INTRODUCTION:

Verdis is requesting, on behalf of Daniel and Beverly Kruger, the property owner, approval to annex approximately 4.49-acres into the City of Post Falls with a zoning request of Community Commercial Services (CCS) on the south 2.49-acres and High Density Multi-Family Residential (R-3) on the remaining northern acres (Exhibit A-2: Narrative). The Planning & Zoning Commission must conduct a public hearing and review the proposed zoning as part of the annexation proposal per the Zone Change approval criteria contained in Post Falls Municipal Code Section 18.20.100. Following the public hearing, the Planning Commission will forward its recommendation on zoning to City Council for review and final action pertaining to the annexation. The approval criteria for establishing zoning are:

1. Is the proposed zoning district consistent with the Future Land Use Map and Focus Area contained in the currently adopted Post Falls Comprehensive Plan?
2. Is the proposed zoning district consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan that are relevant to the area under consideration.
3. Does the proposed zoning district create a Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city.

PROJECT INFORMATION:

Project Name / File Number: Kruger Annexation File No. ANNX-23-5

Owner(s): Daniel and Beverly Kruger, 1087 McGuire Road, Post Falls, ID 83858

Applicant: Verdis, 3906 N Schreiber Way, Coeur d’Alene, ID 83815

Project Description: Annex approximately 4.49-acres into the City of Post Falls with a zoning request of Community Commercial Services (CCS) on the southern 2.49-acres and the remaining acres is requested as High Density Multi-Family Residential (R-3).

Project Location: The property is located on the southwest corner of W Echo Dr. and N McGuire Rd.

AREA CONTEXT (proposed site hatched red below):

Surrounding Land Uses: Located to the north and east of the subject site are W Echo Dr. and N McGuire Rd. Directly West is a large lot single-family home within Kootenai County. South of the subject site is a commercial storage facility located within Kootenai County.
EVALUATION OF ZONING APPROVAL CRITERIA:

The following section provides the staff analysis pertaining to the Annexation Application and the establishment of zoning. The zone change review criteria set forth within the Post Falls Municipal Code sections 18.20.100 are cited within the following staff analysis in **BOLD**. This review criteria provides the framework for decision making for the Planning Commission and City Council.

**ZONE CHANGE REVIEW CRITERIA**

1. **Is the proposed zoning district consistent with the Future Land Use Map and Focus Area contained in the currently adopted Post Falls Comprehensive Plan?**

The Future Land Use Map classifies this property with the land use designation of **High Density Residential**. This category encompasses all types of residential uses that would be greater than 12.5 but less than 25 dwelling units per acre and also supports land uses such as nursing care facilities, parks, schools, and public facilities. Densities may vary as appropriate to location, street and infrastructure capacities, planned development patterns and compatibility with existing development. Use patterns blending commercial and residential may be considered in areas as they develop, provided they feature higher traffic volumes, and/or are located and designed to function as a pedestrian-friendly focal point of
the surrounding neighborhood. Such patterns should feature an interconnected street system allowing easy, all-modes access to adjoining neighborhoods.

Future Land Use Map:

The subject site falls within the West Prairie focus area, which is outlined in the Comprehensive Plan to include the following: Just north of Riverbend, West Prairie is a transitional area with portions expected to develop as future residential, commercial and industrial uses. The area includes three Area of City Impact (ACI) tiers: Exclusive Hauser, Exclusive Post Falls, and Shared Tier. Infrastructure to support urban development is mostly not in place at this time, but is being planned for.

The following items affirm or guide development of key policies for this area, or suggest future action items for the West Prairie focus area as described within the Comprehensive Plan appendix A:

- Industrial and commercial uses are envisioned west of Pleasant View Road; A mix of residential, commercial and industrial uses are envisioned Between Corbin Road and Pleasant View Road. Generally, residential would be appropriate closer to Corbin Road, with higher densities near commercial corridors and arterials;
- Mixed residential is envisioned between McGuire Road and Corbin Road, with higher densities near commercial corridors and arterials. This area may benefit from a subarea plan that examines lot and block development patterns to aid transition of five-acre lots;
- Seek opportunities to develop off corridor commercial;
• Prairie Avenue’s arterial classification suggests it be considered for commercial uses;
• Other West Prairie areas may warrant commercial use consideration if adjacent to arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.

Staff Comment: The proposed Community Commercial Services (CCS) and High Density Multi-Family Residential (R-3) zones would be consistent with the Future Land Use Map and does align with the development guide outlined above within the West Prairie Focus Area.

2. Is the proposed zoning district consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan that are relevant to the area under consideration; Goals and Policies (listed by policy number) that may be relevant to this annexation request are shown below, followed by staff comments.

The following goals may or may not assist with this zone change request.

**Goal 1:** Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.

In seeking long-term prosperity, residents understand the need to build economic diversity – capitalizing on access to neighboring job centers as well as developing a strong business base within City limits. This plan supports strategies that build and sustain a diverse, balanced economic base, retain existing quality of life assets, and help keep Post Falls prosperous.

**Goal 7:** Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City’s long-term sustainability.

Cities exercise considerable influence over land use, in turn influencing the type and character of development, patterns of growth, and the short and long-term financial impact of growth on the local economy. Consequently, the Comprehensive Plan supports the allocation of land use types, parks features and other areas sufficient to achieve overall plan objectives.

**Goal 10:** Provide and support Post Falls’ parks and recreational opportunities on-pace with growth.

Post Falls residents value current parks and recreational services, and wish to retain the same or higher levels of service as the community grows. This goal directs the City to consider parks and recreational needs in all related plans and actions, including land use decisions, regulatory requirements and budgeting.

**Goal 12:** Maintain the City of Post Falls’ long-term fiscal health.

Services that cities provide cannot be sustained without fiscal balance and accountability. This goal serves to anchor the City of Post Falls’ obligation to sustain its fiscal health – achieved through the gathering of income in responsible, equitable ways, and through decisions, investments and actions that provide rate-payers with efficient, effective services now and in the future.

**Goal 14:** Involve the community of Post Falls in all local government planning and decision-making.

The development of the Comprehensive Plan is community-driven, involving numerous residents including some representing large groups of residents. For plans to succeed, community buy-in
and support is critical. Future conditions will certainly require the creation of new objectives and strategies, and this goal supports keeping residents highly involved in such work.

The following policies may or may not assist with this zone change request.

**Policy 1:** Support land use patterns that:

- Maintain or enhance community levels of service;
  
  **Staff Comment:** Impact Fees are paid at the time of permit issuance to assist in mitigating impacts and maintain/enhance community levels of service for public safety, parks, streets, multi-modal pathways and emergency services.

- Foster the long-term fiscal health of the community;
  
  **Staff Comment:** Additional commercial and multi-family uses may help further long-term fiscal health of the City in regards to possible revenue purposes and providing further commercial services within the City.

- Maintain and enhance resident quality of life;
  
  **Staff Comment:** Future development of the subject site may help provide commercial uses and pedestrian connectivity through frontage improvements. This could create a better sense of community increasing safety and walkability.

- Promote compatible, well-designed development;
  
  **Staff Comment:** Development will be required to meet City design standards once development is proposed through the site plan review process.

- Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.
  
  **Staff Comment:** Transportation impacts, and sewer and water capacity are reviewed by City staff. Any anticipated inadequacies identified are addressed and/or have a plan on how to be brought into compliance with the relevant agreements and city processes through the public hearing process and land use action proposals.

**Policy 2:** Apply or revise zoning designations with careful consideration of factors including:

- Future land use mapping;
  
  **Staff Comment:** This is addressed by the first review criteria 1.

- Compatibility with surrounding land uses;
  
  **Staff Comment:** The proposed commercial development pattern for this proposal would not be incompatible with the surrounding uses as they are commercial to the south and to provide a transition. This transition from commercial to lower density residential is typically provided through high-density residential that will become less dense in the further development happens from commercial activities.

- Infrastructure and service plans;
  
  **Staff Comment:** Sanitary Sewer for the site is located in McGuire Rd. adjacent to the eastern property line. The requested zoning is in conformance with the land use assumptions within the City’s Water Reclamation Master Plan. The City’s Water Reclamation System has the capacity to provide service and the City is willing to serve the property at the requested density. Existing capacity is not a guarantee of future
service.

The property is not subject to any Local Improvement Districts (LID’s), Subsequent User Agreements or Sewer Surcharges.

Water service for the site would be provided by East Greenacres Irrigation District. The irrigation district does have facilities adjacent to the property.

Existing and future traffic patterns;

**Staff Comment:** The property is adjacent to McGurie Road, a classified Minor Arterial roadway and Echo Drive, a classified local Roadway. Existing rights-of-way do not meet the City’s minimum requirements, additional rights-of-way and easement would be required to be dedicated at the time of annexation and complying with adopted City Design Standards. McGuire Rd. is shown in the Transportation Master Plan as a 5-lane arterial Roadway. Echo Drive will serve as a local collector roadway for traffic to access McGuire Rd. As such, the larger 70-foot rights-of-way section shown in the City Standards for a Local Residential Street would be appropriate for providing the necessary flexibility between on-street parking and provisions for turn lanes at major intersections:

McGuire Rd – Minor Arterial (110-foot total rights-of-way width): 55 feet of rights-of-way, measured from the section line in McGuire Rd. and an additional 15-foot sidewalk, drainage, and utility easement shall be provided along McGuire Road.

Echo Drive – Local Roadway (70-foot total rights-of-way width) : 15 feet of additional rights-of-way, measured from the existing southern rights-of-way line for Echo Dr. and an additional 10-foot sidewalk, drainage, and utility easement shall be provided along Echo Drive.

• Goals and policies of the comprehensive plan, related master plan and/or facility plans.

**Staff Comment:** The response to this is embedded within the analysis within this section.

**Policy 8:** Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.

**Staff Comment:** This site is currently undeveloped and under-utilized and within the exclusive tier of the Area City Impact. Having this approved to be incorporated into the City may help incentivize development within the area, as it is part of a larger County Island.

**Policy 14:** Follow all annexation procedures established by Idaho State Statutes and applicable City ordinances.

**Staff Comment:** Idaho State Statutes and City ordinances associated with annexations have been followed.

**Policy 24:** Plan for and protect transportation corridors from encroachment and preserve adequate rights-of-way for future corridors including utility facilities.
Staff Comment: Additional rights-of-way along McGuire Rd. and Echo Dr. are required, as part of the annexation, and the sizing of the rights-of-way are based on the City’s Functional Classification Map for roadways in the buildout condition. Sidewalk, Drainage and Utility easements are also required to accommodate utilities and multi-modal facilities. Annexation shall include all rights-of-way adjoining the site and currently within the County. Future improvements at the time of site development will need to comply with City of Post Falls design standards.

Policy 26: Maintain and improve the continuity of sidewalks, trails, and bicycle paths in Post Falls.

Staff Comment: Upon development through subdivision or site plan review frontage improvements will need to be completed. This allows for continuity of pedestrian pathways.

Policy 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.

Staff Comment: The zoning request of residential for this annexation could help ensure land is available for future housing needs and could promote further diverse housing within the City of Post Falls.

Policy 20: Consider location of multi-family development in areas that:

- Have access to arterial and collector streets;
  
  Staff Comment: McGuire Road is a minor arterial and is adjacent to the proposed annexation.

- Help buffer higher and lower-intensity development patterns;
  
  Staff Comment: A larger residential development could be viewed to help buffer the single-family in the area from the roadway noise pollution from McGuire Road and the commercial uses along Seltice. Any adjacent non-compatible uses would require buffering per Title 18.

- Abut compatible existing uses;
  
  Staff Comment: Commercial and high density multi-family can be compatible per the request of this annexation and would currently need to provide buffer requirements to the adjacent single-family property.

- Are part of projects involving mixed use or master planned areas.
  
  Staff Comment: The proposed site will include a mix of uses being commercial and residential.
Policy 33: Annexation should help implement Post Falls’ transportation plans, enabling completion or preserving continuity of circulatory patterns for roads and pedestrian ways.

Staff Comment: dedication of rights-of-way with annexation and completion of roadway improvements conforming with the City’s Transportation Master Plan, at the time of site development, will help with the completion of the City’s roadway network and facilitate continuity for vehicular and pedestrian systems.

Policy 45: Guide annexation decisions guided by and considering:

- Master plans for water, sewer, transportation, parks, schools and emergency services;

  Staff Comment: Sanitary Sewer service will be provided by the City of Post Falls. Sanitary Sewer currently exists along the property’s eastern boundary, in McGuire Rd. Water is adjacent to the site, with service being provided by East Greenacres Irrigation District. The property requesting annexation and zoning is identified in the City of Post Falls Water Reclamation Master Plans as being serviced by the referenced main. The requested zoning is in conformance with the land use assumptions within the City’s Water Reclamation Master Plan.

  The property is not subject to any Local Improvement Districts (LID’s), Subsequent User Agreements or Sewer Surcharges.

  The City’s Water Reclamation System has the capacity to provide service and the City is willing to serve to the property at the requested density. The proposed zoning is compatible with the land uses anticipated within the City’s Master Plans. Current capacity of the City’s Water Systems is not a guarantee of future service. Schools and emergency services have been notified of this request and have been given the chance to comment on the request.

  The Parks and Recreation Department has plans to develop two parks within 1 mile of the proposed annexation. Upon completion of these two facilities the proposed residential uses associated with this annexation will be consistent with the department’s level of service standard for walkable access to recreational facilities and parks.

- Provision of necessary rights-of-way and easements;

  Staff Comment: Dedication of additional rights-of-way and associated easements have been described as part of the annexation agreement.

- Studies that evaluate environmental and public service factors;

  Staff Comment: No known environmental studies have been conducted however Panhandle Health District and the Department of Environmental Quality have been notified of this request and have been given the chance to comment on the
request.

- Timing that supports orderly development and/or coordinated extension of public services;
  
  **Staff Comment:** Utilities are located along the property and capable of providing service to the property.

- Comprehensive plan goals and policies.
  
  **Staff Comment:** The response to this is embedded within the analysis within this section.

**Policy 60:** Maintain adopted Levels of Service (LOS) for parks, recreation and open space, and continue to identify opportunities to acquire parkland.

  **Staff Comment:** The response to this is embedded within the analysis within Policy 45 comments.

**Policy 72:** Support and participate in efforts to protect the high quality of water from the Rathdrum Prairie Aquifer, which provides the existing and future municipal water supply.

  **Staff Comment:** All development associated with this proposal will be connected to municipal wastewater systems and will not utilize a septic system. Stormwater management will be reviewed through subdivision and site plan review process.

3. **Does the proposed zoning district create a Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city.**

  **Staff Comment:** There have been no identified “Demonstrable Adverse Impacts upon the delivery of services by any political subdivision providing public services within the city.” at this point in time.

**Agencies Notified:**

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<th>Post Falls Post Office</th>
<th>PF Park &amp; Rec</th>
<th>East Greenacres Irr. District</th>
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<td>Kootenai County Fire</td>
<td>Kootenai Electric</td>
<td>Time Warner Cable</td>
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<td>Ross Point Water</td>
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<td>TransCanada GTN</td>
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**OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:**

- Exhibit PA-1 (Awaiting Comments)

**PUBLIC PROCESS:** Notice of the proposed annexation was sent to appropriate jurisdictions and mailed to property owners within 300 feet of the proposed project on February 16, 2024. Notice has been
ITEMS TO BE CONSIDERED FOR INCLUSION IN AN ANNEXATION AGREEMENT:

1. Prior to commencement of development of the property, the Owners shall grant to the City or to a municipal water purveyor designated by the City all water rights associated with the land being annexed, but may continue the use of the water for agricultural purposes from the well located on site, if any, until such time that the annexed area is fully developed, at which time Owners shall discontinue the use of any well serving the property and the use of the water for agricultural purposes.

2. Dedication of Rights-of-way and easements along McGuire Road
   a. 55 feet of rights-of-way dedication from the existing section line is required.
   b. A 15-foot sidewalk, drainage, and utility easement is required.

3. Dedication of Rights-of-way and easements along Echo Drive
   a. 15 feet of additional rights-of-way dedication is required, from the existing southern line of Echo Drive.
   b. A 10-foot sidewalk, drainage and utility easement is required

MOTION OPTIONS: The Planning and Zoning Commission must provide a recommendation of zoning to City Council along with an evaluation of how the proposed development does/does not meet the required evaluation criteria for the requested annexation. If the Commission has heard sufficient testimony but needs additional time to deliberate and make a recommendation, it may close the public hearing and move the deliberations to a date certain.

ATTACHMENTS:

**Applicant Exhibits:**
Exhibit A-1  Annexation Application
Exhibit A-2  Narrative
Exhibit A-3  Vicinity Map
Exhibit A-4  Authorization Letter
Exhibit A-5  Title Report

**Staff Exhibits:**
Exhibit S-1  Vicinity Map
Exhibit S-2  Zoning Map
Exhibit S-3  Future Land Use Map

**Testimony:**
Exhibit PA-1  Awaiting Comments