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**PLANNING & ZONING COMMISSION  
REGULAR AGENDA**

**JUNE 13, 2023  
5:30 PM**

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

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**REGULAR MEETING – 5:30 PM**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

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

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

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:**

- NATIONAL WEED YOUR GARDEN DAY – JUNE 13

**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 5-30-2023
- b. Reasoned Decision – Post Falls School District Special Use Permit File No. SUP-23-1

**2. CITIZEN ISSUES**

*This section of the agenda is reserved for citizens wishing to address the Commission on an issue that is not on the agenda. Persons wishing to speak will have 5 minutes. Comments related to pending public hearings, including decisions that may be appealed to the City Council, are out of order and should be held for that public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor, by subsequent appointment. In order to ensure adequate public notice, Idaho Law provides that any item, other than emergencies, requiring action must be placed on the agenda of an upcoming meeting. As such, the Commission cannot*

*take action on items raised during citizens issues at the same meeting but may request additional information or that the item be placed on a future agenda.*

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

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

#### **ACTION ITEMS:**

### **4. PUBLIC HEARINGS**

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

#### **ACTION ITEMS:**

### **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 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



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**PLANNING & ZONING COMMISSION  
SPECIAL MEETING MINUTES**

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

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

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**SPECIAL MEETING – 5:30 PM**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

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

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

**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.*

None

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

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

None

**1. CONSENT CALENDAR**

*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). ANNX-22-14/ZC-22-7
- c. Reasoned Decision – Quailview Townhomes Subdivision File No. SUBD-22-15

Motion to approve as presented by Hampe  
2<sup>nd</sup> by: Carey  
Vote: Carey – Yes; Steffensen – Yes; Schlotthauer – Yes; Hampe - Yes  
Moved

## 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.*

None

## 3. UNFINISHED / OLD BUSINESS

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

### ACTION ITEMS:

None

## 4. PUBLIC HEARINGS

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

### ACTION ITEMS:

- A. **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 – The requested action is for a Special Use Permit to allow for the expansion of school services (food distribution facility) within the Single-Family R1 zoning district as permitted by PFMC 18.16.010. This property is located east of Greensferry and on the northeast corner of Greensferry Rd and Horsehaven Ave. The existing surrounding zoning to the north there is some Limited Commercial and Single-Family Residential; to the west is County Residential and Single-

Family Residential; and to the south and east is Public Reserve which is the school property and Single-Family Residential south of Horsehaven Ave. The layout of the proposed site is why they are asking for a Special Use Permit as it goes into the area that is zoned Single Family Residential; if it was all on the Public Reserve it would be permitted without an SUP. The water will be Ross Point Water District and sewer is the City of Post Falls.

Special Use Criteria:

- The implementation of this request will conform to the existing zoning district.
- The proposed use should not negatively impact health, safety and welfare of the public or land uses within the vicinity. The proposed use is not anticipated to produce impacts that would adversely impact the adjoining transportation systems. Horsehaven Ave. is a Minor Collector and intersects Greensferry Rd, a Minor Arterial, along the properties western boundary. The current roadway network has capacity, with identified impact fee projects in the immediate vicinity further facilitating long term traffic operations. The site will be connected to the City's Water Reclamation Facilities. Existing facilities are in place and have the capacity and capability to handle the requested use. The proposed special use will be services Ross Point Water District.
- 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. Policy 8: Encourage compatible infill development and redevelopment of vacant and underutilized properties within City limits. 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. Policy 56: work with Post Falls School District to coordinate City Parks, facilities and service planning with: district facility plans; district programs, recreational facilities, and educational opportunities. All other agencies have been notified and Yellowstone Pipeline responded with no comment; Kootenai County Fire & Rescue reserves comments for the permitting process; and Post Falls Highway District responded with no comments.

**Schlotthauer** – This parcel is currently owned by the School District.

**Manley** – Yes, the Public Reserve area is the High School and right on the Corder where it shows as Single Family Residential is the Prairie View Elementary. Hindsight when the Zone Change came through for the High School this site could have been included so all of the School Districts lans would be Public Reserve.

**Applicant, Denna Naccarato, 206 W. Mullan Ave.** – We currently do not have a Food Service Distribution Center and many of our service providers will no longer deliver to 11 different school sites. We also have learned with a school district of our size in our state, we are the only ones that do not have a distribution center. We researched to see if there was a cost effective way to avoid asking tax payers to help pay for it. We have set aside some Esser funds to assist in constructing this building if you deem it appropriate. As stated this land is owned by the School District and has been for many years. We do not expect there to be a bunch of traffic as a result of this food distribution center, we expect a semi to come once per week and then we will have our small vans deliver out to our 11 districts sites.

**Carey** – Would the delivery to the schools be daily?

**Naccarato** – We've never had this before, so we don't know what to expect. We currently have a district food van that does minor deliveries and would need to purchase an

additional van and those smaller vehicles would deliver out. We don't expect to have a fleet of vans as we cannot afford that.

**Schlotthauer** – So, currently the food service companies are making deliveries to the schools and now they will deliver here and the district will have to make the deliveries.

**Naccarato** – Correct, We've actually lost some of our food distributors; they said they will no longer service the Post Falls School District. As a result our cost for food has increased because we don't have vendors that are willing to drive to 11 different sites. This is changed how we order food and get the food to our different schools.

**Hampe** – Is the food prepared at the schools?

**Naccarato** – Yes.

**Hampe** – So this is warehouse?

**Naccarato** – Yes, it is a warehouse, So our Food Service Director housed there, her assistant, and a couple of workers and our drivers. Our warehouse workers could very well be our drivers as well.

**Steffensen** – When you say van, it is no different than a regular minivan or a bit larger than that?

**Naccarato** – Correct.

**Steffensen** – Not a big box truck.

**Naccarato** – I don't believe it would be a big box truck, but, there could be again we have never done this before and are trying to accomplish it in the most cost effective manner without disrupting those that live around there.

**Testimony:**

**In Favor – None**

**Neutral – None**

**In Opposition – None**

**Comments:**

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

**Carey and Hampe** – With the special use it does.

**Steffensen** – It would be outright permitted in the Public Reserve which is next to it.

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

**Schlotthauer** – It does.

**Hampe** – We touched on it in the previous as a special use.

3. 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.

**Carey** – I think it will be compatible and will have minimal traffic or use in and out and not a lot of employees there.

**Schlotthauer** – Health and Safety are compatible, the welfare part is hard without seeing the economics, it is hard for me to believe that adding overhead to any organization like this will create a net gain in operating efficiency. I guess we will just have to trust.

**Steffensen** – It is all new and they will have to figure it out, going to 11 different locations down to one and then distributing, so it could change.

4. Whether the proposed use will/will not comply with the goals and policies found within the Comprehensive Plan.  
**Steffensen** – Supporting community needs so that I think this is a really good location being that there is an elementary school and a high school there so it will support the local schools.  
**Hampe** – I don't see any problem with it there.

Motion to approve finding it meets the approval criteria in the PFMC as outlined in our deliberations and subject to condition one contained in the staff report and direct staff to prepare a written Reasoned Decision. Hampe

2<sup>nd</sup> by: Carey

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

Moved

- 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 – Requested action is to subdivide approximately 6.04 acres into 20 single-family lots within the Single-Family Residential (R1) zoning designation. The property is generally located on the southwest of W. Prairie Ave. and N. Chase Rd and is currently a large lot single-family home. The water provider will be East Greenacres Irrigation District and wastewater will be provided by the City of Post Falls. The surrounding zoning is R1 to the west and east with R-1-S to the south, which has a PUD so the lots are more of an R1 than a R1S. To the northeast you have some SmartCode. The original proposed layout had an elliptical shape that was initially proposed for access through an easement for about 5 lots however, city code states all lots need to front a public or private street with Watercress Ave and Pickerel St. connecting for 2 ingress and egress into this subdivision. The applicant amended the plan and created a private road that would bring the lots up to the Title 17 code requirements, and the lots meet minimum size requirements per the zoning code. The street configuration also meets code as it discourages cul-de-sacs.

Subdivision Review Criteria:

- Water service to the project would be provided by East Greenacres Irrigation District.
- The City of Post Falls has adequate capacity to provide service to the subdivision as proposed.
- The subdivision and proposed layout are consistent with the City's Transportation Master Plan and Design Standards.
- At this time there are no known soil or topographical conditions which have been identified as hazards. This location is over the Rathdrum Prairie Aquifer.
- The proposed lots and layout comply with the bulk and placement standards for the Single-Family Residential R1 zoning district and Title 17 per amended Preliminary Plat.
- 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 and streets.

All other agencies have been notified, Yellowstone Pipeline responded with no comments; Kootenai County Fire & Rescue reserves comments for the permitting process, and Post Falls School District stated they are not over capacity and remain neutral.

**Carey** – There's just the one entrance and exit that will be off Watercress?

**Manley** – Individuals could also go Cordgrass or Pickerel, at some time.

**Carey** – To Chase?

**Manley** – Westerly. The Fire Department, at such time do require a second access for 30 or more lots.

**Carey** – Will something come out onto Chase?

**Manley** – The plan is these two streets will connect to the west.

**Steffensen** - And eventually be another way out to Prairie.

**Manley** – Correct.

**Hampe** – So, those roads are there now.

**Carey** – So, that connection is future, when this is developed it will only have the one access?

**Manley** – No, you can go through Watercress or westerly on Pickerel; emergency services are satisfied with this layout, if there were not, they would have made comment.

**Steffensen** – The impact fees for Fire and EMS are active now, correct?

**Manley** – Yes.

**Applicant – Jeremy Trezulli, Project Manager with Olson Engineering** - As staff pointed out East Greenacres can and will serve the project with regard to sewer that will be Post Falls, we were waiting for the analysis of the Fisher Lift Station and we were informed that there is capacity within that lift station. The additional impact fees collected will help fund the upgrades to the Fisher Lift Station which will probably be in the next couple of years. The streets are all designed with the appropriate right-of-way with sidewalks, curbing and are classified as local streets. These roads are developed to be more narrow to help slow down traffic on the neighborhood streets and with access we do have Pickerel and Cordgrass which funnels west and south and ultimately to Fisher which is a minor collector. This is designed in accordance with the Transportation Master Plan and anticipate it to function properly. Initially we talked about access off Chase and was shot down due to the improvements at the corner of Chase and Prairie. The City Engineer felt it was to close to the round-about to allow for full access into this proposed subdivision. The flow of this would be for the northern half to funnel out to the west and the southern half would funnel out through Watercress ultimately. No soil or topographical issues were identified through our due diligence the proposed subdivision does conform with the other requirements of the code, our density is less than the allowed within the R1. With the developer paying their fair share of costs, right-of-way will be dedicated and the installation of public infrastructure that will then be turned over to the city, the water districts will have the looping of water lines, improved access for EMS and Fire vehicles. Extensions and frontage improvements along Chase Ave. including an extension of the bike path in front of the Fair property, that isn't a part of this request, we are working with the city to ensure there is a connection as well. Of course there are impact fees and 20 homes will generate a more robust tax base as opposed to one single-family on a 6-acre piece. An infill development within the Comp Plan is the most efficient judicious use of City resources.

**Hampe** – That one street that is accessed for lots 13, 14, and 15 was called a driveway I think.



**Trezulli** – It started out as a shared driveway, we had about 6 iterations of that odd piece. Staff informed me of a code section stating every residential or commercial lot needs to front a public or approved private street. So we amended that section and it will be a city approved private road maintained by the HOA.

**Steffensen** – What is the time table if approved.

**Trezulli** – Market driven. With the remaining process this wont start until next year.

**Testimony:**

**In Favor: None**

**Neutral: None**

**In Opposition: Lynn Wahlert, 3746 N Foxtail** – I am representing the HOA Board, we are concerned with not getting the access directly to Chase Rd. You are dumping all the traffic into our HOA and it will create a hardship in the future. We do not have access to Prairie and we felt that turn lane would accommodate that access onto Chase Rd, that is the way it looks to me. I am sure he is a good Engineer and has it figured out with the most number of lots for the amount of ground. We would like to see this into consideration.

**Stephanie Montreuil, 1445 W Watercress Ave** – My concern is having a street come into a cul-de-sac without access to Chase. The only access is through Fisher and the only way out of our area is on Arrow Leaf or Serenity wich will plug up the road fast. Adding 20 homes is at least 40 more cars that will come down through Watercress or cutting through Pickerel, or Cordgrass over to Foxtail and then to Watercress down to Serenity, that is a lot of traffic. The most sense is to access Chase from where Ashworth is, Planning and Zoning approved for Ashworth to be built a couple years ago or Pheasants sorry. That street was allowed access off Chase so I am trying to understand why it isn't applicable for the west side of Chase but it is for the east side. With the other developments already accessing this just adds to the traffic. With these roads being small, there is no room for parking on both sides and allowing for an EMS vehicle to pass through will be interesting. This layout just doesn't make sense for me.

**Wes Brulotte, 1180 W Watercress Ave.** – This new road will be directly across from our house, and we've lived here for 8 years. We picked our house because it is quiet, no traffic, and a great place to raise our kids. Now we will have traffic lights shinning in our house, my kids rooms are there. I can't remodel my house then the lights will be in my living room, this design will disrupt my life and those that walk in our community. There are other options, like having access to Chase across from Pheasant's Landing.

**Stephen Wway, 1188 W Watercress** – From emergency services point of view, I am assuming they would head north on Chase and then turn left onto Fisher and make an immediate right onto our street and a short ways down to get into this new development make another abrupt left turn into this cul-de-sac. There is all of this frontage on Chase, which seems obvious to me to provide a straight shot off Chase into this development. The plan as is will put too much traffic on our quiet street and disrupt the kids playing, etc. I encourage the city engineers to re-evaluate and see if that access can be off Chase directly.

**Stan French, 1194 W Watercress** – My concern is the same as others with the need for access off Chase. That park will be utilized more often and have even more cars parked etc. They are designing just a large cul-de-sac and the only way out will be off Fisher, I understand it is up to code. Most of the traffic funnels off Serenity, that is just natural route for everyone that is what they take and this new development will end up doing the same. We need more access off the larger roadways which would be Chae and Prairie.

**Applicant's Rebuttal, Jeremy Trezulli** – With regard to density we are not even close to the max density allowed. These lots vary from 8500 to 1300 square feet and minimum lot size is 6500 square feet in an R1. There are 6 standards of approval, water, sewer, proposed streets are consistent with the Transportation Master Plan which they are, and then soil and conformity with code and developer paying for the fair share. By the letter of the law we are consistent with the Transportation Master Plan. I do understand the concerns being brought up and I want to reiterate our first attempt at this was to have access onto Chase, that was the preferred approach. Intersection spacing along Chase was such that they felt the expansion of the roundabout at Chase and Prairie as westbound traffic bearing south onto Chase they would be accelerating out of the roundabout and could cause some congestion issues. There would potentially be a greater danger of a collision at the intersection. So we drafted another route, and there was always going to be added homes here when Mr. Fair sold the property and came into the city. The layout of direct access to Chase is more cost effective for us, this proposed layout is the more expensive route and in our pre-development meeting KCFR made several comments with one being hydrant spacing, fire truck turnaround, and lastly approval will need to consider showing master plan for Watercress access. So, EMS stated they wanted connectivity to Watercress, City Engineer mentioned the intersection spacing was too close and having just two access points off Pickerel and Cordgrass, was insufficient. IFC, International Fire Code, states that any subdivision that exceeds 30 lots needs a second point of ingress egress, this is 20 however, we have 2 points. We are trying to work with all the agencies that have offered comments and provide a product that we think will flow and function well. For maintenance purposes the city doesn't like cul-de-sacs, Fire and EMS prefer not to deal with cul-de-sacs. Connectivity is not just about EMS, traffic flow, and street networking it is also about connecting the infrastructure, looping of the water lines improves fire flow. If EMS and the City would allow for access of Chase we would entertain that, it is our preferred path as it would be cheaper for us.

**Carey** – When you originally presented this with the entrance exit off Chase was it close to the roundabout or at the far south.

**Trezulli** – It was as far south as we could get it.

**Palus** – Watercress Rd. is a 32' wide standard residential street, built for parking on both sides. Serenity St. widens to a 36' wide residential collector street to add some width for traffic out onto Fisher Ave. This proposal has been reviewed and the 2 access points connecting with Cordgrass and Pickerel St and then the connection into Watercress from the Craftsman at Meadow Ridge subdivision you have access at Serenity, Arro Leaf on to Fisher and Hydrilla Ave which will be punched through to Howell Rd. When looking closely, Ashworth connects to Chase more south of this proposed subdivision, ideally if they could connect to Ashworth acceptable, however, this subdivision doesn't have the spacing for that connection. With the offset at this potential intersection, the left turns heading into this subdivision and the left turns trying to get down to Ashworth would overlap each other and create a potentially dangerous situation for those left turning vehicles especially with the 40 mph speed zone. The city standard for spacing on a minor arterial roadway, Chase, is every 500' which the distance from Ashworth down to Fisher ave is about 400' and the distance between Ashworth and Prairie is about 900'. This does not allow for another access point. The closer you get to the roundabout at Prairie you are risking the accelerating traffic coming out of the roundabout. So, without the direct crossing to Ashworth there isn't a good spot to come out onto Chase from this proposed subdivision.

**Steffensen** – For clarification, with that parcel to the west eventually being developed at that time Cordgrass would eventually connect.

**Palus** – Correct, that would need to connect.

**Schlotthauer** – So, Cordgrass would have to S down to the bottom.

**Palus** – Yes.

**Schlotthauer** – That will be awkward too.

**Comments:**

**Subdivision Criteria:**

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

**Schlotthauer** – Yes

**Steffensen** – We have East Greenacres Irrigation.

**Carey** – Water will be available.

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

**Hampe** – We talked about how the Fisher Lift Station can accommodate. It is getting close to the max.

**Steffensen** – That has been talked about in other public hearings as well.

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

**Steffensen** – I think this one, by the letter of the law it is, but it does concern me on how the access will be but it doesn't sound like there is any other layout that would work.

**Carey** – Sounds like the developer did everything he could to create connection that would work.

**Schlotthauer** – I understand the neighbors and it is unfortunate that there can't be an access to Chase. The City Engineering Staff make it pretty clear why there can't be and the applicant has gone to great measures here to establish as much connectivity as possible for residents and EMS. I don't think we can ask much more of them.

**Hampe** – I do have a concern with an egress right into a cul-de-sac and I don't know that I've seen it done before and think it could be dangerous. I am not an engineer either.

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

**Carey** – I don't think anything was identified.

**Steffensen** – Other than it being over the aquifer.

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

**Hampe** – Yes, R1 it could possibly be more dense.

**Carey** – it has pretty good size lots within R1.

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.

**Hampe** – We talked about the impact fees.

**Schlotthauer** – I think it is a bummer that the developer has to pay for the improvements along Chase but cannot access Chase directly.

Motion to approve finding it meets the approval criteria found in the PFMC as outlined in our deliberations subject to conditions 1-11 as noted in the staff report and direct staff to prepare a written Reasoned Decision. Carey

2<sup>nd</sup> by: Schlotthauer

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

Moved

- 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 – Requested action is an approval to subdivide approximately 88 acres into 22 commercial lots within the Community Commercial Services (CCS) and Community Commercial Mixed (CCM) zoning designation. The property is generally located east of Highway 41 and North of W. Prairie Ave, west of Fennecus and east of Zorros and is currently vacant. Ross Point Water District will be the water provider and the City of Post Falls will provide sewer services. Surrounding zoning, Community Commercial Services to the west and south with Single-Family R1 to the south, on the west side of Highway 41 is the Tech Mixed zone and Community Commercial Services and south of there is more commercial, and mixed then to the west is single-family. They are proposing 4 phases, Fennecus and Zorros would be 2 points of access off Prairie as well as Harvest Ave to the north coming off Highway 41. The smallest lot would be about .63 acres with the largest lot proposed being about 9.02 acres.

Subdivision Review Criteria:

- Water service will be provided by Ross Point Water
- The City of Post Falls has capacity to provide service. South of the proposed Harvest Ave. will have surcharge to the 12<sup>th</sup> Ave. Lift Station.
- The subdivision and proposed layout are consistent with the City's Transportation Master Plan and Design Standard to include future traffic signal and the intersection of Harvest Ave. and Highway 41. Minor Collectore Roadways are Zorros Rd. and Harvest Ave; and the Major Collector Roadway is Fennecus Rd.
- At this time there are no known soil or topographical conditions which have been identifies as hazards and this location is over the Rathdrum Prairie Aquifer.
- The proposed lots and layout comply with the bulk and placement standards for the community Commercial Services (CCS) zoning district and for the Community Commercial Mixed (CCM).
- Impact fees will be assessed and collected on individual building permtis to assist in mitigating the off-site impacts to parks, fire, EMS, public safety, multi-modal pathways, and streets.

All other agencies have been notified Yellowstone Pipeline resopnded with no comment, Kootenai Councy Fire and Rescue reserves comments for time of permitting and Idaho Transportation Department (ITD) stated that Harvest has not been approved for access and will need to apply for access (ITD will be requesting a TIS).

**Palus** – The intersection with Harvest and Highway 41 has been identified in the Highway 41 Corridor Master Plan, it has also been examined with the traffic study that was done for the project immediately next door within the northeast corner of Prairie and Highway 41. This is Prairie Crossin and is being reviewed with a traffic study on the west side of Highway 41 across the street from Harvest. With that this intersection has been identified for a traffic signal and ITD's comment requires that prior to Harvest Ave. making the connection an Encroachment Permit is needed along with a traffic study. This will identify when that traffic signal needs to go in and if the Engineering department would warrant to go in at this time. ITD would be looking at what the proper configuration for that intersection would be. Would that be a three-quarter turn movement where they allow left turns in off the Highway and then right in and right out but no left turns.

**Carey** – Where is Harvest in relation to this property?

**Palus** – Harvest is along the north of Phase 3 and intersects Highway 41 just north of the old railroad.

**Schlotthauer** – The previous meeting you explained the 12<sup>th</sup> St surcharge for the lift station. Why does it apply to 2 and 3 but not phase 4?

**Palus** – The staff report identifies a surcharge for phases 1, 2, and 3 and a different surcharge for phase 4. All of the phases of this property had a sewer study done by the applicant about a year ago. They were able to determine that there was enough capacity to handle the area that we're looking at the phases 1-3 in the Highway 41 line. Phase 4 would have to go through a sewer line which goes down through Fennecus Rd. and heads to the south which has not been constructed yet south of Prairie Ave. So, phases 1, 2, and 3 they would pay a surcharge to help pay for the forcemain associated with the 12<sup>th</sup> Ave. lift station and phase 4 when sewer is available from Highway 41 and up Fennecus Rd to this site they would need to pay a surcharge for the 12<sup>th</sup> Ave. forcemain and would also pay that surcharge for the Meyer Alternative line. The surcharge on phase 4 is higher than the other 3 phases.

**Schlotthauer** – That makes more sense.

**Palus** – Also in their conceptual plans they provided can get a little confusing because it laid out so the phases 1-3 can all flow generally to the southwest towards Highway 41 and Prairie intersection. There is an additional line that has been shown for right now would be a dy line which would allow phase 4 and any future development further to the north and east to utilize that Meyer Alternative Line in accordance with our Water Reclamation Master Plan.

**Porter**- Also Condition #4 should be change from 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. To – A traffic signal warrant analysis will be required prior to the installation of the traffic signal. The developer is being required to "cash-out" 50% of the estimated cost for installing a traffic signal at the intersection. The timing of the signal will be dependent upon the intensity of the development (traffic volumes) and coordinated with ITD as a project with the City or other future developer (Junction project on the west side of SH41).

Condition #15 Should be removed.

Condition #18 should include "Excludes Prairie Trail".

**Applicant, Todd Whipple, Whipple Consulting Engineers** – Mr. Palus filled in all of the blanks with the transportation the rest is fairly straight forward. It is a large subdivision 88

acres with only 22 lots, commercial lots. Commercial subdivisions are a different animal, they require different things, bigger roads, larger lots, etc. this is located at the northeast corner of Highway 41 and Prairie. This layout has the small lots along Prairie with a condition that there isn't direct access off Prairie for them just a secondary off Zorros or Fennecus. All the roadways are either minor, major or arterial level collectors. Obviously the water will be provided by Ross Point and the sewer I was a little confused – I am replacing Mr. Kimball tonight so I wasn't sure, but thank you staff for unconfusing me. Zorros, Fennecus, Harvest, and Prairie Ave. will all be improved per the City Master Plan. Zorros, Fennecus, and Harvest are collectors and Highway 41 and Prairie are Principal Arterials. They have the capacity for higher volumes of traffic. This project proposes 3 roundabouts, at Fennecus and Prairie (2023), Fennecus and Harvest (2023), and Zorros and Prairie (2024) with a traffic signal at Harvest and Highway 41 when the signal warrants are met. There are no known hazards or topographical conditions that are incompatible with the proposed use. The proposed subdivision meets all of the requirements of the CCM and CCS Zoning. For condition #4, we ask that you make that revision, we also agree with staff and remove condition #15, and condition #18 please add that language to exclude the Prairie Trail.

**Steffensen** – What is the distance between Highway 41 and the roundabouts?

**Whipple** – At Zorros the quarter mile and Harvest and Fennecus is at the half mile.

**Testimony:**

**In Favor: Mark Hughes, 7074 W Prairie Ave.** – We have been in favor of this project from the beginning. We agreed to the easement for the Jacklin's to bring water to their site through our property. We have been neighbors for about a half a century.

**Neutral: None**

**In Opposition: None**

**Comments:**

**Subdivision Criteria:**

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

**Carey** – Ross Point is going to provide water.

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

**Carey** – That will be the City of Post Falls sewer and they have adequate capacity.

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

**Steffensen** – It was discussed that the roads will be larger than the typical residential one so they should handle the traffic flow. It is off a major highway and Prairie.

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.

**Hampe** – No known hazards.

**Carey** – None noted.

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

**\*Commission agrees it conforms\***

- 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.  
**Carey** – Yes, they will pay impact fees and lift station fees as well as surcharges.

Motion to approve finding it meets the approval criteria in the PFMC as outlined in our deliberations subject to conditions 1-18 with the following exceptions to those conditions. Condition 4 changed to what staff presented; condition 15 to be removed; and condition 18 to include the language excludes Prairie Trail. Direct staff to prepare a written Reasoned Decision.

Hampe

2<sup>nd</sup> by: Carey

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

Moved

**5. ADMINISTRATIVE / STAFF REPORTS - NONE**

**6. COMMISSION COMMENT - NONE**

**7. ADJOURNMENT 7:22PM**

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 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

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

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

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

**Post Falls School District Special Use Permit  
File No. SUP-23-1  
Planning and Zoning Commission  
Reasoned Decision**

**A. INTRODUCTION:**

APPLICANT: Landon DeFelice and Post Falls School District

LOCATION: Northeast corner of E. Horsehaven Ave. and N. Greensferry Rd.

REQUEST: A Special Use Permit to develop a Food Service Facility for the Post Falls School Districts Meal Program within the Single-Family Residential (R1) zoning district. Exhibit A-3.

**B. RECORD CREATED:**

1. A-1 Application.
2. A-2 Narrative.
3. A-3 Preliminary Plan
4. A-4 Vicinity Map
5. A-7 Title Report
6. S-1 Vicinity Map
7. S-2 Zoning Map
8. S-3 Future Land Use Map
9. PA-1 YPL Comments
10. PA-2 KCFR Comments
11. PA-3 PFHD Comments
12. P&Z Staff Report
13. Testimony at the May 30, 2023, Planning and Zoning public hearing:

The public hearing was noticed correctly and conducted under the requirements of Idaho Code §§ 67-6512 and 67-6509, and Post Falls Municipal Code (PFMC) § 18.20.060. The purpose of the hearing was to allow the Applicant and the public to provide testimony and documentation to be taken by the Planning and Zoning Commission ("Commission") in their application of PFMC § 18.20.070 B.

**John Manley, Planning Manager**

Mr. Manley presented the staff report. He testified that the Applicant requests approval for a Special Use Permit to expand school services (food distribution facility) with the Single Family Residential (R1) zoning district as permitted by PFMC 18.16.010.

Mr. Manley provided testimony regarding the proposed property located east of Greensferry and on the northeast corner of Greensferry Rd and Horsehaven Ave. He noted that the surrounding zoning includes Limited Commercial and Single-Family Residential to the north, County Residential and Single-Family Residential to the west, and the Public Reserve school property, with Single-Family Residential south of Horsehaven Ave. Mr. Manley pointed out that the layout of the proposed site is why they are asking for a Special Use Permit, as it goes into the area that is zoned Single Family Residential. He explained that it would be allowed without a SUP if it were all in the Public Reserve.



Regarding safety and welfare concerns, Mr. Manley stated that the proposed use should not negatively impact the health, safety, and welfare of the public or land uses within the vicinity. He also highlighted that the proposed use is not expected to produce impacts that would adversely impact the adjoining transportation systems. Horsehaven Ave. is a Minor Collector and intersects Greensferry Rd, a Minor Arterial, along the property's western boundary. The current roadway network has the capacity, with identified impact fee projects in the immediate vicinity, further facilitating long-term traffic operations.

Mr. Manley further mentioned that the site will be connected to the City's Water Reclamation Facilities, and the Ross Point Water District will service the proposed special use. He also referred to the policies and goals of the Comprehensive Plan, including Plan 7, Policy 8, Policy 10, and Policy 56, which all support the proposed development.

In conclusion, Mr. Manley reported that all other agencies had been notified, and Yellowstone Pipeline responded with no comment; Kootenai County Fire & Rescue reserves comments for the permitting process; and Post Falls Highway District responded with no comments. Finally, he noted that the School District currently owns this parcel and that the Public Reserve area is the High School, with Prairie View Elementary located right on the corner where it shows as Single Family Residential.

#### **Denna Naccarato, Applicant**

Ms. Naccarato testified about needing a Food Service Distribution Center in the Post Falls School District. According to her testimony, the district currently does not have a distribution center, and many of its service providers will no longer deliver to their 11 different school sites. Ms. Naccarato explained that they had researched cost-effective ways to avoid asking taxpayers for help and have set aside Esser funds to assist in constructing the building if deemed appropriate.

She further elaborated that the School District owns the land and has for many years. Ms. Naccarato emphasized that they do not expect a lot of traffic, as they only expect a semi to come once per week, and then they will have their small vans deliver out to the 11 district sites.

Ms. Naccarato mentioned that they have never had a food distribution center before and do not know what to expect. They currently have a district food van that does minor deliveries. Still, they would need to purchase an additional van, and those smaller vehicles would deliver out. However, she assured the public that they do not expect to have a fleet of vans, as they cannot afford that.

When asked about the impact of this change, Ms. Naccarato stated that food service companies are currently making deliveries to the schools, but now they will deliver to the distribution center, and the district will have to make the deliveries. She explained that they have lost some of their food distributors, as they are no longer willing to service the Post Falls School District. As a result, their cost of food has increased, and they have had to change how they order and get the food to their different schools.

Ms. Naccarato clarified that the food is prepared at the schools, and the distribution center will serve as a warehouse. She mentioned that the Food Service Director, her assistant, and a couple of workers and drivers will be housed there. She also added that warehouse workers could also be drivers. Ms. Naccarato concluded by stating that they are trying to accomplish this in the most cost-effective manner without disrupting the community in the area.

#### **The hearing was opened for public testimony.**

No public testimony was received.

**Deliberations:** After the public hearing was complete the hearing was closed, and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in

the written record and to apply that information to the approval criteria contained in Post Falls Municipal Code ("PFMC") § 18.20.070 B.

**C. EVALUATION OF APPROVAL CRITERIA:**

**C1. Will Implementation of the special use conform to the purposes of the applicable zoning district?**

This site is an already established school site, of which schools and their related uses are allowed with a Special Use Permit in the Single Family Residential (R-1) Zoning district.

The Commission heard testimony that the proposed school uses are allowed by special use permit. The Planning and Zoning Commission finds the testimony of Mr. Manley and the Applicant persuasive and that the zoning supports the proposed use as it is associated and compatible with the other residential uses. As such, the Commission concludes that implementing the special use conforms to the purposes of the Single-Family Residential zone.

**C2. 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.**

The land use table in PFMC Title 18.20.040 establishes that the Single Family Residential (R1) zoning designation is suitable for school uses as they are compatible. As such, the Planning Commission finds that this approval criterion is met.

**C3. Whether the proposed use will be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.**

The testimony and evidence provided that the proposed use, when viewed against the surrounding land uses and zoning designations, does not necessarily negatively affect the public's health, safety, and welfare.

The proposed plan is compatible with the existing infrastructure and will not result in a significant increase in traffic or employees. However, the issue of health and safety has been brought up, and while it appears to be compatible, the welfare aspect is more difficult to assess without a clear understanding of the economic impact. Concerns were raised about the potential increase in overhead and whether it will enhance the organization's operating efficiency. Despite this concern over the *organization's* welfare, the Commission finds that the proposed use will be compatible with the *public's* health, safety, and welfare and with land uses within the vicinity.

**C4. Whether the proposed use will comply with the goals and policies found within the comprehensive plan.**

Based on the testimony provided and the staff report, the Commission finds that the proposal meets the following goals and policies contained in the Comprehensive Plan:

**Goals:**

**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 need to prioritize the public's health, safety, and welfare when planning and implementing development projects. The Comprehensive Plan is crucial in allocating land use types to achieve the overall plan objectives. In this proposal, community needs are considered, and the location is especially favorable as it is close to an elementary and high school, which will greatly benefit the local

schools.

**Policies:**

**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.

The school sites are strategically located near collector and arterial streets and residential areas, making them easily accessible. By utilizing lands that are already serviced with utilities and other necessary facilities, the school district can efficiently meet its facility needs at a lower cost.

**D. ACTIONS THAT THE APPLICANT CAN TAKE TO GAIN APPROVAL.**

Not applicable.

**E. CONCLUSION**

**SUP-23-1:** After thoroughly reviewing the evidence presented to the Commission, including testimonies from the public hearing, and considering the conditions outlined below, the Commission has determined that the requested Special Use Permit satisfies the requirements of the City Code and the Idaho Local Land Use Planning Act. Therefore, it is approved under the condition that the Applicant complies with the following conditions:

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

\_\_\_\_\_  
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.**