



**PLANNING AND ZONING COMMISSION
MEETING AGENDA**

**March 12, 2024
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

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

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

- a. National Working Mom's Day
- b. National Girl Scout 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. Meeting Minutes 02-13-2024
- b. Legion Park Annexation Zoning Recommendation (ANNX-23-7)
- c. Arche Annexation Zoning Recommendation (ANNX-23-4)

- d. Boyd's Landing 1st Addition Reasoned Decision (SUBD-23-5)

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:

- a. Our Next Venture Zone Change File No ZC-23-4
- b. Kruger Annexation File No ANN-23-5

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



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**February 13, 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 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

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

Excused - Vicky Jo Carey

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

- a. National Wingman Day
- b. National Cheddar Cheese 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 1/9/2024
- b. The Post PUD and Subdivision Reasoned Decision File Nos. PUD-23-1 & SUBD-23-4

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

Second by Planning and Zoning Commissioner Walton

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

MOTION CARRIED

2. CITIZEN ISSUES

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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

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ACTION ITEMS:

- a. Legion Park Annexation File No ANNX-23-7

Public Hearing Opened: 5:35

Staff Report

Ethan Porter, Associate Planner presenting: Van Houten Consulting & Design, LLC is

requesting on behalf of Blackwell Homes, LLC, the property owner, the zone designation of Single-Family Residential (R-1) on approximately 1.06-acres as part of an annexation request into the City of Post Falls. The annexation to include rights-of-way is approximately 1.21-acres. The subject property is located south of E. Poleline Avenue on the northeast corner of N. Syringa Street and E. Legion Road. The current land use is residential within Kootenai County. It is over the Rathdrum Prairie Aquifer, the water provider is Ross Point Water District, the wastewater provider is the City of Post Falls. The subject property is surrounded by (R-1) zoning.

Schlotthauer: What is the little sliver on the east side of Syringa?

Porter: That was a sliver of Syringa Street that wasn't included in the city, so it was included with this annexation rather than leave this random sliver of county within Syringa Street.

Schlotthauer: Is this included in their annexation? They're paying the annexation for that sliver?

Porter: Correct. To close off and prevent any county pocket that would be created.

Schlotthauer: It looks like that would have been annexed in with the previous development.

Manley: Ideally that generally is what occurs. It was identified in this that if we had a legal description that included that sliver then it would help to square off the community. The applicant was willing to include that in their legal description as far as the benefits of this annexation.

Schlotthauer: Generous.

Applicant Merle Van Houten, Van Houten Consulting and Design, LLC. I represent Blackwell Homes on this annexation request of 221 N. Syringa Street into the R-1 zone into the City of Post Falls. They acquired this 1.06-acre parcel zoned Suburban in the county and request that be changed to a City of Post Falls property zoned R-1 for the purpose of a single-family development. Legion Road is a local road connects with Syringa Avenue which is a minor collector, both of those roads will receive additional dedicated rights-of-way to be consistent with city standards and then at the time of development those portions of right-of-way will be improved to city standards. It is a small pocket of county property surrounded by R-1 in the City of Post Falls on all sides. We have the opportunity to provide single family residences without the need for expansion of city services. The public roads, water, and sewer systems are already there so there's no expansion of city municipal services required. In the review of the comprehensive plan and compatibility, the Future Land Use map shows it is surrounded by R-1, this is compatible with what we are setting out to do. The Focus Area is that central island that establishes to promote infield development, prioritize annexation opportunities and growth on high density uses near higher classified roadways. In the narrative I submitted to the City I went over a dozen goals and policies, I have chosen a few to highlight tonight, I'm happy to answer questions on any of those as well. Goal #2: We have the ability here to create additional single-family residences without the need for expansion of city services, the services are already there and this will provide the opportunity for residences of Post Falls to work and reside in the same place. Goal #9: This is definitely a county island, surrounded by R-1 zone and this can be annexed in without the need to extend any public facilities. Goal #33: In addition to being a last little island of county land there, we can bring this in and create some single-family residential housing without having to take that additional traffic through an existing neighborhood. I can answer any questions.

Schlotthauer: You will be adding the sidewalk and swell along Syringa Avenue and Legion Road?

Van Houten: At the time of development of the property that would be a requirement of the city.

Testimony: None

In Favor: None

Neutral: None

In Opposition: None

Public Hearing Closed 5:56 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

Kimball: The Future Land Use plan says that it's supposed to be low density residential, and R-1 is an implementing zone for that.

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?

Schlotthauer: There were quite a few that were outlined, I liked policy 9 and 33 the applicant outlined. Especially #33, that is a difficult corner and expensive corner to get all that continuity on, that will be nice to have someone undertake that.

Kimball: It's rare for us to see a small 1-acre annexation that are infill, it's hard for them to economically pencil especially when it's on a corner. When they come up we should give special attention 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: There hasn't been any testimony or letters on the record stating there is any demonstrated adverse impact.

Motion to Approve by Planning and Zoning Commissioner Kimball to approve Legion Park Annexation File No. ANNEX-23-7 finding that the requested zoning of R-1 meets the approval criteria for Post Falls Municipal Code 18.20.10 as outlined in our deliberations and direct staff to prepare a zoning recommendation to be provided to City Council.

SECOND by Planning and Zoning Commissioner Schlotthauer.

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

MOVED

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

None

7. ADJOURNMENT

6:00 P.M.

Date: _____

Chair: _____

Attest: _____

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Chair: James Steffensen Vice Chair: Ray Kimball

Members: Vicky Jo Carey, Nancy Hampe, Ross Schlotthauer, Bobby Wilhelm, Kibbee Walton

Legion Park Annexation File No. ANNX-23-7

Planning and Zoning Commission Zoning Recommendation

A. INTRODUCTION:

APPLICANT: Merle Van Houten of Van Houten Consulting & Design, LLC

LOCATION: The property is located south of E. Poleline Avenue on the northeast corner of E. Legion Road and N. Syringa Street.

REQUEST: Zoning recommendation of Single Family Residential (R1) on approximately 1.06-acres, as depicted in Exhibit A-2.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Vicinity Map
4. A-4 Owners Authorization
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 YPL Comments
10. PA-2 KCFR Comments
11. PA-3 PFPD Comments
12. PA-4 KCCD Comments
13. PA-5 PFHD Comments
14. PZ Staff Report
15. Testimony at the February 13, 2024, Planning and Zoning Commission ("Commission") hearing including:

Planning and Zoning Commission (hereinafter "Commission") heard the request at the February 13, 2024, 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.

Ethan Porter, Associate Planner

Mr. Porter 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 1.21 acres (including right-of-way) upon the annexation into the city of Post Falls. He illustrated that the subject property is located on the northeast corner of E. Legion Road and N. Syringa Street. The property and the ones directly adjacent to its north are surrounded by the City of Post Falls and are considered a "county island".

The annexation would include the adjacent right-of-way on Syringa which is not currently included the City. Mr. Porter testified that the current land use is a residential in Kootenai County, that it is located over the Rathdrum Prairie Aquifer and that the water provider is the Ross Point Water District, and the City of Post Falls would be the wastewater service having the capacity and ability to serve.

During the hearing, Mr. Porter provided information about the surrounding zoning and land uses. To the north, east and south of the property there are single-family properties. Directly to the west and south are public roadways. The property is surrounded by Residential (R-1) zoning and the existing surrounding area is primarily built out as residential homes and the future land map classifies the property with the land use designation of Low Density Residential which encompassed all types of single family uses and that the proposed zoning was consistent with the Central Island Focus Area of the Comprehensive Plan in promoting in-field development, prioritizing annexation opportunities, closing up county islands and concentrating growth near higher classified roadways. The implementing zone of R-1, as requested, aligns with the low-density future land use designation. The Central Island Focus Area also seeks to support development patterns that are interconnected and provide pedestrian connectivity. To the north of this property is Poleline Avenue with its associated multi-use pathway and increases connection to the pedestrian network as encouraged by the Focus Area priorities.

Mr. Porter also testified as to whether the proposal was in accordance with the goals and policies of the comprehensive plan, illustrating goals one, five, seven, twelve and fourteen to possibly be relevant and applicable goals. The proposal supports supporting for community needs by providing for future city housing in R-1 as single-family homes and the proposed zoning as appropriate to that need.

Mr. Porter also testified that policies one, two, eight, nine, fourteen, fifteen, twenty-four, twenty-six, thirty-three, and forty-five, as well as those listed in the staff report, may be appropriate for consideration by the Commission. Policy one supports land use patterns that maintain or enhance community levels of service and promote compatible, well-designed development. The requested zoning designation supports this policy by increasing the housing stock and locating compatible uses in the existing single-family residential area. Policy two looks are future land use mapping as well as compatibility with surrounding land uses, infrastructure and service plans and traffic patterns. With respect to infrastructure, the City's water reclamation system has the capacity to provide service and is willing to do so, and Ross Point Water District will be the water provider. The property is adjacent to Syringa Street, a classified minor collector and Legion Road, a local street and both benefit from Poleline Avenue, a major arterial to the north, meeting the roadway classifications to support the proposed annexation and zoning designation.

Policies eight and nine encourage in-fill development and annexation of county "islands" which the proposed annexation and zoning designation request accomplishes such policies.

Mr. Porter also testified that there have been no "demonstrable Adverse Impacts" identified from comments received by the noticed agencies in response to the annexation and initial zoning request. Mr. Porter stated that the annexation and zoning recommendation for R-1 is recommended and satisfies all known criteria.

Merle Van Houten, Applicant

Mr. Van Houten similarly testified about the property and the requested annexation and zoning recommendation for R1. He testified that both of the adjacent roads (Legion and Syringa) would receive additional dedicated right-of-way to be consistent with city standards, which would be improved at the time of development. The property is a small pocket of County property surrounded by R-1 in the City of Post Falls. The property is already serviced by city services, so no expansion of services is needed.

Mr. Van Houten testified that they have the ability to create additional single family residences without the need for the expansion of city services which will provide opportunity for persons to both reside

and work in Post Falls. Also the property fills the need of additional housing opportunities without having to take additional traffic through an existing neighborhood, as the location of this property is already located adjacent to two public streets.

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 1.21 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 Central Island 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 surrounded by other R-1 zones and is consistent with the relevant guidelines. The property is located near an existing roundabout providing sufficient existing transportation capacity to serve it. In addition, the Focus Area seeks to promote in-fill development and prioritizes annexation of “county islands supporting the request.

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 with supporting housing stock.

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.

The Comprehensive Plan supports the use of the property as R-1 by providing housing in the future and meeting the local housing needs.

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

The proposal promotes the City’s long-term fiscal health by creating a balanced economy and addressing housing needs as appropriate in the R1 zoning, which in turn adds to the economic

base of the City residents, supporting efficient and effective services.

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;

Annexation would maintain the residents' quality of life and promote enhancement through single family development.

- Promote compatible, well-designed development;

The development is compatible to the existing single-family already adjacent to the property. 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;

Existing use is single family residential and is compatible with the surrounding residential subdivision. The request of R-1 would ensure future uses remain compatible with the surrounding single-family homes.

- Infrastructure and service plans;

The Sanitary Sewer for the site is located adjacent to the site and have been stubbed in. 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 Syringa Street, a classified Minor Collector roadway that connects to Poleline Ave. (Minor Arterial) 600 ft. to the north. Additional roadway service is provided by E. Legion Road (local street) along the property's southern boundary. 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:

Syringa Street – Minor Collector, 80-foot road rights-of-way, as measured from the existing western rights-of-way line for Syringa Street. A 10-foot sidewalk, drainage, and utility easement shall be provided adjacent to the dedicated rights-of-way.

Legion Road – Local Street, 65-foot road rights-of-way as measured from the existing southern rights-of-way line for Legion Road. A 10-foot sidewalk, drainage, and utility easement shall be provided adjacent to the dedicated rights-of-way.

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” and such small in-fill parcels requesting annexation are prioritized given that they may be cost prohibitive to develop. The property is surrounded by R-1 on all sides and no new public roads are needed.

The City of Post Falls is the purveyor of Sanitary Sewer, and Ross Point Water will be the water purveyor. The Commission finds that they have readily available service infrastructure and capacity.

Policy 33: Annexation should help implement Post Falls' transportation plans, enabling completion or preserving continuity of circulatory patterns for roads and pedestrian ways:

The Commission finds that this property is well suited to satisfy this policy upon annexation by enhancing the continuity of the existing roadways and pedestrian pathways without needing expansion through existing neighborhoods.

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 no adverse 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-23-7, 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 1.06-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.

**Arche Annexation
File No. ANN-23-4**

**Planning and Zoning Commission
Zoning Recommendation**

A. INTRODUCTION:

APPLICANT: Olson Engineering (Per Exhibit A-1)

LOCATION: The property is located on the north side of E. Seltice Way and approximately 400-feet east of N. Cedar Street.

REQUEST: Zoning recommendation of Community Commercial Services (CCS) on approximately 14.7 acres, as outlined in 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 YPL Comments
10. PA-2 PHD Comments
11. PA-3 PFPD Comments
12. PZ Staff Report
13. Testimony at the January 9, 2024, Planning and Zoning Commission (“Commission”) hearing including:

Planning and Zoning Commission (hereinafter “Commission”) heard the request at the January 9, 2024 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 14.7 acres for two parcels included as part of an annexation request into the City of Post Falls. The subject site

is located on the north side of East Seltice Way, approximately 400 feet east of North Cedar Street. The current land use is a large residential lot with one residential home. The property is located above the Rathdrum Prairie Aquifer and both water and wastewater service would be provided by the City of Post Falls.

Mr. Porter provided an overview of the zoning and land uses surrounding the subject site. Directly north is the I-90 right-of-way and north of I-90 is the Highlands Subdivision, though there is a significant downhill slope to the subject property. Surrounding the property is industrial zoning, with a vacant industrial property to the west and manufacturing building to the east. South of Seltice Way is zoned industrial as well.

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 future land use designations for the property are Business/Industrial which provides for a mix of heavy and light manufacturing, warehousing business park and service commercial uses in areas buffered from residential and other uses typically seen as incompatible with industrial activities. The property is surrounded by the business/industrial mix and is sufficiently buffered from the other adjacent uses. Mr. Porter also highlighted the Maplewood Focus area, which guides development of future actions for the area including promoting infill development, prioritizing infill annexations and focuses provisions for multi-family, commercial and industrial uses along Seltice Way.

Mr. Porter reviewed the goals and policies for review criteria two, which included analyzing whether the proposed zoning district was consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan as relevant to the area under consideration. Mr. Porter described Goals 1, 6 and 12 in support of the application by sustaining a balanced resilient economy and providing fiscal health of Post Falls and planning for and establishing types and quantities of land uses supporting the community needs and the City's long-term sustainability. Reviewing the Policies, Policy No. 1 supports land use patterns that maintain or enhance community levels of service, foster the long-term fiscal health of the community and promote compatible development. Policy No. 2 encourages applying zoning designations with consideration of future land use mapping, compatibility with existing land uses, existing and future traffic patterns, infrastructure and the goals and policies of the comprehensive plan. The City has the capacity and is willing to serve the property at the requested zoning designation.

Policy numbers 8 and 9 is in line with the Maplewood Focus Area encouraging in-fill development and annexation of County "islands" within the City, giving priority to areas that are surrounded by incorporated areas and have readily available service infrastructure and capacity.

The existing and future traffic patterns for Seltice as a principle arterial support the application as it provides and enhances connectivity. The annexation would further support policy numbers 24 and 26 by protecting transportation corridors from encroachment and preserving right-of-way for future corridors, including utility facilities and would improve the continuity of sidewalks and pathways. After annexation and at the time of development these improvements would be considered.

Mr. Porter also testified regarding the third review criteria, and determining whether the proposed zoning creates a demonstrable adverse impact upon the delivery of services by

any political subdivision providing public services within the city.

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.

Jeramie Terzulli, consultant for Applicant

Mr. Terzulli testified that he was a consultant for Olsen Engineering on behalf of Arche Idaho, LLC and as to the ownership and configuration of the subject property and the adjacent parcel also owned by the applicant. He testified as to the use and development of the property under the CCS requested zoning designation allowing for more flexibility in the commercial uses of the property for a business park on internal parcel with more traditional retail adjacent to Seltice. The annexation would also assist in providing dedications to service providers and would eliminate a county island parcel. He testified that CCS is the appropriate zoning as it is supported by the comprehensive plan and the surrounding uses.

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 14.7 acres upon the annexation into the city of Post Falls. The Future Land Use Map designates this area as Business/Industrial and it is inside the Maplewood Focus Area. CCS is an implementing zone under the Business/Industrial designation and it is consistent. The Maplewood Area seeks to promote infill development and annexation and promotes commercial and industrial uses along Seltice Way.

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.

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

This goal is supported through the application by giving businesses an opportunity to locate there and to ensure that commercial opportunities continue to support the City's fiscal health by contributing to the use of efficient city services.

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.

The Commission has determined that the land use patterns in the Seltice Way corridor are mainly business and industrial uses and support the recommendation for the requested CCS initial zone designation upon annexation. The transportation impacts support the designation as focusing such uses on high functioning and high classification roadways such as Seltice Way and infrastructure is available and able to serve.

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 under-utilized and falls within the exclusive tier of the Area City Impact and priority should be given to those annexations of islands. The Commission recommends that the site be incorporated into the City, which will serve as incentive for development of these lot in combination with the adjacent applicant owned parcel already within the City.

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 US 95 right-of-way.

- That have readily available service infrastructure and capacity.

The Commission has determined that the City of Post Falls is willing and able to provide both Sanitary Sewer and Domestic Water Services.

- That support increased development intensity near the urban core.

While the site is not located near an urban core, it is within a growth area of commercial and industrial uses.

After deliberation, the Commission has determined that the proposed zoning recommendation of CCS encourages annexation of County “islands” giving priority to this property as surrounded by incorporated areas and which has readily available infrastructure and capacity for city services.

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 no written comments in opposition. 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-23-4, 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 14.7 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.

**Boyd's Landing 1st Addition Subdivision
File No. SUBD-23-5**

**Planning and Zoning Commission
Reasoned Decision**

A. INTRODUCTION:

APPLICANT: Lake City Engineering, Inc.

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

REQUEST: Subdividing approximately 4.87 acres into 19 Single-Family Residential Lots. As depicted in Exhibit A-3.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Preliminary Plan
4. A-4 Will Serve
5. A-5 Owner Authorization
6. A-6 Title Report
7. S-1 Vicinity Map
8. S-2 Zoning Map
9. S-3 Future Land Use Map
10. PA-1 YPL Comments
11. PA-2 PHD Comments
12. PA-3 PFPD Comments
13. PA-4 DEQ Comments
14. PZ Staff Report
15. Testimony at the January 9, 2024, Planning and Zoning Commission ("Commission") hearing including:

The Planning and Zoning Commission (hereinafter "Commission"), at the request at a public hearing, the hearing was in-person and live-streamed on the City of Post Falls YouTube Channel. The request was for the Commission to review the request to subdivide approximately 4.87 acres into 19 single-family lots within the Single-Family Residential (R-1) zoning designation. The request is evaluated under the standards of Post Falls Municipal Code ("PFMC") § 17.12.060.

Ethan Porter, Associate Planner

Mr. Porter presented the staff report to the Commission. He testified that the owner of the property Northern Lights Development, LLC, is represented by the Applicant, Drew Dittman of Lake City Engineering, Inc. He testified that the applicant requests approval to subdivide approximately 4.87 acres into 19 single-family lots within the Single-Family Residential (R-1) zoning designation.

Mr. Porter explained that the property is generally located north of E. Bogie Drive, halfway between N. Cecil Road and N. Greensferry Road whose current land use is Large Lot Single Family Home in

(R-1) zoning. He testified that the water provider is Ross Point Water District, with wastewater services provided by the City of Post Falls.

Mr. Porter testified regarding the surrounding uses, explaining that to the east are two single county households and to the north, south and west are either existing or developing single family residential subdivisions. The surrounding area is predominantly (R-1) zoning and single family homes.

Mr. Porter testified as to the proposed subdivision plan including the connective north-south road from E. Bogie Drive leading to a cross-road, tying into the adjacent properties and enhancing inter-connectivity for the proposed 19 single family homes. The proposed lot widths are 60 feet or higher and the lots themselves are greater than or at 6,500 square feet meeting compliance with the official bulk and placement table. Mr. Porter identified some of the other proposed and existing roadways through the adjacent subdivision to show the connectivity and traffic circulation.

Mr. Porter testified regarding the first review criteria, ensuring provisions have been made for an adequate quantity and quality of water supply for the type or subdivision proposed. He testified that the Ross Point Water District will provide water as evidenced by a will serve letter demonstrating that this review criteria is met by the proposal. He noted that the second criteria regarding public sewage systems is also met as the city has adequate capacity to service the subdivision as proposed.

As to the third review criteria, he stated that the subdivision layout, as proposed, is consistent with the Transportation Master Plan and Design Standards by demonstrating the overarching connectivity through the proposal and the adjacent properties as shown out on the Applicant's proposed layout.

Under the fourth review criteria, Mr. Porter testified that the site is located over the Rathdrum Prairie Aquifer and that no known soil or topographical conditions have been identified as hazards at this time supporting a finding that all areas of the proposed subdivision are compatible with the proposed subdivision uses.

Mr. Porter testified regarding the fifth review criteria, stating that the proposed lots and layout complies with the Single-Family Residential (R-1) zoning designation and Title 17. In supporting of this finding the lots sizes and widths, as well as the road layouts support good circulation for traffic and the proposal complies with the (R-1) zoning and the preliminary plat.

Finally, as to the last review criteria, Mr. Porter testified that impact fees would be assessed and collected on individual building permits at the time of issuance to offset costs to parks, public safety, multi-modal pathways, streets, and fire and EMS.

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.

In response to questions from the Commission, Mr. Porter explained that as a condition of approval the applicant will be making improvements to E. Bogie Drive as well as their frontage improvements for the subdivision.

Drew Dittman, Lake City Engineering, Applicant

Mr. Dittman testified that the applicant is also building the adjacent subdivision and is treating this application as an extension of that existing subdivision with the same builder. He stated that the project is a typical straight-forward subdivision, (R-1) zoning, in-fill development, completely surrounded by R-1. There will be 19 single-family units on approximately 5 acres and Ross Point

Water approved the service for the property with the sanitary service to be provide by the City of Post Falls.

Public Testimony:

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

Deliberations: After the public hearing was complete, the hearind was closed and the Commission progressed to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the approval criteria contained in Post Falls Municipal Code (“PFMC”) § 17.12.060.

C. SUBDIVISION REVIEW CRITERIA: (Post Falls Municipal Code Title 17.12.060, Subsection H): No subdivision shall receive approval unless findings and conclusions are made that:

C1. 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.

The Commission determines that Ross Point Water District will provide water service to the project. The applicant had provided a will-serve letter from the water district stating they have the capacity, willingness, and intent to serve the 19 lot subdivision as proposed.

C2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.

The Commission determines that the city of Post Falls has adequate capacity and is willing to provide service to the subdivision as proposed.

C3. Proposed streets are consistent with the transportation element of the comprehensive plan.

The Commission determines that the subdivision and proposed layout are consistent with the city’s Transportation Master Plan by improving and widening E. Bogie Drive, the adjacent collector, and finding that the proposed connectivity throughout the subdivision with the adjacent local streets further supports approval.

C4. 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.

The Commission determines that no testimony or evidence was presented that identified any soil or topographical conditions that would prevent or hinder the development of the property.

C5. The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code.

The Commission determines that this subdivision and proposed lots conform to Title 17 and Title 18 requirements for Single-Family Residential (R-1) zoning by providing lots meeting or exceeding the minimum lot size and frontage requirements.

C6. 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.

The Commission determines that impact fees will be assessed on individual building permits at the time of issuance to mitigate the off-site impacts to parks, public safety, streets, Kootenai County Fire and Rescue, and Kootenai County Emergency Management Services.

C7. Additional Recommended Conditions necessary to ensure compliance with the adopted standards:

The Commission decides that the requested subdivision can meet the city's standards. However, certain conditions will need to be completed to meet the criteria. Those conditions, 1-10 listed below, when imposed, will ensure that the six criteria found in PFMC 17.12.060.H are met. Based upon the presentations made to the Commission at a properly noticed public hearing, the record compiled in this matter, the applicant must meet the following conditions:

1. Corrections and additions, if any, to the Subdivision requested by staff and/or the Planning & Zoning Commission should be completed by the applicant and reviewed by staff prior to approval by the City Council.
2. A Master Development Agreement shall be prepared by staff, reviewed, and approved by the City Council, and signed by the parties prior to commencement of any construction.
3. The proposed subdivision must be completed in a single phase.
4. A Construction Improvement Agreement shall be prepared and executed prior to commencement of construction for the subdivision.
5. Submitted Preliminary Plans were reviewed from a conceptual basis only and reflect the general ability to provide service. Final construction plans of the streets and utilities shall be reviewed and approved by the Engineering Division prior to any street or utility construction. Such plans shall also include driveway approaches and location of proposed mailboxes. Construction limits shall correspond with the improvements indicated on the Preliminary Plat.
6. Except where an exception is granted, all streetlights, roadways and City owned utilities shall be designed and constructed in accordance with City standards. The application did not request any exceptions from City Code or Design Standards.
7. Direct access from residential lots to E. Bogie Drive shall be prohibited on the face of the plat.
8. Final landscaping plans for the street trees will be submitted for review and approval as part of the construction plans. Street trees shall be planted by the developer in the spring and fall following construction of homes. The Urban Forester shall be notified prior to planting.
9. A Homeowners Association (HOA) shall be formed to maintain the common right-of-way frontage along E. Bogie Drive, including all landscaping, irrigation, and removal of snow from sidewalks and trails.
10. Existing septic systems shall be abandoned in compliance with Panhandle Health District requirements.

D. STEPS THE APPLICANT CAN TAKE TO OBTAIN APPROVAL:

Not Applicable, approval has been granted, subject to the conditions noted above.

E. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:

REASONED DECISION

SUBD-23-5: 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, Boyd's Landing 1st Addition Subdivision, SUBD-23-5, meets the standards of City Code, and the Idaho Local Land Use Planning Act, and is hereby approved with conditions contained herein.

Approved by the Planning and Zoning Commission on _____

Date

Chairman

Attest

NOTICE OF RIGHTS:

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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.

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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.

**CITY OF POST FALLS
STAFF REPORT**

DATE: March 6, 2024

TO: POST FALLS PLANNING AND ZONING COMMISSION

FROM: ETHAN PORTER, ASSOCIATE PLANNER • eporter@postfalls.gov • 208-457-3353

SUBJECT: STAFF REPORT FOR THE MARCH 12th, 2024, P&Z COMMISSION MEETING
OUR NEXT VENTURE ZONE CHANGE: File No - ZC-23-4

INTRODUCTION:

Scott McArthur, McArthur Engineering, has requested on the property owner's behalf, Our Next Venture LLC, approval to rezone approximately 3.1-acres from Industrial zoning to Community Commercial Mixed (CCS) zoning district. The Planning & Zoning Commission must conduct a public hearing and review the proposed zoning change request per the Zone Change approval criteria contained in Post Falls Municipal Code Section 18.16.010 and 18.20.100. Following the public hearing, **the Planning Commission will forward its recommendation on zoning to City Council** for review and final action. The approval criteria for establishing zoning are:

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

PROJECT INFORMATION:

Project Name / File Number: Our Next Venture Zone Change File No. ZC-23-4

Applicant: Scott McArthur, McArthur Engineering, PO Box 2488, Post Falls ID 83877

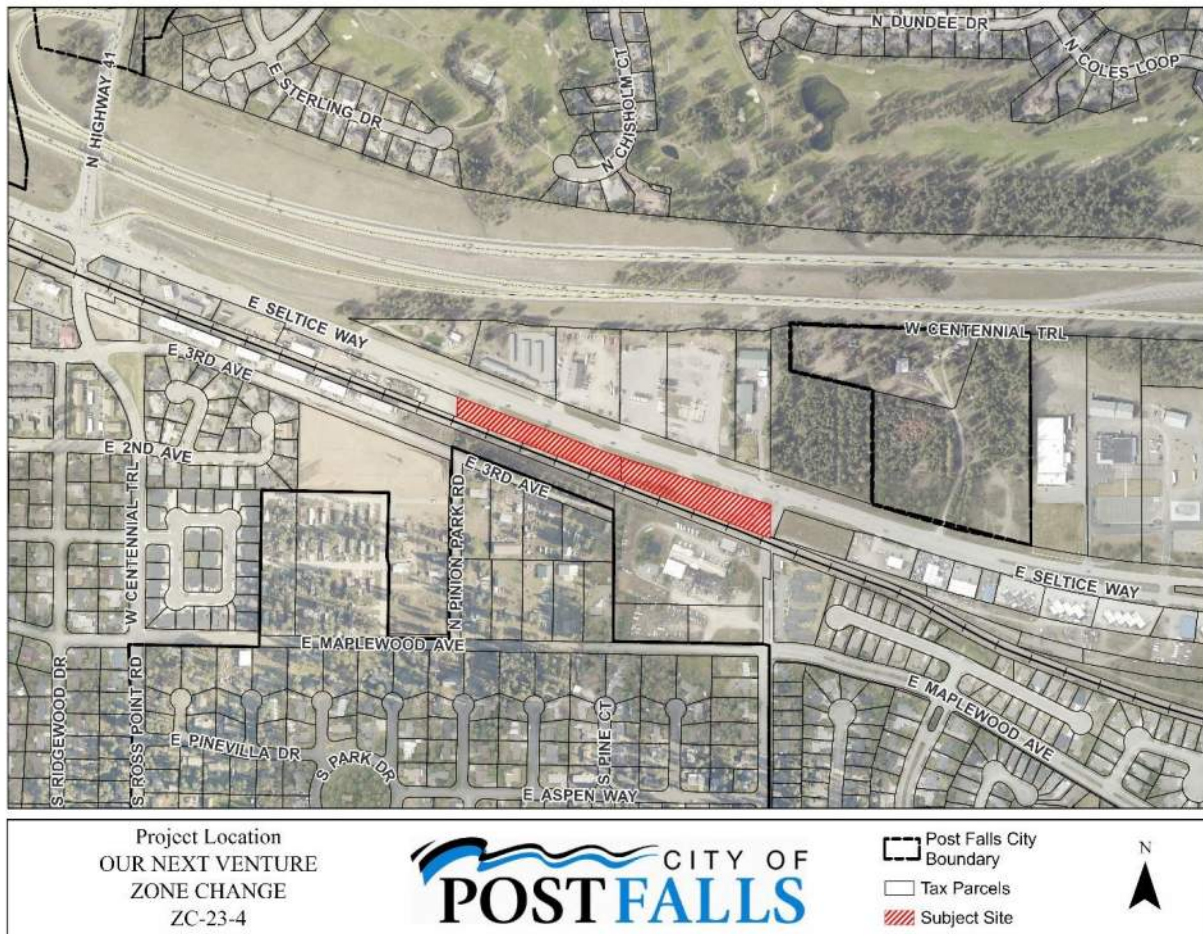
Owner(s): Stan Groves, Our Next Venture LLC, PO Box 3567, Post Falls, ID 83877

Project Description: Rezone approximately 3.1-acres from an industrial zoning district to a Community Commercial Services (CCS) zoning district.

Project Location: The property is generally located at the SW corner of N. Cedar St. and E. Seltice Way.

AREA CONTEXT (proposed site hatched red below):

Surrounding Land Uses: Located to the north across E. Seltice Way includes a truck fueling station, a fabrication company, and a vacant rental business. South of the subject site would be the railroad right-of-way and directly east across N. Cedar St. is a vacant undeveloped property. West of the subject site includes an RV/truck repair business with a gas station.

Area Context Vicinity Map:**EVALUATION OF ZONING APPROVAL CRITERIA:**

The following section provides the staff analysis pertaining to the establishment of zoning. The zone change review criteria set forth within the Post Falls Municipal Code sections 18.16.010 and 18.20.100 are cited within the following staff analysis in **BOLD**. This review criteria provides the framework for decision making for the Planning Commission and City Council.

ZONE CHANGE REVIEW CRITERIA

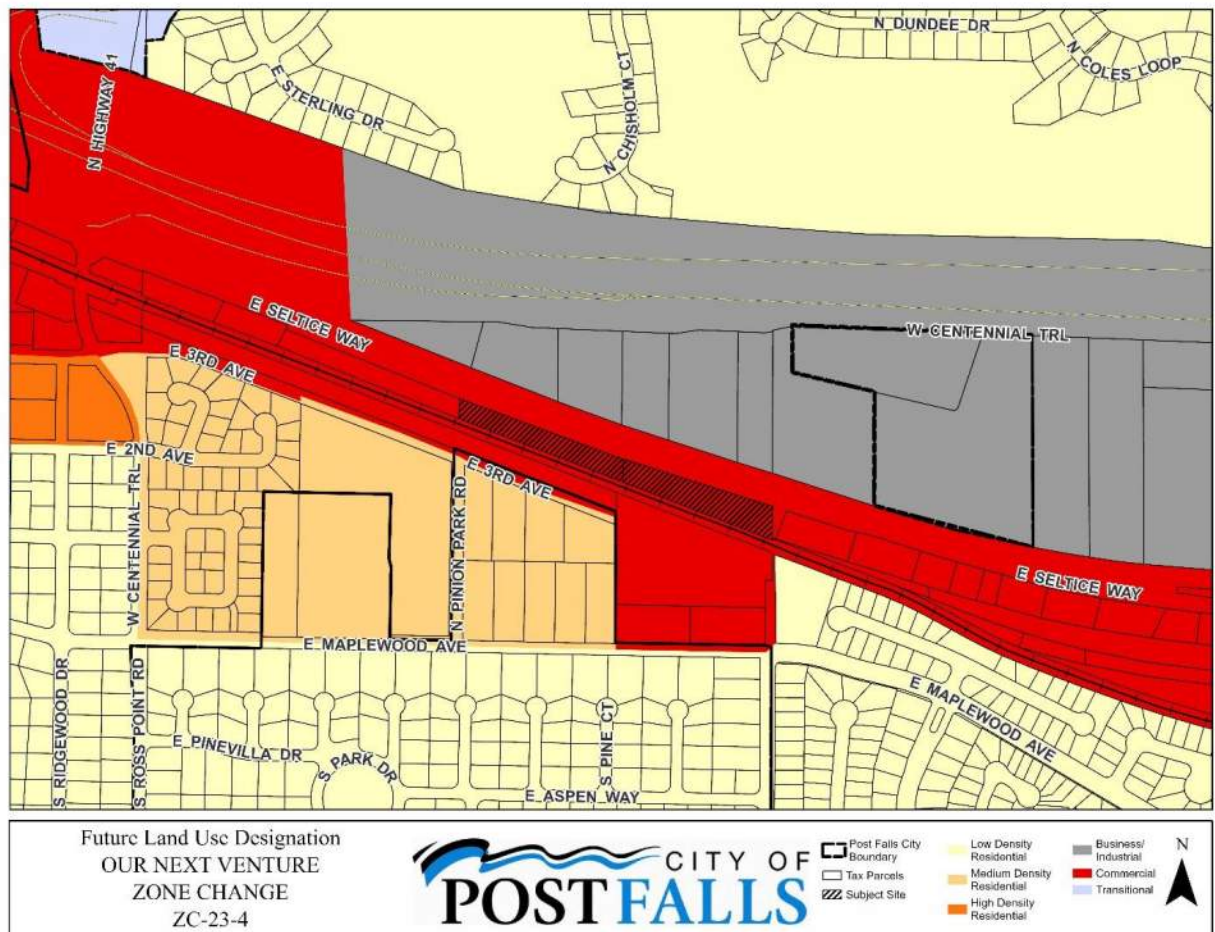
- 1. Is the proposed zoning district consistent with the Future Land Use Map and Focus Area contained in the currently adopted Post Falls Comprehensive Plan?**

The Commercial land use designation provides for a wide variety of general service, retail, professional office, and mixed (commercial and multi-family) uses that serve local and regional residents as well as the traveling public. The Commercial category generally applies to regional and community shopping centers and professional office developments. Retail and Office Commercial areas are generally located throughout the city along major arterial streets. Typical building types include commercial buildings, shopping centers, and office buildings. Future changes to Retail and Office Commercial areas are expected to include additional commercial and

mixed-use developments that create a more pedestrian oriented commercial centers and corridors mixed with multifamily housing.

Implementing Zoning Districts: CCM, LC, **CCS**, SC4, SC5, Per Focus Area

Future Land Use Map:



The proposed zone change is located within the Maplewood Focus Area. This Focus Area states the following in the Comprehensive Plan:

Post Falls reaches east of Highway 41, extending to the small town of Huetter and Coeur d'Alene. This eastern lobe consists of a variety of different uses, with the freeway, railroad tracks, the Centennial Trail and the Spokane River separating it into distinct east-west character areas. The residential areas will likely not change much, but the commercial district along this portion of Seltice and the Centennial Trail will soon be ripe for reinvestment. Coeur d'Alene's westward expansion has brought new attention to this arterial street, and the older industrial, warehousing, and manufacturing uses may evolve into new commercial and residential development, both of which could take advantage of the trail connections, relative proximity to the river and convenient access to both Coeur d'Alene's Riverstone district and central Post Falls.

The following items affirm or guide development of key policies for this area, or suggest future action items for the Seltice Central Focus Area:

- Promote infill development;

- Prioritize infill annexations;
- Encourage development that is interconnected, including pedestrian access to multi-use paths, parks, schools, and trails;
- Focus provisions for Multi-Family, Commercial and Industrial uses along Seltice Way
- Look for opportunities to beautify and add gateway signage along the Seltice Corridor, corresponding with Coeur d'Alene's westward expansion.

Staff Comment: This property is currently underutilized, and portions are vacant. Infill development and approval of this annexation may help provide for further uses within the City while providing more of an aesthetic appeal along E. Seltice Way. Rezoning may help encourage develop and provide further pedestrian access with the improvements to the frontage that comes with development.

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

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

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

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

Goal 6: Maintain and improve Post Falls' transportation network, on pace and in concert with need and plan objectives.

Staff Comment: All cities require functional, resilient transportation networks providing for the flow of people and materials. In assisting with this plan, residents urged improvements to the existing fabric and criteria that provide a full-featured street network for Post Falls, improving the efficiency, function and value of the City. Residents also recognize the importance of transit services, as well as connectivity to regional ground, rail and air transportation systems. With development of the site, required roadway and pedestrian improvements would be provided.

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.

Staff Comment: Commercial development may be beneficial to assist with providing community prosperity and fiscal health as they generally provide the higher valued parcels and investments with diverse land uses.

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

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

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service;

Staff Comment: Impact Fees are paid at the time of permit issuance to assist in mitigating impacts and maintain/enhance community levels of service.

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

Staff Comment: The rezone may provide the opportunity for additional new business(es) that may help further long-term fiscal health of the community.

- Maintain and enhance resident quality of life;

Staff Comment: The proposed CCS zone could potentially enhance the resident's quality of life in that area by providing safer and better pedestrian access to the future businesses of that area.

- Promote compatible, well-designed development;

Staff Comment: Development will be required to meet City design standards through the Site Plan Review process.

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

Staff Comment: Transportation impacts, and sewer and water capacity are reviewed by City staff. Any anticipated inadequacies identified are addressed and/or have a plan on how to be brought into compliance with the relevant master plans. Sanitary Sewer and Water are available along the properties frontage and have capacity for the proposed zoning. Access would be controlled based on the City's Access Management Standards.

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

- Future land use mapping;

Staff Comment: As stated previously in this report this area is designated as future commercial and this category provides for a variety of typical retail and office uses. Commercial zoning should help facilitate these types of developments as well as compliment the surrounding commercial activity within the Seltice corridor.

- Compatibility with surrounding land uses;

Staff Comment: Currently the surrounding land uses, from the Project Information section of this report, is compatible as the subject site is partially vacant and underutilized. Surrounding the site is other commercial and some industrial developments, which would not be incompatible.

- Infrastructure and service plans;

Staff Comment: Sanitary Sewer for the location is currently located adjacent to the subject property and existing buildings upon the property are serviced by the City's water reclamation system. The property requesting the zone change is identified in the City of Post Falls Water Reclamation Master Plan as being serviced by the referenced sewer main. The requested zoning is in conformance with the land use assumptions within the City's Water Reclamation Master Plan.

The City's Water Reclamation System has the capacity to provide service and the City is willing to serve to 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 would be serviced by the City of Post Falls. A water main is currently located adjacent to the property and service is provided to the existing buildings upon the subject property. The property requesting the zone change is identified in the City of Post Falls Water Master Plan as being serviced by the referenced water main. The requested zoning is in conformance with the land use assumptions within the City's Water Master Plan.

- Existing and future traffic patterns;

Staff Comment: The property is adjacent to Seltice Way, a principal arterial and critical arterial corridor. The Signalized intersection of Seltice Way / Cedar St. is located at the northeast corner of the property. Frontage improvements along Seltice Way and Cedar St. would be required with site development. Access would be reviewed at the time of site development and would be required to comply with City Access Standards.

The site is benefitted by Seltice Ways access to other local and regionally significant roadways.

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

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

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

Staff Comment: The subject site would be considered a redevelopment opportunity for better utilization and compatibility along E Seltice Way.

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

Staff Comment: Through the site plan review process the frontage improvements would need to be constructed, which may improve upon the continuity of sidewalks, trails and bicycle paths.

Policy 86: With the local business community, work to enhance, sustain and diversify the local economic base by:

- Helping retain, promote and expand existing businesses and industry;
- Supporting innovative, entrepreneurial enterprises;
- Supporting opportunities related to business "campus" and mixed-use models;
- Coordinating provision of workforce housing;
- Attracting new businesses and clean industry.

Staff Comment: Additional commercial zoning and redevelopment opportunity may help to expand existing businesses as well as attract other businesses to the area. In turn this may help to diversify the local economic base and create further local businesses.

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

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

OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

Agencies Notified:

Post Falls Post Office	PF Park & Rec	East Greenacres Irr. District
Kootenai County Fire	Kootenai Electric	Time Warner Cable
PF Highway District	Ross Point Water	PF Police Department
PF School District	Verizon	Utilities (W/WW)
Avista Corp. (WWP-3)	Idaho Department of Lands	Urban Renewal Agency
Department of Environmental Quality	Panhandle Health District	Kootenai County Planning
Conoco, Inc. (Pipeline Co.)	NW Pipeline Corp.	KMPO
Yellowstone Pipeline Co.	TransCanada GTN	TDS

OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

Exhibit PA-1 YPL – No comments
Exhibit PA-2 PFHD – No comments
Exhibit PA-3 PFPD – Remains neutral
Exhibit PA-4 DEQ – No comments
Exhibit PA-5 PFSD – No comments

PUBLIC PROCESS: Notice of the proposed annexation was sent to appropriate jurisdictions and mailed to property owners within 300 feet of the proposed project on February 16, 2024. Notice has been published in the Coeur d’Alene Press on February 20, 2024. The property was posted on March 1, 2024.

MOTION OPTIONS: The Planning and Zoning Commission must provide a recommendation of zoning to City Council. Should the Commission need additional information or wish to hear additional testimony, it may wish to move to continue the public hearing to a date certain. If the Commission has heard sufficient testimony but needs additional time to deliberate and make a recommendation, it may close the public hearing and move the deliberations to a date certain.

ATTACHMENTS:

Applicant Exhibits:

Exhibit A-1	Application
Exhibit A-2	Narrative
Exhibit A-3	Title Report
Exhibit A-4	Radius Report
Exhibit A-5	Owner Authorization

Exhibit A-6	Vicinity Map
<u>Staff Exhibits:</u>	
Exhibit S-1	Vicinity Map
Exhibit S-2	Zoning Map
Exhibit S-3	Future Land Use Map

Testimony:

Exhibit PA-1	YPL Comments
Exhibit PA-2	PFHD Comments
Exhibit PA-3	PFPD Comments
Exhibit PA-4	DEQ Comments
Exhibit PA-5	DEQ Comments

ZC-23-4

Applicant

 Scott McArthur
 (208) 964-0481
 scott@mcArthur-eng.com

Applicant Information

Applicant Type

Engineer

Phone

2084463307

Address

PO Box 2488

Applicant Name

Scott McArthur

Email

scott@mcArthur-eng.com

City, State & Zip Code

Post Falls, Idaho 83877

Owner Information

Name

Stan Groves

Phone

208.659.7263

Address

PO Box 3567

Company

Our Next Venture LLC

Email

stan@truenorthpx.com

City, State & Zip Code

Post Falls, Idaho 83877

Amendment Information

New Field

Our Next Venture LLC Zone Map Amendment Request

Description of Project/Reason for Request

Our Next Venture LLC Zone Map Amendment Request from Industrial to CCS - See Narrative

Tax Parcel Number

P885000D000A & P00000065000

Adjacent Zoning

CCS, Industrial, R-1S

Adjacent Land Use

Commercial, Vacant, Residential

Existing Zoning

Industrial

Current Land Use

Vacant

Proposed Zone

CCS

Exhibit A-1

Application Certification

The applicant (or representative) must be present at the public hearing to represent this proposal or the application will not be heard. The applicant will be responsible for costs to re-notice the public hearing.

true

I (We) the undersigned do hereby make petition for a modification of the zoning classification contemplated by the property described in this application and do certify that the information contained in the application and any attached exhibits herewith are accurate to the best of my (our) knowledge. I (We) further acknowledge that any misrepresentation of the information contained in the application may be grounds for rejection of the application or revocation of a decision rendered. I (We) understand that the Administrator may decline this application if required information is deficient and/or the application fee has not been submitted. I (We) acknowledge that City staff may, in the performance of their functions, take photographs and/or make measurements of the property under consideration as deemed necessary. I (We) hereby certify that I am (we are) the owner or contact buyer of the property upon which the land use action is located, or that I (we) have been vested with the authority to act as agent for the owner or contact buyer.

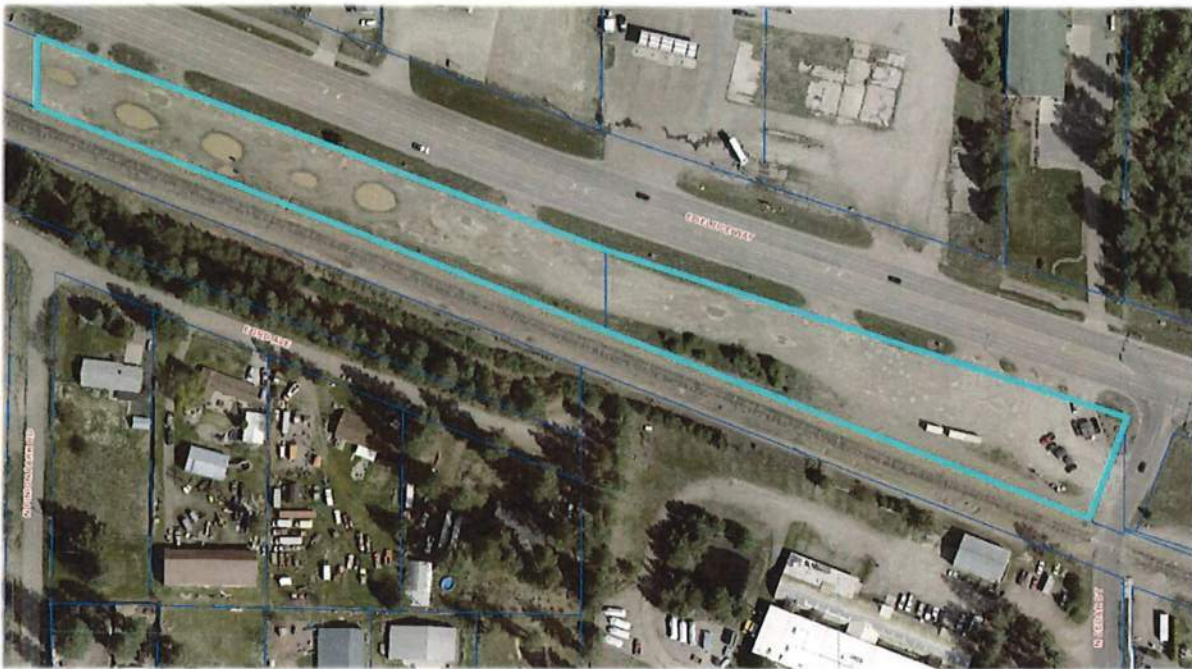
true

December 2023

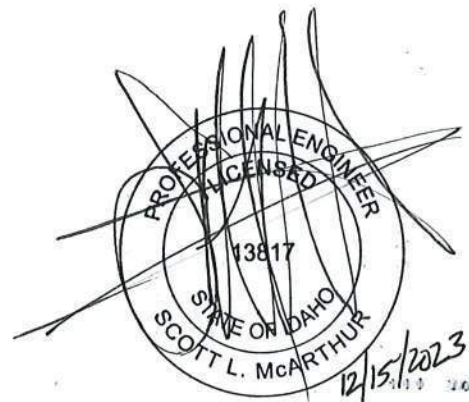
Our Next Venture ZONE MAP AMENDMENT City of Post Falls, Idaho



- **Summary:** The purpose of this narrative shall be to outline the proposed Zone Map Amendment for the below listed properties, in the City of Post Falls, Idaho. The project is located on the Southwest corner of East Seltice Way and North Cedar Street in Section 06, Township 50 North, Range 04 West, Boise Meridian, Kootenai County, City of Post Falls, Idaho.



- **Parcel Numbers:** P-0000-006-5000 & P-8850-00D-000-A (*City of Post Falls, Idaho*)
- **AINs:** 142297 & 104397
- **Property Owner:** Our Next Venture LLC
Contact: Stan Grove
PO Box 3567
Post Falls, Idaho 83877
Tel: 208.659.7263
- **Existing Zoning:** I (Industrial)
- **Proposed Zoning:** CCS (Community Commercial Services)

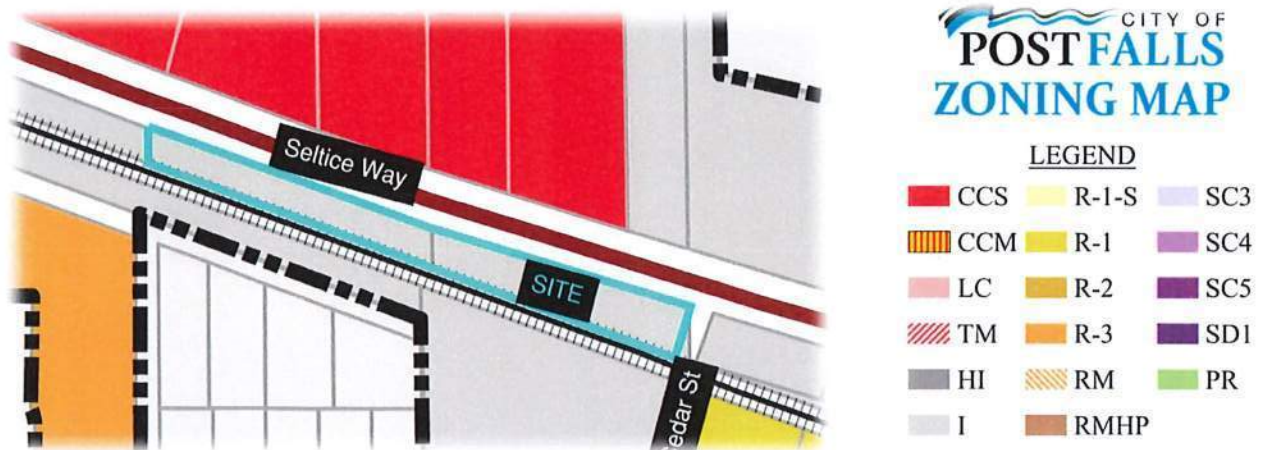


Page 1 Zone Map Amendment

Exhibit A-2

• **Surrounding Zoning and Use** (*City of Post Falls Zone Map Updated 04-25-2023*):

- North: I & CCS
 - These parcels are developed with a storage facility, a truck fueling station, and a fabrication company.
- South: I & R-3
 - These parcels are developed with an RV/Auto Dealership, and or as vacant land. Some of the secondary properties are not located in the City of Post Falls (Kootenai County) and are used as single-family residential properties.
- East: I & R-1
 - These parcels are developed with an assisted living facility, and or are vacant parcels, within the City of Post Falls.
- West: I & CCS
 - These parcels are developed with an RV/Truck Repair Facility, and a gas station.



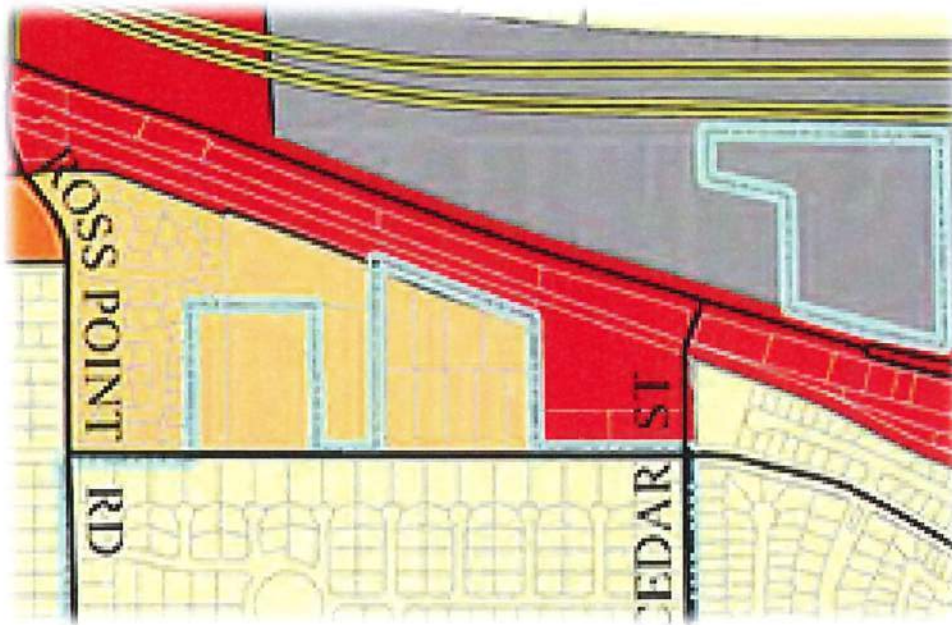
City of Post Falls – Zoning Map

• **Proposed CCS Zoning Setbacks:**

- The proposed Zone Map Amendment request will allow this otherwise restricted property (limited depth) to be developed in a manner that will allow for the most beneficial use of the two (2) parcels of land. The CCS setbacks are as follows:
 - Front: 0 feet
 - Rear: 0 feet
 - Interior Side: 0 feet
 - Street Side: 0 feet

- Future Structure Development may require fire walls for setbacks less than 10'.

City of Post Falls Comprehensive Plan Compliance:



City of Post Falls – Future Land Use Map

1. Population and Growth

The addition of the proposed commercial development would alleviate the limited availability of commercial space in this relatively underdeveloped portion of the City of Post Falls.

- There is a desperate need for affordable commercial leasing and ownership opportunities in the City of Post Falls. The location of this proposed property is ideal for future commercial use, with the ability for patrons to access the site safely from both Seltice Way and Cedar Street.

2. Economic Development

Development of the site would increase commercial opportunities in the area of this property and provide a much-needed service for highway commercial frontage and the residential properties and uses in this area.

- Commercial businesses in Post Falls often times rely on other commercial businesses to spur traffic and drive the availability of resources to serve our growing population, which will drive economic development in this otherwise undeveloped portion of the City of Post Falls.

3. Future Land Use

City of Post Falls designates this area as “Commercial” in the Future Land Use Map which is concurrent with the proposed Zone Map Amendment Request.

- The proposed Future Land Use Map most likely identified this area as “Commercial” due to the ease of access, available services, and the vast residential housing near this property, making it ideal for commercial development.

4. Natural Resources

There are no known impacts to area natural resources that would otherwise be affected by this Zone Map Amendment Request.

- The property in question is considered “in-fill” property, located in an area of the City of Post Falls that has previously been developed with Industrial, Commercial, and Residential uses, and there are no known impacts that will affect the existing natural resources we strive to protect in our community.

5. Public Facilities, Utilities, and Services

▪ Water and Sewer System Capacity

Per the City of Post Falls, the existing water and sewer infrastructure in this area has the capacity to serve any future commercial development on this property. There is an existing City of Post Falls PVC water main (12”) located in East Seltice Way, and there are three (3) existing fire hydrants fronting the property. There is an existing City of Post Falls PVC sewer main (8”) in East Seltice Way, with four (4) existing sewer manholes fronting the subject property.

▪ Dry Utilities

The existing pertinent dry utilities for commercial development are currently located in the public right of way adjacent to the property, and or on the subject property. These existing services currently serve, and are designed to serve, industrial, commercial, and residential growth in this part of the City of Post Falls, being designed for existing use, and future expansion.

6. Transportation

The development of this property in any fashion will have the potential to increase traffic along Seltice Way and Cedar Street. The proposed commercial use of this property, with an adequate means of ingress/egress to/from Seltice Way, and Cedar Street, through the existing traffic light at this intersection, should minimize the impact of this development on the local transportation system in the area of this development, and alleviate the need for those living and or working near this property from having to drive beyond this site for various commercial needs.

7. Cultural and Historic Resources, Housing, and Community Design

No cultural or historic resources have been identified on the subject property per our cursory analysis, and the previous owner’s assessment of the property. The property, with the approval of this zone map amendment, will be suited well for future commercial use, in kind with the existing surrounding land uses, and or supportive commercial uses that will allow those living and or working near this property to have available commercial needs in an easily accessible area. We believe the Community Design for this area, as illustrated on the Future Land Use Map, was for this property to developed with a commercial use, which is also evident when looking at the commercial uses that are in the vicinity of this property.

Zone Map Amendment Approval Criteria:

The following Zone Map Amendment review and approval criteria can be found in the City of Post Falls Municipal Code, Section 18.20.100:

1. Comprehensive Plan – Future Land Use Map

The proposed zoning district for this property (CCS – Community Commercial Services) is consistent with the Future Land Use Map and Focus Area contained in the adopted Post Falls Comprehensive Plan, as previously stated above.

2. Comprehensive Plan Goals and Policies

The proposed zoning district requested for the subject property (CCS) is consistent with the Goals and Policies contained in Appendix B of the City of Post Falls Comprehensive Plan, with specific relevance to the area under consideration.

The requested CCS zoning will allow for economically feasible commercial development in this underdeveloped portion of the City, on property that is otherwise dimensionally constrained by depth, and adjoining rights of way. The current Industrial zoning designation would require any development on the property to have structural setbacks, that will further impact structure size, use, and site mobility. The proposed zoning, CCS, would eliminate those setbacks, giving the land owner the ability to utilize those setbacks, which do not affect neighboring parcels, or adjacent land rights.

The following shall outline how the above noted Goals and Policies are affected by this request:

Goals:

- Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.
 - This area of Post Falls is currently underdeveloped, and the land in question is, and has always been, located in a prime area for commercial growth, but has otherwise been constrained by its current zoning development standards.
- Maintain and improve the provision of high-quality, affordable, and efficient community services in Post Falls.
 - Commercial services in this area would improve access to commercial needs in this area, and may potentially result in reduced traffic loads that currently impact those driving by this site to get to those same commercial services further into the City of Post Falls.
- Maintain and improve the Post Falls small-town scale, charm, and aesthetic beauty.
 - The property in question is located in an area that is prime for commercial growth. The property is surrounded by public and rail road rights of way, and future development would be inclusive of local business and services that would support our local economy.

- Sustain the historic city center as the “heart” of Post Falls, bringing the community together and enhancing its commercial, service, and civic vitality.
 - While this property is not located at the heart of the City of Post Falls, the services that would be developed could potentially provide services that may not be essential for City center development.
- Keep Post Falls neighborhood safe, vital, and attractive.
 - The development of this prime vacant property could help improve this area of the City of Post Falls by reducing unsightly vegetation or abandoned vehicles, while at the same time improving the aesthetics of the area, and spurring further revitalization of adjacent properties.
- Maintain and improve Post Falls transportation network, on pace, and in concert with need and plan objective.
 - The development of this property under the CCS zoning designation may allow for services that could otherwise alleviate traffic counts in and or around this property by providing those who live and work in this area commercial services that are currently missing.
- Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City’s long-term sustainability.
 - Commercial development, as outlined in the Comprehensive Plan, is desired in this area of the City of Post Falls, and essential for the projected growth of the City.
- Protect and maintain Post Falls natural resources including clean air, soils, river, aquifer, and minimizing light and noise pollution citywide.
 - The future development of this vacant property will be in-kind with surrounding land uses and will utilize existing infrastructure that is already developed in adjacent rights of way. All future development will be required to have lighting that meets City requirements with respect to how it affects neighboring parcels, and the CCS zoning designation would have services that would be less of an impact on neighbor property owners, when compared to the current Industrial zoning designation already overlaying the property.
- Sustain and expand Post Falls arts, cultural, and civic environment.
 - A CCS zoning designation on this property could provide commercial opportunities for business and services that support cultural and or civil events in the City of Post Falls.

- Maintain the City of Post Falls long-term fiscal health.
 - A CCS zoning designation on this property should expand commercial development opportunities in this area of the City of Post Falls, and allow for the financially, and aesthetically pleasing development of this land in a manner that will benefit the City.

Policies:

- Support land use patterns that:
 - Maintain or enhance community levels service.
 - Foster the long-term fiscal health of the community.
 - Maintain and enhance resident quality of life.
 - Promote compatible, well-designed development.
- The future development of this property, under the CCS zoning designation, would provide opportunities for commercial uses in this area that are otherwise located further in town, thus meeting all policies stated above.
- Apply or revise zoning designations with careful consideration of factors including:
 - Future land use mapping.
 - Compatibility with surrounding land uses.
 - Infrastructure and service plans.
 - Existing and future traffic patterns.
- This Zone Map Amendment request considered each item listed in this policy, and we feel any future development on this land, under the requested zoning designation will be consistent with the intentions specified under this policy.
- Encourage development patterns that provide suitably scaled, daily needs services within walking distance of residential areas, allowing a measure of independence for those who cannot or choose not to drive.
 - This area of the City of Post Falls is underdeveloped. The proposed zoning classification will permit the development of his property to include services that will be within walking distance of adjacent residential, commercial, and industrial developments that are developed, or will be developed in this area of the City.
- Encourage compact, pedestrian-oriented, mixed-use development patterns along the ID-41 corridor and in neighborhood and regional centers.
 - This land is within the vicinity of the Highway-41 corridor, and future CCS permitted uses that may be developed on this land should compliment those uses along the above stated route, which is currently being improved to support the traffic at the Interstate-90/Seltice Way/Highway 41 interchange.

- Direct the location of commercial shopping centers to areas near arterial intersections and high-traffic areas.
 - The intention of this request shall be classify the zoning on this property in a manner that allows for commercial services to be along Seltice Way, which is a high traffic area in the City of Post Falls, but with direct access to and from Cedar Street, for those living in the residential areas that are nearby.
- Encourage the development of off-corridor access and circulation for commercial and mixed-use areas abutting limited-access arterials.
 - The intention of this request shall be classify the zoning on this property in a manner that allows for commercial services to be along Seltice Way, which is a high traffic area in the City of Post Falls, but with direct access to and from Cedar Street, for those living in the residential areas that are nearby.
- Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.
 - This policy was the primary focus of this Zone Map Amendment request. The reclassification of zoning on this property to CCS, from Industrial, will allow for this otherwise vacant land, that has restrictions caused by the zoning designation and adjoining rights of way, will allow for financially feasible commercial development opportunities, in this area of development in-fill, in the City of Post Falls, to support the residential, commercial, and industrial services that are currently and or proposed for this portion of the City of Post Falls.
- Prioritize location of new industrial development in areas that provide:
 - Close proximity to major transportation facilities.
 - Sitting near existing industrial uses, where possible.
 - Cost-effective access to utilities and services.
 - Ability to minimize trucking through residential areas.
 - While we feel this is an important policy for the City of Post Falls, we feel this specific property is not ideal for Industrial development, due to the close proximity to residential developments, and or other commercial services that do not require industrial classifications that are otherwise suited for other areas in the City.
- Ensure new industrial uses near residential areas do not create noise, odor, air, or visual pollution beyond that normally associated with residential uses.
 - Again, it is our belief that Industrial growth is essential for the City, but this specific property, is located near residential developments, and is not suited for Industrial development that could potentially create noise, odor, air, or visual pollution, that may otherwise be restricted through CCS design standards and permitted uses.

- Coordinate use patterns along the I-90 corridor to take advantage of access and visibility while enhancing Post Falls' regional image.
 - This Zone Map Amendment request took into consideration the location of this property, and how it relates not only to Interstate-90/Highway-41/Seltice Way interchange (under construction), but also to the adjoining residential and commercial land uses, or future land uses. Accessibility to future commercial services both from the adjoining land uses, and the above roadways will enhance the City of Post Falls' ability to serve those living, working, and or traveling through this underdeveloped region of the City.
 - Encourage space-efficient, attractive street and development patterns in Post Falls' city center, typically featuring:
 - An interconnected, grid-form streets network.
 - Contiguous buildings that abut public rights-of-way.
 - First-floor commercial uses with active storefront facades.
 - On-street parking.
 - Off-street parking to the side, rear, below or on upper stories of buildings.
 - Utilization of alleys for service and accessory parking access.
 - Ample sidewalks and frequent, well-defined crosswalks.
 - Street trees and landscaping.
 - Pedestrian-scale lighting, benches, and other street furnishings.
 - This area is prime for commercial services, and commercial growth, due to its proximity to residential housing, which is why we feel the Comprehensive Plan designated this land for commercial use, and not Industrial use, as it is currently zoned. Development standards will require the landowner and future project proponent to implement the above required development improvements and landscaping needed to support the future commercial services that will be available on this property.
3. Will the proposed zoning request create a Demonstrable Adverse Impact?
The proposed zoning district requested will not create a Demonstrable Adverse Impact on the City of Post Falls ability to deliver/distribute public services within the limits of the City of Post Falls. The ease of access to this subject property, and the availability of adjacent existing utilities (with capacity) will minimize impacts to the public rights of way and provide accessibility for those who live and work near this proposed commercial property.



Our Next Venture, LLC, an Idaho Limited Liability Company
po box 3567
Post Falls, ID 83877

Date: September 7, 2023

To our valued customer,

Enclosed please find the title insurance policy for your property located at

4764 E. Seltice Way, Post Falls, ID 83854

This enclosed policy insures you against certain risks to your land title, subject to the conditions & exclusions as set forth therein.

Your policy premium shown on Schedule A is a one-time charge. It was collected and paid for in your closing costs.

Please review this policy in its entirety. In the event that you find any discrepancy, or if you have any questions regarding your title insurance policy, you may contact the Policy Department at:

Email: nitpolicies@northidahotitle.com
Telephone: (208) 765-3333
Fax: (208) 765-1761

Please refer to our **Order No. N-64444**.

We will retain a copy of this title insurance policy so we will be able to provide future products and services to you quickly and efficiently. Thank you for giving us the opportunity to serve you.

Sincerely,

North Idaho Title Insurance, Inc.
601 E. Front Avenue, Suite 204
Coeur d'Alene, ID 83814

Exhibit A-3



ALTA OWNER'S POLICY OF TITLE INSURANCE
issued by
FIRST AMERICAN TITLE INSURANCE COMPANY

This policy, when issued by the Company with a Policy Number and the Date of Policy, is valid even if this policy or any endorsement to this policy is issued electronically or lacks any signature.

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Condition 17.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a Nebraska corporation (the "Company"), insures as of the Date of Policy and, to the extent stated in Covered Risks 9 and 10, after the Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. The Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. Covered Risk 2 includes, but is not limited to, insurance against loss from:
 - a. a defect in the Title caused by:
 - i. forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - ii. the failure of a person or Entity to have authorized a transfer or conveyance;
 - iii. a document affecting the Title not properly authorized, created, executed, witnessed, sealed, acknowledged, notarized (including by remote online notarization), or delivered;
 - iv. a failure to perform those acts necessary to create a document by electronic means authorized by law;
 - v. a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - vi. a document not properly filed, recorded, or indexed in the Public Records, including the failure to have performed those acts by electronic means authorized by law;
 - vii. a defective judicial or administrative proceeding; or
 - viii. the repudiation of an electronic signature by a person that executed a document because the electronic signature on the document was not valid under applicable electronic transactions law.
 - b. the lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - c. the effect on the Title of an encumbrance, violation, variation, adverse circumstance, boundary line overlap, or encroachment (including an encroachment of an improvement across the boundary lines of the Land), but only if the encumbrance, violation, variation, adverse circumstance, boundary line overlap, or encroachment would have been disclosed by an accurate and complete land title survey of the Land.
3. Unmarketable Title.
4. No right of access to and from the Land.





5. A violation or enforcement of a law, ordinance, permit, or governmental regulation (including those relating to building and zoning), but only to the extent of the violation or enforcement described by the enforcing governmental authority in an Enforcement Notice that identifies a restriction, regulation, or prohibition relating to:
 - a. the occupancy, use, or enjoyment of the Land;
 - b. the character, dimensions, or location of an improvement on the Land;
 - c. the subdivision of the Land; or
 - d. environmental remediation or protection on the Land.
6. An enforcement of a governmental forfeiture, police, regulatory, or national security power, but only to the extent of the enforcement described by the enforcing governmental authority in an Enforcement Notice.
7. An exercise of the power of eminent domain, but only to the extent:
 - a. of the exercise described in an Enforcement Notice; or
 - b. the taking occurred and is binding on a purchaser for value without Knowledge.
8. An enforcement of a PACA-PSA Trust, but only to the extent of the enforcement described in an Enforcement Notice.
9. The Title being vested other than as stated in Schedule A, the Title being defective, or the effect of a court order providing an alternative remedy:
 - a. resulting from the avoidance, in whole or in part, of any transfer of all or any part of the Title to the Land or any interest in the Land occurring prior to the transaction vesting the Title because that prior transfer constituted a:
 - i. fraudulent conveyance, fraudulent transfer, or preferential transfer under federal bankruptcy, state insolvency, or similar state or federal creditors' rights law; or
 - ii. voidable transfer under the Uniform Voidable Transactions Act; or
 - b. because the instrument vesting the Title constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar state or federal creditors' rights law by reason of the failure:
 - i. to timely record the instrument vesting the Title in the Public Records after execution and delivery of the instrument to the Insured; or
 - ii. of the recording of the instrument vesting the Title in the Public Records to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to the Date of Policy and prior to the recording of the deed or other instrument vesting the Title in the Public Records.





DEFENSE OF COVERED CLAIMS

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this policy, but only to the extent provided in the Conditions.

First American Title Insurance Company

Kenneth D. DeGiorgio, President

Lisa W. Cornehl, Secretary

For Reference:

File #: N-64444

Policy #: 50122816-0007122e

EXCLUSIONS FROM COVERAGE

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
 - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.





4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

CONDITIONS

1. DEFINITION OF TERMS

In this policy, the following terms have the meanings given to them below. Any defined term includes both the singular and the plural, as the context requires:

- a. "Affiliate": An Entity:
 - i. that is wholly owned by the Insured;
 - ii. that wholly owns the Insured; or
 - iii. if that Entity and the Insured are both wholly owned by the same person or entity.
- b. "Amount of Insurance": The Amount of Insurance stated in Schedule A, as may be increased by Condition 8.d. or decreased by Condition 10 or 11; or increased or decreased by endorsements to this policy.
- c. "Date of Policy": The Date of Policy stated in Schedule A.
- d. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- e. "Enforcement Notice": A document recorded in the Public Records that describes any part of the Land and:
 - i. is issued by a governmental agency that identifies a violation or enforcement of a law, ordinance, permit, or governmental regulation;
 - ii. is issued by a holder of the power of eminent domain or a governmental agency that identifies the exercise of a governmental power; or
 - iii. asserts a right to enforce a PACA-PSA Trust.
- f. "Entity": A corporation, partnership, trust, limited liability company, or other entity authorized by law to own title to real property in the State where the Land is located.
- g. "Insured":
 - i. (a). The Insured named in Item 1 of Schedule A;
 - (b). the successor to the Title of an Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (c). the successor to the Title of an Insured resulting from dissolution, merger, consolidation, distribution, or reorganization;
 - (d). the successor to the Title of an Insured resulting from its conversion to another kind of Entity; or





- (e). the grantee of an Insured under a deed or other instrument transferring the Title, if the grantee is:
 - (1). an Affiliate;
 - (2). a trustee or beneficiary of a trust created by a written instrument established for estate planning purposes by an Insured;
 - (3). a spouse who receives the Title because of a dissolution of marriage;
 - (4). a transferee by a transfer effective on the death of an Insured as authorized by law; or
 - (5). another Insured named in Item 1 of Schedule A.
- ii. The Company reserves all rights and defenses as to any successor or grantee that the Company would have had against any predecessor Insured.
- h. "Insured Claimant": An Insured claiming loss or damage arising under this policy.
- i. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- j. "Land": The land described in Item 4 of Schedule A and improvements located on that land at the Date of Policy that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is insured by this policy.
- k. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- l. "PACA-PSA Trust": A trust under the federal Perishable Agricultural Commodities Act or the federal Packers and Stockyards Act or a similar State or federal law.
- m. "Public Records": The recording or filing system established under State statutes in effect at the Date of Policy under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- n. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- o. "Title": The estate or interest in the Land identified in Item 2 of Schedule A.
- p. "Unmarketable Title": The Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or a lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF COVERAGE

This policy continues as of the Date of Policy in favor of an Insured, so long as the Insured:

- a. retains an estate or interest in the Land;
- b. owns an obligation secured by a purchase money Mortgage given by a purchaser from the Insured; or
- c. has liability for warranties given by the Insured in any transfer or conveyance of the Insured's Title.

Except as provided in Condition 2, this policy terminates and ceases to have any further force or effect after the Insured conveys the Title. This policy does not continue in force or effect in favor of any person or entity that is not the Insured and acquires the Title or an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured must notify the Company promptly in writing if the Insured has Knowledge of:

- a. any litigation or other matter for which the Company may be liable under this policy; or
- b. any rejection of the Title as Unmarketable Title.

If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under this policy is reduced to the extent of the prejudice.





4. PROOF OF LOSS

The Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, adverse claim, or other matter insured against by this policy that constitutes the basis of loss or damage and must state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

- a. Upon written request by the Insured and subject to the options contained in Condition 7, the Company, at its own cost and without unreasonable delay, will provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company has the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those covered causes of action. The Company is not liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of any cause of action that alleges matters not insured against by this policy.
- b. The Company has the right, in addition to the options contained in Condition 7, at its own cost, to institute and prosecute any action or proceeding or to do any other act that, in its opinion, may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it is liable to the Insured. The Company's exercise of these rights is not an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under Condition 5.b., it must do so diligently.
- c. When the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court having jurisdiction. The Company reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

- a. When this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured will secure to the Company the right to prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose.

When requested by the Company, the Insured, at the Company's expense, must give the Company all reasonable aid in:

- i. securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement; and
- ii. any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter, as insured.

If the Company is prejudiced by any failure of the Insured to furnish the required cooperation, the Company's liability and obligations to the Insured under this policy terminate, including any obligation to defend, prosecute, or continue any litigation, regarding the matter requiring such cooperation.

- b. The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos, whether bearing a date before or after the Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant must grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all the records in the custody or control of a third party that reasonably pertain to the loss or damage. No information designated in writing as confidential by the Insured Claimant provided to the Company pursuant to Condition 6 will be later disclosed to others unless, in the reasonable judgment of the Company, disclosure is necessary in the administration of the claim or required by law. Any failure of the Insured Claimant to submit for





examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in Condition 6.b., unless prohibited by law, terminates any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company has the following additional options:

a. *To Pay or Tender Payment of the Amount of Insurance*

To pay or tender payment of the Amount of Insurance under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay. Upon the exercise by the Company of this option provided for in Condition 7.a., the Company's liability and obligations to the Insured under this policy terminate, including any obligation to defend, prosecute, or continue any litigation.

b. *To Pay or Otherwise Settle with Parties other than the Insured or with the Insured Claimant*

i. To pay or otherwise settle with parties other than the Insured for or in the name of the Insured Claimant. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or

ii. To pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either option provided for in Condition 7.b., the Company's liability and obligations to the Insured under this policy for the claimed loss or damage terminate, including any obligation to defend, prosecute, or continue any litigation.

8. CONTRACT OF INDEMNITY; DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by an Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy. This policy is not an abstract of the Title, report of the condition of the Title, legal opinion, opinion of the Title, or other representation of the status of the Title. All claims asserted under this policy are based in contract and are restricted to the terms and provisions of this policy. The Company is not liable for any claim alleging negligence or negligent misrepresentation arising from or in connection with this policy or the determination of the insurability of the Title.

a. The extent of liability of the Company for loss or damage under this policy does not exceed the lesser of:

i. the Amount of Insurance; or

ii. the difference between the fair market value of the Title, as insured, and the fair market value of the Title subject to the matter insured against by this policy.

b. Except as provided in Condition 8.c. or 8.d., the fair market value of the Title in Condition 8.a.ii. is calculated using the date the Insured discovers the defect, lien, encumbrance, adverse claim, or other matter insured against by this policy.

c. If, at the Date of Policy, the Title to all of the Land is void by reason of a matter insured against by this policy, then the Insured Claimant may, by written notice given to the Company, elect to use the Date of Policy as the date for calculating the fair market value of the Title in Condition 8.a.ii.

d. If the Company pursues its rights under Condition 5.b. and is unsuccessful in establishing the Title, as insured:

i. the Amount of Insurance will be increased by 15%; and

ii. the Insured Claimant may, by written notice given to the Company, elect, as an alternative to the dates set forth in Condition 8.b. or, if it applies, 8.c., to use either the date the settlement, action, proceeding, or other act described in Condition 5.b. is concluded or the date the notice of claim required by Condition 3 is received by the Company as the date for calculating the fair market value of the Title in Condition 8.a.ii.





- e. In addition to the extent of liability for loss or damage under Conditions 8.a. and 8.d., the Company will also pay the costs, attorneys' fees, and expenses incurred in accordance with Conditions 5 and 7.

9. LIMITATION OF LIABILITY

- a. The Company fully performs its obligations and is not liable for any loss or damage caused to the Insured if the Company accomplishes any of the following in a reasonable manner:
 - i. removes the alleged defect, lien, encumbrance, adverse claim, or other matter;
 - ii. cures the lack of a right of access to and from the Land; or
 - iii. cures the claim of Unmarketable Title,all as insured. The Company may do so by any method, including litigation and the completion of any appeals.
- b. The Company is not liable for loss or damage arising out of any litigation, including litigation by the Company or with the Company's consent, until a State or federal court having jurisdiction makes a final, non-appealable determination adverse to the Title.
- c. The Company is not liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.
- d. The Company is not liable for the content of the Transaction Identification Data, if any.

10. REDUCTION OR TERMINATION OF INSURANCE

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance will be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after the Date of Policy and which is a charge or lien on the Title, and the amount so paid will be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage are determined in accordance with the Conditions, the Company will pay the loss or damage within 30 days.

13. COMPANY'S RECOVERY AND SUBROGATION RIGHTS UPON SETTLEMENT AND PAYMENT

- a. If the Company settles and pays a claim under this policy, it is subrogated and entitled to the rights and remedies of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person, entity, or property to the fullest extent permitted by law, but limited to the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant must execute documents to transfer these rights and remedies to the Company. The Insured Claimant permits the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.
- b. If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company defers the exercise of its subrogation right until after the Insured Claimant fully recovers its loss.
- c. The Company's subrogation right includes the Insured's rights to indemnity, guaranty, warranty, insurance policy, or bond, despite any provision in those instruments that addresses recovery or subrogation rights.

14. POLICY ENTIRE CONTRACT

- a. This policy together with all endorsements, if any, issued by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy will be construed as a whole. This policy and any endorsement to this policy may be evidenced by electronic means authorized by law.
- b. Any amendment of this policy must be by a written endorsement issued by the Company. To the extent





any term or provision of an endorsement is inconsistent with any term or provision of this policy, the term or provision of the endorsement controls. Unless the endorsement expressly states, it does not:

- i. modify any prior endorsement,
- ii. extend the Date of Policy,
- iii. insure against loss or damage exceeding the Amount of Insurance, or
- iv. increase the Amount of Insurance.

15. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, this policy will be deemed not to include that provision or the part held to be invalid, but all other provisions will remain in full force and effect.

16. CHOICE OF LAW AND CHOICE OF FORUM

a. *Choice of Law*

The Company has underwritten the risks covered by this policy and determined the premium charged in reliance upon the State law affecting interests in real property and the State law applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the State where the Land is located.

The State law of the State where the Land is located, or to the extent it controls, federal law, will determine the validity of claims against the Title and the interpretation and enforcement of the terms of this policy, without regard to conflicts of law principles to determine the applicable law.

b. *Choice of Forum*

Any litigation or other proceeding brought by the Insured against the Company must be filed only in a State or federal court having jurisdiction.

17. NOTICES

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at: **First American Title Insurance Company, Attn: Claims National Intake Center, 5 First American Way, Santa Ana, California 92707. Phone: 888-632-1642 (claims.nic@firstam.com).**

18. CLASS ACTION

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS POLICY, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS POLICY, ANY BREACH OF A POLICY PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS POLICY, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS, REPRESENTATIVE, OR PRIVATE ATTORNEY GENERAL PROCEEDING.

19. ARBITRATION

- a. All claims and disputes arising out of or relating to this policy, including any service or other matter in connection with issuing this policy, any breach of a policy provision, or any other claim or dispute arising out of or relating to the transaction giving rise to this policy, may be resolved by arbitration. If the Amount of Insurance is \$2,000,000 or less, any claim or dispute may be submitted to binding arbitration at the election of either the Company or the Insured. If the Amount of Insurance is greater than \$2,000,000, any claim or dispute may be submitted to binding arbitration only when agreed to by both the Company and the Insured. Arbitration must be conducted pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("ALTA Rules"). The ALTA Rules are available online at www.alta.org/arbitration. The ALTA Rules incorporate, as appropriate to a particular dispute, the Consumer Arbitration Rules and Commercial Arbitration Rules of the American Arbitration Association ("AAA Rules"). The AAA Rules are available online at www.adr.org.
- b. ALL CLAIMS AND DISPUTES MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS, REPRESENTATIVE,





- OR PRIVATE ATTORNEY GENERAL PROCEEDING IN ANY ARBITRATION GOVERNED BY CONDITION 19. The arbitrator does not have authority to conduct any class action arbitration, private attorney general arbitration, or arbitration involving joint or consolidated claims under any circumstance.
- c. *If there is a final judicial determination that a request for particular relief cannot be arbitrated in accordance with this Condition 19, then only that request for particular relief may be brought in court. All other requests for relief remain subject to this Condition 19.*
 - d. The Company will pay all AAA filing, administration, and arbitrator fees of the consumer when the arbitration seeks relief of \$100,000 or less. Other fees will be allocated in accordance with the applicable AAA Rules. The results of arbitration will be binding upon the parties. The arbitrator may consider, but is not bound by, rulings in prior arbitrations involving different parties. The arbitrator is bound by rulings in prior arbitrations involving the same parties to the extent required by law. The arbitrator must issue a written decision sufficient to explain the findings and conclusions on which the award is based. Judgment upon the award rendered by the arbitrator may be entered in any State or federal court having jurisdiction.



ALTA OWNER'S POLICY (07-01-2021)

SCHEDULE A

Order No.:	N-64444	Name and Address of Insurer:
Policy No.:	50122816-0007122e	First American Title Insurance Company
Date of Policy:	August 31, 2023 at 4:38PM	1 First American Way
Amount of Insurance:	\$1,150,000.00	Santa Ana, CA 927070
Premium:	\$3,355.00	

Address Reference: 4764 E. Seltice Way, Post Falls, ID 83854
For information purposes only and not for insurance.

1. The Insured is:

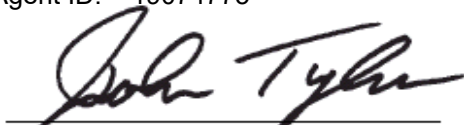
Our Next Venture, LLC, an Idaho Limited Liability Company
2. The estate or interest in the Land that is insured by this policy is:

Fee Simple
3. The Title is vested in:

Our Next Venture, LLC, an Idaho Limited Liability Company
4. The Land is described as follows:

SEE EXHIBIT "A" ATTACHED FOR LEGAL DESCRIPTION

Issued By:
North Idaho Title Insurance, Inc.
601 E. Front Avenue
Coeur d'Alene, ID 83814
Agent ID: 19074775


Authorized Countersignature

NOTE: This policy is of no force and effect unless Schedule A and Schedule B are attached together with any added pages incorporated by reference.

EXHIBIT "A" LEGAL DESCRIPTION

Parcel 1;

All of Block "D", Thompson, according to the plat recorded in the office of the County Recorder in Book B of Plats at Page 101, records of Kootenai County, Idaho.

Parcel 2:

The Easterly 633 feet of all that portion of Burlington Northern, Inc., 100 foot right of way located in the Northeast Quarter of the Southwest Quarter of Section 6, all in Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

Parcel 3:

A part of the Northwest Quarter of the Southeast Quarter of Section 6, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

Beginning at the intersection of the West line of the said Northwest Quarter of the Southeast Quarter of Section 6 with the Southern right of way line of Seltice Way;

thence South 72°55'38" East along the said Southern right of way line of Seltice Way 5 feet to the point that is 30 feet Westerly from the centerline of the access road;

thence South 20°01'21" West along the Westerly right of way line of the access road, 13.30 feet to the intersection with the West line of the Northwest Quarter of the Southeast Quarter;

thence North 0°39'09" West along said West line of the Northwest Quarter of the Southeast Quarter, 14 feet, more or less, to the Place of Beginning.

Parcel 4:

All that portion of Burlington Northern, Inc., 100 foot right of way located in the Northeast Quarter of the Southwest Quarter of Section 6, all in Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

EXCEPT the East 633 feet therefrom.

ALSO EXCEPT Kootenai County Tax numbers 15278 and 24046 as described in Warranty Deed recorded August 18, 1992, Instrument No. 1270744.

ALSO EXCEPT Kootenai County Tax Number 10950 as described in Warranty Deed recorded December 5, 1977 in Book 287, Page 530.

ALSO EXCEPT Kootenai County Tax Number 12272 as described in Memorandum of Contract recorded March 17, 1981 in Book 112, Page 429.

NOTE: This policy is of no force and effect unless Schedule A and Schedule B are attached together with any added pages incorporated by reference.

SCHEDULE B

EXCEPTIONS FROM COVERAGE

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This policy treats any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document are excepted from coverage.

This policy does not insure against loss or damage and the Company will not pay costs, attorneys' fees, or expenses resulting from the terms and conditions of any lease or easement identified in Schedule A, and the following matters:

STANDARD EXCEPTIONS:

- (1) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records.
- (2) Any facts, rights, interest, or claims which are not shown by the Public Records but that could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- (3) Easements, claims of easement or encumbrances that are not shown by the Public Records.
- (4) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the Land, and that are not shown in the Public Records.
- (5) (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a),(b), or (c) are shown by the Public Records.
- (6) Any lien or right to a lien for services, labor or material, unless such lien is shown by the Public Records at Date of Policy.
- (7) Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.

NOTE: This policy is of no force and effect unless Schedule A and Schedule B are attached together with any added pages incorporated by reference.

SCHEDULE B EXCEPTIONS FROM COVERAGE

SPECIAL EXCEPTIONS:

1. General taxes for the year 2023, a lien in the process of assessment, not yet due or payable.
2. Assessments for the City of Post Falls, if any, which are excluded from the coverage afforded hereby.

There is no outstanding assessment at the date of this policy.
3. Assessments for the Ross Point Water District, if any, which are excluded from the coverage afforded hereby.

There is no outstanding assessment at the date of this policy.
4. All matters as delineated on the Official Plat of Thompson, on file and of record as (book) B (page) 101, Official Records of Kootenai County, State of Idaho.
5. Rights of the public, as to that portion of the herein described property lying within Cedar Street.
6. Provisions, easements and reservation as contained in Highway right of way deed from Leslie G. Bagwell and Lurley M. Bagwell, to the City of Post Falls, recorded January 26, 1946, as (book) 130 (page) 120, Official Records.
[Document Link](#)
7. An easement over said land for an electric distribution line with appurtenances including right of inspection and incidental purposes, as granted to The Washington Water Power Company, in deed recorded March 22, 1907, as (book) 25 (page) 176, Official Records.
[Document Link](#)
8. An easement over said land for an electric distribution line with appurtenances including right of inspection and incidental purposes, as granted to The Washington Water Power Company, in deed recorded February 25, 1942, as (book) 119 (page) 91, Official Records.
[Document Link](#)
9. Mineral reservation as contained in deed from Burlington Northern Inc., to Custom Furniture and Cabinets, Inc., an Idaho corporation, recorded May 27, 1977, as (book) 283 (page) 137, Official Records.
[Document Link](#)

The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
10. Reservations as contained in deed from Burlington Northern Inc., to Custom Furniture & Cabinets, Inc., recorded October 7, 1978, as (book) 279 (page) 184, Official Records.
[Document Link](#)

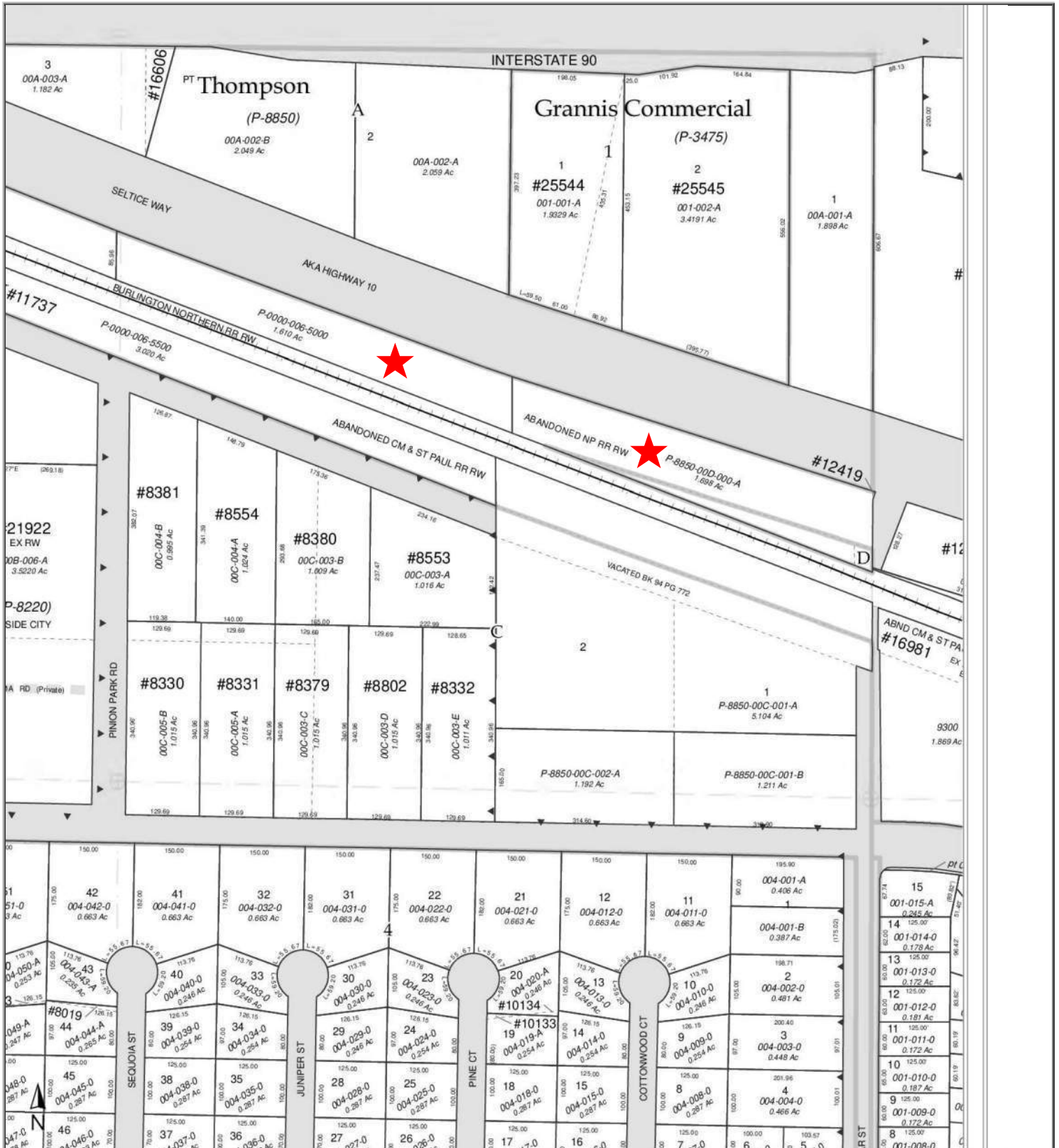
NOTE: This policy is of no force and effect unless Schedule A and Schedule B are attached together with any added pages incorporated by reference.

The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

11. County road right of way and release of damages as set forth in Viewers Report dated May 29, 1913, recorded January 7, 2014, as (instrument) 2442147000, Official Records.
[Document Link](#)
12. County road right of way and release of damages as set forth in Viewers Report dated October 22, 1896, recorded January 3, 2014, as (instrument) 2441843000, Official Records.
[Document Link](#)
13. An easement upon the terms, conditions and provisions contained therein for the purpose shown below and rights incidental thereto as granted to Sprint Communications Company L.P. in a document recorded February 18, 2014, as (instrument) 2446598000, Official Records:
Purpose: telecommunications cable system
[Document Link](#)
14. Record of Survey recorded March 3, 2014, as (book) 28 (page) 80, Official Records.
[Document Link](#)
15. Rights of tenants in possession, including any unrecorded leases and/or subleases affecting the herein described property.
16. A Deed of Trust to secure an indebtedness in the amount shown below and any other obligations secured thereby:

Amount: \$950,000.00
Dated: August 31, 2023
Trustor: Our Next Venture, LLC, an Idaho Limited Liability Company
Trustee: North Idaho Title Insurance, Inc.
Beneficiary: Jon Patrick Swartout and Benjamin Kennedy Swartout, Successor Co-Trustees of Dennis B. Swartout Family Trust, a Revocable Trust, as to an undivided 43.59% and Coeur d'Alene Development Company, an Idaho Corporation, as to an undivided 56.41%
Recorded: August 31, 2023 as (instrument) 2947151000

NOTE: This policy is of no force and effect unless Schedule A and Schedule B are attached together with any added pages incorporated by reference.

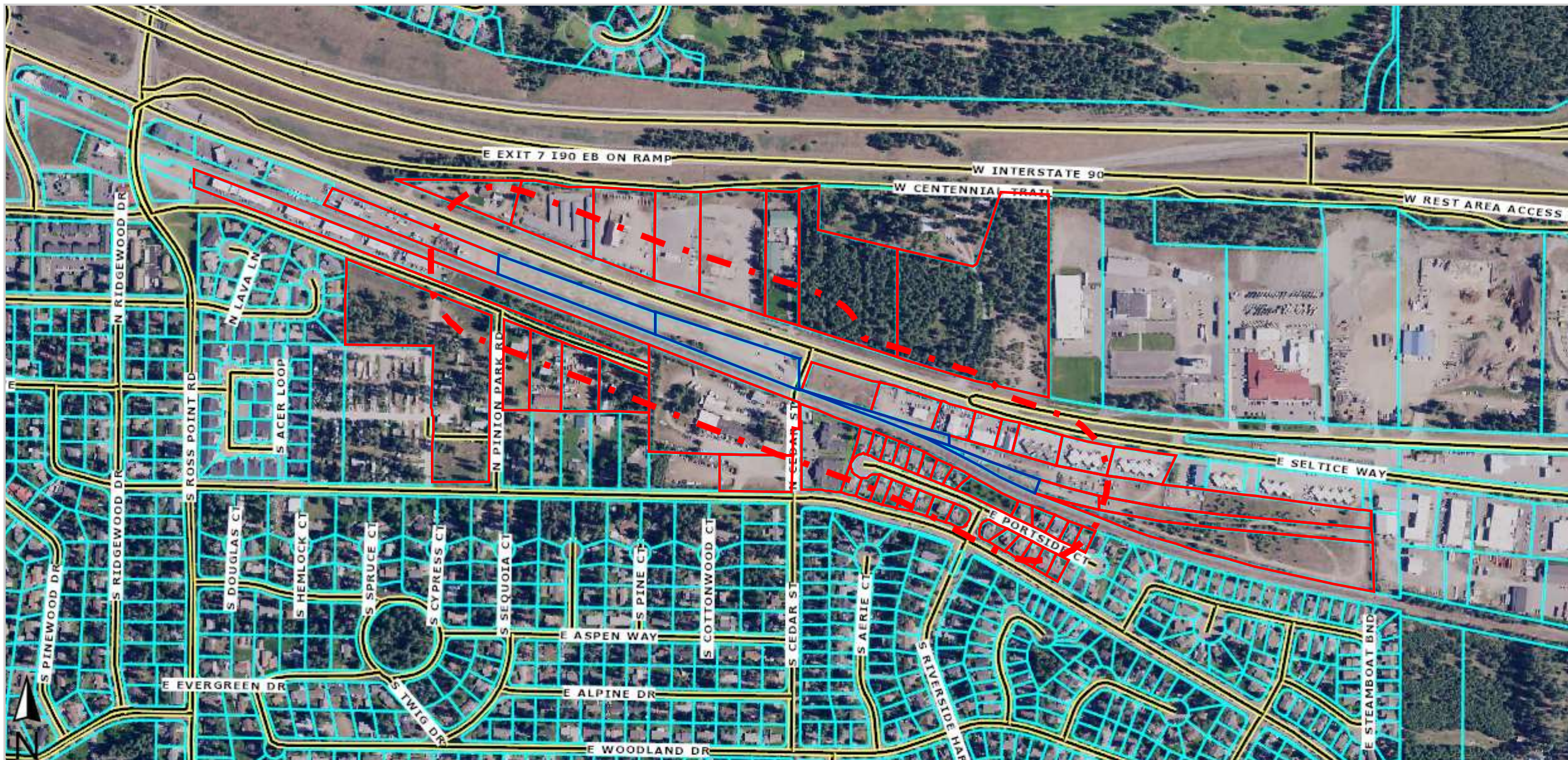


ParcelID: P885000D000A

Tax Account #: 104397

4764 E Seltice Way, Post Falls ID 83854

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

Exhibit A-4

Owner Name: Hunt Christine	Parcel ID: 0822000C003A	Tax ID: 143717
Co-Owner: Hunt Jerry	Recording Date:	
Site Addr: 4646 E 3rd Ave Post Falls ID 83854	Use: Imp res rural sub	
Owner Addr: 4646 E 3rd Ave Post Falls ID 83854	Assessed Total: \$550,752.00	Sale Price:
Bedroom: 4 Bath: 2 Year Blt: 1972	Bldg SqFt: 3,136 SqFt	Acres: 1.02 Acres
Legal: THOMPSON, TAX #8553 BLK C 0650N04W		

Owner Name: Courtney Glenn J	Parcel ID: 0822000C003B	Tax ID: 111487
Co-Owner: Courtney Dana M	Recording Date: 01/06/2017	
Site Addr: 4576 E 3rd Ave Post Falls ID 83854	Use: Imp res rural sub	
Owner Addr: 4576 E 3rd Ave Post Falls ID 83854	Assessed Total: \$471,152.00	Sale Price:
Bedroom: 4 Bath: 3 Year Blt: 1972	Bldg SqFt: 1,904 SqFt	Acres: 1.01 Acres
Legal: THOMPSON, TAX #8380 BLK C 0650N04W		

Owner Name: Oneill Melony E	Parcel ID: 0822000C004A	Tax ID: 141927
Co-Owner:	Recording Date: 03/18/2004	
Site Addr: 4526 E 3rd Ave Post Falls ID 83854	Use: Imp res rural sub	
Owner Addr: 4526 E 3rd Ave Post Falls ID 83854	Assessed Total: \$459,318.00	Sale Price:
Bedroom: 2 Bath: 1 Year Blt: 1972	Bldg SqFt: 1,044 SqFt	Acres: 1.02 Acres
Legal: THOMPSON, TAX #8554 BLK C 0650N04W		

Owner Name: Bookamer Dallas W Etux	Parcel ID: 0822000C004B	Tax ID: 124156
Co-Owner:	Recording Date: 02/24/2003	
Site Addr: 4470 E 3rd Ave Post Falls ID 83854	Use: Imp res rural sub	
Owner Addr: 4470 E 3rd Ave Post Falls ID 83854	Assessed Total: \$435,847.00	Sale Price:
Bedroom: 4 Bath: 3 Year Blt: 1972	Bldg SqFt: 2,484 SqFt	Acres: 0.99 Acres
Legal: THOMPSON, TAX #8381 BLK C 0650N04W		

Owner Name: Arche Idaho LLC	Parcel ID: 50N04W067900	Tax ID: 141736
Co-Owner:	Recording Date:	
Site Addr: ID 83854	Use: Rural commercial tract	
Owner Addr: 1820 297th Way SE Fall City WA 98024	Assessed Total: \$5,376.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 10.03 Acres
Legal: TAX #20105 [IN NW-SE] 0650N04W		

Owner Name: Ducommun Dennis L	Parcel ID: P00000065450	Tax ID: 135564
Co-Owner: Ducommun Jocelyne L	Recording Date:	
Site Addr: 4300 E Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	see tax roll
Owner Addr: 4300 E Seltice Way Post Falls ID 83854	Assessed Total: \$759,287.00	Sale Price:
Bedroom: Bath: Year Blt: 1985	Bldg SqFt: 4,500 SqFt	Acres: 1.55 Acres
Legal: TAX #12272 [IN NW-SW] 0650N04W		

Owner Name: Carolyn Roquet 2002 Revocable Trust	Parcel ID: P00000065500	Tax ID: 103718
Co-Owner:	Recording Date:	
Site Addr: 4055 E 3rd Ave Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: 5499 S Mica Springs Rd Coeur D Alene ID 83814	Assessed Total: \$1,557,522.00	Sale Price:
Bedroom: Bath: Year Blt: 1983	Bldg SqFt: 29,904 SqFt	Acres: 3.02 Acres
Legal: TAX #11737 0650N04W		

Owner Name: Arche Idaho LLC	Parcel ID: P00000068050	Tax ID: 155994
Co-Owner:	Recording Date:	
Site Addr: Post Falls ID 83854	Use: Comm lot/tract in city	
Owner Addr: 1820 297th Way SE Fall City WA 98024	Assessed Total: \$2,681.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 5.00 Acres
Legal: TAX #13096 0650N04W		

Owner Name: Ajr LLC	Parcel ID: P00000068125	Tax ID: 136386
Co-Owner:	Recording Date:	
Site Addr: Post Falls ID 83854	Use: Comm lot/tract in city	
Owner Addr: 3615 S Sullivan Rd Veradale WA 99037	Assessed Total: \$292,436.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 0.93 Acres
Legal: TAX #12357 [IN NW-SE] 0650N04W		

Owner Name: Mundlin Gary	Parcel ID: P00000068300	Tax ID: 134278
Co-Owner:	Recording Date:	
Site Addr: 5050 E Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: 4988 W Hayden Ave Rathdrum ID 83858	Assessed Total: \$349,046.00	Sale Price:
Bedroom: Bath: Year Blt: 1985	Bldg SqFt: 5,200 SqFt	Acres: 0.51 Acres
Legal: TAX #10785 & E 40 FT-TAX #12274 LYING WLY OF TAX #19060 [IN NW-SE] 0650N04W		

Owner Name: Drivelines Inc	Parcel ID: P00000068310	Tax ID: 231777
Co-Owner:	Recording Date:	
Site Addr: 5070 E Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: PO Box 1383 Post Falls ID 83877	Assessed Total: \$420,104.00	Sale Price:
Bedroom: Bath: Year Blt: 2009	Bldg SqFt: 5,472 SqFt	Acres: 0.38 Acres
Legal: TAX #19060 [IN NW-SE] 0650N04W		

Owner Name: Mundlin Gary	Parcel ID: P00000068320	Tax ID: 231778
Co-Owner:	Recording Date:	
Site Addr: 5100 E Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: 4988 W Hayden Ave Rathdrum ID 83858	Assessed Total: \$180,137.00	Sale Price:
Bedroom: Bath: Year Blt: 1980	Bldg SqFt: 2,560 SqFt	Acres: 0.25 Acres
Legal: TAX #10785 LYING ELY OF TAX #19060 [IN NW-SE] 0650N04W		

Owner Name: Yesco Properties LLC	Parcel ID: P00000068340	Tax ID: 196600
Co-Owner:	Recording Date:	
Site Addr: 5000 E Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: 2401 Foothill Dr Salt Lake City UT 84109	Assessed Total: \$397,280.00	Sale Price:
Bedroom: Bath: Year Blt: 1996	Bldg SqFt: 2,400 SqFt	Acres: 0.88 Acres
Legal: TAX #12274 EX E 40 FT 0650N04W		

Owner Name: Hall Sandra S	Parcel ID: P00000068350	Tax ID: 102589
Co-Owner:	Recording Date:	
Site Addr: 5140 E Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: PO Box 0485 Liberty Lake WA 99019	Assessed Total: \$351,168.00	Sale Price:
Bedroom: Bath: Year Blt: 2021	Bldg SqFt: 4,500 SqFt	Acres: 0.62 Acres
Legal: TAX #11800 0650N04W		

Owner Name: Dennis B Swartout Family Trust	Parcel ID: P00000069125	Tax ID: 125979
Co-Owner:	Recording Date:	
Site Addr: Post Falls ID 83854	Use: Comm lot/tract in city	
Owner Addr: PO Box 30009 Spokane WA 99223	Assessed Total: \$22,110.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 0.40 Acres
Legal: STRIP OF ABAND RW IN SE EX TAX # 15069 0650N04W		

Owner Name: Dennis B Swartout Family Trust	Parcel ID: P00000069130	Tax ID: 181035
Co-Owner:	Recording Date:	
Site Addr: Post Falls ID 83854	Use: Comm lot/tract in city	
Owner Addr: PO Box 30009 Spokane WA 99223	Assessed Total: \$92,290.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 1.68 Acres
Legal: TX #15069 (IN SE-SE) EX TX # 15122 0650N04W		

Owner Name: Dennis B Swartout Family Trust	Parcel ID: P00000069150	Tax ID: 175184
Co-Owner:	Recording Date:	
Site Addr: Post Falls ID 83854	Use: Comm lot/tract in city	
Owner Addr: PO Box 30009 Spokane WA 99223	Assessed Total: \$340,278.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 5.66 Acres
Legal: SE S OF NPPR & N OF BNRR EX RW EX TX #S 0650N04W		

Owner Name: The Lodge At Riverside Harbor LLC	Parcel ID: P00000069300	Tax ID: 108015
Co-Owner:	Recording Date: 09/29/2017	
Site Addr: 52 N Cedar St Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: 1950 W Bellerive Ln B107 Coeur D Alene ID 83814	Assessed Total: \$2,790,095.00	Sale Price:
Bedroom: Bath: Year Blt: 2012	Bldg SqFt: 12,706 SqFt	Acres: 1.76 Acres
Legal: SE S OF BN RR EX RW, TX #16981 EX RW, ALL EX PLTD PTNS 0650N04W		

Owner Name: Jmt Estate Investments LLC	Parcel ID: P3475001001A	Tax ID: 202033
Co-Owner:	Recording Date: 01/16/2019	
Site Addr: 4585 E Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: PO Box 1279 Chewelah WA 99109	Assessed Total: \$642,990.00	Sale Price:
Bedroom: Bath: Year Blt: 1995	Bldg SqFt:	Acres: 1.93 Acres
Legal: GRANNIS COMMERCIAL, TAX#25544 0650N04W		

Owner Name: Jmf Co Inc	Parcel ID: P3475001002A	Tax ID: 202034
Co-Owner:	Recording Date: 08/31/2020	
Site Addr: Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: 318 Highland Ave Saint Maries ID 83861	Assessed Total: \$548,574.00	Sale Price:
Bedroom: Bath: Year Blt: 2008	Bldg SqFt:	Acres: 3.42 Acres
Legal: GRANNIS COMMERCIAL, TAX#25545 0650N04W		

Owner Name: Post Falls City Of	Parcel ID: P762100000A0	Tax ID: 257145
Co-Owner:	Recording Date:	
Site Addr: Post Falls ID 83854	Use: Common areas	
Owner Addr: 408 N Spokane St Post Falls ID 83854	Assessed Total: \$1,000.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 0.45 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, TR A 0650N04W		

Owner Name: Dolliver Bryan	Parcel ID: P76210010010	Tax ID: 257146
Co-Owner: Dolliver Lauren	Recording Date: 08/01/2017	
Site Addr: 5033 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 5033 E Portside Ct Post Falls ID 83854	Assessed Total: \$504,241.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 1,658 SqFt	Acres: 0.17 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 1 BLK 1 0650N04W		

Owner Name: Barrick Family Trust	Parcel ID: P76210010020	Tax ID: 257147
Co-Owner:	Recording Date: 05/25/2017	
Site Addr: 5005 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 2274 Gird Rd Fallbrook CA 92028	Assessed Total: \$478,794.00	Sale Price:
Bedroom: 3 Bath: 2.5 Year Blt: 2006	Bldg SqFt: 1,528 SqFt	Acres: 0.19 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 2 BLK 1 0650N04W		

Owner Name: Cline Terri L	Parcel ID: P76210010030	Tax ID: 257148
Co-Owner: Cline Robert D Jr	Recording Date: 05/18/2012	
Site Addr: 4979 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 4979 E Portside Ct Post Falls ID 83854	Assessed Total: \$509,168.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 1,658 SqFt	Acres: 0.17 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 3 BLK 1 0650N04W		

Owner Name: Edwards Aaron C	Parcel ID: P76210010040	Tax ID: 257149
Co-Owner:	Recording Date: 01/28/2019	
Site Addr: 4957 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 4957 E Portside Ct Post Falls ID 83854	Assessed Total: \$524,920.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 1,485 SqFt	Acres: 0.17 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 4 BLK 1 0650N04W		

Owner Name: Carrico Family Trust The	Parcel ID: P76210010050	Tax ID: 257150
Co-Owner:	Recording Date: 02/21/2006	
Site Addr: 4937 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 73 Angelo Walk Long Beach CA 90803	Assessed Total: \$510,173.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 1,357 SqFt	Acres: 0.17 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 5 BLK 1 0650N04W		

Owner Name: Kagarice Stephen J	Parcel ID: P76210010060	Tax ID: 257151
Co-Owner:	Recording Date: 07/16/2021	
Site Addr: 4919 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 10490 N Emig Rd Hayden ID 83835	Assessed Total: \$521,643.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 1,485 SqFt	Acres: 0.17 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 6 BLK 1 0650N04W		

Owner Name: Farley Alynette B	Parcel ID: P76210010070	Tax ID: 257152
Co-Owner: Farley Charles Russel	Recording Date: 06/11/2019	
Site Addr: 4893 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 4893 E Portside Ct Post Falls ID 83854	Assessed Total: \$508,468.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 1,658 SqFt	Acres: 0.16 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 7 BLK 1 0650N04W		

Owner Name: Thomas R Wilcox And Jennifer L Wilcox Revoc:	Parcel ID: P76210010080	Tax ID: 257153
Co-Owner: Thomas R Wilcox & Jennifer L Wilcox Trust	Recording Date: 01/20/2006	
Site Addr: 4883 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 462 Rosecrans Ave Manhattan Beach CA 90266	Assessed Total: \$486,444.00	Sale Price:
Bedroom: 3 Bath: 2.5 Year Blt: 2006	Bldg SqFt: 1,528 SqFt	Acres: 0.16 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 8 BLK 1 0650N04W		

Owner Name: Peirson Forrest	Parcel ID: P76210020010	Tax ID: 257154
Co-Owner: Pierson Ratana	Recording Date: 01/03/2006	
Site Addr: 4886 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 2033 Griffith Park Blvd Los Angeles CA 90039	Assessed Total: \$521,643.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 1,485 SqFt	Acres: 0.17 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 1 BLK 2 0650N04W		

Owner Name: Deats Desha M	Parcel ID: P76210020020	Tax ID: 257155
Co-Owner:	Recording Date: 03/25/2015	
Site Addr: 4892 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 4892 E Portside Ct Post Falls ID 83854	Assessed Total: \$581,013.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 2,714 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 2 BLK 2 0650N04W		

Owner Name: Kamps Joseph D III	Parcel ID: P76210020030	Tax ID: 257156
Co-Owner: Kamps Lenna Beth	Recording Date: 12/10/2020	
Site Addr: 4912 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 4912 E Portside Ct Post Falls ID 83854	Assessed Total: \$640,812.00	Sale Price:
Bedroom: 5 Bath: 3 Year Blt: 2006	Bldg SqFt: 2,970 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 3 BLK 2 0650N04W		

Owner Name: Wilcox Hanna J	Parcel ID: P76210020040	Tax ID: 257157
Co-Owner: Smith Julie K	Recording Date: 08/31/2016	
Site Addr: 4928 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 4928 E Portside Ct Post Falls ID 83854	Assessed Total: \$599,240.00	Sale Price:
Bedroom: 5 Bath: 2 Year Blt: 2006	Bldg SqFt: 2,714 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 4 BLK 2 0650N04W		

Owner Name: Anderson Family Revocable Living Trust	Parcel ID: P76210020050	Tax ID: 257158
Co-Owner:	Recording Date: 10/16/2006	
Site Addr: 4946 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 1107 Rancho Encinitas Dr Encinitas CA 92024	Assessed Total: \$645,039.00	Sale Price:
Bedroom: 5 Bath: 3 Year Blt: 2006	Bldg SqFt: 2,970 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 5 BLK 2 0650N04W		

Owner Name: Stephen Michael Roberts And Jin Ok Park Fam	Parcel ID: P76210020060	Tax ID: 257159
Co-Owner:	Recording Date: 03/17/2021	
Site Addr: 4966 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 14657 SW Grandview Ln Portland OR 97224	Assessed Total: \$517,282.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 1,658 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 6 BLK 2 0650N04W		

Owner Name: Allee Kathryn Ann Geradian	Parcel ID: P76210020070	Tax ID: 257160
Co-Owner:	Recording Date: 05/02/2006	
Site Addr: 4986 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 31103 Rancho Viejo Rd D2100 San Juan Capistrar	Assessed Total: \$510,784.00	Sale Price:
Bedroom: 4 Bath: 2.5 Year Blt: 2006	Bldg SqFt: 1,658 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 7 BLK 2 0650N04W		

Owner Name: Bushnell John C II	Parcel ID: P76210020080	Tax ID: 257161
Co-Owner: Bushnell Summer C	Recording Date: 08/23/2010	
Site Addr: 5006 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 5006 E Portside Ct Post Falls ID 83854	Assessed Total: \$482,568.00	Sale Price:
Bedroom: 3 Bath: 2.5 Year Blt: 2006	Bldg SqFt: 1,528 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 8 BLK 2 0650N04W		

Owner Name: Bella Vista Lending LLC	Parcel ID: P76210030010	Tax ID: 257162
Co-Owner: Investor Holdings LLC	Recording Date: 04/25/2006	
Site Addr: 5110 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 1781 W Grange Ave Post Falls ID 83854	Assessed Total: \$494,026.00	Sale Price:
Bedroom: 3 Bath: 2.5 Year Blt: 2006	Bldg SqFt: 1,528 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 1 BLK 3 0650N04W		

Owner Name: Weter Rental LLC	Parcel ID: P76210030020	Tax ID: 257163
Co-Owner:	Recording Date:	
Site Addr: 5138 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 2605 W Hayden Ave Hayden ID 83835	Assessed Total: \$516,230.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 1,357 SqFt	Acres: 0.16 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 2 BLK 3 0650N04W		

Owner Name: Susan E Hyde Living Trust	Parcel ID: P76210030030	Tax ID: 257164
Co-Owner:	Recording Date:	
Site Addr: 5158 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 5158 E Portside Ct Post Falls ID 83854	Assessed Total: \$612,857.00	Sale Price:
Bedroom: 4 Bath: 3 Year Blt: 2018	Bldg SqFt: 2,256 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 3 BLK 3 0650N04W		

Owner Name: Sprouse John	Parcel ID: P76210030040	Tax ID: 257165
Co-Owner:	Recording Date: 12/21/2018	
Site Addr: 5178 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 2500 McKinney Ave #237 Dallas TX 75201	Assessed Total: \$507,710.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 1,357 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 4 BLK 3 0650N04W		

Owner Name: Busby Victoria G	Parcel ID: P76210030050	Tax ID: 257166
Co-Owner:	Recording Date: 11/01/2017	
Site Addr: 5200 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 5200 E Portside Ct Post Falls ID 83854	Assessed Total: \$511,914.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 1,658 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 5 BLK 3 0650N04W		

Owner Name: Schwintek Richard L	Parcel ID: P76210030110	Tax ID: 257172
Co-Owner: Schwintek Judy G	Recording Date: 08/03/2012	
Site Addr: 5183 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: PO Box 27 Post Falls ID 83877	Assessed Total: \$644,214.00	Sale Price:
Bedroom: 5 Bath: 3 Year Blt: 2007	Bldg SqFt: 2,994 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 11 BLK 3 0650N04W		

Owner Name: Doug And Dawn Karren Revocable Trust	Parcel ID: P76210030120	Tax ID: 257173
Co-Owner:	Recording Date: 12/22/2014	
Site Addr: 5163 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 5163 E Portside Ct Post Falls ID 83854	Assessed Total: \$642,733.00	Sale Price:
Bedroom: 3 Bath: 3 Year Blt: 2007	Bldg SqFt: 3,034 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 12 BLK 3 0650N04W		

Owner Name: Ough Steven V	Parcel ID: P76210030130	Tax ID: 257174
Co-Owner: Ough Carla	Recording Date: 03/30/2016	
Site Addr: 5143 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 5143 E Portside Ct Post Falls ID 83854	Assessed Total: \$499,337.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2007	Bldg SqFt: 1,357 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 13 BLK 3 0650N04W		

Owner Name: Mitchell Joshua D	Parcel ID: P76210030140	Tax ID: 257175
Co-Owner: Mitchell Gisela S	Recording Date: 06/30/2010	
Site Addr: 5125 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 5125 E Portside Ct Post Falls ID 83854	Assessed Total: \$506,411.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 1,658 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 14 BLK 3 0650N04W		

Owner Name: David D Ramirez And Kelle Rameriz Revocable	Parcel ID: P76210030150	Tax ID: 257176
Co-Owner:	Recording Date: 09/14/2016	
Site Addr: 5103 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 3437 Castlerock Ct Santa Rosa CA 95404	Assessed Total: \$484,557.00	Sale Price:
Bedroom: 3 Bath: 2.5 Year Blt: 2006	Bldg SqFt: 1,528 SqFt	Acres: 0.15 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 15 BLK 3 0650N04W		

Owner Name: Stephens David	Parcel ID: P76210030160	Tax ID: 257177
Co-Owner:	Recording Date: 09/14/2020	
Site Addr: 5079 E Portside Ct Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 5079 E Portside Ct Post Falls ID 83854	Assessed Total: \$519,406.00	Sale Price:
Bedroom: 3 Bath: 2 Year Blt: 2006	Bldg SqFt: 1,658 SqFt	Acres: 0.16 Acres
Legal: RIVERSIDE HARBOR 11TH ADD, LT 16 BLK 3 0650N04W		

Owner Name: Coeur D Alene Development Co	Parcel ID: P83200010010	Tax ID: 177778
Co-Owner:	Recording Date:	
Site Addr: 5180 E Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: PO Box 30009 Spokane WA 99223	Assessed Total: \$349,848.00	Sale Price:
Bedroom: Bath: Year Blt: 1980	Bldg SqFt: 4,500 SqFt	Acres: 0.70 Acres
Legal: SELTICE COMMERCIAL PARK, LT 1 BLK 1 0650N04W		

Owner Name: Coeur D Alene Development Co	Parcel ID: P83200010020	Tax ID: 177779
Co-Owner:	Recording Date:	
Site Addr: 5250 E Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: PO Box 30009 Spokane WA 99223	Assessed Total: \$424,377.00	Sale Price:
Bedroom: Bath: Year Blt: 1980	Bldg SqFt: 6,000 SqFt	Acres: 0.81 Acres
Legal: SELTICE COMMERCIAL PARK, LT 2 BLK 1 0650N04W		

Owner Name: Slick Commercial Properties LLC	Parcel ID: P885000A001A	Tax ID: 138506
Co-Owner:	Recording Date: 04/11/2018	
Site Addr: 4739 E Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: 5980 E Commerce Loop Post Falls ID 83854	Assessed Total: \$1,245,791.00	Sale Price:
Bedroom: Bath: Year Blt: 2008	Bldg SqFt: 8,750 SqFt	Acres: 1.90 Acres
Legal: THOMPSON, E 150 FT-TR 1 EX RW BLK A 0650N04W		

Owner Name: Legacy Seltice LLC	Parcel ID: P885000A002A	Tax ID: 134105
Co-Owner:	Recording Date: 03/13/2023	
Site Addr: 4565 E Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: PO Box 29 Maple Valley WA 98038	Assessed Total: \$1,181,229.00	Sale Price:
Bedroom: Bath: Year Blt: 1968	Bldg SqFt: 5,300 SqFt	Acres: 2.06 Acres
Legal: THOMPSON, LT 2 EX W 368 FT EX RW BLK A 0650N04W		

Owner Name: Nsa Property Holdings LLC	Parcel ID: P885000A002B	Tax ID: 195588
Co-Owner:	Recording Date: 01/04/2021	
Site Addr: 4459 E Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: 8400 E Prentice Ave 9th Flr Greenwood Village CC	Assessed Total: \$1,766,653.00	Sale Price:
Bedroom: Bath: Year Blt: 2004	Bldg SqFt: 20,175 SqFt	Acres: 2.05 Acres
Legal: THOMPSON, W 368 FT-LT 2 LYING N OF HWY 10 EX HWY RW BLK A, EX TX# 16606 0650N04W		

Owner Name: Reamy Earl H Jr	Parcel ID: P885000A003A	Tax ID: 100146
Co-Owner:	Recording Date:	
Site Addr: 4325 E Seltice Way Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 11878 N High Noon Ct Rathdrum ID 83858	Assessed Total: \$540,000.00	Sale Price:
Bedroom: 7 Bath: 5 Year Blt: 1966	Bldg SqFt: 3,176 SqFt	Acres: 1.18 Acres
Legal: THOMPSON, LT 3, TAX#16606 EX RW BLK A 0650N04W		

Owner Name: Pinion Park Estates LLC	Parcel ID: P885000B006A	Tax ID: 312553
Co-Owner:	Recording Date:	
Site Addr: 4341 E Karma Rd Post Falls ID 83854	Use: Imp res lot/tract in city	
Owner Addr: 3110 N Government Way Coeur D Alene ID 83815	Assessed Total: \$876,289.00	Sale Price:
Bedroom: 3 Bath: 1 Year Blt: 1945	Bldg SqFt: 1,128 SqFt	Acres: 7.39 Acres
Legal: THOMPSON, TAX#26687 [IN TRS 1,5,6 BLK B] 0650N04W		

Owner Name: Jyd Id LLC	Parcel ID: P885000C001A	Tax ID: 116610
Co-Owner:	Recording Date:	
Site Addr: 55 N Cedar St Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: 6696 E Maplewood Ave Post Falls ID 83854	Assessed Total: \$1,510,261.00	Sale Price:
Bedroom: Bath: Year Blt: 1976	Bldg SqFt: 29,912 SqFt	Acres: 5.10 Acres
Legal: THOMPSON, TR 1 & 2 VAC RR RW N OF RD BLK C EX S 165 FT, PTN VAC MULLAN AVE 0650N04W		

Owner Name: Jyd Id LLC

Co-Owner:

Site Addr: Post Falls ID 83854

Owner Addr: 6696 E Maplewood Ave Post Falls ID 83854

Bedroom: **Bath:** **Year Blt:** 2020

Legal: THOMPSON, S 165 FT-TR 1 BLK C 0650N04W

Parcel ID: P885000C001B

Tax ID: 203758

Recording Date:

Use: Comm lot/tract in city

Assessed Total: \$281,183.00 **Sale Price:**

Bldg SqFt:

Acres: 1.21 Acres

AUTHORIZATION LETTER

Know all men by these presents that the undersigned does hereby authorize
McARTHUR ENGINEERING COMPANY LLC (ME)
 to formally act on my behalf with respect to all matters relating to:

Project: Our Next Venture LLC – Seltice Way Development

Parcels: P0000065000 & P885000D000A (City of Post Falls, Idaho)

With this authorization **ME**, and their authorized representatives have the authority to provide professional engineering services for the above project in accordance with the Client's signed scope of service. The signee of this document agrees that **ME** is not legally responsible for this project, the conditions of approval, quantities, or financial decisions that are to be made by the Client, etc. Further, by signing this document, the signee hereby agrees that they are the legal property owner, and or the legal entitled developer of this project with written consent from the legal authorized property owner, and do hereby authorize the above to perform to contracted duties described in the project's signed scope of service.

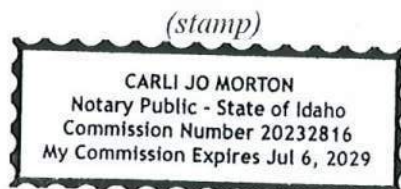
Client (Printed Name): Julie Groves

Client (Signature):  Date: 10/25/2023

Client agrees, by this document, that proper legal documentation is in place for **ME** to enter the property associated with this project, and to complete the services outlined in this scope. If the Client is not the property owner, the Client shall provide written consent from property owner to **ME** for liability reasons. Said written consent will also be required by the reviewing agency.

On this 25th day of October, 2023

I personally witness the above noted party execute this document authorizing **ME** to provide professional engineering services on their behalf for the specific tasks listed in their contractual agreement.

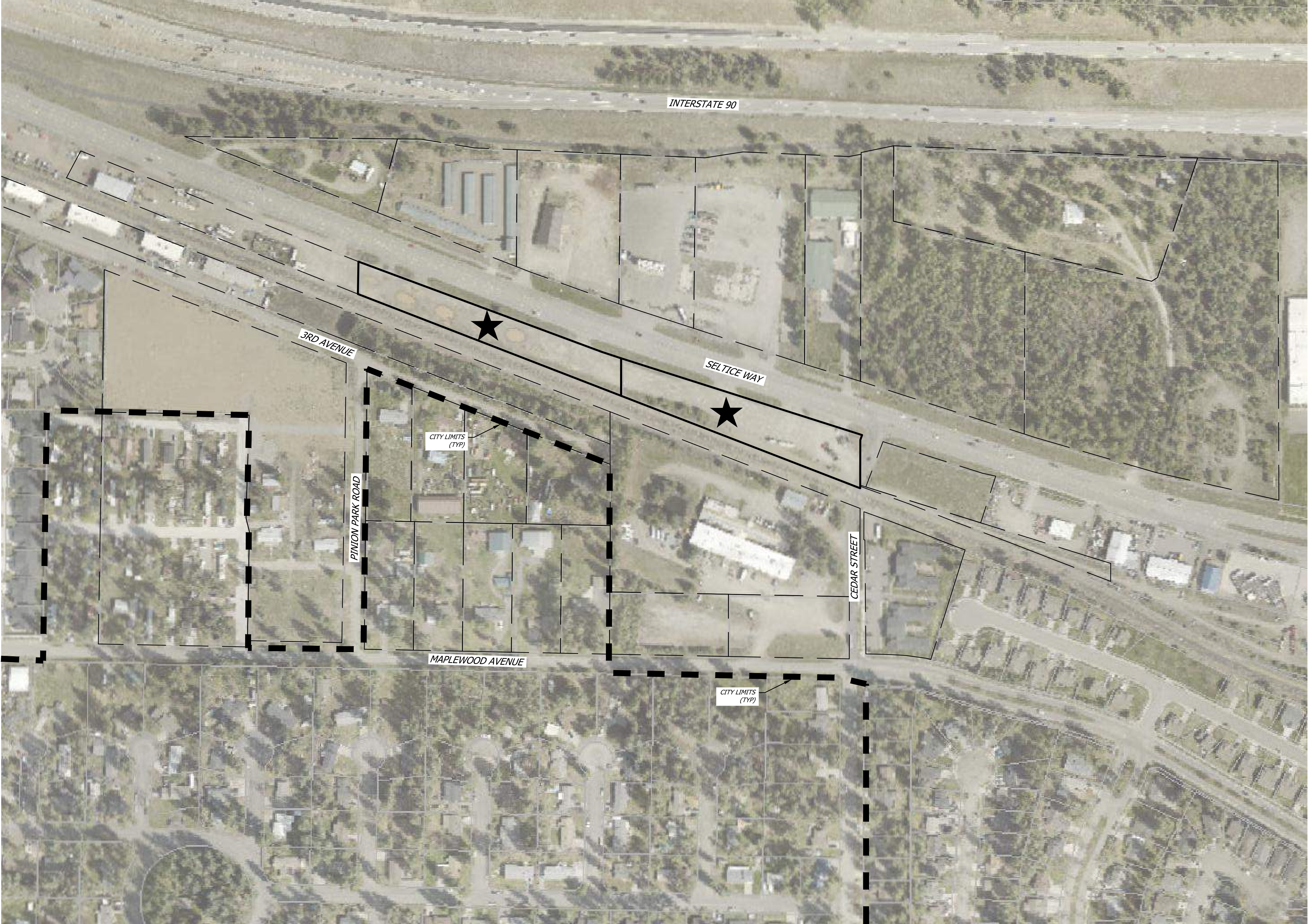




Notary Public in and for the *State of Idaho*

Residing at: COEUR d'Alene, ID

Exhibit A-5



PARCEL INFORMATION:
OWNER: OUR NEXT VENTURE LLC
PO BOX 3567
POST FALLS, ID 83877
SITE ADDRESS: TBD EAST SELTICE WAY
POST FALLS, ID 83854
PARCEL/AIN: P-0000-006-5000 / 142297
P-8850-000-000-A / 104397
TWN/RNG/SEC: 50N / 04W / 06
SIZE: 3.31 ACRES
ZONING: CURRENT: INDUSTRIAL (CITY OF POST FALLS)
PROPOSED: CCS (CITY OF POST FALLS)
HIGHWAY: POST FALLS HIGHWAY DISTRICT
POWER: AVISTA
GAS: AVISTA

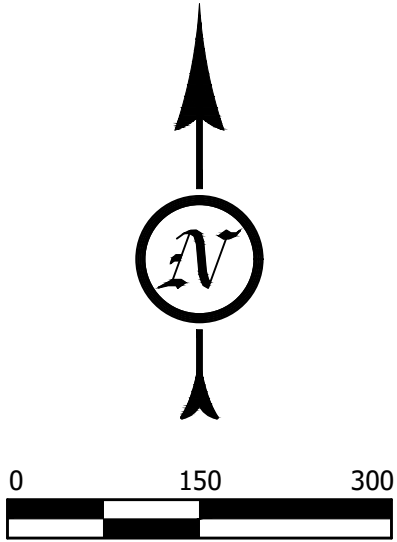


Exhibit A-6

OUR NEXT VENTURE
ZONING EXHIBIT
CITY OF POST FALLS, IDAHO

EXHIBIT

SHEET #
1.0

PROJECT #
ME2023-040

DATE
12/15/2023

REVISIONS:

SURVEYED:

DESIGNED: ME

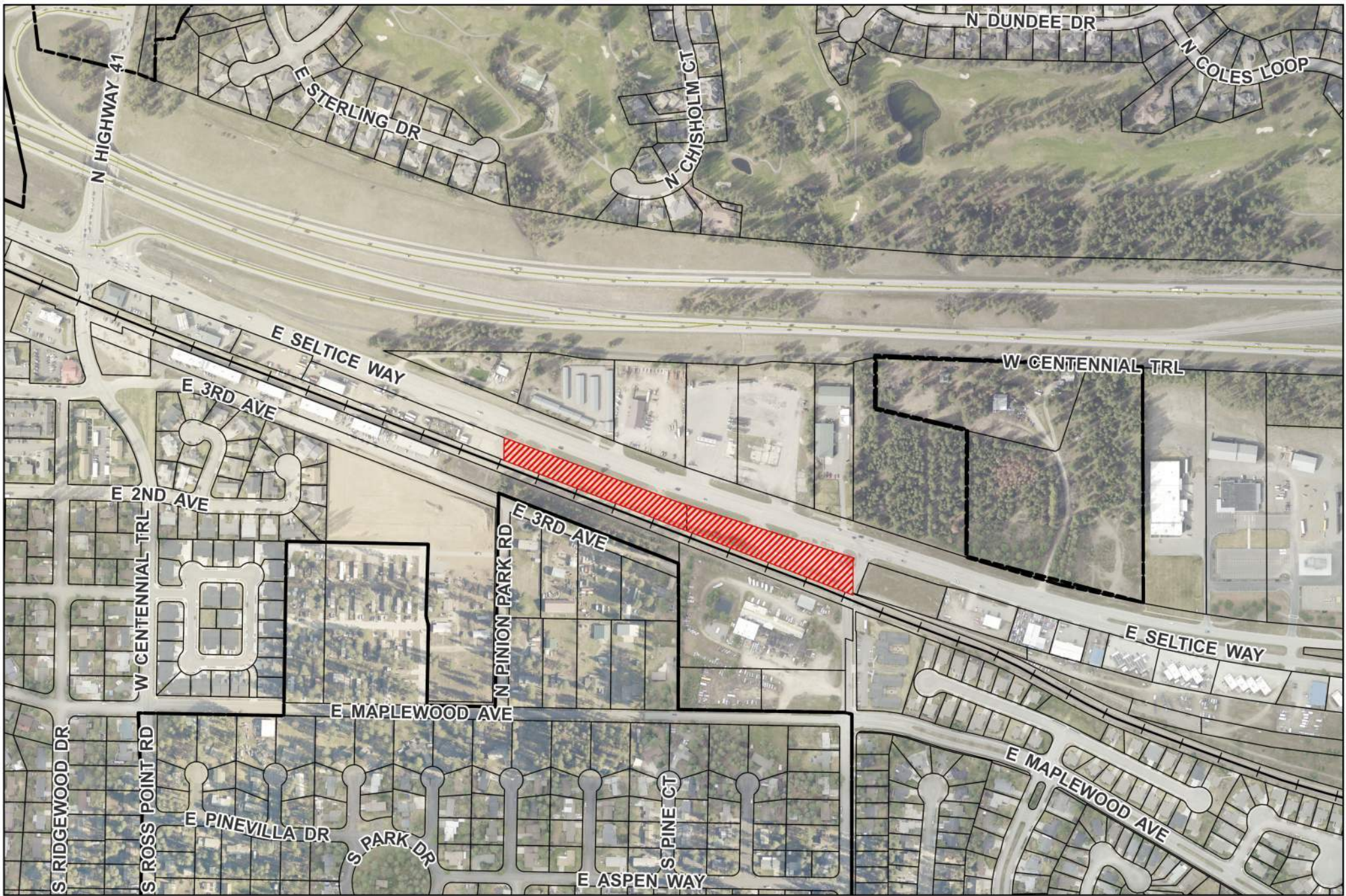
DRAWN: CES

CHECKED: SLW

PO BOX 2488, POST FALLS, IDAHO 83877 • TEL: 208.446.3307

McARTHUR
ENGINEERING

Page 75 of 128

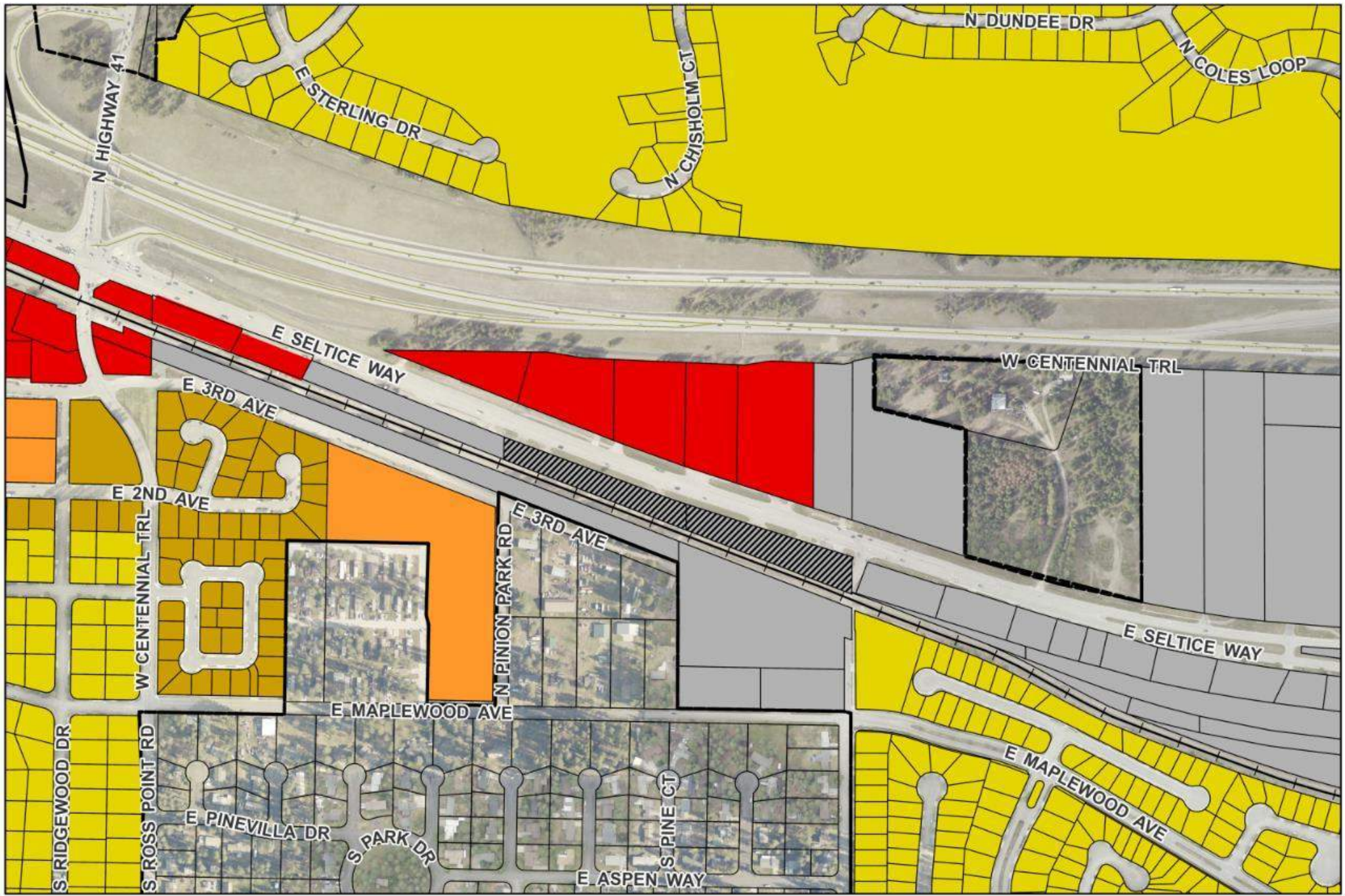


Project Location
OUR NEXT VENTURE
ZONE CHANGE
ZC-23-4



-  Post Falls City Boundary
-  Tax Parcels
-  Subject Site





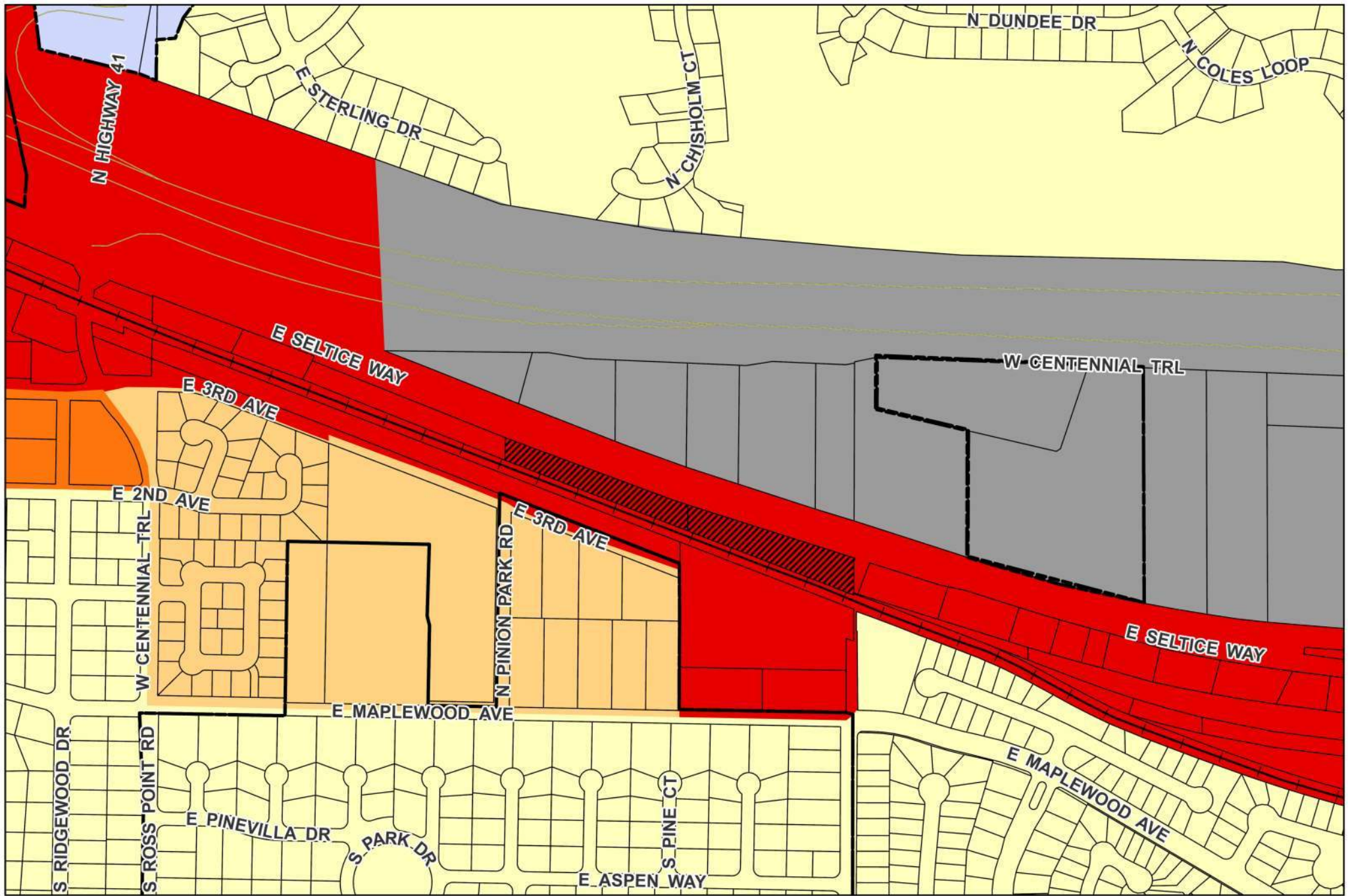
Zoning Map
OUR NEXT VENTURE
ZONE CHANGE
ZC-23-4



- Post Falls City Boundary
- Tax Parcels
- Subject Site
- CCS

- I
- R-1
- R-2
- R-3





Future Land Use Designation
OUR NEXT VENTURE
ZONE CHANGE
ZC-23-4



- Post Falls City Boundary
- Tax Parcels
- Subject Site

- Low Density Residential
- Medium Density Residential
- High Density Residential

- Business/Industrial
- Commercial
- Transitional



Nancy Thurwachter

From: Polak, Chad M <Chad.M.Polak@p66.com>
Sent: Thursday, February 22, 2024 12:50 PM
To: Nancy Thurwachter
Subject: FW: Notice to Jurisdictions Our Next Venture ZC-23-4
Attachments: NTJ_PZ Our Next Venture.pdf

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nancy,

Based on the location, there is no impact to the YPL ROW and we do not have any questions/comments.

Sincerely,

Chad M. Polak
Agent, Real Estate Services
O: (+1) 303.376.4363 | M: (+1) 720.245.4683
3960 East 56th Avenue | Commerce City, CO 80022
Phillips 66

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Thursday, February 22, 2024 12:45 PM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Polak, Chad M <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Philips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Sherman <Sherman@cdagarbage.com>; Stephen Elliott <stephen.elliott@williams.com>; Tess Reasor <tess@connectkootenai.org>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>
Cc: Bill Melvin <bmelvin@postfalls.gov>; Dave Fair <dfair@postfalls.gov>; Ethan Porter <eporter@postfalls.gov>; Field

From: [Jonie Anderson](#)
To: [Nancy Thurwachter](#)
Subject: RE: Notice to Jurisdictions Our Next Venture ZC-23-4
Date: Friday, February 23, 2024 9:00:46 AM
Attachments: [image003.png](#)

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The PFHD has no comment.

Jonie Anderson
Post Falls Highway District
208.765.3717
contactus@postfallshd.com



From: contactus@postfallshd.com <contactus@postfallshd.com> **On Behalf Of** Nancy Thurwachter
Sent: Thursday, February 22, 2024 11:45 AM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Philips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aeacom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson

Exhibit PA-2

<Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Sherman <Sherman@cdagarbage.com>; Stephen Elliott <stephen.elliott@williams.com>; Tess Reasor <tess@connectkootenai.org>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Zply.com>; URA <postfallsura@gmail.com>
Cc: Bill Melvin <bmelvin@postfalls.gov>; Dave Fair <dfair@postfalls.gov>; Ethan Porter <eporter@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; James Steffensen <James.steffensen@yahoo.com>; Jason Faulkner <jfaulkner@postfalls.gov>; Jennifer Poindexter <jpoindexter@postfalls.gov>; John Beacham <jbeacham@postfalls.gov>; Jon Manley <jmanley@postfalls.gov>; Justin Miller <jmiller@postfalls.gov>; Kelly Russell <krussell@postfalls.gov>; Kevin Ward <gatheredfamilyrestaurant@gmail.com>; Kibbee Walton <kibbee@artisanportrait.com>; Media Center <mediacenter@postfalls.gov>; Nancy Hampe <nancyradiantlake@gmail.com>; Naomi Tierney <ntierney@postfalls.gov>; Preston Hill <prestonh@postfalls.gov>; Ray Kimball <rkimball@whipplece.com>; Rob Palus <rpalus@postfalls.gov>; Robert Seale <rseale@postfalls.gov>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stephanie Herman <sherman@postfalls.gov>; Tisha Gallop <tgallop@postfalls.gov>; Vicky Jo Carey <vjcarey@aol.com>; Wade Meyer <wmeyer@postfalls.gov>; Warren Wilson <wwilson@postfalls.gov>

Subject: Notice to Jurisdictions Our Next Venture ZC-23-4

Good afternoon,

Please find attached the Notice to Jurisdictions for File No. ZC-23-4, Our Next Venture, that is scheduled for the Planning and Zoning meeting on March 12, 2024. The draft staff report will be on the city's website shortly.

Thank you,

Nancy Thurwachter

Planning Administrative Specialist

408 N. Spokane Street

Post Falls, ID 83854

(208) 457-3338



The City of Post Falls has changed our domain to POSTFALLS.GOV. Please adjust your contacts/links.

Privileged / confidential information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or send this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply e-mail. Although this email has been scanned for the possible presence of computer viruses prior to dispatch, we cannot be held responsible for any viruses or other material transmitted with, or as part of, this email without our knowledge.



1717 E Polston Ave. ♦ Post Falls, ID 83854 ♦ Phone (208) 773-3517 ♦ Fax (208) 773-3200

February 23rd, 2024

Nancy Thurwachter
Planning Administrative Specialist
nthurwachter@postfalls.gov

Re: Our Next Venture ZC-23-4

The Police Department has reviewed the above listed zone change and will remain Neutral on this request. Please accept this letter as the Police Department's response to this request for both Planning and Zoning as well as City Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark J. Brantl".

Mark J. Brantl
Captain
Post Falls Police Department

Exhibit PA-3

Nancy Thurwachter

From: Kristie May <Kristie.May@deq.idaho.gov>
Sent: Monday, February 26, 2024 2:51 PM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions Our Next Venture ZC-23-4

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,

Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Office Line: 208.769.1422
www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Thursday, February 22, 2024 11:45 AM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <Christine.Harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; mbrantl@postfallspolice.gov; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water



POST FALLS

SCHOOL DISTRICT #273

DISTRICT OFFICE
P.O. Box 40
Post Falls, ID 83877
PHONE 208-773-1658
FAX 208-773-3218
www.pfsd.com

September 8, 2023

Robert Seale
Community Development Director
City of Post Falls
408 Spokane Street
Post Falls, ID 83854

Dear Bob,

The purpose of this letter is to restate the status and position of the Post Falls School District regarding growth within the city and school district boundaries. The Post Falls School District will continue to remain neutral regarding proposed developments and will provide additional or modified comments in a timely manner when deemed necessary.

The district has a responsibility through State statute to provide an appropriate education for every student ages 6 through 21 who attend our schools. It is also the district's responsibility to provide an adequate educational program, organizational structure, and facilities.

Though there are pros and cons for new development growth, the district will continue to provide a quality education. The district appreciates the working relationship we have with the City of Post Falls.

With the anticipated growth in future years, the district requests assistance from the Planning Department to acquire school building sites in any large proposed residential developments and support financial mitigation for smaller developments.

The enrollment status and capacity of each school for the 2023-2024 school year are listed below.

The district will review the current long-range facility plan this fall. A copy of the current plan is included with this letter.

School	2023-2024 Enrollment	Building Capacity
Greensferry Elementary	400	525
Mullan Trail Elementary	341	500
Ponderosa Elementry	440	570
Prairie View Elementary	328	525
Seltice Elementary	410	560
Treaty Rock Elementary	432	525
West Ridge Elementary	415	525
Post Falls Middle School	765	920
River City Middle School	597	750

Our school community will develop relationships, skills, and knowledge to become responsible citizens who think critically to solve problems.

Exhibit PA-5

Post Falls High School	1645	1800
New Vision High School	144	225

The school district looks forward to continuing the good working relationship we have with the City of Post Falls. Thank you for your support of the Post Falls School District.

Sincerely,



Dena Naccarato
Superintendent

Cc: Post Falls School District Board of Trustees
Shelly Enderud, City Administrator

**CITY OF POST FALLS
STAFF REPORT**

DATE: March 6, 2024

TO: POST FALLS PLANNING AND ZONING COMMISSION

FROM: ETHAN PORTER, ASSOCIATE PLANNER • eporter@postfalls.gov • 208-457-3353

SUBJECT: FINAL STAFF REPORT FOR THE MARCH 12, 2024, P&Z COMMISSION MEETING
KRUGER ANNEXATION ANNX-23-5

INTRODUCTION:

Verdis is requesting, on behalf of Daniel and Beverly Kruger, the property owner, approval to annex approximately 6.869-acres that includes rights-of-way. Excluding the rights-of-way, the request for zoning includes 4.49-acres into the City of Post Falls with a Community Commercial Services (CCS) on the south 2.49-acres and High Density Multi-Family Residential (R-3) on the remaining northern acres (Exhibit A-2: Narrative). The Planning & Zoning Commission must conduct a public hearing and review the proposed zoning as part of the annexation proposal per the Zone Change approval criteria contained in Post Falls Municipal Code Section 18.20.100. Following the public hearing, **the Planning Commission will forward its recommendation on zoning to City Council** for review and final action pertaining to the annexation. The approval criteria for establishing zoning are:

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

PROJECT INFORMATION:

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

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

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

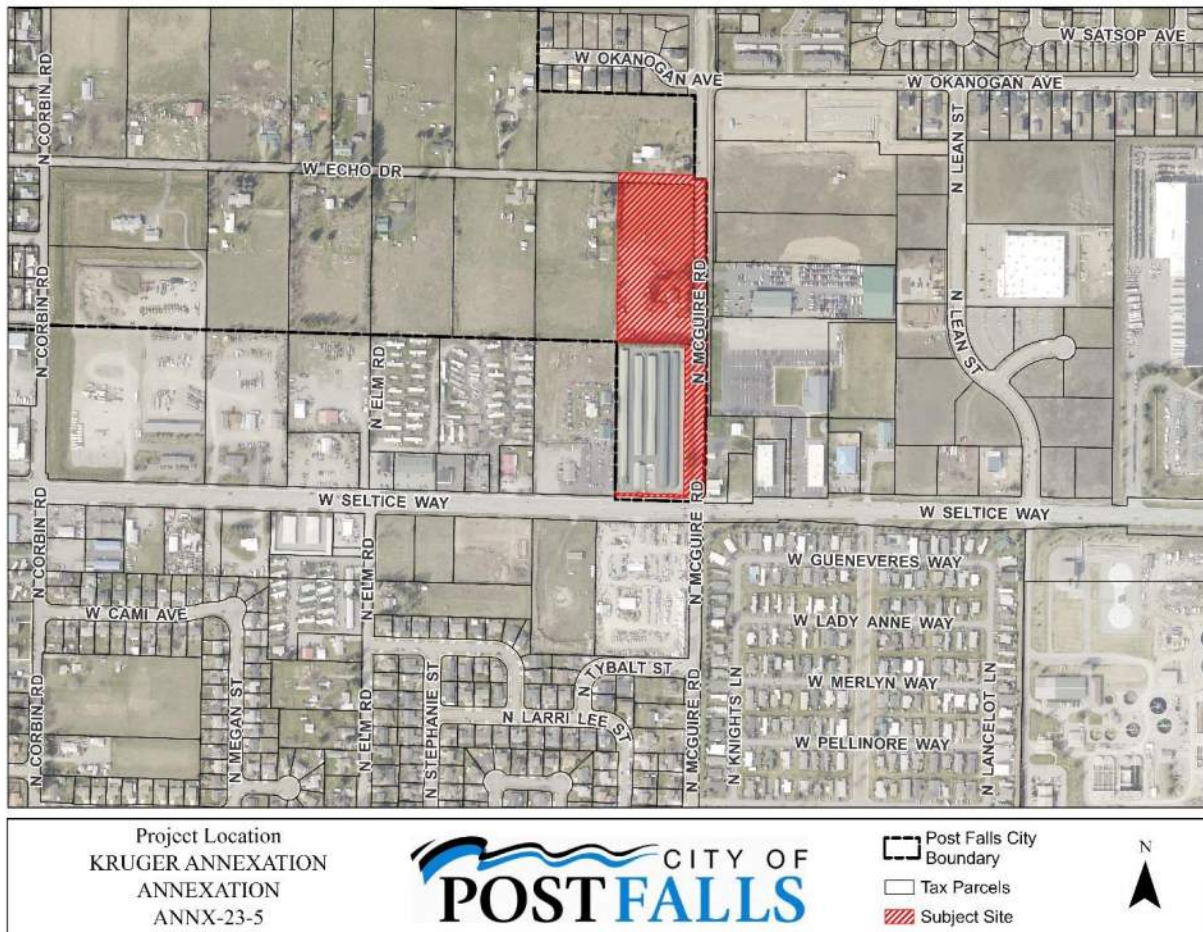
Project Description: Annex approximately 4.49-acres into the City of Post Falls with a zoning request of Community Commercial Services (CCS) on the southern 2.49-acres and the remaining acres are requested as High Density Multi-Family Residential (R-3).

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

AREA CONTEXT (proposed site hatched red below):

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

Area Context Vicinity Map:



EVALUATION OF ZONING APPROVAL CRITERIA:

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

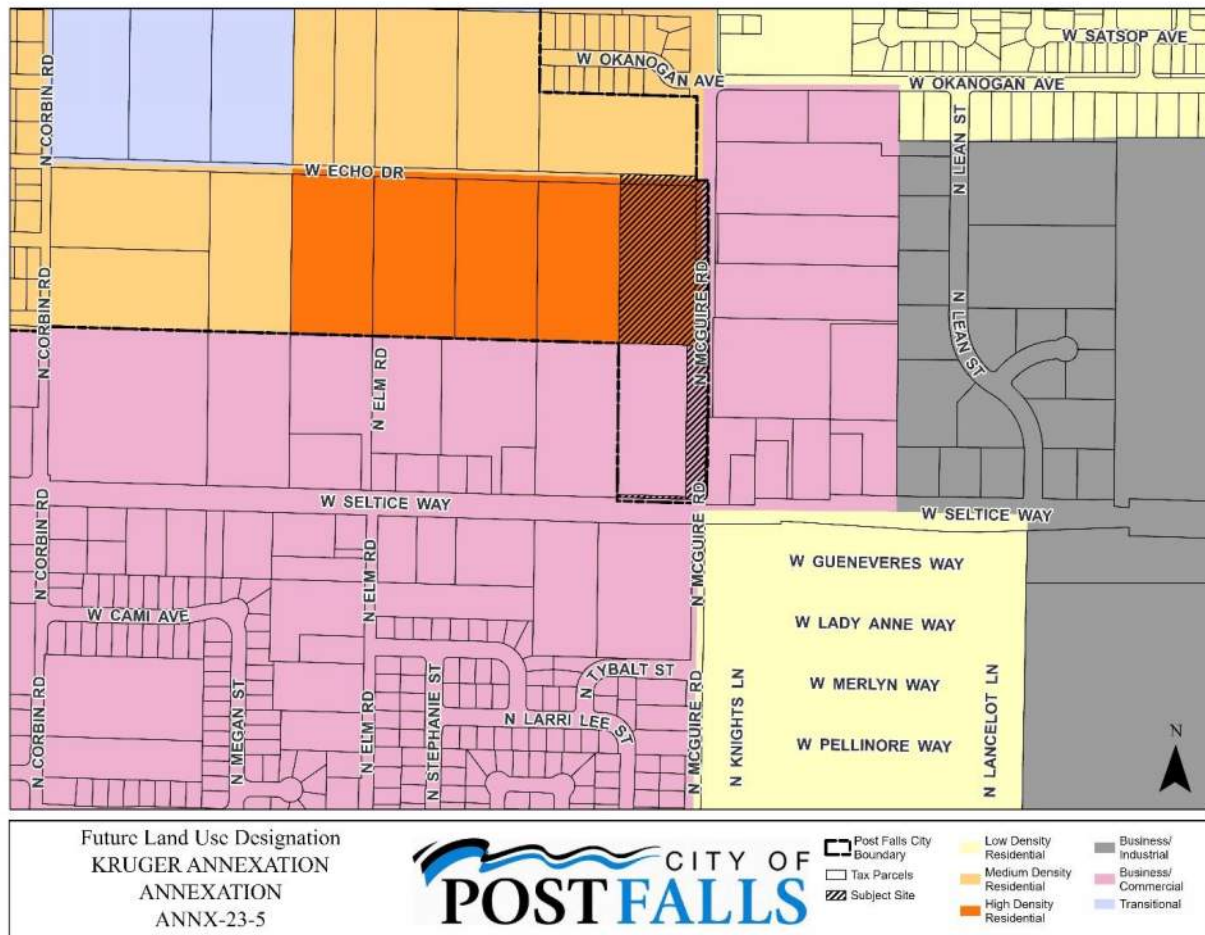
ZONE CHANGE REVIEW CRITERIA

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

The Future Land Use Map classifies this property with the land use designation of **High Density Residential**. This category encompasses all types of residential uses that would be greater than 12.5 but less than 25 dwelling units per acre and also supports land uses such as nursing care facilities, parks,

schools, and public facilities. Densities may vary as appropriate to location, street and infrastructure capacities, planned development patterns and compatibility with existing development. Use patterns blending commercial and residential may be considered in areas as they develop, provided they feature higher traffic volumes, and/or are located and designed to function as a pedestrian-friendly focal point of the surrounding neighborhood. Such patterns should feature an interconnected street system allowing easy, all-modes access to adjoining neighborhoods.

Future Land Use Map:



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

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

- Industrial and commercial uses are envisioned west of Pleasant View Road; A mix of residential, commercial and industrial uses are envisioned Between Corbin Road and Pleasant View Road. Generally, residential would be appropriate closer to Corbin Road, with higher densities near commercial corridors and arterials;

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service;

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

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

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

- Maintain and enhance resident quality of life;

Staff Comment: Future development of the subject site may help provide commercial uses and pedestrian connectivity through frontage improvements. This could create a better sense of community increasing safety and walkability.

- Promote compatible, well-designed development;

Staff Comment: Development will be required to meet City design standards once development is proposed through the site plan review process.

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

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

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

- Future land use mapping;

Staff Comment: This is addressed by the first review criteria 1.

- Compatibility with surrounding land uses;

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

- Infrastructure and service plans;

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

The property is not subject to any Local Improvement Districts (LID's), Subsequent

User Agreements or Sewer Surcharges.

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

Existing and future traffic patterns;

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

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

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

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

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

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

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

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

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

Policy 15: Ensure that adequate land is available for future housing needs, helping serve residents of all ages, incomes and abilities through provision of diverse housing types and price levels.

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

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

- Have access to arterial and collector streets;

Staff Comment: McGuire Road is a minor arterial and is adjacent to the proposed annexation.

- Help buffer higher and lower-intensity development patterns;

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

- Abut compatible existing uses;

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

- Are part of projects involving mixed use or master planned areas.

Staff Comment: The proposed site will include a mix of uses being commercial and residential.

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

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

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

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

Policy 33: Annexation should help implement Post Falls' transportation plans, enabling completion or preserving continuity of circulatory patterns for roads and pedestrian ways.

Staff Comment: dedication of rights-of-way with annexation and completion of roadway improvements conforming with the City's Transportation Master Plan, at the time of site development, will help with the completion of the City's roadway

network and facilitate continuity for vehicular and pedestrian systems.

Policy 45: Guide annexation decisions guided by and considering:

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

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

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

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

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

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

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

- Studies that evaluate environmental and public service factors;

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

- Timing that supports orderly development and/or coordinated extension of public services;

Staff Comment: Utilities are located along the property and capable of providing service to the property.

- Comprehensive plan goals and policies.

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

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

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

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

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

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

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

Agencies Notified:

Post Falls Post Office	PF Park & Rec	East Greenacres Irr. District
Kootenai County Fire	Kootenai Electric	Time Warner Cable
PF Highway District	Ross Point Water	PF Police Department
PF School District	Verizon	Utilities (W/WW)
Avista Corp. (WWP-3)	Idaho Department of Lands	Urban Renewal Agency
Department of Environmental Quality (DEQ)	Panhandle Health District	Kootenai County Planning
Conoco, Inc. (Pipeline Co.)	NW Pipeline Corp.	KMPO
Yellowstone Pipeline Co.	TransCanada GTN	TDS

OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

Exhibit PA-1 YPL – No comments

Exhibit PA-2 PFHD – Requests the below:

- The City of Post Falls annex McGuire Road from Echo Drive to Seltice Way in its entirety.
- Additional rights-of-way and easements should be required for Echo Drive and McGuire Road to meet City standards.
- The location of access should come from McGuire Road and meet the City of Post Falls required spacing standards.

Exhibit PA-3 DEQ – No comments

Exhibit PA-4 PFSD – No comments

PUBLIC PROCESS: Notice of the proposed annexation was sent to appropriate jurisdictions and mailed to property owners within 300 feet of the proposed project on February 16, 2024. Notice has been

published in the Coeur d'Alene Press on February 20, 2024. The property posting was posted March 1, 2024, on the subject site by.

ITEMS TO BE CONSIDERED FOR INCLUSION IN AN ANNEXATION AGREEMENT:

1. Prior to commencement of development of the property, the Owners shall grant to the City or to a municipal water purveyor designated by the City all water rights associated with the land being annexed, but may continue the use of the water for agricultural purposes from the well located on site, if any, until such time that the annexed area is fully developed, at which time Owners shall discontinue the use of any well serving the property and the use of the water for agricultural purposes.
2. Dedication of Rights-of-way and easements along McGuire Road
 - a. 55 feet of rights-of-way dedication from the existing section line is required.
 - b. A 15-foot sidewalk, drainage, and utility easement is required.
3. Dedication of Rights-of-way and easements along Echo Drive
 - a. 15 feet of additional rights-of-way dedication is required, from the existing southern line of Echo Drive.
 - b. A 10-foot sidewalk, drainage and utility easement is required

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

ATTACHMENTS:**Applicant Exhibits:**

Exhibit A-1	Annexation Application
Exhibit A-2	Narrative
Exhibit A-3	Vicinity Map
Exhibit A-4	Authorization Letter
Exhibit A-5	Title Report
Exhibit A-6	Radius Report

Staff Exhibits:

Exhibit S-1	Vicinity Map
Exhibit S-2	Zoning Map
Exhibit S-3	Future Land Use Map

Testimony:

Exhibit PA-1	YPL comments
Exhibit PA-2	PFHD comments
Exhibit PA-3	DEQ comments
Exhibit PA-4	PFSD comments

Annexation

ANNX-23-5

Applicant

 Stephanie Blalack
 12086596559
 sblalack@verdisnw.com

Application Information

Did an Annexation Pre-app take place?

Yes

Applicant Type

Other

Description of Project/Reason for Request

The Krugers are requesting Annexation into the City of Post Falls as CCS and R-3.

Existing Zoning

Agriculture

Adjacent Zoning

Commercial, Industrial, R-2 and R1

Current Land Use

Commercial and Residential

Adjacent Land Use

Storage Units, Auction Business, residential and a Church

Proposed Zone

Split Zone- 2.49 acres CCS and 2 acres R-3

Owner Information

Name

Daniel and Beverly Kruger

Company

Rockhard Concrete

Phone

509-496-7010

Email

sblalack@verdisnw.com

Address

1087 McGuire Road

City, State, Zip Code

Post Falls, ID 83858

Application Certification

The applicant (or representative) must be present at the public hearing to represent this proposal or the application will not be heard. The applicant will be responsible for costs to re-notice the public hearing.

true

I (We) the undersigned do hereby make application for the land use action contemplated herein on the property described in this application and do certify that the information contained in the application and any attachments or exhibits herewith are accurate to the best of my (our) knowledge. I (We) further acknowledge that any misrepresentation of the information contained in this application may be grounds for rejection of the application or revocation of a decision rendered. I (We) understand that the Administrator may decline this application if required information is deficient and/or the application fee has not been submitted. I (We) acknowledge that City staff may, in the performance of their functions, take photographs and/or videos of the property under consideration as deemed necessary, enter upon the property to inspect, post legal notices, and/or other standard activities in the course of processing this application. I (We) hereby certify that I am (we are) the owner or contract buyer of the property upon which the land use action is to be located, or that I (we) have been vested with the authority to act as agent for the owner or contract buyer.

true

Kruger Annexation Narrative

Verdis, on behalf of Daniel and Beverly Kruger “Property Owners”, is seeking approval to annex approximately 4.49 acres of property into the city limits of Post Falls. The parcel seeking Annexation is 0-2960-32-097-ZZ and the designation being requested is Community Commercial Services (CCS) on the south 2.49 acres and High Density Residential (R-3) for the northern 2 acres.

The property is currently located in the unincorporated area of Kootenai County. The site is currently used residentially and commercially. There is an existing residence, outbuildings and a commercial business located on this site. The Subject Property is currently zoned Agriculture but not utilized this way.

The Property Owners intend to subdivide this parcel into two lots to match the proposed zoning designation being requested. The parcel directly south of the Krugers is in Kootenai County’s jurisdiction and zoned Commercial. The parcels directly across McGurire Road are within the Post Falls’ city limits and therefore the Subject Property is contiguous to city limits making it a good candidate for annexation.

The surrounding area has varying uses and businesses such as an auto auction company, a storage facility a church, a manufacturing company and residential housing, **See Exhibit A.** The Applicants operate a concrete flatwork company, Rock Hard Concrete, on site which easily fits in with the character of the neighborhood. The immediate and nearby lot sizes also vary considerably, ranging from .14 to 5 acres, therefore Krugers’ proposal is in line with the nearby communities.

The reasons for the requested annexation are to extend the City of Post Falls boundary to continue their commercial business and to obtain city services. The County has this property zoned Agriculturally but it has been used commercially for many years and therefore should be within city limits. The city limits have been creeping to the north over the past 10 years and the Krugers are now in a spot where it makes sense to annex into Post Falls.

The Applicants would like to request the Annexation Agreement include a provision for the continued use of their existing business until a certain time to allow for the site to come into compliance with the City of Post Falls current standards. A site plan will be submitted immediately after the annexation approval for review.

The Subject Property is located within the City of Post Falls Coordinated Area of City Impact and is contiguous with the city limits along the eastern boundary line. The Subject Property is adjacent to Kootenai County Commercially zoned property to the South, agriculturally zoned property to the north, the City of Post Falls Community Commercial Services zoned property to the southwest, industrially zoned property to the east and R-1 north of the industrial area. The area’s trends are residential, commercial, and industrial. The proposed zoning once annexed fits the neighborhood character.

The proposed R-3 zoning designation is consistent with the future land use map classification of High Density Residential. The Subject Property is in the West Prairie Focus Area which does support CCS.

The proposed Annexation meets the Post Falls Comprehensive Plan Goal, Policy, and Program Matrix.

Goal G-01:

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

The proposed annexation supports this goal by providing jobs at an established flatwork business for the local community. It provides prosperity for the owners and employees.

Goal G-02:

Maintain and improve the provision of high quality, affordable and efficient community services in Post Falls.

Once this property is annexed and the high-density lot is developed city services such as water and sewer will be installed and provide the area residents with efficient community services.

Goal G-03:

Maintain and improve Post Falls' small-town scale, charm, and aesthetic beauty.

This property is not located in the Post Falls downtown area but rather in the commercial, industrial, and future high-density area. The proposed zoning and uses will fit the character of the neighborhood it is located in.

Goal G-04:

Sustain the historic city center as the "heart" of Post Falls, bringing the community together and enhancing its commercial, service, and civic vitality.

The proposal is to add a commercially and residentially zoned property to the City of Post Falls in an area that supports these uses.

Goal G-05:

Keep Post Falls' neighborhoods safe, vital, and attractive.

The proposed Annexation will provide a safe, vital and attractive neighborhood and commercial business by implementing the required landscape standards.

Goal G-07:

Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability.

The proposed annexation brings both an existing commercial business and a future residential development which supports the housing needs and jobs for those residents.

Goal G-09:

Protect and enhance Post Falls' scenic and natural areas for present and future generations.

The proposed annexation does not affect the scenic and nature areas of its residents.

Goal G-10:

Provide and support Post Falls' parks and recreational opportunities on-pace with growth.

When the high-density portion of the property is developed a small park may be added to the development.

Goal G-12:

Maintain the City of Post Falls' long-term fiscal health.

The owners will pay their portion of the services provided to the property.

G-13:

Maintain, update, coordinate and implement Post Falls' policy and regulatory documents.

Not applicable to this Annexation proposal.

G-14:

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

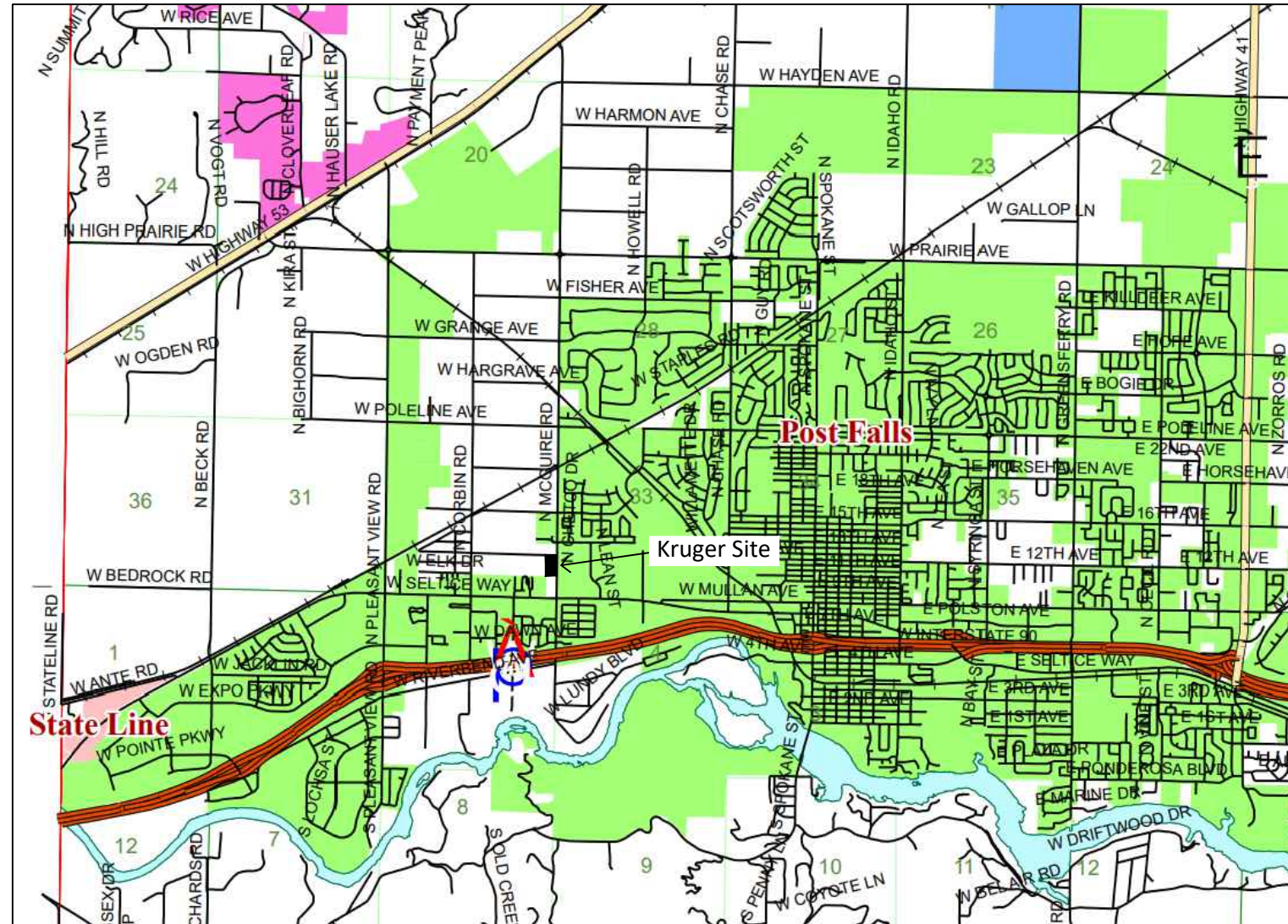
There will be a public hearing to involve the public in the decision-making process for this proposed annexation.

The proposed annexation will meet the goals of the Post Falls Comprehensive Plan. All procedures listed in the Comprehensive Plan for annexing the proposed site will be followed. Per the Pre-Annexation Meeting Recap notes provided by city staff, additional rights of way will be required and the owners will grant those at the time the Annexation Agreement is signed. No environmental impacts are foreseen as a result of this proposal. Infrastructure is readily available to site since development is near the Subject Property.

Annexing this property into the City of Post Falls with an R-3 and CCS zoning designations will increase the availability of housing and blue-collar jobs during a time of substantial growth.

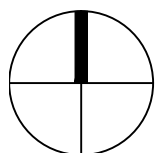
This annexation proposal is a natural progression for this parcel.

This narrative was prepared by Stephanie Blalack, Planning Manager, October 4, 2023.

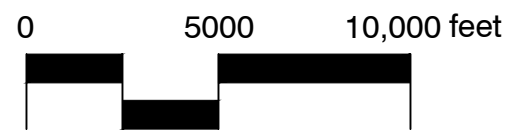


Kruger Annexation Vicinity Map
 AIN 1235
 In the SE $\frac{1}{4}$ Sec 33, T. 51 N., R. 5 W.

SCALE: 1"=300' / JOB #: 23-1157 / DATE: 10-11-2023



NORTH



SCALE: 1"=5000'

Exhibit A-3

verdis

planning | design | engineering | construction
 P: (208) 667-1214
 verdisNW.com

To: City of Post Falls
From: Beverly Kruger
Date: January 24, 2023
Re: Parcel Number: 0-2960-32-097-ZZ

I hereby authorize Verdis to act as my representative to the above referenced agencies for Parcel 0-2960-32-097-ZZ, located at 1087 N. McGuire Road, Post Falls, Idaho 83854.

Beverly Kruger
Beverly Kruger

State of ID)
County of Kootenai) ss.

On this 7th day of February in the year of 2023 before me personally appeared Beverly, known or identified to me, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

Witnessed my hand and official seal hereto affixed the day and year first above written.



Notary: Stephanie Blalock
Residing in: Cataldo, Idaho
My Commission Expires: February 26, 2024



CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE ISSUED BY CHICAGO TITLE INSURANCE COMPANY

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Chicago Title Insurance Company, a Florida Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within 180 days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

ALTA Commitment for Title Insurance 8-1-16

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Exhibit A-5





CHICAGO TITLE INSURANCE COMPANY

- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
 - (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
 - (h) "Title": The estate or interest described in Schedule A.
2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
3. The Company's liability and obligation is limited by and this Commitment is not valid without:
- (a) the Notice;
 - (b) the Commitment to Issue Policy;
 - (c) the Commitment Conditions;
 - (d) Schedule A;
 - (e) Schedule B, Part I—Requirements; and
 - (f) Schedule B, Part II—Exceptions; and
 - (g) a counter-signature by the Company or its issuing agent that may be in electronic form.
4. **COMPANY'S RIGHT TO AMEND**
The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.
5. **LIMITATIONS OF LIABILITY**
- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
 - (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
 - (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
 - (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
 - (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
 - (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
 - (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.
6. **LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**

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CHICAGO TITLE INSURANCE COMPANY

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

Countersigned:

Nikki Droll

Nikki Droll
Kootenai County Title Company
1450 Northwest Boulevard
Suite 200
Coeur d'Alene, ID 83814

CHICAGO TITLE INSURANCE COMPANY

By: *Michael J. Nolan*
Michael J. Nolan
President

ATTEST: *Marjorie Nemura*
Marjorie Nemura
Secretary

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CHICAGO TITLE INSURANCE COMPANY

Transaction Identification Data for reference only:

Issuing Agent: Kootenai County Title Company
Issuing Office: 1450 Northwest Boulevard, Suite 200, Coeur d'Alene, ID 83814
ALTA® Universal ID: 1068807
Loan ID Number:
Issuing Office File Number: KT-500539
Commitment Number: KT-500539
Revision Number:
Property Address: 1087 N. McGuire Road, Post Falls, ID 83854

SCHEDULE A

1. Commitment Date: 03/17/2023 at 5:00 PM

2. Policy to be issued:

(a) ALTA Owner's Policy \$20,000.00 Premium \$319.00

PROPOSED INSURED: **To Be Determined**

3. The estate or interest in the Land described or referred to in this Commitment is: fee simple.

4. Title to the fee simple estate or interest in the Land is at the Commitment Date vested in:

Daniel R. Kruger and Beverly A. McDole-Kruger, husband and wife

5. The Land is described as follows:

Property description set forth in "Exhibit A" attached hereto and made a part hereof.

CHICAGO TITLE INSURANCE COMPANY

By its Issuing Agent Kootenai County Title Company

Nikki Droll

Authorized Signatory

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CHICAGO TITLE INSURANCE COMPANY

SCHEDULE B, PART I Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. The Owners Policy contemplated hereby is an ALTA standard coverage Owners Policy, in which General Exceptions 1 through 6 shall remain on the final Policy. Any requests to delete any or all of said Exceptions shall require additional approval, Requirements and/or Exceptions, and incur an additional premium.
6. We find the following conveyances within and/or immediately prior to the past 24 months:
 - A. Warranty Deed, by and between Jay Greene, as Personal Representative of the Estate of Raymond L. Greene, deceased, as grantor, and Daniel R. Kruger and Beverly A. McDole-Kruger, husband and wife, as grantee, recorded April 1, 2016 as Instrument No. [2539356000](#), records of Kootenai County, Idaho.
7. We find the following address to be associated with the Land described herein:

1087 N. McGuire Road
Post Falls, ID 83854

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SCHEDULE B, PART II
Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the Public Records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
3. Easements, or claims of easements, not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by Public Records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments of real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. Property taxes and assessments for the year 2022, which are a lien, of which the 1st installment is due December 20, 2022, and the 2nd installment is due June 20, 2023 (amounts may not include all penalties and interest if delinquent):

1st Installment: \$1,015.51, paid
2nd Installment: \$1,015.51, due and payable
Parcel No.: 0296032097ZZ
AIN.: 107318
8. Property taxes and assessments for the year 2023, which are a lien, not yet due or payable.

Parcel No.: 0296032097ZZ
AIN.: 107318
9. Assessments of East Greenacres Irrigation District.
10. Easements, dedications, conditions, restrictions, notes and provisions created by or delineated, described or otherwise set forth in the plat of Plat No. 5, Greenacres Irrigation District, as recorded in [Book B of Plats at Page 70](#), records of Kootenai County, Idaho.

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CHICAGO TITLE INSURANCE COMPANY

11. A Well Agreement, including the terms and provisions thereof
Between: Julius Kohles and Barbara Kohles, his wife
And: Arthur H. Rogers
And: Harry Thompson
Dated: February 1, 1910
Recorded: July 18, 1910
Instrument No.: [Book 40 of Deeds at Page 74](#) , records of Kootenai County, Idaho
12. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: United States of America
Purpose: water pipeline turnout
Recorded: June 4, 1973
Instrument No.: [Book 261 of Deeds at Page 902](#) , records of Kootenai County, Idaho.
13. Any rights, interests, claims or other adverse matters which may exist or arise by reason of facts shown, delineated, described or otherwise set forth in or disclosed by a Record of Survey recorded October 5, 2020 in [Book 31 of Surveys at Page 488](#) , records of Kootenai County, Idaho, including without limitation those described as follows:
 - A. Discrepancies between the bearings, measurements and locations of record and those shown on said survey.
14. Notice of Violation by Kootenai County Community Development
Recorded: November 22, 2022
Instrument No.: [2922412000](#) , records of Kootenai County, Idaho.
15. Deed of Trust to secure an indebtedness in the amount shown below and any other obligations secured thereby
Amount: \$269,910.00
Grantor: Daniel R. Kruger and Beverly A. McDole-Kruger, husband and wife
Trustee: First American Title Company
Beneficiary: Umpqua Bank
Dated: April 1, 2016
Recorded: April 1, 2016
Instrument No.: [2539357000](#) , records of Kootenai County, Idaho.
16. Judgment for the amount shown below and any other amounts due.
Court: First Judicial District Court of Idaho
Case No.: CV28-19-4703
Creditor: North Idaho Credit Corp.
Debtor: Daniel Kruger and Beverly Kruger
Amount: \$110,858.15
Recorded: March 27, 2020
Instrument No.: [2742847000](#) , records of Kootenai County, Idaho.

END OF SCHEDULE B

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CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A Property Description

Issuing Office File No.: KT-500539

Tract 97, Plat No. 5, GREENACRES IRRIGATION DISTRICT, according to the plat recorded in the office of the County Recorder in Book B of Plats at Page 70, records of Kootenai County, Idaho.

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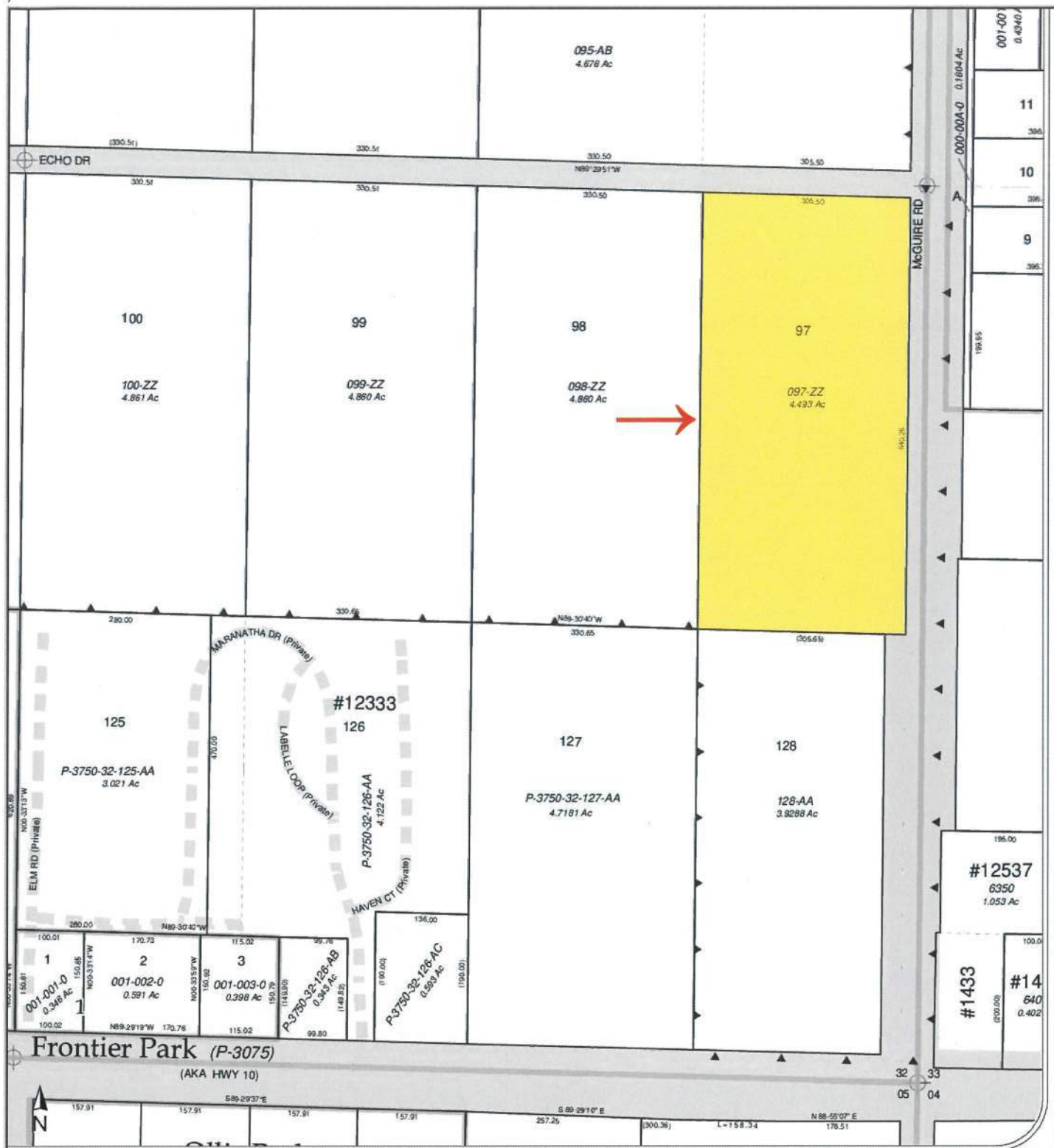
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1450 Northwest Blvd Ste 200 Coeur d'Alene, ID 83814
Phone: (208)667-9431 Fax: (208)208-666-0410

ParcelID: 0296032097ZZ

Tax Account #: 107318

1087 N McGuire Rd, Post Falls ID 83854

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



300' RADIUS REPORT

Date: April 4, 2023

Verdis
Attn: Sandy Young

At your request, we have searched our tract indices of Kootenai County, State of Idaho, as to the ownerships of the property within three hundred feet (300') of the perimeter of the following described parcels of land:

PROPERTY:
AIN: 107318

And as of the Kootenai County Assessors roll dated March 24th, 2023, we find the following:

SEE ATTACHED PAGES

This report is based on a search of the County assessment rolls and our tract indices of the County Records. This is not a title report, and no examination of the title to the property described has been made. For this reason, no liability beyond the amount paid for this report is assumed hereunder, and the Company is not responsible beyond the amount paid for this report or for any errors and omissions contained herein.

If we may be of further service to you, please do not hesitate to contact us.

Sincerely,
KOOTENAI COUNTY TITLE CO.

Emilee Harmon
Customer Service

1450 Northwest Boulevard Suite 200, Coeur d'Alene ID 83814
(208) 667-9431 Fax (208)765-1654

Exhibit A-6

Property Address: 1087 N McGuire Rd
Post Falls ID 83854

Owner Information

Name: Kruger Daniel R
McDole-Kruger Beverly A

Address: 1087 N McGuire Rd

City State ZIP: Post Falls ID 83854

Assessor Information

Property ID #: 0296032097ZZ
Tax ID #: 107318
Section: 51N05W32
Instrument: 1327041
TCA Code: 073000
Legal Description: GREENACRES IRR DISTRICT PLAT 5, TR 97
3251N05W
Property Class: 537 - Imp res rural sub
Neighborhood Code: 2023 CENTRAL PRAIRIE-WEST
Acres: 4.49
Taxes: \$2,031.03 - 2022

Assessments

Description	Value
Total Market Value	\$626,015.00
Assessed Land Value	\$304,319.00
Assessed Improvement Value	\$321,696.00
Total Assessed Value	\$626,015.00
Exemption: Homeowner	\$125,000.00
Net Taxable Value (2022)	\$501,015.00

Value Details

Dwl	Ext	Type	Category	Value
0	R01	DETGAR	37H Res imp on 15	\$55,899.00
0	R01	POLEBL DG	37H Res imp on 15	\$40,842.00
0	R01	UTLSHE D	37H Res imp on 15	\$2,367.00
1	R01	DWELL	37H Res imp on 15	\$208,179.00
0	R01	POLEBL DG	37H Res imp on 15	\$14,409.00

Land Information

Land Use / Land Use Standard: 537 - Imp res rural sub / 163 - Sfr

Zoning: County-AG - Agriculture

Sewer Available:

Waterfront:

Watershed: 1701030503 - Rathdrum Creek-Spokane
River

Recreation:

KT / BT
KOOTENAI TITLE / BONNER TITLE
MAKE A REQUEST FOR THE BEST

Property Picture



Improvement Information

Improvement Type: DWELL
Year Built: 1959
Stories: 1
Heat: Forced hot air-gas
Central Air: No
Foundation: Formed conc
Construction Type: Wood frame w/sheathing
Finished Sq. Ft. 2,344 SqFt
Commercial Sq. Ft.

Improvements by Floor

Dwl	Ext	Fir	BR	Full Bath	Half Bath	LR	DR	GR	Kit	Den	Oth	Base Area	Fin. Area
1	R01	1.0	2	1	0	1	1	0	1	0	0	1,200	1,200
1	R01	B	2	1	0	0	0	1	0	0	1	1,144	1,144

Owner Name: Cam & Gary LLC	Parcel ID: P00000336225	Tax ID: 248622
Co-Owner:	Recording Date: 09/11/2020	
Site Addr: 1094 N McGuire Rd Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: 1094 N McGuire Rd Post Falls ID 83854	Assessed Total: \$1,647,258.00	Sale Price:
Bedroom: Bath: Year Blt: 2005	Bldg SqFt: 24,000 SqFt	Acres: 3.73 Acres
Legal: TAX#20087 EX RW [IN SW-SW] 3351N05W		

Owner Name: Cam & Gary LLC	Parcel ID: PK03400000AB	Tax ID: 342799
Co-Owner:	Recording Date:	duplicate name
Site Addr: Post Falls ID 83854	Use: Comm lot/tract in city	
Owner Addr: 1094 N McGuire Rd Post Falls ID 83854	Assessed Total: \$1,000.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 0.05 Acres
Legal: MONTROSE 5TH ADD, S 199.95 FT-TR A 3351N05W		

Owner Name: Cam & Gary LLC	Parcel ID: PK0340010080	Tax ID: 311050
Co-Owner:	Recording Date:	duplicate name
Site Addr: Post Falls ID 83854	Use: Comm lot/tract in city	
Owner Addr: 1094 N McGuire Rd Post Falls ID 83854	Assessed Total: \$369,225.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 3.34 Acres
Legal: MONTROSE 5TH ADD, LT 8 BLK 1 3351N05W		

Owner Name: Koenig William M	Parcel ID: 0296032098ZZ	Tax ID: 172318
Co-Owner: Foster Nancy	Recording Date:	
Site Addr: 2502 W Echo Dr Post Falls ID 83854	Use: Imp res rural sub	
Owner Addr: 2502 W Echo Dr Post Falls ID 83854	Assessed Total: \$522,981.00	Sale Price:
Bedroom: 3 Bath: 1 Year Blt: 1908	Bldg SqFt: 1,486 SqFt	Acres: 4.86 Acres
Legal: GREENACRES IRR DISTRICT PLAT 5, TR 98 3251N05W		

Owner Name: Kruger Daniel R	Parcel ID: 0296032097ZZ	Tax ID: 107318
Co-Owner: McDole-Kruger Beverly A	Recording Date: 04/01/2016	
Site Addr: 1087 N McGuire Rd Post Falls ID 83854	Use: Imp res rural sub	
Owner Addr: 1087 N McGuire Rd Post Falls ID 83854	Assessed Total: \$626,015.00	Sale Price:
Bedroom: 4 Bath: 2 Year Blt: 1959	Bldg SqFt: 2,344 SqFt	Acres: 4.49 Acres
Legal: GREENACRES IRR DISTRICT PLAT 5, TR 97 3251N05W		

Owner Name: Lake City Holdings LLC	Parcel ID: P375032127AA	Tax ID: 115888
Co-Owner:	Recording Date: 02/12/2018	
Site Addr: 2561 W Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: 2561 W Seltice Way 8 ID 83854	Assessed Total: \$1,044,768.00	Sale Price:
Bedroom: 3 Bath: 1 Year Blt: 1989	Bldg SqFt: 2,688 SqFt	Acres: 4.72 Acres
Legal: GREENACRES IRR DISTRICT PLAT 5, TR 127 EX RW 3251N05W		

Owner Name: Ls1 LLC	Parcel ID: PK034001001A	Tax ID: 311038
Co-Owner:	Recording Date:	
Site Addr: 2308 W Okanogan Ave Post Falls ID 83854	Use: Comm lot/tract in city	
Owner Addr: 2900 N Government Way #228 Coeur D Alene ID 83811	Assessed Total: \$76,073.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 1.77 Acres
Legal: MONTROSE 5TH ADD, TAX#26969 3351N05W		

Owner Name: Ls1 LLC	Parcel ID: PK034001005A	Tax ID: 311042
Co-Owner:	Recording Date:	duplicate name
Site Addr: 311042 Unknown Post Falls ID 83854	Use: Comm lot/tract in city	
Owner Addr: 2900 N Government Way #228 Coeur D Alene ID 83811	Assessed Total: \$157,465.00	Sale Price:
Bedroom: Bath: Year Blt:	Bldg SqFt:	Acres: 4.84 Acres
Legal: MONTROSE 5TH ADD, TAX#26970 3351N05W		

Owner Name: North Country Chapel Inc	Parcel ID: P00000336250	Tax ID: 224005
Co-Owner:	Recording Date: 08/08/2019	
Site Addr: 2281 W Seltice Way Post Falls ID 83854	Use: Com Imp lot/tract in city	
Owner Addr: 2281 W Seltice Way Post Falls ID 83854	Assessed Total: \$3,078,989.00	Sale Price:
Bedroom: Bath: Year Blt: 2002	Bldg SqFt: 16,231 SqFt	Acres: 4.43 Acres
Legal: PTN OF TAX #18535 NOT IN PLTD PTN EX RW [IN SW-SW] 3351N05W		

Owner Name: North Country Chapel Inc

Co-Owner:

Site Addr: 2365 W Seltice Way Post Falls ID 83854

Owner Addr: 2281 W Seltice Way Post Falls ID 83854

Bedroom: 16 **Bath:** 12 **Year Blt:** 1982

Legal: TAX#1433 & TAX #12537 3351N05W

Parcel ID: P00000336350

Tax ID: 135852

Recording Date: 09/05/2008

Use: Mixed Use Comm/Ind

Assessed Total: \$732,727.00

Bldg SqFt: 2,872 SqFt

Sale Price:

Acres: 1.13 Acres

duplicate name

Owner Name: Pdhi LLC

Co-Owner: Naw Associates LLC

Site Addr: 897 N McGuire Rd Post Falls ID 83854

Owner Addr: 373 First St Ste 100 Los Altos CA 94022

Bedroom: **Bath:** **Year Blt:** 2006

Legal: GREENACRES IRR DISTRICT PLAT 5, TR 128 EX RW 3251N05W

Parcel ID: 0296032128AA

Tax ID: 129866

Recording Date: 12/27/2021

Use: Com Imp rural subdiv

Assessed Total: \$4,776,877.00

Bldg SqFt: 40,450 SqFt

Sale Price:

Acres: 3.93 Acres

Owner Name: Plante Wayne E Etux

Co-Owner:

Site Addr: 2447 W Echo Dr Post Falls ID 83854

Owner Addr: 2447 W Echo Dr Post Falls ID 83854

Bedroom: 3 **Bath:** 1.5 **Year Blt:** 1905

Legal: GREENACRES IRR DISTRICT PLAT 5, S2-TRS 95 & 96 3251N05W

Parcel ID: 0296032095AB

Tax ID: 175080

Recording Date:

Use: Imp res rural sub

Assessed Total: \$540,230.00

Bldg SqFt: 2,232 SqFt

Sale Price:

Acres: 4.68 Acres

CAM & GARY LLC
1094 N MCGUIRE RD
POST FALLS ID 83854

WILLIAM KOENIG
2502 W ECHO DR
POST FALLS ID 83854

DANIEL KRUGER
1087 N MCGUIRE RD
POST FALLS ID 83854

LAKE CITY HOLDINGS LLC
2561 W SELTICE WAY
8 ID 83854

LS1 LLC
2900 N GOVERNMENT WAY #228
COEUR D ALENE ID 83815

NORTH COUNTRY CHAPEL INC
2281 W SELTICE WAY
POST FALLS ID 83854

PDHI LLC
373 FIRST ST STE 100
LOS ALTOS CA 94022

WAYNE PLANTE
2447 W ECHO DR
POST FALLS ID 83854

CAM & GARY LLC
1094 N MCGUIRE RD
POST FALLS ID 83854

WILLIAM KOENIG
2502 W ECHO DR
POST FALLS ID 83854

DANIEL KRUGER
1087 N MCGUIRE RD
POST FALLS ID 83854

LAKE CITY HOLDINGS LLC
2561 W SELTICE WAY
8 ID 83854

LS1 LLC
2900 N GOVERNMENT WAY #228
COEUR D ALENE ID 83815

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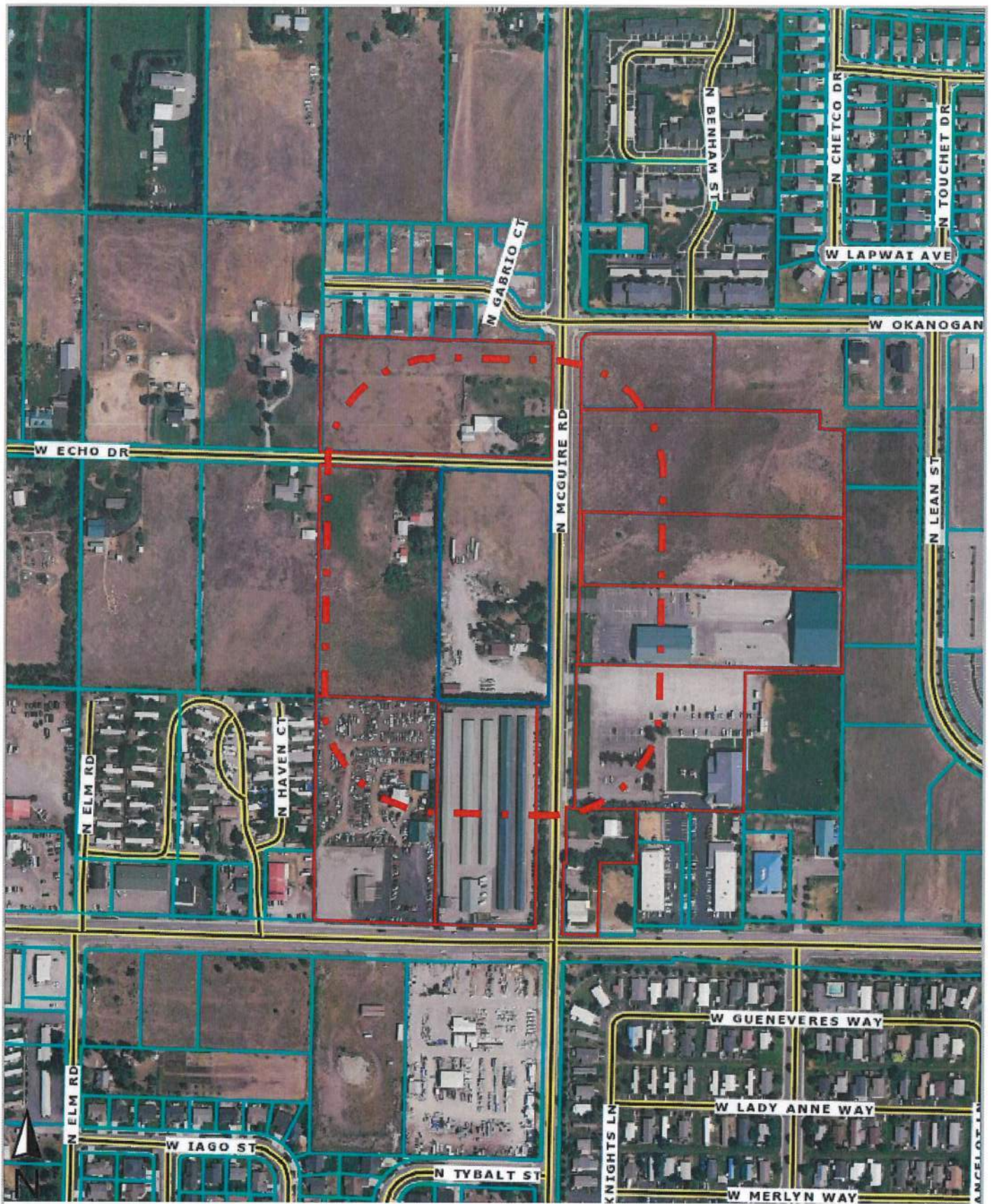
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KT / BT
KOOTENAI TITLE / BONNER TITLE
 MAKE A REQUEST FOR THE BEST

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



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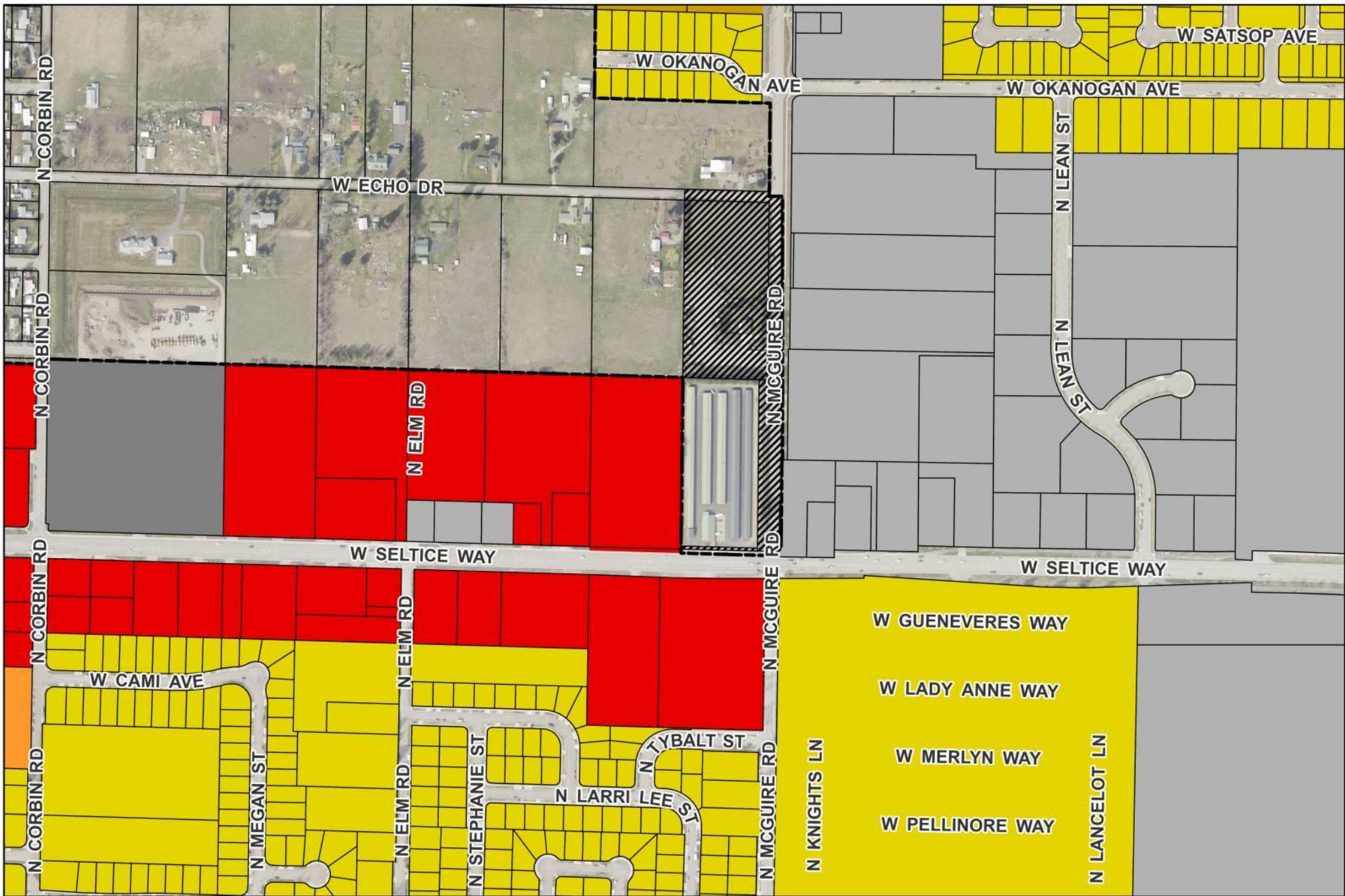


Project Location
 KRUGER ANNEXATION
 ANNEX-23-5



-  Post Falls City Boundary
-  Tax Parcels
-  Subject Site



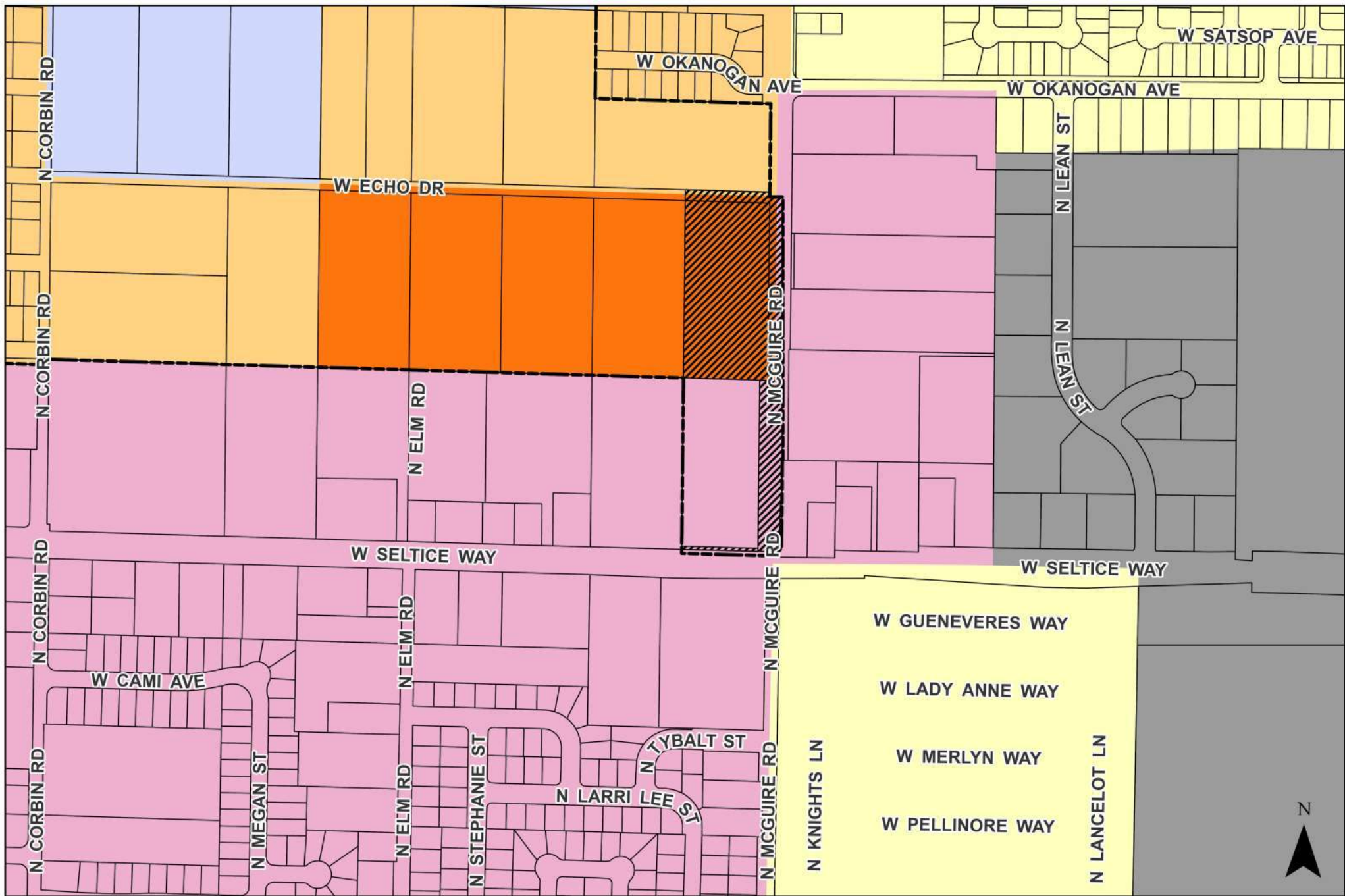


Zoning Map
 KRUGER ANNEXATION
 ANNEX-23-5



- Post Falls City Boundary
- Tax Parcels
- Subject Site
- CCS
- HI
- I
- R-1
- R-2
- R-3





Future Land Use Designation
 KRUGER ANNEXATION
 ANNEX-23-5



- Post Falls City Boundary
- Tax Parcels
- Subject Site

- Low Density Residential
- Medium Density Residential
- High Density Residential

- Business/Industrial
- Business/Commercial
- Transitional

Nancy Thurwachter

From: Polak, Chad M <Chad.M.Polak@p66.com>
Sent: Thursday, February 22, 2024 12:52 PM
To: Nancy Thurwachter
Subject: FW: Notice To Jurisdictions File Kruger Annexation File No. ANNX-23-5
Attachments: Exhibit PH-2 NTJ_Kruger.pdf

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nancy,

Based on the location, there is no impact to the YPL ROW and we do not have any questions/comments.

Sincerely,

Chad M. Polak
Agent, Real Estate Services
O: (+1) 303.376.4363 | M: (+1) 720.245.4683
3960 East 56th Avenue | Commerce City, CO 80022
Phillips 66

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Thursday, February 22, 2024 12:48 PM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Polak, Chad M <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Philips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Sherman <Sherman@cdagarbage.com>; Stephen Elliott <stephen.elliott@williams.com>; Tess Reasor <tess@connectkootenai.org>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>

Exhibit PA-1

Nancy Thurwachter

From: Jonie Anderson <Jonie@postfallshd.com>
Sent: Friday, February 23, 2024 9:43 AM
To: Nancy Thurwachter
Subject: RE: Notice To Jurisdictions File Kruger Annexation File No. ANNX-23-5

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The PFHD has the following requests and recommendations:

1. The City of Post Falls annex McGuire Rd from Echo Dr to Seltice Way in its entirety.
2. Additional rights-of-way and easement should be required for Echo Dr and McGuire Rd to meet City standards.
3. The location of access should come from McGuire Rd and meet the City of Post Falls required spacing standard.

Regards,

Jonie Anderson
Post Falls Highway District
208.765.3717
contactus@postfallshd.com



From: contactus@postfallshd.com <contactus@postfallshd.com> **On Behalf Of** Nancy Thurwachter
Sent: Thursday, February 22, 2024 11:48 AM
To: Ali Marenau <AMarienu@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Owens, Dylan

Exhibit PA-2

Nancy Thurwachter

From: Kristie May <Kristie.May@deq.idaho.gov>
Sent: Tuesday, February 27, 2024 7:28 AM
To: Nancy Thurwachter
Subject: RE: Notice To Jurisdictions File Kruger Annexation File No. ANNX-23-5

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,

Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Office Line: 208.769.1422
www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Thursday, February 22, 2024 11:48 AM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <Christine.Harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; mbrantl@postfallspolice.gov; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water

Exhibit PA-3



POST FALLS

SCHOOL DISTRICT #273

DISTRICT OFFICE
P.O. Box 40
Post Falls, ID 83877
PHONE 208-773-1658
FAX 208-773-3218
www.pfsd.com

September 8, 2023

Robert Seale
Community Development Director
City of Post Falls
408 Spokane Street
Post Falls, ID 83854

Dear Bob,

The purpose of this letter is to restate the status and position of the Post Falls School District regarding growth within the city and school district boundaries. The Post Falls School District will continue to remain neutral regarding proposed developments and will provide additional or modified comments in a timely manner when deemed necessary.

The district has a responsibility through State statute to provide an appropriate education for every student ages 6 through 21 who attend our schools. It is also the district's responsibility to provide an adequate educational program, organizational structure, and facilities.

Though there are pros and cons for new development growth, the district will continue to provide a quality education. The district appreciates the working relationship we have with the City of Post Falls.

With the anticipated growth in future years, the district requests assistance from the Planning Department to acquire school building sites in any large proposed residential developments and support financial mitigation for smaller developments.

The enrollment status and capacity of each school for the 2023-2024 school year are listed below.

The district will review the current long-range facility plan this fall. A copy of the current plan is included with this letter.

School	2023-2024 Enrollment	Building Capacity
Greensferry Elementary	400	525
Mullan Trail Elementary	341	500
Ponderosa Elementry	440	570
Prairie View Elementary	328	525
Seltice Elementary	410	560
Treaty Rock Elementary	432	525
West Ridge Elementary	415	525
Post Falls Middle School	765	920
River City Middle School	597	750

Our school community will develop relationships, skills, and knowledge to become responsible citizens who think critically to solve problems.

Exhibit PA-4

Post Falls High School	1645	1800
New Vision High School	144	225

The school district looks forward to continuing the good working relationship we have with the City of Post Falls. Thank you for your support of the Post Falls School District.

Sincerely,



Dena Naccarato
Superintendent

Cc: Post Falls School District Board of Trustees
Shelly Enderud, City Administrator