



**PLANNING & ZONING COMMISSION
MEETING MINUTES**

**January 26, 2022
5:30 PM**

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

MEETING ATTENDEES ARE ENCOURAGED TO MAINTAIN A 6 FOOT SEPARATION FROM OTHER ATTENDEES AT THE MEETING AND MASKS ARE ENCOURAGED FOR THOSE WHO HAVE NOT BEEN FULLY VACCINATED FOR COVID-19.

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

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

REGULAR MEETING – 5:30 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Carey, Hampe, Steffensen, Davis, Schlotthauer - Present
Ward, Kimball - Excused

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

Today is National Peanut Brittle Day

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.

N/A

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. Minutes – January 11, 2022, Planning and Zoning Commission Meeting

Motion to approve as presented by Carey

Second By: Steffensen

Vote: Hampe – Abstain; Schlotthauer – Abstain; Davis – Yes; Carey – Yes; Steffensen – Yes

Moved

2. CITIZEN ISSUES

This section of the agenda is reserved for citizens wishing to address the Commission 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 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.

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. Elm Place Subdivision File No SUBD-0019-2021 – Ethan Porter, Associate Planner to present – The owner is Robert Wilhelm. The applicant is Dobler Engineering. **(Action Item)** – approval to subdivide 1.11 acres into 12 lots conforming to the R-2 twin home standards. The location is north of I-90, right along Elm Street. The current land use is a single-family home. The water provider is East Greenacres Irrigation District. The sewer is provided by the City of Post Falls. In the surrounding areas there is some R-3 to the west, but mostly R-1 single-family homes. The applicant and the owners submitted a proposed subdivision plan with lot sizes and lot widths which meet the R-2 standards for twin homes, and they do provide the parking area which you can see in the southwest corner. Review Criteria for Subdivisions:
- Water will be provided by East Greenacres Irrigation District.
 - The City has adequate capacity and through development will need to meet design standards.
 - Proposed streets are consistent with the transportation element of the comprehensive plan.
 - Proposed Condition 5: Except where an exception is granted, all streetlights and roadways shall be designed and constructed in accordance with City standards.
 - No exceptions to City standards were requested.
 - A five-foot sidewalk shall be provided along the north side of the identified “private road.”
 - The private roadway shall be restricted to parking on one side only.
 - At this time there are no known soil or topographical conditions which have been identified as hazards.
 - The proposed lots and layout comply with the bulk and placement standards for the R-2 (TH) standards.
 - Impact fees and cap fees will be assessed and collected on individual building permits to assist in mitigating the off-site impacts to multi-modal services, parks, public safety, streets, City water and water reclamations facilities.

All agencies have been notified. Post Falls Police Department, Kootenai County Fire and Rescue and Post Falls Highway District were the agencies which responded, and each indicated that they remain neutral to the proposed special use.

Carey – What is the parking area?

Porter – It’s just extra parking for the area because on-street parking is limited. They decided and designed an extra parking to help accommodate.

Carey – There would be on-site parking at the individual homes?

Porter – Yes. Essentially, this is just overflow.

Applicant – Gordon Dobler, Dobler Engineering – So this is the additional parking. It’s not required, but we wanted to do it for a couple of reasons. We will provide the required amount of off-street parking in each unit. We will have shared driveways and you can see I have grouped the

water meters every other property line. The one that doesn't have a water meter will have the shared driveway. That's how we'll access the units on site. We have minimized the impact to the on-street parking by using shared driveways. We have also used the overflow parking for the turnaround required by the Fire District. Because of the driveway configuration there is room for snow storage at the end of the street. The owner of the property owns the adjoining property so we will be improving Elm to City standards for the future plans for that property. All required improvement for water, sewer and transportation are incorporated into the design. The road is private road which will be maintained by the HOA along with the parking and the frontage along Elm. The main reason we went with the private road was not because of the standards. The right-of-way requirements would have reduced these lots to a size which would not work. Still, the 28-foot street meets City standards.

Testimony:

In Favor – None

Neutral – None

Opposition – None

Herrington offered a brief description of the new procedure through which each review criteria is discussed rather than each commissioner giving an overview.

Review Criteria Discussion:

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, Steffensen, Schlotthauer, Hampe, and Davis agree that the request meets the criteria.

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

Carey, Steffensen, Schlotthauer, Hampe, and Davis agree that the request meets the criteria.

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

Carey, Steffensen, Schlotthauer, Hampe, and Davis agree that the request meets the criteria.

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, Steffensen, Schlotthauer, Hampe, and Davis agree that the request meets the criteria.

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

Carey, Steffensen, Schlotthauer, Hampe, and Davis agree that the request meets the criteria.

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, Steffensen, Schlotthauer, Hampe, and Davis agree that the request meets the criteria.

Comments:

Hampe – The twin homes are a good product that we need more of, and they are a good fit for that area.

Steffensen – The hope is that this product is a little less expensive and maybe is an entry level home for some people.

Hampe moved to approve Elm Place Subdivision File No. SUBD-0019-2021 finding that it meets the review criteria set forth in the PFMC as outlined in our deliberations subject to conditions 1-7 as contained in the staff report and direct staff to prepare a written reasoned decision.

Second By: Steffensen

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

Moved

B. River City Center Subdivision File No SUBD-0020-2021 – Ethan Porter, Associate Planner to present – The owner is 41 & Mullan Investments, LLC. The applicant is Olson Engineering. **(Action Item)** – approval to subdivide 14.4 acres within the Community Commercial Services (CCS) zone into six commercial lots. The current land use is mostly vacant with the exception of a developed portion that has shops/retail uses. The water provider is Ross Point Water District. The sewer is provided by the City of Post Falls. Looking at the zoning you can see that it is CCS zoned. To the east of the proposal, you have a single-family subdivision and then it is surrounded by commercial elsewhere other than the north which is Kootenai County jurisdiction.

Review Criteria for Subdivisions:

- Water will be provided by Ross Point Water District.
- The City has adequate capacity and through development will need to meet design standards as well as surcharge fees for the 12th Avenue lift station to offset future cost of force mains from the lift station to the water reclamation facility.
- The subdivision lies next to existing developed roadways of SH41, 12th Avenue and October Glory Street. Private shared access needs to be provided for proposed lots 2 and 6 ensure adequate circulation and traffic flow.
 - SH41 Construction along proposal's frontage schedule between 2023 and 2026.

- 12th Avenue is classified as a Minor Collector and the intersection of 12th and SH41 is being converted into a ¾-turn restriction.
- October Glory Street is classified as a Local Residential Roadway that will require further installation of sidewalk and roadway illumination.
- At this time there are no known soil or topographical conditions which have been identified as hazards.
- The proposed lots and layout comply with the bulk and placement standards for the CCS zone and upon development will meet the City's commercial standards.
- Impact fees and cap fees will be assessed and collected on individual building permits to assist in mitigating the off-site impacts to multi-modal services, parks, public safety, streets, City water and water reclamations facilities.

All agencies have been notified. Post Falls Police Department, Kootenai County Fire and Rescue, and Post Falls Highway District were the agencies which responded, and each indicated that they remain neutral to the proposed special use.

Carey – On the street behind it, the October Glory Street, does it have sidewalks on one side now? What will they be required to do?

Palus – There is an existing sidewalk on the east side of October Glory Street from 12th Avenue up to Mullan Avenue. And a substantial portion of the sidewalk is in place on the west side as well. There is a just a small gap that is missing.

Carey – Is there any kind of a buffer required between CCS and R-1?

Porter – Not at this point because there is already a street there. The street basically acts as the buffer.

Schlotthauer – What is your Condition 9 here?

Herrington – Condition 9 is with final platting it is recommended that City Council relinquishes the existing lift station easement 75-foot by 75-foot lift station easement shown on the plat of Crimson King Estates, Book J, Page 377, Kootenai County records. As long as the City has relocated the lift station with the new easement and the existing referenced easement is no longer needed or anticipated to be needed for its original intended purpose.

Palus – Previously, in this area here, we had our 12th Avenue lift station. Within the last year, we moved it that lift station. The City still maintains an easement where that lift station was for expediency, we can vacate that easement as part of the plat. That's the direction we would like to go. The City Water Reclamation Department would provide a letter at public hearing with the subdivision that we have no interest or use of that property anymore and that it should be vacated with the subdivision.

Schlotthauer – My other question is can you explain the surcharge for the lift station future force main?

Palus – This property itself is not conditioned on paying the surcharge. Most of the property would flow out to Highway 41 and then to the south. We are collecting a surcharge that as they annex into

the city are putting a requirement on them that the development of that property pay a surcharge. What that surcharge is we took a portion of the cost of taking the force main from the lift station and running it all the way to the treatment plant, dividing it out by the capacity of that line and that's how much we charge. Ideally, when we reach a certain threshold flow rates that we've identified, we'll have enough money built up that we can build that several miles of force main.

Hampe – So that would be only newly annexed properties?

Palus – Newly annexed or ones that due to previous agreements we were already having them pay a surcharge.

Schlotthauer – When is it paid and how?

Palus – People pay their surcharge at the time of building permit issuance. We don't have any idea what kind of businesses are going in there. There could be a wide range of water usage.

Applicant – Daniel Brands, Olson Engineering – This project is already zoned commercial. There are three existing lots that are being turned into six total just to make it easier for the developer to lease or sell commercial pad sites.

Steffensen – Is there going to be any access to 12th Street off of Lot 5?

Brands – Yes.

Testimony:

In Favor – None

Neutral – None

Opposition – None

Review Criteria Discussion:

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, Steffensen, Schlotthauer, Hampe, and Davis agree that the request meets the criteria as Ross Point will be adequate to provide.

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

Carey, Steffensen, Schlotthauer, Hampe, and Davis agree that the request meets the criteria. The lift station easement is still there but that will be resolved through the platting.

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

Carey, Steffensen, Schlotthauer, Hampe, and Davis agree that the request meets the criteria. Access seems adequate without accessing Highway 41. The completion of the work on Highway 41 will improve access to the area as well.

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, Steffensen, Schlotthauer, Hampe, and Davis agree that the request meets the criteria.

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

Carey, Steffensen, Schlotthauer, Hampe, and Davis agree that the request meets the criteria. The area is perfect for CCS and complies with the Bulk and Placement table.

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, Steffensen, Schlotthauer, Hampe, and Davis agree that the request meets the criteria.

Carey moved to approve the River City Center Subdivision File No. SUBD-0020-2021 finding that it is consistent with the Comprehensive Plan and adopting the findings, conclusions, and conditions 1-9 contained in the staff report.

Second By: Steffensen

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

Moved

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

Davis – Regarding the new process I think some of the things we'll see will be a significant amount of conversation when start talking about concerns. This is just a process to kind of walk through everything to make sure everyone feels comfortable.

7. ADJOURNMENT 6:13 PM

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

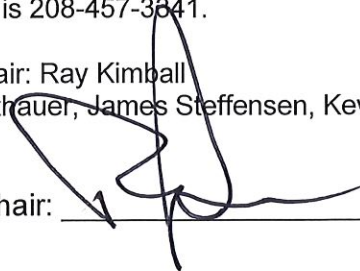
City of Post Falls
Planning and Zoning Commission Agenda


January 26, 2022

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 208-457-3841.

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

Date: 2/8/22

Chair:  _____

Attest:  _____