



**PLANNING & ZONING COMMISSION
MEETING MINUTES**

**May 10, 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, Ward - Present
Kimball and Schlotthauer – Excused

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- Mental Health Awareness Week, Jon Manley - National Mental Health Awareness Week is an annual event, which provides an opportunity for the whole of the world to focus on achieving good mental health. The Mental Health Foundation in the U.K. started the event 21 years ago. A couple of years down the line, World Mental Health Day was observed for the first time on October 10, 1992. It was started as an annual activity of the World Federation for Mental Health by the then Deputy Secretary-General Richard Hunter. The day is officially commemorated every year on October 10.
- Salvation Army Week, Jon Manley - In 1954, the week of November 18 until December 4 was declared by the United States Congress and proclaimed by President Dwight D. Eisenhower to be the first National Salvation Army Week (now recognized in May), as a reminder to Americans to give freely. Today, the Salvation Army is at work in 132 countries around the world. Just in the U.S., in 2020, the organization provided more than 155 million meals between March and September alone, 1.6 million nights of shelter, 6.6 million food boxes, and emotional and spiritual

care to 857,000 people. With more than 7,500 centers of operation in the U.S., the Salvation Army is uniquely positioned to meet needs in Jesus' name, without discrimination — wherever it exists. This past year they were able to serve 14,171 individuals; they gave out 14,021 items of clothing; served 10,765 meals to the hungry; gave out 9,234 Christmas gifts; gave out 1,352 emergency food baskets to the hungry and had the help of volunteers whose hours came to 8,529.

- Shrimp Day
- Regional Housing and Growth Issues Partnership, Housing Availability and Affordability Study – Kiki Miller, to present – The partnership was formed in 2021 with non-funded volunteer collaboration. Working group/Advisory Group – 40+ organizations are represented the rosters are online at www.rhgip.com. The goal is to have permanent, fully funded housing management organization. There were 3,700 responses through the poll the number one concern is to preserve open space and to prioritize a working group with ongoing polling. The current goal is for home ownership to be achievable for the residents of Kootenai County, and to build and retain housing inventory for local workers. The partnership roles are to provide resources/factual answers, data-supported solutions, framework for implementation, education: what is/is not possible, and to work together on regional issues. Our progress so far Housing Affordability & Availability Study; Assessed Local Worker Housing Needs, Subcommittees: open space, schools, land acquisition and more, outreach via Advisory Group, website, social media, media; focus on private-sector solutions; and explore voluntary funding mechanisms and development methods that are profitable for realtors, developers and property owners and provide local worker housing. The middle-income households are currently at a crossroad; they have good jobs however can't afford to live here, wondering if they should rent or move and if there is even a future here for them anymore. Only way for them to qualify for low-income housing is if they quit their jobs. Home ownership creates a stabilizing effect on communities and housing affordability and smart growth can go hand in hand and still preserve the flavor of our community. The government can't fix the issue, however, can support creative housing solutions. You can go online and read the Housing Availability and Affordability Study for Kootenai County. (www.rhgip.com). In 2016 75% of the community could afford housing in Kootenai County and in 2021 about 76% of the community cannot afford housing as the median home price went from \$250,000 to \$500,000 and rising. To afford the median cost of housing prices today you would need an annual salary of \$100,000; our median income is \$65,500, which is the salary of a fire chief. We currently have limited inventory available under \$500,000 many of what is under trailers on leased land. We currently have a 2,353-housing unit deficit and this number continues to grow. We can't control the demand, nor can we control who occupies them. We can strategically increase the supply with different housing produce. Panhandle Affordable Housing Alliance purchased land for affordable housing by using a two-tier sale, using part cash and the rest with tax-deductible donations. Property owners and developers can opt in for voluntary deed restrictions to provide quality homes for locals that have lived in the area for 2+ years; workers, seniors, and disabled residents 60-120% AMI; also provide a variety of housing types. Currently we have 2,700 unfilled jobs because people can't find housing: experiencing \$220 million GRP loss and \$159 million in lost wages. Currently do not have new businesses and companies are closing and relocating. The consequences of failing to address the issues are as follows: residents being displaced, unaffordable for newest generation, decreased quality of life and large economic

impacts. We must start now as we are going to experience a housing correction however, we will not return to historic home prices or the availability, we need partnership building foundation, options are available now, requires multiple solutions over multiple years. You can find the solutions tool kit on the www.rhgip.com website along with weekly updates. Citizens can volunteer, assist with research, share FAQs, and support solution-oriented discussions. County and Cities can help by reviewing their ordinances, support PUDs, co-ops, occupancy-restricted projects that address local worker housing, zoning changes/annexations when (or only if) local worker housing goals are incorporated, infill/pocket housing in appropriate areas, review short-term rental ordinances, and consider first right of refusal purchases, provide different product types to aid in affordable housing.

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. Minutes – April 12, 2022, Planning and Zoning Commission Meeting
- b. Reasoned Decision – Stone’s Throw Subdivision File No. SUBD-0006-2022
- c. Reasoned Decision – Wellsprings Addition Subdivision File No. SUBD-0001-2022
- d. Zoning Recommendation – Wellsprings Annexation File No. ANNEX-0001-2022
- e. Zoning Recommendation – Morris Annexation File No. ANNEX-0013-2021

Motion to approve as presented by Steffensen

2nd by Hampe

Vote Hampe – Yes; Ward – 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 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.

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. **Zoning Recommendation** for Jacklin-Prairie Annexation File No. ANNX-0012-2021 – Jon Manley, Planning Manager, to present a request for a recommendation to City Council for a zoning designation of Community Commercial Mixed (CCM) upon annexation of approximately 89 acres. – The requested action is to recommend CCM zoning in support of an approximate 89 acres annexation request into the City of Post Falls. With a CCM zone a Development Agreement is required, they are proposing no residential within the DA and there will be approximately an 11-acre K-12 School Site. 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 (50%) of the total development site. Multi-Family 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.

Zone Change Criteria:

- The Future Land Use designation is the transitional zone; the timing for growth is undetermined, but guidance can be located within the associated Focused Area.

Implementing zoning districts should be compatible with adjacent zones/uses and consistent with the principles within the focus area. The focus area is 41 North, focus provisions for multi-family, commercial, and tech uses near higher classified roadways; development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail.

- Goal 1 – Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health. Goal 3 – Maintain and improve Post Falls’ small-town scale, charm, and aesthetic beauty. Goal 5 – Keep Post Falls’ neighborhoods safe, vital, and attractive. 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. Goal 8 – Protect and maintain Post Falls’ natural resources including clean air, soils, river, and aquifer, and minimizing light and noise pollution citywide. Goal 12 – Maintain the City of Post Falls’ long-term fiscal health. Policy 1 – supporting land use patterns that maintain residents’ quality of life, promote well designed development, discussed the future land use mapping and compatible uses which we know to the west we have a planned commercial corner with a grocer and fitness center with more commercial pads. More to the west side of 41 it is also designated as Business/Commercial and to the east is transitional county land.
- Infrastructure and service plans and traffic patterns was outlined in detail within the staff report and Mr. Palus is here if anyone should have any questions.
- Encourage development patterns that provide suitably scaled, daily needs services within walking distance of residential areas, allowing a measure of independence for those who cannot or choose not to drive. The future Prairie Trail will run through the project and but up against the future school site. With development there will be pedestrian and street connections. Encourage the development of off-corridor access and circulation for commercial and mixed-use areas abutting limited-access arterials. This maybe address with the extension of Zorros and Fennecus Rd.
- Prairie Ave is a higher road classification.
- Earlier 2000’s this would appear to be out in the middle of no-where, however, today with the applications and new construction in this area I would say this criteria isn’t applicable.
- Industrial isn’t being asked therefore it isn’t applicable.

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 dedication be 60’ minimum from centerline on Prairie Ave. and the Department of Environmental Quality has no impact comments currently.

Hampe – The agreement to not build any residential is not in the Development Agreement, or did I miss it?

Manley – Ultimately that is what will be delivered to Council, and they will make the decision for the Annexation based on that.

Hampe – So if it isn’t in there now it will be.

Manley – You can condition a motion forward to include it.

Hampe – I could have missed it however, I just wanted to be clear.

Manley – You can always add conditions to the Development Agreement that will be added prior to Council.

Steffensen – 105 feet, by comparison how tall are we looking at?

Manley – On a multi-story each one is probably about 10 feet.

Steffensen – So, it could be a 10-story building.

Manley – I would guess more around 8 because of the pitched roof etc.

Herrington – Article 5.2 in the Development Agreement, Owner agrees not to construct any residential land uses on the property.

Hampe – The city does not warrant the sanitary sewer capacity will be available at time the owner requests connection to the sanitary sewer system. What exactly does that mean?

Palus – That is somewhat of a boiler plate statement and applies to any project that comes before us in an annexation. If it was built today, we would have capacity to handle what they are proposing to do however if they don't develop for a few years, we do not have control over everything else going on in the city. We do know there are some limitations at the 12th Ave lift station. The city is scheduled to build those necessary improvements in 2025. We have capacity to support the developments along Highway 41 and what is being proposed tonight however, there is never a guarantee.

Applicant – Rand Wichman Planning – The proposal is next to the old Jacklin Farm, majority of the land 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 proposed prohibition on residential uses in the Development Agreement due to community concerns. Because 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. The comparison between the CCM and CCS are extensive and go beyond what I have. The uses allowed in CCS but not in CCM are Hotels/Motels, destination shopping centers, auto/RV/manufactured home/boat dealerships, big box commercial, lumber yard/building materials, many auto related services, and industrial and manufacturing uses. There is a school site on 11-acres which is another reason why we are interested in moving forward with this annexation. There are well along with their site-plan it will be a public charter school. There will be great access off Fennecus, north and south and the Prairie Trail, east to west. The Development Agreement has mostly standard requirements there are specific provisions related to wastewater and numerous easement and right-of-way dedications. We do have the restriction on residential development and the construction of the Prairie Trail from Prairie Ave. to Highway 41 will be developed, approximately .9 miles. The road network might be laid out differently than what is shown, for example, from Prairie to the school site Fennecus may curve to preserve the existing trees in that area. There will also be internal connections that are not designed yet, Fennecus and Zorros will connect north and south. We believe this request meets the approval criteria and the "Transitional" use within the Future Land Use Map. Implements the plans that have been created for this area by the city and the requested zoning has significant benefit to the city with the least amount of impact on the infrastructure and services.

Steffensen – If this is approved, what is your timing for buildout?

Wichman – I am unsure of the entire buildout schedule how ever we will commence on the construction improvements and subdividing as soon as possible. The school is red hot to get going and we need to support them. We will work towards getting the first phase done as quickly as possible. The school wanted to build last fall so we will work diligently to support their efforts.

Steffensen – In a CCM zone you can build up to 105 feet which is a big building out on the Prairie. Are you planning on something that big?

Wichman – No, longer answer with the proposal of no residential, I don't think it makes sense to build up that high. If it is a concern, we will not object to a height restriction to something you would find in a CCS zone being added to the Development Agreement.

Manley – Quick correction on the allowed/not allowed uses, there is an issue with the land use table as it has many columns, we think there is a miss read between the Residential Mixed and the Community Commercial Mixed zones. Some uses allowed in CCS and not CCM would be a racetrack, slaughterhouse, glass manufacturing, etc. generally most uses within the CCS can be within the CCM as well either by printed outright or by a Special Use Permit.

Testimony:

In Favor - *read by Davis* - Wade Jacklin – Great use of land to provide commercial and retail services for folks living in Rathdrum and Post Falls. Helps eliminate traffic with services that are closer and more accessible to many area residents. More job opportunities for locals. **Shawn Howell** – In favor of this annexation and the school that is involved. Policy 10. **Nancy Spencer** – I want this annexation to go forward. **Shannon Stucki** – Jacklin Prairie Annex is consistent with goals 1, 3, 5, 7, and 11 and policies 2, 3, 4, 10, 25, 87, and 102 found in the Comprehensive Plan of Post Falls. This school will bring prosperity while improving the small town feel and promoting pride in this city. Pedestrian friendly zones will be added to this area because of this school. The location will be accessible via the bike path which contributes to several policies and goals of this city. **Heather Clute** – We need a school for parents who value classical education. Our kids currently homeschool, and this school would help our family immensely. The location is ideal and beautifully designed. It is very centrally located for many people around Kootenai County. Please allow the annexation. **Damon Clute** - We need other options than traditional public schools. This public school teaches values that more align with mine.

In Favor wishing to speak –

Ed Kaitz – I am the board chair for the proposed Kootenai Classical Academy. We started in 2018 to get the school chartered through the state and were approved in December. The Hillsdale College in Michigan started these schools in 2012 to bring back classical education to kids. To help the students develop their minds as well as their moral virtues. I believe there are 26 schools across the country. We have 1200 kids on our interest list already this is a great opportunity for Post Falls. Coeur d'Alene and Rathdrum both have Public Charter Schools which are free education, it is the same education one would get at Gonzaga Prep for free. The testing level is at a college level however, we don't teach towards the test we teach the value and love of education. It has been difficult to find property here and we have a red-hot timeline. We need a year to develop the school and we plan to open in the fall of 2023 as a K-8 to start. We do feel it supports the goals and policies as well especially 11 with the civic and arts as we have a wonderful community outreach. The Prairie Trail will be a wonderful opportunity for kids to

be able to ride their bikes to school. We need more schools in this area majority of them are at or exceeding capacity.

Michael Burgess – I speak on behalf of Kootenai Classical Academy Founders Board, of which I am a director. We are in favor of this plan going forward. The zoning of the Jacklin Commercial acreage is compatible with the school. The feeling of community will be grown and preserved. The growth is beneficial it adds an ideal education opportunity, and this testimony particularly speaks to goal 11, policy 102 and policy 10.

Gary Retter – 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 compliment the Prairie shopping center site, we selected this site because of Highway 41 and Prairie as it will become a regional hub. This development will alleviate allot of the traffic issues our area currently has.

Roalene Sgantas – I own a small tax service here and I am in favor because I love Hillsdale, the curriculum is fantastic. My 11-year-old adopted son is currently enrolled in Treaty Rock and I am excited he was accepted into the Charter CDA Academy as he isn't being challenged in the public schools. I feel we need to be patient with the things that are worth while like this school.

Samantha Steigleder – I am in favor of this request, Mr. Manley informed me of the differences between CCS and CCM and I was very appreciative of that. I am in favor of the Development Agreement that has no residential in it as I am usually up here in opposition to more high-density residential in Post Falls. Classical Education is a wonderful thing and my 8-year-old got excited to learn that is what this new school what because even he knows it is amazing. Whether a child is advanced or not this school is the right fit for all of them. I just don't know if we can say no to that, I hope you do not say no to it.

Michael Schelstrate – This annexation on a great location whether you support private or public education will be a tremendous asset. Particularly on the Prairie arterials, bike path extension and the expansion of Highway 41.

Nina Beesley – 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, Goal-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 districts 18 schools were at or over 100% capacity. Half of the elementary schools ranged from 100%-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.

Michael More – 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.

Sarah Fisher – Our community needs a school that emphasizes well-rounded education and character and virtue development of the next generation, who will directly impact the standard of living here in North Idaho. Preserving the character and work ethic of the next generation is preserving North Idaho.

Victoria O’Sullivan – My husband’s family has been in the area for 30 years and he was part of the first graduating class for the CDA Charter School. Most Charter schools focus on academics however Kootenai Classical focus on the student, arts, sports, music, and special needs they work towards a well-rounded educational experience. I am a musician, and my son is special needs and there isn’t a school that fits for our whole family. I think it is incredible that they are trying to do it all, it is ambitious. I have been against 90% of the development because they fail to invest in the future and the community just seems like they just cram everything in.

Also, in Favor and doesn’t wish to speak is Duane Oliver – Post Falls needs a school badly as well as local business uses.

Neutral – None

In Opposition- Read into the record by Davis – This correspondence is in response to the Notice of Public Hearing for the Jacklin Prairie Annexation. GVD Partners, LP, as an adjacent landowner objects to the Application for the following reasons: GVD believes the Jacklin site should contain a residential component and that it is procedurally improper to apply for a 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 purposes 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. As such, GVD is respectfully objecting to the application.

Rebuttal – Wichman – They are certainly intitled to their opinion, more importantly I want to apologize to the Commission for my error in the presentation with the differences of the CCS and CCM zones. I did misread the table. Please disregard that section of my presentation.

Steffensen – Is anyone opposed to stating no more than 45 feet for any structure? We can add a condition to the development agreement.

Davis – Obviously, the applicant is comfortable with it. Manley, it was limited to certain uses.

Manley – There was some exceptions for medical, hospitality and vertical mixed use. 45 feet for hospitality is a little limiting we found out recently with the hotel that wanted to go in down the street and a medical facility would sometimes need a higher height.

Field – The foot note does require a Special Use Permit to exceed that height.

Carey – To exceed which height?

Field – The 45’; sorry to exceed 105’ it would require a Special Use Permit.

Ward – CCS is currently 45’

Manley – Yes

Comments:

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

Ward – Falls under the transitional.

Steffensen – 41 is being built and we are starting to see the commercial along 41 with the transition into residential for some time if the future.

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

Steffensen – This was addressed numerous times in testimony for the school.

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.

Nothing to add

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

Commission – it is right on 41 and Prairie

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

Steffensen – The agreement states there will not be residential.

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

Not applicable

Carey – If we leave as is they can build up to 105'.

Manley – The 105' would be the cap unless they came back before you with a Special Use Permit for the medical, hospitality or vertical use buildings. Unless you add a condition for the 45' cap.

Motion to recommend approval to City Council finding meets approval criteria in the PFMC as outlined in our deliberations and to amend the Development Agreement to include the 45' height restriction instead of the 105' height restriction and direct staff to prepare a Zoning Recommendation with a CCM zone -

Steffensen

2nd by Ward

Vote Hampe – Yes; Ward – Yes; Davis – Yes; Carey – Yes; Steffensen - Yes

Moved

- B. **Zoning Recommendation** for Douglass Annexation File No. ANNX-0002-2022 – Ethan Porter, Associate Planner, to present a request for a recommendation to City Council for a zoning designation of Community Commercial Services (CCS) upon annexation of approximately 9.63 acres. The requested action is to recommend Community Commercial Services (CCS) zoning to City Council on 9.63 acres as part of this annexation request. The project location is on the northwest corner of N. Zorros Rd and E. Early Dawn Ave on the east side of Highway 41 to the west of Foxtail. It is currently a large lot residential within Kootenai County and sits above the Rathdrum Prairie Aquifer. The water provider is Ross Point Water District, and the sewer is provided by the City of Post Falls. To the north, west, and south is the Community Commercial Services (CCS) zoning with the R-1 Foxtail development to the east.

Zone Change Review Criteria:

- Future Land Use Map designates this site as Business/Commercial – the implementing zoning districts include the CCS zone. The purpose of the

Business/Commercial is to provide a wide variety of general service, retail, professional office, light industrial, artisan manufacturing and mixed-uses that serve local and regional residents as well as the traveling public. Promotes mixture of moderate/high density housing types within walking distance of the city center, neighborhood center and corridor commercial uses, as well as civic uses and other amenities within Post Falls. The implementing zoning district details the breadth and types of uses that would be permitted within the Business/Commercial area. Supports a mixture of housing types and improves pedestrian connections and promotes compatibility between permitted uses including the Technology Park.

- A couple of the Goals and Policies are outlined in the staff report to name a few are Goals 5, 7 and 12 and the Policies are 7, 8 and 45.
- Streets/Traffic – Early Dawn Ave. and Zorros Rd. are both Minor Collector Roadways, which is not anticipated to have negative impacts from the proposed zone change. Water/Sewer – Ross Point Water District for water service and City of Post Falls for sewer service within the 12th Ave. Force Main Surcharge Basin.
- The proposed zone is located along a Minor Collector roadway and the zoning is in conformance with the anticipated land uses and trip generations within the City's Transportation Master Plan.
- Request for the Community Commercial Services (CCS) make this criteria not applicable as this is a higher intensity zoning located near a main commercial corridor.
- Not applicable as Industrial zoning isn't being requested.

All agencies have been notified with the Kootenai County Fire and Rescue stated they will comment during the review and permitting process with Post Falls Police Department and Post Falls Highway District remaining neutral.

Steffensen – What would the buffer requirements be for the east side along Foxtail?

Porter – There wouldn't be a buffer as Zorros Rd. would be acting as the buffer.

Steffensen – What is that in feet?

Palus – Zorros is a Minor Collector Roadway the standard right-of-way width for that is 80', Foxtail is providing their right-of-way plus a 5-10' wide tract for a green strip along that side.

Carey – Is Zorros complete along this property already?

Palus – A portion has been completed by the Foxtail Subdivision and will continue to be developed with Foxtail and on the west side of Zorros that will be developed as development comes.

Hampe – Can you explain how much of it has been developed?

Palus – We require the roadway to be developed from centerline plus 10' or a minimum of 28' of roadway. This allows it to be always usable for two-way traffic.

Applicant – Ray Kimball, Whipple Consulting Engineers – It is a little infill pocket and is surrounded by the city. The subject site is within the Business/Commercial designation of the Future Land Use Map. The surrounding zoning is CCS to the north, west, and south this would just fill in the whole. Zorros and Early Dawn are both Minor Collectors and Poleline and Hope are Major Collectors and Highway 41 to the west being a Principal Arterial. The road plus street trees along the east will act as a buffer between this request and the Foxtail Development, the typical buffer would be about 25' we are gaining an 80' buffer. The City of Post Falls has a Transportation Master Plan so that development can pay for itself, development is how our roadways get improvements that are needed plus

at time of permit development also pays for the Impact Fees. This proposal is in conformance with the Goals and Policies of the Comprehensive Plan which was talked about in-depth within the staff report.

Hampe – Is there any construction going on currently nearby? I know what is to the east and it is developed.

Kimball – There is current construction on the south and no current construction to the north or west.

Ward – There are apartments between Early Dawn and Poleline.

Kimball – Correct.

Testimony-

In Favor – None

Neutral – None

In Opposition – None

Steffensen – To confirm, they would need a Special Use Permit if they wanted apartments, correct?

Manley - Correct

Comments-

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

Steffensen – It is infill right in the middle of other commercial.

Field – It would be good to go into more detail on how it was covered. Even just mentioning what the Future Land Use Map says.

Hampe – It is infill and is consistent with what is there.

Carey – This is commercial within the Future Land Map.

Field – I guess I want you to explain what the Future Land Use Map says and how this zone fits in with it.

Steffensen – Its Business/Commercial and it could be a variety of zoning including CCS. This is an infill pocket and CCS would match what the Land Use Map would allow.

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

Hampe – They encourage annexations with county islands and that is what we would be doing with a consistent zoning designation.

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.

Steffensen – In both presentations this type of zoning is perfect for the Highway 41 corridor and to complete the improvements of the roadways and the infrastructure in the area.

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

Hampe – I think Ray covered it.

Steffensen – This is commercial, right in that zone along bigger roads like Highway 41.

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

****Not Applicable****

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

****Not applicable****

Motion to recommend approval to City Council finding meets approval criteria in the PFMC as outlined in our deliberation and direct staff to prepare a Zoning Recommendation with a CCS zone - Carey

2nd by Hampe

**Vote Steffensen – Yes; Carey – Yes; Davis – Yes; Ward – Yes; Hampe - Yes
Moved**

Manley – As a note, we have new design standards for commercial uses such as screening requirements, etc.

7. **Zoning Recommendation** for Mongeau Meadows Annexation and **Review Requested** for Mongeau Meadows Subdivision File No(s). ANN-0003-2022/SUBD-0003-2022 – Ethan Porter, Associate Planner, to present a request for a recommendation to City Council for a zoning designation of Single-Family Residential (R1) upon annexation of approximately 3.91 acres. Additionally, a subdivision review request of 17 lots. The requested actions are to provide recommendation to City Council for the zoning designations of Single-Family Residential (R-1) on approximately 3.91 acres. Additionally, an approval to subdivide approximately 3.91 acres into 17 lots, contingent on Planning and Zoning recommendation of the zoning designation and annexation approval from City Council. The project location is just south of 16th Ave to the east of N. Quail Run Blvd. and to the west of N. Syringa St. It is currently a large lot residential within Kootenai County and is over the Rathdrum Prairie Aquifer. The water and sewer will be provided by the City of Post Falls. To the north is Single-Family Residential (R-1) zoning, to the west, east, and south is all residential lots within the county.

Zone Change Review Criteria:

- The Future Land Use Map designates this site as Low-density residential with the R1 zoning called out in the Implementing zoning districts. Central Island focus area promotes infill development in this context area and prioritize annexation opportunities.
- It is consistent with the Goals and Policies found in the Comprehensive Plan, they are identified within the staff report a couple of the main goals are 5, 7, and 12 and some of the main policies are 1, 2, 8, and 15.
- 16th Ave. is a Major Collector and can accommodate 4k-12k vehicles per day, which projected volumes for 2035 along this roadway would accommodate. Over the Rathdrum Prairie Aquifer and the proposed zoning is compatible with the land uses anticipated within the City's Master Plans.
- Not Applicable as they are not requesting commercial or high-density.

- Annexation proposed is not near higher intensity urban activities, which would primarily be along Highway 41, Mullan Ave., Seltice Way, and some along Spokane St.
- Industrial is not being requested so this criteria is not applicable.

The subdivision layout is with Mongeau Street going north and south and Healy Ave being a connection street to the south of the subdivision for future development. Staff reviewed and the layout meets the requirements for Titles 17 and 18.

Subdivision Review Criteria:

- Water will be provided by the City of Post Falls
- The City of Post Falls has adequate capacity to provide service to the subdivision as proposed and it is in conformance with the City's Water Reclamation Master Plan.
- The subdivision should not have a negative impact on the local transportation system. Direct access from residential lots onto 16th Ave. will be prohibited (Condition 8)
- The site is located of the Rathdrum Prairie Aquifer. There are no known soil or topographical conditions which have been identified as presenting hazards.
- Subdivision approval is contingent upon the annexation approval from City Council. The subdivision and proposed lots conform to the requirements of Title 17(Subdivisions) and Title 18(Zoning).
- Impact fees and cap fees will be assessed and collected on individual building permits to assist in mitigating the off-site impacts to parks, public safety, streets, multi-modal pathways, City water and water reclamations facilities.

All agencies have been notified with Kootenai County Fire and Rescue reserves comments for the permitting process with the Post Falls Police Department remaining neutral. Post Falls Highway District requests the City to annex all right-of-way on 16th Ave. from Syringa St. to the west property line of parcel 0-6360-35-039-AC and the Department of Environmental Quality had general comments pertaining to the time of construction.

Carey – I have a question on the layout, 16th Ave can be accessed, and Healy is dead-end?

Porter – Correct, the Healy is for future connections.

Hampe – What is the minimum square footage within an R1 currently?

Porter – 6500 square feet for the lot size.

Hampe – All of them are 6500?

Manley – Looks like lot 8 might be the smallest.

Carey – Most of them are 7,000 or close to.

Applicant – Ray Kimball, Whipple Consulting Engineers – This is the Central Island within the City of Post Falls was a big focus area to encourage annexation and development. This area is hard to bring new development because there are already so many smaller parcels as you can see to the east, American Dr. Subdivision plus further east, E. Velora are all smaller lots, all of these are on septic. Across 16th is a phase of Signing Hills, or Windsong which is a single-family subdivision much like the one being presented tonight. This is compatible with the street classification; 16th is a Major Collector with a local street being created to connect north and south and to the west. This proposal is about ½ mile away from commercial zoning. It is consistent with the Future Land Use Map as low density residential and meets many of the goals and

policies found within the Comprehensive Plan. There are 17 lots with the smallest being 6503, lot 8 with an average lot size being 7,203 square feet. The existing house will be demolished the property to the east is the St. Vincent DePaul Apartments and to the west is a large lot single family home with the smaller single-family homes to the southeast of the proposed project. The city has the ability and capacity to serve water and sewer to the property. The right-of-way will be dedicated for 16th Ave to City standards and provisions have been made to adequately provide connectivity to adjacent properties. There are no known hazards or topographical conditions that are incompatible and meets all the requirements of the R-1 zoning.

Hampe – What is directly to the east of it?

Kimball – It is the St. Vincent DePaul apartments that have been there for years. I think it is 8 or 12 plex.

Ward – All the ones that are on American Dr are on septic?

Kimball – That's my understanding. Palus says they are septic.

Testimony:

In Favor – Dylan Oliver not wishing to speak and Michael Stegmann not wishing to speak.

Neutral – None

In Opposition – None

Comments:

1. Amendments to the zoning map should be in accordance with the Future Land Use Map.
Carey – It does that, they are asking for R1, and the Future Land Use is low density.
Steffensen – That area if it is in the city is R1.
2. Amendments to the zoning map should be consistent with the goals and policies found in the Comprehensive Plan.
Carey – Our goal is to promote infill, which this is doing.
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.
Steffensen – This will start to build out the larger infill area and provide connection with the infrastructure.
4. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
****Not applicable****
5. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.
Steffensen – This is lower density and is away from the larger roads in the area.
6. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.
****Not applicable****

Motion to recommend approval to City Council finding meets approval criteria in the PFMC as outlined in our deliberation and direct staff to prepare a Zoning Recommendation with a R1 zone - Hampe

2nd by Steffensen

Vote Hampe – Yes; Ward – Yes; Davis – Yes; Carey – Yes; Steffensen - Yes

Moved

1. Definite provision has been made for a water supply system that is adequate in terms of quantity, and quality for the type of subdivisions proposed.
Commission – there is water available
2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.
Commission – there is sewer available
3. Proposed streets are consistent with the transportation element of the comprehensive plan.
Steffensen – 16th is a Major Collector then the neighborhood streets within the development.
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 area are compatible with such conditions.
Commission – nothing was noted and DEQ will do their part further down the road.
5. The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code.
Hampe – The request is R1 and R1 is across the street.
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.
Steffensen – Impact Fees will be collected and used for future growth.
Carey – The street connections are also a cost to the developer as they will be constructing the new and making improvements along 16th.

Motion to approve finding it meets the approval criteria in the PFMC as outlined in our deliberation subject to conditions 1-10 contained in the staff report and direct staff to prepare a written Reasoned Decision with R-1 zoning. conditioned upon approval of the annexation by Carey

2nd by Hampe

Vote Steffensen – Yes; Carey – Yes; Davis – Yes; Ward – Yes; Hampe - Yes

Moved

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

Hampe – Thank you for the shrimp
Ward – The trash is being picked up.

7. ADJOURNMENT 8:10PM

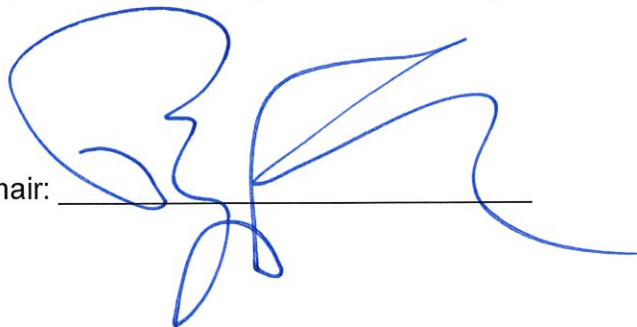
Questions concerning items appearing on this Agenda should be addressed to the Community Development Department – Planning Division at 408 Spokane Street or call 208-773-8708.

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

Date: 5-25-22

Chair: _____



Attest: 