



**PLANNING & ZONING COMMISSION
SPECIAL AGENDA**

**May 30, 2023
5:30 PM**

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

SPECIAL MEETING – 5:30 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Carey, Walton, Kimball, Steffensen, Schlotthauer, Ward, Hampe

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- NATIONAL CREATIVITY DAY – May 30

AMENDMENTS TO THE AGENDA

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

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

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

1. CONSENT CALENDAR

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

ACTION ITEMS:

- a. Meeting Minutes 5-17-2023
- b. Zoning Recommendation – Thompson/Satchwell Annexation & North Crown Zone Change File No(s). ANN-22-14/ZC-22-7
- c. Reasoned Decision – Quailview Townhomes Subdivision File No. SUBD-22-15

2. CITIZEN ISSUES

This section of the agenda is reserved for citizens wishing to address the Commission on an issue that is not on the agenda. Persons wishing to speak will have 5 minutes. Comments related to pending public hearings, including decisions that may be appealed to the City Council, are out of order and should be held for that public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor,

by subsequent appointment. In order to ensure adequate public notice, Idaho Law provides that any item, other than emergencies, requiring action must be placed on the agenda of an upcoming meeting. As such, the Commission cannot take action on items raised during citizens issues at the same meeting but may request additional information or that the item be placed on a future agenda.

3. UNFINISHED / OLD BUSINESS

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

ACTION ITEMS:

4. PUBLIC HEARINGS

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

ACTION ITEMS:

- A. **Reasoned Decision** for the Post Falls School District Special Use Permit File No. SUP-23-1 – To reach a decision from the Planning and Zoning Commission on whether to allow for a food service building used for dry-goods storage by the Post Falls School Districts meal programs on the southern 100' of the Prairie View Elementary School site zoned Single Family Residential R1. – Jon Manley, Planning Manager, to present
- B. **Reasoned Decision** for the Fair Estates Subdivision File No. SUBD-23-1 – To reach decision from the Planning and Zoning Commission on a subdivision of approximately 6.04 acres with 20 single-family lots within the Single Family Residential R1 zoning district. – Jon Manley, Planning Manager, to present
- C. **Reasoned Decision** for the Haycrop Commercial Park Subdivision File No. SUBD-23-2 – to reach a decision from the Planning and Zoning Commission on a subdivision of approximately 88 acres with 22 commercial lots within the Community Commercial Services (CCS) and Community Commercial Mixed (CCM) zoning designations. – Ethan Porter, Associate Planner, to present

5. ADMINISTRATIVE / STAFF REPORTS

6. COMMISSION COMMENT

7. ADJOURNMENT

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

**City of Post Falls
Planning and Zoning Commission Agenda**

May 30, 2023

Commission meetings are broadcast live on Post Falls City Cable on cable channel 1300 (formerly 97.103) and the City's YouTube Channel (<https://www.youtube.com/c/CityofPostFallsIdaho>).

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

Chair: James Steffensen Vice Chair: Ray Kimball
Members: Vicky Jo Carey, Nancy Hampe, Ross Schlotthauer, Kevin Ward, Kibbee Walton



**PLANNING & ZONING COMMISSION
MEETING MINUTES**

**May 17, 2023
5:30 PM**

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

THE MEETING MAY BE VIEWED ON CABLE CHANNEL 1300 OR LIVESTREAMED ON THE CITY'S YOUTUBE CHANNEL (<https://www.youtube.com/c/CityofPostFallsIdaho>).

WRITTEN TESTIMONY AT PUBLIC HEARINGS IN LIEU OF ATTENDING IN PERSON IS ENCOURAGED. WRITTEN TESTIMONY WILL BE CONSIDERED TO THE SAME EXTENT AS LIVE TESTIMONY.

REGULAR MEETING – 5:30 PM

CALL TO ORDER

*** PLEASE TURN OFF YOUR CELL PHONES ***

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Walton, Steffensen, Schlotthauer, Hampe - Present
Carey, Kimball, Ward – Excused

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:



- **National IDAHO Day**

AMENDMENTS TO THE AGENDA

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None

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NONE

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ACTION ITEMS:

- a. Meeting Minutes 4-11-2023
- b. Zoning Recommendation – Housing Company, The, Zone Change File No. ZC-23-1
- c. Zoning Recommendation – Millsap Landing Annexation File No. ANN-22-16

Motion to approve as presented - Hampe.

2nd by: Walton

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

Moved

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ACTION ITEMS:

- A. **Zoning Recommendation** for the Thompson/Satchwell Annexation & North Crown Zone Change File No. ANNX-22-14/ZC-22-7 – John Beachman – Public Works Director/Jon Manley, Planning Manager, to present the staff report to cover the following:

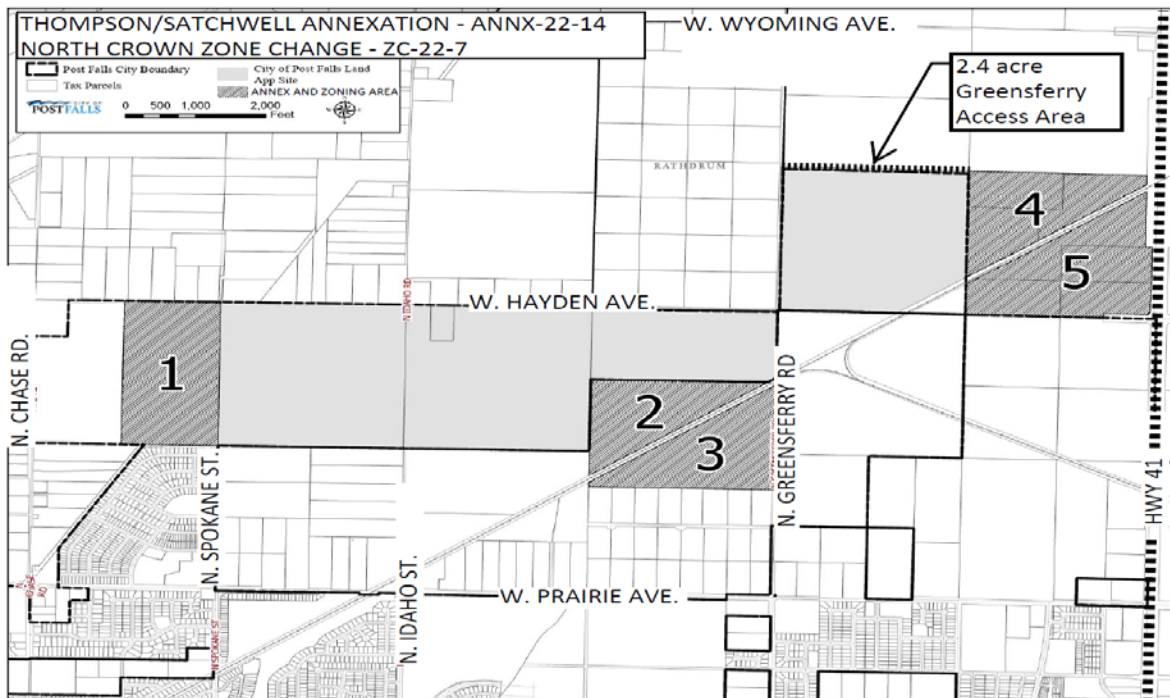
There is a potential land exchange contingent on the decision of this annexation and zone change. The land exchange would increase the amount of prairie preserved for land application by 98 acres, bringing the existing accumulation of preserved prairie for land application to a total of 1058 acres, which is an 10% increase to the preserved prairie open space.

The Planning & Zoning Commission must conduct a public hearing and review the proposed zoning as part of the annexation and zone change proposals per the Zone Change approval criteria contained in Post Falls 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. City Council will make the final decision pertaining to the annexation and/or zone change request.

The following is a breakdown of the mix of zoning that is being proposed to be established (See Map):

<u>Area - Size in Acres</u>	<u>Current zoning – Action</u>	<u>Proposed Zoning</u>
Area 1 – 80 ac	Public Reserve – Zone Change	Residential Mixed (RM)
Areas 2, 3, 4 – 178 ac	County - Annexation	Public Reserve (PR)
Area 5 - 28.1 ac (net)	County - Annexation	Single Family Residential (R-1)
Area 5 - 20.8 ac (net)	County - Annexation	Medium Density Residential (R-2)
Area 5 - ~34 ac (net)	County - Annexation	Community Commercial Mixed (CCM)

GENERAL LOCATION: The properties are generally located north of Prairie Ave, between N. Chase Rd. and HWY 41. Some properties are south of Hayden Ave., and some are north of Hayden Ave.



Manley – This request has more than one applicant, The City of Post Falls and Jacklin Land Company. Requesting a recommendation of the proposed zoning to City Council for the proposed Annexation and Zone Change. The elements of the proposed annexation and zone change request is a Land Exchange – City Council for decision; annexation and zone change will have a recommendation of zoning by the P&Z to City Council for decision.

Beacham – Everything comes down to a Purchase and Sale Agreement for the land exchange for city property on the prairie. Most are aware of the existing land on the prairie that is city owned that equals out to about 600 plus acres. This land is for future Land Application of wastewater which would be applied on a crop. In our Master Plan for the facility, it allows us to acquire more land in order to accommodate future growth. So, we are in the business to continue to look for land that is already contiguous to our existing land app property. This exchange would increase the land by about 98 acres. The city would exchange area 1 (North Crown) for areas 2, 3, and 4 as shown in the map above. So Jacklin Land will obtain area 1 and the City would obtain areas 2, 3, and 4. Area 5 would need to be annexed at the same per the Purchase and Sales Agreement; to allow future development for their intended uses for that property. As stated, the city has about 600-acres, Rathdrum has about 300-acres that is contiguous to the city's and per our contract with them we are able to use their land as well, City of Post Falls treats Rathdrum's wastewater. The total with the 2 are about 960-acres these areas are intended to be used for farming along with the Land Application. With this exchange the total acreage jumps to about 1058-acres. So, areas 2,3,4, and 5 are to be annexed and area 1 is to be rezoned so the proposed zoning would be for area 1 from public reserve to residential mixed – 80 acres; 178 acres from county land to public reserve land; and a varied mix of zoning of single-family, medium-density, and commercial mixed.

Hampe – Is parcel one all intended for wastewater?

Beacham – Yes; everything that is highlighted in the purple is intended for land application.

Hampe – Could it be used for something else under public reserve?

Beacham – Speaking with Manley about this, it is zoned for that however, it is owned by the Wastewater Facility and that is our intended use for it. We would have to replace the acreage with something else before wastewater would be interested in it such as this land exchange.

Hampe – So, wastewater is separate from the City of Post Falls.

Beacham – So, Wastewater is a contained business of operation, so wastewater money that comes in has to be used for wastewater purposes we cannot co-mingle those funds. It is operated as a business within the city's organizational structure. If you want to expand on that at all Herrington, feel free.

Herrington – It is the City of Post Falls however it is a division of the City of Post Falls.

Hampe – So, if the city wanted to utilize it for something else then there would need to be some kind of exchange, wastewater would need to get something in return.

Beacham – Yes, for example the streets and fleet entity leases their property from wastewater on an annual basis.

Schlotthauer – How much other land do we currently have for land application? Are we currently applying any wastewater?

Beacham – I don't know the exact acreage of the Community Forrest site; I believe it is about 300 acres and gets us part of the way to our goal of having enough property. However, it doesn't get us to our goal of full land application. We are not doing any substantial land app at this time only some irrigation within the treatment facility.

Schlotthauer – Is that a future goal?

Beacham – It is more than a goal it is a future need. As the treatment plant increases its capacity at some point, we will be limited on the amount of phosphorus we can dump into the Spokane River. Even with the best treatment plan you can buy, we are currently installing, we will still get to

a point of not being able to put any more pounds of phosphorus into the river. The solution is to move to Land Application which is what we are preparing for. This has been the goal since 2009 when phosphorus being in the river was a hot topic.

Steffensen – How far away are we from that goal?

Beacham – This depends entirely on the growth within the city. We have capacity to double the treatment but once we are beyond this capacity, we will move to the land application site. I can't put this into years unless you can give me an exact growth rate per year however, we are looking into the 15–20-year timeframe.

Steffensen – For my understanding, area 1 is currently public reserve and area 2 and 3 when annexed will be public reserve and are 5 per agreement will be annexed with a mix of zoning but this is where we get the land exchange and the acreage needed for the future land app?

Beacham – Correct.

Manley – Zone Change Criteria:

- With the areas we are looking at; the future land use map shows this area as Transitional. Basically, informs us to look at the focused areas due to timing for growth being undetermined. Looking at both areas, the one out west is in the Central Prairie Focus area and out east is the 41 North Focus area. The Central Prairie area supports provisions for a variety of housing types and densities. Within the Residential Mixed zone comes a Development Agreement that is recorded against title. The majority is proposed as being a Single-Family Residential area and are proposing about 5.8 acres of park/open space. At the northern end they are proposing 8.3 acres of multi-family with 1 acre of neighborhood commercial. Moving on to the 41 North area it focuses on provisions for multi-family, commercial, and tech uses near higher-classified roadways, Highway 41 meets this. Development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail, there are provisions for trails to connect this proposed area to all the trail systems as well as the Prairie Trail which will run east/west. And focusing provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.
- Keep Post Falls' neighborhoods safe, vital, and attractive. Safe – the connection of Spokane St. from the Crown Pointe neighborhood up to Hayden will assist with traffic and emergency services. We would get multi-trails for keeping pedestrians safe as well. With development impact fees are paid to aide in public safety. With the school site next to it, the rezone area would provide additional housing and out east the housing would be placed near places of employment at the future tech park and other commercial areas. There are commercial and multi-family design standards that would be required to be met upon site development. Bodine will be developed to the south end of the school site connecting to Crown Pointe and Hayden will be improved as well as Spokane Street moving north to connect to Hayden. Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability. Goal 8 and 9 go together and by obtain more public reserve lands is protecting the natural habitat in the area as well as preserving development over the aquifer. With the 5.8 acres the developer will have the opportunity to work with the Parks Department, 5-acres is the minimum they will accept for a city park in the current format they would be private HOA parks but could consolidate them to meet city park standards. Out east with the tech park, commercial and jobs being created out at Hwy41 and Prairie having additional rooftops closer could be beneficial. Have residential development and neighborhoods close to schools out at the North Crown proposal. We do have design standards in place that continue to help with well-designed development. Looking at the surrounding areas for all three proposals, North

Crown, Satchwell, and Thompson area. You see Bodine running east and west, Spokane St running north and south with the single-family being adjacent to single-family. To the east end, the surrounding uses are a mix of industrial type and commercial type uses with higher density residential units. Within the Development Agreement only the area along Hwy41 can be multi-family with the corner of the request being commercial and to the west have some medium density and single-family residential areas. Of course, we also have the proposed public reserve areas. When looking at Highway 41 as a whole, you see the pattern of commercial right along 41 and transitioning out with multi-family and further transitioning too single-family. We don't know the timing of the developments we do know some are contingent on when sewer and other improvements become available. This proposal will work to improve the street connectivity.

- The proposals will not conflict with street classifications, anticipated traffic patterns, existing development, future land uses, no specific community plans, or geographic or natural features.
- We have referenced the commercial and high-density residential zoning being along higher road classifications such as Highway 41 being a principal arterial and Hayden Ave. being a major collector.
- The property to the west is currently about 3 miles away from the higher intense urban activity.
- Industrial isn't being requested.

All other agencies have been notified of this request with the Yellowstone Pipeline stating there is no impact. Panhandle Health District has no comments related to this request; the DEQ's concerns are for time of construction. The Post Falls Highway District had some comments regarding the right-of-way boundaries of area 1, 5 and 3 we handle most of these elements at a later time. Kootenai County Fire & Rescue coordinates with the city at time of development and the School District commented the proposed RM zoning for north of Crown Pointe would compliment the school district's plans for future school facilities on the district owned land to the west.

Hampe – Where does 5 come into play?

Manley – You heard Beacham reference this; for just the land exchange portion we are trading 2,3, and 4 for area 1 and where area 5 comes to play is the reference in the Purchase and Sales agreement it would be annexed with this proposal and the requested zoning and continued to be owned by the Jacklin Land Company.

Hampe – So, it isn't for our benefit, they won't do it unless we annex that too.

Manley – It is a condition in the Purchase and Sales agreement, but we have the goals and policies within the Comp Plan that asks if the proposed zoning compatible with the area. So, it could be in our benefit.

Hampe – The trade is 1 for 2,3, and 4; that is the trade. Area 5 is only the fact that we want that done with this deal. It doesn't need to be annexed in order for area 4 to be contiguous.

Manley – areas 4, 3, and 2 can all be annexed without 5 but, wouldn't be consistent with the Purchase and Sales Agreement.

Steffensen – Can you go back to the Highway District comment and explain that more?

Manley – I can invite one of the engineers up to explain that more.

Palus – I spoke with the Highway District last week regarding those comments. When we annex it normally goes to the far boundary or across the street of the roadways that adjoin the properties we are annexing. The way Hayden Ave. and Greensferry were created were by easements so there are property lines in the center of the roadway. With these annexations we will only be able to annex to the center of the roadways at this time however, we would work with the Highway

District to clear it up in the future. Their last comment for the developer to enter into a Road Development Agreement for any future improvements for the Post Falls Highway District roadways; what they are looking for is at time of construction if the City of Post Falls requires a traffic study to be done to analyze any impacts for improvements there are, if it also impacts the Highway Districts intersections or roadways outside of the city's jurisdiction then the developers would have to enter into an agreement with them. It will secure improvements to be completed with the development as well. The city does work with the Highway District on traffic studies as well.

Steffensen – Will Spokane St. maintain the current width up through Hayden?

Palus – It will continue to be wide up to Hayden. South of Prairie Ave. Spokane St. is a major collector roadway and transitioned it to a minor collector roadway within the Crown Pointe Subdivision. Looking at the proposal north of Crown Pointe and based on other similar developments with the principal arterial of Prairie and major collector of Hayden we decided it was appropriate to remain a minor collector.

Schlotthauer – I can see how we would connect the property across the river for land application but how would we bring it up to these sites?

Palus – How would we pump the water to and how would we apply it? I would defer to Beacham.

Beacham – The short answer is we will build a pipe and pump it there. It is a multi-million-dollar project to accomplish. The routing hasn't been finalized, we've looked at going up Chase, Spokane, any major road that runs north/south. We will likely go to the less expensive route/corridor. Because of the timeframe we haven't hired an engineer to assess it yet.

Schlotthauer – I can see the value for the city just wondering about the distance.

Beacham – It is certainly a large project. This is in our Master and Capital Plan, and it is a way out so we can obtain the capital to get there.

Manley – Just reiterating that this is just a zoning recommendation.

Applicant, Tag Jacklin, 5007 W Foothill Dr. Coeur d'Alene. – I am the Manager of Jacklin Land Company, and we have Ray Kimball with Whipple Engineers here to assist us as well. I do think it is important to not that I represent the 4th generation of the Jacklin Family and we have been involved in the Spokane Valley, Rathdrum Prairie, and surrounding areas for over 80 years. I myself am a Post Falls Native, I grew up out in the Prairie. For those new to the area, Jacklin Seed Company was a mainstay in the Post Falls Community for decades and relied heavily on the Rathdrum Prairie. Bluegrass in its production and was the backbone of the global seed supply. When Jacklin willingly phased out field burning due to public pressure it was only a matter of time the Rathdrum Prairie would start to transform. Even though our business model changed over time, our commitment to being good land stewards towards keeping the vibrant community that makes Post Falls great, has not changed. We live, work, and play here and always take a measured approach in our development. We see projects as part of our family legacy, and we stand behind everyone. We drove by the school site and thought why have a school in the middle of a field and how nice it would be to have a neighborhood next to it as it is good planning. We took this concept to the city about a year or so ago and had many discussions that lead us hear today. I truly believe it is a win, win, win for our family, the city, and for the community. I think everyone agrees that it is important to preserve land on the prairie and that open space.

Ray Kimball, Whipple Consulting Engineers – This is a unique opportunity for Public Works to obtain more property for the land app. There will be Residential Mix next to the School Site and along Highway 41 we will have some R1, R2 and CCM as well as adding 98 acres of preserved prairie open space. Took some arial shots to really show what is surrounding each site; the first one is North Crown with the single-family to the south with Spokane St. running north with a big

curve in it, so it doesn't become a racetrack. This design helps to ensure that speeds are appropriate for neighborhoods. In concept only, we have 2 parks that total to about 5.8-acres they will more than likely shift around. We intend to have a local street along the west boundary between the school site and this one. It will provide access to the school property, so the schools don't have to front on Chase or Hayden and there is the future Bodine St. across the southern boundary as well. The road network is intentional to service the school, North Crown, and Crown Pointe, which will give those residents the ability to go out a different way. With Hayden being a major collector, we were very intentional on where we put the multi-family and commercial putting it on a higher classification street and away for the single-family residents of Crown Pointe. An important part of this is we will be able to bring the services and streets to the school site, so it is another win to have the developer bring utilities to their site at no cost to the school district. Jumping to areas 2 and 3, you can see it adds to the existing public reserve lands that are owned by the city and Rathdrum. Now we move to areas 4 and 5 along Highway 41; the northern piece (area 4) is more public reserve for the city and the southern area is the CCM, R1 and R2. The CCM-Multi-Family section was also intentional as the highway goes up and over the railroad makes it bad for commercial visibility which is why we have laid it out like this with the commercial right on the corner of the Highway 41 and Hayden intersection. Area 1 is located within the Central Prairie focus area, where "future growth should embrace a variety of housing types and land uses, maintain quality standards, and prove even greater emphasis on pedestrian friendliness and connecting neighborhoods to community trails and nearby amenities." Areas 2 and 3 are located within the Central Prairie focus area, which envisions a variety of housing types and land uses. The proposed land use associated with the annexation will be public reserve where the property remains agricultural in use and will eventually become part of the city's water reclamation land application area. Areas 4 and 5 is located within the 41 North focus area, which envisions higher intensity commercial and multi-family development close to the Highway corridor and lower intensity residential development in the eastern and western parts of the focus area. Area 1, the proposed residential mixed zoning will provide for a mix of housing types with the potential for a small commercial node at the intersection of Hayden Ave. and an internal street adjoining the School District property. It will also provide pedestrian connectivity to the future schools that are planned to be constructed by the Post Falls School District. Areas 2 and 3 on the future land use map, the property has a transitional land use designation which indicated that the zoning should be compatible with adjacent zones and uses within the City. The proposed annexation is intended to be zoned public reserve and will function as future land application area for the City's water reclamation division. Areas 4 and 5 at the intersection of Highway 41 and Hayden Ave is a high-volume intersection and the need for commercial services in this area is growing, as such, the intended zoning for the area adjoining the highway should be commercial. The proponent intends the northern "triangle" to develop as multi-family residential wherein it will provide both a customer base for the commercial development as well as housing variety within the area. Area 1, the proposed zoning is intended to provide a master planned neighborhood that compliments the school sites to the west and acts as an extension of the existing Crown Pointe neighborhood. The mix of residential uses in the zone are intended to provide a mix of housing types targeted at meeting a variety of price points and living options. Areas 2 and 3; the property lies adjacent and east of the existing public reserve land owned by the City of Post Falls, as well as land owned by the City of Rathdrum. Areas 4 and 5 the area south of tracks is envisioned to be zoned as Community Commercial Mixed adjoining the highway, transitioning to a medium density residential zoning between the 1.8 mile and the 1.4-mile mark west of the highway. From the 1.4-mile mark west, the intended zoning is R1 low density residential. Areas 1, and 5 meet the criteria of having commercial and high-density residential zoning along streets with higher road

classifications. Area 1 is a lower density commercial and residential due to it being further away from the higher intensity urban corridors and in area 5 moving west with the lower the intensity and not requesting industrial.

Steffensen – Bodine, I understand this is 5 years out, but it would dead end at the School Site and only go along the south of this property?

Kimball – It is something we would have to address at the time of subdivision. There are fire code aspects to that for having 2 access points after hitting 30 homes. Even though we have 2 points of access fire code states there has to be a certain distance between the 2 points. I do want to be clear, the area along Highway 41 is the 5-year plan, area 5, area 1 would be much sooner than that. We want to work with the timing of the school district to help them get utilities to their property.

Steffensen – There is a total of 5.8 acres, split in 2 parks what are the pros and cons to consolidating that and having city run it versus the HOA?

Kimball – I can probably talk for an hour about the pros and cons of the city versus HOA running the park. The better product would be a city owned park within a neighborhood it ends up being a better product for the citizens in the end.

Steffensen – At the time of subdivision that can be discussed more then.

Kimball – Yes, we will work with the parks department and if they don't want it then it will end up being an HOA run park.

Testimony:

In Favor: Read into the record by Steffensen – Eric Gonzales – growth is good to keep up with the economy. **Wade Jacklin** – This is the best project request in years. It helps satisfy preservation of prairie land by increasing city public reserve by nearly 100 acres. Assisting Post Falls School District to have better access to their land and opportunity for well thought out development in the right location.

Neutral:

In Opposition: Read into the record by Steffensen – Karla Baldwin, Hayden Ave. – Gary and I have purchased this property as I have a chronic illness and to have this last, which we were told will not be developed. I am against any and all development. **Teresa Goodall, Hayden Ave.** – We are concerned about traffic, noise, and aesthetics. **RuthAnne Leibman, Spokane St** – The proposed growth is too much for a rural area and not in keeping with the wishes of the residents. Not enough thought has been put into impacts. **Pam Onstott, Chase** – Too much Traffic. **Allen Goodall, Hayden** – concerned with traffic speed, noise, and aesthetics.

Valoree Hamilton, 8953 N. Scotsworth – Obtained signatures due to only noticing those that were within 300 ft of this property also mentioned the news and press was not notified. When I received my notification, I only had 6 days to respond. I am concerned this is spot zoning because the applicant is being favored. Everything around it is a green zone – public reserve- I believe it was meant to stay that zone. Think this is moving to fast, citizens were not given enough time and more should be notified and given another 30 days. The city states on the website that Spokane St. has 4,000 – 12,000 cars per day this street cuts through our neighborhood. This minor collector would become a major collector this road is the only road between Pleasant View and Highway 41 that connects to the freeway. When you have all of this development, you have even more traffic. Spokane street is a nightmare in our neighborhood with the cars being parked from the apartments on the corner and signs are not going to slow people down.

Gary Baldwin, 11737 W Hayden Ave – The first packet sent had nice graphics of the areas however, this 80-acre development is going to be the death maker of Hayden Ave. 1 entrance and exit is not going to cover 200 homes leaving in the morning and coming home at night. This will

double our traffic onto Hayden. Are you going to continue to land swap so there are going to be small parcels all over the prairie.

Julie Hensley, 1360 E. Warm Springs Ave – We need to evaluate what land has already been designated, what can be built, and what impact will it have on our community. Post Falls is concerned about our infrastructure, we have had our power intentionally turned off and turned it off to the hospital last year because the power grid couldn't handle the draw. Yet, we continue to build and annex in more land as of last year there were 23,000 homes still needing to be built. Safe, Vital, and Attractive – How are we keeping people safe if it takes months to be seen by a medical professional. As the city grows our Police and Fire Departments need to grow to help ensure the safety. Where are all the kids going to go to school, it is great they have land but how are they going to get them built? We can even get a bond or levee passed. We keep zoning land for more high-density to build 3 stories high making it to where you can't see the attractiveness around us. All the building is making Post Falls lose its attractiveness.

Kerry Couch, 9045 Scottsworth – I too didn't have much time to respond we all want to have more time. I heard the win, win, win – it isn't a win, win, win as it isn't a win for us. It might be a win to make more money for the developer. When I moved here a couple of years ago, I was told that nothing would be built behind me. It is why I bought that house, in this community, I don't want anything behind, and I don't want Spokane to go through. This affects me dramatically. I came from an area that had a lot of houses and a lot of traffic; I didn't want that anymore and I didn't think you did either you said you wanted a better work life situation. I want to retire here, help me retire here, please. There are so many other areas you can put houses that are not up against other houses. I think with the exchange of this I believe this is a money grab. I get the benefit for the school and the developer and the city however, I don't think it is a need for the kids yet and I think everything should be looked into more. We have ideas too; it is our community too.

Jean Walker, 8966 N Spokane – I am directly impacted because I am the last house on N. Spokane St and when this goes through, it will be affecting what goes on in our area. They say this won't increase traffic, but it will, it is providing another avenue from Hayden to Prairie or vis versa. I also don't think Post Falls has enough services to deal with the population we already have. It is very challenging for us to get a Police Officer there because I don't think they are as large as needed. I also don't think more housing will allow people to buy, they already cannot afford a home here.

Lacey Green, 9327 S. Spokane – As Hayden sits now, it takes me about 15-20 minutes to even turn onto Hayden in the morning and afternoon. This request is completely out of line and ridiculous. This town isn't set up for the growth that has happened already let alone more growth. We farm, he grew up farming and Jacklin is a very familiar name in farming, and many looked up to you, and there are a lot of people that are now disappointed in Jacklin and the land use. Lots of new farmers are out on the Rathdrum Prairie wanting to have that dream. This dream is being taken away without hesitation and the opportunity to actually do it. My family would happily farm those 80 acres anytime. Woohoo 98-acres are being given but you are taking 248-acres by developing it. A benefit would be agricultural, FAA and 4H is very well known that would be a good reserve, public use for this land. There are more community focused uses for this land than just having it developed. There is a car accident there by me at least 5 times per week we do not need this development out here right now.

Read into the record by Steffensen – Casandra Assels, Spokane St – Currently it is a nice quiet safe street, as a mother of children I do not want Spokane St to go all the way through and make it a busy unsafe street. Also, there is currently not enough services for the area, without expanding it. What will happen to our water, this will also raise already high property taxes.

Nathaniel Brown, Scotsworth – I do not support this property to bring more housing into our area. **Kelsey Ellis, Scotsworth** – In opposition.

Rebuttal, Kimball – To be clear, the first notice that went out, was missing a map then the second notice went out. The notice does meet the proper land code requirements. There was a front-page press article on the 28th about this. I don't think it is fair to say that the community hasn't had the opportunity to learn about this. I appreciate where most of the people here are coming from, change is hard. As I listened most people live in Crown Pointe and one in Fieldstone and most are here presumably because they love where they live. In 2011 Crown Pointe was a field just like where we are talking about today. Fieldstone, I designed that subdivision in 2001 and finished sometime in 2008. It all used to be a field those that live in these areas are the beneficiaries of this exact process. We were very intentional with where the housing was going to be and where the commercial is going to be. To be even more clear, in this land swap the city is getting 178 acres and the Jacklin's get 80. The city gets more land. This area is better for land development than areas 2 and 3 because it is next to a school site and to an existing subdivision. We very intentionally didn't put the multi-family on Spokane St there will be a local road along that property to line to serve them. the 4-20,000 cars on the road, which isn't the number of cars on the road it is the capacity of the road. It is very important for Crown Pointe to have more than 1 or 2 exit locations there is now going to be to the north through Hayden and Bodine. I will say there is equal opportunity for the those in Crown Pointe to go a different direction. When we ask ourselves, does this meet the criteria for a zone change and I do appreciate the testimony, but it wasn't focused on that criterion. This expands our traffic network based on the Transportation Master Plan. All of the criteria have been met.

Comments:

Zone Review Criteria:

1. Zoning should be in accordance with the Future Land Use Map.
Steffensen – Area 1, is in the transitional area, so doesn't really say what should be there so you go to the Focus Area. Single Family to the south so it makes sense to put single family next to it with the school being there as well.
Schlotthauer – The long and short is, is this a transitional use. They went through a process to make sure each area transition with the uses.
Commission agrees
2. Zoning Should be in accordance with the Comprehensive Plan goals and policies.
Steffensen – Both areas will improve connectivity the school area will gain utilities and the public reserve areas are connected to the existing public reserve area and is part of the city's land application plan.
Schlotthauer – It is focusing on goals 5, keeping the neighborhood safe, vital, and attractive that one is probably most debatable here by the folks in the audience, but I think both arguments are better suited for city council. Maintaining our transportation network isn't debatable, I think it will improve that connection. Goal 7 meets the long term needs for sustainability; the city does a good job for long range planning. This does support that goal, and keeping the growth concentrated in areas where there is existing growth makes sense.
3. Is the zoning compatible with street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features?
Steffensen – Spokane St. is continuing north along with other neighborhood streets being added. Area 5 is closer to 41 with the commercial and multi-family and some mixed uses in that area. Because it does front higher road classifications.

Commission agrees

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

Commission agrees the commercial is on higher road classifications

Hampe – Area 5 has the higher density off Highway 41 and area 1 has the higher density off of Hayden Ave.

- 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.

Walton – Certainly is in section 5.

Steffensen – There is that transition in 5 from the commercial to the lower density residential. Then section 1 for the most part is all low density residential.

- 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

Schlotthauer – The difficult decision is City Council as far as what is being presented to us, they have done a nice job laying it all out. Transitions nicely and accommodating to neighboring properties as much as it can be.

Hampe – I have to agree, where they have put the residential, it abuts the other residential and the school. I understand the higher uses along Highway 41, that is what we've been doing and has been going. Looking at it for zoning only, I think they made it work.

Walton – Some voiced concern about the noticing and Mr. Kimball addressed it, but it is verifiable it was done according to how it needed.

Manley – It was done and met per state code, there was an identified mis communication with a map missing which is why we created this evening.

Walton – Otherwise we would have covered last Tuesday.

Manley – Yes.

Motion to recommend approval to City Council finding that the requested zoning meets the approval criteria found in the PFMC and as outlined in our deliberations. And direct staff to prepare a zoning recommendation as Area 1 RM; areas 2, 3, and 4 PR; area 5 28.1 acres R1; 20.8 acres R2; and 34 acres CCM. (Hampe)

2nd By: Walton

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

Moved

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

None

7. ADJOURNMENT 7:38PM

**City of Post Falls
Planning and Zoning Commission Agenda**

May 17, 2023

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

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

Chair: James Steffensen Vice Chair: Ray Kimball
Members: Vicky Jo Cary, Nancy Hampe, Ross Schlotthauer, Kevin Ward, Kibbee Walton

Date: _____

Chair: _____

Attest: _____

**Thompson/Satchwell Annexation
North Crown Zone Change
File No. ANNX-22-14/ZC-22-7**

**Planning and Zoning Commission
Zoning Recommendation**

A. INTRODUCTION:

APPLICANT: City of Post Falls and Ray Kimball, Whipple Engineering, representing Jacklin Land Company.

LOCATION: Generally located north of Prairie Ave., between N. Chase Rd. and Highway 41. Some properties are south of Hayden Ave., and some are north of Hayden Ave.

REQUEST: Zoning recommendation of Residential Mixed (RM) on 80-acres; Public Reserve (PR) on 1788-acres; Single Family Residential (R1) on 28.1-acres; Medium Density Residential (R2) on 20.8-acres; and Community Commercial Mixed (CCM) on 34-acres, as depicted in A-2.

B. RECORD CREATED:

1. A-1a Annexation Application
2. A-1b Zone Change Application
3. A-2a Annexation Narrative
4. A-2b Zone Change Narrative
5. A-3a Satchwell Narrative
6. A-3b Zone Change Preliminary Layout
7. A-4a Thompson Conceptual Development Plan
8. A-4b Zone Change legal
9. A-5 Thompson_Satchwell Legal Description
10. A-6a Thompson_Satchwell Exhibit Maps
11. A-6b Zone Change Auth Letter
12. A-7 Zone Change Title Report
13. A-8 Thompson_Satchwell Auth Letter
14. A-10 Satchwell Title Report
15. A-11 Thompson Title Report
16. S-1 Draft Thompson Development Agreement
17. S-2 Draft North Crown Development Agreement
18. PA-1 YPL Comments
19. PA-2 PHD Comments
20. PA-3 DEQ Comments
21. PA-4 PFHD Comments
22. PA-5 KCFR Comments
23. PA-6 PFSD Comments
24. PC-1 West Comments
25. PC-2 Assels Comments
26. PC-3 Maden Comments
27. PC-4 Bugle Comments
28. PC-5 Harrington Comments

29. PC-6 Vore Comments
30. PC-7 Couch Comments
31. PC-8 Hamilton_Petition
32. PC-9 Burns Comments
33. PZ Staff Report
34. Testimony at the May 17, 2023, Planning and Zoning Commission (“Commission”) hearing including:

Planning and Zoning Commission (hereinafter “Commission”) heard the request at a public hearing. The meeting was in-person and live-streamed on the City of Post Falls YouTube Channel. The public hearing was noticed correctly and conducted per the requirements of Idaho Code Sections 67-6511 and 67-6509 and City Code section 18.20.060. The purpose of the hearing was to allow the applicant and the public to supply testimony and documentation to be taken by the Commission in their application of City Code sections 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 sought a recommendation for an initial zoning designation of a mix of zoning, including Public Reserve (PR), Single Family Residential (R1), Medium Density Residential (R2), and Community Commercial Mixed (CCM) on approximately 260.9 acres upon the annexation into the city of Post Falls. He testified that the applicant sought a recommendation on a zone change request from Public Reserve to Residential Mixed (RM) zoning on approximately 80 acres within the City of Post Falls.

He illustrated that the subject property is generally located north of Prairie Ave, between N. Chase Rd. and HWY 41. Some properties are south of Hayden Ave., and some are north of Hayden Ave.

John Beacham, Public Works Director

Mr. Beacham testified about the proposed Purchase and Sale Agreement for a land exchange between the city and Jacklin Land. The city currently owns over 600 acres of land on the prairie, which is intended for future Land Application of wastewater. The proposed exchange would increase the total acreage by about 98 acres, with Jacklin Land obtaining area 1 and the City obtaining areas 2, 3, and 4. He explained that the Master Plan for the facility allows for the acquisition of more land to accommodate future growth and that the city is actively looking for land contiguous to their existing land app property.

Mr. Beacham further noted that area 5 would need to be annexed as per the Purchase and Sales Agreement to allow for future development. The city has about 600 acres of land, with an additional 300 acres owned by Rathdrum that is contiguous to the city’s land. The agreement with Rathdrum allows the city to use its land as well, as the City of Post Falls treats Rathdrum’s wastewater. The total acreage of the two areas is around 960 acres, which is intended for farming along with the Land Application. The proposed exchange would increase the entire property to about 1058 acres, with areas 2, 3, 4, and 5 to be annexed and area 1 to be rezoned from public reserve to residential mixed – 80 acres. The remaining 178 acres would be changed from county land to public reserve land, and a mix of single-family, medium-density, and commercial mixed zoning would be applied.

In response to questions from the Commission, Mr. Beacham explained that the Wastewater Facility owns the land currently zoned Public Reserve. Wastewater is a distinct business the city operates. He explained that the funding would be from Wastewater, so the property must be used for Wastewater purposes.

Mr. Beacham testified that he did not know the exact acreage of the Community Forrest site; it is about 300 acres and gets us part of the way to our goal of having enough property. However, it

does not get us to our goal of full land application. We are not doing any substantial land app, only some irrigation within the treatment facility. He explained that it is more than a goal; it is a future need. As the treatment plant increases its capacity at some point, we will be limited on the amount of phosphorus we can dump into the Spokane River. Even with the best treatment plan you can buy, which we are currently installing, we will still get to a point of not being able to put any more pounds of phosphorus into the river. The solution is to move to Land Application, which we are preparing for. This has been the goal since 2009, when phosphorus in the river was a hot topic.

Jon Manley, Planning Manager

Mr. Manley testified that the Future Land Use Map designates the area as Transitional. He submitted that the designation guidance could be found within the associated Focus Area. He expounded that the Focus Area is comprised of two areas, the Central Prairie Focus Area and the 41 North Focus Area.

Mr. Manley provided testimony regarding the future land use map for the areas in question. He explained that the map designated the areas as Transitional, indicating that further examination was needed due to the undetermined timing for growth. Mr. Manley discussed the two areas in question, with the western area falling under the Central Prairie Focus area and the eastern region falling under the 41 North Focus area.

Mr. Manley highlighted that the Central Prairie area allowed for a variety of housing types and densities, with a Development Agreement recorded against the title for the Residential Mixed zone. The proposed development consisted mainly of Single-Family Residential areas, with 5.8 acres of proposed park/open space and 8.3 acres of multi-family at the northern end. The 41 North area, on the other hand, focused on provisions for multi-family, commercial, and tech uses near higher-classified roadways such as Highway 41.

During his testimony, Mr. Manley emphasized the importance of keeping Post Falls' neighborhoods safe, vital, and attractive. He mentioned that the proposed developments would aid in this goal by providing multi-trails for pedestrians, paying development impact fees for public safety, and following design standards for commercial and multi-family developments. Mr. Manley also discussed how the proposed developments would plan for and establish types and quantities of land uses in Post Falls, supporting community needs and the city's long-term sustainability.

In addition, Mr. Manley addressed concerns about the proposed developments conflicting with street classifications, anticipated traffic patterns, existing development, future land uses, specific community plans, or geographic or natural features. He explained that commercial and high-density residential zoning would be located along higher road classifications, such as Highway 41 and Hayden Ave.

Mr. Manley also addressed concerns raised by various agencies, including Yellowstone Pipeline, Panhandle Health District, DEQ, Post Falls Highway District, Kootenai County Fire & Rescue, and the School District. He assured the hearing that the proposed developments would not conflict with existing plans and that any concerns raised by the agencies would be addressed later.

Robert Palus

Mr. Palus shared that he had spoken with the Highway District the previous week about concerns raised regarding annexation. He explained that when the city annexes properties, it usually extends to the far boundary or across the street of the roadways that adjoin the properties. However, the creation of Hayden Ave. and Greensferry involved easements, resulting in property lines in the center of the roadway. As a result, the annexations would only be able to extend to the center of the roadways at this time. Mr. Palus assured the Commission that the city would work with the Highway District to resolve this issue in the future.

He addressed the Highway District's request for a Road Development Agreement for any future improvements for the Post Falls Highway District roadways. Mr. Palus explained that the agreement would require developers to enter into an agreement with the Highway District if the city of Post Falls required a traffic study to be done to analyze any impacts for improvements on intersections or roadways outside of the city's jurisdiction. The agreement would secure improvements to be completed with the development as well. He noted that the city also collaborates with the Highway District on traffic studies.

In response to concerns raised about roadway classification, Mr. Palus clarified that Spokane St. is a major collector roadway south of Prairie Ave. and transitioned to a minor collector roadway within the Crown Pointe Subdivision. He explained that based on similar developments with the principal arterial of Prairie and the major collector of Hayden, it was appropriate for the proposed development to remain a minor collector roadway north of Crown Pointe.

Tag Jacklin, Applicant

Mr. Jacklin, the Manager of Jacklin Land Company, testified alongside Ray Kimball from Whipple Engineers. He emphasized the importance of his family's legacy and their long-standing involvement in the Spokane Valley, Rathdrum Prairie, and surrounding areas for over 80 years. As a Post Falls native himself, he shared his personal connection to the community and the significance of Jacklin Seed Company, which was a mainstay in the Post Falls Community for decades.

Mr. Jacklin acknowledged that the decision to phase out field burning was a turning point for the Rathdrum Prairie. However, he made it clear that their commitment to being good land stewards and keeping the vibrant community intact remained unchanged. He stressed that their development projects were part of their family legacy, and they always took a measured approach.

When discussing the proposal for a new neighborhood next to a school site, Mr. Jacklin explained that they saw it as good planning and a win-win-win situation for their family, the city, and the community. He believed preserving land on the prairie and maintaining open space was necessary, and he stood behind this project wholeheartedly. Overall, Mr. Jacklin's testimony highlighted his dedication to his family's legacy and the community and their commitment to responsible development practices.

Ray Kimball, Whipple Engineers, Applicant

Mr. Kimball testified to the unique opportunity for Public Works to obtain more property for the land app. He explained that there would be Residential Mixed next to the School Site and along Highway 41, including R1, R2, and CCM, as well as the addition of 98 acres of preserved prairie open space. Mr. Kimball displayed aerial shots to provide a better understanding of what is surrounding each site, beginning with North Crown, where he pointed out the single-family homes to the south with Spokane St. running north, complete with a big curve to prevent speeding. He emphasized that this design is intended to ensure proper speeds for neighborhoods.

Additionally, Mr. Kimball shared that they have two parks in concept, totaling approximately 5.8 acres, and that they will likely shift around. He explained that a local street along the west boundary between the school site and the proposed development would provide access to the school property without having to front on Chase or Hayden. Furthermore, he pointed out the future Bodine St. across the southern boundary. The road network is intended to service the school, North Crown, and Crown Pointe, allowing residents to exit in different directions.

Mr. Kimball noted that they were very intentional in placing the multi-family and commercial properties on a higher classification street and away from the single-family residents of Crown Pointe. With Hayden being a major collector, he explained that it was important to consider where to put the multi-family and commercial properties.

He added that bringing the services and streets to the school site would be another win, as the developer will bring utilities to their site at no cost to the school district.

Moving on to areas 2 and 3, Mr. Kimball explained that they add to the existing public reserve lands that are owned by the city and Rathdrum. He then moved to areas 4 and 5 along Highway 41, where the northern piece (area 4) is more public reserve for the city, and the southern area is the CCM, R1, and R2. The CCM-Multi-Family section was also intentional as the highway goes up and over the railroad, making it bad for commercial visibility. Mr. Kimball explained that they had laid it out like this with the commercial on the corner of Highway 41 and Hayden intersection.

Finally, Mr. Kimball discussed the proposed zoning for each area. He explained that area 1 is located within the Central Prairie focus area and is proposed to be residential mixed zoning, which will provide for a mix of housing types with the potential for a small commercial node at the intersection of Hayden Ave. and an internal street adjoining the School District property. Areas 2 and 3 are also located within the Central Prairie focus area and are proposed to be zoned public reserve, where the property remains agricultural in use and will eventually become part of the city's water reclamation land application area. Areas 4 and 5 are located within the 41 North focus area and are proposed to be zoned as Community Commercial Mixed adjoining the highway, transitioning to a medium density residential zoning between the 1.8-mile and the 1.4-mile mark west of the highway. From the 1.4-mile mark west, the intended zoning is R1 low-density residential.

Public Testimony:

The Chair opened the hearing for public testimony.

Eric Gonzales (Read into the record)

Mr. Gonzales favored the proposal, stating that growth is good for keeping up with the economy.

Wade Jacklin (Read into the record)

Mr. Jacklin testified that this is the best project request in years. It helps satisfy the preservation of prairie land by increasing the city's public reserve by nearly 100 acres. It assists Post Falls School District to have better access to their land and opportunity for well-thought-out development in the correct location.

Karla Baldwin (Read into the record)

Gary and I have purchased this property as I have a chronic illness and to have this last, which we were told would not be developed. I am against any and all development.

Teresa Goodall (Read into the record)

We are concerned about traffic, noise, and aesthetics.

RuthAnne Leibman (Read into the record)

The proposed growth is too much for a rural area and not in keeping with the residents' wishes. Not enough thought has been put into impacts.

Pam Onstott (Read into the record)

Too much traffic.

Allen Goodall (Read into the record)

Concerned with traffic speed, noise, and aesthetics.

Valoree Hamilton

Ms. Hamilton testified at the hearing that she was concerned about the proposed zoning changes for the property. She pointed out that only those within 300 feet of the property had been notified, and that the news and press had not been informed. Ms. Hamilton felt this was spot zoning and the applicant was being given preferential treatment. She noted that the surrounding area was designated as a public reserve and should remain as such. Ms. Hamilton also expressed her concern that citizens were not given enough time to respond, as she was only given six days to reply. She recommended that more people should be notified and given an additional 30 days. In addition, Ms. Hamilton noted that Spokane Street, which cuts through their neighborhood, has 4,000 to 12,000 cars per day and is the only road connecting Pleasant View to Highway 41 and the freeway. She felt the proposed changes would create even more traffic and worsen the situation. Ms. Hamilton highlighted that Spokane Street is already a nightmare in their neighborhood, with parked cars from nearby apartments causing congestion. She did not believe that additional signs would slow down drivers.

Gary Baldwin

Mr. Baldwin shared his concerns about the proposed 80-acre development. He noted that while the first packet sent had nice graphics of the areas, he believes the development will be the death maker of Hayden Ave. This is because the development only has one entrance and exit, which is insufficient to cover the 200 homes that will be leaving in the morning and coming home at night. Mr. Baldwin fears this will double the traffic onto Hayden, causing significant congestion and safety issues. Additionally, he questioned whether there would be continued land swapping, which could result in small parcels all over the prairie.

Julie Hensley

Ms. Hensley spoke about the need to evaluate the land that has already been designated, what can be built, and its impact on the community. She expressed concern about the infrastructure in the area, citing instances where power had been intentionally turned off due to the strain on the power grid. Ms. Hensley also mentioned that despite the need for 23,000 homes to be built, the city has continued to annex more land. She emphasized the importance of keeping the community safe and attractive, noting that building high-density structures up to three stories high was not helping in this regard.

Kerry Couch

Ms. Couch also testified at the hearing, expressing her disappointment with the proposed development. She mentioned that when she moved to the area a couple of years ago, she was told that nothing would be built behind her house. She emphasized that she did not want more homes in the area, as it would affect her quality of life and her ability to retire there. Ms. Couch suggested that there were other areas that the houses could be built without impacting the community.

Jean Walker

Ms. Walker spoke about how the proposed development would directly impact her, as her house is the last one on N. Spokane St. She expressed concern that the development would increase traffic in the area, as it would provide another avenue from Hayden to Prairie or vice versa. Ms. Walker also noted that Post Falls does not have enough services to deal with the population it already has, and that more housing would make it even harder for people to afford homes in the area.

Lacey Green

Ms. Green testified about the proposed development's impact on her farming business. She expressed her disappointment with the proposed development, noting that it would take away the opportunity for new farmers to start their businesses in the area. Ms. Green also mentioned that there is already a high rate of car accidents in the area and that the development would only worsen things. She suggested that the land could be used for other community-focused purposes, such as agriculture, FAA, and 4H.

Rebuttal:

Ray Kimball, Whipple Engineers, Applicant

Mr. Kimball provided testimony about the notices that had been sent out regarding the proposed land swap. According to him, the first notice was missing a map, but this was rectified with a second notice that met the proper land code requirements. He also pointed out that there had been a front-page press article on the matter on the 28th, so it was unfair to say that the community had not had the opportunity to learn about it.

Mr. Kimball acknowledged that change is hard but emphasized that most of the people present at the hearing lived in Crown Pointe and one in Fieldstone, presumably because they loved where they lived. He reminded them that in 2011, Crown Pointe was just a field and that Fieldstone was designed as a subdivision in 2001. Both areas were previously undeveloped, and those who currently live there are the beneficiaries of the same process that is being proposed now.

He explained that the land swap would result in the city getting 178 acres and the Jacklin's getting 80, meaning that the city would end up with more land. He emphasized that the area in question was better suited for land development than areas 2 and 3, as it was next to a school site and an existing subdivision. He also clarified that the multi-family housing would not be situated on Spokane St, and that a local road would be built along that property to serve them.

Mr. Kimball addressed concerns about traffic, stating that the capacity of the road was 4-20,000 cars, not the actual number of vehicles on the road. He emphasized the importance of Crown Pointe having more than one or two exit locations and noted that there would now be two additional exits to the north through Hayden and Bodine. He also pointed out that there was equal opportunity for those in Crown Pointe to go in a different direction.

Finally, Mr. Kimball argued that the proposal met all the criteria for a zone change and that the testimony provided at the hearing did not focus on that criterion. He emphasized that the swap would expand the traffic network in line with the Transportation Master Plan and that all criteria had been met.

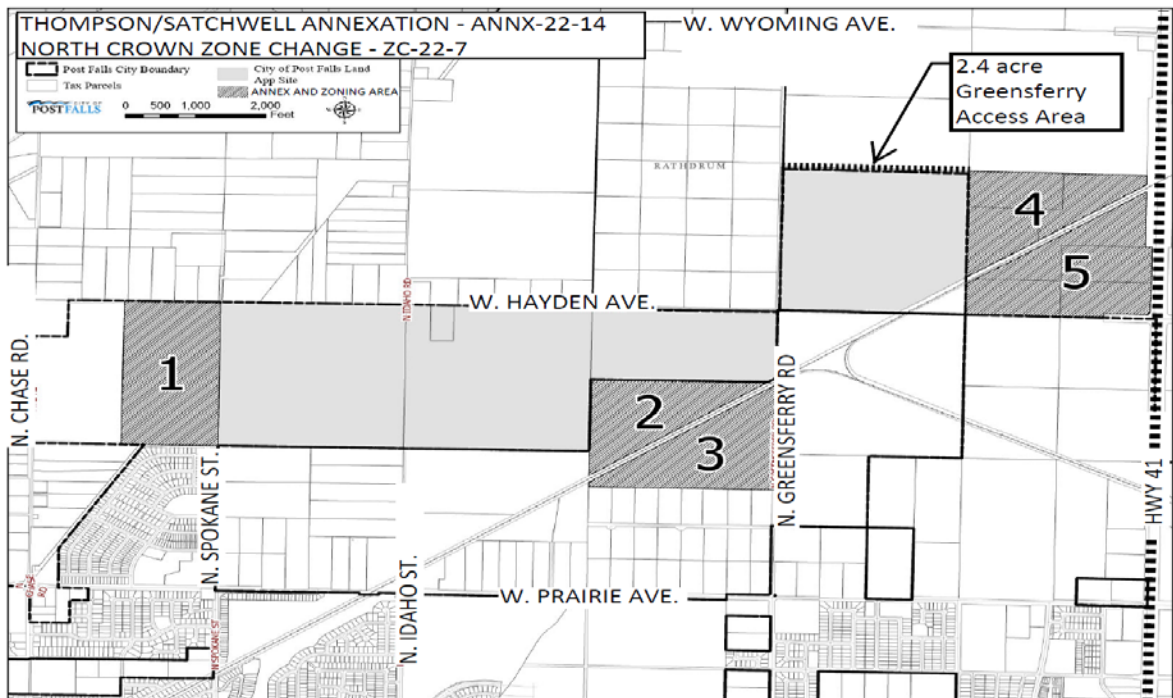
Deliberations: The Chair closed the hearing upon completion, and the Commission progressed to deliberations to discuss their interpretation of the information presented orally and in the written record and apply that information to the criteria in City Code sections 18.16.010 and 18.20.100.

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 proposed the following mix of zoning (See Map):

<u>Area - Size in Acres</u>	<u>Current Zoning & Action</u>	<u>Proposed Zoning</u>
Area 1 – 80 ac	Public Reserve – Zone Change	Residential Mixed (RM)
Areas 2, 3, 4 – 178 ac	County - Annexation	Public Reserve (PR)
Area 5 - 28.1 ac (net)	County - Annexation	Single Family Residential (R-1)
Area 5 - 20.8 ac (net)	County - Annexation	Medium Density Residential (R-2)
Area 5 - ~34 ac (net)	County - Annexation	Community Commercial Mixed (CCM)



The Commission finds that The Future Land Use Map designates this area as Transitional, and parcels 1, 2, and 3 are inside the Central Prairie area, with 4 and 5 within the 41 North focus area.

The Commission finds as to 1, that the area provides for a variety of housing types and densities and the Residential Mixed zone will be next to a future school property. Additionally, the Multi-family and neighborhood commercial uses are near roads with higher classifications.

The Commission finds as to 2, 3, and 4 that the Public Reserve, as provided in PFMC, is appropriate for all future land use designations within the Comprehensive Plan.

The Commission finds as to 5, that the proposal focuses the multi-family and commercial near higher classified roadways and transitions from higher density near Highway 41 to lower density along W. Hayden Ave.

The Commission finds that evidence and testimony show that the proposed zoning, along with guidance from the focus areas, is consistent with the Future Land Use Map.

C2. Amendments to the zoning map should be in accordance with the goals and policies

found in the Post Falls Comprehensive Plan.

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

Goals:

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 supporting the flow of people and materials. This proposal will improve the existing street network for Post Falls, improving the city's efficiency, function, and value.

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.

This proposal supports an allocation of land use types, parks features, or other areas to support the community's needs and foster the city's long-term sustainability by growing the local economy.

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 aid in maintaining the community levels of service.

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

Additional housing and commercial may help the community's long-term fiscal health by providing living accommodations and commercial services to the current and future workforce within the city.

- Maintain and enhance resident quality of life;

Diversified housing options assist with providing quality housing for different sectors of the community. Single-family homes have proven to still be in high demand in our community.

- Promote compatible, well-designed development;

The development will be required to meet City design standards for the proposed commercial and multi-family 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 or have a plan to be brought into compliance with the relevant master plan.

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

- Future land use mapping;

The first review criteria of this recommendation address this.

- Compatibility with surrounding land uses;

The proposed development pattern for this proposal would be compatible with the surrounding uses as they are primarily residential or other open space areas.

The rezone area intends to provide predominantly a single-family residential neighborhood, with the higher intense uses being proposed near Hayden Avenue (Major Collector). Of the approximate 80 acres proposed to be rezoned to Residential Mixed (RM), it proposes 1-acre of neighborhood commercial (1.3%), 8.3-acres of high-density residential (10.4%), and the remaining 70.7 acres to be single-family residential. This proposed mix meets the minimum requirements for the RM zoning district per PFMC 18.16.010.

The annexation area that is centrally located is proposed for the Public Reserve (PR) land use designation. This designation would blend with the other Land Use Applications and be a reserve for additional prairie preservation lands. The nearby larger single-family lots would also be compatible with this use.

The zoning plans along HWY 41 are consistent with the area's master plans and expected growth patterns. The proposed uses in the easternmost annexation area are intense, with a mix of residential and commercial development. The northern triangular area will be integrated into the other Land Application lands, while south of UPRR, there will be a mix of Single Family Residential, Medium Density, and CCM zoning. Development east of HWY 41 will mainly be commercial, with higher-density development buffering single-family neighborhoods to the east.

Infrastructure and service plans;

The proposed annexation north of Hayden Avenue would require a sanitary sewer extension. This extension must be per the City Collection Master plan and must reach the intersection of Spokane and Prairie Avenue. The Master Plan may be amended after a study is conducted and the city approves an amendment. The requested zoning is consistent with the land use assumptions in the City's Water Reclamation Master Plan.

The proposed zone change request requires an extension of the sanitary sewer to the intersection of Spokane Street and Prairie Avenue. This extension is separate from the existing infrastructure within the Crown Pointe Subdivision.

The existing sanitary sewer must be extended from Prairie Avenue to the Fisher Lift Station for the annexation and zone change.

The City's Water Reclamation System can provide service and is willing to serve the properties at the requested density. However, it's important to note that the existing capacity doesn't guarantee future service.

The properties are not subject to any Local Improvement Districts (LID's), Subsequent User Agreements, or Sewer Surcharges. The city-owned irrigation systems will irrigate the property transferred to the city in the land exchange, separate from potable water sources. Ross Point Water District will service water for the remaining properties for the annexation and East Green Acres for the zone change.

Existing and future traffic patterns;

The annexation property is next to Hayden Avenue, a classified Major Collector roadway. Dedications of rights-of-way and easement would be required at the time of annexation and complying with adopted City Design Standards:

Hayden Avenue – Major Collector I: 85-feet total right-of-way width, along with a 15-foot sidewalk, drainage and utility easement. The grant of right-of-way width will be measured from the existing southern rights-of-way for Hayden Avenue.

Future traffic patterns to/from this site benefit from the connectivity of Hayden Avenue to Highway 41. Local roadway connection will also be completed in conformance with the City Master Plan (Cecil Road, Charleville Road).

- 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.

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 proposal is located along Major Collectors such as Hayden Avenue, designed to accommodate traffic volumes of 4,000 - 12,000 vehicles per day.

Future traffic patterns to/from this site are benefitted from the proximity to numerous Collector and Arterial Roadways that would distribute traffic from the subject site to SH41, Hayden Avenue, Charleville Road, and Cecil Road.

Water and Sanitary Sewer:

The Commission finds:

Water: Water service for the annexed property to be developed is provided by the Ross Point Water District (Annexation) and East Green Acres (Zone Change).

Sanitary Sewer: Sanitary sewer extensions will be required from the individual properties to Spokane Street and Prairie Avenue intersection and from Prairie Avenue to the Fisher Lift Station. The property requesting annexation and zoning is identified in the City of Post Falls Water Reclamation Master Plan as being serviced by the referenced main. The requested zoning complies with the land use assumptions within the City's Water Reclamation Master Plan.

Compatibility with Existing Development and Future Uses:

As outlined in the discussion of Policy 2, the Commission finds that the proposed zoning is compatible with existing development and future uses in the area.

Future Land Use Designation:

The Commission finds that the Future Land Use Map depicts the land use designation for this area as Transitional. Following guidance from the applicable focus area, and the PFMC for Public Reserve, the Commission finds that the proposal is in accordance with the Future Land Use Designation.

Geographic/Natural Features:

The site is located over the Rathdrum Prairie Aquifer and contains no other geographic or other natural features that would adversely affect development of the site.

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

The Commission finds that area 5 has the higher density off Highway 41, and area 1 has the higher density off of Hayden Ave. Therefore, the Commission finds that proposed commercial and high density residential zoning will be assigned along streets with higher road classifications.

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 less intense uses being proposed proceed farther away from the higher intensity urban activity, satisfying this criterion.

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 request.

D. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:

ANNX-22-14, INITIAL ZONING & ZC-22-7, ZONE CHANGE: 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 was made. The motion passed unanimously. The Planning and Zoning Commission hereby recommends that City Council approve the proposed finding that it conforms to the general purpose of the comprehensive plan and meets the applicable approval criteria for the applicant's request as outlined in this recommendation.

Date

Chairman

Attest

NOTICE OF RIGHTS:

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

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

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

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

Quailview Townhomes Subdivision
File No. SUBD-22-15
Planning and Zoning Commission
Reasoned Decision

A. INTRODUCTION:

APPLICANT: Buildright Homes LLC

LOCATION: Generally located at the northwest corner of Jacklin Rd and Expo Parkway. It is south of Creative Way and abuts three public roadways.

REQUEST: Subdividing approximately 2.25 acres into 22 twin home lots within the Medium Density Residential (R2) zoning designation. As depicted Exhibit S-3.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Preliminary Plat
4. A-5 Will Serve
5. A-6 Auth Letter
6. A-7 Title Report
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 YPL Comments
12. PA-3 KCFR Comments
13. PA-4 PFSD Comments
14. PA-5 DEQ Comments
15. PZ Staff Report
16. Testimony at the April 11, 2023, Planning and Zoning Commission (“Commission”) hearing including:

The Planning and Zoning Commission (hereinafter “Commission”) heard the request at a public hearing, the hearing was in-person and live-streamed on the City of Post Falls YouTube Channel. The request was for the Commission to review the request to subdivide approximately 2.25 acres into 22 twin-home lots within the Medium Density Residential (R-2) zoning designation. The request is evaluated under the standards of Post Falls Municipal Code (“PFMC”) § 17.12.060.

Ethan Porter, Associate Planner

Mr. Porter presented the staff report to the Commission. He testified that the owner of the property is Buildright Homes LLC, represented by the Applicant, Jeramie Terzulli, Olson Engineering. He testified that the applicant seeks to subdivide approximately 2.25 acres into 22 twin-home lots within the Medium Density Residential (R-2) zoning designation.

Ms. Jones explained that the general location is south of Creative Way, west of Expo Parkway, and north of Jacklin; it has three road frontages and is east of the Woodbridge Subdivision. He indicated

that the current land use is vacant. He testified that the East Greenacres Irrigation District will provide the water, and the city of Post Falls will provide wastewater services.

Mr. Porter testified about the surrounding uses, explaining that Flippen Storage was to the north, and Woodbridge, a single-family residential subdivision, was to the south and west. He went on to say that to the east is commercial property.

Mr. Porter testified that the request is for 22 twin-home lots, with the smallest lot being about 2,662 square feet and the largest being approximately 5,003 square feet, with a minimum lot size of approximately 2,400 square feet. He noted that twin homes are one structure with two residential homes separated by a common wall along the lot line, each residence having its own lot.

Mr. Porter testified regarding the first review criteria, stating again that East Greenacres Irrigation District will provide water, and the applicant has submitted a will-serve letter. As to the second criterion, he noted that the city has sufficient capacity for the proposed uses and is in conformance with the city's water reclamation master plan. As to the third review criteria, He explained that the proposed streets are consistent with the transportation element of the comprehensive plan.

Mr. Porter testified regarding the fourth review criteria, stating that the site is located over the Rathdrum prairie aquifer, and at this time, no known soil or topographical conditions are identified as hazards. Regarding the fifth review criteria, he attested that the proposed lots comply with the bulk and placement standards for the relevant zoning designation. Finally, as to the last review criteria, he testified that impact fees and cap fees would be assessed and collected on individual building permits to mitigate the off-site impacts to parks, public safety, streets, city water, and water reclamations facilities.

Mr. Porter testified that all other agencies have been notified, with Yellowstone Pipeline having no comment, KCFR reserving comments for the city's review process, Post Falls Highway District having no comments, and the Post Falls School District remaining neutral.

Jeremy Terzulli, Olson Engineering, Applicant

Mr. Terzulli shared that they had brought the zone change request before the Commission about a year ago, which was unanimously approved by the City Council. The purpose of the Twin Homes they are proposing is to bridge the gap between the traditional R1 single-family residences on 7,000 square foot lots. Mr. Terzulli clarified that from the street, a Twin home appears to be a duplex; however, the property line is in line with the party wall, allowing each unit to be owned individually. They have already met with city staff to discuss road design, lot sizes, and utility coordination. They have also received the will-serve letter from the water district and have begun the utility coordination process, including an application to Avista for power and natural gas. Mr. Terzulli believes that the proposed project meets all the necessary code criteria and is prepared to submit the construction drawings once approved.

Parking was a concern raised during the hearing, but Mr. Terzulli assured the Commission that they have widened the street to 32' to accommodate additional parking. Each unit will also hopefully have an attached 2-car garage, 2 stalls in the driveway, and on-street parking. The proposed Twin Homes are intended to be built and sold, as R1 zoning does not allow this construction. Mr. Terzulli explained that they acquired the R2 zoning designation about a year ago to build Twin Homes. 2-3 years ago, the odd-shaped land left over after Woodbridge Subdivision was built remained unused by commercial users. Several local developers saw an opportunity to provide a different product onto the market, hence the proposal for Twin Homes.

Public Testimony:

The hearing was opened for public testimony, but none was received.

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

C. SUBDIVISION REVIEW CRITERIA: (Post Falls Municipal Code Title 17.12.060, Subsection H): No subdivision shall receive approval unless findings and conclusions are made that:

C1. Definite provision has been made for a water supply system that is adequate in terms of quantity, and quality for the type of subdivision proposed.

The Commission determines that water service to the project would be provided East Greenacres Irrigation District, and they have adequate capacity to provide service to the project as proposed. The applicant has provided a will-serve letter.

C2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.

After evaluation, the Commission concluded that the City of Post Falls possesses sufficient capacity to cater to the subdivision as per the proposal. The proposed conceptual design of the sanitary sewer system appears capable of being served and will be constructed according to the City Standards.

C3. Proposed streets are consistent with the transportation element of the comprehensive plan.

The Commission determines that the subdivision and proposed layout are consistent with the City’s Transportation Master Plan and Design Standards. The project offers a private internal roadway allowing parking on both sides of the street. Due to the size of the property and the existing developments surrounding the site, additional connectivity is not practical.

Roadways, storm drainage management, roadway illumination, ADA ramps and roadway markings/signs shall comply with City Standards with final design and construction.

The Homeowners Association for the project will be responsible for plowing and maintaining the private roadway and for the maintenance of sidewalks, including snow removal, irrigation, and maintenance of roadside swales and street trees along the adjoining public roadways.

C4. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards have been identified and that the proposed uses of these areas are compatible with such conditions.

The Commission determines that, while the site is located over the Rathdrum prairie aquifer, no testimony or evidence was presented that identified any soil or topographical conditions as presenting hazards.

C5. The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code.

The Commission determines this subdivision is within a Medium Density Residential (R-2) zone. The proposed use conforms will conform with the zoning and other requirements found in PFMC.

C6. 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.

The Commission determines that: Impact fees will be assessed on individual building permits to mitigate the off-site impacts to parks, public safety, and streets.

C7. Additional Recommended Conditions necessary to ensure compliance with the adopted standards:

The Commission decides that the requested subdivision can meet the city's standards. However, certain conditions will need to be completed to meet the criteria. Those conditions, 1-10 listed below, when imposed, will ensure that the six criteria found in PFMC 17.12.060.H are met. Based upon the presentations made to the Commission at a properly noticed public hearing, the record compiled in this matter, and the applicant must meet the following conditions:

1. 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.
2. 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.
3. The proposed subdivision must be completed in a single phase.
4. A Construction Improvement Agreement shall be prepared and executed prior to commencement of construction for the subdivision. Coordinate Irrigation of frontages with the Post Falls Urban Forester.
5. Submitted Preliminary Plans were reviewed from a conceptual basis only and reflect the general ability to provide service. 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.
6. 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.
7. Direct access from residential lots to Jacklin Road, Expo Parkway or Creative Way shall be prohibited on the face of the plat.
8. Final landscaping plans for the street trees will be submitted for review and approval as part of the construction plans. Street trees shall be planted by the developer in the spring and fall following construction of homes. The Urban Forester shall be notified prior to planting.
9. A Homeowners Association (HOA) shall be formed to maintain the common right-of-way frontage along Jacklin Road, Expo Parkway and Creative Way, including all landscaping, irrigation, and removal of snow from sidewalks and trails.
10. A Homeowners Association (HOA) shall be responsible for maintenance of the internal private roadway.

D. STEPS THE APPLICANT CAN TAKE TO OBTAIN APPROVAL:

Not Applicable, approval is granted, subject to the conditions noted above.

E. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:

SUBD-22-16: Based upon the record placed before the Commission, the testimony received at the properly noticed public hearing, and with the imposition of the above conditions, it is the conclusion of the Post Falls Planning and Zoning Commission that the request, Quailview Townhomes Subdivision, SUBD-22-16, meets the standards of City Code, and the Idaho Local Land Use Planning Act, and is hereby approved with conditions contained herein.

Approved by the Planning and Zoning Commission on _____

Date

Chairman

Attest

NOTICE OF RIGHTS:

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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**

DATE: May 26, 2023

TO: POST FALLS PLANNING AND ZONING COMMISSION

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

SUBJECT: STAFF REPORT FOR MAY 30, 2023, P&Z COMMISSION MEETING – POST FALLS SCHOOL DISTRICT SPECIAL USE PERMIT File No. SUP-23-1 PUBLIC HEARING

INTRODUCTION:

Landon DeFelice of Architects West has requested on behalf of the Post Falls School District approval for a Special Use Permit to allow for the expansion of School Services within the Single-Family R-1 Zoning District per Exhibit A-2. The Planning & Zoning Commission must conduct a public hearing and determine if the proposed request meets the approval criteria contained in PFMC Section 18.20.070 (B). Following the public hearing, the Planning Commission will direct staff to prepare a Reasoned Decision, along with any appropriate conditions, that explains how the approval criteria are/are not met. The Planning Commission will review and approve the final Reasoned Decision at a subsequent meeting. The approval criteria are:

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

PROJECT INFORMATION:

Project Name/File Number: PFSD Food Service Facility Special Use Permit (SUP-23-1)

Owner: Post Falls School District #273, P.O. Box 40, Post Falls, ID 83877

Applicant: Landon DeFelice, 210 E. Lakeside Ave., Coeur d'Alene, ID 83814

Project Description: The applicant is planning on developing a site for a food service building used for dry-goods storage by Post Falls School District's meal programs per Exhibits A-2, A-3.

Project Location: Northeast Corner of E. Horsehaven Avenue and N. Greensferry Rd. (see vicinity map below).

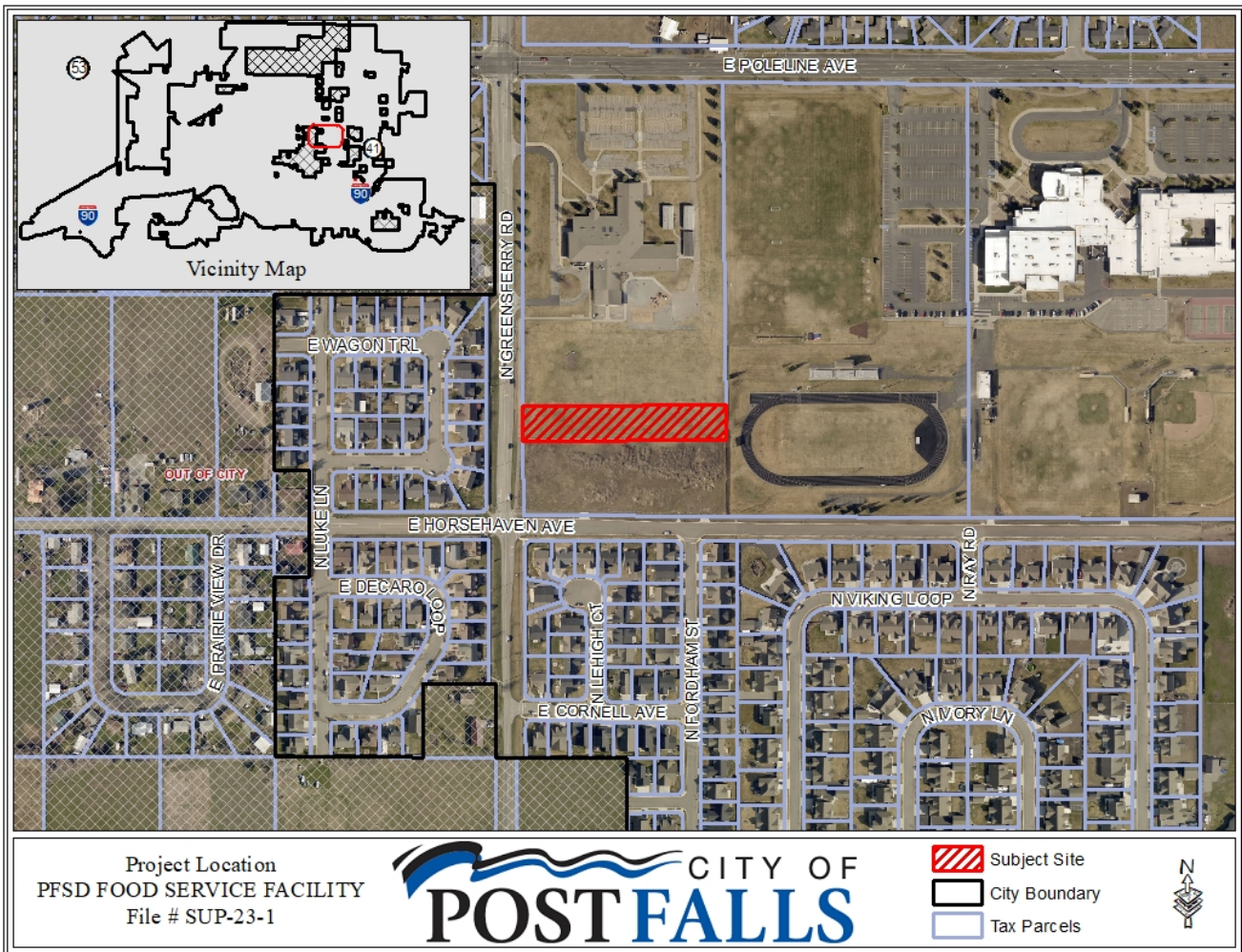
Water Provider: Ross Point Water District

Sewer Provider: City of Post Falls

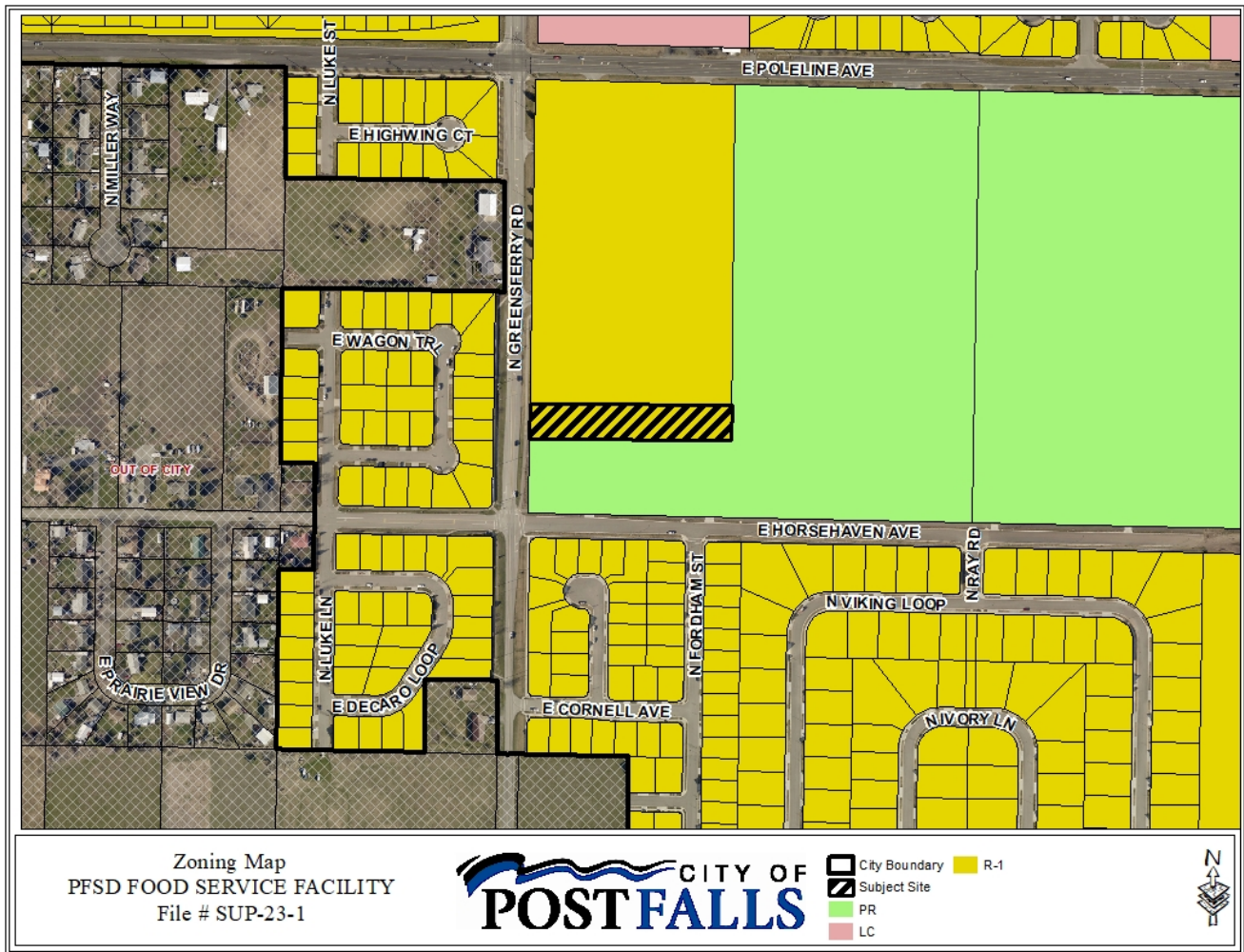
AREA CONTEXT:

Surrounding Land Uses: Adjacent to the north, east, and south of this area requiring a Special Use Permit request are other school properties. West of N. Greensferry Rd are single family residences, either in the City or County.

Area Context Vicinity Map:



Surrounding Zoning Districts: The elementary school site is on a Single Family Residential (R-1) zoned parcel. The school properties to the east and south of the area requesting the Special Use Permit are within the Public Reserve (PR) Zoning District. The properties in the City to the west of Greensferry Rd. and South of E. Horsehaven Ave. are zoned Single Family Residential (R-1). (See Following Map).



EVALUATION OF SPECIAL USE PERMIT APPROVAL/ REVIEW CRITERIA:

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

This site is an already establish school site, of which schools are allowed with a Special Use Permit per PFMC Land Use Table 18.20.030 in the Single Family Residential (R-1) Zoning district. See Below:

Land Use Category	Zoning Classifications										LBCS Code	
	R1S	R1	R2	R3	LC	CCS	I	TM	CCM	RM		
Education uses:												
Nursery and preschool	S	S	S	S	P	P	S	P	P	S	6110	
Elementary school	S	S	S	S	S	P	S	-	P	S	6121	
Middle school	S	S	S	S	S	P	S	-	P	S	6122	
High school	S	S	S	S	S	P	S	-	P	S	6123	

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.

Addressed in Criteria A

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

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

Transportation: The proposed special use is not anticipated to produce impacts that would adversely impact the adjoining transportation systems. Horsehaven Avenue is a Minor Collector Roadway and intersects Greensferry Road, a Minor Arterial, along the property’s western boundary. Configuration of access is shown to access onto Horsehaven Avenue. The current roadway network has capacity, with identified impact fee projects in the immediate vicinity further facilitating long term traffic operations.

Water Reclamation: The site will be connected to the City’s Water Reclamation Facilities. Existing facilities are located along Horsehaven Avenue and have the capacity and capability to handle the requested use. Site-specific issues would be handled with site plan review. The property is not subject to any Sewer Surcharges or Local Improvement Districts.

Domestic Water: The proposed special use will be serviced by the Ross Point Water District. Site-specific issues related to fire protection would be handled at the time of Site Plan Review.

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

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

Cities exercise considerable influence over land use, in turn influencing the type and character of development, patterns of growth, and the short and long-term financial impact of growth on the local economy. The prosperity in the fictionality of the community Schools plays and role in this endeavor.

Consequently, the Comprehensive Plan supports the allocation of land use types, parks features and other areas sufficient to achieve overall plan objectives.

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 Special Use Permit request.

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

Staff Comment: This particular area of the school site is an underutilized portion of their properties that with improvements will assist meeting their Food Service Industry demands.

Policy 10: Prioritize location of schools in areas with:

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

Staff Comment: These school sites are already established, adjacent to collector and arterial streets and proximate to residential areas, thus by the school district utilizing lands already being serviced with utilities and other services owned, allows for a cost-effective means to meet the districts’ facility needs.

Policy 56: Work with the Post Falls School District to coordinate City parks, facilities and service planning with:

- District facility plans;
- District programs, recreational facilities, and educational opportunities

Staff Comment: This Special Use Permit is an opportunity to assist the School District in meeting their district facility plans.

OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

Agencies Notified:

Post Falls Post Office	PF Park & Rec	East Greenacres Irrigation 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

- **Yellowstone Pipeline (Exhibit PA-1) – Responded with no comment.**
- **Kootenai County Fire & Rescue (Exhibit PA-2) – Reserves comments for time of permits.**
- **Post Falls Highway District (Exhibit PA-3) – Responded with no comment.**

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

CONDITIONS (If any are applied):

1. Site Access points will be required to conform with City Access Management requirements.

ATTACHMENTS:

APPLICANT'S EXHIBITS:

Exhibit A-1	Application
Exhibit A-2	Narrative
Exhibit A-3	Preliminary Plan
Exhibit A-4	Vicinity Map
Exhibit A-7	Title Report

STAFF EXHIBITS:

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

TESTIMONY:

Exhibit PA-1	YPL Comments
Exhibit PA-2	KCFR Comments
Exhibit PA-3	PFHD Comments

Special Use Permit · 376 – PFSD FOOD SERVICE FACILITY

 **Expiration Date**

Active



SUP-23-1



Details

Submitted on Apr 13, 2023 at 9:33 am



Attachments

8 files



Activity Feed

Latest activity on May 3, 2023



Applicant

Landon DeFelice



Location

2478 E POLELINE AVE, POST FALLS, ID 83854



Timeline

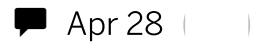
Add New ▾

Special Use Permit Fees

Paid Apr 14, 2023 at 9:19 am

Completeness Review

Completed Apr 17, 2023 at 12:58 pm



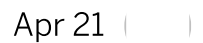
Schedule Planning and Zoning Hearing

Completed Apr 17, 2023 at 1:06 pm



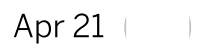
Polygon Creation

Completed Apr 19, 2023 at 9:36 am



GIS Review

Completed May 3, 2023 at 8:40 am



Maps Created

Completed May 5, 2023 at 9:08 am



Draft Staff Report

Completed May 5, 2023 at 9:08 am



Engineering Review

Completed May 5, 2023 at 9:08 am

May 19



Parks Review

Completed May 5, 2023 at 9:08 am

May 19



Wastewater Review

Completed May 5, 2023 at 9:08 am

May 12



Final Planning Review

In Progress



Notice

In Progress



Site Posting

Review



Reasoned Decision

Review



Consent Calendar - Planning and Zoning

Review



Route Approved RD

Review



🔒 Mailing Fees

🔒 Number of Mailings

40

Applicant Information

Applicant Type *

Agent

Applicant Name *

Landon DeFelice

Phone *

208.667.9402

Email *

landond@architectswest.com

Address *

210 E Lakeside Ave

City, State & Zip Code

Coeur d'Alene

Owner Information

Name *

Dena Naccarato

Company

Post Falls School District #273

Phone *

208-773-1658

Email *

dena.naccarato@sd273.com

Address *

Post Falls School District Office PO Box 40

City, State & Zip Code

Post Falls ID 83877

Site Information

Proposed Project Name *

Post Falls School District Food Service Building

Description of Project *

A food service building used for dry-goods storage by Post Falls School District's meal programs.

Existing Zoning

R-1

Adjacent Zoning

PR

Current Land Use

Public School

Adjacent Land Use

Public School

Size of Site

13.62 Acres

Site Density, if applicable

N/A

Application Certification

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



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



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

Landon DeFelice

Apr 13, 2023

April 10th, 2023

City of Post Falls
Planning Department
1st Floor of City Hall
408 N Spokane St.
Post Falls, ID 83854

RE: Special Use Permit for Post Falls School District Food Service Building.

We are writing to request a special use permit for the construction of a food service building used for dry-goods storage by Post Falls School District's meal programs. The proposed building is a one-story pre-engineered metal building with a footprint of approximately 1,100 square feet. This building is necessary to ensure that Post Falls School District has a safe and efficient storage solution for its meal programs. Inbound deliveries to the site would consist of one weekly food delivery from in large truck with 45-foot trailer, and one delivery of paper products in a smaller box truck. Outbound traffic would consist of small district-owned box trucks making periodic food deliveries to the school.

The proposed building would have an occupancy classification of S-2 (Low-Hazard Storage.) The placement of this building on the site is located primarily on the Post Falls Highschool property, but also extends 100' north onto the Prairie View Elementary School property. Siting the proposed building at this location keeps it further from adjacent public roads, reduces its visual impact on surrounding neighborhoods, allows for more efficient vehicular circulation, improves storm water management, and improves the project's impact on the health, safety, and welfare of the surrounding R-1 single-family residential neighborhoods.

Although the elementary school site and the high school are similar land-uses, the high school site, where the proposed building is primarily located, is zoned PR (Public Reserve) and the elementary school site is zoned R-1 (single-family residential.) The PR zoning designation currently allows for the proposed food storage building's land-use, but this land-use is not currently allowed in the R-1 zoning designation.






The proposed food service building complies with the general goals found within the comprehensive plan and is compatible with the surround neighborhood as it is an appropriate land use for the PR zoning designation which makes up most of the combined high school and elementary school sites. We ask that the city of Post Falls grant this special use permit to allow the building to be sited partially on the elementary school site in recognition that a 100' deviation to the current delineation between R-1 and PR on this contiguous school-district-owned site has positive impacts on the health, safety, and welfare of the public in the surrounding neighborhood and allows for a more efficient use of land.

Sincerely,

ARCHITECTS WEST, INC.
Landon DeFelice



LEGEND

-  Concrete Flatwork
-  Asphalt
-  Landscape Area With Plants
-  Non-Irrigated Dryland Hydroseed
-  Irrigated Area - Eco Turf

PARKING SUMMARY

REQUIRED PARKING	
1/200 SF OF OFFICE SPACE	= 7
1/2000 SF OF WAREHOUSE	= 5
	= 12
PROVIDED PARKING	= 13



**SPECIAL USE PERMIT - SITE PLAN
POST FALLS SCHOOL DISTRICT
FOOD SERVICE BUILDING**

APRIL 4, 2023

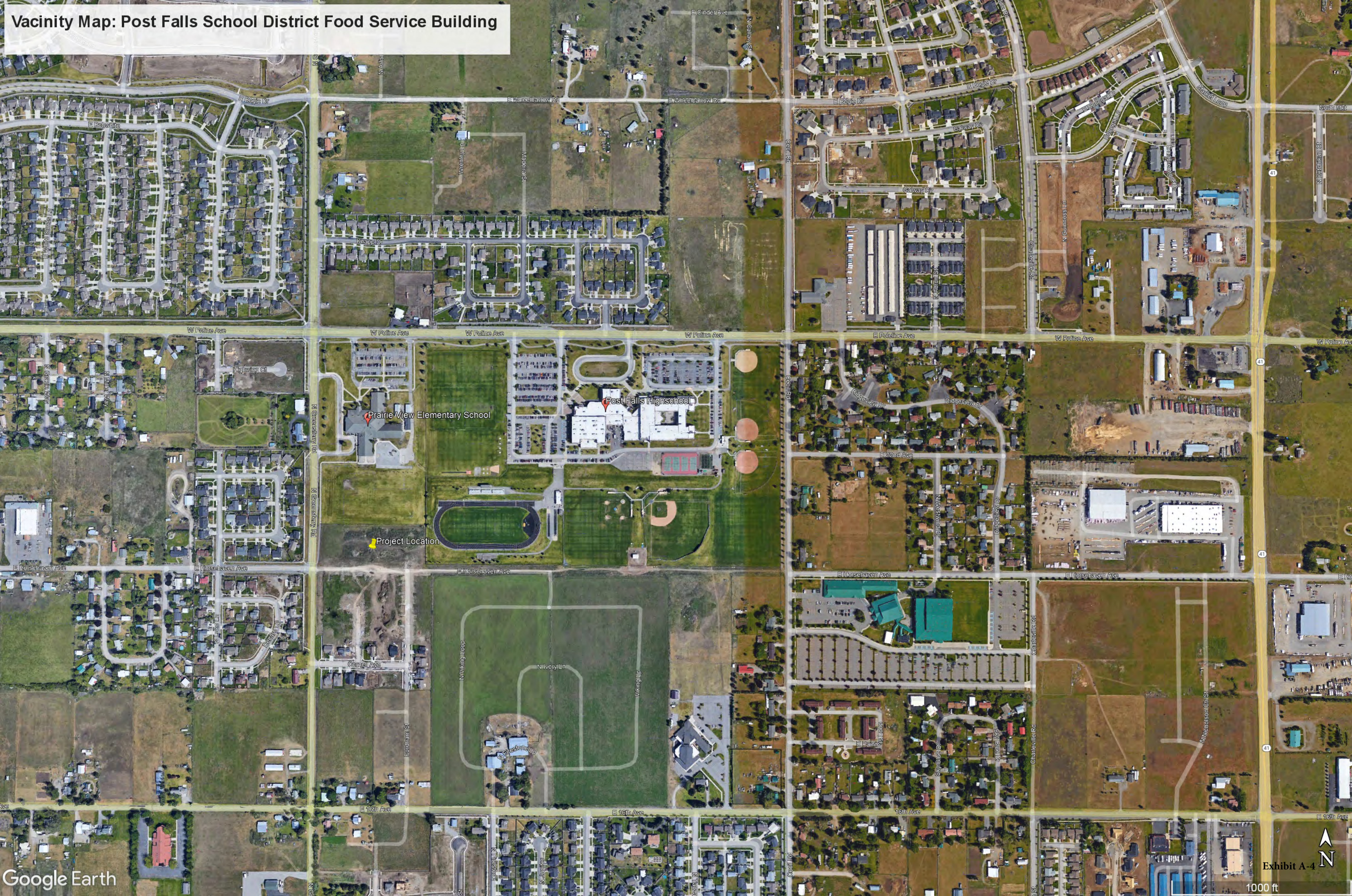


0 20' 40'

SCALE: 1"=20'
(AT 24" X 36")

Exhibit A-3

Vacinity Map: Post Falls School District Food Service Building



Prairie View Elementary School

Post Falls High School

Project Location

CHICAGO TITLE INSURANCE COMPANY

Commitment No.: 418347
SECOND REPORT

SCHEDULE A

Escrow Officer: -
Title Officer: Kristin Scott - kristin@kootenaititle.com

1. Commitment Date: September 22, 2022 at 12:00 AM

2. Policy to be issued:

a. Owner's Policy (MINIMUM)	Amount:	\$0.00
Proposed Insured:	Premium:	\$300.00
	Total::	\$300.00

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:

Post Falls School District No. 273, an Idaho School District

5. The Land is described as follows:

SEE SCHEDULE C ATTACHED HERETO

CHICAGO TITLE INSURANCE COMPANY

Chicago Title Insurance Company

Kristin Scott

By: _____
Kootenai County Title Company, Inc.



By: *[Signature]* President
ATTEST *[Signature]* 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: The address of the herein described property is:
2478 E. Poleline Ave.
Post Falls, ID 83854

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CHICAGO 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. 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) :
Total: \$5.74, Paid
Parcel No.: P00000363370
AIN No.: 117617
Affects Parcel 1

Total: \$5.74, Paid
Parcel No.: P00000363150
AIN No.: 183823

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CHICAGO TITLE INSURANCE COMPANY

Affects Parcel 2

8. General taxes for the year 2022, which are a lien, not yet due or payable.
9. Special Assessments, if any, for the City of Post Falls.
10. Assessments of the Ross Point Water District.
11. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: Washington Water Power Company
Purpose: public utilities
Recorded: August 7, 1930
Book 95 at Page 441, 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: Pacific Northwest Pipeline Corporation
Purpose: To construct, install, maintain, inspect, operate, protect, repair, replace, change or remove a pipeline gate valve or gate valves with any by-passes, cross-overs, scraper traps or other material, apparatus, and equipment used in connection therewith or incident thereto.
Recorded: August 6, 1957
Book 169 at Page 268, records of Kootenai County, Idaho.

Instrument of conveyance, transfer and assignment to Northwest Pipeline Corporation recorded February 7, 1974 as Instrument No. 642382 in Book 265 of Deeds page 400, 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: Kootenai Electric Cooperative, Inc.
Purpose: public utilities
Recorded: July 6, 1979
Book 300 at Page 184, records of Kootenai County, Idaho.
14. Any matters as disclosed by survey recorded June 24, 1993 in Book 13 of Surveys at Page 80, records of Kootenai County, Idaho.
15. Any matters as disclosed by survey recorded March 16, 1999 in Book 19 of Surveys at Page

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CHICAGO TITLE INSURANCE COMPANY

456, 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: Avista Corporation, a Washington corporation
Purpose: public utilities
Recorded: February 7, 2000
Instrument No.:1623116, records of Kootenai County, Idaho.

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: pedestrian and bicycle facilities, public utilities,
and storm water drainage facilities
Recorded: July 13, 2006
Instrument No.:2042903000, 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: Northwest Pipeline GP
Purpose: pipeline for the transportation of natural gas
and/or other related products
Recorded: May 19, 2010
Instrument No.:2265764000, records of Kootenai County, Idaho.

END OF SCHEDULE B

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CHICAGO TITLE INSURANCE COMPANY
SCHEDULE C

The Land is described as follows:

Parcel 1:

Northwest Quarter of the Northwest Quarter of Section 36, Township 51 North, Range 5 West Boise Meridian,

EXCEPT:

A tract of land situated in the North Half of the Northwest Quarter of Section 36, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, described as follows:

Commencing at a found steel pin monumenting the Northwest Corner of said Section 36 (from which the North Quarter Corner of said Section 36 bears South 89° 09' 43" East 2648.90 feet); thence along the westerly line of said Northwest Quarter South 00° 17' 54" West 25.00 feet to a point; thence leaving said westerly line South 89° 09' 43" East 25.00 feet to the intersection of the easterly right of way of Greensferry Road with the southerly right of way of Pole Line Road, said point being the REAL POINT OF BEGINNING.

Thence continuing along said southerly right of way South 89° 09' 43" East 595.42 feet to a point;

Thence leaving said southerly right of way South 1041.20 feet to a point;

Thence West 600.82 feet to a point on the easterly right of way of said Greensferry Road;

Thence along said easterly right of way North 00° 17' 54" East 1049.92 feet to the REAL POINT OF BEGINNING.

ALSO EXCEPT:

That portion conveyed to Post Falls Highway District by Quit Claim Deed recorded March 15, 1999 as Instrument No. 1579546, records of Kootenai County, Idaho.

Parcel 2:

A tract of land situated in the North Half of the Northwest Quarter of Section 36, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, described as follows:

Commencing at a found steel pin monumenting the Northwest Corner of said Section 36 (from which the North Quarter Corner of said Section 36 bears South 89° 09' 43" East 2648.90 feet); thence along the westerly line of said Northwest Quarter South 00° 17' 54" West 25.00 feet to a point; thence leaving said westerly line South 89° 09' 43" East 25.00 feet to the intersection of the easterly right of way of Greensferry Road with the southerly right of way of Pole Line Road, said point being the REAL POINT OF BEGINNING.

Thence continuing along said southerly right of way South 89° 09' 43" East 595.42 feet to a point;

Thence leaving said southerly right of way South 1041.20 feet to a point;

Thence West 600.82 feet to a point on the easterly right of way of said Greensferry Road;

Thence along said easterly right of way North 00° 17' 54" East 1049.92 feet to the REAL POINT OF BEGINNING.

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CHICAGO TITLE INSURANCE COMPANY

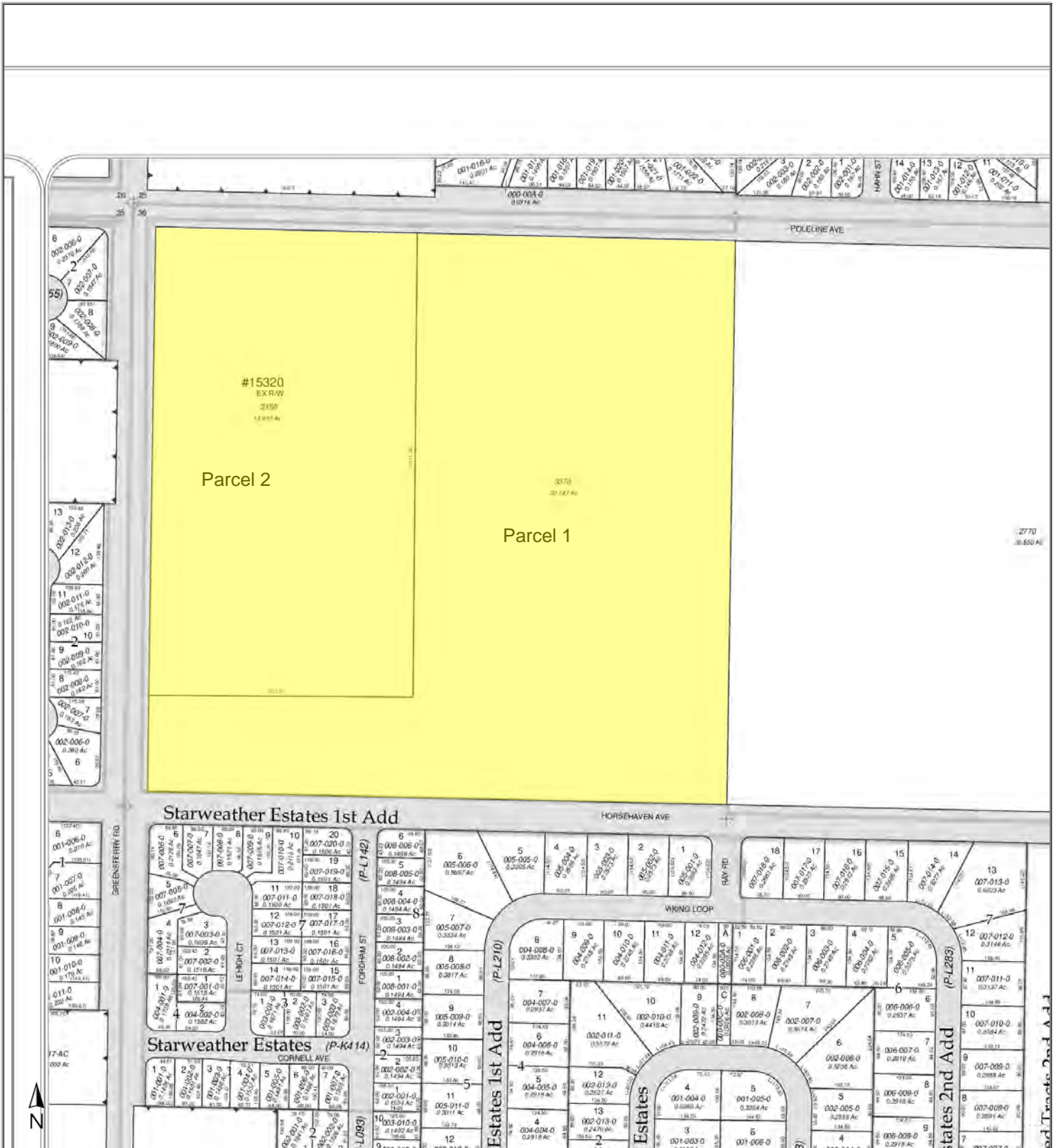
EXCEPT:

That portion conveyed to Post Falls Highway District by Quit Claim Deed recorded March 15, 1999 as Instrument No. 1579546, records of Kootenai County, Idaho.

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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

ParcelID: P0000363150
Tax Account #: 183823
2478 E Poleline Ave, 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.

CHICAGO TITLE INSURANCE COMPANY

Commitment No.: 418347

SCHEDULE A

Escrow Officer: -
Title Officer: Kristin Scott - kristin@kootenaititle.com

1. Commitment Date: June 17, 2022 at 12:00 AM

2. Policy to be issued:

a. Owner's Policy (MINIMUM)	Amount:	\$0.00
Proposed Insured:	Premium:	\$300.00
	Total::	\$300.00

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:

**Post Falls School District No. 273, an Idaho School District, as to Parcel 1
and Schneidmiller Partners, an Idaho Partnership, as to Parcel 2**

5. The Land is described as follows:

SEE SCHEDULE C ATTACHED HERETO

CHICAGO TITLE INSURANCE COMPANY

Chicago Title Insurance Company

Kristin Scott

By: _____
Kootenai County Title Company, Inc.



By: *[Signature]* President
ATTEST *[Signature]* 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: The address of the herein described property is:
2478 E. Poleline Ave.
Post Falls, ID 83854

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CHICAGO 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. 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) :
Total: \$5.74, Paid
Parcel No.: P00000363370
AIN No.: 117617
Affects Parcel 1

Total: \$5.74, Paid
Parcel No.: P00000363150
AIN No.: 183823

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CHICAGO TITLE INSURANCE COMPANY

Affects Parcel 2

8. General taxes for the year 2022, which are a lien, not yet due or payable.
9. Special Assessments, if any, for the City of Post Falls.
10. Assessments of the Ross Point Water District.
11. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: Washington Water Power Company
Purpose: public utilities
Recorded: August 7, 1930
Book 95 at Page 441, 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: Pacific Northwest Pipeline Corporation
Purpose: To construct, install, maintain, inspect, operate, protect, repair, replace, change or remove a pipeline gate valve or gate valves with any by-passes, cross-overs, scraper traps or other material, apparatus, and equipment used in connection therewith or incident thereto.
Recorded: August 6, 1957
Book 169 at Page 268, records of Kootenai County, Idaho.

Instrument of conveyance, transfer and assignment to Northwest Pipeline Corporation recorded February 7, 1974 as Instrument No. 642382 in Book 265 of Deeds page 400, 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: Kootenai Electric Cooperative, Inc.
Purpose: public utilities
Recorded: July 6, 1979
Book 300 at Page 184, records of Kootenai County, Idaho.
14. An unrecorded contract with certain terms, covenants conditions and provisions set forth therein
Seller: Schneidmiller Partners, Idaho partners
Buyer: Post Falls School District No. 273, an Idaho School District
Disclosed by: Memorandum of Contract
Recorded: September 10, 1992

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CHICAGO TITLE INSURANCE COMPANY

Instrument No.:1274102, records of Kootenai County, Idaho.
Affects Parcel 2

15. Any matters as disclosed by survey recorded June 24, 1993 in Book 13 of Surveys at Page 80, records of Kootenai County, Idaho.
16. Any matters as disclosed by survey recorded March 16, 1999 in Book 19 of Surveys at Page 456, records of Kootenai County, Idaho.
17. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: Avista Corporation, a Washington corporation
Purpose: public utilities
Recorded: February 7, 2000
Instrument No.:1623116, 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: pedestrian and bicycle facilities, public utilities,
and storm water drainage facilities
Recorded: July 13, 2006
Instrument No.:2042903000, 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: Northwest Pipeline GP
Purpose: pipeline for the transportation of natural gas
and/or other related products
Recorded: May 19, 2010
Instrument No.:2265764000, records of Kootenai County, Idaho.

END OF SCHEDULE B

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CHICAGO TITLE INSURANCE COMPANY
SCHEDULE C

The Land is described as follows:

Parcel 1:

Northwest Quarter of the Northwest Quarter of Section 36, Township 51 North, Range 5 West Boise Meridian,

EXCEPT:

A tract of land situated in the North Half of the Northwest Quarter of Section 36, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, described as follows:

Commencing at a found steel pin monumenting the Northwest Corner of said Section 36 (from which the North Quarter Corner of said Section 36 bears South 89° 09' 43" East 2648.90 feet); thence along the westerly line of said Northwest Quarter South 00° 17' 54" West 25.00 feet to a point; thence leaving said westerly line South 89° 09' 43" East 25.00 feet to the intersection of the easterly right of way of Greensferry Road with the southerly right of way of Pole Line Road, said point being the REAL POINT OF BEGINNING.

Thence continuing along said southerly right of way South 89° 09' 43" East 595.42 feet to a point;

Thence leaving said southerly right of way South 1041.20 feet to a point;

Thence West 600.82 feet to a point on the easterly right of way of said Greensferry Road;

Thence along said easterly right of way North 00° 17' 54" East 1049.92 feet to the REAL POINT OF BEGINNING.

ALSO EXCEPT:

That portion conveyed to Post Falls Highway District by Quit Claim Deed recorded March 15, 1999 as Instrument No. 1579546, records of Kootenai County, Idaho.

Parcel 2:

A tract of land situated in the North Half of the Northwest Quarter of Section 36, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, described as follows:

Commencing at a found steel pin monumenting the Northwest Corner of said Section 36 (from which the North Quarter Corner of said Section 36 bears South 89° 09' 43" East 2648.90 feet); thence along the westerly line of said Northwest Quarter South 00° 17' 54" West 25.00 feet to a point; thence leaving said westerly line South 89° 09' 43" East 25.00 feet to the intersection of the easterly right of way of Greensferry Road with the southerly right of way of Pole Line Road, said point being the REAL POINT OF BEGINNING.

Thence continuing along said southerly right of way South 89° 09' 43" East 595.42 feet to a point;

Thence leaving said southerly right of way South 1041.20 feet to a point;

Thence West 600.82 feet to a point on the easterly right of way of said Greensferry Road;

Thence along said easterly right of way North 00° 17' 54" East 1049.92 feet to the REAL POINT OF BEGINNING.

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CHICAGO TITLE INSURANCE COMPANY

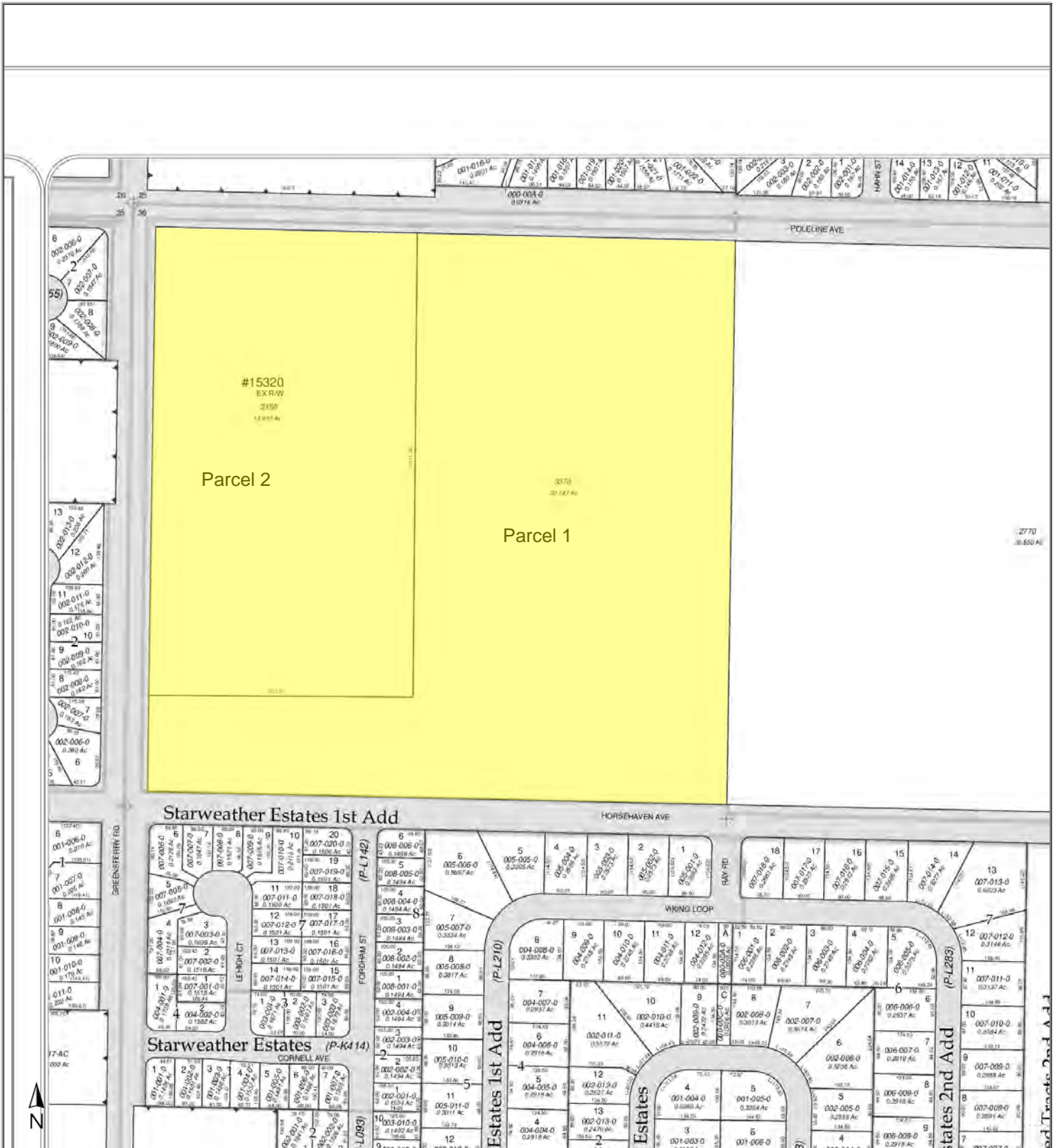
EXCEPT:

That portion conveyed to Post Falls Highway District by Quit Claim Deed recorded March 15, 1999 as Instrument No. 1579546, records of Kootenai County, Idaho.

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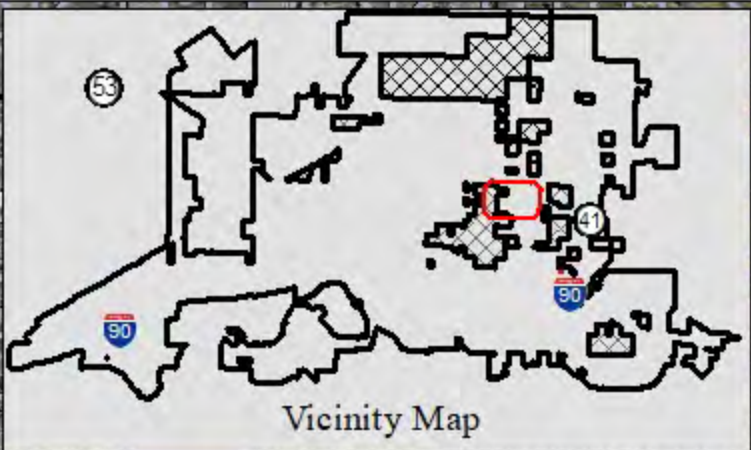




1450 Northwest Blvd Ste 200 Coeur d'Alene, ID 83814
 Phone: (208)667-9431 Fax: (208)208-666-0410

ParcelID: P0000363150
Tax Account #: 183823
2478 E Poleline Ave, 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.

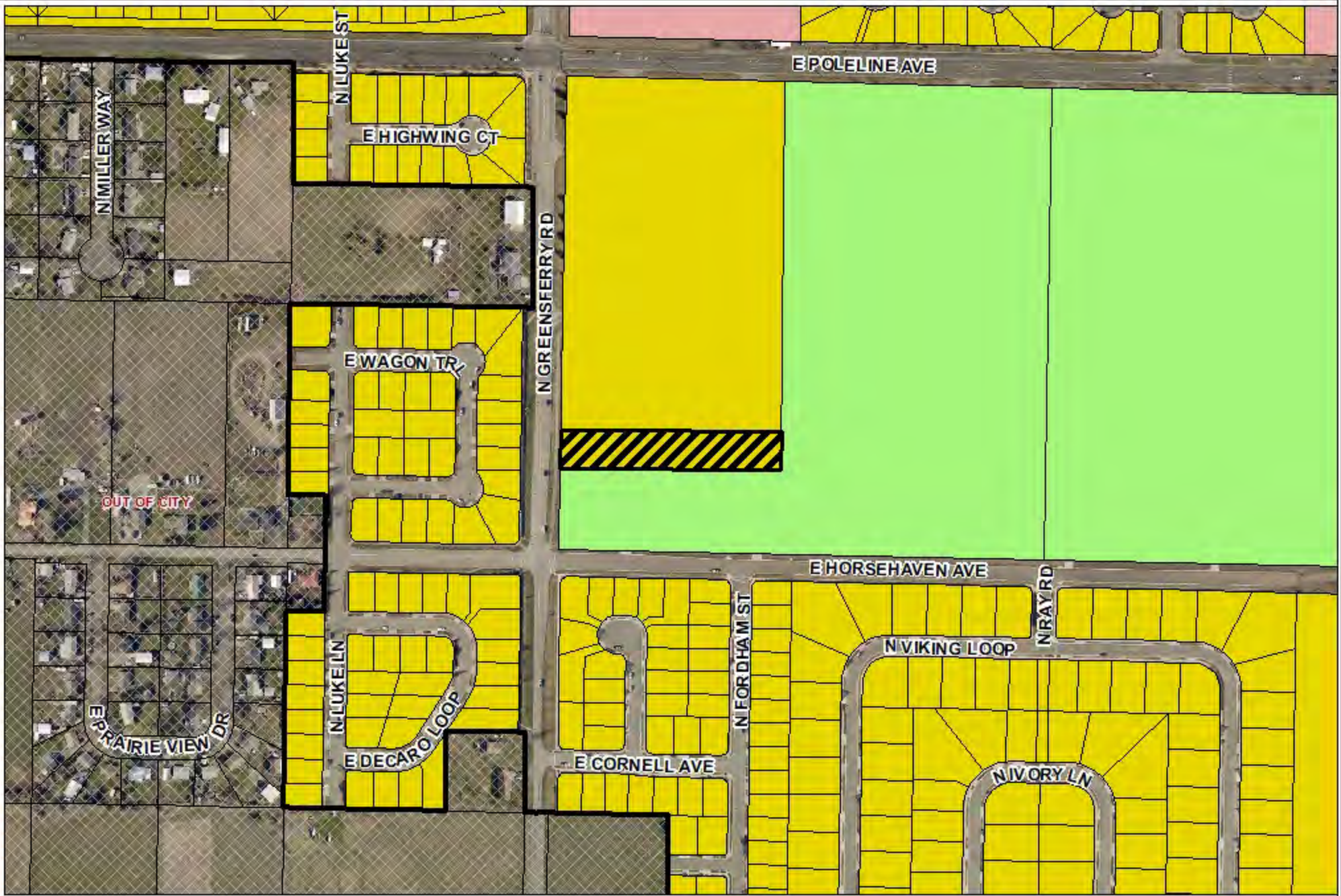


Project Location
 PFSD FOOD SERVICE FACILITY
 File # SUP-23-1



-  Subject Site
-  City Boundary
-  Tax Parcels





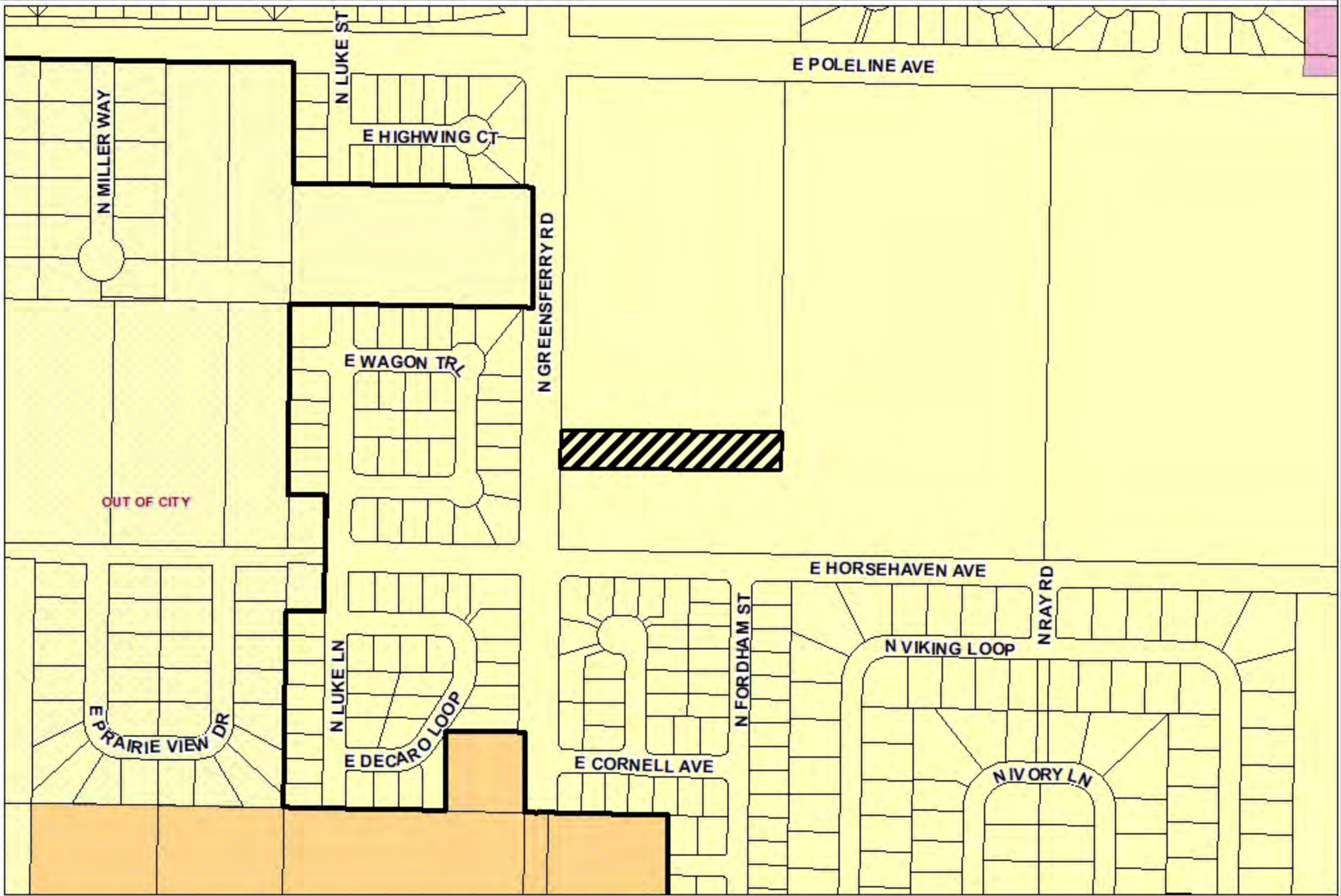
Zoning Map
 PFSD FOOD SERVICE FACILITY
 File # SUP-23-1



- City Boundary
- Subject Site
- R-1
- PR
- LC



Exhibit S-2



Future Land Use Designation
 PFSD FOOD SERVICE FACILITY
 File # SUP-23-1



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


 Low Density Residential

Exhibit S-3



Amber Blanchette

From: Polak, Chad M <Chad.M.Polak@p66.com>
Sent: Friday, May 5, 2023 12:25 PM
To: Amber Blanchette
Subject: FW: Post Falls School District Food Service Facility Special Use Permit File No. SUP-23-1
Attachments: NTJ PFSD SUP.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 do not have any comments for this project.

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: Friday, May 5, 2023 1:18 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>; D1Permits <d1permits@itd.idaho.gov>; 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@ziplify.com>; Dena Naccarato <dnaccarato@273.com>; Devin Weeks <dweeks@cdapress.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellen Smith <ellen.smith@itd.idaho.gov>; Erik Ketner <eketner@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eportner@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Greta Gissel <greta@connectkootenai.org>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; 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; Jodi Meyer <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 <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Laura Jones <ljones@postfallsidaho.org>; 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@quantatel.com.com>; Naomi Tierney <ntierney@postfalls.gov>; 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>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Ryan Goff <ryan.goff@tdstelecom.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>; Symone Legg <symone.legg@itd.idaho.gov>; 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>; James Steffensen <james.steffensen@bannerbank.com>; Kevin Ward (gatheredfamilyrestaurant@gmail.com) <gatheredfamilyrestaurant@gmail.com>; Kibbee Walton <kibbee@artisanportrait.com>; Nancy Hampe <nancyradiantlake@gmail.com>; Ray Kimball <rkimball@whipplece.com>; Ross Schlotthauer <ross@burlyproducts.com>; Vicky Jo Carey <vjcarey@aol.com>

Subject: [EXTERNAL]Post Falls School District Food Service Facility Special Use Permit File No. SUP-23-1

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Report Suspicious

Good afternoon,

Attached is the notice to jurisdiction for the named special use permit, for our Planning and Zoning Special Meeting on May 30th. 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



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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

May 10, 2023

Amber Blanchette
Planning Administrative Specialist
amberb@postfallsidaho.org

RE: Notice to Jurisdiction Response

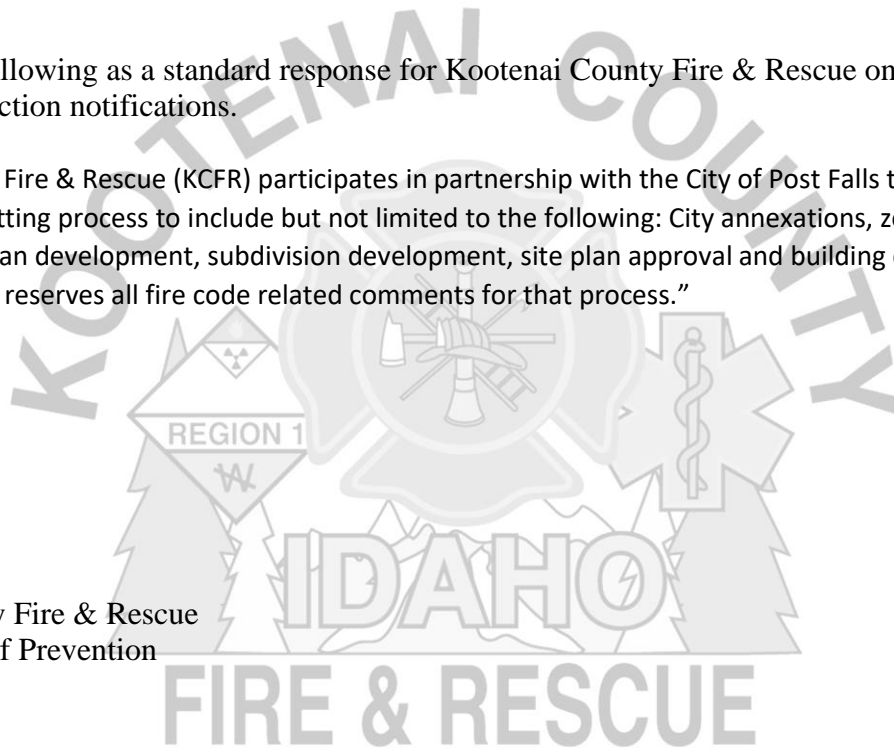
Amber,

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



Amber Blanchette

From: Jonie Anderson <Jonie@postfallshd.com>
Sent: Thursday, May 11, 2023 9:52 AM
To: Amber Blanchette
Subject: RE: Post Falls School District Food Service Facility Special Use Permit File No. SUP-23-1

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 PFHD has no comment regarding the proposed storage building.

Regards,
Jonie



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



From: contactus@postfallshd.com <contactus@postfallshd.com> **On Behalf Of** Amber Blanchette
Sent: Friday, May 5, 2023 12:18 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>; Chad Polak <Chad.M.Polak@p66.com>;
Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman
<criedeman@kec.com>; D1Permits <d1permits@itd.idaho.gov>; 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>;
Devin Weeks <dweeks@cdapress.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA
<dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellen Smith <ellen.smith@itd.idaho.gov>;
Erik Ketner <eketner@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eporter@postfalls.gov>; Field
Herrington <fherrington@postfalls.gov>; Greta Gissel <greta@connectkootenai.org>; Heidi <heidig@inlander.com>;
Heidi Varney <hvarney@postfallsidaho.org>; 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; Jodi Meyer <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 <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Laura Jones <ljones@postfallsidaho.org>; 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>; 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>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Ryan Goff <ryan.goff@tdstelecom.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>; Symone Legg <symone.legg@itd.idaho.gov>; 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>; James Steffensen <james.steffensen@bannerbank.com>; Kevin Ward (gatheredfamilyrestaurant@gmail.com) <gatheredfamilyrestaurant@gmail.com>; Kibbee Walton <kibbee@artisanportrait.com>; Nancy Hampe <nancyradiantlake@gmail.com>; Ray Kimball <rkimball@whipplece.com>; Ross Schlotthauer <ross@burlyproducts.com>; Vicky Jo Carey <vjcarey@aol.com>

Subject: Post Falls School District Food Service Facility Special Use Permit File No. SUP-23-1

Good afternoon,

Attached is the notice to jurisdiction for the named special use permit, for our Planning and Zoning Special Meeting on May 30th. 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



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**CITY OF POST FALLS
STAFF REPORT**

DATE: May 26, 2023
TO: POST FALLS PLANNING AND ZONING COMMISSION
FROM: JON MANLEY, PLANNING MANAGER, jmanley@postfalls.gov, 208-457-3344
SUBJECT: STAFF REPORT FOR THE MAY 30, 2023, P&Z COMMISSION MEETING
FAIR ESTATES SUBDIVISION FILE NO. SUBD-23-1

PROJECT NAME/FILE NUMBER: Fair Estates Subdivision/File No. SUBD-23-1

OWNERS: VS Development LLC, 6835 Escondido St. A, Las Vegas, NV 89119

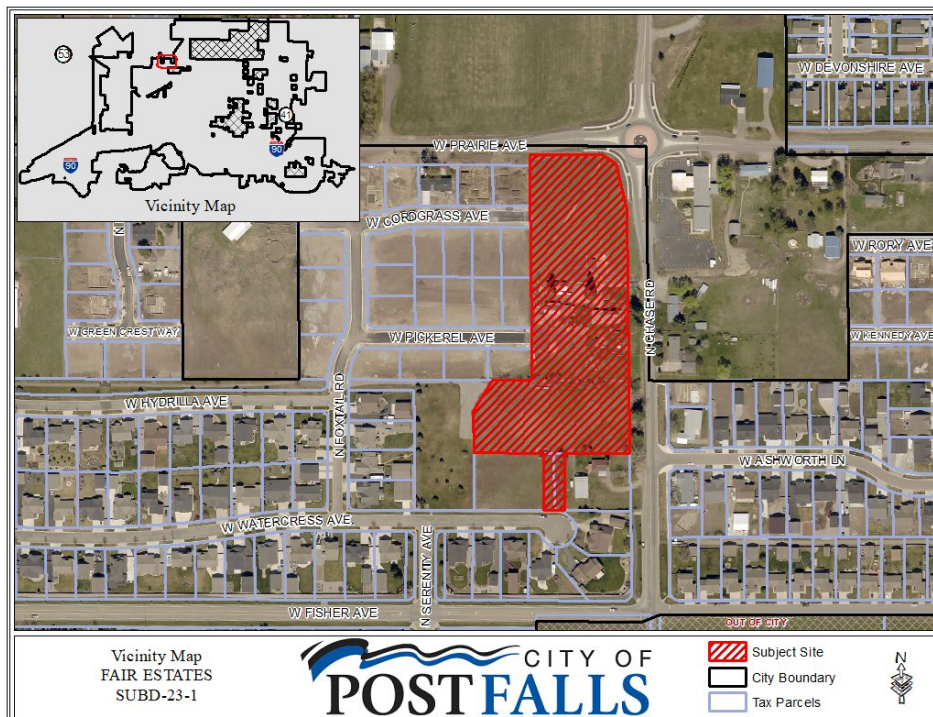
APPLICANT: Jeramie Terzulli, PO Box 1894, Post Falls, ID 83877

PROJECT DESCRIPTION: Olson Engineering has requested, on behalf of the property owner VS Development LLC, to subdivide approximately 6.04 acres into 20 single family lots within the Single-Family Residential (R-1) zoning designation.

REQUESTED ACTION: The Planning & Zoning Commission is being asked to review and approve the proposed subdivision determining that it meets the requirements of the Post Falls Municipal Code (PFMC).

PROJECT LOCATION: The property is generally located on the southwest corner of W Prairie Avenue and N Chase Road. See the following vicinity map.

Vicinity Map:



PARCEL INFORMATION:

Property Size: 6.04 acres

Current Land Use: Single family residential

Current Zoning: Single Family Residential (R-1) zoning

Proposed Land Use: The proposed subdivision will serve a single-family residential housing development.

Surrounding Land Use: The land uses surrounding the subject site include single-family residential subdivisions within the City of Post Falls and, to the east, single-family homes within Kootenai County, as well as public rights-of-way.

Surrounding Zoning Districts: The properties directly to the west and south are zoned R-1 and R-1-S with lots to the Southwest, located in in the Craftsman at Meadow Ridge subdivision, being zoned as R-1-S but with R-1 lot sizes around 1/3 of an acre in size. The undeveloped lot to the north as well as the two single family lots to the east of the site are in an unincorporated part of Kootenai County. The lot that is adjacent to the northeastern portion of the lot is also located in an unincorporated part of Kootenai County and is the location of the Mountain View Bible Church. All the properties located in Kootenai County are zoned agricultural.

Water Provider: East Greenacres Irrigation District

Sewer: City of Post Falls

SUBDIVISION REVIEW CRITERIA (Post Falls Municipal Code Title 17.12.060, Subsection H):

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 development would be provided by East Greenacres Irrigation District. The applicant has provided a will serve letter from the water district stating they have the capacity, willingness and intent to serve the proposed 20-lot subdivision (Exhibit A-4).

2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.

Staff's Response: The City of Post Falls has adequate capacity to provide service to the subdivision as proposed. The conceptual layout of the sanitary sewer system as proposed shows the ability to be served and shall be designed and constructed to City Standards.

Existing septic systems shall be abandoned in compliance with Panhandle Health District requirements.

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

Staff's Response: The subdivision and proposed layout (Exhibit A-3) are consistent with the City's Transportation Master Plan.

To be consistent with PFMC design standards, lots 13, 14, and 15 require an amendment to the proposed preliminary construction plans to provide access via a public or private street as all lots must front a public or private street per PFMC Title 17.28.110: RESIDENTIAL SUBDIVISION DESIGN. This is attainable as the lots provide adequate space and disposition to accommodate. The proposed amendment has been submitted and can be referred to per Exhibit A-9.

Roadways, storm drainage management, roadway illumination, ADA ramps and roadway markings / signs shall comply with City Standards with final design and construction.

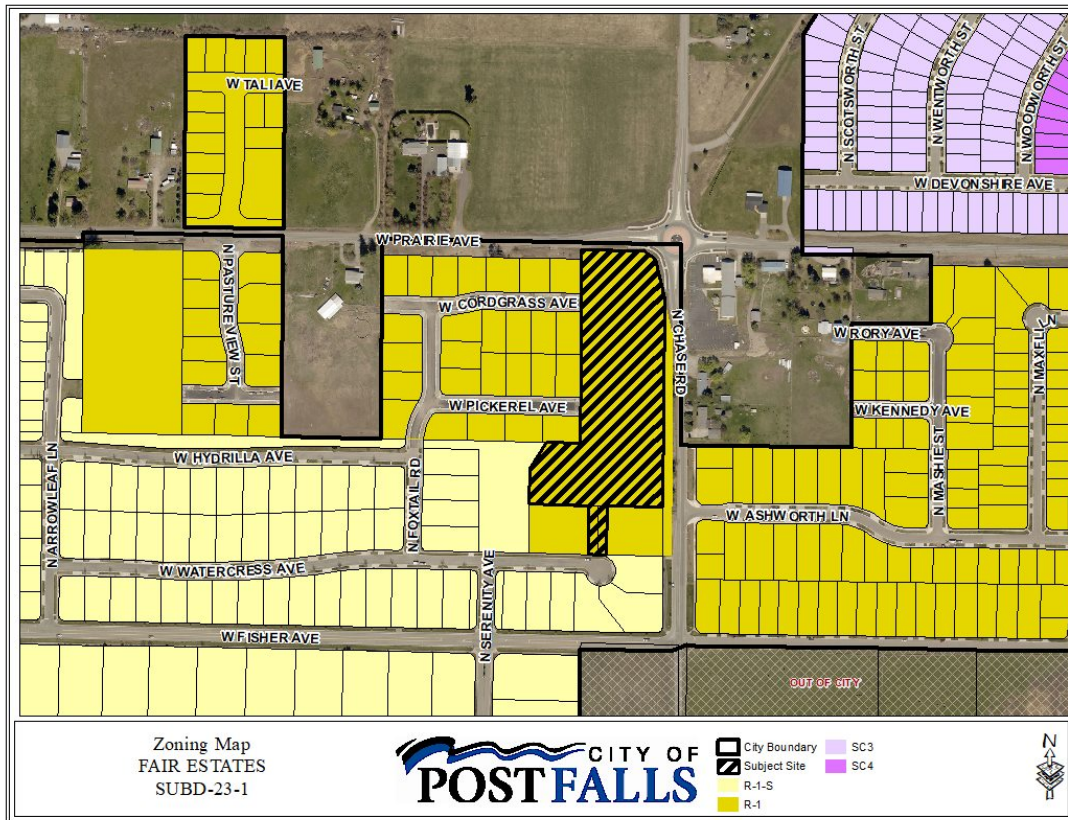
The Homeowners Association for the project will be responsible for maintenance of landscaping and irrigation, including snow removal from sidewalks/trail, for the public rights-of-way along Chase Road and Prairie Avenue.

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: This subject property is located over the Rathdrum Prairie Aquifer. No known hazards have been identified that would prevent or hinder development of the property.

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 subdivision and proposed lots conform to the requirements of Title 17 (Subdivisions) and Title 18 (Zoning) for Single-Family Residential (R-1) 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 and collected on individual building permits to assist in mitigating the off-site impacts to parks, public safety, multi-modal pathways, streets and Kootenai County Fire and Rescue and Kootenai County Emergency Management Services.

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

- **Yellowstone Pipeline (Exhibit PA-1)- Responded with no comment.**
- **Kootenai County Fire & Rescue (Exhibit PA-2) – Reserves comments for permits.**
- **Post Falls School District (Exhibit PA-3)- Responded as neutral.**

PUBLIC PROCESS: This project is processed as a Subdivision. A public hearing is held before the Planning & Zoning Commission; of which, will review the record, hear the staff report, and render a decision.

If the project is approved, a Master Development Agreement is prepared by staff, approved by City Council, and signed by the parties to the agreement.

Notice of the proposed subdivision was sent to appropriate jurisdictions and mailed to property owners within 300 feet of the proposed project on May 8, 2023. Notice has been published in the Coeur d'Alene Press on May 6, 2023. The property is scheduled to be posted by the May 19, 2023.

MOTION OPTIONS: 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 Fair 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. 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.
2. 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.
3. The proposed subdivision must be completed in a single phase.
4. A Construction Improvement Agreement shall be prepared and executed prior to commencement of construction for the subdivision.
5. Submitted Preliminary Plans were reviewed from a conceptual basis only and reflect the general ability to provide service. 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.
6. 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.
 - Roadway sections shall meet City Standards
 - Chase Road frontage improvements shall be designed based on a 50-foot roadway width (curb face – curb face) from the existing curb on the east side of Chase Rd.
 - The multi-use path along Chase Rd. shall be extended to the existing facility on the north property line of the plat of Craftsman at Meadow Ridge
 - Frontage improvements along Prairie Ave.; consisting of roadway widening along with curb & gutter shall be cashed out. The value of the cash out will be utilized by the developer to offset costs of Chase Rd. improvements to t into the Craftsman at Meadow Ridge.
 - Bicycle ramps shall be added to the southwest quadrant of the existing Prairie / Chase Roundabout
7. Direct access from residential lots to Prairie Avenue and Chase Road shall be prohibited on the face of the plat.
8. Final landscaping plans for the street trees will be submitted for review and approval as part of the construction plans. Street trees shall be planted by the developer in the spring and fall following construction of homes. The Urban Forester shall be notified prior to planting.
9. A Homeowners Association (HOA) shall be formed to maintain the common right-of-way frontage along Prairie Avenue and Chase Road, including all landscaping, irrigation, and removal of snow from sidewalks and trails.
10. Existing septic systems shall be abandoned in compliance with Panhandle Health District requirements.

11. Lots 13, 14, and 15 require an amendment to the proposed preliminary construction plans to provide access via a public or private street as all lots must front a public or private street per PFMC Title 17.28.110: RESIDENTIAL SUBDIVISION DESIGN. The proposed amendment has been submitted and can be referred to per Exhibit A-9.

ATTACHMENTS:

Applicant Exhibits:

Exhibit A-1	Application
Exhibit A-2	Narrative
Exhibit A-3	Preliminary Plan
Exhibit A-4	Will Serve
Exhibit A-5	Legal
Exhibit A-7	Title Report
Exhibit A-8	Fair to VS Development Deed
Exhibit A-9	Amended Fair Subdivision Plan

Staff Exhibits:

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

Testimony:

Exhibit PA-1	YPL Comments
Exhibit PA-2	KCFR Comments
Exhibit PA-3	PFSD Comments
Exhibit PC-1	French Comments
Exhibit PC-2	Donato Comments
Exhibit PC-3	Wahlert Comments

 **Expiration Date**

 **Active**



SUBD-23-1



Details

Submitted on Feb 2, 2023 at 4:56 pm



Attachments

9 files



Activity Feed

Latest activity on Apr 25, 2023



Applicant

Jeramie Terzulli



Location

Point Location: 47.7445, -116.9596

Timeline

Add New ▾

Intake Review

Completed Feb 3, 2023 at 10:58 am

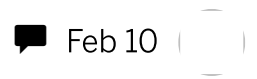


Custom Payment

Paid Feb 3, 2023 at 11:06 am

GIS Review

Completed Feb 16, 2023 at 2:14 pm



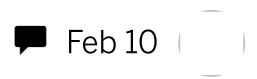
Completeness Review

Completed Mar 7, 2023 at 11:35 am



Completeness Review

Completed Mar 8, 2023 at 3:27 pm

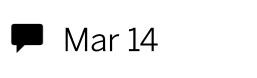


Staff Report

Completed Mar 14, 2023 at 12:38 pm



Maps created



Completed Mar 14, 2023 at 12:38 pm



Polygon Creation

Completed Mar 14, 2023 at 12:56 pm

Mar 13



Schedule for Public Hearing

Completed Mar 14, 2023 at 12:56 pm



Parks Review

Completed Apr 20, 2023 at 12:56 pm

Mar 28



Engineering Review

In Progress



Mar 28



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



🔒 Number of Notices * ⓘ

40

Application Information

Did a Subdivision Pre-app take place? *

Yes

Applicant Type *

Engineer

Proposed Subdivision Name *

Fair Estates

Number of Lots *

20

Size of Site

6.4

Average Size of Lots

0.24

Existing Zoning

R-1

Adjacent Zoning

R-1

Current Land Use

Vacant

Adjacent Land Use

Residential

Density

3.12

Description of Project *

20 lot residential subdivision

Site Information

Comprehensive Plan Designation

Transitional

Location of Proposed Access to Site

Pickeral, Cordgrass, Watercress connecting to Fisher

Street(s) Serving the Project (provide ROW and pavement width)

Watercress Ave 60'/30' Pickeral Ave 60'/30' Cordgrass Ave 60'/30'

Size & Point of Water Connection

8" Extensions at Pickeral and Cordgrass, interconnect at Watercress

Size & Point of Sewer Connection

8" at Watercress and Cordgrass

Name & Location of Nearest School

River City Middle School 1505 N Fir St, Post Falls, ID 83854

Location of, and Distance to, Nearest Fire Station or Sub-Station

Kootenai County Fire & Rescue Station 1 2.5 miles

Physical Description of Site (topography, cover, features)

Mostly flat irrigated grasses, few trees with existing residential structure and outbuildings

Any Physical Limitations? (Rock outcrops, Slope, etc.)

No

Owner Information

Name *

VS Development LLC

Company

Phone *

702.897.1424

Email *

rstoker@geotekusa.com

Address *

6835 Escondido St A

City, State, Zip Code

Las Vegas NV 89119

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. *

 Jeramie Terzulli
Jan 30, 2023

Fair Estates Narrative

Overview

VS Development LLC is requesting a residential subdivision on a little over 6 acres of residential land in the northwest area of Post Falls. 20 residential lots are being proposed. Fair Rd is being proposed as a public right of way which will create connectivity from the terminus of Cordgrass Ave to Watercress Ave. Homesites will have direct access to these public rights of way, however, lots 13, 14, 15 of block 1 will utilize a shared driveway which will be recorded with the plat. The development will adopt CCRs which will also be recorded with the plat.

The proposal is intended to appear as an extension of the residential subdivision known as Quiet Ridge.

Characteristics

The site is currently a residence with a few outbuildings surrounded by fenced pasture. Adjacent residential developments have roadways extended to the western boundary of the property.

Zoning

The property is currently zoned R-1 in the city of Post Falls

Infrastructure/Utilities

The adjacent properties are currently served by all necessary utilities and Fair Estates intends to extend these services to the as well as the adjacent streets. Sewer will be provided by the City of Post Falls. Water will be provided by East Greenacres Irrigation District. Power and natural gas will be provided by Avista. Multiple data providers serve the area.

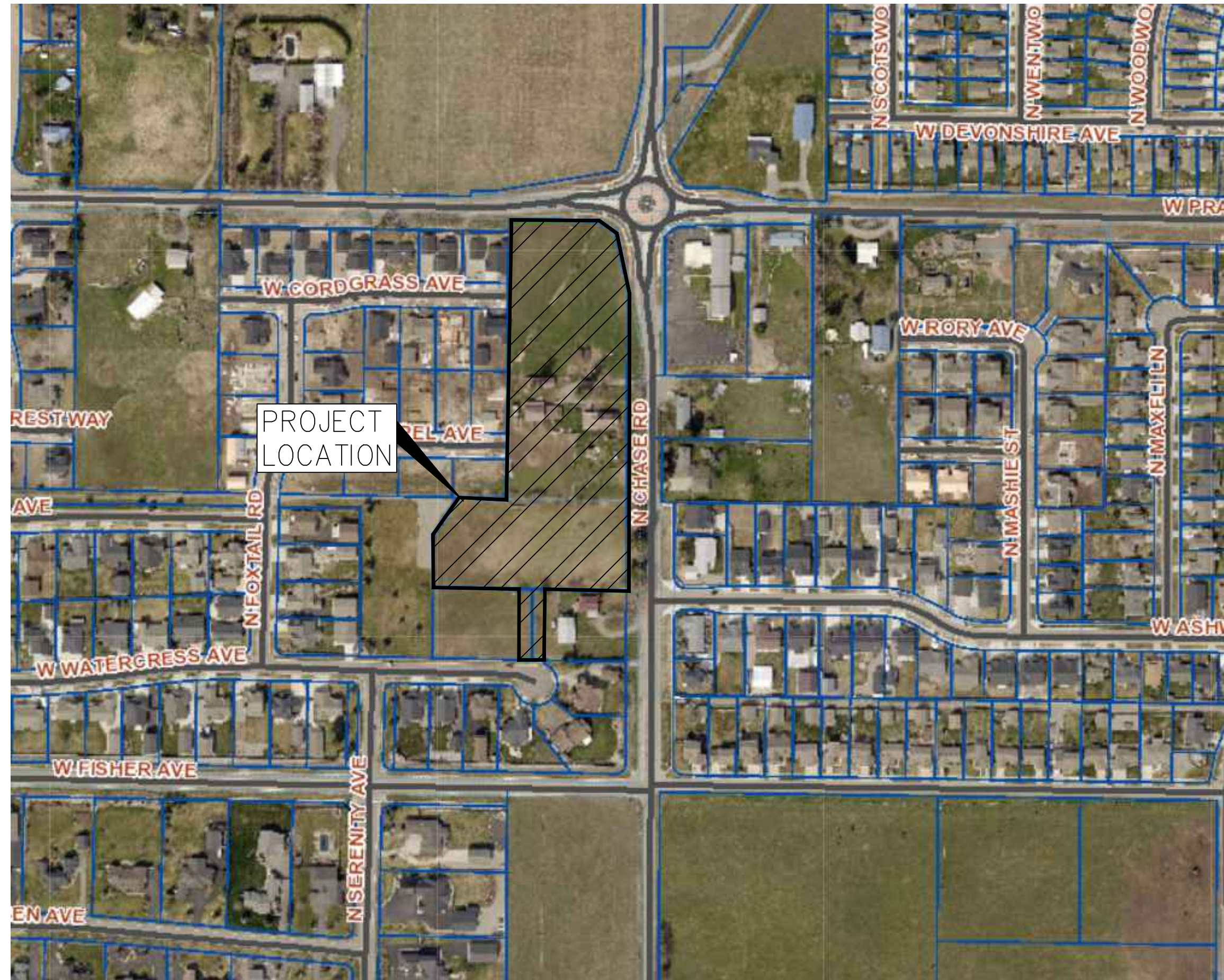
Comprehensive Plan

The property lies within the Central Prairie Focus Area and is designated as Transitional within the Comprehensive Plan

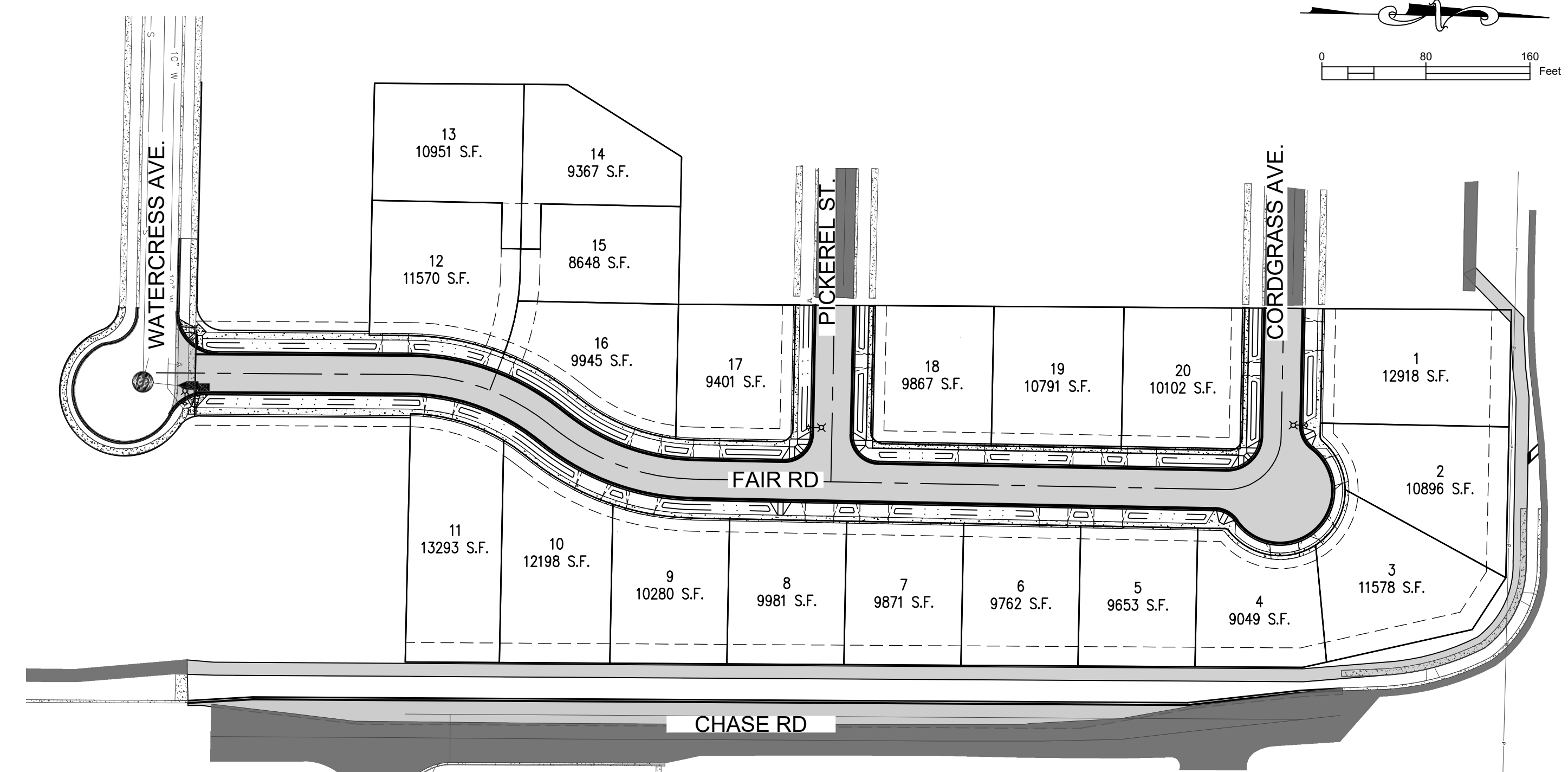
FAIR ESTATES PRELIMINARY CONSTRUCTION PLANS

TRACTS 65 & 80, GREENACRES IRR DISTRICT #4
 NE 1/4 OF SEC 28, T51N, R5W, BM
 Kootenai County, ID

DAVID FAIR
 3875 N CHASE RD
 POST FALLS, ID 83854



VICINITY MAP
 NTS.



SITE MAP

SHEET INDEX

- C-1 COVER SHEET
- C-2 GENERAL NOTES (RESERVED)
- C-3 TYPICAL ROADWAY SECTIONS
- C-4 FAIR RD, STA: 10+00 TO 17+00
- C-5 FAIR RD, STA: 17+00 TO 20+7.42
- C-6 PICKEREL ST, STA: 50+00 TO 51+45.70

DATUM INFORMATION

VERTICAL DATUM IS NAVD-88. ASSUMED ELEVATION DATUM WAS USED FOR THIS TOPOGRAPHY SURVEY

MONUMENT SEARCH NOTE IC 55-1613

AVAILABLE RECORDS AND FIELD RESEARCH HAS BEEN CONDUCTED TO LOCATE EXISTING PROPERTY CORNERS ASSOCIATED WITH THE SUBJECT PROJECT. ALL EXISTING MONUMENTS ARE IDENTIFIED WITHIN THE PLANS, AND THEIR LOCATIONS SHALL BE VERIFIED PRIOR TO AND AT THE COMPLETION OF CONSTRUCTION PER IDAHO CODE 55-1613. EXISTING MONUMENTS SHALL BE PRESERVED AND PROTECTED THROUGHOUT THE COURSE OF CONSTRUCTION.

LEGEND OF EXISTING FEATURES

- FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP, P.L.S. 9367, OR AS NOTED
- ◇ FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP, P.L.S. 9367
- ⊙ FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, P.L.S. 11187
- X— EXISTING FENCE
- P— OVERHEAD POWER LINE
- CONIFER TREE
- DECIDUOUS TREE
- ⊕ CATV RISER
- ⊕ FIBER OPTIC RISER
- ⊕ TELEPHONE MANHOLE
- ⊕ TELEPHONE RISER
- ⊕ GAS METER
- ⊕ GAS STUB
- ⊕ GAS VALVE
- ⊕ IRRIGATION CONTROL VALVE
- ⊕ IRRIGATION SERVICE
- ⊕ IRRIGATION VALVE
- ⊕ STREET SIGN
- ⊕ DRYWELL
- ⊕ STORM WATER MANHOLE
- ⊕ POWER RISER
- ⊕ POWER STUB
- ⊕ POWER METER
- ⊕ POWER PAD MOUNT TRANSFORMER
- ⊕ POWER VAULT
- ⊕ UTILITY POLE
- ⊕ UTILITY POLE ANCHOR
- ⊕ AREA LIGHT
- ⊕ BLOW OFF
- ⊕ FDC
- ⊕ FIREHYDRANT
- ⊕ HOSE BIB
- ⊕ WATER MANHOLE
- ⊕ WATER METER
- ⊕ WATER SHUT OFF (CURB STOP)
- ⊕ WATER STUB
- ⊕ WATER VALVE
- ⊕ SANITARY SEWER MANHOLE
- ⊕ SANITARY SEWER LIFT STATION
- ⊕ SANITARY SEWER STUB
- SANITARY SEWER CLEANOUT

LEGEND OF PROPOSED FEATURES

- 5' SIDEWALK
- 10' SWALE
- ROLLED CURB
- CENTER LINE
- ROLLED CURB
- 10' SWALE
- 5' SIDEWALK
- PROP. LINE & 10' UTILITY EASEMENT (BOTH SIDES)
- W— 10" WATER OR 18" WATER MAIN
- SAN— 8" SEWER
- 2100— GROUND CONTOUR (NGVD 29)
- SEWER SERVICE
- WATER SERVICE
- PIPE BEND WITH THRUST BLOCK
- WATER METER
- CURB CUT (ROLLED/STANDARD CURB)
- HYDRANT
- LIKELY LOCATION OF DRIVEWAY
- SEWER MANHOLE

811 Know what's below. Call before you dig.

Olson Engineering
 P.O. Box 1894
 Post Falls, ID 83877
 208-651-4152
 oeidaho@gmail.com

PROFESSIONAL ENGINEER
 LICENSED
 12/30
 12/3/2020
 STATE OF IDAHO
 ERIC K. OLSON

FAIR ESTATES

3875 N CHASE RD
 POST FALLS, ID

COVER SHEET

sh: **C-1**

#	DATE	REVISION



EAST GREENACRES IRRIGATION DISTRICT

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

January 17, 2023

Olson Engineering
Attn: Jeramie Terzulli
P.O. Box 1894
Post Falls, ID 83854
jt@oecivil.com

RE: Fair Estates, Conceptual Approval

Dear Mr. Terzulli:

The Subject received conceptual approval by the Board of Directors during our regular scheduled meeting held January 10, 2023. The project is located in Section 28, Township 51 N., Range 05 W., B.M. of Kootenai County, Idaho. 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 20 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 cursive script that reads "Ron Wilson". Below the signature, the text "for: Ron Wilson" is written in a smaller, less legible cursive script.

Ron Wilson
District Manager
ron@eastgreenacres.org

RW/dz

Legal Description:

GREENACRES IRR DISTRICT PLAT 4, TAX#16296 EX RW IN TR 65, TR 65 SE OF RR RW EX
TX#16296, TAX#10486 EX S 163 FT & EX RW IN TR 80; EX W2-TR 65 2851N05W

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 30 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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- (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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COMMONWEALTH LAND TITLE INSURANCE COMPANY

- (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.: 418351

SCHEDULE A

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

1. Commitment Date: July 6, 2022 at 12:00 AM

2. Policy to be issued:

a. Owner's Policy	(ALTA Owners Policy (06/17/06))	Amount:	\$900,000.00
Proposed Insured:		Premium:	\$2,555.00
VS Development, LLC, a Nevada limited liability company		Total::	\$2,555.00

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:

David C. Fair and Marnie L. Fair, husband and wife

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 Company will require the following documents for the entity named below:

Entity: VS Development, LLC

- A. Evidence the corporation is duly created and in good standing in its state of domicile
 - B. A copy of the corporation By-Laws and/or Articles of Incorporation.
 - C. Resolution authorizing the subject transaction and setting forth the signatory and their authority to bind the corporation.
 - D. If the Articles or By-Laws require approval by a "parent" organization, the above documents will also be required for that entity as well.
7. We find the following address to be associated with the Land described herein:

3875 N. Chase 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.: P385028065AC
AIN No.: 196410
Parent parcel, includes other property

Parcel No.: P385028080AA
AIN No.: 129996
Parent parcel, includes other property

Parcel No.: P385028080AC
AIN No.: 137737

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COMMONWEALTH LAND TITLE INSURANCE COMPANY

Parent parcel, includes other property

8. Assessments of the City of Post Falls.
9. Assessments of East Greenacres Irrigation District.
10. Easements, dedications, conditions, restrictions, notes and provisions created by or delineated, described or otherwise set forth in the plat of Greenacres Irrigation District Plat 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 & Water Company
Recorded: November 20, 1908
Instrument No.: [Book 30 of Deeds at Page 515 \(pg 2\)\(pg 3\)\(pg 4\)](#), records of Kootenai County, Idaho.
12. Terms, conditions, covenants, provisions, reservations, restrictions and rights-of-way, as set forth in a Land and Water Deed by Spokane Valley Land & Water Company
Recorded: December 6, 1909
Instrument No.: [Book 36 of Deeds at Page 188 \(pg 2\)\(pg 3\)\(pg 4\)](#), 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: Peter J Bang
Purpose: Well, water and pipe line
Recorded: January 3, 1935
Instrument No.: [Book 102 of Deeds at Page 146](#), 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: John R. Kirchner
Purpose: Well, water and pipe line
Recorded: June 15, 1960
Instrument No.: [Book 182 of Deeds at Page 310](#), records of Kootenai County, Idaho.
15. An Agreement, including the terms, conditions, covenants, provisions, easements and water rights set forth therein or pursuant thereto
Between: Myrtle A. Satre, et al
And: Ralph and Helen Dieziger, et al
Recorded: November 3, 1964
Instrument No.: [Book 44 of Misc at Page 389 \(pg 2\)\(pg 3\)](#), records of Kootenai County, Idaho

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COMMONWEALTH LAND TITLE INSURANCE COMPANY

16. An Agreement, including the terms, conditions, covenants, provisions, easements and water rights set forth therein or pursuant thereto
Between: Myrtle A. Satre, et al
And: Ralph and Helen Dieziger, et al
Recorded: July 25, 1968
Instrument No.: [Book 54 of Misc at Page 464 \(pg 2\)\(pg 3\)\(pg 4\)](#), records of Kootenai County, Idaho

17. 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: June 11, 1973
Instrument No.: [Book 262 of Deeds at Page 118](#), 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: United States of America
Purpose: Water pipeline, turnout and appurtenances
Recorded: June 22, 1973
Instrument No.: [Book 262 of Deeds at Page 425](#), 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: United States of America
Purpose: Water pipeline, turnout and appurtenances
Recorded: July 18, 1973
Instrument No.: [Book 262 of Deeds at Page 882](#), records of Kootenai County, Idaho.

20. Reservations of all minerals of any nature whatsoever and rights relating thereto, and use of the subsurface for pipelines and conduits, and access thereto, as set forth in a Quitclaim Deed by Chicago, Milwaukee, St. Paul and Pacific Railroad Company
Recorded: February 18, 1954
Instrument No: Book 279 of Deeds at Page 294, records of Kootenai County, Idaho.

21. An easement for the purpose shown below and rights incidental thereto as reserved in a document
Purpose: Water line
Recorded: June 7, 1977
Instrument No.: [Book 283 of Deeds at Page 384](#), records of Kootenai County, Idaho.

22. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: Washington Water Power Company
Purpose: Electric distribution line

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COMMONWEALTH LAND TITLE INSURANCE COMPANY

Recorded: October 3, 1980

Instrument No.: [Book 308 of Deeds at Page 900](#), records of Kootenai County, Idaho.

23. Development and Annexation Agreement, including the terms, conditions, covenants and provisions set forth therein
Between: David C. Fair and Marnie L. Fair
And: City of Post Falls
Recorded: February 23, 2021
Instrument No.: [2814139000](#), records of Kootenai County, Idaho

24. Development and Annexation Agreement, including the terms, conditions, covenants and provisions set forth therein
Between: David C. Fair and Marnie L. Fair
And: City of Post Falls
Recorded: December 30, 2021
Instrument No.: [2879842000](#), records of Kootenai County, Idaho

25. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: City of Post Falls
Purpose: Utility, sidewalk and drainage
Recorded: December 30, 2021
Instrument No.: [2879844000](#), records of Kootenai County, Idaho.

26. Deed of Trust to secure an indebtedness in the amount shown below and any other obligations secured thereby
Amount: \$188,000.00
Grantor: David C. Fair and Marnie L. Fair, husband and wife
Trustee: First American Title Insurance Company
Beneficiary: Sterling Savings Bank
Dated: December 12, 2011
Recorded: December 16, 2011
Instrument No.: [2339142000](#), 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 80 of the plat of Greenacres Irrigation District Plat #4 as recorded with Kootenai County in Book B of Plats at Page 55, described in a deed recorded with Kootenai County under Inst. No. 1690650, located in the Northeast Quarter of Section 28, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho;

Except the South 133 feet of the West 190.65 feet therefrom;

And except the South 166.00 feet of said portion of Tract 80 described under Inst. No. 1690650, except the West 256.65 feet therefrom;

And except that portion conveyed in a deed recorded with Kootenai County under Inst. No. 2879847000;

And together with the East half of Tract 65 of said plat, except that portion conveyed in Kootenai County Court Case No. CV-2016-6463 and recorded with Kootenai County under Inst. No. 2590546000 and that portion conveyed in a deed recorded with Kootenai County under Inst. No. 2879847000.

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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.

RECORDING FEE: \$15.00 DD
Electronically Recorded



File No. 418351TGW

WARRANTY DEED

For Value Received

David C. Fair and Marnie L. Fair, husband and wife

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

VS Development, LLC, a Nevada Limited Liability Company

Address: 8720 KILKA Road, Las Vegas, NV 89161

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

See Exhibit A attached hereto and made a part hereof for legal description:

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 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: July 19, 2022

[Signature]
David C. Fair

[Signature]
Marnie L. Fair

STATE OF Idaho

COUNTY OF Kootenai

On this 21 of July, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared David C. Fair and Marnie L. Fair, 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 they executed the same.

[Signature]
Notary Public for
Residing at Hayden
My Commission Expires: 11-28-24

(SEAL)

TWILA G. WILLCOT
Notary Public - State of Idaho
Commission Number 13605
My Commission Expires 11-28-2024

EXHIBIT A

That portion of Tract 80 of the plat of Greenacres Irrigation District Plat #4 as recorded with Kootenai County in Book B of Plats at Page 55, described in a deed recorded with Kootenai County under Inst. No. 1690650, located in the Northeast Quarter of Section 28, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho;

Except the South 133 feet of the West 190.65 feet therefrom;

And except the South 166.00 feet of said portion of Tract 80 described under Inst. No. 1690650, except the West 256.65 feet therefrom;

And except that portion conveyed in a deed recorded with Kootenai County under Inst. No. 2879847000;

And together with the East half of Tract 65 of said plat, except that portion conveyed in Kootenai County Court Case No. CV-2016-8463, and recorded with Kootenai County under Inst. No. 2590546000 and that portion conveyed in a deed recorded with Kootenai County under Inst. No. 2879847000.

INITIAL RR
JDE

UNRECORDED



VICINITY MAP

NTS.

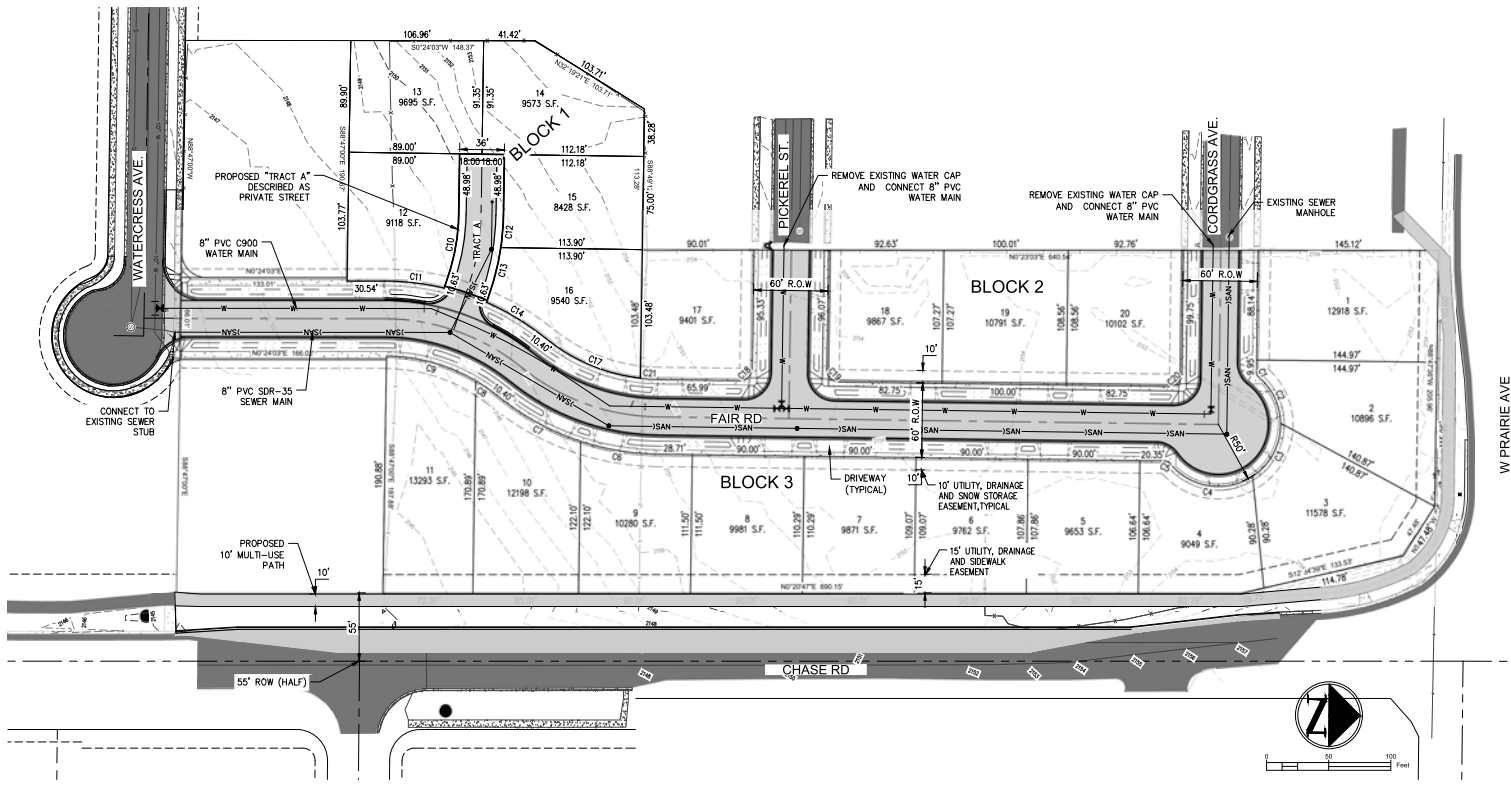
FAIR ESTATES SUBDIVISION PLAN

TRACTS 65 & 80, GREENACRES IRR DISTRICT #4
NE 1/4 OF SEC 28, T51N, R5W, BM
Kootenai County, ID
DAVID FAIR
3875 N CHASE RD
POST FALLS, ID 83854

LEGEND OF EXISTING FEATURES

- X — EXISTING FENCE
- POWER LINE OVERHEAD POWER LINE
- CONIFER TREE
- DECIDUOUS TREE
- FIBER OPTIC RISER
- TELEPHONE RISER
- GAS VALVE
- IRRIGATION CONTROL VALVE
- IRRIGATION VALVE
- STREET SIGN
- DRYWELL
- STORM WATER MANHOLE
- EXISTING PAVEMENT
- POWER RISER
- △ POWER STUB
- POWER PAD MOUNT TRANSFORMER
- POWER VAULT
- UTILITY POLE
- UTILITY POLE ANCHOR
- AREA LIGHT
- FIREHYDRANT
- WATER MANHOLE
- WATER METER
- WATER SHUT OFF (CURB STOP)
- WATER STUB
- WATER VALVE
- SANITARY SEWER MANHOLE

SITE & LOT SUMMARY TABLE	
ZONING	R-1
NUMBER OF LOTS	20
MIN. LOT SIZE	0.19 AC
MAX. LOT SIZE	0.31 AC
AVG. LOT SIZE	0.24 AC
TOTAL ACREAGE	6.41 AC
LOTS/ACRE	3.12
TRACT A	0.09 AC
RIGHT OF WAY	1.90 AC



Parcel Curve Table				
SEGMENT	RADIUS	LENGTH	CHORD LENGTH	CHORD BEARING
C1	5.00'	4.41'	4.26'	N65°52'49"E
C2	50.00'	42.34'	41.09'	N64°54'06"E
C3	50.00'	50.45'	48.34'	S81°55'53"E
C4	50.00'	73.85'	67.32'	S91°7'08"W
C5	5.00'	4.41'	4.26'	S26°21'33"W
C6	205.00'	62.24'	62.00'	S9°49'04"W
C7	205.00'	69.48'	69.15'	S28°13'32"W
C8	145.00'	18.09'	18.08'	S34°21'41"W
C9	145.00'	75.30'	74.45'	S15°54'40"W
C10	162.00'	49.98'	49.79'	N79°58'51"W
C11	205.00'	48.02'	47.91'	N7°06'39"E
C12	198.00'	26.09'	26.07'	S85°02'41"E
C13	198.00'	35.00'	34.95'	S76°12'20"E
C14	205.00'	50.23'	50.11'	N30°54'56"E
C17	145.00'	79.14'	78.16'	N22°18'01"E
C18	10.00'	15.69'	14.13'	N43°50'35"W
C19	10.00'	15.72'	14.15'	N46°09'25"E
C20	10.00'	15.71'	14.14'	N43°52'49"W
C21	145.00'	14.03'	14.03'	N5°53'33"E

Olson Engineering
P.O. Box 1858
Post Falls, ID 83857
208-661-4152
ee@olsonid.com

DAVID K. OLSON

FAIR ESTATES

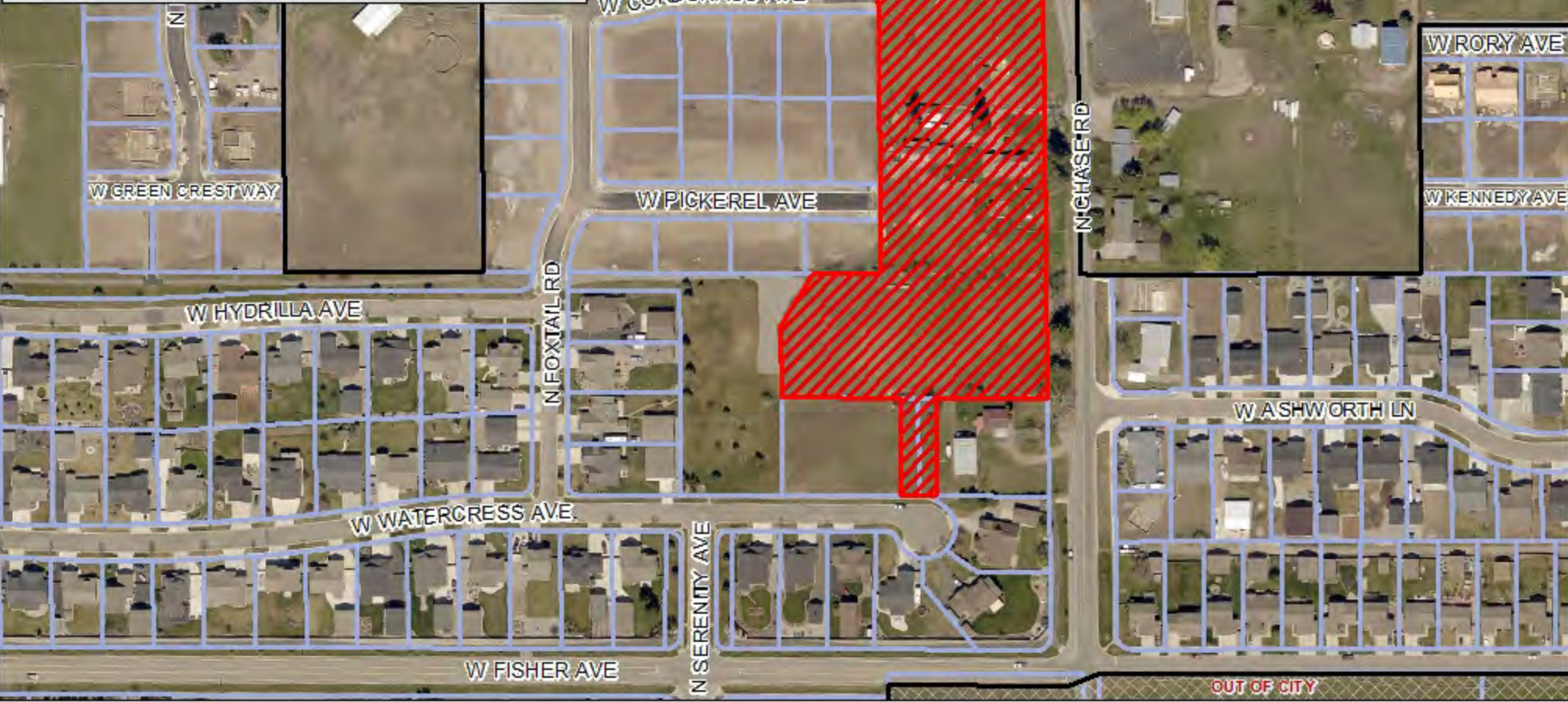
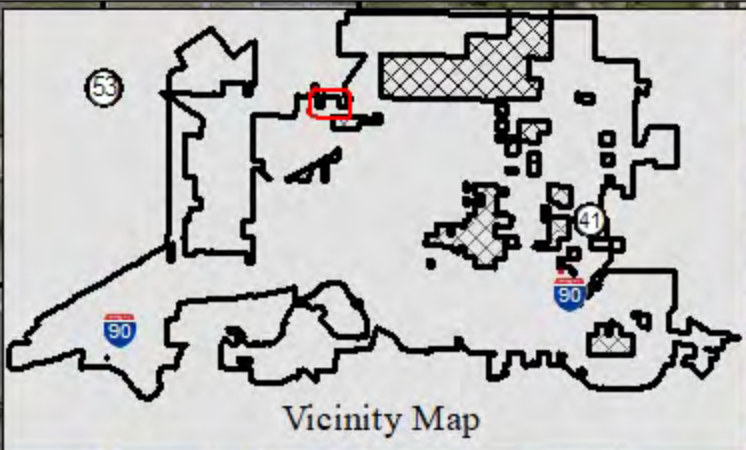
3875 N CHASE RD
POST FALLS, ID

SUBDIVISION PLAN

#	DATE	REVISION

C-1

c:\users\eric\onedrive - olson engineering\projects\2022\22097 - vs fair estates\dwg\plans\22097 - subdivision plan.dwg



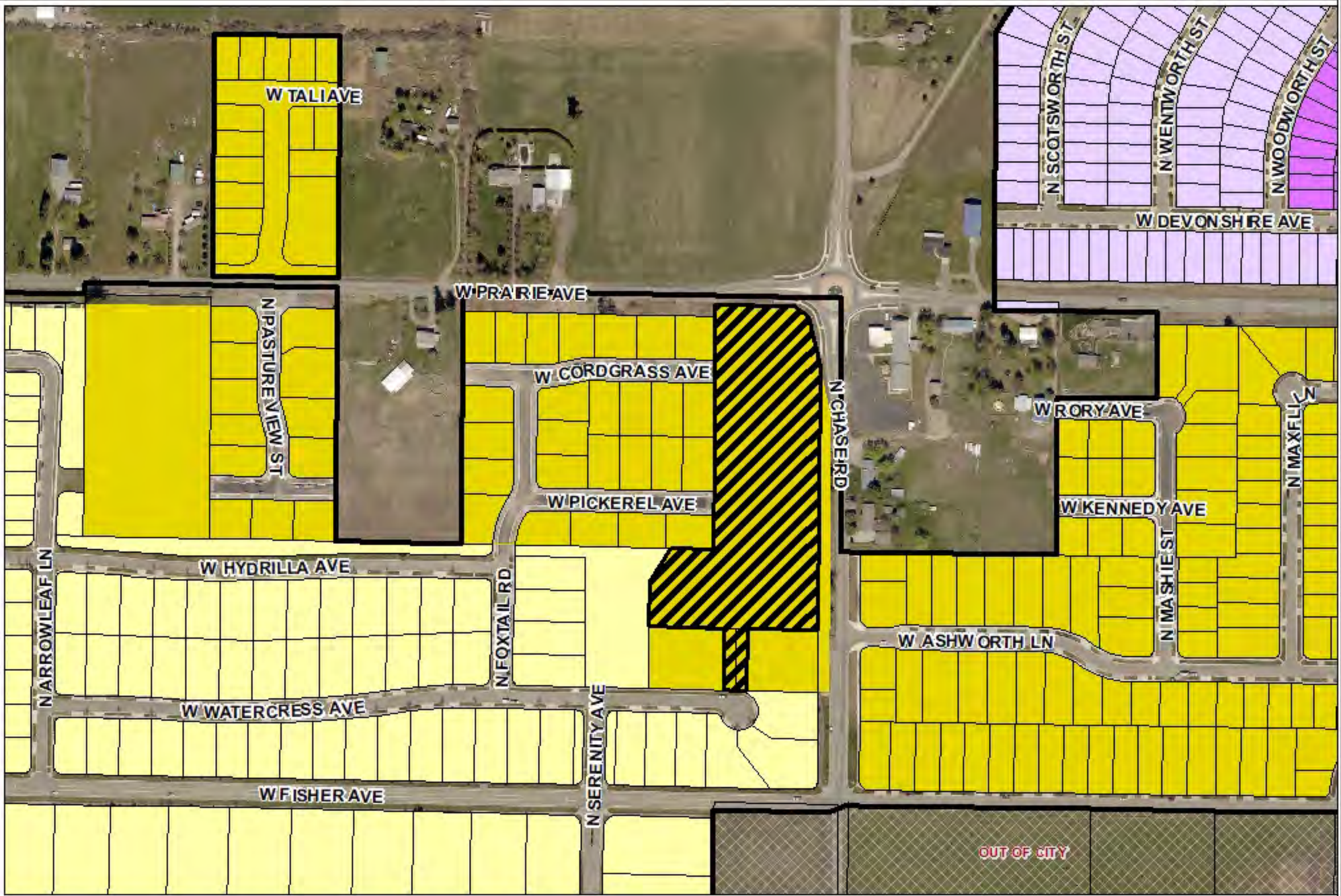
Vicinity Map
 FAIR ESTATES
 SUBD-23-1



-  Subject Site
-  City Boundary
-  Tax Parcels



Exhibit S-1



Zoning Map
 FAIR ESTATES
 SUBD-23-1









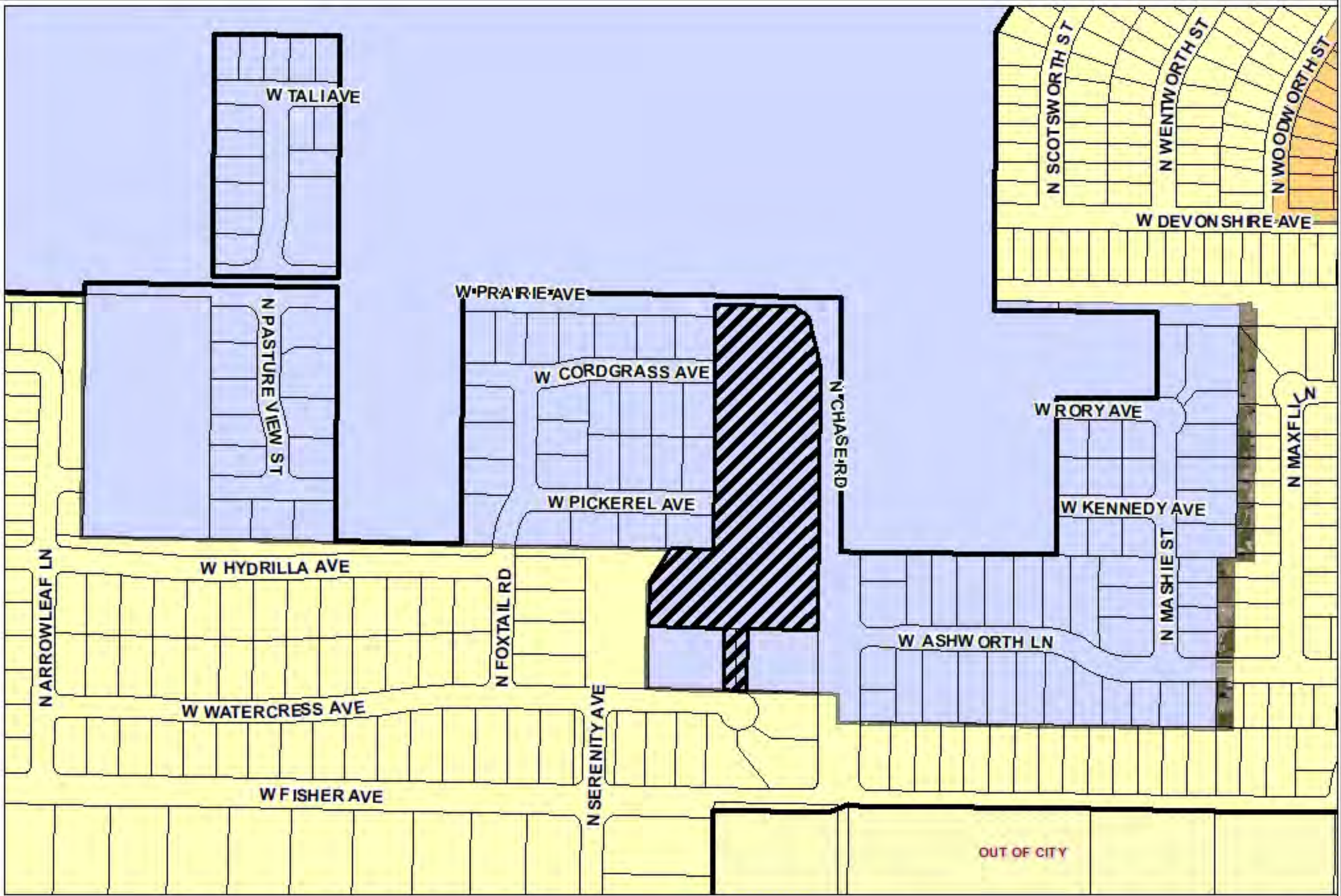
-  City Boundary
-  Subject Site
-  R-1-S
-  R-1
-  SC3
-  SC4



Exhibit S-2



Future Land Use Map
 FAIR ESTATES
 SUBD-23-1



- City Boundary
- Subject Site
- Transitional
- Low Density Residential
- Medium Density Residential

Low Density Residential

Exhibit S-3



Amber Blanchette

From: Polak, Chad M <Chad.M.Polak@p66.com>
Sent: Friday, May 5, 2023 12:23 PM
To: Amber Blanchette
Subject: FW: Fair Estates Subdivision File No. SUBD-23-1
Attachments: NTJ Fair Estates.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 do not have any comments for this project.

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: Friday, May 5, 2023 1:14 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>; D1Permits <d1permits@itd.idaho.gov>; 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>; Devin Weeks <dweeks@cdapress.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellen Smith <ellen.smith@itd.idaho.gov>; Erik Ketner <eketner@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eportner@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Greta Gissel <greta@connectkootenai.org>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; 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; Jodi Meyer <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 <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Laura Jones <ljones@postfallsidaho.org>; 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@bsnf.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>; 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>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Ryan Goff <ryan.goff@tdstelecom.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>; Symone Legg <symone.legg@itd.idaho.gov>; 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>; James Steffensen <james.steffensen@bannerbank.com>; Kevin Ward (gatheredfamilyrestaurant@gmail.com) <gatheredfamilyrestaurant@gmail.com>; Kibbee Walton <kibbee@artisanportrait.com>; Nancy Hampe <nancyradiantlake@gmail.com>; Ray Kimball <rkimball@whipplece.com>; Ross Schlotthauer <ross@burlyproducts.com>; Vicky Jo Carey <vjcarey@aol.com>

Subject: [EXTERNAL]Fair Estates Subdivision File No. SUBD-23-1

This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Good afternoon,

Attached is the notice to jurisdiction for the named subdivision, for our Planning and Zoning Special Meeting on May 30th. 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 has changed our domain to POSTFALLS.GOV. Please adjust your contacts/links.

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.

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

May 10, 2023

Amber Blanchette
Planning Administrative Specialist
amberb@postfallsidaho.org

RE: Notice to Jurisdiction Response

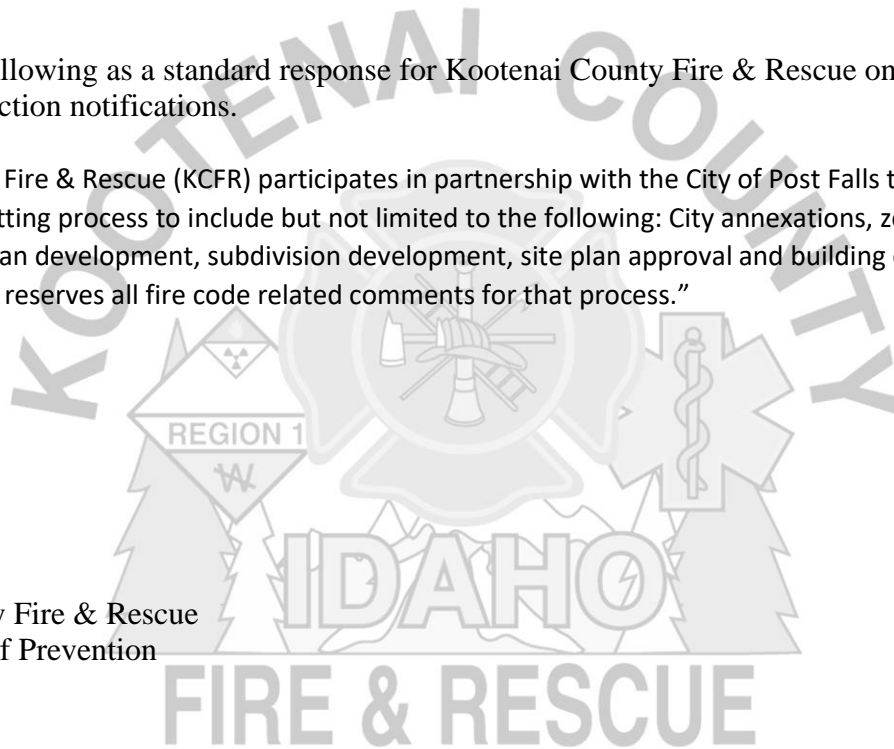
Amber,

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





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.

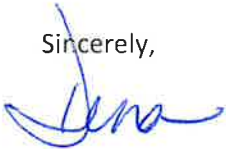
School	2021-2022 Enrollment	Building Capacity
Greensferry Elementary	374	525
Mullan Trail Elementary	340	500
Ponderosa Elementry	420	570
Prairie View Elementary	440	525
Seltice Elementary	440	560

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

Amber Blanchette

From: Stan French <stanconniefrench@gmail.com>
Sent: Friday, May 12, 2023 11:56 AM
To: Public Hearing Notice
Cc: Jan Gera
Subject: Proposed Fair Estates SUBD-23-1'

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.

My wife and I live in the Meadow Ridge development on the corner of N Serenity Ave and W Watercress Ave. I am writing to provide our testimony regarding several things regarding the vehicular traffic impact caused by the residential development that has been going on for the past two years. Because there is no vehicular access off of W Prairie Ave to the current development for W Cordgrass and Pickerel Ave (north of Foxtail Rd), all the construction (and residential traffic) funnel from Fisher Ave to N. Serenity Ave, (right by our house). We have put up with increased vehicle traffic, noise, and sometimes debris along this route caused by the construction vehicles. We have not complained, believing that it will be reduced when the development is complete and/or a new vehicle access off a major roadway like W Prairie Ave occurs for the new development. But now we understand that no vehicle access off a major roadway like Prairie Ave or Chase Ave for this new development will happen. Thus, traffic for now and in the future from this new development of **twenty-six new homes** will continue to be funneled onto Serenity Ave.

The second (and major reason) for my written testimony is that we recently received a letter from the city Planning and Zoning Commission about a new proposed development NE of our home called Fair Estates Subd-23-1. And, once again, like the Cordgrass/Pickerel development mentioned above, this proposed Fair Estates Subd-23-1 development (with twenty new homes) has no plan for direct vehicle access connection to a major roadway (particularly N Chase Rd) which the development borders. What kind of hair brained idea is it to connect the proposed Fair Estates "Fair Rd" to the current cul-de-sac on W Watercress Ave when Chase Ave is right there? Why is the proposed "Fair Rd" (via W Pickerel Ave) not designed to be connected to N Chase Rd instead of Watercress? And, once again, like the Cordgrass/Pickerel development mentioned above, this roadway plan is funneling all the vehicular traffic onto N Serenity Ave in order to obtain vehicular access via Fisher Ave onto N Chase Rd. I suggest this could be an opportunity with the proposed Fair Estates development to improve vehicle access into and out of these two new developments (and all the Meadow Ridge area) and lessen the flow of vehicle traffic on Serenity Ave by creating a connection with W Pickerel Ave and N Chase Rd.

Developers often get a bad rap because they don't consider the impact of the neighborhood already established. Their bottom line seems to always be profit first and existing neighborhoods last. Please hold developers accountable for proposed neighborhoods that makes for a pleasant place to live.

I look forward to your consideration given in our testimony and your response.

Sincerely,

Connie & Stan French
1194 W. Watercress Ave
Post Falls, ID. 83854

Cc:
Meadow Ridge Owners Association
c/o Jan Gera
Assistant Division Manager
Sentry Management Inc.

Amber Blanchette

From: City Ranch,LLC <cityranchlife@gmail.com>
Sent: Wednesday, May 17, 2023 1:38 PM
To: Public Hearing Notice
Subject: Fair Estates Subdivision (File No.SUBD-23-1)

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.

Fair Estates Subdivision
(File No.SUBD-23-1)
May 17, 2023

Post Falls Planning Division

Good Afternoon,

Regarding Fair Estates Subdivision, my Family objects to any new road access coming into Watercress from the new proposed 20 lot subdivision.

The builder / Post Falls Planning Commission should redirect traffic onto North Chase Road or West Prairie Ave, or even through the park to connect with Serenity Ave. **Not to West Watercress Ave!**

Post Falls City can mitigate the loss of open space (park land) to any area of the builders project that the Meadow Ridge HOA and the Post Fall City have agreed upon. I'm asking our Meadow Ridge HOA to fight this on behalf of our HOA Association. If the Planning Commission and or builders engineer would like to discuss this matter, please don't hesitate to contact me at 661-607-1040.

Sincerely,

Frank S. Donato
City Ranch Life
1177 W. Watercress Ave,
Post Falls, ID 83854
661.607.1040
CityRanchLife@gmail.com

Mailing Address

Amber Blanchette

From: Brenda Wahlert <bjwahlert@gmail.com>
Sent: Friday, May 19, 2023 4:54 PM
To: Public Hearing Notice
Subject: Fair Estates Subdivision File No. SU D-23-1

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.

Dear Planning Commission,

We feel that this subdivision should have an exit onto Chase instead of driving through our Meadow Ridge subdivision. Fair Estates subdivision should have an access out to Chase that lines up with Ashworth which is across the street.

We have a bus stop on the corner of Watercress and Foxtail and adding 40+ cars (20 houses with 2 cars each) would not be in the best interest of the children's safety. We have already added 26 homes (with 50+ cars) from the Quiet Ridge subdivision.

We were told when Quiet Ridge lost its access to Praire there would be access to Chase when this property developed. All home owners would be safer for ambulance and medical assistance as well as fire protection with access from Chase. With an entrance off of Chase emergency vehicles would be able to turn immediately into Fair Estates. From Fisher through Meadow Ridge would require 4 to 5 turns causing possible life saving delays.

We do hereby ask for the Planning Commission to require Fair Estates development to have direct access off of Chase.

Respectfully,
Lynn and Brenda Wahlert
3746 North Foxtail

PARCEL INFORMATION:

Property Size: 88 acres

Current Land Use: Vacant

Current Zoning: Community Commercial Services (CCS) and Community Commercial Mixed (CCM)

Proposed Land Use: The proposal is to create commercial lots for development

Surrounding Land Use: The land uses surrounding the subject site include an approved health and wellness facility, vacant land and agriculture Kootenai county lands

Surrounding Zoning Districts: CCS and CCM zoning are adjacent to the subject site along with Prairie right-of-way and Kootenai County agriculture zoning

Water Provider: Ross Point Water District

Sewer: City of Post Falls

SUBDIVISION REVIEW CRITERIA (Post Falls Municipal Code Title 17.12.060, Subsection H):

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 would be provided by Ross Point Water District.

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: Flows from the property impact two (2) separate corridors within the 12th Avenue Lift Stations service area.

Properties south of proposed Harvest Ave. utilize existing infrastructure and infrastructure currently approved and under construction. In addition to standard Sewer CAP Fees, these properties are subject to and will be charged a sanitary sewer surcharge for the 12th Avenue Lift Station / Forcemain (\$3,178.50 per service unit as of 04/07/2023, surcharge is increased annually), at the time of building permit issuance. The City system has capacity and is willing to provide service to this area.

Properties north of proposed Harvest Ave. will utilize a future sewer main that needs to be extended from SH41, along Horsehaven Ave. And then to the site along Fennecus St. In addition to standard Sewer CAP Fees, these properties are subject to and will be charged a sanitary sewer surcharge for the 12th Avenue Lift Station / Forcemain (\$3,178.50 per service unit as of 04/07/2023, surcharge is increased annually) and the Meyer South Alternative sanitary sewer surcharge (\$798.23 per service unit as of 04/07/2023, surcharge is increased annually). Sewer CAP Fees and surcharges will be collected at the time of building permit issuance. Building permits for Properties north of Harvest Ave cannot be issued until the Meyer South Alternative has been constructed.

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

Staff's Response: The subdivision and proposed layout are consistent with the City's Transportation Master Plan and Design Standards.

Zorros Rd. And Harvest Ave are to be designed and constructed as Minor Collector roadways.

Fennecus Rd. Is to be designed and constructed as a Major Collector roadway.

Industry Ave will need to be extended from Zorros Rd. To Fennecus Rd. (between Lots 6, 7, 8, and 9) or a drive isle established that allows public access and meets emergency service needs.

Shared access between Lots 1-7 will need to be established to provide access from the identified lots to Zorros Rd., Fennecus Rd and Industry Ave. (or the drive isle). A ¼- turn access to Prairie Ave near the common lot line to Lots 3 and 4 would be allowed subject to design and construction of barriers that create the turn restriction within Prairie Ave.

A future traffic signal is identified for the intersection of Harvest Ave with SH41. The project is responsible for providing one-half (½) of the cost for constructing the traffic signal at the time of development of any lots west of Zorros Rd.

Roadways, storm drainage management, roadway illumination, ADA ramps and roadway markings/signs shall comply with City Standards with final design and construction.

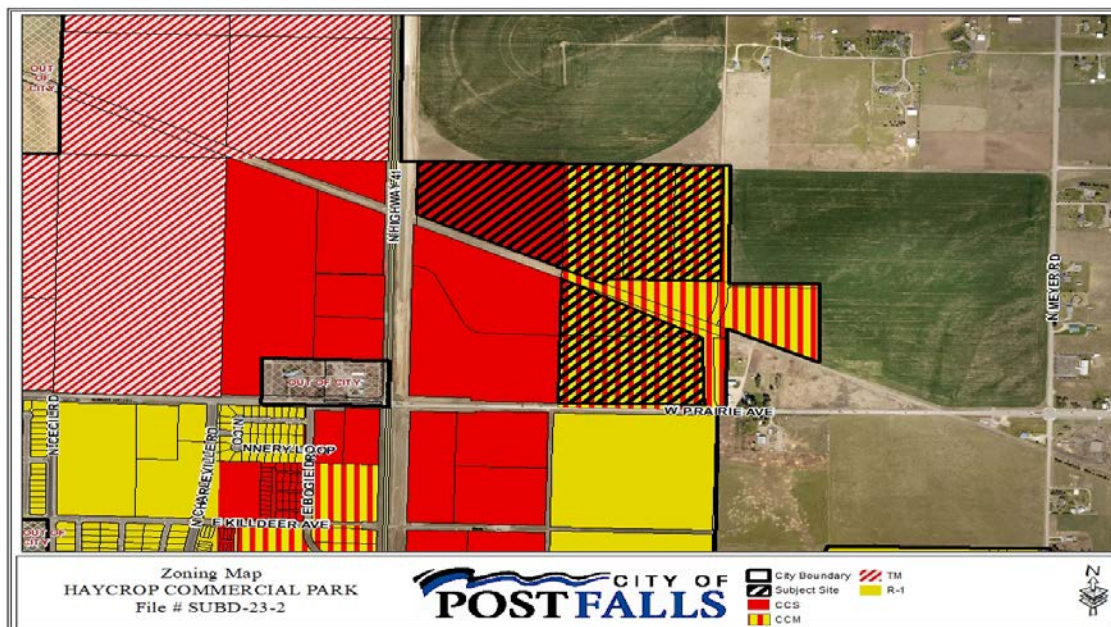
Development of frontage along SH41 shall include installation and irrigation of turf between the SH41 trail and roadway shoulder. Common Frontage along Prairie Ave shall be landscaped and irrigated. A Business Owners Association will be responsible for the irrigation and maintenance of the landscaping, including snow removal from the trail sections.

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: This proposal is located over the Rathdrum Prairie Aquifer. No other hazards have been identified.

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 subdivision and proposed lots conform to the requirements of Title 17 (Subdivisions) and Title 18 (Zoning) for the Community Commercial Services (CCS) and the Community Commercial Mixed (CCM) zoning districts. The uses allowed in the CCS zone will be permitted consistent with PFMC 18.20.030 Land Use Table, while the uses in the CCM zone shall be consistent with the current Development Agreement for that area (See following image).



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 and collected on individual building permits to assist in mitigating the off-site impacts to parks, Fire, EMS, public safety, multi-modal pathways 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

- **Yellowstone Pipeline (Exhibit PA-1)- Responded with no comment.**
- **Kootenai County Fire & Rescue (Exhibit PA-2)- Reserves comments for permits.**
- **Idaho Transportation Department (Exhibit PA-3) – Harvest has not been approved for access, and the permittee will need to apply for one as well as a TIS.**

PUBLIC PROCESS: This project is processed as a Subdivision. A public hearing is held before the Planning & Zoning Commission; of which, will review the record, hear the staff report, and render a decision.

If the project is approved, a Master Development Agreement is prepared by staff, approved by City Council, and signed by the parties to the agreement.

Notice of the proposed subdivision was sent to appropriate jurisdictions and mailed to property owners within 300 feet of the proposed project on May 8, 2023. Notice has been published in the Post Falls Press on May 6, 2023. The property is scheduled to be posted by the May 19, 2023.

MOTION OPTIONS: 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 Haycrop Commercial Park 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. 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.
2. 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.
3. The proposed subdivision may be constructed in phases.
4. The project is responsible for one-half of the costs of the future traffic signal at Harvest Ave. / SH41, at the time of site development west of Zorros Rd.
5. Building permits for property north of Harvest Ave will not be issued until the Meyer Alternative South Sewer Main has been constructed to SH41.
6. Properties north of Harvest Ave. will be assessed sewer surcharges, in addition to standard sewer CAP fees, for the 12th Ave. Lift Station / Forcemain and Meyer Line; based on the current fees in place at the time of building permit issuance.
7. Properties south of Harvest Ave. will be assessed a sewer surcharges, in addition to standard sewer CAP fees, for 12th Ave. Lift Station / Forcemain; based on the current fee in place at the time of building permit issuance.
8. A Construction Improvement Agreement shall be prepared and executed prior to commencement of construction for the subdivision. Coordinate Irrigation of frontages with the Post Falls Urban Forester.
9. Submitted Preliminary Plans were reviewed from a conceptual basis only and reflect the general ability to provide service. 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.
10. 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.
11. Direct access from Lots 1-5 to Prairie Ave shall be prohibited on the face of the plat, excepting the allowance for one ¼ turn access near the common property lines of Lots 3 and 4
12. A shared access agreement shall be included on the face of the plat for Lots 1 thru 9.
13. Industry Lane shall be extended, or a common drive provided, from Zorros Rd. To Fennecus Rd that is located along the common lot line between Lots 6 thru 9.
14. Direct access from Lot 11 to SH41 shall be prohibited on the face of the plat.

15. Final construction plans of improvements made to the City owned Prairie Trail lot located in the former Railroad Right-of-way, including but not limited to pedestrian facilities, and landscaping, shall be reviewed and approved by the Parks and Recreation Department prior to any construction.
16. Connections from proposed lots 8-14 to the Prairie Trail would be determined at the time of site plan review for each lot, by the City. If a trail connection is required by the City or requested and approved during site plan review, the property owner shall grant an appropriate access easement to the City of Post Falls at that time.
17. Final landscaping plans for the street trees will be submitted for review and approval as part of the construction plans. Street trees shall be planted by the developer in the spring and fall following construction on adjacent lots. The Urban Forester shall be notified prior to planting.
18. A Business Association shall be formed to maintain the common right-of-way frontage along Prairie Avenue, SH41 and the roundabout within the Harvest / Fennecus Roundabout. Maintenance shall include all landscaping, irrigation, and removal of snow from sidewalks and trails.

ATTACHMENTS:**Applicant Exhibits:**

Exhibit A-1	Application
Exhibit A-2	Narrative
Exhibit A-3	Preliminary Plan
Exhibit A-4	Legal
Exhibit A-5	Will Serve
Exhibit A-7	Title Report
Exhibit A-9	Phasing Plan

Staff Exhibits:

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

Testimony:

Exhibit PA-1	YPL Comments
Exhibit PA-2	KCFR Comments
Exhibit PA-3	ITD Comments

 **Expiration Date**
Active


SUBD-23-2

 **Details**
Submitted on Mar 3, 2023 at 5:06 pm

 **Attachments**
10 files

 **Activity Feed**
Latest activity on May 4, 2023

 **Applicant**  1
Raymond Kimball


 **Location**
Point Location: 47.7492, -116.8859


Timeline

Add New ▾

Intake Review 
Completed Mar 6, 2023 at 10:40 am

Custom Payment 
Paid Mar 6, 2023 at 12:34 pm

GIS Review 
Completed Mar 10, 2023 at 10:04 am Mar 13

Completeness Review 
Completed Mar 16, 2023 at 12:43 pm  Mar 13

Completeness Review 
Completed Mar 17, 2023 at 8:19 am Mar 13

Schedule for Public Hearing 
Completed Mar 17, 2023 at 8:20 am 

Polygon Creation Mar 24

Completed Mar 20, 2023 at 3:15 pm



Maps created

Completed Mar 21, 2023 at 1:52 pm



Staff Report

Completed Mar 24, 2023 at 12:50 pm

Mar 18



Parks Review

Completed May 4, 2023 at 4:19 pm

Apr 07



Engineering Review

In Progress

Apr 07



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



🔒 Number of Notices * ⓘ

9

Application Information

Did a Subdivision Pre-app take place? *

Yes

Applicant Type *

Engineer

Proposed Subdivision Name *

Haycrop Commercial Park

Number of Lots *

22

Size of Site

86.94

Average Size of Lots

3.6

Existing Zoning

CCM/CCS

Adjacent Zoning

CCS/COUNTY AG

Current Land Use

VACANT

Adjacent Land Use

VACANT

Density

NA

Description of Project *

22 LOT COMMERCIAL SUBDIVISION

Site Information

Comprehensive Plan Designation

Business/Commercial/Transitional

Location of Proposed Access to Site

Harvest, Zorros, Fennecus, Prairie

Street(s) Serving the Project (provide ROW and pavement width)

Prairie Ave 55' half Right of way, 40'+ pavement width

Size & Point of Water Connection

Fennecus, 12"

Size & Point of Sewer Connection

Zorros, 12"

Name & Location of Nearest School

Kootenai Classical Academy, Fennecus and Farmdale

Location of, and Distance to, Nearest Fire Station or Sub-Station

2 miles to the 12th ave sub station

Physical Description of Site (topography, cover, features)

Generally flat agricultural field.

Any Physical Limitations? (Rock outcrops, Slope, etc.)

No

Owner Information

Name *

Medalist Development, Inc

Company

Phone *

208.773.6745

Email *

tag@riverbendcp.com

Address *

4752 W. Riverbend Ave

City, State, Zip Code

Post Falls, ID 83854

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
Feb 24, 2023



Whipple Consulting Engineers, Inc.

Haystack Commercial Park Subdivision

The site of the proposed annexation is located in the Southwest $\frac{1}{4}$ of Section 19, T51N, R4W along Prairie Avenue. The property consists of several parcels. The applicant is requesting a subdivision into 22 lots. See below for a Vicinity Map.

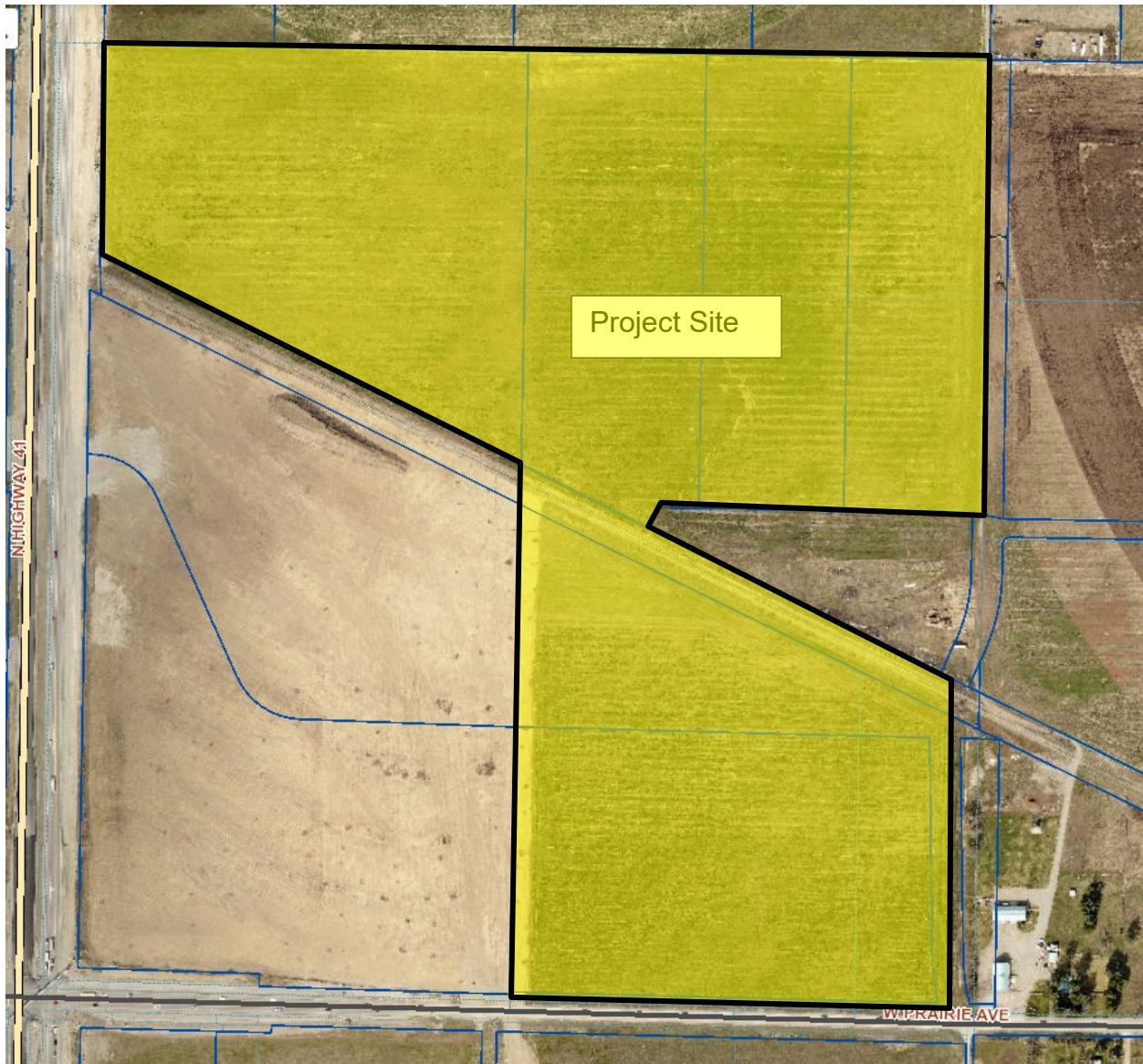


Figure 1: Vicinity Map

The subject property consists of several parcels totaling approximately 88 acres located north of Prairie Avenue and East of Highway 41.

Zoning:

The property consists of two zones, Community Commercial Mixed on the East and Community Commercial Services on the West along Highway 41.

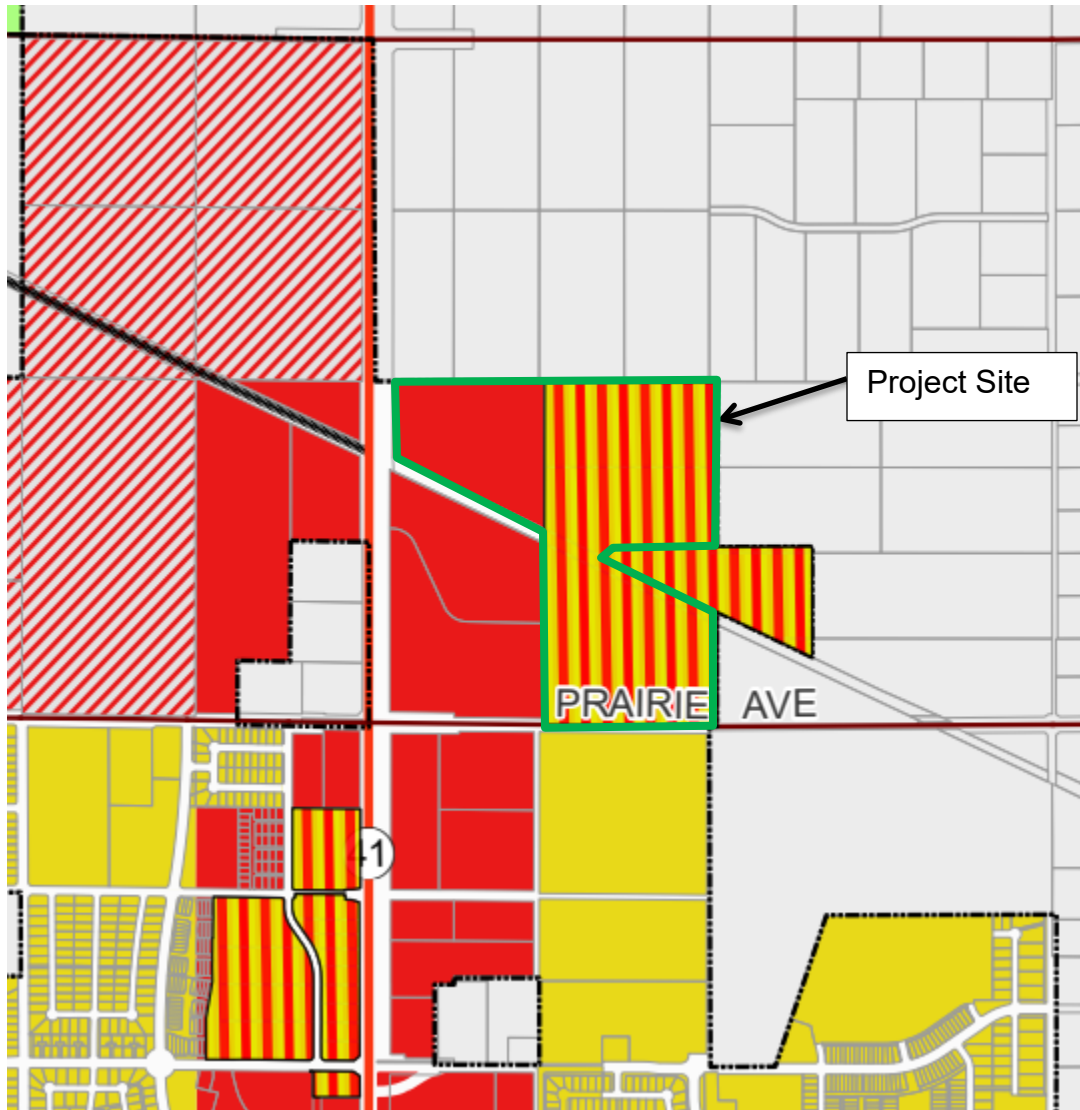


Figure 3: Zoning Map

Utilities and Access:

Primary access to this property will be from Fennecus, Zorros, and Harvest, although there is one proposed $\frac{3}{4}$ movement access located at the midpoint of the property along Prairie Avenue.

Both water and sewer mains are located either on or adjacent to the property. 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 22 lots. The lots range in size from a minimum of approximately half an acre to a maximum of over 9 acres. It is expected that the subdivision could be constructed in up to 4 phases depending on demand. Lot sizes are also expected to change based on the nature and needs of the end user. Both Fennecus Rd and Zorros Road will be extended north to serve this subdivision, and Harvest will be constructed from Highway 41 to the east boundary, serving as the third access.

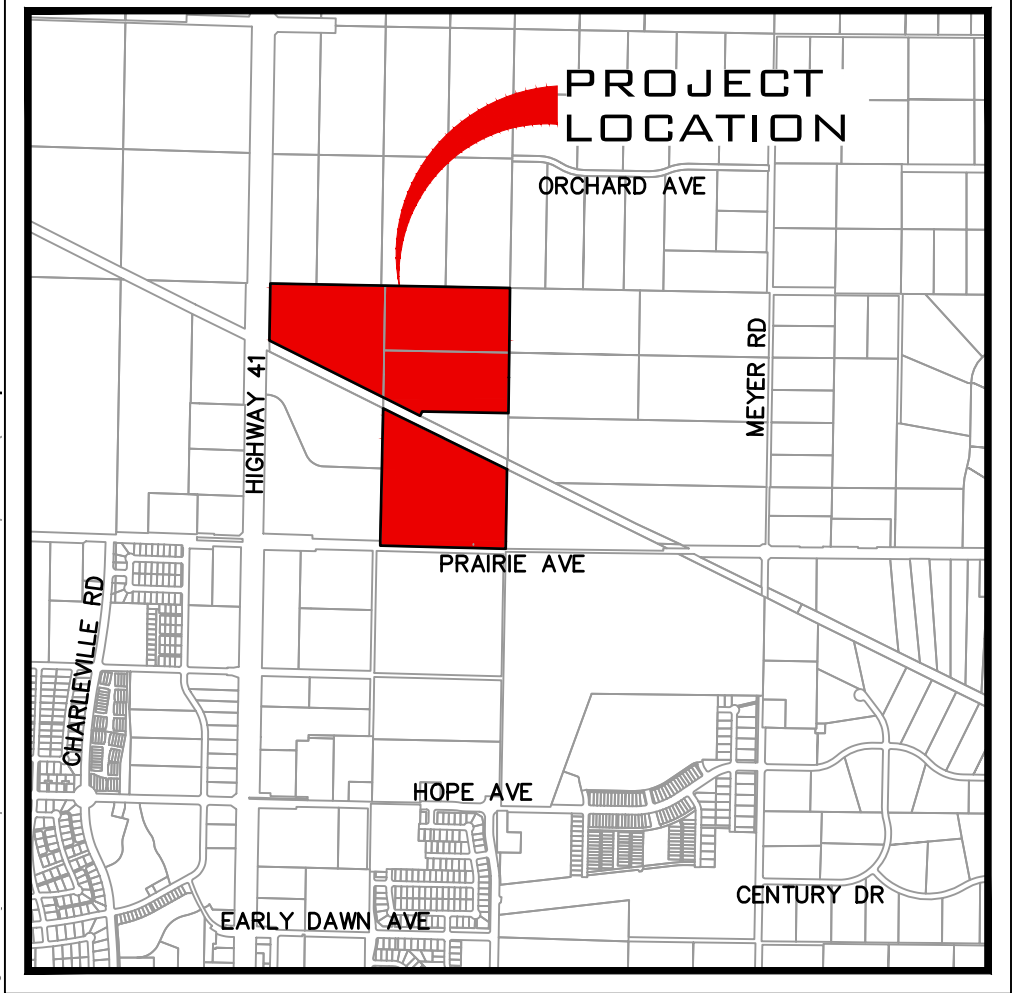
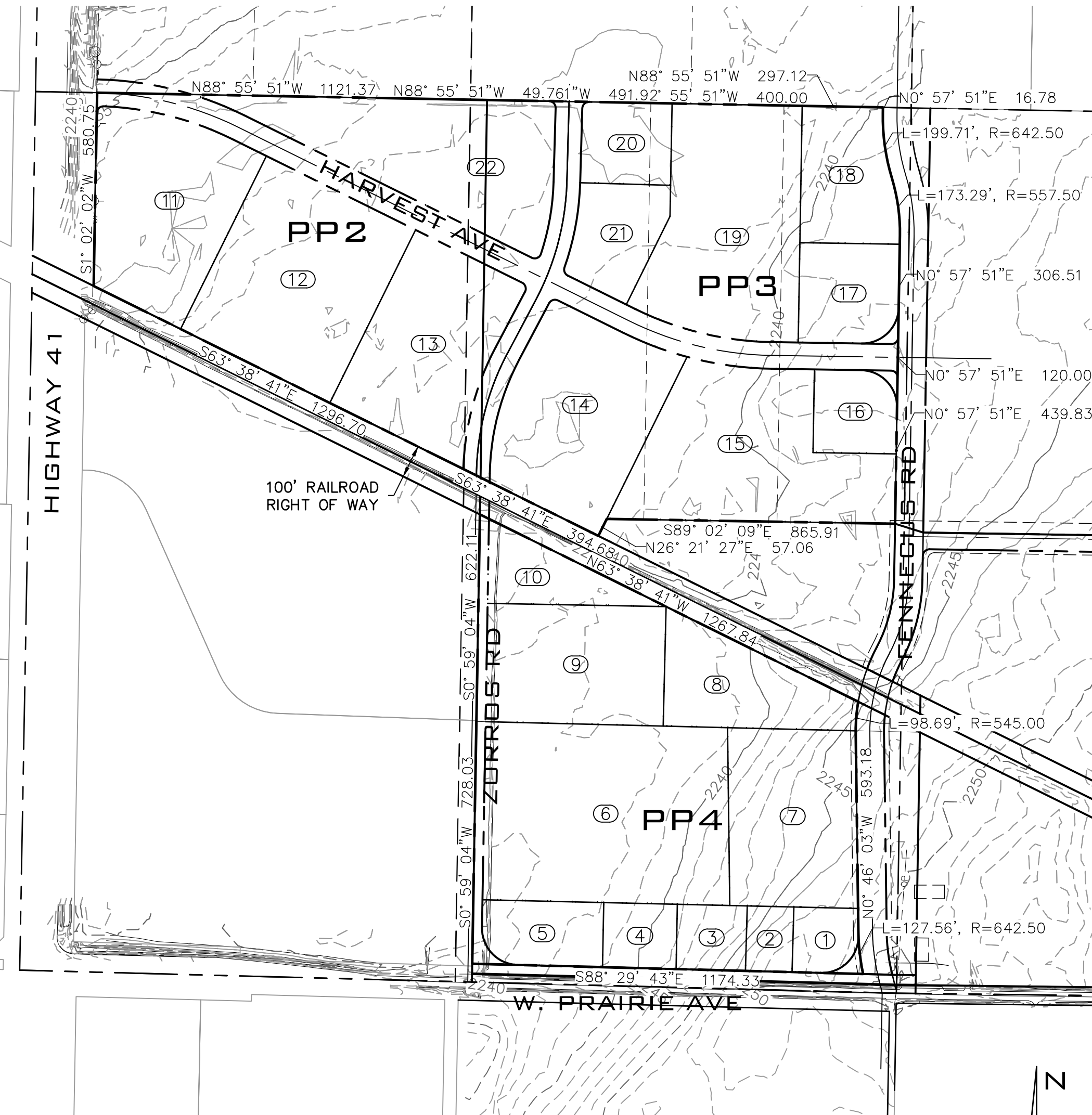
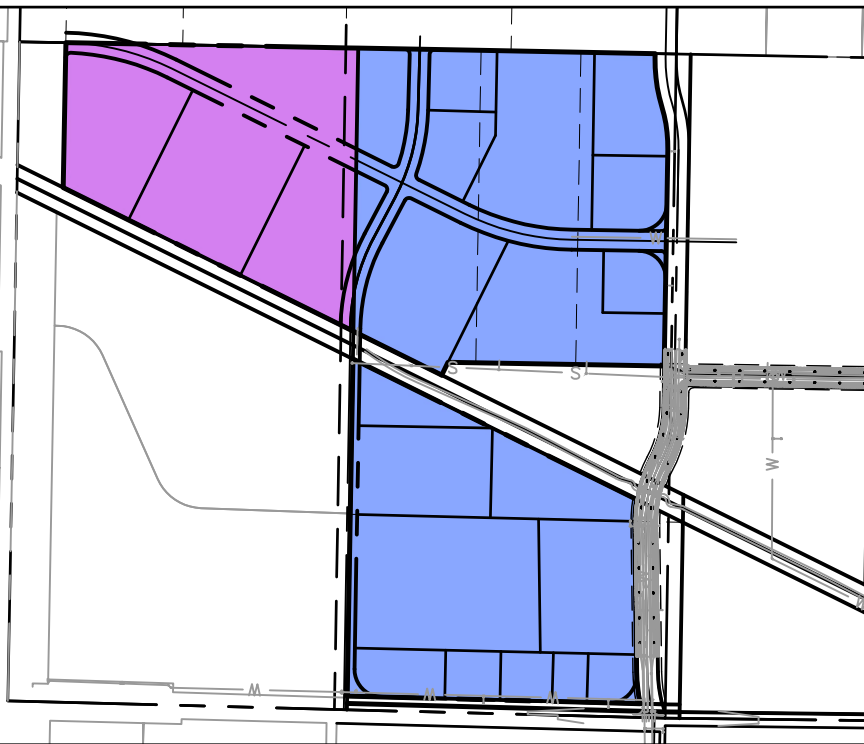
As mentioned above, water and sewer are both immediately available and sewer capacity is limited to that specified in the Keller tech memo. There is approximately 10 feet of relief across the site, which will yield relatively flat lots for construction.

PRELIMINARY PLAT HAYCROP COMMERCIAL PARK

LOCATED IN A PORTION OF THE
SW 1/4, SEC 19, T 51 N, R 04 W, B.M.
KOOTENAI COUNTY, ID

UNDERGROUND SERVICE ALERT
ONE-CALL NUMBER
811
CALL TWO BUSINESS DAYS
BEFORE YOU DIG

SITE DATA	
PARCEL NUMBER	51N04W-19-7100 51N04W-19-6900 51N04W-19-4800 51N04W-19-5000 51N04W-19-5200 P-0000-019-5400
ZONING	CCS
ZONING	CCM
	SF AC
PROJECT AREA	3,786,958.80 86.94
NUMBER OF LOTS	22
AREA OF LOTS	3,452,308.14 79.25
AREA OF RIGHT OF WAY	3,786,936.80 86.94
MIN LOT AREA	27,366.76 0.63
MAX LOT AREA	392,765.17 9.02



VICINITY MAP

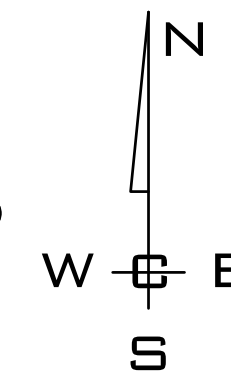
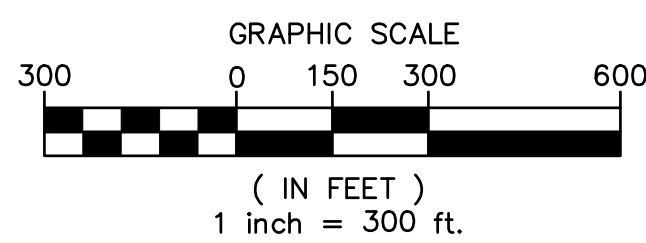
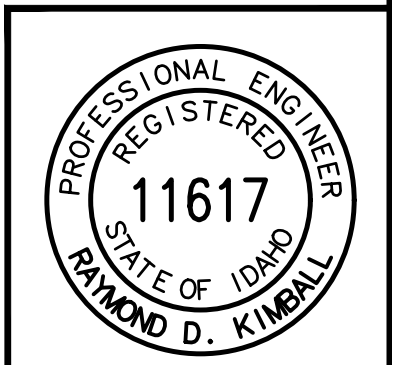
SHEET INDEX

PP1	PRELIMINARY PLAT COVER SHEET
PP2	PRELIMINARY PLAT NW SECTION
PP3	PRELIMINARY PLAT NE SECTION
PP4	PRELIMINARY PLAT SOUTH SECTION

ENGINEER/CONTACT
WHIPPLE CONSULTING ENGINEERS
21 SOUTH PINES
SPOKANE VALLEY, WA 99206
PHONE: 893-2617
CONTACT: RAYMOND D KIMBALL, P.E.

SURVEYOR
WHIPPLE CONSULTING ENGINEERS 21
SOUTH PINES
SPOKANE VALLEY, WA 99206 PHONE:
893-2617
CONTACT: RAYMOND D KIMBALL, P.L.S.

OWNER/DEVELOPER
MEDALIST DEVELOPEMENT
4752 W RIVERBEND AVE
POST FALLS, ID 83854



F:\WCE\WORK\2022\WCE PROJECTS\2022-3385-PP1A.DWG PLOT DATE: 04/13/23

NAVD - 88
NGS R-352: FOUND 3" BRASS CAP (SV0627)
ELEVATION: 2142.19

SCALE:	PROJ #: 22-3385	CIVIL
HORIZONTAL:	DATE: 02/15/23	STRUCTURAL
VERTICAL:	DRAWN: SLS	SURVEYING
	REVIEWED: RDK	TRAFFIC
		PLANNING
		LANDSCAPE
		OTHER

WCE

WHIPPLE CONSULTING ENGINEERS
21 S. PINES ROAD
SPOKANE VALLEY, WA 99206
PH: 509-893-2617 FAX: 509-926-0227

HAYCROP COMMERCIAL PARK
PRELIMINARY PLAT COVER
PRAIRIE AVE & HIGHWAY 41
POST FALLS, ID

SHEET
PP1
JOB NUMBER
22-3385

HAYCROP COMMERCIAL PARK

LEGAL DESCRIPTION

Parcel 1:

That portion of the Southwest Quarter of Section 19, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho described as follows:

BEGINNING at the West quarter corner of said Section 19, from which the Southwest corner of said section bears South 01°01'59" West, a distance of 2,640.05 feet; thence

South 88°55'52" East along the north line of said Southwest Quarter, a distance of 1,356.21 feet; thence

South 00°59'01" West, a distance of 1,189.76 feet, more or less, to the centerline of the Spokane International Railroad; thence

North 63°38'33" West along said centerline, a distance of 1,501.52 feet, more or less, to a point on the west line of said Southwest Quarter; thence

North 01°01'59" East along said west line, a distance of 548.34 feet, more or less, to the POINT OF BEGINNING. EXCEPT any portion lying within the rights-of-way of State Highway 41 and the Spokane International Railroad.

ALSO EXCEPT that portion conveyed to the City of Post Falls by Grant of Right-of-Way recorded December 15, 2009 as Instrument No. 2245262000, records of Kootenai County, Idaho.

ALSO EXCEPT that portion conveyed to the State of Idaho by Warranty Deed recorded March 26, 2020 as Instrument No. 2742719000, records of Kootenai County, Idaho.

Parcel 2:

A parcel of land being a portion of the South half of Section 19, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and more particularly described as follows:

Commencing at the South Quarter Corner of said Section 19 being a 2.5 inch zinc cap marked per CP&F Instrument Number 2550208000, Records of Kootenai County, from which the Southeast Section Corner bears South 89°18'14" East 2648.35 feet; thence along the East line of the Southwest Quarter of said Section 19, North 00°57'58" East 25.00 feet to the North Right-of-Way of Prairie Avenue being the True Point of Beginning;

thence along the North Right-of-Way of said Prairie Avenue, North 88°29'43" West 1274.96 feet;

thence leaving said North Right-of-Way, North 00°59'04" East 758.03 feet;

thence South 88°36'08" East 1332.18 feet;

thence South 00°57'53" West 759.71 feet to the North Right-of-Way of said Prairie Avenue;

thence along said North Right-of-Way, North 89°18'14" West 57.50 feet to the True Point of Beginning.

EXCEPT that portion conveyed to the City of Post Falls by Grant of Right-of-Way recorded September 22, 2022 as Instrument No. 2916123000 and re-recorded September 23, 2022 as Instrument No. 2916360000, records of Kootenai County, Idaho.

Parcel 3:

A parcel of land being a portion of the South half of Section 19, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and more particularly described as follows:

Commencing at the South Quarter Corner of said Section 19 being a 2.5 inch zinc cap marked per CP&F Instrument Number 2550208000, Records of Kootenai County, from which the Southeast Section Corner bears South 89°18'14" East 2648.35 feet; thence along the East line of the Southwest Quarter of said Section 19, North 00°57'568" East 25.00 feet to the North Right-of-Way of Prairie Avenue; thence along said North Right-of- Way, South 89°18'14" East 57.50 feet; thence leaving said North Right-of-Way, North 00°57'53" East 759.71 feet being the True Point of Beginning;

thence North 88°36'08" West 1332.18 feet;

thence North 00°59'04" East 622.11 feet to the southerly line of the Abandoned Railroad Right-of-Way,

thence along the southerly line of said Abandoned Railroad Right-of-Way, South 63°38'41" East 1474.35 feet to the True Point of Beginning.

EXCEPT that portion conveyed to the City of Post Falls by Grant of Right-of-Way recorded September 22, 2022 as Instrument No. 2916123000 and re-recorded September 23, 2022 as Instrument No. 2916360000, records of Kootenai County, Idaho.

Parcel 4:

A parcel of land being a portion of the Southwest Quarter of Section 18, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and more particularly described as follows:

Commencing at the Center Section Corner of said Section 19 being a 2.5 inch aluminum cap marked per CP&F Instrument Number 2653611000, Records of Kootenai County, from which the East Quarter Corner bears South 88°55'41" East 2648.06 feet; thence along the North line of said Southwest Quarter, North 88°55'51" West 782.15 feet to the True Point of Beginning,

thence leaving said East-West Center Section line, South 00°57'51" West 1251.41 feet; thence North 89°02'09" West 111.29 feet;

thence South 26°21'27" West 57.06 feet to the northerly line of the Abandoned Railroad Right-of-Way; :

thence along the northerly line of said Abandoned Railroad Right-of-Way, North 63°38'41" West 394.68 feet;

thence North 00°59'04" East 1134.62 feet to the North line of said Southwest Quarter; thence along said North line, South 88°55'51" East 491.92 feet to the True Point of Beginning.

Parcel 5:

A parcel of land being a portion of the Southwest Quarter of Section 19, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and more particularly described as follows:

Commencing at the Center Section Corner of said Section 19 being a 2.5 inch aluminum cap marked per CP&F Instrument Number 2653611000, Records of Kootenai County, from which the East Quarter Corner bears South 88°55'41" East 2648.06 feet; thence along the North line of Southwest Quarter of said Section 19, North

88°55'51" West 382.15 feet to the True Point of Beginning;

thence leaving the North line of said Southwest Quarter, South 00°57'51" West 1250.68 feet;

thence North 89°02'09" West 400.00 feet;

thence North 00°57'51" East 1251.41 feet to the North line of said Southwest Quarter; thence along said North line, South 88°55'51" East 400.00 feet to the True Point of Beginning.

Parcel 6:

A parcel of land being a portion of the South half of Section 19, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and more particularly described as follows: '

Beginning at the Center Section Corner of said Section 19 being a 2.5 inch aluminum cap marked per CP&F Instrument Number 2653611000, Records of Kootenai County, from which the East Quarter Corner bears South 88°55'41" East 2648.06 feet;

thence along the North line of the Southeast Quarter of said Section 19, South 88°55'41" East 57.44 feet; thence leaving the North line of said Southeast Quarter, South 00°57'53" West 1274.89 feet;

thence North 72°37'35" West 88.56 feet;

thence North 89°02'09" West 354.62 feet;

thence North 00°57'51" East 1250.68 feet to the North line of the Southwest Quarter of said Section 19;

thence along the North line of said Southwest Quarter, South 88°55'51" East 382.15 feet to the Point of Beginning.

EXCEPT that portion conveyed to the City of Post Falls by Grant of Right-of-Way recorded November 17, 2022 as Instrument No. 2921961000, records of Kootenai County, Idaho.

ROSS POINT WATER DISTRICT

February 27, 2023

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

RE: HAYCROP COMMERCIAL PARK

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.

This letter is to advise you that Ross Point Water District is willing and able to provide water service to the proposed Haycrop Commercial Park, to the extent of its readily available capacity if the following prerequisites are met:

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.
6. The Applicant must petition to annex into the District, and such annexation must be approved by the District's Board at a properly noticed public hearing.
7. All cost associated with the annexation process will be covered by the applicant.
8. The Applicant must agree to be bound by the terms and conditions set by the Board if annexation is granted.

If work on the project is not begun within one year this "Will Serve" letter becomes void. If you have any questions, please feel free to contact the District.

Sincerely,



Christine Waller
Ross Point Water District

Cc: Ray Kimball, Whipple Consulting Engineers, Inc.
Idaho Department of Quality
Panhandle Health District
Medalist Development





**COMMITMENT FOR TITLE INSURANCE
ISSUED BY
CHICAGO 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, Chicago Title Insurance Company, a Florida 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 180 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.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

ALTA Commitment for Title Insurance 8-1-16

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Page 1 of 12



Exhibit A-7



CHICAGO TITLE INSURANCE COMPANY

- (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.
- (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

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ALTA Commitment for Title Insurance 8-1-16

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Page 2 of 12





CHICAGO TITLE INSURANCE COMPANY

- (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.
- (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 to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance 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. You may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

Countersigned:

Sam Johnson
Kootenai County Title Company
1450 Northwest Boulevard
Suite 200
Coeur d'Alene, ID 83814

CHICAGO TITLE INSURANCE COMPANY

By:
Michael J. Nolan
President

ATTEST:
Marjorie Nemura
Secretary

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CHICAGO TITLE INSURANCE COMPANY

Transaction Identification Data for reference only:

Issuing Agent: Kootenai County Title Company
 Issuing Office: 1450 Northwest Boulevard, Suite 200, Coeur d'Alene, ID 83814
 ALTA® Universal ID: 1068807
 Loan ID Number:
 Issuing Office File Number: KT-500393
 Commitment Number: KT-500393
 Revision Number:
 Property Address: NNA, Post Falls, ID 83854

SCHEDULE A

1. Commitment Date: 03/01/2023 at 8:00 AM
2. Policy to be issued:

(a) ALTA Owner's Policy	\$20,000.00	Premium \$319.00
PROPOSED INSURED: Medalist Development, Inc.		
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:

Jacklin Land Company, LLLP, an Idaho Limited Liability Limited Partnership
5. The Land is described as follows:

Property description set forth in "Exhibit A" attached hereto and made a part hereof.

CHICAGO TITLE INSURANCE COMPANY
 By its Issuing Agent Kootenai County Title Company

Sam Johnson
Authorized Signatory

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**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 address to be associated with the Land described herein:

NNA
Post Falls, ID 83854

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**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:

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.
7. Property taxes and assessments for the year 2022, which are a lien, of which the 1st installment is due December 20, 2022, and the 2nd installment is due June 20, 2023 (amounts do not include penalty and interest if delinquent):

1st Installment: \$109.46, paid
2nd Installment: \$109.46, due and payable
Parcel No.: [P00000195400](#)
AIN.: 320257

1st Installment: \$60.70, paid
2nd Installment: \$60.70, due and payable
Parcel No.: [51N04W194800](#)
AIN.: 341883

1st Installment: \$78.42, paid
2nd Installment: \$78.42, due and payable
Parcel No.: [51N04W196900](#)
AIN.: 324740

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CHICAGO TITLE INSURANCE COMPANY

1st Installment: \$22.32, paid
2nd Installment: \$22.32, due and payable
Parcel No.: [51N04W197100](#)
AIN.: 341891

8. Property taxes and assessments for the year 2023, which are a lien, not yet due or payable.

Parcel No.: [P00000195400](#)
AIN.: 320257

Parcel No.: [51N04W195200](#)
AIN.: 124502

Parcel No.: [51N04W195000](#)
AIN.: 348581

Parcel No.: [51N04W194800](#)
AIN.: 341883

Parcel No.: [51N04W196900](#)
AIN.: 324740

Parcel No.: [51N04W197100](#)
AIN.: 341891

9. Assessments of the City of Post Falls.

10. Assessments of Ross Point Water District.

11. A negative easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: State of Idaho

Purpose: 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.

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. Grantor further agrees that no advertising or other signs will be
permitted closer than 100 feet from the right of way line of the highway.

Recorded: March 26, 1952

Instrument No.: Book 149 of Deeds at Page 518, records of Kootenai County, Idaho.

12. Any rights, interests, claims or other adverse matters which may exist or arise by reason of facts shown on
Record of Survey recorded March 16, 1994, in Book 14 of Surveys at Page 162, 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. Spokane International RR right of way and the location thereof

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ALTA Commitment for Title Insurance 8-1-16

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Page 7 of 12





CHICAGO TITLE INSURANCE COMPANY

13. Any rights, interests, claims or other adverse matters which may exist or arise by reason of facts shown on Record of Survey recorded October 9, 2007 in [Book 25 of Surveys at Page 210](#) , 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. Prairie Ave and 100' Railroad rights of way and the location(s) thereof
14. Annexation Agreement, including the terms, conditions and provisions thereof
Between: Prairie Properties, LLC
And: City of Post Falls
Recorded: December 15, 2009
Instrument No.: [2245257000](#) , records of Kootenai County, Idaho
15. 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 sidewalk, stormwater drainage and utilities
Recorded: December 15, 2009
Instrument No.: [2245263000](#) , records of Kootenai County, Idaho.
16. Quitclaim Deed conveying the water rights associated with the Land
Grantee: Ross Point Water District
Recorded: January 7, 2010
Instrument No.: [2248381000](#) , records of Kootenai County, Idaho.
17. Order annexing property into Ross Point Water District and Agreement(s) to Conditions for Annexation attached thereto, including the terms, conditions, covenants, provisions set forth therein
Recorded: May 5, 2010
Instrument No.: [2264132000](#) , records of Kootenai County, Idaho.
18. Any rights, interests, claims or other adverse matters which may exist or arise by reason of facts shown on Record of Survey recorded May 31, 2013 in [Book 27 of Surveys at Page 407](#) , 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. Prairie Ave and Spokane International RR rights of way and the location(s) thereof
19. Development and Annexation Agreement, including the terms, conditions, covenants and provisions set forth therein
Between: Jacklin Land Company, LLLP
And: City of Post Falls
Recorded: August 19, 2022
Instrument No.: [2912341000](#) , records of Kootenai County, Idaho.
20. 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 sidewalk, storm water drainage and utilities

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Page 8 of 12





CHICAGO TITLE INSURANCE COMPANY

Recorded: August 19, 2022

Instrument No.: [2912342000](#) , records of Kootenai County, Idaho.

21. Any rights, interests, claims or other adverse matters which may exist or arise by reason of facts shown on Record of Survey recorded August 31, 2022 in [Book 32 of Surveys at Page 242](#) , 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. Abandoned UPRR Spur Right of Way and the location thereof

22. Warranty Deed conveying the water rights associated with the Land

Grantee: Ross Point Water District

Recorded: September 22, 2022

Instrument No.: [2916183000](#) , records of Kootenai County, Idaho.

23. Any rights, interests, claims or other adverse matters which may exist or arise by reason of facts shown on Record of Survey recorded October 18, 2022 in [Book 32 of Surveys at Page 285](#) , 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. Abandoned UPRR Rail Spur Right of Way and the location thereof

C. Fennecus Street right of way and the location thereof

24. Order of Annexation Ross Point Water & Sewer District and the Terms and Conditions of Property Annexation attached thereto, including without limitation terms, conditions, covenants and provisions set forth therein, and any assessments pursuant thereto

Recorded: October 20, 2022

Instrument No.: [2919176000](#) , records of Kootenai County, Idaho.

25. 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 sidewalk, stormwater and utilities

Recorded: November 17, 2022

Instrument No.: [2921960000](#) , records of Kootenai County, Idaho.

26. An easement for the purpose shown below and rights incidental thereto as set forth in a document

Granted to: City of Post Falls

Purpose: Utilities

Recorded: November 17, 2022

Instrument No.: [2921962000](#) , records of Kootenai County, Idaho.

27. 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 sidewalk, stormwater and utilities

Recorded: November 17, 2022

Instrument No.: [2921963000](#) , records of Kootenai County, Idaho.

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Page 9 of 12





EXHIBIT A
Property Description

Issuing Office File No.: KT-500393

Parcel 1:

That portion of the Southwest Quarter of Section 19, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho described as follows:

BEGINNING at the West quarter corner of said Section 19, from which the Southwest corner of said section bears South 01°01'59" West, a distance of 2,640.05 feet; thence

South 88°55'52" East along the north line of said Southwest Quarter, a distance of 1,356.21 feet; thence

South 00°59'01" West, a distance of 1,189.76 feet, more or less, to the centerline of the Spokane International Railroad; thence

North 63°38'33" West along said centerline, a distance of 1,501.52 feet, more or less, to a point on the west line of said Southwest Quarter; thence

North 01°01'59" East along said west line, a distance of 548.34 feet, more or less, to the POINT OF BEGINNING.

EXCEPT any portion lying within the rights-of-way of State Highway 41 and the Spokane International Railroad.

ALSO EXCEPT that portion conveyed to the City of Post Falls by Grant of Right-of-Way recorded December 15, 2009 as Instrument No. 2245262000, records of Kootenai County, Idaho.

ALSO EXCEPT that portion conveyed to the State of Idaho by Warranty Deed recorded March 26, 2020 as Instrument No. 2742719000, records of Kootenai County, Idaho.

Parcel 2:

A parcel of land being a portion of the South half of Section 19, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and more particularly described as follows:

Commencing at the South Quarter Corner of said Section 19 being a 2.5 inch zinc cap marked per CP&F Instrument Number 2550208000, Records of Kootenai County, from which the Southeast Section Corner bears South 89°18'14" East 2648.35 feet; thence along the East line of the Southwest Quarter of said Section 19, North 00°57'58" East 25.00 feet to the North Right-of-Way of Prairie Avenue being the True Point of Beginning;

thence along the North Right-of-Way of said Prairie Avenue, North 88°29'43" West 1274.96 feet;

thence leaving said North Right-of-Way, North 00°59'04" East 758.03 feet;

thence South 88°36'08" East 1332.18 feet;

thence South 00°57'53" West 759.71 feet to the North Right-of-Way of said Prairie Avenue;

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

ALTA Commitment for Title Insurance 8-1-16

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Page 10 of 12





thence along said North Right-of-Way, North 89°18'14" West 57.50 feet to the True Point of Beginning.

EXCEPT that portion conveyed to the City of Post Falls by Grant of Right-of-Way recorded September 22, 2022 as Instrument No. 2916123000 and re-recorded September 23, 2022 as Instrument No. 2916360000, records of Kootenai County, Idaho.

Parcel 3:

A parcel of land being a portion of the South half of Section 19, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and more particularly described as follows:

Commencing at the South Quarter Corner of said Section 19 being a 2.5 inch zinc cap marked per CP&F Instrument Number 2550208000, Records of Kootenai County, from which the Southeast Section Corner bears South 89°18'14" East 2648.35 feet; thence along the East line of the Southwest Quarter of said Section 19, North 00°57'568" East 25.00 feet to the North Right-of-Way of Prairie Avenue; thence along said North Right-of- Way, South 89°18'14" East 57.50 feet; thence leaving said North Right-of-Way, North 00°57°53" East 759.71 feet being the True Point of Beginning;

thence North 88°36'08" West 1332.18 feet;

thence North 00°59'04" East 622.11 feet to the southerly line of the Abandoned Railroad Right-of-Way,

thence along the southerly line of said Abandoned Railroad Right-of-Way, South 63°38'41" East 1474.35 feet to the True Point of Beginning.

EXCEPT that portion conveyed to the City of Post Falls by Grant of Right-of-Way recorded September 22, 2022 as Instrument No. 2916123000 and re-recorded September 23, 2022 as Instrument No. 2916360000, records of Kootenai County, Idaho.

Parcel 4:

A parcel of land being a portion of the Southwest Quarter of Section 18, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and more particularly described as follows:

Commencing at the Center Section Corner of said Section 19 being a 2.5 inch aluminum cap marked per CP&F Instrument Number 2653611000, Records of Kootenai County, from which the East Quarter Corner bears South 88°55'41" East 2648.06 feet; thence along the North line of said Southwest Quarter, North 88°55'51" West 782.15 feet to the True Point of Beginning,

thence leaving said East-West Center Section line, South 00°57'51" West 1251.41 feet; thence North 89°02'09" West 111.29 feet;

thence South 26°21'27" West 57.06 feet to the northerly line of the Abandoned Railroad Right-of-Way; :

thence along the northerly line of said Abandoned Railroad Right-of-Way, North 63°38'41" West 394.68 feet;

thence North 00°59'04" East 1134.62 feet to the North line of said Southwest Quarter; thence along said North line, South 88°55'51" East 491.92 feet to the True Point of Beginning.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



Parcel 5:

A parcel of land being a portion of the Southwest Quarter of Section 19, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and more particularly described as follows:

Commencing at the Center Section Corner of said Section 19 being a 2.5 inch aluminum cap marked per CP&F Instrument Number 2653611000, Records of Kootenai County, from which the East Quarter Corner bears South 88°55'41" East 2648.06 feet; thence along the North line of Southwest Quarter of said Section 19, North 88°55'51" West 382.15 feet to the True Point of Beginning;

thence leaving the North line of said Southwest Quarter, South 00°57'51" West 1250.68 feet;

thence North 89°02'09" West 400.00 feet;

thence North 00°57'51" East 1251.41 feet to the North line of said Southwest Quarter; thence along said North line, South 88°55'51" East 400.00 feet to the True Point of Beginning.

Parcel 6:

A parcel of land being a portion of the South half of Section 19, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and more particularly described as follows: '

Beginning at the Center Section Corner of said Section 19 being a 2.5 inch aluminum cap marked per CP&F Instrument Number 2653611000, Records of Kootenai County, from which the East Quarter Corner bears South 88°55'41" East 2648.06 feet;

thence along the North line of the Southeast Quarter of said Section 19, South 88°55'41" East 57.44 feet;

thence leaving the North line of said Southeast Quarter, South 00°57'53" West 1274.89 feet;

thence North 72°37'35" West 88.56 feet;

thence North 89°02'09" West 354.62 feet;

thence North 00°57'51" East 1250.68 feet to the North line of the Southwest Quarter of said Section 19;

thence along the North line of said Southwest Quarter, South 88°55'51" East 382.15 feet to the Point of Beginning.

EXCEPT that portion conveyed to the City of Post Falls by Grant of Right-of-Way recorded November 17, 2022 as Instrument No. 2921961000, records of Kootenai County, Idaho.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

ALTA Commitment for Title Insurance 8-1-16

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Kootenai County, Idaho



Map Tile Location within Township

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36



THIS DRAWING IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES CONTAINED HEREIN.

Map Revisions

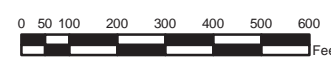
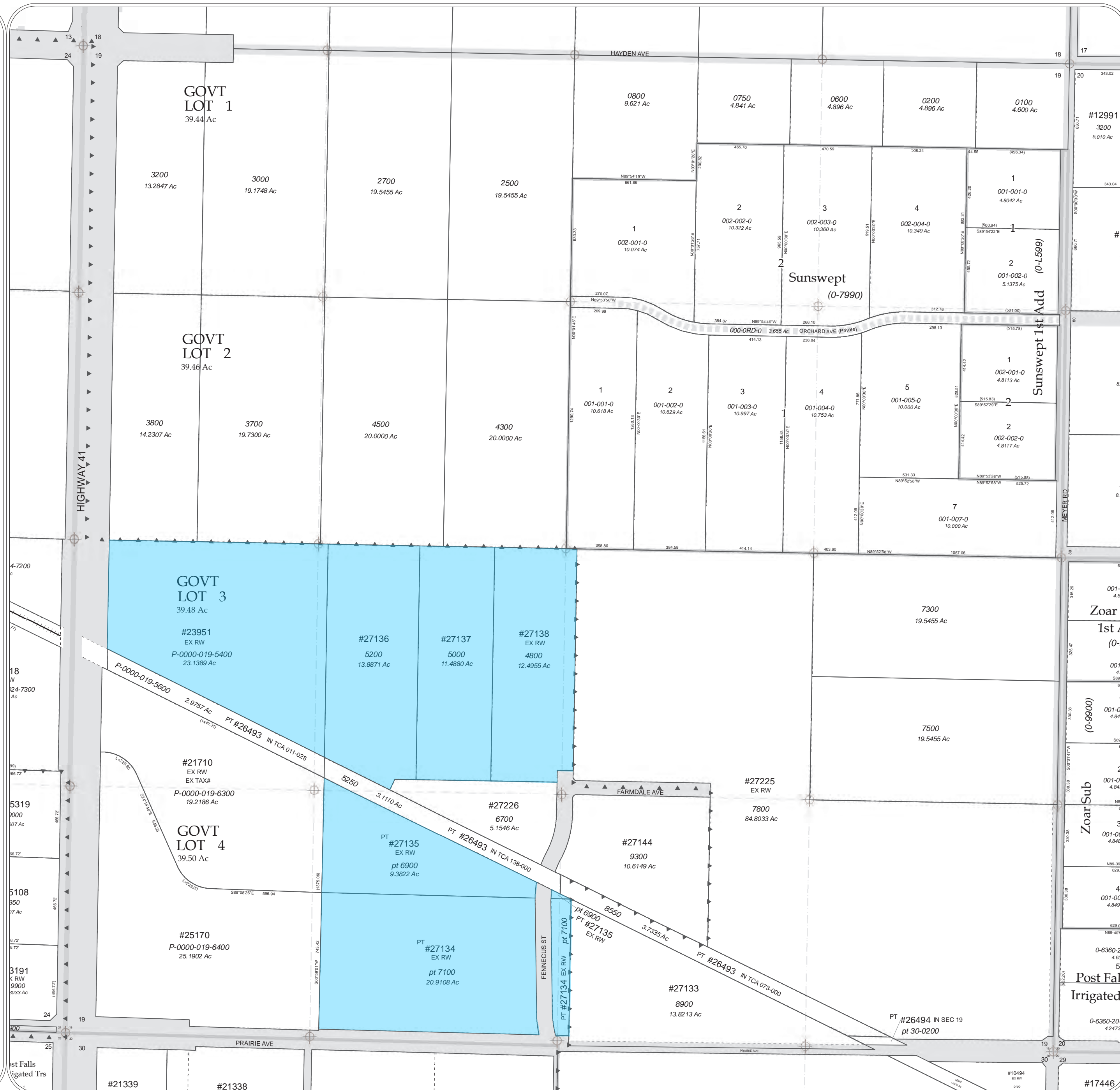
- 02/03/10 - JGB
Ptn 51N04W-19-5200 out to Hwy 41 RW (10)
Ptn 51N04W-19-6300 out to Hwy 41 & Prairie Ave RW (10)
- 02/11/10 - JGB
51N04W-19-6300 (now P-0000-019-6300) & ptn 5200 (now P-0000-019-5400) Annexed into Post Falls per Ord #1187 (10)
- 02/07/11 - VMW
51N04W-19-5210 as Tax#22835 & 5215 out of 5200 & ptn P-0000-019-5400 (11)
- 03/06/12 - ET
51N04W-19-6600 & 6900 out of 5200 (12)
- 12/19/12 - JB
Ptn 51N04W-19-8900 out to RW (13)
- 02/18/15 - bc
Ptn 51N04W-19-6600 combined w/ 6900; 51N04W-19-5215 & ptns 6600, 6900, 5210 & P-0000-019-5400 combined w/ 5200; rem 5400 redescribed as Tax#23951 (15)
- 04/18/18 - JP
P-0000-019-6400 out of 6300 as Tax#25170 (19)
- 01/21/20 - JP
51N04W-19-3200 & 3800 out of 3700 (20)
- 06/09/20 - ET
Ptn P-0000-019-5400 out to RW (21)
51N04W-19-4800 out of 5200 (21)
51N04W-19-7100 out of 6900 (21)
51N04W-19-7300, 7500, 7800, 8100, 9300 & 9500 out of 8900 (21)
- 11/24/20 - ET
51N04W-19-2500, 2700, 3000, 4300 & 4500 out of 3700 (21)
Ptn 51N04W-19-3000 & 3200 out to RW (21)
- 02/03/21 - TH
Ptn 51N04W-19-3200 & 3800 out to RW (21)
- 02/08/21 - TH
Ptn P-0000-019-6300 out to RW (21)
- 07/23/21 - GP
P-0000-019-5600, 51N04W-19-5250, 8550 out of Vac RR RW as Tax#26493 & ptn #26494 (22)
- 11/29/21 - ET
0-7990-001-006-0 & 002-005-0 platted into SUNSWEPT 1ST ADD (22)
- 02/07/23 - HSS
51N04W-19-5000 out of 5200 as Tax#27137; ptn 5200 redescribed as Tax#27136; 6900 & 4800 redescribed as Tax#27135 & #27138; ptns 8900 & 7100 redescribed as Tax#27133 & #27134 (23)
Ptn 51N04W-19-7100 out to RW (23)
51N04W-19-9300 redescribed as Tax#27144 (23)
51N04W-19-8100 & 9500 combined w/ 7800 & ptn redescribed as Tax#27225 (23)
51N04W-19-6700 out of rem 5200 as Tax#27226 (23)
Ptns 51N04W-19-9300, 6700, 6900, & 7100 out to RW (23)
Ptns 51N04W-19-4800 & 7800 out to RW (23)

Notes:

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.

Legend

- (C-5357) Sub-code
- 001-001-A Parcel ID# (PIN)
- TaxParcels
- LegalAreas
- Road RW
- Private Roads
- Plat Boundaries
- Railroad
- City Limits
- GCDB_Corners
- GCDB_Lines

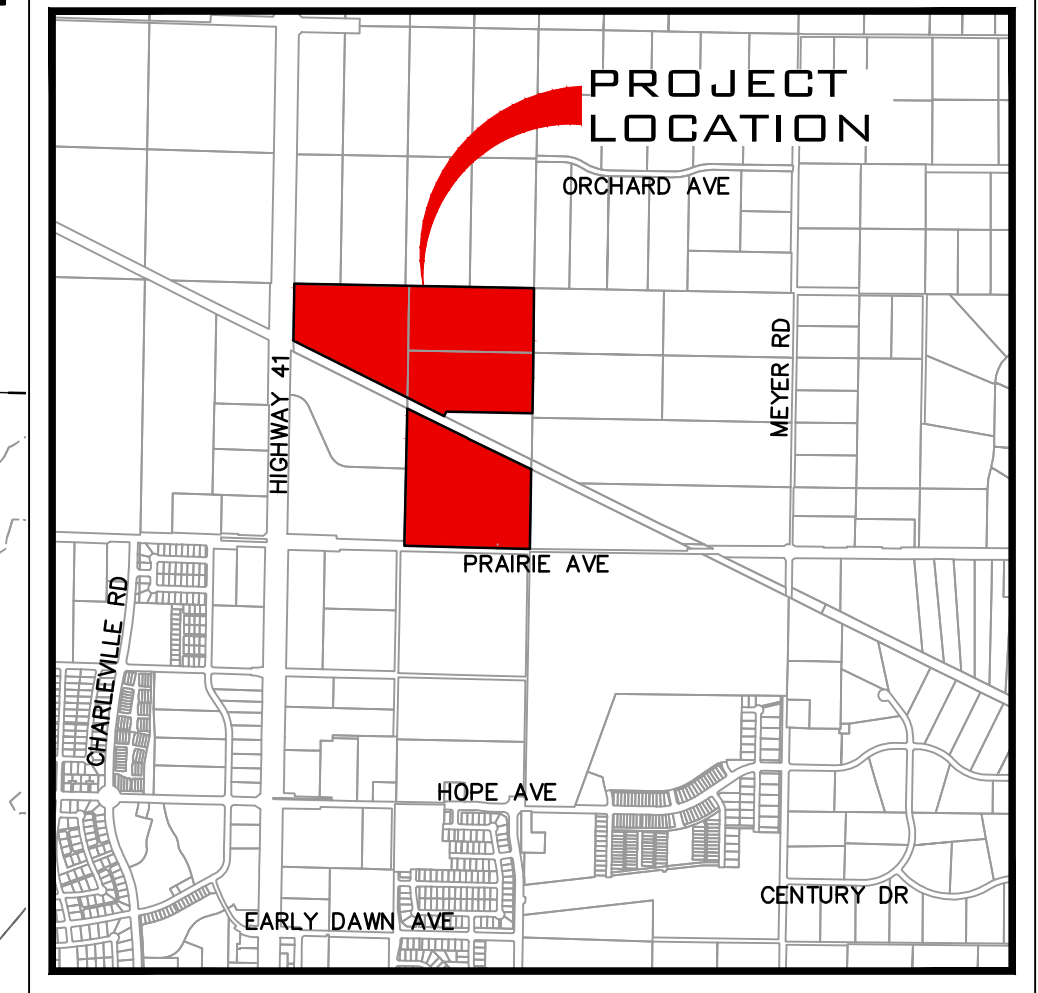
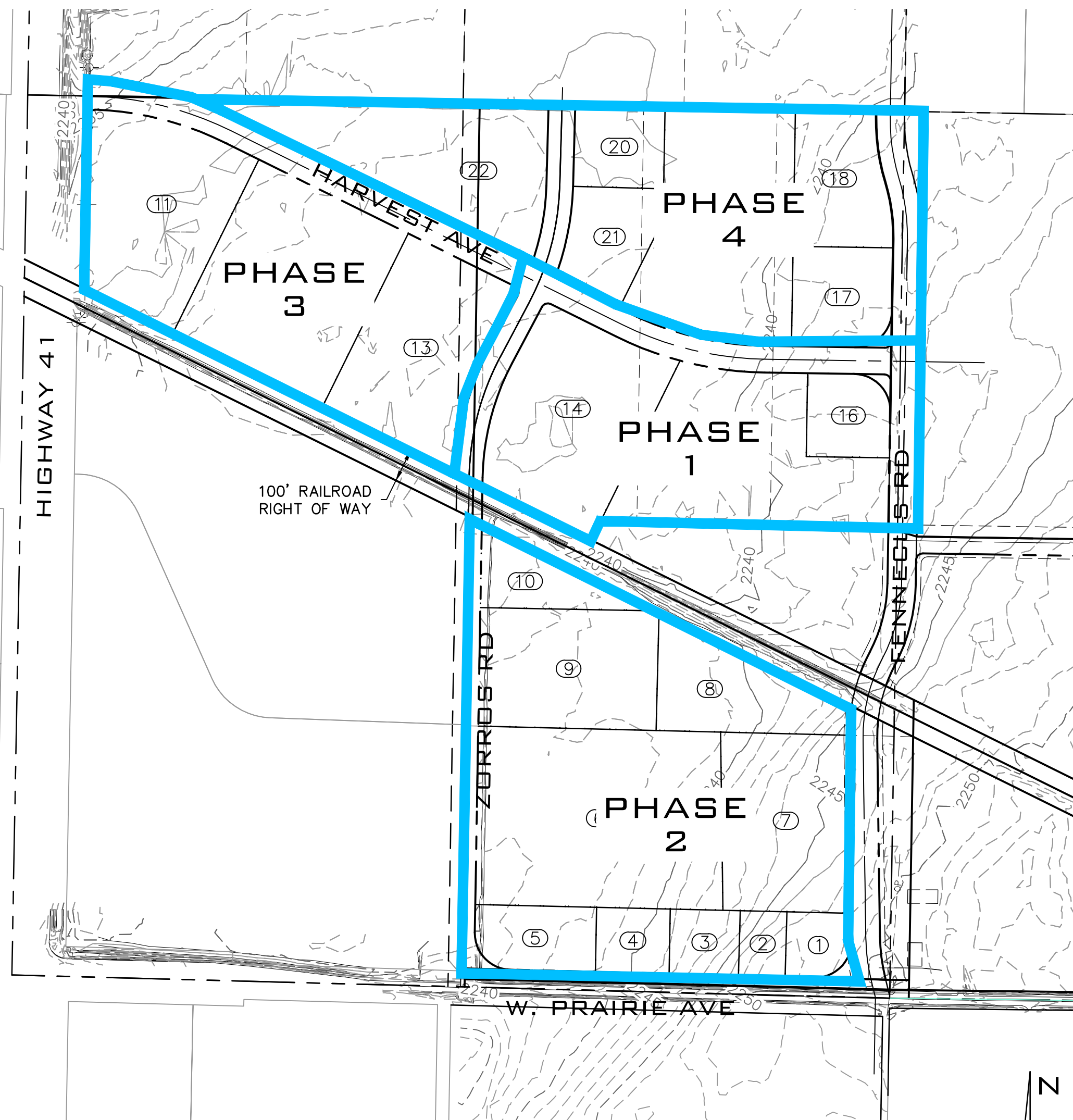
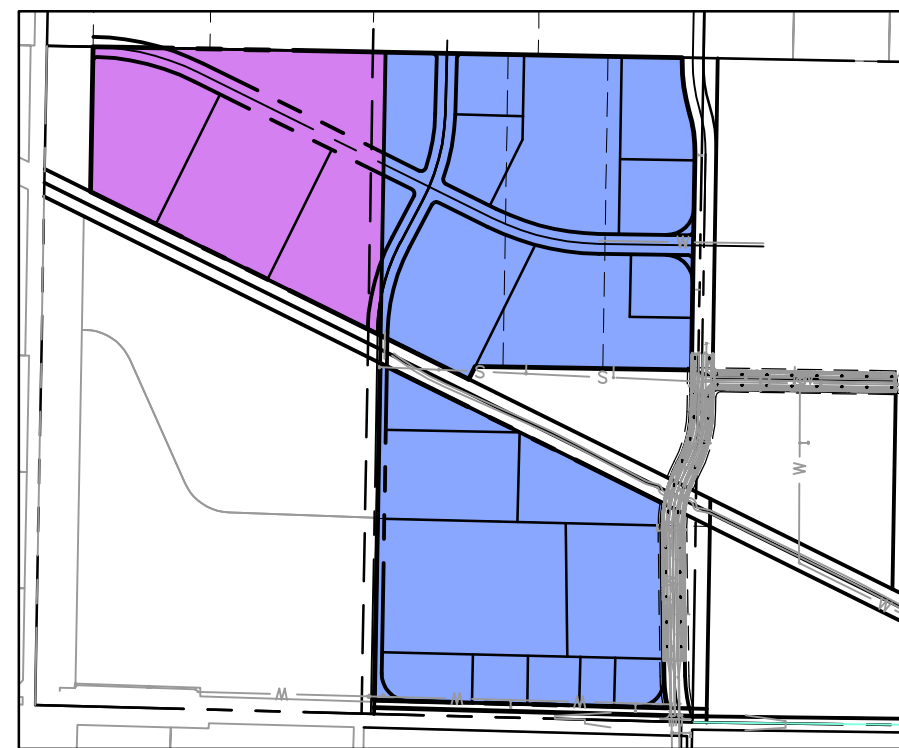


PRELIMINARY PLAT HAYCROP COMMERCIAL PARK

LOCATED IN A PORTION OF THE
SW 1/4, SEC 19, T 51 N, R 04 W, B.M.
KOOTENAI COUNTY, ID

UNDERGROUND SERVICE ALERT
ONE-CALL NUMBER
811
CALL TWO BUSINESS DAYS
BEFORE YOU DIG

SITE DATA	
PARCEL NUMBER	51N04W-19-7100 51N04W-19-6900 51N04W-19-4800 51N04W-19-5000 51N04W-19-5200 P-0000-019-5400
ZONING	CCS
ZONING	CCM
	SF AC
PROJECT AREA	3,786,958.80 86.94
NUMBER OF LOTS	22
AREA OF LOTS	3,452,308.14 79.25
AREA OF RIGHT OF WAY	3,786,936.80 86.94
MIN LOT AREA	27,366.76 0.63
MAX LOT AREA	392,765.17 9.02

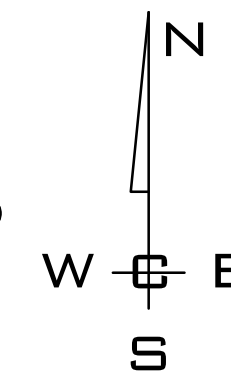
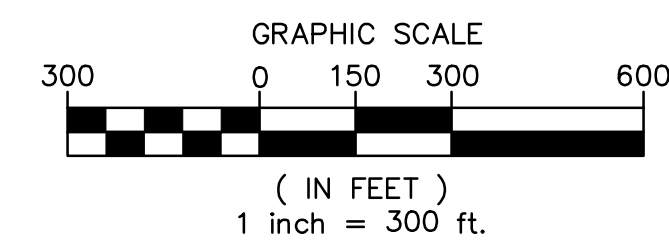
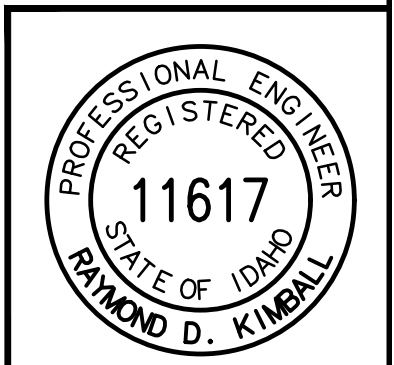


VICINITY MAP

ENGINEER/CONTACT
WHIPPLE CONSULTING ENGINEERS
21 SOUTH PINES
SPOKANE VALLEY, WA 99206
PHONE: 893-2617
CONTACT: RAYMOND D KIMBALL, P.E.

SURVEYOR
WHIPPLE CONSULTING ENGINEERS 21
SOUTH PINES
SPOKANE VALLEY, WA 99206 PHONE:
893-2617
CONTACT: RAYMOND D KIMBALL, P.L.S.

OWNER/DEVELOPER
MEDALIST DEVELOPEMENT
4752 W RIVERBEND AVE
POST FALLS, ID 83854



P:\WCE_WORK\2022 WCE PROJECTS\2022-3385 JACKLIN-41 PHASE 2\DWG\3385-PPPLAT.DWG PLOT DATE: 05/05/23

NAVD - 88
NGS R-352: FOUND 3" BRASS CAP (SV0627)
ELEVATION: 2142.19

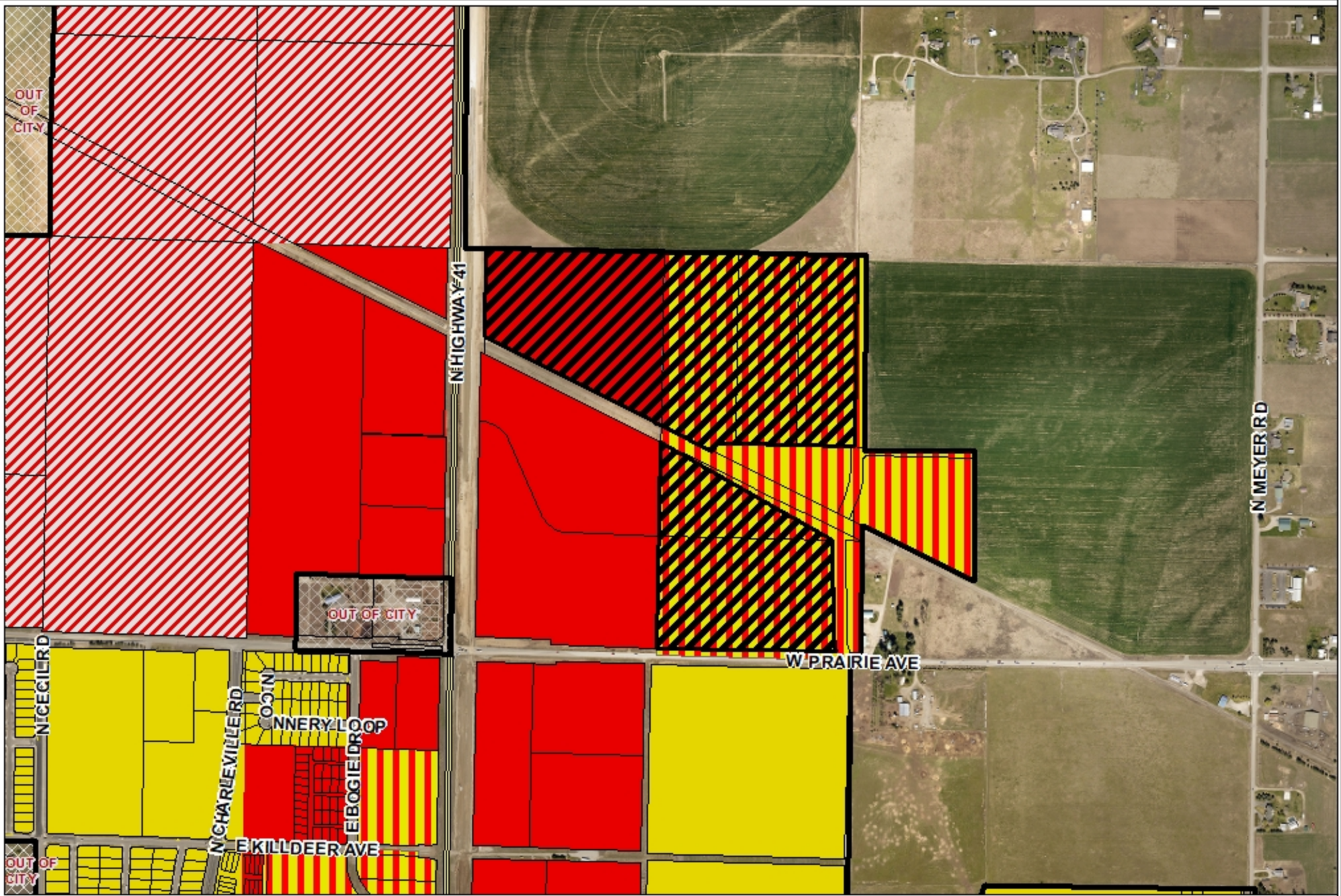
SCALE:	PROJ #: 22-3385	CIVIL
HORIZONTAL:	DATE: 02/15/23	STRUCTURAL
VERTICAL:	DRAWN: SLS	SURVEYING
	REVIEWED: RDK	TRAFFIC
		PLANNING
		LANDSCAPE
		OTHER

WCE

WHIPPLE CONSULTING ENGINEERS
21 S. PINES ROAD
SPOKANE VALLEY, WA 99206
PH: 509-893-2617 FAX: 509-926-0227







HAYCROP COMMERCIAL PARK
PHASING PLAN
PRAIRIE AVE & HIGHWAY 41
POST FALLS, ID

SHEET PP5
JOB NUMBER 22-3385

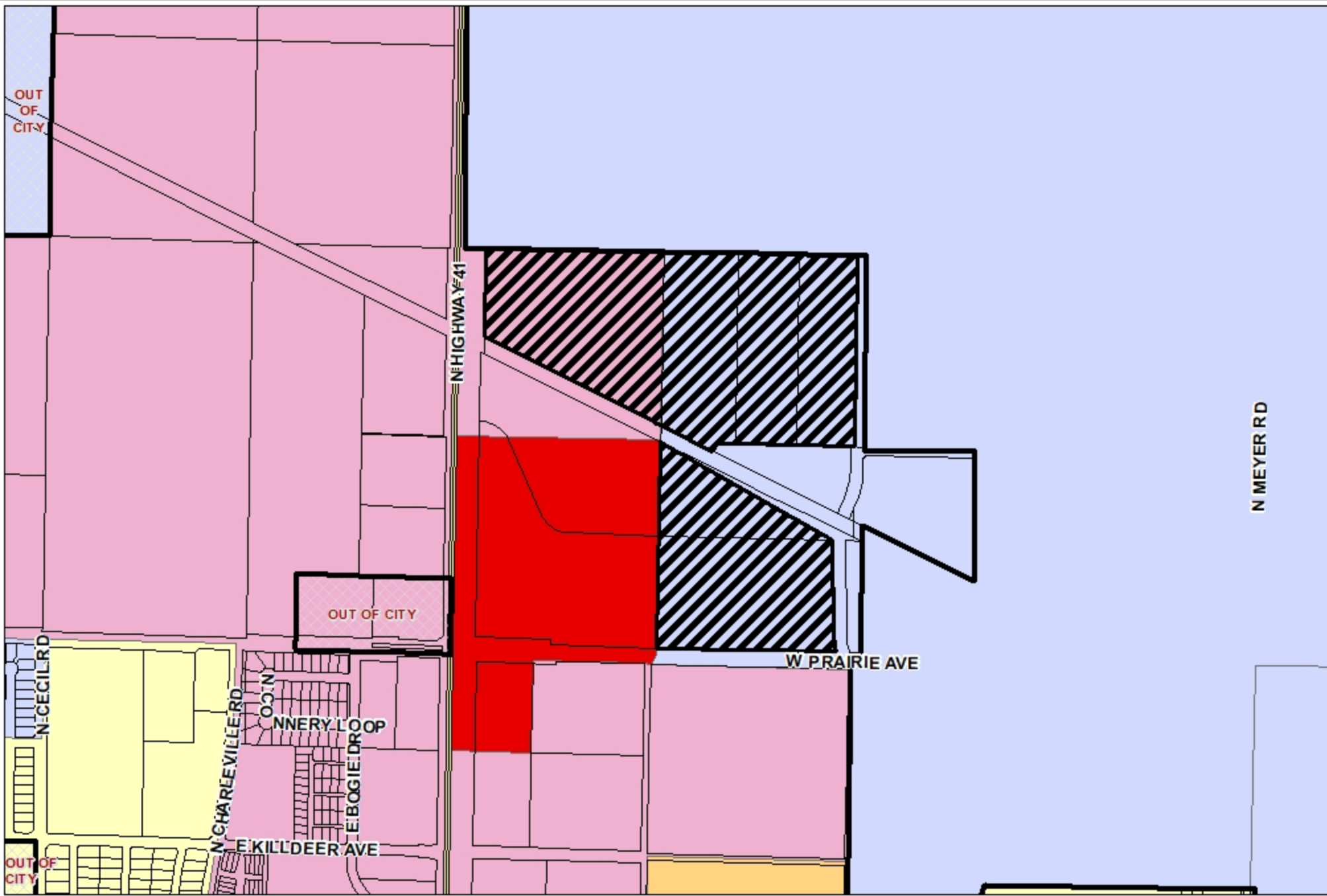


Zoning Map
 HAYCROP COMMERCIAL PARK
 File # SUBD-23-2



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





Future Land Use Designation
 HAYCROP COMMERCIAL PARK
 File # SUBD-23-2



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



Amber Blanchette

From: Polak, Chad M <Chad.M.Polak@p66.com>
Sent: Friday, May 5, 2023 12:24 PM
To: Amber Blanchette
Subject: FW: Haycrop Commercial Park Subdivision File No. SUBD-23-2
Attachments: NTJ Haycrop.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 do not have any comments for this project.

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: Friday, May 5, 2023 1:16 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>; D1Permits <d1permits@itd.idaho.gov>; 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>; Devin Weeks <dweeks@cdapress.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellen Smith <ellen.smith@itd.idaho.gov>; Erik Ketner <eketner@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eportner@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Greta Gissel <greta@connectkootenai.org>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; 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; Jodi Meyer <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 <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Laura Jones <ljones@postfallsidaho.org>; 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@quantatel.com.com>; Naomi Tierney <ntierney@postfalls.gov>; 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>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Ryan Goff <ryan.goff@tdstelecom.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>; Symone Legg <symone.legg@itd.idaho.gov>; 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>; James Steffensen <james.steffensen@bannerbank.com>; Kevin Ward (gatheredfamilyrestaurant@gmail.com) <gatheredfamilyrestaurant@gmail.com>; Kibbee Walton <kibbee@artisanportrait.com>; Nancy Hampe <nancyradiantlake@gmail.com>; Ray Kimball <rkimball@whipplece.com>; Ross Schlotthauer <ross@burlyproducts.com>; Vicky Jo Carey <vjcarey@aol.com>

Subject: [EXTERNAL]Haycrop Commercial Park Subdivision File No. SUBD-23-2

This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Good afternoon,

Attached is the notice to jurisdiction for the named subdivision, for our Planning and Zoning Special Meeting on May 30th. 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 has changed our domain to POSTFALLS.GOV. Please adjust your contacts/links.

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.

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

May 10, 2023

Amber Blanchette
Planning Administrative Specialist
amberb@postfallsidaho.org

RE: Notice to Jurisdiction Response

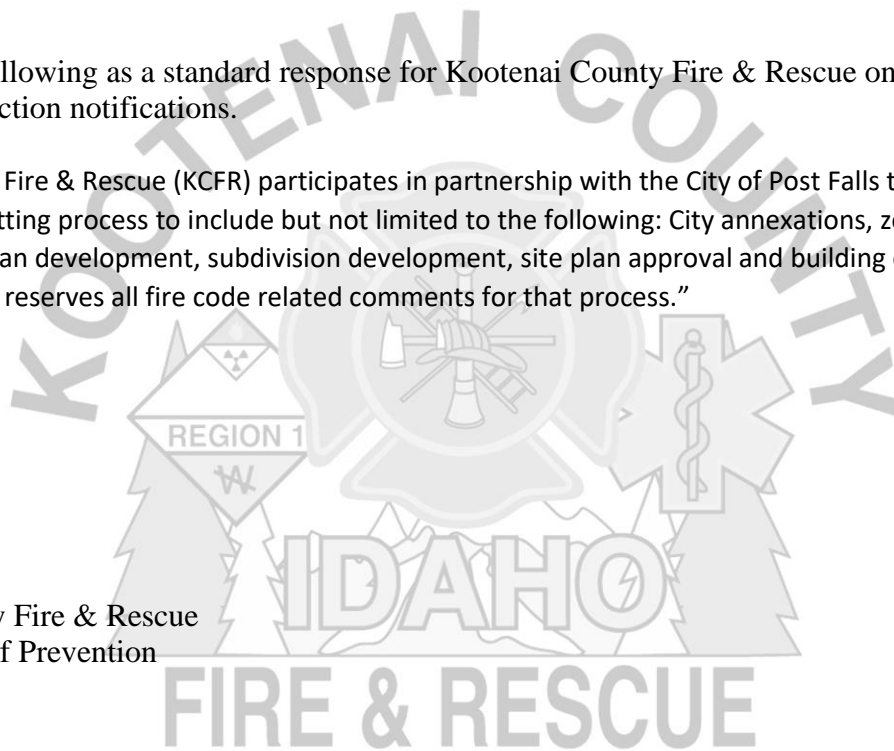
Amber,

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



Amber Blanchette

From: Symone Legg <Symone.Legg@itd.idaho.gov>
Sent: Monday, May 15, 2023 9:58 AM
To: Amber Blanchette
Subject: RE: Haycrop Commercial Park Subdivision File No. SUBD-23-2

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.

Harvest has not been approved for access, permittee will need to apply for access. ITD will be requesting a TIS.

Thank you,



Symone Legg | *Projects Coordinator*
District 1 Permits
Idaho Transportation Department
600 W. Prairie | Coeur d'Alene, ID 83815
P: (208) 772-8073
F: (208) 287-3873

From: Amber Blanchette <amberb@postfalls.gov>
Sent: Friday, May 5, 2023 12:16 PM
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Subject: Haycrop Commercial Park Subdivision File No. SUBD-23-2

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Good afternoon,

Attached is the notice to jurisdiction for the named subdivision, for our Planning and Zoning Special Meeting on May 30th. 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...

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