



**PLANNING & ZONING COMMISSION
MEETING MINUTES**

**August 9, 2022
5:30 PM**

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

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

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

REGULAR MEETING – 5:30 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

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

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- NATIONAL BOOK LOVERS 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. Zoning Recommendation – Ashlar Ranch Annexation File No. ANNX-0004-2022
- b. Zoning Recommendation – Bel Cielo III Annexation File No. ANNX-22-6
- c. Zoning Recommendation - Ashford Place Annexation File No. ANNX-22-5
- d. Zoning Recommendation – Hydrilla Estates Zone Change File No. ZC-22-2
- e. Reasoned Decision – Ashlar Ranch Subdivision File No. SUBD-0004-2022
- f. Reasoned Decision – Ashford Place Subdivision File No. SUBD-22-7
- g. Reasoned Decision – Hydrilla Estates Subdivision File No. SUBD-22-8

Motion to approve as presented – Hampe

2nd by: Steffensen

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

Herrington – If you were not at the meeting however, you read the packet you can vote on the Consent Calendar as it is a general vote.

Kimball – I had 2 conflicts of interest so I will still abstain.

Re-Vote: Steffensen – Yes; Carey – Yes; Kimball – Abstain, Davis – Yes; Schlotthauer – Abstain; Hampe - Yes

Moved

Kimball – I wasn't here during the declaration of conflict, I do not have any, to be clear for everyone.

Davis – Noted.

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 Farwest Steel Annexation File No. ANNX-22-10 – Laura Jones, Associate Planner, to present a request for a recommendation to City Council on a request for a zoning designation of Industrial (I) on approximately 10.2-acres. The requested action is to provide a recommendation to City Council for the zoning designation of Industrial (I) on approximately 10-acres as part of an annexation request into the City of Post Falls. The subject property is located west of N. Pleasant View Rd. and north of W. Seltice Way, it is currently developed with an Industrial Use and is over the Rathdrum Prairie Aquifer. Water and sewer will be provided by the City of Post Falls. The surrounding zoning and land use to the north/west is the railroad right of way and unincorporated industrial properties in Kootenai County; to the east is undeveloped commercial property in the city and to the south is developed industrial properties in the city.

Zone Change Review Criteria

- The Future Land Use Designation is commercial, which provides for a wide variety of general service, retail, professional office, and mixed (commercial and multi-family) uses that serve local and regional residents as well as the traveling public. Within the Implementing Zoning Districts, we would look at the Focus Area West Prairie, it states that Industrial and commercial uses are envisioned west of Pleasant View Rd.
- Goals 1, 7, and 14 to grow and sustain a balanced resilient economy for Post Falls providing community prosperity and fiscal health; to plan for and establish types and quantities of land uses in Post Falls supporting community needs and the city's long-term sustainability; and to involve the community of Post Falls in all local government planning and decision making. Looking at policies that support these goals, we go over our policies 1 and 2 in almost all annexations so feel free to ask any questions if you have any but, I think you are all very familiar with those two policies. The infrastructure, I mentioned that the water reclamation services will be provided by the City of Post Falls as we have the capacity and willingness to serve the site and the water will be provided by the City of Post Falls as well. Looking at other policies that support the goals; policy 8 is to encourage compatible infill development and redevelopment of vacant and underutilized properties within the city limits and this property is considered an underutilized site. Policy 24 is to plan for and protect transportation corridors from encroachment and preserve adequate rights of way for future corridors including utility facilities and with this annexation the applicant would be required to dedicate additional rights of way along Seltice. Looking at policy 45, guide annexation decisions guided by and considering master plans for water, sewer, transportation, parks, schools, and emergency services. As indicated earlier the city has willingness and capacity to serve water, sewer, and transportation we'll be looking at with criteria d. Parks is given the chance to review the staff report and schools and emergency services are agencies that are notified of the project and given a

chance to comment. There are provisions of necessary rights of away and easements which I've covered; studies that evaluate environmental and public service factors, there are no known environmental studies done on this site that would lead us to believe there is a concern any environmental concerns.

Timing that is available to the site within close proximity and so that shouldn't pose an issue supports orderly development and or coordinated extension of public services there's water and sewer developing the property. Policy 76 is to encourage environmentally and economically sound measures to reduce minimize or eliminate air noise and water pollution with this property being annexed into the city it gives the city the chance to review the development and all the development will have to meet city standards versus being in the county that would just be a different set of standards that we won't have any review of. Policy 77 is to support and participate in regional efforts to manage the collection transportation and disposal of solid and industrial wastes including such activities above the aquifer or recharge areas; this again goes along with the site development and the city requires will serve letters from the sanitation services, so we'll be given the opportunity to review that. Lastly is policy 86 with the local business community work to enhance sustain and diversify the local economic base by helping retain, promote, and expand existing businesses in industry supporting innovative entrepreneurial enterprises; supporting opportunities related to business campus and mixed-use models coordinating provision of workforce housing and attracting new businesses in clean industry. so, with the industrial zoning on this site they would be meeting most of those criteria and expanding that industrial campus in that Innovation Way area and then provision of workforce housing there is single-family, duplex, and multi-family housing in the area and again attracting new industry to the area.

- The street classifications are reviewed under Criteria D, existing development and future land uses covered under Criteria A, and Geographic/natural features over the Rathdrum Prairie Aquifer.
- W. Seltice Way and N. Pleasant View Rd. are both Principal Arterials; Designed to accommodate traffic volumes of 12,000-32,000 trips per day; Seltice Way is 14,400/day and Pleasant View Rd is 12,410/day. So, this site should not negatively impact the current and existing transportation network.
- Not applicable however, this site is in an area where there is higher use and more development occurring, so it fits in with industrial being in that area.
- This is adjacent to other industrial uses both to the north in the county and to the south in the city and the housing in this area isn't adjacent to the request.

All agencies have been notified and the Post Falls Police Department remains neutral, the Pipeline had no comments or concerns, the DEQ had general comments applicable at time of construction, the Post Falls Highway District is in support of the annexation, and Kootenai County Fire and Rescue reserves comments for the permitting process.

Carey – Where is residential in relationship to where this piece of property is, how close and what kind of residential.

Jones – There is Creative way to the west which is a twinhome product that has been approved and Woodbridge and Woodbridge South next to it that is single-family. To the east and southeast are some multi-family developments and some single-family.

Manley – There are commercial developments to the east with the mobile home park to the north of that. The other commercial developments separate this site from the residential.

Applicant – Tyler Reeves, Spec Development in Oregon – We are working on behalf of Farwest Steel Corp., they are a steel processing and distribution company headquartered in Eugene Oregon and initially identified this site here in Post Falls as an opportunity to expand business operations east of Oregon and Washington and help bolster the Spokane and Post Falls markets. After subsequently purchasing the site and going through the pre-application process we were informed at that pre-application meeting that the best path forward for development was likely annexation and we were on board with that and are moving forward accordingly and look forward to moving forward with all of you together in this process. Also, to reiterate what we heard from Laura earlier we think this site is well positioned given its proximity to existing zoning in addition to the economic base we think we can help grow for a long time in the future and we look forward to being a part of the community for a very long time. So, thank you for your time and consideration in this and with that I will turn it over to Michael Chen our Land Use Planner for Mckenzie.

Michael Chen - We're just going to go into a little bit more of the details of the operations just a quick overview that's been discussed a little over 10 acres which also includes the Union Pacific Railway right of way there that expands to the northeast to Pleasant View. We were asked to include that in this annexation just so that the city boundaries are more defined and it's not in limbo. The current zoning is in the county and we're asking for the annexation and rezone to industrial as Laura mentioned and then the uses are consistent for industrial in chapter 18.20.30 of the Land Use Table and as part of the site and annexation there will be improvements along Seltice Way to meet the principal arterial requirements. A quick overview Farwest looked at sites in the region and this one was really honed in on particularly because of its proximity to I-90. Farwest will not be utilizing the rail spur or the railways there I'll go into a little bit more detail on the site plan but the proximity to I-90 and the strong infrastructure that's in place currently made the site attractive for development. We submitted the site plan along with building permits last week, we know we're doing that at our own risk, but Farwest has an aggressive schedule to try and get construction and operations going as soon as possible. So, we understand the risk of running building permits and site plan view concurrent with the annexation but based on feedback from city staff and Spec Development that they've decided to just process the two concurrently. So, we're looking at the main building to the east of the site that's approximately 110,000 square feet that'll be the primary building for Farwest and all our functions offices warehousing to the west of the building will be the parking that supports the facility. Further to the west there's a smaller building approximately 10,000 square feet that is currently shown there right now but the primary function will be to permit and construct the main building. We have permits in for the smaller building but that hasn't been determined whether Farwest will obtain that for their own operations, or it could be leased to another party with; that I will turn over to Tyler Reeves.

Tyler Reeves - These final two slides here this evening are just visual references for you guys to give you an idea of what our building is going to look like and so these four images represent the building elevations from each direction the intended use of this building from Farwest is going to be predominantly the receipt storage and distribution of steel; you can see here there's plenty of windows and light and facade is going to be an

attractive looking building for the area. This last image here is a rendering of our 90 drying set and gives you a pretty good idea of what the final building is going to look like. This slide concludes our presentation here this evening we'd like to respectfully request your guy's recommendation for approval of this project in annexation and rezoning and we look forward to working with you throughout the rest of this process.

Carey – What did you say the building was being used for?

Reeves – It will be used for receiving, storage and distribution of steel products.

Hampe – There are currently buildings on there, correct?

Reeves – The existing buildings were previously removed with a demo permit from Kootenai County and there is one remaining office building close to Seltice which will also be demolished with an early site disturbance work.

Comments

Zoning Criteria

1. Consistent with Future Land Use Map.
Kimball – It fits within the Focus Area at that intersection. Currently commercial and shown in the Comprehensive Plan on the map but the focus area speaks very specifically towards industrial in that vicinity and it has industrial around it and the previous use was industrial. So, it was the plant food center, fertilizer plant.
2. Consistent with the Goals and Policies Found in the Comprehensive Plan.
Schlotthauer – It fits nicely with the goals and policies. It's pretty much a perfect fit for the property, I don't think it could be a better zoning other than industrial.
Hampe – It is kind of infill. There will be some right of way that the city will get and it's currently underutilized.
Kimball – The applicant has a very long narrative that goes through the goals and policies, and they respond to all of them in quite a bit of detail as to how they meet those goals and policies.
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.
Kimball – So, with regard to street classification it's on an arterial which is perfect for that kind of a business, it's in close proximity to I-90 which is also important. They said they're not going to use the rail spur; if they ever decide to in the future that's also fantastic and the existing development on the property prior to the demolition was an industrial type of use so it fits that and it also fits the sewer master plan the water master plan.
Schlotthauer - And as far as the natural feature being over the aquifer it's much better that it comes into the city.
Kimball – Right, and one would think that the actual removal of a fertilizer producing plant over the aquifer is probably a little bit better than a steel distribution that is much better much safer for the aquifer.
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.
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.

Steffensen – As far as the transportation the arterials are at the lower end of the capacity so it's a perfect fit.

Davis – In addition to the fine job staff did the applicant did a superb job with an immense amount of detail.

Motion to recommend approval to City Council finding it is consistent with the Comp Plan and Zoning Code and adopt the Facts, Findings and Conclusions contained in the staff report with a zoning designation of Industrial - Steffensen

2nd by Hampe

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

Moved

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

None

7. ADJOURNMENT 6:00PM

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: 9/13/2022

Chair: 

Attest: 