



**CITY COUNCIL
MEETING MINUTES**

**July 5, 2022
6:00 PM**

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

WORKSHOP – 5:00 pm Basement Conference Room

ROLL CALL OF CITY COUNCIL MEMBERS

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

Topic: Workforce Planning: Police Department & Park and Recreation Department
Chief Greg McLean, Police Department: Currently they have 53 sworn officers, 31 support staff, and 12 volunteers. Services that are provided are: patrol, communications, detectives, school resource officers, records, code enforcement, evidence, animal safety, and crime victim advocate. As the population has increased so has the calls for service increased, but our staffing has not increased at the same level. Projected staffing levels are that by 2027 the department would have 102-129 in staff.

Dave Fair, Parks and Recreation Director: Currently they have 27 full-time positions, 14 seasonal positions, and 43 FTE. Services that are provided:

Cemetery: mowing & trimming, setting headstones, service coordination's, sales, record keeping
Construction: new construction, renovations, ADA upgrades, contract management, permitting
Maintenance: Mowing & trimming, irrigation, public response, rental & event support, vandalism & repair

Recreation: programing, leagues, special events, public response, marketing
Urban Forestry: tree trimming, plan reviews, tree inspections, public response, storm response
52% of their staff has been employed by the city under 4 years. Projected staffing levels are that by 2027 the department would have 47 employees. With the current staffing level, the level of service is seeing a reactive approach more than a proactive one. There is longer response time. Time interacting with residents is less and staff of feeling a deputed sense of purpose. The amount of park acreage has gone from 438.9 acres in 2011 to 873.82 acres in 2021.

REGULAR MEETING – 6:00 pm City Council Chambers

CALL TO ORDER BY MAYOR JACOBSON

PLEDGE OF ALLEGIANCE

ROLL CALL OF CITY COUNCIL MEMBERS

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

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- a. Post Falls was named a 2021 Tree City USA by the Arbor Day Foundation to honor its commitment to effective urban forest management. Congratulations to Preston and his team for their continued efforts in ensuring Post Falls is a community that places value on the planting and caring of trees.
- b. The Post Falls Festival is happening this weekend, Friday thru Sunday at Q'emiln Park. The 3-day event includes live music, food and craft vendors, entertainment for the kids and more. The Festival parade is Saturday at 10 am and will run along Seltice Way from Spokane to Idaho Street. A full schedule of events is posted on the city website.
- c. The River City Market and Music will be at the Post Falls Landings every Wednesday, from July 13th thru August 17th, from 5-8 pm. Each week will include live music, local vendors, food trucks, and a great view of the river. This is a free family friendly event.
- d. Field Herrington received the Idaho Municipal Attorneys Rising Star award. The award, as the name suggests, recognizes young municipal attorneys who have jumped in with both feet and are making an impact in their community. We are lucky to have Field on our team and this recognition was well earned.

AMENDMENTS TO THE AGENDA

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

None

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

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

Mayor: I received a call from a gentleman asking if he could talk to me about a public hearing. I know this hearing was coming up, so I said no, and we did not talk about it.

1. CONSENT CALENDAR

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

ACTION ITEMS:

- a. Minutes – June 21, 2022, City Council Meeting
- b. Minutes – June 22, 2022, City Council & Planning and Zoning Commission Workshop
- c. Payables – June 14, 2022 – June 27, 2022
- d. Stockwell Annexation Agreement and Right-of-Way/Easement Dedications
- e. Stockwell Court Subdivision Master Development Agreement
- f. Avista License to Use Real Property
- g. Frontage Improvement Waiver Request – 319 W. 20th Ave
- h. Stone's Throw Subdivision Master Development Agreement
- i. Representation Letter with Beveridge and Diamond
- j. Pointe at Post Falls 4th Addition Subdivision Plat Application
- k. Britton Place Subdivision Plat Application

Motion by Malloy to accept the Consent Calendar as presented.

Second by Borders.

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

2. PUBLIC HEARINGS

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

ACTION ITEMS:

- a. Jacklin-Prairie Annexation

Public Hearing opened at 6:04 pm.

Staff Report

Jon Manley, Planning Manager: The requested action is to approve the annexation with the zoning of CCM of approximately 94 acres into the City of Post Falls. This would require a development agreement. The Developer is proposing no residential in the Development Agreement. There would be an approximately 11-acre K-12 school site. The Planning and Zoning Commission made a recommendation for the Commercial Mixed (CCM) zoning at their May 10, 2022, meeting. Permitted and specially permitted uses in the CCM zone are listed in the land use table in Section 18.20.030 of this title. Multi-family residential uses may not exceed fifty percent of the total development site. Multi-family residential uses that are incorporated into vertical mixed-use buildings are excluded from this calculation. There is a height restriction of 105 feet; the height limit may be exceeded by a special use permit for medical, hospitality, and vertical mixed-use buildings. The project is located to the north of Prairie and between the future N. Zorros and N. Fennecus roads to the east of Highway 41 across from the Foxtail development and just adjacent to the future Prairie Crossing commercial development. Current land use is agricultural land in the county and there are no significant topology or vegetation matters, and it is over the Rathdrum Aquifer. Ross Point Water District provided a will serve letter for water services and the City of Post Falls would provide sewer services. All agencies have been notified and Kootenai Fire continues to say they are in partnership with the city and will provide comments through the permitting and subdivision process. Post Falls Police Department remains neutral, Post Falls Highway District requests the rights of way be dedicated be 60' minimum from centerline of Prairie Ave. and the Department of Environmental Quality has no impact comments currently.

Applicant

Rand Wichman, Rand Wichman Planning and Gordon Dobler, Dobler Engineering representing Jacklin Land Company: The proposal is next to the old Jacklin Farm, majority of the land is to the east, west, and northwest of the proposal is owned by Jacklin. This is within the transitional area. We view this area the transition between the heavier commercial uses and lighter residential uses which is why the CCM zoning is being requested. It allows for the uses we envision at this site, prohibits the most intensive commercial uses allowed by CCS and we propose a prohibition on residential uses in the Development Agreement due to community concerns. Because of how long it

took us to get into the process of this annexation we lost an interested user, we are hopeful to gain interest from a similar user again once we are done with the processes. Therefore, we proposed no residential uses, and we feel this development can be successful without residential uses. There is a school site on 11-acres which is another reason why we are interested in moving forward with this annexation. They are well along with their site-plan, and it will be a public charter school. In the Development Agreement there is mostly standard requirements. There are specific provisions related to wastewater. There are numerous easement and ROW dedications. There is a restriction on residential development, and we are agreeing to do the construction of the Prairie Trail from Prairie Ave. to Highway 41, approx. 0.9 miles. We are requesting that the language in the Development Agreement would allow for taller than 45' building with a special use permit.

Malloy: Nothing is set in stone, but you do not want to be limited in height to 45', so what is the right height?

Wichman: I do not know. 45' should be a good but if we get a user that needs more it would be nice for the option. I do not see it as a common occurrence.

Testimony

In Favor

Mark Hughes (Post Falls) in favor not wanting to speak: Having known the Jacklin family for 50 years, we trust them to do a responsible, quality development.

Jared Pierson (Coeur d' Alene) in favor not wanting to speak: Ed Kaitz is an excellent steward and educator. Kootenai Classical Academy would be a very high-quality education. We need to raise the bar on education for our community. I hope for my daughter to one day attend Kootenai Classical Academy.

Dawson Williams (Coeur d' Alene) in favor not wanting to speak.

Ben Kettle (Rathdrum) in favor not wanting to speak.

Beverly Guenette (Coeur d' Alene) in favor not wanting to speak. I am in favor of the annexation. I feel it would be a good investment for the area.

Matthew Volz (Coeur d' Alene) in favor not wanting to speak. I, Matthew Volz, support the request to city council for the annexation of Jacklin Prairie ANNX-0012-2021 to move forward. It will be consistent with policy 10 and make Post Falls proud.

Barbara Hedden (Coeur d' Alene) in favor not wanting to speak.

Terri Seymour (Coeur d' Alene) in favor not wanting to speak. I'm in favor of the annexation.

Jeff Tyler (Coeur d' Alene) in favor not wanting to speak. I am in full support of this annexation.

Brent Regan (Coeur d' Alene) in favor not wanting to speak. Please support the annexation.

Braden Farrar (Post Falls) in favor not wanting to speak. I'm in full support of approving this zoning request. The area needs more schools, and this school promises to be an exceptional one. This can only improve the lives of the present community members if it goes through.

Pat Rogers (Hayden) in favor not wanting to speak. This school would be a huge benefit to our area.

Nicolas Hendrickson (Coeur d' Alene) in favor not wanting to speak. Let us take this opportunity to raise the standard of education for our community.

Robert Miles (Coeur d' Alene) in favor not wanting to speak. As a 12-year Post Falls student and graduate, I personally understand overcrowded schools and tragically lost a friend to double shifting and late hours walking home. The Jacklin annexation and the public charter that's part of it will increase school capacity at no additional cost to the city. The school itself helps further the city's goal of increasing civic engagement and responsible growth. Please support this agenda item.

Steve Martinez (Otis Orchard) in favor not wishing to speak. There are few, if any, possible uses of this land that could provide more beneficial growth to the city than an institution explicitly designed

to foster the education and development of our children. Kootenai Classical Academy will provide informed and knowledgeable appreciation of arts and culture while contributing to the community environment of Post Falls (Goal 11) and provide a beacon of learning and accomplishment that Post Falls can be proud of (Policy 102).

Nathan Tull (Post Falls) in favor not wanting to speak. In favor of the annexation, it would be a huge investment for the area.

Danielle Driz (Coeur d' Alene) in favor not wanting to speak. The future of education in Idaho depends on this school. We need more educational opportunities.

Jonathan Mayshar (Hayden) in favor not wanting to speak. Since increasing residential building is a reality that cannot be prevented, I believe that it is essential that distributed, modest commercial areas be built to keep the small-town character of Post Falls (goal #3) from being overwhelmed by traffic (policy #2). This annexation, with the charter school, is the right-size solution.

Andi Shaw (Coeur d' Alene) in favor not wanting to speak. Please approve the annexation for Kootenai Classical Academy. This is a greatly needed Charter School. Very few include K-8th with the intent to expand through 12th. My kids are homeschooled in classical education. They are excited about having this school to attend.

Sydney Reimann (Coeur d' Alene) in favor not wanting to speak. I am praying for my kid's future you will make the right decision to open this school.

Cheryl Bersch (Post Falls) in favor not wanting to speak. We desperately need the Hillsdale Classic school.

Rachel Kaitz (Coeur d' Alene) in favor not wanting to speak.

Brittney Pierson (Coeur d' Alene) in favor not wanting to speak.

Douglas Bouma (Lavel, MI) in favor not wanting to speak.

Sara Kaitz (Coeur d' Alene) in favor not wanting to speak. I would love to see the parents and children of Post Falls have the opportunity to experience wonderful education at KCA.

Shawn Howell (Rathdrum) in favor not wanting to speak. Policy 10 and goal 7.

Ed Kaitz (Coeur d' Alene) As board chair for Kootenai Classical Academy, I believe this K-12 public charter school is a fantastic opportunity for the parents, children, and citizens of Post Falls and Kootenai County. We hope to add a wonderful educational experience, and opportunity for the public to get involved in our current and future endeavors.

Michael Burgess (Post Falls) The CMM zoning makes for appropriate transition from the Prairie Crossing Commercial area away to the Northeast. The school portion helps set that tone. Can anything be better bordering the Prairie Trail there than a high performing charter school model that is for every kind of student? The feeling of community will be grown and preserved. The growth is beneficial. It adds an ideal option to the vision for educational opportunities. It balances land use to help Post Falls remain a desirable, stable, sustainable community.

Letter from Melissa Wells, Coeur Development in favor of the annexation was given to Council. Kootenai County Land Company, the developer of Foxtail Development to the southeast of the Jacklin property, support the annexation of the 97-acre Jacklin property to the City of Post falls, with the zoning designation of Community Commercial Mixed (CCM). The Comprehensive Plan designation for the site is Transitional, and the Plans Highway 41 Focus Area supports commercial, tech, and multi-family uses. The site is adjacent to a commercially zoned property, a future shopping center, and future extension of Fennecus and Zorroes (Collectors) and is near the intersection of Prairie Avenue (arterial). Plus, water and sewer are readily available to the site. We also understand the applicant plans to donate a much needed 11-acre future school site. Like the Post Falls Planning Commission, we support the development of the site for commercial services, office spaces, and the school site, and recognize these uses will reduce vehicle trips to the City Center

and provide employment opportunities and commercial property tax for the City and the future school.

Samantha Steigleder (Post Falls) I am in favor of this annexation and school. I appreciate the developer using the development agreement and listening to the people. I am opposed to height restrictions.

Stacy Allen (Coeur d' Alene) in favor not wishing to speak. Please approve Annexation.

Elizabeth Bacon (Coeur d' Alene) in favor not wishing to speak.

Brian Bacon (Coeur d' Alene) in favor not wishing to speak.

Michael Schlstrate (Post Falls) The proposed CCM zoning makes a good transition from the Prairie Crossing Commercial area. The CCM zoning is consistent with goals and policies of the HWY 41 north corridor.

Sarah Fisher (Rathdrum) I have some children with learning disabilities. This school will complete the amazing educational seen we have here. This school will attract family centered growth.

Nina Beesbey (Rathdrum) I am on the Rathdrum Planning and Zoning Commission, so these types of things are familiar to me. as far as I could see, it is consistent with the goals and policies of the comprehensive plan. This land supports community needs, Goals 7 area schools are over capacity. We get letters from the Lakeland Joint School District expressing their concerns that the impact has on their schools. 2 years ago, there was an article in the CDA Press about the school's hitting capacity, a committee developed the CDASD 2020-2030 Long Range Facilities Plan. The report found that 10 of the district's 18 schools were at or over 100% capacity. Half of the elementary schools ranged from 100% to 129% capacity in 2019 and the committee predicted one facility would hit 192.7% capacity by 2030. These concerns are also affecting the high schools they are currently at 103% capacity. The proposal will provide a needed service to the community and our students.

Gary Retter (Coeur d' Alene) I am the owner/operator of the Peak Health and Wellness centers. They are full-service clubs and our current location in Post Falls is by Super One. Our new location will be in the Prairie shopping center adjacent to the proposal tonight. I am in favor of this proposal as it will complement the Prairie shopping center site, we selected this site because of HWY 41 and Prairie as it will become a regional hub. This development will alleviate a lot of the traffic issues our area currently has.

Shelly Moore (Coeur d' Alene) speaking for Kris Nordberg, and Pam McCormick. Opening the Charter School in Post Falls will have an amazing effect on the city. She then gave an NFL analogy of Tom Brady and Joe Borrows. Those teams by bring in excellent players who are born leaders took their teams to the Super Bowl. This is the effect this school will have on the community.

Victoria Slater (Coeur d' Alene) Bringing in this school will have a great effect on the students in the area and their academic performance will improve.

Rosalene Sqantas (Post Falls) Everything I have to say has been said.

Michael More (Coeur d' Alene) Wholeheartedly support the proposed annexation of the Jacklin-Prairie 89 acres for the sake of diversity within the Post Falls community. I taught at a Montana Classical school, and it was a wonderful experience.

Rachelle Ottosen (Rathdrum) All my points have been made and I would be thrilled to have my kids go to this school.

Neutral

Carl Bjerke (Coeur d' Alene) I will remain neutral, at this time, as I feel the Councils wisdom will prevail/ upon hearing and reading all relevant testimony, my knowledge of this issue resides in my firm conviction that every reasonable attempt shall be made to provide for curriculum choice and without the ability to create new and alternative educational facilities and institutions, parents and their children will always be subject to the "one size fits all" choice.

Howard Burns (Post Falls) Thank you to the applicant they put in no residential. I am happy to see all the people who turned out tonight. No one has spoken that there are no school impact fees being collected. The State does not allow that. Everyone should write to your legislatures for that to change. There should be any roundabouts on Prairie. With the schools going in around there is a recipe for disaster. I would like the land the school is going on if the school does not happen it will stay a school site.

In Opposition

Steve Ridenour (Post Falls) representing GVD Partners who has the land to the south of this. GVD believes the Jacklin site should contain a residential component and that it is procedurally improper to apply for zoning classification while simultaneously rejecting an intrinsic portion of the requested zoning classification. Furthermore, restricting against a residential component is wrong and goes against proper planning, as adjacent residential would help curtail overall driving miles and therefore demands on public infrastructure. In addition, it would also help provide housing for young people and other housing seekers. In summary, GVD remains steadfast in its belief that the City of Post Falls should suspend any further CCM/CCS zoning applications and/or annexations for such properties until such time as the currently zoned CCM/CCS developments are built out and the city is able to approve zoning requests without inappropriate modifications to the zoning classification.

Tamie Bremer (Post Falls) I am not in opposition of the school. What concerns me is the big picture of the annexation. They say there will be no residential but who is to say what will happen in the future. They could sell it and apartment could go in. I am concern with the 105' building height. It does not fit in with the small town feel we are trying to keep.

Rebuttal

Wichman: We are pleased with the amount of support we have seem tonight. We believe this is a good fit for the city. In regard to traffic, commercial does not generally generate traffic. This would reduce traffic further down 41.

Public Hearing Closed at 7:23 pm.

Deliberation

Field Herrington, Deputy City Attorney: Does Council feel this should be annexed into the city?

Malloy: It is a natural extension of the city.

Council agreed.

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

Mayor: It is currently transitional.

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

Malloy: It will provide pedestrian connectivity, creation of backage roads, commercial uses along arterial roads.

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

Mayor: The commercial should be along streets with higher capacity. There is Prairie and 41.

Malloy: This is the only one that makes me nervous because Hwy 41 is not complete yet. a lot of the things that have been approved along 41 have not been built yet. commercial can create a lot of traffic. Prairie will someday be 5 lanes. How fast is this going to be built out? 86 acres of commercial

most likely not that fast. If we were talking residential, I would be way more nervous because that would be built tomorrow.

Borders: I think the school meets the community needs as well.

Ziegler: I think one of the benefits of this development is it is not generating new traffic but diverting traffic from existing areas.

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

All agreed with this.

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

Malloy: We don't know what is going in there. I would say this is not applicable because it is zoned for more intense uses than what is going in.

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

Malloy: How does everyone feel about the height?

Mayor: Do I foresee a 105' building in Post Falls, no, but might I see a 4-5 story hotel possibly. I am not excited about 105'.

Thoreson: It would seem that any other number would be arbitrary. So, I don't think it is an issue because I think it is very unlikely to go 105'. But I am also ok with putting in that caveat of a special use permit.

Mayor: If the applicant has agreed to the 45' that they should be allowed, should the need arise, to be able to apply for a special use permit.

Ziegler: 105' seems very large on the Prairie. It could see an expansion of our medical services. I think a limitation of 45' with possibility of coming back with a special use permit makes sense

Borders: I like to provision.

Shove: I like it as well.

Motion by Thoreson to approve the Jacklin-Prairie Annexation as recommended by P&Z with the 45' and Special Use Permit and have staff prepare the final ordinance for annexation.

Second by Walker

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

Motion Carried

Motion by Thoreson to amend the motion to say approve the Jacklin-Prairie Annexation and have staff prepare the final ordinance.

Second by Walker

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

Motion Carried

Motion by Malloy that the Jacklin-Prairie Annexation be assigned the CCM zoning with the stipulation in the development agreement that any structure above 45' that is proposed must obtain a Special Use Permit.

Second by Thoreson.

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

Motion Carried

Council took a recess starting at 7:39 pm and ending at 7:45 pm.

b. The Pointe Zone Change
Public Hearing opened at 7:45 pm.

Staff Report

Jon Manley, Planning Manager presenting: The requested action is to rezone approximately 54.1 acres in the City of Post Falls from Industrial (I) zoning to the Community Commercial Mixed (CCM) zoning district which requires a Development Agreement. The request is generally located west of Wal-Mart and east of Cabel's north of I-90 and west of Baugh Way mostly along Pointe Parkway. In 2008 there was an approved commercial site plan, there were large anchor pads of which Wal-Mart took anchor 3 leaving the other 3 vacant. Since 2008 we have recognized that the commercial industry has changed significantly, now many people are doing their shopping online so now the smaller neighborhood commercial sites are more of what people gravitate to. They recently submitted a preliminary subdivision, Pointe at Post Falls 4th Addition, to create smaller pad site commercial development. There will be an internal road system to connect the new smaller pad lots. With CCS there is a list of vested rights and permitted uses where the rules are straightforward versus a mixed zone that requires a Development Agreement. The CCM zone allows up to 50% multi-family outright with a commercial development. The draft agreement has 28.5%, 15.4 acres, for multi-family and the applicant has looked at some different options. Option 1 would be 30.5%, 16.5 acres, that would be located north of Pointe Parkway set back behind commercial pad sites. Option 2 is 36.1%, 19.5 acres, where they would add some of the multi-family on a couple of lots south of Pointe Parkway set behind some commercial pad sites align with the area stated north of Pointe Parkway.

Applicant

Joseph Powell, Wadsworth Group: We are requesting this area to be rezoned CCM to allow us to create an atmosphere in the community in an area that has been left vacant for some time. Wadsworth Development Group purchased the property in 2013. In 2013, Cabela's and Wal-Mart were constructed with the West Pointe Parkway and part of Baugh Way completed. There were restrictions on the property that were put in place by the previous developer. Since acquiring the project WDG has constructed infrastructure, constructed several internal public roads, upgraded utilities, strategically sold pads to developers and tenants, and master planned a mixed-use development. With the additional road and infrastructure improvements, the area still faces development challenges because of the current zoning. The current zoning has deterred retail and other commercial businesses throughout the years. The current zoning is out of line with the City's Comprehensive Plan for the area. The new zone request will help achieve the City's goals and create areas for residents to live, work, and play.

Ron Wu, Redtail Multi-Family Land Development: We have partnered with Wadsworth for the 19-acre multi-family development area. If this is approved, we envision a pedestrian friendly apartment complex that will be set behind 3 acres of commercial. So, along Pointe Parkway would be 3 acres of commercial and set behind that would be 270-unit multi-family development. There would be 2 to 3, approximately, 1-3 story apartment buildings with about 6 townhome style units. Our goal is to promote walkability to the current commercial as well as the future commercial in the area. This will help bring rooftops to the center and allow Wadsworth to build out their vision for this area. The community we are using as an example for this is an area in Boise called Kensington at North

Pointe. They have retail in the front with multi-family to the back and a Wal-Mart across the main street.

Testimony

In Favor

Matt Dean, Walmart: My name is Matt Dean, and I am the Sr. Portfolio Manager for Walmart Stores Inc with management and oversight of our portfolio of stores covering the majority of the West Coast, inclusive of Idaho. I'm aware that a zone change request has been submitted to rezone approximately 56.1 acres from Industrial to Community Commercial Mixed zoning surrounding our store at the Pointe. I support this rezone request. A primary driver of economic activity and community vibrancy is affordable housing options. Community Commercial Mixed zoning promotes increased and affordable housing options in the City of Post Falls, which has experienced extraordinary growth over the last several years. This growth has brought an unprecedented increase in housing costs. Along with additional housing options, this change of zone will change the Pointe from a purely retail destination to a place where people can live, shop, and work. I consider the applicant's rezone application to be beneficial to all stakeholders at the Pointe, as well as the City of Post Falls.

Steven Krajewski, Bass Pro/Cabel's'a: Bass Pro supports your request for a zoning change. We will contact our landlord requesting their support also.

Neutral

None

In Opposition

Samantha Steigleder (Post Falls): More residential will increase traffic. This will only be beneficial to the residents put in here. I was confused on the street classification. This will not create a sense of community. Why do they need residential? who is wanting to walk to places? I want to walk to the park and not to buy my groceries. We don't want to be Boise.

Howard Burns (Post Falls): Mr. Burns spoke about all the other apartments that have been already approved in this area. They should request R-3 for the apartment area and CCM for the rest of it. Have the R-3 stand alone. We are bailing out the developer and that is not your job. There needs to be a height limit. I would like to see rent people can afford.

Tammy Bramer (Post Falls) : I agree with Mr. Burns. Planning and Zoning should present this better and not lumped together. There are so many complexes in this town that have not even been built yet. Apartments are not solving the housing problem in this community. We have very few single-family homes for rent. Apartments are not a community. Apartments do not maintain the small-town charm. Commercial does increase traffic.

Rebuttal

Powell: On of the drivers of rent is the lack of supply. What better place to build apartment is to build them in an area that will not affect the existing communities? People will be using the interstate to access the area.

Public Hearing Closed at 8:27 pm.

Deliberation

1. Consistent with the Future Land Use Map.

Malloy: This development started 25 years ago and was envisioned for industrial. The developer kept saying "more rooftops". Woodbridge went in and did not solve the problem but made the area less attractive to industrial users. That messed up the industrial zone. Industrial in my opinion is now not appropriate there.

Mayor: There are some industrial being built on the west side, outside of this area.

Borders: Also, in the Riverbend Focus Area.

2. Consistent with the goals and policies found in the Comprehensive Plan.

Mayor: Mixed housing, is it compatible with surrounding area and are services within walking distance. Those are the ones that meet it.

Malloy: It does fit the Riverbend Focus Area. The infrastructure in the area is the most under used infrastructure in the city.

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

Mayor: Previous comments apply to this.

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

Malloy: This applies.

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.

Does Not Apply

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

Does Not Apply

Malloy: I would like to see a 45' restriction on the residential.

Thoreson: I would agree.

Ziegler: How many close neighbors are required to attract commercial. I am not a fan of high density residential.

Borders: I am good with the height limitation. Not crazy about the multi-family but it does fit the model there. What else would you put in but the freeway.

Shove: I am torn. I do like the height restriction.

Walker: am not a fan of apartments. I agree with the height restriction. Until the commercial is built, the impact would come into town so we will see the impact for a while.

Thoreson: I have no issues with the zone change.

Motion by Malloy to approve The Pointe Zone Change to CCM, further that the Development Agreement include the P&Z recommendations and that there be a height limit in the development agreement on residential construction not to exceed 45'.

Second by Borders.

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

Motion Carried

3. UNFINISHED BUSINESS/RETURNING ORDINANCES AND RESOLUTIONS

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

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

ACTION ITEMS:

- a. Ordinance – Stockwell Annexation File No. ANNX-0011-2021

Motion by Thoreson to place the Ordinance Stockwell Annexation File No. ANNX-0011-2021 on its first and only reading by title only while under suspension of the rules.

Second by Borders.

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

Motion Carried

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO ANNEXING PROPERTY CONSISTING OF APPROXIMATELY 4.834 ACRES, WITHIN A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 51 NORTH RANGE 5 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

Motion by Thoreson to approve the Ordinance Stockwell Annexation File No. ANNX-0011-2021 and to direct the Clerk to assign the appropriate number and that it be published by summary only.

Second by Borders.

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

Motion Carried

- b. Resolution – Preliminary Budget for Fiscal Year 2023

A RESOLUTION OF THE CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO ESTABLISHING A NOTICE OF TIME AND PLACE OF PUBLIC HEARING OF THE PROPOSED BUDGET FOR FISCAL YEAR 2022-2023, AND INCLUDING PROPOSED EXPENDITURES BY FUND, AND PROVIDING FOR PUBLICATION OF PUBLIC HEARING REGARDING THE PROPOSED BUDGET.

WHEREAS, it is necessary, pursuant to Idaho Code 50-1002, for the City Council of the City of Post Falls, prior to passing the Annual Appropriation Ordinance, to tentatively approve the proposed budget, and enter such Budget at length in the journal of the proceedings and hold a public hearing; NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Post Falls, that the following be and the same is hereby adopted as an Estimate of Revenues and Expenditures of the City of Post Falls for the fiscal year beginning October 1, 2022:

PROPOSED EXPENDITURES/EXPENSES
WITH PROPOSED REVENUE COMPARISONS

TOTAL

GENERAL FUND:

Expenditures: (Including ADMINISTRATION , FINANCE
CITY CLERK, LEGAL SERVICES, COMMUNITY DEVELOPMENT,
SAFETY, PUBLIC WORKS, PARKS & RECREATION, CAPITAL IMPROVEMENTS/CONTRACTS
PERSONNEL, PERSONNEL POOL, ANNEXATION FEE ACCOUNT)

TOTAL GENERAL FUND..... \$46,876,787
Revenues: (Including PROPERTY TAX, OTHER REVENUE, OTHER
FINANCING SOURCES, FUND BALANCE REBUDGETED)
TOTAL GENERAL FUND..... 46,876,787

SPECIAL REVENUE FUNDS:

Expenditures: (Including COMPREHENSIVE
LIABILITY INSURANCE, STREET LIGHTS
911 SUPPORT, DRUG SEIZURE, SPECIAL EVENTS
CEMETERY CAPITAL IMPROVEMENT)
TOTAL SPECIAL REVENUE FUND..... 1,647,066
Revenues: (Including PROPERTY TAX, OTHER REVENUE,
OTHER FINANCING SOURCES)
TOTAL SPECIAL REVENUE FUND..... 1,647,066

CAPITAL PROJECTS FUNDS:

Expenditures:(Including FACILITY RESERVE
ACCOUNT, CAPITAL IMPROVEMENTS)
TOTAL CAPITAL PROJECTS FUND 13,542,140

Revenues: (Including OTHER REVENUE, OTHER FINANCING
SOURCES, FUND BALANCE REBUDGETED)
TOTAL CAPITAL PROJECTS FUND 13,542,140

DEBT SERVICE FUNDS:

Expenditures: (Including LID DEBT SERVICE)
TOTAL DEBT SERVICE FUND 528,150

Revenues: (Including OTHER REVENUE, FUND BALANCE
REBUDGETED)
TOTAL DEBT SERVICE FUND 528,150

ENTERPRISE FUNDS:

Expenditures: (Including SEWER, SANITATION,
WATER)
TOTAL ENTERPRISE FUND..... 68,088,573

Revenues: (Including OTHER REVENUE, OTHER FINANCING
SOURCES, CONTRIBUTED CAPITAL/CAP FEES, FUND
BALANCE REBUDGETED)
TOTAL ENTERPRISE FUND..... 68,088,573

TOTAL ALL FUND EXPENDITURES/EXPENSES.....\$130,682,716
TOTAL ALL FUND REVENUES.....\$130,682,716

BE IT FUTHER RESOLVED, that a general tax levy to yield \$14,751,793 on all taxable property within the City of Post Falls be levied in an amount allowed by law for the general purposes for said City, for the fiscal year beginning October 1, 2022 with \$14,581,793 budgeted in the General Fund and \$170,000 budgeted in the Special Revenue Funds.

BE IT FUTHER RESOLVED, that a Notice of Public Hearing for the Fiscal Year 2022-2023 budget be published in two (2) issues of the Coeur d'Alene Press on July 29th 2022 and August 5th, 2022, or upon such other dates that comply with the legally required dates of publication for a public hearing to receive comments on a proposed city budget.

BE IT FURTHER RESOLVED, that a Public Hearing on the Budget be held on the 16th day of August, 2022 at the hour of 6:00 o'clock p.m., at Post Falls City Hall, 408 N. Spokane St., at which time any interested person may appear and show cause, if any he has, why the proposed Budget should or should not be adopted.

Motion by Thoreson to approve Resolution Preliminary Budget for Fiscal Year 2023 and to direct the Clerk to assign the appropriate number.

Second by Malloy.

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

Motion Carried

4. CITIZEN ISSUES

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

Samantha Steigleder (Post Falls): What is the ratio of goals and policies that need to be met or not met. I do not know what it is going to take, is it a room full of people every time. People are telling you we do not want this. More high density is not solving our housing problems. They are doing it to make money and not to solve the housing problem.

5. ADMINISTRATIVE / STAFF REPORTS

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

- a. A Snapshot Look at Residential and Commercial Development from 2020-2022, Bob Seale, Community Development Director presenting: Maps were shown of areas in Post Falls where residential and Commercial Developments are being built and developments that are in the review stage.

6. MAYOR AND COUNCIL COMMENTS

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

7. EXECUTIVE SESSION

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

ACTION ITEM (To enter into executive session only):

- a. Idaho Code 74-206(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated, but imminently likely to be litigated.
- b. Idaho Code 74-206(1)(c) To acquire an interest in real property which is not owned by a public agency.

Motion by to enter into Executive Session pursuant to Idaho Code 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated, but imminently likely to be litigated and Idaho Code 74-206(1)(c) to acquire an interest in real property which is not owned by a public agency, further that no action will be taken during the session and that the session will last approximately 20 minutes.

Second by Malloy.

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

Motion Carried

Entered Executive Session at 8:59 pm.

RETURN TO REGULAR SESSION 9:11 PM

8. NEW BUSINESS

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

ACTION ITEMS:

- a. Waiver of Claims

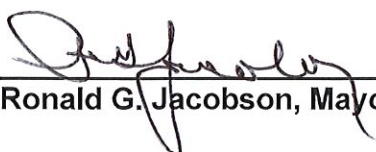
Motion by Thoreson to approve the Waiver of Claims.

Second by Malloy.

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

Motion Carried

ADJOURNMENT 9:12 PM



Ronald G. Jacobson, Mayor





Rhiannon O'Neill, Deputy City Clerk

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

Mayor Ronald G. Jacobson

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

Mission

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

Vision

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

"Where opportunities flow and community is a way of life"