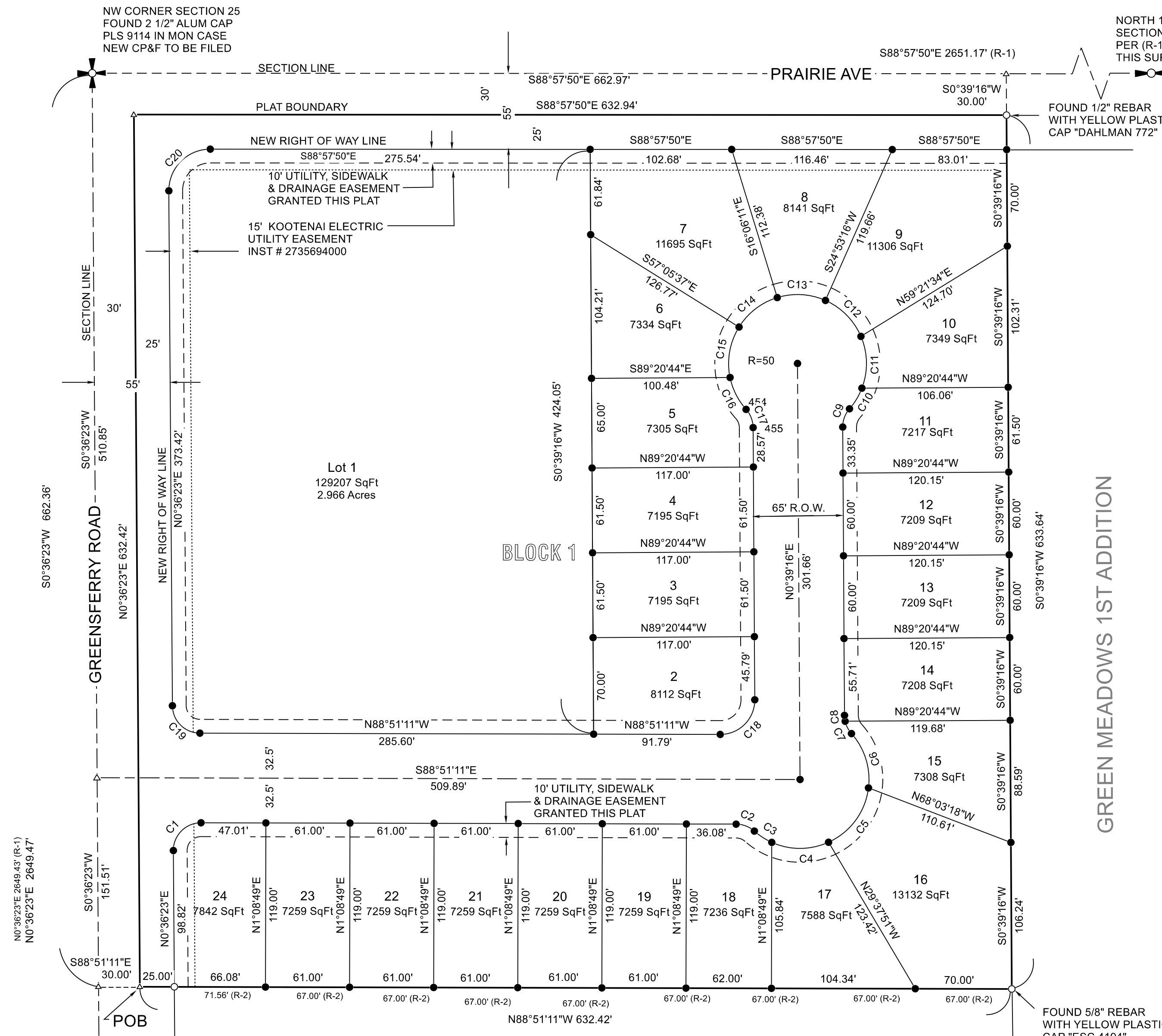


REFERENCES

- (R-1) RECORD OF SURVEY BY PLS 772 RECORDED AT BOOK 27 PAGE 313 SEPTEMBER 2012.
- (R-2) PLAT OF GREEN MEADOWS BY PLS 8962 RECORDED AT BOOK L PAGE 456, MAY 2020.
- (R-3) PLAT OF GREEN MEADOWS 1ST ADDITION BY PLS 8962 RECORDED AT BOOK L PAGE 532, DECEMBER 2020.

CURVE TABLE

CURVE	BEARING	HORIZ DIST	RADIUS	ARC	DELTA	TANGENT
C1	N45°52'36"E	28.42'	20.00'	31.60'	90°32'26"	20.19'
C2	S68°08'56"E	14.14'	20.00'	14.45'	41°24'35"	7.56'
C3	S56°07'01"E	15.09'	50.00'	15.14'	17°21'12"	7.63'
C4	S89°07'13"E	41.19'	50.00'	42.45'	48°38'41"	22.60'
C5	N37°17'31"E	48.89'	50.00'	51.08'	58°31'58"	28.02'
C6	N16°21'51"W	41.29'	50.00'	42.57'	48°46'50"	22.67'
C7	N26°14'26"W	10.02'	20.00'	10.13'	29°01'36"	5.18'
C8	N5°32'25"W	4.31'	20.00'	4.32'	12°22'58"	2.17'
C9	N21°21'33"E	14.14'	20.00'	14.45'	41°24'35"	7.56'
C10	N31°59'53"E	17.47'	50.00'	17.56'	20°07'37"	8.87'
C11	N0°06'27"W	37.53'	50.00'	38.48'	44°05'26"	20.25'
C12	N43°37'59"W	36.62'	50.00'	37.49'	42°57'30"	19.67'
C13	N85°36'28"W	35.01'	50.00'	35.77'	40°59'27"	18.69'
C14	S53°24'06"W	35.01'	50.00'	35.77'	40°59'26"	18.69'
C15	S11°05'16"W	37.17'	50.00'	38.08'	43°38'29"	20.02'
C16	S25°44'51"E	25.90'	50.00'	26.20'	30°01'16"	13.41'
C17	S20°03'01"E	14.14'	20.00'	14.45'	41°24'35"	7.56'
C18	S45°54'03"W	35.51'	25.00'	39.48'	90°29'33"	25.22'
C19	N44°07'24"W	28.15'	20.00'	31.23'	89°27'34"	19.81'
C20	N45°49'17"E	42.59'	30.00'	47.35'	90°25'47"	30.23'



DRAFT



NORTH ENGINEERING & SURVEYING P.L.L.C.
P.O. BOX 2486
HAYDEN, ID 83835
(208) 755-6255

SHEET 1 OF 2

BASIS OF BEARING
THE BASIS OF BEARINGS FOR THIS PLAT IS N0°36'23"E BETWEEN THE FOUND MONUMENTS AT THE WEST QUARTER CORNER AND THE NORTHWEST QUARTER CORNER OF SECTION 25, TOWNSHIP 51 NORTH, RANGE 5 WEST, B.M. PER RECORD OF SURVEY BOOK 27 PAGE 313 (R-1).

GREEN MEADOWS ADDITION

WELLSPRINGS ADDITION

TRACT 8, POST FALLS IRRIGATED TRACTS,
SITUATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 51 N.,
RANGE 5 W., B. M., CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO

BOOK _____ PAGE _____

INSTRUMENT # _____

OWNER'S CERTIFICATE

BE IT KNOWN BY ALL PRESENT THAT FIVEFOLD FOUNDATION MINISTRIES, INC. IS THE OWNER OF THE PROPERTY DESCRIBED HEREIN AND INTEND TO INCLUDE THE SAME TO BE KNOWN AS WELLSPRINGS ADDITION, BEING LOT 8 BLOCK 25 POST FALLS IRRIGATED TRACTS, EXCEPT RIGHT OF WAY, SITUATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 51 NORTH, RANGE 5 WEST, B.M., CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 25 FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 25 BEARS SOUTH 00° 36' 23" WEST, A DISTANCE OF 2649.47 FEET; THENCE SOUTH 00° 36' 23" WEST ALONG THE WEST LINE OF SAID SECTION 25 FOR A DISTANCE OF 662.36 FEET; THENCE SOUTH 88° 51' 11" EAST, FOR A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE NORTH 00° 36' 23" EAST PARALLEL TO SAID WEST LINT OF SECTION 25 A DISTANCE OF 632.42 FEET;

THENCE SOUTH 88° 57' 50" EAST PARALLEL TO THE NORTH LINE OF SAID SECTION 25 A DISTANCE OF 632.94 FEET;

THENCE SOUTH 00° 39' 16" WEST ALONG THE WEST LINE OF GREEN MEADOWS 1ST ADDITION AND ITS WESTERLY LINE PROJECTED NORTH FOR A DISTANCE OF 633.64 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF GREEN MEADOWS ADDITION;

THENCE NORTH 88° 51' 11" WEST ALONG SAID NORTH LINE OF GREEN MEADOWS ADDITION FOR A DISTANCE OF 632.42 FEET TO THE TRUE POINT OF BEGINNING, SAID PARCEL BEING 400489.83 SQFT OR 9.194 ACRES MORE OR LESS.

BE IT FURTHER KNOWN THAT:

- 1) THE OWNER HEREBY DEDICATES THE ROAD NAME AS DEPICTED ON SHEET 1 TO THE PUBLIC IN THE NAME OF THE CITY OF POST FALLS.
- 2) THE OWNER HEREBY DEDICATES A 10 FOOT WIDE UTILITY, SIDEWALK & DRAINAGE EASEMENT ADJACENT TO ALL STREET RIGHTS OF WAY AS DEPICTED ON SHEET 1 TO THE PUBLIC IN THE NAME OF THE CITY OF POST FALLS.
- 3) DIRECT ACCESS FROM INDIVIDUAL RESIDENTIAL LOT 24 TO GREENSFERRY ROAD SHALL NOT BE ALLOWED.
- 4) DIRECT ACCESS FROM INDIVIDUAL RESIDENTIAL LOTS 7,8 & 9 TO PRAIRIE AVENUE SHALL NOT BE ALLOWED.
- 5) LOTS WITHIN THIS PLAT ARE SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN KOOTENAI COUNTY AS INSTRUMENT NUMBER _____.
- 6) SANITARY SEWER DISPOSAL SHALL BE PROVIDED BY THE CITY OF POST FALLS.
- 7) DOMESTIC WATER PURVEYOR FOR THIS PLAT SHALL BE ROSS POINT WATER DISTRICT.

CITY COUNCIL APPROVAL

THIS PLAT HAS BEEN ACCEPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF POST FALLS, IDAHO.

DATED THIS _____ DAY OF _____, 20____.

RONALD G. JACOBSON - MAYOR

SHANNON HOWARD - CLERK

CITY ENGINEERS CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED, ACCEPTED AND APPROVED THIS PLAT

DATED THIS _____ DAY OF _____, 20____.

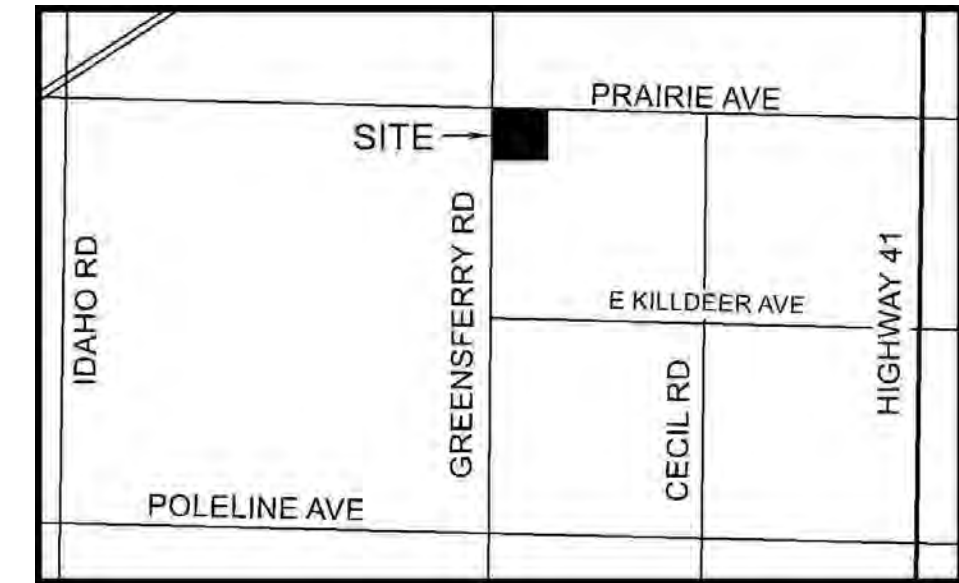
WILLIAM F. MELVIN, PE 8203
POST FALLS CITY ENGINEER

HEALTH DISTRICT APPROVAL

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED BASED ON A REVIEW BY A QUALIFIED LICENSED PROFESSIONAL ENGINEER (QLPE) REPRESENTING THE CITY OF POST FALLS AND ROSS POINT WATER DISTRICT AND THE QLPE APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF THE SANITARY RESTRICTIONS. BUYER IS CAUTIONED THAT AT THE TIME OF THIS APPROVAL, NO DRINKING WATER EXSTENSIONS OR SEWER EXTENSIONS WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROPRIATE BUILDING PERMITS IF DRINKING WATER EXTENSIONS OR SEWER EXTENSIONS HAVE SINCE BEEN CONSTRUCTED OR IF DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT THOSE FACILITIES SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL, AND NO CONSTRUCTION OF ANY BUILDING OF SHELTER REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES WILL BE ALLOWED.

DATED THIS _____ DAY OF _____, 20____.

PANHANDLE HEALTH DISTRICT 1



VICINITY MAP

COUNTY RECORDER

I HEREBY CERTIFY THAT THIS PLAT WAS RECORDED IN THE KOOTENAI COUNTY, IDAHO, RECORDER'S OFFICE AT THE REQUEST OF STERNBERG INVESTMENTS, LLC

THIS _____ DAY OF _____, 20____.

AT _____ MINUTES PAST _____ O'CLOCK _____ M

AND DULY RECORDED IN PLAT BOOK _____, AT PAGE(S) _____

INSTRUMENT # _____ FEE _____

KOOTENAI COUNTY, RECORDER

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE TAXES DUE FOR THE PROPERTY DESCRIBED IN THE OWNER'S CERTIFICATE HAVE BEEN PAID

THROUGH _____

THIS _____ DAY OF _____

KOOTENAI COUNTY, TREASURER

COUNTY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREIN PLAT AND APPROVE THE SAME FOR RECORDING.

THIS _____ DAY OF _____, 20____.

KOOTENAI COUNTY SURVEYOR



NOTARY PUBLIC CERTIFICATE

STATE OF IDAHO } S.S.
COUNTY OF KOOTENAI

THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____

_____ IN THE YEAR 20____, BY JOHN DEVRIES AS
MANAGING MEMBER OF FIVEFOLD MINISTRIES, INC

NOTARY PUBLIC FOR THE STATE OF IDAHO

MY COMMISSION EXPIRES ON _____



SURVEYOR'S CERTIFICATE

I, STEPHEN J. MCCABE, PLS 14220, DO HEREBY CERTIFY THAT I AM A LAND SURVEYOR REGISTERED BY THE STATE OF IDAHO, AND THAT THIS PLAT OF WELLSPRINGS ADDITION, AS DESCRIBED IN THE CERTIFICATE OF OWNERS, WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.



NORTH ENGINEERING
& SURVEYING P.L.L.C.

SHEET 2
OF 2

P.O. BOX 2486
HAYDEN, ID 83835
(208) 755-6255

ROSS POINT WATER DISTRICT

April 20, 2021

TO: Bill Melvin, P.E.
City Engineer, City of Post Falls
408 Spokane Street
Post Falls ID 83854

RE: PARCEL #0636025998AC, corner of Greensferry Road & Prairie Ave

Dear Mr. Melvin:

Ross Point Water District has reviewed the preliminary plans for on-site improvements for the above referenced project and found them to be acceptable. We will need to review the completed construction plans before we can give final approval of the water system.

Ross Point Water District's Consulting Engineer, Whipple Consulting Engineers, Inc., have completed a study, which analyses the impact the proposed subdivision will have on our water supply and distribution system. The study identifies improvements that if made by the Developer, will allow the District to provide service to the subject project and maintain the existing level of service in the Ross Point Water District.

Ross Point Water District will provide water service to the Parcel #0636025998AC, conditioned upon the developer completing off-site improvements, if any.

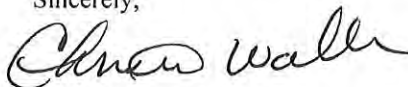
Additional requirements include:

1. Annexation of the subdivision into the Ross Point Water District service area.
2. Satisfactory completion and dedication of approved on-site and off-site water system improvements.
3. Payment of all applicable fees and charges.
4. Compliance with all Ross Point Water District policies, rules and regulations.
5. Transfer of all water rights associated with project property, if applicable.

If work on the project is not begun within one year this "Will Serve" letter becomes void.

If you have any questions regarding this matter please call.

Sincerely,



Christine Waller
Ross Point Water District

Cc: Ray Kimball, Whipple Consulting Engineers, Inc.
Idaho Department of Quality
Panhandle Health District
Bart North, North Engineering



City of Post Falls

Public Services - Planning Division

Further to: General Pre-App meeting -Executed for PN 0-6369-25-008-AC. Pdf

Subject: Owner authorization letter:

10-25-21

Project: "Wellsprings" Annexation and Subdivision Applications

The property is located on the SE corner of Prairie Ave., and Greensferry Road, being approx. 9.2 acres. (Legal description attached).

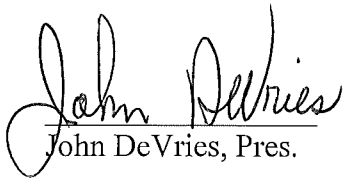
Owner of record:

Fivefold Foundation Ministries Inc.,

PO Box 457

Post Falls ID 83877

This is to confirm the full authorization for 'Bart North', PE, of North Engineering, to act on our behalf as it regards the Annexation and Subdivision applications for the referenced parcel, and to represent us with the City of Post falls.



John DeVries, Pres.

Cell (208) 651-1213 - Home (208) 777-9747, Email 5-fold@twc.com

Cc: Bart North PE



CLTA GUARANTEE

ISSUED BY
STEWART TITLE GUARANTY COMPANY
A CORPORATION, HEREIN CALLED THE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY AND OTHER PROVISIONS OF THE CONDITIONS AND STIPULATIONS HERETO ANNEXED AND MADE A PART OF THIS GUARANTEE, AND SUBJECT TO THE FURTHER EXCLUSION AND LIMITATION THAT NO GUARANTEE IS GIVEN NOR LIABILITY ASSUMED WITH RESPECT TO THE IDENTITY OF ANY PARTY NAMED OR REFERRED TO IN SCHEDULE A OR WITH RESPECT TO THE VALIDITY, LEGAL EFFECT OR PRIORITY OF ANY MATTER SHOWN THEREIN.

GUARANTEES

the Assured named in Schedule A against actual monetary loss or damage not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

Dated: October 21, 2021

Signed under seal for the Company, but this endorsement is to be valid only when it bears an authorized countersignature.

Countersigned by: *John Tyler*
Authorized Countersignature

North Idaho Title Insurance, Inc.
Company Name
601 East Front Avenue Suite 204
Coeur d'Alene, ID 83814
City, State



Fred H. Eppinger
Frederick H. Eppinger
President and CEO

David Hisey
David Hisey
Secretary

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the company for further information as to the availability and cost.

GUARANTEE CONDITIONS AND STIPULATIONS

1. **Definition of Terms** - The following terms when used in the Guarantee mean:
 - (a) "the Assured": the party or parties named as the Assured in this Guarantee, or on a supplemental writing executed by the Company.
 - (b) "land": the land described or referred to in Schedule (A)(C) or in Part 2, and improvements affixed thereto which by law constitute real property. The term "land" does not include any property beyond the lines of the area described or referred to in Schedule (A)(C) or in Part 2, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
 - (c) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.
 - (d) "public records": records established under state statutes at Date of Guarantee for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.
 - (e) "date": the effective date.
2. **Exclusions from Coverage of this Guarantee** - The Company assumes no liability for loss or damage by reason of the following:
 - (a) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
 - (b) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (3) water rights, claims or title to water; whether or not the matters excluded by (1), (2) or (3) are shown by the public records.
 - (c) Assurances to title to any property beyond the lines of the land expressly described in the description set forth in Schedule (A)(C) or in Part 2 of this Guarantee, or title to streets, roads, avenues, lanes, ways or waterways on which such land abuts, or the right to maintain therein vaults, tunnels, ramps or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.
 - (d) (1) Defects, liens, encumbrances or adverse claims against the title, if assurances are provided as to such title, and as limited by such assurances.
(2) Defects, liens, encumbrances, adverse claims or other matters (a) whether or not shown by the public records, and which are created, suffered, assumed or agreed to by one or more of the Assureds; (b) which result in no loss to the Assured; or (c) which do not result in the invalidity or potential invalidity of any judicial or non-judicial proceeding which is within the scope and purpose of assurances provided.
3. **Notice of Claim to be Given by Assured Claimant** - An Assured shall notify the Company promptly in writing in case knowledge shall come to an Assured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as stated herein, and which might cause loss or damage for which the Company may be liable by virtue of this Guarantee. If prompt notice shall not be given to the Company, then all liability of the Company shall terminate with regard to the matter or matters for which prompt notice is required; provided, however, that failure to notify the Company shall in no case prejudice the rights of any Assured under this Guarantee unless the Company shall be prejudiced by the failure and then only to the extent of the prejudice.
4. **No Duty to Defend or Prosecute** - The Company shall have no duty to defend or prosecute any action or proceeding to which the Assured is a party, notwithstanding the nature of any allegation in such action or proceeding.
5. **Company's Option to Defend or Prosecute Actions; Duty of Assured Claimant to Cooperate** - Even though the Company has no duty to defend or prosecute as set forth in Paragraph 4 above:
 - (a) The Company shall have the right, at its sole option and cost, to institute and prosecute any action or proceeding, interpose a defense, as limited in (b), or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured, or to prevent or reduce loss or damage to the Assured. The Company may take any appropriate action under the terms of this Guarantee, whether or not it shall be liable hereunder, and shall not thereby concede liability or waive any provision of this Guarantee. If the Company shall exercise its rights under this paragraph, it shall do so diligently.
 - (b) If the Company elects to exercise its options as stated in Paragraph 5(a) the Company shall have the right to select counsel of its choice (subject to the right of such Assured to object for reasonable cause) to represent the Assured and shall not be liable for and will not pay the fees of any other counsel, nor will the Company pay any fees, costs or expenses incurred by an Assured in the defense of those causes of action which allege matters not covered by this Guarantee.
 - (c) Whenever the Company shall have brought an action or interposed a defense as permitted by the provisions of this Guarantee, the Company may pursue any litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from an adverse judgment or order.
 - (d) In all cases where this Guarantee permits the Company to prosecute or provide for the defense of any action or proceeding, an Assured shall secure to the Company the right to so prosecute or provide for the defense of any action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such Assured for this purpose. Whenever requested by the Company, an Assured, at the Company's expense, shall give the Company all reasonable aid in any action or proceeding, securing evidence, obtaining witnesses, prosecuting or defending the action or lawful act which in the opinion of the Company may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured. If the Company is prejudiced by the failure of the Assured to furnish the required cooperation, the Company's obligations to the Assured under the Guarantee shall terminate.
6. **Proof of Loss or Damage** - In addition to and after the notices required under Section 3 of these Conditions and Stipulations have been provided to the Company, a proof of loss or damage signed and sworn to by the Assured shall be furnished to the Company within ninety (90) days after the Assured shall ascertain the facts giving rise to the loss or damage. The proof of loss or damage shall describe the matters covered by this Guarantee which constitute the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage. If the Company is prejudiced by the failure of the Assured to provide the required proof of loss or damage, the Company's obligation to such Assured under the Guarantee shall terminate. In addition, the Assured may reasonably be required to submit to examination under oath by an authorized representative of the Company and shall produce for examination, inspection and copying, at such reasonable times and places as may be designated by any authorized representative of the Company, all records, books, ledgers, checks, correspondence and memoranda, whether bearing a date before or after Date of Guarantee, which reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Assured shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect and copy all records, books, ledgers, checks, correspondence and memoranda in the custody or control of a third party, which reasonably pertain to the loss or damage. All information designated as confidential by the Assured provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Assured to submit for examination under oath, produce other reasonably requested information or grant permission to secure reasonably necessary information from third parties as required in the above paragraph, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this Guarantee to the Assured for that claim.
7. **Options to Pay or Otherwise Settle Claims: Termination of Liability** - In case of a claim under this Guarantee, the Company shall have the following additional options:
 - (a) To Pay or Tender Payment of the Amount of Liability or to Purchase the Indebtedness.

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File Number: N-59724

2222 Guarantee - (CLTA Form) Rev. 6-6-92

GUARANTEE CONDITIONS AND STIPULATIONS

The Company shall have the option to pay or settle or compromise for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Guarantee, or to pay the full amount of this Guarantee or, if this Guarantee is issued for the benefit of a holder of a mortgage or a lienholder, the Company shall have the option to purchase the indebtedness secured by said mortgage or said lien for the amount owing thereon, together with any costs, reasonable attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of purchase.

Such purchase, payment or tender of payment of the full amount of the Guarantee shall terminate all liability of the Company hereunder. In the event after notice of claim has been given to the Company by the Assured the Company offers to purchase said indebtedness, the owner of such indebtedness shall transfer and assign said indebtedness, together with any collateral security, to the Company upon payment of the purchase price. Upon the exercise by the Company of the option provided for in Paragraph (a) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 5, and the Guarantee shall be surrendered to the Company of cancellation.

- (b) To Pay or Otherwise Settle With Parties Other Than the Assured or With the Assured Claimant.

To pay or otherwise settle with other parties for or in the name of an Assured claimant any claim assured against under this Guarantee, together with any costs, attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of payment and which the Company is obligated to pay.

Upon the exercise by the Company of the option provided for in Paragraph (b) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 5.

8. **Determination and Extent of Liability** - This Guarantee is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Assured claimant who has suffered loss or damage by reason of reliance upon the assurances set forth in this Guarantee and only to the extent herein described, and subject to the exclusions stated in Paragraph 2.

The liability of the Company under this Guarantee to the Assured shall not exceed the least of:

- the amount of liability stated in Schedule A;
- the amount of the unpaid principal indebtedness secured by the mortgage of an Assured mortgagee, as limited or provided under Section 7 of these Conditions and Stipulations or as reduced under Section 10 of these Conditions and Stipulations, at the time the loss or damage assured against by this Guarantee occurs, together with interest thereon; or
- the difference between the value of the estate or interest covered hereby as stated herein and the value of the estate or interest subject to any defect, lien or encumbrance assured against by this Guarantee.

9. **Limitation of Liability**

- If the Company establishes the title, or removes the alleged defect, lien or encumbrance, or cures any other matter assured against by this Guarantee in a reasonably diligent manner by any method, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused thereby.
- In the event of any litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as stated herein.
- The Company shall not be liable for loss or damage to any Assured for liability voluntarily assumed by the Assured in settling any claim or suit without the prior written consent of the Company.

10. **Reduction of Liability or Termination of Liability** - All payments under this Guarantee, except payments made for costs, attorneys' fees and expenses pursuant to Paragraph 5 shall reduce the amount of liability pro tanto.

11. **Payment Loss**

- No payment shall be made without producing this Guarantee for endorsement of the payment unless the Guarantee has been lost or destroyed, in which case proof of loss or destruction shall be furnished to the satisfaction of the Company.
- When liability and the extent of loss or damage has been definitely fixed in accordance with these Conditions and Stipulations, the loss or damage shall be payable within thirty (30) days thereafter.

12. **Subrogation Upon Payment or Settlement** - Whenever the Company shall have settled and paid a claim under this Guarantee, all right of subrogation shall vest in the Company unaffected by any act of the Assured claimant.

The Company shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Guarantee not been issued. If requested by the Company, the Assured shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect this right of subrogation. The Assured shall permit the Company to sue, compromise or settle in the name of the Assured and to use the name of the Assured in any transaction or litigation involving these rights or remedies.

If a payment on account of a claim does not fully cover the loss of the Assured the Company shall be subrogated to all rights and remedies of the Assured after the Assured shall have recovered its principal, interest, and costs of collection.

13. **Arbitration** - Unless prohibited by applicable law, either the Company or the Assured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Assured arising out of or relating to this Guarantee, any service of the Company in connection with its issuance or the breach of a Guarantee provision or other obligation. All arbitrable matters when the Amount of Liability is \$1,000,000 or less shall be arbitrated at the option of either the Company or the Assured. All arbitrable matters when the amount of liability is in excess of \$1,000,000 shall be arbitrated only when agreed to by both the Company and the Assured. The Rules in effect at Date of Guarantee shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the land is located permits a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules. A copy of the Rules may be obtained from the Company upon request.

14. **Liability Limited to This Guarantee; Guarantee Entire Contract**

- This Guarantee together with all endorsements, if any, attached hereto by the Company is the entire Guarantee and contract between the Assured and the Company. In interpreting any provision of this Guarantee, this Guarantee shall be construed as a whole.
- Any claim of loss or damage, whether or not based on negligence, or any action asserting such claim, shall be restricted to this Guarantee.
- No amendment of or endorsement to this Guarantee can be made except by a writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

15. **Notices, Where Sent** - All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this Guarantee and shall be addressed to the Company at P. O. Box 2029, Houston, TX 77252-2029.

SUBDIVISION GUARANTEE SCHEDULE A

Order No.: N-59724
Guarantee No.: G-0000561470308
Date of Guarantee: October 8, 2021 at 8:00AM
Amount of Liability: \$1,000.00
Premium: \$350.00

1. Name of Assured:

The County of Kootenai and any City within which said subdivision is located.

2. Subdivision Map Reference:

Fivefold Foundation

3. The map referred to above recites that it is a subdivision of the following described Land:

See Exhibit "A" Attached for Legal Description

4. ASSURANCES:

According to the Public Records the only parties having any record title interest in the Land included within the exterior boundary shown on the map of the above referenced subdivision whose signatures are necessary, under the requirements of the Subdivision Map Act, on the certificates consenting to the recordation of said map and offering for dedication any streets, roads, avenues and other easements offered for dedication by said map are:

Fivefold Foundation Ministries, Inc., an Idaho corporation

Subdivision Guarantee Exhibit "A" Legal Description

Tract 8, Block 25, Post Falls Irrigation Tracts, according to the plat recorded in Book "C" of Plats at Page 78, records of Kootenai County, Idaho.

Less any portion within the Road Right of Way.

EXHIBIT "B" – EXCEPTIONS

1. General taxes for the year 2021, a lien in the process of assessment, not yet due or payable.
2. Assessments for the Prairie Water Association, if any, which are excluded from the coverage afforded hereby.
3. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
4. Covenants, conditions and restrictions, but omitting covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as contained in the deed, recorded as (book) 123 (page) 585, Official Records.
[Document Link](#)
5. All matters as delineated on the Official Plat of Post Falls Irrigated Tracts, on file and of record as (book) C (page) 78, Official Records of Kootenai County, State of Idaho.
[Document Link](#)
6. An easement over said land for an electric distribution line with appurtenances including right of inspection and incidental purposes, as granted to Kootenai Electric Cooperative, Inc., in deed recorded June 23, 1994, as (instrument) 1360043, Official Records.
[Document Link](#)
7. Record of Survey recorded January 2, 1998, as (book) 19 (page) 185, Official Records.
[Document Link](#)
8. An easement over said land for an electric distribution line with appurtenances including right of inspection and incidental purposes, as granted to Kootenai Electric Cooperative, Inc., in deed recorded February 7, 2020, as (instrument) 2735694000, Official Records.
[Document Link](#)

***** End of Schedule B *****



MOTHER LODE HOLDING COMPANY

Placer Title Co., Centric Title and Escrow, Montana Title and Escrow, National Closing Solutions, National Closing Solutions of Alabama, National Closing Solutions of Maryland, North Idaho Title Insurance, Placer Title Insurance Agency of Utah, Premier Reverse Closings, Premier Title Agency, Texas National Title, Washington Title and Escrow, Western Auxiliary Corp., Wyoming Title and Escrow

NOTICE AT COLLECTION AND PRIVACY POLICY

Updated July 1, 2021

We respect your personal information and are committed to protecting it. We are disclosing how Mother Lode Holding Company and its subsidiaries listed above (together referred to as "we," "us," or "our") collect, use, and share your personal information. Sections 1 and 2 constitute our Notice at Collection, Sections 1 – 9 are our Privacy Policy, and Sections 10 – 11 are additional sections of our Privacy Policy that apply to California residents.

1. Personal Information We Collect

We may collect and over the last 12 months have collected personal information in the following categories: (A) Identity information such as name, postal address, email address, date of birth, social security number, driver's license, passport, signature, physical characteristics or description, telephone number, or other similar information; (B) Financial information (such as bank account information) and insurance information; (C) Records of services or products requested or purchased; (D) Biometric information (thumbprints obtained by notaries); (E) Internet or other electronic network activity information, such as online identifier, Internet Protocol address, and information relating to interaction with our Internet websites and mobile applications; (F) Audio (voice messages), electronic, or similar information; (G) Professional or employment-related information; (H) Education information; (I) Characteristics of protected classifications such as marital status; (J) Geolocation information (with consent when using our mobile applications); and (K) information relating to pandemics, including medical, health, and travel information.

2. Purposes

We collect the above information, and have collected it in the last 12 months, for the following purposes: Our operational purposes, including providing escrow and title services, fulfilling a transaction, verifying customer information, and providing and improving customer service (categories A-K); Detecting, protecting against, and reporting malicious, deceptive, fraudulent, or illegal activity (A-I); Providing and improving Websites, and debugging to find and repair errors (A, C E, F, J); Auditing and complying with legal and other similar requirements (A-I); and to reduce the risk of spreading infectious diseases and to protect our employees and guests (K).

3. Sources, Sharing

The sources from which the information is and was collected include: the consumer or their authorized representative (A-J); government entities, service providers, financial institutions, our affiliates, real estate settlement service providers, real estate brokers and agents (A-D, F-I); and our internet websites and mobile applications (A-C, E-J). The categories of third parties with whom we share and have shared personal information include: a consumer's authorized representative (A-I); government entities, service providers and consultants, financial institutions, our affiliates, real estate settlement service providers, real estate brokers and agents, abstractors (A-I); notaries public (K); and data analytics and internet service providers (E, F, J). We may also disclose your information as part of a business transaction, such as a merger, sale, reorganization or acquisition (A-J).

4. Cookies and similar technologies

We use "cookies" and similar technologies when you access our websites or mobile applications. A "cookie" is a piece of information that our website sends to your browser, which then stores this information on your system. If a cookie is used, our website will be able to "remember" information about you and your preferences either until you exit your current browser window (if the cookie is temporary) or until you disable or delete the cookie. Many users prefer to use cookies in order to help them navigate a website as seamlessly as possible.

We use "cookies" in the following situations. The first situation is with respect to temporary cookies. If you are accessing our services through one of our online applications our server may automatically send your browser a temporary cookie, which is used to help your browser navigate our site. The only information contained in these temporary cookies is a direction value that lets our software determine which page to show when you hit the back button in your browser. This bit of information is erased when you close your current browser window. The second situation in which we may use cookies is with respect to permanent cookies. This type of cookie remains on your system, although you can always delete or disable it through your browser preferences. There are two instances in which we use a permanent cookie. First, when you visit our website and request documentation or a response from us. When you are filling out a form, you may be given the option of having our website deliver a cookie to your local hard drive. You might choose to receive this type of cookie in order to save time in filling out forms and/or revisiting our website. We only send this type of cookie to your browser when you have clicked on the box labeled "Please remember my profile information" when submitting information or communicating with us. The second instance where we use a permanent cookie is where we track traffic patterns on our site. Analysis of the collected information allows us to improve our website and the user experience. In both instances of a persistent cookie, if you choose not to accept the cookie, you will still be able to use our website. Even if you choose to receive this type of cookie, you can set your browser to notify you when you receive any cookie, giving you the chance to decide whether to accept or reject it each time one is sent.

5. Links to Other Websites and Do Not Track

Our website may contain links to third party websites, which are provided and maintained by the third party. Third party websites are not subject to this notice or privacy policy. Currently, we do not recognize "do not track" requests from Internet browsers or similar devices.

6. Sale

We don't sell personal information about consumers and haven't sold information about consumers in the last 12 months.

7. Minors

We don't collect information from minors under the age of 18.

8. Safeguards

We restrict access to the information we collect to individuals and entities who need to know the information to provide services as set forth above. We also maintain physical, electronic and procedural safeguards to protect information, including data encryption.

9. Access and Changes

This notice and policy can be accessed <https://www.mlhc.com/privacy-policy>. Disabled consumers may access this notice in an alternative format by contacting MLHC Counsel, Legal Dept., 1508 Eureka Rd., #130, Roseville, CA 95661, or calling our toll free number at 1-877-626-0668, or emailing privacy@mlhc.com. This notice and policy will change from time to time. All changes will be provided at <https://www.mlhc.com/privacy-policy> and furnished through an appropriate method such as electronically, by mail, or in person. The effective date will be stated on the notice and policy.

Questions about this notice and privacy policy may be sent to MLHC Counsel, Legal Dept., 1508 Eureka Rd., #130, Roseville, CA 95661 or privacy@mlhc.com.

CALIFORNIA SUPPLEMENT - THE REMAINDER OF THIS POLICY APPLIES ONLY TO CALIFORNIA RESIDENTS

10. Requests Under the California Consumer Privacy Act ("CCPA")

California residents have the right to make a "request to know" (1) the specific pieces of personal information we have collected about them; (2) categories of personal information we have collected; (3) categories of sources from which the personal information was collected; (4) categories of personal information we disclosed for a business purpose; (5) purpose for collecting the information; and (6) categories of third parties with whom we shared personal information. California residents have the right to request that we deliver to them their personal information free of charge. California residents have the right to make a "request to delete" from our records of their personal information that we have collected, subject to legal limitations. We do not discriminate against consumers for exercising rights under the CCPA or other laws.

11. How to Make a Request under the California Consumer Privacy Act

To make a CCPA "request to know," a "request to delete," or any other request under the CCPA, a California consumer may (1) submit a request to privacy@mlhc.com; (2) call us toll-free at 1-877-626-0668; or (3) send a written request to MLHC Counsel, Legal Dept., 1508 Eureka Rd., #130, Roseville, CA 95661. Please note that you must verify your identity before we take further action. To verify your identity, we will try to use information you have already provided. We may also need additional information. Consistent with California law, you may designate an authorized agent to make a request on your behalf. To do this, you must provide a valid power of attorney, the requester's valid government issued identification, and the authorized agent's valid government issued identification. California residents may "opt out" of the sale of their personal information. However, we do not sell your personal information and therefore we do not offer an "opt out."

Upon receipt of a verified consumer request, we will respond by giving you the information requested for the 12-month period before our receipt of your verified consumer request at no cost to you, or deleting the information and notifying any service providers to delete it, subject to legal limitations. If we have a valid reason to retain personal information or are otherwise unable to comply with a request, we will tell you. For example, the law may not require us or allow us to delete certain information collected. In addition, personal information we collect pursuant to the federal Gramm-Leach-Bliley Act is exempt from most of the provisions of the CCPA.

Questions about this notice and privacy policy may be sent to MLHC Counsel, Legal Dept., 1508 Eureka Rd., #130, Roseville, CA 95661 or privacy@mlhc.com.

GRAMM-LEACH-BLILEY ACT PRIVACY POLICY NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) requires financial companies to provide you with a notice of their privacy policies and practices, such as the types of nonpublic personal information that they collect about you and the categories of persons or entities to whom it may be disclosed. In compliance with the Gramm-Leach-Bliley-Act, we are notifying you of the privacy policies and practices of:

Mother Lode Holding Co.
Montana Title and Escrow Co.
National Closing Solutions, Inc.
National Closing Solutions of Alabama
National Closing Solutions of Maryland
Premier Reverse Closings
Centric Title and Escrow

Placer Title Co.
Placer Title Insurance Agency of Utah
Premier Title Agency
North Idaho Title Insurance Co.
Texas National Title
Western Auxiliary Corp.
Wyoming Title and Escrow Co.

The types of personal information we collect and share depend on the transaction involved. This information may include:

- Identity information such as Social Security number and driver's license information.
- Financial information such as mortgage loan account balances, checking account information and wire transfer instructions
- Information from others involved in your transaction such as documents received from your lender

We collect this information from you, such as on an application or other forms, from our files, and from our affiliates or others involved in your transaction, such as the real estate agent or lender.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to non-affiliates as permitted by law for our everyday business purposes, such as to process your transactions and respond to legal and regulatory matters. We do not sell your personal information or share it for marketing purposes.

We do not share any nonpublic personal information about you with anyone for any purpose that is not specifically permitted by law.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Questions about this notice and privacy policy may be sent to MLHC Counsel, Legal Dept., 1508 Eureka Rd., #130, Roseville, CA 95661 or privacy@mlhc.com.

STG Privacy Notice Stewart Title Companies

WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart Title Guaranty Company and its title affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information.	Do we share	Can you limit this sharing?
For our everyday business purposes — to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.	Yes	No
For our marketing purposes — to offer our products and services to you.	Yes	No
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes — information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and non-financial companies. <i>Our affiliates may include companies with a Stewart name; financial companies, such as Stewart Title Company</i>	Yes	No
For our affiliates' everyday business purposes — information about your creditworthiness.	No	We don't share
For our affiliates to market to you – For your convenience, Stewart has developed a means for you to opt out from its affiliates marketing even though such mechanism is not legally required.	Yes	Yes, send your first and last name, the email address used in your transaction, your Stewart file number and the Stewart office location that is handling your transaction by email to optout@stewart.com or fax to 1-800-335-9591.
For non-affiliates to market to you. Non-affiliates are companies not related by common ownership or control. They can be financial and non-financial companies.	No	We don't share

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do not control their subsequent use of information, and suggest you refer to their privacy notices.]

SHARING PRACTICES

How often do the Stewart Title companies notify me about their practices?	We must notify you about our sharing practices when you request a transaction.
How do the Stewart Title Companies protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer, file, and building safeguards.
How do the Stewart Title Companies collect my personal information?	We collect your personal information, for example, when you <ul style="list-style-type: none"> ■ request insurance-related services ■ provide such information to us We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.
What sharing can I limit?	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

Contact us: *If you have any questions about this privacy notice, please contact us at: Stewart Title Guaranty Company, 1980 Post Oak Blvd., Privacy Officer, Houston, Texas 77056*

Privacy Notice for California Residents

Pursuant to the California Consumer Privacy Act of 2018 (“CCPA”), Stewart Information Services Corporation and its subsidiary companies (collectively, “Stewart”) are providing this **Privacy Notice for California Residents** (“CCPA Notice”). This CCPA Notice supplements the information contained in Stewart’s existing privacy notice and applies solely to all visitors, users and others who reside in the State of California or are considered California Residents (“consumers” or “you”). Terms used but not defined shall have the meaning ascribed to them in the CCPA.

Information Stewart Collects

Stewart collects information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device. Most of the information that Stewart collects in the course of its regular business is already protected pursuant to the Gramm-Leach-Bliley Act (GLBA). Additionally, much of this information comes from government records or other information already in the public domain. Personal information under the CCPA does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Certain personal information protected by other sector-specific federal or California laws, including but not limited to the Fair Credit Reporting Act (FCRA), GLBA and California Financial Information Privacy Act (FIPA).

Specifically, Stewart has collected the following categories of personal information from consumers within the last twelve (12) months:

Category	Examples	Collected?
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	YES
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES

E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	YES
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	YES
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	YES
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	YES
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES

Stewart obtains the categories of personal information listed above from the following categories of sources:

- Directly and indirectly from customers, their designees or their agents (For example, realtors, lenders, attorneys, etc.)
- Directly and indirectly from activity on Stewart's website or other applications.
- From third-parties that interact with Stewart in connection with the services we provide.

Use of Personal Information

Stewart may use or disclose the personal information we collect for one or more of the following purposes:

- To fulfill or meet the reason for which the information is provided.
- To provide, support, personalize, and develop our website, products, and services.
- To create, maintain, customize, and secure your account with Stewart.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To prevent and/or process claims.
- To assist third party vendors/service providers who complete transactions or perform services on Stewart's behalf.
- As necessary or appropriate to protect the rights, property or safety of Stewart, our customers or others.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our website, third-party sites, and via email or text message (with your consent, where required by law).

- To help maintain the safety, security, and integrity of our website, products and services, databases and other technology assets, and business.
- To respond to law enforcement or regulator requests as required by applicable law, court order, or governmental regulations.
- Auditing for compliance with federal and state laws, rules and regulations.
- Performing services including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing advertising or marketing services or other similar services.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

Stewart will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Disclosure of Personal Information to Affiliated Companies and Nonaffiliated Third Parties

Stewart does not sell your personal information to nonaffiliated third parties. Stewart may share your information with those you have designated as your agent in the course of your transaction (for example, a realtor or a lender). Stewart may disclose your personal information to a third party for a business purpose. Typically, when we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- Service providers and vendors (For example, search companies, mobile notaries, and companies providing credit/debit card processing, billing, shipping, repair, customer service, auditing, marketing, etc.)
- Affiliated Companies
- Litigation parties and attorneys, as required by law.
- Financial rating organizations, rating bureaus and trade associations.
- Federal and State Regulators, law enforcement and other government entities

In the preceding twelve (12) months, Stewart has disclosed the following categories of personal information for a business purpose:

Category A: Identifiers

Category B: California Customer Records personal information categories

Category C: Protected classification characteristics under California or federal law

Category D: Commercial Information

Category E: Biometric Information

Category F: Internet or other similar network activity

Category G: Geolocation data

Category H: Sensory data

Category I: Professional or employment-related information

Category J: Non-public education information

Category K: Inferences

Consumer Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that Stewart disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, Stewart will disclose to you:

- The categories of personal information Stewart collected about you.
- The categories of sources for the personal information Stewart collected about you.
- Stewart's business or commercial purpose for collecting that personal information.
- The categories of third parties with whom Stewart shares that personal information.
- The specific pieces of personal information Stewart collected about you (also called a data portability request).
- If Stewart disclosed your personal data for a business purpose, a listing identifying the personal information categories that each category of recipient obtained.

Deletion Request Rights

You have the right to request that Stewart delete any of your personal information we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, Stewart will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

Stewart may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us either:

- Calling us Toll Free at 1-866-571-9270
- Emailing us at Privacyrequest@stewart.com

- Visiting <http://stewart.com/ccpa>

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

To designate an authorized agent, please contact Stewart through one of the methods mentioned above.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Stewart cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with Stewart.

Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to an additional 45 days), we will inform you of the reason and extension period in writing.

A written response will be delivered by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

Stewart does not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Non-Discrimination

Stewart will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you a different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

Changes to Our Privacy Notice

Stewart reserves the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on Stewart's website and update the notice's effective date. **Your continued use of Stewart's website following the posting of changes constitutes your acceptance of such changes.**

Contact Information

If you have questions or comments about this notice, the ways in which Stewart collects and uses your information described here, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

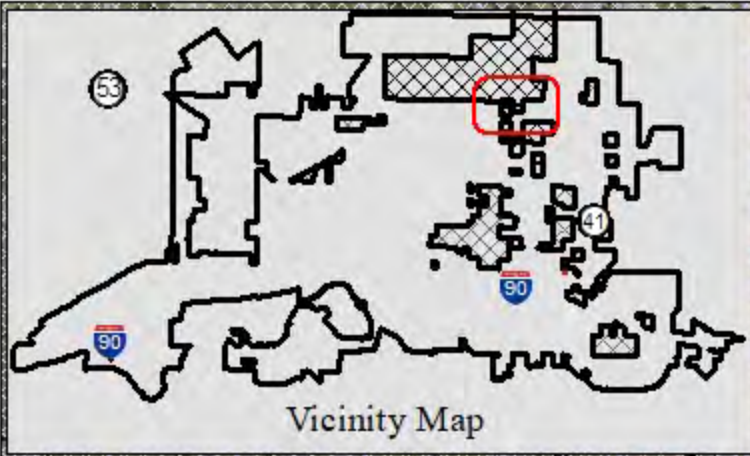
Phone: Toll Free at 1-866-571-9270

Website: <http://stewart.com/ccpa>

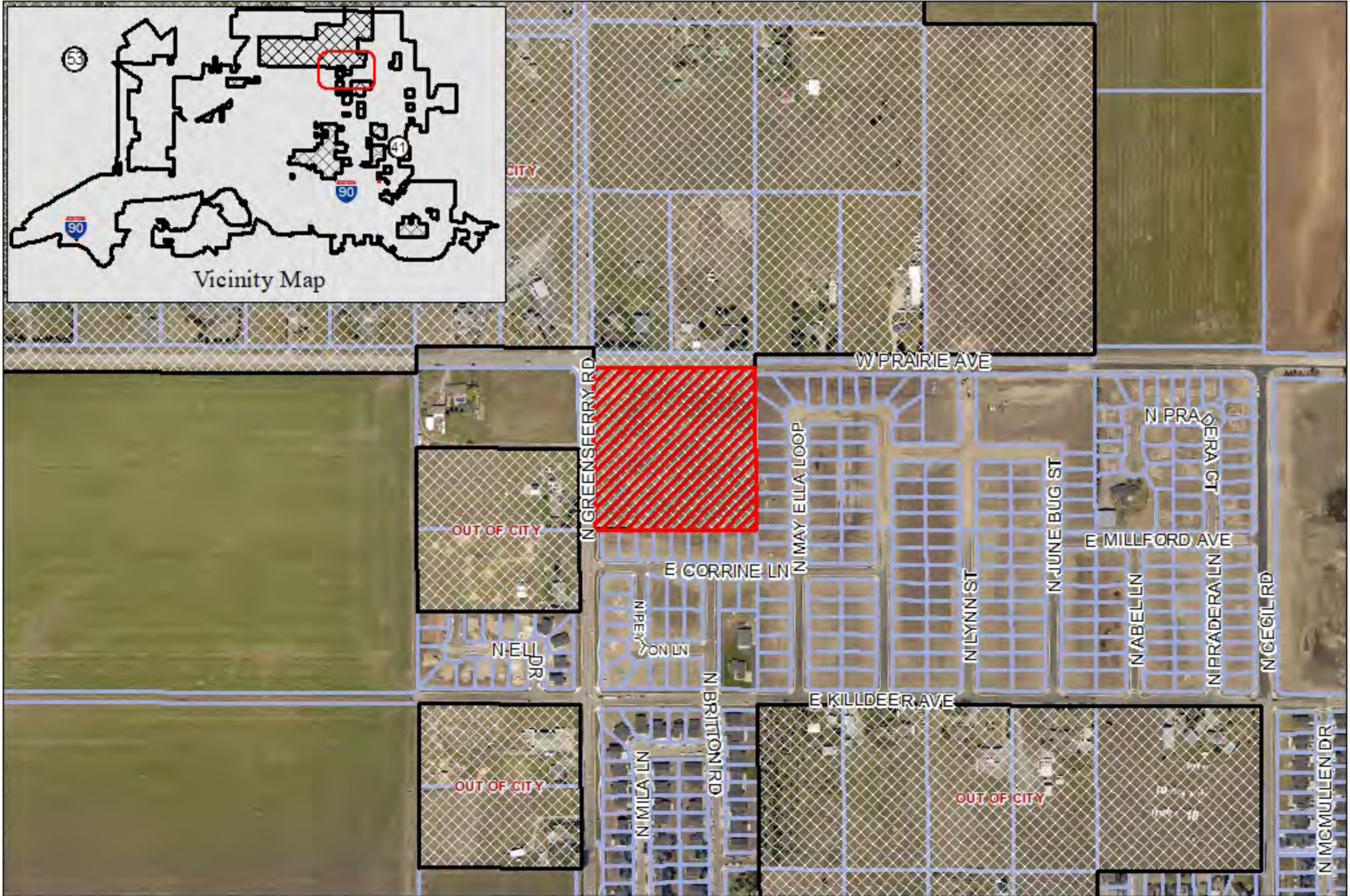
Email: Privacyrequest@stewart.com

Postal Address: Stewart Information Services Corporation
Attn: Mary Thomas, Deputy Chief Compliance Officer
1360 Post Oak Blvd., Ste. 100, MC #14-1

Houston, TX 77056






Vicinity Map

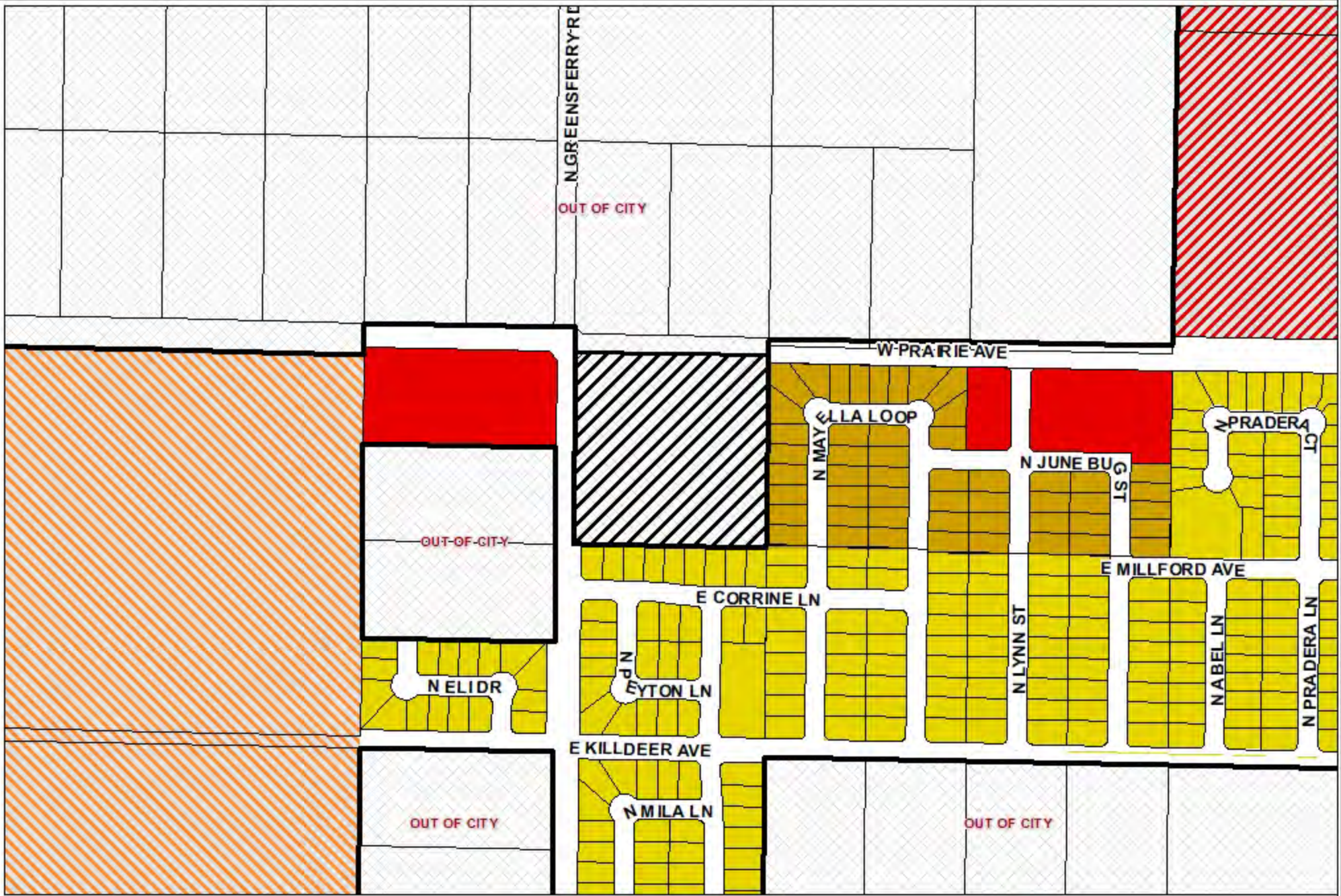


Project Location
 WELLSPRING ANNEXATION
 File # ANNX-0001-2022



-  Subject Site
-  City Boundary
-  Tax Parcels





Zoning Map
 WELLSRING ANNEXATION
 File # ANNX-0001-2022








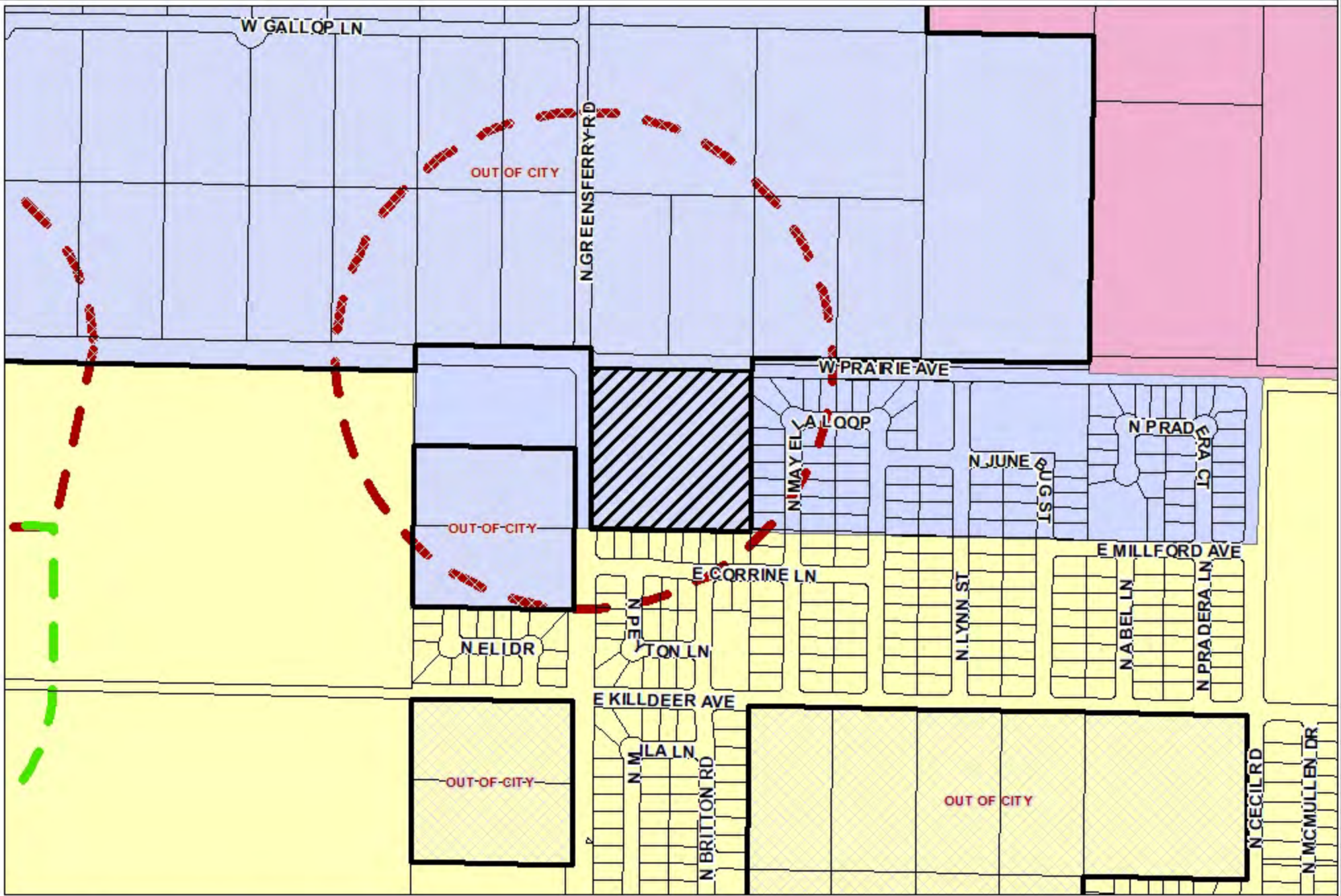
-  City Boundary
-  Subject Site
-  CCS
-  RM
-  TM
-  R-1
-  R-2

Exhibit S-2





Future Land Use Designation
 WELLSRING ANNEXATION
 File # ANNX-0001-2022










-  City Boundary
-  Subject Site
-  Commercial Node
-  Neighborhood Node
-  Business/Commercial
-  Transitional
-  Low Density Residential



Exhibit S-3

DEVELOPMENT AND ANNEXATION AGREEMENT

Wellspring Annexation

(File No. ANNX-0001-2022)

THIS AGREEMENT is made this ___ day of _____, 20___, by and between the **City of Post Falls**, a municipal corporation organized and existing pursuant to the laws of the State of Idaho, with its principal place of business at 408 N. Spokane Street, Post Falls, ID, and **Fivefold Foundation Ministries, Inc.**, an Idaho corporation company organized and existing pursuant to the laws of the State of Idaho, with its principal place of business at PO Box 457 Post Falls, Idaho 83877.

WHEREAS, Fivefold Foundation Ministries, Inc., (hereinafter the “Owner”) owns a tract of land (hereinafter the “Property”) adjacent to the city limits of the City of Post Falls (hereinafter the “City”), which the Owner wishes to annex and develop within the City; and

WHEREAS, the legal description and depiction of the Property is attached hereto as Exhibit “A”; and

WHEREAS, the Mayor and City Council of the City have determined it to be in the best interests of the City to annex the Property subject to the Owner performing the covenants and conditions in this Agreement.

NOW THEREFORE, IN CONSIDERATION of the covenants and conditions set forth herein, the parties agree as follows:

ARTICLE I: PURPOSE AND DESCRIPTION OF PROPERTY

- 1.1. Purpose: Owner enters into this Agreement in order to obtain annexation of the Property while the City seeks to obtain partial mitigation of the impacts of annexation of the Property on the City. Owner acknowledges that City has no duty to annex the Property and that the promises of Owner contained in this Agreement are an inducement for City to do so. The term “Owner” includes any successor in interest in the Property.
- 1.2. Description of the Property: The Property is generally located at the southeast corner of Prairie Avenue and Greensferry Road and is more particularly described in Exhibit “A”.

ARTICLE II: STANDARDS

- 2.1. Construct to City Standards: Owner agrees that all improvements required by this Agreement or by City codes will be built to City standards or to the standards of any public agency providing service to the Property. Owner agrees to adhere to all City policies and procedures; including, but not limited to sanitary sewer improvements, water lines, fire hydrants, parks, flood works, storm water management, curbs, sidewalks, street trees, streetlights, pedestrian/bicycle facilities and roads. Such policies include extending

utility lines in a manner acceptable to the City to make service available to adjoining lands and limitations on gaining site access from arterial and collector roadways (including the KMPO Critical Access Corridor Policy).

- 2.2. Applicable Standards: Owner agrees that all laws, standards, policies and procedures regarding public improvement construction that the Owner is required to comply with or otherwise meet pursuant to this Agreement or City codes are those in effect when construction is commenced. If Owner fails to comply with applicable laws in the course of constructing improvements, public or otherwise, on the Property, the Owner consents to the City withholding further development approvals for the Property including, but not limited to, building permits, certificates of occupancy, site plan approval, and subdivision approval until such compliance is attained. Owner waives, on behalf of itself and its successors in interest, any and all claims against the City relating to the City withholding development approval as authorized by this Section.
- 2.3. Inspection and Testing: Owner agrees that it will retain the services of a civil engineer, licensed by the State of Idaho, to perform construction inspection and testing during the construction of all public improvements on the Property. Owner agrees to provide copies of all field inspection reports and test results to the City Engineer accompanied by a certification that the improvements have been installed in compliance with applicable City requirements prior to requesting that the City accept the public improvements for ownership and maintenance. The inspection, testing and certification reports must be provided at no cost to the City. Owner agrees that a representative of the City must be present at the pressure testing of water mains and sanitary sewer mains. Owner agrees to provide the City with at least twenty-four (24) hours-notice before such testing.
- 2.4. As-Built Drawings: Owner agrees to provide accurate “as-built” drawings of public improvements to the City within thirty (30) days of the date of substantial completion of construction of any public improvement on the Property. If as-builts are not provided as required by this Agreement, the Owner agrees that the City may withhold further development approvals for the Property as provided in Section 2.2 and waives, on behalf of itself and its successors in interest, any and all claims against the City relating to the City withholding development approvals. The Owner understands and agrees that the City will not accept public improvements for maintenance or allow occupancy of constructed improvements on the Property until accurate “as-builts” are provided and until planned improvements have complied with the inspection requirements contained in Section 2.3 and have been accepted for public maintenance or approved for private use.

ARTICLE III. UTILITIES AND PUBLIC SERVICES

- 3.1. Water: Owner agrees to use a public water supply system for any development of the Property and to pay all required fees and charges including all connection and/or capitalization charges generally applicable at the time service is requested. If water service cannot be obtained from a public water supply system that has the legal authority to provide service to the Property, the Owner may seek to obtain temporary water service from any lawful source whether public or private beginning 90 days after the date that the Owner requested water service from each public water supply system that has legal authority to serve the Property.

- 3.1.1. Water Rights: Prior to commencement of development of the Property, Owner agrees to grant, in a form acceptable to the grantee, to the public water supply system agreeing to provide water service to the Property all water rights associated with the Property in order to assure that the public water supply system has adequate water rights to supply domestic water to the Property. Upon public water service becoming available to the Property, Owner will disconnect from the temporary service and connect to the public water service.
- 3.2. Wastewater Reclamation: The Owner agrees to use the Post Falls Sanitary Sewer system for all development of the Property and to be responsible for all required fees and charges including all connection and/or capitalization charges generally applicable at the time service is requested. Sanitary sewer service will be provided in accordance with rules and regulations of the City. The City does not warrant that sanitary sewer capacity will be available at the time Owner requests connection to the sanitary sewer system. If sanitary sewer capacity cannot be assured within 90 days of the date that service is requested by the Owner, the Owner is authorized to provide temporary service by resorting to any lawful public or private alternative so long as legal requirements can be met. Upon the availability of public wastewater treatment capacity, the owner agrees to disconnect from the temporary service and connect to and divert flows to the public system. Any proposed alternative must not inhibit the extension, progression, or continuity of the City's wastewater collection system.
- 3.3. Maintenance of Private Sanitary Sewer and Water Lines: The Owner acknowledges that the City is not responsible for maintenance of any private sanitary sewer lines or water lines, including appurtenances, within the Property.
- 3.4. Size of Sewer Mains: The Owner agrees to provide on-site sewer lines sized to accommodate the projected flows from the Property and from any upstream property, with no reimbursement for oversizing. Sewer extensions shall comply with sizing as identified within the City's Water Reclamation Master Plan
- 3.5. Garbage Collection: The Owner agrees that upon the expiration of the term of any contract to provide garbage collection services to the Property, that the Owner will begin using the garbage collection service in effect with the City of Post Falls.

ARTICLE IV. PUBLIC PROPERTY DEDICATIONS

- 4.1. Rights of Way and Easements: As partial consideration for this Agreement, Owner agrees to dedicate the following grants of rights of way and easements to the City at the time of execution of this Agreement:
 - 4.1.1. By grant of easement in a form acceptable to the City, Owner will grant a 10-foot wide easement along Greensferry Road for utilities, sidewalks, and storm drainage.
 - 4.1.2. By grant of right-of-way in a form acceptable to the City, Owner will dedicate additional rights-of-way along Greensferry Road for a total right of way width of 55 feet measured from the Section Line.

- 4.1.3 By grant of easement in a form acceptable to the City, Owner will grant a 15-foot wide easement along Prairie Avenue for utilities, sidewalks, and storm drainage.
- 4.1.2. By grant of right-of-way in a form acceptable to the City, Owner will dedicate additional rights-of-way along Prairie Avenue for a half width right of way of 55 feet measured from the Section Line.

ARTICLE V. CONSIDERATION/FEES

- 5.1. Owner's Consideration: In addition to other consideration contained in this Agreement, Owner agrees to provide specific consideration to the City in the amounts and at the times specified in this Article. The sums specified are deemed by the parties to be reasonable in exchange for benefits provided by the City to the Owners' use and development of the Property, including, but not limited to; public safety, street services, police equipment, community and traffic planning. The following consideration may be used in any manner that the City, in its sole discretion decides.
- 5.2. Annexation Fee: Prior to issuance of a permit for any development on the Property, the Owner, or their successors in interest, must pay the appropriate annexation fee in effect at the time of the issuance of the permit as adopted by the City Council by resolution.
- 5.3. No Extension of Credit: The parties, after careful consideration of the actual burdens on the City, have agreed to a specific timeline in which those burdens will occur. This Article anticipates specific payment at a specific date and is in no manner a loan of services or an extension of credit by the City.
- 5.4. Other Fees: Additionally, the Owner agrees to pay all required fees and charges including but not necessarily limited to water hook-up fee(s), water connection (capitalization) fee(s), sanitary sewer connection (capitalization) fee(s) and building permit fees and any applicable impact fees that may be imposed. Fees referred to in this Section are established by City ordinance and/or resolution and arise independent of this Agreement.
- 5.5. City's Consideration: Upon the proper execution and recordation of this Agreement, the City will prepare for passage an annexation ordinance annexing the Property. The parties agree that until the date of publication of the annexation ordinance, no final annexation of Owners' property will occur.

ARTICLE VI. MISCELLANEOUS

- 6.1. Subdivision: The parties acknowledge that in the event the Owner desires to sell a portion of the Property rather than the Property as a whole, that a plat may be necessary. Owner agrees that in the event a plat is necessary, Owner will submit a proper subdivision plat and comply with the subdivision ordinance in effect at the time of the desired division.
- 6.2. De-annexation: Owner agrees that in the event the Owner fails to comply with the terms of this Agreement, defaults, or is otherwise in breach of this Agreement, the City may de-

annex the Property and terminate utility services without objection from owners, assigns or successors in interest of such portions of the Property as the City in its sole discretion decides. Owner waives, on behalf of itself and any successors in interest, any claims it may have against the City for de-annexing the Property as allowed by this Section.

- 6.3. Owner to Hold City Harmless: The Owner further agrees it will indemnify, defend (in the City's sole option, and hold the City harmless from any and all causes of action, claims and damages that arise, may arise, or are alleged, as a result of the Owner's development, operation, maintenance, and use of the Property. Owner further agrees to pay City's legal costs, including reasonable attorney fees in the event this annexation is challenged in a court of law. Payment for City's legal costs will be remitted within thirty (30) days after receipt of invoice from the City for legal expenses.
- 6.4. Time is of the Essence: Time is of the essence in this Agreement.
- 6.5. Merger and Amendment: All promises and prior negotiations of the parties' merge into this Agreement and the representations, warranties, covenants, conditions and agreements of the parties contained in the Agreement shall survive the acceptance of any deeds and/or easements. The parties agree that this Agreement may only be amended by a written instrument that is signed by both parties. The parties agree that this Agreement will not be amended by a change in law.
- 6.6. Effect on City Code: The parties agree that Agreement is not intended to replace any other requirement of City Code and that its execution does not constitute a waiver of requirements established by City ordinance or other applicable provisions of law.
- 6.7. Recordation: The Owner agrees this Agreement will be recorded by the City at the Owner's expense.
- 6.8. Section Headings: The section headings of this Agreement are for clarity in reading and not intended to limit or expand the contents of the sections to which they apply.
- 6.9. Incorporation of Recitals and Exhibits: The recitals to this Agreement and all exhibits referred to in this Agreement are incorporated herein by this reference and made a part of this Agreement.
- 6.10. Compliance with Applicable Laws: Owner agrees to comply with all applicable laws.
- 6.11. Covenants Run with the Land: The covenants contained herein to be performed by the Owner are binding upon the Owner and Owner's heirs, assigns and successors in interest, and shall be deemed to be covenants running with the land.
- 6.12. Promise of Cooperation: Should circumstances change, operational difficulties arise or misunderstandings develop, the parties agree to meet and confer at the request of either party to discuss the issue and proposed solutions. Further, each party agrees not to bring a claim, initiate other legal action or suspend performance without meeting directly with the other party regarding the subject matter of the disagreement and if the parties cannot

amicably resolve the disagreement, retain a mediator, acceptable to both parties, to mediate a solution to the disagreement.

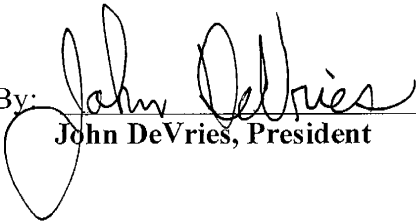
- 6.13. Severability: Should any provision of this Agreement be declared invalid by a court of competent jurisdiction the remaining provisions continue in full force and effect and must be interpreted to effectuate the purposes of the entire Agreement to the greatest extent possible.
- 6.14. Enforcement - Attorney's Fees: Should either party require the services of legal counsel to enforce compliance with the terms of this Agreement, the prevailing party will be entitled to its reasonable attorney's fees and related costs of enforcement.

IN WITNESS WHEREOF, the City of Post Falls has caused this Agreement to be executed by its Mayor and City Clerk, and the Owner has executed this Agreement to be effective the day and year first above written.

CITY OF POST FALLS

**FIVEFOLD FOUNDATION
MINISTRIES INC.**

By: _____
Ronald G. Jacobson, Mayor

By:  _____
John DeVries, President

Attest: _____
Shannon Howard, City Clerk

ACKNOWLEDGEMENTS

STATE OF IDAHO)
 : ss
County of Kootenai)

On this ____ day of ____, 20__, before me, a Notary for the State of Idaho, personally appeared **Ronald G. Jacobson and Shannon Howard** known, or identified to me to be the **Mayor** and **City Clerk**, respectively of the City of Post Falls, Kootenai County, Idaho, executing the herein instrument, and acknowledged to me that such City of Post Falls executed the same.


IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal the date and year in this certificate first above written.

Notary Public for the State of Idaho
Residing at: _____
Commission Expires: _____

STATE OF IDAHO)
 :ss
County of Kootenai)

On this 10 day of February, 2022, before me, a Notary for the State of Idaho, personally appeared **John DeVries**, known, or identified to me to be the **President** of Fivefold Foundation Ministries, Inc., whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of the corporation and that he was duly authorized by the corporation to execute the instrument on behalf of the corporation.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal the date and year in this certificate first above written.



Notary Public for the State of Idaho
Residing at: Kootenai County
Commission Expires: January 5, 2023



WELLSPRINGS ADDITION ANNEXATION DESCRIPTION

LOT 8 BLOCK 25 POST FALLS IRRIGATED TRACTS, AS RECORDED AT BOOK "C" OF PLATS PAGE 78, EXCEPT RIGHT OF WAY, SITUATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 51 NORTH, RANGE 5 WEST, B.M., CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 25 FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 25 BEARS SOUTH $0^{\circ} 36' 23''$ WEST, A DISTANCE OF 2649.47 FEET;

THENCE SOUTH $00^{\circ} 36' 23''$ WEST ALONG THE WEST LINE OF SAID SECTION 25 FOR A DISTANCE OF 662.36 FEET;

THENCE SOUTH $88^{\circ} 51' 11''$ EAST, FOR A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND;

THENCE NORTH $00^{\circ} 36' 23''$ EAST PARALLEL TO SAID WEST LINE OF SECTION 25 A DISTANCE OF 632.42 FEET;

THENCE SOUTH $88^{\circ} 57' 50''$ EAST PARALLEL TO THE NORTH LINE OF SAID SECTION 25 A DISTANCE OF 632.94 FEET;

THENCE SOUTH $00^{\circ} 39' 16''$ WEST ALONG THE WEST LINE OF GREEN MEADOWS 1ST ADDITION AND ITS WESTERLY LINE PROJECTED NORTH FOR A DISTANCE OF 633.64 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF GREEN MEADOWS ADDITION;

THENCE NORTH $88^{\circ} 51' 11''$ WEST ALONG SAID NORTH LINE OF GREEN MEADOWS ADDITION FOR A DISTANCE OF 632.42 FEET TO THE TRUE POINT OF BEGINNING, SAID PARCEL BEING 400489.83 SQFT OR 9.194 ACRES MORE OR LESS.

END OF DESCRIPTION.

Kootenai County Fire & Rescue

Fire Marshal's Office

1590 E. Seltice Way
Post Falls, ID 83854
Tel: 208-777-8500
Fax: 208-777-1569
www.kootenaifire.com

March 22, 2022

Amber Blanchette
Planning Administrative Specialist
amberb@postfallsidaho.org

RE: Notice to Jurisdiction Response

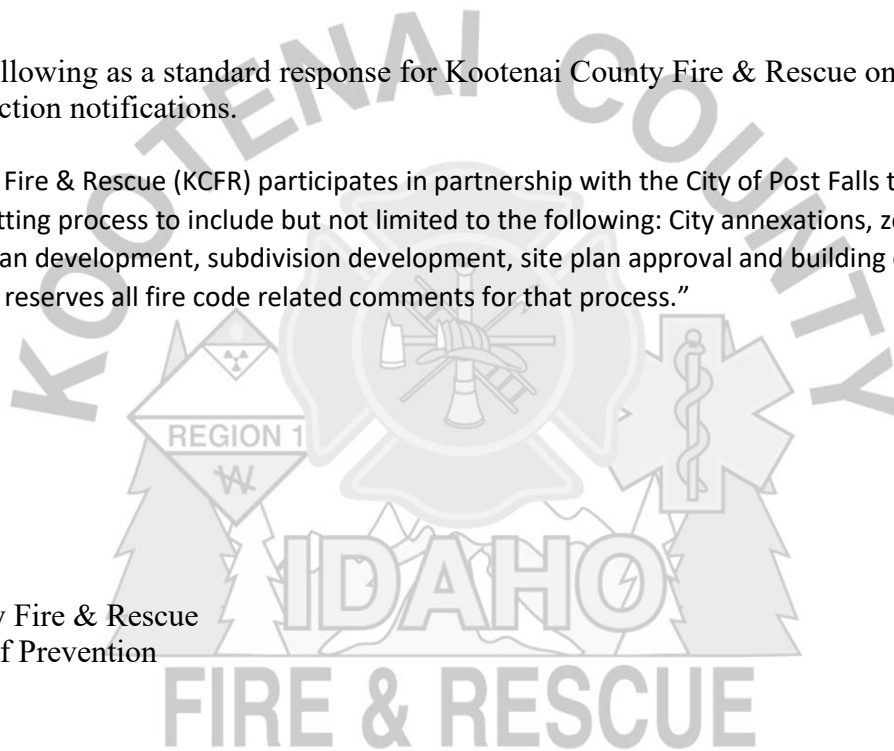
Amber,

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

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

Respectfully,

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





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

March 23rd, 2022

Amber Blanchette
Planning Administrative Specialist
amberb@postfallsidaho.org

Re: Wellsprings Annexation/Subdivision File no. ANN-0001-2022/SUBD-0001-2022

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

Respectfully submitted,

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

Mark J. Brantl
Captain
Post Falls Police Department



April 5, 2022

City of Post Falls
Planning and Building Division
408 Spokane St.
Post Falls ID 83854

Sent by email to amberb@postfallsidaho.org

RE: ANNX-0001-2022, Wellspring Annexation
Southeast corner of Prairie Ave and Greensferry rd

Greetings:

Post Falls Highway District has received annexation request for the above referenced proposal. After review the District has the following comments:

1. PFHD will ask that no direct access be allowed onto Prairie Avenue
2. PFHD will ask that all right-of-way on Prairie Avenue be annexed into the City of Post Falls.
3. PFHD will ask that the City of Post Falls take complete ownership of signals at Greensferry Rd and Prairie Avenue.

Please contact me if you have any questions at mlenz@postfallshd.com. Thank you for including us in your planning efforts.

Respectfully,

A handwritten signature in blue ink that reads "Michael C. Lenz". The signature is written in a cursive style with a long, sweeping underline.

Michael C. Lenz
Director of Highways
Post Falls Highway District

1085



NOTICE TO JURISDICTIONS



TODAY'S DATE: March 22, 2022

TO:

- | | | |
|-----------------------------|------------------------|--------------------------|
| PF City Attorney | PF Park & Rec. | E Greenacres Irr. Dist. |
| Kootenai County Fire | Kootenai Electric | Time Warner Cable |
| PF Highway District | Ross Point Water | PF Police Department |
| PF School District | VERIZON | Utilities (W/WW) |
| AVISTA (WWP - 3) | ID Dept. of Lands | Urban Renewal Agency |
| DEQ | Panhandle Health | Kootenai County Planning |
| Conoco, Inc. (Pipeline Co.) | NW Pipeline Corp. | KMPO |
| Yellowstone Pipeline Co. | PF Engineering | |
| TransCanada GTN | Post Falls Post Office | |

REGARDING: Notice of Public Hearing/Land Use Application(s): File No. **ANNX-0001-2022**
Application Type: **Wellspring Annexation/Subdivision SUBD-0001-g**

This letter provides you with notice of the proposed application within the City of Post Falls. Your comments with regard to the impact upon the delivery of services provided by your jurisdiction or utility agency would be greatly appreciated. Faxes are an acceptable response.

APPLICATION INFORMATION:

Attached are application documents for your review.
 Name of applicant or representative: North Engineering
 Contact: Bart North Phone No. 208-755-6265
 Location of site southeast corner of Prairie Ave and Greensferry Rd
 Description of proposed actions: SEE BELOW

NOTICE OF MEETING DATE:

City Council
 Planning & Zoning Commission April 12, 2022
 Public Hearing: Yes No
 Public Hearing: Yes No

ADDITIONAL STAFF COMMENTS:

Requesting to annex approx. 9.17 acres with mixed zoning of Medium-Density Residential (R2) and Limited Commercial (LC) zoning designation along with subdividing said acres into 24 lots with 23 - R2 and 1 - LC lot

Thank you for your time in reviewing this proposal. Your reply is requested by 4/5/2022. Please refer to the file number in your response. If you need further information, please call our office at (208) 773-8708. Thank you.

NOTICE OF PUBLIC HEARING

WELLSPRING ANNEXATION & SUBDIVISION

(File No. ANNX-0001-2022/SUBD-0001-2022)

NOTICE IS HEREBY GIVEN that the **Planning and Zoning Commission** of Post Falls will hold a public hearing at City Hall, 408 Spokane Street, on the **12th of April, 2022 at 5:30 p.m.**, on a request to annex approximately 9.17 acres with a mixed zoning of Medium Density Residential (R2) and Limited Commercial (LC) zoning designation. Additionally, a subdivision request of 24 lots with 23 - R2 lots and 1-LC lot.

GENERAL LOCATION: On the southeast corner of Prairie Ave and Greensferry Rd.

ZONING DISTRICT DESCRIPTION:

Medium Density Residential (R2): The R2 Zone is intended for residential structures containing one or more dwelling units and for accessory uses that are associated and compatible with residential uses. This zone is primarily applied in areas suitable for residential development where such residentially designated areas are readily serviced by collector and arterial streets suitable for higher levels of traffic; where other public services are sufficiently available for the intensity of use contemplated; and where the configuration of Municipal infrastructure and neighboring land uses are compatible with the use allowed hereby. Lot area and building bulk and placement requirements shall agree with the values set forth in section [18.20.040](#).

Limited Commercial (LC): The LC Zone permits neighborhood compatible commercial retail and service uses of modest scale in areas not conveniently served by existing or proposed commercially designated lands. This zoning district is compatible with residential lands that would accommodate medium density residential land uses. Residential uses may be allowed at densities permitted by the Medium Density Residential (R2) Zone by special use permit. Lot area and building bulk and placement requirements shall agree with the values set forth in section [18.20.040](#), "Official Bulk And Placement Regulations Table", of this title.

As part of the consideration for an Annexation and Subdivision, the Planning and Zoning Commission will recommend a Zoning District to City Council for a subsequent public hearing regarding the annexation proposal. *The Planning and Zoning Commission will review the requested zoning designations against the following review criteria found within PFMC 18.16.010 and 18.20.100.*

- Consistent with Future Land Use Map.
- Consistent with the Goals and Policies Found in the Comprehensive Plan.
- Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features. Encourage a balance of land uses to help Post Falls remain a desirable, stable, and sustainable community.
- Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.

- Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity. Ensure that adequate land is available for future housing needs.
- Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

SUBDIVISION REVIEW CRITERIA:

- Definite provision has been made for a water supply system that is adequate in terms of quantity, and quality for the type of subdivision proposed.
- Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.
- Proposed streets are consistent with the transportation element of the comprehensive plan.
- All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards have been identified and that the proposed uses of these areas are compatible with such conditions.
- The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code.
- The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.

LEGAL DESCRIPTION:

WELLSPRINGS ADDITION ANNEXATION DESCRIPTION

LOT 8 BLOCK 25 POST FALLS IRRIGATED TRACTS, AS RECORDED AT BOOK "C" OF PLATS PAGE 78, EXCEPT RIGHT OF WAY, SITUATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 51 NORTH, RANGE 5 WEST, B.M., CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE SOUTH 00° 36' 23" WEST ALONG THE WEST LINE OF SAID SECTION 25 FOR A DISTANCE OF 662.36 FEET;

THENCE SOUTH 88° 51' 11" EAST, FOR A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND;

THENCE NORTH 00° 36' 23" EAST PARALLEL TO SAID WEST LINT OF SECTION 25 A DISTANCE OF 632.42 FEET;

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END OF DESCRIPTION.

*All persons desiring to be heard are encouraged to submit written testimony by mailing to City of Post Falls Planning Division, 408 Spokane Street, Post Falls, ID 83854, e-mail comments to phnotice@postfallsidaho.org, or submit comment on our website, <https://www.postfallsidaho.org/your-government/public-hearings/>, Persons are encouraged to submit any and all written comments by **April 5, 2022** in order to be included in the addendum to the already completed Staff Report.*

A complete file on this matter may be requested by the public with the Post Falls Planning Division, Community Development at (208) 773-8708, or via email to Amber Blanchette, Planning Administrative Specialist at amberb@postfallsidaho.org.

Publish dates: March 18, 2022



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3841

N GREENSFERRY RD

N MAYELLA LOOP

POST HILLS

E CORRINE LN

BRITTON RD

PEYTON LN

DR

Owner

Additional

AIN: 233035 LRSN: 77778 GEO: 2040

Parcel Number: 0-6360-25-008-AC

Appr Dist: 2 TCA: 073000

Incorporation: POST FALLS

Owner Information:

FIVEFOLD FOUNDATION MINISTRIES INC,

PO BOX 457

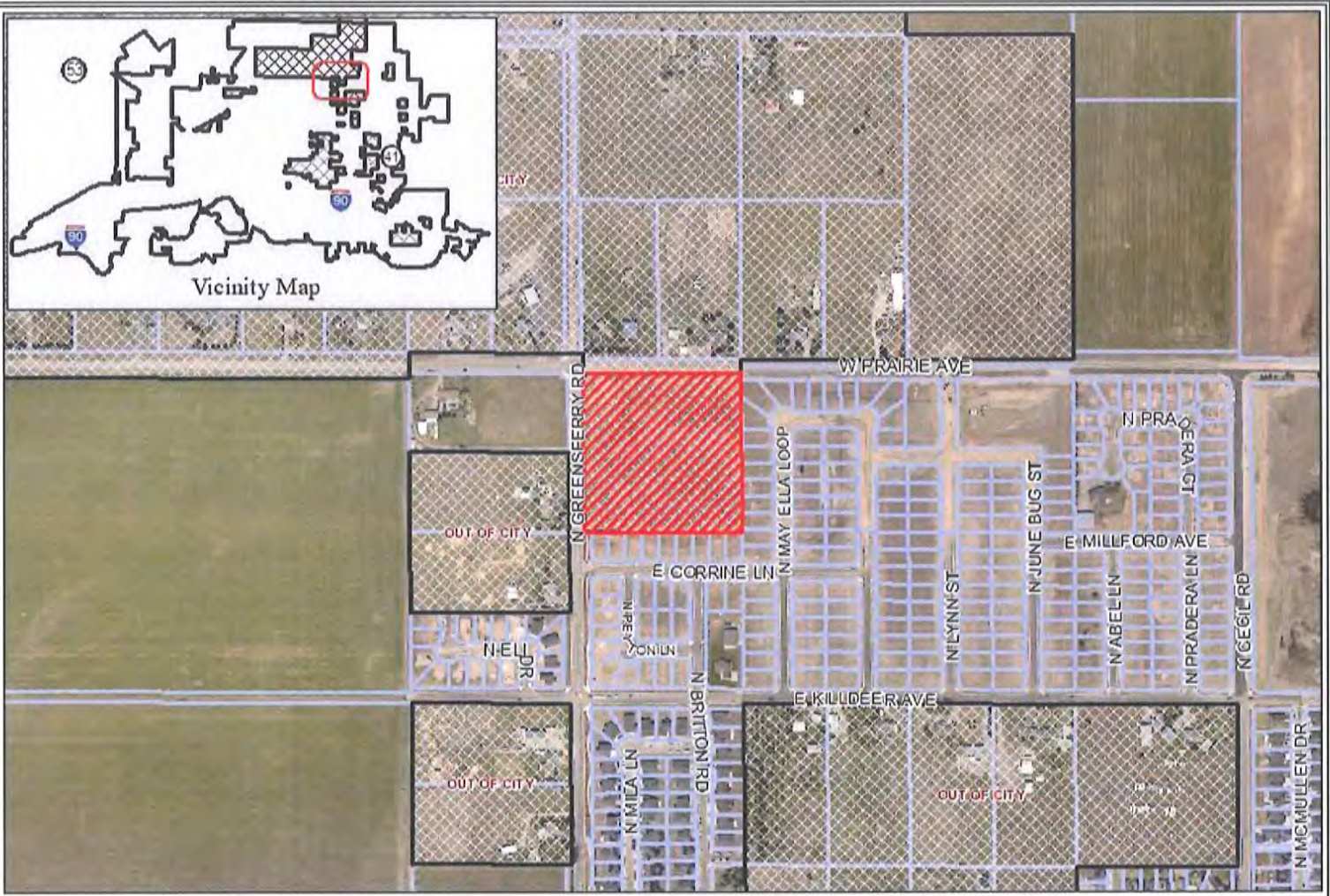
POST FALLS, ID 83877

Site Address:

Legal Description: POST FALLS IRR TRS, TR 8 BLK 25 EX
RW 2551N05W




BKPG: C078

Acres: 9.1777 TRS: 515W25NW.PDF

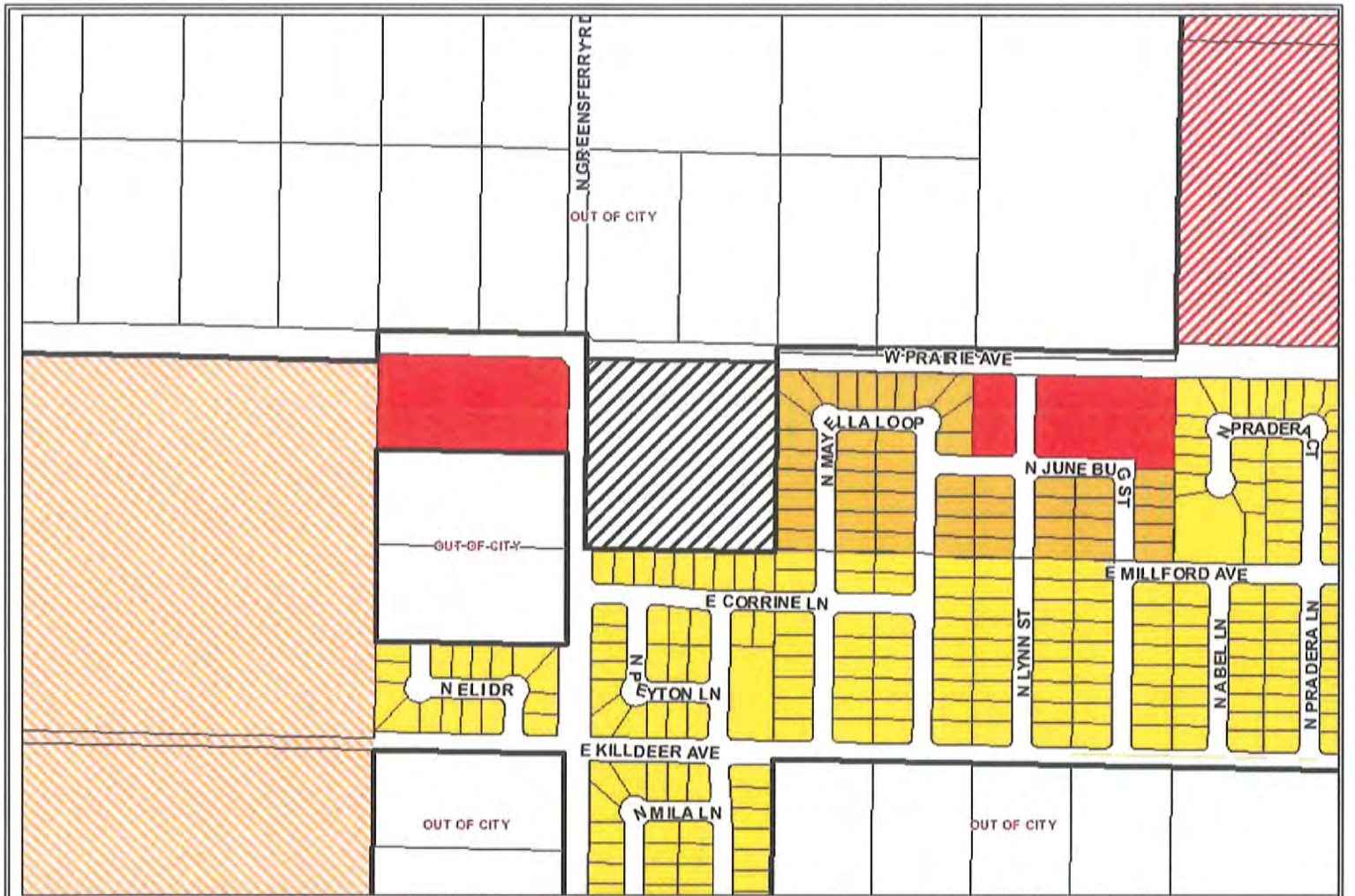


Project Location
 WELLSRING ANNEXATION
 File # ANNX-0001-2022



-  Subject Site
-  City Boundary
-  Tax Parcels



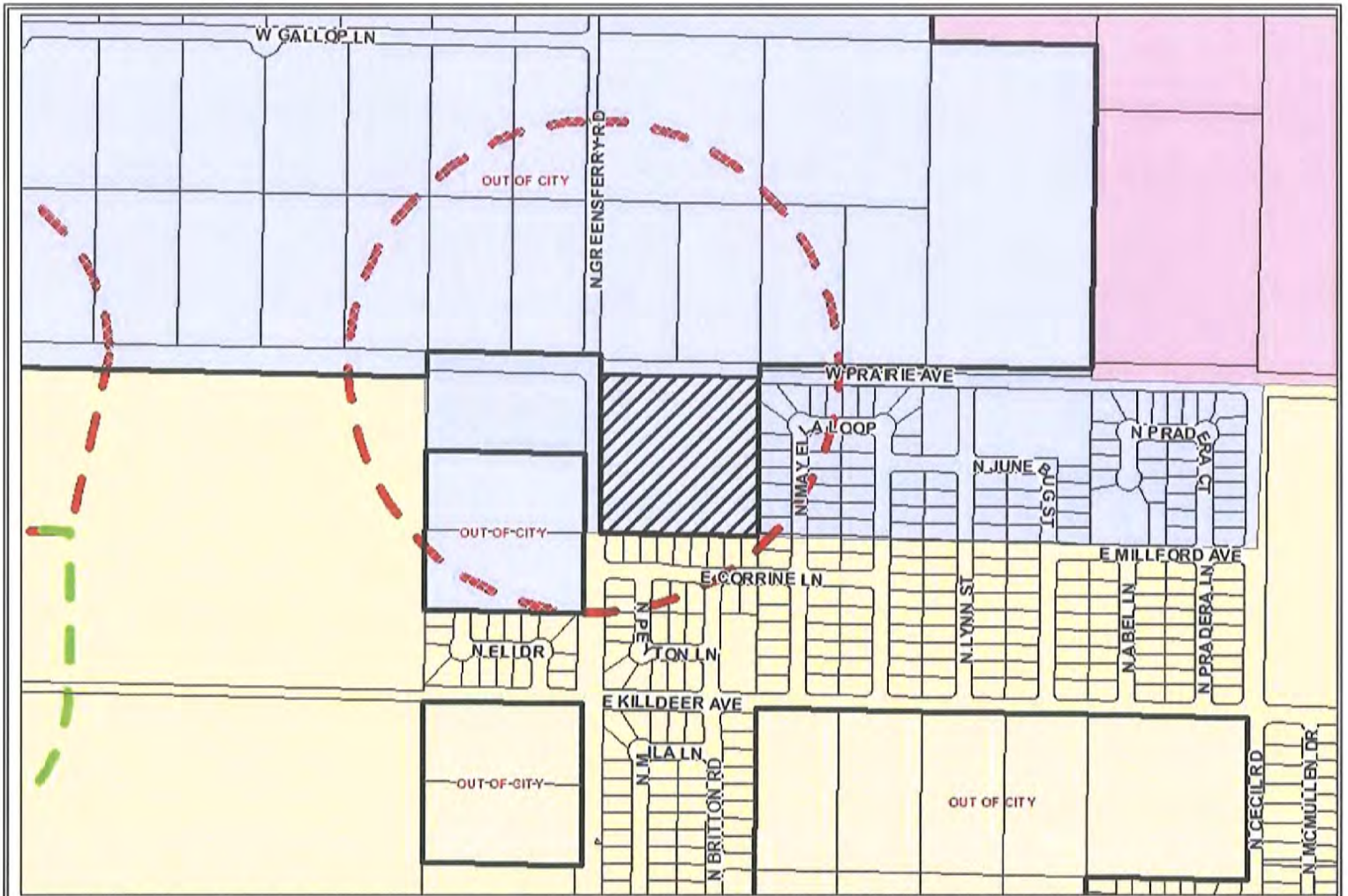


Zoning Map
 WELLSRING ANNEXATION
 File # ANNX-0001-2022










- City Boundary
- Subject Site
- CCS
- RM
- TM
- R-1
- R-2





Future Land Use Designation
 WELLSPRING ANNEXATION
 File # ANNX-0001-2022



-  City Boundary
-  Subject Site
-  Commercial Node
-  Neighborhood Node
-  Business/Commercial
-  Transitional
-  Low Density Residential



Amber Blanchette

From: Kristie May <Kristie.May@deq.idaho.gov>
Sent: Wednesday, April 6, 2022 9:07 AM
To: Amber Blanchette
Subject: RE: Wellsprings Annexation/Subdivision File no. ANNX-0001-2022/SUBD-0001-2022

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

Good Morning,

DEQ has no environmental impact comments at this stage of the project.

Thank you,
Kristie

Kristie May | Admin Assistant II
Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Direct: 208.666.4608
Office Line: 208.769.1422
www.deq.idaho.gov

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

From: Amber Blanchette <amberb@postfallsidaho.org>
Sent: Tuesday, March 22, 2022 9:28 AM
To: Ali Marienau <AMarienau@kmpo.net>; Andy Obermueller <aobermueller@cdapress.com>; audie.neuson@williams.com; Avista <c01_Real_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfallsidaho.org>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfallsidaho.org>; David Sauer (ZiPLY) <david.sauer@ziPLY.com>; Dena Naccarato <dnaccarato@273.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellie Hilbert <ehilbert@cdapress.com>; Erik Ketner <eketner@phd1.idaho.gov>; Erika Auger <eauger@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eporter@postfallsidaho.org>; Field Herrington <fherrington@postfallsidaho.org>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; J Mcmillin <jmcmillin@postfallspolice.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jpoindexter@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Jodi Meyer <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfallsidaho.org>; Judah Lopez <judah_lopez@tracacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson <kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristie May <Kristie.May@deq.idaho.gov>; Laura Jones <ljones@postfallsidaho.org>; lauriep@kootenaifire.com; Lindsay Spencer <lindsay@eastgreenacres.org>; Lynn Sandsor, AECOM <lynn.sandsor@aecom.com>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF

~~information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for submission of information from City staff, then presentation by the applicant (15 min.), followed by public testimony (4 min. each) and finally the applicant's rebuttal testimony (8 min.). Testimony should be addressed to the City Council, only address the relevant approval criteria (in quasi-judicial matters) and not be unduly repetitious.~~

ACTION ITEMS:

- A. **Zoning Recommendation for Wellspring Annexation Review Requested Subdivision** File No(s). ANNX-0001-2022/SUBD-0001-2022 – Laura Jones, Associate Planner, to present a request for a recommendation to city council for a mixed zoning designation of Medium Density Residential (R2) and Limited Commercial (LC) upon annexation of approximately 9.17 acres. Additionally, a subdivision request of 24 lots with 23 - R2 lots and 1-LC lot. Two requested actions are to provide a recommendation to City Council for the zoning designations of Medium Density Residential (R2) and Limited Commercial (LC) on approximately 9 acres as part of the annexation request into the City of Post Falls. The second action is an approval to subdivide the said 9 acres into 24 lots of which 23 lots will be an R2 and 1 lots will be the LC; this will be contingent on Planning and Zoning recommendation of these zoning designations and annexation approval from City Council. It is generally located at the southeast corner of W. Prairie Ave and N. Greensferry Rd. and is a vacant lot; it is over the Rathdrum Prairie Aquifer. Ross Point Water District will be the water provider and the City of Post Falls will provide wastewater. To the north is single-family in the county; east is Green Meadows 2nd Addition R2 single-family to the south is Green Meadows R1 single-family and to the west is County single-family with the Gondo Annexation right on the southwest corner with Community Commercial Services (CCS).

Zoning Criteria:

- Amendments to the Zoning Map should be in accordance with the Future Land Use Map, the designation is Transitional – designated to lands suitable for growth however timing is undetermined. Guidance for proposed growth can be located within the Focused Area. The Commercial Activity Node is intended to encourage commercial activities at major transportation nodes to compliment the overall community. 41 North Focus Area, land values will pressure development to attract a range of residents, offering shared amenities, housing variety and neighborhood-scale services. The focus provisions for multi-family, commercial, and tech uses near higher classified roadways; the focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day. There were several Goals and Policies that were applicable to the request and are detailed in the staff report.
- Infrastructure and service plans; the City of Post Falls will provide water reclamation services and has the capacity and willingness to serve the site. Water will be provided by Ross Point Water District; will serve letter has been provided.
- It is over the Rathdrum Prairie Aquifer
- Prairie Ave and Greensferry Rd should not adversely impact the existing transportation network
- Along Seltice Way and Highway 41 are the higher intense Urban activity areas. Out at Riverbend and the Pointe is a development urban activity area and this location is also developing as one.
- The request isn't for industrial so the last criteria in not applicable.

Lot 1 is the Limited Commercial and is situated right on the corner of the intersection. Lots 2-24 are the Medium-Density Residential and the density for the residential units are approximately 3.7 units per acre with a total of 2.6 units per acre.

Subdivision Review Criteria

- Water will be provided by Ross Point Water District
- Sewer to be provided by the City of Post Falls the plan is in conformance with the City's Water Reclamation Master Plan.
- The subdivision should not have a negative impact on the local transportation system and the residential lots will not have direct access onto Prairie Ave or Greensferry Rd.
- There are no soil or topographical conditions which have been identified as presenting hazards the site is over the Rathdrum Prairie Aquifer.
- The subdivision approval is contingent upon Council approval of the annexation however, the lots conform to the requirements of Title 17 and Title 18.
- Impact fees and cap fees will be assessed and collected on individual building permits to assist in mitigating the off-site impacts to parks, public safety, streets, City water and water reclamations facilities.

All agencies have been notified and KCFR reserves comments for the permitting process with the PFPD and DEQ responding neutral. The Post Falls Highway District requested no direct access onto Prairie Ave and the ROW on Prairie get annexed with the property this will be a condition upon annexation. Their last comment being the city taking ownership of the signals at Prairie and Greensferry this is common practice for the city.

Hampe – How large is lot 1?

Jones – I believe 2.966 acres.

Carey – As a commercial use, would access be off Prairie or Greensferry?

Jones- I believe off the private road, however, I will have Mr. Palus speak to that.

Palus - If it was zoned for the limited commercial and then developed as such there'd be several different options as to how access could come to that site principally, we would most likely see a commercial access on and off Greensferry Rd. We could also see the development of a secondary access from the roadway on the south side, there is the potential. We know that Post Falls Highway District has asked for no access onto Prairie Ave., there is a Critical Arterial Corridor Policy which restricts any new access points on to Prairie Ave. that would be controlled. That would mean either a roundabout or traffic signal at the half mile spacing, the city policy also allows for a quarter mile access but that would be a restricted access for roadways and depending upon what the use was, there could be the value of having a right in right out. Which is the most we would possibly see from an access onto Prairie Ave. that would be something that may have a distributed access coming in a business that people filter in but then they all leave at about the same time. A right in right out could be helpful for a location like that, because it would not overwhelm the traffic signal as much but it's something that we would look at depending upon what the actual commercial use is and then weighing it against our standards as to what is the best access and not to mess up the regional priorities of Prairie Ave. or how the arterial works on Greensferry.

Carey - A question then on Greensferry, if that's used as an entrance exit it would have to be upgraded some because it's not that wide there.

Palus – Correct, so with the subdivision they would be widening Greensferry to meet our standards from Prairie Ave. down the entire frontage which would tie into what the Green Meadow Subdivision has done for widening to the south.

Kimball – Would they also be widening Prairie Ave.?

Palus – So, Prairie Ave. is listed in the City's Transportation Master Plan as a principal arterial and is listed in our Capital Improvement Plan as an Impact Fee Project. So, the widening of Prairie Ave. itself, curb, gutter, and asphalt would be covered by Impact Fees as a future project. The alternative is the applicant would build it and the city would need to reimburse them for the costs of the widening from the Impact Fee dollars. One of the immediate problems is that depending on how we widen out Prairie Ave., we have a traffic signal that needs to be adjusted in location as well and that's a high-cost item to move a traffic signal poll.

Manley – I would like to add a comment for clarity and transparency. Regarding the units per acre, if you go lots per acre that would be correct; there is a range because zoning allows for different types of products. Zoning gives vested rights so the applicant is desiring to put single-family homes it would be 3.7 units per acre, any lots greater than 7,200 square feet duplexes could be built per code so the range would be 3.7 to 7.4 approximately. That is the difference between an R1 and an R2 as you can get diversity and potential density.

Kimball – So the maximum overall density would be 5.2.

Manley – Based off the whole site 5.1 is what I calculated. You can see lots 3 and 4 are under 7,200 square feet so those type of lots couldn't be duplexes.

Jones – 3 and 4 are just under 7200.

Schlotthauer – Several are listed as duplex lots on the map.

Jones – I believe there are 4 on the south end, lots 21-24 are listed as duplex.

Manley – It doesn't change the analysis of the staff report, I just wanted to be transparent on the density with the requested R2.

Jones – Regardless it's R2 zoning.

Applicant – Bart North, North Engineering - The applicant, Pastor John Devries, is here in the audience this evening and we have reviewed the staff report and take no exception to any of its findings. I thought it might be useful to give you a little background on how we got to this point. In 2006 Pastor John Devries, with the support of his congregation, purchased this parcel with the intent of constructing the Wellsprings of Life Christian Fellowship. Which is a Fivefold Ministry Full Gospel Church and Training Center. It, of course was and still is currently in the county and in 2006 Pastor John submitted a Conditional Use Permit which gave it the designation C-1132-05 and over the course it was approved and issued in January 2007. As Pastor John moved forward with the project the 2008 housing bubble burst and with the recession, he was unable to build. From 2008 to present, it has been a recovery process. It was discovered in a pre-application meeting with Kootenai County during the lapse of time the city boundary had moved up to this parcel and city services were adjacent to the southwest corner of this property. Applying for Annexation is the only path forward for the success of this project. Now this property has double frontage and the cost of extending infrastructure to City Standards for annexation is substantial, the intent is to construct a church facility however, to fund the improvements required for annexation Fivefold Ministries found the need to propose the subdivision presented tonight. The 3-acre Limited Commercial lot is where the proposed church facility will be constructed, and the proposed subdivision is R2 zone. All but 4 lots are proposed to be single-family detached residential, and the 4 lots located to southwest corner are the proposed duplex lots. Regarding the Limited Commercial lot there is a potential approach onto the residential roadway. There has

been formal submittal and would be reviewed at time of Site Plan however, potentially a restricted access onto Greensferry Rd and Prairie Ave. As Mr. Palus pointed out, it would be consistent with the Critical Arterial Access Policy as in approaches would be right in and right out and would not have a negative impact on the transportation network.

Steffensen – In our packet the Concept Development Plan, looks like the commercial lot is split in 2? Will there be future phases?

North – I think that was a conceptual drawing, we have been working on a preliminary site plan that would place the church within the southerly half of the commercial lot. Which is what the phases 1 and 2 are about, however, as we stand before you this evening, we are looking for a use on the Limited Commercial (LC) zoning.

Steffensen – So, obviously the request for (R2) for duplexes why only 4 duplexes and all other lots single-family?

North – Applicant preference, it lends itself to single-family detached units, which is the intent.

Testimony:

In Favor - None

Neutral - None

In Opposition – **Read into the record by Davis – Tammy Godfrey** – Stop building until our infrastructure is addressed. Better roads, police, fire, schools, food stores, etc. it seems Post Falls hasn't caught up to the overwhelming amount of people coming into the city. The people of Post Falls can't even afford the housing cost, lets address the needs of our city first then continue to build. Infrastructure first!

Rebuttal

Applicant – North – In response this project contributes to the infrastructure as we are widening Greensferry Rd and as Mr. Palus stated Prairie Ave. widening is an impact fee project and the applicant will be contributing to those funds. The 12-inch water main for Ross Point Water is part of the infrastructure that will be brought in from the south. The LC zone also opens to possible neighborhood commercial.

Hampe – Under the conditions for the subdivision, it goes 1-9 then there is number 4 listed should it just conditions 1-10?

Correct

Steffensen – What is the timing of everything if it is approved?

North – The intent would be to have a Plat recordation occur in 2022.

Schlotthauer – I personally haven't seen and Annexation and Subdivision come through sequentially like this, is this common?

Manley – It isn't unusual. We just condition the subdivision upon ultimate determination by the City Council on the Annexation.

Comments:

Davis - The question was asked as far as our representation I want to stress again that we are volunteers. We're appointed volunteers who are not elected by citizens but rather appointed by the Mayor approved by Council to terms and we have a process that we're required to follow that does not include side conversations, site visits, emotions, or opinions. We are simply recommending that if council was to annex our recommendation for annexation would be x and reviewing the subdivision file, there are six criteria in which we are required to follow so we'll actually go through those right now.

Annexation

1. Amendments to the zoning map should be in accordance with the Future Land Use Map.

Steffensen – It is in the transitional area, the zoning that they are requesting is right next to other property that has the same zoning so that makes sense.

Schlotthauer – What better transition can you have than the same use of the neighboring properties and then transition to commercial on the corner next to commercial on the corner, it's as straight forward as it can be.

Kimball – I think one of the key points is that in the Comprehensive Plan we've got these nodes at certain intersections and those were commercial places where we thought that commercial would be appropriate. I think this proposal follows those intentions.

Hampe – I'd prefer to see more commercial in the commercial node, this parcel is over 9 acres and a third or less is for commercial the rest is residential. I would personally like to see it developed to more of the intent of what the commercial node is.

Schlotthauer – I will add to that, I would like to see more commercial and am glad to see that the corner is taken up by commercial. It is what the Comprehensive Plan had in mind but also as far as our representation, I think we represent individuals and their property rights. Their right to do with their property what they want providing it meets the Comprehensive Plan, that's who I think we represent more so than the vocal minority.

2. Amendments to the zoning map should be consistent with the goals and policies found in the Comprehensive Plan.

Kimball – I think staff discussed that well in the staff report.

3. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.

Carey – I think this has been covered well too. The commercial use there is with consideration of the street classifications for Prairie and Greensferry.

Kimball – I think Hampe brings up a good point, I also think it is important to think about what's an appropriate type of commercial use at a corner like this. Highway 41 is a huge commercial corridor and is a mile away and probably where people will go. Neighborhood commercial is where there's enough houses in the vicinity for someone to walk to a little C store which is what Limited Commercial is for. When you look at the size for the use, it would be a little office building or little commercial uses, 10 acres of commercial is too much that is the size you would see a grocery store develop on. That is more of a destination type of commercial, this size parcel with the development pattern what it is I think Limited Commercial right on the 2 acres is probably the right size.

Schlotthauer – The word that sticks out in this criterion is Balance, I think the applicant has created a balance.

4. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.

Kimball – The fact that there are 2 arterials and its Limited Commercial at that corner covers that.

Steffensen – I wouldn't call this high-density, its medium but you do have the capacity on Prairie and Greensferry for that type of zoning.

5. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.
Steffensen – Its on the edge of town with 9.7 acres.
Hampe – I don't think it will be the edge of town much longer. It is low density residential which is allot of what is surrounding this property. This isn't really what this is describing is it? Lower density residential is typically assigned for properties as they proceed farther away from higher intensity urban activity and this is a commercial node, that's what it's been designated. Just goes back to, I would like to see more commercial and les residential.
6. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.
Davis – Nothing to add here.

Annexation Motion to recommend the zoning as presented by the applicant with limited commercial and R2 by Kimball
2nd by Schlotthauer
Vote Steffensen – No; Carey – Yes; Kimball – Yes; Davis – Yes; Schlotthauer – Yes;
Hampe - No
Moved

Subdivision

1. Definite provision has been made for a water supply system that is adequate in terms of quantity, and quality for the type of subdivision proposed.
Kimball – Ross Point Water District has provided a will serve letter and it sounds like the applicant will be putting in water mains on Prairie Ave. and Greensferry to complete that part of the water systems.
2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.
Carey – Staff reported that the City of Post Falls has capacity to handle it.
3. Proposed streets are consistent with the transportation element of the comprehensive plan.
Kimball – This was well covered by Palus; they get the opportunity to build two expensive chunks of the street and or at least contribute to it. 2 arterials are consistent with the Transportation Master Plan.
Hampe – In my opinion low density residential isn't a good fit even for the classification of the streets.
Steffensen – This is where my concern is, there's too many questions on how it's going to look, you get a church depending on how big you have a lot of traffic going in and out and then what type of commercial are you going to be putting there? How will that look, then the residential, this is where I was coming from.
Schlotthauer – I don't see the difference if it were a 10-acre Wal-Mart you're still going to have a commercial user on the corner and residential adjacent, I don't think this location would ever be used for that type of use. Shrinking it down more, like Kimball stated, seems reasonable. In the node like this you're still going to have commercial transitioning to residential, its how this area has been designed.
Kimball - I think this is the opposite of what we see when it comes to concerns about a development project putting pressure on our transportation. They're at the corner of

two arterials with a traffic signal and they're proposing less intensive uses than what could be there under a CCS, high use commercial node and the Transportation Master Plan is pretty specific that those 2 streets. Greensferry and Prairie are arterials that must be built to that standard and the local street is the standard, so they are consistent with the transportation element in the Comprehensive Plan. We haven't heard any testimony from any engineers to say that there's any problems with any transportation elements in the area. I'm sure that traffic signal is operating at a level of surface of A or B probably and a church doesn't operate during peak hours so I mean they're not..

Davis - Your transportation issues are going to be Wednesday evening and Sunday morning.

Kimball - Right not Thursday at 8 00 a.m. or 7 30.

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

Davis - I thought about this earlier in the last several dozen of our public hearings this is where two different times this policy has jumped in or this uh this process has jumped in and worked to where we found mysterious landfills and things of that nature, but I think everything has been covered here any thoughts?

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

Schlotthauer – As conditioned.

Kimball – I think as conditioned everything meets the requirements of the zoning ordinance if it's zoned as recommended.

6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.

Kimball – We are an impact fee city and so any development does pay impact fees for parks, streets, and pedestrian facilities, also police and maybe soon EMS and Fire, the impact fees make sure the developer pays their fair share. The city is set up well to make sure development pays for development.

Schlotthauer – I probably stand on the opposite side of this, I think we go overboard on fair share, for instance if it was just the church developing just the corner, I doubt they could possibly pull off the fees and the infrastructure requirements. Adding the residential buffer around the property probably helps them pull the whole project off.

Subdivision Motion recommend approval finding meets criteria 1-6 and adopting the conditions 1-9 plus 4 found in the staff report by Kimball

2nd by Schlotthauer

Vote Hampe – No; Schlotthauer – Yes; Davis – Yes; Kimball – Yes; Carey – Yes;

Steffensen - No

Moved

- ~~B. **Zoning Recommendation** for Morris Annexation File No. ANNEX-0013-2021 – Jon Manley, Planning Manager, to present a request for a recommendation to city council for a zoning designation of Community Commercial Services (CCS) upon annexation of~~

**Wellspring Annexation
File No. ANN-0001-2022**

**Planning and Zoning Commission
Zoning Recommendation**

A. INTRODUCTION:

APPLICANT: North Engineering – Bart North

LOCATION: Generally located on the southeast corner of W. Prairie Ave and N. Greensferry Rd.

REQUEST: Zoning recommendation of Medium Density Residential (R2) on 23 of the lots and Limited Commercial (LC) on the remaining lots totaling approximately 9 acres AS DEPICTED IN EXHIBIT S-4.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-4 Will Serve
4. A-5 Auth Letter
5. A-6 Title Report
6. S-1 Vicinity Map
7. S-2 Zoning Map
8. S-3 Future Land Use Map
9. S-4 Annexation Development Agreement
10. PA-1 KCFR Comments
11. PA-2 PFPD Comments
12. PA-3 PFHD Comments
13. PA-4 DEQ Comments
14. PZ Staff Report
15. Testimony at the April 12, 2022, Planning and Zoning Commission ("Commission") hearing including:

The request was heard before the Planning and Zoning Commission (hereinafter "Commission") at the April 12, 2022 public hearing, the meeting was in-person and live-streamed on the City of Post Falls YouTube Channel. The public hearing was properly noticed and conducted in accordance with the requirements of Idaho Code Sections 67-6511 and 67-6509, and City Code section 18.20.060. The purpose of the hearing was to afford the applicant and the public the opportunity to provide testimony and documentation to be taken by the Commission in their application of City Code section 18.16.010 and 18.20.100 when making the Commission's recommendation on zoning to the City Council.

Laura Jones, Associate Planner

Ms. Jones presented the staff report. She testified that the applicant was seeking a recommendation for an initial zoning designation of Medium Density Residential (R-2) and Limited Commercial (LC) on approximately nine (9) acres upon the annexation into the city of Post Falls. She explained that the general location on the southeast corner of Prairie Avenue and north Greensferry road.

Ms. Jones testified that the current land use is vacant and the only natural characteristics or features is that it is on the Rathdrum Prairie Aquifer. He testified that the water will be provided by the Ross Point Water District and the city of Post Falls will provide wastewater services.

Ms. Jones testified regarding the surrounding uses, explaining that to the north is county properties with single-family homes on five acre lots, to the east is Green Meadows 2nd edition, it is zoned R-2 single family but is built out with single-family homes. She went on to state that to the south is Green Meadows R-1 single family homes and to the west is commercial property, which was annexed into the city last year, and two five-acre residential properties in Kootenai County.

Ms. Jones stated that the Future Land Use Map designates the area as transitional. She submitted that the transitional designation is given to lands suitable for growth with unknown timing. She testified that guidance for transitional areas can be found within the associated Focus Area in the Comprehensive Plan. She testified that that the area is located within a commercial activity node, which is intended to encourage commercial activities at major transportation nodes to complement the overall community. She explained that nodes should consist of retail office or other commercial services to be integrated into the nearby community with the intent to create a focal point of vibrancy conveniently located near neighborhoods and other commercial services.

Ms. Jones explained that this area is within the 41 North focus area, which is developing with land values that should pressure development that should attract a range of residents offering shared amenities, housing variety, and neighborhood scale services. She indicated that the focus area provides for multi-family, commercial, and tech uses near higher classified roadways and should be focused along arterial collector streets where traffic volumes exceed 4,000 trips per day.

Ms. Jones testified as to whether the proposal is in accordance with the goals and policies of the comprehensive plan, illustrating goal five, six, seven, eight, ten, and fourteen to possibly be relevant and applicable goals. She testified that policies one and two may be appropriate for consideration by the Commission. Ms. Jones explained that in support of policy two, looking at the infrastructure, the city of Post Falls will provide water reclamation and Ross Point will provide water. She indicated that policies three, fifteen, and twenty-four may also be applicable.

Ms. Jones testified that zoning should be assigned following consideration of such items such as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features. She stated that the site is over the Rathdrum Prairie Aquifer.

Ms. Jones testified that commercial and high-density residential zoning is typically assigned along streets with a higher road classification. She explained that the site is located along higher classified roadways of Prairie Ave. and Greensferry Rd. and should not adversely impact the existing transportation network.

Ms. Jones testified that limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity. She illustrated that the site is in an area that is starting to develop with commercial activity, however it is limited in nature and more of a residential scale.

Ms. Jones testified that the last criteria is inapplicable as there is not a request for industrial zoning nor are they located near any other industrial properties.

Bart North, North Engineering, Applicant

Mr. North testified that the applicant, Pastor John Devries, was there in the in the and they have reviewed the staff report and take no exception to any of its findings. He thought it might be useful to give you a little background on how we got to this point. Mr. North explained that in 2006 Pastor John Devries, with the support of his congregation, purchased this parcel with the intent of constructing the Wellsprings of Life Christian Fellowship, which is a Fivefold Ministry Full Gospel Church and Training

Center. He noted that it was and still is currently in the county and in 2006 Pastor John submitted a Conditional Use Permit which was approved and issued in January 2007.

Mr. North explained that as Pastor John moved forward with the project the 2008 housing bubble burst and with the recession, he was unable to build. He described that from 2008 to present, it has been a recovery process and it was discovered in a pre-application meeting with Kootenai County during the lapse of time that the city boundary had moved up to this parcel and city services were adjacent to the southwest corner of this property.

Mr. North testified that applying for annexation is the only path forward for the success of this project. He explained that this property has double frontage and the cost of extending infrastructure to City Standards for annexation is substantial, the intent is to construct a church facility however, to fund the improvements required for annexation Fivefold Ministries found the need to propose the subdivision presented. He testified that the 3-acre Limited Commercial lot is where the proposed church facility will be constructed, and the proposed subdivision should be zoned R-2. He testified that all except 4 lots are proposed to be single-family detached residential, and the 4 lots located to southwest corner are the proposed duplex lots.

Mr. North testified regarding the Limited Commercial lot that there is a potential approach onto the residential roadway and there has been formal submittal and would be reviewed at time of Site Plan however, potentially a restricted access onto Greensferry Rd and Prairie Ave. as Mr. Palus pointed out, it would be consistent with the Critical Arterial Access Policy as in approaches would be right in and right out and would not have a negative impact on the transportation network.

Mr. North testified that we have been working on a preliminary site plan that would place the church within the southerly half of the commercial lot. He explained that is what the phases 1 and 2 are about, however, we are looking for a use on the Limited Commercial (LC) zoning.

Public Testimony:

The hearing was opened for public testimony.

Tammy Godfrey (Brief Written Comment Read into Record)

Ms. Godfrey testified, stop building until our infrastructure is addressed. Better roads, police, fire, schools, food stores, etc. it seems Post Falls has not caught up to the overwhelming amount of people coming into the city. The people of Post Falls cannot even afford the housing cost, lets address the needs of our city first then continue to build. Infrastructure first!

Rebuttal

Bart North, North Engineering, Applicant

Mr. North, testified in response, this project contributes to the infrastructure as we are widening Greensferry Rd and as Mr. Palus stated Prairie Ave. widening is an impact fee project and the applicant will be contributing to those funds. He noted that the 12-inch water main for Ross Point Water is part of the infrastructure that will be brought in from the south. He explained that the LC zone also opens to possible neighborhood commercial.

Deliberations: After the public hearing was complete the hearing was closed, and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the criteria in City Code sections 18.16.010 and 18.20.100.

C. EVALUATION OF APPROVAL CRITERIA FOR INITIAL ZONING:

C1. Amendments to the zoning map should be in accordance with the Future Land Use Map.

The applicant has requested initial zoning of Medium Density Residential (R-2) and Limited Commercial (LC) on approximately nine (9) acres upon the annexation into the city of Post Falls. The Future Land Use Map designates this area as transitional within the 41 North focus area.

The applicable focus area provides that residential development has been predominant in recent years, and with some forecasts estimating as many as 30,000 new residents in this area by 2040, it's a trend that's likely to continue. Such growth is expected to spur commercial uses adjacent to the highway, especially at stop-controlled intersections. As with North Prairie, land values will pressure development to attract a range of residents, offering shared amenities, housing variety and neighborhood-scale services. To help enrich the future identity of 41 North, growth should include strategically located, carefully designated land uses incorporating trails and an interconnected, walkable street network.

Post Falls recently annexed additional lands for a planned technology park to be located near the northwest corner of Highway 41 and Prairie Avenue. This feature is expected to help diversify land uses and boost demand for commercial services. The following items affirm or guide development of key policies for this area, or suggest future action items for the 41 North focus area:

- Focus provisions for multi-family, commercial, and tech uses near higher classified roadways;
- Development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail;
- Manage development patterns in the airport fly zone east of 41 and north of Prairie Avenue, coordinating with the 2018 Coeur d'Alene Airport Master Plan;
- Facilitate the creation of the "backage roads" system envisioned in the Highway 41 Corridor Master Plan, supporting appropriately scaled commercial and mixed-use development along 41 and improving access for nearby residential uses;
- Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.

The Commission finds that this is in a transitional area and the zoning they are requesting is next to other property with the same zoning as well as a transition to the commercial on the other corner. The Commission notes that the area is within a commercial node and the provision of limited commercial helps satisfy the intent of the node.

The Commission finds that evidence and testimony demonstrate that the requested zoning designation consistent with the guiding principles within the associated focus area and therefore the request is consistent with the Future Land Use Map.

C2. Amendments to the zoning map should be in accordance with the goals and policies found in the Post Falls Comprehensive Plan.

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

Goals:

Goal 5: Keep Post Falls' neighborhoods safe, vital, and attractive.

Residents prize the character and unhurried pace of Post Falls neighborhoods, and wish to ensure their neighborhoods are kept safe, active, and aesthetically pleasing. Supporting this goal, a diverse set of policies have been provided, including encouraging attractive, pedestrian-friendly development, provision of diverse housing types, parks facilities, and neighborhood-scale commercial services.

Goal 6: Maintain and improve Post Falls' transportation network, on pace and in concert with need and plan objectives.

All cities require functional, resilient transportation networks providing for the flow of people and materials. In assisting with this plan, residents urged improvements to the existing fabric and criteria that provide a full-featured street network for Post Falls, improving the efficiency, function and value of the City. Residents also recognize the importance of transit services, as well as connectivity too regional ground, rail and air transportation systems.

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

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

Goal 8: Protect and maintain Post Falls' natural resources including clean air, soils, river, and aquifer, and minimizing light and noise pollution citywide.

City livability, health and value are fully dependent on clean, safe, and sustainable natural resources. This goal underscores Post Falls' commitment to maintaining its natural resources as a top priority, recognizing them as essential to the community's survival.

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

Post Falls residents value current parks and recreational services and wish to retain the same or higher levels of service as the community grows. This goal directs the city to consider parks and recreational needs in all related plans and actions, including land use decisions, regulatory requirements, and budgeting.

Goal 14: Involve the community of Post Falls in all local government planning and decision-making.

The development of the Comprehensive Plan is community-driven, involving numerous residents including some representing large groups of residents. For plans to succeed, community buy-in and support is critical. Future conditions will certainly require the creation of new objectives and strategies, and this goal supports keeping residents highly involved in such work.

Policies:

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service;

Impact Fees are paid at the time of permit issuance to assist in mitigating impacts and maintain/enhance community levels of service.

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

Additional housing may help further long-term fiscal health of the community by provide living accommodations to current and future workforce within the city.

- Maintain and enhance resident quality of life;

Diversified housing options assists with providing quality housing for different sectors of the community.

- Promote compatible, well-designed development;

Development will be required to meet City design standards for the proposed limited commercial and residential uses.

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

Transportation impacts, and sewer and water capacity are reviewed by city staff. Any anticipated inadequacies identified are addressed and/or have a plan on how to be in compliance with the relevant master plan prior to public hearing.

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

- Future land use mapping;

This is addressed by the first review criteria in Criteria one of this recommendation.

- Compatibility with surrounding land uses;

The proposed development pattern for this proposal would not be incompatible with the surrounding uses as they are primarily residential in nature.

- Infrastructure and service plans;

Sanitary Sewer for the location would need to be extended from the southwest corner of the property to Prairie Avenue, in conformance to the City's Water Reclamation Master Plan. The property requesting annexation and zoning is identified in the City of Post Falls Water Reclamation Master Plan as being serviced by the referenced sewer main. The requested zoning is in conformance with the land use assumptions within the City's Water Reclamation Master Plan.

The City's Water Reclamation System has the capacity to provide service and the City is willing to serve to the property at the requested density. Existing capacity is not a guarantee of future service.

The property is not subject to any Local Improvement Districts (LID's), Subsequent User Agreements or Sewer Surcharges.

The Ross Point Water District would provide water service.

- Existing and future traffic patterns;

The property is adjacent to Greensferry Road, a classified Minor Arterial; and Prairie Avenue, a classified Principal Arterial and Critical Arterial Corridor. Dedications of rights-of-way and easement would be required, at the time of annexation and complying with adopted City Design Standards:

Greensferry Road - Minor Arterial: 110-foot total right-of-way width, along with a 15-foot sidewalk, drainage and utility easement. 55-foot half road right-of-way measured from the section line near the existing centerline of Greensferry Road. Right-of-way line to align with the subdivision immediately to the south.

Prairie Avenue- Principal Arterial: 110-foot total right-of-way width, along with a 15-foot sidewalk, drainage and utility easement. 55-foot half road right-of-way measured from the section line near the existing centerline of Prairie Avenue. Right-of-way line to align with the subdivision immediately to the east.

Future traffic patterns to/from this site are benefitted from the proximity to adjoining Arterial Roadways that would distribute traffic from the subject site to SH41, Poleline Ave., as identified in the City's Transportation Master Plan. Access to the site would

be restricted in conformance with City Standards to Greensferry Rd. and Prairie Avenue. Additional access restrictions exist along Prairie Avenue, in conformance with the KMPO Critical Arterial Corridor Policy.

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

The response to this is embedded within the evaluation within this section.

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

The proposal is partially located within a commercial node as outlined in the Comprehensive Plan. The owner's intent to build a church within this commercial area might provide daily needs services within walking distance of residences.

Policy 8: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.

This site is currently undeveloped and under-utilized.

Policy 9: Encourage annexation of County "islands" within the City, with priority given to areas:

- Surrounded by incorporated areas;
Due to recent annexation the site is currently located within a County "island".
- That have readily available service infrastructure and capacity;
There is water and sewer infrastructure available to the site.
- That support increased development intensity near the urban core.

The site is not located within the urban core however it is located within a commercial node.

Policy 14: Follow all annexation procedures established by Idaho State Statutes and applicable City ordinances.

Idaho State Statutes and City ordinances associated with annexations have been followed.

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

Annexation with residential zoning could allow for further housing types and price levels.

Policy 24: Plan for and protect transportation corridors from encroachment and preserve adequate rights-of-way for future corridors including utility facilities.

Additional rights-of-way along W. Prairie Avenue and N. Greensferry Road will be dedicated as part of the annexation agreement.

Policy 27: Work to improve street connectivity in all areas of Post Falls, improving

walkability, public health and safety, and transportation efficiency.

Existing multi-use paths and sidewalks will be extended as part of the development of this site.

Policy 45: Guide annexation decisions guided by and considering:

- Master plans for water, sewer, transportation, parks, schools and emergency services;

Compliance with associated master plans has been outline herein. Schools and emergency services have been notified of this request and have been given the chance to comment on the request.

- Provision of necessary rights-of-way and easements;

Dedication of additional rights-of-way and associated easements have been described as part of the annexation agreement.

- Studies that evaluate environmental and public service factors;

No know environmental studies have been conducted however Panhandle Health District and the Department of Environmental Quality have been notified of this request and have been given the chance to comment on the request.

- Timing that supports orderly development and/or coordinated extension of public services;

The recently annexed commercial property to the west could coordinate extension of public services associated with this annexation request.

- Comprehensive plan goals and policies.

The response to this is embedded within the analysis within this section.

Policy 47: On an ongoing basis, work to obtain water rights whenever possible through annexation, acquisition from landowners, or through application.

All water rights associated with the site will be relinquished to Ross Point Water District as part of the annexation agreement.

Policy 71: Promote the planting and protection of trees citywide, helping;

- Beautify and enhance community value;
- Provide shade and comfort;
- Affirm the city's association with the outdoors and its historic origins;
- Provide wildlife habitat.

Frontage improvements associated with the proposed development, including the planting of street trees and adequate irrigation, are required. Additionally, street trees, 1 per lot per frontage will be required with the associated residential subdivision. Lastly, parking lot trees within the limited commercial site will be required to meet the standard for shade as outline in the commercial performance standards of the Post Falls Municipal Code.

Policy 72: Support and participate in efforts to protect the high quality of water from the Rathdrum Prairie Aquifer, which provides the existing and future municipal water supply.

All development associated with this proposal will be connected to municipal wastewater systems will not utilize a septic system.

C3. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.

Streets/Traffic:

The Commission finds that the proposed Zone Change area is adjacent to Prairie Avenue (Principal Arterial), and Greensferry Road, a minor arterial, which is designed to accommodate traffic volumes of 6,000 - 15,000 vehicles per day. In 2035 the projected volumes along this section of roadway are approximately 5,000 vehicles per day.

Prairie Avenue, a principal arterial, is designed to accommodate traffic volumes of 12,000 - 30,000 vehicles per day. In 2035 the projected volumes along this section of roadway are approximately 9,000 vehicles per day.

Future traffic patterns to and from this site are benefitted from the proximity to adjoining arterial roadways that would distribute traffic from the subject site to SH41, Poleline Avenue, as identified in the City's Transportation Master Plan. Access to the site would be restricted in conformance with City Standards to Greensferry Road and Prairie Avenue. Additional access restrictions exist along Prairie Avenue, in conformance with the KMPO Critical Arterial Corridor Policy.

The Commission finds that the requested zoning is in conformance with the anticipated land uses and trip generations within the City's Transportation Master Plan. The Zone change is not anticipated to have any negative impacts to the City's transportation network that are not previously identified as being mitigated thru collection of Transportation Impact Fees.

Water and Sanitary Sewer:

The Commission finds:

Water: Water service is provided by Ross Point Water District. The property requesting annexation and zoning is identified in the City of Post Falls Water Reclamation Master Plan as being serviced by the referenced main. The requested zoning is in conformance with the land use assumptions within the City's Water Reclamation Master Plan.

Sanitary Sewer: Sanitary sewer currently exists at the southwest corner of the property and would need to be extended to Prairie Avenue at the time of site development. The City's Water Reclamation System has the capacity to provide service and the City is willing to serve to the property at the requested density. The proposed zoning is compatible with the land uses anticipated within the City's Water Reclamation Master Plan – Collections. Current capacity of the City's Water Reclamation System is not a guarantee of future service.

The property is not subject to any Local Improvement Districts (LID's), Subsequent User Agreements or Sewer Surcharges.

Compatibility with Existing Development and Future Uses:

The Commission finds that the proposed residential use is adjacent to other residential uses and is therefore compatible. Churches are permitted within residential zones, with approval of a special use permit, and therefore shows compatibility with the neighboring residential uses within the area.

Future Land Use Designation:

The Commission finds that the Future Land Use Map depicts the land use designation for this area as Transitional. The proposed zoning is the most appropriate zone per the direction of the applicable Focus Area and the road classifications of Greensferry and Prairie Ave.

Geographic/Natural Features:

The site is located over the Rathdrum Prairie Aquifer and contains no other geographic or other natural features that would adversely affect development of the site.

The Commission finds that it is important to consider what is an appropriate type of commercial use at a corner like this. Highway 41 is a huge commercial corridor and is a mile away and probably where people will go. Neighborhood commercial is where there are enough houses in the vicinity for someone to walk to a little convenience store. When you look at the size for the use, it would be a little office building or little commercial uses, 10 acres of commercial is too much, that is the size you would see a grocery store develop on. The Commission finds that this size parcel with the current development patterns supports Limited Commercial, and the 2 acres is probably the right size and creates a nice balance.

- C4. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.**

The proposed zone is located along higher classified roadways. Prairie Avenue is a Principal Arterial, and Greensferry Road is a minor arterial. The Commission finds that the higher road classification is in line with this review criteria and Limited Commercial at that corner is in the right place.

- C5. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.**

The Commission finds that the area is currently the edge of town, but will not be for long. The area is currently starting to develop as a commercial node and the limited commercial is far away from higher intensity urban activity. Therefore, the Commission finds this criterion satisfied.

- C6. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.**

The Commission finds this criterion inapplicable as the request is not for industrial and there are no industrial uses or industrial zoned properties within the area.

D. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:

ANNX-0001-2022, INITIAL ZONING: Following the public hearing, the Planning and Zoning Commission considered all relevant evidence and comments and a motion to recommend approval of the recommended zoning upon annexation was made, the motion carried a majority of the Commission. The Planning and Zoning Commission hereby recommends that City Council approved the proposal finding that it conforms to the general purpose of the comprehensive plan and meets the applicable approval criteria for applicant's request for Medium Density Residential (R-2) and Limited Commercial (LC) on approximately nine (9) acres upon successful annexation of the property.

5/10/22
Date
Attest

Chairman

NOTICE OF RIGHTS:

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

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

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

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

CITY OF POST FALLS
AGENDA REPORT
Ordinance & Resolutions
MEETING DATE: 5/17/2022

DATE: 5/12/2022 10:10 AM
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Field Herrington
SUBJECT: Ordinance Closing Expo Urban Renewal Area

ITEM AND RECOMMENDED ACTION:

Staff recommends approving the ordinance closing the Expo Urban Renewal Area.

DISCUSSION:

In 2001 the City Council adopted Ordinance 990 creating the Expo Urban Renewal Plan and Revenue Allocation Area. The Ordinance was subsequently replaced by Ordinance 1011 in November of 2002 to correct the legal description contained in Ordinance 990. The plan and revenue allocation area have reached their termination date and the Post Falls Urban Renewal Agency has passed a resolution (2022-01) requesting that the City adopt an ordinance terminating the district. The City Council is required by Idaho Code § 50-2903(5) to adopt an ordinance terminating the district. Following adoption of the ordinance the Agency will notify the county recorder and the state tax commission.

The Expo District consists of 236.7 acres was created under the “competitively disadvantaged border community” provisions of the Urban Renewal Act to create jobs, address road and traffic control issues and extend infrastructure. As of March 2021, the District’s assessed value has increased over \$44.4 million. The Post Falls URA assisted in the extension of public utilities and the construction of public streets and sidewalks for this development. The Agency worked with the proponent to arrange the donation of a five-acre site for a new fire station. All public improvements made to date have been dedicated to the City of Post Falls.

Improvements have stimulated the development and construction of Woodbridge, a large residential development of single-family homes. Several light industrial buildings have been constructed. Businesses that have opened in this District include: Specialty Construction Systems, Gorton Siding & Remodeling, Triple V Plumbing, Star West Satellite, Woodmill Custom Cabinets, AllWest Testing and Engineering, and Love’s Travel Stop.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:

APPROVED OR DIRECTION GIVEN:

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

BUDGET CODE:

ORDINANCE NO. 1011

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY IDAHO, TO REPLACE ORDINANCE 990 AS THE ORDINANCE APPROVING THE EXPO URBAN RENEWAL PLAN; ADOPTING A REVENUE ALLOCATION AREA; MAKING CERTAIN FINDINGS AND CONCLUSIONS IN SUPPORT THEREOF; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO, IN ORDER TO CORRECT THE LEGAL DESCRIPTION

WHEREAS, the City of Post Falls, Kootenai County, Idaho (the "City"), is a dully incorporated and existing City organized and operating under the laws of the State of Idaho, and as such is authorized by the Idaho Code, Title 50, Chapter 20 and 29, to adopt urban renewal plans, to adopt disadvantage border community area declarations, to adopt revenue allocation areas, and to provide improvements and betterments within an urban renewal area, as designated by the Plan; and

WHEREAS, the City designated the area included in the Expo Urban Renewal Plan a disadvantaged border community area by Ordinance NO. 815 adopted on September 5, 1995; and

WHEREAS, the Expo Urban Renewal Plan was submitted to and approved by the City of Post Falls Planning and Zoning Committee on July 10 2001; and,

WHEREAS, the City held one duly-noticed joint workshop between the Urban Renewal Agency and the City Council, on July 19, 2001, and a duly-noticed Public Hearing on September 4, 2001 to review and consider adoption of the Expo Urban Renewal Plan; and,

WHEREAS, the City has reviewed the proposed Expo Urban Renewal Plan, which includes a revenue allocation area provision; and,

WHEREAS, the City did adopt Ordinance 990 on November 6, 2001, adopting the Expo Urban Renewal Plan describing the boundaries of the Plan Area; and

WHEREAS, Ordinance 990 contained an error in the legal description of the boundary of the Expo Urban Renewal Plan Area,

WHEREAS, the City Council adopts this Ordinance to replace Ordinance 990 as the ordinance establishing the Expo Urban Renewal Plan Area, in order to correct the legal description contained in Ordinance 990, and to provide a new Ordinance number with the correct legal description.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO, as follows:

Section 1: The City hereby approves the Expo Urban Renewal Plan, which is attached hereto as Exhibit "A" and by this reference made a part hereof, based on the following findings:

A. The proposed area has been designated as a competitively disadvantaged border community area. The legal description of the lands to be included within the revenue allocation area is as follows:

See Attachment A

B. The Expo Urban Renewal Plan conforms to the general plan of the City of Post Falls and conforms to the City of Post Falls Comprehensive Plan.

C. The Plan indicates the improvements and rehabilitation that are proposed to be carried out, including land uses, densities, building requirements, method of financing, and a revenue allocation financing program.

D. The Plan does not anticipate the displacement of any families at this time.

E. The Expo Urban Renewal Plan serves to enhance the provision of adequate park and recreation areas by providing a greater industrial tax base to fund park and recreation programs.

F. The Expo Urban Renewal Plan affords maximum opportunity for the Urban Renewal Area to develop through private enterprise.

G. The Expo Urban Renewal Area is an area that is competitively disadvantaged in its ability to attract private investment by virtue of its proximity to Washington which holds certain economic and infrastructure advantages.

H. The Expo Urban Renewal Plan conforms with both state and local planning and zoning requirements.

J. The Expo Urban Renewal Plan contains a tax allocation feasibility study which finds and declares that the debt to be incurred to provide the improvements described within the Plan is sufficient to pay the costs of the improvements proposed therein and that the assessed valuation of the revenue allocation area is likely to increase as a result of the initiation of the Urban Renewal project and competitively disadvantaged border community area in an amount sufficient to repay the debt incurred.

K. The Expo Urban Renewal Plan identifies the kinds, number, and location of all proposed public works or improvements within the revenue allocation area, provides an economic feasibility study, provides a detailed list of estimated project costs, provides a fiscal impact statement showing the impact of the revenue allocation area upon all taxing districts levying taxes upon property in the revenue allocation area, and provides a description of the method of financing of the estimated project costs and the time when related costs or monetary obligations are to be incurred.

Section 2: The City of Post Falls, Kootenai County, Idaho, hereby replaces Ordinance 990 to approve the corrected legal description of the Expo Urban Renewal revenue allocation area as identified in the Expo Urban Renewal Plan.

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Section 3: This Ordinance shall be effective upon its passage and publication according to law.

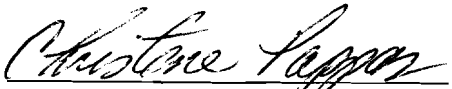
Enacted by the city council as an ordinance of the City of Post Falls on the 5 day of November, 2002.

Approved by the Mayor on the 7 day of November, 2002.

CITY OF POST FALLS


Clay Larkin, Mayor

ATTEST:



Christene Pappas, City Clerk



STATE OF IDAHO }
COUNTY OF KOOTENAI } ss
AT THE REQUEST OF
City of Post Falls

Nov 14 10 45 AM '02

DANIEL J. ENGLISH


CLERK n/c
FEE\$

7 pgs.

1763781

Exhibit "A"

A parcel of land in Section 6, Township 50 North, Range 5 West, Boise Meridian, City of Post Falls, Kootenai County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said Section 6; thence along the East line of said Section South 00°55'29" West, 61.95 feet to a point on the extension of the southerly right-of-way of Seltice Way; thence along said extension North 88°28'06" West, 49.56 feet to the **TRUE POINT OF BEGINNING**;

Thence along said southerly right-of-way North 88°28'06" West, 623.75 feet;

Thence continuing along said right-of-way along a non-tangent curve concave southerly 1673.61 feet, having a radius of 3186.50 feet, a chord bearing of South 76°29'01" West, and a chord distance of 1654.44 feet;

Thence continuing along said right-of-way South 61°26'26" West, 616.89 feet;

thence South 28°33'34" East, 663.24 feet;

thence North 64°37'33" East, 74.90 feet;

thence South 63°50'48" East, 65.58 feet;

thence South 28°55'32" East, 60.00 feet;

thence South 24°56'37" East, 63.63 feet;

thence South 22°05'26" East, 63.60 feet;

thence South 19°46'39" East, 63.51 feet;

thence South 16°11'16" East, 63.53 feet;

thence South 12°57'55" East, 63.51 feet;

thence South 10°53'03" East, 64.35 feet;

thence South 07°33'32" East, 71.68 feet;

thence South 05°01'53" East, 46.64 feet;

thence South 29°09'11" East, 39.45 feet;

thence South 54°22'45" East, 346.41 feet;

1763781

thence South 10°00'36" East, 143.01 feet;

thence South 35°51'40" West, 240.12 feet;

thence South 32°38'43" East, 138.04 feet;

thence South 00°55'27" West, 10.00 feet to a point on the northerly right-of-way of Jacklin Road;

thence along said northerly right-of-way North 89°04'33" West, 2612.91 feet;

thence North 69°52'50" East, 17.74 feet;

thence North 00°52'54" East, 824.63 feet to a point on the southerly right-of-way of Seltice Way;

thence along said southerly right-of-way South 61°26'26" West, 180.78 feet;

thence continuing along said southerly right-of-way South 28°33'38" East, 35.00 feet;

thence continuing along said southerly right-of-way South 61°26'26" West, 714.89 feet to a point on the easterly right-of-way of Beck Road;

thence along said easterly right-of-way South 00°48'49" West, 409.28 feet to a point on the southerly right-of-way of Jacklin Road;

thence along said southerly right-of-way South 88°45'28" East, 1033.46 feet;

thence South 00°50'24" West, 2467.96 feet to a point on the northerly right-of-way of Interstate 90;

thence along said northerly right-of-way North 61°59'03" East, 791.37 feet;

thence continuing along said northerly right-of-way North 54°55'07" East, 2752.44 feet;

thence North 00°52'25" East, 450.15 feet to a point on the southerly right-of-way of Jacklin Road;

thence along said southerly right-of-way South 88°49'29" East, 497.58 feet;

thence North 46°36'54" East, 1050.40 feet to the southeast corner of Lot 1, Block 1 of EXPO AT POST FALLS as recorded in Book G of Plats at page 470, Kootenai County Recorders Office;

thence along the east line of said Lot1 North 00°55'29" East, 154.23 feet;

1763781

thence North 01°02'33" East, 265.00 feet to a point on the easterly line of Parcel A of said EXPO AT POST FALLS;

thence along said easterly line North 00°55'29" East, 124.52 feet to a point on the easterly line of Lot 1, Block 3 of said EXPO AT POST FALLS;

thence along said easterly line North 00°55'29" East, 57.15 feet to the southeast corner of Lot 2, Block 1 of EXPO AT POST FALLS FIRST ADDITION, as recorded in Book G of Plats at page 499, Kootenai County Recorder's Office;

thence along said easterly line North 07°42'49" East, 211.48 feet;

thence North 00°55'29" East, 21.53 feet to the southeast corner of Lot 1, Block 1 of said EXPO AT POST FALLS FIRST ADDITION;

thence along the east line of said Lot 1, Block 1 North 00°55'29" East, 131.92 feet to a point on the westerly right-of-way of Pleasant View Road as shown EXPO AT POST FALLS SECOND ADDITION, as recorded in Book G of Plats at page 500, Kootenai County Recorder's Office;

thence along said westerly right-of-way of Pleasant View as shown on EXPO AT POST FALLS SECOND ADDITION, as recorded in Book G of Plats, at page 500, Kootenai County Recorder's Office, North 00°55'29" East, 881.23 feet to the **TRUE POINT OF BEGINNING**;

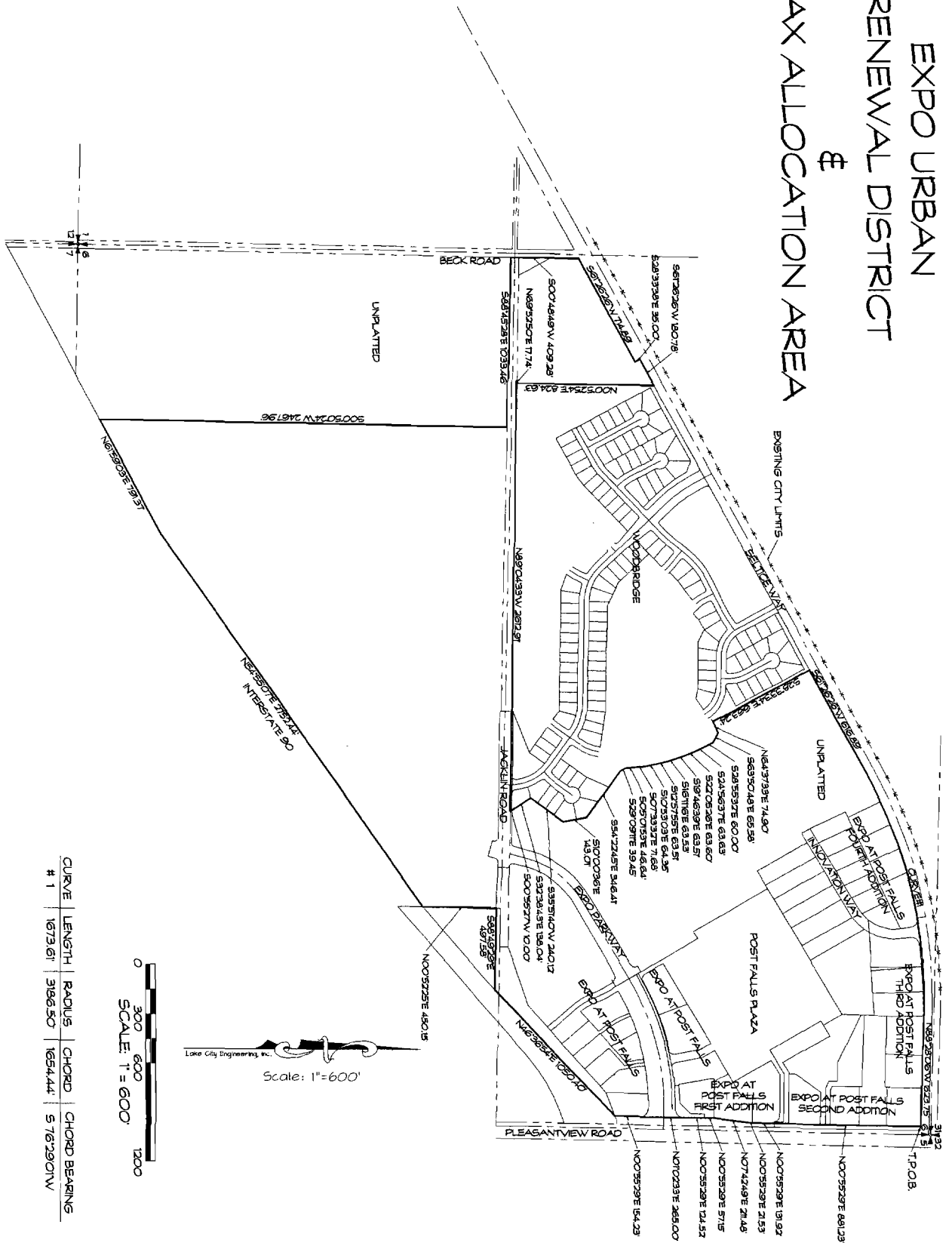
said parcel containing 236.71 acres, more or less.

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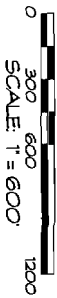
EXPO URBAN RENEWAL DISTRICT

TAX ALLOCATION AREA

£



CURVE #	LENGTH	RADIUS	CHORD	CHORD BEARING
# 1	1673.61'	3186.50'	1654.44'	5 76°29'01"W



Lake City Engineering, Inc.
Scale: 1"=600'

SHEET

EXPO URBAN RENEWAL DISTRICT
ORDINANCE NO. 990

SECTION 6, TOWNSHIP 50 NORTH,
RANGE 5 WEST, BOISE MERIDIAN

CITY OF POST FALLS
KOOTENAI COUNTY
IDAHO

DRAWN BY: DM
CHECKED BY: JS
DATE: 3/2/02
J.N. WAT8
TIPMAP.DWG

RESOLUTION NO. 2022-01

A RESOLUTION OF THE POST FALLS URBAN RENEWAL AGENCY, MAKING FINDINGS CONCERNING THE REMAINING PROJECT OBLIGATIONS AND ESTIMATED COSTS OF THE EXPO URBAN RENEWAL PLAN; ESTIMATING THE PROJECTED REVENUE FROM THE REVENUE ALLOCATION AREA AT TERMINATION OF THE PLAN PERIOD; RECOMMENDING TERMINATION OF SAID PLAN AND REVENUE ALLOCATION AREA; PROVIDING FOR SEVERABILITY, PREEMPTION AND PRECEDENCE; PROVIDING FOR THE REPEAL OF ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the Post Falls City Council (the City) by Ordinance No. 990 adopted on November 6, 2001 and by Ordinance No. 1011 adopted on November 5, 2002 approved the Expo Urban Renewal Plan (the Plan) as proposed by the Post Falls Urban Renewal Agency (the Agency), created the Expo Urban Renewal Plan Area (the Plan Area) and approved the Expo Revenue Allocation Area (the Revenue Allocation Area);

WHEREAS, pursuant to Idaho Code Section 50-2903(5), the Agency adopted a Revenue Allocation Plan Budget for the Plan and corresponding Resolution No. 2021-04 on September 16, 2021 showing that the anticipated Agency revenues from revenue allocation financing would be insufficient to cover all estimated expenses related to the Plan by its termination date of November 6, 2021; and

WHEREAS, pursuant to Idaho Code § 50-2905(7) the Agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in an urban renewal plan.

NOW THEREFORE, BE IT RESOLVED BY THE POST FALLS URBAN RENEWAL AGENCY AS FOLLOWS:

Section 1. That the Agency makes the following findings:


- a. That the remaining financial obligation of the Plan is \$309,464.66.
- b. That the anticipated revenues from the property tax year 2021 levy upon the increment value within the Revenue Allocation Area will be insufficient to cover the remaining obligation of \$309,464.66.
- c. That although the Revenue Allocation Area effectively terminated on November 6, 2021, the City should adopt an ordinance formally terminating the same.

Section 2. The Agency does hereby request that the City adopt an Ordinance terminating the Expo Revenue Allocation Area and Expo Urban Renewal Plan.

Section 3. This Resolution is hereby declared to be severable. Should any portion of this Resolution be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the Resolution before the declaration of partial invalidity. In the event that federal or state laws, rules or regulations preempt a provision or limit the enforceability of a provision of this Resolution, then the provision shall be read to be preempted to the extent and for the time required by law. In the event such federal or state law, rule or regulation is subsequently repealed, rescinded, amended or otherwise changed so that the provision hereof that had been preempted is no longer preempted, such provision shall thereupon return to full force and effect, and shall thereafter be binding without the requirement of further action by the Agency, and any amendments to this Resolution as a result of such provision being preempted shall no longer be of any force or effect with respect to that provision.

Section 4. All Resolutions and parts of Resolutions in conflict with the provisions of this Resolution to the extent of such conflict are hereby repealed.

PASSED by the Post Falls Urban Renewal Agency and effective this 21st day of April, 2022.


Jerry Baltzell, Chairman
Post Falls Urban Renewal Agency

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; RECITING A BRIEF HISTORY OF THE EXPO URBAN RENEWAL PLAN APPROVED PURSUANT TO POST FALLS ORDINANCE 1011; DIRECTING TERMINATION OF THE EXPO URBAN RENEWAL REVENUE ALLOCATION AREA ESTABLISHED PURSUANT TO POST FALLS ORDINANCE 1011; AUTHORIZING CITY STAFF TO TAKE ALL STEPS TO IMPLEMENT THIS ORDINANCE; PROVIDE FOR REPEAL OF CONFLICTING ORDINANCE PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council did establish the Expo Urban Renewal Plan and its attendant Revenue Allocation Area by enactment of Post Falls Ordinance 990 on November 6, 2001 which was subsequently replaced with Ordinance 1011, passed November 7, 2002, in order to correct the legal description contained in Ordinance 990; and

WHEREAS, the Post Falls Urban Renewal Agency did undertake implementation of the improvements planned within the approved Expo Urban Renewal Plan; and

WHEREAS, the Post Falls Urban Renewal Agency did incur certain fiscal obligations in the course of implementing said Plan; and

WHEREAS, pursuant to Idaho Code §50-2903(5), the Agency adopted a Revenue Allocation Plan Budget for the Plan and corresponding Resolution No. 2021-04 on September 16, 2021 showing that the anticipated Agency revenues from revenue allocation financing would be insufficient to cover all estimated expenses related to the Plan by its termination date of November 6, 2021; and

WHEREAS, Idaho Code §50-2903(5) provides that an urban renewal agency shall “shall adopt a resolution advising and notifying the local governing body, the county auditor, and the state tax commission and recommending the adoption of an ordinance for termination of the revenue allocation area by December 31 of the current year and declaring a surplus to be distributed as described in §50-2909, Idaho Code, should a surplus be determined to exist.”; and

WHEREAS, the Post Falls Urban Renewal Agency has adopted such a resolution (No. 2022 – 01) and has transmitted the same to the Post Falls City Council.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the city of Post Falls as follows:

SECTION 1. Consistent with Resolution No. 2022 – 01 of the Post Falls Urban Renewal Agency, the Revenue Allocation Area established by Post Falls Ordinance 1011 is hereby terminated effective upon the passage of this ordinance.

SECTION 2. Effective upon the satisfaction of all obligations of the Expo Center Revenue Allocation Plan, the remaining revenue allocation funds that are not needed to meet agency obligations should be distributed to affected taxing districts consistent with the provisions of Idaho law.

SECTION 3. The administrative staff of the City of Post Falls is hereby authorized and directed to take such action as may be necessary to implement the provisions of this ordinance and related provisions of state law.

SECTION 4. All provisions of the current Post Falls Municipal Code or ordinances of the City of Post Falls and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. 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, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

SECTION 6. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Post Falls, and upon such publication 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 Post Falls at a regular session of the City Council on December ___ 2022.

APPROVED, ADOPTED and SIGNED this day of May, 2022.

Ronald G. Jacobson, Mayor

ATTEST:

Shannon Howard, City Clerk

SUMMARY OF POST FALLS ORDINANCE NO. [Category]

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; RECITING A BRIEF HISTORY OF THE EXPO URBAN RENEWAL PLAN APPROVED PURSUANT TO POST FALLS ORDINANCE 1011; DIRECTING TERMINATION OF THE EXPO URBAN RENEWAL REVENUE ALLOCATION AREA ESTABLISHED PURSUANT TO POST FALLS ORDINANCE 1011; AUTHORIZING CITY STAFF TO TAKE ALL STEPS TO IMPLEMENT THIS ORDINANCE; PROVIDE FOR REPEAL OF CONFLICTING ORDINANCE PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

The City of Post Falls, Kootenai County Idaho hereby gives notice of the adoption of Post Falls Ordinance No. [Category], which terminates the Expo Urban Renewal Allocation Area effective upon the passage of this ordinance; providing repeal of conflicting ordinances and providing severability. The ordinance is effective upon publication of this summary. The full text of Ordinance No. [Category] is available at Post Falls City Hall, 408 Spokane Street, Post Falls, ID 83854 in the office of the City Clerk. Dated this ____ day of May, 2022.

/s/

Shannon Howard, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Warren J. Wilson, the legal advisor for the City of Post Falls, I have examined the attached summary of Ordinance No. [Category], which terminates the Expo Urban Renewal Allocation Area effective upon the passage of this ordinance, and find it to be a true and complete summary of said ordinance and provides adequate notice of the contents to the public.

Dated this ____ day of May, 2022.

Warren J. Wilson, City Attorney

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ORDINANCE NO. 990

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY IDAHO, APPROVING THE EXPO URBAN RENEWAL PLAN; ADOPTING A REVENUE ALLOCATION AREA; MAKING CERTAIN FINDINGS AND CONCLUSIONS IN SUPPORT THEREOF; PROVIDING AN EFFECTIVE DATE: AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

WHEREAS, the City of Post Falls, Kootenai County, Idaho (the "City"), is a dully incorporated and existing City organized and operating under the laws of the State of Idaho, and as such is authorized by the Idaho Code, Title 50, Chapter 20 and 29, to adopt urban renewal plans, to adopt disadvantage border community area declarations, to adopt revenue allocation areas, and to provide improvements and betterments within an urban renewal area, as designated by the Plan; and

WHEREAS, the City designated the area included in the Expo Urban Renewal Plan a disadvantaged border community area by Ordinance No. 815 adopted on September 5, 1995; and

WHEREAS, the Expo Urban Renewal Plan was submitted to and approved by the City of Post Falls Planning and Zoning Committee on July 10 2001; and,

WHEREAS, the City held one duly-noticed joint workshop between the Urban Renewal Agency and the City Council, on July 19, 2001, and a duly-noticed Public Hearing on September 4, 2001 to review and consider adoption of the Expo Urban Renewal Plan; and,

WHEREAS, the City has reviewed the proposed Expo Urban Renewal Plan, which includes a revenue allocation area provision;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO, as follows:

Section 1: The City hereby approves the Expo Urban Renewal Plan, which is attached hereto as Exhibit "A" and by this reference made a part hereof, based on the following findings:

A. The proposed area has been designated as a competitively disadvantaged border community area. The legal description of the lands to be included within the revenue allocation area is as follows:

A Tract Of Land, Including Portions Of: Government Lots 1, 2,3 And 5, The South Half Of The Northeast Quarter, And The Southeast Quarter Of The Northwest Quarter Of Section 6, Township 50 North, Range 5 West, Boise Meridian, City Of Post Falls, Kootenai County, Idaho.

Beginning At A 3 ½ Inch Brass Cap In The Road Surface, Taken To Monument The Northeast Corner Of Said Section 6 (See Corner Perpetuation And Filing Instrument No. 697406, Kootenai County Records), From Which A 2 Inch

STATE OF IDAHO }
COUNTY OF KOOTENAI } SS
AT THE REQUEST OF }
City of Post Falls }
DEC 20 10 03 AM '01
DANIEL B. ENGLISH }
CP }
DEPUTY }
FEE\$ 15.00 }

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Aluminum Cap In The Road Surface, Taken To Monument The East Quarter Corner Of Said Section 6 (See Corner Perpetuation And Filing Instrument No. 1267574, Kootenai County Records) Bears South $00^{\circ}55'29''$ West, 2620.92 Feet, Thence, Along The East Line Of The Northeast Quarter Of Said Section 6, Said East Line Also Being The Centerline Of The Right-Of-Way Of Pleasant View Road, As It Now Exists, South $00^{\circ}55'29''$ West, 1896.50 Feet; Thence, Perpendicularly To Said East Line, North $89^{\circ}04'31''$ West, 25.00 Feet, To The Point Of Intersection Of The Westerly Right-Of-Way Line Of Said Pleasant View Road With The Northwesternly Right-Of-Way Line Of Frontage Road "B", As Shown On The Right-Of-Way Plan For Interstate Highway 90 (F.A.P. Hg 90-1(91)), Said Point Being Monumented By A $\frac{1}{2}$ Inch Rebar With A Plastic Cap, And Said Point Being The True Point Of Beginning:

Thence, Along Said Northwesternly Right-Of-Way Line Of Frontage Road "B", As Follows: North $89^{\circ}17'51''$ West, 23.99 Feet, To A $\frac{1}{2}$ Inch Rebar With Plastic Cap; South $69^{\circ}17'48''$ West, 178.34 Feet, To A $\frac{1}{2}$ Inch Rebar With Plastic Cap; South $48^{\circ}34'49''$ West, 709.69 Feet, To A $\frac{1}{2}$ Inch Rebar With Plastic Cap; South $71^{\circ}15'32''$ West, 374.90 Feet To The Point Of Intersection Of Said Northwesternly Right-Of-Way Line With The Northerly Right-Of-Way Line Of Jacklin Road, As It Now Exists, Said Point Being Monumented By A $\frac{1}{2}$ Inch Rebar With Plastic Cap;

Thence, Leaving Said Northwesternly Right-Of-Way Line Of Frontage Road "B", Along Said Northerly Right-Of-Way Line Of Jacklin Road, North $89^{\circ}04'33''$ West, 4188.53 Feet, To The Point Of Intersection Of Said Northerly Right-Of-Way Line Of Jacklin Road With The Easterly Right-Of-Way Line Of Beck Road, Said Point Being Monumented By A $\frac{1}{2}$ Inch Rebar With Plastic Cap;

Thence, Leaving Said Northerly Right-Of-Way Line Of Jacklin Road, Along Said Easterly Right-Of-Way Line Of Beck Road, North $00^{\circ}52'54''$ East, 359.85 Feet, To The Point Of Intersection Of Said Easterly Right-Of-Way Line Of Beck Road With The Southerly Right-Of-Way Line Of Seltice Way (Formerly U.S. Highway No. 10, F.A.P. 53-A(3)), Said Point Being Monumented By A $\frac{1}{2}$ Inch Rebar With Plastic Cap;

Thence, Leaving Said Easterly Right-Of-Way Line Of Beck Road, Along Said Southerly Right-Of-Way Line Of Seltice Way, As Follows: North $61^{\circ}26'26''$ East, 714.69 Feet, To An Angle Point; Perpendicularly, North $28^{\circ}33'34''$ West, 35.00 Feet, To An Idaho Department Of Transportation (IDOT) Right-Of-Way Monument; Perpendicularly, North $61^{\circ}26'26''$ East, 2757.56 Feet, To A Point Of Tangent Curvature, Said Point Being Monumented By An Idot Right-Of-Way Monument, Said Monument Being National Geodetic Survey (Ngs) Station Ida 90-64 (Reset 1980) And Being Situated North $59^{\circ}54'54''$ East, 4173.90 Feet, From A Concrete Monument With A Brass Cap Being Ngs Station Post;

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Thence, 1673.52 Feet, Along The Arc Of A 3186.50 Foot Radius Curve Concave To The Southeast, Said Curve Having A Central Angle Of 30°05'28", And Whose Long Chord Bears North 76°29'10" East, 1654.35 Feet, To A Point Of Tangency;

Thence, South 88°28'06" East, 648.70 Feet, To The Intersection Of Said Southerly Right-Of-Way Line Of Seltice Way With Said Westerly Right-Of-Way Line Of Pleasant View Road;

Thence, Leaving Said Southerly Right-Of-Way Line Of Seltice Way, Along Said Westerly Right-Of-Way Line Of Pleasant View Road, South 00°55'29" West, 1834.86 Feet, To The True Point Of Beginning.

The Described Tract Containing A Gross Area Of 202.87 Acres, More Or Less.

- B. The Expo Urban Renewal Plan conforms to the general plan of the City of Post Falls and conforms to the City of Post Falls Comprehensive Plan.
- C. The Plan indicates the improvements and rehabilitation that are proposed to be carried out, including land uses, densities, building requirements, method of financing, and a revenue allocation financing program.
- D. The Plan does not anticipate the displacement of any families at this time.
- E. The Expo Urban Renewal Plan serves to enhance the provision of adequate park and recreation areas by providing a greater industrial tax base to fund park and recreation programs.
- F. The Expo Urban Renewal Plan affords maximum opportunity for the Urban Renewal Area to develop through private enterprise.
- G. The Expo Urban Renewal Area is an area that is competitively disadvantaged in its ability to attract private investment by virtue of its proximity to Washington which holds certain economic and infrastructure advantages.
- H. The Expo Urban Renewal Plan conforms with both state and local planning and zoning requirements.
- J. The Expo Urban Renewal Plan contains a tax allocation feasibility study which finds and declares that the debt to be incurred to provide the improvements described within the Plan is sufficient to pay the costs of the improvements proposed therein and that the assessed valuation of the revenue allocation area is likely to increase as a result of the initiation of the Urban Renewal project and competitively disadvantaged border community area in an amount sufficient to repay the debt incurred.
- K. The Expo Urban Renewal Plan identifies the kinds, number, and location of all proposed public works or improvements within the revenue allocation area, provides an economic

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feasibility study, provides a detailed list of estimated project costs, provides a fiscal impact statement showing the impact of the revenue allocation area upon all taxing districts levying taxes upon property in the revenue allocation area, and provides a description of the method of financing of the estimated project costs and the time when related costs or monetary obligations are to be incurred.


Section 2: The City of Post Falls, Kootenai County, Idaho, hereby approves the Expo Urban Renewal revenue allocation area as identified in the Expo Urban Renewal Plan.

Section 3: This Ordinance shall be effective upon its passage and publication according to law.


Enacted by the city council as an ordinance of the City of Post Falls on the 6 day of November, 2001.

Approved by the Mayor on the 6 day of November, 2001.

CITY OF POST FALLS


Clay Larkin, Mayor

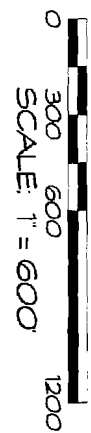
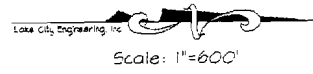
ATTEST:


Christene Pappas, City Clerk

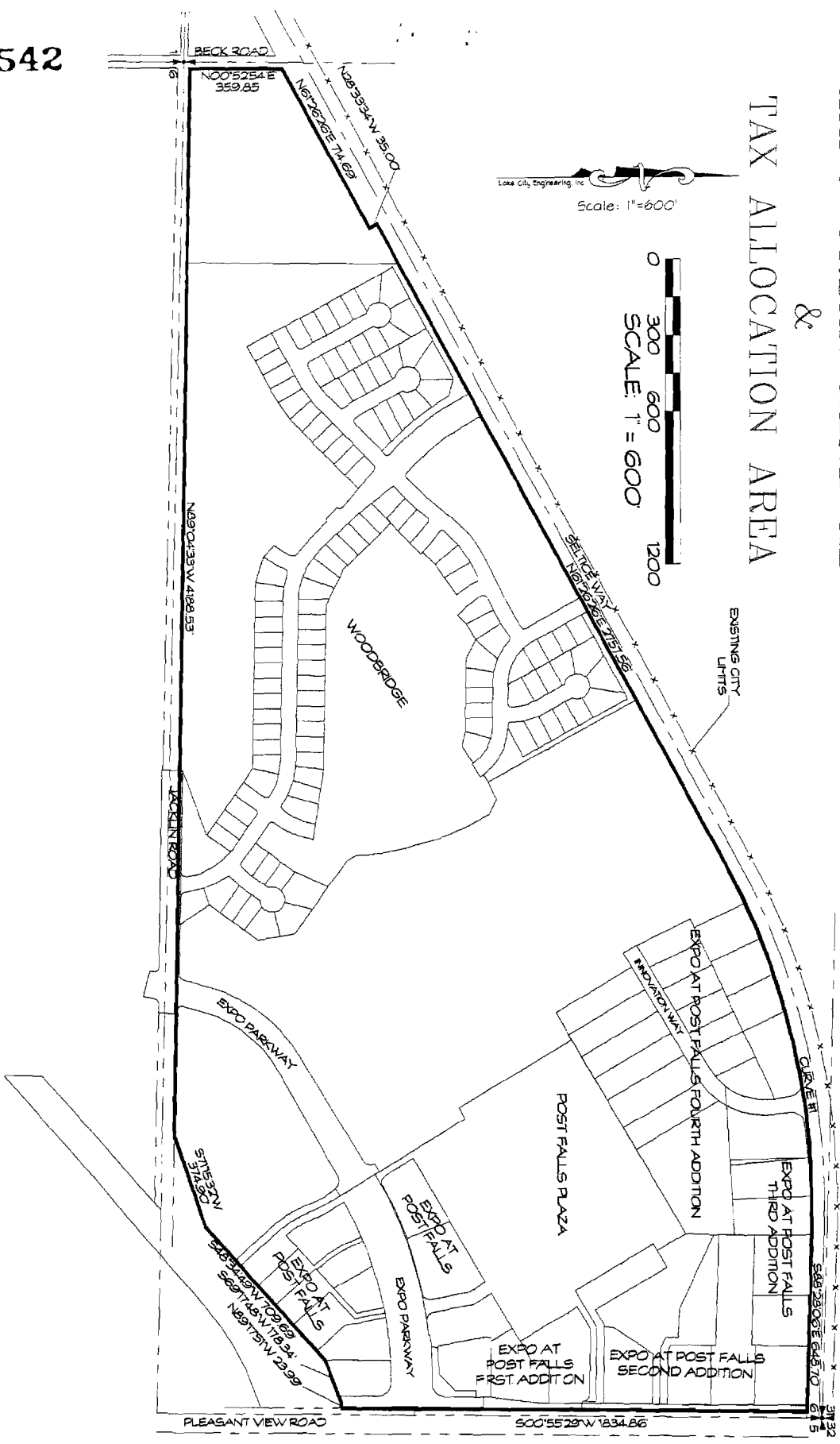


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EXPO URBAN RENEWAL & TAX ALLOCATION AREA



CURVE #	LENGTH	RADIUS	CENTRAL ANGLE	CHORD	CHORD BEARINGS
1	1673.52	3166.50	307.0528°	1854.35	N 16.2910° E



SHEET 1

EXPO URBAN RENEWAL
& TAX ALLOCATION AREA
ORDINANCE #990 (NOV. 6, 2001)

CITY OF POST FALLS
KOOTENAI COUNTY
IDAHO

SECTION 6, TOWNSHIP 50 NORTH,
RANGE 5 WEST, BOISE MERIDIAN

DESIGN BY	MEH
CHECKED BY	PCP
DATE	2/26/02
IN WASH	12/20/01

Resolution No. 2021 – 04

A RESOLUTION OF THE POST FALLS URBAN RENEWAL AGENCY, MAKING FINDINGS CONCERNING A FISCAL YEAR 2022 CLOSING BUDGET FOR THE EXPO URBAN RENEWAL DISTRICT AND ADOPTING SAID BUDGET.

WHEREAS the Post Falls Urban Renewal Agency is an Idaho urban renewal agency formed pursuant to Idaho Code 50-2006, and

WHEREAS the Expo Urban Renewal District and Revenue Allocation Area were initially created in 1995 with a termination date of November 6, 2021, and

WHEREAS Idaho Code Section 50-2903(5) requires that for the fiscal year that immediately predates the termination date for an urban renewal plan involving a revenue allocation area or will include the termination date, the Agency shall adopt and publish a budget specifically for the projected revenues and expenses of the plan and make a determination as to whether the revenue allocation area can be terminated before January 1 of the termination year pursuant to the terms of Section 50-2909(04), Idaho Code, and

WHEREAS it has been determined that the Expo Urban Renewal District and Revenue Allocation Area can be closed effective November 6, 2021, and that the revenue allocation area could not be terminated prior to January 1, 2021 since current tax year revenues were not sufficient to cover all estimated expenses for the current year and all future years. However, pursuant to Idaho Code Section 50-2905(7), the Agency shall receive an allocation of revenues from the Expo Revenue Allocation Area in calendar year 2022.

NOW THEREFORE, BE IT RESOLVED BY THE POST FALLS URBAN RENEWAL AGENCY AS FOLLOWS:

Section 1. That the Agency makes the following findings of fact:

- a. That the estimated revenues of the Expo Urban Renewal District for the period October 1, 2021 to September 30, 2022, including the Agency's allocation of revenues from the Expo Revenue Allocation Area in calendar year 2022, are described in Exhibit A.
- b. That the estimated expenses of the Agency for the period October 1, 2021 to September 30, 2022, are described in Exhibit A.

Section 2. That the Agency does hereby adopt Exhibit A as the closing budget for the Expo Urban Renewal District and Revenue Allocation Area as of the period ending September 30, 2022 and does hereby tender a copy of said budget to the Post Falls City Council.

PASSED by the Post Falls Urban Renewal Agency Commission at its regularly scheduled meeting on September 16, 2021.

Jerry Baltzell, Chairman

Exhibit A

**Post Falls Urban Renewal Agency
Expo Urban Renewal District
Closing Budget**

District:	Expo
Proponent:	Watson & Assoc.
Date Created:	2001
District Plan Life:	20
Date Plan Expires:	11/6/2021
Total Urban Renewal:	\$ 4,462,492

Revenues:	Projected 2022
Tax Increment Revenue	\$ 569,210
Total Revenues	\$ 569,210
Expenses	
Transfer To Capital Projects	\$ 569,210
Total Expenses	\$ 569,210
Unallocated Residual Increment	\$ -

CITY OF POST FALLS
AGENDA REPORT
New Business
MEETING DATE: 5/17/2022

DATE: 5/12/2022 1:29 PM
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Robert Seale
SUBJECT: GREENSFERRY GROVE ROW OF ISSUE

ITEM AND RECOMMENDED ACTION:

Staff seeks direction from the Mayor and City Council on the rehabilitation of unfinished rights of way, between sidewalk and Greensferry Grove fence line, along Greensferry.

DISCUSSION:

Bob Shay, HOA member and resident of subdivision contacted city staff and made a comment at a City Council meeting in mid-2021 regarding the unfinished status of a strip of land along Greensferry. Council directed staff to come up with alternatives and discuss options with HOA and return for recommendations / direction from council.

The subdivision of approximately 4 acres for the Greensferry Grove subdivision at the corner of Greensferry Rd and 16th Ave was platted in October 2018 and completed between 2020-2021. After cashouts for rights of way improvements and the completion of the majority of the remaining public improvements along Greensferry, a strip of land between the sidewalk and fence line remain unimproved.

It was determined by the HOA and staff that the preferred remediation method would be to excavate that area to an appropriate depth, apply long-acting weed and bug killer, and finish with a black basalt rock similar to the rock near the entrance to the subdivision off 16th Ave.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:

N/A

APPROVED OR DIRECTION GIVEN:

Council directed staff to come up with alternatives and discuss options with HOA and return for recommendations / direction from council.

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

\$10,000-\$15,000

BUDGET CODE:

001-451.0000.62040



What types of homes will be built?

- A variety of homes will be constructed to serve a range of community needs, household types, lifestyles, and preferences. These will include single-family homes, townhomes, and apartments.
- The style and size of homes and lots will vary to accommodate a range of housing needs and price points.
- The total number of houses will be based on recommendations from the Cities.

What are the potential effects of Coeur Terre on housing prices?

- The Northern Idaho region is currently facing a high demand for housing. This means that home prices are competitive.
- Coeur Terre will introduce new housing units to meet the community demand, relieving some of the competition that is driving up regional housing prices.
- An increased stock of housing options will help stabilize housing prices regionally.

How will this project impact the local school systems?

- Positively! Coeur Terre will contain new school sites to meet the current needs of the local school systems.
- KC Land Co. is already working with the school districts to set aside land to meet future demand for local schools as well.

What about the impacts on traffic?

- An extensive transportation study is nearing completion to determine traffic impacts and opportunities to mitigate any traffic impacts.

- KC Land Co. is working with local transportation agencies to mitigate any potential traffic impacts up front. This includes working with the Idaho Transportation Department to dedicate property for the future Huetter Road Bypass and to design future streets in accordance with Huetter Road Corridor Plan.
- Both Cities will collect transportation impact fees which will go towards making necessary transportation improvements in the cities and near the project area.

What about water and utilities?

- A sewer study of the area is nearing completion. This study shows how wastewater needs for the Coeur Terre project can be met with improvements at the Cities' wastewater treatment plants.
- KC Land Co. is working with local utility departments to ensure that mitigation improvements make sense with the surrounding area.

What factors could cause changes in the project's design and master plan?

- This is a conceptual plan that can change over time.
- Changes to the master plan will be in response to changes in the market, real estate trends and the needs and preferences of the North Idaho community. This may mean changes in housing types, styles, and local road design.
- Regardless of any changes, the design will continue to meet the intent of the original master plan: to work with the cities, and to mitigate project impacts recommended by the traffic and sewer studies.



Who is Kootenai County Land Company (KC Land Co.)?

- A local land development company working to meet the needs of the Inland Northwest region, through creative solutions that are based in community-specific values.
- KC Land Co. is made up of members of the community. All KC Land Co. employees live in the Spokane and Coeur d'Alene area.
- Kootenai County Land Company is a land developer which specializes in master planning communities that incorporate green space and recreational opportunities.

How was this project planned?

- Coeur Terre was designed as a Master Planned Community by an award-winning national planning firm. Master plans produce a cohesive organization of land uses – such as homes, parks, and open space – for an area. Without a master plan, areas can become haphazardly developed.
- The Coeur Terre Master Plan was created through an extensive planning effort. This included both a traffic study and wastewater analysis to understand current and future needs.
- The master plan separates development into phases to meet the community's needs now and in the future.

What are the goals of Coeur Terre?

- **Livability:** Quality of life derived from the built and natural environment, and access to cultural and recreational opportunities.
- **Walkability:** Infrastructure which supports ease of access and safety for pedestrians.
- **Variety:** To offer a range of housing types and price points to meet the various needs and lifestyles of our community members.
- **Conveniently Located:** Conveniently located between Post Falls and Coeur d'Alene, Coeur Terre will provide valuable infill development, to keep city service costs low and to promote responsible and sustainable growth.
- **Integrated Infrastructure:** Streets, water, and sewer lines are constructed to meet area capacity needs now and in the future.

What types of amenities are included in Coeur Terre?

- Pedestrian and bicycle paths are integrated throughout the community, including a connection to the Prairie Trail which connects to the Centennial Trail.
- Parks and open space are incorporated within each section of development.
- The central corridors of Coeur Terre provide commercial opportunities.

How long will it take for Coeur Terre to be built?

- Development will occur in phases, gradually over time, as sections of Coeur Terre are built one at a time.
- The build out process is estimated to take 20-30 years and will depend on market trends and community need.



COEUR TERRE

PROJECT INFORMATION

PROJECT PURPOSE

KC Land Co. is committed to excellence and quality by thoughtfully planning timeless designs, which create long term value for the customer and the community. Coeur Terre will provide mixed use, commercial and social amenities which support the walkability integral to the North Idaho outdoor lifestyle.

BACKGROUND

Kootenai County Land Company (KC Land Co.) is in the family of Lakeside Companies in Spokane, WA. For over two decades, Lakeside Companies has been investing in creative solutions to meet the growing needs of the North Idaho Community and larger Inland Northwest region. Their efforts have not only had a positive economic impact on the region, but have also included meaningful community investment through philanthropic work. For example, a division of Lakeside, Architerra Homes, has partnered with the Ronald McDonald House to donate a portion of the proceeds from home sale to Ronald McDonald House Charities in Coeur d'Alene.

COMMUNITY-BASED PLANNING

Kootenai County Land Company cares about creating quality housing solutions. As a local organization, they are dedicated to producing projects which sustainably benefit the community. Planning for Coeur Terre is focused on these main goals:

- **Livability:** Coeur Terre will promote quality of life for its residents by adding to the area's offering of outdoor recreation and green space options, supporting a healthy community and Northern Idaho's outdoor lifestyle. Appropriately scaled neighborhoods will include connectivity and neighborhood retail and commercial spaces.
- **Walkability:** Sidewalks, trails and bike paths will make traveling and recreating easy, safe and enjoyable for all ages and activity levels.
- **Variety:** The style, size, and type of neighborhood and homes constructed will support a range of desirable needs and preferences.
- **Conveniently Located:** Conveniently located between Post Falls and Coeur d'Alene, Coeur Terre will provide valuable infill development, to keep city service costs low and to promote responsible and sustainable growth.
- **Integrated Infrastructure:** KC Land Co. is proactively engaged in infrastructure planning, working with surrounding city and state leadership to address future transportation and utility needs. A well-designed master plan creates the purpose necessary for cohesive land use, enables thoughtful amenity placement and a sense of community.

TIMELINE





COEUR TERRE

PROJECT INFORMATION

