



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**January 9, 2024
5:30 PM**

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

REGULAR MEETING – 5:30 PM

**CALL TO ORDER
5:30 PM**

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Kibbee Walton, Ray Kimball, James Steffensen, Ross Schlotthauer, Nancy Hampe, Bobby Wilhelm, Vicky Jo Carey

Kibbee Walton, Ray Kimball, James Steffensen, Ross Schlotthauer, Nancy Hampe, Bobby Wilhelm - **Present**

Vicky Jo Carey - **Excused**

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

Steffensen – We have an announcement. Bobby Wilhelm was recently appointed as a council member to the planning and zoning commission. Welcome, Bobby.

- a. National Apricot Day

AMENDMENTS TO THE AGENDA

Final action cannot be taken on an item added to the agenda after the start of the meeting unless an emergency is declared that requires action at the meeting. The declaration and justification must be approved by motion of the Council.

None

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

Commission members are requested to declare if there is a conflict of interest, real or potential, pertaining to items on the agenda.

None

1. CONSENT CALENDAR

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

ACTION ITEMS:

- a. Meeting Minutes Planning and Zoning Meeting December 12, 2023
- b. Mullan Villas Special Use Permit Reasoned Decision File No. SUP-23-2
- c. Post Falls Food Bank Special Use Permit Reasoned Decision File No. SUP-23-3

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

Second by Planning and Zoning Commissioner Kimball

**Vote: Steffensen - Aye, Kimball - Aye, Hampe - Aye, Schlotthaues - Aye, Walton - Aye
Wilhelm - Not Voting as he was not part of the last meeting.**

Motion Carried

2. CITIZEN ISSUES

This section of the agenda is reserved for citizens wishing to address the Commission on an issue that is not on the agenda. Persons wishing to speak will have 5 minutes. Comments related to pending public hearings, including decisions that may be appealed to the City Council, are out of order and should be held for that public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor, by subsequent appointment. In order to ensure adequate public notice, Idaho Law provides that any item, other than emergencies, requiring action must be placed on the agenda of an upcoming meeting. As such, the Commission cannot take action on items raised during citizens issues at the same meeting but may request additional information or that the item be placed on a future agenda.

None

3. UNFINISHED / OLD BUSINESS

This section of the agenda is to continue consideration of items that have been previously discussed by the Planning and Zoning Commission.

ACTION ITEMS:

None

4. PUBLIC HEARINGS

There are generally two types of public hearings. In a legislative hearing, such as adopting an ordinance amending the zoning code or Comprehensive Plan amendments, the Mayor and City Council may consider any input provided by the public. In quasi-judicial hearings, such as subdivisions, special use permits and zone change requests, the Mayor and City Council must follow procedures similar to those used in court to ensure the fairness of the hearing. Additionally, the Mayor and City Council can only consider testimony that relates to the adopted approval criteria for each matter. Residents or visitors wishing to testify upon an item before the Council must sign up in advance and provide enough information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for submission of information from City staff, then presentation by the applicant (15 min.), followed by public testimony (4 min. each) and finally the applicant's rebuttal testimony (8 min.). Testimony should be addressed to the City Council, only address the relevant approval criteria (in quasi-judicial matters) and not be unduly repetitious.

ACTION ITEMS:

- a. Boyd's Landing First Addition Subdivision File No. SUBD-23-5

Public Hearing Opened at 5:33 PM

Staff Report

Ethan Porter, Associate Planner presenting: Drew Dittman of Lake City Engineering, Inc. has

requested, on behalf of the property Northern Lights Development, LLC, to subdivide approximately 4.87 acres into 19 single family lots within the Single-Family Residential (R-1) zoning designation. The Planning & Zoning Commission is being asked to review and approve the proposed subdivision, determining that it meets the requirements of the Post Falls Municipal Code (PFMC). The property is located north of E. Bogie Dr, halfway between N. Cecil Rd. and N. Greensferry Rd. Currently, the land use is large lot single family homes, the water provider is Ross Point Water District, the wastewater provider is the City of Post Falls.

Hampe: Is the 5-acre parcel development of the property to the west already being built?

Porter: Yes, that's Boyd's First Addition. To my knowledge, it is already being built.

Hampe: Will the developer make any improvements to Bogie Avenue?

Porter: Yes, that is outlined in the conditions of the staff report as well as their frontage improvements for the subdivision, so that is part of that requirement.

Applicant Drew Dittman, Lake City Engineering, Inc. Lake City Engineering, Inc. has requested, on behalf of the property owner Northern Lights Development, LLC to subdivide approximately 4.87 acres into 19 single family lots within the Single-Family Residential (R-1) zoning designation. Hallmark Homes is the development arm that is currently building homes in the original Boyd's Landing phase. They were able to purchase this property subsequently and are going to use it as an extension of that project, same developer, same builder. This is a straight forward subdivision infill project R1 zoning, completely surrounded by R1 zoning.

Testimony: None

In Favor: None

Neutral: None

In Opposition: None

Public Hearing Closed: 5:43 PM

SUBDIVISION REVIEW CRITERIA (Post Falls Municipal Code Title 17.12.060, Subsection H):

1. Definite provision has been made for a water supply system that is adequate in terms of quantity, and quality for the type of subdivision proposed.

Hampe: Yes, it's being serviced by Ross Point Water District.

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

Hampe: Yes, the City said they have capacity.

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

Kimball: They will be widening Bogie Avenue, which is the collector across the frontage which is consistent with the transportation master plan, and their local streets provide the connectivity to the adjoining parcels for future connectivity as well as the existing streets, so it meets that part of the transportation master plan.

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

Hampe: Yes, there are none.

Kimball: There are none identified.

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

Kimball: It meets the requirements of the R1 zoning, all the lots meet the requirements with regard to square footage and lot width. Connectivity is taken care of, there isn't any part of the code that it's in violation of.

6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other

mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.

Kimball: This is a small enough project where impact fees are the appropriate way to deal with any offsite mitigation and impacts on the greater community.

MOTION TO APPROVE BY Planning and Zoning Commissioner Kimball to Approve Boyd's Landing First Addition File No SUBD-23-5 finding that it meets the approval criteria contained in the Post Falls Municipal Code outlined in our deliberation criteria 1 through 6 adopting conditions 1 through 10 contained in the Staff Report and direct staff to prepare a Reasoned Decision.

SECOND BY: Planning and Zoning Commissioner Hampe

VOTE: Kimball-Yes, Hampe-Yes, Steffensen-Yes, Wilhelm-Yes, Schlotthauer-Yes, Walton-Yes

MOVED

- b. Zoning Recommendation for the Arche Annexation File No. ANNX-23-4

Public Hearing Opened at 5:48 PM

Staff Report

Ethan Porter, Associate Planner presenting: Olson Engineering is requesting, on behalf of Arche Idaho LLC, the property owner, approval to annex approximately 14.7-acres between two parcels into the City of Post Falls with a zoning request of Community Commercial Services (CCS). The Planning & Zoning Commission is being asked to 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. We are not looking at the annexation tonight, we're just looking at the zoning request or recommendation to City Council. The property is located east of Cedar Street and north of Seltice Way and south of Interstate 90. Current land use is large lot residential. The property is over the Rathdrum Prairie Aquifer and has a steep slope on the northern property edge that is not detrimental to the project. Water and wastewater is provided by the City of Post Falls. Looking at the surrounding land use, to the north is W Interstate 90 right of way, and south is E Seltice Way right-of-way. Directly west is a vacant parcel and directly east is an industrial business building.

Steffensen: A lot of the recent annexations that have come before us have been combined with a subdivision application. In this one we're not sure what they want to do yet.

Parker: I'll let the applicant speak about that, but I don't believe we have a subdivision for this submitted, so I think it's just the annexation.

Applicant Jeramie Terzulli, Olsen Engineering, Inc. Olsen Engineering has requested, on behalf of the property owner Arche Idaho LLC, to annex approximately 14.7 acres between two parcels into the City of Post Falls with a zoning request of Community Commercial Services (CCS). The reason there's no subdivision here is the piece to the west is also a part of this overall development. The current owner purchased all three parcels together. The plan is to have common ownership for the whole thing, do some boundary line adjustments and do a business park. There will be three separate parcels, the topography of the site creates three natural benches as you move from Seltice Way up to Interstate 90. The plan is to do more traditional retail along Seltice Way. On the middle bench, we are requesting a zone change to CCS, so we can do a warehouse/office-retail hybrid that is an allowed use in the CCS zoning. The third tier by the highway will be the last phase and be market driven. We will wait and see about that phase. I wanted to comment on Review Criteria 3. my opinion is, not only will this not have an adverse

impact on services by any incorporated subdivision, the annexation would likely require dedication of water rights as well as a utility easement along Seltice Way that doesn't currently exist, so it would probably help some of those service providers.

Testimony: None

In Favor: None

Neutral: None

In Opposition: None

Public Hearing Closed: 6:05 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?

Hampe: Yes.

Walton: Yes, it's already designated Business Industrial.

Kimball: CCS is an implementing zone under Business Industrial.

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: It is a county island surrounded by Post Falls, it's an internal island and priority should be given to those types of annexations. It supports land use patterns, it's on an arterial where Business Commercial should be located on high functioning and high-classification roads such as Seltice Way. Regarding infrastructure and service, there's water and sewer in front, so it can be served without extensive infrastructure extended to it.

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: None were presented.

Motion by Planning and Zoning Commissioner Hampe to Approve the CCS Zoning for Arche Annexation File No ANNX-23 4 finding that the zoning meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberations and direct staff to prepare that recommendation for City Council.

Second by Planning and Zoning Commissioner Walton

VOTE: Kimball-Yes, Hampe-Yes, Steffensen-Yes, Wilhelm-Yes, Schlotthauer-Yes, Walton-Yes

MOVED

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

Steffensen: Ross Schlotthauer and Vicky Jo Carey were both reappointed, so thank you for continuing to serve. Everyone else, thank you for continuing and welcome Bobby.

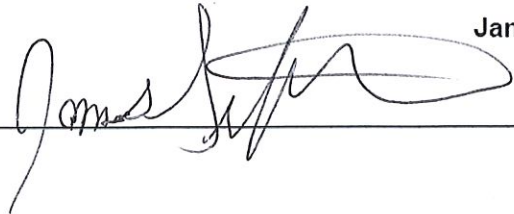
7. ADJOURNMENT

6:11 PM

City of Post Falls
Planning and Zoning Commission Minutes

January 9, 2024

Date: 2/13/24

Chair: 

Attest: 

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 Carey, Nancy Hampe, Ross Schlotthauer, Bobby Wilhelm, Kibbee Walton