



**PLANNING & ZONING COMMISSION
MINUTES**

**July 11, 2023
5:30 PM**

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

REGULAR MEETING – 5:30 PM

CALL TO ORDER – 5:47PM

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Carey, Steffensen, Walton, Schlotthauer - **Present**

Hampe, Kimball- **Excused**

Ward - **Absent**

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- National Blueberry Muffin 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 Commission..

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 6-13-2023

Motion by Carey to accept the Consent Calendar as presented.

Second by Walton.

Vote: Carey-Aye, Walton-Aye, Steffensen-Aye, Schlotthauer-Aye

Motion Carried

2. CITIZEN ISSUES

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

ACTION ITEMS:

None

4. PUBLIC HEARINGS

In quasi-judicial hearings, such as subdivisions, special use permits and zone change requests, the Commission must follow procedures similar to those used in court to ensure the fairness of the hearing. Additionally, the Commission 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 Commission must sign up in advance and provide enough information to allow the Clerk to properly record their testimony in the official record of the Commission. 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 Commission, only address the relevant approval criteria (in quasi-judicial matters) and not be unduly repetitious.

ACTION ITEMS:

- a. Montrose PUD Amendment/Subdivision File No PUDA-22-1/SUBD-22-10

Public Hearing Opened at 5:50pm

Staff Report

Jon Manley, Planning Manager: This is the request of Kevin Schneidmiller on behalf of Schneidmiller Land Company and Greenstone-Kootenai Inc. to approve the proposed Major PUD Amendment to allow for a design standard deviation to increase lot coverage from 40 percent to 50 percent for the Montrose PUD. The amendment would also memorialize the changes in the local access streets, reduction of cul-de-sacs, and remove the remaining cluster housing and multi-family areas for phase 4 and 5 providing only single-family detached lots. The project location is bound to the west by McGuire, to the east by Chase, and to the north by Poleline. Removal of cluster housing from phase 4 and 5 reduces the total approved units from 769 to 465.

Carey – Getting rid of the cluster and multi-family and making the R1 requirement 50 percent is that just for the lots that are being changed to R1?

Manley – Its just for the areas in phase 4 and 5. The 50 percent would go towards the whole PUD.

Carey – So that would include any future R1 development in there?

Manley - Yes, so if someone in these previous phases asked for an addition, with this change they would get an increased development right of a total of 50 percent.

Carey – We had a response from the Post Falls Highway District that they had concerns.

Manley – They had an original comment from the October notice that they had no comment/concerns. They then followed it up for this noticed hearing that they had concerns but with no explanation as to what those were. In talking with the Engineering Division, reducing that density by 300 housing units would reduce the net daily traffic by 2500-3000 trips per day.

Schlotthauer – Why are they concerned about that?

Manley – They didn't say.

Carey – Is that something that would be resolved through staff?

Manley - We have our subdivision plan that would follow if the Subdivision got approved. It's tough to know what the concerns are when the net impact is reduced substantially.

Schlotthauer – Who is responsible for Poleline as it ends and goes through the subdivision there?

Manley – Clark Fork Parkway was originally planned to just go north and south, but if we could shift that, we could potentially eventually get a bridge system going east west on Poleline. They develop the roads up to a certain point. Do you want Rob to talk about the bridge?

Rob Palus, Assistant City Engineer – Both within the Montrose subdivision the public roadways and the roadways along the exterior, Poleline and McGuire Road, are fully within the City and the City of Post Falls operates and maintains those roadways. We do have in our Transportation Master Plan our long range goal is to see Poleline Avenue be a straight shot and either the railroads go away or we provide a structure to go over the railroads as necessary. Its around an \$8 million investment, which our impact fees are predicated on, in 2018 dollars, to put a bridge there.

Schlotthauer – So the Highway District doesn't have any adjacent section of Poleline?

Palus – No they do not. So, speculating a little bit, part of the concern would be having to look at the intersection of Poleline Avenue and McGuire Road and make improvements on that. McGuire is going to be a five lane roadway. So we would then need to look to see if the traffic volumes would need a traffic control device at that intersection.

Manley – The subdivision aspect of this request is to approve the proposed multiphase subdivision for approximately 306 lots on 73.72 acres. The average lot size is around 6,000 feet which is very similar to the current average lots in Montrose. Looking at the zoning map, the proposed R1 zoning is more consistent with the current surrounding zones. I want to note in the staff report dealing with the public process, what you saw in there was relative to the November 2022 hearing that was cancelled due to the negotiations for the conditions of the subdivision, but at that time it did meet the notification requirements. On Friday June 23rd, this was published in the paper meeting state requirements for the alternative notification of a four inch by two column advertisement as well as a legal notice that was done separately on that same day. Additionally, there was a site posting that had nine different locations so it met the site posting requirements for state code.

Applicant

Kevin Schneidmiller: We are requesting approval of the amendment to the Montrose PUD originally approved in 1998. We are also requesting approval to subdivide 75 acres within the Montrose PUD. We've never really utilized the cluster housing in the Montrose development, and it didn't fit quite right with what we were trying to do. As the area and Montrose continued to develop, we came to the conclusion that this area is best for single-family detached housing. The original agreement stated we would not pay park mitigation fees and that we would provide certain park improvements and also land. Over the last 18 months we have been working with the Parks Department as their needs have changes somewhat as well. We've determined we will provide a combined site that accommodated the park, the public use facility in a smaller park, and in addition to that we are required to provide a certain level of dollars to provide improvements. We've executed the transfer of about 22 acres of land to the City east of the Orgill facility. Most of it is going to be ball fields, so

no we're moving into design work. The first phase we will be responsible for will be completed in 2024. The original PUD was about 467 acres and we are about 50 percent built out at this point. The amendment of the 50 percent would apply to the entire PUD. As lots have gotten smaller over time, and when you start dealing with covered back patios and three car garages many times our building company bumps up against the issue of exceeding the 40 percent maximum coverage. The open space is 7.53 acres. Currently Clark Fork goes directly north and intersects with Poleline, when Westridge Elementary was built the railroad was requiring the current Poleline crossing to be closed so that road is a temporary road. Through this process, we agreed that realigning the intersection of Clark Fork and Poleline was appropriate. There is also currently a temporary road that goes out on the southwest side of the slow speed rail and ties into Poleline. At that time that was the only access to Westridge from Poleline. We agreed with staff to give them more time to leave that temporary connection in place until July 1, 2025. This will have a trail system in it and an additional one to the south, but until the low speed rail is abandoned there won't be a full connection there. We respectfully request approval of these requests.

Carey – Are your parks public parks that the City is taking over, or are they maintained by the HOA?

Schneidmiller – The ones that I described will be maintained by the City. All of the other parks within Montrose are private parks maintained by the HOA.

Schlotthauer – In the staff conditions, condition eight calls for the forming of an HOA.

Schneidmiller – There already is an HOA. That covers the entire PUD.

Testimony

In Favor- None

Neutral - None

In Opposition – None

Public Hearing Closed at 6:25pm

Discussion

Carey – Because we have two different motions, are the conditions attached to each motion?

Manley – Yes. They follow the whole project as a whole.

Field Herrington, Deputy City Attorney – Similar to what's in the book, you are going to make the motion subject to the conditions found in the report for both.

PUD Review Criteria:

1. The proposed PUD provides for adequate utilities, services, and parking to service the proposed development by:

Schlotthauer – These are all existing though? Are there any of these criteria that have been affected by the change to the PUD?

Herrington – So the water supply is the same, East Greenacres, wastewater will be the City, parking doesn't change. I can check the box if I get nods.

Steffensen – I don't think if they have changed, we've talked about them before. It's just adding onto a development that's been there for a while.

2. The proposed PUD provides for an integrated transportation network that adequately serves the proposed development.

Carey – Yes if anything, it is going to reduce the overall volumes

3. The proposed PUD provides enhanced community design.

Steffensen - Nothing new was identified, we got rid of the incompatible uses, made it blend together.

All Commission - yes

4. The proposed PUD provides for timely development of the property and security for future completion and maintenance.

All Commission – yes

Motion by Carey to approve PUDA-22-1 finding that it meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberation subject to conditions one through ten contained in the staff report and direct staff to prepare a written reasoned decision.

Second by Walton

Vote: Carey-Aye, Walton-Aye, Steffensen-Aye, Schlotthauer-Aye

Motion carried

Subdivision Review Criteria:

1. Definite provision has been made for a water supply system.

All Commission– yes, East Greenacres

2. Adequate provisions have been made for a public sewage system.

All Commission - yes, the city sewer system.

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

All Commission – yes, as presented

4. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards have been identified and that the proposed uses are compatible with such conditions.

All Commission - yes

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

All Commission – yes, everything around there is R-1

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.

All Commission – yes, paying impact fees as they develop out, outside of the park one which has other plans.

Motion by Carey to approve Montrose Subdivison SUBD-22-10 and find that it meets the approval criteria of the Post Falls Municipal Code as outlined in our deliberation subject to conditions one through ten contained in the staff report and direct staff to prepare a written reasoned decision.

Second by Schlotthauer

Vote: Carey-Aye, Walton-Aye, Steffensen-Aye, Schlotthauer-Aye

Motion carried

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENTS

None

ADJOURNMENT 6:34PM

Date: 8/8/23

Chair: 

Attest: 

Questions concerning items appearing on this Agenda should be addressed to the Community Development Department – Planning Division, 408 N. Spokane Street or call 208-773-8708. City Council and City Commission meeting are broadcast live on Post Falls Cable channel 1300 (formerly 97.103) and the City's YouTube Channel (<https://www.youtube.com/c/CityofPostFallsIdaho>).

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