



**PLANNING AND ZONING COMMISSION
MEETING AGENDA**

**November 14, 2023
5:30 PM**

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

REGULAR MEETING – 5:30 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:
ACTION ITEM**

- a. World Diabetes Day
- b. National Pickle 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.

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.

1. CONSENT CALENDAR

The consent calendar includes items which require formal Commission action, but which are typically routine or not of great controversy. Individual Commission members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the Commission agenda packet regarding these items and any contingencies are part of the approval.

ACTION ITEMS:

- a. Minutes - October 10, 2023 Planning & Zoning Meeting
- b. Minutes - October 30, 2023 Planning and Zoning Special Meeting
- c. Bogie Annexation File No ANN-23-2 - Zoning Recommendation
- d. DeAtley Annexation File No ANN-23-1 - Zoning Recommendation

- e. Copper Basin-Prairie Annexation File No ANNX-23-3 - Zoning Recommendation

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.

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:

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:

5. ADMINISTRATIVE / STAFF REPORTS

6. COMMISSION COMMENT

7. ADJOURNMENT

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



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**October 10, 2023
5:30 PM**

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

REGULAR MEETING – 5:30 PM

CALL TO ORDER

Call to Order Time 5:30 PM

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Vicky Jo Carey, Kibbee Walton, Ray Kimball, James Steffensen, Ross Schlotthauer – **Present**
Nancy Hampe – **Excused**
Kevin Ward - **Absent**

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:
ACTION ITEM**

- a. National Porter Day
- b. World Homeless 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

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None.

1. CONSENT CALENDAR

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ACTION ITEMS:

- a. Meeting Minutes 09.12.23
- b. Planning and Zoning Workshop Minutes 9/26/2023

Motion by Planning and Zoning Commissioner Walton to accept the Consent Calendar as presented.

Second by Planning and Zoning Commissioner Carey.

Ayes: Planning and Zoning Commissioner Walton, Planning and Zoning Commissioner Steffensen, Planning and Zoning Commissioner Carey, Planning and Zoning Commissioner Schlotthauer, Planning and Zoning Commissioner Kimball

Motion Carried

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None.

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ACTION ITEMS:

None.

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ACTION ITEMS:

- a. Copper Basin Prairie Annexation File No. ANN-23-3

Staff Report

Jon Manley, Planning Manager: The owner of this property is Copper Basin Construction with the applicant being Drew Dittman of Lake City Engineering. This notification did meet the requirements. There was a small typo in the notice where it referenced Single Family R1. The district, description, and mapping were correct, and it met all the elements for the notification. I did confirm with legal on this before proceeding. They are looking for a recommendation for a

High Density Multi Family R3 zoning district on approximately 14 acres with the remaining acres being zoned Community Commercial Services. The property is located north of Prairie Avenue approximately 1/3 of a mile east of the intersection of N. Greensferry Road and W. Prairie Avenue about 2/3 of a mile to HWY 41. Currently it is vacant and undeveloped. It is on the Rathdrum Prairie aquifer. The water service provider would be the Ross Point water district with wastewater being provided by the City of Post Falls. To the north and east is vacant undeveloped land that is a TM Zone Technology mix zone. To the west, currently the 5 acre lots and 10 acre lots at that location have been annexed recently as the Joseph Family Trust File No. ANNX-22-7. South there is a commercial mix zone. Zoning review criteria were presented.

Steffensen: Do we know how much R3 is under construction or is approved right now? And of the stuff that is ready to be lived in, do you know the vacancy rate?

Manley: Last I heard the vacancy rate for R3 was less than 2%. I do know that of the R3 we have, the predominant nature of most has been built out. We do have some Special Use elements; Amelia Apartments phase one is complete. They're going to go on to Phase 2 soon. Then they have the east part of Phase 2 of Amelia Apartments, which was done through a Special use Permit. Highway 41, Tullamore, has a future multi-family site they'll be going south of the new school. North Place East that was approved for some multi-families at some future date. Later than 15-20 years from now, they'll have that phase, maybe shorter. Montrose, you know how long Montrose has been here. They have sections that were approved for multi-family north of the bowling alley they've never developed. Sometimes you get these master plans. They're approved for, but 20-25 years later, you may not see that.

Steffensen: With Tech Park, knowing that there are some high-density residential there, has there been any indication of Tech Park as far as the commercial side of it and jobs, any movement there?

Manley: There have been some preliminary discussions. Now we're looking at the appropriate means of servicing the sewer for that project so we can get through that aspect of it allowing the developer to go through a construction plan approval to lead to a subdivision plan and plat approval. I do not know the timing of that. I've not heard at this time a preliminary schedule. The owner of this is the same owner that would likely be developing the bulk of the multifamily to the north and east. That would allow for the opportunity for that to look like a common project. The advantage of that is that we have open space requirements for multi-family, we have so many square feet per unit, so it brings an opportunity to get more shared spaces potentially and meet some of those requirements for quality-of-life elements.

Applicant

Drew Dittman, Lake City Engineering: 20-acre annexation north of Prairie between Greensferry and Highway 41. Copper Basin Construction, the owner, owns the two parcels to the north and the northeast of Tech Park. That is where the multi-family component of the Tech Park is going to go. By annexing this in and getting the R3 zone allows us to do a bigger project and gives us more open space, it's more continuous with the uses that are there. A commercial to the west is an industrial commercial at the intersection of Greensferry, so it seems like a good fit for the uses surrounding it. It is conformant with the future land use map; it's designated transitional, which defers you to the focus areas. Highway 41 north is commercial, with provisions for multi-family and commercial uses adjacent to higher-classification roadways. Prairie Avenue is a principal arterial, so it's a much higher classified road. The creation of backage roads to help alleviate some of that traffic. We're asking R3 for the northern 2/3, CCS for the southern 1/3. We've been working with the property owners to the west where the commercial access road is going to go about 330 feet north of Prairie. You'll see a parallel backage commercial access road that will run parallel to Prairie Avenue. That made a defining point for us about zoning. Provisions for

commercial uses along arterials and collectors, Prairie Avenue is that arterial road. Goals and policies of the comp plan, goal #2 is about maintaining and improving the provision of high quality, affordable and efficient community services in Post Falls. This is in conformance with the future land use map. There are utilities in place to service sewers. This project would mesh well with the surrounding uses with approved multi-family already to the north and the northeast. It will provide additional housing options as well as commercial uses near those housing uses. Policy #20 in the comp plan talks about the location of multi-family development in areas that have great access, to help buffer higher and lower intensity development. So again, you've got mini-storage purposed to the west, some commercial and industrial proposed at the corner of Greensferry and Prairie and then, multi-family units already approved to the north and east so this seems to make sense there. Policy #27 works to improve street connectivity in all areas, improving walkability, health, safety, and transportation efficiency. The back road goes in and the split zoning. Jon talked about the Prairie Trail and when we do develop multi-family we'll have trail connections going from the north to that trail. Zoning #3, demonstrable adverse impacts. There are no known adverse impacts on the agencies that are affected per the letters in the file. There are two purpose conditions, water rights and right of way dedication. Both are acceptable to the applicant.

Carey: Did you say you are planning the plans to develop this piece along with the other R3 that's already been approved?

Dittman: Yes, it's the same owner, there are two parcels, about 44 acres that Copper Basin owns, as well as this piece.

Carey: It will just be all together.

Dittman: We don't have any kind of plan for it yet, but it will be developed as one project.

Carey: Thank you.

Steffensen: So really the timing hasn't been determined at this point. You're just trying to get everything situated.

Dittman: Trying to get everything situated, like I said. It seems appropriate. The property to the west just recently got annexed. We're a county island. Before we get too far in planning the parcels that we already have annexed, it would make sense that we try to get this in so that we can create that larger uniform project.

Public Testimony:

In Favor: None

Neutral: None

Opposed: One

James Van Trout, Post Falls (not wishing to speak)

Opposed:

A lifelong resident of Post Falls shared their experience of graduating from the local high school in 1997. They mentioned that the current high school was built the following year and that their daughter now attends the overcrowded school. The resident expressed concern that the dense population of the building is detrimental to the community's future and emphasized the need for infrastructure improvements to support a better community.

Rebuttal

Dittman: Chairman, you asked about the vacancy rate in apartments. I was talking to my client about this today. Copper Basin owns lots of apartments in Post Falls, Coeur d'Alene, Spokane Valley, and the Spokane area. They have a vacancy rate of between 3% and 4% currently. And that's not even vacancy, that's the turnover rate. Someone moves out of an apartment project to

move into another one, a unit sits empty for a month while they clean it, paint it, do whatever before somebody comes in. I represent a lot of clients that own apartments and I'm seeing that across the board currently. Vacancy rates are still very low for multifamily projects.

Public Hearing closed at 6:02 PM

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?

Walton: It appears as though it is.

Carey: Yeah, it's right along with everything else that's zoned around it so it fits right in there.

Kimball: I see this as an area. If you were to look at the map and take the entire square mile, the entire section and look at anything other than what's being purposed it would probably be a mistake because of the uses around it. We've got commercial, tech, multi-family, all those higher intensity uses in this area and although they're not developed right now, they're not currently under construction or developed to that point, they are currently zoned for that with plans to move forward.

Field Herrington, Legal Director: On that first one could you just talk a little bit of what the focus area is and what that focus area is in that focus area.

Kimball: It's the Highway 41 Corridor focus area as well as the transitional designation. The transitional designation generally says that look at the surrounding land zoning uses and should generally fall in line with those. The Highway 41 Focus Area is about having commercial and higher intensity uses within that corridor. It is about multifamily and commercial businesses being appropriate in that corridor. All those things are met with this proposal.

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?

Herrington: This is what goals and policies do you think are relevant and what facts in the record support or go against that?

Kimball: There are goals and policies surrounding keeping a mix of housing types. Obviously, there is a low vacancy rate for multi-family right now and a very high demand for that. This would go towards satisfying that goal.

Steffensen: Future land use, so we talked about compatibility with the surrounding land areas. The zoning request for this one is going to match what's around it. We talked about infrastructure for that area and then the traffic pattern. There's been lots of improvements, obviously 41 and then Prairie in that area and we'll continue to have improvements as things are developed over there.

Kimball: There's also policy 9 which encourages annexation of county islands, prioritizing those, encouraging compatible infield development. It's not necessarily infield but it is filling in a hole of county zoning inside the city. It does help with Policy 33 with implementing the transportation master plan by dedicating right of way to Prairie Avenue, which is a principal arterial and a very important part of our transportation masterplan.

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?

Kimball: There's been no testimony that demonstrates any adverse impact nor any of the letters from the agencies brought up any adverse impact.

Steffensen: There are 25 agencies and of the ones that did respond nothing was outlined and no public testimony, so I think that's good.

Deliberation:

Steffensen: From a zoning perspective specifically, I think it makes sense. Hopefully, we can get

some more businesses in there. Some people are against R3 but we do need a variety of housing, so this one just happens to be R3, sounds like our vacancy rates are very low. The City's going to continue to grow and we have got to do it smartly. Hopefully, we can get a variety of housing here.

Motion by Planning and Zoning Commissioner Carey to Approve the Copper Basin Prairie Annexation File No ANNX-23-3 finding that it meets the approval criteria of the Post Falls Municipal Code as outlined in our deliberation and staff to prepare a recommendation to City Council with zoning of mixed high-density multi-family and CCS with the inclusion of items one and two recommended and noted in the staff report.

Second - Kimball.

Schlotthauer - Aye, Steffensen - Aye, Kimball - Aye, Walton - Aye, Carey - Aye

Motion Carried

b. DeAtley Annexation ANNX-23-1

Public Hearing Opened at 6:11 pm

Staff Report

Ethan Porter, Associate Planner: Presenting the DeAtley Annexation Case File No ANNX-23-1. The owner of the project site is Matt DeAtley with Eucon Corporation. The applicant is Devon Mecham, here to present on their behalf. The requested actions are for a zoning designation of Community Commercial Services, CCS, on approximately 5 acres as part of an annexation request into the City of Post Falls. The subject site is located on the northeast corner of W. Seltice Way and N. Pleasant View Road. It goes across Seltice Way right of way, that is extra annexed area that was not initially incorporated into the city, so that is included with this request. Currently, the land is vacant and not developed. The site is above the Rathdrum Prairie Aquifer, water and wastewater are provided by the City of Post Falls. North of the subject area there's a railroad right of way and vacant industrial land. West across Pleasant View Road is commercial property that is undeveloped. Further west is industrial. Far West Steel is being developed currently. South across Seltice Way is commercial zoning. Currently, a commercial business that purchased it is operating out of it now. They have an approved site plan. East is Boulder Park Commercial subdivision. There are commercial lots there. Zoning review criteria were presented.

Schlotthauer: When did the property to the north annex in?

Porter: With the Pleasant View North Annexation, I believe, were multiple properties all the way up north.

Kimball: It went almost about half a mile north of Prairie.

Porter: Just before the roundabout, I believe.

Schlotthauer: Has there been any movement on that as far as city services or anything moving in there?

Porter: Yes, the engineering department has commented on it. There's been further discussions of improvements by bringing sewers in and looking at that aspect. Annexing this would potentially get you closer to moving north. They would have to provide services most likely as it develops from the south to the north of the property.

Schlotthauer: I would be interested to hear what Rob has to say about that.

Rob Palus, Assistant City Engineer: In terms of the utilities going up the Pleasant View Corridor from a force main design standpoint and water are partially designed at this point. They are not completed; we're waiting for more development to move forward. There are a couple of potential

developments out there that would trigger the installation of those improvements. The city is also working with one of the property owners north of Prairie Avenue on the acquisition of the land which was part of their annexation agreement for a reservoir well and lift station site to the far north. The entire area is part of an urban renewal area, so that as the utilities go in, certain improvements will be reimbursed and there will be a timeframe after the initial force mains water main go in as growth occurs in the area. We see the roadway widen out to a full five lane facility over time.

Schlotthauer: Is the force main going up Pleasant View from Seltice?

Palus: The force main would go from Seltice Way all the way to Prairie Avenue. Ultimately, there would be two lift stations serving that area. One about 1/3 of the way north of Seltice Way and the other north of Prairie Ave.

Schlotthauer: Thank you.

Applicant

Devon Mecham, Black Commercial, Inc: I'm representing the Eucon Corporation and Matt DeAtley, I don't have anything further to add to what Ethan has done, I'm open for any questions you may have.

Schlotthauer: Do you have any plans for the property?

Mecham: Their plans are to sell it. We have it listed for sale. That is what triggered the annexation process. There's a subdivision meeting to cut up a portion of about one acre off the hard corner and the remainder will stay intact as one parcel. The goal of the owners is to sell the property.

Public Comment: None

Public Hearing closed at 6:26

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?

Walton: They are asking for is commercial and there's commercial industry all around it.

Kimball: The future land use designation is commercial. The focus area speaks to commercial in both corridors.

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?

Kimball: This is consistent with Policy 9 encouraging annexation of a county island. This is surrounded by the city, it is a county island. Policy 8 infield development of vacant areas within the city that is part of this. Regarding transportation corridors, Policy 24 includes right of way acquisition for Pleasant View, which is going to be very important as an arterial. The acquisition of Seltice Way is already done. It meets the transportation masterplan with regards to both Seltice Way and Pleasant View. Policy 1 supports land use patterns; the purposed zoning is consistent with the land use adjacent to and across the street with the surrounding land uses, which is important.

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?

Kimball: There was none provided by any of the political subdivisions or anyone. It will have a positive impact on the extension of water, sewer, and widening of roadways upon development.

Commissioner Comments:

Steffensen: This has a lot of good things in it, it's in that urban renewal district as it gets developed and that whole area gets developed. Pleasant View will be able to have a lot more services, will be able to go north, the roads will get wider, bigger, sidewalks, more connections.

Kimball: If I'm not mistaken, it is not in the Urban Renewal District, it's adjacent. It's not in the district because it was not annexed into the city at that time.

Manley: I'll ask Bob, the right of way is in the urban renewal but not the property itself.

Palus: Correct.

Kimball: Which is also a benefit to the city.

Motion by Planning and Zoning Commissioner Carey to Recommend approval to the City Council of the DeAtley Annexation File No ANNX-23-1 with the zoning recommendation of CCS with the inclusion of items noted in the Staff Report.

Second by Walton.

Carey - Aye, Kimball - Aye, Walton - Aye, Schlotthauer - Aye, Steffensen - Aye

Motion Carried

5. ADMINISTRATIVE / STAFF REPORTS

None.

6. COMMISSION COMMENT

None.

7. ADJOURNMENT

Meeting Adjourned at 6:32 PM

Date: _____

Chair: _____

Attest: _____

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



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**October 30, 2023
2:00 PM**

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

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

1. CONSENT

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

ACTION ITEMS:

- a. Montrose PUD and Subdivision Amendment Reasoned Decision File No(s): PUDA-22-1/SUBD-22-10

Jon Manley, Planning Manager, Presenting: The purpose of this special meeting is to review and approve the Montrose PUD/Subdivision Amendment Reasoned Decision, File Nos. PUD-22-1/SUBD-22-11. The PUD review criteria and the SUBD review criteria were reviewed, finding both meet the review criteria and code requirements. There were no questions from the Commissioners. For PUDA-22-1; Based upon the record placed before the Commission, the testimony received at the properly noticed hearing. It is the conclusion of the Post Falls Planning and Zoning Commission that the request, Montrose Major PUD Amendment, PUDA-22-1, meets the standards of City Code, and the Idaho Local Use Planning Act, and is hereby approved. For SUBD-22-10; Based upon the record placed before the Commission, the testimony received at the properly noticed public hearing, and with the imposition of the above conditions, it is the conclusion of the Post Falls Planning and Zoning Commission that the request, Montrose 2022 subdivision, SUBD-22-10, meets the standards of City Code, and the Idaho Local Land Use Planning Act, and is hereby approved with conditions contained herein.

2. ADJOURNMENT

Date: _____

Chair: _____

Attest: _____

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Bogie Annexation File No. ANNX-23-2

Planning and Zoning Commission Zoning Recommendation

A. INTRODUCTION:

APPLICANT: Drew Dittman of Lake City Engineering, Inc.

LOCATION: The property is located north of E. Bogie Dr, halfway between N. Cecil Rd. and N. Greensferry Rd.

REQUEST: Zoning recommendation of Single Family Residential (R1) on approximately 5 acres, as depicted in Figure 1 of Exhibit A-2.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Legal and Exhibit Map
4. A-4 Vicinity Map
5. A-5 Title Report
6. A-6 Owners Authorization
7. S-1 Vicinity Map
8. S-2 Zoning Map
9. S-3 Future Land Use Map
10. PA-1 PFPD Comments
11. PA-2 YPL Comments
12. PA-3 PFHD Comments
13. PA-4 BPA Comments
14. PA-5 PHD Comments
15. PA-6 PFSD Comments
16. PA-7 KCFR Comments
17. PZ Staff Report
18. Testimony at the September 12, 2023, Planning and Zoning Commission ("Commission") hearing including:

Planning and Zoning Commission (hereinafter "Commission") heard the request at the September 12, 2023, public hearing, and the meeting was in-person and live-streamed on the City of Post Falls YouTube Channel. The public hearing was properly noticed and conducted per the requirements of Idaho Code Sections 67-6511 and 67-6509, and City Code section 18.20.060. The purpose of the hearing was to afford the applicant and the public the opportunity to supply testimony and documentation to be taken by the Commission in their application of City Code 18.20.100 when making the Commission's recommendation on zoning to the City Council.

Jon Manley, Planning Manager

Mr. Manley presented the staff report. He testified that the applicant was seeking a recommendation for an initial zoning designation of Single Family Residential (R-1) on approximately 5 acres upon the annexation into the city of Post Falls. He illustrated that the subject property is found on the northwest corner of E. Bogie Dr. and between N. Greensferry and N. Cecil Rd.

Mr. Manley testified that the current land use is a large lot single-family residence, and the only natural characteristic or feature is that it is on the Rathdrum Prairie Aquifer. He testified that Ross Point Water District would supply the water service, and the city of Post Falls would supply the wastewater service.

During the hearing, Mr. Manley provided information about the surrounding zoning and land uses of the proposed area. To the north, there is the Corbin Meadows R1 subdivision that is currently being developed, while to the east, there is a Kootenai County single-family residential lot. To the south, there is the developing Millsap Landing R1 subdivision, and to the west, there is the Boyd's subdivision. Mr. Manley also noted that there are other developing R1 subdivisions with R1 zoning in the surrounding area.

Mr. Manley testified that the Future Land Use Map designates the area as Low Density Residential, which encompasses all types of single-family residential uses up to eight dwelling units per acre. He also acknowledged that there is some residential development in the area and that it is forecasted to see up to 30,000 new residents by 2040 within the designated Focus area.

Mr. Manley testified as to whether the proposal is in accordance with the goals and policies of the comprehensive plan, illustrating goals five, six, and seven to possibly be relevant and applicable goals. He testified that policies one, two, eight, nine, fifteen, twenty-four, twenty-seven, thirty-three, and forty-five, as well as those listed in the staff report, may be appropriate for consideration by the Commission.

Mr. Manley highlighted the importance of establishing different types of land uses in Post Falls that can support community needs and promote long-term sustainability. He mentioned the R1 zoning district and how it can provide diversified housing options for varying sizes of lots and different types of housing products. Mr. Manley also suggested that supporting diversified housing can help the commercial and industrial sectors provide housing for the workforce, promoting the city's physical health in the long run. He discussed policies to maintain the city's physical health, enhance residential quality of life, and promote compatible design. Mr. Manley emphasized the need for careful consideration of future land use mapping when applying or revising zoning designations. He talked about the improvements in infrastructure and service plans that come with annexation and subdivisions. Mr. Manley also mentioned the importance of encouraging compatible infill development that is consistent with the surrounding zones and ensures adequate land is available for future housing needs. Finally, he discussed the improvements along Bogey Drive and how they relate to annexation and development.

Mr. Manley reviewed the new criteria for proposed zoning districts and explained that the third criteria examines whether the district would negatively impact any public services provided by political subdivisions in the city. He then presented the findings of the agency notifications, which showed that there were no concerns from the police department, Yellowstone pipeline, Bonneville power, school district, and fire district. Based on this, Mr. Manley concluded that the proposed zoning district meets the third criterion.

Mr. Manley provided testimony regarding the annexation of two five-acre chunks of land to the east of a proposed project in the City. He explained that this annexation would improve connectivity between Greensferry Road and Cecil. Additionally, he mentioned that the road between the two areas has been temporarily paved with asphalt chips.

Rob Palus, Assistant City Engineer

Mr. Palus presented information about the improvements made in the Corbin Meadows subdivision, which included moving 10 feet of development to allow for additional paving to connect the subdivision to Greens Ferry Road. He emphasized that this decision was made to provide adequate access for the general public and emergency services due to the high traffic in the area. Mr. Palus also discussed the situation on Bogey Drive where the Millsap subdivision is currently under review. He explained

that while the southern half of the road will be developed by the subdivision, the northern half will remain gravel due to the lack of a methodology for paving the last 330 feet. This section of the road is a public right-of-way but has not been accepted by Post Falls Highway District for public maintenance purposes. Despite efforts by residents to maintain the gravel road, Mr. Palus acknowledged that this could be an issue during winter months.

Drew Dittman, Applicant

Mr. Dittman testified about a five acre property annexation that is being developed by the same developer as the nearby Northern Lights and Boyd's Landing projects. The annexation is set to be an extension of Boyd's Landing to the east and will be zoned as R1, matching the surrounding areas. Mr. Dittman stated that the annexation is a straightforward process and meets the necessary criteria.

Public Testimony:

The hearing was opened for public testimony, none was received.

Deliberations: After the public hearing was complete, the hearing was closed, and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the criteria in City Code section 18.20.100.

C. EVALUATION OF APPROVAL CRITERIA FOR INITIAL ZONING:

C1. 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 applicant has requested initial zoning of Single Family Residential (R-1) on approximately 5 acres upon the annexation into the city of Post Falls. The Future Land Use Map designates this area as low density residential and inside the 41 North focus area.

The Commission has considered the staff report and testimony provided as evidence that the proposed single-family residential (R-1) zone is in accordance with the Future Land Use Map and Focus Area, no other testimony or evidence was presented. The zone is located near other R-1 zones and is consistent with the relevant guidelines. In addition, the area has neighborhood school services and commercial development pressures, which may create a complimentary synergy. Furthermore, an elementary school is located approximately .4 miles to the west, while Post Falls High School is 0.25 miles to the south.

C2. 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?

Based on the testimony provided and the staff report, the Commission finds the requested zone change to be consistent with the following goals and policies contained in the comprehensive plan:

Goals:

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

This proposal helps build economic diversity by capitalizing on access to neighboring job centers and developing a strong business base within City limits. This proposal builds and sustains a diverse, balanced economic base, retains existing quality-of-life assets, and helps keep Post Falls prosperous.

Goal 5: Keep Post Falls' neighborhoods safe, vital, and attractive.

This proposal keeps with Post Falls neighborhoods' character and unhurried pace and helps ensure those neighborhoods are kept safe, active, and aesthetically pleasing. This proposal will provide an attractive, pedestrian-friendly development with diverse housing types. Additionally, Bogie Dr. Would be improved with added pedestrian connectivity.

Policies:

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service;

Impact Fees are paid at the time of permit issuance to aid in maintaining the community levels of service.

- Foster the long-term fiscal health of the community;

Additional housing may help further the City's long-term fiscal health by supporting both the Industrial and Commercial uses by supporting employment and commerce objectives.

- Maintain and enhance resident quality of life;

There is an elementary school approximately .4 miles to the west, Post Falls High School is 0.25 miles to the south and Tullamore Park about .5 miles to the east. As Hwy 41 develops, commercial services will be about .7 mile to the east. There is a Tech Park planned less than 2 miles to the north.

- Promote compatible, well-designed development;

The development will need to meet city design standards, this, in turn, promotes compatible, well-designed development.

- Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.

City staff reviews transportation impacts and sewer and water capacity. Any predicted inadequacies identified are addressed, and/or develop 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;

This is addressed by the first review criteria of this recommendation.

- Compatibility with surrounding land uses;

The proposed development pattern for this proposal is compatible with the surrounding uses as they are other single-family households in the City or County. There are two county households to the east. To the south is the recently approved Millsap Landings Annexation and (R-1) subdivision. To the west is an undeveloped planned single-family neighborhood in the city. To the north is the developing Corbin Meadows single-family subdivision.

- Infrastructure and service plans;

The Sanitary Sewer for the site is located at the southwest corner of the property.

The requested zoning complies 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 the Ross Point Water Association.

Existing and future traffic patterns;

The property is adjacent to Bogie Drive, a classified Minor Collector roadway that connects to Greensferry Rd. (Minor Arterial) 0.25 miles west and Cecil Rd. (Major Collector) 0.25 miles east. Additional rights-of-way dedication would be required with annexation, along with dedication of a sidewalk, drainage, and utility easement, complying with adopted City Design Standards:

Bogie Drive – Minor Collector, 40-foot half-road rights-of-way, as measured from the center of the historic right-of-way shown in the Plat of Post Falls Irrigated Tracts. A 15-foot sidewalk, drainage, and utility easement shall be provided adjacent to the dedicated rights-of-way.

Future traffic patterns to/from this site benefit from the connectivity of the fronting Bogie Dr. To Collector and Arterial roadways, providing local and regional access.

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

The response to this is embedded within the analysis of this recommendation.

Policy 9: Encourage annexation of County "islands" within the City, with priority given to areas:

The Commission finds that the site is currently surrounded by incorporated City and is a County "island".

The City of Post Falls is the purveyor of Sanitary Sewer, and Ross Point Water will be the water purveyor. Sanitary sewer infrastructure is located at the property's southwest corner. The City has capacity and is willing to provide service to the site. Utilities would need to be extended within the site with any future subdivision. The Commission finds that they have readily available service infrastructure and capacity.

C3. 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?

The Commission finds that political subdivisions were notified, and the city received seven written comments. No evidence of a demonstrable adverse impact upon the delivery of services by any other political subdivisions as provided, and as such, the Commission finds this criterion satisfied.

D. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:

ANNX-23-2, INITIAL ZONING: Following the public hearing, the Planning and Zoning Commission considered all relevant evidence and comments, and a motion to recommend approval of the recommended zoning upon annexation was made, the motion passed unanimously. The Planning and Zoning Commission hereby recommends that the City Council approve the proposal, finding that it conforms to the general purpose of the comprehensive plan and meets the applicable approval criteria for the applicant's request for Single-Family Residential (R1) zoning on

approximately five acres upon successful annexation of the property.

Date

Chairman

Attest

NOTICE OF RIGHTS:

Any affected person aggrieved by a final decision of the Planning and Zoning Commission may submit a written notice of appeal along with the required fees in accordance with the City's adopted fee schedule, to the City Clerk for appeal to the Post Falls City Council within fourteen (14) days of the date of the written decision, pursuant to Post Falls City Code 18.20.60.E

The final decision of the Planning and Zoning Commission is not a final decision for purposes of judicial review until the City Council has issued a final decision on appeal and the party seeking judicial review has requested reconsideration of that final decision as provided by Idaho Code 67-6535(2)(b), pursuant to Post Falls City Code 18.20.60.E.

Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section 67-6535 must first seek reconsideration of the final decision within fourteen (14) days of such decision. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section 67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code Section 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.

**DeAtley Annexation
File No. ANN-23-1**

**Planning and Zoning Commission
Zoning Recommendation**

A. INTRODUCTION:

APPLICANT: Devin Mecham (Per Exhibit A-4)

LOCATION: The property is located on the northeast corner of W. Seltice Way and N. Pleasant View Rd.

REQUEST: Zoning recommendation of Community Commercial Services (CCS) on approximately 4.92 acres (5.793 acres with Rights-of-Way), as depicted in Exhibit A-3.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Legal and Exhibit Map
4. A-4 Authorization Letter
5. A-5 Title Report
6. S-1 Vicinity Map
7. S-2 Zoning Map
8. S-3 Future Land Use Map
9. PA-1 PFSD Comments
10. PA-2 KCFR Comments
11. PA-3 PFPD Comments
12. PA-4 PHD Comments
13. PA-5 PHHD Comments
14. PZ Staff Report
15. Testimony at the October 10, 2023, Planning and Zoning Commission ("Commission") hearing including:

Planning and Zoning Commission (hereinafter "Commission") heard the request at the October 10, 2023 public hearing, the meeting was in-person and live-streamed on the City of Post Falls YouTube Channel. The public hearing was properly noticed and conducted per the requirements of Idaho Code Sections 67-6511 and 67-6509, and City Code section 18.20.060. The purpose of the hearing was to afford the applicant and the public the opportunity to supply testimony and documentation to be taken by the Commission in their application of City Code 18.20.100 when making the Commission's recommendation on zoning to the City Council.

Ethan Porter, Associate Planner

Mr. Porter presented the staff report. He testified that the applicant was seeking a zoning designation of Community Commercial Services (CCS) on approximately 5 acres a part of an annexation request into the City of Post Falls. The subject site is located on the northeast corner of W. Seltice Way and N. Pleasant View Road, above the Rathdrum Prairie Aquifer. The current land use is vacant, and the city of Post Falls will provide water and wastewater. South across Seltice Way is commercial zoning. Currently, a commercial business that purchased it is operating out of it now. They have an approved site plan.

Mr. Porter provided an overview of the zoning and land uses surrounding the subject site. He highlighted the presence of a railroad right away to the north, vacant industrial land to the north of that, and undeveloped commercial property to the west. Far West Steel is currently being developed in the industrial triangle gray piece further west. Across Seltice Way to the south is a commercial zoning area where the old Surplus Store currently operates as a business with an approved site plan for development. To the east is the Boulder Court commercial subdivision with commercial lots. Overall, Mr. Porter's testimony provided a comprehensive understanding of the surrounding zoning and land use in the area.

During Mr. Porter's testimony at the hearing, he discussed the first review criteria for annexation and the proposed zoning district. He noted that the proposal should be consistent with the future land use map and focus area in the comprehensive plan. The current designation is for commercial use, which would include retail, offices, and mixed uses to serve the local and traveling public. Mr. Porter also highlighted the West Prairie Focus area, which may warrant commercial use consideration if adjacent to collector streets with traffic volumes exceeding 4,000 vehicles per day. Pleasant View Road and Seltice Way meet this criterion, making it a suitable proposal for the focus area.

Mr. Porter reviewed the goals and policies for review criteria two, which included goals such as growing and sustaining a balanced economy for Post Falls, keeping the neighborhood safe and attractive, and planning for the establishment of land uses that support community needs and the city's long-term sustainability. He also mentioned policies that support these goals, such as maintaining the city's long-term physical health and involving the community in local government planning and decision making.

Mr. Porter provided testimony in support of policies aimed at maintaining or enhancing community-level services and promoting compatible and well-designed development. He emphasized the importance of providing amenities within proposed zones to improve residents' quality of life and noted that the city has standards for commercial development that need to be met during the permitting and planning process. Mr. Porter also discussed the careful consideration of factors such as future land use mapping and compatibility with surrounding land uses when revising zoning designations.

During the hearing, Mr. Porter discussed the infrastructure and traffic patterns of the city in relation to a proposed property. He highlighted the city's willingness and capacity to provide services to the property, as well as the benefits of the nearby signalized intersection. Additionally, he referenced city policies regarding commercial shopping centers and their proximity to high-traffic areas, which align with the proposed location.

During Mr. Porter's testimony, he explained that Policy 8 and 9 apply to the infill development of County "Islands", which are areas surrounded by the city. The area currently qualifies as

infill development due to its vacant state and commercial development surrounding it. Additionally, Policies 24 and 26 focus on transportation, ensuring continuity in sidewalks, trails, and adequate rights-of-way for future corridors, including utility facilities. Mr. Porter emphasized that meeting city standards and acquiring additional rights-of-way is crucial in maintaining and developing the area.

Mr. Porter commented on the potential adverse impact upon the delivery of systems by political subdivisions providing services within the city. However, after sending out notices to various jurisdictions and agencies, only a few remained neutral or had no comment. As a result, there was no adverse impact noted or commented on, and Mr. Porter believes that the review criteria were met in that regard.

Rob Palus, Assistant City Engineer

Mr. Palus provided insight on the installation of utilities in the Pleasant View Corridor, with a focus on the forced main design. He mentioned that there are a few potential developments in the area that would require these improvements. The City is also in the process of acquiring land from one of the property owners north of Prairie Avenue for a reservoir well and lift station site. It is worth noting that the area falls under an urban renewal program, so certain upgrades will be reimbursed. Additionally, the road is expected to widen over time and become a full five-lane facility. Mr. Palus also mentioned that the force main will extend from Seltice Way to Prairie Avenue, and two lift stations will serve the area.

Devon Mecham, Applicant

Mr. Mecham stated that he was representing the Eucon Corporation and Mr. Matt DeAtley. According to their plan, a section of the property will be divided and sold into approximately 1-acre parcels while the rest of the property will remain intact. Mr. Mecham didn't have any further comments to add to Mr. Porter's report.

Public Testimony:

The hearing was opened for public testimony, but none was received.

Deliberations: After the public hearing was complete, the hearing was closed, and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the criteria in City Code section 18.20.100.

C. EVALUATION OF APPROVAL CRITERIA FOR INITIAL ZONING:

C1. 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 applicant has requested initial zoning of Community Commercial Services (CCS) on approximately 4.92 acres upon the annexation into the city of Post Falls. The Future Land Use Map designates this area as Commercial and it is inside the West Prairie focus area.

West Prairie is a transitioning region with potential for future development. Guidelines have been established for future policies, including the expected development of industrial and commercial uses west of Pleasant View Road, a mix of residential, commercial, and

industrial uses between Corbin Road and Pleasant View Road, and the exploration of opportunities for off-corridor commercial spaces. The Commission finds that the proposed Community Commercial Services (CCS) zone is consistent with the Future Land Use Map and aligns with the commercial uses identified in the West Prairie Focus Area.

C2. Amendments to the zoning map should be in accordance with the goals and policies found in the Post Falls Comprehensive Plan.

Based on the testimony provided and the staff report, the Commission finds the requested zone change to be consistent with the following goals and policies contained in the comprehensive plan:

Goals:

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

This proposal helps build economic diversity by capitalizing on access to neighboring job centers and developing a strong business base within City limits. This proposal builds and sustains a diverse, balanced economic base, keeps existing quality-of-life assets, and helps keep Post Falls prosperous.

Policies:

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service;

Impact Fees are paid at the time of permit issuance to aid in maintaining the community levels of service.

- Foster the long-term fiscal health of the community;

Adding more commercial uses can improve the City's long-term fiscal health by accommodating current and future residents.

- Maintain and enhance resident quality of life;

Future commercial businesses and amenities that are accessible within Post Falls will help enhance the quality of life for those within the City.

- Promote compatible, well-designed development;

The development will need to meet city design standards, this, in turn, promotes compatible, well-designed development.

- Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.

City staff reviews transportation impacts and sewer and water capacity. Any predicted inadequacies identified are addressed, and/or develop 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 8: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.

After careful consideration, the Commission has determined that the current state of the site is underdeveloped and under-utilized and falls within the exclusive tier of the Area City Impact. The Commission recommends that the site be incorporated into the City, which may serve as a potential incentive for development on this vacant lot.

Policy 9: Encourage annexation of County “islands” within the City, with priority given to areas:

- Surrounded by incorporated areas;

The site is currently an island surrounded by incorporated city and railroad right-of-way.

- That have readily available service infrastructure and capacity.

The Commission has determined that the City of Post Falls is responsible for providing both Sanitary Sewer and Domestic Water Services. The Sanitary Sewer infrastructure is located at the property's southeast corner and Domestic Water is located along the Seltice Way frontage. The City has confirmed its capacity and willingness to provide service to the site. However, utilities would need to be extended within the site with any future subdivision.

- That support increased development intensity near the urban core.

The site is not located near an urban core, but within a growth area of commercial and industrial uses.

Policy 24: Plan for and protect transportation corridors from encroachment and preserve adequate rights-of-way for future corridors including utility facilities.

The Commission has determined that there is no need for additional rights-of-way along Seltice Way and Pleasant View. However, it is necessary to dedicate a 15-foot Sidewalk, Drainage and Utility easement along adjoining roadways as part of the annexation agreement. The annexation will encompass all rights-of-way adjoining the site and currently within the County. It is important to note that future improvements during site development must take into account the KMPO Critical Arterials Corridor Policy, which affects access.

C3. 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?

The Commission has determined that the political subdivisions were notified and the city received several written comments. The project will have a positive impact on the extension of water, sewer, and roadways widening upon development. There is no evidence of any demonstrable adverse impact on the delivery of services by any other political subdivisions. As such, the Commission finds that this criterion has been satisfied.

D. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:

ANNX-23-1, INITIAL ZONING: Following the public hearing, the Planning and Zoning Commission considered all relevant evidence and comments, and a motion to recommend approval of the recommended zoning upon annexation was made, the motion passed unanimously. The Planning and Zoning Commission hereby recommends that the City Council approve the proposal, finding that it conforms to the general purpose of the comprehensive plan and meets the applicable approval criteria for the applicant's request for Community Commercial Services (CCS) zoning on approximately 4.92 acres upon successful annexation of the property.

Date

Chairman

Attest

NOTICE OF RIGHTS:

Any affected person aggrieved by a final decision of the Planning and Zoning Commission may submit a written notice of appeal along with the required fees in accordance with the City's adopted fee schedule, to the City Clerk for appeal to the Post Falls City Council within fourteen (14) days of the date of the written decision, pursuant to Post Falls City Code 18.20.60.E

The final decision of the Planning and Zoning Commission is not a final decision for purposes of judicial review until the City Council has issued a final decision on appeal and the party seeking judicial review has requested reconsideration of that final decision as provided by Idaho Code 67-6535(2)(b), pursuant to Post Falls City Code 18.20.60.E.

Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section 67-6535 must first seek reconsideration of the final decision within fourteen (14) days of such decision. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section 67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code Section 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.

Copper Basin File No. ANNX-23-3

Planning and Zoning Commission Zoning Recommendation

A. INTRODUCTION:

APPLICANT: Drew Dittman of Lake City Engineering, Inc.

LOCATION: The property is located north of Prairie Ave., approximately 1/3 of a mile east of the intersection of N. Greensferry Rd. and W. Prairie Ave.

REQUEST: Zoning recommendation of a mix of High-Density Multi-Family (R3) and Community Commercial Services (CCS) on approximately 20 acres, as depicted in Figure 1 of Exhibit A-2.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Vicinity Map
4. A-4 Authorization Letter
5. A-5 Title Report
6. S-1 Vicinity Map
7. S-2 Zoning Map
8. S-3 Future Land Use Map
9. PA-1 PFSD Comments
10. PA-2 KCFR Comments
11. PA-3 PHD Comments
12. PA-4 PFHD Comments
13. PZ Staff Report
14. Testimony at the October 10, 2023, Planning and Zoning Commission ("Commission") hearing including:

Planning and Zoning Commission (hereinafter "Commission") heard the request at the October 10, 2023 public hearing, the meeting was in-person and live-streamed on the City of Post Falls YouTube Channel. The public hearing was properly noticed and conducted per the requirements of Idaho Code Sections 67-6511 and 67-6509, and City Code section 18.20.060. The purpose of the hearing was to afford the applicant and the public the opportunity to supply testimony and documentation to be taken by the Commission in their application of City Code 18.20.100 when making the Commission's recommendation on zoning to the City Council.

Jon Manley, Planning Manager

Mr. Manley presented the staff report. He testified that the applicant sought a recommendation for an initial zoning designation of High-Density Multi-Family (R-3) on approximately 14 acres and Community Commercial Services (CCS) on approximately 20 acres upon the annexation into the city of Post Falls. He illustrated that the subject property is found north of Prairie Ave between Greensferry and Cecil Rd and about 2/3 of a mile west of Highway 41.

Mr. Manley testified that the current land use is an undeveloped county lot, and the only natural

characteristic or feature is that it is on the Rathdrum Prairie Aquifer. He testified that Ross Point Water District would supply the water service, and the city of Post Falls would supply the wastewater service.

Mr. Manley discussed the surrounding uses to the north and east of the proposed site. He mentioned a vacant undeveloped lot that is part of the technology mix zone and is intended to be all multifamily within the current plan for the site. To the east of Cecil Road, the area is more of a job creation industrial mix of commercial-type uses. He also mentioned the recent annexation of the Joseph Family Trust, which has a mix of zones restricted to doing more storage-type uses. To the south of the proposed site, there is a commercial mix zone, which intends to do mixed use of some commercial industrial flex type uses. Additionally, there is a commercial industrial recreational building adjacent to Prairie Avenue.

Mr. Manley provided testimony regarding the proposed development site located outside the city, which is identified as transitional on the future land use map. He explained how the comprehensive plan led to zoning assignments for commercial areas, such as the identified commercial node highlighted on the map. Mr. Manley also discussed the guiding principles for the 41 North focus area, including the anticipated population growth and provisions for commercial and tech uses near higher classified roadways. He emphasized the importance of pedestrian connectivity to multi-use paths and trails, including the Prairie Trail, which will be connected through the reference tech park in the future. Additionally, Mr. Manley highlighted the focus on commercial uses along arterial collector streets where traffic volumes exceed 4,000 vehicles, such as Prairie Avenue.

Mr. Manley provided a review of the criteria for the comprehensive plan. He highlighted four goals, which included growing and sustaining a balanced economy for Post Falls, improving the transportation network, establishing land uses to support community needs and long-term sustainability, and ensuring fiscal health. He emphasized the importance of these goals in promoting community prosperity and physical health, as well as achieving the plan's objectives.

Mr. Manley discussed the importance of implementing policies that maintain and enhance the community level of service and foster long-term physical health. He emphasized the need for zoning assignments and designations that support walkable and connected communities with compatible land uses. Mr. Manley stressed the importance of meeting the comp plan and assigning the right zoning to maintain and enhance residential quality of life. He also highlighted the future job creation potential in the area and the need for compatible uses in the general vicinity. Mr. Manley discussed the elements of Policy 2, including applying and revising zoning designations based on factors such as compatibility of surrounding land uses, infrastructure and service plans, and existing and future traffic patterns. He noted that there are options for different basins depending on sewer studies and highlighted the ability to service the site.

Mr. Manley provided a report on the traffic patterns of the site and the benefits of annexation. He noted that annexation would provide additional right of way to address sidewalk drainage utility easements and comply with City design standards. He emphasized the importance of the main access point from the south and the need for additional East-West connectors that would complement and tie into future development. Mr. Manley also discussed the policies that support annexations, such as encouraging infill development and County islands, and highlighted the benefits of annexations, such as getting the necessary right of way for compatible infrastructure and utilities corridors needed to meet the long-term vision for the community.

Mr. Manley discussed the third criterion of the proposed zoning district, which involves assessing whether it would negatively affect the delivery of public services. He emphasized the importance of receiving input from other agencies to determine if there are any concerns in this regard. Mr. Manley provided a list of agencies that were contacted and their responses, including the School District remaining neutral and the Highway District being in favor. Overall, there was no evidence of a demonstrable adverse impact on public services.

Mr. Manley reported that the vacancy rate for R3 was less than 2% and that most of the R3 properties

have already been built out. He did mention some Special Use elements, such as the completion of Phase 1 of Amelia Apartments and the upcoming Phase 2. Additionally, a future multi-family site is planned south of the new school on Highway 41 in Tullamore. Mr. Manley also noted that North Place East was approved for some multi-family at a future date, but it may be 15-20 years or more before that phase is completed. Finally, he mentioned that Montrose has sections approved for multi-family development north of the bowling alley that have not yet been developed and that sometimes master plans are approved but not realized for 20-25 years later.

Drew Dittman, Applicant

Mr. Dittman discussed a 20 acre annexation north of prairie between Greensferry and Highway 41. He explained that they had previously received unanimous approval from the Commission but City Council was not ready to Annex it at that time. Now, they are back because they are completely surrounded by Annexed property and the highway is complete. Mr. Dittman believes it is the appropriate time to annex the property.

Mr. Dittman testified that the owner of Copper Basin Construction owns two parcels of land to the north and northeast that are part of the Tech Park where the multifamily component of the project will be located. By annexing this land and obtaining the R3 Zone, they can create a larger project with more open space and better continuity with the surrounding commercial and industrial uses. Mr. Dittman also confirmed that the zoning request is in compliance with the future land use map and the goals and policies of the comprehensive plan. He further explained that they are asking for R3 zoning for the northern two-thirds of the property and CCS zoning for the southern third, which will include a commercial access road parallel to Prairie Avenue.

Mr. Dittman discussed the benefits of a proposed project that would provide additional housing and commercial options in close proximity to existing multi-family developments. He highlighted the policy in the comp plan that supports such developments in areas with great access and discussed how the project would be compatible with existing uses. He also emphasized the importance of improving street connectivity and walkability. Mr. Dittman noted that there were no known adverse impacts and that several agencies had provided letters in support of the project.

At the hearing, Mr. Dittman presented two proposed conditions related to water rights and Right of Way dedication, both of which were acceptable to the applicant. He confirmed that the plan was to develop this piece along with another R3 that had already been approved, as both parcels are owned by Copper Basin. The timing of the development has not been determined, but it would be developed as one project with the recently annexed property to the West. Mr. Dittman suggested that it made sense to get this piece annexed before proceeding further with planning the existing parcels.

Public Testimony:

The hearing was opened for public testimony.

James Van Trout

A lifelong resident of Post Falls shared their experience of graduating from the local high school in 1997. They mentioned that the current high school was built the following year and that their daughter now attends the overcrowded school. The resident expressed concern that the dense population of the building is detrimental to the community's future and emphasized the need for infrastructure improvements to support a better community.

Rebuttal:

Drew Dittman, Applicant

Mr. Dittman testified that vacancy rates for multifamily apartments are currently very low, with turnover

rates between 3% and 4%. He noted that even when a unit becomes empty, it may sit unoccupied for a month while it is cleaned and prepared for the next tenant. This trend is consistent across the Post Falls, Coeur d'Alene, Spokane Valley, and Spokane areas, where many apartment projects are owned by companies such as Copper Basin.

Deliberations: After the public hearing was complete, the hearing was closed, and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the criteria in City Code sections 18.20.100.

C. EVALUATION OF APPROVAL CRITERIA FOR INITIAL ZONING:

C1. 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 applicant has requested initial zoning of a Mix of High-Density Multi-Family (R-3) and Community Commercial Services (CCS) on approximately 20 total acres upon annexing into the city of Post Falls. The Future Land Use Map designates this area as Transitional and inside the 41 North focus area.

After carefully considering the evidence and testimony provided at the hearing, the Commission has determined that the proposed development is appropriate for the 41 North focus area and is in line with the surrounding land zoning uses. The transitional designation of the area supports the proposed commercial and higher-intensity uses, and the presence of commercial, tech, and multi-family developments in the vicinity further reinforces the suitability of the proposal. Therefore, the Commission finds the development proposal, as presented, is consistent with the Future Land Use Map and Focus Area.

C2. 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?

Based on the testimony provided and the staff report, the Commission finds the requested zone change to be consistent with the following goals and policies contained in the comprehensive plan:

Goals:

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.

There are goals and policies surrounding keeping a mix of housing types. Obviously, there is a low vacancy rate for multi-family right now and a very high demand for that. This would go towards satisfying that goal. This proposal supports an allocation of land use types, parks features, or other areas to support the community's needs and foster the City's long-term sustainability by growing the local economy.

Policies:

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service;

Impact Fees are paid at the time of permit issuance to aid in maintaining the community levels of service.

- Foster the long-term fiscal health of the community;

Supplying the opportunities for creating a variety of additional housing and service,

retail, and office in the Community Commercial Services (CCS), such as this proposal provides, furthers the establishment of residential housing near commercial uses to create sustainable and independent living communities. The interaction between these uses increases their value and helps contribute to the community's long-term fiscal health.

- Maintain and enhance resident quality of life;

Based on our analysis of the surrounding development areas and open space requirements, the Commission recommends that the multi-family housing development in question establish trail connectivity to potential employment areas and the future Prairie Trail. This will not only enhance the quality of life for residents in the area but also provide increased accessibility to nearby amenities and promote a sustainable community.

- Promote compatible, well-designed development;

The Commission recommends that any proposed development must adhere to the City's design standards as outlined in the PPMC for both Commercial and Multi-Family projects. These standards will be enforced through the site plan review process.

- Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.

After careful review by City staff, any potential impacts on transportation and sewer capacity have been identified and addressed through the public hearing process and land use action proposals. The city is committed to ensuring compliance with relevant agreements and city processes to ensure a safe and sustainable environment for our community.

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

- Future land use mapping;

This is addressed by the first review criteria of this recommendation.

- Compatibility with surrounding land uses;

Based on the evidence presented in the record, it can be concluded that the proposed development pattern for the site is compatible with the surrounding uses. The surrounding areas to the north and east consist of a mix of multifamily and job creation industrial commercial-type uses, while the south has a commercial mix zone for mixed use of commercial and industrial flex-type uses. Additionally, the recent annexation of the Joseph Family Trust has a mix of zones restricted to storage-type uses, and there is also a commercial industrial recreational building adjacent to Prairie Avenue. The Commission has taken into account all surrounding uses and finds that the proposed development pattern is in line with the current plan for the site and compatible with the surrounding uses.

- Infrastructure and service plans;

After careful examination of the evidence in the record, the Commission finds that the requested zoning for the property is in conformance with the land use assumptions within the City's Water Reclamation Master Plan. The site is located within two separate sewer service basins, but a significant portion of the development could be accommodated within the southern service basin. The Commission notes that the City of Post Falls has identified a buildout capacity project downstream of the site, near the intersection of Greensferry Rd / Poleline Ave, but the timing of implementation would be dependent on the annexation and

development of the remaining 85 acres within the upstream area of the impacted pipe. The Commission recommends that the City continue to monitor the identified pipe for actual implementation of the project. The Commission also finds that the property is not subject to any Local Improvement Districts, Subsequent User Agreements, or Sewer Surcharges. Finally, the Commission notes that water service for the site will be provided by the Ross Point Water Association. Based on this evidence, the Commission concludes that the City has the capacity to provide service and is willing to serve the property at the requested density, but reminds the parties that existing capacity is not a guarantee of future service.

- Existing and future traffic patterns.

The property is adjacent to Prairie Avenue, a classified Principal Arterial roadway and Critical Arterial. Additional rights-of-way dedication would be required with annexation, along with dedication of a sidewalk, drainage, and utility easement, complying with adopted City Design Standards:

Excepting an emergency vehicle access point, site access to or from Prairie Avenue will be restricted to Lynn St. Upon development of other access points from the site to adjoining properties and establishing routing to Greensferry Rd. or Cecil Rd., Lynn St. Access will be reconfigured as a ¾-turn restriction (no left turns from the site onto Prairie Ave. or crossing movements of Prairie Ave.). Lynn St. access conversions would be completed as part of City improvements to Prairie Ave (CIP project M-R216A).

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

The response to this is embedded within the analysis within this section.

Policy 9: Encourage annexation of County “islands” within the City, with priority given to areas:

The Commission finds that the site is currently surrounded by incorporated City and is a County “island”.

The City of Post Falls is the purveyor of Sanitary Sewer, and Ross Point Water will be the water purveyor. Sanitary sewer infrastructure is located at the property's southern boundary. The City has capacity and is willing to provide service to the site. Utilities would need to be extended within the site with any future subdivision. The Commission finds that they have readily available service infrastructure and capacity.

C3. 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?

The Commission finds that political subdivisions were notified, and the city received several written comments. No evidence of a demonstrable adverse impact upon the delivery of services by any other political subdivisions as provided, and as such, the Commission finds this criterion satisfied.

D. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:

ANNX-23-3, INITIAL ZONING: Following the public hearing, the Planning and Zoning Commission considered all relevant evidence and comments and a motion to recommend approval of the recommended zoning upon annexation was made, the motion passed unanimously. The Planning and Zoning Commission hereby recommends that City Council approve the proposal finding that it conforms to the general purpose of the comprehensive plan and meets the applicable approval criteria for applicant's request for a mix of High-Density Multi-Family (R-3) and Community Commercial Services (CCS) on 20 acres as presented upon successful annexation of the property.

Date

Chairman

Attest

NOTICE OF RIGHTS:

Any affected person aggrieved by a final decision of the Planning and Zoning Commission may submit a written notice of appeal along with the required fees in accordance with the City's adopted fee schedule, to the City Clerk for appeal to the Post Falls City Council within fourteen (14) days of the date of the written decision, pursuant to Post Falls City Code 18.20.60.E

The final decision of the Planning and Zoning Commission is not a final decision for purposes of judicial review until the City Council has issued a final decision on appeal and the party seeking judicial review has requested reconsideration of that final decision as provided by Idaho Code 67-6535(2)(b), pursuant to Post Falls City Code 18.20.60.E.

Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section 67-6535 must first seek reconsideration of the final decision within fourteen (14) days of such decision. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section 67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code Section 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.