



**PLANNING & ZONING COMMISSION
MEETING MINUTES**

**June 14, 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, Schlotthauer, Kimball

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- There will be a joint workshop with City Council and Planning and Zoning Commission on June 22, 2022, at 5pm, location will be the Police department community room.
- NATIONAL FLAG DAY
- NATIONAL ARMY BIRTHDAY
- WORLD BLOOD DONOR DAY
- NATIONAL MONKEY AROUND 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.

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 – May 25, 2022, Planning and Zoning Commission Meeting
- b. Zoning Recommendation – Jacklin Prairie Annexation File No. ANNX-0012-2021
- c. Zoning Recommendation – Mongeau Meadows Annexation File No. ANNX-0003-2022
- d. Zoning Recommendation – School District Zone Change File No. ZC-22-4
- e. Reasoned Decision – Mongeau Meadows Subdivision File No. SUBD-0003-2022

Motion – to approve as presented by Carey

2nd by: Steffensen

Vote: Hampe – Yes; Ward – Abstain; Davis – Yes; Kimball – Abstain; 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 Bel Cielo III Annexation File No. ANNX-22-6 – Laura Jones, Associate Planner, to present a request for a recommendation to City Council for a zoning designation of High-Density Multi-Family Residential (R3) upon annexation of approximately 5.14 acres. The requested action is to provide recommendation to City Council for the zoning designation of High-Density Residential (R3) on approximately five (5) acres as part of an annexation request into the City of Post Falls. The property is located east of Highway 41 and south of E. 16th Ave. The current land use is a single-family residence and there are no physical characteristics or natural features that pose a hazard this property is over the Rathdrum Prairie Aquifer. Water will be provided by Ross Point Water District and the sewer will be provided by the City of Post Falls. The surrounding zoning to the north is Kootenai County single-family residential, east is Kootenai County Multi-Family, south is Kootenai County Multi-Family, west is Bel Cielo Apartments which is also Multi-Family R3 and southwest is the Ashlar Ranch Annexation Request with a Single-Family R1 zoning designation.

Zone Change Review Criteria:

- The Future Land Use Map Designation is Business/Commercial and promotes a 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. Implementing zoning districts are LC, CCS, CCM, TM, R-2, **R-3**, SC4, SC5, Per Focus Area.
- G.05 Keep Post Falls' neighborhoods safe, vital, and attractive. G.06 Maintain and improve Post Falls' transportation network, on pace and in concert with need and plan objectives. G.07 Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability. G.14 Involve the community of Post Falls in all local government planning and decision-making. P.01 Support land use patterns that maintain or enhance community levels of service; foster the long-term fiscal health of the community; maintain and enhance resident quality of life; promote compatible, well-designed development; implement goals and policies of the comprehensive plan, related master plan and/or facility plans. P.02 Apply or revise zoning designations with careful consideration of factors including Future land use mapping; compatibility with surrounding land uses; infrastructure and services plans; existing and future traffic patterns; goals and policies of the comprehensive plan, related master plan and/or facility plans. The City of Post Falls will provide water reclamation services and has the capacity and willingness to serve the site. Water will be provided by Ross Point Water District they proved a will serve letter. P.15 Ensure that adequate land is available for future housing needs, helping serve residents of all ages, incomes, and abilities through provision of diverse housing types and price levels. P-24 Plan for and protect transportation corridors from encroachment and preserve adequate rights-of-way for future corridors including utility facilities.
- It is located over the Rathdrum Prairie Aquifer.
- Highway 41 is a Principal Arterial; E. 16th Ave. is a Major Collector; the proposed development should not adversely impact the existing transportation network. Additionally, there is the 1/8-mile backage road which will hopefully provide a

north/south connection in the future. There is also the proposed Zorros Rd which is a minor collector and provide another north/south connection.

- The higher intense urban activity is along Highway 41 and Seltice Way; with this request being approximately ¼ mile from the Highway 41 corridor it meets the review criteria.
- Not applicable

All the agencies have been notified and the Post Falls Police Department responded as neutral with recommending staff to keep the complaints regarding parking during the design approval process. The Kootenai County Fire and Rescue reserves comments for the permitting process and the Post Falls Highway District responded with no comments.

Steffensen – Can you go back to the backage road? Will it go right through that other apartment complex?

Jones – This 1/8-mile backage road that is proposed will not provide total continuity north/south however, it is intended. This map just shows the general location of where it would run unless there is existing development.

Steffensen – So, it will fit in future however, not where the apartments are or other structures.

Jones – Correct.

Hampe – So, the blue

Jones – It wont actually get built there until maybe sometime when those apartment complexes go away. I am not sure if and when that will ever happen however, the intent is to run north/south.

Davis – Should we invite Rob up?

Manley – It is more or less a general location and so when you have an apartment you may not get the connection for some time. It could get developed as a private drive or a public street there's different ways to attain the 1/8-mile backage road. Palus may have additional commentary to add.

Palus – I don't have additional commentary, Manley covered it well with the flexibility between parking, drive aisles and parking lots and actual city streets.

Kimball – For clarification the 1/8-mile backage road is similar to what you find along Highway 95 north by Wilbur where you've got all the back parking lots and connection in between them.

Palus – From your frame of reference and knowing what you are talking about it is somewhat similar a little more refined so people can actually figure out where they're going. The idea is when you are going through a parking lot if you're on one end of it you would very easily see that it's a fairly straight shot through to the next street or next parking lot. So, it is intuitive and inviting for traffic to move along those roadways. Bel Cielo I and Bel Cielo II predates the Transportation Master Plan that incorporates the 1/8-mile backage road, so we recognize that it may not be achievable along the entire stretch of Highway 41, but it is something that we're trying to get. The ¼-mile is different it's been in our Transportation Master Plan for well over 12-years and we anticipate it running along the east side of the property in question to get up to 16th Ave. and then continue to the north so the ¼-mile backage road will be a continuous roadway eventually from 12th Ave. to Prairie and continue north.

Manley – This is one reason why we wanted to have both of these projects on the same evening so you can see it can be planned between these two projects and you can get from Mullan to 16th eventually through other coordinated efforts.

Applicant – Drew Dittman, Lake City Engineering – This should look familiar to most of you with the exception of Ward. I brought this in front of the Planning Commission on October 8, 2019, it was unanimously approved for an R3 zone then it went to City Council the next month and was denied. The caveat was City Council thought the timing was a little off because of the Highway 41 construction and the fact that the light at 16th wasn't installed yet. It is now installed just not functioning yet and Highway 41 is almost complete. It's scheduled for completion this summer, late summer early if fall, I believe. So, we are here 2 years later bringing this back around the timing is right the only thing different from the first time is you have updated the Comprehensive Plan the designation has changed from residential to Business/Commercial. R3 is still one of the implementing zoning districts so that piece hasn't changed. I am going to be brief and go on an assumptive close as you have seen this before and you did approve it before.

Hampe – Could you touch at all on the parking with the comment the police made on that. You obviously are probably aware of the issue and are thinking about it.

Dittman – We are aware of it; I wasn't involved in the design of the first two Bel Cielo so I can't address the parking there. I did drive out there today to take a look at it and people do park on both sides of 16th St. and it is a bit congested. I do believe the construction going on makes it worse as the first several hundred feet of 16th is still torn up and it is gravel so, that is probably exaggerating the problem a little bit. When we do come back for a Site Plan Review on this next phase, we could certainly work with staff on trying to resolve or provide additional parking if we can.

Carey – I had similar concerns.

Dittman – It is good that we are all aware of it now so it's something that we can certainly take a look at during Site Plan Review.

Testimony:

In Favor

Neutral

In Opposition – Tom Wilkinson, 4527 E 16th Ave. – I want to express the danger of having parking on 16th as people dart out of the existing complex without looking because the cars are on the street and blocking the view. It is also not becoming to the neighborhood if they are going to build these types of complexes there should be plenty of parking inside the parking lot and they need to make a section for visitors.

Samantha Steigleder, Knob Creek – I am in opposition to high-density multi-family again. I didn't realize this had already come before you 2 years ago so pardon my ignorance there. I am not sure why mobile homes are considered high-density housing to make it appear that this high-density request is going to be surrounded by housing of the same type as I don't think there as many mobile homes per acre as there are apartment complexes per acre in an R3. I am also opposed to having 3 phases of R3 coming in like this. Seems like they asked for some land that was approved for R3 and then bought another piece of land next to it and that is being approved for R3 when maybe it could have just been an ask for the whole 10-15 acres, not sure of exact size. This way may have changed the public opinion at the time the original was approved. Commercial mixed future use says that would be a mixed, but it seems like that's all R3 there is no commercial involved in anything; twin homes or townhomes we're always talking about mixed use especially when we talk about R1 and wanting to put higher density in the R1 area. Now we're talking about a decent amount of R3 but we're not pushing the developer to put in any of the twinhomes or the other types of products that we always talk about in

other meetings. I know we can only talk about the goals and policies and the criteria; I don't think this is attractive goals 3 says it has to star attractive – NO. Policy 4 it's not really mixed use because we're talking about all r3 that's not a lot of mixed use in there I think that also relates to policy 6 and then policy 15 states it has to be diversified, no again. It's all R3 we're not talking about putting any other type of product in there except for high-density housing. Criteria D talked about it being near arterial streets and so it's a ¼ mile which when we say it like that it's not very far but remember track that's one time around it and that feels like a lot when you walk it. I don't think this is as close to an arterial as we are promoting it.

Rebuttal – Dittman – We talked about the parking, and we are aware of it and so is staff and will be a topic of discussion during the Site Plan Review. The high-density housing for the mobile homes that actually is the zoning designation in Kootenai County, it's high-density residential. We didn't ask for all 3 up front because my client didn't own all 3 properties at the time, they've bought them in succession as they've come up for sale and as they've developed them. So, they are brought forth as they are purchased and we're trying to make it one project and then if you're familiar with that site at all you know there is a cross connection between phases one and two and there's actually some substrates in phase two that go into this next property. We've anticipated the best we can and trying to promote that connectivity there.

Hampe – What is the requirement for parking for the first 2 phases, 1 ½ per unit?

Manley – It's 2 per unit.

Hampe – They meet that?

Manley – When you look at some of the aerials with the on-street parking, we cannot make people park on the site it is a public street. So, some individuals may be choosing to park on the public-right-of-way in front of their multi-family building as it may be closer to do that then parking inside the facility.

Hampe – By saying that there is an assumption that there is plenty of parking and it isn't overflow.

Manley – I haven't seen any evidence that our current parking standards isn't sufficient.

Hampe – In any of the places this is where we are having the problem.

Manley – It's not unusual to see some individuals that live in an apartment project to choose to elect to park on the public street near their apartment.

Hampe - Even if there is parking.

Manley – Correct.

Hampe – I am just trying to figure it out, because that does become a problem especially in winter with plowing it can create some hazardous conditions.

Ward – It could be construction vehicles like truck and trailers too.

Hampe – See, and I don't know that. That is why I was asking those questions, but I don't know that we can really tell for sure.

Manley – It is a discussion that staff has started to have internally to look at the current multi-family parking standards.

Hampe – Maybe that isn't enough.

Manley – It isn't inconsistent to a majority of jurisdictions though 2 is a very common factorial to use for perking per unit.

Steffensen – Do we know what percent the city is at for R3? Compared to R1 or R2.

Manley – Not off hand, we used to keep track of it; that number I currently do not have.

Steffensen – Do we know how much R3 is underdeveloped right now?

Manley – There are not many sites that are zoned R3 that do not get developed. We have 1 on the end of Corbin that I know of that is zoned R3 and then another 1 east of Ross Point Rd, east of the KFC area where we do have an approved site plan that's developing but the vast majority of our R3 is developed. Like out at Cabela's all that has been approved and developed but we don't have a lot of R3 just sitting around. Montrose has some in the PUD and other PUD's we have some multi-family that's awaiting some future phase, so they do have a few pockets out there and Montrose has chosen to sell some of their areas for industrial purposes. So, Montrose doesn't have as much out there as they once had and some of the other PUD's also have pockets of multi-family.

Comments:

Zoning Recommendation Review Criteria:

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

Steffensen – It says Business/Commercial but then you have to look at the Focus Area and R3 is one of the many implementing zones.

Kimball – Out of all the zones I think R3 is perfect other than the R2 everything else is higher intensity.

Steffensen – Are the 2 SmartCode zones be more intense?

Kimball – Yes, those have a minimum density which are allot denser for sure.

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

Hampe – I think it poses problems with the maintaining or enhancing the community levels of service or just simply having parking issues and people parking on the road. I think that does create problems it creates problems not only for that development and the developments abutting but the ones down the road that have to travel through that area as well. I think it can make the road conditions hazardous at times.

Davis – You jumped to number 3

Hampe – Oh sorry!

Kimball – I think the staff report goes through it thoroughly and the applicant's narrative talked about them as well. Obviously not every proposal is going to meet ever policy or goal there are certain ones that get met and others that are not met and I guess it's our job to weigh the justification of whether those policies and goals are important. In this case there is a lot, and we have a housing shortage. If we are talking about housing and variety of housing and what's available for people. Things might start to soften a little bit because of interest rates being where they are and so now there is a delicate balance between buying now or at a lower price with higher interest rates either way the barrier to getting into a single-family house at \$400,000 for a 3-bedroom 2-bath house is a big a mortgage, about \$3,000. When there is a 1% vacancy rate for multi-family tells us that there's a lot of people who want to live here. I spoke with a business owner today that had 4 of the 7 employees quit because they couldn't afford to live around here. They will charge market rates for as long as they can until they start seeing more vacancy, then they will lower the rates, but until then they will charge as much as they can. It is important for us to realize this people can put roommates on a rental, but they can't on a mortgage application. So, if we want to provide a place for our workforce to live and not move out of town to place that's more affordable then the only option is to have more multi-family. We need to keep our

youth workforce in mind because they can't afford to live here anymore and that is only the beginning of a large problem, and it is important that we get ahead of it.

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.

Hampe – I think it poses problems with the maintaining or enhancing the community levels of service or just simply having parking issues and people parking on the road. I think that does create problems it creates problems not only for that development and the developments abutting but the ones down the road that have to travel through that area as well. I think it can make the road conditions hazardous at times.

Kimball – I think Hampe is correct and if it is appropriate staff should look at this and post it as no parking. That way it is enforceable.

Ward – There's a couple spots in town where the streets narrow around apartment buildings due to all the parking and you have to be careful. There is one off Poleline towards 41 on the north side of the road, I think it might be Tullamore, they are all lined with construction, and I think it is a big consideration.

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

Kimball – 16th is a major collector which is the definition of a higher road classification. It's less than a ¼ mile from Highway 41 which is a principal arterial.

Steffensen – Zorros is a minor collector.

Kimball – Right, which is on the other side.

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

Carey – I would like to find out more about the possibility of no parking on the street and how that would work, can it be a requirement?

Kimball – That's something staff can take care of at Site Plan Review.

Carey – So when they put in for a Site Plan.

Davis – Yes. We are at the point where we are simply making a recommendation of zoning to City Council. I'll echo what you have said, I have had conversations with business owners that have said they are about 20 staff short. Simply due to them not being able to afford to live here. Many individuals, as odd as it may sound, are migrating to Spokane and the Valley because it is a little more affordable. The market is pushing us towards more multi-family.

Carey – The people that spoke tonight were not against the apartments themselves just concerned with the parking.

Davis – Having 1 and 2 already there this seems like a natural fit. I think at Site Plan Review they can see if there are things that can help tighten restrictions on the parking and that would certainly help.

Kimball – Right, and I think City staff has the ability to decide that there is no parking on that road. Either they can or the developer can put signs out there. There are a bunch of major cross-sections that have no parking. This isn't germane to the conversation tonight

as to what the zoning should be. Looking at zoning it is surrounded by R3 and high-density in the county; I don't think anything other than R3 would be appropriate. It's to far from the highway corridor for commercial.

Motion to recommend approval to City Council finding R3 meets approval criteria PFMC 18.16.010 and 18.20.100 as outlined in our deliberation and direct staff to prepare a zoning recommendation to be provided to City Council. Kimball

2nd by: Steffensen

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

Moved

- B. **Zoning Recommendation** for Ashlar Ranch Annexation and **Review Requested** for Ashlar Ranch Subdivision File No(s). ANNX-0004-2022/SUBD-0004-2022 – Laura Jones, 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 10 acres, Additionally, a subdivision review request of 27 lots. Requested actions for both the annexation and subdivision is to provide a recommendation to City Council for the zoning designation of Single-Family Residential (R1) on approximately ten (10) acres as part of an annexation request into the City of Post Falls. Additionally, an approval to subdivide approximately ten (10) acres into 27 lots contingent on the Planning and Zoning Commissions recommendation of this zoning designation and annexation approval from City Council. The subject property is located east of Highway 41 and north of E. 12th Ave. The current land use is unutilized with an existing storage building with no physical characteristics or natural features that would pose hazardous and is over the Rathdrum Prairie Aquifer. The water would be provided by Ross Point Water District with the sewer provided by the City of Post Falls. The surrounding zoning and land use to the north is Kootenai County multi-family; to the east is Kootenai County single-family; to the south is Kootenai County single-family; to the west is Kootenai County multi-family the southwest is Crimson King Estates R1 subdivision and the to the northwest is the Bel Cielo III Annexation request (R3 multi-family).

Zone Change Review Criteria:

- The Future Land Use Designation is Transitional which is designated to lands suitable for growth and guidance for proposed growth can be located within the Focus Area. The Transitional zone does not have implementing zoning districts so looking at the focus area is East Prairie Slated for relatively intensive residential development; East Prairie is well-positioned to mix development densities to leverage community services and transportation infrastructure.
- G.05 Keep Post Falls' neighborhoods safe, vital, and attractive. G.06 Maintain and improve Post Falls' transportation network, on pace and in concert with need and plan objectives. G.07 Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability. G.08 Protect and maintain Post Falls' natural resources including clean air, soils, river, and aquifer, and minimizing light and noise pollution citywide. G.14 Involve the community of Post Falls in all local government planning and decision-making. P.01 Support land use patterns that maintain or enhance community levels of service; foster the long-term fiscal health of the community; maintain and enhance resident quality of life; promote compatible, well-designed development; implement

goals and policies of the comprehensive plan, related master plan and/or facility plans. P.02 Apply or revise zoning designations with careful consideration of factors including Future land use mapping; compatibility with surrounding land uses; infrastructure and services plans; existing and future traffic patterns; goals and policies of the comprehensive plan, related master plan and/or facility plans. The City of Post Falls will provide water reclamation services and has the capacity and willingness to serve the site. Water will be provided by Ross Point Water District they proved a will serve letter. P.15 Ensure that adequate land is available for future housing needs, helping serve residents of all ages, incomes, and abilities through provision of diverse housing types and price levels. P-24 Plan for and protect transportation corridors from encroachment and preserve adequate rights-of-way for future corridors including utility facilities. P.27 Work to improve street connectivity in all areas of Post Falls, improving walkability, public health and safety, and transportation efficiency.

- Over the Rathdrum Prairie Aquifer
- Highway 41 is a Principal Arterial; E. 12th Ave. Minor Collector; Zorros Rd is a Minor Collector; the proposed development should not adversely impact the existing transportation network.

Manley – Policy 24 and 27 are just an example of how our Transportation and Master Plans play a role with development, when a development comes forward, we look at our policies and they can help reinforce and get the backage road system to improve safety and connectivity long term. So, once again like she said when you see the subdivision, you'll see that north south connection when Bel Cielo develops as well. This is how two different developments end up meeting our Master Plans.

- This property is further than .25 miles from Highway 41 so it is getting in that area where lower density residential might be more appropriate and further away from the higher intense urban activity area.
- Not applicable

The proposed subdivision plan is 27 single-family residential (R1) lots with a north/south connection of Zorros Rd. and an east/west connection of Davin Dr. and with E. 12th Ave. frontage improvements required.

Subdivision Review Criteria:

- Water will be provided by Ross Point Water District and a will serve letter has been provided.
- 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. The proposed layout accommodates future connectivity.
- The site is located over the Rathdrum Prairie Aquifer. There are no known soil or topographical conditions which have been identified as presenting hazards.
- The subdivision approval is contingent on 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, and water reclamations facilities.

All agencies have been notified with the Police Department responding as neutral, Kootenai County Fire & Rescue reserving comments for the permitting process and the Post Falls Highway District with no comment.

Hampe – So, they will be coming in and out from 12th St?

Jones – Yes.

Hampe – Only 12th St. there is no other.

Jones – Correct.

Applicant – Jeramie Terzulli, Olson Engineering – This request is consistent with the Future Land Use Map, as it shows we are in the Transitional are. Unannexed, unincorporated into the city yet but it is contiguous. East Prairie Focus Area “This area constitutes Post Falls' easternmost edge. It immediately abuts land forecast for inclusion in Coeur d’Alene and is slated for relatively intensive residential development. ““Support development patterns that are interconnected, and that provide pedestrian connectivity to all multi-use paths and trails.” Between the Bel Cielo and this project, a connectivity will be created which shows how good your staff is at holding the development community to these master transportation plans and not just letting the developers come in and do whatever they want. We tried a couple of times with the subdivision layout and Mr. Palus pointed out that the master transportation plan cites a quarter mile backage road in there and we had to incorporate it into our plan. We have pedestrian connectivity along Crimson King that leads to Highway 41 which will be a controlled intersection with pedestrian crosswalks with the continued multi-use path as more development happens along Highway 41. The pedestrian connection also is and will be extended to the west of Highway 41 and the pedestrian connection moves south across Seltice to the Centennial Trail as well. Zorros will continue to the north and have that complete connection as more development comes in, as staff stated this is the quarter mile backage road. It is to alleviate and give people the ability to funnel onto the major corridors and so people are not log jamming at different intersections. When you look at Bel Cielo and reserving property to the east of it for the future connectivity; we’ve designed Zorros Rd. in conjunction with the existing Zorros; which gives us a couple of pieces to the puzzle and will eventually create the connectivity for a true networked road and street system. The Comprehensive Plan has a plethora of goals and policies, and are very well written however, there is a disclaimer in the beginning of this appendix that summarizes all the goals and policies found throughout the 100 plus pages of it and states that goals and policies are numbered sequentially. That number doesn’t indicate any city priorities or relative importance and I find that to be a disservice to this Commission and to the Council as how do you enact policy if you don’t rank order of the goals. So, I took the liberty of pulling the goals and policies that continue to be brought up in every meeting as they have organically ranked order themselves through these discussions. Housing, traffic, and taxes and what are we going to with all the people moving here. I don’t mean to oversimplify it I really think that is what this boils down to. How do we not become California, lets just lean into it as it always comes up in every discussion? But we need to be honest about what that actually means and what that could potentially look like, Kootenai County, from the census, in 1990 the population was about 65,000 current population plus or minus is 160,000 and the projected growth 10 years 227,000 and 20-year growth will be about 304,000. The current population of Orange County California is 3.2 million and current population of Ada County in Boise is 470,000. The point I’m trying to make is I don’t know if we’re looking at it and having an

honest discussion if others keep saying it is going to turn into the place I just left. That isn't honest as it took us 30 years to get from 65,000 to 162,000 and the projections are for us to double again in 20 years and if we doubled in 15 years instead, we would still be looking at 65% of the population of the Boise area. Anyone that has spent time in Boise can still contend that there are features of Boise that give it a small-town aesthetic. I don't believe anyone that spends time down there thinks that they are in some place in southern California. I can stand on Canfield Mountain and look out over the Valley Floor and anticipate a 30% growth and I'm not appalled by it. I understand some might be, but I thought we needed to talk real numbers if this was going to be an honest conversation. So, increasing housing stock is going to help stabilize prices that's just a supply and demand thing if we can create a range of housing products that come to the market it creates a more sustainable mix and it's just going to help that imbalance. I believe we can handle the growth if we continue to work with staff and implement these policies effectively especially the transportation plan that diversity of housing products will also help stabilize the tax base. I have talked about traffic allot the Transportation Master Plan will create this networking of streets that will be helpful and will help funnel traffic appropriately. Impact fees are going to be collected to help fund these Capital Improvement Projects in addition to the developer building what they need to in front of their development. The 41 improvements have been designed to accommodate this type of growth to the east they weren't just planning for what currently exists. Even with an extra hundred thousand people here we and still feel like a small town. Stable growth is going to provide an opportunity for additional industries for additional services and for additional growth in the commercial sector. Which creates long-term fiscal health of the community. Kootenai County is still ridiculously low in their tax levy rates North Idaho in general based on State average and National averages in the market demand. The market demand is what increases that fair market value which is what's showing up in our new tax assessed value as those prices stabilize and come down that's what the fair market value should show and that's what our tax assessment should show. The R1 zoning designation appropriate when considering the streets and the traffic patterns again we talked about connectivity in the Master Plan we've got this tiered development shown and we've talked a lot about high intensity on the major corridor. Commercial, and multi-family components and when looking towards the west it goes down to the traditional single family and we are adjacent to some single-family. We should anticipate as this develops to the east that that pattern will continue to lesser dense residential. We are proposing larger lots, shop lots and help absorb some of the transplant buyers. Again, Ross Point Water District we have the will serve and the City is going to provide the sewer and has the ability to do so. All other criteria I the subdivision have been met if R1 zoning designation is what is implemented. We won't be asking for any variances we're working closely with the city on their master transportation plan there is no topographical issues. All the conditions have been reviewed and we have no exception to those.

Testimony:

In Favor – Jeremy Voeller, 3844 Pasture View – I am here as part of the ownership of Ashlar Ranch and am available for questions if needed. We will be building similar product to that on McGuire and Grange if that is approved.

Samantha Steigleder, Knob Creek – I am in favor of this R1, looks like you could put more units on it if desired based on the zoning. As a resident of Post Falls and talking about being like California I was born and raised so let's talk about it. They had a law for many years, I think its over now, it protected taxes from rising too quickly on their properties so you couldn't go from one year to the next and have increased value like we're seeing in Idaho. When people move from California to here and say they don't want it to be like California, they are not talking about Orange County. Very wealthy people live there they are talking about other counties in California like the middle of California Tulare, Kings, San Joaquin, etc. those counties that have been overrun with drugs and lots of other terrible things. So, when we're seeing different types of housing being put in, I won't say it because I know I am not allowed to, just understand that we came from a place with lots of that and that's what we saw and that's what we grew up with and that's what man of the people that we knew were drug into. So, we are not talking about Orange County, the Bay area or any other place where normal people on normal incomes live and this is what happens. We keep increasing the supply however, the prices are not dropping that is the idea of supply and demand, so I am not sure of the point. Do we expect the supply to exceed the demand and have the prices go down I just don't think this something that is attainable? Instead of asking about the percentages of R1, R2, and R3 can't we look into as units so we can actually talk about the number of people living in Post Falls that are either living in an apartment complex or twin homes or condos or R1 because that's really what we're talking about. Do we really want to have half of Post Falls be apartment complexes and half be R1, I don't think so I don't think they are comparable numbers? Anyway, I think this project is going to be beautiful.

Neutral

In Opposition

Rebuttal – Jeramie Terzulli – These are going to be nearly double the minimum lot size required in the R1 zoning. It is a deliberate attempt to put in larger lots with the ability to put a shop. They could have gone denser and jammed some more units in there they have been by right and the R1 zoning designation as we pointed out 6500 square feet minimum. The reason I brought up the population and the reason for the distillation exercise because those are the issues that keep coming up. I wanted to point out that even the most liberal projections of population put us in an area that I believe is very sustainable and I believe can directly align with the Comprehensive Plans goal to keep Post Falls to maintain a small town feel and aesthetic in Post Falls. I believe it is possible while brining in this growth. I think people are moving to places that better align with their core values and so we're seeing this natural shifting of people that want to be governed in more liberal states are gravitating there or choosing not to leave there and people that have had enough are moving. I think we need to weather the storm see how this al fits. I have had conversations with people that moved here after hearings such as this one and they express why they've moved and it's in essence a pollical reason. One woman I spoke to was released from the San Francisco Police Department because she refused to get vaccinated, and I think we are seeing more and more of this. So, I think people that are moving here need to have that honest discussion with those that have lived her for decades and those that worked in the construction industry in the 90's at \$6 an hour and those that were in 2007-2008 when the bottom dropped out. Have a more honest discussion with the developers and engineers that lived through times when 15 or 20 building permits per year were being requested in the city. There wasn't a ton of work in

those times, and we muscled through it. Now there is development to be had and people are expanding their companies. Diversity of housing product is coming to the market I believe is a key component to what we have right now. The tax issue, I ran out of time looking at this and I was hoping maybe the City Attorney could tell me, but I believe we have a cap on that. Our Assessed values doubled the tax bill can only go up 3% annually regardless of the assessed tax value. Is that correct?

Herrington – Yeah, so cities in Idaho can only take a 3% increase in taxes in any given year. The city has the ability to set aside a foregone amount of taxes that we could also take as well, the city has not taken a tax increase in the years that I've been here and before, so I don't know when the city's last tax increase was. I think the city took a partial tax increase when the city got rid of the street light fees.

Kimball – Is that the tax levy rate taxes can't increase the rate, I think is the 3%.

Herrington – Correct, we can't increase the levy rate.

Terzulli – It is my understanding that there's a cap, just because our property assessed value, which is a state law that it must be within 90-110% of fair market value, but they cannot increase our tax bill to reflect twice the property value they can only incrementally increase what we will pay in taxes. That was the point I was trying to make was if we can help stabilize some of this pricing perhaps or assessed value can better reflect fair market value that maybe we'll come back down to the stratosphere and therefore the tax consequence won't be so severe.

Comments:

Zoning Recommendation Review Criteria:

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

Kimball – Transitional and R1 is an implementing zone.

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

Steffensen – The one thing that jumped out was being able to extend the infrastructure to the city as development grows in that area.

Kimball – That is an under appreciated part of the Comprehensive Plan how the development of the little pieces come together eventually. That doesn't come out of the taxpayer's fund to build so it is important to recognize.

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.

Carey – It flows along from commercial to multi-family high-density and then now to a lower density which is what our plans are.

Kimball – One of the things that wasn't brought up is this is the third time we have see this. The first was multi-family the second was R2 and now the R1. Not too many are opposing this request and prior to there was a lot that came out in opposition. The traffic patterns, they will pave 12th extend the pavement to Highway 41 and the 41 improvements are in process.

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.
Kimball – We are moving further away from the Highway 41 Corridor and being tucked up against the hillside. This area lends itself to more residential single-family character.
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

Annexation Motion

Motion to recommend approval to City Council finding R1 meets the approval criteria PFMC 18.16.010 and 18.20.100 as outlined in our deliberation and direct staff to prepare a zoning recommendation to be provided to City Council Hampe

2nd by: Carey

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

Moved

Subdivision Review Criteria:

1. Definite provision has been made for a water supply system that is adequate in terms of quantity, and quality for the type of subdivision proposed.
Kimball – The will serve letter from Ross Point Water takes care of this.
2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.
Carey – City sewer with adequate capacity.
3. Proposed streets are consistent with the transportation element of the comprehensive plan.
Kimball – Zorros and 12th are the major components and then the local streets also meet those requirements.
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.
Nothing was identified by anyone
5. The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code.
Kimball – Assuming the R1 zoning, it meets the lot size and the bulk and placement table found in the R1 zone.
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.
Kimball – Not only are they building 1200 feet of a collector street they are also going to get the opportunity to pay impact fees.

Subdivision Motion

Motion to approve finding consistent with the Comprehensive Plan and adopting the findings, conclusions, and conditions 1-9 contained in the staff report with the requested zoning designation of R1 - Carey

2nd by: Steffensen

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

Moved

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

Davis – A reminder workshop on the 22nd hope to see you all there.

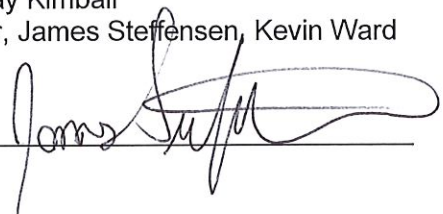
7. ADJOURNMENT 7:05PM

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.

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

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

Date: 6/29/22

Chair: 

Attest: 