



**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

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

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

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

None

3. UNFINISHED / OLD BUSINESS

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

ACTION ITEMS:

None

4. PUBLIC HEARINGS

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

ACTION ITEMS:

- a. 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. ANNX-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: 3/12/24

Chair: 

Attest: 

Questions concerning items appearing on this Agenda should be addressed to the Community Development Department-Planning Division at 408 Spokane Street or call 208-773-8708.

The City Hall building is handicapped accessible. If any person needs special equipment to accommodate their disability, please notify the City Media Center at least 24 hours in advance of the meeting date. The Media Center telephone number is 208-457-3341.

Chair: James Steffensen Vice Chair: Ray Kimball

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