



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

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

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

CALL TO ORDER - ~~5:30~~ PM

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Present - Kibbee Walton, Ray Kimball, James Steffensen, Nancy Hampe, Bobby Wilhelm, Vicky Jo Carey

Excused - Ross Schlotthauer

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.

Manley: There was an inquiry of what proportionate share of the multimodal fees was out of the Transportation Street fees. That was not itemized out. Staff is working on a modification to the 2023 Impact Fee Report and will bring that forward at a later date.

DEVELOPMENT IMPACT FEE COMMITTEE

- a. 2023 Impact Fee Report – Amended to a later date pending updates.

REGULAR MEETING

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

ACTION ITEM

- a. National Sugar Cookie Day
- b. Announcement: Introduction of new Planner 1, Kelly Mathews

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 Planning and Zoning Meeting June 11, 2024

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

Second by Planning and Zoning Commissioner Hampe

Vote:

Kimball – Abstain, Steffensen – yes, Hampe – yes, Wilhelm – yes, Carey – yes,

Walton - 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.

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. Spencer Townhomes **File** No. SUP-24-3

Public Hearing opened at 5:33 pm.

Staff report

Ethan Porter, Associate Planner:

The applicant, ZBA Architecture has requested on behalf of the owner, Panhandle Affordable Housing Alliance, approval for a Special Use Permit in the Community Commercial Services (CCS) Zone to allow for four (4) duplex units and eight (8) townhome units to be developed on approximately 1.90-acres. The project location is approximately 170-feet south of E. Seltice Way on the eastern side of N. Spencer Street. It is the property on the southeast corner of Spencer Street and the railroad right-of-way. Currently it is a vacant lot. It's over the Rathdrum Prairie Aquifer. Water and sewer provided by the City of Post Falls. Surrounding Land Uses: Adjacent to the east is a U-Haul business currently being developed. Located adjacent to the south includes North Spencer Seniors, Post Falls Senior Apartments and Post Falls Secure Storage. Spencer Street right-of-way is adjacent to the subject site on the west and north is made up of railroad right-of-way. Surrounding Zoning Districts: East and south of the subject site is Community Commercial Services (CCS) zoning. There is High Density Residential (R3) zoning located across Spencer Street. Industrial (I) zoning is located to the north across the railroad right-of-way. The proposed requested special use is not anticipated to produce impacts that would adversely impact the adjoining transportation systems. Spencer Street is a Minor Collector Roadway that provide access to Seltice Way (Principal Arterial) with a signalized intersection and the roadway has capacity. Comprehensive goals and alignment with comprehensive policies were discussed, including goals 1 and 7, policies 1, 8, 15, and 19. The approval of the requested special use permit is based on review criteria per PPMC 18.20.070.

Review criteria were reviewed.

Whether the proposed use constitutes an allowable special use as established with all other applicable laws, ordinance, and regulation of the city and the state? Implementation of the special use will/will not conform to the purposes of the applicable zoning district? Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses in the vicinity? Whether the proposed use will/will not comply with the goals and policies found within the Comprehensive Plan?

Hampe: Is that going to be one driveway?

Porter: Correct, there will be one access off Spencer Street, and they will have to provide fire turnaround.

Hampe: Who will maintain that?

Porter: Whoever is maintaining that site.

Carey: Are we requiring any buffer between the development and the railroad tracks?

Porter: There is a condition in the staff report for fencing to be in place.

Kimball: I don't think there are any railroad users east of that site.

Porter: I don't know of any users to the east, to my knowledge.

Steffensen: U-Haul is currently under construction, correct?

Porter: Yes, they have an approved site plan and currently constructing.

Steffensen: Will there be any connectivity from that road to the U-Haul?

Porter: Per the approved site plan for U-Haul, there is no connection, it's sectioned off and maintained for U-Haul security needs.

Applicant:

Sarah Brede, ZBA Architecture, the subject property is an odd little skinny lot that limits what can be developed on it. The proposed housing type does not exist in this area providing variety in housing choices for people. The street will be private so the ownership will maintain the street and the grounds.

Carey: Is there a HOA?

Brede: It will all be under the home ownership.

Maggie Lyons, Panhandle Affordable Housing Alliance (PAHA): Currently we are undecided on that. There will either be central ownership or an HOA. That will be addressed because we have the road, park, garden area, and the play area to maintain.

Hampe: It will be owned by PAHA and these will be rentals?

Lyons: We are contemplating both, but we are leaning towards home ownership. It depends on how it pencils for us.

Testimony

In-Favor: none

Neutral: none

In Opposition: none

Public Hearing Closed: 5:48 pm.

Manley: I want to add one clarification. If they're looking for home ownership options, they would be looking at all four items on the SUP land use chart that Ethan presented.

Review Criteria:

A. Whether implementation of the special use would/would/not conform to the purposes of the applicable zoning district.

Carey: It is a permitted use with a Special Use Permit.

Kimball: All three of those conform to the use and are permitted special uses.

B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulation of the city and the state.

Kimball: It is in the Land Use Table as a special use They will be required to meet the ordinances and regulations under site plan review.

C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.

Kimball: There are commercial uses across the tracks, adjacent to the south is multifamily, the railroad tracks are rarely used, and it's close to the bus route. It meets the transportation requirements for compatibility and it's compatible with uses in the vicinity.

Gabbert: Nobody has provided testimony to the contrary.

D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

Steffensen: It provides infill. The property limits what could be developed, this product fits in with the apartments behind it and surrounding residential.

Kimball: Policy 1 this supports land use pattern, this fits with that. The future land use map shows this as high density residential, so it fits those criteria. Policy 8, infill, and underutilized properties within city limits. Policy 15, townhomes, and duplexes are underdeveloped in Post Falls. Policy 20, it fronts onto Spencer Street which is a collector street.

Discussion

Commissioners agree that this is needed and is good use of the subject property that has limitations to its use.

Motion by Planning and Zoning Commissioner Hampe moves to approve Spencer Townhomes Special Use Permit File No. SUP-24-3 finding that it meets the approved criteria in the Post Falls Municipal Code as outlined in out deliberations subject to conditions one through two contained in the staff report and direct staff to prepare a Reasoned Decision.

Second by Planning and Zoning Commissioner Walton.

Vote:

Wilhelm – yes, Hampe – yes, Walton – yes, Carey – yes, Steffensen – yes, Kimball - yes

Move

b. Aspen Cottage and Tiny Homes File No. SUP-24-4

Public Hearing opened at 5:33 pm.

Staff report

Ethan Porter, Associate Planner: The applicant, McArthur Engineering, has requested on behalf of Noah Stam, property owner, approval for a Special Use Permit in the Single-Family Residential (R1) zone to allow for four cottage home and tiny home units to be developed on approximately 2-acres as part of a larger 6.18-acre project. The approval of the requested special use permit is based on review criteria per PFMC 18.20.070. The project location is north of Interstate 90 and east of the southernmost end of N. Corbin Road and south of the termination of Terra Street. Surrounding Land Uses: To the east adjacent to the subject site is Dawns Place, a single-family residential subdivision. Directly north of the subject site is five (5) lots within the Bluegrass Pointe single-family residential subdivision. Located to the south and to the west includes single-family homes on large lots. Surrounding Zoning Districts: Directly west, north, and east of the subject site is Single-Family (R1) zoning. South of the proposal is zoned as High Density Residential (R3) zoning. The project site is a vacant lot, it's over the Rathdrum Prairie Aquifer. Wastewater, the City of Post Falls is willing to service the site and the reclamation system has capacity to provide service at the requested special use. Water provider is East Greenacres Irrigation District. The proposed special use is not anticipated to produce impacts that would adversely impact Corbin Road (local roadway). Proposed private alleys and roadway sections to be designed to comply with KCFR requirements for turn arounds and parking restrictions. The approval of the requested special use permit is based on review criteria per PFMC 18.20.070. Comprehensive goals and alignment with comprehensive policies were discussed, including goals 7, and 15, policies 1, 6, 8, and 15.

Review criteria:

Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state. Implementation of the special use will/will not conform to the purpose of the applicable zoning district. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses in the vicinity. Whether the proposed use will/will not comply with the goals and policies found within the Comprehensive Plan.

Hampe: There are three conditions already including the pending condition that would have to be added as a fourth?

Porter: Correct.

Hampe: The road (Terra Street) will be extended?

Porter: Yes, Terra Street on the north will come straight south and loop and tie into Corbin Road. That will be a public roadway. The private drive will be the loop on the northeast portion.

Applicant:

Scott McArthur, McArthur Engineering on behalf of Summit Builders and Development. The biggest challenge for this property is the offsite infrastructure that's required to be improved to serve this property. To work the density must be at a level that will offset those costs. This 2-acre portion is part of one large six-acre parcel created in 2021 through boundary line adjustment. We're asking the overall density to be in the range of 70 units on the property. We meet all the open space requirements for the entire project as represented on the conceptual plan presented tonight. This project targets both affordable attainable housing within the city and infill that serves that need. One of the misconceptions with higher density areas is the lack of maintenance. We're working on a maintenance program that will oversee through an HOA program for the entire development. We are proposing lots through a subdivision or condominium process to create ownership opportunities for people not just rent and lease opportunities. That will be the secondary step after this if the special use permit is approved. We meet all the planning and zoning requirements as outlined in the Cottage Homes and proposed Tiny Home code, we're in conformance with the comprehensive plan goals and policies, and we meet or exceed the city review criteria for the acceptance of this special use permit.

Walton: Regarding Terra Street extension.

McArthur: Our plan is to extend that street all the way at this time, it will not be in phases.

Steffensen: Terra will be a public road?

McArthur: There are public frontage requirements for open space, currently we're looking at portions of it being public and portions being private.

Carey: Do you have plans for a buffer between the development and existing surrounding properties?

McArthur: There is perimeter fencing to the north and the east. The only area not protected by a fence for the 2-acre piece we're discussing tonight is the western portion. There is no plan at this time for fencing that, but it may be forthcoming with the subdivision submittal.

Manley: Cottage Home does not require fencing. It was drafted in the context that you have a single-family residence next to a single-family residence. You can put up a fence up to six feet on the perimeter.

McArthur: Each lot has a green space requirement associated with it, conceptually as these are laid out with the front access on this portion those green space areas would be in the back.

Noah Stam, Developer. The Arc is a proposed development offering affordable housing for people who live and work in the community. This idea started a year and a half ago when I realized no one I went to high school with came back after college because they could not afford to live here. I researched and found that affordable housing is a big problem I wanted to find a solution for. The average realtor, loan officer, teacher, police officer, servers, construction worker cannot afford to buy a house over \$300,000.00. There are few listings on the MLS at that price point. We've created a product that could fill this need, we're asking to work with the city to make this project a reality and possibly encourage other developers to develop similar projects to fill this need. A couple of ideas are reimbursement for the Corbin Road extension over time, reducing permit fees, expedite civil plan and permit reviews, impact fees due to the city at the certificate of completion, and of course approval of this special use permit. This requires a team effort to create a product for the first-time homebuyer. This could be a pioneer for similar projects.

Hampe: When could this project begin and how long would the build take?

Stam: Depending on the approval timeline, the plan is to build ten houses every two months starting the first part of next year.

Walton: What's the reimbursement for the Corbin Road extension?

Stam: We have a substantial bill to extend Corbin Road. When that road goes in the city will have approximately 40 lots around the road that can tie into that sewer system in the future. A portion of that could be used to reimburse me the cost of that road extension done upfront.

Testimony

In-Favor: 4 comments

Maggie Lyons, Hayden Lake, ID: This is an incredible opportunity to drive

development of homes priced within the range our local workers can afford. We just launched a worker housing neighborhood, Miracle on Britain less than a week ago. We have 150 email responses and over 40 completed applications have been submitted. It affirms the desperate need to local worker homeownership housing in the area. This could be the example for developers to see what is possible for affordable workforce housing needs.

Kirsten Fritz, Coeur d'Alene, ID: Affordable housing is an issue we need to pay attention to and how this impacts the overall wellbeing and economic stability of individuals and families in this area. Projects like this can attract a mix of residents from different socioeconomic backgrounds, create a sense of community, and promote social cohesion and play a crucial role in promoting housing affordability, home ownership, economic growth, social equality and community development.

Michael Mentee, Post Falls, ID: This area is no longer an American Dream to buy your first home in your 20's. I have over 20 employees, over 90% of them live Bonner County or Shoshone County and must commute due to housing costs. I support this as long as there are deed restrictions, so this is for affordable housing, not more rentals. If we can mirror this in this city, it could be done in Coeur d'Alene, Hayden and so forth. I believe this is an excellent idea by a group willing to do this. This is not a greedy development going in here.

Peter Xhado, Post Falls, ID: I'm not against development, bringing in affordable housing to the area is a

great idea. My concern is we have a lot of development going on, Cottage Homes and Tiny Homes need to be built to code. Is the city ready to inspect all these homes to insure the structures will stand the test of time and the costs are covered?

Neutral: None

In Opposition: None

Rebuttal: None

Public Hearing Closed at 6:41 pm.

Review Criteria:

1. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.

Kimball: R1 is for single-family residential, Cottage Homes and Tiny Homes are single-family residential homes. The Tiny Home special use portion of this application is subject to approval of the Tiny Home Ordinance up for consideration before the City Council July 16, 2024.

2. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.

Commissioners agree this is the same as the previous criteria.

3. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.

Walton: It's surrounded by single-family homes in the area, so it is very compatible.

Kimball: It provides a wastewater extension that will provide sewer for adjoining properties that septic systems can be hooked up to eliminating drain fields, and impact fees that will cover traffic impacts.

4. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

Wilhelm: Under goal 7 this meets the criteria that is needed for long term sustainability.

Steffensen: Goal 15, with sewer infrastructure will help the city long term.

Kimball: Policy 8 infill development, Policy 15 adequate land available for future housing needs, provides diversity of housing types and price levels, this is filling that gap and desperately needed.

Discussion:

Commissioner discussed the need for and importance of affordable housing and homeownership.

Motion by Planning and Zoning Commissioner Kimball move to approve Aspen Cottage and Tiny Homes File No. SUP-24-4 finding that it meets the approval criteria in PFMC 18.20.070 as outlined in our deliberation subject to conditions one through three found in the staff report and adding condition number four that Tiny Homes special use permit as requested is subject to the approval of the Tiny Home Ordinance by City Council at a future date and direct staff to prepare a written decision.

Second by Planning and Zoning Commissioner Hampe.

Vote:

Carey – yes, Wilhelm – yes, Kimball – yes, Steffensen – yes, Hampe – yes, Walton - yes

Moved

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

7. None

8. ADJOURNMENT

6:52 PM

Date: 8/13/29

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