



**PLANNING & ZONING COMMISSION
MEETING MINUTES**

**APRIL 11, 2023
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

Walton, Steffensen, Ward, Hampe - Present
Kimball and Carey- Excused
Schlotthauer – Absent

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- **NATIONAL PET 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. Meeting Minutes 3-14-2023

Motion to approve as presented by Hampe.

2nd by: Walton

Vote: Hampe – Yes; Ward – Yes; Steffensen – Yes; Walton - Yes

Motion 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.

Greta Gissel – Discussed the need for workforce housing, for locals.

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.

ACTION ITEMS:

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 the Housing Company Zone Change File No. ZC-23-1 – Jon Manley, Planning Manager, to present a request for a recommendation to City Council to rezone approximately 1.16-acres from a mix of Medium-Density Residential (R2) and Community Commercial Services (CCS) to the SmartCode 5 (SC5) zoning district to construct a mixed-use multi-family community. Requested action is to seek a

recommendation to City Council from a mix of Medium-Density Residential (R2) and Community Commercial Service (CCS) to the SmartCode 5 (SC5) zoning district to construct mixed-use multifamily community on 1.16 acres. It is located just a bit west of the intersection of Spokane St. and Seltice Way on the southwest corner of Catherine St and Seltice. The current land use is an older vacant commercial building as well as older multi-family housing with some tenants currently in them. This site is over the Rathdrum Prairie Aquifer with water and sewer being provided by the City of Post Falls. The south half is the R2 Medium-Density, and the north half is the Commercial. It is surrounded by more SmartCode 5 to the southeast, commercial to the east, west, and north with medium density to the southwest and south.

Zone Change Review Criteria:

- The Future Land Use Map designates this site as Business/Commercial within the Seltice Central Focus area. 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. There are those types of amenities along Seltice, Spokane St and south along 7th that are within walking distance to this site. Encourages higher-density residential uses in the Seltice Central Focus Area. Supports development patterns that improve pedestrian connectivity to the commercial core and seeks opportunities to coordinate investment and planning energies between Seltice Central and City Center.
- Sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health. One may see the benefit of having a balance of work housing near commercial services. Support land use patterns that foster the long-term fiscal health of the community. Is a balance between providing housing with jobs as well as enhanced residential quality of life. There is a bus route north of this site off Spokane St. This would promote compatible, well-designed development; we have design standards that would help assist this policy point. Compatible with surrounding land uses, there are acknowledgements of the infrastructure and services as well as the future traffic patterns being able to facilitate their proposal. This request is considered a compatible infill development. Consider location of multi-family developments in areas that have access to arterial and collector streets; help buffer between higher and lower-intensity development patterns; are part of projects involving mixed use or master planned areas. With the local business community, work to enhance, sustain, and diversify the local economic base by; supporting opportunities related to business “campus” and mixed-use models; coordinate provisions of workforce housing.
- Seltice Way is classified as a Principal Arterial Roadway.
- Again, Seltice Way is a higher road classification to support commercial and high-density residential zones.
- 5th and 6th criteria speak to Limited or neighborhood commercial and industrial and those zones are not being requested.

All agencies have been notified and we received responses from the Highway District with no comments; Yellowstone Pipeline with no impacts; Kootenai County Fire and Rescue will coordinate at time of development, the Post Falls School District remains neutral, and the Department of Environmental Quality has no impact comments.

Hampe – If it were to stay Medium-Density; a mixed Medium-Density R2; what is the highest density that would be allowed there.

Manley – Technically the existing apartments are legal non-conforming because we removed multi-family out of our medium density. So, the most they could do would be townhomes, duplexes, maybe cottages.

Hampe – That's right, okay. I did a little calculation; at 1.16 acres and 32 units it would be somewhere between 27 to 28 units per acre correct?

Manley – Proportionally it sounds close.

Hampe – Does that fall within a SmartCode 5?

Manley – Yes, SmartCode goes by a minimum density and not a maximum density. We talk about traditional zoning with max densities and density bonuses by doing certain things. SmartCode is more performance based and minimum based density and then can go from there. With this code, developers provide on-street parking, swells and these things consume some of the land mass which constricts the number of net units you can yield.

Hampe – The idea behind SmartCode is to gain commercial with high-density residential however, there will be no commercial just high-density?

Manley – I believe they want to do a mixed-use commercial building. Currently, there is commercial and apartments so what they are trying to do is combine the uses into 1 building instead of them being fragmented. Same type of uses on the same block just a different form with a form-based code being smartcode.

Hampe – That makes sense.

Applicant – The Housing Company – Nate Wheeler, Representative – We are in partnership with St. Vincent De Paul. We are also a non-profit however, we focus on multi-family developments, we have one here in Post Falls and 2 in Coeur d'Alene. From Moscow up to Sandpoint we have 9 developments in total we have 40 different apartment complexes across the stat of Idaho with 1 in Montana and we manage another 10. We have kept all our assets, never sold one. Affordable housing is based on an income at the federal level will dictate with a census tract. They may say an affordable median for an area's income is on average \$100,000, we then take a percentage of that and then a percentage for rent based on their income. Individuals that we rent to are usually entry-level first responders, retail workers, weight staff, things of this nature. There is the National Low Income Housing Coalition, and the Idaho Asset Building Network completed an assessment of Idaho to see its income based on the amounts of rent and usually there's a threshold of about 30% of your income should not go anymore to your housing needs and we ae about 25,000 affordable housing units short in the state of Idaho. There are currently 7 buildings on the lot and 4 of them have basements, if we were to develop all buildings will be removed engineered fill would come back in and compaction levels and we would rebuild over the top cleaning up this site. The top right corner of this lot there are 3 fuel tanks that have been closed by DEQ back in 1993 and are still there. With environmental reviews we will determine whether to remove them or leave them. We will most likely remove them as well. Our rendering shows what we would like to develop with 2 stories being the housing units and the 1st floor being commercial, with St. Vincent De Paul's thrift store being there. Our projects are more pedestrian in nature and more carpooling, there is a bus stop within walking distance in front of Gathered restaurant. There are several other food eateries in the area that are within walking distance where they could find employment, this is family centered. There is a school, library, Boys and Girls Club there are some other commercial/industrial businesses within walking distance as well. We have looked at the demographic within the existing St. Vincent De Paul's apartment complexes and it shows that they are more pedestrian in nature, so the parking requirements are fine.

Between, 3 different complexes and a couple of different times per day on 2 different dates on average out of 73 spaces and 32 units only 23-31 spaces were being used so 42 spaces are free. So, with what we are proposing and the parking requirements we feel pretty confident that everything will work. We also concur with everything Mr. Manley had shared.

Steffensen – So, the 2 different lots would be remodeled, everything would go and be rebuilt.

Wheeler – That is correct.

Steffensen – The tanks as well.

Wheeler – Pending a phase 2 inspection, very likely and that would include the asphalt too.

Steffensen – Parking always seems to come up with apartments and how there is never enough. This project is a little deferent due to the development. You mentioned having 60 parking spots total for the apartments and the commercial space.

Wheeler – Correct, based on the SC5 zoning the ratio is 1.5 parking spaces per residential unit. So, with that, it allows us to have a little less if it was a multi-family development. And with the workforce housing there may not be as many vehicles that will be in this lot compared to a market rating development.

Ward – Can you remind me of the height limitations in an SC5.

Manley – The height is 4 stories with a minimum of 2. (Not height issue, more of a stories)

Steffensen – How does that compare to the apartments that are already there, with it being 3 stories?

Ward – The law office behind it is 36' I believe.

Testimony

In Favor: James Casper, with Habitat for Humanity, we are also in the business of developing housing for those that cannot afford market rate housing. It's tough, it is a market-based service and developed by developers and they do not build units in this category for people. So, you have companies such as Habitat for Humanity and St. Vincent De Paul, that create housing that isn't offered by the rest of the market. It is unique and not a typical neighborhood, however, they are the same people living in the same town, and they struggle and may not be living as well as they would like. These projects provide an option the rest of the market will not build. There are always questions about usability and functionality; self-selection happens as well. Those that want more space may choose to not live here however, those without other options will accept these types of units for what they are. We don't know if someone will choose to live in this option if they don't exist. What I do know, is every unit we build, it is in high demand, all other properties that are similar to these that St. Vincent owns are full and have waiting lists. We like to offer our support to this project.

Jon Ingalls – The housing shortage has already been established on March 29th, North Idaho Building Contractors Association mentioned that we have a shortage of 2350 housing units. The affordable housing has an even greater need in our area. In Idaho there are 39,722 very low-income households but only 15,012 affordable rental units available to them. 32 units won't put a big dent in this issue, but we need to make some progress along the way. This project is well conceived and a great fit for this location. The Lynn Peterson and Kathy Reed houses are similar size and scope and are beautifully designed and have enhanced their surroundings greatly. I encourage you to support this zone change with a unanimous recommendation to City Council.

Alan Wolfe – I am here to represent the business community of Post Falls through the Chamber of Commerce, several of us had the opportunity to attend the workshop and saw this project laid out. We felt it really fits what we're all know is needed for workforce housing and St. Vincent De Paul does a great job. On behalf of the Board of Directors with the Post Falls Chamber we encourage a positive recommendation to Council.

Greta Gissel – St. Vincent De Paul has been around for over 75 years, and they have been a staple in our community for people that are in need. What they are doing with the John Bruni's Commons is such a great boon for your community. Not only will it be beautiful, but it'll be something that services your community in ways that are unmeasurable at this point in time. I come from a family that has been active in community service my entire life, I am the Executive Director of Connect Kootenai which is an organization that was formerly known as CDA 2030. It is a nonprofit that exist to create a better tomorrow so that everyone can belong, thrive, and create a positive impact. The primary focus is to address significant housing challenges that residents in Kootenai County face. Here are some statistics, 94% of the 1500 people surveyed last year had their rent increased by an average of \$376. The average rent in Kootenai County is \$1,678 which is an average of 51% of a renter's income and the recommendations are about 30% of income being paid towards housing. This leaves families and individuals struggling each month especially when the average childcare cost for a toddler is on average \$538/month while infant care is about \$623/month. This is 3.1% more than in-state College tuition. Our housing prices are on average around \$500,000 or more and a median income of \$65,000 the cost of homeownership is out of reach for many families. A family of 4 who can earn 120% of our family median income which is about \$82,500 can afford to purchase a home for \$300,090 with a 20% down payment or a home for \$310,000 with an FHA loan. Kootenai County MLS found 38 homes not including a mobile home on lease land within this price range. Our interest is to help with this housing crisis and support our community with projects such as this one.

Katie Huff – I work with Murray Group, and work with our local employers on their employee benefits and their needs. The basic need is affordable housing, they have issues filling the positions due to people not being able to afford to live here. This project is going to help our employers in this area maintain workforce. Our housing in this area is unaffordable and unattainable. Even my family, if I newly relocated here, I am not sure I could. When I speak to others about affordable housing many think of things that are undesirable, right now many people thing of the homeless camps and what will it do to our aesthetics, but the reality of a project like this; for example if you donate an hour of your time at the Post Falls Food Bank, you will see families with 2 incomes and children that cannot afford to live and have to choose between buying food or paying rent. I was told a story about a woman in her 60's-70's that raised her family here and has grandkids and the market skyrocketed and her rent went up and she now lives in a field somewhere locally, goes to the foodbank weekly to survive. She will not tell anyone where she is and she isn't one that will speak up about it, but her story is like many and could benefit from a project like this one.

Neutral: None

In Opposition: None

Rebuttal

Wheeler, no need for rebuttal but just a thank you for the comments and to add Mr. Riley received over 14 letters of support for this project, The Housing Company isn't trying to

come in on our own this is a partnership we need that with the city, this St. Vincent, and other community partners, stakeholders, and I just wanted to thank everyone.

Comments:

1. Consistent with Future Land Use Map.
Hampe – It meets it, is shown in business/commercial on the future land use map.
Commission agrees
2. Consistent with the Goals and Policies Found in the Comprehensive Plan.
Steffensen – Staff outlined a bunch of them that were in the packet. Anything specific you guys want to add?
Hampe – It is in walking distance to businesses so it's a good place for higher density project.
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.
Ward – It is on a major arterial collector.
Hampe – I think we all agreed it is in an appropriate place, on Seltice Way.
Steffensen – There are already apartment and a business they are basically just expanding a little bit and making it a better situation than what it currently is.
4. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
We just spoke about this with Seltice
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 - there will be neighborhood commercial, but it isn't low density.
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 requested zoning meets approval criteria in the PFMC and as outlined in our deliberations and direct staff to prepare a Zoning Recommendation of SC5 (Hampe)

2nd by: Ward

Vote: Walton – Yes; Steffensen – Yes; Ward – Yes; Hampe- Yes

Moved

- B. **Approve/Deny** Quailview Townhomes Subdivision File No. SUBD-22-15 – Ethan Porter, Associate Planner, to present a request to approve or deny a subdivision of 2.24-acres into 22 twin home lots within the Medium-Density Residential (R2) zoning designation. Requested action is an approval to subdivide 2.25 acres within the Medium-Density Residential (R2) zone into twenty-two (22) lots with one tract. This project is located south of Creative Way, west of Expo Parkway and north of Jacklin; it has three road frontages and is east of the Woodbridge Subdivision. You can see Flippen Storage just north across from Creative Way. The property is currently vacant land, and the water provider will be East Greenacres Irrigation District and wastewater will be provided by the City of Post Falls. To the north is the industrial zone, west is a little R2 and the R1, Woodbridge, and to the south along I-90 is the Commercial. The smallest lot will be about 2,662 square feet

with the largest lot being about 5,003 square feet with a minimum lot size of about 2,400 square feet. Twin homes are one structure with two residential homes separated by a common wall along the lot line, one structure with two single-family homes on their own lots. With a tract for storm water, I believe.

Subdivision Review Criteria:

- The water service will be provided by East Greenacres irrigation District.
- The City of Post Falls has adequate capacity to provide service to the subdivision as proposed.
- The subdivision and proposed layout are consistent with the City's Transportation Master Plan and Design Standards.
- At this time there are no known soil or topographical conditions which have been identified as hazards. This request is over the Rathdrum Prairie Aquifer.
- The proposed lots and layout comply with the bulk and placement standards for the R2 zone and upon development will meet the City's Twin home standards.
- Impact fees will be assessed and collected on individual building permits to assist in mitigating the off-site impacts to parks, public safety, multi-modal pathways, and streets. Currently, parks and multi-modal Impact Fees are being assessed at 75% of the calculated cost of mitigating off-site impacts of growth.

All other agencies have been notified, with Yellowstone Pipeline having no comment, KCFR reserving comments for the City's review process, Post Falls Highway District having no comments and the Post Falls School District remaining neutral.

Applicant – Jeremy Terzulli, Project Coordinator for Olson Engineering – About a year ago we brought the zone change request before the Commission and it was recommended for approval to City Council and was unanimously approved. We are looking at Twin Homes to try and bridge the gap from the more traditional R1 single-family residences on those 7,000 square foot lots. A Twin home from the street appears to be a duplex however, the property line is inline with the party wall so each unit can be owned. Had meetings with city staff and working through the road design, lot sizes, etc. Utility coordination has been started we have an application to Avista to provide power and natural gas and the will serve letter from the water district has been received. We believe this meets all of the code criteria; we are ready to submit construction drawings pending your approval. There was some concern about additional parking, so we widen the street to 32' so we can provide that additional parking. Additionally, each unit will hopefully have an attached 2 car garage and 2 stalls in the driveway and then on-street parking.

Steffensen – So, 2 car garages.

Terzulli – That is the plan.

Hampe – Is the intent to use them as rentals?

Terzulli – The intent is to build and sell them.

Steffensen – R2 versus R1 is probably due to the location and shape of the property?

Terzulli – It is about the unit type, R1 doesn't allow for the twin home.

Steffensen – I know that I am saying because of this is zoned R1 already, rights?

Terzulli – No, we are an R2 zone. We brought this before you 1 year ago and got the R2 zoning designation so we could build twin homes.

Steffensen – Okay.

Hampe – I think what is next to it is mostly R1 and then there is commercial across the street.

Steffensen – That area has a little bit of everything.

Steffensen – Further north, there is going to be twin homes and apartments, correct?

Terzulli – We brought that one to you about 2-3 years ago, it was these odd shapes that were left over after Woodbridge Subdivision was built. They just sat there with no commercial users and a couple of local developers thought it would be a good opportunity to get a different product onto the market.

Testimony

In Favor: None

Neutral: None

In Opposition: None

Comments:

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.

Hampe – The city said they did correct.

Steffensen – With Woodbridge right there, it would be fairly easy to connect to and the sewer as well.

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

Commission agrees

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

Commission agrees

Steffensen – their proposal should help with the parking, with 2 car garages, widening the road shouldn't be an issue.

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.

Commission agrees

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

Hampe – Meets the twin home standards.

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.

Hampe – Impact fees will be assessed and added at time of the building permits.

Motion to approve finding meets approval criteria found in the PFMC as outlined in our deliberations and subject to conditions 1-10 as contained in the staff report. Direct staff to prepare a written Reasoned Decision.

2nd by: Ward

Vote: Walton – Yes; Steffensen – Yes; Ward – Yes; Hampe - Yes

Moved

- C. **Zoning Recommendation & Approve/Deny** Millsap Landing Annexation & Subdivision File No(s). ANNX-22-16/SUBD-22-16 – Laura Jones, Associate Planner, to present a

request for recommendation to City Council for a zoning designation of Single-Family Residential (R1) and to either approve or deny subdividing the approximate 4.88-acres into 18 Single Family (R1) lots. There is a condition in the staff report that needs revised, condition 9, all new subdivision roads would need to be maintained by the HOA and that should be stricken, and it should just be Bogie Drive to be maintained by the HOA. The requested actions are to provide a recommendation to City Council for the zoning designation of Single-Family Residential (R1) on approximately five (5) acres as part of an annexation request into the City of Post Falls. Also, an approval to subdivide approximately five (5) acres into 18 lots contingent on the Planning and Zoning Commissions recommendation of this zoning designation and annexation approval from City Council. It is located south of E. Bogie Drive and between N. Greensferry and N. Cecil Road. The current land use is a large lot single-family residence and is over the Rathdrum Prairie Aquifer. The water will be provided by Ross Point Water District and the wastewater provider is the City of Post Falls. Kootenai County property is to the north and east with R1 to the south and west (Knapp Addition and Wrenley Estates).

Zone Change Review Criteria:

- This area is shown as Low Density Residential on the Future Land Use Map. This category encompasses all types of single-family uses up to eight dwelling units per acre. This area is the 41 North Focus Area, residential development has been predominant in recent years, and with some forecasts estimating as many as 30,000 new residents in this area by 2040, it's a trend that's likely to continue.
- Goals and Policies are to keep Post Falls neighborhoods safe, vital, and attractive; maintain and improve Post Falls transportation network on pace and in concert with need and plan objectives. Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability. To protect and maintain Post Falls' natural resources including clean air, soil, rivers, aquifer, and minimizing light and noise pollution citywide. Also, to involve the community of Post Falls in all local government planning and decision-making. Supporting the land use patterns; apply or revise zoning designations with careful consideration of factors including Future Land use mapping; compatibility with surrounding land uses, infrastructure and service plans and existing and future traffic patterns. The infrastructure and service plans; City of Post Falls will provide water reclamation services and has the capacity and willingness to serve the site and water will be provided by Ross Point Water District – will serve letter has been provided. The property is adjacent to Bogie Drive, classified as a Minor Collector; dedications of rights-of-way and easement will be required to obtain an 80-foot total right-of-way width, along with a 10-foot sidewalk, drainage, and utility easement. A local roadway connection will allow local circulation thru the Knapp Subdivision (south) to Poleline Ave. To encourage compatible infill development and redevelopment of vacant and under-utilized properties within city limits. Encourage annexation of county "islands" within the city, with priority given to areas: surrounded by incorporated areas have readily available service infrastructure and capacity and that support increased development intensity near the urban core. Also includes policies 15, 24, 27,33, and 45.
- It is over the Rathdrum Prairie Aquifer.
- Not applicable
- This request is outside the high intensity urban activity areas.
- Not applicable.

They are proposing 18 single-family residential lots there's a north-south connection of Neptune Dr. king of going down the center with an extension of Han St. to the south through the Knapp Subdivision. E. Bogie Dr. will have the frontage improvements constructed with this project.

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 roadways shall dedicate rights of way and easements and be constructed to the roadway standards as outlined within the City Transportation Master Plan.
- The site is located over the Rathdrum Prairie Aquifer and there are no known soil or topographical conditions which have been identified as presenting hazards.
- Subdivision approval is contingent on annexation approval from City Council. The subdivision and proposed lots conform to the requirements of Title 17 and Title 18.
- 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 other agencies have been notified with the Post Falls Highway District requesting that the city annex across Bogie Dr. to the northern right-of-way line. Yellowstone Pipeline stating there is no impact the YPL ROW. Kootenai County Fire and Rescue reserve the comments for the permitting process and Post Falls School District is neutral.

Hampe – You mention Condition 9, so it should now read – The homeowners association HOA shall be formed to maintain the common right of way frontage along Bogie Dr. and all new subdivision roads including on landscaping irrigation and removal of snow from sidewalks and trails. Are we just taking out "all new subdivision roads."

Jones – I believe it is and all new subdivision roads, that we would strike.

Steffensen – Bogie Dr., which isn't finished right.

Jones – The improvements stop at Wrenley Estates, and unimproved moving east from there.

Steffensen – So, they would be required to do that part.

Jones – The recommendation from the Highway District is to go from the north right of way line, for frontage improvements, it is half right of way plus 10', correct Palus?

Palus – Yes.

Applicant, Ryan Andrade, Civil Engineer, Whipple Consulting Engineers – We have no objection the approval requirements even to condition 9. Future land use shows low-density residential, which is what we are going for. Surrounding zoning is the R1 beside the CCS and LC directly to the east. This request complies with the City's transportation and sewer master plans and the R1 is supported by the Comprehensive Plan as described in the narrative. This property is approximately 1.2 mile from the higher intensity Highway 41 corridor. Neptune Dr. is a north/south roadway that connects to Hahn St to the south and Bogie Dr. is north of the property. The proposed subdivision is within the boundaries of the Ross Point Water District and the will serve letter indicates they have the ability and capacity to serve this site. City of Post Falls can support the sewer service to this project. Right of way will be dedicated for Bogie Dr. 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 with the proposed use and the proposed subdivision meets all of the requirements of the R1 zoning.

Testimony

In Favor: None

Neutral: None

In Opposition: None

Comments

Zone Change Review Criteria:

1. Consistent with Future Land Use Map.
Commission agrees
2. Consistent with the Goals and Policies Found in the Comprehensive Plan.
Hampe – I think it is, there are no issues with this.
Ward – Agreed.
Steffensen – There is going to be another north south road, so transportation will improve.
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 – Bogie is a minor collector, which works.
Steffensen – Future Land Use is low-density.
Ward – It is all low-density out there.
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.
Hampe – It's away from Highway 41.
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

Hampe – This request makes sense, it is infill and surrounded by R1, I don't see how we could get a better fit than this.

Steffensen – It's infill.

Ward – There is only 3 lots left out there.

Motion to recommend approval to City Council finding the requested zoning meets the approval criteria found in the PFMC as outlined in our deliberations. Direct staff to prepare a zoning recommendation of R1. Hampe

2nd by: Walton

Vote: Ward – Yes; Hampe – Yes; Steffensen – Yes; Walton - 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.
Ward – That is clear.
Steffensen – There is a will serve letter.
2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.
Commission agrees
3. Proposed streets are consistent with the transportation element of the comprehensive plan.
Commission agrees
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.
Commission- no known conditions
5. The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code.
Commission agrees – it is R1
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.
***Commission – was outlined in the staff report for the developer to pay at building permit*.**

Motion to approve finding it meets the approval criteria found in the PFMC as outlined in our deliberations. Subject to conditions 1-10 with a change to condition #9 to read, A Homeowners Association (HOA) shall be formed to maintain the common right-of-way frontage along Bogie Dr., including all landscaping, irrigation, and removal of snow from sidewalks and trails. Directing staff to prepare a reasoned decision. Hampe

2nd by: Ward

Vote: Steffensen – Yes; Walton – Yes; Ward – Yes; Hampe - Yes

Moved

- D. **Recommendation** Comprehensive Plan Amendment File No. CPA-23-1 – Jon Manley, Planning Manager, to present a recommendation to City Council in adding additional clarifying language relating to the Focus Area description within the Comprehensive Plan. Requested action is to review and recommend approval of the requested amendments to the Comprehensive Plan. The Planning Division is seeking to add additional clarifying language relating to the Focus Area description within the Comprehensive Plan. Adding clarity to the Transitional areas, the purpose is - guidance can be located within the associated Focused Area. The additional language is – The outer boundaries on Figure 1.04 are representative of the Focus Areas and are not intended to be definitive. Focus Area boundaries on the periphery of the map extend to the City's Area of City Impact boundary, including those areas contained within the Shared Tier Area of City Impact. These areas include the West Prairie, Central Prairie, 41 North, and East Prairie Focus Areas. The ACI references a portion that's dedicated out on the Prairie and is to be served by the City of Post Falls. There is a part within that tier that is unknown jurisdictionally to the north, somewhere between Hayden and Wyoming there

is a line that could be served potentially by Rathdrum and or Post Falls and similarly on the east of 41 it could be potentially Hayden or another jurisdiction. Someone can ask for a land use application and we would go to the applicable Focus Area and apply guidance.

Steffensen – So if they are in the transitional and those questions come up before, we would look at the focus area to help define what is out there but transitional doesn't technically define what is out there but, in those areas, we will use the focus group to help define.

Manley – There is a little disconnect. Anything outside the city limits is transitional versus what the focus area maps it's a little confusing and where does that end point. Legal provided this saying that end point of using the focus area would occur at that shared tier of City impact.

Hampe – Is where it is underlined the part we are talking about.

Manley – Yes, that is the additional language.

Hampe – It currently doesn't exist.

Manley – We are adding it to the portion of the focus area descriptions in chapter 1-14 of the Comprehensive Plan.

Herrington – To help clarify, the focus area diagram that is in the Comp Plan is loosely drawn in and you can see the commercial nodes out on East Prairie, sort of by extension it's obvious that would probably be in the East Prairie Focus Area. The way this diagram was created it is zoomed in a little closer than we would want now. So, we are just amending the Comp Plan language to extend those boundaries out farther to the East and to the North for those areas to include the area out to our ACI boundary. Which is currently outside this diagram.

Manley – At the time this was created, our Land App sites were not annexed into the city yet.

Steffensen – If you could actually draw in the city boundary that would be helpful. I guess it is there.

Manley – There is a lot going on in these maps.

Ward – Where is the city boundary going north?

Herrington – That is why this is changing to include the boundary to the north.

Manley – It goes beyond the limits of this map.

Hampe – Why don't you make us a new map?

Herrington – We will do that in our full Comp Plan Update.

Ward – Is the purpose of this to allow more property into the city.

Herrington – No, we have annexed beyond where this area shows. So, any development that may come in north of Prairie connected to this line would be in our transitional area of the future land use map which says per focus area. So, if we don't have a focus area there, how would we analyze that property. What the clarifying language does is extends out the Focus Area to our ACI boundaries so we can possibly consider. We would have something to base an analysis on.

Hampe – That makes more sense to me. I'd rather see the map remade.

Manley – I don't have the data the consultant made the map with so currently it is easier to add language than fix the map.

Hampe – One thing at a time.

Steffensen – Do we just need a recommendation to move forward to Council.

Herrington – Yes, it is a public hearing so, open it up for comment and go from there; close the hearing, deliberate and it is a recommendation to City Council.

Testimony:

In Favor: None

Neutral: None

In Opposition: None

Comments

Steffensen – Seems more like a housekeeping item.

Motion to recommend approval to City Council to add language to the focus area description as presented in the staff report. Hampe

2nd by: Walton

Vote: Ward – yes; Hampe – Yes; Steffensen – Yes; Walton - Yes

Moved

5. ADMINISTRATIVE / STAFF REPORTS

Manley – This is Laura Jones last hearing with us, she is expanding her career path with a different company.

6. COMMISSION COMMENT

None

7. ADJOURNMENT 7:30PM

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

Date: 5/17/23

Chair: 

Attest: 