



**CITY COUNCIL
MEETING AGENDA**

**September 6, 2022
6:00 PM**

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

WORKSHOP – 5:00 pm Basement Conference Room

Topic: Personnel Policy Updates

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:

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 – August 16, 2022, City Council Meeting
- b. Payables – August 9, 2022 – August 29, 2022
- c. Bel Cielo III Annexation Legislative Decision
- d. Tertiary Treatment Upgrade – Special Inspections, Request for Increase of Contract Amount
- e. Rights-of-Way and Easements for the Cecil Road Extension
- f. Amelia Apartments – Acquisition of Sanitary Sewer Easements
- g. Barnum’s Addition Zone Change Reasoned Decision
- h. Blue Spruce Meadows Subdivision Construction Improvement Agreement

- i. Third Addendum to Memorandum of Understanding with the Post Falls Urban Renewal Agency for the Cecil/Poleline and Cecil/Mullan Intersection Improvements

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. Hydrilla Estates Zone Change File No. ZC-22-2
- b. Morris Annexation ANNEX-0013-2022 (this is continued from 5/17/22)

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 – Barnum's Addition Zone Change File No. ZC-22-3
- b. Ordinance - FY 2023 Budget
- c. Resolution - FY 2023 Fee Schedule
- d. Resolution - FY 2023 Forgone Tax Reserved

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:

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. Update on the Current Status of Roadway Projects
 - Prairie Ave./Spokane St. Roundabout
 - Poleline Ave./Cecil Rd. Roundabout
 - Mullan Ave./Cecil Rd. Access Safety
 - SH41 Widening
 - I-90/SH41 Interchange

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):

- a. Idaho Code 74-206(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated, but imminently likely to be litigated.

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 & Events

Sept 5		Labor Day – City business offices will be closed
Sept 6		First Day of School
Sept 6	5:00 pm	<u>City Council Workshop</u> – Personnel Policy Updates
Sept 6	6:00 pm	<u>City Council</u>
Sept 13	5:30 pm	Planning and Zoning Commission
Sept 20	5:00 pm	<u>City Council Workshop</u> – Area of City Impact
Sept 20	6:00 pm	<u>City Council</u>
Sept 22	8:00 am	Urban Renewal Agency
Sept 27	6:00 pm	Parks and Recreation Commission
Oct 1	2:00 pm	Running Shoes and Micro Brews 5K Fun Run – Kiwanis Park
Oct 4	5:00 pm	<u>City Council Workshop</u> – Cottage Home Design Standards
Oct 4	6:00 pm	<u>City Council</u>
Oct 11	5:30 pm	Planning and Zoning Commission
Oct 18	5:00 pm	<u>City Council Workshop</u> – Tech Park Urban Renewal Discussion
Oct 18	6:00 pm	<u>City Council</u>
Oct 20	8:00 am	Urban Renewal Agency
Oct 25	6:00 pm	Parks and Recreation Commission
Oct 30	8:30 am	Pumpkin Bowl – Adult Men’s Flag Football Tournament – Warren Field
Oct 31		Halloween
Oct 31		Trick or Treating at City Hall
Nov 1	5:00 pm	<u>City Council Workshop</u> – IDVVA Presentation/PFPD VSU
Nov 1	6:00 pm	<u>City Council</u>
Nov 5	9:00 am	Holiday Craft Fair at Trailhead Event Center
Nov 8	5:30 pm	Planning and Zoning Commission
Nov 11		City business offices will be closed in Observance of Veterans Day
Nov 15	5:00 pm	<u>City Council Workshop</u> – Workforce Planning And Funding Options
Nov 15	6:00 pm	<u>City Council</u>
Nov 17	8:00 am	Urban Renewal Agency

Nov 18 6:00 pm
Nov 22 6:00 pm
Nov 24

Wild Turkey Dodgeball Tournament
Parks and Recreation Commission
**Thanksgiving – City business offices will
Be closed**
**City business offices will be closed in
Observance of Thanksgiving**

Post Falls City Council Meeting

September 6th, 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

Workshop 5:00pm – Personnel Policy Updates

1. Consent Calendar

- c. Bel Cielo III Annexation Legislative Decision – The Planning Division requests approval of the legislative decision. At the August 16th, 2022, public hearing, Council voted to deny the request to 5 acres into the city with a designation of High-Density Residential (R-3) zoning. If Council accepts the Legislative Decision, the Mayor shall sign the document.
- d. Tertiary Treatment Upgrade – Special Inspections, Request for Increase of Contract Amount – The Water Reclamation Division requests approval of the Increase of Contract Amount with Allwest Testing and Engineering for the Tertiary Treatment Upgrade project. Staff is requesting the increase to complete the necessary special inspections for the project. The total increase of this request is for \$18,000, increasing Allwest’s contract to \$160,580. Staff proposes using \$5,000 of the original approved contingency and request approval for the difference of \$13,000. If approved, the Mayor will sign the provided documents
- e. Rights-of-Way and Easements for the Cecil Road Extension – The Engineering Division requests approval of the dedication of rights-of-way and easements associated with the extension of Cecil Road north from Prairie Avenue. This will allow the construction of sanitary sewer from Charleville Road to Cecil Road and the extension of sanitary sewer, water, and roadway from Prairie Avenue northerly ½ mile. If approved, the Mayor will sign the provided documents.
- f. Amelia Apartments – Acquisition of Sanitary Sewer Easements – The Engineering Division requests approval of the dedication of easements needed to provide service to the Amelia Apartments Project on Expo Parkway. Three separate easements were required to cover the three properties that the sewer main traverses. If approved, the Mayor will sign the provided documents

- g. Barnum's Addition Zone Change Reasoned Decision – The Planning Division requests approval of the zone change decision document. The .55-acre property which was zoned single-family (R-1) will be changed to the Medium-Density Residential (R-2) zoning designation. The property is located on the east side of Elm Rd., just north of I-90. The zone change was approved at the August 2nd, 2022, council public hearing. If Council accepts the Reasoned Decision, the Mayor will sign the document.
- h. Blue Spruce Meadows Subdivision Construction Improvement Agreement – The Engineering Division requests approval of the CIA for the abovementioned subdivision. The agreement sets forth the typical expectations and responsibilities of the City and the developer. If approved, the Mayor will sign the documents.
- i. Third Addendum to Memorandum of Understanding with the Post Falls Urban Renewal Agency for the Cecil/Poleline and Cecil/Mullan Intersection Improvements – The Engineering Division requests approval of the Third Addendum to the MOU with the PFURA for abovementioned intersection improvements. The request is to extend the deadline from August 31, 2022, to October 31, 2022. This was approved by the PFURA Commission at their August 25, 2022, meeting. If approved, the Mayor will sign the document.

2. Public Hearings

- a. Hydrilla Estates Zone Change File No. ZC-22-2 – Opportunity for public comment is given on the request of Whipple Consulting Engineers, on behalf of Wild Horse Investments to rezone approximately 5.37 acres from the existing Single-Family Residential Suburban (R1S) zoning to the Single-Family Residential (R-1) zoning district. The property is located on the northeast corner of the intersection of W. Fisher Avenue and N. Howell Rd. The surrounding land uses are to the north single-family within the Arrowleaf Estates Subdivision. To the east are single-family residential homes within the Craftsman at Meadow Ridge Subdivision. To the south and across from W. Fisher Ave. consist of single-family Residential homes within the Prairie Meadows Subdivision. To the west and across N. Howell are larger 5 acres residential tracts within an unincorporated portion of Kootenai County. At their June 29th, 2022, public hearing, the Planning and Zoning Commission made a recommendation of approval for the requested zone change. The KCFR and PFPD submitted comments as neutral to the request. One citizen submitted a written comment as in favor of the change. No additional comments were received. After comment and discussion, Council should either approve or deny the zone change as presented.
- b. Morris Annexation ANNEX-0013-2022 – Opportunity for public comment is given on the request from Dobler Engineering, on behalf of Harlan Douglas, to annex approximately 12 acres into the city with a zoning designation of Community Commercial Services (CCS). The property is located approximately 500' due north of Prairie Avenue along the west side of HWY 41. The surrounding areas 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) zone lands. To the south is a commercial nursery with a residence operating in Kootenai County. At

their April 12, 2022, public hearing, the Planning and Zoning Commission recommended approval of the zoning as requested. The PFHD, KCFR, and PFPD submitted comments as neutral to the request. One person testified in opposition. After Comment and discussion, Council should either approve or deny the annexation as presented.

3. Unfinished Business

- a. Ordinance: Barnum's Addition Zone Change File No. ZC-22-3 – This ordinance formalizes the annexation approved at the August 2, 2022, Council public hearing. Council may adopt the ordinance or take no action.
- b. Ordinance: FY 2023 Budget – This ordinance formalizes the FY 2023 Budget approved at the August 16, 2022, Council public hearing. Council may adopt the ordinance or take no action.
- c. Resolution: FY 2023 Fee Schedule – This resolution formalizes the FY 2023 Fee Schedule approved at the August 16, 2022, Council public hearing. Council may adopt the resolution or take no action.
- d. Resolution: FY 2023 Foregone Tax - This resolution formalizes the FY 2023 Foregone Tax approved at the August 16, 2022, Council public hearing. Council may adopt the resolution or take no action.

4. New Business

6. Administrative / Staff Reports

- a. Update on the Current Status of Roadway Projects – The Engineering Department will give an update on the Prairie Ave/Spokane St Roundabout, Poleline Ave/Cecil Rd Roundabout, Mullan Ave/Cecil Rd Access Safety, SH41 Widening, and the I-90/SH41 Interchange.

8. Executive Session

- a. Idaho Code 74-206(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated, but imminently likely to be litigated.



**CITY COUNCIL
MEETING MINUTES**

**August 16, 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

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

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- Last week's movie in the park was cancelled due to severe weather, but the good news is it has been rescheduled. Sing 2 is now playing at Syringa Park this Friday, August 19th, movie starts at sunset.
- City Hall and City business offices will be closed Monday, September 5th in observance of Labor Day. Police, Fire and Rescue services for life-threatening or in-progress emergencies may be reached by calling 911. The Police Department will be open for walk-in emergencies. For Water Department emergencies call 208-773-3517.

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

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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 – August 2, 2022, City Council Meeting
- b. Minutes – August 9, 2022, City Council Special Meeting

- c. Payables – July 26, 2022 – August 8, 2022
- d. Cash and Investments for June 2022
- e. Douglass Properties Annexation City Council Legislative Decision
- f. The Pointe Zone Change Reasoned Decision
- g. Stone’s Throw Subdivision Construction Improvement Agreement
- h. Frontage Improvement Waiver Request for 216 W. 14th Ave.
- i. Utility Billing July 2022 Refunds
- j. Jacklin-Prairie Annexation Development Agreement and Dedications of Right-of-Way and Easement.
- k. The Pointe Zone Change Development Agreement
- l. Jacklin-Prairie Annexation Reasoned Decision

Motion by Borders to approve the Consent Calendar as presented.

Second by Ziegler.

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

- a. Proposed Budget for Fiscal Year 2023

Public Hearing opened at 6:03 pm.

Staff Report

Jason Faulkner, Finance Director presenting:

	<u>Budgeted FY 21-22</u>	<u>Proposed FY 22-23</u>
General Fund Dept Expenses	\$ 29,528,400	\$ 38,895,787
General Fund DED Accounts	\$ 7,460,852	\$ 7,981,000
Total GF Expenditures	\$ 36,989,252	\$ 46,876,787
Total Special Rev Fund Expend	\$ 1,249,504	\$ 1,647,066
Total Capital Project Fund Expense	\$ 32,725,984	\$ 13,542,140
Total Debt Service Fund Expense	\$ 528,150	\$ 528,150
Total Enterprise Fund Exp	\$101,959,656	\$ 68,088,573
Total All Fund Expenditures	\$173,452,546	\$130,682,716
Total All Estimated Resources	\$173,452,546	\$130,682,716

Testimony

In Favor – None

Neutral – None

In Opposition – None

Public Hearing closed at 6:32 pm.

Motion by Malloy to approve the Proposed Budget for Fiscal Year 2023 and to bring an Ordinance forward.

Second by Borders.

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

b. Update to Fee Resolution Fiscal Year 2023

Public Hearing opened at 6:34 pm.

Staff Report

Jason Faulkner, Finance Director presenting:

Water rates – 3.0% increase

Wastewater rates – 2.5% increase

Reclaimed Water Capitalization Fees – 16.31% increase

Water Capitalization Fees – 13.3% decrease

Impact Fees – 8.9% increase

Sanitation Fees – 7.0% increase

Parks and Recreation – various

Rate comparison to prior year

	<u>FY2022</u>	<u>FY2023</u>	<u>Variance</u>
Sanitation	\$11.55	\$12.36	\$0.81
Water Connection	\$12.07	\$12.44	\$0.37
Water Use (5,000 gal.)	\$ 6.65	\$ 6.85	\$0.20
Wastewater	<u>\$65.16</u>	<u>\$66.79</u>	<u>\$1.63</u>
Total	\$95.43	\$98.44	\$3.01

All proposed fees would go in effect on October 1, 2022.

Testimony

In Favor – None

Neutral – None

In Opposition – None

Public Hearing closed at 6:38 pm.

Motion by Malloy to approve the Fee Resolution for Fiscal Year 2023 and to bring an Resolution forward.

Second by Borders.

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

c. Ashlar Ranch Annexation File No. ANNX-4-2022

Public Hearing opened at 6:39 pm.

Staff Report

Laura Jones, Associate Planner and Jon Manley, Planning Manager: The applicant is requesting annexation approval with the zoning designation of Single-Family Residential (R-1) on approximately 10 acres. The subject property is located east of Highway 41 and north of E. 12th Avenue. The water provider is Ross Point Water District, and the wastewater provider is the City of Post Falls.

Benefits of this annexation

- Prevents sub-standard development in the County.
- Address future needs through Annexations.
- Promotes compatible, well-designed development.
- Addresses lack of available single-family residences available.
- Creates housing for residents of all ages.
- Improved design standards for multi-family with open space requirements (increased setback/buffer requirements).
- Pay impact fees to Parks, Public Safety, Streets, and Multi-modal transportation.
- Highway 41 corridor is near completion.
- The I-90/Highway 41 interchange is to be completed in 2025.
- Development will dedicate and enhance adjoining roadways with necessary pedestrian and road improvements, growth paying for growth.
- Plan for and protect transportation corridors from encroachment and preserve adequate rights-of-way for future corridors including utility facilities.
- Contributes to the expansion of 12th Ave. Lift Station and force main, and southern sewer line of Actual Meyer Line.

Concerns

- Approximately 25% of workforce can afford single-family housing, whereas 5 years ago 75% could.
- Interchange to be under construction through 2025. This is a temporary inconvenience and may be conditioned accordingly.
- Adequate parks.
- Impact to the schools.
- Parking

The subdivision should not have a negative impact on the local transportation system. The proposed layout accommodates future connectivity.

Applicant

Jeramie Terzulli, Olsen Engineering: The requesting annexation with R-1 zoning designation is compatible with surrounding uses and development patterns. Sewer and water are available. Design standards can be met, and no variances are being requested. This is consistent with the Comprehensive Plan. The conditions of approval have been reviewed and accepted. There is citizen and neighborhood support. The Planning and Zoning Commission unanimously voted to adopt R-1 zoning designation. The development/annexation agreement has been executed by the owner. Mr. Palus told us that the Master Transportation Plan has a ¼ mile backage road planned so that was incorporated into our design. The Hwy 41 from Mullan to Prairie is substantial completion in October of 2022. The intersection signals to begin coming online in 1-2 weeks. The I-90/Hwy41 interchange has started a year earlier than anticipated and is expected to be completed in 2025-2026.

Ashlar Ranch construction timeline if approved is:

- Approved subdivision plans – spring 2023
- Subdivision construction – summer 2023
- Building permits for 10-12 homes – fall 2023
- Certificate of occupancy for first 10-12 homes – spring/summer 2024
- Completion of 27 homes – 2025-2026 (depending on market demand)

Testimony

In Favor

Jeremy Voeller (Post Falls): I am a member of the ownership group on this project and also the builder. I have been building in the community for a long time. We believe in the larger lots with features that are upgraded from what is standard in the market.

Anne Hayes (Post Falls): I am in favor of this project. There are a few concerns I have. Devon Dr. is a dead end in the back of our property, not sure how that is going to work out. We do like the density and do not want it to get more dense. I have a concern about how it will impact the residents on Maverik Ln. it is a single lane dirt road that is privately maintained. How will this be addressed?

Warren Wilson, City Attorney: The subdivision has been approved by the Planning & Zoning Commission and usually you will not see a lot amount increased. It would have to go back through the public hearing process to increase lot counts.

Rob Palus, Assistant City Engineer: Maverik Ln. would be treated as other similar areas in the city with signs.

Neutral

Gary Aittama (Post Falls): What is the plan for the end of 12th St. where it turns into Maverik Ln? I think the best solution would be to put up a barricade.

Mayor: I just got confirmation from Mr. Palus they would put a barricade in.

In Opposition

None

Rebuttal

Terzulli: Maverik Ln. is a much less desirable rout. We will accommodate the residents of Maverik Ln. to the best of our ability.

Public Hearing closed at 7:31 pm.

Mayor: First question is annexation. Council, should this be annexed?

Malloy: Annexation could make sense.

Borders: I agree.

Ziegler: I agree with that.

Public Hearing

Zoning Criteria

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

Thoreson & Borders: Yes.

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

Thoreson: Yes.

Malloy: Connectivity with backage roads.

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

Malloy: There is a lot of approved building along Hwy41 that hasn't been built out yet. Hwy41 is close to being done but the interchange is a few years out. Putting additional traffic on that corridor gives me pause. In this case it is large lot R-1. But nothing is set in stone until the homes are built. There is really no way anyone could get more than 30 lots and maintain R-1. The transportation benefit is a block of backage road. The benefit outweighs the cost.

Borders: We get aquifer protection by having a sewer system there. The backage road is a good start.

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

Not Applicable

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.

Malloy: It locks in at a lower density.

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

**Motion by Thoreson to approve the Ashlar Ranch Annexation File No. ANNX-4-2022 with the R-1 zoning designation and have staff prepare the final ordinance for annexation
Second by Malloy.**

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

Council took a five-minute break at 7:38 pm and came back at 7:44 pm.

- d. Bel Cielo III Annexation File No. ANNX-22-6

Public Hearing opened at 7:44 pm.

Staff Report

Laura Jones, Associate Planner and Jon Manley, Planning Manager: The applicant is requesting annexation approval with the zoning designation of High Density Residential (R-3) on approximately five acres. The subject property is located east of Highway 41 and south of E. 16th Avenue. The water provider is Ross Point Water District and Wastewater by the City of Post Falls.

Benefits of the annexation

- Prevents sub-standard development in the County.
- Address future needs through annexations.

- Promotes compatible, well-designed development.
- Addresses approx. 1% vacancy rate in the multi-family sector.
- Creates housing for residents of all ages.
- Improved design standards for multi-family with open space requirements (increased setback/buffer requirements).
- Pay impact fees to Parks, Public Safety, Streets, and Multi-modal transportation.
- Highway 41 corridor is near completion.
- I-90/Highway 41 interchange to be completed in 2025.
- Development will dedicate and enhance adjoining roadways with necessary pedestrian and road improvements, growth paying for growth.
- Plan for and protect transportation corridors from encroachment and preserve adequate rights-of-way for future corridors including utility facilities.
- Contributes to the expansion of 12th Ave. Lift Station and force main, and southern sewer line of Actual Meyer Line.

Concerns

- I-90/Highway 41 interchange to be under construction through 2025. This is a temporary inconvenience and may be conditioned accordingly.
- Adequate parks.
- Impact to the schools.
- Parking.

Applicant

Drew Dittman, Lake City Engineering: I brought this to Council in 2019. Some of you have seen this annexation request before. Nothing has really changed since then. There really was not any opposition to the zoning but it was the time. That was before the Hwy41 expansion started. It was denied and we took that as bring this back, we waited three years. The Hwy41 expansion is close to being done. We are asking for R-3 and Planning & Zoning gave us their support. We think this is a good fit for the city. It is surrounded by R-3.

Testimony

In Favor

None

Neutral

Samantha Steiglider (Post Falls): I think the annexation is fine. I would encourage Council to encourage more R-2 developments. This would be a great place for R-2. Then we could not just have people renting but buying homes.

In Opposition

Cheryl Danner (Post Falls): We live directly across from Bel Ciello. My concern is they have not provided any place for children to play. The other thing is parking on 16th. Normally, apartments allow for two parking spaces. The extra cars are parking on 16th.

Anne Hayes (Post Falls): We already have too many rental properties in Post Falls, and we have not even found out what the impacts are of so much high-density.

Bob Flowers (Post Falls): Everyone says 41 is almost done. If that is almost done, then we are in trouble. There have been so many apartments approved and not built. We need to see the stuff already approved be built and see the impact

Rebuttal

Dittman: Yes, there are a lot of apartment projects in Post Falls, but we still have a less than 1% to 2% vacancy rate. There is a demand for it. The city does not have open space requirements in place. That was not there when the first two phases were built. We will have to provide that in this project. Parking is an issue. 16th was designed to allow on street parking. Is it crowded, yes it is. We will provide parking per City Code. Staff has said they do not predict any traffic problems on 16th which is a major collector.

Public Hearing closed at 8:22 pm.

Mayor: Is Council interested in annexing this property?

Thoreson: Yes.

Walker: Yes.

Public Hearing
Zoning Criteria

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

Borders: Yes, business commercial and R-3 is planned there.

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

Malloy: Yes, the goals and policies talk about providing a variety of housing types

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

Ziegler: It fits the street classification.

Borders: I think the biggest challenge I see is the on-street parking especially in the winter. I have a big problem with that.

Malloy: We could cut and paste my comments from the last hearing. 41 is not done. The interchange has not started. My concern three years ago is the same, let's build out everything that has been approved along 41 and see what everything looks like. Since then some R-3 was approved along 41. I was on the losing end of those votes. I still want to see everything get built out. The calculus I used on the previous public hearing is we have a tradeoff of completing a block of backage road for roughly 30 units, I thought that was worth it. The same calculus is another block of it for 90 units. Had it been R-2 with the same calculus it would have been a block for roughly 30 units, and I could have gotten behind that. No one area Post Falls has been more impacted by growth than the Hwy41 corridor. I have serious concerns about continuing to add pressure to the traffic on the 41 corridor.

Warren: On of the options you have if timing is an issue, we can build into the annexation agreement some timing triggers that you don't get development till certain millstone are met.

Malloy I would be open to that but one of my concerns is everything that has already been approved being built out.

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

Warren: I think you spoke of this with #2.

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

Motion by Thoreson to Approve Bel Cielo III Annexation File No. ANNX-22-6 with a R-3 zoning and have staff prepare the final ordinance for annexation.

Second by none.

Motion Died

Motion by Malloy to Deny the Bel Cielo III Annexation File No. ANNX-22-6.

Second by Ziegler.

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

Motion Carried

- e. Zoning Approval Criteria File No. TA-22-5

Public Hearing opened at 8:31 pm.

Staff Report

Jon Manley, Planning Manager presenting: The requested action is to review and approve the requested amendment to the Title 18 to accomplish attaining more clarity within the Zone Change review criteria. The proposed language is in line with State's LLUPA Title 67.

The Proposed Review Criteria:

1. Is the proposed zoning district consistent with the vision for the area contained in the currently adopted Post Falls Comprehensive Plan?
2. Does the proposed zoning district create a demonstrable adverse impact upon the delivery of services by any political subdivision providing public service within the city including, but not limited to, the Post Falls School District?

Planning & Zoning suggested adding the definition of what a demonstrable adverse impact was. Demonstrable Adverse Impact: For the purpose of the zoning review criteria contained in Section 18.20.100, a Demonstrable Adverse Impact **is a provable or verifiable negative impact created by the change in zoning classification impacting the ability of a public agency to provide services** within the city beyond those created by the current zoning classification.

The rest of the changes would be to clean up the code. We end up at the same place with fewer criteria.

Malloy: I think the change is great. The issue I have is demonstrable and has to be provable, what is the burden of proof? What constitutes proof? What level of mitigation is required?

Wilson: It would depend by case. There needs to be something in the record that shows there is a verifiable impact.

Testimony

In Favor
None
Neutral
None
In Opposition

Samantha Steigleder (Post Falls): My main issue is the change in these criteria takes out the ability for the public to have an open discussion on a variety of points on what zone changing does

Rebuttal

Wilson: Your yard stick is your Comprehensive Plan. When you apply zoning, it should comply with your Comprehensive Plan. When you go through zoning you have to go through your criteria and apply only the criteria.

Public Hearing closed at 8:56 pm.

Motion by Malloy to table this till a workshop for more discussion can be scheduled.

Second by Thoreson.

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

Motion Carried

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. Utilities Impact Fee Methodology Memorandum

Craig Borrenpohl, Utilities Manager presenting: This memorandum has been developed as part of the ongoing Water Reclamation Facility Planning Study effort. It is intended to introduce the topic of impact fees for utility infrastructure and how they differ from the existing capitalization fee. The goal of the memorandum is to present enough information for the City Council to determine if further effort to formalize an impact fee for adoption is warranted. Impact fees, permissible by Idaho Code, allow for the collection of fees to recover an equitable share of development related future system expansion costs whereas capitalization fees are limited to collecting funds relative to existing infrastructure. Post Falls currently collects capitalization fees for cost recovery with the fee updated annually. The methodology for calculating our capitalization fee was developed in 2017 by the FCS Group to ensure the fee is in line with the Idaho Supreme Court decision NIBCA vs. City of Hayden (2015). While impact fees allow for cost recovery related to future infrastructure needs, they also increase administrative requirements for the city. Regular calculation of the impact fee requires detailed planning and cost estimating for all future system improvements relative to developable areas. Further pursuit of an impact fee methodology would not require adoption of the fee; any methodology would come back before City council for consideration. A potential impact fee could be used instead of capacity fees or as two separate fees intended to capture the current and future impacts of growth more completely. There are additional costs to develop the methodology. These costs were included in the Facility Planning Study scope as an optional item with a budgeted

amount not to exceed \$36,940. The Utilities Division requests input from the City Council as to whether this additional effort should be pursued.

Motion by Malloy to direct staff to further explore utilities Impact Fees.

Second by Borders.

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

Motion Carried

b. Ordinance – Jacklin-Prairie Annexation File No. ANNX-0012-2021

Motion by Ziegler to place Ordinance Jacklin-Prairie Annexation File No. ANNX-0012-2021 on its first and only reading by title only while under suspension of the rules.

Second by Malloy.

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

Motion Carried

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO ANNEXING PROPERTY CONSISTING OF APPROXIMATELY 94.049 ACRES, THAT PART OF THE SOUTH HALF OF SECTION 19 AND OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 30, ALL IN TOWNSHIP 51 NORTH, RANGE 4 WEST, B.M., KOOTENAI COUNTY, IDAHO; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; AND PROVIDING AN EFFECTIVE DATE HEREOF:

Motion by Ziegler to approve Ordinance Jacklin-Prairie Annexation File No. ANNX-0012-2021 and to direct the Clerk to assign the appropriate number and that it be published by summary only.

Second by Malloy.

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

Motion Carried

c. Ordinance – The Pointe Zone Change File No. RZNE-0001-2022

Motion by Ziegler to place Ordinance The Pointe Zone Change File No. RZNE-0001-2022 on its first and only reading by title only while under suspension of the rules.

Second by Borders.

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

Motion Carried

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR CHANGE IN ZONING CLASSIFICATION FOR THE LAND DESCRIBED IN SECTION 1 OF THIS ORDINANCE TO COMMUNITY COMMERCIAL MIXED (CCM) ZONING DISTRICT. PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT THIS CHANGE; PROVIDING THAT ALL PRIOR ZONES APPLICABLE TO LANDS DESCRIBED IN SECTION 1 ARE HEREBY SUPERSEDED; AND PROVIDING AN EFFECTIVE DATE;

Motion by Ziegler to approve Ordinance The Pointe Zone Change File No. RZNE-0001-2022 and to direct the Clerk to assign the appropriate number and that it be published by summary only.

Second by Borders.

**Vote: Shove-Aye, Thoreson-Aye, Ziegler-Aye, Borders-Aye, Walker-Aye, Malloy-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. Property Purchase and Lease Agreements with Terry Jordan for Corbin Lift Station Craig Borrenpohl, Utilities Manager presenting: The Corbin Lift Station was built in the 1980s on a 30 ft by 50 ft parcel. The existing station was evaluated in the City's Wastewater Collections Master Plan and found to need upgrades including an emergency storage basin. To facilitate those upgrades, additional land was identified as a need. The existing owner, Terry Jordan, is relocating his business to another location in Post Falls. Mr. Jordan agreed to sell a portion of his existing property to provide space for the upgrades and to lease additional property to facilitate the construction of the improvements. Staff has negotiated a purchase price of \$150,000 reflecting the value of a commercial lot fronting Seltice Way. The leased property costs, \$1,500 per month, will be much less than the increased costs which would be required to construct the lift station without the additional footprint. Construction is currently expected in the summer of 2023. The proposed property purchase would provide a 100 ft by 75 ft parcel, including the parcel on which the lift station sits.

Motion by Malloy to approve the property purchase and lease agreements with Terry Jordan for the Corbin Lift Station.

Second by Borders.

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

b. Resolution - Authorizing the Procurement of Replacement of Dump Trucks for the Street Department on the Open Market

Ross Junkin, Streets Manager presenting: The FY22 approved budget included replacement funds for two Street Department dump trucks. In the Spring of 2022 Public Works advertised for bids for these dump trucks. We received no bids at that time. In discussions with manufactures, we found that potential bidders were not willing to risk submitting a bid because material prices were very volatile. At that point we discussed our options with our Legal Department and at their counsel proceeded to request quotes directly from manufactures. We reached out to three manufacturers for quotes. Only Freightliner Northwest provided a quote. The other two stated that they could not provide a quote because their body builders would not give them a price due to fluctuating costs to them. We are able to piggy-back on the Washington State contract in going with Freightliner Northwest. This will provide the city with a 40.10% discount. Staff also recommends including a 10% contingency to cover potential costs escalations. If ordered now, these trucks are expected to be delivered during the FY23 to FY24. We recommend ordering these trucks as soon as possible so that we can put them into service asap. If we decide to postpone an order, the price may increase, and we would potentially go without replacement trucks for the next few winters. The dump trucks that are to be replace are both out of service due to mechanical deficiencies, excessive costs for repairs, and lack of availability for replacement parts. Both trucks would be assigned to the Street Division and serve as dump trucks and plow trucks. City staff requests that Council ratify the

ordering on the open market of two new 2022 Freightliner Dump Trucks in the total amount of \$763,722.98.

WHEREAS, The City of Post Falls in fiscal year 2022 approved a budget which included replacement funds for two Street Department dump trucks; and
WHEREAS, In the spring of 2022 Public Works advertised a request for competitive bids for the two dump trucks in accordance with Idaho Code; and
WHEREAS, No bids were received by the city; and
WHEREAS, Discussions with manufactures led city staff to conclude that material prices were volatile and therefore potential bidders were not willing to risk submitting a bid; and
WHEREAS, Idaho Code 67-2806(2)(h) provides that the governing board may pass a resolution declaring that the subject goods or services can be procured more economically on the open market; and
WHEREAS, the city proceeded to collect quotes directly from three manufactures; and
WHEREAS, only one manufacture, Freightliner Northwest, provided a quote; and
WHEREAS, Freightliner Northwest, utilizing their contract with Washington State, has agreed to provide the city with a 40.10% discount; and
WHEREAS, the City Council adopts the foregoing as its findings of fact justifying its adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Post Falls that:

The City attempted to procure the subject goods, the two dump trucks, through a competitive bidding process outlined in Idaho Code 67-2806, no bids were received.

The City Council finds it as a fact that the subject goods, the new 2022 Freightliner Dump Trucks, can be more economically procured on the open market.

The City Council authorizes the procurement of the new 2022 Freightliner Dump Trucks from Freightliner Northwest utilizing the discount as provided in the contract with Washington State.

This Resolution, passed by a majority of the Post Falls City Council, shall be in full force and effect from and after its passage and approval according to law.

Motion by Malloy to approve Resolution Authorizing the Procurement of Replacement of Dump Trucks for the Street Department on the Open Market and to direct the Clerk to assign the appropriate number.

Second by Borders.

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

None

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.

None

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.

Mayor: Yesterday we had the ribbon cutting for Elevate Academy and today was the ribbon cutting for the interchange.

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 9:38 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: APPKT09539 - Check Run 9.7.22
Vendor Set: 01 - Vendor Set 01

Check Date: 8/31/2022

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
Fund: 001 - GENERAL FUND							
Balance Sheet Accounts							
VEN11757	ANTHEM PACIFIC HOMES	APMWB	Check	BOND RELEASE - 3	BOND RELEASE - 3923 N. PASTURE VIEW	001-22115	2,000.00
VEN11902	DAUM CONSTRUCTION	APMWB	Check	BOND RELEASE - 3	BOND RELEASE - 3861 N. ABEL	001-22115	2,000.00
				BOND RELEASE - 4	BOND RELEASE - 4082 N. PRADERA	001-22115	2,000.00
				BOND RELEASE - 3	BOND RELEASE - 3899 N. ABEL	001-22115	2,000.00
VEN14645	Denise Perez	APMWB	Check	61334	Trailhead damage deposit refund	001-22080	250.00
VEN08624	HALLMARK HOMES	APMWB	Check	BOND RELEASE - 1	BOND RELEASE - 1266 W. WHEATLAND	001-22115	2,000.00
VEN14646	Harry Lundy	APMWB	Check	61343	Trailhead Damage Deposit refund	001-22080	250.00
VEN07931	HAYDEN HOMES	APMWB	Check	BOND RELEASE - 3	BOND RELEASE - 3837 N. PEYTON	001-22115	2,000.00
VEN14433	Integrity Development	APMWB	Check	BOND RELEASE - 6	BOND RELEASE - 694 N. BAUGH	001-22115	10,275.00
				BOND RELEASE - 6	BOND RELEASE - 6224 W. SELTICE	001-22115	13,927.50
VEN12718	VIKING CONSTRUCTION	APMWB	Check	BOND RELEASE - 2	BOND RELEASE - 2070 N. VIKING LOOP	001-22115	2,000.00
Balance Sheet Accounts Total:							38,702.50
Dept: 412 Information Systems							
D070	Dell Marketing LP	APMWB	Check	10608949770	Spare workstation	001-412.0000.80010	1,026.89
Dept 412 Total:							1,026.89
Dept: 414 Finance							
A510	AIC - Association of Id Cities	APMWB	Check	11533	ICCTFOA Membership for Randi Bain, Shanno	001-414.0000.62060	45.00
B091	BDS	APMWB	Check	83378	Delinquency Notices	001-414.1445.62170	307.30
				83689	Utility Billings Statements	001-414.1445.62170	5,266.51
						001-414.1445.62190	3,089.96
				83378	Delinquency Notices	001-414.1445.62190	142.83
V040	ODP Business Solutions	APMWB	Check	254755991001	Office Supplies- Finance	001-414.0000.63060	176.67
P220	Post Falls Area Chamber of	APMWB	Check	66519	Connect 4 Lunch Membership Meeting	001-414.0000.64010	75.00
P4835	ProPrint	APMWB	Check	61675	Windowed Envelopes- Finance	001-414.0000.63050	158.00
VEN13324	Thales Consulting Inc	APMWB	Check	2959	Budget Online Implementation Fees (renamed	001-414.0000.62040	8,000.00
Dept 414 Total:							17,261.27
Dept: 415 City Clerk							
A510	AIC - Association of Id Cities	APMWB	Check	11533	ICCTFOA Membership for Randi Bain, Shanno	001-415.0000.62060	90.00
C291	Coeur d' Alene Press	APMWB	Check	I00553203-08092022	Printing of Ordinance 1461	001-415.0000.62000	101.31
				I00553196-08092022	Printing of Ordinance 1462	001-415.0000.62000	29.60
				I00549152-07262022	Printing of Ordinance 1460	001-415.0000.62000	44.29
				I00553202-08092022	Printing of Ordinance 1463	001-415.0000.62000	96.13

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 Vendor Set: 01 - Vendor Set 01

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Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
Dept: 418 Human Resources					
<u>A1190</u>	A Drug Free Alliance				
APMWB	Check	<u>71302</u>	Drug testing	001-418.4000.72070	495.00
Dept 418 Total:					495.00
Dept: 421 Police					
<u>A0001</u>	Alsco				
APMWB	Check	<u>LSPO2548102</u>	Shop uniforms	001-421.4000.72000	12.73
		<u>LSPO2552377</u>		001-421.4000.72000	12.73
		<u>LSPO2545924</u>		001-421.4000.72000	12.73
		<u>RCPT1067957</u>	Credit for duplicate payment in April - Invoice	L001-421.4000.72000	-12.63
		<u>LSPO2550236</u>	Shop uniforms	001-421.4000.72000	12.73
<u>A600</u>	Awards Etc.				
APMWB	Check	<u>33609</u>	20 Year Retirement plate - Dave Marshall	001-421.0000.63060	8.00
<u>C05100</u>	Car Wash Plazas, Inc				
APMWB	Check	<u>4880</u>	Patrol vehicle car washes	001-421.0000.67170	100.00
<u>C291</u>	Coeur d' Alene Press				
APMWB	Check	<u>100554088-08122022</u>	Auction notice	001-421.0000.62000	33.06
<u>C220</u>	Coleman Oil Co				
APMWB	Check	<u>CL03021</u>	Patrol & Animal Safety fuel	001-421.0000.64030	7,363.53
<u>C4106</u>	CPS				
APMWB	Check	<u>TR-RTN000237</u>	Credit for returned tests	001-421.0000.64020	-70.00
		<u>TR-INV000554</u>	Dispatch testing materials	001-421.0000.64020	533.50
<u>VEN09289</u>	Emerald Services, Inc				
APMWB	Check	<u>89624744-21104519</u>	Antifreeze disposal	001-421.0000.67100	68.75
<u>F030</u>	FedEx				
APMWB	Check	<u>276538790667</u>	Postage for camera repairs	001-421.0000.63070	24.29
<u>G020</u>	Galls, An Aramark Company				
APMWB	Check	<u>021821102</u>	Uniform gear - Mack	001-421.0000.67020	211.03
		<u>021749736</u>	Patrol gear - Brown	001-421.0000.67020	207.06
		<u>021801012</u>	Uniform gear - Nigh	001-421.0000.67020	494.17
		<u>021789733</u>	Mag holder - Brown	001-421.0000.67020	41.58
		<u>021821101</u>	Uniform gear - Allen	001-421.0000.67020	216.61
		<u>021797620</u>	Uniform gear - Mack	001-421.0000.67020	365.47
		<u>021808168</u>	Uniform shirt - Mack	001-421.4000.72000	83.23
		<u>021803068</u>	Belt - Esparza	001-421.4000.72000	64.46
		<u>021803069</u>	Uniform belt - Brown	001-421.4000.72000	64.46
		<u>021821491</u>	Uniforms - Brown	001-421.4000.72000	293.26
		<u>021785631</u>	Officer uniform gear - Nigh	001-421.4000.72000	274.80
		<u>021749706</u>	Uniform shirt/pants - Peterson	001-421.4000.72000	122.44
		<u>021797621</u>	Uniform vest - Esparza	001-421.4000.72000	325.85
		<u>021785630</u>	Patrol gear/uniforms - Allen	001-421.4000.72000	583.24
<u>L0195</u>	Language Line Services				
APMWB	Check	<u>10604202</u>	Interpreter services	001-421.0000.65030	90.00
<u>N001</u>	Napa Auto Parts				
APMWB	Check	<u>3688-179848</u>	Brake pads and rotors - PFPD79	001-421.0000.67100	277.44
		<u>3688-179714</u>	Brakes and rotors - PFPD106	001-421.0000.67100	209.26
		<u>3688-179656</u>	Battery - PFPD88	001-421.0000.67100	116.43
		<u>3688-181170</u>	Battery cables and switch - stock	001-421.0000.67100	38.98
		<u>3688-180110</u>	Mount - PFPD120	001-421.0000.67100	49.01
		<u>3688-179873</u>	Harmonic balancer - PFPD88	001-421.0000.67100	77.12
		<u>3688-179850</u>	Brake pads, serpentine belt - PFPD79	001-421.0000.67100	100.77
		<u>3688-179858</u>	Battery - PFPD88	001-421.0000.67100	112.33
		<u>3688-180106</u>	Fan assembly - PFPD120	001-421.0000.67100	162.96
<u>V040</u>	ODP Business Solutions				
APMWB	Check	<u>261046269001</u>	Office Supplies- Police	001-421.0000.63060	78.17
		<u>261065196001</u>		001-421.0000.63060	70.99
		<u>261046269001</u>		001-421.0000.63060	66.40
		<u>256593030001</u>		001-421.0000.63060	39.99

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
APMWB	Check			261046269001	Office Supplies- Police	001-421.0000.63920	67.92
				256587820001		001-421.0000.63920	96.19
VEN04390	Personnel Evaluation, Inc.						
APMWB	Check			45012	New employee testing	001-421.0000.64020	50.00
VEN04236	Ramey's Yard Care						
APMWB	Check			149212	Insect control spraying	001-421.0000.68010	105.00
R1541	Ricoh USA Inc.						
APMWB	Check			36959544	PFPD Copier Contract #6566	001-421.0000.66050	189.59
				36958150	PFPD Copier Contract #6567	001-421.0000.66050	189.59
				36953858	PFPD Copier Contract #7152	001-421.0000.66050	122.14
S022	Salt Lake Wholesale Sports						
APMWB	Check			82745	Practice Ammunition	001-421.0000.63300	10,278.00
S0760	Seltice Laundry						
APMWB	Check			2145	VOPS car wash services	001-421.0000.67100	30.15
R251	Serights Ace Hardware						
APMWB	Check			334092/1	Staples for Range	001-421.0000.67020	12.84
VEN12205	SpectraSite Communications, LLC						
APMWB	Check			3997615	Herborn Tower rental	001-421.0000.62040	631.13
VEN07714	Uniforms2gear, Inc						
APMWB	Check			INV/2022/08/0740	Uniform shirts - Evidence	001-421.4000.72000	200.12
W181	Western States Fire Protection						
APMWB	Check			WSF458813	Annual fire sprinkle inspection at the police dep	001-421.0000.68010	520.00
				WSF458829	Annual fire alarm inspection at the Police Dept.	001-421.0000.68010	1,040.00
Dept 421 Total:							26,469.60
Dept: 423 Oasis							
A254	Allegra Print & Imaging						
APMWB	Check			199013	VSU brochures - grant funded	001-423.1153.68400	576.43
V040	ODP Business Solutions						
APMWB	Check			261046269001	Office Supplies- Police	001-423.1153.68400	9.80
Dept 423 Total:							586.23
Dept: 424 Legal							
VEN14650	American Bar Association						
APMWB	Check			8.17.22	ABA Membership	001-424.0000.62060	150.00
C220	Coleman Oil Co						
APMWB	Check			CL98736	Fuel for all Departments	001-424.0000.64030	165.69
D09750	DeVries Info Management						
APMWB	Check			0153727	On-site records destruction	001-424.0000.63060	55.00
				0152743	On-site records destruction - June	001-424.0000.63060	55.00
VEN14037	Lake City Law Group PLLC						
APMWB	Check			28833	North Idaho Title & Stewart Title Guaranty Co	001-424.0000.62040	600.00
L070	LexisNexis Matthew Bender						
APMWB	Check			3202908X	ID Code SUPP PKG	001-424.0000.63010	558.99
				31928064	ID CODE 2022 CITATOR	001-424.0000.63010	200.31
				3208708X	ID Code Books	001-424.0000.63010	79.60
V040	ODP Business Solutions						
APMWB	Check			262045037001 (2)	Office Supplies-Legal	001-424.0000.63040	616.13
				262062353001		001-424.0000.63060	24.87
P4835	ProPrint						
APMWB	Check			61605	Business Cards	001-424.0000.63060	174.00
Dept 424 Total:							2,679.59
Dept: 427 Animal Control							
C220	Coleman Oil Co						
APMWB	Check			CL03021	Patrol & Animal Safety fuel	001-427.0000.64030	312.59
VEN04236	Ramey's Yard Care						
APMWB	Check			149210	Insect control spray around shelter	001-427.0000.68010	80.00
R159	River City Animal Hospital						
APMWB	Check			969078510	Emergency vet services	001-427.0000.62040	125.44

Packet: APPKT09539 - Check Run 9.7.22
 Vendor Set: 01 - Vendor Set 01

Check Date: 8/31/2022

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
Dept: 431 Streets					
A365	American On-Site Services				
APMWB	Check	473190	Clean out Porta Potty on streets trailer	001-431.0000.68130	60.00
VEN05261	CDA PAVING				
APMWB	Check	75597	Base Rock and Dumping dirty Asphalt	001-431.0000.68130	313.27
		74235C	Credit for Dumping Dirty Asphalt	001-431.0000.68130	-141.10
		75850	Base Rock for Salt Shed Pad	001-431.0000.93010	67.64
VEN14467	CDA Redi Mix & Precast, Inc				
APMWB	Check	55043	Utility riser rings for paving	001-431.0000.68130	4,248.00
C220	Coleman Oil Co				
APMWB	Check	CL98736	Fuel for all Departments	001-431.0000.64030	9,168.85
C3818	Cooper Fabrication, Inc.				
APMWB	Check	23973	Tube Material for screed on Paver	001-431.0000.68130	46.80
VEN14582	Greystone Construction Company				
APMWB	Check	29721	60x85 salt storage building	001-431.0000.93010	85,770.00
I070	Idaho Asphalt Supply, Inc.				
APMWB	Check	4-512925	Tach for Paving	001-431.0000.68130	623.00
		4-510744	Tach for paving for streets	001-431.0000.68130	749.00
		4-512047	Tach for tachwagon for paving	001-431.0000.68130	749.00
I340	Interstate Concrete & Asphalt				
APMWB	Check	785007	Asphalt for Paving Stagecoach	001-431.0000.68130	5,972.34
		783847	Asphalt for Paving Aster Ct and Stagecoach	001-431.0000.68130	21,653.94
		786117	Manholes/Water valves	001-431.0000.68130	196.68
		780958	Asphalt for paving Foxglove	001-431.0000.68130	24,993.54
		778949	Asphalt for paving Stagecoach and other streets	001-431.0000.68130	13,335.96
		779757		001-431.0000.68130	9,541.62
		783465	Asphalt for Paving Aster Ct and Stagecoach	001-431.0000.68130	26,320.80
		785726	Paving	001-431.0000.68130	16,847.16
		778133	Asphalt for paving Stagecoach and other streets	001-431.0000.68130	10,626.00
		779280		001-431.0000.68130	13,544.52
		782885	Gravel for the new Salt Shed for streets	001-431.0000.93010	224.56
		785441	Salt Shed Asphalt Pad	001-431.0000.93010	6,481.86
		779994	Gravel for Streets Salt Shed	001-431.0000.93010	349.44
		782209	Gravel for salt shed	001-431.0000.93010	517.30
N001	Napa Auto Parts				
APMWB	Check	3688-180343	Storage Container for Streets	001-431.0000.63000	41.09
VEN08121	PacWest Machinery LLC				
APMWB	Check	30409231	Skid Guard Pick	001-431.0000.63520	287.31
		30409223	Skid Guard Pick - Freight	001-431.0000.63520	23.83
		30408870	Skids for the sweeper S555	001-431.0000.63520	1,940.08
		30409278	Skid Guard Pick	001-431.0000.63520	82.77
P1001	Pape Machinery				
APMWB	Check	70444902	Rental of Box Scrapper for Streets	001-431.0000.67070	3,500.00
R251	Serights Ace Hardware				
APMWB	Check	333396/1	Hand Cleaner for Streets	001-431.0000.63000	5.03
		333646/1	Sprayers, pvc glue and wd 40 for stock	001-431.0000.63000	92.64
		334185/1	Propane	001-431.0000.68100	7.37
		334207/1	Putty Knife Propane	001-431.0000.68100	18.37
		334006/1	Propane for striping	001-431.0000.68100	14.41
		333623/1	Propane for Striping	001-431.0000.68100	17.76
		334235/1	Propane Putty Knife	001-431.0000.68100	45.12
		328733/1	Marking paint	001-431.0000.68100	35.95
		333930/1	Propane for striping	001-431.0000.68100	11.06
		333690/1		001-431.0000.68100	6.70
		334469/1	Propane	001-431.0000.68100	9.72
		333408/1	Oven Cleaner and Goo Gone for removing tack	001-431.0000.68130	44.95
		333650/1	Propane for the Tach Wagon	001-431.0000.68130	30.49
VEN13988	Tacoma Screw Products, Inc				
APMWB	Check	240043504-00	Washers nuts and bolts for sign shop	001-431.0000.63260	46.45

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
U140	UpScale Mail				
APMWB	Check	319186	Mail Signal controller to Econolite for repair	001-431.0000.63070	51.92
Z026	Ziegler Lumber Co #017				
APMWB	Check	294263	Spray paint - Chalk line refill	001-431.0000.63000	27.73
Dept 431 Total:					258,600.93
Dept: 432 Public Works Administration					
VEN13187	Checkr Inc				
APMWB	Check	CITY-OF-POST-FAL	Background	001-432.0000.62080	22.50
Dept 432 Total:					22.50
Dept: 433 Facility Maintenance					
C220	Coleman Oil Co				
APMWB	Check	CL98736	Fuel for all Departments	001-433.0000.64030	237.38
G098	Grainger				
APMWB	Check	9395887517	Glycol for the Police Department HVAC	001-433.0000.68030	278.60
VEN04236	Ramey's Yard Care				
APMWB	Check	149211	Insect control around City Hall.	001-433.0000.68010	105.00
S0760	Seltice Laundry				
APMWB	Check	2140	Laundry service	001-433.0000.63160	29.57
		2131		001-433.0000.63160	32.91
		2126		001-433.0000.63160	33.63
		2128		001-433.0000.63160	35.73
		2127		001-433.0000.63160	37.33
		2105	Rag and mop head cleaning	001-433.0000.63160	38.37
		2137	Laundry service	001-433.0000.63160	44.70
		2111		001-433.0000.63160	45.09
		2108		001-433.0000.63160	49.79
R251	Serights Ace Hardware				
APMWB	Check	322647/1	Toilet repair/streets	001-433.0000.63730	28.77
		329477-1	Tape for floor refurbishing	001-433.0000.67030	19.94
T074	Thermal Supply				
APMWB	Check	4240119	Return blower motor from invoice 7612952.	001-433.0000.68030	-278.93
		7612952	Circuit board for Streets Furnace / AC	001-433.0000.68030	368.99
W0226	Walter E Nelson Co				
APMWB	Check	476860	Paper supplies PD and CH	001-433.0000.63140	573.79
		475217	Paper products CH and PD	001-433.0000.63140	313.23
		478206	Paper supplies CH and PD	001-433.0000.63140	236.23
		476861	Cleaning supplies CH and PD	001-433.0000.63150	413.49
		475192	Floor stripper	001-433.0000.63150	80.54
		475950		001-433.0000.63150	60.78
		473906	Logo Carpets for City Hall with runners.	001-433.0000.68010	1,978.06
W181	Western States Fire Protection				
APMWB	Check	WSF458836	Annual Fire alarm inspection and dry fire supp	001-433.0000.63730	1,300.00
		WSF458832	Annual Fire sprinkler inspection At City Hall.	001-433.0000.63730	390.00
Dept 433 Total:					6,452.99
Dept: 434 Fleet Maintenance					
VEN07171	208Tools				
APMWB	Check	08042280830	Dual Premium Gauge Set - P450	001-434.0000.67090	368.10
A1395	Advanced Compressor & Hose Inc				
APMWB	Check	88681	Air Hose and Fittings for Fleet	001-434.0000.63011	32.79
A0001	Alsco				
APMWB	Check	LSPO2552362	Uniforms and rugs	001-434.0000.63160	117.85
		LSPO2548093		001-434.0000.63160	117.85
C220	Coleman Oil Co				
APMWB	Check	CL98736	Fuel for all Departments	001-434.0000.64030	327.61
F020	Fastenal Company				
APMWB	Check	IDCOE162594	NRR Corded Plug Safety Glasses	001-434.0000.67120	60.15
F145	Freightliner Northwest- Spokane				
APMWB	Check	PC001557879-02	Hood Latch and Catch for S219	001-434.0000.63011	228.54

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
APMWB	Check	PC001557879-01	Hood Latch and Catch for S219	001-434.0000.63011	13.18
		PC001557880-01	Hood Catch and Latch for S216	001-434.0000.63011	124.88
VEN01931	Kimball Midwest				
APMWB	Check	100227142	Paint	001-434.0000.63012	159.78
L060	Les Schwab Central Billing Dep				
APMWB	Check	10500852805	Flat repair	001-434.0000.67210	40.29
		10500849099	Flat Repair on S555	001-434.0000.67210	37.00
		10500834981	Tire repair	001-434.0000.67210	6.04
N001	Napa Auto Parts				
APMWB	Check	3688-175611	AAA Industrial Battery	001-434.0000.63011	23.52
		3688-177022	Armor All Wipes - F101	001-434.0000.63011	8.98
		3688-179866	FHP belt - S234	001-434.0000.63011	28.75
		3688-178311	Oil filter	001-434.0000.63011	44.40
		3688-181365	Tailgate handle - P110	001-434.0000.63012	24.24
		3688-178159	Fuel Filter - UF102	001-434.0000.63012	5.12
		3688-175234	Spark Plug - P469	001-434.0000.63012	5.24
		3688-178171	Oil Drain plug Sil-glyde Lubric/Comp UF102	001-434.0000.63012	14.02
		3688-178683	Air filter - P472	001-434.0000.63012	17.29
		3688-181373	Tailgate hand bezel - P110	001-434.0000.63012	8.58
		3688-179003	Oil Filter - R209	001-434.0000.63012	23.05
		3688-178684	Oil filter - P472	001-434.0000.63012	22.50
		3688-176765	Oil Filter - A103	001-434.0000.63013	6.66
P1001	Pape Machinery				
APMWB	Check	13753085	Filter Elements for S555	001-434.0000.63011	3.12
R251	Serights Ace Hardware				
APMWB	Check	333339/1	Hose couplers for Fleet	001-434.0000.63011	11.86
		333306/1	Hose for Fleet	001-434.0000.63011	13.49
		333917/1	Ball Valve for Fleet	001-434.0000.63011	5.39
		334458/1	Nails bolts nuts	001-434.0000.63013	5.56
VEN13988	Tacoma Screw Products, Inc				
APMWB	Check	240043511-00	Washers, screws, nuts and bolts for fleet	001-434.0000.63011	179.77
		240044296-00	Hose clamps, air brake fittings, Screws	001-434.0000.63011	62.48
VEN13040	Turf Star Western				
APMWB	Check	9503864-00	Linear Actuator Kit and Machine Inspection on	001-434.0000.63012	141.05
VEN13987	Western Peterbilt, LLC				
APMWB	Check	027P207935	Credit for Battery Cables for R209	001-434.0000.63012	-78.38
		027P207693	Battery cables and nuts for R209	001-434.0000.63012	166.12
		027P207312	Element - Filter Air Breath - R209	001-434.0000.63160	6.78
Dept 434 Total:					2,383.65

Dept: 441 Urban Forestry

A1395	Advanced Compressor & Hose Inc				
APMWB	Check	88897	Parts for air knife pneumatic tool	001-441.0000.66190	16.13
C220	Coleman Oil Co				
APMWB	Check	CL98736	Fuel for all Departments	001-441.0000.64030	619.67
VEN01373	Intermountain Sign & Safety				
APMWB	Check	15779	Traffic cones	001-441.0000.63110	604.50
VEN14647	Nuphy Inc				
APMWB	Check	1080	Biochar Soil Amendment for Trees	001-441.0000.68230	1,500.00
R1913	Rockhound Landscape Supply				
APMWB	Check	8.11.22	7 cu. yds. of compost	001-441.0000.68200	266.00
R251	Serights Ace Hardware				
APMWB	Check	334349/1	Parts for air knife pneumatic tool	001-441.0000.66190	54.78
		334300/1	Parts for air knife pneumatic tool repair	001-441.0000.66190	12.90
		333604/1	Chainsaw repair	001-441.0000.67010	134.94
		332918/1	Loop of chainsaw chain	001-441.0000.67010	34.19
		332926/1	Supplies for hoop house shade cloth	001-441.0000.67090	100.11
		334034/1	Personal protective equipment for root invigora	001-441.0000.67090	64.76
		333142/1	Tools and supplies for fireblight treatment work	001-441.0000.67090	36.94
		334314/1	6" dial caliper	001-441.0000.67090	26.09

Packet: APPKT09539 - Check Run 9.7.22
 Vendor Set: 01 - Vendor Set 01

Check Date: 8/31/2022

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
Dept: 442 Cemetery					
C220	Coleman Oil Co				
APMWB	Check	CL98736	Fuel for all Departments	001-442.0000.64030	581.91
VEN07745	Memorial Monuments & Vaults Inc				
APMWB	Check	92781	July memorials	001-442.0000.63760	6,032.00
N210	Northland Nursery				
APMWB	Check	220000026388	Top soil	001-442.0000.68170	96.00
Dept 442 Total:					6,709.91
Dept: 443 Parks					
A228	A-L Compressed Gases, Inc.				
APMWB	Check	0003003158	Acetylene for Welder	001-443.0000.64030	8.79
A365	American On-Site Services				
APMWB	Check	473178	Market & Music Portables	001-443.0000.65050	282.42
VEN14428	Asphalt Pros USA				
APMWB	Check	1432	Seal and Stripe Several Park Parking Lots	001-443.0000.68111	8,010.20
C220	Coleman Oil Co				
APMWB	Check	CL98736	Fuel for all Departments	001-443.0000.64030	6,208.72
C410	Country Lock & Key, Inc.				
APMWB	Check	10018	Re-Key Community Forest Restroom	001-443.0000.62180	120.00
F020	Fastenal Company				
APMWB	Check	IDCOE164038	Hardware for Stock	001-443.0000.67030	14.75
		IDCOE165137	Hardware for Stock	001-443.0000.67030	16.87
		IDCOE165302	Hardware for Stock -	001-443.0000.67030	33.32
		IDCOE163828	Hardware for Stock	001-443.0000.67030	22.47
VEN03826	FMI Equipment				
APMWB	Check	100-1001618	Blades for Scag mowers	001-443.0000.66190	68.15
G098	Grainger				
APMWB	Check	9387130439	Marking Paint	001-443.0000.68160	163.44
I110	Idaho Fence Co, Inc.				
APMWB	Check	46087	Fence Installation for the Lean-to	001-443.0000.94180	3,676.43
I340	Interstate Concrete & Asphalt				
APMWB	Check	786656	Lean-to gravel (Construction)	001-443.0000.94180	831.52
L109	Lowe's Credit Services				
APMWB	Check	95374967	Lean-to (Construction) Tax credited back - sep.	001-443.0000.94180	724.87
		95375422	Lean-to (Construction)	001-443.0000.94180	22.11
		70376081	Lean to Original transaction \$724.87 #953749	001-443.0000.94180	-42.28
VEN02005	Matheus Lumber Company				
APMWB	Check	67694004	Lean - to (Construction)	001-443.0000.94180	49.20
		67694002 (2 PO's)	Lumber Package for Parks Shop North Lean-to	001-443.0000.94180	2,437.48
		67694003		001-443.0000.94180	1,861.20
		67694002	Lumber for Lean-to	001-443.0000.94180	1,370.52
N001	Napa Auto Parts				
APMWB	Check	3688-181881	Floor Dry for Shop (Cleaning)	001-443.0000.66190	20.00
VEN14579	Planet Turf				
APMWB	Check	3001096	Grass Seed for Multiple Parks	001-443.0000.68180	1,650.00
		3001095		001-443.0000.68180	1,005.00
P310	Platt Electric Supply				
APMWB	Check	1Z87291	6ft ladder	001-443.0000.66190	155.62
		3C32231	Q'emlin Electrical	001-443.1658.62330	683.47
P4835	ProPrint				
APMWB	Check	61556	Envelopes for Ticket Booth	001-443.0000.63060	118.00
R060	Ragan Equipment Co.				
APMWB	Check	01-114970	Blower part	001-443.0000.66190	20.97
		01-115514	Blower Parts	001-443.0000.66190	13.47
		01-115104	Backpack Blower parts	001-443.0000.66190	90.56
R1691	River City Paint & Decorating				
APMWB	Check	220715	Corbin Ditch Graffiti cover-up paint	001-443.0000.68160	131.97
S0760	Seltice Laundry				

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
		APMWB	Check	2146	Car Wash Park Vehicles	001-443.0000.63150	18.19
R251	Serights Ace Hardware	APMWB	Check	333979/1	Vehicle Cleaner	001-443.0000.63150	6.83
				333616/1	CXT Vault Mop (Cleaning)	001-443.0000.63150	12.59
				334288/1	Small equipment oil	001-443.0000.66190	36.96
				334241/1	Glue for P305	001-443.0000.67030	7.73
				333884/1	Leak Tray (Safety)	001-443.0000.67030	17.25
				334155/1	Multi-tool	001-443.0000.67090	26.98
				333572/1	Chemical for Hornets (Pest Control)	001-443.0000.68220	25.00
				334198/1	Wasp Spray (Pest Control)	001-443.0000.68220	7.50
				333748/1	Hose for Parks	001-443.0000.68230	15.28
				334071/1	Meadows Irrigation	001-443.0000.68230	51.05
				334151/1	Lean-to Hardware (Construction)	001-443.0000.94180	22.25
VEN13075	SERVPRO OF COEUR D'ALENE	APMWB	Check	3531	Bio Remediation at White Pine Restroom	001-443.0000.62040	2,408.98
A565	SiteOne Landscape Supply, LLC	APMWB	Check	122561257-001	North side irrigation	001-443.0000.68230	60.78
				122254929-001	Irrigation wire connectors	001-443.0000.68230	92.79
				122556287-001	North side irrigation	001-443.0000.68230	656.71
T11390	T-O Engineers, Inc.	APMWB	Check	220413-1	Maintenance Facility Topography	001-443.0000.62040	3,500.00
W0226	Walter E Nelson Co	APMWB	Check	477211	Cleaning Supplies	001-443.0000.63150	2,005.02
Z026	Ziegler Lumber Co #017	APMWB	Check	294264	Lumber for Picnic Table	001-443.0000.68160	18.00
				271077	Lumber (Construction)	001-443.0000.68160	76.60
				289149	Lean-to (Construction)	001-443.0000.94180	781.47
				265000		001-443.0000.94180	257.78
				290600	Lean-to (Construction)	001-443.0000.94180	8.85
Dept 443 Total:							39,883.83

Dept: 445 Recreation

C175	Century Publishing Co, Inc.	APMWB	Check	73299	Parks & Rec Fall Guide Printing	001-445.0000.63210	4,360.47
VEN05955	Darrell Hull	APMWB	Check	082522	Youth and Adult Golf Lessons	001-445.0000.62040	2,593.50
				082522 (2)	Golf Camp	001-445.0000.62040	1,867.15
VEN14067	Negative Split Event Timing, LLC	APMWB	Check	1278	Tri Timing and Numbers	001-445.0000.63080	3,003.66
V040	ODP Business Solutions	APMWB	Check	262045037001	Office Supplies-Recreation	001-445.0000.63060	37.99
				262062352001		001-445.0000.63060	28.34
				262045037001		001-445.0000.63060	25.77
						001-445.0000.66050	27.18
VEN10617	Paint CdA, LLC	APMWB	Check	Paint Aug 14	Contract payment for Art in the Park	001-445.0000.62040	392.00
P4835	ProPrint	APMWB	Check	61720	Business cards new email address	001-445.0000.62080	31.00
R097	Rebecca Powell	APMWB	Check	07152022	Fall Park & Rec Guide Design	001-445.0000.63210	1,070.00
R1541	Ricoh USA Inc.	APMWB	Check	5065336042	Rec Copier Usage #0464	001-445.0000.66050	167.92
R251	Serights Ace Hardware	APMWB	Check	333218/1	Baseball Paint and Staples	001-445.0000.63080	18.45
				333803/1	Baseball Field Paint - Staples	001-445.0000.63080	9.89
VEN02035	Staples, Inc	APMWB	Check	3513985187	Office Supplies- Recreation	001-445.0000.63060	159.90
Dept 445 Total:							13,793.22

Dept: 451 Planning & Zoning

C291	Coeur d' Alene Press
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Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
APMWB	Check	I00541733-06182022	Council Publication	001-451.0000.62000	336.70
		I00554071-08122022	Council Zone change Publication	001-451.0000.62000	227.71
H001	H & H Business Systems, Inc.				
APMWB	Check	AR244661	Engineering Copier Usage 6/1 - 6/30	001-451.0000.66050	116.42
		AR243807	Engineering copier contract 6/1 - 6/30	001-451.0000.66050	26.18
		AR247608	Engineering copier	001-451.0000.66050	19.96
		AR247609		001-451.0000.66050	77.56
Dept 451 Total:					804.53
Dept: 452 Building Inspector					
C220	Coleman Oil Co				
APMWB	Check	CL98736	Fuel for all Departments	001-452.0000.64030	607.22
H001	H & H Business Systems, Inc.				
APMWB	Check	AR244661	Engineering Copier Usage 6/1 - 6/30	001-452.0000.66050	116.42
		AR247609	Engineering copier	001-452.0000.66050	77.56
		AR243807	Engineering copier contract 6/1 - 6/30	001-452.0000.66050	26.17
		AR247608	Engineering copier	001-452.0000.66050	19.96
P4835	ProPrint				
APMWB	Check	61652	Business cards for Tisha, Dennis & David	001-452.0000.63000	87.00
Dept 452 Total:					934.33
Dept: 453 Engineering					
C220	Coleman Oil Co				
APMWB	Check	CL98736	Fuel for all Departments	001-453.0000.64030	323.52
H001	H & H Business Systems, Inc.				
APMWB	Check	AR244661	Engineering Copier Usage 6/1 - 6/30	001-453.1901.66050	116.41
		AR247608	Engineering copier	001-453.1901.66050	19.96
		AR247609		001-453.1901.66050	77.56
		AR243807	Engineering copier contract 6/1 - 6/30	001-453.1901.66050	26.17
J105	J-U-B Engineers, Inc.				
APMWB	Check	0155009	Professional Services	001-453.0000.62040	1,965.90
VEN14651	Taylor Cole Investments LLC				
APMWB	Check	8.19.22	Refund site plan review fee paid to incorrect ca	001-453.1757.38511	2,000.00
Dept 453 Total:					4,529.52
Dept: 481 Capital Improvements/Contracts					
VEN14257	Eagle Automation				
APMWB	Check	0005584	Entry gate repair	001-481.0000.68395	13,289.78
W090	Welch Comer & Associates, Inc.				
APMWB	Check	41354.10.0	Water Tower Parking Project	001-481.0000.95015	7,350.00
Dept 481 Total:					20,639.78
Fund 001 Total:					446,326.64
Fund: 003 - PERSONNEL BENEFIT POOL					
Dept: 482 Personnel Pool					
VEN07938	Crystal Balback				
APMWB	Check	42	Wellness Classes Jan - Feb	003-482.4000.73000	240.00
		44	Wellness Classes - May - June	003-482.4000.73000	210.00
VEN14642	Envision Integrative Therapies				
APMWB	Check	#ST	Employee Counseling	003-482.4000.73000	475.00
VEN04994	Gallagher Benefit Services Inc.				
APMWB	Check	261956	Consulting services	003-482.0000.62040	2,500.00
Dept 482 Total:					3,425.00
Fund 003 Total:					3,425.00
Fund: 007 - DRUG SEIZURE PROGRAM					
Dept: 425 Drug Seizure Program					
D070	Dell Marketing LP				
APMWB	Check	10609064588	New PD video workstation	007-425.0000.67020	1,389.50

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
VEN02822	Emergency Pet Care				
APMWB	Check	91604	K9 emergency vet services	007-425.0000.62040	3,642.15
VEN14643	The Links Golf Club				
APMWB	Check	080322	K9 Golf tournament facility fees	007-425.1525.34242	3,998.00
Dept 425 Total:					9,029.65
Fund 007 Total:					9,029.65
Fund: 008 - 911 SUPPORT					
Dept: 426 911 Support					
M2005	Motorola Solutions				
APMWB	Check	16186259	Police Mobile radios	008-426.0000.67020	17,697.50
Dept 426 Total:					17,697.50
Fund 008 Total:					17,697.50
Fund: 023 - SPECIAL EVENTS					
Dept: 446 Special Events					
VEN14641	Jacki Mayer				
APMWB	Check	49877	Refund Holiday Craft Fair 2022 - Medical	023-446.1660.33337	40.00
R251	Serights Ace Hardware				
APMWB	Check	333373/1	Triathlon Bike Rack supplies	023-446.1602.63000	17.22
		333456/1	Triathlon bike rack supplies	023-446.1602.63000	87.91
		333402/1	Triathlon Bike Racks	023-446.1602.63000	6.29
Dept 446 Total:					151.42
Fund 023 Total:					151.42
Fund: 037 - STREETS IMPACT FEES					
Dept: 431 Streets					
VEN02944	BNSF Railway Company				
APMWB	Check	90240408	Chase BNSF RRX Project - A019(955) KN199037-431.0000.95134		2,527.63
VEN07815	LaRiviere, Inc				
APMWB	Check	Poleline & Cecil Rour	Poleline & Cecil Roundabout - Pay App #2	037-431.0000.95137	482,639.24
W090	Welch Comer & Associates, Inc.				
APMWB	Check	41354090-005	Chase BNSF RRX Project	037-431.0000.95134	10,069.15
		41354090-004		037-431.0000.95134	7,730.76
		41354090-003	Chase BNSF RXX Project	037-431.0000.95134	412.41
Dept 431 Total:					503,379.19
Fund 037 Total:					503,379.19
Fund: 650 - RECLAIMED WATER OPERATING					
Dept: 463 Wastewater Operating					
A090	Accurate Testing Labs LLC				
APMWB	Check	125122	July monthly samples	650-463.0000.68360	610.00
		125425	3rd Q Biosolids	650-463.0000.68360	220.00
		125083	Cyanide samples	650-463.0000.68360	120.00
		125519	3rd Q Biosolids	650-463.0000.68360	110.00
A1395	Advanced Compressor & Hose Inc				
APMWB	Check	88680	PAC ECHO 3/8-9/16	650-463.0000.63400	814.98
		88835	Gauge and Adapters - WWTP	650-463.0000.68025	82.79
A424	Anatek Labs, Inc.				
APMWB	Check	2213679	Surface water sampling	650-463.0000.68360	480.00
		2211884	Burly wastewater discharge compliance sampli	650-463.0000.68360	1,615.00
VEN03129	Barr Tech LLC				
APMWB	Check	8253	Bio Solids Disposal per ton for the month of Jul	650-463.0000.62150	42,893.77
C220	Coleman Oil Co				
APMWB	Check	CL98736	Fuel for all Departments	650-463.0000.65005	548.45
C410	Country Lock & Key, Inc.				
APMWB	Check	10017	WWTP Keys	650-463.0000.68025	14.85

Vendor Number Bank Code	Vendor Name Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
G098	Grainger				
APMWB	Check	9398174947	STRAINER SCREEN, WRDRB LOCKR,LVRD,	650-463.0000.68025	292.27
VEN06984	Gravity Consulting, LLC				
APMWB	Check	22080	Spring 2022 PCB River Sampling	650-463.0000.68360	1,816.33
H030	Hach Company				
APMWB	Check	13166015	M-TEC, MODIFIED AGAR PLATES, PK/15	650-463.0000.63400	510.72
		13161132	AMMONIA TNT+, ULR, 0.015-2.0 MG/L PK/25	650-463.0000.63400	156.46
VEN14456	Hayden Area Regional Sewer Board				
APMWB	Check	PCB072022AD	2022 PCB Outreach Advertisement	650-463.6530.64050	200.00
I2731	Inland Environmental Resources				
APMWB	Check	2022-1085	mag delivery	650-463.0000.63008	6,716.30
		2022-1038	poly 8/22	650-463.0000.63480	8,492.00
K100	Kootenai County Solid Waste				
APMWB	Check	10-84809.00 8.14.22	Sewer Plant	650-463.0000.65050	338.00
		10-80256.00 8.14.22	City Wastewater	650-463.0000.65050	117.00
N040	NCL of Wisconsin, Inc.				
APMWB	Check	474398	Test kits, soap, graduated cylinders	650-463.0000.63400	1,214.92
		474399	Standards, test kits	650-463.0000.63400	1,287.73
		473910	lab supplies	650-463.0000.63400	1,691.59
VEN14649	Nelson Fabrication and Repair Inc				
APMWB	Check	15844-1	Screw conveyor welding	650-463.0000.68025	500.00
VEN04172	Northwest Scientific, Inc.				
APMWB	Check	5159436	Tec,Modified Prepared Agar Plates	650-463.0000.63400	572.33
R251	Serights Ace Hardware				
APMWB	Check	333685/1	WWTP Supplies	650-463.0000.68010	24.28
		333451/1	Cleaner, scrapers	650-463.0000.68025	22.10
		333683/1	WWTP Keys	650-463.0000.68025	12.63
VEN06538	SGS AXYS Analytical Services Ltd				
APMWB	Check	11531004	PCB and Dioxin sampling	650-463.0000.68360	3,130.00
T11390	T-O Engineers, Inc.				
APMWB	Check	210756-9	Phase 2 Community Forest	650-463.0000.62040	4,008.50
VEN13987	Western Peterbilt, LLC				
APMWB	Check	027P208911	Oil Filter for T205	650-463.0000.67170	95.88
Z026	Ziegler Lumber Co #017				
APMWB	Check	276967	White Butyl-Flex Gutter and Flashing Sealant	650-463.0000.68025	92.28
Dept 463 Total:					78,801.16

Dept: 466 Wastewater - Collections

A497	Arrow Construction Supply, Inc				
APMWB	Check	345064	Fluorescent Green Marking	650-466.0000.63330	108.00
C280	Coeur d'Alene Power Tool				
APMWB	Check	2-218105	WWTP Service Truck - Heat gun	650-466.0000.67090	135.00
		2-217525	20V Grinder, Drill Kit	650-466.0000.67090	365.96
		2-217526	Honda Generator 2200 Watt	650-466.0000.80240	1,299.00
C220	Coleman Oil Co				
APMWB	Check	CL98736	Fuel for all Departments	650-466.0000.65005	2,014.40
VEN03032	DIVCO				
APMWB	Check	SVC89901	AC Repairs- WWTP	650-466.0000.68010	202.50
N001	Napa Auto Parts				
APMWB	Check	3688-178829	Brake Cleaner - WWTP	650-466.0000.63330	158.40
		3688-180120	3000W Inverter	650-466.0000.67090	380.96
R251	Serights Ace Hardware				
APMWB	Check	334111/1	Starter Fluid & Bolts	650-466.0000.63006	7.81
		333443/1	Fan	650-466.0000.63006	65.68
		333569/1	Glue remover/ wasp spray - WWTP	650-466.0000.63330	21.83
		333824/1	Extension cord, locks	650-466.0000.63330	113.35
U140	UpScale Mail				
APMWB	Check	318482	Collections Letter	650-466.0000.63070	5.93
Dept 466 Total:					4,878.82

Dept: 468 Wastewater - Surface Water

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>C220</u>	Coleman Oil Co				
APMWB	Check	CL98736	Fuel for all Departments	650-468.0000.65005	557.67
<u>R1913</u>	Rockhound Landscape Supply				
APMWB	Check	8.2.22	100sf Sod	650-468.0000.68380	54.00
<u>R251</u>	Serights Ace Hardware				
APMWB	Check	333902/1	Rope, engine oil -WWTP	650-468.0000.68380	31.99
		333822/1	Storage Box & Tool - WWTP	650-468.0000.68380	37.77
<u>VEN03968</u>	Wilbur-Ellis Company - Spokane				
APMWB	Check	15271132	Milestone 12-1 QT - WWTP	650-468.0000.68220	160.52
Dept 468 Total:					841.95
Fund 650 Total:					84,521.93

Fund: 651 - RECLAIMED WATER CAPITAL - WWTP
 Dept: 463 Wastewater Operating

<u>J105</u>	J-U-B Engineers, Inc.				
APMWB	Check	0155081	Tertiary Project - JUB Invoice - August 2022	651-463.3213.90015	149,833.68
		0155150	Outfall Replacement - JUB Invoice - August 20	651-463.6505.95520	3,484.46
<u>VEN14291</u>	Sletten Construction Company				
APMWB	Check	Tertiary Project Slette	Tertiary Project Sletten Pay App #21	651-463.3213.90015	1,080,307.70
Dept 463 Total:					1,233,625.84
Fund 651 Total:					1,233,625.84

Fund: 652 - RECLAIMED WATER CAPITAL - COLLECTOR
 Dept: 463 Wastewater Operating

<u>T11390</u>	T-O Engineers, Inc.				
APMWB	Check	200143-27	Ponderosa Lift Station T-O Engineers Invoice #652-463.3214.95520		11,896.80
Dept 463 Total:					11,896.80
Fund 652 Total:					11,896.80

Fund: 700 - SANITATION
 Dept: 461 Sanitation

<u>VEN07913</u>	CANNON HILL				
APMWB	Check	34251	Wood "waste" disposal	700-461.0000.65050	180.00
<u>C1161</u>	CDA Garbage				
APMWB	Check	1588890	Dumpsters	700-461.0000.65050	1,172.44
<u>K100</u>	Kootenai County Solid Waste				
APMWB	Check	10-86115.00 8.14.22	Parkway Drive	700-461.0000.65050	45.50
		10-81519.00 8.14.22	City Cemetery	700-461.0000.65050	52.00
		10-83148.00 8.14.22	Kiwanis Park	700-461.0000.65050	117.00
		10-83957.00 8.14.22	Senior Thrift Store	700-461.0000.65050	117.00
		10-82910.00 8.14.22	Police Dept	700-461.0000.65050	175.50
		10-86790.00 8.14.22	Chase Park	700-461.0000.65050	286.00
		10-80244.00 8.14.22	City Hall	700-461.0000.65050	390.00
		10-80242.00 8.14.22	City Shop	700-461.0000.65050	486.85
		10-80585.00 8.14.22	South Q'Emlin	700-461.0000.65050	790.40
		10-83573.00 8.14.22	Animal Shelter	700-461.0000.65050	24.00
<u>VEN02385</u>	Prairie Transfer Station				
APMWB	Check	06-21821	Big can refuse	700-461.0000.65050	27.30
		06-21695		700-461.0000.65050	46.80
		06-21925		700-461.0000.65050	11.70
Dept 461 Total:					3,922.49
Fund 700 Total:					3,922.49

Fund: 750 - WATER OPERATING
 Dept: 462 Water Operating

<u>A090</u>	Accurate Testing Labs LLC				
APMWB	Check	125624	WATER TESTING	750-462.0000.68360	125.00

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
APMWB	Check	125733	Coliform Presence/Absence -Water	750-462.0000.68360	125.00
		125774	Coliform Presence/Absence - Water	750-462.0000.68360	125.00
		125140	Well 10 Testing	750-462.0000.68360	260.00
		125142		750-462.0000.68360	1,255.00
		125597	WATER TESTING	750-462.0000.68360	125.00
A1395	Advanced Compressor & Hose Inc				
APMWB	Check	88873	Water Shop Supplies	750-462.0000.63280	75.66
C220	Coleman Oil Co				
APMWB	Check	CL98736	Fuel for all Departments	750-462.0000.64030	2,258.80
H215	Core & Main LP				
APMWB	Check	R151004	METER ADAPTERS	750-462.0000.63280	2,042.38
		R098442		750-462.0000.67020	2,200.00
VEN14305	General Pacific, Inc				
APMWB	Check	1443005	3" METERS	750-462.0000.68235	5,426.00
		1443004		750-462.0000.68235	2,713.00
		1443407	1' METERS	750-462.0000.91280	5,909.00
G098	Grainger				
APMWB	Check	9414043274	MARKING PAINT,20OZ,CAUTION BLUE	750-462.0000.63280	275.76
G116	Graybar Electric Company, Inc.				
APMWB	Check	9327686720	SURGE PROTECTORS WELL 3	750-462.0000.68025	2,340.00
H1957	Horizon				
APMWB	Check	2S173695	WATER SHOP REPLACEMENT BACKFLOW	750-462.0000.68010	1,148.74
K100	Kootenai County Solid Waste				
APMWB	Check	10-81652.00 8.14.22	City Water Dept	750-462.0000.65050	12.00
N001	Napa Auto Parts				
APMWB	Check	3688-180260	Flaring Tool Adapter - WATER	750-462.0000.67090	75.13
P310	Platt Electric Supply				
APMWB	Check	3D91243	Water Shop Supplies	750-462.0000.68010	605.49
R251	Serights Ace Hardware				
APMWB	Check	334268/1	Water Shop Supplies	750-462.0000.63280	53.58
		333886/1	Batteries for Office/field use - Water	750-462.0000.63280	45.27
		334146-1	Water Shop Supplies	750-462.0000.63280	29.73
		333936/1	Highlands Supplies/ Tools - Water	750-462.0000.68025	89.37
		333915/1	Highland Booster Pump Repair - Water	750-462.0000.68025	6.54
VEN10028	Shannon Industrial Contractors, Inc				
APMWB	Check	1362	600A 600V NEMA 1-F Disconnect - WATER	750-462.0000.68025	696.00
U145	USABlue Book				
APMWB	Check	061498	PVC Pipe Saw 18"	750-462.0000.67090	182.84
W180	Western States Equipment				
APMWB	Check	IN002071134 (Tax)	Short Paid Inv IN002071134 Tax (We picked up	750-462.0000.68025	3.00

Dept 462 Total: 28,203.29

Fund 750 Total: 28,203.29

Fund: 753 - WATER CAPITAL

Dept: 462 Water Operating

J105	J-U-B Engineers, Inc.				
APMWB	Check	0155008	Well House 11 - JUB Invoice - August	753-462.3224.95550	639.00

Dept 462 Total: 639.00

Fund 753 Total: 639.00

Report Total: 2,342,818.75



Fund	Account	Amount
001 - GENERAL FUND		
	001-22080	500.00
	001-22115	38,202.50
	001-412.0000.80010	1,026.89
	001-414.0000.62040	8,000.00
	001-414.0000.62060	45.00
	001-414.0000.63050	158.00
	001-414.0000.63060	176.67
	001-414.0000.64010	75.00
	001-414.1445.62170	5,573.81
	001-414.1445.62190	3,232.79
	001-415.0000.62000	271.33
	001-415.0000.62060	90.00
	001-418.4000.72070	495.00
	001-421.0000.62000	33.06
	001-421.0000.62040	631.13
	001-421.0000.63060	263.55
	001-421.0000.63070	24.29
	001-421.0000.63300	10,278.00
	001-421.0000.63920	164.11
	001-421.0000.64020	513.50
	001-421.0000.64030	7,363.53
	001-421.0000.65030	90.00
	001-421.0000.66050	501.32
	001-421.0000.67020	1,548.76
	001-421.0000.67100	1,243.20
	001-421.0000.67170	100.00
	001-421.0000.68010	1,665.00
	001-421.4000.72000	2,050.15
	001-423.1153.68400	586.23
	001-424.0000.62040	600.00
	001-424.0000.62060	150.00
	001-424.0000.63010	838.90
	001-424.0000.63040	616.13
	001-424.0000.63060	308.87
	001-424.0000.64030	165.69
	001-427.0000.62040	125.44
	001-427.0000.64030	312.59
	001-427.0000.68010	80.00
	001-431.0000.63000	166.49
	001-431.0000.63070	51.92
	001-431.0000.63260	46.45
	001-431.0000.63520	2,333.99
	001-431.0000.64030	9,168.85
	001-431.0000.67070	3,500.00
	001-431.0000.68100	166.46
	001-431.0000.68130	149,755.97
	001-431.0000.93010	93,410.80
	001-432.0000.62080	22.50
	001-433.0000.63140	1,123.25
	001-433.0000.63150	554.81
	001-433.0000.63160	347.12
	001-433.0000.63730	1,718.77
	001-433.0000.64030	237.38
	001-433.0000.67030	19.94
	001-433.0000.68010	2,083.06
	001-433.0000.68030	368.66

001-434.0000.63011	781.15
001-434.0000.63012	508.61
001-434.0000.63013	12.22
001-434.0000.63160	242.48
001-434.0000.64030	327.61
001-434.0000.67090	368.10
001-434.0000.67120	60.15
001-434.0000.67210	83.33
001-441.0000.63110	604.50
001-441.0000.64030	619.67
001-441.0000.66190	83.81
001-441.0000.67010	169.13
001-441.0000.67090	227.90
001-441.0000.68200	266.00
001-441.0000.68230	1,500.00
001-442.0000.63760	6,032.00
001-442.0000.64030	581.91
001-442.0000.68170	96.00
001-443.0000.62040	5,908.98
001-443.0000.62180	120.00
001-443.0000.63060	118.00
001-443.0000.63150	2,042.63
001-443.0000.64030	6,217.51
001-443.0000.65050	282.42
001-443.0000.66190	405.73
001-443.0000.67030	112.39
001-443.0000.67090	26.98
001-443.0000.68111	8,010.20
001-443.0000.68160	390.01
001-443.0000.68180	2,655.00
001-443.0000.68220	32.50
001-443.0000.68230	876.61
001-443.0000.94180	12,001.40
001-443.1658.62330	683.47
001-445.0000.62040	4,852.65
001-445.0000.62080	31.00
001-445.0000.63060	252.00
001-445.0000.63080	3,032.00
001-445.0000.63210	5,430.47
001-445.0000.66050	195.10
001-451.0000.62000	564.41
001-451.0000.66050	240.12
001-452.0000.63000	87.00
001-452.0000.64030	607.22
001-452.0000.66050	240.11
001-453.0000.62040	1,965.90
001-453.0000.64030	323.52
001-453.1757.38511	2,000.00
001-453.1901.66050	240.10
001-481.0000.68395	13,289.78
001-481.0000.95015	7,350.00
Fund 001 Total:	446,326.64
003 - PERSONNEL BENEFIT POOL	
003-482.0000.62040	2,500.00
003-482.4000.73000	925.00
Fund 003 Total:	3,425.00
007 - DRUG SEIZURE PROGRAM	
007-425.0000.62040	3,642.15
007-425.0000.67020	1,389.50
007-425.1525.34242	3,998.00
Fund 007 Total:	9,029.65
008 - 911 SUPPORT	
008-426.0000.67020	17,697.50
Fund 008 Total:	17,697.50
023 - SPECIAL EVENTS	
023-446.1602.63000	111.42

023-446.1660.33337	40.00
Fund 023 Total:	151.42
037 - STREETS IMPACT FEES	
037-431.0000.95134	20,739.95
037-431.0000.95137	482,639.24
Fund 037 Total:	503,379.19
650 - RECLAIMED WATER OPERATING	
650-463.0000.62040	4,008.50
650-463.0000.62150	42,893.77
650-463.0000.63008	6,716.30
650-463.0000.63400	6,248.73
650-463.0000.63480	8,492.00
650-463.0000.65005	548.45
650-463.0000.65050	455.00
650-463.0000.67170	95.88
650-463.0000.68010	24.28
650-463.0000.68025	1,016.92
650-463.0000.68360	8,101.33
650-463.6530.64050	200.00
650-466.0000.63006	73.49
650-466.0000.63070	5.93
650-466.0000.63330	401.58
650-466.0000.65005	2,014.40
650-466.0000.67090	881.92
650-466.0000.68010	202.50
650-466.0000.80240	1,299.00
650-468.0000.65005	557.67
650-468.0000.68220	160.52
650-468.0000.68380	123.76
Fund 650 Total:	84,521.93
651 - RECLAIMED WATER CAPITAL - WWTP	
651-463.3213.90015	1,230,141.38
651-463.6505.95520	3,484.46
Fund 651 Total:	1,233,625.84
652 - RECLAIMED WATER CAPITAL - COLLECTOR	
652-463.3214.95520	11,896.80
Fund 652 Total:	11,896.80
700 - SANITATION	
700-461.0000.65050	3,922.49
Fund 700 Total:	3,922.49
750 - WATER OPERATING	
750-462.0000.63280	2,522.38
750-462.0000.64030	2,258.80
750-462.0000.65050	12.00
750-462.0000.67020	2,200.00
750-462.0000.67090	257.97
750-462.0000.68010	1,754.23
750-462.0000.68025	3,134.91
750-462.0000.68235	8,139.00
750-462.0000.68360	2,015.00
750-462.0000.91280	5,909.00
Fund 750 Total:	28,203.29
753 - WATER CAPITAL	
753-462.3224.95550	639.00
Fund 753 Total:	639.00
Report Total:	2,342,818.75

ACCOUNTS PAYABLE HANDCHECK ACCOUNTABILITY FOR CHECK RUN 09.07.22

8/12/2022	\$	252.11	88872	AT&T- Long Distance	Pay Before Due Date	Various
8/12/2022	\$	681.10	88873	AT&T Mobility	Pay Before Due Date	650-466.0000.65030
8/12/2022	\$	495.48	88874	AT&T Mobility	Pay Before Due Date	650-463.0000.65030
8/12/2022	\$	122,919.25	88875	AVISTA Utilities	Pay Before Due Date	Various
8/12/2022	\$	6.86	88876	FedEx	Pay Before Due Date	001-421.0000.63070
8/12/2022	\$	191.58	88877	H & H Business Systems, Inc.	Pay Before Due Date	Various
8/12/2022	\$	506.87	88878	Hailey Smith	Pay Before Due Date	001-21050
8/12/2022	\$	171.54	88879	Idaho State Tax Commission	Pay Before Due Date	001-22095
8/12/2022	\$	833.95	88880	Isabella Short	Pay Before Due Date	001-21050
8/12/2022	\$	35,033.64	88881	Kootenai Electric	Pay Before Due Date	Various
8/12/2022	\$	295,422.22	88883	Northwest Waste and Recycling	Pay Before Due Date	700-461.0000.62042
8/12/2022	\$	461.39	88884	Post Falls Food Bank	Pay Before Due Date	001-22110
8/12/2022	\$	282.18	88885	Ricoh USA Inc.	Pay Before Due Date	Various
8/12/2022	\$	159.98	88886	Spectrum	Pay Before Due Date	001-421.0000.65030
8/12/2022	\$	163.50	88887	Ziplay Fiber	Pay Before Due Date	001-421.0000.65030
8/12/2022	\$	616.00	88888	Ziplay Fiber	Pay Before Due Date	001-421.0000.65030
8/12/2022	\$	76.17	88889	Ziplay Fiber	Pay Before Due Date	650-463.0000.65030
8/18/2022	\$	6,800.64	88891	AVISTA Utilities	Pay Before Due Date	Various
8/18/2022	\$	16.94	88892	Spectrum	Pay Before Due Date	001-417.0000.63080
8/18/2022	\$	139.98	88893	Spectrum	Pay Before Due Date	001-442.0000.65030
8/18/2022	\$	122.00	88894	Ziplay Fiber	Pay Before Due Date	008-426.0000.65031
8/18/2022	\$	675.00	88895	Ziplay Fiber	Pay Before Due Date	008-426.0000.65031
8/18/2022	\$	122.00	88896	Ziplay Fiber	Pay Before Due Date	008-426.0000.65031
8/18/2022	\$	126.05	88897	Ziplay Fiber	Pay Before Due Date	650-463.0000.65030
8/18/2022	\$	1,326.88	88898	Ziplay Fiber	Pay Before Due Date	008-426.0000.65031
8/18/2022	\$	81.88	88899	Ziplay Fiber	Pay Before Due Date	008-426.0000.65031
8/18/2022	\$	122.00	88900	Ziplay Fiber	Pay Before Due Date	008-426.0000.65031
8/18/2022	\$	122.00	88901	Ziplay Fiber	Pay Before Due Date	008-426.0000.65031
8/18/2022	\$	122.00	88902	Ziplay Fiber	Pay Before Due Date	008-426.0000.65031
8/18/2022	\$	122.00	88903	Ziplay Fiber	Pay Before Due Date	008-426.0000.65031
8/18/2022	\$	1,147.83	88904	Ziplay Fiber	Pay Before Due Date	001-421.0000.65030
8/18/2022	\$	122.00	88905	Ziplay Fiber	Pay Before Due Date	008-426.0000.65031
8/18/2022	\$	122.00	88906	Ziplay Fiber	Pay Before Due Date	008-426.0000.65031

8/18/2022	\$	122.00	88907	ZiPLY Fiber	Pay Before Due Date	008-426.0000.65031
8/18/2022	\$	2,340.00	88908	Bluebeam	Pay Before Due Date	001-454.0000.66016
8/23/2022	\$	18,870.00	88910	Spirac	Pay Before Due Date	650-463.3122.68400
8/25/2022	\$	77.79	88957	AT&T- Long Distance	Pay Before Due Date	001-431.0000.65030
8/25/2022	\$	20.97	88958	H & H Business Systems, Inc.	Pay Before Due Date	001-431.0000.63060
8/25/2022	\$	41.77	88959	Kootenai Electric	Pay Before Due Date	001-443.0000.65021
8/25/2022	\$	139.98	88960	Spectrum	Pay Before Due Date	001-412.0000.65040
8/25/2022	\$	494.39	88961	Verizon Wireless	Pay Before Due Date	Various
8/25/2022	\$	75.60	88962	ZiPLY Fiber	Pay Before Due Date	001-421.0000.65030
8/25/2022	\$	83.11	88963	ZiPLY Fiber	Pay Before Due Date	001-445.0000.65030
8/25/2022	\$	50.04	88964	ZiPLY Fiber	Pay Before Due Date	001-421.0000.65030
8/26/2022	\$	2,136.00	88980	Advanced Hot Wash	Pay Before Due Date	001-433.0000.68015
8/26/2022	\$	70.00	88981	Idaho Board of Water & Wastewater Professionals	Pay Before Due Date	650-466-0000.64020
8/26/2022	\$	2,423.54	88982	Level 3 Communications	Pay Before Due Date	Various
8/26/2022	\$	464.83	88983	Level 3 Communications	Pay Before Due Date	Various
	\$	496,975.04				



UBPKT03609 - Refunds 01 UBPKT03605 Disconnect

Account	Name	Date	Check #	Amount	Code	Receipt	Amount	Type
10-0272-02	Kory, John Kyle	8/24/2022	88911	72.90			72.90	Generated From Billing
10-0597-02	Bockstruck, Kylie	8/24/2022	88912	181.00			181.00	Generated From Billing
10-1396-03	Grattic, Carlmagnus & Taryn	8/24/2022	88913	181.15			181.15	Generated From Billing
10-1556-03	Buchite, Jacob	8/24/2022	88914	92.53			92.53	Generated From Billing
10-1775-02	Huffman, Nicholas & Amanda	8/24/2022	88915	138.25			138.25	Generated From Billing
10-2106-01	Engle, Wm & Laura	8/24/2022	88916	183.42			183.42	Generated From Billing
10-2335-01	Leib, Steven & Tina	8/24/2022	88917	69.59			69.59	Generated From Billing
10-2556-01	Starley, Ryan & Savannah	8/24/2022	88918	104.24			104.24	Generated From Billing
10-3747-01	Holden, Donna	8/24/2022	88919	121.71			121.71	Generated From Billing
12-0084-01	McKuin, Kevin & Bobbi	8/24/2022	88920	171.60			171.60	Generated From Billing
12-0136-01	Hartman, Todd W & Rebecca J	8/24/2022	88921	205.79			205.79	Generated From Billing
12-0427-00	Messerschmidt, Samantha	8/24/2022	88922	119.20			119.20	Generated From Billing
13-0734-01	Gundry, Garrett & Kyla	8/24/2022	88923	201.50			201.50	Generated From Billing
14-0037-00	Winn, Ken & Gina	8/24/2022	88924	99.28			99.28	Generated From Billing
14-0512-01	Dodge, Kenneth	8/24/2022	88925	150.95			150.95	Generated From Billing
14-1064-00	Franz, Jacqueline	8/24/2022	88926	106.70			106.70	Generated From Billing
14-1327-02	Davis, Gary & Martha	8/24/2022	88927	155.98			155.98	Generated From Billing
14-1405-02	Hiatt, Leland & Bonnie	8/24/2022	88928	157.02			157.02	Generated From Billing
14-7563-01	Anton, Michael	8/24/2022	88929	78.57			78.57	Generated From Billing
14-7680-00	Lawson Homes	8/24/2022	88930	22.23			22.23	Generated From Billing
15-0208-01	BBS Post Falls 208 Creative Way ID LLC	8/24/2022	88931	135.41			135.41	Generated From Billing
27-0217-02	Ledford, Timothy G	8/24/2022	88932	71.52			71.52	Generated From Billing
33-0272-02	Plank, Scott & Kittie	8/24/2022	88933	82.83			82.83	Generated From Billing
34-0074-00	Green, Richard	8/24/2022	88934	107.03			107.03	Generated From Billing
34-0114-00	Lorenzen, Daniel & Laura	8/24/2022	88935	144.40			144.40	Generated From Billing
35-0022-02	Adams, Kenneth & Linda	8/24/2022	88936	110.32			110.32	Generated From Billing
35-0250-00	Cooke, Nancy	8/24/2022	88937	45.54			45.54	Generated From Billing
35-0285-01	Howard, Anthony & Darrien	8/24/2022	88938	86.27			86.27	Generated From Billing
41-0221-01	Labelle, Daniel & Kimberly	8/24/2022	88939	64.44			64.44	Generated From Billing
44-0110-01	Mulder, Timothy & Doreen	8/24/2022	88940	115.26			115.26	Generated From Billing
44-0364-02	Lehr, Richard & Carla	8/24/2022	88941	123.84			123.84	Generated From Billing
46-0256-01	Fred, Richard Jr.	8/24/2022	88942	105.73			105.73	Generated From Billing
47-0105-00	Cosseboom, Harry D	8/24/2022	88943	50.71			50.71	Generated From Billing
47-0379-01	Gomez, Alex & Emily	8/24/2022	88944	280.74			280.74	Generated From Billing
48-0105-00	Reynolds, Mardell	8/24/2022	88945	114.43			114.43	Generated From Billing
50-1536-01	Werner, Drew	8/24/2022	88946	270.30			270.30	Generated From Billing
51-0106-01	Midwinter, Cynthia	8/24/2022	88947	180.16			180.16	Generated From Billing
51-0411-01	Dargis, David & Rebecca	8/24/2022	88948	139.07			139.07	Generated From Billing

UBPKT03609 - Refunds 01 UBPKT03605 Disconnect

Account	Name	Date	Check #	Amount	Code	Receipt	Amount	Type
51-0521-02	Podschelne, Rick & Rhonda	8/24/2022	88949	152.21			152.21	Generated From Billing
51-0627-01	Margaret Thaler-Lepeska, Roy Lepeska &	8/24/2022	88950	127.28			127.28	Generated From Billing
54-0180-02	Spiller, Linda Louise	8/24/2022	88951	112.87			112.87	Generated From Billing
54-0250-00	Ferguson, Lora	8/24/2022	88952	31.70			31.70	Generated From Billing
54-0269-01	Langhans, Craig & Cynthia	8/24/2022	88953	110.03			110.03	Generated From Billing
54-0513-00	Inc, Viking Construction	8/24/2022	88954	181.39			181.39	Generated From Billing
54-0514-00	Inc, Viking Construction	8/24/2022	88955	53.41			53.41	Generated From Billing
55-0033-00	Hinkle, Marvin	8/24/2022	88956	49.67			49.67	Generated From Billing
Total Refunds: 46			Total Refunded Amount:	5,660.17				

Revenue Code Summary

Revenue Code	Amount
996 - Unapplied Credit	5660.17
Revenue Total:	5660.17

General Ledger Distribution

Posting Date: 08/22/2022

Account Number	Account Name	Posting Amount	IFT
Fund: 750 - WATER OPERATING			
750-10001	Equity Claim on Pool	-5,660.17	Yes
750-17000	Accounts Receivable	5,660.17	
750 Total:		0.00	
Fund: 999 - POOLED CASH			
999-10005	Cash - Pooled (Mountain West Bank)	-5,660.17	
999-28990	Due to Other Funds	5,660.17	Yes
999 Total:		0.00	
Distribution Total:		0.00	

**CITY OF POST FALLS
AGENDA REPORT
CONSENT AGENDA
MEETING DATE: September 6, 2022**

DATE: August 30, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: COMMUNITY DEVELOPMENT – PLANNING DIVISION
SUBJECT: CONSENT ITEM FOR THE SEPTEMBER 6, 2022, CITY COUNCIL MEETING BEL CIELO III ANNEXATION FILE NO. ANN-22-6

ITEM AND RECOMMENDED ACTION:

With approval of the Consent Agenda, City Council authorizes the Mayor's signature of the Legislative Decision for the Bel Cielo III Annexation.

DISCUSSION:

The applicant(s) (Bel Cielo III, LLC) has requested to annex approximately 5-acres into the City of Post Falls, of which a portion will be Rights of Way and Easement for 16th Ave. with the remaining balance of land to receive the zoning designation of High-Density Residential (R3). The property is generally located south of 16th Ave and east of Highway 41.

On June 14, 2022, a public hearing was held before the Planning & Zoning Commission. After receiving testimony and hearing the staff report, the Commission moved to recommend approval of the requested zoning of a High-Density Residential (R3) zoning designation. The City Council held a public hearing and denied the requested annexation with the High-Density Residential (R3) zone on August 16, 2022.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON: August 16, 2022

APPROVED OR DIRECTION GIVEN: Denial

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

N/A

BUDGET CODE:

N/A

SUPPORTING DOCUMENTS: Legislative Decision

**BEL CIELO III ANNEXATION
File No. ANNX-22-6**

City Council Legislative Decision

A. INTRODUCTION:

APPLICANT: Lake City Engineering on behalf of Bel Cielo III, LLC
LOCATION: South of E. 16th Ave. and east of Highway 41.
REQUEST: Annex Approx. 5-acres with High-Density Residential (R3) Zoning.

B. DECISION:

Following a public hearing on August 16, 2022, the Post Falls City Council determined that annexation is not appropriate at this time. The City Council may consider annexing the property in the future. Because the City Council is denying annexation of the property at this time, the City Council does not render a decision on what the property should be zoned if annexed into the City.

_____ Date

_____ Mayor

_____ Attest

NOTICE OF RIGHTS:

THIS DECISION IS NOT APPEALABLE. THE APPLICANT MAY REAPPLY FOR ANNEXATION IN THE FUTURE.

**CITY OF POST FALLS
AGENDA REPORT
CONSENT AGENDA**

MEETING DATE: September 6, 2022

DATE: 8/30/22
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Andrew Arbini, Projects Division Manager
SUBJECT: Tertiary Treatment Upgrade – Special Inspections, Request for Increase of Contract Amount

ITEM AND RECOMMENDED ACTION: City Council approves and authorizes the mayor to approve the request to increase the contract value with Allwest Testing and Engineering.

DISCUSSION: Recent project updates to City Council have included updates on various project related items and contracts pertaining to the construction of the Tertiary Treatment Upgrades. Staff is requesting an increase to the City's contract with Allwest Testing and Engineering to complete the necessary special inspections for the project.

The construction of the Tertiary Treatment Upgrades requires the inspection and oversight of materials and installation of components related to the construction of the project. The original scope and Agreement with Allwest Testing and Engineering includes a defined list of required inspections throughout the duration of the project. Allwest's original scope included assumptions for sequencing of work-related tasks and coinciding inspections onsite. Alternatively, the contractor may sequence work activities in a different order as allowed in the construction contract. Allwest's requested contract adjustment is based on the remaining inspection work for the task items identified in the original inspections scope.

In June of 2020, Council approved the original contract of \$142,580 and a 5% contingency. The total increase of this request is for \$18,000. Staff proposes using \$5,000 of the original approved contingency and requests approval for the difference of \$13,000. The adjusted value of Allwest's contract will become \$160,580 and a contingency of \$2,127 for use authorized by the Public Works Director or his Designee.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:
Special Inspections Contract with Allwest Testing and Engineering – 6/16/20

APPROVED OR DIRECTION GIVEN: N/A

FISCAL IMPACT OR OTHER SOURCE OF FUNDING: Total of this request is for \$13,000.
BUDGET CODE: 651-463.3213.90015

SUPPORTING DOCUMENTS: Allwest Letter - Request for Increase of Contract Amount



Construction Materials Testing
Geotechnical Engineering
Environmental Consulting

August 16, 2022

Andrew Arbini
City of Post Falls Building Department
408 Spokane Street
Post Falls, ID 83854

**RE: Request for Increase of Contract Amount
City of Post Falls - WRF Tertiary Treatment Improvements
Kootenai County, Idaho
ALLWEST Proposal No. 119-106P**

Dear Mr. Arbini:

ALLWEST is requesting an increase to original contract amount for construction materials testing and special inspections. As the project has progressed to date, we are arriving at our original contract amount of \$142,580.00 not to exceed without written authorization. There is still some minor work with soil, asphalt paving, masonry and concrete but structural steel welding and high strength bolting along with fire blocking is still to be performed. **ALLWEST** is requesting an additional \$18,000.00 to complete the construction materials testing and special inspections.

REMARKS

We appreciate the opportunity to submit this additional cost request, and we look forward to serving your inspection needs. If you have any questions or need additional information, please do not hesitate to call me at (208) 762-4721.

Sincerely,

ALLWEST

A handwritten signature in blue ink, appearing to read "Chris McKissen", is written over the company name.

Chris McKissen
Testing Services Manager

**CITY OF POST FALLS
AGENDA REPORT
CONSENT AGENDA
MEETING DATE: SEPTEMBER 6, 2022**

DATE: July 11, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ROBERT S. PALUS, PE – ASSISTANT CITY ENGINEER
SUBJECT: RIGHTS-OF-WAY AND EASEMENTS – CECIL ROAD EXTENSION

ITEM AND RECOMMENDED ACTION: With approval of the Consent Agenda, City Council authorizes the Mayor's signature to accept dedication of rights-of-way and easements to the City, associated with the extension of Cecil Road north from Prairie Avenue.

DISCUSSION: Beyond Green Inc. and Harlan Douglass have an agreement to provide for the extension of utilities along Prairie Avenue and extension of utilities and roadway improvements along Cecil Road. These improvements are necessary to facilitate the development of portions of the Tech Park Properties located in the northwest quadrant of SH41 / Prairie Avenue. As improvements will be constructed on multiple properties, the City is requiring necessary rights-of-way and easements to be secured prior to construction. Acquisition of rights-of-way and easements will allow for the construction of sanitary sewer from Charleville Road to Cecil Road (1/2 mile) and the extension of sanitary sewer (City), water (Ross Point Water) and roadway (City - Cecil Road) from Prairie Avenue northerly 1/2 mile. Staff has reviewed the dedications relative to the conditionally approved construction plans and adopted roadway classifications. Construction of improvements will be able to commence upon execution of a Construction Improvement Agreement (CIA) and acquisition of these associated grants of rights-of-way and easement.

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

APPROVED OR DIRECTION GIVEN: N/A

FISCAL IMPACT OR OTHER SOURCE OF FUNDING: none at this time. City would assume ownership and maintenance of sanitary sewer and roadway improvements upon completion of construction and acceptance of improvements meeting City Standards.

BUDGET CODE: N/A

SUPPORTING DOCUMENTS: A copy of the easements are attached.

GRANT OF EASEMENT

Cecil Rd

KNOWN ALL MEN BY THESE PRESENTS, that Harlan Douglass, 815 E Rosewood Ave, Spokane, WA 99208 for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, in hand paid by the City of Post Falls, Kootenai County, State of Idaho, the receipt of which is hereby acknowledged, do hereby grant, quitclaim and convey unto the said City of Post Falls, 408 Spokane Street, Post Falls, Idaho 83854 a municipal corporation, Kootenai County, State of Idaho, the Grantee, an easement for the construction, improvement, operation and maintenance of a public sewer, sidewalk, storm water drainage, and utilities over, under, upon and across the following described property, to wit:

A STRIP OF LAND 15.00 FEET IN WIDTH BEING THE EAST 15 FEET OF THE WEST 57.50 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, EXCEPTING THAT PORTION LYING WITHIN THE RIGHT-OF-WAY OF WEST PRAIRIE AVENUE.

SAID STRIP OF LAND CONTAINING 0.893 ACRES, MORE OR LESS.

A STRIP OF LAND 60.00 FEET IN WIDTH BEING THE NORTH 60.00 FEET OF THE SOUTH 90.00 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, EXCEPTING THAT PORTION LYING WITHIN THE RIGHT-OF-WAY OF NORTH CECIL ROAD.

SAID STRIP OF LAND CONTAINING 1.788 ACRES, MORE OR LESS.

As depicted in the attached Exhibit B

TO HAVE AND TO HOLD said easement for public sewer, sidewalk, storm water drainage, and utilities, so long as the same shall be used, operated, and maintained as such. The Grantor herein expressly limits the grant and quitclaim of this easement to its respective interest, and that of its successors, in that parcel of land over, under, upon and across which said easement lies.

IN WITNESS WHEREOF the Grantors have caused this instrument to be executed this _____ day of _____, 2022.

GRANTOR

Hash D. Douglas

By:

By: Harlan Mal A.I.F.
Harlan Douglass

CITY OF POST FALLS

By:

Ronald G. Jacobson, Mayor

Attest:

Shannon Howard, City Clerk

W ACKNOWLEDGMENTS

Washington
STATE OF ~~IDAHO~~)

Spokane SS Sa
County of Kootenai)

Deanna N. Malcom A.I.F.

On this 22 day of July, 2022, before me, a notary for the State of Idaho, personally appeared Harlan Douglass known to me or identified to me to be the person subscribed herein who executed the foregoing instrument and acknowledged that they voluntarily executed the same.

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



Shawn Gutierrez
Notary Public for the State of Idaho

Residing at: Spokane

My Commission Expires: 10/13/24



H-Scale 1" = 300'



SE 1/4
SEC. 24

SW 1/4
SEC. 24

W 1/2

E 1/2

42.50'
RIGHT-OF-WAY
OF NORTH CECIL ROAD
AREA = 2.529 AC

15.00'
SIDEWALK, DRAINAGE, AND
UTILITY EASEMENT
AREA = 0.893 AC

60.00'
SIDEWALK, DRAINAGE, AND
UTILITY EASEMENT
AREA = 1.788 AC

W. PRAIRIE AVE.



EXHIBIT B

SECTION 24, TOWNSHIP 51 NORTH, RANGE 5 WEST,
BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO

Johnson
Surveying

DATE SURVEYED: AUGUST 2021

DRAFTED BY: ERH

PLOT DATE: 06/30/2022

SHEET

FILE NAME: 21-229

CHECKED BY: CJJ

PROJECT No.: 21-229

1 / 1

P.O. Box 2544 Post Falls, ID 83877
208-660-2351

johnsonsurveyingnw.com

GRANT OF EASEMENT

Cecil Rd

KNOWN ALL MEN BY THESE PRESENTS, that Harlan Douglass, 815 E Rosewood Ave, Spokane, WA 99208 for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, in hand paid by the City of Post Falls, Kootenai County, State of Idaho, the receipt of which is hereby acknowledged, do hereby grant, quitclaim and convey unto the said City of Post Falls, 408 Spokane Street, Post Falls, Idaho 83854 a municipal corporation, Kootenai County, State of Idaho, the Grantee, an easement for the construction, improvement, operation and maintenance of a public sewer, sidewalk, storm water drainage, and utilities over, under, upon and across the following described property, to wit:

A STRIP OF LAND 10.00 FEET IN WIDTH, BEING THE WEST 10.00 FEET OF THE EAST 52.50 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER EXCEPTING THE NORTH 256.20 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, ALSO EXCEPTING THAT PORTION LYING WITHIN THE RIGHT-OF- WAY OF WEST PRAIRIE AVENUE.

SAID STRIP OF LAND CONTAINING 0.230 ACRES, MORE OR LESS.

As depicted in the attached Exhibit B

TO HAVE AND TO HOLD said easement for public sewer, sidewalk, storm water drainage, and utilities, so long as the same shall be used, operated, and maintained as such. The Grantor herein expressly limits the grant and quitclaim of this easement to its respective interest, and that of its successors, in that parcel of land over, under, upon and across which said easement lies.

IN WITNESS WHEREOF the Grantors have caused this instrument to be executed this _____ day of _____, 2022.

GRANTOR

By: Harlan D. Douglass
By: John Mal A.I.F.
Harlan Douglass

CITY OF POST FALLS

By: _____
Ronald G. Jacobson, Mayor

Attest: _____
Shannon Howard, City Clerk

ACKNOWLEDGMENTS

Washington
STATE OF IDAHO)
Spokane
County of Kootenai)

On this 22 day of July, 2022, before me, a notary for the State of Idaho, personally appeared Harlan Douglass, known to me or identified to me to be the person subscribed herein who executed the foregoing instrument and acknowledged that they voluntarily executed the same. Deanna N. Malcom A.I.F.

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



Shawn Gutierrez
Notary Public for the State of Idaho
Residing at: Spokane
My Commission Expires: 10/13/24

W 1/2

E 1/2

NE 1/4
SW 1/4
SEC 24

SE 1/4
SW 1/4
SEC 24

W 1/2

E 1/2



H-Scale 1" = 200'



256.20

42.50'
RIGHT-OF-WAY
OF NORTH CECIL ROAD
AREA = 0.976 AC

10.00'
SIDEWALK, DRAINAGE, AND
UTILITY EASEMENT
AREA = 0.230 AC

SE 1/4
SEC 24



W. PRAIRIE AVE.

EXHIBIT B

SECTION 24, TOWNSHIP 51 NORTH, RANGE 5 WEST,
BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO

Johnson
Surveying

DATE SURVEYED: AUGUST 2021

DRAFTED BY: ERH

PLOT DATE: 06/30/2022

SHEET

FILE NAME: 21-229

CHECKED BY: CJJ

PROJECT No.: 21-229

1/1

P.O. Box 2544 Post Falls, ID 83877
208-660-2351
johnsonsurveyingnw.com

GRANT OF RIGHT-OF-WAY

Cecil Rd

KNOWN ALL MEN BY THESE PRESENTS, that Harlan Douglass, 815 Rosewood Ave, Spokane, WA 99208 for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, in hand paid by the City of Post Falls, Kootenai County, State of Idaho, the receipt of which is hereby acknowledged, do hereby grant, quitclaim and convey unto the said City of Post Falls, 408 Spokane Street, Post Falls, Idaho 83854 a municipal corporation, Kootenai County, State of Idaho, the Grantee, a right-of-way for the construction, improvement, operation and maintenance of a public roadway, allowing also placement and maintenance of pipelines for water and sewer, and such other surface and underground utility lines as may be necessary, upon and across the following described property, to wit:

A STRIP OF LAND 42.50 FEET IN WIDTH LYING WITHIN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 51 NORTH, RANGE 5 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 42.50 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER EXCEPTING THE NORTH 256.20 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, ALSO EXCEPTING THAT PORTION LYING WITHIN THE RIGHT-OF- WAY OF WEST PRAIRIE AVENUE.

SAID STRIP OF LAND CONTAINING 0.976 ACRES, MORE OR LESS.

As depicted in the attached Exhibit B

TO HAVE AND TO HOLD such right-of-way for public purposes, the Grantor does hereby dedicate all interest in said strip of land to public use for such purposes.

IN WITNESS WHEREOF _____ the Grantors have caused this instrument to be executed this _____ day of _____, 2022.

GRANTOR

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

CITY OF POST FALLS

By: _____
Ronald G. Jacobson, Mayor

Attest: _____
Shannon Howard, City Clerk

ACKNOWLEDGMENTS

Washington
STATE OF IDAHO)
Spokane
County of Kootenai)

On this 22 day of July, 2022, before me, a notary for the State of Idaho, personally appeared Harlan Douglass, known to me or identified to me to be the person subscribed herein who executed the foregoing instrument and acknowledged that they voluntarily executed the same.

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



Shawn Gutierrez
Notary Public for the State of Idaho
Residing at: Spokane
My Commission Expires: 10/13/24

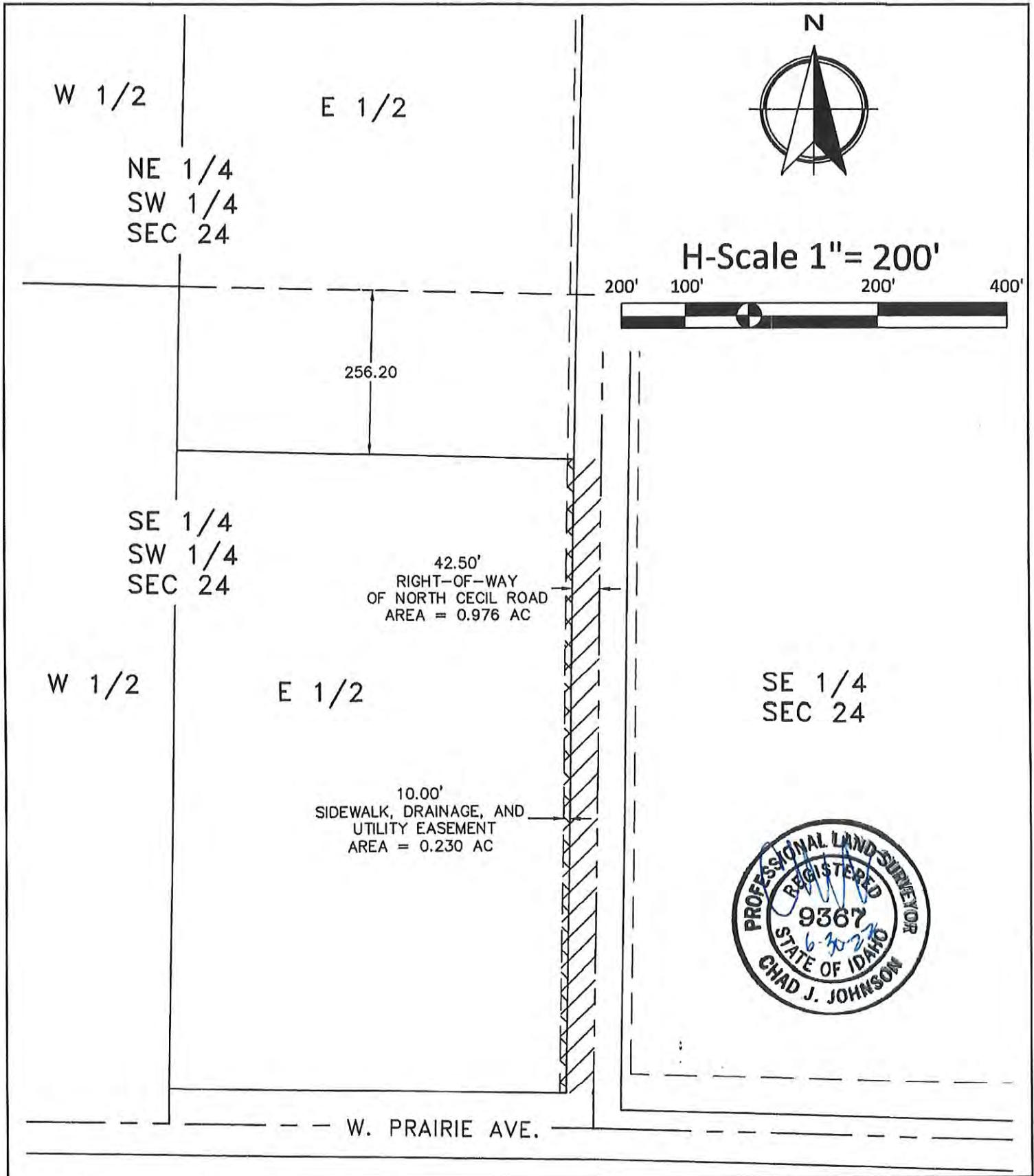


EXHIBIT B

SECTION 24, TOWNSHIP 51 NORTH, RANGE 5 WEST,
BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO

Johnson
Surveying

DATE SURVEYED: AUGUST 2021

DRAFTED BY: ERH

PLOT DATE: 06/30/2022

SHEET

FILE NAME: 21-229

CHECKED BY: CJJ

PROJECT No.: 21-229

1 / 1

P.O. Box 2544 Post Falls, ID 83877
208-660-2351

johnsonsurveyingnw.com

GRANT OF RIGHT-OF-WAY

Cecil Rd

KNOWN ALL MEN BY THESE PRESENTS, that Harlan Douglass, 815 E Rosewood Ave, Spokane, WA 99208 for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, in hand paid by the City of Post Falls, Kootenai County, State of Idaho, the receipt of which is hereby acknowledged, do hereby grant, quitclaim and convey unto the said City of Post Falls, 408 Spokane Street, Post Falls, Idaho 83854 a municipal corporation, Kootenai County, State of Idaho, the Grantee, a right-of-way for the construction, improvement, operation and maintenance of a public roadway, allowing also placement and maintenance of pipelines for water and sewer, and such other surface and underground utility lines as may be necessary, upon and across the following described property, to wit:

A STRIP OF LAND 42.50 FEET IN WIDTH LYING WITHIN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 51 NORTH, RANGE 5 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 42.50 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, EXCEPTING THAT PORTION LYING WITHIN THE RIGHT-OF-WAY OF WEST PRAIRIE AVENUE.

SAID STRIP OF LAND CONTAINING 2.529 ACRES, MORE OR LESS.

As depicted in the attached Exhibit B

TO HAVE AND TO HOLD such right-of-way for public purposes, the Grantor does hereby dedicate all interest in said strip of land to public use for such purposes.

IN WITNESS WHEREOF _____ the Grantors have caused this instrument to be executed this _____ day of _____, 2022.

GRANTOR

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

CITY OF POST FALLS

By: _____
Ronald G. Jacobson, Mayor

Attest: _____
Shannon Howard, City Clerk

ACKNOWLEDGMENTS

STATE OF IDAHO)
County of Kootenai)
Washington
Spokane

On this 22 day of July, 2022, before me, a notary for the State of Idaho, personally appeared Harlan Douglass, known to me or identified to me to be the person subscribed herein who executed the foregoing instrument and acknowledged that they voluntarily executed the same. Deanna M. Malcom A.I.F.

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



Shawn Gutierrez
Notary Public for the State of Idaho
Residing at: Spokane
My Commission Expires: 10/13/24



H-Scale 1" = 300'



SE 1/4
SEC. 24

SW 1/4
SEC. 24

W 1/2

E 1/2

42.50'
RIGHT-OF-WAY
OF NORTH CECIL ROAD
AREA = 2.529 AC

15.00'
SIDEWALK, DRAINAGE, AND
UTILITY EASEMENT
AREA = 0.893 AC

60.00'
SIDEWALK, DRAINAGE, AND
UTILITY EASEMENT
AREA = 1.788 AC

W. PRAIRIE AVE.



EXHIBIT B

SECTION 24, TOWNSHIP 51 NORTH, RANGE 5 WEST,
BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO

Johnson
Surveying

DATE SURVEYED: AUGUST 2021

DRAFTED BY: ERH

PLOT DATE: 06/30/2022

SHEET

FILE NAME: 21-229

CHECKED BY: CJJ

PROJECT No.: 21-229

1
1

P.O. Box 2544 Post Falls, ID 83877
208-660-2351
johnsonsurveyingnw.com

**CITY OF POST FALLS
AGENDA REPORT
CONSENT AGENDA
MEETING DATE: SEPTEMBER 6, 2022**

DATE: August 24, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ROBERT S. PALUS, PE – ASSISTANT CITY ENGINEER
SUBJECT: AMELIA APARTMENTS – ACQUISITION OF SAMITARY SEWER EASEMENTS

ITEM AND RECOMMENDED ACTION: With approval, the Council would authorize the Mayor's signature to enter into three (3) separate Easements Acquisitions needed to provide service to the Amelia Apartments Project on Expo Parkway.

DISCUSSION: With the construction of the Amelia Apartments, public sewer mains were required to be extended within the property to provide sewer service. Dedication of easements were needed to allow for the construction, operation, and maintenance of the public mains. Three (3) separate easements were required to cover the three (3) properties that the sewer main traverses. There are no costs to the City associated with the acquisition of the easements or the construction of the sewer mains. The City does assume normal ownership responsibilities and costs associated with the operation and maintenance of the sewer after construction and acceptance for ownership.

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

APPROVED OR DIRECTION GIVEN: N/A

FISCAL IMPACT OR OTHER SOURCE OF FUNDING: None/Normal operational and maintenance costs of public sanitary sewer mains.

BUDGET CODE: N/A

SUPPORTING DOCUMENTS: A copy of the easements are attached.

GRANT OF EASEMENT

SEWER – TAX #26334

KNOW ALL MEN BY THESE PRESENTS that The Amelia Apartments, LLC, 24201 E. Knox Ln., Liberty Lake, WA 99019, herein after termed "Grantors", for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, do hereby give, grant and quitclaim unto the City of Post Falls, Kootenai County, Idaho, the Grantee, whose address is 408 Spokane Street, Post Falls, Idaho 83854, an easement for the construction, improvement, operation and maintenance of a public sanitary sewer over, under, upon and across the following described property, to wit:

A strip of land 20 feet in width, lying over, under and across the land described in Tax Number 26334 being Exhibit F of the Boundary Line Adjustment Quitclaim Deed filed as Instrument Number 2796642000, Records of Kootenai County, Idaho lying in and being a portion of Lot 1, Block 9 of the plat of Woodbridge South 1st Addition, filed in Book L of Plats at Page 256, Records of Kootenai County, Idaho lying in the South Half of Section 6, Township 50 North, Range 5 West, Boise Meridian, City of Post Falls, Kootenai County, Idaho and more particularly described as follows:

Commencing at the southeast corner of the land described in Tax Number 20377, being a 1/2 inch rebar with yellow plastic cap marked "PLS 4101", from which the northwest corner of Lot 1, Block 9 of said Woodbridge South First Addition bears North 00°50'22" East 1128.01 feet, being a 5/8 inch rebar with yellow plastic cap marked "PLS 4182";

thence along the East line of the land described in said Tax Number 20377, North 00°50'22" East 22.92 feet;

thence leaving said East line, South 89°09'38" East 25.00 feet;

thence South 00°50'22" West 97.48 feet;

thence South 89°09'49" East 164.29 feet;

thence South 00°46'39" West 61.44 feet;

thence South 89°06'12" East 50.28 feet;

thence North 61°59'44" East 228.09 feet;

thence South 89°08'25" East 15.98 feet to West line of the land described in Tax Number 26334, being Exhibit F of said Boundary Line Adjustment Quitclaim Deed filed as Instrument Number 2796642000 being the **True Point of Beginning**;

thence South 89°08'25" East 113.16 feet;

thence North 00°50'22" East 713.93 feet;

thence South 89°09'38" East 20.00 feet;

thence South 00°50'22" West 176.02 feet;

thence South 89°09'38" East 302.11 feet to the West line of the land described in Tax Number 26335, being Exhibit G of said Boundary Line Adjustment Quitclaim Deed filed as Instrument Number 2796642000;

thence along the West line of the land described in said Tax Number 26335, South 09°41'00" West 20.24 feet;

thence leaving said West line, North 89°09'38" West 298.99 feet;

thence South 00°50'22" West 351.02 feet;

thence South 89°09'38" East 159.87 feet;

thence North 54°54'58" East 253.61 feet to the West line of the land described in said Tax Number 26335;

thence along said West line, South 35°05'02" East 20.00 feet;

thence leaving said West line, South 54°54'58" West 260.09 feet;

thence North 89°09'38" West 166.36 feet;

thence South 00°50'22" West 166.89 feet;

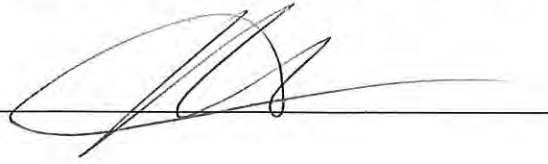
thence North 89°08'47" West 113.16 feet to the East line of the land described in said Tax Number 26333;

thence along said East line, North 00°50'22" East 20.00 feet to the **True Point of Beginning**;

said strip of land containing 31,351 square feet of land, more or less;
as depicted on **Exhibit A**.

TO HAVE AND TO HOLD said easement for public sanitary sewer purposes so long as the same shall be used, operated and maintained as such. The Grantors herein expressly limit the grant and quitclaim of this easement to their respective interest, and that of their successors, in that parcel of land over, under, upon and across which said easement lies.

DATED AND DONE this 22 day of June, 2022.



STATE OF WASHINGTON)
)
County of Spokane)

On this 22nd day of June, 2022, before me a Notary Public in and for said State, personally appeared Kevin Rudeen, known or identified to me to be the General Manager of the corporation that executed this instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.


NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

Residing at: Liberty Lake WA
My Commission Expires: April 18, 2023

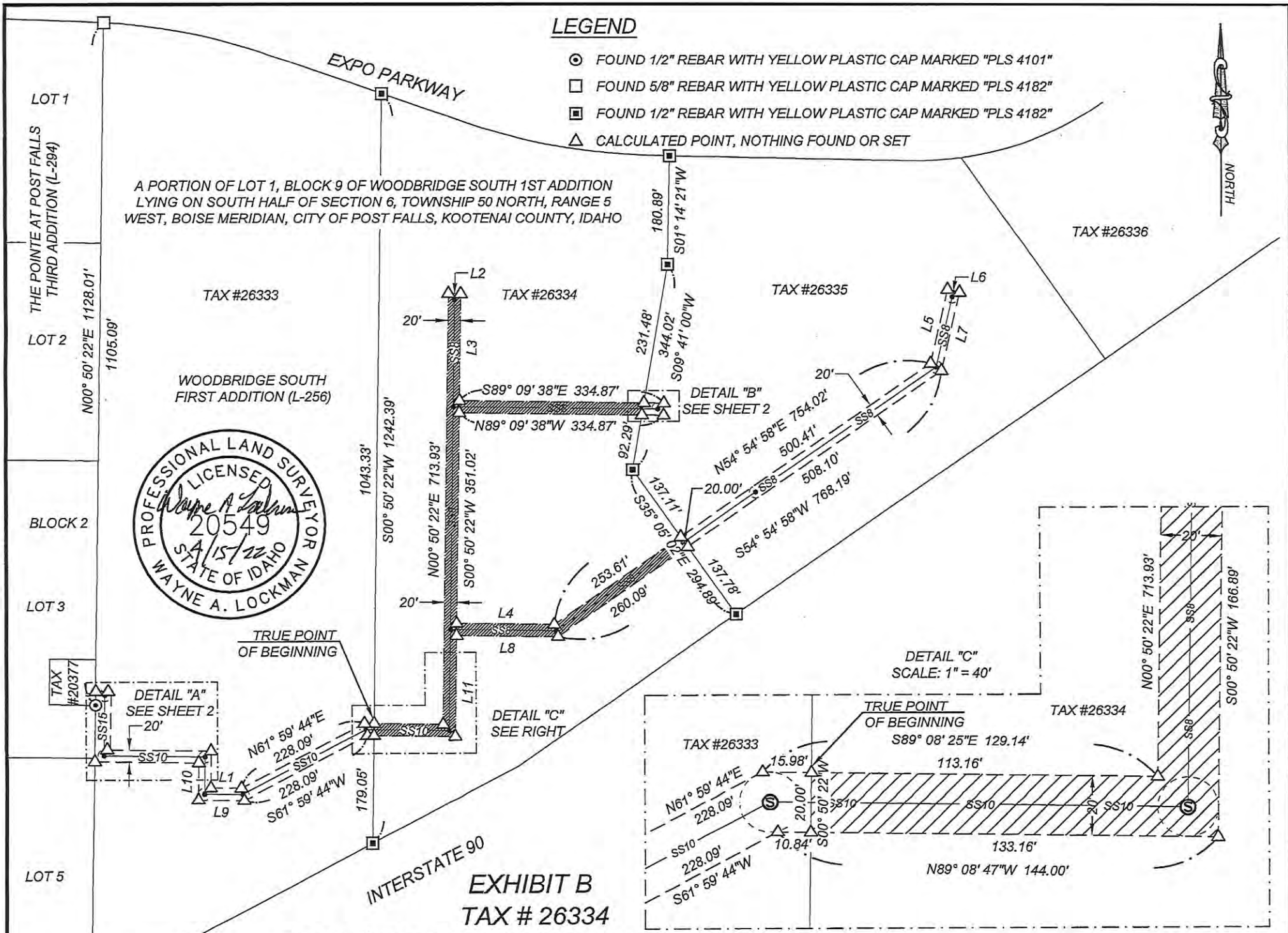


LEGEND

- ⊙ FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4101"
- FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182"
- ▣ FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182"
- △ CALCULATED POINT, NOTHING FOUND OR SET



A PORTION OF LOT 1, BLOCK 9 OF WOODBRIDGE SOUTH 1ST ADDITION LYING ON SOUTH HALF OF SECTION 6, TOWNSHIP 50 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO



**EXHIBIT B
TAX # 26334
SANITARY SEWER EASEMENT**

DETAIL "C"
SCALE: 1" = 40'

GRANT OF EASEMENT

SEWER – TAX #26335

KNOW ALL MEN BY THESE PRESENTS that, The Amelia Apartments, LLC, 24201 E. Knox Ln., Liberty Lake, WA 99019, herein after termed "Grantors", for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, do hereby give, grant and quitclaim unto the City of Post Falls, Kootenai County, Idaho, the Grantee, whose address is 408 Spokane Street, Post Falls, Idaho 83854, an easement for the construction, improvement, operation and maintenance of a public sanitary sewer over, under, upon and across the following described property, to wit:

A strip of land 20 feet in width, lying over, under and across the land described in Tax Number 26335 being Exhibit G of the Boundary Line Adjustment Quitclaim Deed filed as Instrument Number 2796642000, Records of Kootenai County, Idaho lying in and being a portion of Lot 1, Block 9 of the plat of Woodbridge South 1st Addition, filed in Book L of Plats at Page 256, Records of Kootenai County, Idaho lying in the South Half of Section 6, Township 50 North, Range 5 West, Boise Meridian, City of Post Falls, Kootenai County, Idaho and more particularly described as follows:

Commencing at the southwest corner of Tax Number 26335, being a 1/2 inch rebar with yellow plastic cap marked "PLS 4182", from which a point on the westerly line bears, bears North 35°05'02" West 294.89 feet being a 1/2 inch rebar with yellow plastic cap marked "PLS 4182", thence along said westerly line, North 35°05'02" West 137.78 feet to the **Point of True Beginning**;

Thence continuing along said westerly line, North 35°05'02" East 20.00 feet;

thence leaving said westerly line, North 54°54'58" East 500.41 feet;

thence North 12°52'02" East 124.99 feet;

thence South 77°07'58" East 20.00 feet;

thence South 12°52'02" West 132.67 feet;

thence South 54°54'58" West 508.10 feet to the **True Point of Beginning**;

said strip of land containing 12,662 square feet acres of land, more or less, as depicted on **Exhibit A**;

TOGETHER WITH:

A strip of land 20 feet in width, lying over, under and across the land described in Tax Number 26335 being Exhibit G of the Boundary Line Adjustment Quitclaim Deed filed as Instrument Number 2796642000, Records of Kootenai County, Idaho lying in and being a portion of Lot 1, Block 9 of the plat of Woodbridge South 1st Addition, filed in

Book L of Plats at Page 256, Records of Kootenai County, Idaho lying in the South Half of Section 6, Township 50 North, Range 5 West, Boise Meridian, City of Post Falls, Kootenai County, Idaho and more particularly described as follows:

Commencing at an angle point on the westerly line of the land described in Tax Number 26335, being a 1/2 inch rebar with yellow plastic cap marked "PLS 4182", from which the southwest corner of the land described in said Tax Number 26335 bears South 35°05'02" East 294.89 feet being a 1/2 inch rebar with yellow plastic cap marked "PLS 4182", thence along said westerly line, thence North 09°41'00" East 92.29 feet to the **True Point of Beginning;**

Thence continuing along said westerly line North 09°41'00" East 20.24 feet;

thence leaving said westerly line South 89°09'38" East 32.77 feet;

thence South 00°50'22" West 20.00 feet;

thence North 89°09'38" West 35.88 feet to the **True Point of Beginning;**

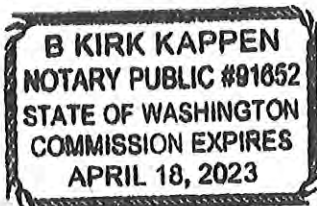
said strip of land containing 686 square feet acres of land, more or less. as depicted on **Exhibit A.**

TO HAVE AND TO HOLD said easement for public sanitary sewer purposes so long as the same shall be used, operated and maintained as such. The Grantors herein expressly limit the grant and quitclaim of this easement to their respective interest, and that of their successors, in that parcel of land over, under, upon and across which said easement lies.

DATED AND DONE this 22 day of June, 2022.

STATE OF WASHINGTON)
)
County of Spokane)

On this 22nd day of June, 2022, before me a Notary Public in and for said State, personally appeared Kevin Rulien, known or identified to me to be the Manager of the corporation that executed this instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.



[Signature]
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

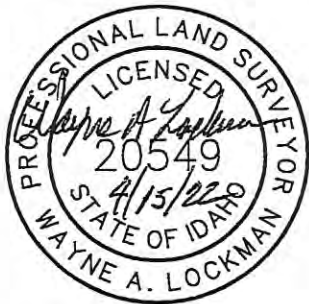
Residing at: Liberty Lake WA
My Commission Expires: April 18, 2023

LEGEND

- ⊙ FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4101"
- FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182"
- ▣ FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182"
- △ CALCULATED POINT, NOTHING FOUND OR SET



A PORTION OF LOT 1, BLOCK 9 OF WOODBRIDGE SOUTH 1ST ADDITION LYING ON SOUTH HALF OF SECTION 6, TOWNSHIP 50 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO



LOT 1
THE POINTE AT POST FALLS THIRD ADDITION (L-294)
LOT 2
LOT 3
LOT 5

TAX #26333

WOODBRIDGE SOUTH FIRST ADDITION (L-256)

TAX #26334

TAX #26335

TAX #26336

INTERSTATE 90

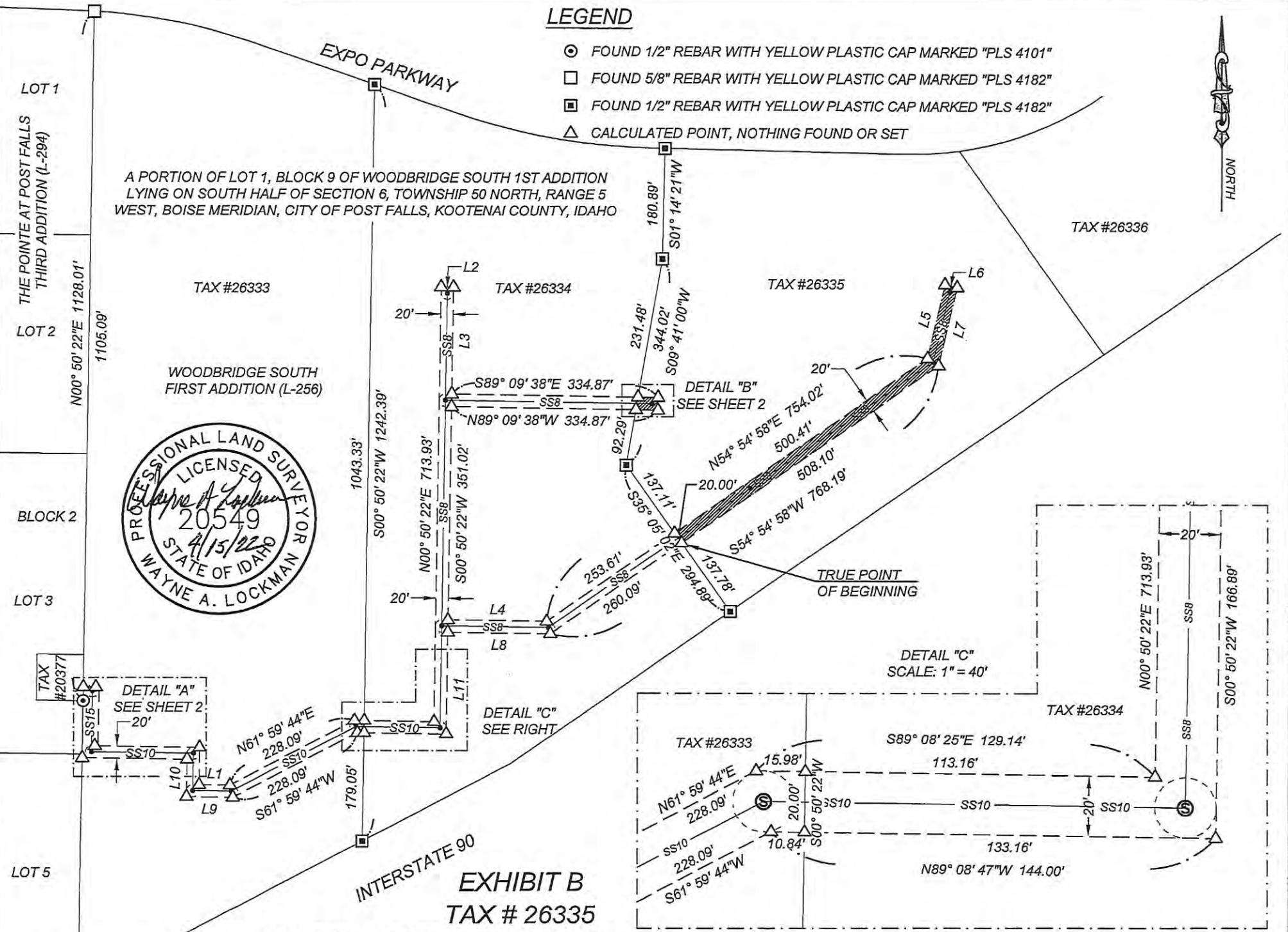
EXHIBIT B
TAX # 26335

SANITARY SEWER EASEMENT

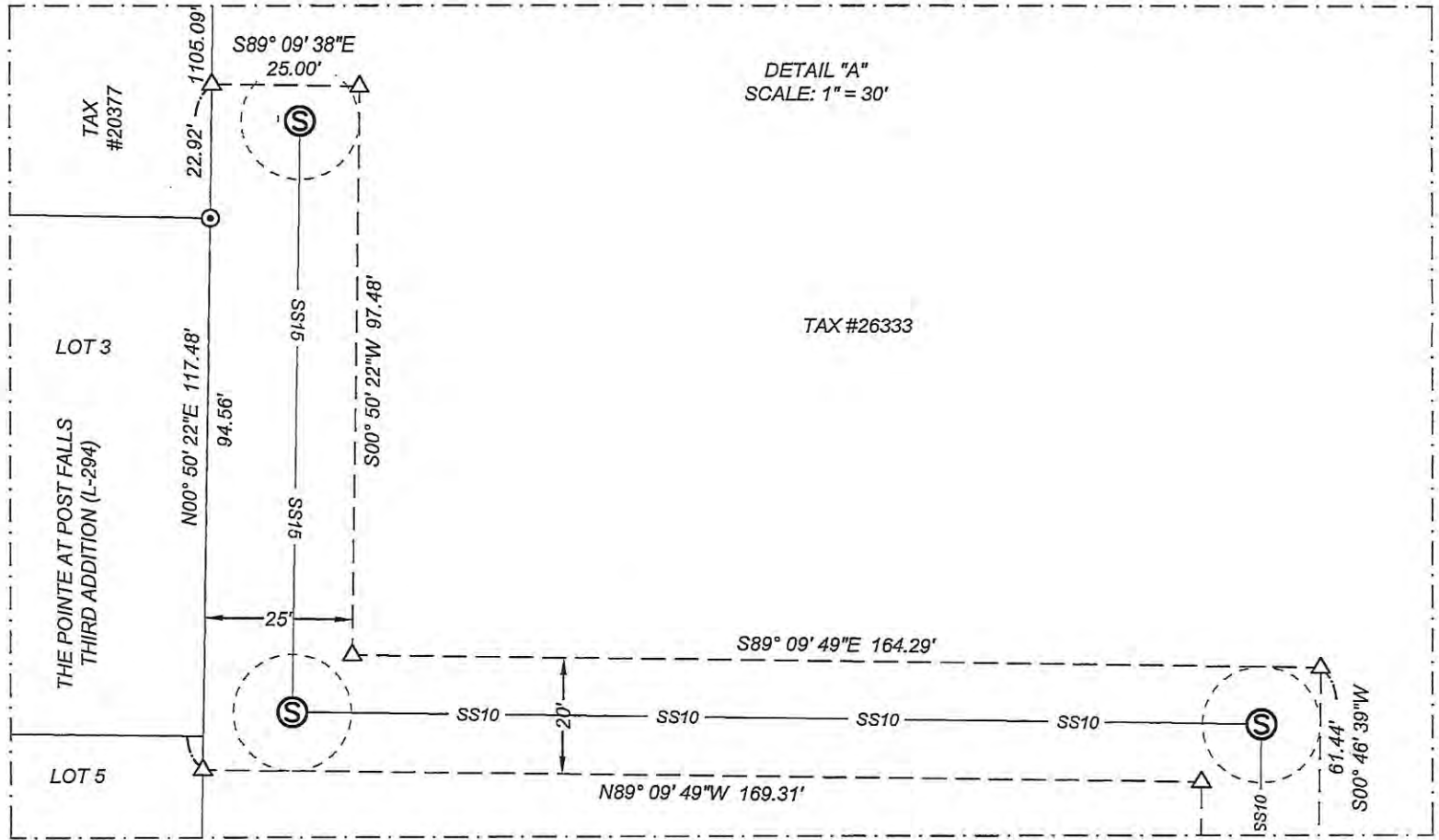
SCALE: 1"=200'

L:\2021\21-001\CAD\21-01-SS-ESM.DWG DATE: 4/19/2022

SHEET 1 OF 2



Line Table		
Line #	Bearing	Length
L1	S89°06'12"E	50.28'
L2	S89°09'38"E	20.00'
L3	S00°50'22"W	176.02'
L4	S89°09'38"E	159.87'
L5	N12°52'02"E	124.99'
L6	S77°07'58"E	20.00'
L7	S12°52'02"W	132.67'
L8	N89°09'38"W	166.36'
L9	N89°06'12"W	75.39'
L10	N00°46'39"E	61.42'
L11	S00°50'22"W	166.89'



DETAIL "A"
SCALE: 1" = 30'

TAX #26333

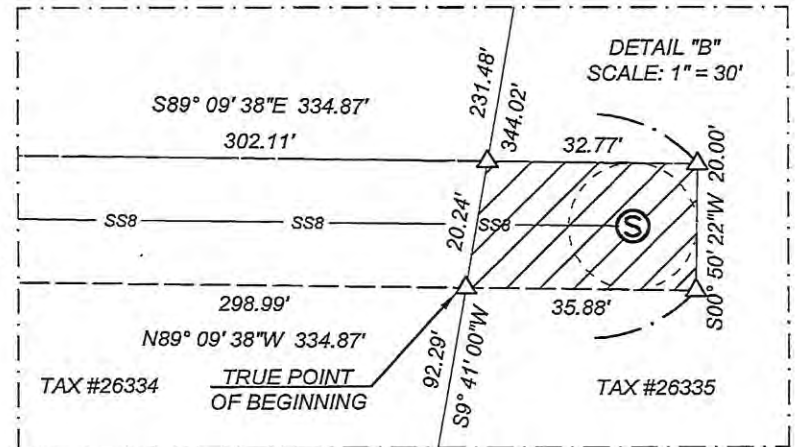


LEGEND

- ⊙ FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4101"
- FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182"
- FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182"
- △ CALCULATED POINT, NOTHING FOUND OR SET

EXHIBIT B
TAX # 26335

SANITARY SEWER EASEMENT



DETAIL "B"
SCALE: 1" = 30'

TAX #26334

TRUE POINT
OF BEGINNING

TAX #26335

GRANT OF EASEMENT

SEWER – TAX #26333

KNOW ALL MEN BY THESE PRESENTS that, Apartments Twenty-Six, LLC, 24201 E. Knox Ln., Liberty Lake, WA 99019, herein after termed "Grantors", for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, do hereby give, grant and quitclaim unto the City of Post Falls, Kootenai County, Idaho, the Grantee, whose address is 408 Spokane Street, Post Falls, Idaho 83854, an easement for the construction, improvement, operation and maintenance of a public sanitary sewer over, under, upon and across the following described property, to wit:

A strip of land varying in width, lying over, under and across the land described in Tax Number 26333 being Exhibit E of the Boundary Line Adjustment Quitclaim Deed filed as Instrument Number 2796642000, Records of Kootenai County, Idaho lying in and being a portion of Lot 1, Block 9 of the plat of Woodbridge South 1st Addition, filed in Book L of Plats at Page 256, Records of Kootenai County, Idaho lying in the South Half of Section 6, Township 50 North, Range 5 West, Boise Meridian, City of Post Falls, Kootenai County, Idaho and more particularly described as follows:

Beginning at the southeast corner of the land described in Tax Number 20377, being a 1/2 inch rebar with yellow plastic cap marked "PLS 4101", from which the northwest corner of Lot 1, Block 9 of said Woodbridge South First Addition bears North 00°50'22" East 1128.01 feet, being a 5/8 inch rebar with yellow plastic cap marked "PLS 4182";

thence along the East line of the land described in said Tax Number 20377, North 00°50'22" East 22.92 feet;

thence leaving said East line, South 89°09'38" East 25.00 feet;

thence South 00°50'22" West 97.48 feet;

thence South 89°09'49" East 164.29 feet;

thence South 00°46'39" West 61.44 feet;

thence South 89°06'12" East 50.28 feet;

thence North 61°59'44" East 228.09 feet;

thence South 89°08'25" East 15.98 feet to West line of the land described in Tax Number 26334, being Exhibit F of said Boundary Line Adjustment Quitclaim Deed filed as Instrument Number 2796642000;

thence along the West line of the land described in said Tax Number 26334, South 00°50'22" West 20.00 feet;

thence leaving said West line North 89°08'47" West 10.84 feet;

thence South 61°59'44" West 228.09 feet;

thence North 89°06'12" West 75.39 feet;

thence North 00°46'39" East 61.42 feet;

thence North 89°09'49" West 169.31 feet to the East line of Lot 5, Block 2 of the plat of The Pointe At Post Falls Third Addition, filed in Book L of Plats at Page 294, Records of Kootenai County, Idaho;

thence along the East line of Block 2 of said plat of The Pointe At Post Falls Third Addition, North 00°50'22" East 94.56 feet to the **True Point of Beginning**;

said strip of land containing 13,338 square feet of land, more or less; as depicted on **Exhibit A**.

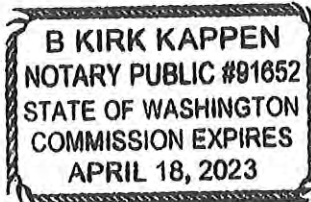
TO HAVE AND TO HOLD said easement for public sanitary sewer purposes so long as the same shall be used, operated and maintained as such. The Grantors herein expressly limit the grant and quitclaim of this easement to their respective interest, and that of their successors, in that parcel of land over, under, upon and across which said easement lies.

DATED AND DONE this 22 day of June, 2022.



STATE OF WASHINGTON)
)
County of Spokane)

On this 22nd day of June, 2022, before me a Notary Public in and for said State, personally appeared Kevin Rudeen, known or identified to me to be the Manager of the corporation that executed this instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.




NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

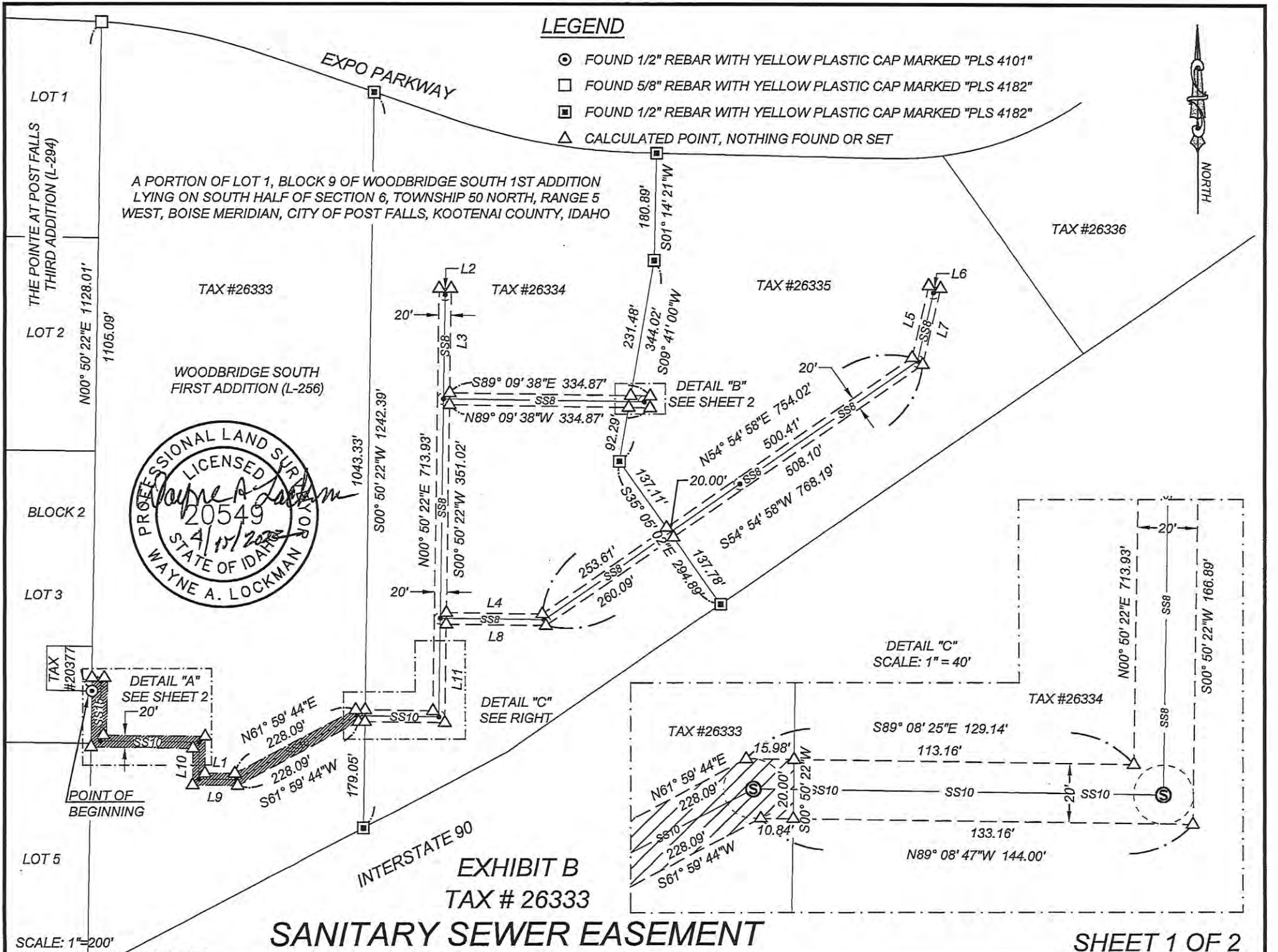
Residing at: Liberty Lake, WA
My Commission Expires: April 18, 2023

LEGEND

- ⊙ FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4101"
- FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182"
- ▣ FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182"
- △ CALCULATED POINT, NOTHING FOUND OR SET



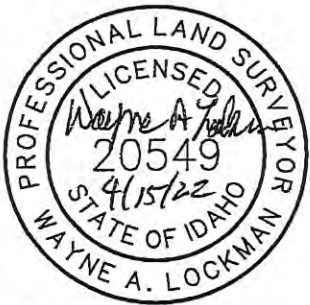
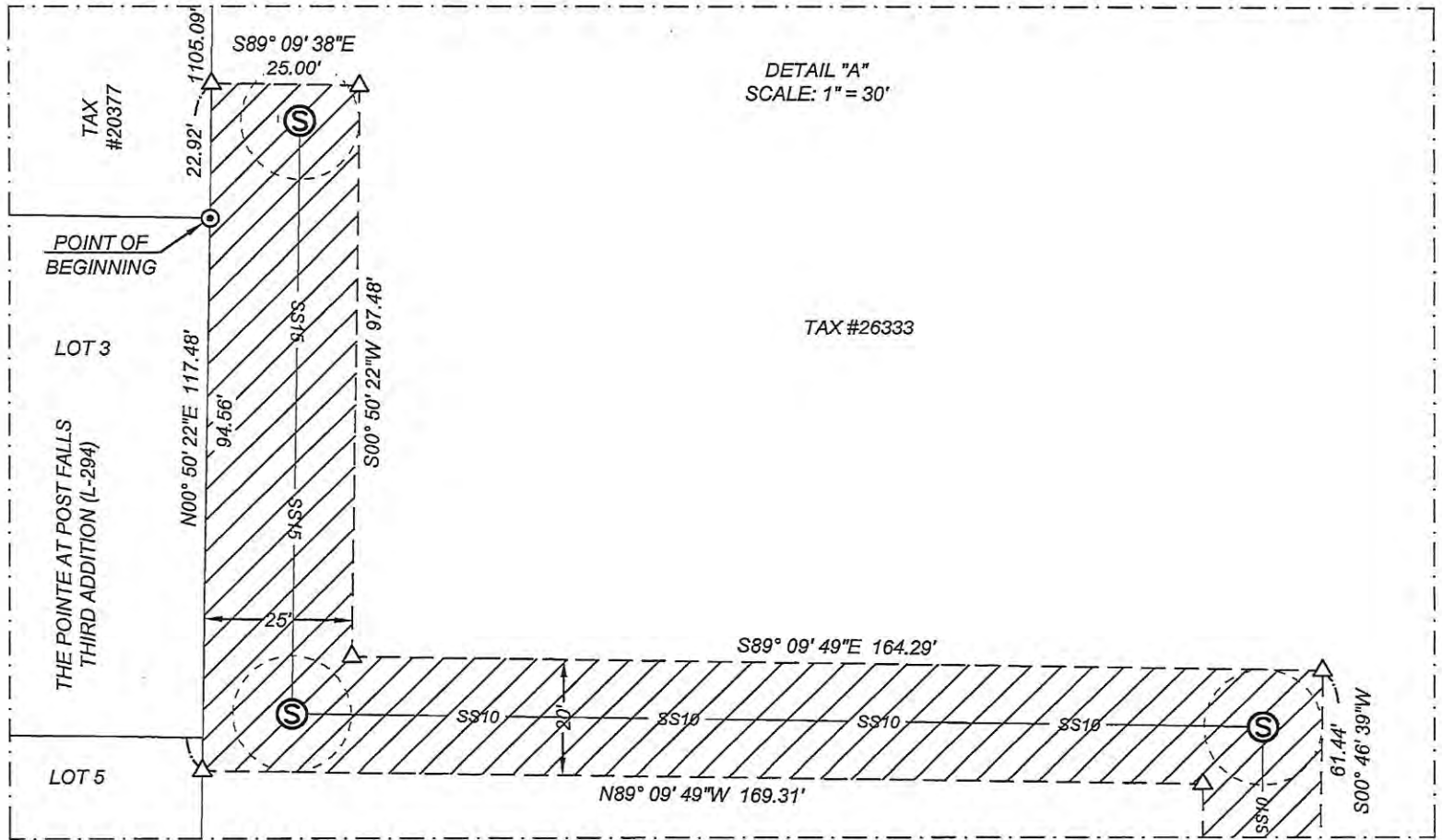
A PORTION OF LOT 1, BLOCK 9 OF WOODBRIDGE SOUTH 1ST ADDITION LYING ON SOUTH HALF OF SECTION 6, TOWNSHIP 50 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO



**EXHIBIT B
TAX # 26333
SANITARY SEWER EASEMENT**

SCALE: 1"=200'
L:\2021\21-001\ACAD\21-01-SS_EBM1.DWG DATE: 4/13/2022

Line Table		
Line #	Bearing	Length
L1	S89°06'12"E	50.28'
L2	S89°09'38"E	20.00'
L3	S00°50'22"W	176.02'
L4	S89°09'38"E	159.87'
L5	N12°52'02"E	124.99'
L6	S77°07'58"E	20.00'
L7	S12°52'02"W	132.67'
L8	N89°09'38"W	166.36'
L9	N89°06'12"W	75.39'
L10	N00°46'39"E	61.42'
L11	S00°50'22"W	166.89'



LEGEND



- ⊙ FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4101"
- FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182"
- ▣ FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182"
- △ CALCULATED POINT, NOTHING FOUND OR SET

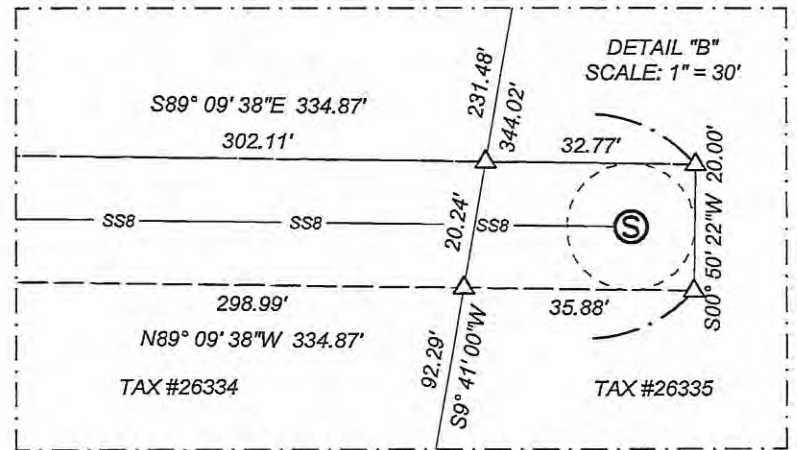


EXHIBIT B
TAX # 26333

SANITARY SEWER EASEMENT

**CITY OF POST FALLS
AGENDA REPORT
CONSENT CALENDAR
MEETING DATE: September 6, 2022**

DATE: August 30, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: COMMUNITY DEVELOPMENT – PLANNING DIVISION
SUBJECT: CONSENT MEMO FOR THE SEPTEMBER 6, 2022, CITY COUNCIL MEETING
BARNUM’S ADDITION ZONE CHANGE FILE NO. ZC-22-3

ITEM AND RECOMMENDED ACTION:

With approval of the Consent Agenda, City Council authorizes the Mayor’s signature of the Reasoned Decision for the Barnum’s Addition Zone Change.

DISCUSSION:

The applicant(s) (Robert Wilhelm) has requested a Zoning Map Amendment (Zone Change) of approximately .55 acres from Single-Family Residential (R1) to Medium-Density Residential (R2). The property is generally located on the east side of Elm Rd., just north of I-90. On May 25, 2022, a public hearing was held before the Planning & Zoning Commission. After receiving testimony and hearing the staff report, the Commission moved to recommend approval of the requested zone change. The City Council held a public hearing and approved the requested zone change on August 2, 2022.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON: August 2, 2022

APPROVED OR DIRECTION GIVEN: Approved

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:
N/A

BUDGET CODE:
N/A

SUPPORTING DOCUMENTS:
Reasoned Decision

**Barnum's Addition Zone Change
File No. ZC-22-3**

**Planning and Zoning Commission
Zoning Recommendation**

A. INTRODUCTION:

APPLICANT: Dobler Engineering

LOCATION: Generally located on the east side of Elm Rd, just north of I-90.

REQUEST: Rezone approximately .55 acres from Single-Family Residential (R1) to Medium Density Residential (R2).

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Legal
4. A-5 Authorization Letter
5. A-6 Title Report
6. S-1 Vicinity Map
7. S-2 Zoning Map
8. S-3 Future Land Use Map
9. PA-1 PFPD Comments
10. PA-2 KCFR Comments
11. PA-3 DEQ Comments
12. PC-1 Schreiber Comments
13. S-4 P&Z Staff Report
14. S-5 Signed Minutes 5-25-2022
15. S-6 Signed Zoning Recommendation
16. PA-4 PFPD Comments
17. PA-5 PFSD Comments
18. Testimony at the public hearing on August 2, 2022, including:

Jon Manley, Planning Manager

Mr. Manley presented the staff report and testified that the applicant is requesting that the City Council rezone approximately .54 acres from Single Family Residential (R1) zoning to Medium Density Residential (R-2) zoning. He explained that the property is located at the end of Elm Rd (local road) abutting the I-90 freeway and contains a non-conforming duplex. The rezone would bring the property into compliance. Mr. Manley testified that the property

is located to the east of an R-2 zoned area with R-1 single family homes situated just to the north.

Mr. Manley testified that water is being provided by East Greenacres Irrigation District and sewer is provided by the city of Post Falls. He noted that the Comprehensive Plan designates this area as Business Commercial and that the site is 1/3 of a mile south of the business corridor along Seltice Way. He testified that the Business Commercial designation promotes a mixture of moderate/high density housing types within walking distance of the city center, neighborhood center and corridor commercial uses. He testified that while the R-2 is one of the implementing zoning districts for the Business Commercial designation, R-1 is not.

Gordon Dobler, Dobler Engineering, Applicant

Mr. Dobler testified that the applicant is seeking to make the existing uses on the property conform with city zoning requirements. He noted that utility services are already in place. He testified that, given the size and configuration of the property, the number of potential lots on the property is limited. Mr. Dobler testified that the R-2 is appropriate as the property across the street is also zoned R-2 and given the proximity to the freeway, the R-2 uses provides a buffer for the single family residences to the north.

C. EVALUATION OF ZONE CHANGE APPROVAL/REVIEW CRITERIA:

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

Based on the testimony provided and the staff report, The Future Land Use Map in the Comprehensive Plan designates this area as Business/Commercial. The City Council finds that R-2 is an implementing zone in the Business/Commercial designation while the current R-1 zoning is not. The Council finds that the proposal fits within the area and the R-2 zone is in accordance 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 staff report, the City Council finds the requested zone change being consistent with the goals and policies contained in the comprehensive plan and that the proposal is consistent with the following relevant goals and policies:

[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 designates this area as Business/Commercial. The Commission finds that R-2 is an implementing zone in the Business/Commercial designation. The Commission finds that the proposal fits within the area and the R-2 zone is in accordance with the Future Land Use Map.
- *Compatibility with surrounding land uses;*

The Council finds that the proposed development pattern for this property is compatible with the surrounding uses as they are primarily residential in nature.

- *Infrastructure and service plans;*

Sanitary Sewer for the location is located at the northwest corner of the property. Connection to sewer would not be required with zone change; however, any future subdivision would require extension of sewer and connection thereto. The property requesting the zone change 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.

East Greenacres Irrigation District would service water.

[P.08] Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City Limits.

The Council finds that rezoning the property will allow for the existing duplex to be made conforming, which will help with the revitalization and redevelopment of this area.

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 property is adjacent to terminus of Elm Rd., next to the I-90 rights-of-way. Elm Rd. is classified as a local roadway. The proposed zone change will not have any negative impacts to the City's transportation system.

Water and Sanitary Sewer:

Sanitary Sewer for the location is located at the northwest corner of the property. Connection to sewer would not be required with zone change; however, any future subdivision would require extension of sewer and connection thereto. The property requesting the zone change 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.

East Greenacres Irrigation District will service water.

Compatibility with Existing Development and Future Uses:

The propose residential use is adjacent to other residential uses and is therefore compatible.

Future Land Use Designation:

The Future Land Use Map in the Comprehensive Plan designates this area as Business/Commercial. The Commission finds that R-2 is an implementing zone in the Business/Commercial designation. The Commission finds that the proposal fits within the area and the R-2 zone is in accordance with the Future Land Use Map.

Community Plans:

None.

Geographic/Natural Features:

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

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

The Council finds this criterion inapplicable to the proposal.

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 Council finds that this location, as R-2 is considered lower density housing, being further away from the Seltice Way which is a commercial corridor, and it fits this criterion well as it is proceeding away from higher intense urban activity.

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

The Council finds this criterion inapplicable to the request, as Industrial zoning is not being requested as part of this consideration nor is Industrial zoning situated near the requested area.

D. DECISION OF THE CITY COUNCIL:

Barnum Zone Change, File No. ZC-22-3: Based on the record developed during the public hearing process and the recommendation of the Planning and Zoning Commission, the City Council finds that the applicants request meets all applicable review criteria and approves the applicants request to rezone the property to Medium Density Residential (R-2).

Date

Mayor

Attest

NOTICE OF RIGHTS:

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

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

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

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

**CITY OF POST FALLS
AGENDA REPORT
CONSENT AGENDA
MEETING DATE: September 6, 2022**

DATE: August 30th, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: BILL MELVIN, CITY ENGINEER
SUBJECT: BLUE SPRUCE MEADOWS SUBDIVISION CONSTRUCTION IMPROVEMENT AGREEMENT

ITEM AND RECOMMENDED ACTION: With approval of the Consent Agenda, City Council authorizes the Mayor to sign the Construction Improvement Agreement for the subject subdivision.

DISCUSSION: This Agreement reflects the construction phase of the Blue Spruce Meadows Subdivision. The Agreement sets forth the typical expectations of the Developer of the subdivision and sets forth the responsibilities of the Developer and the City of Post Falls. This is a 38-lot subdivision, with the application for plat submitted by Wildflower Properties, LLC.

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

APPROVED OR DIRECTION GIVEN: N/A

FISCAL IMPACT OR OTHER SOURCE OF FUNDING: N/A

BUDGET CODE: N/A

SUPPORTING DOCUMENTS: A copy of the Construction Improvement Agreement is available in the Community Development office for review.

CITY OF POST FALLS
408 SPOKANE STREET
POST FALLS, IDAHO 83854

CONSTRUCTION IMPROVEMENT AGREEMENT

THE CITY OF POST FALLS (hereinafter the "City"), 408 Spokane Street, Post Falls, Idaho 83854 and **Wildflower Properties, LLC** (hereinafter the "Developer"), enter into this Agreement effective the ____ day of _____ 20____, respecting the development of **Blue Spruce Meadows**, the "Project", affecting the public rights of way or other public systems, equipment or property within the City of Post Falls. This Agreement provides for construction of subdivision improvements intended for ownership or maintenance by the City of Post Falls and other purveyors to support the development in accordance with the Subdivision Ordinance of the City of Post Falls.

I, **Nicholas Beveridge**, execute this Agreement as the Developer with full responsibility for the proper development of the Project in accordance with provisions of the law and the specific terms and conditions made applicable to the Project in the course of project review by the City of Post Falls, as applicable. It is understood that the person(s) who execute this Agreement on behalf of the Developer does so in the capacity of Owner, and that they represent that they have full legal authority to do so. The parties to this Agreement shall accept notices at the following respective addresses and telephone numbers:

DEVELOPER
Nicholas Beveridge
Wildflower Properties, LLC
3931 N. Schreiber Way
Coeur D'Alene, ID 83815

CITY
Ronald Jacobson, Mayor
City of Post Falls
408 Spokane Street
Post Falls, Idaho 83854
(208) 773-3511

WHEREAS, no construction of public improvements shall be allowed until plans are approved by the City Engineer as authorized by the City Council, as appropriate, until Engineering inspection and other fees indicated herein are pre-paid in full, until this Construction Improvement Agreement has been approved by City Council, Mayor or City Engineer, as appropriate, and until this Agreement has been signed, and necessary proof of insurance or surety has been provided; and

WHEREAS, Title 17, Subdivisions, of the Post Falls City Code requires certain common improvements to be provided by the Owner prior to occupancy of structures built within a development project or acceptance of public improvements for maintenance; and

WHEREAS, subdivisions and their inclusive lots must be provided with survey monuments, street surfacing, curbs and gutters, drainage systems, sidewalks, street name signs, street lighting, public water supply, fire hydrants and sanitary sewer system, among others; and

WHEREAS, no building permit may be issued for construction or repair of a dwelling unit in a subdivision for which a plat has not been approved and recorded or adequate surety provided; and no Certificates of Occupancy will be issued until the plat has been recorded and all improvements necessary for public health and safety are constructed and

substantially complete. Said requirement shall not prohibit construction of a pre-approved model home or other demonstration project provided that it is not intended for sale or occupancy before all subdivision improvements are substantially complete and adequate life safety measures are addressed; and

WHEREAS, the Owner is deemed to have satisfied the requirements for the plat to be recorded when all improvements required have been constructed pursuant to an approved Construction Improvement Agreement, or a bond furnished in an amount equaling 150% of the cost of constructing such improvements pursuant to an approved Construction Improvement Agreement; and

WHEREAS, the City of Post Falls has adopted site development standards which require work in the public rights of way in order to complete site development work on projects to comply with the City's Subdivision Ordinance; and

NOW, THEREFORE, in consideration of mutual promises and covenants contained herein, and upon representations made in application documents and presentations before the City's deliberative bodies, the parties agree as follows:

The real property which is the subject of this Agreement (hereinafter the "Property") is located in the City of Post Falls and is described as set forth on Attachment A which is incorporated herein by reference: (Legal Description of External Boundaries of Lands Subject to Development Agreement).

The Developer seeks the City's agreement to enter into a Contract to construct and install the improvements listed in Attachment B in accordance with all terms, covenants and conditions of this Agreement and the Developer's approved construction plans and specifications which are incorporated herein by reference. Any unique terms or conditions of improvement status, including any accelerated or delayed improvement obligations shall be set forth in the Attachments.

The estimated total costs of the improvements to be owned, operated and maintained by the City of Post Falls: utilities to be owned, operated and maintained by a utility other than the City of Post Falls; and other improvements for which surety is required as submitted by the Developer and approved by the City Engineer are depicted on Attachment C for purposes of calculation of surety requirements in accordance with the requirements of ordinances of the City of Post Falls. Evidence any required surety at the time of execution of this Agreement shall be attached hereto and be labeled Attachment D.

ARTICLE I

GENERAL PROVISIONS

1.01 APPLICATION OF ARTICLE

Unless this Agreement expressly provides otherwise, all provisions of this Article applies to every part of this Agreement.

1.02 PERMITS, LAWS, AND FEES

The Developer shall acquire and maintain in good standing all permits, licenses, platting approvals and other requirements necessary to its performance under this Agreement. All actions taken by the Developer under this Agreement shall comply with all applicable statutes, ordinances, rules, and regulations. The Developer shall pay all fees pertaining to its performance under this Agreement in accordance with this Agreement or with laws applicable to actions contemplated. Applicable fees shall be required by Post Falls Municipal Code and resolutions adopted by the City Council implementing Code requirements.

1.03 RELATIONSHIP OF PARTIES

Neither by entering into this Agreement, nor by doing any act hereunder, may the Developer, or any contractor or subcontractor of the Developer, be deemed an agent, employee, or partner of the City, nor otherwise associated with the City other than, in the case of Developer, as an independent contractor. The Developer and its contractors and subcontractors shall not represent themselves to be agents, employees or partners of the City, or otherwise associated with the City other than, in the case of the Developer, as an independent contractor. The Developer shall notify all its contractors and subcontractors of the provision of this section.

1.04 ENGINEER'S RELATION TO THE CITY

Notwithstanding any other agreement, an engineer retained by the Developer to perform work under this Agreement shall not be deemed an agent, employee, partner, or contractor of the City, or otherwise associated with the City. The parties agree that the engineer retained by the Developer to supervise the construction and inspection of the Project is doing so for the benefit of the Developer and City. Engineer's duties include responsible and in-charge, fair, honest, and competent inspection of the work undertaken pursuant to this Agreement in accordance with standards of practice in the engineering profession.

1.05 DEVELOPER'S RESPONSIBILITY

The Developer shall be ultimately responsible for the faithful performance of all terms, covenants and conditions of this Agreement, notwithstanding the Developer's delegation to another of the actual performance of any term, covenant or conditions hereof. The Developer shall notify all contractors, subcontractors, or agents providing professional services of conditions and requirements of this agreement.

1.06 ALLOCATION OF LIABILITY

The Developer shall indemnify and hold the City harmless from any claim, action, or demand arising from any act or omission related to Developer's performance of duties pursuant to this Agreement. The liability assumed by the Developer pursuant to this section includes, but is not limited to, claims for labor and materials furnished for the construction of the improvements. Developer acknowledges that the work on the Project will take place on lands, which may be owned or otherwise subject to

control by the City. Developer shall provide insurance in amounts sufficient to satisfy the obligations of the City pursuant to the Idaho Tort Claims Act, but in no case less than one million dollars (\$1,000,000) per occurrence. City shall be named as an additional insured respecting the premises and conduct of the work on the project including coverage for comprehensive general liability, premises liability and automobile liability. The required evidence of insurance shall be attached hereto as Attachment E.

1.07 DISCLAIMER OF WARRANTY

Notwithstanding this Agreement or any action taken by any person hereunder, neither the City nor any City officer, agent or employee warrants or represents the fitness, suitability or merchantability of a property, plan, design, material, workmanship or structure for any purpose.

1.08 NON-DISCRIMINATION

- A. In performing its obligations under this Agreement, the Developer shall not discriminate against any person on the basis of disability, race, creed, color, national origin, sex, marital status, or age.
- B. In selling property or improvements in the subdivision, the Developer shall not discriminate against any person on the basis of disability, race, creed, color, national origin, sex, marital status, or age.

1.09 COST OF DOCUMENTS

All plans, reports, drawings, or other documents that this Agreement requires to be provided to the City by the Developer shall be furnished at the Developer's expense, free of copyright.

1.10 PUBLIC UTILITIES

- A. Any public utility service contemplated by this Agreement shall be provided only to areas where the service is allowed by applicable law. All utility service shall conform to the rules, regulations, and tariffs of the State of Idaho to the extent they may apply.
- B. If the State of Idaho or other agency having authority disallows any utility service to be provided by the city or any utility following execution of this Agreement, requirements of this Agreement relating to the disallowed service shall be deleted from the requirements of the Developer under this Agreement. The disallowance shall not be grounds for any claim, action, or demand against the City.
- C. The Developer shall bear all cost associated with the installation of all Public Utilities, including street lights. These installation costs shall not be passed on to the City unless provided for otherwise within an appendix to this agreement.
- D. The Developer shall be responsible to either pay the sewer and water cap fees and hookup fees or confirm that those fees have been paid by any property

owner which the developer connects to the City sewer or water system as part of the installation of the public improvement.

- E. The Developer shall be responsible to pay the cost of operation of the street lights within the development for a period of one year. The Developer shall pay to the City, at the time of execution of this Agreement the anticipated cost of the operation of the street lights within the development for one year, as determined by the City.

1.11 TIME IS OF THE ESSENCE

Unless otherwise expressly provided herein, time is of the essence of each and every term, covenant, and condition of this Agreement.

1.12 ASSIGNMENTS

- A. Except insofar as Subsection B of this section specifically permits assignments, any assignment by the Developer of its interest in any part of this Agreement or any delegation of duties under this Agreement shall be void and any attempt by the Developer to assign any part of its interest or delegate any duty under this Agreement shall constitute a default entitling the City to invoke any remedy available to it under Section 1.13.
- B. The Developer may assign its interest or delegate its duties under this Agreement:
 - 1. To the extent that applicable codes require that assignments of contract rights be allowed;
 - 2. To contractors and subcontractors, or to partnerships, limited liability companies or corporations in which the Developer may have a substantial interest, subject to Section 1.05, provided that performance guaranties can be provided or maintained;
 - 3. As expressly permitted in writing by the City. The City will not unreasonably deny assignment if security of performance is maintained on a comparable basis.

1.13 DEFAULT – CITY’S REMEDIES

- A. The City may declare the Developer to be in default:
 - 1. If the Developer is adjudged bankrupt, makes a general assignment for the benefit of creditors, suffers a receiver to be appointed on account of insolvency, takes advantage of any law for the benefit of insolvent debtors; or
 - 2. Except as provided in subsections 3 and 4 below, if the Developer has failed in any measurable way to perform its obligations under this Agreement, except if delayed by an act or omission of the City, acts of God or the public enemy, fires, floods, epidemics, quarantine restrictions, strikes, labor disputes, shortage of materials, sabotage or

freight embargoes, provided the City gives the Developer notice of the failure to perform and the Developer fails to correct the failure within twenty-eight (28) days of receiving the notice; or if the failure requires more than twenty-eight (28) days to cure, the Developer fails within twenty-eight (28) days of receiving the notice to commence and proceed with diligence to prosecute the cure. All such notices to the Developer shall be in writing by certified mail, return receipt requested.

3. If the Developer fails to continue with sustained effort in accordance with the approved Construction Schedule, while working in the existing public traveled or developed rights of way, and the City provides twenty-four (24) hours' notice of this default and the Developer fails to correct the failure within that time period.
4. If the actions of the Developer have created a public hazard or conditions deemed an emergency by the City, the City may declare the Developer in default without providing prior notice and opportunity to cure.

B. Upon a declaration of default, and failure to cure under Section 1.13, the City may do any one or more of the following:

1. Perform any act required of the Developer under this Agreement, including drawing surety and construction of all or any part of the improvements after giving formal notice in writing to the Developer. The Developer shall be liable to the City for any costs thus incurred. The City may deduct any costs incurred from the surety or any payments then or thereafter due the Developer from the City whether under this Agreement or otherwise. No advance notice shall be required by the City to the Developer to correct actions to remedy any items that fall under Section 1.13,A.4.
2. Exercise its rights under any provision of this Agreement, or any performance or warranty guaranty securing the Developer's obligations under this Agreement.
3. Pursue any appropriate judicial remedy including, but not limited to, an action for specific performance, injunction, and civil penalties. City shall be entitled to its attorney's fees in any enforcement action necessary to enforce the terms of this Agreement.

1.14 NON-WAIVER

The failure of the City at any time to enforce a provision of this Agreement shall in no way constitute a waiver of the provision, nor in any way affect the validity of this Agreement or any part hereof, or the right of the City thereafter to enforce each and every provision hereof.

1.15 INTERPRETATION

A. Each document incorporated by reference herein is an essential part of this Agreement, and any requirement, duty or obligation stated in one document is as

binding as if stated in all. All documents shall be construed to operate in a complementary manner and to provide for a complete project. Unless stated otherwise in express terms, the duties to complete the Project in compliance with the approved plans, such that part or all of it can be accepted for public maintenance, is the sole responsibility of the Developer.

B. If the terms of any of the documents and amendments thereto comprising this Agreement conflict, the conflict shall be resolved by giving the conflicting documents and amendments thereto the following order of preference:

1. Documents, appendixes, or sections titled "Special Provisions".
2. Article II of this Agreement, titled "IMPROVEMENT CONSTRUCTION STANDARDS AND PROCEDURES" and Article III of this Agreement titled "FINAL ACCEPTANCE OF IMPROVEMENTS".
3. Article I of this Agreement titled "GENERAL PROVISIONS".
4. Any other documents incorporated by reference herein.

1.16 EFFECT OF STANDARD SPECIFICATIONS

The Design Standards of the City of Post Falls, Idaho, Standards for Public Works Construction and any standards required by Federal or State regulatory agencies are incorporated by reference herein as minimum construction standards for performance under this Agreement, except where this Agreement specifically provides otherwise.

1.17 AMENDMENT

The parties may amend this Agreement only by written agreement, which shall be attached as an appendix hereto.

1.18 JURISDICTION – CHOICE OF LAW

Any civil action arising from this Agreement shall be brought in the District Court of the First Judicial District; venue shall be in Kootenai County. The law of the State of Idaho shall govern the rights and duties of the parties under this Agreement.

1.19 SEVERABILITY

Any provision of this Agreement that may be declared invalid or otherwise unenforceable by a Court of competent jurisdiction shall not affect the validity or enforceability of any other part of this Agreement, so long as the remainder of the Agreement is reasonably capable of completion.

1.20 INTEGRATION

This instrument, including Appendixes and any writings incorporated by reference herein, embody the entire Agreement of the parties. This Agreement shall supersede all previous communications, representations or agreements, whether written or oral, between the parties hereto.

1.21 DEFINITIONS

Unless this Agreement expressly provides otherwise, the following definitions shall apply herein:

- A. "Improvements" mean all work, which the Developer is required to perform by this Agreement.
- B. "City Improvements" means improvements which are to be dedicated to the City, or which are to be operated and controlled by a City-owned utility.
- C. "Private Utility Improvement" means improvements owned, maintained, and operated by a private utility or by a private owner or homeowner's association.
- D. "City", for the purpose of administering this Agreement, means the City of Post Falls, or its chief executive or his/her administrative designee.
- E. "Acceptance", by the City means a determination that an improvement meets City construction standards and does not refer to the City accepting a dedication of the improvement by the Developer.
- F. "Final Acceptance" by the City means that the City is satisfied that all improvements required by this Agreement and Titles 17 and 18 of the Post Falls Municipal Code, or as a result of the procedures required thereby, have been constructed in a satisfactory manner to comply with the specifications.

1.22 APPROVALS AND CONSENTS

Wherever in the Agreement consents or approvals of either party are required, they shall not be unreasonably withheld. Nothing in this provision shall compromise the general police power authority in the City in matters governmental in nature.

1.23 ATTORNEY FEES – MEET AND CONFER

Should either party need to resort to Court proceedings to interpret or enforce provisions of this Agreement, the prevailing party in any such action shall be entitled to recovery of its reasonable attorney fees. No legal action shall begin, nor shall any attorney fees be recoverable, unless the parties have first met and conferred regarding the contested issues. Any party, which refuses to meet and confer in good faith, shall not be entitled to recovery of its attorney fees.

ARTICLE II

IMPROVEMENT CONSTRUCTION STANDARDS AND PROCEDURES

2.01 RECORDING OF FINAL PLAT

Developer shall be solely responsible for all platting of the property.

2.02 PERFORMANCE GUARANTY

- A. The Developer shall guarantee, for the sole benefit of the City that the Developer will perform all of its obligations not yet completed under this Agreement. The guaranty shall be in one of the forms specified by Post Falls Municipal Code as described in paragraphs 2.02.D.1, 2.02.D.2, or 2.02.D.3. During the term of this Agreement, the Developer may, with the written consent of the City; substitute for a performance guaranty submitted under this section another guaranty in the required amount and in one of the forms specified herein. The City may choose to not release surety less than 25% of the surety amount until all final project items are complete – including final as-builts and certification.
- B. The City Engineer may require a guaranty be established prior to any work within the existing rights of way commencing and prior to the Developer providing a guaranty for the purposes of recording the plat. The purpose of this guaranty is to allow the City remedy under Section 1.13.
- C. Amount of Guaranty: The guaranty shall be in an amount equal to 150% (one hundred fifty percent) of the estimated cost of all improvements, not including those to be constructed by private utilities. The estimated cost shall be determined as follows. The Developer shall submit for the City Engineer's approval a cost estimate for each improvement required by this Agreement. Before submitting the cost estimates, the Developer's engineer shall have prepared, documented and certified each cost estimate. The estimated cost of all improvements shall be the sum of the estimated cost as approved by the City Engineer.
- D. All guarantees shall include the City's standard "Evergreen Clause" or automatic renewal language, as follows:

"This type of surety is for an initial term that expires on _____. This type of surety shall automatically be extended without amendment for one year from the present or any future expiration date unless the company issuing the surety notifies the beneficiary in writing sent certified mail, return receipt requested, or by personal service, at least sixty (60) days prior to any expiration date that this surety will not be renewed.

- 1. PERFORMANCE BOND - The Developer may provide a performance bond from a company qualified by law to act as a surety in the State of Idaho. The bond shall be in a form approved by the City. The bond shall name the City as the sole obligee and the Developer as the principal.
- 2. ESCROW - The Developer may deposit funds in an escrow account with a bank or financial institution qualified by law to do business in the State of Idaho. The disbursement of the escrowed funds shall be governed by an escrow agreement in a form approved by the City.

3. LETTER OF CREDIT - The Developer may cause a bank or financial institution qualified by law to do business in the State of Idaho to issue an irrevocable letter of credit in a form approved by the City.

E. If the Developer is not in default under this Agreement, the City may allow a proportionate reduction in amount of the performance guaranty in increments not less than 25% of the surety amount, or the amount secured and the current estimated cost of the work remaining to be performed under this Agreement; provided, however, that the amount of the performance guaranty, or the amount secured thereby always shall be greater than or equal to the amount of the warranty guaranty required by Section 3.09.

F. As soon as one of the following occurs, the City shall release any performance guaranty which has not been used or encumbered under Section 1.13 as long as the warranty guaranty provides sufficient coverage as required by this Agreement or by law:

1. The final acceptance of all improvements and the posting of warranty guaranty as provided in Section 3.09.
2. The expiration of the warranty period as provided in Section 3.08.

2.03 PREREQUISITES TO CONSTRUCTION

The Developer shall not obtain permits for the construction of improvements or commence the construction of improvements until approval by all other agencies as required to construct the required improvements have been obtained and this Agreement has been completed and signed by the Developer and the City and all Engineering Inspection Fees have been paid as required by City ordinance or resolution. Appendix III to this Agreement is the Engineering Inspection Fee Summary.

2.04 ENGINEER

A. The Developer shall retain an Engineer of Record, licensed as a professional engineer under the laws of the State of Idaho, to design and administer the construction of the improvements, including preparing plans and specifications, inspecting and controlling the quality of work and preparing the as-built data. The Engineer shall perform the work described herein in accordance with the City's required procedures for consulting engineers.

B. The Developer shall inform the City of the name and mailing address of the Engineer of Record it has retained to perform the duties described in Subsection A of this section. Developer agrees that notice to the Developer and engineer at the addresses so specified regarding the performance of such duties shall constitute notice to the Developer. The Developer shall promptly inform the City of any change in the information required under this subsection.

2.05 PLANS AND SPECIFICATIONS

A. The Developer shall submit to the City, in such form as the City may specify all plans and specifications pertaining to the construction of the improvements.

- B. If the City requires soil tests, traffic studies or other tests and studies pertaining to the design of improvements, the Developer shall submit reports of the test results with the plans and specifications.
- C. The City may approve the plans and specifications as submitted, or indicate to the Developer deficiencies to be corrected to secure approval, within a reasonable time from the submission of all plans and specifications for the improvements. The City's approval of the plans and specifications is for general conformance with City Standards. The City will endeavor to provide a complete and thorough review of all plans and specifications; however, ultimate design and function remains the responsibility of the Developer. It shall be the responsibility of the Developer to correct errors and omissions found prior to final acceptance as provided in Section 3.01 of this Agreement.

2.06 QUALITY CONTROL PROGRAM

The Developer's Engineer of Record shall follow the City's project certification and quality control program when performing their duties to provide for certification of the construction work. The Engineer of Record shall be responsible, in charge of the quality control / inspection activities.

2.07 WORK SCHEDULE

- A. The Developer shall submit to the City, in such form as the City may specify, a work schedule, which shall be Appendix II to this Agreement.
- B. The construction schedule shall indicate the approximate percentage of work scheduled for completion at any given time. The schedule shall indicate starting and completion dates for each improvement, including City and private utility improvements.
- C. The City Engineer may require detailed and specific schedule for portions of the work deemed critical for continuation of City services.
- D. Contractor's offsite work schedule and efforts shall be to expedite the work, to minimize the inconvenience to the public.

2.08 MATERIALS

- A. The Developer shall submit, in such form as the City may specify, detailed information concerning all materials and equipment it proposes to incorporate into an improvement. All materials shall comply with the Post Falls Standards for Public Works Construction.
- B. Upon the City's request, the Developer shall submit samples of materials or equipment it proposes to incorporate into an improvement.
- C. The City may approve the materials and equipment, or indicate to the Developer unacceptable material and equipment within a reasonable time after submittal. The City's approval of material and equipment is for general conformance with City standards, alternate design and function remain the

responsibility of the Developer. It shall be the responsibility of the Developer to correct errors and omissions found subsequent to City approval. Substitutions may be considered subject to review and approval of the City Engineer.

2.09 GENERAL STANDARDS OF WORKMANSHIP

- A. The Developer shall construct all improvements in accordance with plans and specifications approved by the City, and with the terms, covenants, and conditions of this Agreement, including installation of street trees unless the developer elects to exercise the option to pay for the trees in accordance with Post Falls City Code 17.28.091 instead of installing them. The Developer shall not incorporate any material or equipment into an improvement unless the City has approved its use. Unless the City specifically agrees otherwise in writing, all materials, supplies, and equipment incorporated into an improvement shall be new.
- B. If, in the course of construction, conditions appear, which, in the exercise of reasonable engineering judgment, require a modification of, or substitution for, approved materials, equipment, plans, specifications or contracts to meet an acceptable standard of performance, the Developer shall make the modification or substitution. The City shall reasonably approve all such substitution.
- C. The Developer shall construct all facilities in the subdivision not otherwise subject to this Agreement in accordance with applicable statutes, ordinances and specifications.

2.10 PLACEMENT OF UTILITIES

The Developer shall place all utilities underground, except where this requirement is specifically waived under this Agreement. The City Engineer shall approve the alignment of City and private utilities.

2.11 WORK IN RIGHTS-OF-WAY

The Developer shall comply with all ordinances and secure all necessary permits and authorizations pertaining to work in public rights-of-way. The Developer shall co-ordinate and supervise the installation and construction of all utility improvements, including those not otherwise covered by this Agreement, in a manner that will prevent delays in City construction or other damage to the City and that will permit the City to properly schedule work that it will perform. The Contractor's offsite work schedule and efforts shall be to expedite the work, to minimize the inconvenience towards the public.

2.12 SURVEYOR

A person licensed as a professional land surveyor under the laws of the State of Idaho shall make all land surveys required for the completion of improvements under this Agreement.

2.13 REQUIRED REPORTING

- A. Quality Control

The Developer shall submit to the City regularly and promptly written reports certified by the Engineer describing the results of all tests and inspections required by the quality control program and all other test and inspection which the Developer may make.

- B. Construction Progress
If actual progress indicates that the Developer will not perform the work as scheduled, the Developer shall prepare and submit a revised schedule for the City's reasonable approval.
- C. Surveys
The Developer shall furnish promptly to the City copies of all final surveys required for the completion of the improvements.
- D. Well Logs/Test Hole Logs
The Developer shall furnish the City copies of all well and test hole logs required for any purpose during the Project.
- E. Express or implied approval by the City of any report or inspection shall not authorize any deviation from approved plans and specifications or from the terms of this Agreement unless such express approval notes such deviation.
- F. At the completion of construction prior to acceptance by the City, the Engineer of Record shall submit to the City a report certifying that the improvements were constructed in accordance with plans and specifications and that they meet standards established by the City. This certification shall include a cover letter with the engineer's professional stamp, followed by copies of all inspection records, test results, and construction quality control data as indicated within the City's Engineering Project Certification and Quality Control provision.

2.14 PROGRESS PAYMENTS

The Developer shall hold the City harmless against any claims made by Developer's contractors.

2.15 OBSERVANCE

- A. The Engineer of Record or their representatives shall attend regularly scheduled jobsite meetings with a City Representative, to review construction progress and inspection activities.
- B. The City may monitor the progress of the work and the Developer's compliance with this Agreement and perform any inspection or test, which it deems necessary to determine whether the work conforms to this Agreement. Such inspections or tests do not relieve the Developer from performing tests and inspections required by 2.13A.
- C. If the Developer fails to notify the City of inspections, tests and construction progress as required by Section 2.13, the City may require, at the Developer's expense, retesting, exposure of previous stages of construction, or any other steps

which the City deems necessary to determine whether the work conforms to this Agreement.

- D. Any monitoring, tests or inspections that the City orders or performs pursuant to this section are solely for the benefit of the City. The City does not undertake to test or inspect the work for the benefit of the Developer or any other person.

2.16 STOP WORK ORDERS

- A. If the City determines there is a substantial likelihood, based upon reasonable and substantial information, that the Developer will fail to comply, or if the Developer does fail to comply with this Agreement or the Developer and/or his contractors fail to comply with provisions of occupational health and safety standards promulgated by the State and Federal agencies or his actions present a threat to the public health and safety or the Engineer of Record fails to perform their inspection and quality control duties, the City may stop all further construction of improvements by issuing a stop work order regarding the nonconforming construction and notifying the Developer and its Engineer of the order.
- B. A stop work order shall remain in effect until the City approves:
 - 1. Arrangements made by the Developer to remedy the nonconformity; and
 - 2. Assurances by the Developer that future nonconformity's will not occur.
- C. The issuance of a stop work order under this section is solely for the benefit of the City. The City does not undertake to supervise the work for the benefit of the Developer or any other person. No suspension of work under this section shall be grounds for any action or claim against the City or for an extension of time to perform the work.
- D. The Developer shall include in all contracts for work to be performed, or materials to be used under this Agreement, the following provision:

The City of Post Falls, pursuant to a Construction Improvement Agreement on file with the City Clerk and incorporated by reference herein, has the authority to inspect all work or materials under this contract and to stop work in the event that the work performed under this Agreement fails to comply with any provision of the Construction Improvement Agreement. In the event that the City issues a stop work order, the contractor shall immediately cease all work and await further instructions from the Developer and City.

2.17 ACCESS

The City shall have access to all parts of the subdivision necessary or convenient for monitoring the Developer's performance, inspecting, surveying, testing or performing any other work.

2.18 MAINTENANCE

- A. Until the City accepts the improvements, the Developer shall maintain at his expense all road improvements within the Project that are necessary for access or service to property not owned by the Developer. For the purposes of this subsection, existing roads are roads that physically exist, as distinguished from mere rights-of-way dedicated for road purposes. The maintenance required by this subsection includes cleaning, effective dust control measures, snow removal and similar activities, but does not include repair, replacement or reconstruction, except if the need to repair, replace or reconstruct is caused by the Developer's activities or is required as a condition of this Agreement. If the Developer fails to maintain the road improvements, the City may either contract for the maintenance to be completed, or complete the maintenance by City forces and charge the Developer for all associated costs, including administration fees.
- B. The Developer shall repair or pay the cost of repairing damage to any improvement that occurs prior to the City's acceptance of the improvements, except for damage caused solely by the City, its agents, employees, or contractors. The Developer shall give reasonable notice to the City before undertaking the repair of any damaged improvement.

2.19 OPERATION OF IMPROVEMENTS PRIOR TO FINAL ACCEPTANCE

- A. Before final acceptance, the City may enter upon, inspect, control, and operate any improvement if the City determines that such action is necessary to protect the public's health, safety, and welfare.
- B. The action described in subsection A of this section shall not constitute the final acceptance of any improvement by the City, nor shall the action affect in any way the Developer's warranty under this Agreement.
- C. The Developer or his agents may not connect to or operate any City utilities without written consent from the City. No structure shall be occupied, nor shall any land use be established which requires a building or construction permit, until the improvements required by this Agreement or by applicable provisions of law have been accepted by the City or other responsible public agency or have been completed as required by this Agreement.

2.20 TIME

The Developer shall start work and complete construction of improvements required under this Agreement in accordance with the Developer's work schedule as approved by the City and attached as an Appendix to this Agreement.

ARTICLE III

FINAL ACCEPTANCE OF IMPROVEMENTS

3.01 PREREQUISITES TO ACCEPTANCE

The City shall not accept the improvements until all the requirements of Section 3.02 through 3.05 have been met.

3.02 SURVEY MONUMENTS AND AS-BUILT DRAWINGS

- A. Upon completing the improvements, the Developer shall replace lost lot corners and survey monuments per Idaho Code.
- B. No later than sixty (60) days after the final inspection and prior to final acceptance and certification under Section 3.06F, the Developer shall provide to the City as-built drawings in accordance with current City Engineer's Drawing Submittal Standards. The as-built drawings shall be certified by a professional engineer licensed under the laws of the State of Idaho to represent accurately the improvements as actually constructed.

3.03 CERTIFICATE OF COMPLIANCE

The Developer shall furnish the City with a certificate of compliance for the work performed under this Agreement, in the form prescribed in Paragraph 2.13F. Developer shall also certify that all private utility installation has been completed according to plan.

3.04 CERTIFICATE OF PAYMENT OF CONTRACTORS AND VENDORS

Prior to final acceptance, the Developer shall certify that all contractors and vendors have been paid and no liens or other claims have been recorded, and that he knows of no intent to file a claim or lien against the property, the improvement, the City or private utility improvements.

3.05 CONVEYANCE OF EASEMENTS AND RIGHTS-OF-WAY TO CITY

The Developer shall convey to the City any easement, rights-of-way, or other property interest necessary to allow access to the City improvements to operate, maintain, or repair the City improvements. The Developer may condition the conveyance upon the City's acceptance of the improvements.

3.06 INSPECTION

- A. Upon receiving notice that the Developer has completed the improvements, the City shall schedule inspections of the improvements. The City may inspect all improvements and any other work in dedicated easements or rights-of-way.
- B. A privately owned utility may inspect any phase of work on an improvement of which it is to assume control.
- C. The City or appropriate privately owned utility shall inform the Developer in writing of any deficiencies in the work found in the course of the inspection.

- D. The Developer shall, at its own expense, correct all deficiencies found by inspections under Subsection A or B of this section. Upon receiving notice that the deficiencies have been corrected, the City, or appropriate privately owned utility shall re-inspect the improvements.
- E. The City or appropriate privately owned utility may continue to re-inspect an improvement until the Developer has corrected all deficiencies in the improvement.
- F. After final inspection has revealed that all improvements and other work in dedicated easements and rights-of-way meet City standards and the Developer has furnished the as-built drawings required in Section 3.02B, and project certification required by Section 3.03, and upon written request by the Developer, the City Engineer shall submit to the Post Falls City Council a recommendation for final acceptance of the improvements.

3.07 CONSEQUENCES OF ACCEPTANCE OF IMPROVEMENTS

- A. The City's final acceptance of the City improvements constitutes a grant to the City of all the Developer's right, title, and interest in and to the City improvements.
- B. Upon final acceptance of the improvements, the City will maintain said improvements, except regarding the Developer's obligations covered by warranty in Section 3.08.

3.08 DEVELOPER'S WARRANTY

- A. The Developer shall warrant the design, construction materials and workmanship of the improvements against any failure or defect in design, construction, material or workmanship which is discovered for one (1) year, except for sewer systems which shall be warranted until such time as the number of active users on the system reaches twenty percent (20%) of the approved user design capacity, but not less than one (1) year or longer than three (3) years. This warranty shall cover all direct or indirect costs of repair or replacement, and damage to the property, improvements or facilities of the City or any other person, caused by such failure or defect or in the course of repairs thereof, and any increase in cost to the City of operating and maintaining a City improvement resulting from such failures, defects or damages. The warranty period for the project shall begin upon the satisfaction and final acceptance of all improvements.
- B. The Developer's warranty shall not extend to any failure or defect caused solely by changes in design, construction or materials required by the City.
- C. Except as provided in Subsection B of this section, the fact that the City takes any action, or omits to take any action authorized in this Agreement including, but not limited to, operation or routine maintenance of the improvements prior to acceptance or surveillance, inspections, review or approval of plans, tests or reports shall in no way limit the scope of the Developer's warranty.

3.09 WARRANTY GUARANTY

To secure the Developer's performance of the warranty under Section 3.08, the performance guaranty provided by the Developer under Section 2.02 shall remain in effect until the end of the warranty period, or the Developer shall provide a warranty guaranty by one or more of the methods described in Section 2.02, determined by the following table:

<u>Actual Cost of All Improvements</u>	<u>Percent to Secure Warranty</u>
Less than \$500,000.00	10.0%
\$500,000.00 - \$1,000,000.00	7.5%
Over \$1,000,000.00	5.0%

3.10 CITY'S REMEDIES UNDER WARRANTY

- A. The City shall notify the Developer in writing upon its discovery of any failure or defect covered by the warranty in Section 3.08. The City shall notify the Developer before conducting any test or inspections to determine the cause of failure or defect to the extent the circumstances will allow and shall notify the Developer of the results of all such tests and inspection.
- B. The Developer shall correct or make a diligent effort to correct any failure or defect covered by the warranty within thirty (30) days of receiving notice of the failure or defect from the City. The Developer shall correct the failure or defect at its own expense and to the satisfaction of the City.
- C. If the Developer fails to correct the failure or defects within the time allowed by Subsection B of this section, the City may correct the failure or defect at the Developer's expense. If the Developer fails to pay the City for the corrective work within thirty (30) days of receiving the City's bill, the City may pursue any remedy provided by law or this Agreement to recover the cost of the corrective work, including calling upon the Developer's security. The City's attorney's fees in pursuit of such remedy shall be an allowed cost.
- D. In case of an emergency affecting public health and safety, the City may make immediate required repairs and shall notify the Developer and contractor as quickly as possible.

3.11 CONDITIONS OF REIMBURSEMENT

- A. If this Agreement requires the City to reimburse the Developer for all or part of the cost of an improvement, the reimbursement shall be conditioned upon the Developer's performance of all its obligations under this Agreement. Reimbursement shall be limited to that work described herein.
- B. Any reimbursement shall be subject to the approval of bonds and/or the appropriation of funds as required by law. If funds are not available at the time any reimbursement is due under this Agreement, the City shall reimburse the Developer when funds become available. The City shall not be liable for any delay in reimbursing the Developer due to the unavailability of funds, nor shall such delay constitute a breach of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands on the date first set forth above.

CITY OF POST FALLS

DEVELOPER

BY: _____
Ronald Jacobson, Mayor

BY: _____

ATTEST:

WITNESS:

Shannon Howard - City Clerk

Print Name:

- ATTACHMENT A: PROPERTY DESCRIPTION
- ATTACHMENT B: DESCRIPTION OF IMPROVEMENTS
- ATTACHMENT C: COST ESTIMATES
- ATTACHMENT C-1: DETAILED COST ESTIMATES
- ATTACHMENT D: EVIDENCE OF SURETY

- APPENDIX I: CONSTRUCTION PLANS AND SPECIFICATIONS
- APPENDIX II: CONSTRUCTION SCHEDULE
- APPENDIX III: PUBLIC WORKS INSPECTION SUMMARY
- APPENDIX IV: STREET LIGHT DESCRIPTION
- APPENDIX V: CALCULATION OF UTILITY FEES PRE-EXISTING RESIDENCE(S)
- APPENDIX VI: CITY WATER CAP & METER FEES
- APPENDIX VII: ENGINEER OF RECORD DECLARATION
- APPENDIX VIII: ENGINEERING CERTIFICATE OF COMPLIANCE
- APPENDIX IX: CERTIFICATION OF PAYMENT OF CONTRACTORS AND VENDORS
- APPENDIX X: CASH IN LIEU OF PLANTING TREES

DEVELOPER ACKNOWLEDGMENT

STATE OF IDAHO)
)
:ss
County of Kootenai)

On this ___ day of ____, 20___, before me, a Notary for the state of Idaho, personally appeared _____, known, or identified to me to be the _____ of the _____ that executed this instrument, or the person who executed the instrument on behalf of said _____, and acknowledged to me that such _____ 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: _____

CITY ACKNOWLEDGMENT

STATE OF IDAHO)
)
:ss
County of Kootenai)

On this ___ day of _____, 20___ before me, a Notary for the state of Idaho, personally appeared **Ronald 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: _____

ATTACHMENT "A"
PROPERTY DESCRIPTION
FOR

Blue Spruce Meadows

Developer to submit legal property description and reduced copy of plat.

ATTACHMENT "A"

ATTACHMENT "B"
DESCRIPTION OF IMPROVEMENTS
TO BE CONSTRUCTED AND INSTALLED BY

Wildflower Properties, LLC

FOR

Blue Spruce Meadows

- Street surfacing or infill paving
- Monumentation
- Electric
- Curbs and gutters
- Street lighting
- Gas
- Sidewalks
- Telephone
- Drainage
- Street Signs (Replacement)
- Cable TV
- Water
- Landscaping (Swales)
- Sanitary Sewer
- Improvements shown on construction plans attached as Appendix I to this Agreement
- Other – as follows:

ATTACHMENT "B"

ATTACHMENT "C"
COST ESTIMATES
FOR

Blue Spruce Meadows

The estimated total cost of the improvements submitted by the Developer and approved by the City Engineer are as follows:

1. Public improvements to be owned operated and maintained by the City of Post Falls: **\$ 330,929.15**
2. Public utilities to be owned, operated and maintained by a utility other than the City of Post Falls: **\$ 215,350.00**
3. Other improvements for which bonding is required: **\$ -0-**
4. Street trees within public right-of-way: **\$ 25,200.00**
5. Total cost of improvements: **\$ 546,279.15**
6. Warranty amount: **\$ 40,970.94**

ATTACHMENT "C"

ATTACHMENT "C-1"
DETAILED COST ESTIMATES
FOR

Blue Spruce Meadows

Developer to submit detailed cost estimates.

ATTACHMENT "C-1"

ATTACHMENT "D"
EVIDENCE OF SURETY
FOR

Blue Spruce Meadows

The Developer will be performing the majority of required improvements prior to filing the plats. A surety company will post surety acceptable to the City for the remaining improvements per Section 2.02.

ATTACHMENT "D"

APPENDIX I
TO THE CONSTRUCTION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF POST FALLS AND

Wildflower Properties, LLC

FOR

Blue Spruce Meadows

CONSTRUCTION DRAWINGS

Plans Titled: **Improvement Plans for Blue Spruce Meadows**

Dated: **8/24/2022**

By: **ACE Solutions, LLC**

Sheets 1 through 17.

APPENDIX II
TO THE CONSTRUCTION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF POST FALLS AND

Wildflower Properties, LLC

FOR

Blue Spruce Meadows

CONSTRUCTION SCHEDULE

Developer to submit a construction schedule.

APPENDIX III
TO THE CONSTRUCTION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF POST FALLS AND

Wildflower Properties, LLC

FOR

Blue Spruce Meadows

ENGINEERING SERVICES FEE SUMMARY

To be determined by the City of Post Falls, Engineering Division, based on quantity of improvements and current fee schedule.

38 Lots X \$350.00 = \$ **13,300.00**

APPENDIX IV
TO THE CONSTRUCTION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF POST FALLS AND

Wildflower Properties, LLC

FOR

STREET LIGHT CHARGES

Per Section 1.10 E of the Agreement, the Developer reimburses the City for street light charges for a period of 12 months. The street light charges are determined as follows:

Street light utility provider: **Avista Utilities**

Street light type: **Cobra Head**

3 lights X 12 months X \$ 13.85 per month = \$ 498.60

Street light type:

 lights X 12 months X \$ per month = \$

TOTAL = \$ 498.60

APPENDIX V
TO THE CONSTRUCTION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF POST FALLS AND

Wildflower Properties, LLC

FOR

Blue Spruce Meadows

 X This project does not have any existing structures connecting to the City of Post Falls Sanitary Sewer System.

Sanitary sewer cap fee of \$ _____ to connect **existing structures** to City sanitary sewer.

_____ (# of SF homes) x \$5,817.00	=	\$ _____
_____ (# of Commercial service units) x \$5,817.00	=	\$ _____
_____ (# of structures connecting) x (Utility Deposit = \$60.00)	=	\$ _____

SEWER CAP FEES

1 Wastewater Flow (5,000 Gallons)	\$5,817.00
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APPENDIX VI
TO THE CONSTRUCTION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF POST FALLS AND

Wildflower Properties, LLC

FOR

Blue Spruce Meadows

 X This project does not have any existing structures or proposed common area irrigation systems connecting to the City of Post Falls Water System.

Total water cap & meter fees \$ _____ for existing structures or irrigation service to common areas.

Fees to be determined based upon service size & meter size.

Water Cap Fees

_____	x	3/4" – 1"	= \$3,472.30 Residential	=	\$ _____
_____	x	1"	= \$5,787.17 Commercial	=	\$ _____
_____	x	1-1/2"	= \$11,574.34	=	\$ _____
_____	x	2"	= \$18,518.94	=	\$ _____

Meter Fees

_____	x	3/4"	= \$ 254.00	=	\$ _____
_____	x	1"	= \$ 325.00	=	\$ _____
_____	x	1-1/2"	= \$ 691.00	=	\$ _____
_____	x	2"	= \$ 920.00 (flow meter for irrigation only)	=	\$ _____
_____	x	2"	= \$ 1,864.00 (compound meter)	=	\$ _____

ACCOUNT FEES

_____ (# of irrigation service connections) x Utility Deposit \$10 = \$ _____

APPENDIX VII
TO THE CONSTRUCTION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF POST FALLS AND

Wildflower Properties, LLC

FOR

Blue Spruce Meadows

ENGINEER OF RECORD DECLARATION:

The Engineer of Record for the project is established as:

ENGINEER NAME: **Joseph E. Hassell, P.E.**
ENGINEERING FIRM: **ACE Solutions, LLC**
ADDRESS: **609 N. Calgary Ct. #7**
CITY: **Post Falls** STATE: **ID** ZIP: **83854**
PHONE NO.: **(208) 777-1854**
E-MAIL ADDRESS: **info@acesolutions.pro**

APPENDIX VIII
TO THE CONSTRUCTION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF POST FALLS AND

Wildflower Properties, LLC

FOR

Blue Spruce Meadows

ENGINEERING OF RECORD CERTIFICATION:

Certification Statement

I _____ certify that construction observation and quality control for (project, plans with approval date) was performed under my responsible charge. It is my professional opinion that the project was constructed in accordance with the intent of the plans and specifications. The submittal of as-built drawings and the attached documentation within the certification packet provide evidence to support a recommendation of acceptance of the public infrastructure associated with the referenced project plans and specifications.

(Provide Engineer's seal, signature and date.)

APPENDIX IX
TO THE CONSTRUCTION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF POST FALLS AND

Wildflower Properties, LLC

FOR

Blue Spruce Meadows

CERTIFICATE OF PAYMENT OF CONTRACTORS AND VENDORS:

State of Idaho)
)
) :ss
County of Kootenai Kootenai)

I, _____, hereby certify under oath that all contractors, subcontractors and vendors that have performed work and provided supplies for the construction of the subdivisions public improvements relating to _____, including individuals or firms providing design services or legal services, have been paid in full and that no liens or other claims have been recorded against the real property of the Subdivision for those services.

I further certify that I know of no intent to file a claim or lien against the public improvements or any private utility improvements.

Signature

Print Name

SUBSCRIBED AND SWORN TO before me this ____ day of _____,
20_____.

Notary for the state of Idaho _____
Residing at: _____
Commission Expires: _____

APPENDIX X
TO THE CONSTRUCTION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF POST FALLS AND

Wildflower Properties, LLC

FOR

CASH IN LIEU OF PLANTING STREET TREES

X The Developer agrees to plant street trees approved in the Landscaping Plan and will not utilize the Cash In Lieu of Planting Street Trees option.

_____The Developer agrees to cash out the obligated street trees approved in the Landscaping Plan, in lieu of planting the street trees for the project. Cashout shall be paid to the City of Post Falls in the amount of \$_____, and is based upon _____ trees x \$400.00/each, as outlined per Section 2.12 A of the Agreement and City Ordinance No. 1217.

**CITY OF POST FALLS
AGENDA REPORT
CONSENT AGENDA
MEETING DATE: September 6, 2022**

DATE: August 31, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: BILL MELVIN, CITY ENGINEER
SUBJECT: THIRD ADDENDUM TO MOU FOR CECIL / POLELEINE AND CECIL / MULLAN INTERSECTION IMPROVMENTS WITH PFURA

ITEM AND RECOMMENDED ACTION: With approval of the Consent Agenda, City Council authorizes the execution of the subject addendum.

DISCUSSION: Per the City's request, the Post Falls Urban Renewal Agency approved a time extension for the submittal of final pay request documents for the two Cecil Road Projects. The Agency is requesting an executed addendum to our original agreement relative to the granting of this additional time. This provides the City additional time to complete the construction and to submit the proper documentation to the Agency for reimbursement.

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

APPROVED OR DIRECTION GIVEN: N/A

FISCAL IMPACT OR OTHER SOURCE OF FUNDING: Allows for the PFURA reimbursements relative to the project

BUDGET CODE: N/A

SUPPORTING DOCUMENTS: A copy of the proposed addendum is included.

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

This Third Addendum to the above entitled Memorandum of Understanding (hereinafter “Third 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 and Second Addendum to the Memorandum of Understanding (hereinafter the “First Addendum” and “Second Addendum”) respectively allowing Project cost savings from one of the Projects to be applied to the other Project and revising the estimated Project costs.

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 Third Addendum, the parties agree to amend the following provisions of the Memorandum of Understanding as indicated below:

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

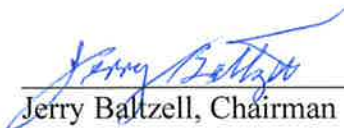
"The City understands and acknowledges that the East Post Falls Urban Renewal District has a finite life, and that all reimbursements/payments must be completed prior to the District maturity date of December 31, 2022. The City also understands and acknowledges that any costs or other obligations associated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

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

CITY OF POST FALLS

POST FALLS URBAN
RENEWAL AGENCY

Ronald G. Jacobson, Mayor



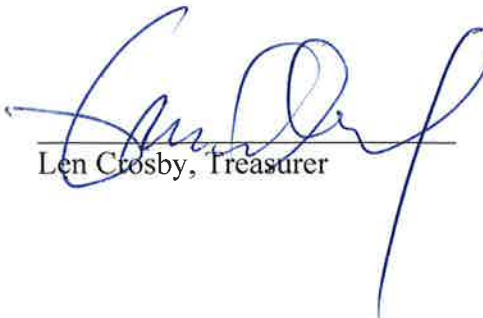
Jerry Baltzell, Chairman

Date: _____

Date: 8-30-22

ATTEST:

Shannon Howard, City Clerk



Len Crosby, Treasurer

**CITY OF POST FALLS
AGENDA REPORT
PUBLIC HEARING
MEETING DATE: September 6, 2022**

DATE: August 29, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JON MANLEY, PLANNING MANAGER
jmanley@postfalls.gov / 208-457-3344
SUBJECT: HYDRILLA ESTATES ZONE CHANGE FILE NO. ZC-22-2

ITEM AND RECOMMENDED ACTION:

Ray Kimball, of Whipple Consulting Engineers, Inc. is requesting, on behalf of Wild Horse Investments LLC., the property owner, approval to the rezone approximately 5.37-acres from the existing Single Family Residential Suburban (R1S) zoning to the Single Family Residential (R-1) zoning district.

DISCUSSION:

The City Council will determine if the property should be rezoned and, if so, make a final determination on the appropriate zoning. The approval criteria 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.

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

APPROVED OR DIRECTION GIVEN: The Planning and Zoning Commission made a recommendation of approval for the zone change proposal for the requested Single Family Residential (R-1) zoning district at the June 29, 2022, commission meeting.

FISCAL IMPACT OR OTHER SOURCE OF FUNDING: N/A

BUDGET CODE: N/A

SUPPORTING DOCUMENTS:

STAFF EXHIBITS:

Exhibit S-4	Planning and Zoning Commission Staff Report
Exhibit A-1a	Zone Change Application
Exhibit A-1b	Subdivision Application
Exhibit A-2	Narrative
Exhibit A-3	Initial Preliminary Plan
Exhibit A-4	Utility Plan
Exhibit A-5	Will Serve
Exhibit A-7	Auth Letter
Exhibit A-8	Title Report
Exhibit A-9	Warranty Deed
Exhibit A-10	Finalized Preliminary Plan
Exhibit S-1	Vicinity Map
Exhibit S-2	Zoning Map
Exhibit S-3	Future Land Use Map
Exhibit PA-1	PFPD Comments
Exhibit PA-2	KCFR Comments
Exhibit PA-3	DEQ Comments
Exhibit PA-4	PFSD Comments
Exhibit S-5	Signed Minutes 6-29-2022
Exhibit S-6	Signed Zoning Recommendation
Exhibit PA-5	YPL Comments
Exhibit PA-6	PFHD Comments

CITY OF POST FALLS
STAFF REPORT

DATE: June 27, 2022

TO: POST FALLS PLANNING AND ZONING COMMISSION

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

SUBJECT: STAFF REPORT FOR THE JUNE 29, 2022, P&Z COMMISSION MEETING
HYDRILLA ESTATES ZONE CHANGE AND SUBDIVISION
File No.: ZC-22-2 & SUBD-22-8

INTRODUCTION:

Ray Kimball, of Whipple Consulting Engineers, Inc. is requesting, on behalf of Wild Horse Investments LLC., the property owner, approval to the rezone approximately 5.37-acres from the existing Single Family Residential Suburban (R1S) zoning to the Single Family Residential (R-1) zoning district and subdivide into a total of 15 lots within the City of Post Falls (Exhibit S-1, Exhibit A-3: Initial Preliminary Plan, Exhibit A-10: Updated Preliminary Plan). The Planning & Zoning Commission must conduct a public hearing and review the proposed zoning 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 Zone Change Request. The approval criteria for establishing zoning are:

- A. Amendments to the zoning map should be in accordance with the Future Land Use Map and subdivide
- 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: HYDRILLA ESTATES ZONE CHANGE AND SUBDIVISION
File No.: ZC-22-2 & SUBD-22-8

Owner(s): Wild Horse Investments, LLC., 14899 W. Stub Ave., Rathdrum, ID 83858

Applicant: Ray Kimball, Whipple Consulting Engineers, Inc, 21 S. Pines Rd., Spokane Valley, WA 99206

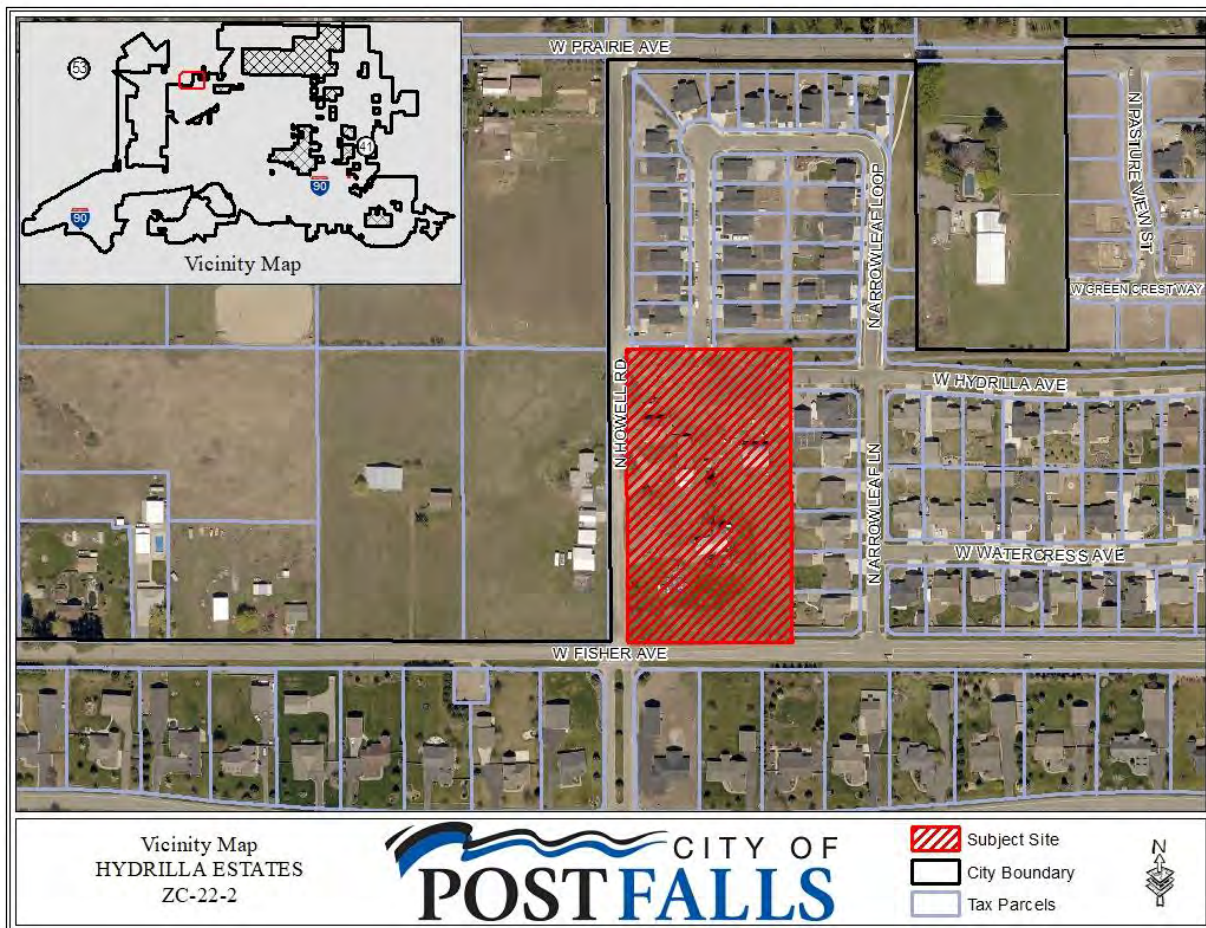
Project Description: Proposal to the rezone approximately 5.37-acres from the existing Single Family Residential Suburban (R1S) zoning to the Single Family Residential (R-1) zoning district and subdivide into a total of 15 lots within the City of Post Falls.

Project Location: The property is generally located on the northeast corner of the intersection of W. Fisher Avenue and N. Howell Road.

AREA CONTEXT (proposed site hatched red below):

Surrounding Land Uses: Located north of the project site, are single family residential properties within the Arrowleaf Estates Subdivision. Adjacent to the site on the east are single-family residential homes within the Craftsman at Meadow Ridge Subdivision. The properties to the south and across from W. Fisher Ave. consist of Single-Family Residential homes within the Prairie Meadows Subdivision. To the west of the project site, across N. Howell Rd., are larger 5 acres residential tracts within an unincorporated portion of Kootenai County.

Area Context Vicinity Map:



EVALUATION OF ZONING APPROVAL CRITERIA:

The following section provides the staff analysis pertaining to the Zone Change Application. 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 **Low Density Residential**. This category encompasses all types of single-family residential uses up to eight dwelling units per acre and supports land uses such as parks, schools, and public facilities. Densities may vary as appropriate to location, street, and infrastructure capacities, planned development patterns and compatibility with existing development.

Implementing Zoning Districts: R-1-S, **R-1**, R-2, RM, SC3, Per Focus Area

The Central Prairie area states the following:

Development trends in the Central Prairie area have been focused on addressing single-family housing needs. But with land values increasing, new projects are more likely to integrate higher density housing with community amenities to broaden their appeal to buyers. Future growth should embrace a variety of housing types and land uses, maintain quality standards, and provide even greater emphasis on pedestrian friendliness and connecting neighborhoods to community trails and nearby amenities. Prairie Avenue's role as a major east/west connecting corridor may spur 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 Central Prairie focus area:

- 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.

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. Impact fees paid with the issuance of building permits assists with this goal.

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 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;

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 is located along the property's southern boundary within Fisher Avenue. 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 currently does not have the capacity to provide service to the site under the current zoning or under the proposed zoning. The City is scheduled to make improvements to the adjoining sewer system and downstream Fisher Lift Station in 2024, with improvements being available for use in 2025. The City would be willing to serve to the property with the existing or requested zoning classifications upon completion of the Fisher Lift Station Capacity improvements. 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 East Greenacres Irrigation District.

- Existing and future traffic patterns;

Staff Comment: The property is adjacent to Fisher Avenue, a classified Minor Collector; and Howell Road, a Residential Collector. The property is located 660 feet south of Prairie Avenue, a classified Principal Arterial and Critical Arterial Corridor. Dedications of rights-of-way and easement would be required, at the time of site development.

Future traffic patterns to/from this site are benefitted from the proximity to adjoining roadways that would distribute traffic from the subject site and have limited impacts to neighboring developed residential neighborhoods. The proposed zone change would not have a negative impact on the surrounding transportation systems.

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

Staff Comment: The propose single family residential (R1) zoning could allow for more housing types and price levels than the existing single family residential suburban (R1S) zoning.

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. Fisher Avenue and N. Howell Road will be required with development of this property. Additionally with development, the necessary road improvements along W. Fisher and N. Howell will be required making this a safer corridor for the general public.

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 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.

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 and 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:

The property is adjacent to Fisher Avenue, a classified Minor Collector, and Howell Road, a Residential Collector. The property is located 660 feet south of Prairie Avenue, a classified Principal Arterial and Critical Arterial Corridor. Dedications of rights-of-way and easement would be required, at the time of site development.

Future traffic patterns to/from this site are benefitted from the proximity to adjoining roadways that would distribute traffic from the subject site and have limited impacts to neighboring developed residential neighborhoods. The proposed zone change would not have a negative impact on the surrounding transportation systems.

Water and Sanitary Sewer:

Staff Comment: Sanitary Sewer for the location is located along the property's southern boundary within Fisher Avenue. 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 currently does not have the capacity to provide service to the site neither under the current zoning nor under the proposed zoning. The City is scheduled to make improvements to the adjoining sewer system and downstream Fisher Lift Station in 2024, with improvements anticipated as being available for use in 2025. The City would be willing to serve to the property with the existing or requested zoning classifications upon completion of the Fisher Lift Station Capacity improvements. Existing capacity is not a guarantee of future service.

In 2022, the City will be installing "temporary" improvements at the Fisher Lift Station to facilitate the accommodation of additional flows from changes in the City's operation of the water reclamation facilities (removal of the Grayling Estates and Prairie Falls II Lift Stations). The "temporary" improvements are not sufficient to accommodate additional development within the Fisher Lift Stations Service basin, beyond what has been previously approved.

The property is not subject to any Local Improvement Districts (LID's), Subsequent User Agreements or Sewer Surcharges.

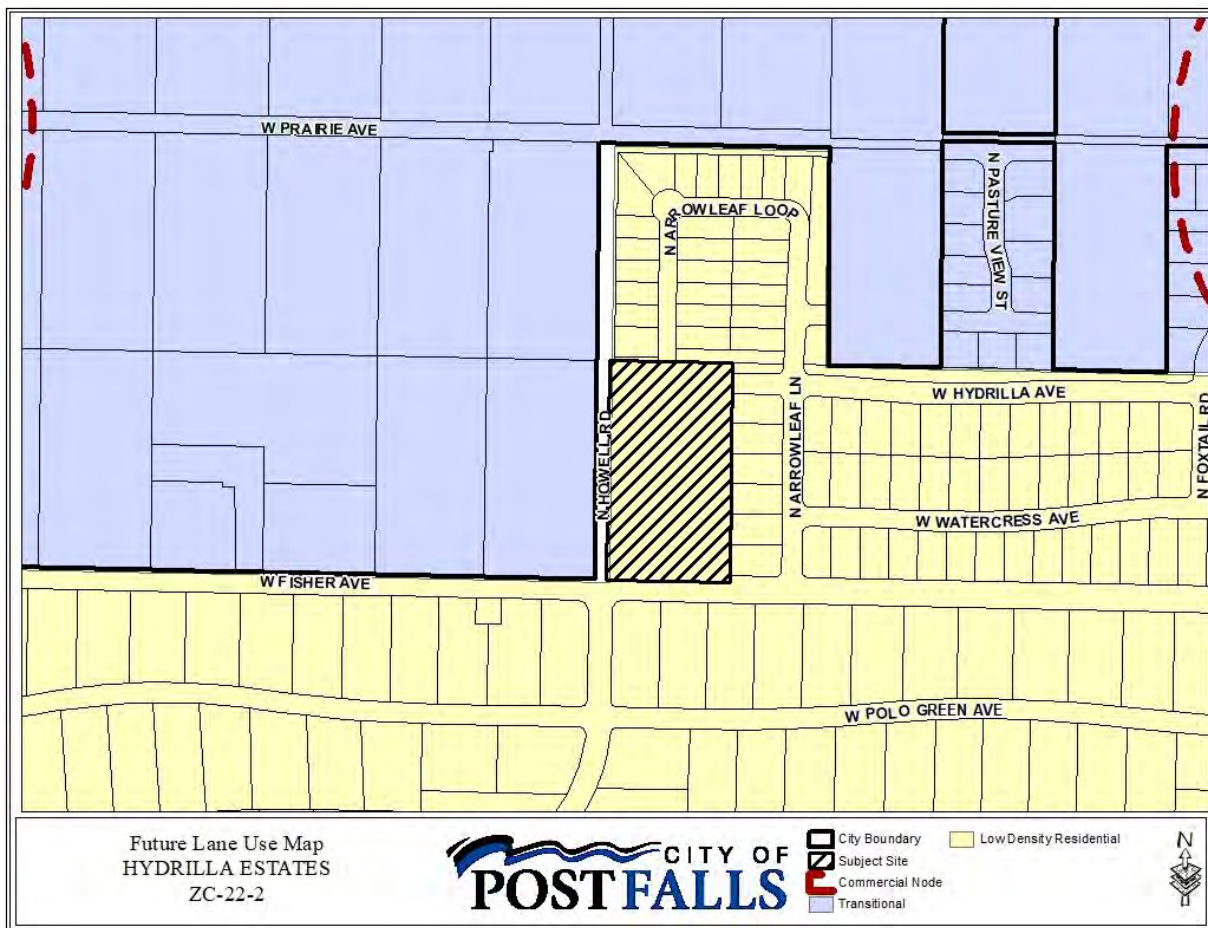
Water would be serviced by the East Greenacres Irrigation District.

Compatibility with Existing Development and Future Uses:

Staff Comment: The propose residential use is adjacent to other residential uses and is therefore compatible.

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 of over the Rathdrum Prairie Aquifer.

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

Staff Comment: Fisher Ave. is classified as a minor collector and N. Howell Road is a residential collector. Both roads should accommodate the proposed residential use.

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 East Greenacres Irrigation 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: Sanitary Sewer for the location is located along the property's southern boundary within Fisher Avenue. 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 currently does not have the capacity to provide service to the site neither under the current zoning nor under the proposed zoning. The City is scheduled to make improvements to the adjoining sewer system and downstream Fisher Lift Station in 2024, with improvements being available for use in 2025. The City would be willing to serve to the property with the existing or requested zoning classifications upon completion of the Fisher Lift Station Capacity improvements. Existing capacity is not a guarantee of future service.

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

Staff's Response: The subdivision and proposed layout show connection to existing Hydrilla Ave. and extension of Arrowleaf Loop to Fisher Ave. When Arrowleaf Estates was constructed, W. Chapel Meadow Tr. was provided as a "temporary" connection until such time that Hydrilla Ave. could be extended to Howell Rd. Provision of the extension of Hydrilla Ave. to Howell Rd. is needed to provide additional roadway circulation. With the extension of Hydrilla Ave., W. Chapel Meadow Tr. (which exists within an easement only and does not comply with City roadway standards) will need to be removed.

With the revision of extension of Hydrilla Ave. to Howell Rd., the project will not have a negative impact on the local transportation system. 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.

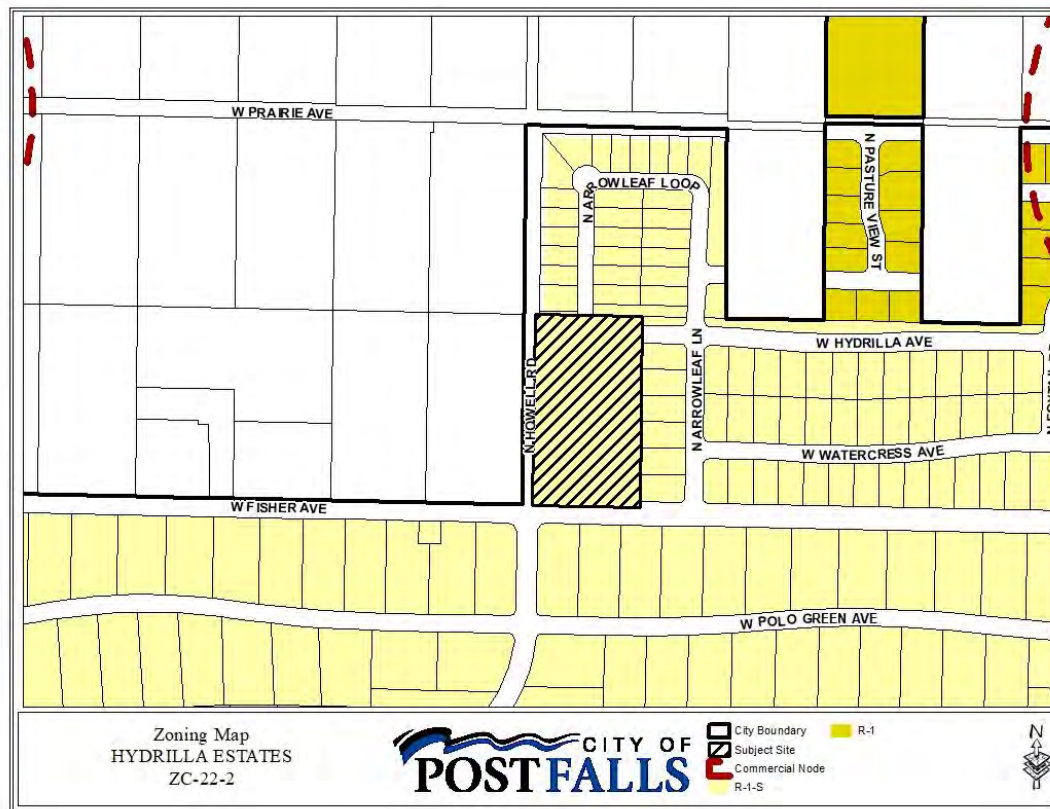
Direct access from residential lots to Howell Rd. or Fisher Avenue will not be allowed.

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: The applicant identified within their narrative the presence of fill dirt on the site and referred to a geotechnical study that had been conducted on the site. A copy of the geotechnical report shall be supplied to the City for review and comment. All non-certified fill areas or other hazards shall be mitigated in conformance with the geotechnical study, after acceptance and concurrence by the City Engineer.

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

- **Post Falls Police Department (Exhibit PA-1)** – Remains neutral.
- **Kootenai County Fire & Rescue (Exhibit PA-2)** – Reserves comments for the permitting process.
- **Idaho Department of Environmental Quality (Exhibit PA-3)** – Provided general comments for the construction phase.
- **Post Falls School District #273 (Exhibit PA-4)** – Remains neutral regarding proposed developments and will provide additional or modified comments in a timely manner when deemed necessary.

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 Zone Change. Accompanying the Zone Change Request 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 Hydrilla Estates 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 Howell Rd. and/or Fisher Ave. 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 Howell Rd. and Fisher Ave., including all landscaping, irrigation, and removal of snow from sidewalks and trails.
10. W. Hydrilla Ave. shall be extended to intersect with Howell Rd.
11. Construction of the Subdivision cannot commence until the City of Post Falls completes reconstruction of the Fisher Ave. Lift Station, estimated completion 2025, temporary capacity improvements being constructed in 2022 will not provide sufficient additional capacity to accommodate development other than City's system modifications.
12. The geotechnical study referenced by the applicant in their narrative shall be supplied to the City for review for review and approval. Site mitigation shall be completed in conformance with the approved geotechnical study.

ATTACHMENTS:

Applicant Exhibits:

Exhibit A-1a	Zone Change Application
Exhibit A-1b	Subdivision Application
Exhibit A-2	Narrative
Exhibit A-3	Initial Preliminary Plan
Exhibit A-4	Utility Plan
Exhibit A-5	Will Serve
Exhibit A-7	Auth Letter
Exhibit A-8	Title Report
Exhibit A-9	Warranty Deed
Exhibit A-10	Finalized Preliminary Plan

Staff Exhibits:

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

Testimony:

Exhibit PA-1	PFPD Comments
Exhibit PA-2	KCFR Comments
Exhibit PA-3	DEQ Comments
Exhibit PA-4	PFSD Comments

Zone Change (Map/Text Amendment)

136 – HYDRILLA ESTATES



Expiration Date

Active



ZC-22-2



Details

Submitted on Apr 7, 2022 at 3:13 pm



Attachments

8 files



Activity Feed

Latest activity on May 3, 2022



Applicant

Raymond Kimball



Location

Point Location: 47.7423, -116.9691

Timeline

Add New

Application & Mailing/Notice Fees

Paid Apr 11, 2022 at 9:29 am



Completeness Review

Completed Apr 12, 2022 at 10:30 am



GIS Review

Completed Apr 19, 2022 at 11:30 am

Apr 17



Parks Review

Completed Apr 21, 2022 at 12:01 pm

Apr 24



Maps Created

Completed May 3, 2022 at 12:42 pm



Staff Report

In Progress



Engineering Review



Review



Polygon Creation

Review



Waste Water Review

Review



Legal Review

Review



Schedule Planning and Zoning Hearing

Review



Notice

Review



Site Posting

Review



Zoning Recommendation

Review



Consent Agenda

Review



Council Memo

Review



Planning Review

Review



Schedule Council Hearing

Review



Notice

Review



Site Posting

Review



Reasoned Decision

Review



Ordinance

Review



Engineering Review

Review



Planning Review



Review



Ordinance/Consent Agenda

Review



Route Approved Documents

Review



🔒 Mailing Fees

Number of Mailings

40

Applicant Information

Applicant Type *

Engineer

Applicant Name *

Ray Kimball

Phone *

509.893.2617

Email *

rkimball@whipplece.com

Address *

21 S. Pines Rd

City, State & Zip Code

Spokane Valley, WA 99206

Owner Information

Name *

Mike Stegmann

Company

Wild Horse Investments, LLC

Phone *

314.753.6622

Email *

mike@stegmans.us

Address *

14899 W. Stub Ave

City, State & Zip Code

Rathdrum, ID 83858

Amendment Information

New Field

Description of Project/Reason for Request *

Zone Change from R1S to R1

Tax Parcel Number

P-2940-28-077-AA

Existing Zoning

R1S

Adjacent Zoning

R1S-PUD

Current Land Use

Residential

Adjacent Land Use

Residential

Application 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. *

✔ Raymond Kimball
Apr 7, 2022

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

✔ Raymond Kimball
Apr 7, 2022

 **Expiration Date**
Active


SUBD-22-8



Details

Submitted on Apr 7, 2022 at 3:28 pm



Attachments

9 files



Activity Feed

Latest activity on Apr 12, 2022



Applicant

Raymond Kimball



Location

3704 N HOWELL RD, POST FALLS, ID 83854



Timeline

Add New ▾

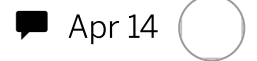
Custom Payment

Paid Apr 8, 2022 at 10:45 am



Completeness Review

On Hold



Completeness Review

In Progress



Schedule for Public Hearing

In Progress



Staff Report

Review



GIS Review

Review



Maps created



Review



Engineering Review

Review



Parks Review

Review



Waste Water Review

Review



Notice

Review



Site Posting

Review



Reasoned Decision

Review



Planning and Zoning Consent Calendar

Review



MDA

Review



Engineering Review

Review



Planning Review

Review



Signature/Applicant Review

Review



City Council Consent Calendar

Review



Recorded Copy to Applicant

Review



🔒 Mailing Fees

🔒 Number of Notices * ?

Application Information

Did a Subdivision Pre-app take place? *

Yes

Applicant Type *

Engineer

Proposed Subdivision Name *

Hydrilla Estates

Number of Lots *

15

Size of Site

5.37

Average Size of Lots

10,761

Existing Zoning

R1S

Adjacent Zoning

R1S

Current Land Use

Residential

Adjacent Land Use

Residential

Density

2.79

Description of Project *

15 lot single family subdivision to accompany a R1S to R1 zone change

Site Information

Comprehensive Plan Designation
Low Density Residential

Location of Proposed Access to Site
Fisher Ave, Hydrilla Ave, Arrowleaf Loop

Street(s) Serving the Project (provide ROW and pavement width)
Hydrilla/Arrowleaf 65' ROW/32' paved. Fisher 80' ROW/44' paved.

Size & Point of Water Connection
Hydrilla-8", Arrowleaf-8", Fisher-12"

Size & Point of Sewer Connection
Fisher-12"

Name & Location of Nearest School
Westridge Elementary

Location of, and Distance to, Nearest Fire Station or Sub-Station
3.5 miles to the Central Fire Station

Physical Description of Site (topography, cover, features)
Rolling with a single family dwelling, outbuildings, and pasture

Any Physical Limitations? (Rock outcrops, Slope, etc.)
No

Owner Information

Name *

Mike Stegmann

Company

Wild Horse Investments, LLC

Phone *

314.753.6622

Email *

mike@stegmanss.us

Address *

14899 W. Stub Ave

City, State, Zip Code

Rathdrum, ID 83858

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. *

 Raymond Kimball
Apr 7, 2022



Whipple Consulting Engineers, Inc.

Hyrdilla Estates Zone Map Amendment and Subdivision

The site of the proposed Zone Map Amendment and Subdivision is located in the Northeast $\frac{1}{4}$ of Section 26, T51N, R5W at 3704 N Howell Road. The property consists of one parcel with two residences and several outbuildings. The applicant is requesting a Zone Map Amendment from R-1-S to R-1 zoning and subdivision into 15 single family lots. See below for a Vicinity Map.

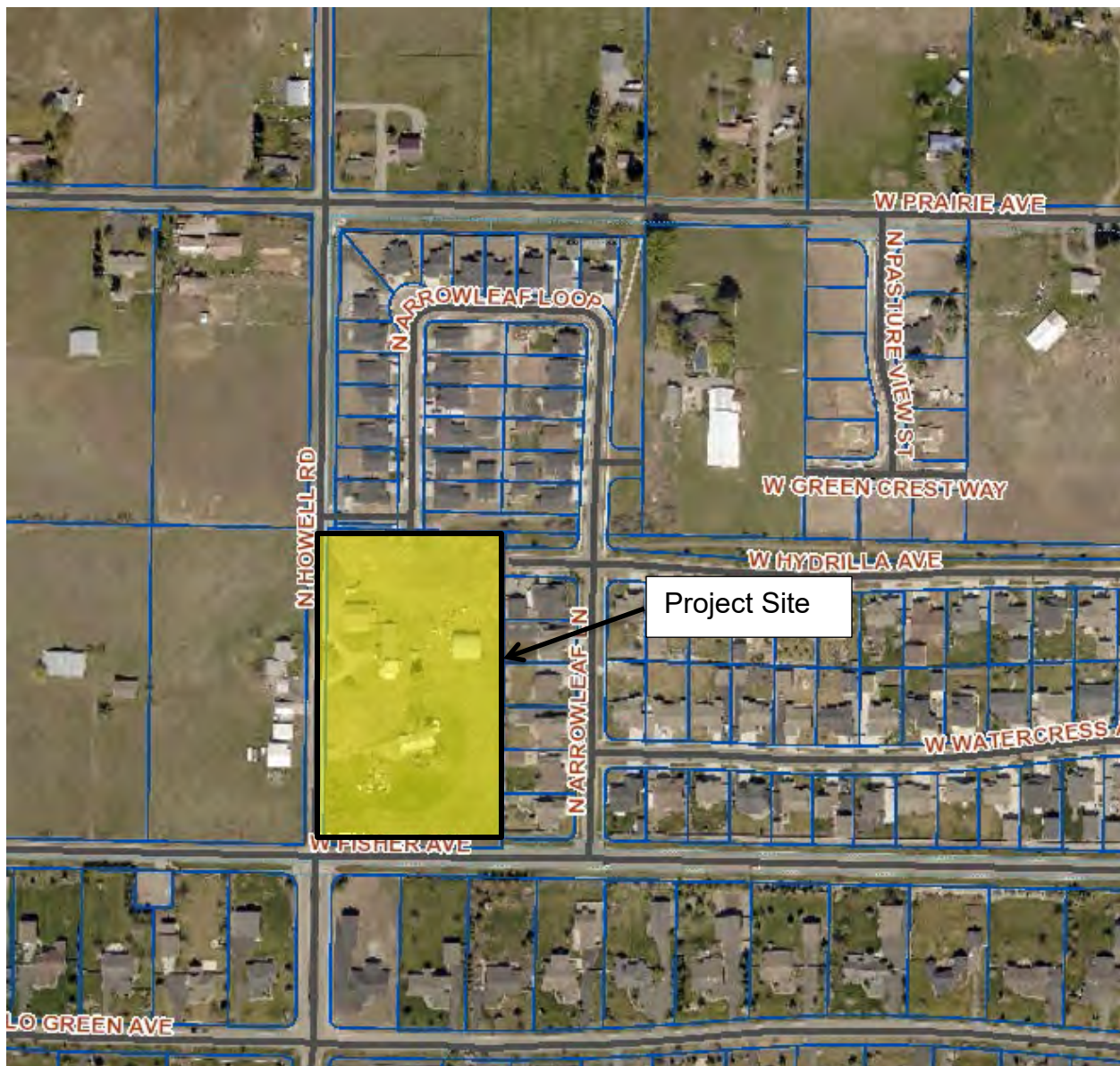


Figure 1: Vicinity Map

The subject property consists of a 5.37 acre parcel located at the Northeast corner of Fisher Avenue and Howell Road. The Arrowleaf Estates Subdivision is located directly to the north. The Craftsman at Meadow Ridge subdivision is located immediately to the east. The Meadows subdivision is located across Fisher to the south, and large lot residential properties are located across Howell to the west.

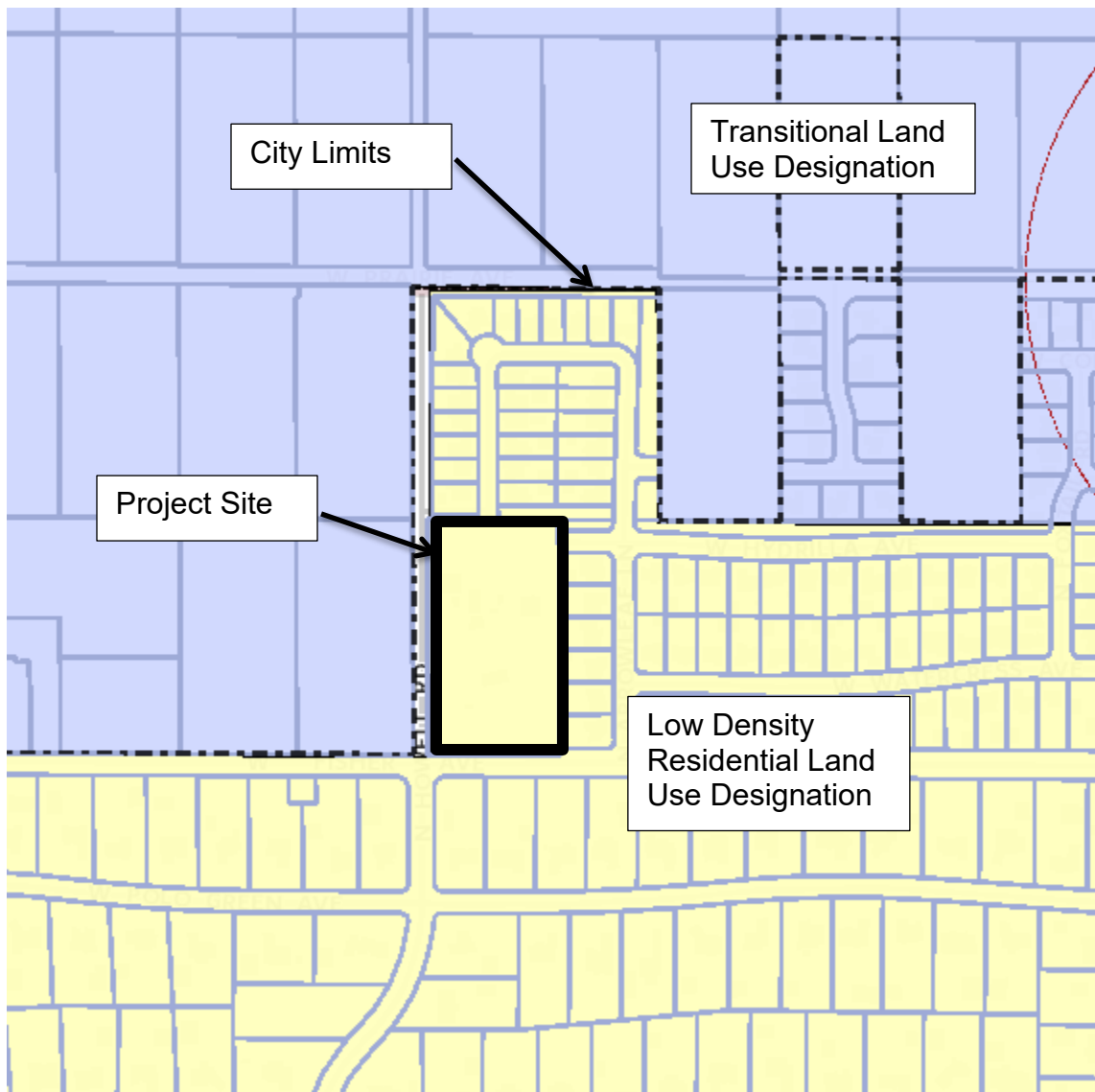


Figure 2: Future Land Use Map

Zoning:

As shown on the future land use map, the property has a low density residential land use designation. This is consistent with the surrounding development patterns and a zone map amendment with an R-1 Zoning is consistent with both the nearby zoning as well as the future land use map. It's important to note that although the adjacent properties are zone R-1-S, they are not developed as 1 acre parcels, but rather at anywhere between 2.0 and 2.79 units per acre as can be seen in figure 3 below.

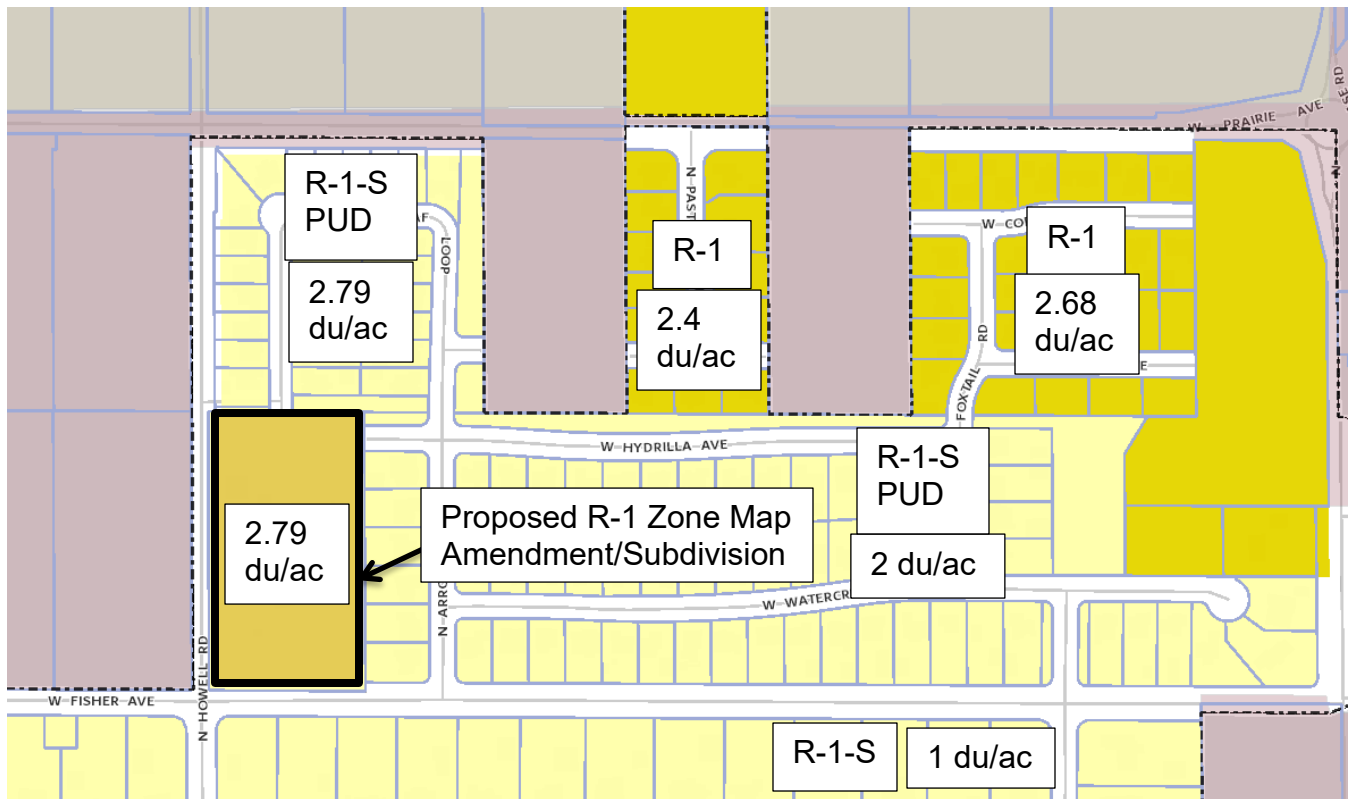


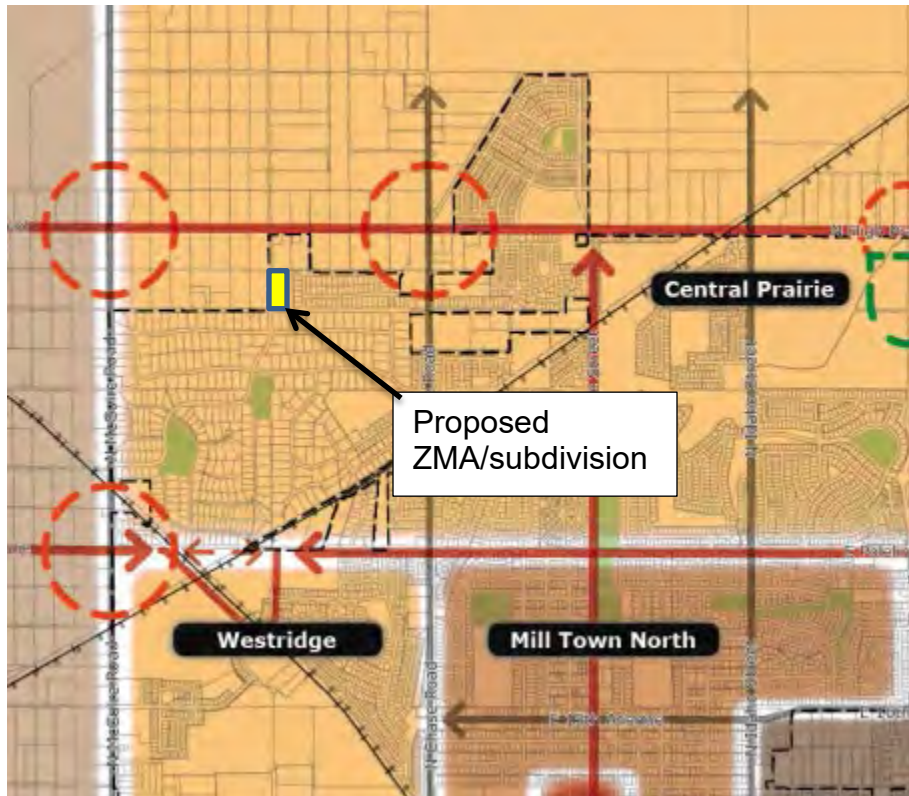
Figure 3: Zoning Map

When residential zoning is considered, it's important to consider both the existing and future surrounding environment. The existing single family residential subdivisions to the north and east of the property has lot sizes in conformance with the R-1 zoning and the county property to the west of the subject site will likely follow suit at some time in the future.

Comprehensive Plan Analysis:

This property is located within the Central Prairie focus area. This area has long been an area where single family residential has been the predominant housing type. The comprehensive plan describes it as follows: *"To date, development trends in the Central Prairie area have been*

focused on addressing single-family housing needs. But with land values increasing, new projects are more likely to integrate higher density housing with community amenities to broaden their appeal to buyers. Future growth should embrace a variety of housing types and land uses, maintain quality standards, and provide even greater emphasis on pedestrian friendliness and connecting neighborhoods to community trails and nearby amenities.”



The proposed zone map amendment and subsequent subdivision plan will provide for quality housing similar to the adjoining subdivisions, but more importantly will create an important infill development that completes a street and pedestrian trail network for the local community.

Section 18.20.100 of City code requires that Zone Map Amendments be in conformance with the future land use map. As shown in figure 2, the future land use map designates this area to be Low Density Residential which encompasses all types of single family residential uses. The requested R-1 zone is an implementing zoning district in Low Density Residential.

According to the Comprehensive Plan Low Density Residential “encompasses all types of single family residential uses up to eight dwelling units per acre... Densities may vary as appropriate to location, street and infrastructure capacities, planned development patterns, and compatibility with existing development.” As zoned today, the development would be limited to 5 single

family lots fronting on Howell, which would not allow for the connection or extension of either Hydrilla Ave or Arrowleaf Loop. The lot sizes would be triple the size of the adjoining lots and it would NOT fit the existing development pattern. By changing the zoning to R-1 and approving the subdivision as presented, the neighborhood development pattern will remain consistent and the pedestrian and vehicle transportation network will be made whole.

That same section of code also states that a zone map amendment shall be in conformance with the goals and policies found in the Post Falls Comprehensive Plan. The proposed zone map amendment and subdivision complies with the City's adopted comprehensive plan as follows (*policy goal in italics*):

Land Use:

G.01 Grow and Sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.

The housing/land development sector provides an important business base for many small businesses within our community. It not only provides jobs, but also provides much needed housing to support recruitment of larger out of the area companies that may be looking to relocate to our community.

G.03 Maintain and improve Post Falls' small town scale, charm and aesthetic beauty.
The discussion in the comprehensive plan around this goal as it relates to residential development focuses on providing and retaining "lower-scale, walkable, small lot development patterns common in early Post Falls." The proposed zone map amendment and subdivision will provide exactly that, lower scale, walkable, small lot development.

G.05. Keep Post Falls' neighborhoods safe, vital, and attractive.
The proposed R-1 single family zoning and subdivision is intended to provide a safe and vibrant neighborhood ideal for the residents of Post Falls. Sidewalks will provide a safe pedestrian environment, and the connection of the streets to adjoining properties will allow for this neighborhood to grow in an orderly manner. Impact fees collected at building permit will provide for acquisition and construction of parks, off site transportation infrastructure, and public safety needs.

G.07. Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability.
The residential housing mix in Post Falls is very diverse, but currently extremely limited in availability. A shortage in available and developable land coupled with an increase in demand has resulted in a sharp increase in home prices. High prices and limited availability make it difficult for the City to attract high paying employers to our community. Development of this property will increase the supply of available lots/homes which in turn supports the community need for mid-range housing.

Utilities and Access:

Primary access to this property will be from an extension of Arrowleaf Loop which extends from the existing terminus on the north side of the property, south to Fisher Avenue. Connectivity to the east will be provided by connecting to Hydrilla Avenue where it exits the Craftsman at Meadow Ridge Subdivision. Both streets are considered local access streets. Howell Road is currently a dirt road and will be upgraded to a paved local road section in accordance with City standards. Fisher Avenue is considered a minor collector street within the City's Transportation Master Plan and will be widened accordingly. Additionally, the construction of the subdivision will allow for the completion of the pathway network by connecting the current dead ends located on both Fisher and Howell.

Both water and sewer mains are located in Fisher Avenue. The Sewer will be extended north into the property from Fisher Ave. At this time, the Fisher Avenue lift station has capacity for the project, but that capacity will need to be upgraded when the Grayling Estates lift station and the Prairie Falls 2 lift station are taken off line. These capacity upgrades are both budgeted and planned as part of the City's capital improvement plan and should not affect the development of this property. Water will be supplied by East Greenacres Irrigation District and a 12" water main is located in Fisher Avenue to provide domestic water to the property. Water connections will also be made where the streets connect to Hydrilla Avenue and Arrowleaf Loop. Dry utilities are also located on the property and available to serve any future development on site.

Subdivision:

As shown on the attached subdivision plan, the proposed subdivision will result in 15 single family residential lots. The lots range in size from a minimum of 9,957 sf to a maximum of 12,344 sf with the average size in the neighborhood of 10,761 sf, and all lots meet the dimensional requirements of the R-1 zoning. Arrowleaf Loop will be connected to Fisher Avenue to the south, providing a second/third exit for Arrowleaf Estates. The result will be less traffic on the eastern leg of Arrowleaf Loop. Howell Road will be widened to a half section plus ten feet, and the Fisher Ave will be widened to full width. This will provide important pedestrian connectivity, and the paving of Howell will eliminate one of the last dirt roads within the City.

There is approximately 16 feet of relief across the site, which will necessitate some earthmoving to provide flat building pads. There is also evidence that the prior owner allowed a moderate amount of uncompacted dirt to be placed on site. That dirt will be removed as part of the construction and will be disposed of or compacted in accordance with the recommendations of a geotechnical engineer.

With regards to the required findings and conclusions found in the subdivision code, we address them as follows.

1. The East Greenacres Irrigation District has provided a will serve letter indicating that they have the ability to serve the subdivision.
2. The City of Post Falls can serve sewer to the property conditioned upon completing the necessary upgrades to the Fisher Lift Station. The City currently has capacity in that lift station to serve the project if the City waits until after the Fisher Lift Station upgrades are made to take the Grayling Estates and Prairie Falls II lift stations offline.
3. The proposed streets meet the cross sectional standards and connectivity standards found within the City's Transportation Master Plan.
4. The areas where "fill dirt" has been dumped on site have been identified and will be remediated per the recommendations of a geotechnical engineer.
5. If the zone map amendment is approved, the follow on subdivision meets all dimensional and use requirements found within the zoning code and subdivision code.
6. Construction of pathways, street frontage and other infrastructure will ensure that the community is spared from absorbing more than its fair share of costs to provide services. Additionally, impact fees and cap fees will mitigate any unmitigated impacts.

Conclusion:

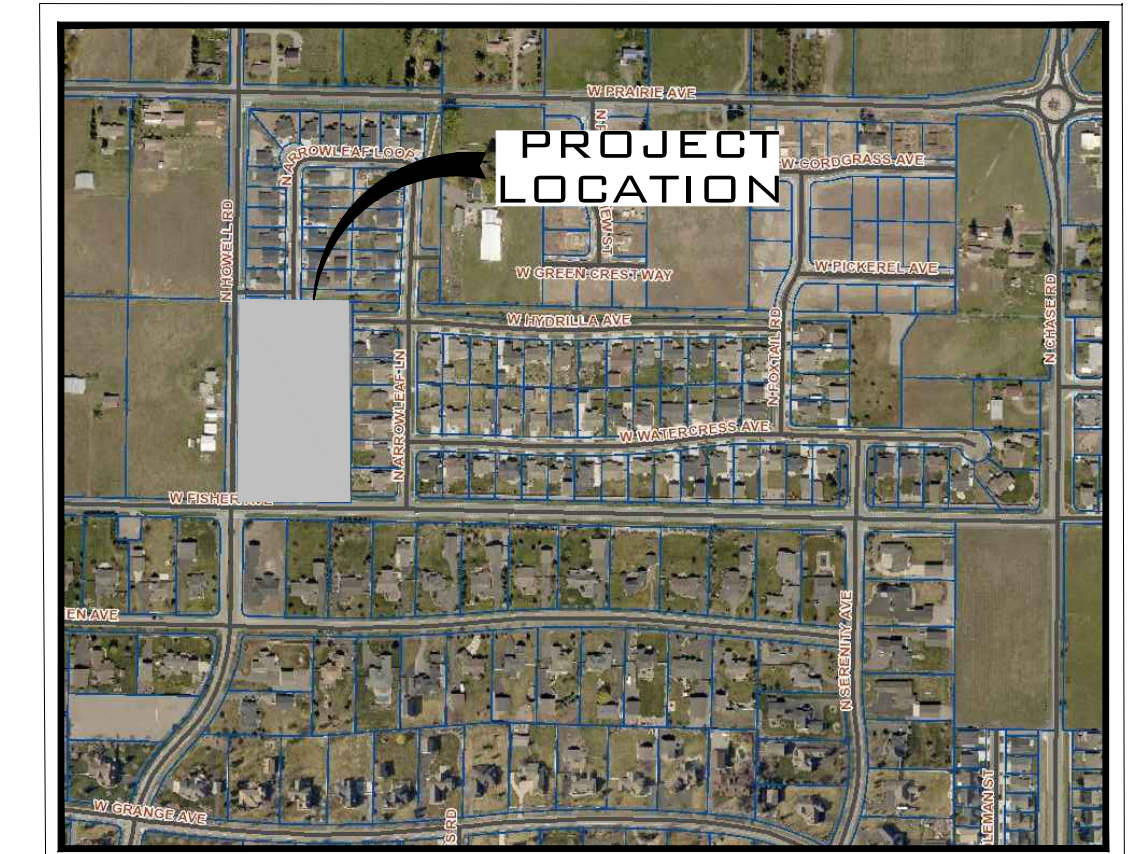
The proposed zone map amendment and subdivision are both supported by the comprehensive plan as outlined in this narrative and the proposed subdivision meets the requirements of the City's subdivision ordinance, therefore we are requesting approval of both applications as presented.

PRELIMINARY SUBDIVISION PLAN

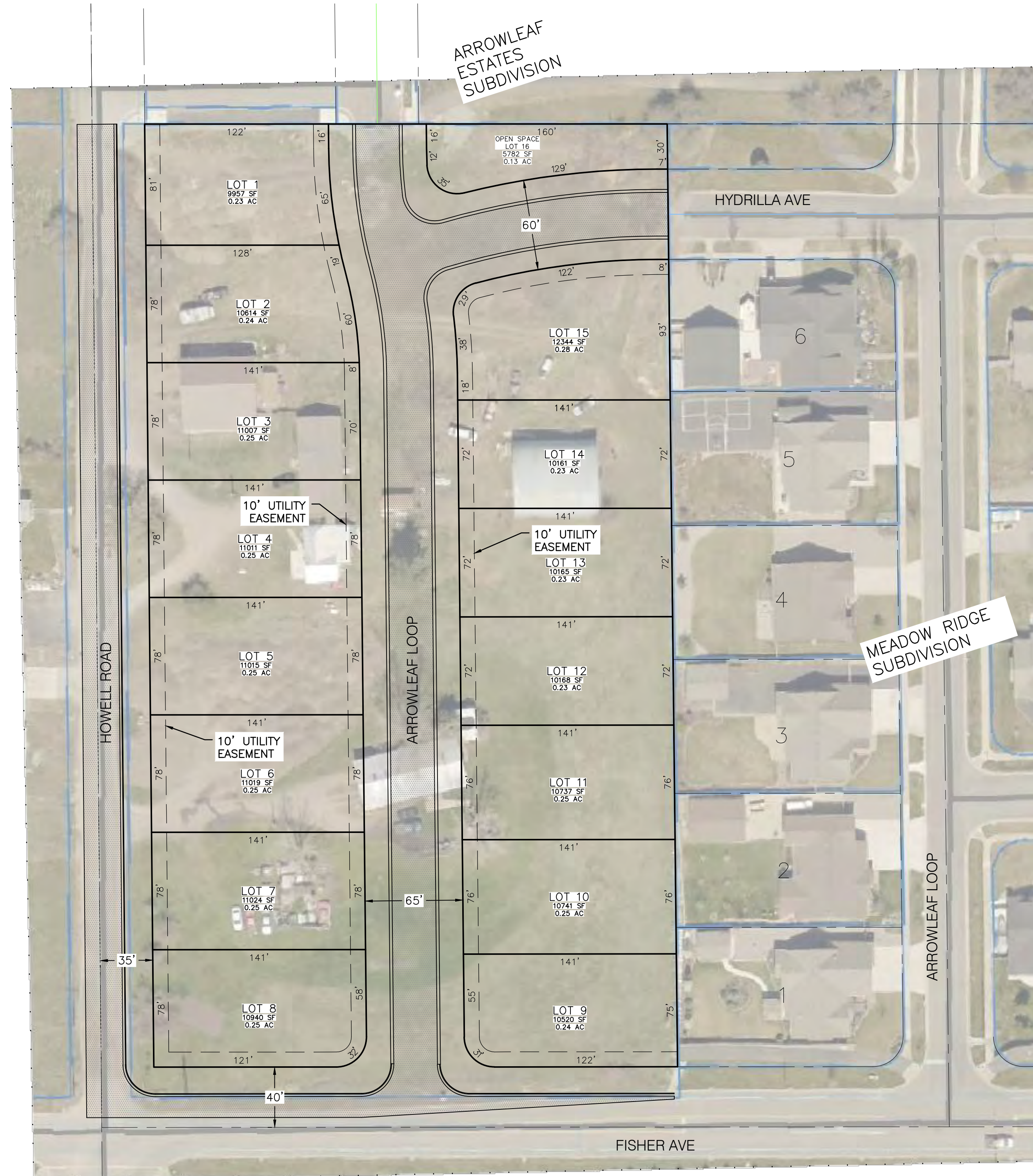
HYDRILLA ESTATES

POST FALLS, ID

NE 1/4 SECTION 28, T. 51 N., R. 5 W., B.M.



VICINITY MAP



SITE DATA TABLE	
GENERAL DESIGN DATA	
PARCEL NUMBERS	P-3850-28-077-AA
EXISTING ZONING	R-1-S
PROPOSED ZONING	R-1
PROJECT AREA	5.37 AC
LOT AREA	3.71 AC
RIGHT OF WAY AREA	1.53 AC
OPEN SPACE AREA	0.13 AC
NUMBER OF LOTS	15
MAXIMUM LOT AREA	12,344 SF
MINIMUM LOT AREA	9,957 SF
PROPERTY DENSITY	2.79 UNITS/AC
AVERAGE LOT AREA	10,761 SF
DOMESTIC WATER	EAST GREANACRES IRRIGATION DISTRICT
SANITARY SEWER DISPOSAL	CITY OF POST FALLS
FIRE DEPARTMENT	KOOTENAI COUNTY FIRE & RESCUE
DATUM	NAVD-88

LEGAL DESCRIPTION:

THE LAND IS DESCRIBED AS FOLLOWS:
 THAT PORTION OF TRACT 77, GREENACRES IRRIGATION DISTRICT PLAT NO. 4, ACCORDING TO THE PLAT RECORDED IN BOOK "B" OF PLATS AT PAGE 55, RECORDS OF KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHEAST CORNER OF LYMAN ESTATES, ACCORDING TO THE PLAT RECORDED IN BOOK "G" OF PLATS, PAGE 216; THENCE
 ALONG THE SOUTH LINE OF LYMAN ESTATES, SOUTH 89°58'49" WEST A DISTANCE OF 280.96 FEET TO THE POINT OF BEGINNING; THENCE
 LEAVING SAID SOUTH LINE OF LYMAN ESTATES, SOUTH 00°38'02" EAST A DISTANCE OF 646.37 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF FISHER AVENUE; THENCE
 ALONG SAID NORTH RIGHT OF WAY LINE, SOUTH 89°57'26" WEST, A DISTANCE OF 362.37 FEET, TO A POINT ON THE EAST RIGHT OF WAY LINE OF HOWELL ROAD; THENCE
 ALONG SAID EAST RIGHT OF WAY, NORTH 00°33'32" WEST A DISTANCE OF 646.51 FEET; THENCE
 NORTH 89°58'49" EAST A DISTANCE OF 10.00 FEET TO THE SOUTHWEST CORNER OF AFOREMENTIONED LYMAN ESTATES; THENCE
 ALONG THE SOUTH LINE OF LYMAN ESTATES NORTH 89°58'49" EAST 351.53 FEET TO THE POINT OF BEGINNING.

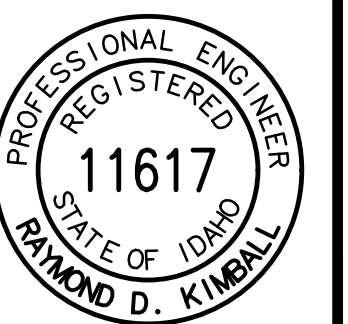
- NOTES:**
- ALL EXISTING STRUCTURES ARE TO BE REMOVED/DEMOLISHED.
 - ALL UNDOCUMENTED FILL TO BE REMOVED AND REPLACED/RECOMPACTED.

APPLICANT/ENGINEER
 WHIPPLE CONSULTING ENGINEERS
 21 S PINES ROAD
 SPOKANE VALLEY, WA 99206
 PHONE: 509-893-2617
 FAX: 509-926-0227
 CONTACT: RAY KIMBALL, P.E.

OWNER
 WILD HORSE INVESTMENTS, LLC
 14899 W. STUB AVE
 RATHDRUM, ID 83858

**City of Post Falls
Approval**

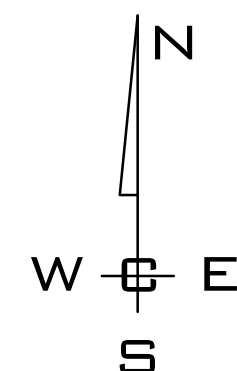
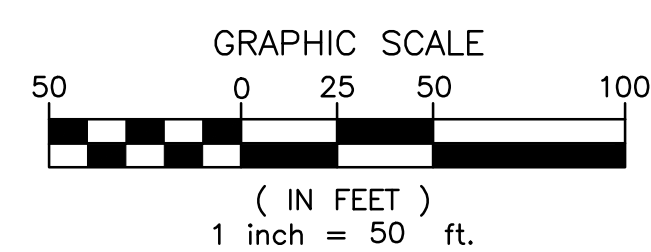
Approved By: _____
 City Engineer Date



SUBDIVISION PLAN

SCALE: 1" = 50'

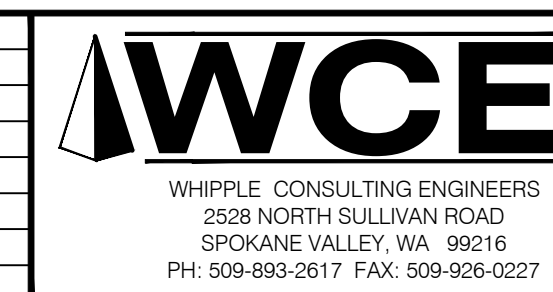
NAVD - 88
BENCHMARK:



NO.	DATE	BY	REVISIONS

SCALE:	PROJ #: 21-2917
HORIZONTAL:	DATE: 2/22/22
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VERTICAL:	REVIEWED: RDK
N/A	

CIVIL	
STRUCTURAL	
SURVEYING	
TRAFFIC	
PLANNING	
LANDSCAPE	
OTHER	



**HYDRILLA ESTATES
SUBDIVISION PLAN
3704 N. HOWELL
POST FALLS, ID**

**SHEET
1 OF 2**

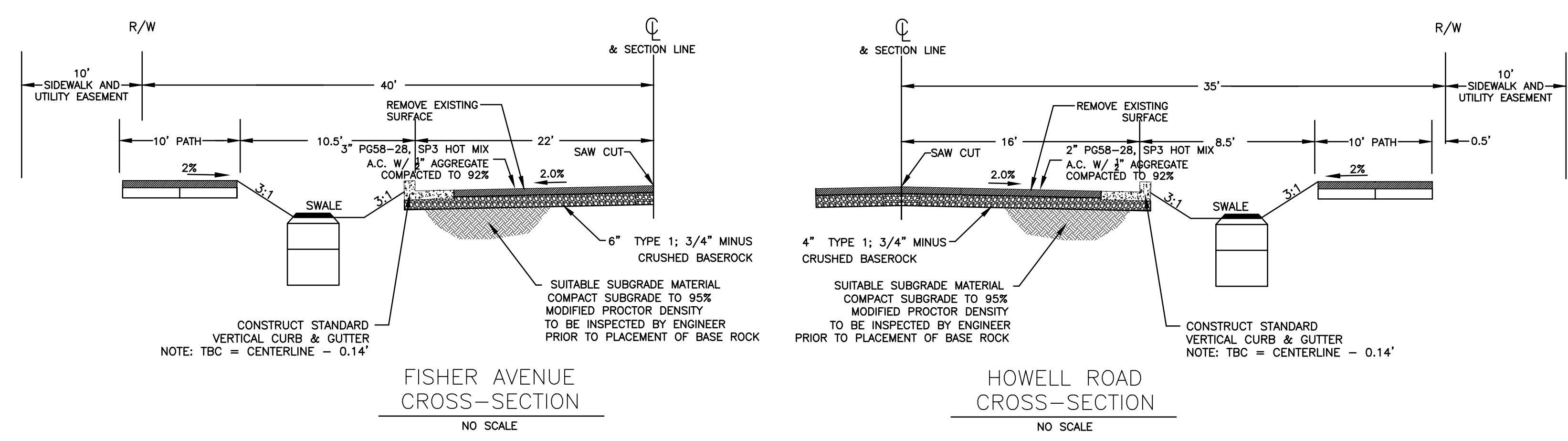
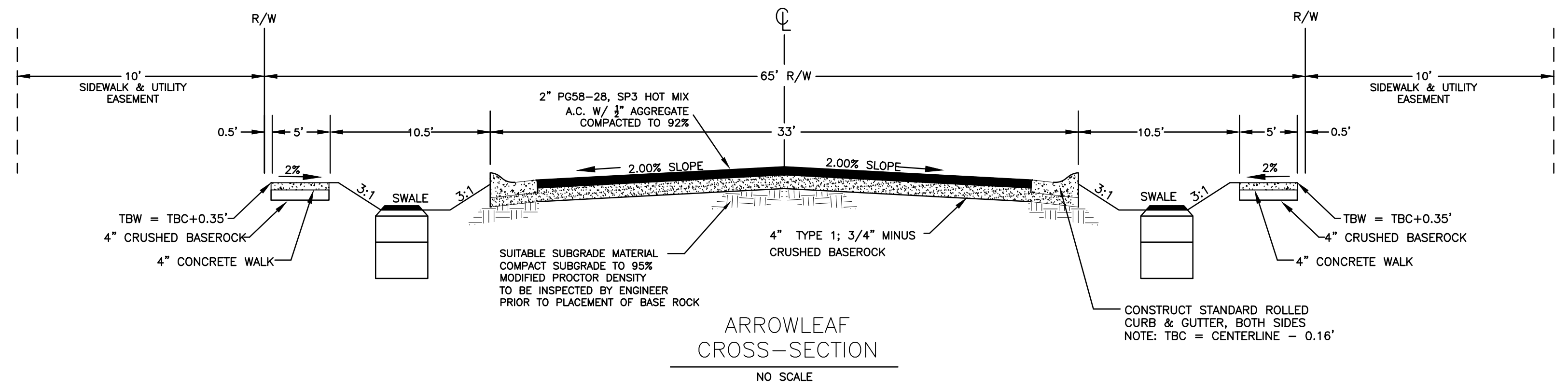
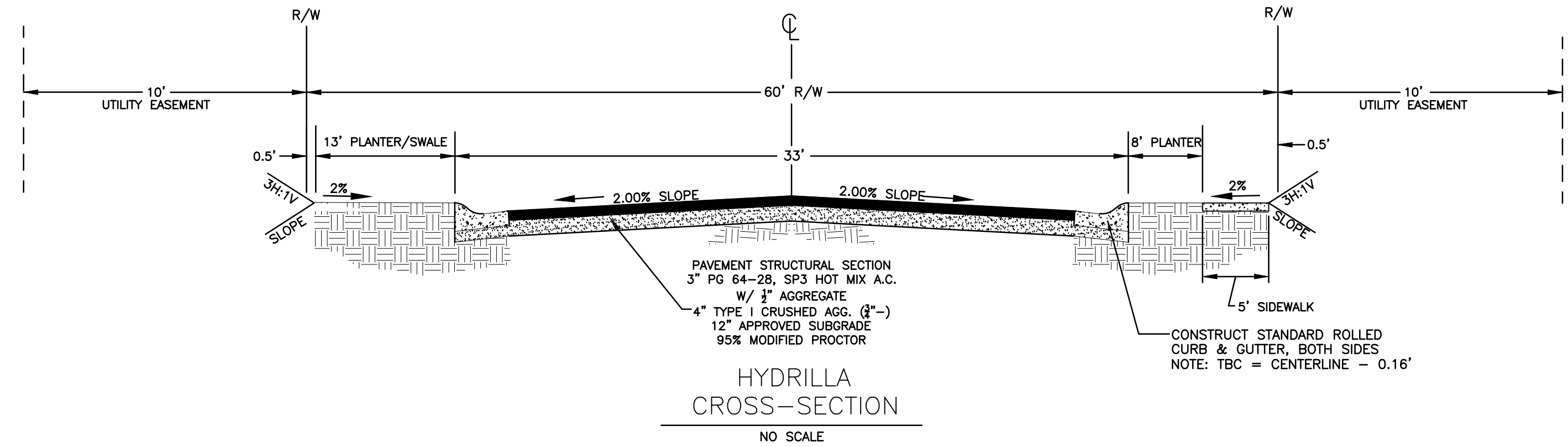
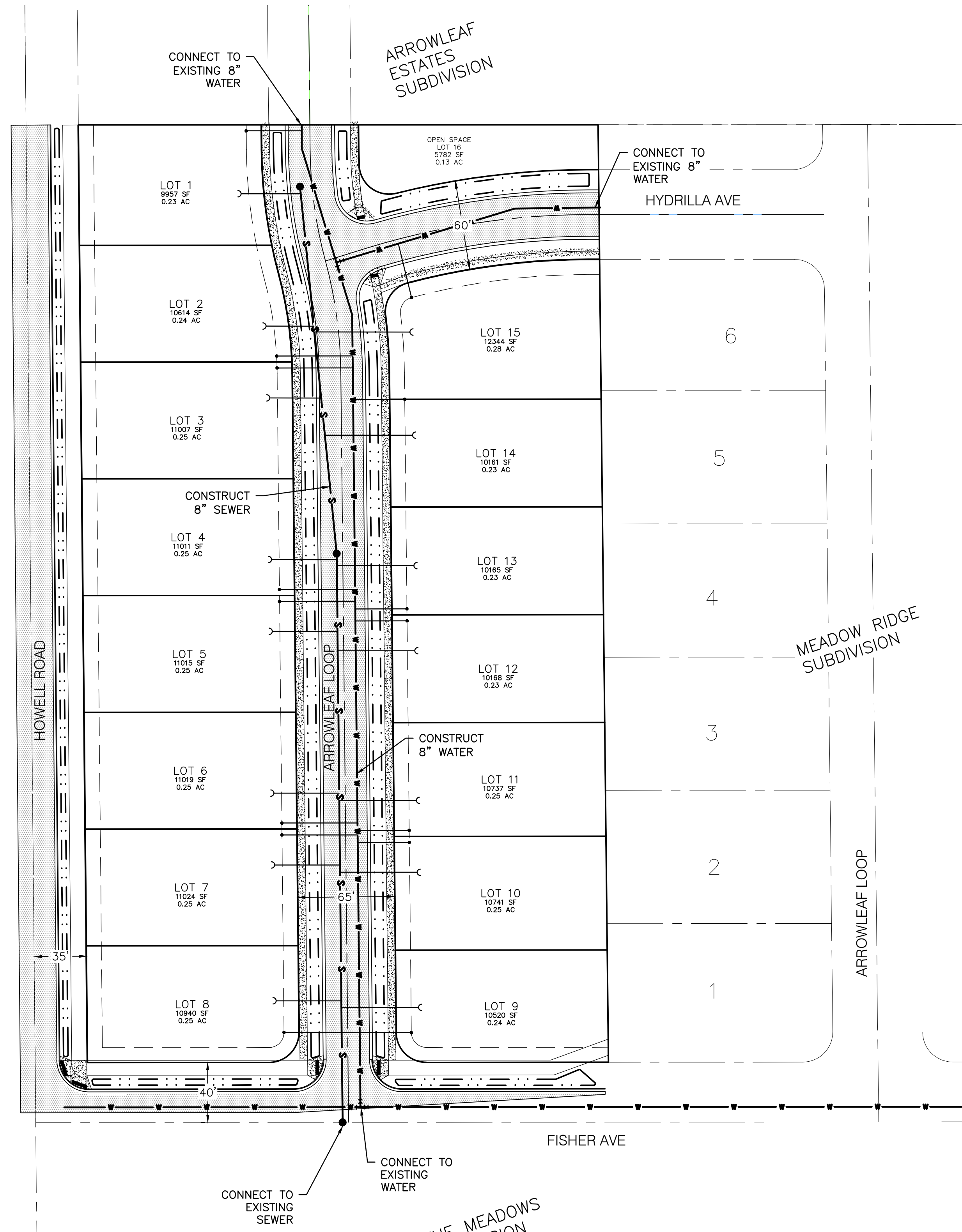
JOB NUMBER
21-2917

PRELIMINARY SUBDIVISION PLAN

HYDRILLA ESTATES

POST FALLS, ID

NE 1/4 SECTION 28, T. 51 N., R. 5 W., B.M.



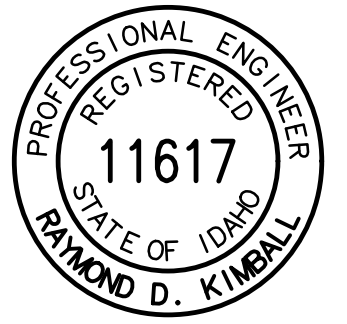
APPLICANT/ENGINEER
WHIPPLE CONSULTING ENGINEERS
21 S PINES ROAD
SPOKANE VALLEY, WA 99206
PHONE: 509-893-2617
FAX: 509-926-0227
CONTACT: RAY KIMBALL, P.E.

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RATHDRUM, ID 83858

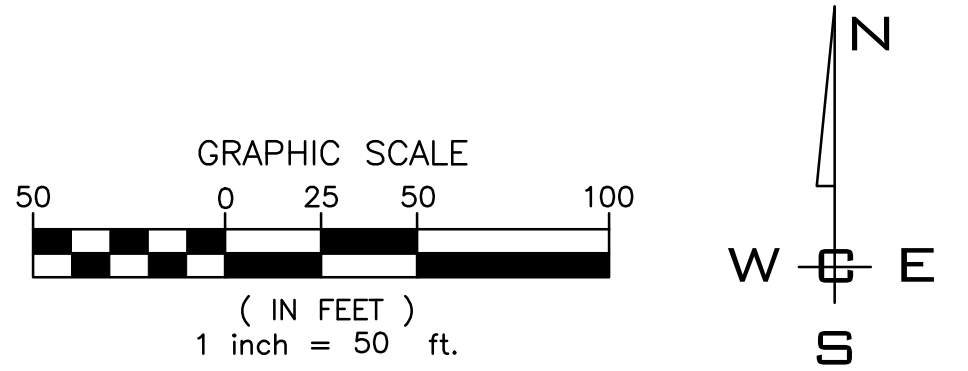
- NOTES:**
- ALL EXISTING STRUCTURES ARE TO BE REMOVED/DEMOLISHED.
 - ALL UNDOCUMENTED FILL TO BE REMOVED AND REPLACED/RECOMPACTED.

City of Post Falls Approval

Approved By: _____
City Engineer Date



SUBDIVISION PLAN
SCALE: 1" = 50'



NO.	DATE	BY	REVISIONS

SCALE:	PROJ #: 21-2917
HORIZONTAL:	DATE: 2/22/22
1" = 50'	DRAWN: SLS
VERTICAL:	REVIEWED: RDK
N/A	

WCE
WHIPPLE CONSULTING ENGINEERS
2528 NORTH SULLIVAN ROAD
SPOKANE VALLEY, WA 99216
PH: 509-893-2617 FAX: 509-926-0227

HYDRILLA ESTATES SUBDIVISION PLAN
3704 N. HOWELL POST FALLS, ID

SHEET 2 OF 2
JOB NUMBER 21-2917



EAST GREENACRES IRRIGATION DISTRICT

2722 North McGuire Road Post Falls, Idaho 83854 • (208) 773-7579

April 6, 2022

Wild Horse Investments, LLC
Attn: Mike Stegmann
14899 W. Stub Ave
Rathdrum, ID 83858
mike@stegmanns.us

RE: Hydrilla Estates Subdivision, Conceptual Approval

Dear Stegmann:

The Subject received conceptual approval by the Board of Directors during our regular scheduled meeting held April 5, 2022. The project located in the Northeast ¼ of Section 26, T51N, R5W at 3704 N Howell Road. The project is located within the boundary of EGID, and eligible to receive both Domestic and Irrigation water.

We have the capacity, willingness, and intent to serve the Subject 15 lot residential subdivision conditional upon final review, and acceptance of the project drawings.

The Subject does not require any modification to Reclamation's original Rathdrum Prairie Unit Water Project.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Wilson', is written over a horizontal line.

Ron Wilson
District Manager
ron@eastgreenacres.org

RW/MP

cc: Mike Stegmann – mike@stegmanns.us
Ray Kimball – rkimball@whipplece.com

April 6, 2022

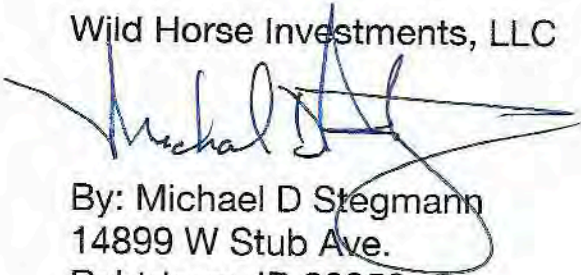
Re: 3666 N. Howell / Hydrilla Estates

To Whom It May Concern:

Ray Kimball of Whipple Consulting Engineers has my authorization to apply for and discuss land use application on my behalf.

If you have any questions please feel free to contact me.

Wild Horse Investments, LLC

A handwritten signature in blue ink, appearing to read "Michael D Stegmann", with a large, sweeping flourish extending to the right.

By: Michael D Stegmann
14899 W Stub Ave.
Rahtdrum, ID 83858

314-753-6622
mike@stegmanns.us

COMMONWEALTH LAND TITLE INSURANCE COMPANY

NOTICE

IMPORTANT - READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, Commonwealth Land Title Insurance Company, a(n) Washington corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within 5 business days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.

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COMMONWEALTH LAND TITLE INSURANCE COMPANY

- (h) "Title": The estate or interest described in Schedule A.
2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
3. The Company's liability and obligation is limited by and this Commitment is not valid without:
- (a) the Notice;
 - (b) the Commitment to Issue Policy;
 - (c) the Commitment Conditions;
 - (d) Schedule A;
 - (e) Schedule B, Part I—Requirements; [and]
 - (f) Schedule B, Part II—Exceptions[; and
 - (g) a counter-signature by the Company or its issuing agent that may be in electronic form].

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
- (i) comply with the Schedule B, Part I - Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.

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- (e) Any amendment or endorsement to this Commitment must be in writing [and authenticated by a person authorized by the Company].
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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COMMONWEALTH LAND TITLE INSURANCE COMPANY

Commitment No.: 417463

SCHEDULE A

Escrow Officer: -
Title Officer: Sam Johnson - sam@kootenaititle.com

1. Commitment Date: March 15, 2022 at 12:00 AM

2. Policy to be issued:

a. Owner's Policy	(ALTA Owners Policy (06/17/06))	Amount:	\$10,000.00
Proposed Insured:		Premium:	\$200.00

**Purchaser with contractual rights under a purchaser agreement
with the vested owner identified at Item 4 below.**

Total:: \$200.00

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:

Wild Horse Investments, LLC, an Idaho Limited Liability Company

5. The Land is described as follows:

SEE SCHEDULE C ATTACHED HERETO

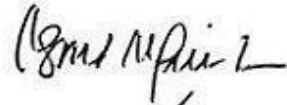
Commonwealth Land Title Insurance Company

COMMONWEALTH LAND TITLE INSURANCE COMPANY

By: 
Kootenai County Title Company, Inc.



By:



ATTEST

President



Secretary

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COMMONWEALTH LAND 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. The Owners Policy contemplated hereby is an ALTA standard coverage Owners Policy, in which General Exceptions 1 through 6 shall remain on the final Policy. Any requests to delete any or all of said Exceptions shall require additional approval, Requirements and/or Exceptions, and incur an additional premium.
6. The Proposed Policy Amount(s) must be increased to the full value of the estate or interest being insured, and any additional premium must be paid. An Owner's policy shall be issued for not less than (1) the amount of the current sales price of the land and any existing improvements appurtenant thereto, or (2) if no sale is to be made, the amount equal to the value of the land and any existing improvements at the time of issuance of the policy. A Loan policy shall be for not less than (a) the full principal amount of the indebtedness secured by the insured mortgage and may include up to 20% in excess thereof to cover foreclosure costs, etc., or (b) if the indebtedness is secured by other collateral, then for not less than the unencumbered value of the land or the amount of the loan, whichever is the lesser. Proposed Policy Amount(s) will be revised and premiums charged consistent therewith when the final amounts are approved.
7. We find the following last deed of record:
 - A. Warranty Deed, by and between Symons Family Trust dated August 3, 1990, Doc Symons, a married man and Tina Hull, a married woman, as grantors, and Wild Horse Investments, LLC, an Idaho Limited Liability Company, as grantee, recorded December 22, 2021 as Instrument No. [2878503000](#), records of Kootenai County, Idaho.
8. We find the following address to be associated with the Land described herein:

3666 N. Howell Rd.
Post Falls, ID 83854

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COMMONWEALTH LAND TITLE INSURANCE COMPANY

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. Property taxes and assessments for the year 2022, which are a lien, not yet due or payable.

Parcel No.: P385028077AA
AIN No.: 125285
 - 8. Assessments of the City of Post Falls.
 - 9. Assessments of the East Greenacres Irrigation District.

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COMMONWEALTH LAND TITLE INSURANCE COMPANY

10. Easements, dedications, conditions, restrictions, notes and provisions created by or delineated, described or otherwise set forth in the plat of Green Acres Irrigation District Plat No. 4, as recorded in Book B of Plats at Page 55, records of Kootenai County, Idaho.

11. Terms, conditions, covenants, provisions, reservations, restrictions and rights-of-way, as set forth in a Land and Water Deed by Spokane Valley Land and Water Company
Recorded: February 27, 1911
Instrument No.: [Book 42 of Deeds at Page 207 \(pg 2\)\(pg 3\)\(pg 4\)](#), records of Kootenai County, Idaho.

12. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: United States of America
Purpose: Water pipeline, turnout and appurtenances
Recorded: August 20, 1973
Instrument No.: [Book 263 of Deeds at Page 396](#), records of Kootenai County, Idaho.

Declaration of Abandonment of Easement abandoning a portion of the easement referenced above
Recorded: April 7, 1975
Instrument No.: [Book 270 of Deeds at Page 839](#), records of Kootenai County, Idaho.

13. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: United States of America
Purpose: Water pipeline, turnout and appurtenances
Recorded: September 12, 1973
Instrument No.: [Book 263 of Deeds at Page 759](#), records of Kootenai County, Idaho.

14. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: United States of America
Purpose: Water pipeline, conduit and appurtenances
Recorded: February 11, 1975
Instrument No.: [Book 270 of Deeds at Page 166](#), records of Kootenai County, Idaho.

15. Annexation Agreement Meadow Ridge Phase II Annexation, including the terms, conditions, covenants and provisions set forth therein
Recorded: December 21, 2005
Instrument No.: 2002908, records of Kootenai County, Idaho

16. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: City of Post Falls
Purpose: Public roadway, pipelines for water and sewer, and other utility lines
Recorded: December 21, 2005
Instrument No.: [2002909](#), records of Kootenai County, Idaho.

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COMMONWEALTH LAND TITLE INSURANCE COMPANY

17. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: City of Post Falls
Purpose: Public roadway, pipelines for water and sewer, and other utility lines
Recorded: December 21, 2005
Instrument No.: [2002910](#), records of Kootenai County, Idaho.

18. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: City of Post Falls
Purpose: Public roadway, pipelines for water and sewer, and other utility lines
Recorded: December 21, 2005
Instrument No.: [2002911](#), records of Kootenai County, Idaho.

19. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: City of Post Falls
Purpose: Public roadway, pipelines for water and sewer, and other utility lines
Recorded: December 21, 2005
Instrument No.: [2002912](#), records of Kootenai County, Idaho.

20. Statement of Intent to Declare Manufactured Home Real Property
Recorded: May 7, 2008
Instrument No.: [2158149000](#), records of Kootenai County, Idaho

END OF SCHEDULE B

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COMMONWEALTH LAND TITLE INSURANCE COMPANY
SCHEDULE C

The Land is described as follows:

That portion of Tract 77, GREENACRES IRRIGATION DISTRICT PLAT NO. 4, according to the plat recorded in Book "B" of Plats at Page 55, records of Kootenai County, Idaho, more particularly described as follows:

BEGINNING at the Southeast corner of Lyman Estates, according to the plat recorded in Book "G" of Plats, Page 216; thence

Along the South line of Lyman Estates, South 89°58'49" West a distance of 280.96 feet to the POINT OF BEGINNING; thence

Leaving said South line of Lyman Estates, South 00°38'02" East a distance of 646.37 feet to a point on the North right of way of Fisher Avenue; thence

Along said North right of way line, South 89°57'26" West, a distance of 362.37 feet, to a point on the East right of way line of Howell Road; thence

Along said East right of way, North 00°33'32" West a distance of 646.51 feet; thence

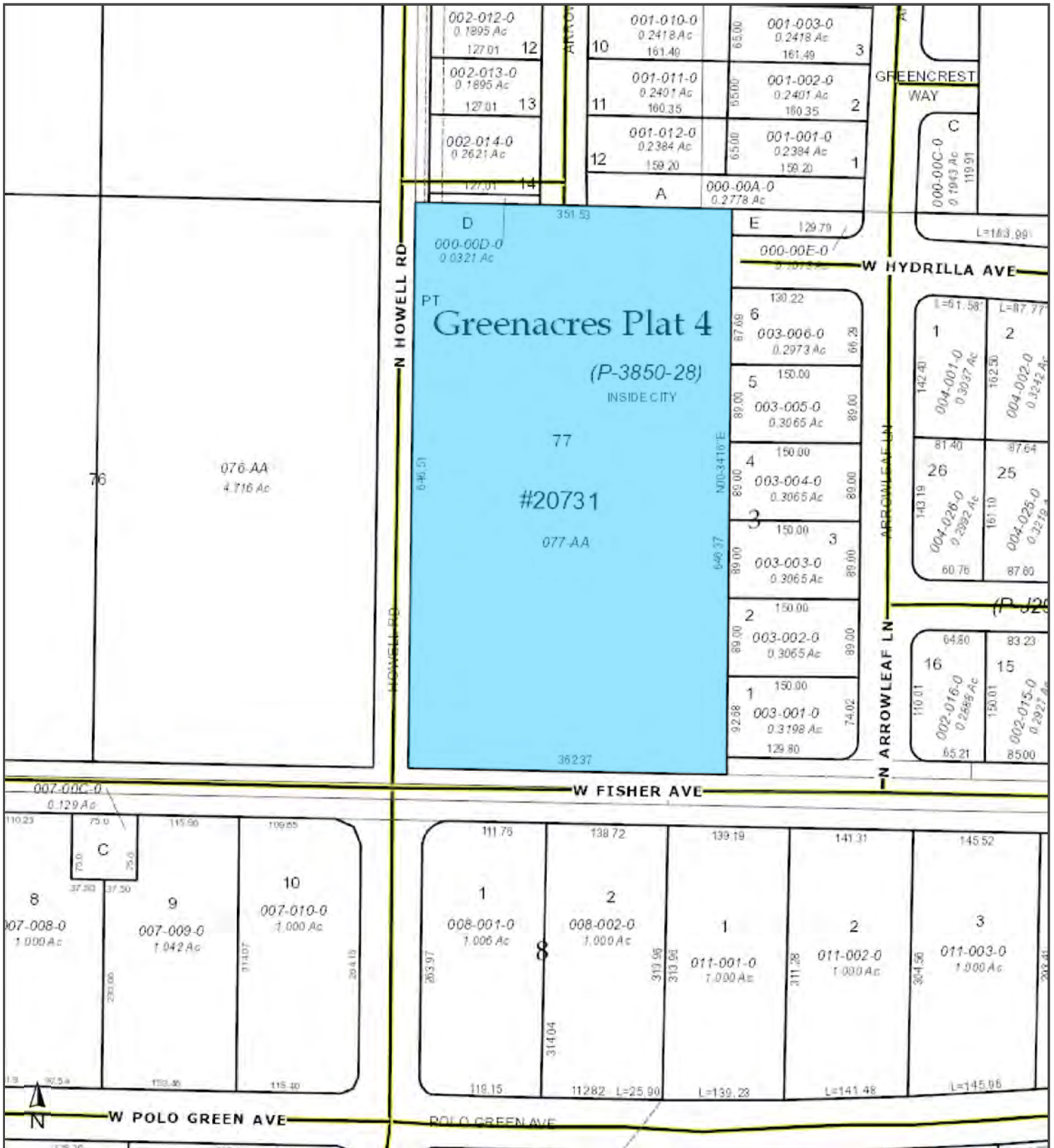
North 89°58'49" East a distance of 10.00 feet to the Southwest corner of aforementioned Lyman Estates; thence

Along the South line of Lyman Estates North 89°58'49" East 351.53 feet to the POINT OF BEGINNING.

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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

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.



File No: 414452AM

WARRANTY DEED

For Value Received

Symons Family Trust, dated August 3, 1990 and Doc Symons, a married man and Tina Hull, a married woman

The Grantor does hereby grant, bargain, sell and convey unto

Wild Horse Investments, LLC, an Idaho Limited Liability Company

Address: 14899 W. Stub Ave., Rathdrum ID 83858

The Grantee, the following described premises, in Kootenai County, Idaho, to wit:

See Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject to those made, suffered or done by the Grantee(s), current taxes, levies, assessments, easements, reservations and rights of way of view and covenants, conditions, restrictions, easements, reservations, dedications, rights of way and agreements of record and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: December 20, 2021

Symons Family Trust, dated August 3, 1990

BY: Frances Galloway Successor Co-Trustee
Frances Galloway, Successor Co-Trustee

BY: Doc Symons Successor Co-Trustee
Doc Symons, Successor Co-Trustee

Doc Symons
Doc Symons

Tina Hull
Tina Hull

STATE OF Idaho)
) ss.
COUNTY OF Kootenai)

On this 20th day of December, in the year of 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared
Frances Galloway and Doc Symons

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, as Trustee(s) of

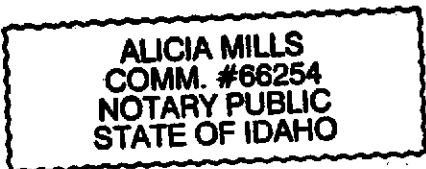
Symons Family Trust, dated August 3, 1990

and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) as Trustee(s) of said Trust, and that by his/her/their signature(s) on the foregoing instrument, the Trust executed the instrument and acknowledged the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Alicia Mills

Notary Public in and for said State
Residing at: Rathdrum
Commission Expires: 09/08/2027



STATE OF Idaho)
) ss.
COUNTY OF Kootenai)

On this 7th day of December, in the year of 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Doc Symons, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same for the purposes therein contained.

Alicia Mills

Notary Public in and for said State
Residing at: Rathdrum
Commission Expires: 09/08/2027

In witness whereof, I hereunto set my hand and official seal.

ALICIA MILLS
COMM. #66254
NOTARY PUBLIC
STATE OF IDAHO

STATE OF Idaho)
) ss.
COUNTY OF Kootenai)

On this 20th day of December, in the year of 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Tina Hull, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same for the purposes therein contained.

Alicia Mills

Notary Public in and for said State
Residing at: Rathdrum
Commission Expires: 09/08/2027

In witness whereof, I hereunto set my hand and official seal.

ALICIA MILLS
COMM. #66254
NOTARY PUBLIC
STATE OF IDAHO

DUPLICATE

EXHIBIT A

That portion of Tract 77, GREENACRES IRRIGATION DISTRICT PLAT NO. 4, according to the plat recorded in Book "B" of Plats at Page 55, records of Kootenai County, Idaho, more particularly described as follows:

BEGINNING at the Southeast corner of Lyman Estates, according to the plat recorded in Book "G" of Plats, Page 216; thence

Along the South line of Lyman Estates, South 89°58'49" West a distance of 280.96 feet to the POINT OF BEGINNING; thence

Leaving said South line of Lyman Estates, South 00°38'02" East a distance of 646.37 feet to a point on the North right of way of Fisher Avenue; thence

Along said North right of way line, South 89°57'26" West, a distance of 362.37 feet, to a point on the East right of way line of Howell Road; thence

Along said East right of way, North 00°33'32" West a distance of 646.51 feet; thence

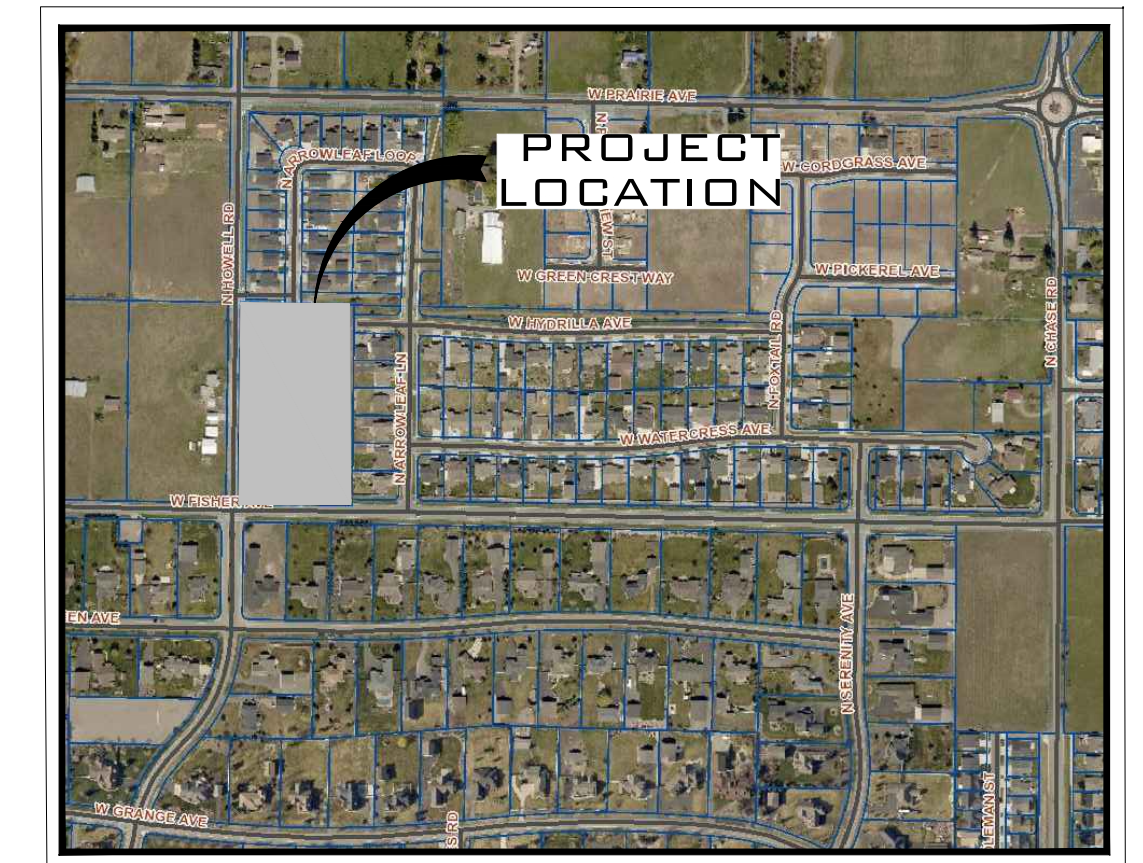
North 89°58'49" East a distance of 10.00 feet to the Southwest corner of aforementioned Lyman Estates; thence

Along the South line of Lyman Estates North 89°58'49" East 351.53 feet to the POINT OF BEGINNING.

JH
D. S. Adams

UNRECORDED

PRELIMINARY SUBDIVISION PLAN HYDRILLA ESTATES POST FALLS, ID NE 1/4 SECTION 28, T. 51 N., R. 5 W., B.M.



VICINITY MAP



SITE DATA TABLE	
GENERAL DESIGN DATA	
PARCEL NUMBERS	P-3850-28-077-AA
EXISTING ZONING	R-1-S
PROPOSED ZONING	R-1
PROJECT AREA	5.37 AC
LOT AREA	3.71 AC
RIGHT OF WAY AREA	1.53 AC
OPEN SPACE AREA	0.13 AC
NUMBER OF LOTS	15
MAXIMUM LOT AREA	12,344 SF
MINIMUM LOT AREA	9,387 SF
PROPERTY DENSITY	2.79 UNITS/AC
AVERAGE LOT AREA	10,204 SF
DOMESTIC WATER	EAST GREENACRES IRRIGATION DISTRICT
SANITARY SEWER DISPOSAL	CITY OF POST FALLS
FIRE DEPARTMENT	KOOTENAI COUNTY FIRE & RESCUE
DATUM	NAVD-88

LEGAL DESCRIPTION:
 THE LAND IS DESCRIBED AS FOLLOWS:
 THAT PORTION OF TRACT 77, GREENACRES IRRIGATION DISTRICT PLAT NO. 4, ACCORDING TO THE PLAT RECORDED IN BOOK "B" OF PLATS AT PAGE 55, RECORDS OF KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHEAST CORNER OF LYMAN ESTATES, ACCORDING TO THE PLAT RECORDED IN BOOK "G" OF PLATS, PAGE 216; THENCE
 ALONG THE SOUTH LINE OF LYMAN ESTATES, SOUTH 89°58'49" WEST A DISTANCE OF 280.96 FEET TO THE POINT OF BEGINNING; THENCE
 LEAVING SAID SOUTH LINE OF LYMAN ESTATES, SOUTH 00°38'02" EAST A DISTANCE OF 646.37 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF FISHER AVENUE; THENCE
 ALONG SAID NORTH RIGHT OF WAY LINE, SOUTH 89°57'26" WEST, A DISTANCE OF 362.37 FEET, TO A POINT ON THE EAST RIGHT OF WAY LINE OF HOWELL ROAD; THENCE
 ALONG SAID EAST RIGHT OF WAY, NORTH 00°33'32" WEST A DISTANCE OF 646.51 FEET; THENCE
 NORTH 89°58'49" EAST A DISTANCE OF 10.00 FEET TO THE SOUTHWEST CORNER OF AFOREMENTIONED LYMAN ESTATES; THENCE
 ALONG THE SOUTH LINE OF LYMAN ESTATES NORTH 89°58'49" EAST 351.53 FEET TO THE POINT OF BEGINNING.

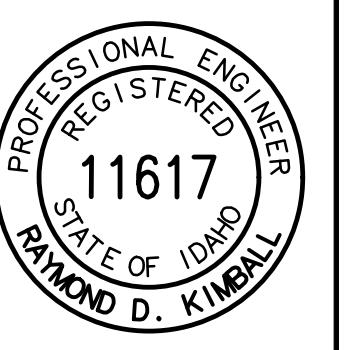
- NOTES:**
1. ALL EXISTING STRUCTURES ARE TO BE REMOVED/DEMOLISHED.
 2. ALL UNDOCUMENTED FILL TO BE REMOVED AND REPLACED/RECOMPACTED.

APPLICANT/ENGINEER:
 WHIPPLE CONSULTING ENGINEERS
 21 S PINES ROAD
 SPOKANE VALLEY, WA 99206
 PHONE: 509-893-2617
 FAX: 509-926-0227
 CONTACT: RAY KIMBALL, P.E.

OWNER:
 WILD HORSE INVESTMENTS, LLC
 14899 W. STUB AVE
 RATHDRUM, ID 83858

**City of Post Falls
Approval**

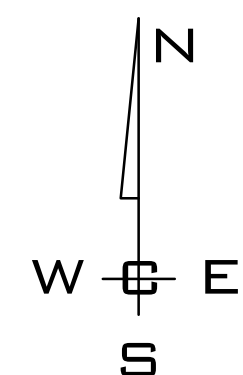
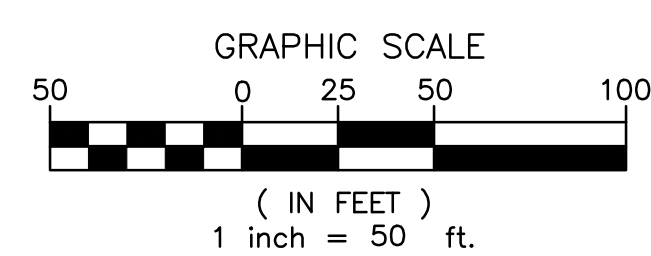
Approved By: _____
 City Engineer Date _____



SUBDIVISION PLAN

SCALE: 1" = 50'

NAVD - 88
BENCHMARK:

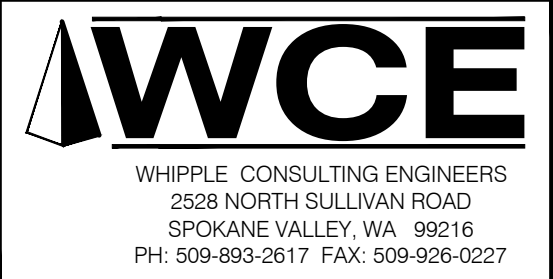


NO.	DATE	BY	REVISIONS

SCALE:
 HORIZONTAL: 1"=50'
 VERTICAL: N/A

PROJ #: 21-2917
DATE: 2/22/22
DRAWN: SLS
REVIEWED: RDK

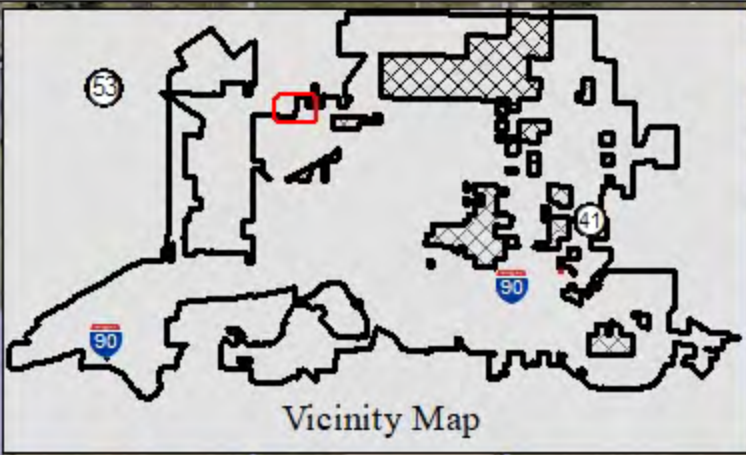
CIVIL	
STRUCTURAL	
SURVEYING	
TRAFFIC	
PLANNING	
LANDSCAPE	
OTHER	



**HYDRILLA ESTATES
SUBDIVISION PLAN
3704 N. HOWELL
POST FALLS, ID**

**SHEET
1 OF 2**

JOB NUMBER
21-2917



Vicinity Map



Vicinity Map
HYDRILLA ESTATES
ZC-22-2






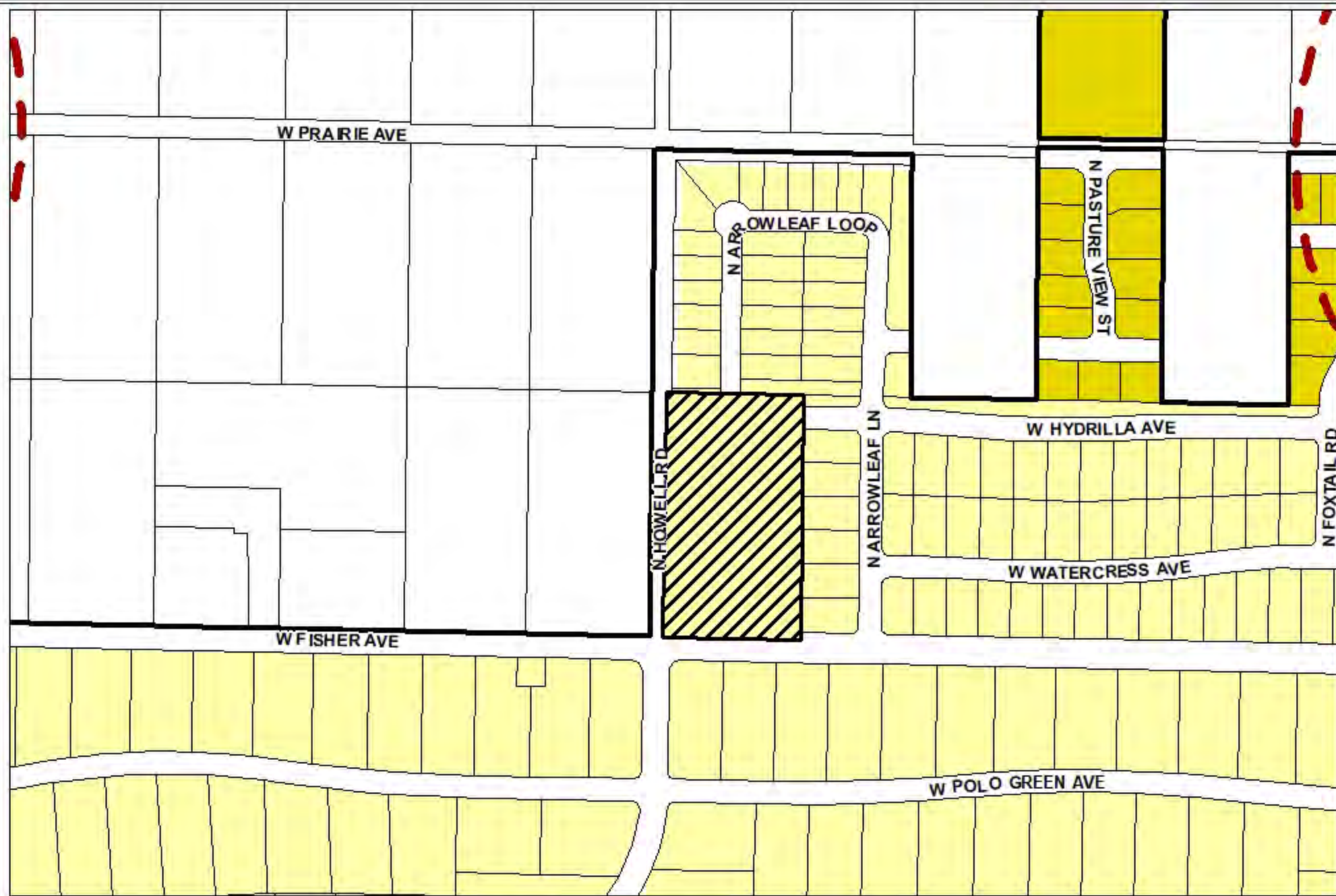
-  Subject Site
-  City Boundary
-  Tax Parcels



Exhibit S-1



Zoning Map
 HYDRILLA ESTATES
 ZC-22-2








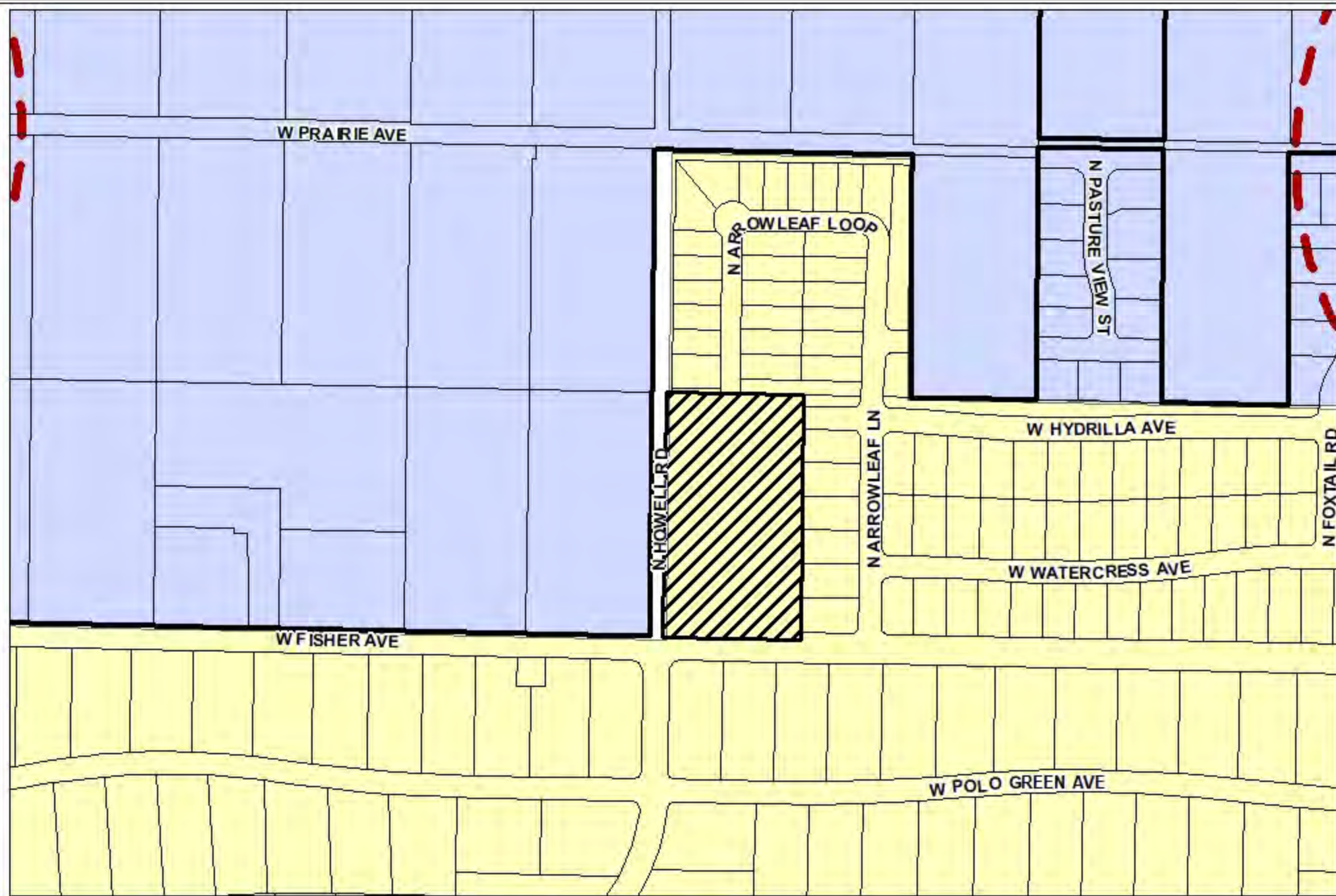
-  City Boundary
-  Subject Site
-  Commercial Node
-  R-1-S
-  R-1

Exhibit S-2





Future Lane Use Map
 HYDRILLA ESTATES
 ZC-22-2








-  City Boundary
-  Subject Site
-  Commercial Node
-  Transitional
-  Low Density Residential



Exhibit S-3



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

June 10th, 2022

Amber Blanchette
Planning Administrative Specialist
amberb@postfallsidaho.org

Re: Hydrilla Estates Zone Change File No. ZC-22-2/SUBD-22-8

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

Respectfully submitted,

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

Mark J. Brantl
Captain
Post Falls Police Department

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

June 17, 2022

Amber Blanchette
Planning Administrative Specialist
amberb@postfallsidaho.org

RE: Notice to Jurisdiction Response

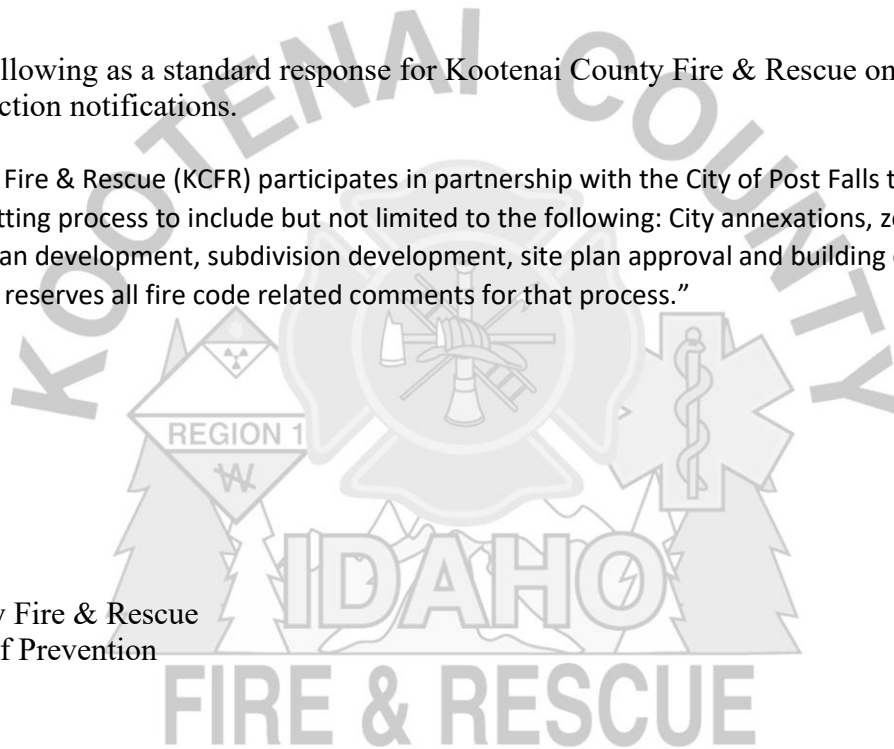
Amber,

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





DEQ Response to Request for Environmental Comment

Date: June 22, 2022
Agency Requesting Comments: City of Post Falls
Date Request Received: June 10, 2022
Applicant/Description: ZC-22-2/SUBD-22-8

Thank you for the opportunity to respond to your request for comment. While the Idaho Department of Environmental Quality (DEQ) does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at <https://www.deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts/>

DEQ has not completed a thorough review of the documents provided, therefore, the following general comments should be applied as appropriate to the specific project:

1. Air Quality

- **Fugitive Dust** - The City should consider requiring reasonable controls on fugitive dust emitting activity during all phases of the project (including but not limited to; roadway construction, vehicle traffic on unpaved roads, land clearing activity, topsoil management, vegetation management). All reasonable precautions shall be taken to prevent particulate matter (dust) from becoming airborne, as required in IDAPA 58.01.01.651.
- **Land Clearing** - During the land clearing and construction phases of the project the applicant should consider alternatives to open burning of the vegetative debris that is generated. Mechanical processing of land clearing debris avoids generating smoke and offers the greatest flexibility for timely project progress. Mechanical processing is not required by DEQ however.
- **Open Burning** - If open burning of land clearing debris is incorporated into the land clearing phase, smoke management practices to protect air quality as described in the Idaho Department of Lands regulation IDAPA 20.02.01.071.03 and DEQ's regulation IDAPA 58.01.01.614 must be implemented by the applicant. Local fire protection permits may also be required. The City should consider requiring a smoke management plan be developed if open burning is used on this project.
- **Construction Debris** - The City should consider requiring a project plan that commits to the proper disposal of demolition and construction debris. Open burning of demolition or

construction debris is not an allowable form of open burning as defined by IDAPA 58.01.01.600. Demolition and construction debris must be treated in accordance with state solid waste regulations.

- For questions, contact Shawn Sweetapple, Air Quality Manager, at (208) 769-1422.
- **Air Quality Permits** - IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For permitting questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. Wastewater

- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- If connecting to an existing wastewater utility, DEQ recommends verifying that there is adequate capacity to serve this project prior to approval. Please contact the sewer provider for a will-serve letter stating the provider's capacity to serve the project, willingness to serve this project, and a declining balance of available connections.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.

For questions, contact Katy Baker-Casile, DEQ Water Quality Engineering Manager, at (208)769-1422.

3. Drinking Water

- DEQ recommends using an existing drinking water system whenever possible or construction of a new drinking water system. Please contact DEQ to discuss this project and to explore options to best serve the future residents of this development and provide for protection of ground water resources.
- If connecting to an existing public or non-public drinking water system, DEQ recommends

verifying that there is adequate capacity to serve this project prior to approval. Please contact the water provider for a will-serve letter stating the provider's capacity to serve the project, willingness to serve this project, and a declining balance of available connections.

- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval. All projects for construction or modification of public drinking water systems require preconstruction approval.
- If any private wells will be included in the proposed project, DEQ recommends at a minimum testing the private well for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.

For questions, contact Katy Baker-Casile, DEQ Water Quality Engineering Manager, at (208) 769-1422.

4. Surface Water

- **Water Quality Standards.** Site activities adjacent to waters of the United States (US) must comply with Idaho's Water Quality Standards (WQS) (IDAPA 58.01.02). The WQS provide limits to pollutants to assure water quality for the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water. The federal Clean Water Act (CWA) requires states to list current conditions of all state waters (required by §305(b)), including publicly-owned lakes (required by §314), and to list waters that are impaired by one or more pollutants (required by §303(d)).
 - WQS: <http://www.deq.idaho.gov/water-quality/surface-water/standards/>
 - Current conditions of state waters (with interactive map): <http://www.deq.idaho.gov/water-quality/surface-water/monitoring-assessment/integrated-report/>
- **Point Source Discharges.** Site activities that discharge pollutants into waters of the US in Idaho may require Idaho Pollution Discharge Elimination System (IPDES) coverage (IDAPA 58.01.25) or the Environmental Protection Agency (EPA) National Pollution Discharge Elimination Program (NPDES) coverage.
 - <http://www.deq.idaho.gov/permitting/water-quality-permitting/ipdes/>
- **Construction activities.** Construction activities should implement Best Management Practices (BMPs) to control, prevent, or minimize pollution. Construction activities disturbing areas greater than one acre of land that may discharge stormwater directly or indirectly into waters of the US require development and implementation of a Stormwater Pollution Prevention Plan (SWPP) under a Construction General Permit with EPA NPDES.
 - <http://www.deq.idaho.gov/water-quality/wastewater/stormwater/>
- **Stream channel/lakeshore alteration and dredge and fill activities.** Site activities that disturb ground below the ordinary high water mark (OHWM) within streams/lakeshores must have a permit under IDAPA 37.03.07 (administered by Dept. of Lands) and IDAPA 58.13 (administered

by Dept. of Water Resources). Activities that discharge fill material below the OHWM must have a permit under Section 404 of the CWA (administered by US Army Corps of Engineers). All activities must also comply with Idaho Water Quality Standards.

- Idaho Department of Water Resources permits: <https://idwr.idaho.gov/streams/>
- Idaho Department of Lands permits: <https://www.idl.idaho.gov/lakes-rivers/lake-protection/index.html>
- US Army Corp of Engineers permits: <https://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/>

For questions, contact Robert Steed, Surface Water Manager at (208) 769-1422.

5. Solid/Hazardous Waste And Ground Water Contamination

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Solid Waste.** The disposal of all solid waste must comply with Idaho's Solid Waste Management Rules (IDAPA58.01.06). No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).

Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Ground Water Contamination.** DEQ requests that all activities comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

- **Underground Storage Tanks.** DEQ requests that the installation of all underground storage tanks and piping along with any required testing and owner/operator training comply with Idaho's Rules Regulating Underground Storage Tank Systems (IDAPA 58.01.07)

6. Additional Notes

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. The Panhandle Health District regulates all ASTs over the Rathdrum Prairie aquifer. EPA regulates ASTs at all other areas. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 769-1422, or visit the DEQ website (<http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx>) for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.
For questions, contact Gary Stevens, Waste & Remediation Manager, at (208) 769-1422.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208)769-1422.

Dan McCracken, Regional Administrator, Coeur d'Alene



POST FALLS SCHOOL DISTRICT #273

DISTRICT OFFICE
P.O. Box 40
Post Falls, ID 83877
PHONE 208-773-1658
FAX 208-773-3218
www.pfsd.com

June 20, 2022

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

Dear Bob,

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

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

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

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

The enrollment status and the capacity of each school for the 2021-2022 school year is listed below. (What these enrollment numbers do not include are the anticipated increase of 50 students per elementary school due to full day kindergarten beginning in the fall of 2022.)

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

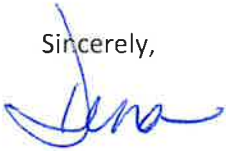
School	2021-2022 Enrollment	Building Capacity
Greensferry Elementary	374	525
Mullan Trail Elementary	340	500
Ponderosa Elementry	420	570
Prairie View Elementary	440	525
Seltice Elementary	440	560

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

Treaty Rock Elementary	415	525
West Ridge Elementary	430	525
Post Falls Middle School	870	920
River City Middle School	630	750
Post Falls High School	1560	1800
New Vision High School	160	225

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

Sincerely,



Dena Naccarato
Superintendent

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

Schlotthauer – Thanks for coming down and we'll hope to see you next time.

Steffensen - I apologize for the confusion so sometimes these change for various reasons and this is just one of those nights.

Comments:

Special Use Permit Criteria:

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

Steffensen – In the zoning code its an R1 and it definitely says special use permit makes it allowable.

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

Steffensen – what we said in the first criteria.

Everyone agrees

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

Steffensen – The Fire Station will definitely help the health, safety, and welfare of the public.

All Agree

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

Carey – It goes along with our Comprehensive Plan and how we're building the city and having safety within the confines of the city limits.

Schlotthauer – With the location, land use, along the principal arterial we are not going to do better than that. It will affect a few folks that already live there but I don't see how you get away from that ever.

Hampe – The R1, it only has them on one side which is beneficial.

Steffensen – I live in Fieldstone; I hear sirens during the day but not at night.

Motion to approve finding it meets the approval criteria in the PPMC 18.20.070 as outlined in our deliberations and to include condition 1 contained in the staff report and direct staff to draft the Reasoned Decision. Carey

2nd by – Hampe

Vote: Hampe – Yes; Schlotthauer – Yes; Carey – Yes; Steffensen - Yes

Moved

B. **CANCELED TO BE RESCHEDULED Zoning Recommendation** for Froehlich Zone Change File No. ZC-22-5 – Jon Manley, Planning Manager, to present a request for a recommendation to City Council on a request to rezone approximately 1.88-acres from Single-Family Residential (R1) to Medium-Density Residential (R2) zoning designation.

C. **Zoning Recommendation** for Hydrilla Estates Zone Change and **Review Requested** for Hydrilla Estates Subdivision File No(s). ZC-22-2/SUBD-22-8 – Jon Manley, Planning Manager, to present a request for a recommendation to City Council for a rezone of approximately 5.37-acres from Single-Family Residential Suburban (R1S) to Single-Family Residential (R1) zoning designation, Additionally, a subdivision review request of 15 lots. The requested actions are to provide a recommendation to City Council for the

zoning designations of Single-Family Residential (R1) from the existing Single-Family Residential Suburban (R1S) zoning on approximately 5.37 acres. Additionally, an approval to subdivide approximately 5.37 acres into 15 lots, contingent on Planning and Zoning recommendation of the zoning designation and zone change approval from City Council. The Land Use Planning Act established in 1975 is what facilitated the adoption of city code and put guidance in our review criteria in these land use matters so it's the enabling statute. Title 6765 looking at the purpose of this land use planning act it is to protect the property rights as well as looking for low-cost housing and encouraging urban type development incorporated cities and to avoid undue concentrations of populations. What this means essentially is whether or not you are following the Comp Plan; if you are it is justified concentration and if not it could be deemed unjustified. The duties of this is to provide guidance to the Comprehensive Plan more specifically housing to provide safe, sanitary, and adequate housing within the provisions of low-cost housing as well as how to accommodate manufacturing and mobile homes within the community. In pursuit to maintain a competitive market for all housing types. It is located on the northeast corner of W. Fisher Ave and N. Howell Rd. to the south is Prairie Meadows which are larger estate homes and directly to the north and east are more in line with R1 or a little larger. The current land use is large lot residential in the city and is over the Rathdrum Prairie Aquifer. The water will be provided by East Greenacres Irrigation District and the sewer will be provided by the City of Post Falls. The surrounding zoning is an R1S however the development pattern is more like and R1 due to the PUD request. However, if it was developed today, there wouldn't be a PUD and they would have just asked for an R1 as there is no longer a misconception with housing types and zoning this area is vested in old processes. There are R1 projects along the south of Prairie just north of this request which are 1/3-acre type lots.

Zoning Review Criteria:

- The Future Land Use Map designates this site as low-density residential that entertains all types of single-family residential uses up to eight dwelling units per acre. This property is currently compatible and so is the requested R1. It also shows that the densities can vary as appropriate and is within the Central Prairie Focus Area. With land values increasing, new projects are more likely to integrate higher density housing with community amenities to broaden their appeal to buyers. Is supports provisions for a variety of housing types and densities.
- This request is consistent with Goals 1, 2, 5, 7, and 12 keeping good neighborhoods safe, vital, and diversified housing supporting sustainability in the community long term. Policy 1 is to support land use patterns; Policy 2 careful consideration of the infrastructure and service plans which there are some conditions in the staff report for being consistent in the timing of them whether it's the sewer or street improvements. Policy 8 encouraging compatible infill development. And Policy 15.
- Fisher Ave., a classified Minor Collector, and Howell Rd, a residential collector; the proposed zone change would not have a negative impact on the surrounding transportation systems.
- Not applicable commercial isn't be requested.
- Not near higher intensity urban activity
- Not applicable as industrial zoning isn't being requested.

The initial subdivision plan didn't allow Hydrilla Ave to extend through to Howell Rd. however, the Transportation Master Plan is to improve the circulation and connectivity the revised plan shows that connection. The revised plan still shows 15 lots, and the sizes still

meet the minimum of 6500 they shrunk the lots to the west in order to accommodate the road sill allowing the lots widths to meet the subdivision standards.

Subdivision Review Criteria:

- Water will be provided by East Greenacres Irrigation District
- City of Post Falls has adequate capacity to provide service to the subdivision as proposed and it is in conformance with the City's Water Reclamation Master Plan.
- The subdivision should not have a negative impact on the local transportation system. Direct access from residential lots onto Howell Rd or Fisher Ave. will be prohibited. (Condition 8)
- The site is located over the Rathdrum Prairie Ave. there are no known soil or topographical conditions which have been identified as presenting hazards.
- Subdivision approval is contingent upon Zone Change approval from City Council; (Condition #1 states Annexation and needs to be amended to state Zone Change) the subdivision and proposed lots conform to the requirements of Title 17 (Subdivisions) and Title 18 (Zoning).
- 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, multi-modal pathways, City water and water reclamation facilities.

All agencies have been notified with the Post Falls Police Department remains neutral; Kootenai County Fire and Rescue maintaining being in partnership with the city through the review process and the DEQ responded with construction related comments. The School District also remains neutral.

Schlotthauer – Condition 8 no direct access to Howell; how come that is there?

Manley – That is for the drive approaches, when they apply for a building permit, they have a choice to utilize the residential roadways or the interior roadways; so they have no driveway approaches onto Howell or Fisher creating conflicts.

Schlotthauer – Not even as a secondary access for a camper or something?

Manley – No, and we do that for the safety of the corridor.

Carey – That would be the same regardless of zoning, right?

Manley – Yeah.

Steffensen – John, on three sides you have R1S the lots to the south seem to be a little bigger but then to the north and the east they are much smaller and appear to be more like and R1. What is the comparison with the lot sizes?

Manley – You can see from these lots they are about 80-85% the size of the lots to the east of them; to me they are closer and similar to the lots to the east than those to the south. They also look similar to the lots to north, maybe slightly larger; this request is 15 lots and to the north looks like 16 or 17 lots. The property to the northeast of this, between Arrowleaf and Tranquil Meadows is currently being developed. This is giving connectivity to the east with fire access to Prairie. With each 5, 10, 15 acres developing we look for connectivity and a road network, pedestrian connectivity and meet access restrictions from intersections.

Steffensen – Is that lot being developed through the county?

Manley – Sometimes the maps are current, we have approved this annexation however, the boundary line will adjust once it is recorded.

Steffensen – That's what I thought, I just couldn't remember.

Manley – It did come in as R1 at this location.

Hampe – What about the structures that are there.

Manley – That might be a good question for the applicant, sometimes they keep certain structures and sometimes they remove them.

Applicant, Ray Kimball, Whipple Consulting Engineers – Back in 2004-2005, I worked for the developers of the Craftsman at Meadow Ridge and designed the subdivision and was part of the annexation. In December of 2005 it was annexed in with 2 phases and chose R1S and back then PUDs were an option, which allowed us to cut the lot sizes down and increase the density. 5-6 years ago, the city changed the code and are no longer allowed to increase density with a PUD. It was always the developers plan to build this as phase 2 and then the real-estate plunged in 2007 hit; the property was never developed and never purchased by a developer. My client purchased this last year and that is when we started running concepts. The Future Land Use Map designates this area as low-density residential this project fits I that R1 is a zone within the land use designation. The density is similar a typical R1 subdivision which is typically 3.5 to 3.8 units per acre. These lots are significantly larger with a density of about 2.79 units per acre the same to the north and the lots to the east says its about 2 however that includes the park which brings that subdivision to closer to 2.5 units per acre. Yes, the zoning fits the future land us map and complies with the City's transportation and sewer master plans. The R1 zoning is supported by the comprehensive plan as described in the narrative and in the staff report. As a note, if we were to develop this property as an R1S, there wouldn't be any internal street connections all lots would front Howell. The proposed R1 zoning is surrounded by residential uses and is over a mile away from any commercial zoning. The requested R1 zoning is in conformance with the Future Land Use Map. Going into the subdivision plan, Manley explained it well in where our first submittal didn't have Hydrilla pop out to Howell and so it was requested that we redesigned the layout to show it connected. We did have to bring the lot sizes down about 500 square feet however, the lot sizes are still over 10,000 square feet: nice large lots. This proposal will allow the transportation network in the area to flow, it will allow the residents to north more that one way to travel outside of their neighborhood. This corner will also fill in the pedestrian pathway and bring that complete connection. This is within the boundaries of East Greenacres Irrigation District and has provided a will serve letter. The sewer is a little different than normal, as it needs lift station improvements. The lift stations on Howell or on Fisher have limitation issues. There is a lift station that handles majority of the northern area of Prairie Falls which is about 150 houses, a lift station is a concrete vault in the ground with pumps in it and the sewer flows into it and once it is full the pumps turn on and pumps up to another gravity manhole and it flows on its way down towards the plant. There are 2 current lift stations one is at the corner of Idaho and Prairie and another one at the corner of Spokane St. and Prairie which are being taken offline. The city is doing some sewer improvement projects, temporary lift stations and they are putting in a gravity superman that will allow the sewer to flow the way it was intended within the Master Plan. The lift station on Fisher is being upgraded this year, just means it will get bigger pumps and new control wiring. Typical wastewater systems have peak hours which is about 8 in the morning and drops off during the day and then a dinner peak happens, dishes, laundry, etc. This is the natural cycles of what happens upstream of a lift station. It takes about an hour from the Prairie Falls area to get to the first lift station, on Guy Rd., when the pump is off there is zero flow and then the pump turns on when it fills up (50 gallons per minute) then the pump shuts off again. So, that flow that is seen downstream of the Guy Rd lift station will go to the Fisher lift station after the others are

taken offline. The reason I am talking about this is because of the criteria have provisions been made to supply adequate sewer. So, we have a proposed modification to condition 11 Construction of the Subdivision cannot commence until the City of Post Falls completes reconstruction of the Fisher Ave. Lift Station, estimated completion 2025, unless the City verifies that the improvements being constructed in 2022 provide additional capacity to accommodate this development. We feel this gives flexibility to the city to be able to say yes, they can go and reevaluate the capacity after the improvements and if they have the capacity, we would be able to start construction sooner. The right of way will be dedicated for Fisher Ave. and Howell Rd. to City standards and provisions have been made o adequately provide connectivity to adjacent properties. There are no known hazards or topographical conditions that are incompatible with the proposed use and the proposal meets all of the requirements of the R1 zoning.

Hampe – Why was it not requested as an R1.

Kimball – In 2005?

Hampe – Yes.

Kimball – They are testing my memory.

Manley - I would only presume that the planning game was completely different, at the time PUDs allowed you to flex and go higher density with the R1S which would give you 1/3, 1/2 acre lots up until about 5-6 years ago. Staff decided if the applicant was going to ask for something then lets zone it for what the intent is and then we aligned the PUD with the intent of the end product due to misconception of having zoned lots whether it was industrial, commercial or R1S with single-family homes on it.

Kimball – The idea was because there was no middle product between and R1 and R1S, either 1 acre or 6500 square feet, and we wanted to go with an R1 type product but were okay with some limitations. Bigger lots were always the intent which is why we are bringing the subdivision forward at the same time to show that intent.

Manley – This is where condition 1 comes in, it will be contingent upon that zone change request to City Council if this proposal is denied by Council the subdivision dies with it.

Hampe – My question is basically is it because they were afraid there would be push back if an R1 was requested.

Kimball – In all honesty is was a much different time when it came to the attitude of subdivision growth and planning. Subdivisions like Fieldstone the public hearing went until midnight and now we think it is a fantastic neighborhood. It was definitely a path of least resistance and was a way to get to the same thing we are looking at today. The path is just different now because the PUD option is gone.

Manley – It is still consistent from 2005 to now where Prairie Ave. is still identified as an arterial, so it is how you will transition from Fisher Ave to Prairie Ave.

Testimony

In Favor – Read in by Steffensen – Wade Jacklin – Perfect location for small infill neighborhood to help alleviate housing needs in our town.

Neutral - None

In Opposition - None

Hampe – With condition 11, the sewer lift station, we have seen this several times come through to us where we maybe can't supply with sewer, and we can't connect to sewer right now but when improvements are made, we will be able to. So, I've never seen this part of it that says if the improvements being done earlier are going to reevaluate and

then we'll give you... I have never seen it added to conditions like this before. Has it been done before?

Manley – We have done this for streets that I am aware of, for sewer I would like to call up Mr. Palus. I do want to identify that the condition in the staff report is not the same what was proposed by the applicant.

Schlotthauer – Palus, do you think the condition modification they are asking for is plausible?

Palus – Engineering has been working with the applicant in getting to this stage, the bulk of what the applicant presented was very much in line as to the entry some of the technical details of how sewage gets from one point to another. The previous subdivision just to the northeast of this, The Stockwell Subdivision, as we realized that we were in the location that when those 2 lift stations go we didn't have enough capacity we found a way to get a couple more pumps to upsize the Fisher lift station and put us into a location where we have enough capacity to handle what is built plus what is already subdivided and not built. Until such time as we improve the Fisher Lift Station but there's a little bit of grayness in there as far as taking what the model shows because there are some levels of basically factors of safety we take into account, we don't look at everyone flushing their toilets at the same time, but we do look at what is a typical pattern of how sewage goes into an area. We do take into account what is the typical length of time it takes to get from the farthest reach to the lift station that's how that impacts but the reality is when you get to the ground not everyone follows that same exact pattern and it's an average. So, our water reclamation department will be making and getting those improvements in place at the Fisher Lift Station the 2 existing lift stations are going to be going offline within the next month and after those items are done we'll be able to go out there and reevaluate and see where in that gray zone do we really fall, were our estimates correct, were they over cautious or were we on the other side and from that we can make a determination. At that time, we can either say yes or we can determine that there still isn't enough capacity. So, yes, staff would be comfortable with that revised condition 11.

Hampe – So, there are no approved subdivisions currently there that would have to wait until 2024 or 2025, everything should be able to connect to the sewer as of now.

Palus – Everything that is currently platted within the Fisher Lift Station service area should be able to build out to their density or completely build on the lots that are there without overloading the Fisher Lift Station once we make the improvements that we have identified.

Hampe – So, there is nobody else waiting.

Palus – There is no one else waiting, the Stockwell Subdivision was kind of the proverbial last one in and then we closed the door and we said we're not going to take anyone lese in as far as new subdivisions until we get that lift station taken care of. The applicant posed an interesting question as to the sensitivity and if we were willing to go back and re-look at those numbers after the improvements and see were we correct, is there enough room to gen in 2.79 dwelling units per acre on 5-acres. The reality is that's not a lot of sewage, but it isn't an area that we said no more growth and it's a gray area but we're willing to go back and say okay for this one we'll take a look.

Hampe – Would you take a look otherwise.

Palus – At this point I would say, no. You have this one that asked for it and we having made the improvements yet and taken stuff offline to see where we're at to put that additional burden on just you have that many additional people who you could tell them sorry you have to wait. So, I would rather know the facts as to where we are at before we

give anyone else this same opportunity or actually look at these guys either come in or they don't ahead of the Fisher improvements and then everyone else waits.

Hampe – So, you would prefer not to say that it can promised to them if its there.

Palus – I can't promise it to these guys.

Hampe – If it's there.

Palus – Right

Hampe – We're promising it, if its there.

Palus – For this proposed subdivision

Hampe – If number 11 would be put in as proposed.

Palus – I don't have a problem with number 11 as proposed.

Hampe – Okay, that was my question.

Manley – Do you feel like number 11 protects the city interest for the being a provision to provide adequate sewer service.

Palus – Yes, because it says unless the city verifies that the improvements being constructed in 2022 provide additional capacity to accommodate this development, I believe it gives the city the latitude to make that decision as to whether or not there is additional capacity sufficient to handle that.

Hampe – Is that easy to figure out. Is it going to take man hours, is the city going to have to expend resources for this ask?

Palus – When we put in the new pumps, we will have to do a drawdown test to confirm that we're getting the capacity that we thought. That will give us the base information. It will probably be about 4 hours to go back through the numbers to see how much additional capacity we will have.

Comments

Zoning Criteria:

1. Consistent with Future Land Use Map.

Carey and Hampe – Yes, it is.

Steffensen – The surrounding area is R1S and its residential all over.

Schlotthauer – PUD so it is essential.

2. Consistent with the Goals and Policies Found in the Comprehensive Plan.

Hampe and Carey – Yes, that is consistent.

Steffensen – Its R1S but they have a PUD so it's going to be like size and so all the zoning is gonna look very similar from a bird's eye view lots sizes are very similar.

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.

Hampe – I think that was covered.

Carey – It fits with all the development around it, it has Fisher and some major streets.

Steffensen – It's filling in the connection of those streets as those lands are developed. Limits the ability to get out on some of those other streets but does increase another exit for that north development.

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

Not Applicable

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 – I think it was mentioned that its at least a mile away from any commercial activity.

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

Motion to recommend approval to City Council finding requested zoning of R1 meets review criteria found in the PFMC as outlined in our deliberation and direct staff to prepare a zoning recommendation. (Hampe)

2nd by – Schlotthauer

Vote: Steffensen – Yes; Carey – Yes; Schlotthauer – Yes; Hampe - Yes

Moved

Subdivision Criteria:

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

Yes – Will Serve Letter provided

2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.

Carey and Steffensen – It is subject to a condition.

Hampe – The current condition is not what the applicant is asking for.

Steffensen – It is depending on a future test, but it gives the city and the applicant flexibility.

Schlotthauer – I don't see where it hurts to have that flexibility to, I don't see any reason to tie their hands right now if it works then let them and if it doesn't then don't.

Manley – So, Herrington, the motion towards condition 11 as in the staff report or as presented this evening.

Herrington – So, in the motion I would also cover the correction to condition 1 and 11 in whatever motion.

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

Yes

Steffensen – It gives the connectivity to the development to the north and limits access to some of the major streets in that area.

Schlotthauer – To clarify, there were 2 subdivision preliminary plats and the second one showed the connectivity straight through.

Manley – To Hydrilla?

Schlotthauer – To Hydrilla, that is the one being moved forward?

Manley – Yes. The second one is the one staff, and the applicant would like brought forward conditioned on the zone change decision.

Schlotthauer – Okay.

Herrington – I'd likely make that part of the motion as well. That was added as an Exhibit.

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.

Carey – None noted.

Steffensen – Mr. Kimball said there was some piles of dirt there that they had no problem removing. Nothing noted.

Schlotthauer – Nothing major.

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

Herrington – Again, that is considering the R1 zoning.

Hampe – And it is.

Schlotthauer – It will be at the time it applies.

Steffensen – It meets the different requirements for zoning and in the subdivision, yes.

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.

Schlotthauer – Yes, in addition to fees they'll be paying on that number of lots plus the pedestrian and vehicle connection we need so very much so.

Motion to approve finding it meets the approval criteria of the PFMC 17.12.060 as outlined in our deliberation subject to conditions 1-12 with condition 1 changed to read subject to zone change approval and condition 11 changed to include the opportunity for the City to reevaluate capacity after the 2022 system improvements are made. Adding condition 13 Exhibit A-10 plat map is utilized. Schlotthauer

2nd by – Carey

Vote: Hampe – Yes; Schlotthauer – Yes, Carey – Yes; Steffensen - Yes

Moved

- D. **CANCELED TO BE RESCHEDULED Zoning Recommendation** for Joseph Family Trust Annexation File No. ANN-22-7 – Jon Manley, Planning Manager, to present a request for a recommendation to City Council on a request for a zoning designation of Community Commercial Services (CCS) on 20.74-acres and Community Commercial Mixed (CCM) on 20.60-acres for a total of approximately 41-acres which requires a Development Agreement.

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

Commission told Steffensen he did great filling in for the chair.

7. ADJOURNMENT 7:02PM

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

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

**Hydrilla Estates Zone Change
File No. ZC-22-2**

Planning and Zoning Commission

Zoning Recommendation

A. INTRODUCTION:

APPLICANT: Whipple Consulting Engineers, Inc.

LOCATION: Generally located on the northeast corner of the intersection of W. Fisher Ave. and N. Howell Rd.

REQUEST: Rezone approximately 5.37 acres from Single-Family Residential Suburban (R1S) to Single-Family Residential (R1).

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-5 Will Serve
4. A-7 Auth Letter
5. A-8 Title Report
6. A-9 Warranty Deed
7. S-1 Vicinity Map
8. S-2 Zoning Map
9. S-3 Future Land Use Map
10. PA-1 PFPD Comments
11. PA-2 KCFR Comments
12. PA-3 DEQ Comments
13. PA-4 PFSD Comments
14. P&Z Staff Report
15. Testimony at the public hearing on June 29, 2022, including:

The request was heard before the Planning and Zoning Commission (hereinafter "Commission") at the June 29, 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 and testified that the requested action is for the Commission to review the request to rezone approximately 5.37 acres from existing Single Family Residential Suburban (R-1-S) zoning to Single Family Residential (R-1). He illustrated that the proposed location is at the northeast corner of Howell Rd. and W. Fisher Ave. He noted that to the south is the Prairie Meadows Subdivision which is larger estate homes, directly to the North and East is more akin to R-1 lots.

Mr. Manley testified that the current land use is large lot residential within the city of Post Falls. He noted that it is over the Rathdrum Prairie Aquifer and water would be provided by East Greenacres and wastewater would be provided by the city of Post Falls. He testified that the surrounding zoning is R-1-S but noted that you see structures and development patterns that are very unlike R-1-S and this is because of PUDs that occurred under a previous version of the municipal code. He explained that if those developments were to occur today, they would have to be rezoned as R-1 as PUDs must now match the underlying zoning. He noted that some newer developments in the nearby areas along Prairie do have R-1 zoning.

Mr. Manley testified that in looking at the Future Land Use Map you see this as low density residential which would be consistent with the R-1 designation within the Comp. Plan. He explained that low-density residential entertains all types of single-family residential uses up to eight dwelling units per acre. He testified that this property is currently compatible as R-1-S is an implementing zone but it is also compatible to the requested R-1, as that is also an implementing zone. He noted the densities can vary as appropriate and the request is located within the Central Prairie Focus Area. He explained that the Focus Area provides that with land values increasing, new projects are more likely to integrate higher density housing with community amenities to broaden their appeal to buyers and it supports provisions for a variety of housing types and densities.

Mr. Manley testified as to whether the proposal is in accordance with the goals and policies of the comprehensive plan, illustrating goals one, two, five, seven, and twelve to possibly be relevant and applicable goals which are detailed in the staff report and relate to safe neighborhoods, diversified housing, supporting long term community sustainability. He testified that policies one and two may be appropriate for consideration by the Commission and are explained in the staff report. He indicated that policies eight and fifteen may also be applicable.

Mr. Manley 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. He stated that Fisher Ave. is classified as a minor collector and Howell Rd is a residential collector. He asserted that the zone change would not have a negative impact on surrounding transportation systems.

Mr. Manley testified that commercial and high-density residential zoning is typically assigned along streets with a higher road classification. He explained that they are not asking for commercial or high-density residential zoning and therefore this criterion is not applicable.

Mr. Manley testified that 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 this is lower density residential and this area is not near higher intense urban activity and therefore consistent with this criterion.

Mr. Manley 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.

Ray Kimball, Whipple Consulting Engineers, Applicant

Mr. Kimball testified that back in 2004-2005, he worked for the developers of the Craftsman at Meadow Ridge and designed the subdivision and was part of the annexation. He noted that in December of 2005 it was annexed in with 2 phases and they chose R1S because back then PUDs were an option, which allowed us to cut the lot sizes down and increase the density. He explained that 5-6 years ago, the city changed the code and are no longer allowed to increase density with a PUD. He testified that it was always the developers plan to build this as phase 2 and then the real-estate plunged in the 2007 hit; the property was never developed and never purchased by a developer. He explained that his client purchased this last year and that is when we started running concepts.

Mr. Kimball testified that the Future Land Use Map designates this area as low-density residential this project fits in with that, R1 is a zone within the land use designation. He explained that the density is like a typical R1 subdivision which is typically 3.5 to 3.8 units per acre. He stated that these lots are significantly larger with a density of about 2.79 units per acre the same to the north and the lots to the east, which says it is about 2 however that includes the park which brings that subdivision to closer to 2.5 units per acre. He asserted that yes, the zoning fits the future land use map and complies with the City's transportation and sewer master plans.

Mr. Kimball testified that the R1 zoning is supported by the comprehensive plan as described in the narrative and in the staff report. He noted that if we were to develop this property as an R1S, there would not be any internal street connections all lots would front Howell. He indicated that the proposed R1 zoning is surrounded by residential uses and is over a mile away from any commercial zoning. He reiterated that the requested R1 zoning is in conformance with the Future Land Use Map.

Mr. Kimball testified that going into the subdivision plan, staff explained it well, our first submittal did not have Hydrilla pop out to Howell and so it was requested that we redesigned the layout to show it connected. He explained that they did have to bring the lot sizes down about 500 square feet however, the lot sizes are still over 10,000 square feet: nice large lots. He asserted that this proposal would allow the transportation network in the area to flow, it will allow the residents to north more than one way to travel outside of their neighborhood. He explained that this corner will also fill in the pedestrian pathway and bring that complete connection.

Mr. Kimball testified that this is within the boundaries of East Greenacres Irrigation District and they have provided a will serve letter. He noted that the sewer is a little different than normal, as it needs lift station improvements. He explained that the lift stations on Howell or on Fisher have limitation issues. He attested that the lift station handles majority of the northern area of Prairie Falls which is about 150 houses, a lift station is a concrete vault in the ground with pumps in it and the sewer flows into it and once it is full the pumps turn on and pumps up to another gravity manhole and it flows on its way down towards the plant. He explained that there are 2 current lift stations, one is at the corner of Idaho and Prairie, and another one at the corner of Spokane St. and Prairie which are being taken offline. He stated that the city is doing some sewer improvement projects, temporary lift stations and they are putting in a gravity main that will allow the sewer to flow the way it was intended within the Master Plan.

Mr. Kimball testified that the lift station on Fisher is being upgraded this year, just means it will get bigger pumps and new control wiring. He noted that typical wastewater systems have peak hours which is about 8 in the morning and drops off during the day and then a dinner peak happens, dishes, laundry, etc. and this is the natural cycles of what happens upstream of a lift station. He explained that it takes about an hour from the Prairie Falls area to get to the first lift station, on Guy Rd., when the pump is off there is zero flow and then the pump turns on when it fills up (50 gallons per minute) then the pump shuts off again. So, he expounded, that flow that is seen downstream of the Guy Rd lift station will go to the Fisher lift station after the others are taken offline.

Mr. Kimball explained that the reason he is talking about this is because of the criteria to have provisions made to supply adequate sewer. So, he submitted, we have a proposed modification to condition 11 Construction of the Subdivision cannot commence until the city of Post Falls completes reconstruction of the Fisher Ave. Lift Station, with an estimated completion 2025, unless the City verifies that the improvements being constructed in 2022 provide additional capacity to accommodate this development. He felt this gives flexibility to the city to be able to say yes, they can go and reevaluate the capacity after the improvements and if they have the capacity, we would be able to start construction sooner.

Mr. Kimball testified that the right of way will be dedicated for Fisher Ave. and Howell Rd. to City standards and provisions have been made to adequately provide connectivity to adjacent properties. He testified that there are no known hazards or topographical conditions that are incompatible with the proposed use and the proposal meets all the requirements of the R1 zoning.

Mr. Kimball testified that the idea for this project was because there was no middle product between and R1 and R1S, its either 1 acre or 6500 square feet, and we wanted to go with an R1 type product but were okay with some limitations. He explained that bigger lots were always the intent which is why we are bringing the subdivision forward at the same time to show that intent. In all honesty, he reminisced, it was a much different time when it came to the attitude of subdivision growth and planning. He storied those previous subdivisions like Fieldstone, the public hearings went until midnight and now we think it is a fantastic neighborhood. He noted that at the time R-1-S with a PUD was a path of least resistance and was a way to get to the same thing we are looking at today, that path is simply different now because the PUD option is gone.

Public Testimony:

The Commission opened the hearing for public testimony.

Wade Jacklin (Brief Written Comment read into Record)

Mr. Jacklin testified in favor stating that it is a perfect location for small infill neighborhood to help alleviate housing needs in our town.

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 approval criteria in City Code sections 18.16.010 and 18.20.100.

C. EVALUATION OF ZONE CHANGE APPROVAL/REVIEW CRITERIA:

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

The Commission finds that the applicant has requested rezoning from Single Family Residential Suburban (R-1-S) to Single-Family Residential (R-1) zoning on approximately five point three seven (5.37) acres. The Future Land Use Map designates this area as low density residential within the Central Prairie focus area.

Based on the testimony provided and the staff report, the Future Land Use Map in the Comprehensive Plan designates this area as Low Density Residential and R-1 is an implementing zoning district. Therefore, the Commission concludes that the amendment to Single-Family Residential (R-1) is in accordance 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 is consistent with the goals and policies contained in the comprehensive plan and that the proposal is consistent with the following relevant goals and policies:

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, this proposal encourages attractive, pedestrian-friendly development with a provision of diverse housing types.

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. This plan will provide improvements to the existing fabric and street network for Post Falls, improving the efficiency, function and value of the City.

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. Impact fees paid with the issuance of building permits assists with this goal.

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 providing 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 criterion 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 is located along the property's southern boundary within Fisher Avenue. 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 currently does not have the capacity to provide service to the site under the current zoning or under the proposed zoning. The City is scheduled to make improvements to the adjoining sewer system and downstream Fisher Lift Station in 2024, with improvements being available for use in 2025. The City would be willing to serve to the property with the existing or requested zoning classifications upon completion of the Fisher Lift Station Capacity improvements. 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 East Greenacres Irrigation District would service water.

- Existing and future traffic patterns;

The property is adjacent to Fisher Avenue, a classified Minor Collector; and Howell Road, a Residential Collector. The property is located 660 feet south of Prairie Avenue, a classified Principal Arterial and Critical Arterial Corridor. Dedications of rights-of-way and easement would be required, at the time of site development.

Future traffic patterns to/from this site are benefitted from the proximity to adjoining roadways that would distribute traffic from the subject site and have limited impacts to neighboring developed residential neighborhoods. The proposed zone change would not have a negative impact on the surrounding transportation systems.

- 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 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 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.

The proposed single family residential (R1) zoning will allow for more housing types and price levels than the existing single family residential suburban (R1S) zoning.

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. Fisher Avenue and N. Howell Road will be required with development of this property. Additionally with development, the necessary road improvements along W. Fisher and N. Howell will be required making this a safer corridor for the general public.

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

Multi-use paths and sidewalks will be constructed as part of the development of this site.

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, one per lot per frontage will be required with the associated residential subdivision.

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 property is adjacent to Fisher Avenue, a classified Minor Collector, and Howell Road, a Residential Collector. The property is located 660 feet south of Prairie Avenue, a classified Principal Arterial and Critical Arterial Corridor. Dedications of rights-of-way and easement would be required, at the time of site development.

The Commission finds that future traffic patterns to/from this site are benefitted from the proximity to adjoining roadways that would distribute traffic from the subject site and have limited impacts to

neighboring developed residential neighborhoods. The proposed zone change would not have a negative impact on the surrounding transportation systems.

Water and Sanitary Sewer:

The Commission finds:

Sanitary Sewer for the location is located along the property's southern boundary within Fisher Avenue. 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 currently does not have the capacity to provide service to the site neither under the current zoning nor under the proposed zoning. The city is scheduled to make improvements to the adjoining sewer system and downstream Fisher Lift Station in 2024, with improvements anticipated as being available for use in 2025. The City would be willing to serve to the property with the existing or requested zoning classifications upon completion of the Fisher Lift Station Capacity improvements. Existing capacity is not a guarantee of future service.

In 2022, the city will be installing "temporary" improvements at the Fisher Lift Station to facilitate the accommodation of additional flows from changes in the City's operation of the water reclamation facilities (removal of the Grayling Estates and Prairie Falls II Lift Stations). The "temporary" improvements are not sufficient to accommodate additional development within the Fisher Lift Stations Service basin, beyond what has been previously approved.

The property is not subject to any Local Improvement Districts (LID's), Subsequent User Agreements or Sewer Surcharges.

The East Greenacres Irrigation District will service water.

Compatibility with Existing Development and Future Uses:

The Commission finds the propose residential use is adjacent to other residential uses and is therefore compatible.

Future Land Use Designation:

The Commission finds that the R-1 zone is compatible with the low-density residential land use designation.

Community Plans:

The Commission finds this not applicable.

Geographic/Natural Features:

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

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

The Commission finds this criterion inapplicable to the proposal.

- 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 request for lower density residential zoning would be farther away from higher intense urban activity and therefore this criterion is 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 to the proposal.

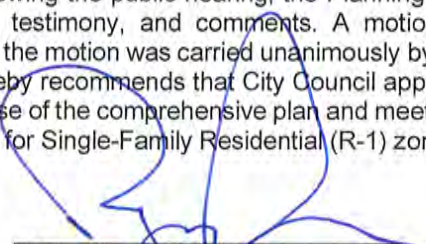
D. RECOMMENDATION OF THE COMMISSION:

Hydrilla Estates Zone Change, File No. ZC-22-2: Following the public hearing, the Planning and Zoning Commission considered all relevant evidence, testimony, and comments. A motion to recommend approval of the requested zoning was made, the motion was carried unanimously by 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 all the applicable approval criteria for the applicant's request for Single-Family Residential (R-1) zoning.

8/9/22

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.

Amber Blanchette

From: Polak, Chad M <Chad.M.Polak@p66.com>
Sent: Thursday, August 11, 2022 12:45 PM
To: Amber Blanchette
Subject: FW: Hydrilla Estates File No. ZC-22-2
Attachments: NTJ Hyrdilla EstatesCC.pdf

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

Hi Amber,

We have reviewed the attached zone change and do not have any questions or comments.

Sincerely,

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

From: Amber Blanchette <amberb@postfalls.gov>
Sent: Thursday, August 11, 2022 12:54 PM
To: Ali Marienau <AMarienau@kmpo.net>; Andy Obermueller <aobermueller@cdapress.com>; audie.neuson@williams.com; Avista <c01_Real_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfalls.gov>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Polak, Chad M <Chad.M.Polak@p66.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@postfalls.gov>; 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>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eport@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfalls.gov>; J Mcmillin <jmcmillin@postfallspolice.com>; Jacob Bell <jacob.bell@tdstelecom.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jcresci@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Kelly Russell <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfalls.gov>; 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>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Laura Jones <ljones@postfalls.gov>; lauriep@kootenaifire.com; Lynn Sandsor, AECOM <lynn.sandsor@aecom.com>; Martina <martina@eastgreenacres.org>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF <matthew.jones@bnsf.com>; Media <media@postfallsidaho.org>; Michael Allen <MAllen@postfallspolice.com>; Michael Thomas, P.E. <mthomas@kec.com>; Monica Miller <momiller@quantatelcom.com>; Naomi Tierney <ntierney@postfallsidaho.org>; Pat Knight

Amber Blanchette

From: jonie@postfallshd.com
Sent: Wednesday, August 17, 2022 12:14 PM
To: Amber Blanchette
Subject: RE: Hydrilla Estates File No. ZC-22-2

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

The Post Falls Highway District has no comment.

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



From: Amber Blanchette <amberb@postfalls.gov>
Sent: Thursday, August 11, 2022 11:54 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@postfalls.gov>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Chad Polak <Chad.M.Polak@p66.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@postfalls.gov>; David Sauer (Zipty) <david.sauer@zipty.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>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eporters@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfalls.gov>; J Mcmillin <jmcmillin@postfallspolice.com>; Jacob Bell <jacob.bell@tdstelecom.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jcresci@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Kelly Russell <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfalls.gov>; 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 <mbylton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Laura Jones <ljones@postfalls.gov>; lauriep@kootenaifire.com; Lynn Sandsor,

AECOM <lynn.sandsor@aecom.com>; Martina <martina@eastgreenacres.org>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF <matthew.jones@bnsf.com>; Media <media@postfallsidaho.org>; Michael Allen <MAllen@postfallspolice.com>; Michael Thomas, P.E. <mthomas@kec.com>; Monica Miller <momiller@quantatelcom.com>; Naomi Tierney <ntierney@postfallsidaho.org>; Pat Knight <pknight@postfallspolice.com>; PFHD <contactus@postfallshd.com>; PFPD <admin@postfallspolice.com>; Phillip Evander <PEvander@kec.com>; Post Falls Chamber <pam@postfallschamber.com>; Preston Hill <phill@postfallsidaho.org>; Rob Palus <rpalus@postfalls.gov>; Robert Seale <rseale@postfalls.gov>; Robin Bekkedahl <robin.bekkedahl@avistacorp.com>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Scott Davis <sdavis@kec.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stacy Simkins <stacy.simkins@itd.idaho.gov>; Stephanie Herman <speugh@postfallsidaho.org>; Steven Kjergaard <skjergaard@kcgov.us>; Teresa Benner <tbenner@postfalls.gov>; Thomas Gwin <thomas.gwin@twcable.com>; Tisha Gallop <tgallop@postfalls.gov>; Towry, Kristie <kmtowry@bpa.gov>; Wade Meyer <wmeyer@postfalls.gov>; Warren M <warrenm@kootenaifire.com>; Warren Wilson <wwilson@postfallsidaho.org>; Wilson, Ron <Ron@eastgreenacres.org>; Joe Malloy <jmalloy@postfallsidaho.org>; Josh Walker <jwalker@postfallsidaho.org>; Kenny Shove <kshove@postfallsidaho.org>; Kerri Thoreson <kerrit@postfallsidaho.org>; Lynn Borders <lborders1@frontier.com>; Ron Jacobson <rjacobson@postfallsidaho.org>; Nathan Ziegler <nziegler@postfallsidaho.org>

Subject: Hydrilla Estates File No. ZC-22-2

Good morning,

Attached is the notice to jurisdiction for the named zone change, for City Council on September 6th. the draft staff report will be on the city's website shortly.

Please Note my new email address is amberb@postfalls.gov

Thank you,

Amber Blanchette
Planning Specialist
Phone: 208-457-3338
Email: amberb@postfalls.gov



Fear is an illusion, ready to be overcome...

The City of Post Falls will be changing our domain soon to POSTFALLS.GOV. Be watching for it.

Privileged / confidential information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or send this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply e-mail. Although this email has been scanned for the possible presence of computer viruses prior to dispatch, we cannot be held responsible for any viruses or other material transmitted with, or as part of, this email without our knowledge.

**CITY OF POST FALLS
AGENDA REPORT
PUBLIC HEARING
MEETING DATE: SEPTEMBER 6, 2022**

DATE: August 29, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JON MANLEY, PLANNING MANAGER
jmanley@postfallsidaho.org / 208-457-3344
SUBJECT: MORRIS ANNEXATION FILE NO. ANNX-0013-2021 CONTINUANCE

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: On May 17, 2022, the City Council reviewed the proposed annexation of approximately 12 acres into the City of Post Falls with a zoning designation of Community Commercial Services (CCS). After hearing the staff report, applicants' presentation, and public testimony, City Council moved to continue the public hearing to a later date. Since that time the applicant and City Staff has agreed to an amended Annexation/Development Agreement that will not allow any residential development on the proposed 12-acre CCS annexation (See Exhibit S-9 Meeting Minutes 5-17-2022).

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-8 City Council Staff Report
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
Exhibit S-9 Council Meeting Minutes 5-17-2022
Exhibit S-10 Revised Development Agreement
Exhibit PA-5 YPL Comments

**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:

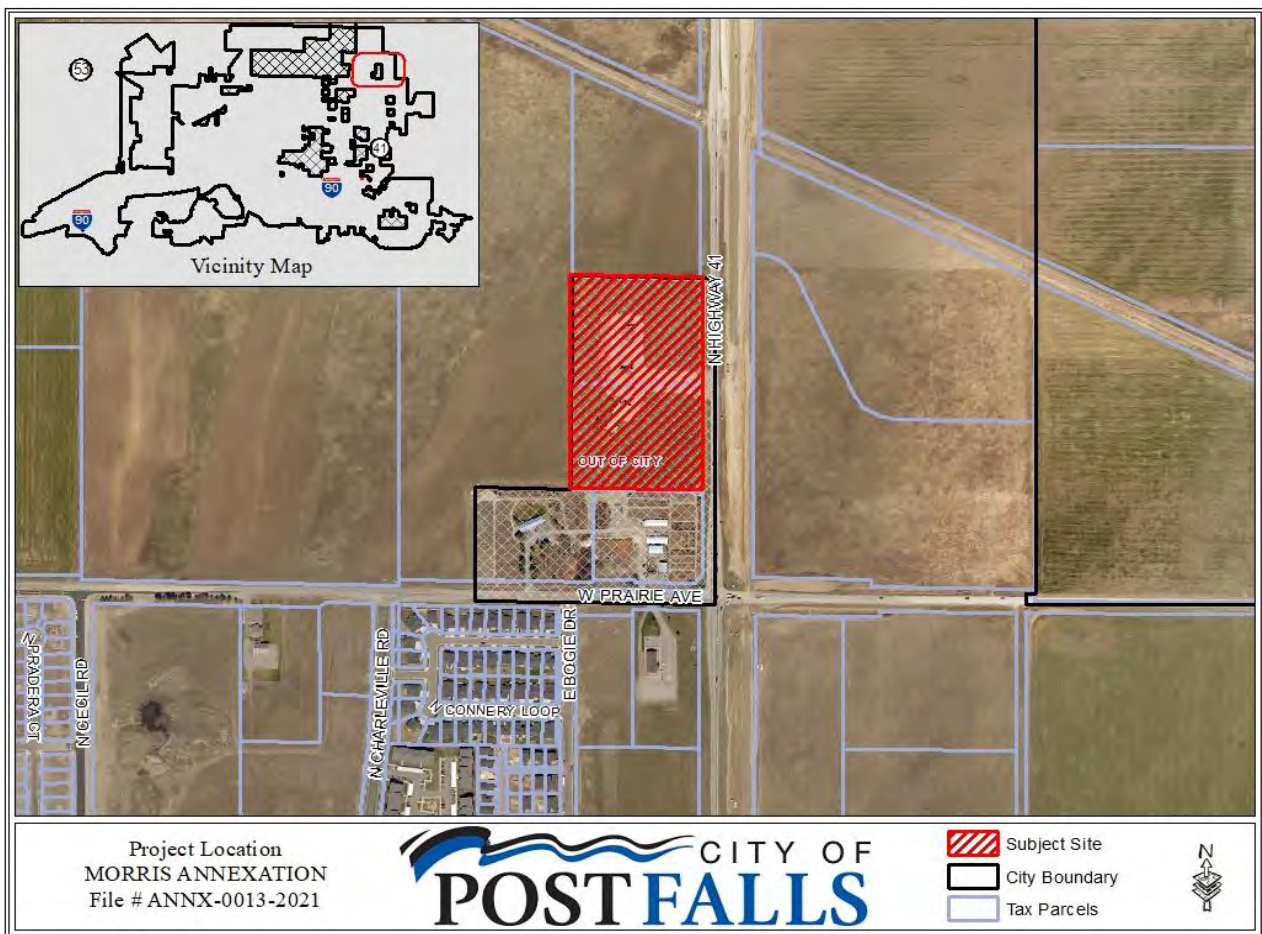
Project Location: Approximately 500' due north of Prairie Avenue along the west side of HWY 41. Generally, near the northwest corner of the Highway 41/Prairie Ave intersection.

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.

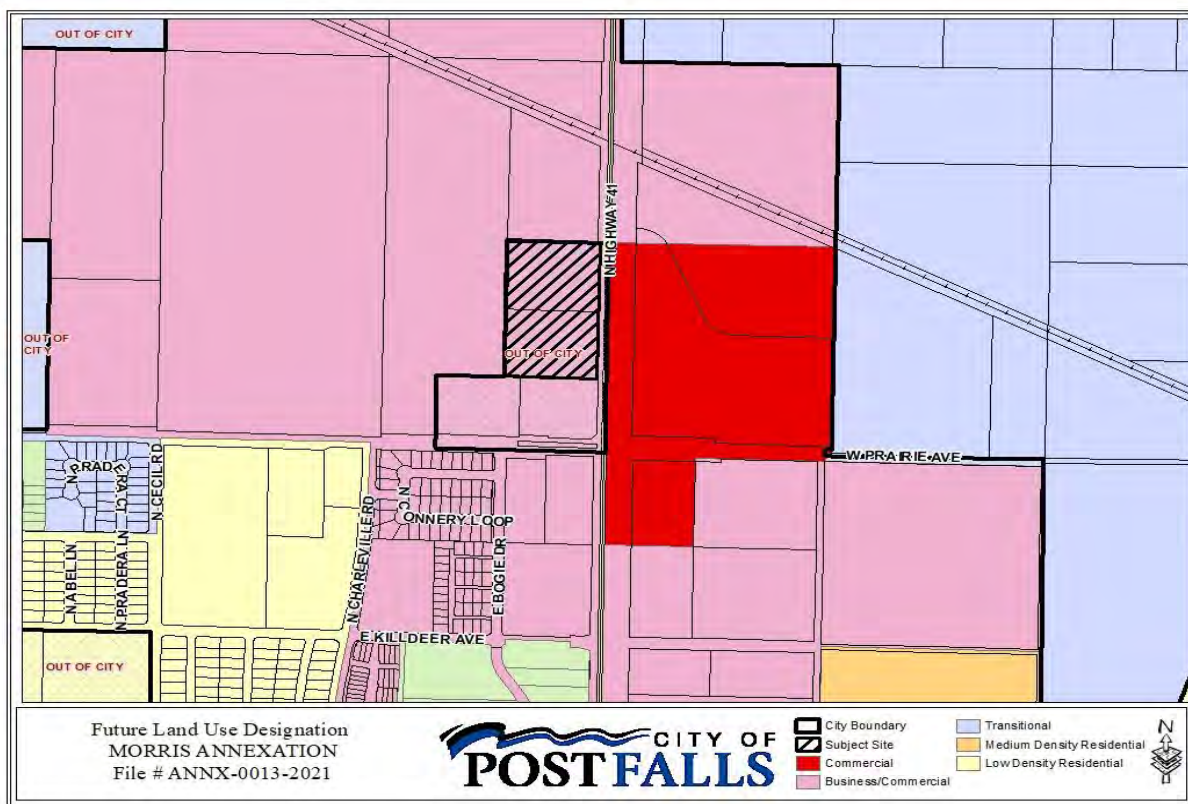
Water and Sanitary Sewer: Water is provided by the Ross Point Water District. Sanitary sewer would be provided by the City. The nearest connection point for sanitary sewer is at the intersection of Prairie Avenue / Charleville Road. The requested zoning is in conformance with the land use assumptions 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

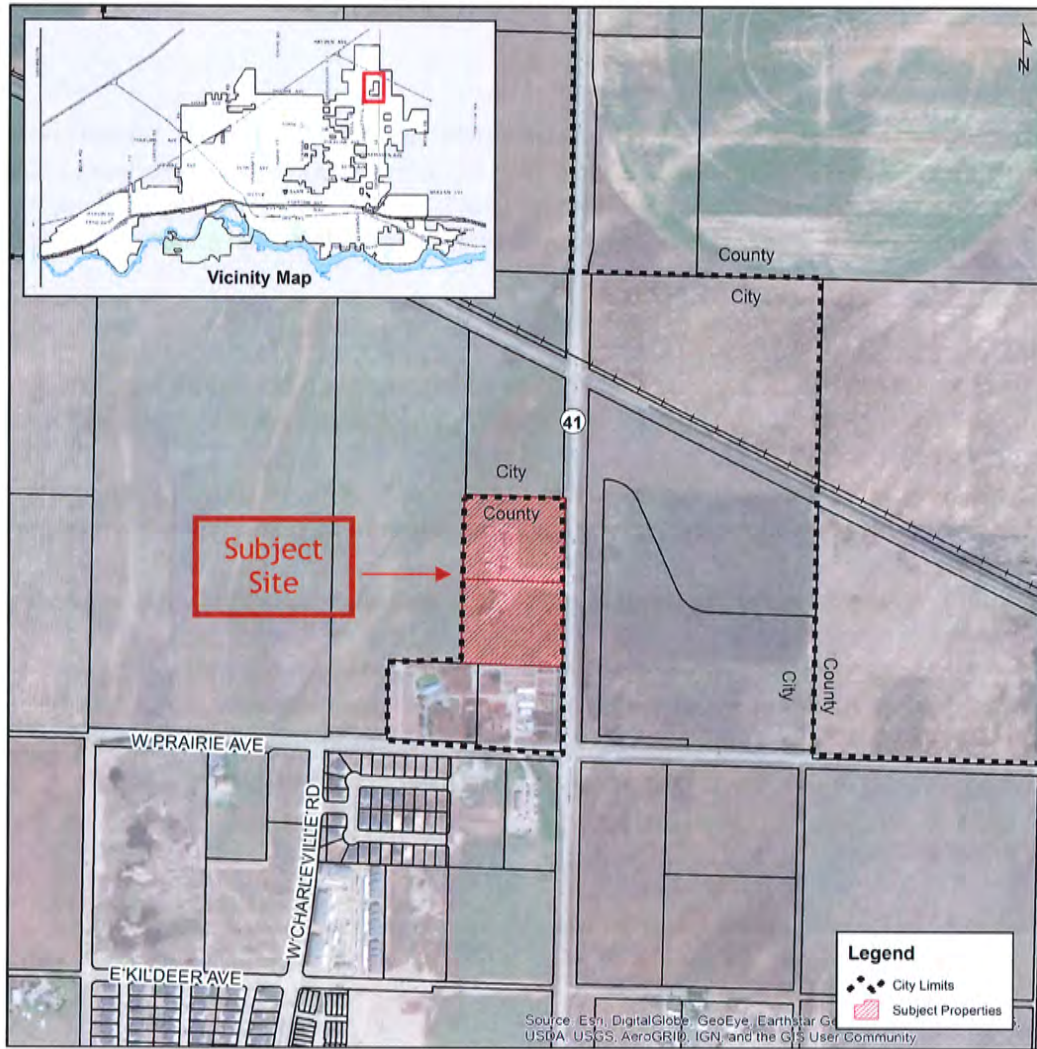
Project Description: Annex approximately 12 acres from Kootenai County into the City with a zoning request of Community Commercial Services (CCS).

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.

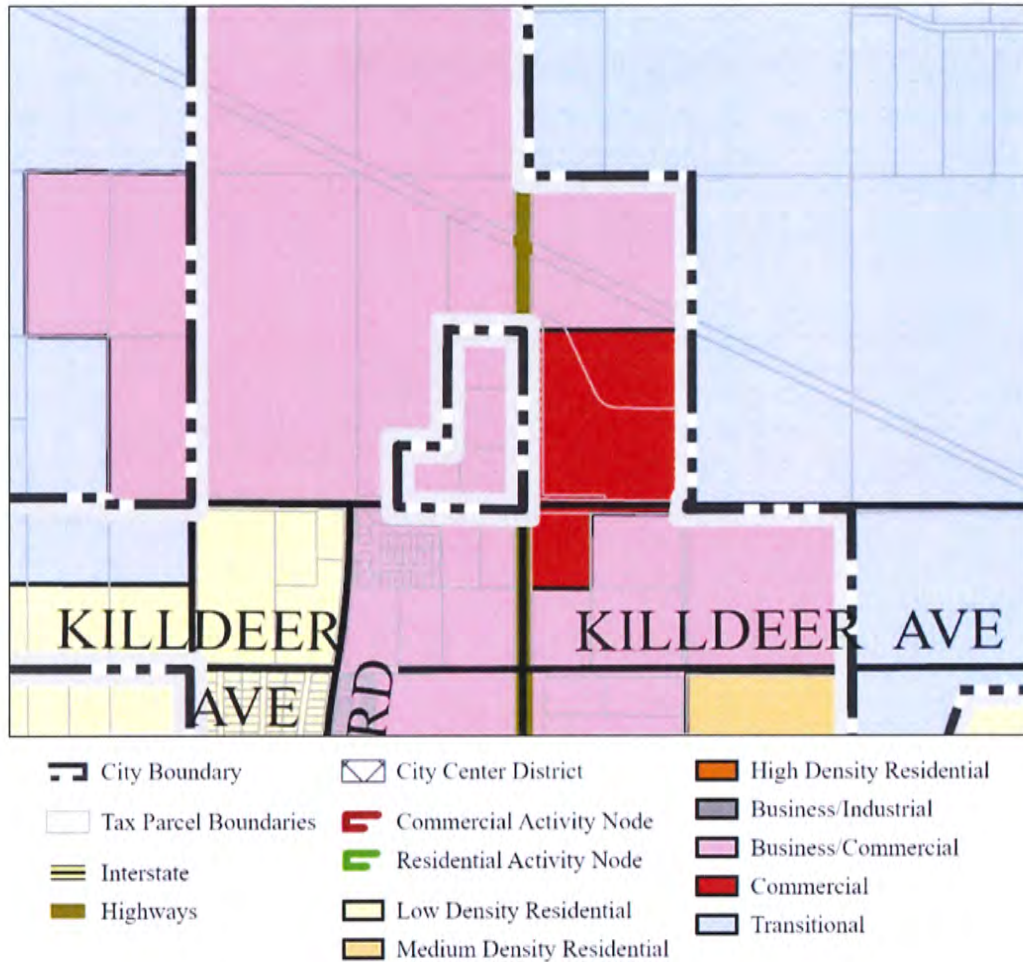
C. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.

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;

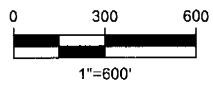
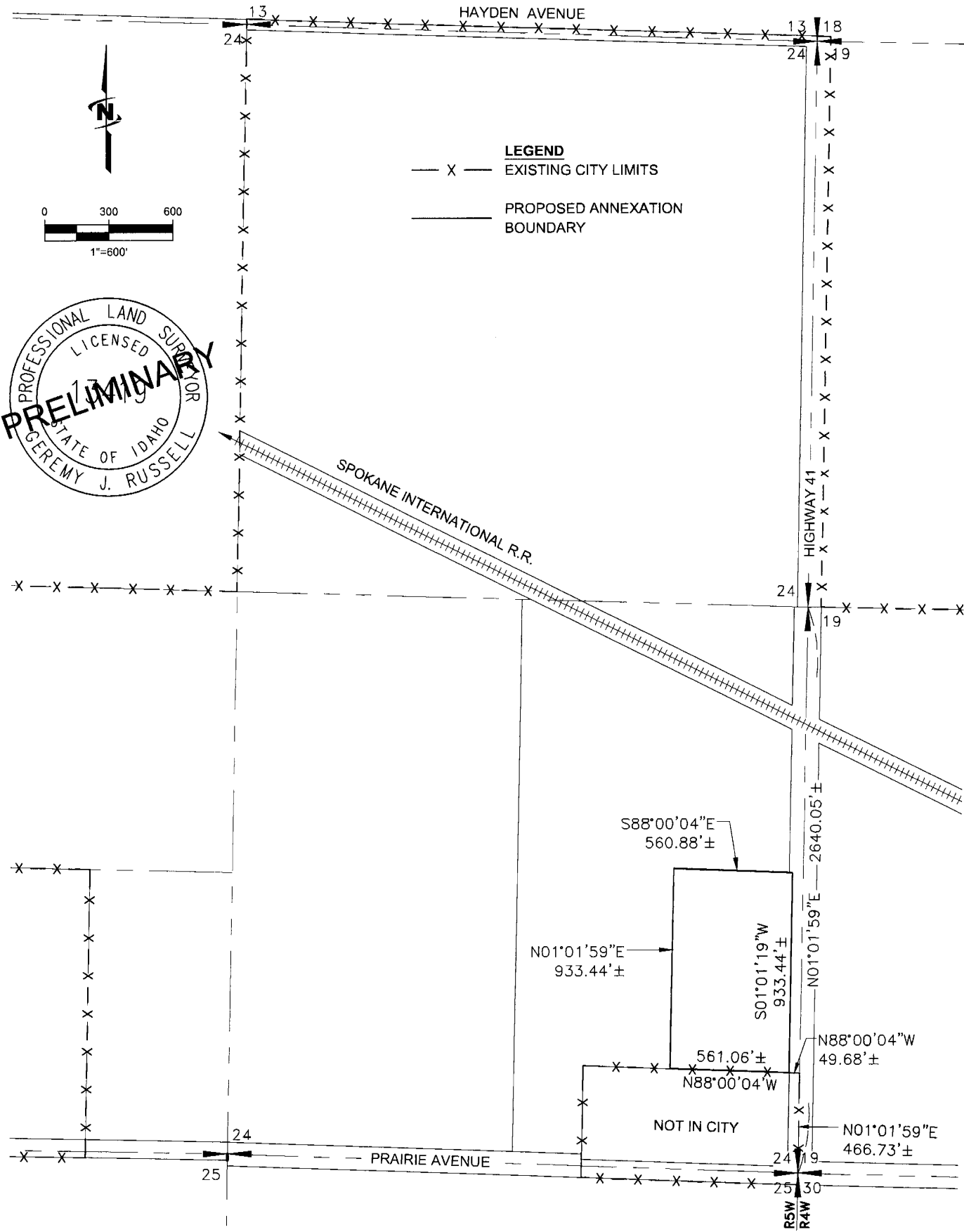
thence South 88°00'04" East, a distance of 560.88 feet, more or less, to the westerly right-of-way line of State Highway 41;

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:

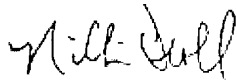
Harlan D. Douglass, an unmarried man

5. The Land is described as follows:

SEE SCHEDULE C ATTACHED HERETO


CHICAGO TITLE INSURANCE COMPANY

Chicago Title Insurance Company



By: _____
Kootenai County Title Company, Inc.



By: 

ATTEST



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)

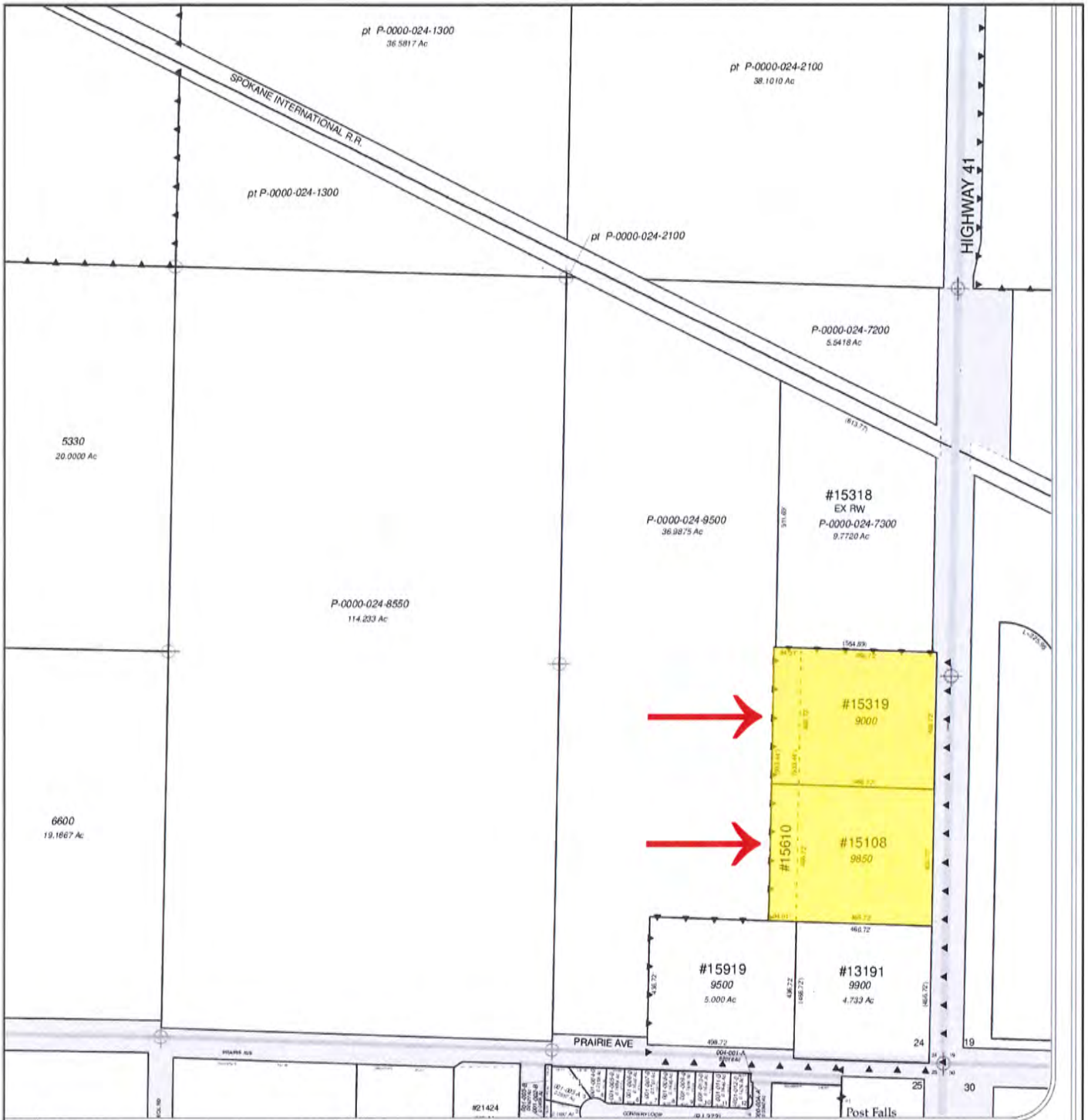
Thence, South 88°44'37" East, a distance of 94.01 feet to a set 5/8 inch iron rod and cap;

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.

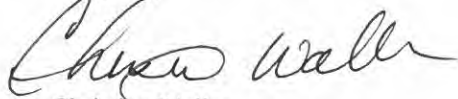
Additional requirements include:

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.

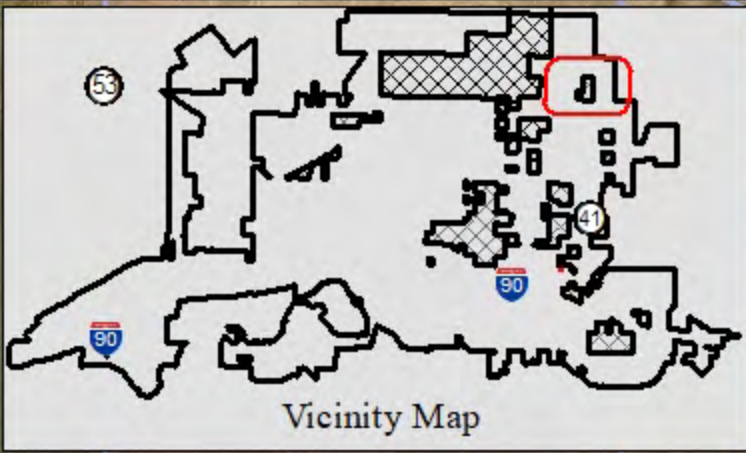
Sincerely,



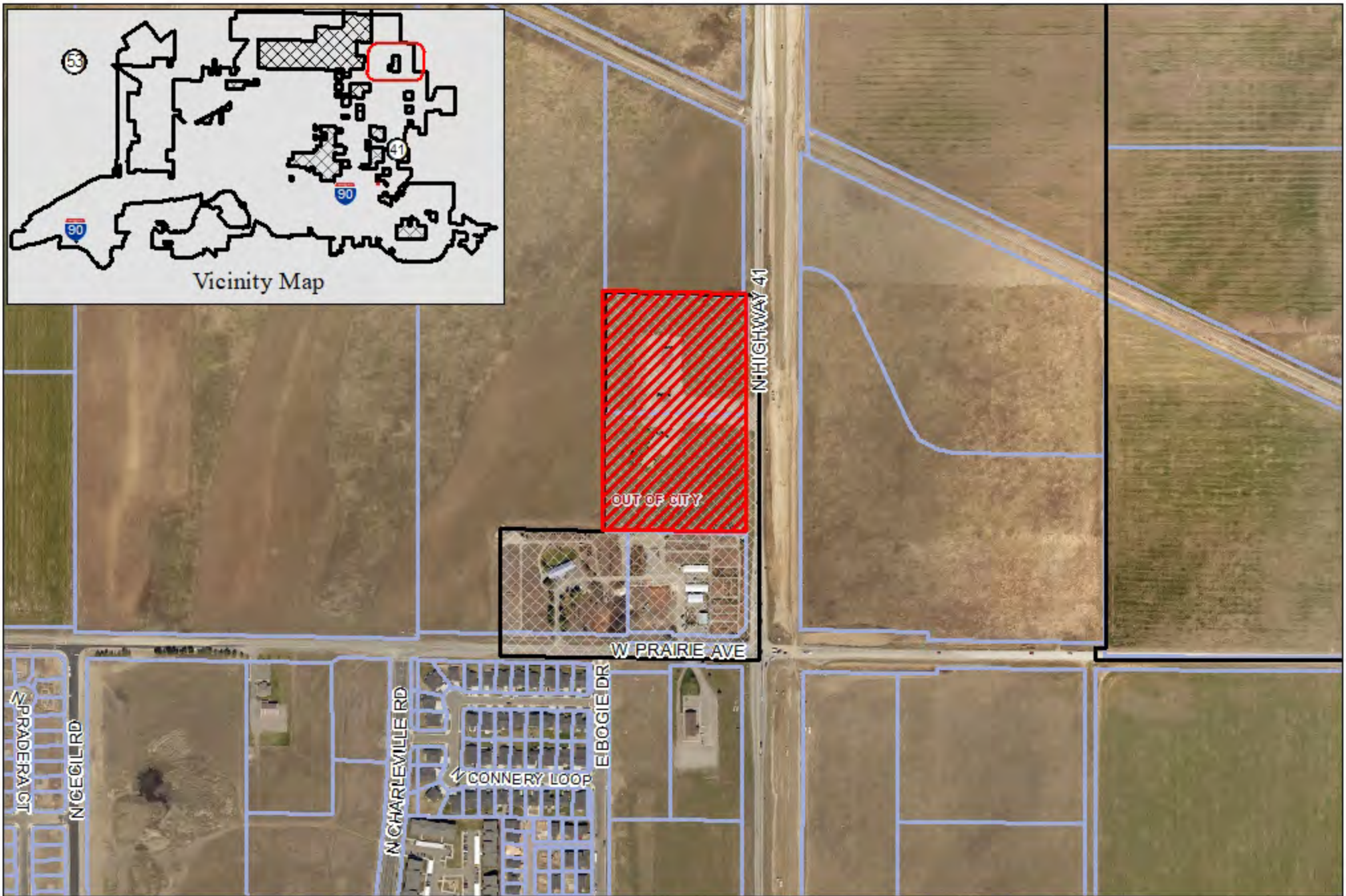
Christine Waller
Ross Point Water District

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





Vicinity Map



OUT OF CITY

N HIGHWAY 41

W PRAIRIE AVE

SPRADER CT

NICEGIL RD




NICHARLEVILLE RD

EBOGIE DR

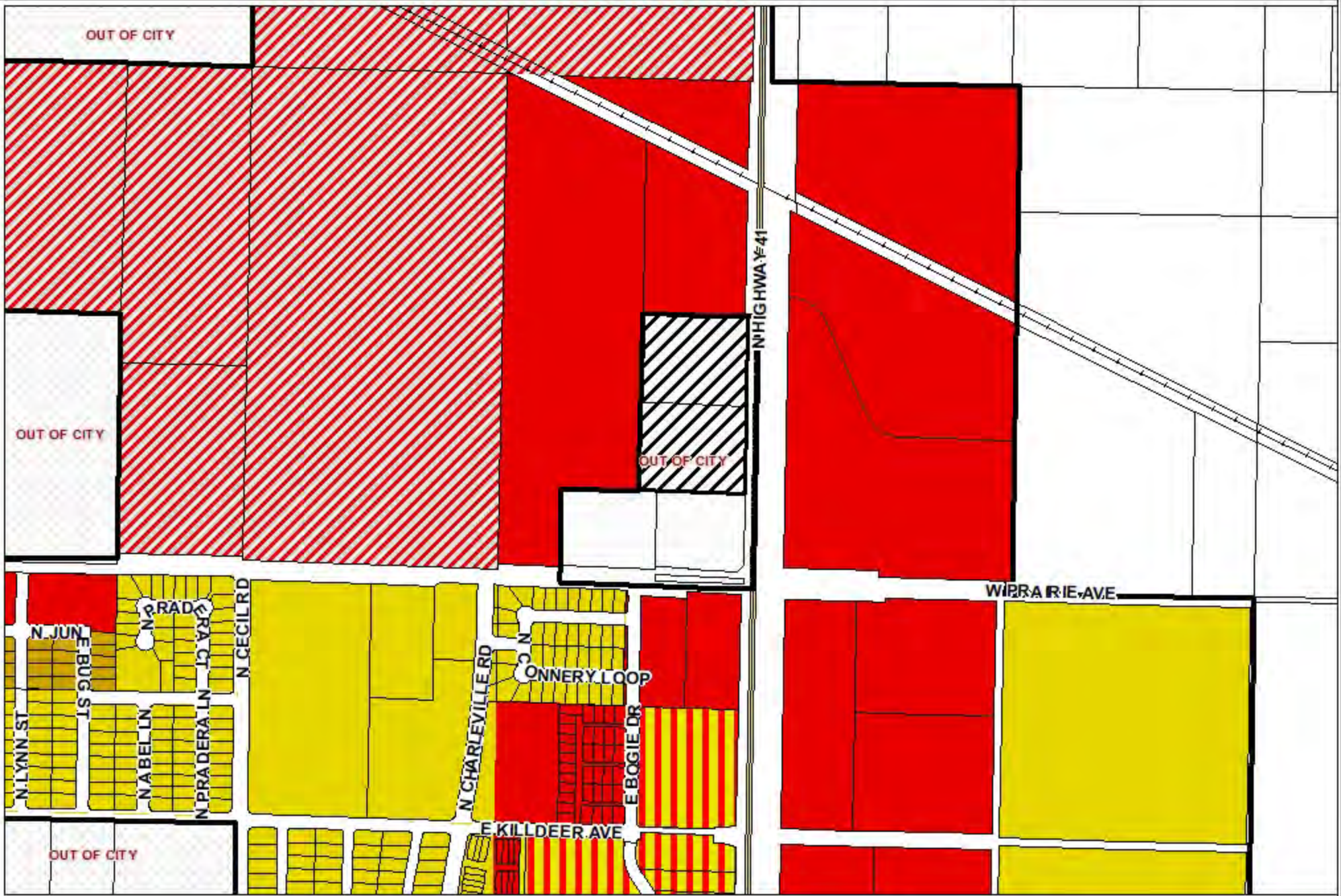
CONNERY LOOP

Project Location
MORRIS ANNEXATION
File # ANNX-0013-2021










-  Subject Site
-  City Boundary
-  Tax Parcels



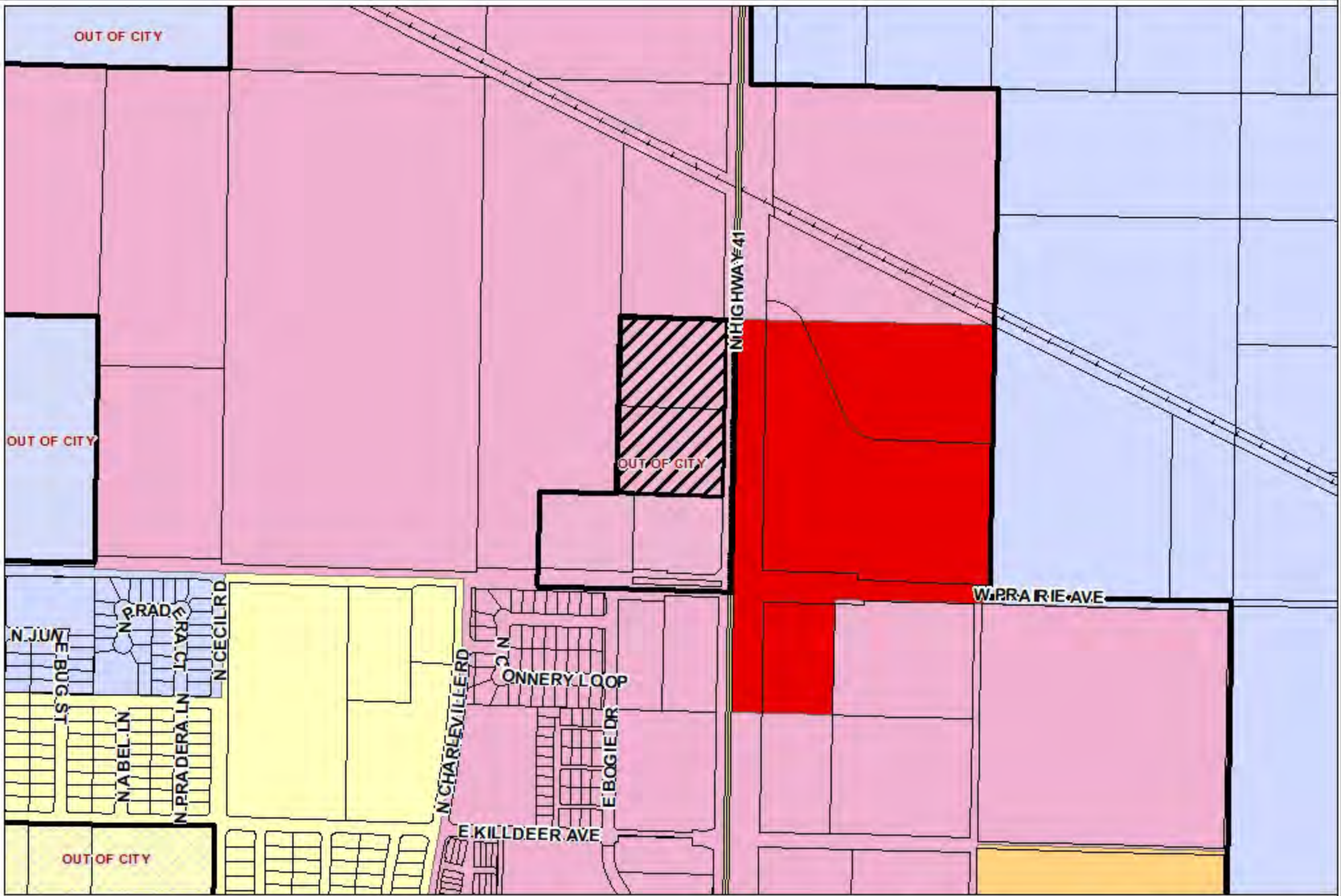


Zoning Map
 MORRIS ANNEXATION
 File # ANNX-0013-2021



-  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.

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;

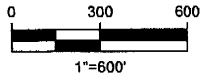
thence South 88°00'04" East, a distance of 560.88 feet, more or less, to the westerly right-of-way line of State Highway 41;

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



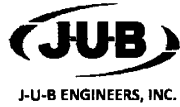
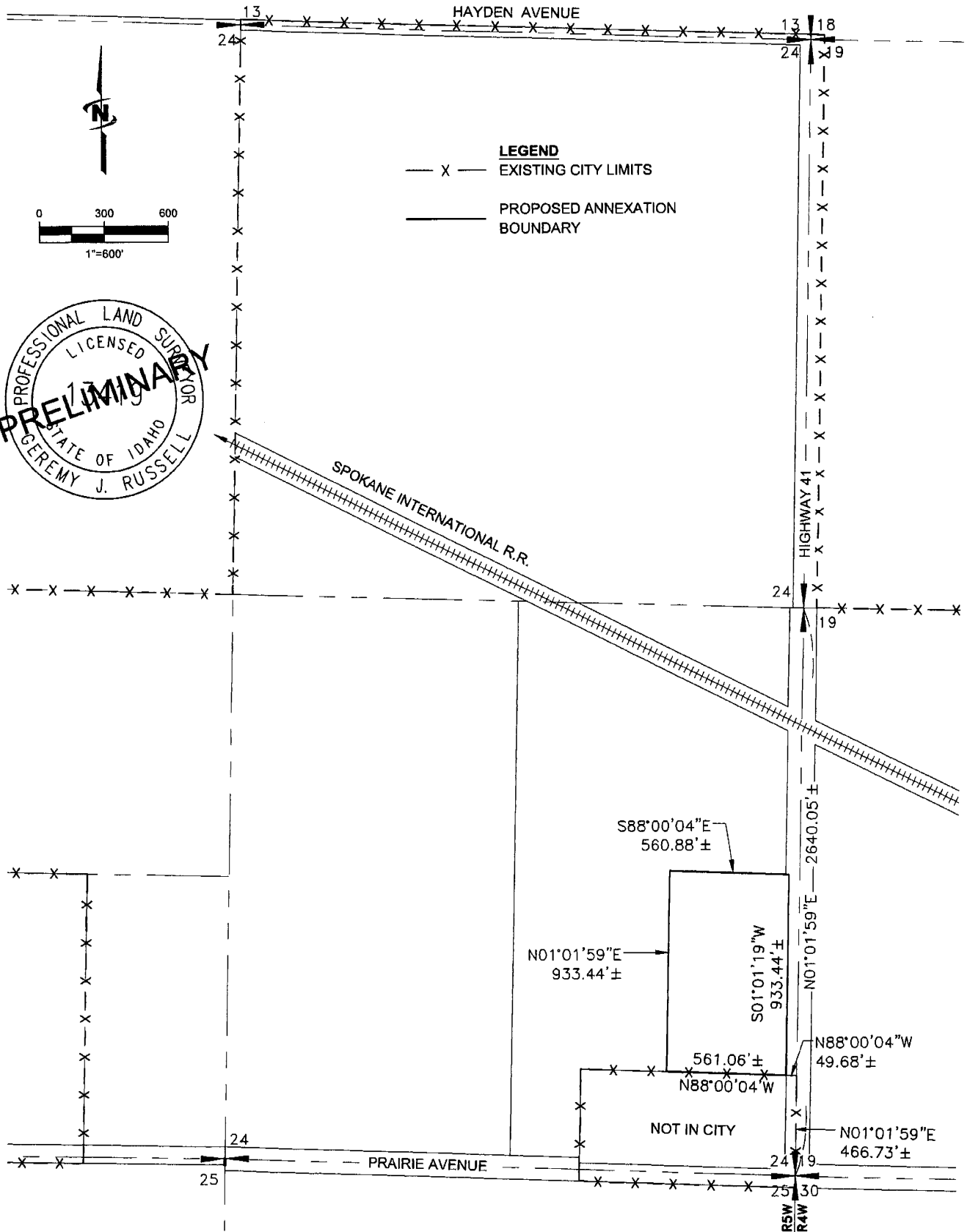
Plot Date: 11/16/2021 \\CDAFILES\PUBLIC\PROJECTS\JUB\20-18-019 BEYOND GREEN INC\CAD\SURVEY\INW TECH PARK\MODEL\2021_ANNEXATION EX.DWG



LEGEND

— X — EXISTING CITY LIMITS

— — — PROPOSED ANNEXATION BOUNDARY



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

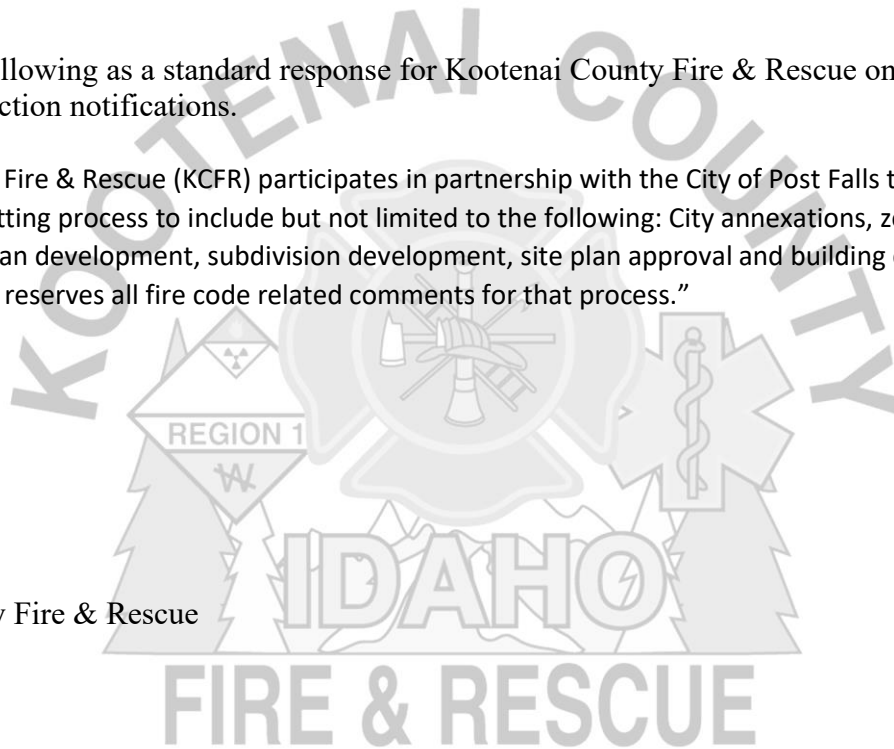
Amber,

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. ANNX-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.

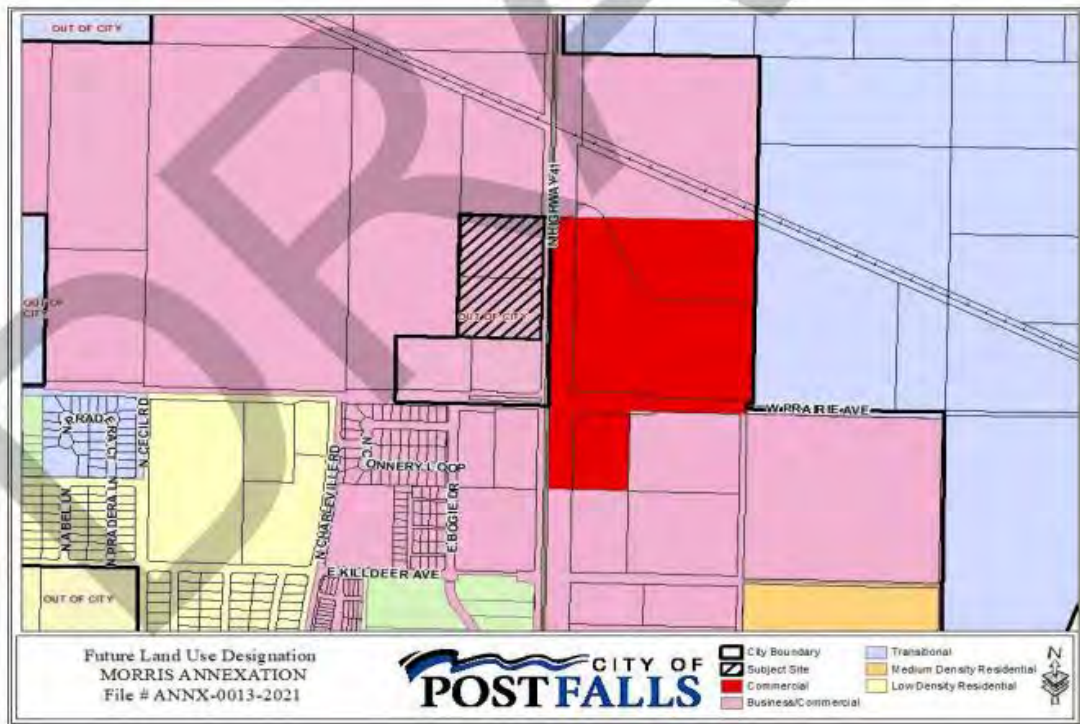
While that statement is correct at this moment, why isn't the paragraph written something like this?

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.

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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.

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(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.

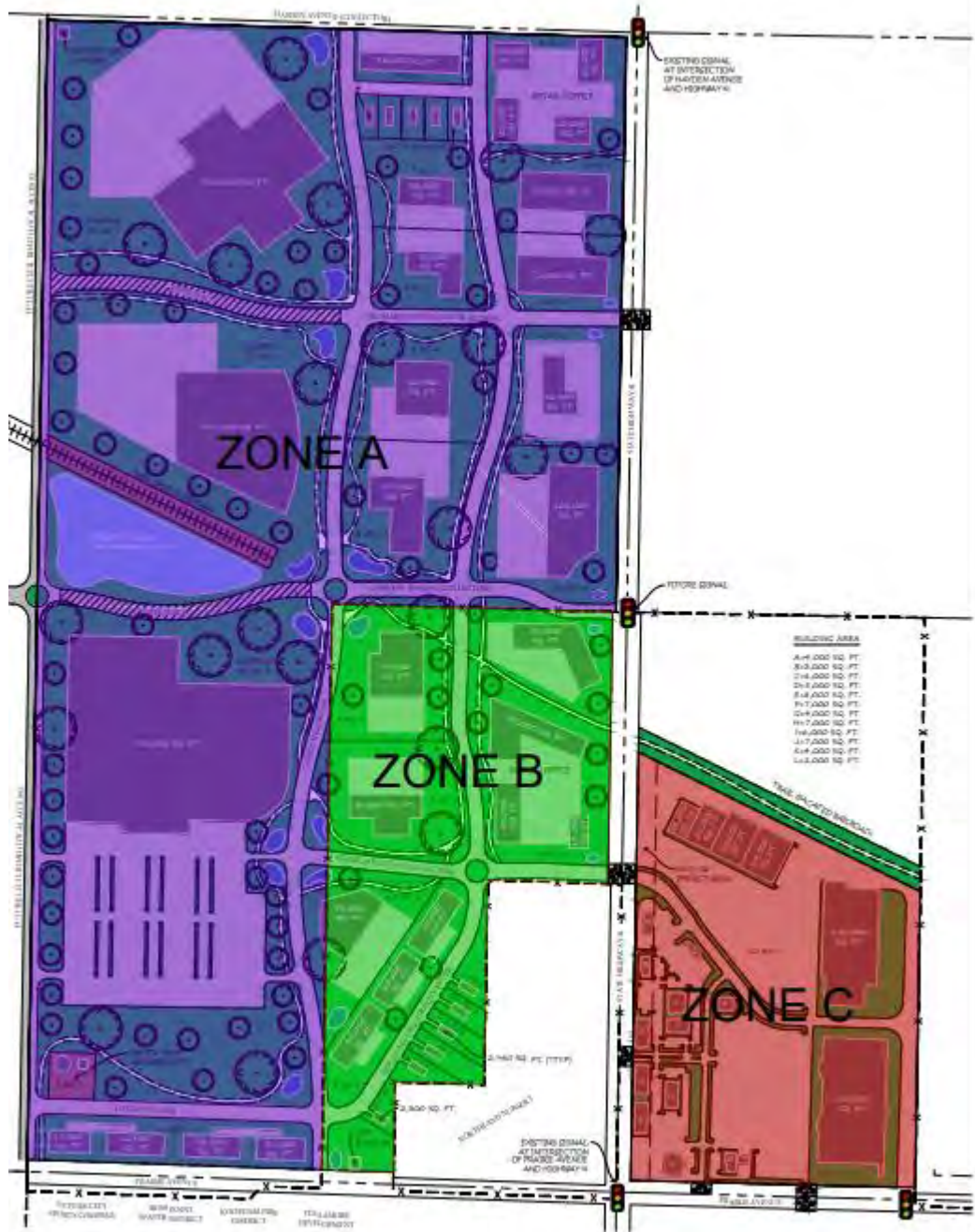
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Future Development

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.

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.

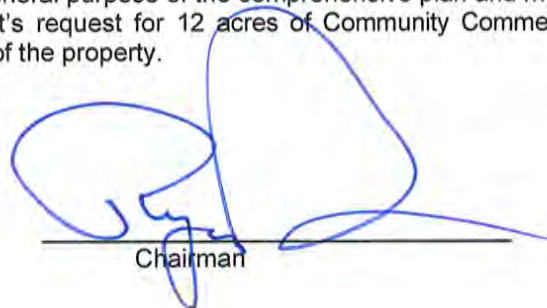
The Commission finds this criterion inapplicable as there are no industrial uses or industrial zoned properties within the area.

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.

ACTION ITEMS:

- a. FY 2022 Budget Amendment #2

Public Hearing Opened at 6:07 pm.

Staff Report

Jason Faulkner, Finance Director presenting: Staff is requesting to amend the FY2022 budget based on the information below:

- Corbin Lift Station: \$3000,000 will be funded with reserve cash funds.
- Bentley Lift Station: \$115,000 will be funded with reserve cash funds.
- Land Acquisition: \$165,000 will be funded with reserve cash funds.
- Highway 41 Gravity Sewer: \$550,000 will be reimbursed by the Post Falls Urban Renewal Agency.
- 12th Avenue Force Main: \$4,000 will be reimbursed by the Post Falls Urban Renewal Agency.
- Decommission Prairie Falls/Grayling: \$367,000 will be funded with reserve cash funds.
- Part Time Building/Electrical Inspector to Full Time Building/Electrical Inspector: \$20,903 will be funded with permit revenues.

Testimony

In Favor – None

Neutral – None

In Opposition – None

Public Hearing Closed at 6:11 pm.

Motion by Borders to approve the FY 2022 Budget Amendment #2.

Second by Ziegler.

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

Motion Carried

- b. Morris Annexation ANNEX-0013-2022

Public Hearing Opened at 6:12 pm.

Staff Report

Jon Manley, Planning Manager Presenting: Gordon Dobler of Dobler Engineering has requested on behalf of Harlan Douglas approval to annex approximately 12 acres into the City of Post Falls and assign the zoning designation of Community Commercial Services (CCS). City Council must conduct a public hearing and review the annexation proposal based on the recommendation for the CCS zoning by the Planning and Zoning Commission at their April 12, 2022, meeting. 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.

City Council can determine whether an annexation request is appropriate based on their best judgement. Ideally, 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.

Applicant

Gordon Dobler, Dobler Engineering: This property is owned by the abutting property owner Douglass which owns the whole Tech Park which is zoned CCS. They would like to fold this property into the Tech Park. The plan is to extend Charleville up and would access this parcel from the backside. There is some verbiage in the Development Agreement that says when that happens access to 41 would be eliminated. The intent is to integrate this with the surrounding Tech Park therefore the zoning we feel is consistent with the surrounding zonings and with the Tech Park.

Testimony

In Favor – None

Neutral – None

In Opposition

Samantha Steigleder: Supports the annexation but does not support a CCS zoning.

Howard Burns: Concerned about the lack of discussion concerning how the 12-acre annexation will be incorporated into the tech park plan.

Rebuttal

Dobler: How this parcel will be incorporated would be figured out in the next part of the process.

Malloy: Would the applicant be ok with zero residential on this lot?

Dobler: I think it is early enough in the game, I think we would be a little hesitant to limit what can be done on the 12 acres.

Malloy: How can you annex something without zoning?

Herrington: We would hold off on the annexation ordinance till the zoning is decided. If the developer does not like the zoning they could walk away, and the annexation would die. If you wanted to do CCM that would have to come back.

Public Hearing Closed at 6:46 pm.

Discussion

Motion by Malloy to approve the property in question into the City of Post Falls.

Second by Walker.

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

Motion Carried

- Amendments to the zoning map should be in accordance with the Comprehensive Plan and the Future Land Use Map – Everyone agreed it did.

Malloy: I feel like we get backed into a corner. We do not have to annex anything. So be separating it out, yes it makes sense to annex and now with the Comprehensive Plan we are going to get painted into a corner on the zoning.

Herrington: The discussion to annex can be decided by anything. The zoning decisions should follow our criteria.

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

Malloy: None of us have a crystal ball and can't see into the future.

Ziegler: It is hard to know when we do not know what is going in there. I have a hard time with "improving aesthetic beauty" if it is going to be a 4-story apartment building.

Borders: Safety is an issue for me. a 30ft access out to Hwy 41 is not safe. Which would be there until a backage road would be put in.

Shove: There is so much unknown.

Malloy: I would like to table this discussion until we can get some kind of workshop on how we are supposed to calibrate our crystal balls. I do not see how we are supposed to make a decision on these goals and policies when we have no idea on what is going in.

Mayor: I agree.

Motion by Malloy to table the Morrie Annexation until such time as a special workshop with city staff and Council clarifying how the decision-making process shall go with the new policies.

Second by Walker.

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

- c. Wellsprings Annexation ANNX-0001-2022

Public Hearing Opened at 7:10 pm.

Staff Report

Laura Jones, Associate Planner presenting: The request is to annex approximately 9-acres into the City of Post Falls with a zoning designation of Medium Density Residential (R-2) and Limited Commercial (LC). The subject property is located on the southeast corner of W. Prairie Avenue and N. Greensferry Road.

Applicant

Bart North, North Engineering: 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 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

DEVELOPMENT AND ANNEXATION AGREEMENT

Morris Annexation

(File No. ANNX-0013-2021)

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 **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.
- 2.6. Limitation on Residential Development: Owner agrees that the property will not be developed with residential uses and agrees that the City may reject any request to

authorize residential uses on the Property unless this Agreement is amended following a public hearing. Owner waives any and all claims Owner may have, or may acquire, against the City or its officers, employees, or agents arising in any way from the City rejecting, or failing to process, any application that would authorize residential uses on the Property as contemplated by this Section 2.6.

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/FEEES

- 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.

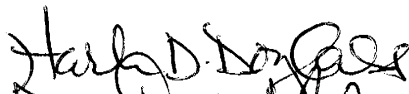
- 6.13. Severability: Should any provision of this Agreement be declared invalid by a court of competent jurisdiction the remaining provisions continue in full force and effect and must be interpreted to effectuate the purposes of the entire Agreement to the greatest extent possible.
- 6.14. Enforcement - 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

By: 
Harlan D. Douglass

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: _____

Washington
STATE OF ~~IDAHO~~)
 : ss
County of ~~Kootenai~~)

Deanna N. Malcom A.I.F.

On this 21 day of July, 2022, before me, a Notary for the State of Idaho, personally appeared ~~Harlan D. Douglass~~, known, or identified to me to be the person(s) whose name is subscribed to the within instrument, and acknowledged to me that he 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.

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



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;

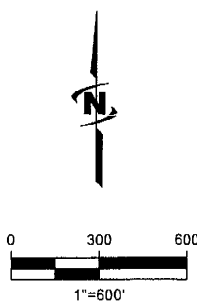
thence South 01°01'19" West along said westerly right-of-way line, a distance of 933.44 feet, more or less, to the to the POINT OF BEGINNING.

Gross Area: 12.02 acres, more or less

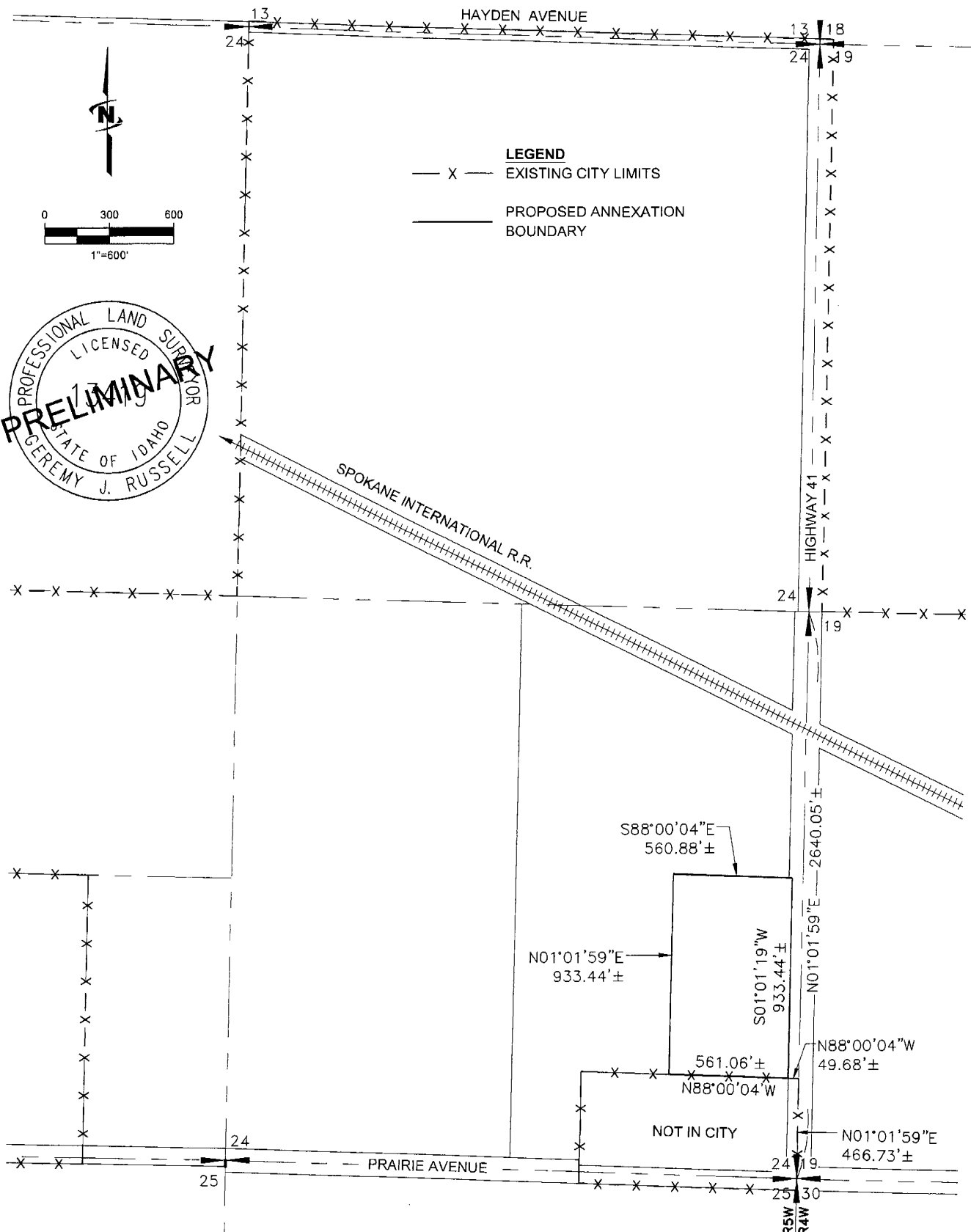


\\CDAFILES\Public\Projects\JUB\20-18-019 Beyond Green Inc\CAD\Survey\INW Tech Park\Legals\Annexation\2021 Final Annexation.docx

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



CITY OF POST FALLS
ANNEXATION ORDINANCE NO. _____

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

Amber Blanchette

From: Polak, Chad M <Chad.M.Polak@p66.com>
Sent: Tuesday, August 23, 2022 9:40 AM
To: Amber Blanchette
Subject: FW: Morris Annexation File No. ANNX-0013-2022 (Continued)
Attachments: Continued CC Morris Annex NTJ.pdf

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

Thanks Amber. Based on the location YPL does not have any questions or comments.

Sincerely,

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

From: Amber Blanchette <amberb@postfalls.gov>
Sent: Tuesday, August 23, 2022 10:23 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@postfalls.gov>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Polak, Chad M <Chad.M.Polak@p66.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@postfalls.gov>; 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>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eport@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfalls.gov>; J McMillin <jmcmillin@postfallspolice.com>; Jacob Bell <jacob.bell@tdstelecom.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jcresci@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Kelly Russell <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfalls.gov>; 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>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Laura Jones <ljones@postfalls.gov>; lauriep@kootenaifire.com; Lynn Sandsor, AECOM <lynn.sandsor@aecom.com>; Martina <martina@eastgreenacres.org>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF <matthew.jones@bnsf.com>; Media <media@postfallsidaho.org>; Michael Allen <MAllen@postfallspolice.com>; Michael Thomas, P.E. <mthomas@kec.com>; Monica Miller <momiller@quantatelcom.com>; Naomi Tierney <ntierney@postfalls.gov>; Pat Knight <pknight@postfallspolice.com>; PFHD <contactus@postfallshd.com>; PFPD <admin@postfallspolice.com>; Phillip Evander <PEvander@kec.com>; Post Falls Chamber <pam@postfallschamber.com>; Preston Hill <phill@postfallsidaho.org>; Rob Palus

<rpalus@postfalls.gov>; Robert Seale <rseale@postfalls.gov>; Robin Bekkedahl <robin.bekkedahl@avistacorp.com>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Scott Davis <sdavis@kec.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stacy Simkins <stacy.simkins@itd.idaho.gov>; Stephanie Herman <speugh@postfallsidaho.org>; Steven Kjergaard <skjergaard@kcgov.us>; Teresa Benner <tbenner@postfalls.gov>; Thomas Gwin <thomas.gwin@twcable.com>; Tisha Gallop <tgallop@postfalls.gov>; Towry, Kristie <kmtowry@bpa.gov>; Wade Meyer <wmeyer@postfalls.gov>; Warren M <warrenm@kootenaifire.com>; Warren Wilson <wwilson@postfallsidaho.org>; Wilson, Ron <Ron@eastgreenacres.org>; Joe Malloy <jmalloy@postfallsidaho.org>; Josh Walker <jwalker@postfallsidaho.org>; Kenny Shove <kshove@postfallsidaho.org>; Kerri Thoreson <kerrit@postfallsidaho.org>; Lynn Borders <lborders1@frontier.com>; Ron Jacobson <rjacobson@postfallsidaho.org>; Nathan Ziegler <nziegler@postfallsidaho.org>
Subject: [EXTERNAL]Morris Annexation File No. ANNX-0013-2022 (Continued)

This Message Is From an External Sender

This message came from outside your organization.

Good morning,

Attached is the notice to jurisdiction for the named annexation for City Council on September 6th, the draft staff report is on the city's website.

Please Note my new email address is amberb@postfalls.gov

Thank you,

Amber Blanchette
Planning Specialist
Phone: 208-457-3338
Email: amberb@postfalls.gov



Fear is an illusion, ready to be overcome...

The City of Post Falls will be changing our domain soon to POSTFALLS.GOV. Be watching for it.

Privileged / confidential information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or send this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply e-mail. Although this email has been scanned for the possible presence of computer viruses prior to dispatch, we cannot be held responsible for any viruses or other material transmitted with, or as part of, this email without our knowledge.

**CITY OF POST FALLS
AGENDA REPORT
ORDINANCE AGENDA
MEETING DATE: September 6, 2022**

DATE: August 30, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: COMMUNITY DEVELOPMENT – PLANNING DIVISION
SUBJECT: ORDINANCE MEMO FOR THE SEPTEMBER 6, 2022, CITY COUNCIL MEETING
BARNUM'S ADDITION ZONE CHANGE FILE NO. ZC-22-3

ITEM AND RECOMMENDED ACTION:

With approval of the Ordinance Agenda, City Council authorizes the Mayor's signature of the Ordinance for the Barnum's Addition Zone Change.

DISCUSSION:

The applicant(s) (Robert Wilhelm) has requested a Zoning Map Amendment (Zone Change) of approximately .54 acres from Single-Family Residential (R1) to Medium-Density Residential (R2). The property is generally located on the east side of Elm Rd., just north of I-90.

On May 25, 2022, a public hearing was held before the Planning & Zoning Commission. After receiving testimony and hearing the staff report, the Commission moved to recommend approval of the requested zone change. The City Council held a public hearing and approved the requested zone change on August 2, 2022.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON: August 2, 2022

APPROVED OR DIRECTION GIVEN: Approved

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

N/A

BUDGET CODE:

N/A

SUPPORTING DOCUMENTS:

Ordinance

ORDINANCE NO. _____

**ZONE DESIGNATION CHANGE APPROXIMATELY .54 ACRES
LOCATED ON THE EAST SIDE OF ELM RD., JUST NORTH OF I-90
(File No. ZC-22-3)**

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR A CHANGE IN ZONING CLASSIFICATION FOR THE LAND DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM SINGLE-FAMILY RESIDENTIAL (R1) TO MEDIUM-DENSITY RESIDENTIAL (R2). PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT THE CHANGE; PROVIDING THAT ALL PRIOR ZONES APPLICABLE TO LANDS DESCRIBED IN SECTION 1 ARE HEREBY SUPERSEDED; AND PROVIDING AN EFFECTIVE DATE;

WHEREAS, the City of Post Falls has carried out the procedures required by law to consider the rezoning request addressed by this Ordinance and has adopted a Reasoned Decision concerning this matter.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Post Falls, Idaho, as follows:

Section 1: That the zoning classification for .54 acres described below in this section and generally located on the east side of Elm Rd., just north of I-90 within the corporate limits of the City of Post Falls, County of Kootenai, State of Idaho, be changed from the current designation of Single-Family Residential (R1) to Medium-Density Residential (R2):

A PORTION OF TRACT 47 OF THE GREEN ACRES IRRIGATION DISTRICT PLAT NO. 9, FILED IN BOOK B OF PLATS AT PAGE 86, RECORDS OF KOOTENAI COUNTY, IN THE NORTHEAST QUARTER OF SECTION 5, T50N, R5W, BM, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST QUARTER CORNER OF SAID SECTION 5, MARKED BY A 1-INCH BRASS PIN WITH CHISELED "X", IN A MONUMENT WELL, PER CP&F INSTRUMENT # 1687818;

THENCE, COINCIDENT WITH THE EAST LINE OF SAID SECTION 5, S 0°56'49" W, 1,548.19 FEET TO THE NORTHERLY RIGHT-OF-WAY OF INTERSTATE 90 (I-90);

THENCE, COINCIDENT WITH SAID NORTHERLY RIGHT-OF-WAY, S 80°24'46" W, 1,153.38 FEET, TO THE POINT OF BEGINNING;
THENCE, COINCIDENT WITH SAID NORTHERLY RIGHT-OF-WAY, S 80°24'46" W, 171.93 FEET TO THE EASTERLY RIGHT-OF-WAY OF ELM ROAD;
THENCE, COINCIDENT WITH SAID EASTERLY RIGHT-OF-WAY, N 0°S7'09" E, 157.73 FEET, TO THE NORTHWEST CORNER OF SAID TRACT 47;
THENCE, COINCIDENT WITH THE NORTHERLY LINE OF SAID TRACT 47, S 88°11'38" E, 170.90 FEET;
THENCE, LEAVING SAID NORTHERLY LINE, S 1°48'22" W, 123.75 FEET TO THE POINT OF BEGINNING.

Section 2: That the property described above in Section 1 will be designated as Medium-Density Residential (R2) on the official Zoning Map of the City of Post Falls.

Section 3: That all prior zoning designations for the lands described in Section 1 are hereby superseded.

Section 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED by the City Council upon roll call vote on the 2nd, day of August, 2022, and **APPROVED** by the Mayor on the ___ day of _____, 2022.

Ronald G. Jacobson, Mayor

ATTEST: Shannon Howard, City Clerk

SUMMARY OF POST FALLS ORDINANCE NO. _____

The City of Post Falls, Kootenai County, Idaho hereby gives notice of the adoption of Post Falls Ordinance No. _____, rezoning certain property generally on the east side of Elm Rd., just north of I-90 within the City of Post Falls from Single Family Residential (R1) to Medium-Density Residential (R2). The rezoned property is legally described as:

A PORTION OF TRACT 47 OF THE GREEN ACRES IRRIGATION DISTRICT PLAT NO. 9, FILED IN BOOK B OF PLATS AT PAGE 86, RECORDS OF KOOTENAI COUNTY, IN THE NORTHEAST QUARTER OF SECTION 5, T50N, R5W, BM, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST QUARTER CORNER OF SAID SECTION 5, MARKED BY A 1-INCH BRASS PIN WITH CHISELED "X", IN A MONUMENT WELL, PER CP&F INSTRUMENT # 1687818;

THENCE, COINCIDENT WITH THE EAST LINE OF SAID SECTION 5, S 0°56'49" W, 1,548.19 FEET TO THE NORTHERLY RIGHT-OF-WAY OF INTERSTATE 90 (I-90);

THENCE, COINCIDENT WITH SAID NORTHERLY RIGHT-OF-WAY, S 80°24'46" W, 1,153.38 FEET, TO THE POINT OF BEGINNING;

THENCE, COINCIDENT WITH SAID NORTHERLY RIGHT-OF-WAY, S 80°24'46" W, 171.93 FEET TO THE EASTERLY RIGHT-OF-WAY OF ELM ROAD;

THENCE, COINCIDENT WITH SAID EASTERLY RIGHT-OF-WAY, N 0°S7'09" E, 157.73 FEET, TO THE NORTHWEST CORNER OF SAID TRACT 47;

THENCE, COINCIDENT WITH THE NORTHERLY LINE OF SAID TRACT 47, S 88°11'38" E, 170.90 FEET;

THENCE, LEAVING SAID NORTHERLY LINE, S 1°48'22" W, 123.75 FEET TO THE POINT OF BEGINNING.

providing repeal of conflicting ordinances and providing severability. The ordinance is effective upon publication of this summary. The full text of Ordinance No. _____, including the legal description of the rezoned property, is available at Post Falls City Hall, 408 Spokane Street, Post Falls, ID 83854 in the office of the city clerk.

Shannon Howard, City Clerk

Publish once in the City's official newspaper.

STATEMENT OF LEGAL ADVISOR

I, Warren J. Wilson, am legal advisor for the City of Post Falls, Idaho. I have examined the attached summary of Post Falls Ordinance No. _____, rezoning certain property find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the contents thereof.

DATED this day of , 20 .

Warren J. Wilson, City Attorney

**CITY OF POST FALLS
AGENDA REPORT
ORDINANCE & RESOLUTIONS
MEETING DATE: September 6, 2022**

DATE: August 30th, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Jason Faulkner, Finance Director
SUBJECT: Ordinance FY 2023 Budget

ITEM AND RECOMMENDED ACTION: Approve as presented.

DISCUSSION:

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON: 8/16/22

APPROVED OR DIRECTION GIVEN: After the public hearing, Mayor and Council instructed staff to return with the Ordinance for approval.

FISCAL IMPACT: \$129,649,625.00

BUDGET CODE: Various

CITY OF POST FALLS
ORDINANCE NO.

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR FISCAL YEAR BEGINNING OCTOBER 1, 2022, APPROPRIATING THE SUM OF \$129,649,625 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF POST FALLS FOR SAID FISCAL YEAR AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATIONS ARE MADE.

BE IT ORDAINED by the Mayor and City Council of the City of Post Falls, Kootenai County, Idaho.

Section 1. That the sum of \$129,649,625 is, and the same hereby is appropriated to defray the necessary expenses and liabilities of the City of Post Falls, Kootenai County, Idaho for the fiscal year beginning October 1, 2022. Appropriations are made at the fund level with additional detail shown for illustrative purposes only.

Section 2. The objects and purposes for which such appropriations is made, and the amount of each object and purpose is as follows:

<u>PROPOSED EXPENDITURES/EXPENSES</u>	<u>TOTAL</u>
GENERAL FUND:	
ADMINISTRATION	
FINANCE	
CITY CLERK	
LEGAL SERVICES	
COMMUNITY DEVELOPMENT	
SAFETY	
PUBLIC WORKS	
PARKS & RECREATION	
CAPITAL IMPROVEMENTS/CONTRACTS	
PERSONNEL	
PERSONNEL POOL	
ANNEXATION FEE ACCOUNT	
TOTAL GENERAL FUND EXPENDITURES	\$45,843,696
SPECIAL REVENUE FUNDS:	
COMPREHENSIVE LIABILITY INSURANCE	
911 SUPPORT	
DRUG SEIZURE	
SPECIAL EVENTS	
CEMETERY CAPITAL IMPROVEMENT	
TOTAL SPECIAL REVENUE FUND EXPENDITURES	1,647,066

CAPITAL PROJECTS FUNDS:	
FACILITY RESERVE ACCOUNT	
CAPITAL IMPROVEMENTS	
TOTAL CAPITAL PROJECTS FUND EXPENDITURES.....	13,542,140
DEBT SERVICE FUNDS:	
LID DEBT SERVICE	
TOTAL DEBT SERVICE FUND EXPENDITURES.....	528,150
ENTERPRISE FUNDS:	
SEWER	
SANITATION	
WATER	
TOTAL ENTERPRISE FUND EXPENSES.....	68,088,573
TOTAL ALL FUND EXPENDITURES/EXPENSES.....	\$129,649,625

Section 3. That a general tax levy to yield \$13,718,702 on all taxable property within the City of Post Falls be levied in an amount allowed by law for the general purposes for said City, for the fiscal year beginning October 1, 2022.

Section 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 5. This ordinance shall take effect and be in full force upon its passage, approval and publication according to law.

PASSED under suspension of the rules upon which a roll call vote was taken and duly enacted an ordinance of the City of Post Falls, Kootenai County, Idaho at a convened meeting of the City of Post Falls City Council held on the 6th day of September 2022.

Ronald G. Jacobson, Mayor

ATTEST:

Shannon Howard, City Clerk

**CITY OF POST FALLS
AGENDA REPORT
ORDINANCE & RESOLUTIONS
MEETING DATE: September 6, 2022**

DATE: August 30th, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Jason Faulkner, Finance Director
SUBJECT: Resolution – FY 2023 Fee Schedule

ITEM AND RECOMMENDED ACTION: Approve as presented.

DISCUSSION:

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON: 8/16/22

APPROVED OR DIRECTION GIVEN: After the public hearing, Mayor and Council instructed staff to return with the Resolution.

FISCAL IMPACT OR OTHER SOURCE OF FUNDING: N/A

BUDGET CODE: N/A

RESOLUTION NO. _____

RESOLUTION ADOPTING CITY OF POST FALLS' FEE SCHEDULE

WHEREAS, the City of Post Falls annually reviews all fees during the budget process to ensure accuracy; and

WHEREAS, periodic revisions to fees may be necessary; and

WHEREAS, the City has fees already established; and

WHEREAS, the City of Post Falls has determined that the fee schedule be amended to reflect the reasonable cost of providing the services; and

WHEREAS, after public hearing has been held prior to the adoption of this resolution, regarding new and increased city fees, it is deemed by the City Council to be in the best interest of the City of Post Falls and the citizens thereof that the fee schedule be amended to include the new and increased fees which were addressed in the public hearing.

NOW, THEREFORE, Be It Resolved by the Mayor and City Council of the City of Post Falls, Idaho that the following fee schedule, which reflect the new and amended fees and all other fees that have not been amended, be adopted for the City of Post Falls:

<u>FEE TYPE</u>	<u>ATTACHMENT NO.</u>
Utility Fees	1
Recreation Fees	2
Parks Fees	3
Cemetery Fees	4
Community Development Fees	5
Public Safety Fees	6
Administrative Fees	7
Local Improvement District Fees	8
Records & Copy Fees	9
Permit Valuation Chart	10

City staff is directed to take all administrative actions necessary to implement the attached listing of effective City fees.

Any fee inconsistent with the provisions of this Resolution is hereby repealed or superseded to the extent of such inconsistency, as appropriate.

The revised fee schedule shall be effective beginning October 1st, 2022, unless another date is otherwise indicated in the resolution, and shall remain in force until revised by subsequent Resolution of the Post Falls City Council.

DATED this _____ day of _____, 2022.

Ronald G. Jacobson, Mayor

ATTEST:

Shannon Howard, City Clerk

ATTACHMENT 1 - UTILITY FEES

WATER:

Capitalization Fees:

<u>Service Size</u>		<u>Capitalization Fee</u>
3/4 - 1"	\$	3,273.00
1" (Commercial)	\$	5,455.00
1 1/2"	\$	10,910.01
2"	\$	17,456.01
3"	\$	34,912.02
4"	\$	54,550.04
6"	\$	109,100.08
8"	\$	160,606.22

Use Fees:

The sum of the following elements (A+B):

A. BASE FEE FOR ALL USERS:

<u>Meter Size</u>		<u>Monthly Fee</u>
1" or less	\$	12.44
1.5"	\$	20.82
2"	\$	30.95
3"	\$	54.67
4"	\$	88.32
6"	\$	172.68
8"	\$	298.91

B. USAGE FEE FOR ALL USERS ON A PER THOUSAND GALLON BASIS:

Each 1,000 gallon unit or any portion thereof for residential and irrigation accounts:

0 to 49,000 gallons	\$	1.37
50,000 gallons +	\$	1.97

Each 1,000 gallon unit or any portion thereof for all other accounts:

0 + gallons	\$	1.37
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RECLAIMED WATER:

Capitalization Fees:

Basic Capitalization Fee

The revised fee schedule shall be effective beginning October 1st, 2022, unless another Commercial/Industrial Capitalization Fee - A minimum of \$6,959.00 plus an additional \$6,959.00 for each 5,000 gallons of reclaimed water flow based upon water consumption, above the first 5,000 gallons per month.

User Fees:

That pursuant to Section 13.32.120 of the Post Falls Municipal Code, requiring revision to the user fees when costs or the number of equivalent users change so as to affect the ability of the system to provide the intended service, and increases have occurred since 2012 in the number of equivalent residential users and the costs of operation, maintenance, debt service and capital replacement; and is an essential part of the protection and management of the reclaimed water collection and treatment system; and the costs associated with reclaimed surface water management should be included in the costs of maintenance of the reclaimed water collection and treatment system, the reclaimed water rates of the City of Post Falls shall be as follows:

The equivalent residential user base charge for reclaimed water service shall be increased to sixty-six dollars and seventy-nine cents (\$66.79) per month, and \$13.39 per 1,000 gallons of water use over 5,000 gallons for commercial units.

SOLID WASTE:

- A. That the base rate for current 35 gallon cart residential users shall be \$9.24 per month, with such service to provide an opportunity to recycle as authorized by the contract between the City and its contract hauler. Maintenance of such rate for existing 35 gallon cart customers shall depend upon compliance with the administrative rules established for the one-can rate;
- B. That the base rate for 96 gallon cart residential users shall be \$12.36 per month, with such service to provide an opportunity to recycle as authorized by the contract between the City and its contract hauler;
- C. That the base rate for one-can (now known as 35 gallon cart customers) residential users was discontinued as a rate option effective June 1, 1999, with those currently signed up for this option, and in compliance with the required sticker on their garbage can, being allowed to keep this option until such time garbage rates are changed in the future. New residential customers shall be charged the base residential rate of \$12.36 per month with a 96 gallon cart weekly disposal allowance;
- D. That all garbage placed for collection which exceeds the per-can base rate established for the account shall be charged at the rate of two dollars and fifty-nine cents (\$2.59) per can equivalent, per pickup;

E. Commercial and additional rates will be as follows:

FL = Front Load

RL = Rear Load

Container Type	Pick-ups Per Week					
	1	2	3	4	5	6
96 Gallon Cart	\$ 20.88	\$ 28.46	\$ -	\$ -	\$ -	\$ -
300 Gallon Cart	\$ 36.03	\$ 79.64	\$ 119.48	\$ -	\$ -	\$ -
400 Gallon Cart	\$ 51.20	\$ 102.39	\$ 153.60	\$ -	\$ -	\$ -
FL Dumpster - 1 YD	\$ 31.19	\$ 62.59	\$ 89.14	\$ 115.67	\$ 142.22	\$ -
FL Dumpster - 1.5 YD	\$ 43.62	\$ 83.45	\$ 121.36	\$ 159.28	\$ 197.21	\$ -
FL Dumpster - 2 YD	\$ 54.07	\$ 103.37	\$ 151.71	\$ 199.11	\$ 246.50	\$ -
FL Dumpster - 3 YD	\$ 79.64	\$ 151.71	\$ 223.75	\$ 288.25	\$ 365.95	\$ -
FL Dumpster - 4 YD	\$ 96.71	\$ 183.61	\$ 273.07	\$ 356.50	\$ 439.95	\$ 533.69
FL Dumpster - 6 YD	\$ 130.85	\$ 246.50	\$ 358.30	\$ 472.15	\$ 585.93	\$ -
FL Dumpster - 8 YD	\$ 170.68	\$ 320.48	\$ 468.39	\$ 616.29	\$ 762.29	\$ 1,054.31
RL Dumpster - 1 YD	\$ 35.38	\$ 62.59	\$ 89.14	\$ 113.78	\$ 138.40	\$ -
RL Dumpster - 1.5 YD	\$ 50.26	\$ 87.23	\$ 127.08	\$ 149.80	\$ 183.93	\$ -
RL Dumpster - 2 YD	\$ 55.95	\$ 103.37	\$ 151.71	\$ 199.11	\$ 246.50	\$ -
RL Dumpster - 3 YD	\$ 81.53	\$ 151.71	\$ 223.75	\$ 288.25	\$ 365.95	\$ -
RL Dumpster - 4 YD	\$ 98.60	\$ 185.84	\$ 271.16	\$ 356.50	\$ 443.72	\$ -
RL Dumpster - 6 YD	\$ 168.78	\$ 295.81	\$ 420.95	\$ 544.24	\$ 667.48	\$ -
RL Dumpster - 8 YD	\$ 210.49	\$ 383.05	\$ 555.61	\$ 728.15	\$ 900.72	\$ -
Compactor - 4 YD	\$ 284.44	\$ 568.88	\$ 805.92	\$ -	\$ -	\$ -
Compactor - 5 YD	\$ 350.80	\$ 701.61	\$ 1,052.41	\$ -	\$ -	\$ -
Compactor - 6 YD	\$ 379.27	\$ 758.51	\$ 1,137.71	\$ -	\$ -	\$ -
Compactor - 10 YD	\$ 568.88	\$ 1,137.71	\$ 1,706.61	\$ -	\$ -	\$ -
Compactor - 15 YD	\$ 199.11	\$ -	\$ -	\$ -	\$ -	\$ -
Compactor - 20 YD	\$ 265.58	\$ -	\$ -	\$ -	\$ -	\$ -
Compactor - 30 YD	\$ 379.27	\$ -	\$ -	\$ -	\$ -	\$ -
Compactor - 40 YD	\$ 821.46	\$ -	\$ -	\$ -	\$ -	\$ -
Construction Only - 8 YD	\$ 210.49	\$ 383.05	\$ 555.61	\$ 728.15	\$ 900.72	\$ -
Construction Only - 10 YD	\$ 250.31	\$ 464.57	\$ 680.76	\$ 893.14	\$ 1,109.31	\$ -

Additional commercial sanitation will be charged at:

\$13.29 each additional pick up on a 96 gallon cart

\$18.04 each additional yard

Roll Off Boxes:

20 YD delivery	\$ 83.45
20 YD dump	199.11
30 YD delivery	83.45
30 YD dump	199.11
Roll off return trip	60.72
Roll off round trip	37.92
Roll off turn around	18.99

Special Hauls:

4 YD compactor	\$ 104.32
5 YD compactor	123.27
6 YD compactor	136.53
10 YD compactor	161.20

Special Hauls on Existing and Short Term Service (FL, RL and Side Load Bins):

Resolution No. Effective Date:

96 Gallon commercial	\$	11.39	4 YD	\$	41.73
300 Gallon		18.99	6 YD FL		56.91
400 Gallon		25.64	6 YD RL		68.77
1 YD		11.39	8 YD FL		74.01
1.5 YD		22.76	8 YD RL		83.53
2 YD		24.67	10 YD RL		94.80
3 YD		30.34			

Bin Placement or Removal:

96 Gallon	\$	9.52
300 Gallon		47.42
400 Gallon		47.42
1 - 8 YD FL		47.42
1 - 10 YD RL		47.42

Daily Rent:

96 Gallon	\$	0.50	1 - 4 YD RL	\$	2.12
300 Gallon		2.12	6 - 8 YD FL & RL		4.29
400 Gallon		2.12	10 YD RL		4.78
1 - 4 YD FL		2.12	20 & 30 YD Roll Off		5.63

Other Service Rates:

Delivery/Removal of Permanent Svc Container	47.42
Make Container Lockable	62.83
Special Haul Return Fee	47.42
Gate Fee (each time)	9.46
Driver Assistance Residential (each time)	5.72
Driver Assistance Commercial (each time)	5.72
Man and Truck 1 hour minimum (hour)	123.27
Commercial Recycling Bin (month)	11.39
Fighting Creek Trip Charge (each time)	180.15
Return Trip Residential (each time)	9.52
Return Trip Container (each time)	47.42
Additional Cart Service	9.51
96 Gallon Cart Exchange (each time)	11.39
Return Trip Recycling (each time)	9.46
Recycling Bin Removal (each time)	9.46
Pack-out Service (special consideration for disabled and elderly) - (month)	7.60
Saturday Pickup (each time)	18.99
Container Wash (each time)	62.83

F. The City Administrator is hereby authorized to establish specific rates for special services or circumstances which do not fit with the categories established hereby, maintaining a proper relationship between the service provided and costs charged by the City's contractor.

MINIMUM MONTHLY UTILITY CHARGE:

The City of Post Falls finds it appropriate and necessary that property owners benefited by municipal utility systems pay, at a minimum, the fixed capital and operational costs of the utility systems maintained to serve their property. The following provisions establish a base rate for availability of reclaimed water services and allowing a temporary waiver of solid waste collection fees when the property is unoccupied for thirty days or more.

- A. Notwithstanding any provisions of prior resolution to the contrary, every residential connection to the City reclaimed water collection and treatment system shall pay a minimum monthly charge (base rate) of \$22.77 for each month, or part thereof, for every month that reclaimed water disposal and treatment service are available to the property by connection but the residence is unoccupied and has been for a period of thirty (30) days or more. Commercial or industrial uses shall likewise pay a base monthly reclaimed water charge of \$22.77 per month per equivalent residential unit for those months during which the property is connected to the reclaimed water collection and treatment system but is unoccupied and has been for a period of thirty (30) days or more.

- B. Further, notwithstanding any provision of prior resolutions to the contrary, the monthly sanitation (solid waste) collection charge for any property to which water service is temporarily discontinued for a period of thirty (30) days or more may be temporarily waived proportionate to the time that water service is discontinued. The standard disconnect fee will be charged in association with this water disconnection if disconnection is restored earlier than thirty (30) days.

MISCELLANEOUS UTILITY FEES:

Water Shut Off Fee - Per Occurrence		\$35.00
Pre-Treatment Sampling	Cost plus 15% admin fee	
Dye Test	\$	50.00
Locate Disk (refundable on return)	\$	15.00
Meter Fee	Cost of Meter	
Dig-in-fee	Cost of Labor and Equipment	

ATTACHMENT 2 - RECREATION FEES

Recreation Activities Fees:

All recreation classes will have \$2.00 added to the listed price that will go directly to the Park Trust Account.

	<u>Resident</u>		<u>Non-Resident</u>	
Youth Competitive Basketball	\$ 478.00	Team	\$ 495.00	Team, extra player \$36.00
Youth Rec. League Basketball	\$ 41.00		\$ 49.00	
Men's Basketball League	\$ 427.00	Team	\$ 459.00	Team, extra player \$26.00
Pre K - Kind. Instructional Basketball	\$ 41.00		\$ 49.00	
Youth T-Ball	\$ 41.00		\$ 49.00	
Youth Soccer	\$ 41.00		\$ 49.00	
Youth Flag Football	\$ 41.00		\$ 49.00	
Smart Start Flag Football	\$ 49.00		\$ 53.00	
Adult Flag Football	\$ 551.00	Team	\$ 592.00	Team, extra player \$30.00
Adult Volleyball Leagues	\$ 220.00	Team	\$ 240.00	Team, extra player \$30.00
Adult Co-ed 4 Volleyball	\$ 220.00	Team	\$ 240.00	Team
Youth Dance (3 - 9 yrs.) - 9 wks.	\$ 98.00		\$ 98.00	
Gymnastics (2 - 3 yrs.) - 5 wks.	\$ 48.00		\$ 48.00	
Gymnastics (4 - 6 yrs.) - 5 wks.	\$ 50.00		\$ 50.00	
Martial Arts Classes - 4 wks.	\$ 39.00	(1/2 hour)	\$ 50.00	(1 hr.)
Youth Triathlon Camp - wk.	\$ 117.00		\$ 117.00	
Youth Golf Camp - wk.	\$ 115.00		\$ 115.00	
Youth Basketball Camp - wk.			\$ 87.00	Half Day
Youth Volleyball Camp - wk.	\$ 119.00		\$ 119.00	
Mini Hawk Camp	\$ 99.00		\$ 99.00	
Flag Football Camp	\$ 145.00		\$ 145.00	
Youth Soccer Camp - wk.	\$ 145.00		\$ 145.00	
Triathlon - Adult	\$ 80.00	Individual	\$ 160.00	
Aerobic Cheerleading - 10 wks.	\$ 119.00		\$ 119.00	
Aerobics	\$ 22.00	x 1 wk.	\$ 22.00	x 1 wk.
	\$ 26.00	x 2 wk.	\$ 26.00	x 2 wk.
	\$ 30.00	x 3 wk.	\$ 30.00	
Basketball, Open Gym	\$ 5.00		\$ 5.00	
Cross Country Skiing	\$ 36.00	own gear	\$ 36.00	own gear
	\$ 52.00	rent gear	\$ 52.00	
Guitar, Intro. - 4 wks.	\$ 50.00		\$ 50.00	
Gym, Parent Tot - 4 wks.	\$ 30.00		\$ 35.00	
Landscaping Class/Gardening	\$ 22.00		\$ 22.00	
Running shoes & Microbrews - 5K	\$ 40.00	over 21	\$ 50.00	
Rock Climbing: outdoor	\$ 150.00	Plus Equip	\$ 150.00	Plus Equip

ATTACHMENT 2 - RECREATION FEES (Continued)

Rock Climbing: indoor	\$ 31.00		\$ 31.00	
Tennis, Individual	\$ 50.00	(1.5 hr.)	\$ 60.00	(1.5 hr.)
Piano	\$ 48.00		\$ 48.00	
Art in the Park	\$ 34.00		\$ 34.00	
Summer Dance Camp	\$ 50.00		\$ 50.00	
Volleyball, Open Gym	\$ 5.00		\$ 5.00	
Youth Volleyball - Open Gym	\$ 5.00		\$ 5.00	
Yoga Class - 4 wks.	\$ 39.00		\$ 39.00	
Youth Baseball	\$ 41.00		\$ 49.00	
Youth Baseball - Smart Hitters	\$ 49.00		\$ 53.00	
Youth Basketball	\$ 41.00		\$ 49.00	
Youth Sponsorship	\$ 225.00		\$ 225.00	
Youth Volleyball	\$ 41.00		\$ 49.00	
Day Camp (K - 8th Grade) - wk.	\$ 200.00		\$ 200.00	
Pee Wee Camp - wk.	\$ 135.00		\$ 155.00	
Wilderness Camp - wk.	\$ 300.00		\$ 300.00	
JACC Arts Camp - wk.	\$ 225.00		\$ 225.00	
Winter Day Kamp	\$ 200.00		\$ 200.00	
Spring Day Kamp	\$ 200.00		\$ 200.00	
Camp Extended Care - wk.	\$ 80.00		\$ 80.00	
Camp Counselor In Training - wk.	\$ 50.00		\$ 50.00	
Camp No School Days - day.	\$ 40.00		\$ 40.00	
Golf Lessons - 5 wks.	\$ 95.00		\$ 95.00	
Intro. To Bowling - 4 wks.	\$ 39.00		\$ 39.00	
Photography Classes	\$ 30.00		\$ 30.00	
Snowshoe Classes	\$ 36.00		\$ 36.00	
Spokane Chiefs Tickets	\$ 20.00		\$ 25.00	
White Water Rafting Trips				
Spokane River	\$ 52.00	cost + 50%	\$ 52.00	cost + 50%
Clark Fork River	\$ 73.00	cost + 50%	\$ 73.00	cost + 50%
Spokane or Clark Fork-Wine Taste	\$ 73.00	cost + 50%	\$ 73.00	cost + 50%
Ice Skating Lessons - 8 wks.	\$ 100.00		\$ 100.00	
Hockey Lessons - 5 wks.	\$ 70.00		\$ 70.00	
Preschool Workshops	\$ 10.00		\$ 10.00	
Preschool - Discovery Art (4 wks.)	\$ 40.00		\$ 40.00	
Youth Volleyball - Competitive	\$ 168.00	Team	\$ 194.00	Team, extra player \$29.00
Archery	\$ 65.00	(6-12 yr. olds)	\$ 65.00	(13-18 yr. olds)
Pickleball Lessons	\$ 50.00		\$ 50.00	
River City Basketball Tournament	\$ 275.00	Team	\$ 275.00	
Murder Mystery Party	\$ 59.00	per person	\$ 59.00	per person
Dodgeball Tournament	\$ 98.00	Team	\$ 98.00	Team
Volleyball Tournament	\$ 98.00		\$ 98.00	
Daddy Daughter Program	\$ 40.00		\$ 40.00	

ATTACHMENT 2 - RECREATION FEES (Continued)

Snow Tubing Trip		
Adult	\$ 45.00	\$ 50.00
Youth	\$ 37.00	\$ 37.00
Camping 101	\$ 55.00	\$ 55.00
E-Sports Tournaments	\$ 25.00	\$ 25.00
Volleyball and Football Clinics	\$ 45.00	\$ 45.00
Theater Arts	\$ 65.00	\$ 65.00
Arts Enrichment	\$ 40.00	\$ 40.00
Pickleball Tournament	\$ 30.00	\$ 30.00
Ladies Day Out	\$ 50.00	\$ 50.00
Comics Design	\$ 25.00	\$ 25.00
Gaming Introduction	\$ 12.00	\$ 12.00
Strider Camp	\$ 115.00	\$ 115.00
Kickball Tournament	\$ 125.00	\$ 125.00
Preschool Holiday Art	\$ 20.00	\$ 20.00
Sponsorships	Negotiated	Negotiated

Festival Fees:

10 X 10 Food Booth	\$270.00
10x15 Food Booth	\$400.00
10x20 Food Booth	\$540.00
10 X 10 Craft Booth	\$150.00
10x20 Craft Booth	\$300.00
10x10 Prepackaged Food Booth	\$240.00
Electricity Fees	\$45.00 per plug / 220 vold outlet @ \$180
Camping Fees	\$150.00
One Day Craft Booth	\$50.00
Odd sized and special activities based upon negotiated activities.	
Event Sponsorship	Negotiated
Bridal Fair Booth	\$50.00
Post Falls Festival/Craft Booth	\$50.00

Centennial Trail User Fee:

Request for special events to use the Centennial Trail will be charged a \$0.50 per user fee that will go towards the upkeep and maintenance of the Centennial Trail. There is also a re-fundable \$500.00 performance deposit required.

Contracted Programs:

Fees for contracted programs will be that amount established in the contract between

ATTACHMENT 2 - RECREATION FEES (Continued)

the Contractor and the City of Post Falls, which will take into consideration the number of participants, supplies, equipment and Contractor's other costs.

New Programs:

Fees will be set to cover Program hard costs (staff, supplies, marketing, facility rental) plus 30% to cover administrative costs.

Tournaments

Fees will be set to cover the use of the City facilities. Minimum charge is \$100.00 per day and up to \$500.00 per day based on the scope of the event and fees being charged. Fees for field preparation might be charged, if necessary.

Miscellaneous Recreation Fees:

A \$75 fee is charged for the rescheduling and/or forfeit of games in League Sports programs. Late registrations (following the pre-season meeting) for youth sports

ATTACHMENT 3 - PARK FEES

Picnic Shelter Fees:

Grand Pavilion & Tullamore Amphitheater:

	<u>Resident</u>		<u>Non-Resident</u>	
	Weekday	Weekend	Weekday	Weekend
Family	\$ 125.00	\$ 250.00	\$ 175.00	\$ 350.00
Non Profit	\$ 150.00	\$ 300.00	\$ 200.00	\$ 400.00
Business	\$ 175.00	\$ 350.00	\$ 225.00	\$ 450.00

Picnic Shelter/West Lawn Area/Higgins/Tullamore South Pavilion:

	Weekday	Weekend	Weekday	Weekend
Family	\$ 100.00	\$ 175.00	\$ 150.00	\$ 225.00
Non Profit	\$ 125.00	\$ 200.00	\$ 175.00	\$ 250.00
Business	\$ 150.00	\$ 225.00	\$ 200.00	\$ 275.00

Gazebo/Corbin Park/Falls Park/Syringa

	Weekday	Weekend	Weekday	Weekend
Family	\$ 50.00	\$ 125.00	\$ 100.00	\$ 175.00
Non Profit	\$ 75.00	\$ 150.00	\$ 125.00	\$ 200.00
Business	\$ 100.00	\$ 175.00	\$ 150.00	\$ 225.00

General Picnic Shelters:

	Weekday	Weekend	Weekday	Weekend
Family	\$ 25.00	\$ 50.00	\$ 35.00	\$ 60.00
Non Profit	\$ 30.00	\$ 55.00	\$ 40.00	\$ 65.00
Business	\$ 35.00	\$ 60.00	\$ 45.00	\$ 70.00

Trailhead Shelter

	Weekday *	Weekend **
	<u>(Mon-Thur)</u>	<u>(Fri/Sat/Sun)</u>
Regular:	\$75.00/hr.	\$100.00/hr.
Holiday:	\$115.00/hr.	\$150.00/hr.
	* Minimum of 2 hours.	
	** Minimum of 4 hours.	

ATTACHMENT 3 - PARKS FEES (Continued)

Daily Fees:

	<u>Resident</u>		<u>Non-Resident</u>
Cars	6.00	Cars	\$ 10.00
RV	15.00	RV	\$ 30.00
Boat Launch	15.00	Boat Launch	\$ 30.00
Busses *	50.00	Busses *	\$ 50.00

* Busses will be classified as any vehicle requiring a commercial drivers license (CDL) to operate.

Season Pass **

	<u>Resident</u>		<u>Non-Resident</u>
Cars	20.00	Cars	50.00
Bus	150.00		150.00

** Each household within the City limits of Post Falls will receive one complimentary parking pass for Q'Emiln Park per calendar year. Any lost and/or additional passes will result in the required fee. Complimentary parking passes will be verified by a valid drivers license.

Ball/Sports Field Usage Fees:

Use/Reservation of field	\$10.00/hr.
Pre-game prep of baseball fields	\$35.00/time
Pre-game prep of soccer & football fields	\$35.00/time
Additional material (ex: drying agent)	Charged at cost

*Organized league users may be eligible for adjusted fees if supply equipment for City use.

Miscellaneous Items:

Gym Rental	\$20.00/hr.
Community Garden	
4 X 8 Plot	\$ 20.00
20 X 20 Plot	\$ 40.00
Deposit	\$ 25.00

ATTACHMENT 4 - CEMETERY FEES

Burial Lots

Roadside	\$ 1,800.00
Middle	\$ 1,600.00
Inner	\$ 1,400.00
Cremation Lot	\$ 1,150.00
2nd Use Lot	Half of lot fee

Blocks 101, 103, 106, 107 & 108

All lots	\$ 2,500.00
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Double depth lots are 1.5 X the lot cost

Niche - Top	\$ 1,350.00
Niche - Middle	\$ 1,300.00
Niche - Bottom	\$ 1,250.00

Niches Blocks 100 -155

Row A (top)	\$ 1,800.00
Row B	\$ 1,700.00
Row C	\$ 1,600.00
Row D	\$ 1,500.00
Row E	\$ 1,400.00
Row F (bottom)	\$ 1,300.00

Opening and Closing - Lots

Single depth	Weekdays	\$ 500.00
Double depth - 1st	Weekdays	\$ 600.00
Double depth - 2nd	Weekdays	\$ 500.00
Single depth/Top double	Saturday (No Sunday)	\$ 800.00
Double depth - 1st	Saturday (No Sunday)	\$ 900.00
Additional to above pricing:		
	After 3 PM	\$ 250.00
	Winter Surcharge	\$ 75.00
	Holiday Weekend/Saturday	\$ 450.00

Opening and Closing - Niche

Weekdays	\$ 350.00
Saturday (No Sunday)	\$ 650.00

Additional to above pricing:

After 3 PM	\$ 250.00
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Holiday Weekend/Saturday \$ 450.00

Miscellaneous

Headstone Locations	\$ 100.00
Setting Military Markers	\$ 125.00
Setting Markers	\$ 200.00
Moving Markers/Headstones	\$ 200.00
	Based upon
Oversize Headstones	scope of job
Liners	2.5 X Cost
Deed Transfer	\$ 75.00
Engraving	2.5 X Cost
Sell Lot Back to City	\$ 75.00
Temporary Markers	2.5 X Cost
Markers	2.5 X Cost
Ancillary Items	2.5 X Cost
Memorial Tree	\$ 750.00

ATTACHMENT 5 - COMMUNITY DEVELOPMENT FEES

ANNEXATION (Standard)

Annexation Pre-Application Conference	\$600.00 plus \$300.00/follow-up meeting
Annexation Application	\$3,000 w/out major infrastructure (includes one agreement). Negotiated fees with infrastructure issues (includes one agreement). \$500.00 for each additional agreement.
Annexation Fee (paid w/building permit)	\$1,000 per lot per unit (residential) \$0.10 per square ft. of property (non-residential)

BUILDING

Plan Check Deposit	Paid at Plan Submittal
Residential	\$150.00
Duplex	\$300.00
Townhouse Unit	\$150.00 per unit
Commercial	Valuation
Provisional Certificate of Occupancy	\$250.00 flat fee
Board of Appeals Application Fee	\$150.00 flat fee
Residential Plan Review	25% of building permit
Commercial Plan Review	65% of building permit
Commercial Mechanical Plan Review	25% of mechanical permit
Foundation Only Permit	10% of building permit in addition to the full building permit fee
Work Performed with no valid permit	Regular Building/Mechanical permit fee X 2
Retaining Walls	\$4.50 per Linear Foot
Manufactured Home Regular Set	\$150.00 flat fee
Manufactured/Modular Home Foundation	\$400.00 flat fee
Building Move	\$300.00 flat fee
Additions to Residential Homes	\$72.62 per sq. ft. (use Building Valuation Chart to calculate permit & review fee)
Patio Cover Only	\$20.00 per sq. ft. (use Building Valuation Chart to calculate permit & review fee)
Deck Only	\$15.00 per sq. ft. (use Building Valuation Chart to calculate permit & review fee)
Deck w/Cover	\$20.00 per sq. ft. (use Building Valuation Chart to calculate permit & review fee)
Deck/Patio Cover and Enclosure	\$25.00 per sq. ft. (use Building Valuation Chart to calculate permit & review fee)
Breezeway	\$20.00 per sq. ft. (use Building Valuation Chart to calculate permit & review fee)
Interior Finish Residential Homes	\$20.00 per sq. ft. (use Building Valuation Chart to calculate permit & review fee)
General Building Permit Valuation per Occupancy and Type of Construction	Per Building Safety Journal 7/2008 to establish valuation
Basement - Finished	\$96.83 per sq. ft. (use Building Valuation Chart to calculate permit & review fee)
Basement - Unfinished	\$77.46 per sq. ft. (use Building Valuation Chart to calculate permit & review fee)
Pole Building Residential	\$20.00 per sq. ft. (use Building Valuation Chart to calculate permit & review fee)
Special Inspection/Re-inspection	\$100.00 per hour, one hour minimum
Re-Roof, Residential	\$150 flat fee
Re-Roof, Commercial	Based upon the valuation of the work to be performed, minimum of \$150 fee.
Residing a Structure, Residential	Residential - \$100 flat fee.
Residing a Structure, Commercial	Based upon the valuation of the work to be performed, minimum of \$100 fee.
Replacing Windows, Residential	Residential - \$100 flat fee.
Replacing Windows, Commercial	Based upon the valuation of the work to be performed, minimum of \$100 fee.
Changes to Approved plans	\$100 per hour, one half hour minimum.
Each Pole/Monument sign 8 ft. or higher	\$400.00 each
All Other Signs, per type of sign per site	\$200.00 per type
Demolition-Residential per lot	\$200.00 flat fee
Demolition-Commercial per lot	\$300.00 flat fee
Swimming Pool	Based upon the valuation of the work to be performed.

TOTAL VALUATION

PERMIT FEE WORKSHEET

\$1.00 to \$500	\$23.50
\$501 to \$2,000	\$23.50 for the first \$500 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000.
\$2,001 to \$25,000	\$69.25 for the first \$2,000 plus \$14 for each additional \$1,000, or fraction thereof, to and including \$25,000.
\$25,001 to \$50,000	\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000.

ATTACHMENT 5 - COMMUNITY DEVELOPMENT FEES (Continued)

\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000.
\$100,001 to \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000.
\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000 plus \$3.15 for each additional \$1,000, or fraction thereof.

MECHANICAL PERMIT FEES

Processing fee on all permits	\$45.00
Furnace, all types under 100KBTU	\$18.00
Furnace, all types over 100KBTU	\$22.00
Misc. venting, C/A, duct modifications	\$15.00
Gas fireplace	\$25.00
Residential range hood	\$16.00
Gas water heater	\$15.00
Ventilating/exhaust fans	\$10.00
Gas piping, each outlet	\$5.00
Clothes dryers	\$16.00
Heat pump, A/C 0-3 tons,	\$16.00
Heat pump, A/C 3+-15 tons,	\$30.00
Heat pump, A/C 15+-30 tons,	\$40.00
Heat pump, A/C 30+-50 tons,	\$60.00
Heat pump, A/C over 50 tons,	\$100.00
Air handlers, Fan coil units under	\$15.00
Air handlers, Fan coil units over 10,000	\$20.00
Air to air heat exchangers	\$25.00
Evaporative coolers, all types	\$15.00
Type I hood, commercial use	\$16.00/ft.
Type II hood, commercial use	\$16.00/ft.
Solid fuel stoves, inserts, must be listed	\$25.00
Installation/relocation of floor/wall/suspended heaters	\$20.00
Commercial plan review fee	25% of equipment fees.

RESIDENTIAL/COMMERCIAL/INDUSTRIAL

Utility R-O-W	\$100.00
Commercial R-O-W (Base fee)	\$350.00
Residential R-O-W (Base fee)	\$150.00
Utility Trench Inspection	
1 - 200 ft.	\$250.00
201 - 200 ft.	\$350.00
401 - 600 ft.	\$400.00
601 - 800 ft.	\$450.00
Over 800 ft.	\$0.85 per ft.
Curb and Gutter	\$150.00 + \$0.60 per ft.
Sidewalk and Approaches	\$150.00 + \$0.60 per ft.
Swales and Drywells	\$150.00 + \$0.20 per sq. ft. Swale + \$60.00/Drywell
Pavement	\$150.00 + \$0.50 per sq. yard
Water Pressure Test	\$120.00/observed test
Sewer Pressure Test	\$120.00/observed test
Street Tree Inspection	\$40.00 per tree

MAPS

Small Map (24"-35")	\$25.00
Large Map (36" +)	\$35.00
Electronic CD	\$20.00

MAILING AND PUBLICATIONS

Public Notice Mailings	\$6.00 each
Published Notices (billed to applicant)	\$300.00

MISCELLANEOUS

Table A-33-A - Grading Plan Review Fees

50 cubic yards or less	No fee
51 to 100 cubic yards	\$35.00
101 to 1,000 cubic yards	\$55.00
1,001 to 10,000 cubic yards	\$75.00
10,001 to 100,000 cubic yards	\$75.00 for the first 10,000 cubic yards + \$40.00 for each additional 10,000 cubic yards or fraction thereof.
100,001 to 200,000 cubic yards	\$435.00 for the first 100,000 cubic yards + \$20.00 for each additional 10,000 cubic yards or fraction thereof.
200,001 cubic yards or more	\$615.00 for the first 200,000 cubic yards + \$10.00 for each additional 10,000 cubic yards or fraction thereof.
Other Fees: Additional plan review required by changes, additions or revisions to approved plans	\$100.00 per hour*

*Or the total hourly cost to the jurisdiction, whichever is the greatest. The cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

Table A-33-B - Grading Permit Fees¹

50 cubic yards or less	\$35.00
51 to 100 cubic yards	\$55.00
101 to 1,000 cubic yards	\$55.00 for the first 100 cubic yards + \$25.00 for each additional 100 cubic yards or fraction thereof.
1,001 to 10,000 cubic yards	\$280.00 for the first 1,000 cubic yards + \$22.00 for each additional 1,000 cubic yards or fraction thereof.
10,001 to 100,000 cubic yards	\$480.00 for the first 10,000 cubic yards + \$100.00 for each additional 10,000 cubic yards or fraction thereof.
100,001 cubic yards or more	\$1,380.00 for the first 100,000 cubic yards + \$55.00 for each additional 10,000 cubic yards or fraction thereof.
Other inspections and Fees:	
Inspections outside of normal business hours (minimum charge - two (2) hours)	\$100.00 per hour ²
Reinspection fees assessed under provisions of Section 108.8	\$100.00 per hour ²
Inspections for which no fee is specifically indicated (minimum charge - one half (1/2) hour)	\$100.00 per hour ²

¹ The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

² Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

Road Closure/Lane Closure	\$150.00
Street/Plat Vacation	\$750.00
Off-Site Improvement Waiver	\$150.00

Special Pre-Application Meeting Requests	\$250.00 (1st Meeting No Charge, 2nd request \$250.00)
Floodplain Permit	\$50.00

SUBDIVISION

Subdivision Pre-Application Conference	\$600.00, \$300.00 follow-up meetings
Minor Subdivision	\$1,000
Subdivision Amendment	\$500
Subdivision Fee	\$2,500.00 + \$50.00/lot
Subdivision Extension	\$150.00
Construction Plan Review	\$2,000.00 + \$50.00/lot >50 lots
Condominium <50 units	\$750.00
Condominium >50 units	\$750.00 + \$10.00/unit >50 units
Final Plat <50 lots	\$600.00
Final Plat >50 lots	\$600.00 + \$10.00/lot >50 lots
Engineering Construction Srvs. (Commercial)	See Commercial R-O-W Fees
Engineering Construction Srvs.(Residential)	\$350.00/lot
Engineering Construction Improvement Agreement	\$750.00

ZONING (Standard & Smart Code)

Smart Code Regulating Plan Review	\$3,500.00
Special Use Permit	\$750.00
Zone Amendment (Map/Text)	\$1,200.00
Variance	\$350.00
Preliminary PUD	\$2,500.00
Final PUD	\$1,000.00
PUD Modification/Amendment Major	\$1,500.00
PUD Modification/Amendment Minor	\$200.00
Comprehensive Plan Amendment (Map/Text)	\$1,200.00
Site Plan Review (Commercial and 3plex+)	\$2,000 (two reviews), \$250.00 (additional reviews or meetings).
Administrative Permit	\$300.00
Parking Lot Permit	\$500.00
Tree Installation Fee	\$600.00
Appeal (P&Z, Staff Action, or City Council)	\$350.00
License To Use Real Property	\$1,000.00
Development Agreement Addendum	\$600.00
Fee in lieu for parking	\$6,102.00

SPECIAL EVENTS

Special Event Permit	\$100.00 Parade Fee (No Fee for other events)
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ATTACHMENT 5 - COMMUNITY DEVELOPMENT FEES**ELECTRICAL**

Residential	
Up to 1,500 sq. ft.	\$130.00
1,501 to 2,500 sq. ft.	\$195.00
2,501 to 3,500 sq. ft.	\$260.00
3,501 to 4,500 sq. ft.	\$325.00
Over 4,500 sq.ft.	\$325 plus \$65 for each additional 1,000 sq. ft. or portion thereof.
New Multi-Family Dwelling (contractors only):	
Duplex	\$260.00
Three or more multi-family unites	\$130 per building plus \$65 per unit.
Existing Residence/Modular, Manufactured or Mobile Homes/Detached Shop/Garage	\$65 fee (one circuit included) plus \$10 per additional branch circuit, up to the maximum of the corresponding square feet of the building.
Spas and Hot Tubs	\$65.00 for each inspection.
Swimming Pools	\$130.00 (covers two (2) mandatory inspections with the exception of lighting.)
Miscellaneous	
Signs	\$65 per sign.
Outline Lighting	\$65 per occupancy.
Other	\$65 per hour.
Requested Inspection	\$65 per hour.
Power has been off for over 1 year.	\$65 per hour.
Plan Check (2 hour minimum)	\$65 per hour.
Temporary Service	\$65 for 200 amps or less; over 200 amps - see Commercial.
Reinspection Fee	\$100.00
Work without permit	Failure to obtain permit prior to commencing work (fee equal to permit).
Commercial/Industrial	
Total Cost of Electrical System (contracted amount)	
Up to \$10,000:	(Total cost of system * 0.02) + \$60
\$10,001 to \$100,000.:	((Total cost of system - 10,000) * 0.01) + \$260
\$100,001 and over:	((Total cost of system - 100,000) * 0.005) + \$1,160
Plan Review Fee	(NEC, Building & Energy Code Compliance) 55% of Electrical Permit Fee.

PLUMBING

Bar Sinks	\$8.00 + \$35.00 processing fee on all permits.
Bath Tub, including shower	\$8.00 + \$35.00 processing fee on all permits.
Backflow Assembly (Building)	\$8.00 + \$35.00 processing fee on all permits.
Backflow Assembly (Landscape)	\$8.00 + \$35.00 processing fee on all permits.
Backwater Valve	\$8.00 + \$35.00 processing fee on all permits.
Clothes Washer	\$8.00 + \$35.00 processing fee on all permits.
Drain waste/vent piping, alteration/replacement each fix	\$8.00 + \$35.00 processing fee on all permits.
Floor Drains/Hub Drains	\$8.00 + \$35.00 processing fee on all permits.
Gas Piping	\$8.00 + \$35.00 processing fee on all permits.
Kitchen Sinks and /or dishwasher	\$8.00 + \$35.00 processing fee on all permits.
Lavatory (wash basins)	\$8.00 + \$35.00 processing fee on all permits.
Lawn Sprinklers from water connect through backflow c	\$8.00 + \$35.00 processing fee on all permits.
Mobile Home W/S Hook up	\$8.00 + \$35.00 processing fee on all permits.
Other	\$8.00 + \$35.00 processing fee on all permits.
Radiant Head (Quantity equals # of zones)	\$8.00 + \$35.00 processing fee on all permits.
Sewer Ejector/Sump Pump	\$8.00 + \$35.00 processing fee on all permits.
Sewer Service	\$8.00 + \$35.00 processing fee on all permits.
Showers	\$8.00 + \$35.00 processing fee on all permits.
Utility Sinks	\$8.00 + \$35.00 processing fee on all permits.
Water Closet (toilet)	\$8.00 + \$35.00 processing fee on all permits.

ATTACHMENT 5 - COMMUNITY DEVELOPMENT FEES (Continued)

Water Heater	\$8.00 + \$35.00 processing fee on all permits.
Water Piping, alteration or replacement, each fixture.	\$8.00 + \$35.00 processing fee on all permits.
Water Service	\$8.00 + \$35.00 processing fee on all permits.
Water Softener	\$8.00 + \$35.00 processing fee on all permits.
Residential Fire Sprinkler Supply from Domestic Water System	\$65.00 (up to 16 heads)
Residential Fire Sprinkler Supply from Domestic Water System.	\$4.00 per head (17 heads and up)
Commercial Fee Schedule	
Up to the 1st \$20,000	3% of the contract price.
\$20,001 to \$100,000	2% of the contract price.
\$100,001 to \$200,000	1% of the contract price.
Over \$200,001	.5% of the contract price.

IMPACT FEES

Type of Use	Parks	Public Safety	Streets	Multimodal	Fire/EMS	Total
Residential		Per Housing Unit				
Multi-Family	\$ 3,130	\$ 380	\$ 965	\$ 731	\$ 1,339	\$ 6,546
Single-Family	\$ 4,206	\$ 511	\$ 1,707	\$ 982	\$ 1,339	\$ 8,745
Non-Residential						
Commercial /Shopping Center	N/A	\$ 0.51	\$ 3.40	\$ 0.96	\$ 0.67	\$ 5.54
Office	N/A	\$ 0.20	\$ 1.32	\$ 0.37	\$ 0.67	\$ 2.57
Light Industrial	N/A	\$ 0.10	\$ 0.68	\$ 0.19	\$ 0.67	\$ 1.64
Manufacturing	N/A	\$ 0.08	\$ 0.53	\$ 0.15	\$ 0.67	\$ 1.43
Warehousing	N/A	\$ 0.03	\$ 0.23	\$ 0.07	\$ 0.67	\$ 1.00
Mini-Warehouse	N/A	\$ 0.03	\$ 0.20	\$ 0.05	\$ 0.67	\$ 0.96
Elementary School	N/A	\$ 0.26	\$ 1.75	\$ 0.48	\$ 0.67	\$ 3.17
Middle School/Junior High	N/A	\$ 0.27	\$ 1.82	\$ 0.52	\$ 0.67	\$ 3.28
High School	N/A	\$ 0.19	\$ 1.27	\$ 0.36	\$ 0.67	\$ 2.49
Day Care	N/A	\$ 0.64	\$ 4.30	\$ 1.21	\$ 0.67	\$ 6.82
Church	N/A	\$ 0.15	\$ 0.95	\$ 0.26	\$ 0.67	\$ 2.03
Assisted Living	N/A	\$ 0.09	\$ 0.57	\$ 0.16	\$ 0.67	\$ 1.48
Nursing Home	N/A	\$ 0.14	\$ 0.88	\$ 0.26	\$ 0.67	\$ 1.95
Recreational Community Center	N/A	\$ 0.59	\$ 3.83	\$ 1.12	\$ 0.67	\$ 6.20
Hotel (per room)	N/A	\$ 171.82	\$ 1,144.14	\$ 323.06	\$ 1,339	\$ 2,978.02

ATTACHMENT 6 - PUBLIC SAFETY FEES

All Violations of Title 6 - Animal Control Violations

First Offense	\$ 25.00
Second Offense	\$ 50.00
Third Offense	\$ 100.00

Animal Control Impound Fees

Impound For (up to 72 hours)	\$ 25.00
After 72 hours	\$10.00/Day

Animal Control Licenses

Spayed/Neutered Canine	\$1.25/Month
Not Spayed/Neutered Canine	\$2.25/Month
Spayed/Neutered Cat	Free
Not Spayed/Neutered Cat	Will Not License
Miniature Pig	\$25.00 (one-time fee)
Adoption Fee	\$40.00

Police Department Fees and Fines

VIN Inspections	\$ 5.00
Vehicle Storage	\$15.00/Day
Parking Fine	\$ 20.00
Fingerprinting	\$10.00 first card \$5.00 each additional card
Salvage Permit Fee - 30 days	\$ 75.00
Salvage Permit Fee - 6 months	\$ 300.00*

*eligible for a \$50 refund/month if vehicle(s) is removed from the premises prior to the expiration date of the permit

Use of Police Department Community Room

Refundable Cleaning & Damage Deposit	\$ 25.00
Use of Audio/Visual Equipment	\$10.00/Day
Special Room Configuration and Setup	\$25.00 minimum
Room Use	\$ 25.00

False Alarms Fees

The revise First Offense	\$	25.00
Second Offense	\$	50.00
Third Offense	\$	100.00

Title 5 Fees

Sexually Oriented Business	\$300.00	Annually
Bathhouses & Massage Parlors	\$300.00	Annually

ATTACHMENT 7 - ADMINISTRATIVE FEES**Business Licenses & Regulations**

Alcoholic Beverage Licenses

Beer (off premises)	\$ 50.00	Annually
Beer (on premises)	\$ 200.00	Annually
Wine (off premises)	\$ 200.00	Annually
Wine (on premises)	\$ 200.00	Annually
Liquor/Wine (on premises)	\$ 562.50	Annually
Liquor/Wine (club)	\$ 281.25	Annually
Liquor/Wine (golf course)	\$ 300.00	Annually
Catering Permit	\$ 20.00	Daily
Door to Door Solicitation (180 days only)	\$ 25.00	Annually
Merchant Security Police	\$ 25.00	Annually
Business Licenses	\$ 25.00	Annually

Media Department

Use of audio/visual equipment, including but not limited to presentation equipment in the Council Chambers	\$35.00/hr.
Maximum Daily Fee	\$ 150.00
Taping/broadcast and facility use	\$50.00/hr.

City Hall Area Use Fee

Rotunda	\$ 100.00
Council Ante Room	\$ 50.00
Council Chambers	\$ 200.00
Plaza- Full Day	\$ 250.00
Plaza- Half Day	\$125.00
Carpet Soiling Surcharge	\$ 50.00

Deposit

Rotunda	\$ 50.00
Council Ante Room	\$ 25.00
Council Chambers	\$ 75.00
Plaza	\$ 150.00

Miscellaneous

City Street Renaming	\$ 250.00
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ATTACHMENT 8 - LOCAL IMPROVEMENT DISTRICT FEES

2 % Penalty	Charged after 30 day grace period
Idaho State judgment rate of interest, not to exceed 10% per annum	Charged as of delinquency certificate filing
Professional Services Fee	Bond Counsel Fees as billed, any other professional necessary as billed and actual staff time as calculated on staff's hourly benefited rate of pay
Early Pay-off Fee	Current LID principal, interest and penalty balance + calculated interest for current year + one year interest + a 2% penalty (calculated on the total aforementioned amounts)
Segregation Fee	Bond Counsel Fees as billed, any other professional necessary as billed and actual staff time as calculated on staff's hourly benefited rate of pay

ATTACHMENT 9 - RECORDS & COPY FEES

Records Oversight & Copy Fee Schedule - consistent with Records Policy and Idaho Law (no research or redaction required; over 100 copies or over 2 hours of copying or hours of records oversight, cumulatively - first 100 copies of back and white per 8 1/2" x 11" image area at no charge so long as can be done in less than 2 hours)

Black and White Copies	\$0.05 per page (not to exceed 11"x17")
Color Copies	\$0.10 per page (not to exceed 8 1/2"x11")
DVD Copies	\$1.00 each
CD Copies	\$1.00 each
Photos	\$2.00 each per 8 1/2"x10" or smaller image
VHS Tape (PD)	\$2.00 each
Oversized Documents (greater than 11"x17")	Net cost of duplication by outside vendor
Records examination oversight (for services beyond 2 hours in any calendar year)	Lowest hourly wage plus benefited amount (25% of wage) of any employee qualified to assist in the records research and oversight
	Lowest hourly wage plus benefited amount (25% of wage) of any employee qualified to assist in the records research and oversight.
Examination for redaction of confidential information	Legal services concerning redaction examination shall be charged at actual cost charged to City by qualified counsel whether prosecutor (employee - actual wage plus 25% benefits) or City attorney's office (contract counsel at actual billed rate)

Records sought to be copied must be City records that actually exist. The City does not perform research projects for those who request records that require compilation. Records examination and copying must conform to available personnel to assure that regular City business can be maintained.

Prepayment is required for any records-related activities that exceed 2 hours during any calendar year. Prepayment amounts will be based upon good faith estimates of time and resources required. When records have been produced pursuant to a prepaid request and the amount prepaid exceeds actual costs, the City will refund any balance that is not expended in provision of services or copies. Copying will not be completed unless prepaid, as required.

Serial records requests that are related to one another in any way will be treated as one request for purposes of calculating, copying, or records oversight charges during any calendar year.

ATTACHMENT 9 - RECORDS AND COPY FEES (Continued)

Records produced pursuant to this fee schedule and the policy it accompanies shall not be used for mail or telephone solicitation as prohibited by law. A person requesting such records may be asked to affirm compliance with such requirement by signature on a request form or similar document.

**CITY OF POST FALLS
AGENDA REPORT
ORDINANCE & RESOLUTIONS
MEETING DATE: September 6, 2022**

DATE: August 30th, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Jason Faulkner, Finance Director
SUBJECT: Resolution – FY 2023 Forgone Taxes

ITEM AND RECOMMENDED ACTION: Approve as presented.

DISCUSSION: The City is allowed to take 3% of the highest previous 3 years and for fiscal year 2023, that amount is \$394,714. During the budget public hearing, Council authorized the use of \$68,864 to supplement the amount restricted by HB 389. HB 389 restricts City's to use 90% of new construction and annexation and 80% of Urban Renewal District Closures. Therefore, \$325,850 will be transferred to foregone taxes.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON: 8/16/22

APPROVED OR DIRECTION GIVEN: N/A

FISCAL IMPACT OR OTHER SOURCE OF FUNDING: N/A

BUDGET CODE: N/A

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF _____, IDAHO, RESERVING THE FORGONE AMOUNT FOR FISCAL YEAR 2023 FOR POTENTIAL USE IN SUBSEQUENT YEARS AS DESCRIBED IN IDAHO CODE §63-802, et al.

WHEREAS, Idaho Code §50-235 empowers the city council of each city to levy taxes for general revenue purposes; and,

WHEREAS, Idaho Code §50-1002 requires the city council of each city in the State of Idaho to pass a budget, referred to as an annual appropriation ordinance; and,

WHEREAS, Idaho Code §63-802 sets limitations on all taxing district budget requests on the amount of property tax revenues that can be used to fund programs and services; and,

WHEREAS, Idaho Code §63-802(1)(a) allows each taxing entity to increase property tax budget amounts by a maximum of 3%, plus an amount calculated based on the value of both new construction and annexation added during the previous calendar year, plus an amount for forgone taxes; and,

WHEREAS, Idaho Code §63-802(1)(f) requires that the City adopt an annual resolution to reserve additional forgone amount in order to utilize that amount in subsequent years; and,

WHEREAS, the City has met the notice and hearing requirements in Idaho Code §63-802(1)(f) to reserve the current year's increase in the forgone amount; and,

WHEREAS, the City intends to reserve \$325,850 of its current year's increase in allowable forgone amount.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF POST FALLS, IDAHO, that \$325,850 of the current year's allowable increase in its forgone amount is reserved and included in the City's total forgone balance for potential use in subsequent years.

PASSED by the _____ CITY COUNCIL on the _____ day of _____, _____.

MAYOR

ATTEST:

CITY CLERK