



**PLANNING AND ZONING COMMISSION
MEETING AGENDA**

**September 10, 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

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

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

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 August 13, 2024 Planning & Zoning Meeting
- b. Spencer Townhomes Reasoned Decision (SUP-24-3)
- c. Aspen Cottage and Tiny Homes Reasoned Decision (SUP-24-4)
- d. Anytime Archery Reasoned Decision (SUP-24-5)

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. Early Dawn & Zorros Annexation File No. ANNX-24-1
- b. Poleline & Zorros Annexation File No. ANNX-24-2
- c. Killdeer Annexation File No. ANNX-24-4

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 Wilhelm, Kibbee Walton



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**August 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

5:32 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Present: Walton, Steffensen, Schlotthauer, Hampe, Carey

Excused: Kimball, Wilhelm

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

None

AMENDMENTS TO THE AGENDA

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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 July 9, 2024 Planning & Zoning meeting

**Motion by Hampe to accept the Consent Calendar as presented
Second by Walton**

**Vote: Hampe - Yes, Schlotthauer- Yes, Steffensen- Yes, Walton- Yes, Carey- Yes
MOVED**

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:

- a. North Place East 2024 Reasoned Decision File No. SUBD-23-7

Chris Gabbert, Deputy City Attorney: The public hearing was held June 11, 2024, for the Reasoned Decision for the North Place East subdivision. Accompanying the draft Reasoned Decision is a memo from Field Herrington, Legal Services Director, and myself to the Planning and Zoning Commission. There was discussion during the deliberation about a condition restricting the multifamily development on parcel seven. After further discussion with legal counsel, we recommend that we not include that condition in the final approval of the Reasoned Decision at this time. In reviewing the original agreement, we feel it would be a violation of what the city has already agreed to with the developer. Approving with that condition would likely be immediately appealed to council and likely reversed. It's my recommendation, and what is before you today, is the approval of the draft Reasoned Decision without that condition attached.
Schlotthauer: It was a compromise with the residents in the area based on agreements made during the sales of the neighboring parcels. We asked the developer if he'd be open to that condition and he nodded his head yes.

Gabbert: I don't know if the developer was entirely in favor of imposing a condition contrary to what he'd already agreed to in this type of public hearing. Subsequent conversations with them revealed that they disagreed with that approach. We received some correspondence from the developer that states "I'm not in favor of this condition, I'd like to stick with my original agreement. Thank you."

Steffensen: This is the agreement from 2021?

Gabbert: Yes, the original Development Agreement executed by the City Council and binding that to the property. I recommend that the city sticks to the previous agreement.

Motion by Carey to Approve as included in tonight's packet.

Second by Hampe.

**VOTE: Schlotthauer – No, Walton – Yes, Carey – Yes, Hampe – Yes, Steffensen – Yes
MOVED**

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. Anytime Archery File No. SUP-24-5

Public Hearing Opened: 5:45 PM

Staff Report

Ethan Porter, Associate Planner presenting: Kevin Bunce has requested, on behalf of Douglass Properties the owner, approval for a Special Use Permit to have an indoor archery range in the Community Commercial Services (CCS) zone. This use is requested for Lots 2 and 3 of Block 1 within the Expo at Post Falls 9th Addition, which is on approximately 8.68-acres. The project is located on the southside of W. Expo Parkway between N. Beck Road and W. Jacklin Road. It is approximately 560 feet southwest from the intersection of W. Jacklin Road and W. Expo Parkway **Surrounding Land Uses:** Adjacent to the east is a storage facility business currently being developed. Located adjacent to the south, it includes Interstate 90 rights-of-way. Directly west of the subject site is the Amelia Apartments phase II, which is currently being constructed. W. Expo Parkway right-of-way is located directly north with Woodbridge South Subdivision across the roadway. Currently, each lot has a developed site and an existing large building. It's over the Rathdrum Prairie Aquifer. The City of Post Falls is already servicing the site with water and sewer. The proposed requested special use is not anticipated to have an impact that would adversely impact the adjoining transportation systems. Expo Parkway is a major collector roadway, and it has required capacity to serve the requested use.

Surrounding Zoning Districts: East and west of the subject site is Community Commercial Services (CCS) zoning. North and south of the proposal are made up of road right-of-way. Comprehensive goals and alignment with comprehensive policies were discussed, including goal 7 and policies 58 and 86. Mr. Porter presented the six criteria the Planning and Zoning Commission may attach to the approval for a Special Use Permit. 1) Minimizing adverse impact on other development. 2) Controlling the sequence and timing of development. 3) Controlling the duration of development. 4) Assuring that development is maintained properly. 5) Controlling the location and setbacks of development. 6) Requiring more restrictive standards than those generally required in the zoning ordinance.

Schlotthauer: How many parcels is this?

Porter: Two, lot 2 and 3 of block 1 of the Expo 9th. The intent is to utilize one of the buildings. They included both lots in their application for possible expansion.

Applicant Chris Schreiber: I'm here tonight speaking on behalf of Kevin and Lisa Bunce who are present. The proposal conforms with the purpose and intent of the CCS zone. Indoor archery is specifically listed as an allowable use with a special use permit. This use would have less of a negative impact than most of the allowable uses under the CCS zone. This would offer the community a new opportunity for a healthy, physical, family-oriented activity year-round. Indoor archery has one of the lowest injury rates. It is compatible with the neighborhood and provides a buffer. Our use is a light intensity use for those buildings. Addressing community concerns regarding use, this is one of the lowest intensity uses with one of the lowest potential negative impacts on the community in the CCS zone because the facility is fully contained all indoor. It generates little to no noise, no odors, no Hazmat concerns, no commercial truck traffic, operates during normal business hours, and there's no production of unusual or atypical light pollution. An indoor facility like this has the greatest potential for a positive impact on the community that will attract business from the outside area in addition to local business. It complies with the vision statement in the comp plan, addressing six of the eight factors including educational opportunities, balanced and beneficial growth, healthy economy, youth programs and family-oriented events and services. This supports the 14 goals of the comp plan, specifically addressing six; 1) supporting a balanced and resilient economy, 2) maintain and improve high quality, affordable, and efficient

community services, 3) maintain and improve small town's charm and beauty, 4) establish land use pattern, 5) provide and support parks and 6) recreational opportunities on pace with our growth. The public concerns that were received addressed parking and congestion. The 24-hour component refers to 24-hour member access to the facility. There will be one or two lanes open 24 hours a day, not the entire facility. The facility will be staffed with about 5 employees for about 5 to 10 customers during normal business hours, which is far fewer than a facility of this size normally houses. Regarding events, typically a major event will be around 100 people. That includes contestants and participants, to be held on the weekends when adjacent businesses will be closed. This will generate little if any commercial type of truck traffic.

Carey: This will be all indoors.

Schreiber: Yes

Carey: And it will be 7 days a week, 24 hours a day?

Schreiber: The pro shop will be normal retail hours comparable to Cabela's. The 24-hour a-day portion is for members only with card access for one or two lanes of archery with a separate entrance. This will be about a 20,000 sq. ft. facility, about half of one of the two existing buildings. We put both lots on the request because we are still in the final negotiations on the lease, and we aren't sure exactly which building we will be in.

Testimony:

In Favor: None Neutral: None

In Opposition: William Fletcher, Post Falls (not wishing to speak): Opposed due to traffic issues. On Expo Parkway with the apartments there, parking on the street is out of hand and cars are traveling at high speeds. There will not be parking spots for 200 cars.

Rebuttal:

Schreiber: There's marked parking along Expo Parkway and the backside is paved but not marked. With the available land there, we could have parking for between 750 and 1,200 cars.

Steffensen: How often will you have an event where there might be 100 – 200 cars?

Schreiber: A couple of times of year for something that big.

Kevin Bunce, Owner: I believe there are over 120 designated parking spots on both of those buildings. We're anticipating about 100 participants at most of our events and most participants will be multiple people in one car. For events on the weekend, the other businesses will be closed and there will be parking available.

Public Hearing Closed 6:16 PM

Schlotthauer: Was Woodbridge part of the original Expo development?

Jon Manley, Planning Manager: Originally it was all industrial as a job creation type of center.

Afterward, Woodridge said they needed additional single family and multifamily rooftops to promote the commercial of that area. It was meant to be a job center for job creation, much like Riverbend to the south. Due to price points and the market, changes were made to the plan to what you see out there now.

Schlotthauer: It isn't a situation where some commercial snuck in next to residential, it was a commercial area that some residential was developed in?

Manley: Yes. There have been some zone changes for a period that went from industrial to commercial and some public notices to create that commercial zoning.

Review Criteria:

A.

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

Carey: It is allowed in that zone with a special use permit, and it's adding recreation to the area.

Chris Gabbert, Deputy City Attorney: The applicant noted the purpose of the district is to support some retail services and community types of 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, ordinance, and regulations of the city and the state.

Gabbert: Commissioners pointed out that it is allowed as a special use permit and there was no testimony of any other violations or anything else impeding the development.

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.

Carey: It would be compatible. It's indoor recreation and one of the lesser uses that are allowed.

Hampe: It provides a buffer between high density and industrial.

Steffensen: The applicant spoke about health, safety, and how safe archery is opposed to other sports. It will add some value to the residents of the city and the county.

Gabbert: There was testimony about compatibility being fully contained, no odors, no noise or commercial truck traffic normally found in industrial or intensive commercial use.

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

Steffensen: It helps with growth for businesses in the city, supporting land pattern uses, and provides a buffer between the high density and industrial zones.

Carey: It helps with filling a building that's not currently being used.

Gabbert: The staff report indicates policy 58, providing a range of recreational opportunities and park facilities for Post Falls residents.

Schlotthauer: Goal 1 is one of the biggest points about the resilience in Post Falls. We don't need an empty building, putting a business in there seems like a compatible use.

Steffensen: A product like this will be used.

Motion by Hampe to Approve Anytime Archery File No. SUP-24-5 finding that it meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberations and direct staff to prepare a written Reasoned Decision.

Second by Walton.

VOTE: Schlotthauer – Yes, Carey – Yes, Walton – Yes, Hampe – Yes, Steffensen - Yes

MOTION MOVED

b. Shawver Autobody File Nos. ZC-24-3 & SUP-24-6

Public Hearing Opened: 6:25 PM

Staff Report

Ethan Porter, Associate Planner presenting: Tracy Christopherson, the applicant and property owner, has requested approval to rezone approximately 1.44-acres from Heavy Industrial (HI) zoning to Community Commercial Services (CCS) zoning district and to obtain a Special Use Permit to utilize a paint shop inside their business. **Project Location:** The property is generally located on the northside of E. Seltice Way between N. Potlach Road and N. Spencer Street. Currently, it is a commercial autobody business, over the Rathdrum Prairie Aquifer, and Post Falls provides water and wastewater. **Surrounding Land Uses:** Located along the north side of the subject property is Interstate 90 rights-of-way and on the southern side there is E. Seltice Way rights-of-way. Land uses directly west of the subject site include a fabrication business and east is a building and supply business. The majority of the uses along this E. Seltice Way stretch include commercial businesses. The future land use is designated as commercial in the Seltice East Focus Area (SEFA) implementing the zoning districts of CCM, LC, CCS, SC4, SC5. Seltice East seeks incentives to promote infill development within this area and opportunities to beautify the Seltice Corridor. Comprehensive goals and

policies were discussed, including goals 1 and 7 and policies 2 and 86. This is an existing business on a legacy zoning heavy industrial they're proposing CCS. They want to retain the business and utilize it as it is. Future development and additions to this lot would trigger this zone change. The automotive use would be more in conformance with the CCS zoning than heavy industrial. We look at these policies and goals to maintain and utilize the existing business on this property with a better zoning classification.

Schlotthauer: This was triggered because they applied for a building permit to add on, and they couldn't do that under the current zoning?

Porter: Correct. Industrial zoning is legacy zoning, and you can't add to non-conforming. The zone change would be more in conformance. DEQ did comment on the Special use Permit to update air quality permit to reflect changes in operation.

Steffensen: Is that a condition the commission would have to add?

Porter: It would be advised to add that condition because DEQ did comment on it. The applicant can speak to that. Moving into the Special Use Permit, the request is for approval to utilize a paint shop inside the business. Within the CCS zone that use would be categorized as a special use permit needed. Comprehensive goal 7 and policy 86 were discussed.

Applicant Tracy Christopherson: I'm the owner of Shawver Autobody. We have been in business for 10 years, I employ 14 people, and I am active in the community. CCS is consistent with the future land use. We won't have an impact on the community as we are already established and nothing will change with traffic in the community. Everything around us operates during the same hours as we do. We are just trying to be compliant.

Hampe: Did you have any correspondence with DEQ?

Christopherson: I have not been notified by DEQ. In 2019, we installed a new painting booth. We were permitted and DEQ properly registered us. The new building is for a parts room, not a painting booth.

Testimony: None

In Favor: None

Neutral: None

In Opposition: None

Public Hearing Closed 6:40 PM

Zone Change Review Criteria:

Gabbert: Regarding the comments from DEQ, I don't see a specific recommendation to include that as a condition of the approval of the special use permit. We don't condition our approval on compliance with other agencies. That would be addressed by the applicant directly with DEQ.

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?

Steffensen: They are in a Legacy Zone and CCS fits with everything else around it.

Manley: Commercial is the future land use designation, CCS is one of the implementing zones that's noted in that future land designation. Industrial is not one of the options.

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: Yes, especially policy 86, retaining existing businesses.

Gabbert: There's supportive testimony for goal 1 and policy 2.

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?

Hampe: They are not going to have any additional services, and they have been there 10 years.

Steffensen: They've been painting since 2020. They will be using the same water and sewer.

Gabbert: DEQ did have that comment that their permits would need to be updated if they are impacted under the adapa rules.

Schlotthauer: I would note that it is unfortunate that the company must go through this for their addition of building. The staff has done a good job walking them through the process.

Motion by Hampe to recommend Approval Shawver Autobody Zone Change File No. ZC-24-1 finding that the requested zoning meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberations and direct staff to prepare a zoning recommendation to be provided to the City Council.

Second by Schlotthauer.

VOTE: Carey – Yes, Schlotthauer– Yes, Walton– Yes, Steffensen– Yes, Hampe - Yes

MOVED

Special Use Permit Review Criteria:

Gabbert: This action would be provisional to the zone change.

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

Steffensen: This type of business is allowed as a special use permit in the CCS zone.

Gabbert: It is situated adjacent to several other types of CCS businesses.

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.

Gabbert: There was testimony to and acknowledgment by the commission that it is an allowed use as a special use in the CCS zone.

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.

Commissioners agree that this is very compatible, it is an existence business as a body shop for 10 years and painting for 4 in accordance with all the rules and regulations.

Hampe: They are not making any changes that would impact the health, safety, and welfare of the public.

Gabbert: There has been no testimony or evidence to the contrary.

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

Gabbert: That was covered in the decision portion for the zone change recommendations. The same goals are supportive.

Motion by Carey to move to Approve Special Use Permit File No. SUP-24-6 finding that it meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberations subject to condition one contained in the staff report and direct staff to prepare a written Reasoned Decision.

Second by Schlotthauer.

VOTE: Carey – Yes, Schlotthauer – Yes, Walton – Yes, Steffensen – Yes, Hampe - Yes

MOVED

- c. Mongeau Meadows Annexation & 1st Addition Subdivision File Nos. ANNEX-24-3 & SUBD-24-2

Public Hearing Opened: 6:50

Staff Report

Jon Manley, Planning Manager: Ray Kimball, with Whipple Engineering is requesting, on behalf of Wild Horse Investments, the property owner, approval to annex and subdivide approximately 5.8-acres into a total of 21 lots within the City of Post Falls with a zoning request of Single Family Residential (R-1). Project Location: The property is generally located south of E. 16th Ave. between N. Idaho St. and N. Syringa St (south of the intersection of N. Quail Run Blvd. and E. 16th Ave.). Surrounding Land Uses: Located to the north is an older subdivision in the City of Post Falls. To the east, is a recent annexation and subdivision of Mongeau Meadows. Adjacent to the west and south are large lots of single family uses in the county. Land Use & Site: Currently a large lot, single family, it's over the Rathdrum Prairie Aquifer and the City of Post Falls would provide the water and wastewater. Traffic: 16th Avenue is a Major Collector. Additional rights-of-way and easements would need to be provided as part of the annexation. Upon the development of the site, frontage improvements will be required to be completed. This allows for continuity of pedestrian pathways along E. 16th Avenue. There is nothing in the staff report that showed there would be any conflict or complications from a traffic perspective. The Future Land Use designation is low density residential; this encompasses all types of single-family residential uses up to eight dwelling units per acre. Comprehensive compatibility goals and policies were discussed, including goals 7 and 12 and policies 24, 26, and 1.

Schlotthauer: How have we promoted and incentivized infill development?

Manley: It has not been through financial incentivization, it's been done through policy and the future land use map. Along the east side is a medium density designation. Through the adoption of the comprehensive plan, it was identified that there are some obstacles in obtaining sewer. There are some long routes in the area we would have to get before contemplating higher densities on that portion and pulling sewer. The areas to the west could tie into that and other single-family development being complimentary to the pre-existing single-family lots in the county as well as the other pre-existing R1 lots that are in the city. Moving on to the subdivision request. There are 21 single-family residential (R1) lots. The plans include extension of Healy Avenue connecting south to the Mongeau Meadows subdivision and frontage improvements to E. 16th Avenue. Water and wastewater is to be provided by the City of Post Falls. The staff report indicates there is capacity to provide service to the subdivision as proposed, and it is in conformance with the City's Water Reclamation Master Plan. The proposed streets are consistent with the transportation element of the comprehensive plan. There are no known soil or topographical conditions which have been identified as presenting hazards. Subdivision approval is contingent on annexation approval from the City Council. The subdivision and proposed lots conform to the requirements of Title 17 and Title 18. Impact and cap fees will be collected on individual building permits to assist in mitigating the off-site impacts on parks, public safety, streets, and waste reclamation facilities.

Applicant Ray Kimball: I am representing the owner, Wild Horse Investments, LLC. As mentioned, this is low density residential, R1 is the typical implementing zone for low density residential. We are adding on to Mongeau Meadows first phase moving west. Regarding the zoning compatibility, it is infill, the land use pattern, street classification, traffic patterns, existing and future land uses are all compatible, it's surrounded by residential uses and is nearly ½ mile away from any commercial zoning. The property is shown as residential on the Future Land Use Map, which is consistent with the R1

zoning request. The 21 lots are a little larger than the lots in the first phase due to the geometry of this lot being a little wider. We are providing for cross connectivity; we have a fire egress that is currently paved and will be maintained out to 16th Avenue as the emergency egress to meet the fire code. It meets all the dimensional requirements of the proposed R1 zone. Provisions have been made to supply adequate water and sewer connections to the city. The City has indicated it has adequate capacity to service the proposed project. ROW will be dedicated to 16th Avenue to City standards and provisions has been made to adequately provide connectivity to adjacent properties. We are not aware of any hazards or topographical conditions that are incompatible with the proposed use.

Testimony:

In

Favor: Wade Jacklin, Coeur d'Alene, ID (not wishing to speak): Excellent location for an infill neighborhood.

Neutral: None

In Opposition: None

Public Hearing Closed 7:10 PM

Annexation 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? Commissioners agree that it shows land use as R1.

Gabbert: Testimony supported that it was near identically to the other existing R1 zones. There was testimony that the focus area supporting the center island is promoting infill development. The consensus is that the R1 zone is an appropriate recommendation.

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?

Carey: The plan is to fill the infill and bring it into the city.

Steffensen: Fill in the infill and continue the connectivity of multiple services that the city can offer regarding traffic patterns and infrastructure.

Gabbert: There was testimony that single-family housing provides a role in the diverse housing types under goal 7 and allows the city to encourage the right-of-way and make improvements in those areas on 16th as well.

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?

Steffensen: Testimony indicates nothing has been identified.

Carey: All city services are available.

Motion by Hampe to recommend approval of Mongeau Meadows annexation File No. ANNEX-24-3 finding that the requested zoning meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberations and direct staff to prepare a zoning recommendation to be provided to the City Council of R1.

Second by Schlotthauer

VOTE: Carey – Yes, Schlotthauer – Yes, Walton – Yes, Steffensen – Yes, Hampe – Yes

MOVED

Subdivision Review Criteria:

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

Hampe: The city has stated there is adequate water and sewer.

Steffensen: Staff report and applicant stated the city can provide these services.

Gabbert: That satisfies criteria 1 and 2.

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

Steffensen: Yes, the city has worked with the developer to create connectivity between existing developments there and planning for future developments.

Gabbert: Testimony indicated there was no adverse impact.

3. 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.

Steffensen: No known conditions. The applicant stated that if something does come up, they will deal with it at the time.

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

Steffensen: Pending approval of it, that area is R1. This fits perfectly there as a county pocket and infill for R1.

5. 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.

Steffensen: Impact fees will be collected at the time of development for parks, public safety, and streets.

Motion by Carey to Approve Mongeau Meadows First Edition Subdivision File No. SUBD-24-2 finding that it meets approval criteria in the Post Falls Municipal Code as outlined in our deliberations subject to conditions one through eleven contained in the staff report and direct staff to prepare a written Reasoned Decision.

Second by Hampe.

**Vote: Carrie – Yes, Schlotthauer – Yes, Walton – Yes, Steffensen – Yes, Hampe – Yes
Moved**

5. ADMINISTRATIVE / STAFF REPORTS

a. Deferred Impact Fees for Attainable and Affordable Housing

Bob Seale, Director: This is an informational update regarding steps we are trying to take to encourage affordable housing to be constructed within the city. This will go to the City Council September 3, 2024. It deals

with changes to the language in Chapter 19 to 1.) define attainable housing and 2.) when and how we collect impact fees on projects for attainable housing. The impact fee for Attainable Housing Projects must be paid and collected prior to the issuance of a certificate of occupancy for the structure verses at the time of the building permit issuance. Attainable housing criteria is:

For Ownership: Homes restricted to be affordable to persons making 120%, or less, of the Area Median Income (AMI) for Kootenai County.

For Rental: Projects where at least 25% of the units are restricted to be affordable to persons making 80%, or less, of the AMI for Kootenai County.

Carey: Is this a reduction in Impact Fees?

Seale: There is no reduction, it is a delay in collection to help the builders with the upfront costs to enable more construction of attainable housing.

Schlotthauer: This looks like a small step in the right direction. What do you mean by restricted? Seale: Deed restricted. A property is purchased and is restricted to being 120% of the AMI or less, and when the property changes hands it will also be restricted to being 120% or less of the AMI as well. The equity will not be market driven.

6. COMMISSION COMMENT

None

7. ADJOURNMENT

7:26 P.M.

Date: _____

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

Spencer Townhomes File No. SUP-24-3

Planning and Zoning Commission Reasoned Decision

A. INTRODUCTION:

APPLICANT: Sarah Brede, ZBA Architecture o/b/o Panhandle Affordable Housing Alliance

LOCATION: Approximately 170-feet south of E. Seltice Way on the eastern side of N. Spencer Street.

REQUEST: A Special Use Permit in the Community Commercial Services (CCS) Zone to allow for development of four (4) duplex units and eight (8) townhome units on approximately 1.90-acres.

B. RECORD CREATED:

1. A-1 Special Use Permit Application.
2. A-2 Applicant Narrative.
3. A-3 Conceptual Plan
4. A-4 Vicinity Map
5. A-5 Owner Authorization
6. A-6 Open Space Calculator
7. S-1 Vicinity Map
8. S-2 Zoning Map
9. S-3 Future Land Use Map
10. PA-1 PFSD Comments
11. PA-2 KCFR Comments
12. PA-3 PRPD Comments
13. PA-4 YPL Comments
14. PA-5 DEQ Comments
15. P&Z Staff Report
16. Testimony at the July 9, 2024, Planning and Zoning public hearing:

The public hearing was noticed correctly and conducted under the requirements of Idaho Code §§ 67-6512 and 67-6509, and Post Falls Municipal Code (PFMC) § 18.20.060. The purpose of the hearing was to allow the Applicant and the public to provide testimony and documentation to the Planning and Zoning Commission in application of PFMC § 18.20.070B.

Ethan Porter, Associate Planner

Mr. Porter presented the staff report and testified that the applicant is requesting 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 surrounding zoning district to the 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. Mr. Porter testified that water and sewer service were provided to the property though it is currently vacant. The proposed use is not anticipated to produce adverse impacts to the existing transportation systems though the

property would take access from a single location to Spencer Street.

Mr. Porter noted goals 1 and 7 and policies 1, 8, 15, and 19 of the Comprehensive Plan which could support the application.

Sarah Brede, ZBA Architecture, Applicant

Ms. Brede testified the project as exhibited is for four (4) duplex units and eight (8) townhome units to be developed on approximately 1.92-acres. The proposed housing types being requested are to provide variety of housing choices. These choices would be in the form of duplex, twin home, townhome, or as multifamily structures being generally consistent with the exhibit presented. The street will be private and maintained under either a HOA or central ownership.

There was no public comment.

Deliberations: After the public hearing was complete, the hearing was closed. 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 approval criteria contained in Post Falls Municipal Code (“PFMC”) § 18.20.070 B.

C. EVALUATION OF APPROVAL CRITERIA:

C1. Whether implementation of the special use would/would/not conform to the purposes of the applicable zoning district.

Based on the testimony supplied and the staff report, the Commission finds that the proposed residential uses conforms to the purposes of the CCS zone by providing for a wide variety of uses including multi-family uses to serve local and regional residents and that such will not compromise other present uses.

C2. 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.

The Commission finds that the proposed use is permitted in the Land Use Table as a special use is compatible and that the applicant has met all relevant laws and no testimony to the contrary was presented.

C3. 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.

The Commission, having reviewed the Special Use Permit application in light of this Criterion, finds that the testimony and evidence provided that the proposed use as a combination of townhome and duplex unites when viewed against the surrounding land uses and zoning designations does not adversely affect the health, safety, and welfare of the public. There was no testimony to the contrary. The Commission finds that the proposal does not create adverse impacts to the existing transportation system or public services.

C4. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

The Commission finds that the proposal meets the following goals and policies of the Comprehensive Plan:

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 promoting new and different products in housing inventory which sustains a diverse, balanced economic base, retains existing quality of life aspects and helps keep Post Falls prosperous. New housing products attract prospective employees for businesses and provide community prosperity and fiscal health.

Policy 8: *Encourage compatible infill development and redevelopment of vacant and underutilized properties within City limits.*

This proposal and request allows for redevelopment of an under-utilized infill parcel within the city and will offer some relief to the housing concerns and inventory.

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.*

This proposal will create additional diverse housing opportunities needed to support commercial development.

D. ACTIONS THAT THE APPLICANT CAN TAKE TO GAIN APPROVAL.

Not applicable.

E. CONCLUSION

SUP-24-3: Based on the evidence in the record placed before the Commission, the testimony received at the properly noticed public hearing, it is the conclusion of the Commission that the requested Special Use Permit meets the standards of City Code, and the Idaho Local Land Use Planning Act, and is hereby approved subject to the applicant complying with the conditions contained in the Staff Report.

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.

Aspen Cottage And Tiny Homes File No. SUP-24-4

Planning and Zoning Commission Reasoned Decision

A. INTRODUCTION:

APPLICANT: Scott McArthur, McArthur Engineering o/b/o Noah Stam

LOCATION: North of Interstate 90 and east of the southernmost end of N. Corbin Road and south of the termination of Terra Street.

REQUEST: Special Use Permit in the Single-Family Residential (R1) zone to allow cottage and tiny home units to be developed on individual lots on approximately 2-acres (as part of a larger 6.18-acre project).

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Conceptual Plan
4. A-4 Vicinity Map
5. A-5 Owner Authorization
6. A-6 Open Space Calculation
7. S-1 Vicinity Map
8. S-2 Zoning Map
9. S-3 Future Land Use Map
10. PA-1 PFSD Comments
11. PA-2 KCFR Comments
12. PA-3 PFPD Comments
13. PA-4 YPL Comments
14. PA-5 PFHD Comments
15. P&Z Staff Report
16. Testimony at the July 9, 2024, Planning and Zoning public hearing:

The public hearing was noticed correctly and conducted under the requirements of Idaho Code §§ 67-6512 and 67-6509, and Post Falls Municipal Code (PFMC) § 18.20.060. The purpose of the hearing was to allow the Applicant and the public to provide testimony and documentation to the Planning and Zoning Commission in application of PFMC § 18.20.070B.

Ethan Porter, Associate Planner

Mr. Porter presented the staff report and testified that the applicant is requesting a Special Use Permit in the Single-Family Residential (R1) zone to allow for single-family detached cottage and tiny home units to be developed on individual lots of an approximately 2-acres part of a larger 6.18-acre project. The surrounding zoning districts directly west, north, and east of the subject site are Single-Family (R1) zoning. South of the proposed project site is zoned High Density Residential (R3) zoning. Sewer service is available from the city and East Greenacres Irrigation District provides water service. The proposal includes private roadways and alleyways and the special use is not anticipated to adversely impact the local roadway (Corbin Road).

Mr. Porter noted Goals 7 and 15 and policies 1, 6, 8, and 15 of the Comprehensive Plan could support the application.

Scott McArthur, McArthur Engineering, Applicant

Mr. McArthur testified the project is an approximately 2-acre portion as part of one large 6-acre parcel created in 2021 through boundary line adjustment. Mr. McArthur testified the overall density will be in the range of 70 units on the 6-acre project. McArthur identified that the project will meet all the open space requirements and targets both affordable attainable housing and infill within the city. Mr. McArthur testified that the applicant is proposing individual lots or condominiums to create ownership opportunities if the special use is approved. Further that the proposal meets the requirements identified in the Cottage Home and Tiny Home code proposals and meets or exceeds the criteria for the approval of the special use permit. Mr. McArthur testified that the proposal will extend Terra Street all the way at this time, as opposed to phasing that extension.

The hearing was opened for public comment.

Maggie Lyons: In Favor

Ms. Lyons testified that the proposal hits the target for homes priced in the range for local workers and could be used as an example for what is possible for other developers.

Kirsten Fritz: In Favor

Ms. Fritz testified 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: In Favor

Mr. Mentee testified that he supports the proposal if there are deed restrictions, so this is for more affordable housing, not more rentals.

Peter Xhado: Neutral

Mr. Xhado testified his concerns the city may not be ready for the volume of development the city is experiencing currently.

Deliberations: After the public hearing was complete, the hearing was closed. 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 approval criteria contained in Post Falls Municipal Code ("PFMC") § 18.20.070.

The Commission discussed the importance of affordable housing that supports home ownership.

C. EVALUATION OF APPROVAL CRITERIA:

C1. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.

Based on the testimony supplied and the staff report, the Commission finds that the proposed use allowing for cottage and tiny homes as single-family residential uses conforms to the residential purposes of the R1 zone.

C2. 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.

The Commission finds that the proposed use is permitted in the Land Use Table as a special use, is compatible and that the applicant has met all relevant laws and no testimony to the contrary was presented.

C3. 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.

The Commission having reviewed the Special Use Permit application in light of this Criterion, finds that the testimony and evidence provided that the proposed uses as single-family residential units when viewed against the surrounding residential uses and zoning designations does not adversely affect the health, safety, and welfare of the public. The Commission finds that the proposal does not create adverse impacts to the existing transportation system or public services.

C4. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

The Commission finds that the proposal meets the following goals and policies of the Comprehensive Plan:

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 proposal helps create diverse affordable attainable housing products which assist in diversifying housing choices and supporting the community needs.

Goal 15: *Maintain and improve the City's water and sewer infrastructure, anticipating future needs regarding population and regulatory conditions.*

The proposal supports the extension and improvement of wastewater infrastructure to adjoining areas otherwise not served by city services.

Policy 8: *Encourage compatible infill development and redevelopment of vacant and underutilized properties within City limits.*

This proposal allows for development of an un-utilized infill parcel within the city and will offer some relief to the housing concerns and inventory.

D. ACTIONS THAT THE APPLICANT CAN TAKE TO GAIN APPROVAL.

Not applicable.

E. CONCLUSION

SUP-24-4: Based on the evidence in the record placed before the Commission, the testimony received at the properly noticed public hearing, it is the conclusion of the Commission that the requested Special Use Permit meets the standards of City Code, and the Idaho Local Land Use Planning Act, and is hereby approved subject to the applicant complying with the conditions contained in the Staff Report.

REASONED DECISION

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.

Anytime Archery
File No. SUP-24-5
Planning and Zoning Commission
Reasoned Decision

A. INTRODUCTION:

APPLICANT: Kevin Bunce o/b/o Douglass Properties

LOCATION: Lots 2 and 3 of Block 1 within the Expo at Post Falls 9th Addition

REQUEST: Special Use Permit to have an indoor archery range in the Community Commercial Services (CCS) zone.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Conceptual Plan
4. A-4 Vicinity Map
5. A-5 Owner Authorization
6. S-1 Vicinity Map
7. S-2 Zoning Map
8. S-3 Future Land Use Map
9. Exhibit PA-1PFSD Comments
10. Exhibit PA-2KCFR Comments
11. Exhibit PA-3YPL Comments
12. Exhibit PA-4PFPD Comments
13. Exhibit PA-5PFHD Comments
14. Exhibit PC-1 Wickstrom Comments
15. Exhibit PC-2 Fletcher Comments
16. Exhibit PC-3 Schreiber Comments
17. Exhibit PC-4 Berdan Comments
18. Exhibit PC-5 O'Hare Comments
19. Exhibit PC-6 McElderry Comments
20. Exhibit PC-7 Carey Comments
21. P&Z Staff Report
22. Testimony at the August 13, 2024, Planning and Zoning public hearing:

The public hearing was noticed correctly and conducted under the requirements of Idaho Code §§ 67-6512 and 67-6509, and Post Falls Municipal Code (PFMC) § 18.20.060. The purpose of the hearing was to allow the Applicant and the public to provide testimony and documentation to the Planning and Zoning Commission in application of PFMC § 18.20.070B.

Ethan Porter, Associate Planner

Mr. Porter presented the staff report and testified that the applicant is requesting a Special Use Permit to allow an indoor archery range in the Community Commercial Services (CCS) zone. This use is requested for Lots 2 and 3 of Block 1 within the Expo at Post Falls 9th Addition within two (2) existing large buildings, located on approximately 8.68-acres. The project is located on the southside of W.

Expo Parkway between N. Beck Road and W. Jacklin Road.

Adjacent to the east is a storage facility business currently being developed and I-90 lies to the south. Directly west of the subject site is the Amelia Apartments phase II, which is currently being constructed. Woodbridge South Subdivision is located north of the subject property separated by Expo Parkway. Water and sewer service is provided by the city and the existing roadway has capacity to serve the requested use.

East and west and adjacent of the subject site is zoned as Community Commercial Services (CCS) zoning and north is Residential (R-1). Mr. Porter noted goal 7 and policies 58 and 86 of the Comprehensive Plan could support the application.

Chris Schreiber, on behalf of Kevin Bunce the Applicant/Owner

Mr. Schreiber on behalf of Kevin Bunce testified that the proposal conforms with the purpose and intent of the CCS zone and that the proposed use is an allowed use with a special use permit. Mr. Schreiber testified that the CCS zone supports uses that include retail sales or performance of consumer services and permits a variety of retail, professional, or service businesses, including some manufacturing, technical, or other professional uses and that this use would have less of a negative impact than most of the allowable uses under the CCS zone. Further that it would offer the community a new opportunity for a healthy, physical, family-oriented activity year-round and has one of the lowest injury rates. Mr. Schreiber testified that the proposal is compatible with the neighborhood, provides a buffer to neighboring residential uses being that this use is a light intensity use. Mr. Schreiber testified that the proposal would generate little to no noise, odors, no hazmat concerns, and no commercial truck traffic. It will operate during normal business hours, and there will be no production of unusual or atypical light pollution. Though portions of the proposal will be available 24 hours a day, that component is member only access to one or two interior lanes in the facility with its own separate entrance, similar to a gym. The facility will be staffed with about 5 employees for about 5 to 10 customers during normal hours. Major events will be held on the weekend a couple of times of year involving around 100 people counting both contestants and participants.

The hearing was opened for public comment.

William Fletcher: Opposed

Mr. Fletcher testified that he was concerned there is not adequate on and off-site parking and increased traffic from the proposal would contribute to the high-speed raceway on Expo Parkway.

Chris Schreiber, Rebuttal

Mr. Schreiber provided additional testimony as to the amount of the parking available on-site and other paved portions was in compliance with the city's requirements for the requested use. Additionally, he testified that they anticipated weekend event use for events would be fairly regular but that parking would be adequate.

Deliberations: After the public hearing was complete, the hearing was closed. 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 approval criteria contained in Post Falls Municipal Code ("PFMC") § 18.20.070 B.

C. EVALUATION OF APPROVAL CRITERIA:

C1. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.

Based on the testimony supplied and the staff report, the Commission finds that the proposed use is consistent with the purpose of the CCS Zone which supports uses that include retail sales or performance of consumer services and permits a variety of retail, professional, or service businesses and that such use will not compromise other present uses.

C2. 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.

The Commission finds that the proposed use is permitted in the Land Use Table as a special use, is compatible and that the applicant has met all relevant laws and no testimony to the contrary was presented.

C3. 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.

The Commission, having reviewed the Special Use Permit application in light of this Criterion, finds that the testimony and evidence provided that the proposed project is compatible with surrounding land uses and does not adversely affect the health, safety and welfare of the public. While opposing testimony concerning parking and traffic was presented, the Commission determined that the proposal would not unduly impact traffic in the area, that testimony supported a finding that the proposed parking would be sufficient and that the proposed use was less impactful than other outright permitted uses in terms of odors and noise.

C4. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

The Commission finds that the proposal meets the following goals and policies of the Comprehensive Plan:

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 promoting new and different products by creating a new business opportunity which attract additional economic activity to the area. Further it encourages use of an otherwise empty building which helps grow the local economy.

Policy 58: *Provide a full range of recreational opportunities and park facilities to Post Falls residents.*

This proposal will create recreational opportunities for the community otherwise unfilled. An indoor archery range will provide a unique attractive use for the area and will be utilized.

D. ACTIONS THAT THE APPLICANT CAN TAKE TO GAIN APPROVAL.

Not applicable.

E. CONCLUSION

SUP-24-5: Based on the evidence in the record placed before the Commission, the testimony received at the properly noticed public hearing, it is the conclusion of the Commission that the requested Special Use Permit meets the standards of City Code, and the Idaho Local Land Use

REASONED DECISION

Planning Act, and is hereby approved subject to the applicant complying with any conditions contained in the Staff Report

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.

**CITY OF POST FALLS
STAFF REPORT**

DATE: AUGUST 29, 2024

TO: POST FALLS PLANNING AND ZONING COMMISSION

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

SUBJECT: STAFF REPORT FOR THE SEPTEMBER 10, 2024, P&Z COMMISSION MEETING
EARLY DAWN & ZORROS ANNEXATION ANNX-24-1

INTRODUCTION:

Todd Whipple, with Whipple Engineering is requesting, on behalf of Lanzce Douglass, the property owner, approval to annex approximately 9.63-acres into the City of Post Falls with a zoning request of Community Commercial Services (CCS) (Exhibit A-2). 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: Early Dawn & Zorros File No. ANNX-24-1

Owner(s): Lanzce Douglass, 1402 E Magnesium Rd. Suite 202, Spokane Valley, WA 99217

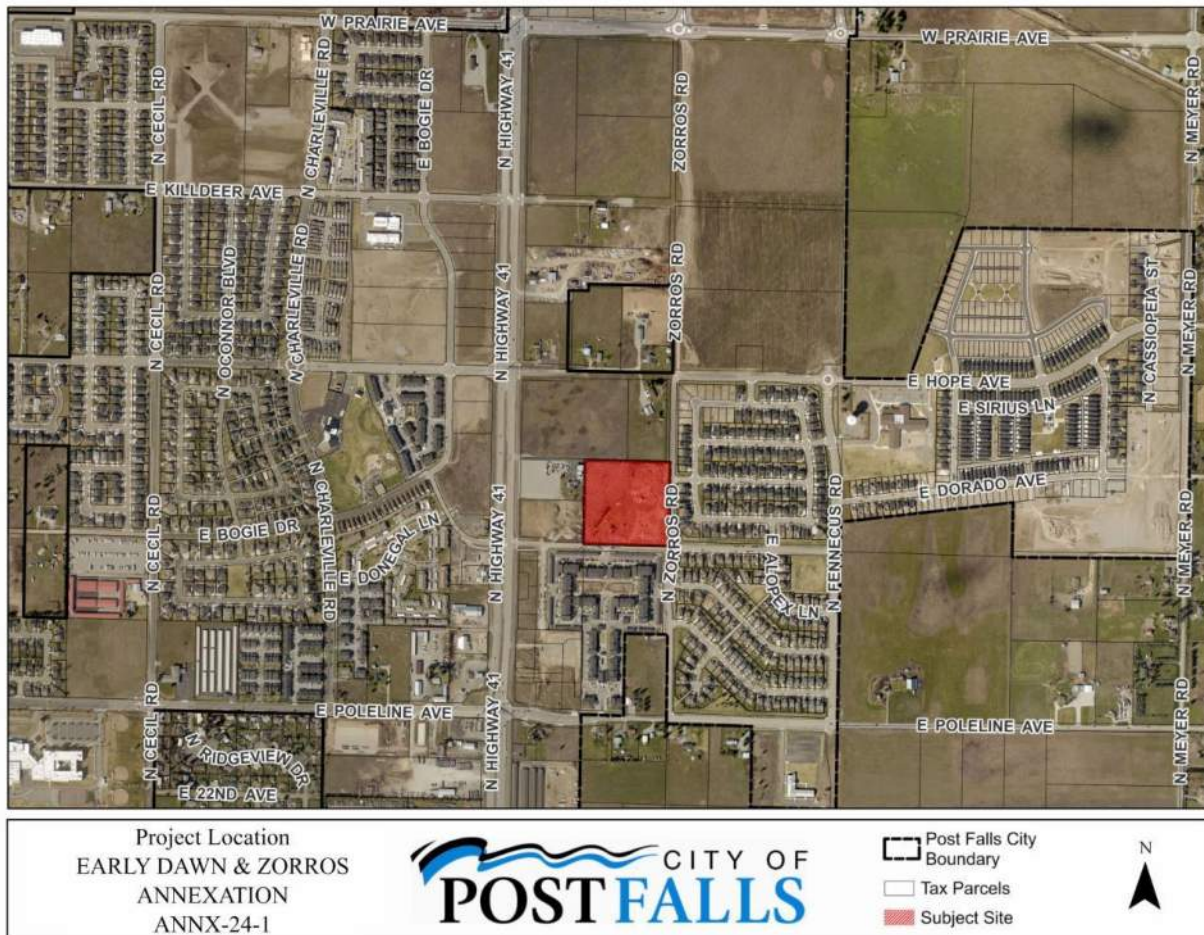
Applicant: Whipple Engineering, 21 S. Pines Road, Spokane Valley, WA 99206

Project Description: Annex 9.63-acres into the City of Post Falls with a zoning request of Community Commercial Services (CCS).

Project Location: The property is generally located northwest corner of E. Early Dawn Ave. and N. Zorros Rd.

AREA CONTEXT (proposed site hatched red below):

Area Context Vicinity Map



Surrounding Land Uses: Located to the north is a vacant lot and a large residential lot within the City of Post Falls. Across N. Zorros Rd. to the east is the single-family residential Foxtail Subdivision. To the south across E. Early Dawn Ave. is the Bluegrass Apartments. Directly west is the Early Dawn Commercial Center, which is currently under construction, and a large lot residential home.

EVALUATION OF ZONING APPROVAL CRITERIA:

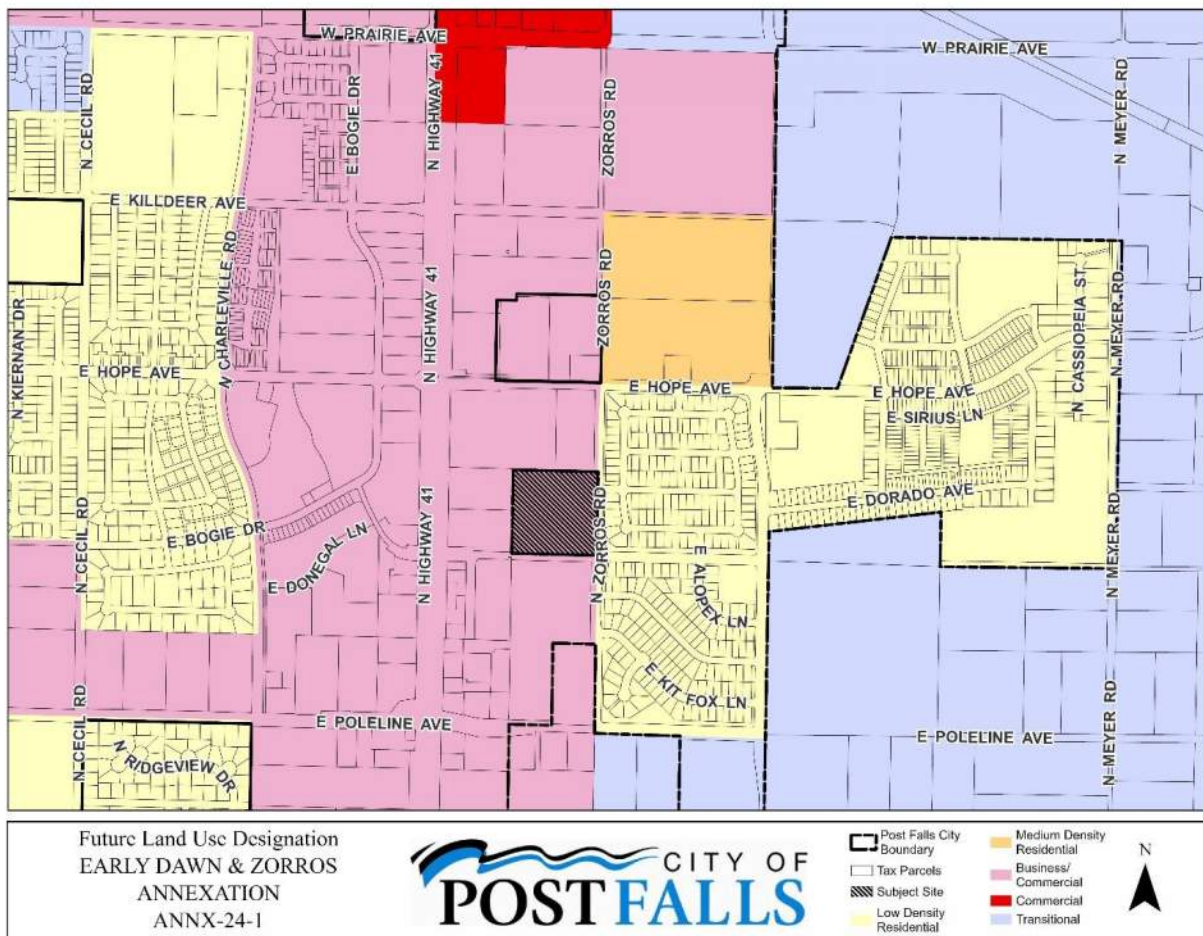
The following section provides the staff analysis pertaining to the Annexation Application and the establishment of zoning. The zone changes review criteria set forth within the Post Falls Municipal Code section 18.20.100 is cited below in **BOLD** with staff comments following. This review criteria 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 **Business/Commercial** (See Following Image). This category provides for a wide variety of general service, retail, professional office, light industrial, artisan manufacturing and mixed-uses that serve local and regional residents as well as the traveling public. This category promotes a mixture

of moderate/high density housing types within walking distance of the city center, neighborhood center and corridor commercial uses, as well as civic uses and other amenities within Post Falls. The implementing zoning district details the breadth and types of uses that would be permitted within the Business/Commercial area. Multifamily uses may also be integrated into Business/Commercial areas. Compatible non-residential uses are also allowed under special conditions. Technology park land uses that provides for a mix of light manufacturing, warehousing, business park, service commercial, and multifamily uses in areas with suitable land and transportation access that are buffered appropriately to residential and other uses typically seen as incompatible with technology park activities. The following are the Implementing Zoning Districts: LC, **CCS**, CCM, TM, R-2, R-3, SC4, SC5, Per Focus Area.



The proposed annexation is located within the 41 North Focus Area, which states the following:

The Highway 41 corridor promises to rival Seltice in terms of importance as a retail, mixed-use residential, and services district. The 2016 Highway 41 Corridor Master Plan calls for the creation of "collector" and "backage roads" parallel to 41 to aid the corridor's suitability for mixed-use development. These, the plan envisions, will allow regional retail, residential and service uses to coexist, reducing reliance on large parking lots with direct access to highway lanes and easing the transition between the highway and lower-intensity residential development expected to occur to the east and west. Residential development has been predominant in recent years, and with some forecasts estimating as many as 30,000 new residents in this area by 2040, it's a trend that's

likely to continue. Such growth is expected to spur commercial uses adjacent to the highway, especially at stop-controlled intersections. As with North Prairie, land values will pressure development to attract a range of residents, offering shared amenities, housing variety and neighborhood-scale services. To help enrich the future identity of 41 North, growth should include strategically located, carefully-designated land uses incorporating trails and an interconnected, walkable street network. Post Falls recently annexed additional lands for a planned technology park to be located near the northwest corner of Highway 41 and Prairie Avenue. This feature is expected to help diversify land uses and boost demand for commercial services.

The following items affirm or guide development of key policies for this area, or suggest future action items for the 41 North focus area:

- Focus provisions for multi-family, commercial, and tech uses near higher classified roadways;
- Development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail and SH41 Trail;
- Manage development patterns in the airport fly zone east of 41 and north of Prairie Avenue, coordinating with the 2018 Coeur d'Alene Airport Master Plan;
- Facilitate the creation of the "backage roads" system envisioned in the Highway 41 Corridor Master Plan, supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses;
- Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day

Staff Comment: The proposed Community Commercial Services (CCS) zone aligns with other zoning districts along the Highway 41 corridor and is an implementing zoning district within the future land use designation. The 41 North focus area descriptions reaffirms commercial zoning with its proximity to Highway 41 and its adjacent roadway classifications.

- 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 with a supportive housing stock within City limits.

Goal 2: Maintain and improve the provision of high-quality, affordable and efficient community services in Post Falls.

Municipalities exist to provide infrastructure and services that would be impossible for individuals to provide. While pooled resources make essential services achievable, they also require strong levels of coordination and management to assure accountability and efficiency.

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

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.

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, this plan supports the allocation of land use types, parks features and other areas sufficient to achieve overall plan objectives.

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 ratepayers 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 relating to parks, public safety, multi-modal, streets and Fire/EMS services.

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

Staff Comment: Additional commercial services, or amenities, for the public may help further long-term fiscal health of the City by supporting both the residents and other commercial uses by supporting employment and commerce objectives.

- Maintain and enhance resident quality of life.

Staff Comment: Annexing this property in the City may assist improving the resident's quality of life through further development. Being in a county island, the adjacent roadway would be dedicated for rights-of-way and frontage improvements to be constructed once developed. This would include improvements such as sidewalks, trees, swales and curbing as needed through the site plan review process. Future amenities or development could provide a service that is needed for the City of Post Falls and therefore help the residents to have access to the service.

- Promote compatible, well-designed development.

Staff Comment: Development will be required to meet City design standards through development and the permitting processes.

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

facility plans.

Staff Comment: Transportation impacts, 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 has been addressed in Criteria 1.

- Compatibility with surrounding land uses.

Staff Comment: Existing uses to the west and north are a mix of commercial and legal non-conforming single-family homes with a commercial zoning district. Early Dawn Commercial is being constructed and will align with any future commercial uses. Any special use permits in the future will be decided upon by the Planning and Zoning Commission. There are multi-family uses to the south across E. Early Dawn Avenue, which is allowed through a special use permit in the CCS zone. Single-family subdivision makes up the land uses across N. Zorros Road to the east. Once rights-of-ways are dedicated, the separation between the proposed site and the single-family subdivision will be approximately 80-feet.

- Infrastructure and service plans.

Staff Comment: Sanitary Sewer for the site is located along the property boundaries of Early Dawn Ave. and Zorros Rd. The requested zoning is in conformance with the land use assumptions within the City's Water Reclamation Master Plan. The current 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 Site is subject to the 12th Avenue Surcharge for sanitary sewer that supplements the development of sewer forcemains from the 12th Ave. Lift Station to the Water Reclamation Facility. The current surcharge (August 2024) is \$3,259.87 per Service Unit (SU). Surcharge rates are adjusted each year on October 1 by the Construction Cost Index published by the Engineering News Index. Sewer surcharges are collected at the time of site development at the rate currently in effect at the time of building permit application and with the issuance of building permits.

If the site connects into the sewer main in Zorros Rd., it would be additionally subject to the Meyer Line Surcharge. The Meyer Line Surcharge supplements the extension of a sewer transmission main along Horsehaven Ave. and Fennecus Road. The current surcharge (August 2024) is \$818.67 per Service Unit (SU). Surcharge rates are adjusted each year on October 1 by the Construction Cost Index published by the Engineering News Index. Sewer surcharges are collected based on the current fee in place at the time of site development with the issuance of building permits.

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

The Site is located within and currently provided water service from the Ross Point Water District.

- Existing and future traffic patterns.

Staff Comment: The property's boundary is adjacent to Early Dawn Ave. and Zorros Rd., both classified Minor Collector roadways. The site is ¼-mile east of a three-quarter access point to SH41 and ¼-mile north of Poleline Ave. Zorros Rd. is identified within the SH41 Corridor Master Plan and City Transportation Master Plan as part of a Backage roadway system intended to supplement local traffic movements parallel to SH41 and enhance long term capacity of SH41 for regional transportation. 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:

Early Dawn Ave. and Zorros Rd. – Minor Collectors, 80-foot road rights-of-way, as measured respectively from the existing southern and eastern rights-of-way lines thereof. Zorros Rd. would require an additional 10-foot sidewalk, drainage, and utility easement to be provided adjacent to the dedicated rights-of-way. Early Dawn Ave. would require an additional 15-foot sidewalk, drainage and utility easement to be provided adjacent to the dedicated rights-of-way.

The City's Transportation Master Plan identifies an 1/8-mile backage roadway between Early Dawn Ave. and Hope Ave. The purpose of the 1/8-mile backage roadway is to provide access and local circulation adjacent to the SH41 Corridor, while preserving the capacity and regional connectivity needs of the State Highway. The 1/8-mile backage roadway could be comprised of a local access roadway, private roadway or commercial drive that allows cross access between properties. No rights-of-way or easements for the 1/8-mile collector roadway would be required with annexation, as the final route location would be established with site development.

Dedication of rights-of-way and easements for the minor collector roadways, along with the future construction of required frontage improvements and the 1/8-mile backage roadway, with site development, will aid in facilitating the completion of necessary collector roadway improvements identified within the City's Transportation Master Plan to maintain adopted levels of service for transportation in the SH41 Corridor.

- 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 of this staff report.

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

Staff Comment: This site would be considered a compatible infill development area and within the exclusive tier of the Area City Impact. Having this approved to be incorporated into the City may help meeting this policy.

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

- Surrounded by incorporated areas.

Staff Comment: The site is currently within a County “island”.

- That have readily available service infrastructure and capacity.

Staff Comment: The City of Post Falls is the purveyor for Sanitary Sewer. Sanitary sewer infrastructure is located adjacent to the property in Early Dawn Ave. and Zorros Rd. The City has capacity and is willing to provide service to the site.

Sections of Early Dawn and Zorros Rd. currently provide connection from the site to SH41 and Poleline Ave. Sections of those roadways that are currently within the City of Post Falls boundary have been developed to City Standards. Dedications of rights-of-way and easement would aid in accommodating the completion of missing improvements within the county island section, aiding in maintaining desired roadway levels of service and accomplishing the goals of the City’s Transportation Master Plan and SH41 Corridor Master Plan.

- That support increased development intensity near the urban core.

Staff Comment: The location of the proposed annexation is not near the urban core, but is within proximity to a commercial corridor and this may, upon development, increase intensity to support the existing commercial uses along Highway 41.

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 and will be followed for this proposal.

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(s) and easement(s) would need to be provided as part of annexation. Annexation shall include all rights-of-way adjoining the site currently within the County.

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

Staff Comment: Upon the development of the site, frontage improvements will be required to be completed. This allows for continuity of pedestrian pathways along

N. Zorros Road and E. Early Dawn Avenue.

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: Upon the development of the site as a commercial project or as a subdivision, roadway and pedestrian improvements will be required to be completed. This allows for continuity of roadways and pedestrian pathways for both E. Early Dawn Avenue and N. Zorros Road.

Policy 45: Guide annexation decisions guided by and considering:

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

Staff Comment: Compliance with associated master plans has been outlined previously within this staff report. Schools and emergency services have been notified of this request and have been given the chance to comment on the request.

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

Staff Comment: Dedication of additional rights-of-way and associated easements have been previously addressed and will be 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. Per Idaho Code, no Interstate pipelines are located within 1,000 feet of the proposed annexation and subdivision. (Yellow Stone Pipeline is approximately 1,200 feet south of the subject properties southern boundary) 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. The site is subject to the 12th Ave. Surcharge. Existing capacity is not a guarantee of future service.

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

Staff Comment: The property is abutting the City of Post Falls on three (3) sides. Utilities are located adjacent to the property and capable of providing service to the property. The City of Post Falls currently maintains and operates the water and water reclamation facilities adjoining the site.

Rights-of-way of Early Dawn Ave. and Zorros Rd., adjacent to the site, are owned and maintained by the City of Post Falls. Annexation and development of the site facilitates the completion of urban transportation improvements that partially exist along the property's frontages.

Annexation of the property would create no net increase in the operational and maintenance costs of the adjoining City infrastructure.

- Comprehensive plan goals and policies.

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

Policy 71: Promote the planting and protection of trees citywide, helping.

Staff Comment: Frontage improvements associated with future development, including the planting of street trees and adequate irrigation, are required. Policy 71 will be met through these plans as existing trees are assessed and any new proposed trees to help identify the below bulleted items.

- Beautify and enhance community value.
- Provide shade and comfort.
- Affirm the city's association with the outdoors and its historic origins.
- Provide wildlife habitat.

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: There have been no identified "Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city" at this point in time.

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

PUBLIC AGENCY COMMENTS:

- Exhibit PA-1 Post Falls School District – Remains neutral
- Exhibit PA-2 Kootenai County Fire & Rescue – Will comment during permit process
- Exhibit PA-3 Yellowstone Pipeline Co. – No impact, no comment
- Exhibit PA-4 Post Falls Police Department – Remains neutral
- Exhibit PA-5 Post Falls Highway District – No comment

PUBLIC PROCESS: Notice of the proposed annexation was sent to appropriate jurisdictions on August 21, 2024 and mailed to property owners within 300 feet of the proposed project on August 16, 2024. Notice has been published in the Coeur d'Alene Press on August 20, 2024. The property was posted August 23, 2024.

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.

ITEMS TO BE CONSIDERED FOR INCLUSION IN AN ANNEXATION AGREEMENT: Should the Planning & Zoning Commission move to recommend approval; staff proposes the following conditions:

1. The Site is part of the 12th Ave. Sewer Surcharge area. Surcharges will be collected in the future, during site development, with the issuance of building permits at the rate in effect at the time of building permit application.
2. The Site will be part of the Meyer Line Surcharge area if it connects into the sewer main in Zorros Rd. Surcharges will be collected in the future, during site development, with the issuance of building permits at the rate in effect at the time of building permit application.
3. Existing structures are not required to connect to sanitary sewer until site development. Connection of existing structures to the sanitary sewer will require payment of appropriate connection fees, capacity fees and surcharge fees.
4. With future site development; the site will include and develop the portions of the 1/8-mile backage roadway upon the property, in conformance with the City's Transportation Master Plan
5. Dedications of rights-of-way and easements along N. Zorros Road as a Minor Collector. 80-foot rights-of-way, measured from the eastern rights-of-way, and including a 10-foot Sidewalk, Drainage and Utility Easement.
6. Dedications of rights-of-way and easements along E. Early Dawn Avenue as a Minor Collector. 80-foot rights-of-way, measured from the southern rights-of-way, and including a 15-foot Sidewalk, Drainage and Utility Easement.
7. 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.

ATTACHMENTS:

Applicant Exhibits:

Exhibit A-1	Annexation Application
Exhibit A-2	Narrative
Exhibit A-3	Vicinity Map
Exhibit A-4	Owner Authorization
Exhibit A-5	Will Serve Letter

Staff Exhibits:

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

Testimony:

Exhibit PA-1	PFSD Comments
Exhibit PA-2	KCFR Comments
Exhibit PA-3	YPL Comments
Exhibit PA-4	PFPD Comments
Exhibit PA-5	PFHD Comments
Exhibit PC-1	Williams Comments

Annexation

ANNX-24-1

Submitted On: May 28, 2024

Applicant

 Austin Fuller
 5098932617
 afuller@whipplece.com

Primary Location

Point Location: 47.7342, -116.8895

Application Information

Did an Annexation Pre-app take place?

No

Applicant Type

Engineer

Description of Project/Reason for Request

The project site is a County island surrounded by urban zoning and adjacent to urban levels of development.

Existing Zoning

Agricultural

Adjacent Zoning

CCS, R-1

Current Land Use

Border

Adjacent Land Use

Business/Commercial

Proposed Zone

CCS

Owner Information

Name

Douglass Properties Llc

Company

--

Phone

509.893.2617

Email

lanzce@irentspokane.com

Address

1402 E Magnesium Rd. STE 202

City, State, Zip Code

Spokane Wa 99217

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



Whipple Consulting Engineers, Inc.

WCE No. 23-3546

May 10, 2024

Post Falls Planning and Zoning Commission
C.O.: Jon Manley, Planning Manager
408 N. Spokane Street
Post Falls, ID 83854

Re: City of Post Falls
Early Dawn & Zorros – Annexation Narrative

To whom it may concern:

This letter is intended to serve as a written narrative for a proposed annexation of parcel 0-6360-30-042-AA, AIN 192891 (Early Dawn Property) on 4171 E. Early Dawn Avenue into the City of Post Falls. This letter discusses zoning information, how the proposal relates to the City of Post Falls Annexation Goals and Policies Future Land Use Plans, and any impact the proposal would have on City services.

Site Description

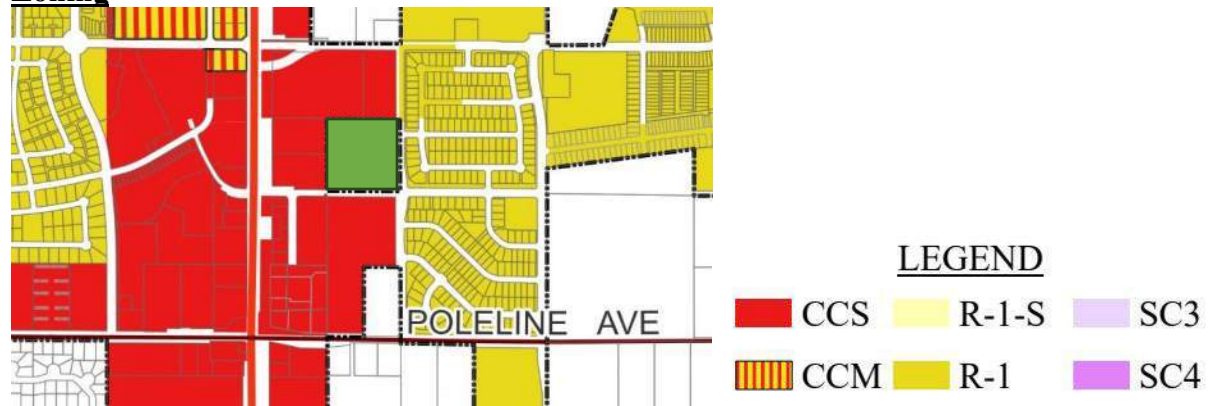
This annexation application is in regards to the subject property located in the Agriculture Zone in Kootenai County, Idaho in Section 30, Township 51 North, Range 4 West, B.M. The City of Post Falls Future Land Use Map designates the property for annexation as Business/Commercial. The Early Dawn Property is one approximately 9.67-acre rectangular parcel, listed as Kootenai County tax parcel number 0-6360-30-042-AA. The Early Dawn Property has frontage on Corsac Fox Avenue to the northeast, Zorros Road to the east, and Early Dawn Avenue/North Market to the south.



In 2020, the previous owner of the Early Dawn Property applied for annexation into the City with a zoning request of High-Density Multi-Family Residential (R-3). This application was supported by City Staff and the staff report was generally in favor of the proposed annexation. This annexation was denied by City Council in part due to the developing Highway 41, which was completed in 2022.

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Zoning



The site is currently located in the Kootenai County Agricultural Zone and is also located in the Border designation of the Kootenai County Comprehensive Plan.

Surrounding properties already annexed into the City of Post Falls include CCS zones to the north, south, and west, which are used for retail sales or performance of consumer services. The CCS zone is typically located in areas adjacent to major transportation corridors such as the I-90 corridor, Seltice Way and Highway 41. To the east of the site is zoned R-1 for single-family residences.

City Annexation Code Review

Per PPMC 18.16.010 and 18.20.100(C) and (D), the zone change approval criteria in the City of Post Falls has six requirements, listed below as A through D. The annexation of this property meets the requirements in the following ways:

A. Is the proposed zoning district consistent with the future land Use map and focus area contained in the currently adopted Post Falls Comprehensive Plan?

We ask that the parcel be annexed into the CCS zone in keeping with adjacent land uses to the north, south and west. CCS zoning is supported by the Comprehensive Plan in the Future Land Use Map which designates the site as business/commercial.

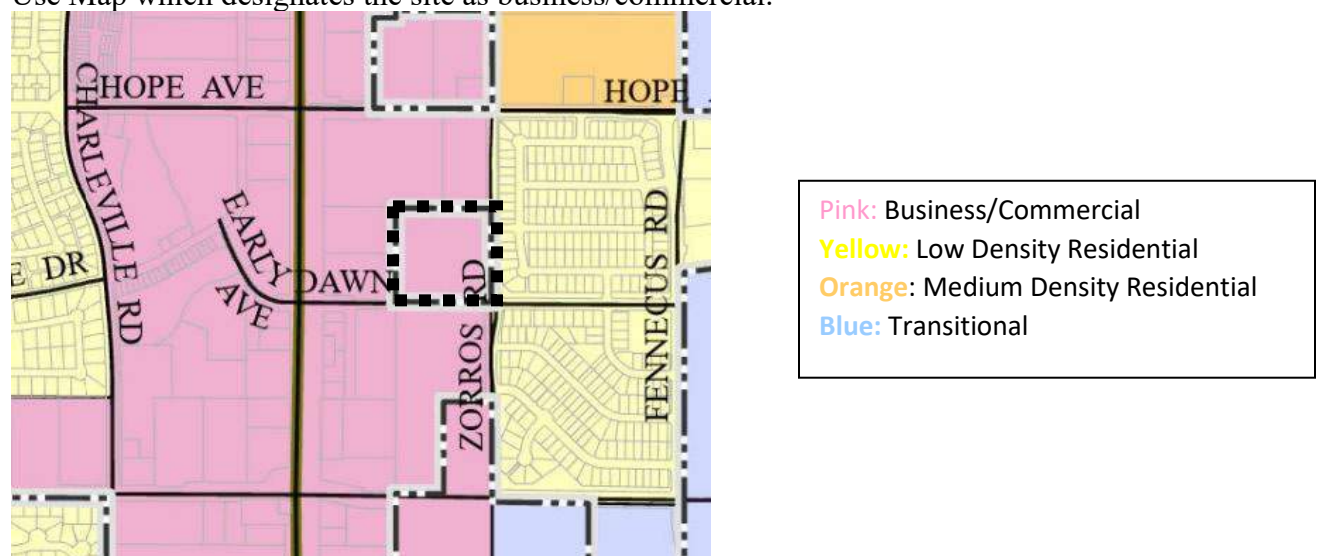


Figure 2: figure 2.03, page 37 of the Comprehensive Plan

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B. 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?

This proposed annexation meets the Comprehensive Plan goals and policies in the following ways:

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.

This goal is met through the following policies:

P.09 – Encourage annexation of County “islands” within the City, with priority given to areas: surrounded by incorporated areas; that have readily-available service infrastructure and capacity; that support increased development intensity near the urban core.

The Early Dawn Property is currently an island of County Agricultural Zoning surrounded on three sides by the City CCS and one side by the City R-1 zones. Incorporation of this parcel into the CCS zone would remove the County island.

P.14 – Follow all annexation procedures established by Idaho State statutes and applicable City ordinances.

This proposal will follow all annexation procedures established by Idaho State statutes or applicable City ordinances. Idaho State Statutes are listed below, and applicable city ordinances under PFMC 18.20.10(C) and (D) are itemized as part of this narrative.

Idaho Statutes Section 50-222. Annexation by Cities

(2) General authority. Cities have the authority to annex land into a city upon compliance with the procedures required in this section. In any annexation proceeding, all portions of highways lying wholly or partially within an area to be annexed shall be included within the area annexed unless expressly agreed between the annexing city and the governing board of the highway agency providing road maintenance at the time of annexation. Provided further, that said city council shall not have the power to declare such land, lots or blocks a part of said city if they will be connected to such city only by a shoestring or strip of land which comprises a railroad or highway right-of-way.

This section of code grants the City of Post Falls the authority to annex land into a city.

(3) Annexation classifications. Annexations shall be classified and processed according to the standards for each respective category set forth herein. The three (3) categories of annexation are:

(a) Category A: Annexations wherein:

(i) All private landowners have consented to annexation. Annexation where all landowners have consented may extend beyond the city area of impact provided that the land is contiguous to the city and that the comprehensive plan includes the area of annexation;

The property owner has consented to annexation of this property, the property to be annexed is contiguous to the city, and the comprehensive plan includes the area of annexation.

May 10, 2024

(ii) Any residential enclaved lands of less than one hundred (100) privately owned parcels, irrespective of surface area, which are surrounded on all sides by land within a city or which are bounded on all sides by lands within a city and by the boundary of the city's area of impact; or

This section does not apply, as the application is allowed under subsection (i).

(iii) The lands are those for which owner approval must be given pursuant to subsection (5)(b)(v) of this section.

This section does not apply, as the application is allowed under subsection (i).

(5) Annexation procedures. Annexation of lands into a city shall follow the procedures applicable to the category of lands as established by this section. The implementation of any annexation proposal wherein the city council determines that annexation is appropriate shall be concluded with the passage of an ordinance of annexation.

(a) Procedures for category A annexations: Lands lying contiguous or adjacent to any city in the state of Idaho may be annexed by the city if the proposed annexation meets the requirements of category A. Upon determining that a proposed annexation meets such requirements, a city may initiate the planning and zoning procedures set forth in chapter 65, title 67, Idaho Code, to establish the comprehensive planning policies, where necessary, and zoning classification of the lands to be annexed.

This subsection allows the City of Post Falls to initiate the planning and zoning procedures for annexation.

67-6525. PLAN AND ZONING ORDINANCE CHANGES UPON ANNEXATION OF UNINCORPORATED AREA. Prior to annexation of an unincorporated area, a city council shall request and receive a recommendation from the planning and zoning commission, or the planning commission and the zoning commission, on the proposed plan and zoning ordinance changes for the unincorporated area. Each commission and the city council shall follow the notice and hearing procedures provided in section 67-6509, Idaho Code. Concurrently or immediately following the adoption of an ordinance of annexation, the city council shall amend the plan and zoning ordinance.

This project will be presented to the planning and zoning commission before being presented to city council for adoption of the annexation.

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

Significant transportation infrastructure already exists adjacent to the subject property. A future development of either site may require improvements to existing roads or construction of new roads, as well as frontage to Poleline and Zorros to complete these streets at this area.

P.44 – Annexation should leverage existing capital facilities, with minimal need for expansion or duplication of facilities.

As the parcel has developed or developing land surrounding it, no significant extensions would be required.

P.46 – Mitigate impacts of annexation through the use of service agreements and/or development intensities that minimize City fiscal impacts.

The developer of this property would be responsible for installation of utilities and public road improvements along the perimeter of the property. With any future project, the developer would also be responsible for impact fees, permit fees, hookup fees, etc. to mitigate.

C. 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 parcel is within the future land use map of the City of Post Falls. As the parcel is surrounded by City of Post Falls annexed properties, all City services are already available. Any impact on City services from a future project should not impact services beyond an acceptable level. A will-serve letter from Ross Point Irrigation District was submitted along with the application.

D. Is annexation of the property in the best interest of the city (Legislative Decision)?

Annexation of the subject property will provide additional opportunities for development within the CCS Zone. The following items have been considered as part of annexation:

1. Street classification: per the transportation layer on the Post Falls GIS (figure 3), the Early Dawn Property is adjacent to E. Early Dawn Avenue/North Market to the south and N. Zorros Road to the east, both minor collectors. Additionally, to the west is the proposed SH41 1/8th Mile Backage Road, which is not adjacent and for which no Right of Way, to our knowledge has been acquired. Further west is the N. Highway 41 principal arterial.



Figure 3: Post Falls GIS transportation layer, subject property in green.

May 10, 2024

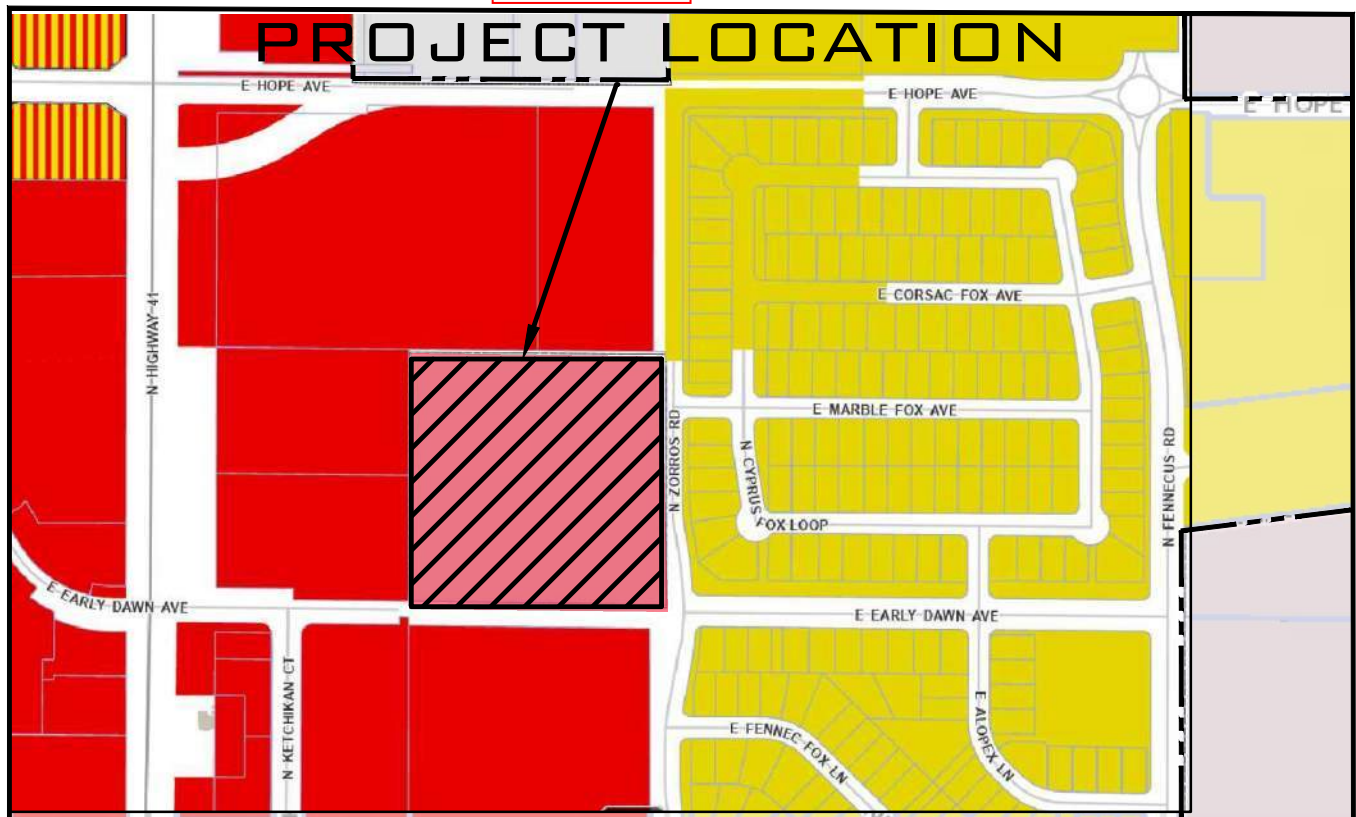
2. Traffic patterns: The parcel is anticipated to utilize Highway 41 at the existing I-90 interchange that is currently being improved by ITD. Access to the parcel from Highway 41 can be through either Hope Avenue or Poleline Avenue, which are existing signalized intersections. Early Dawn Avenue/North Market is proposed to have a $\frac{3}{4}$ movement intersection.
3. Existing development:
 - a. To the south of the Early Dawn Property lies the existing Bluegrass Apartments.
 - b. To the east of the property is an existing subdivision, Foxtail 1st Addition.
 - c. To the west, across HWY 41, is existing commercial and apartment developments: Park Villas, Expressions School of Performing Arts and Tullamore Commons.
4. Future land uses: The future land use of the parcel is Business/Commercial, which is in line with the proposed CCS zone.
5. Community plans: This parcel lies within Focus Area 41 North, which places importance on retail, mixed-use residential and services as well as multi-family and tech uses. It calls for the creation of collector roads parallel to HWY 41 with the purpose of aiding mixed-use development. A primary goal of the community plan for Focus Area 41 North is to place commercial uses along arterial and collector streets.
6. Geographic or natural features: The property is flat, which is appropriate for commercial zoning due to larger building footprints which would require substantial grading to accommodate otherwise.

If you have any questions or comments regarding this letter, please feel free to contact us at (509) 893-2617

Thank you,

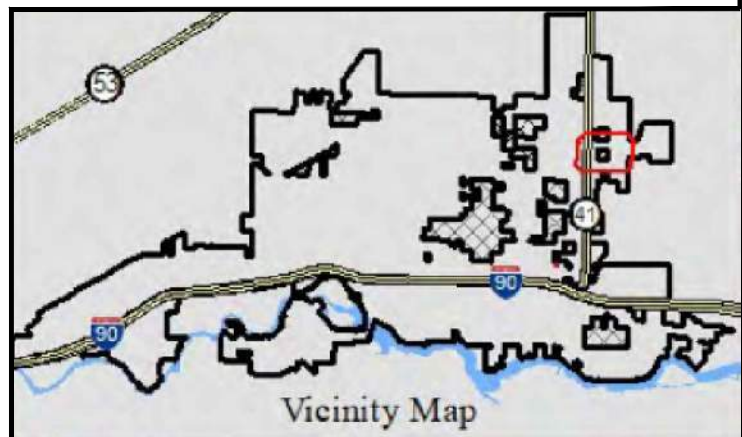
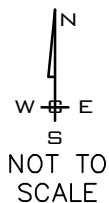
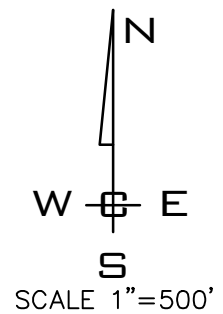


Todd R. Whipple, P.E.
President, Whipple Consulting Engineers, Inc.



LEGEND:

- KOOTENAI COUNTY AGRICULTURAL ZONE
- CITY OF POST FALLS CCS ZONE
- CITY OF POST FALLS R1 ZONE
- PROPOSED SITE
- POST FALLS CITY BOUNDARY



PROJ #: 20-2796
DATE: 12/15/21
DRAWN: JED
APPROVED: TRW

**CITY OF POST FALLS ANNEXATION APPLICATION
DOUGALSS ANNEXATION
4171 EAST EARLY DAWN AVENUE
POST FALLS, IDAHO**

WCE
WHIPPLE CONSULTING ENGINEERS
CIVIL AND TRANSPORTATION ENGINEERING
21 S. PINES ROAD
SPOKANE VALLEY, WASHINGTON 99206
PH: 509-893-2617 FAX: 509-926-0227

FIGURE 2

**PROPOSED JURISDICTION
AND ZONING**



Lanzce G. Douglass

CONSTRUCTION / PROPERTIES / DEVELOPMENT

May 6, 2024

City of Post Falls Planning Division
Attn: Ethan Porter, Associate Planner
1st Floor of City Hall
408 N. Spokane St.
Post Falls, ID 83854

**Re: Authorization Letter
Early Dawn & Zorros Annexation**

Dear Mr. Porter:

Douglass Properties, LLC hereby authorizes Whipple Consulting Engineers to act on its behalf for the Early Dawn and Zorros Annexation on Kootenai County parcel number 0-6360-30-042-AA.

Thank you,

A handwritten signature in blue ink that reads "Lanzce G. Douglass". The signature is written in a cursive, flowing style.

Lanzce G. Douglass, member
Douglass Properties, LLC

ROSS POINT WATER DISTRICT

April 26, 2024

TO: Bill Melvin, P.E.
City Engineer, City of Post Falls
408 Spokane Street
Post Falls ID 83854

RE: UPDATED WILL SERVE LETTER FOR: DOUGLASS PROPERTIES, parcel #0-6360-30-042-AA
on 4171 Early Dawn Ave

Dear Mr. Melvin:

Ross Point Water District has reviewed the preliminary plans for on-site improvements for the above referenced project and found them to be acceptable. We will need to review the completed construction plans before we can give final approval of the water system.

Ross Point Water District's Consulting Engineer, Whipple Consulting Engineers, Inc., have completed a study, which analyses the impact the proposed subdivision will have on our water supply and distribution system. The study identifies improvements that if made by the Developer, will allow the District to provide service to the subject project and maintain the existing level of service in the Ross Point Water District.

This letter is to advise you that Ross Point Water District is willing and able to provide water service to the proposed Douglass Properties Project, to the extent of its readily available capacity if the following prerequisites are met:

Additional requirements include:

1. Annexation of the subdivision into the Ross Point Water District service area, if applicable.
2. Satisfactory completion and dedication of approved on-site and off-site water system improvements.
3. Payment of all applicable fees and charges.
4. Compliance with all Ross Point Water District policies, rules and regulations.
5. Transfer of all water rights associated with project property, if applicable.
6. The Applicant must petition to annex into the District, and such annexation must be approved by the District's Board at a properly noticed public hearing.
7. All cost associated with the annexation process will be covered by the applicant.
8. The Applicant must agree to be bound by the terms and conditions set by the Board if annexation is granted.

If work on the project is not begun within one year this "Will Serve" letter becomes void. If you have any questions, please feel free to contact the District.

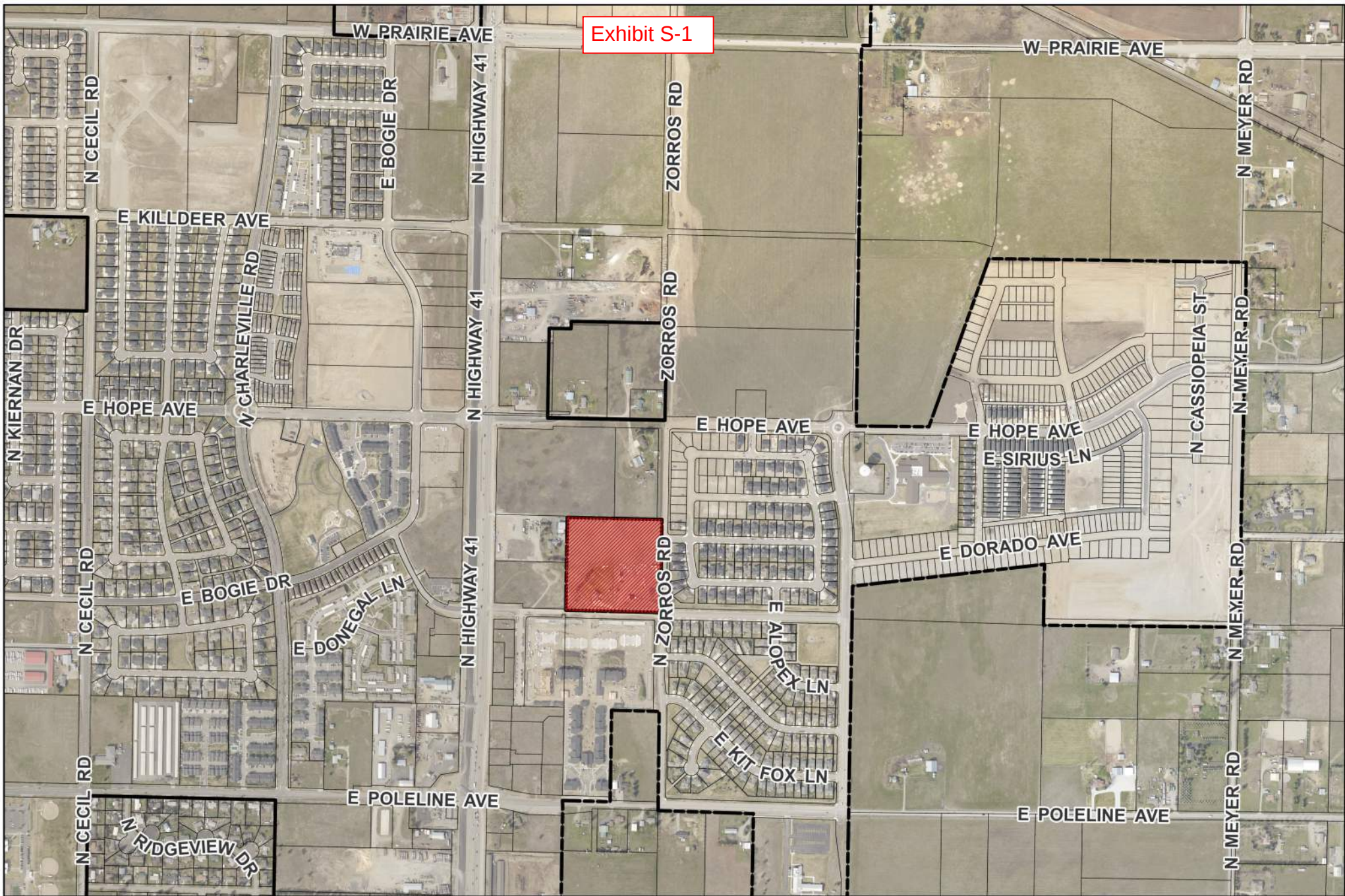
Sincerely,



Christine Waller
Ross Point Water District

Cc: Ray Kimball, Whipple Consulting Engineers, Inc.
Idaho Department of Quality
Panhandle Health District
Austin Fuller, Whipple Consulting Engineers, Inc.



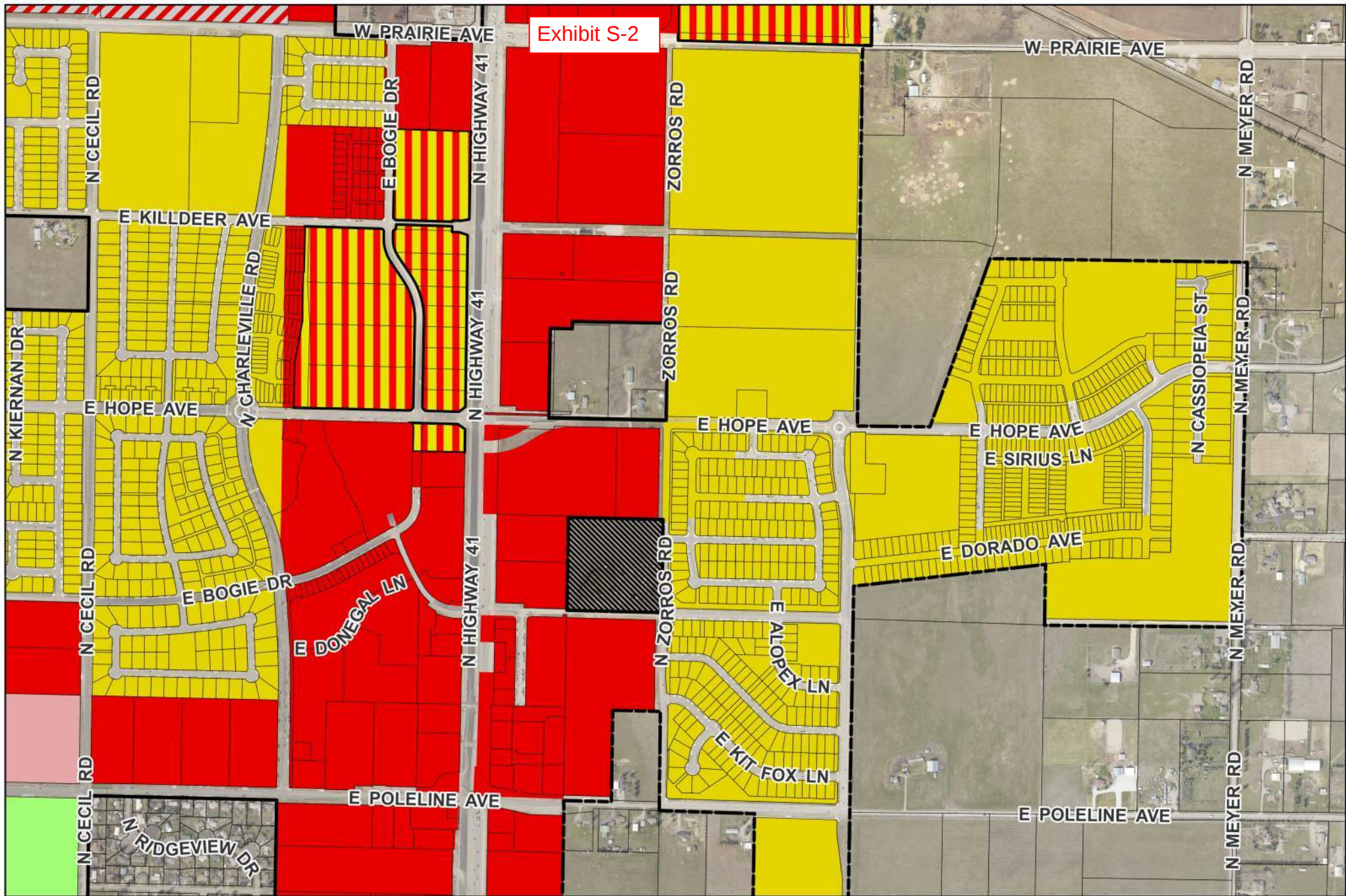


Project Location
EARLY DAWN & ZORROS
ANNEXATION
ANNX-24-1



-  Post Falls City Boundary
-  Tax Parcels
-  Subject Site



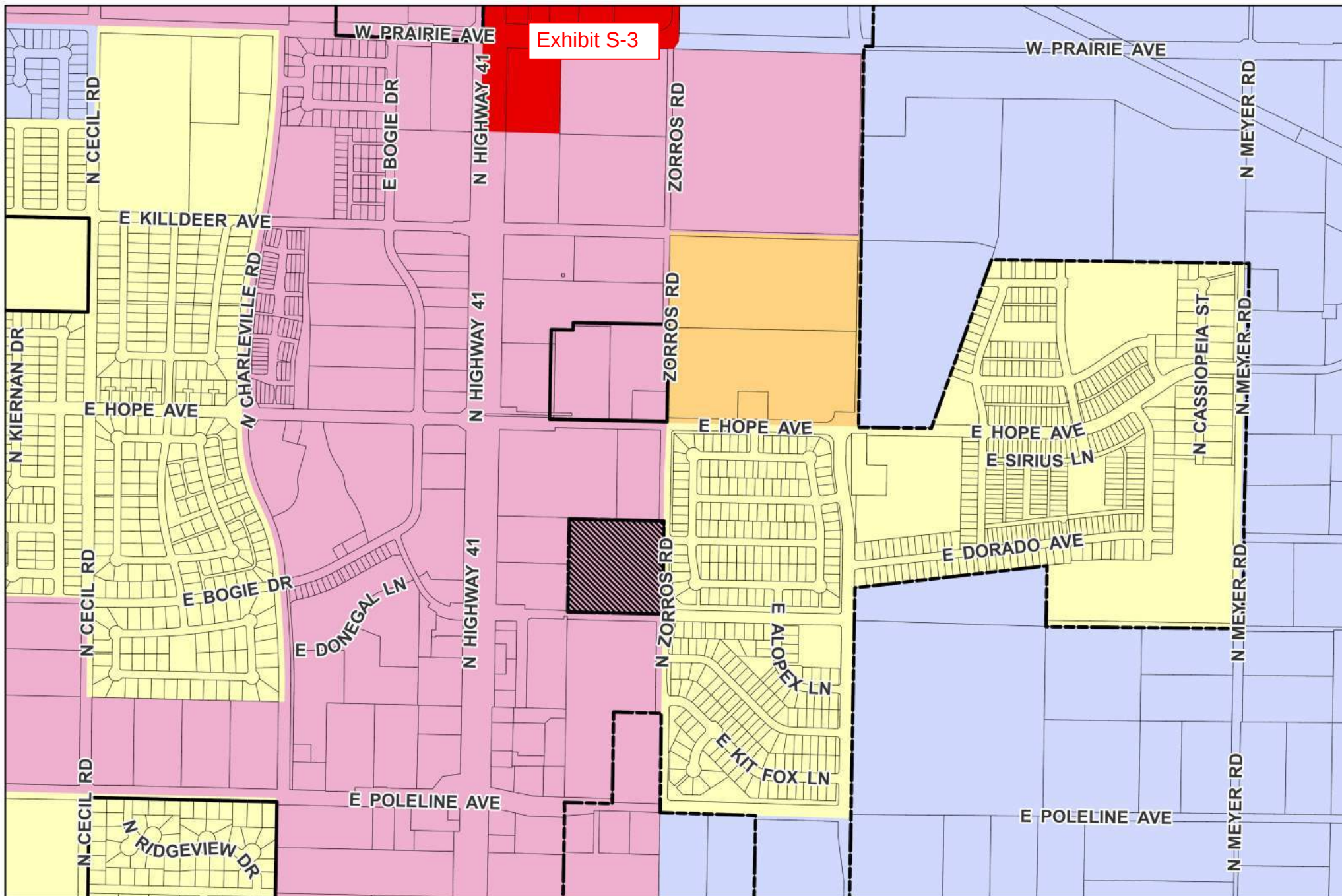


Zoning Map
EARLY DAWN & ZORROS
ANNEXATION
ANNX-24-1



- Post Falls City Boundary
- Tax Parcels
- Subject Site
- CCM
- CCS
- TM
- LC
- R-1
- PR





Future Land Use Designation
EARLY DAWN & ZORROS
ANNEXATION
ANNX-24-1



- Post Falls City Boundary
- Tax Parcels
- Subject Site
- Low Density Residential

- Medium Density Residential
- Business/Commercial
- Commercial
- Transitional





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.

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

Kootenai County Fire & Rescue

Fire Marshal's Office

5271 E. Seltice Way
Post Falls, ID 83854
Tel: 208-777-8500
Fax: 208-777-1569
www.kootenaifire.com

January 18, 2024

Nancy Thurwachter
Planning Administrative Specialist
nthurwachter@postfalls.gov

RE: Notice to Jurisdiction Response

Nancy,

Please use the following as a standard response for Kootenai County Fire & Rescue on all applicable Notice to Jurisdiction notifications.

"Kootenai County Fire & Rescue (KCFR) participates in partnership with the City of Post Falls throughout the review and permitting process to include but not limited to the following: City annexations, zoning issues, comprehensive plan development, subdivision development, site plan approval and building construction code compliance. KCFR reserves all fire code related comments for that process."

Respectfully,



Jeryl Archer II
Kootenai County Fire & Rescue
Division Chief
Fire Marshal

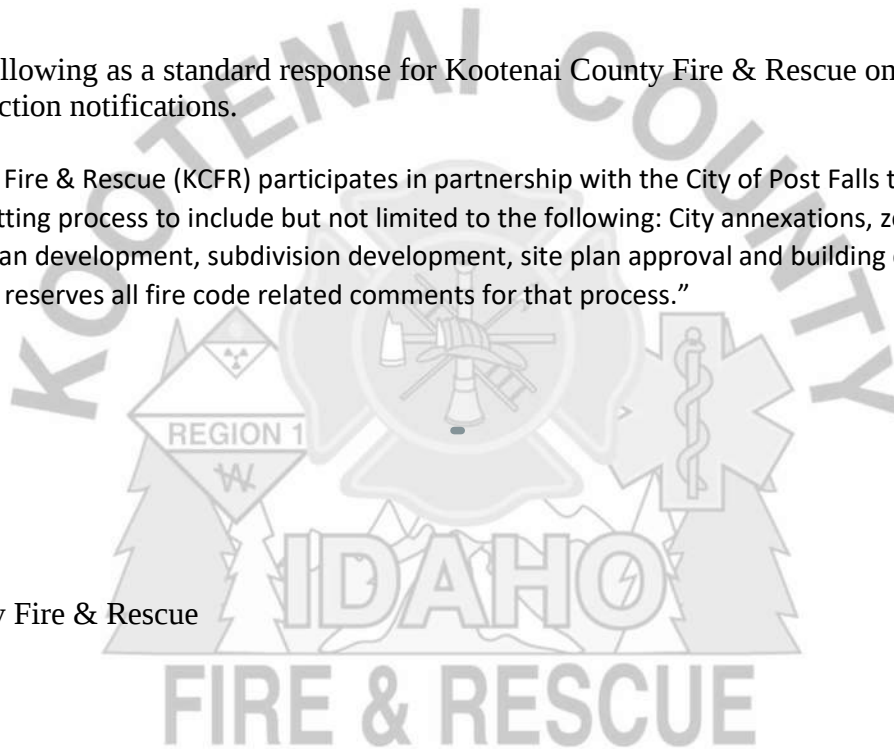


Exhibit PA-3

From: [Polak, Chad M](#)
To: [Nancy Thurwachter](#)
Subject: FW: Notice to Jurisdiction - Early Dawn & Zorros Annexation File No. ANNX-24-1
Date: Wednesday, August 21, 2024 11:05:29 AM
Attachments: [image001.png](#)
[Exhibit PH-2 NTJ_Early Dawn & Zorros_PZ.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,

No impact to the P66 ROW and we do not have any concerns.

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: Wednesday, August 21, 2024 11:36 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>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; 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>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; 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@hbkengeering.com>; PFPD Admin <admin@postfallspolice.gov>; 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>; Tess Reasor <tess@connectkootenai.org>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>

Cc: Anna Staal <astaal@postfalls.gov>; Bobby Wilhelm <bobby@bobbywilhelm.com>; Christopher Gabbert <cgabbert@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>; 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>; Ross Schlotthauer <ross@burlyproducts.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stephanie Herman <sherman@postfalls.gov>; Tisha Gallop <tgallp@postfalls.gov>; Vicky Jo Carey <vjcarey@aol.com>; Wade Meyer <wmeyer@postfalls.gov>; Warren Wilson <wwilson@postfalls.gov>

Subject: [EXTERNAL]Notice to Jurisdiction - Early Dawn & Zorros Annexation File No. ANNX-24-1

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Please find attached the Notice to Jurisdictions for the Early Dawn & Zorros Annexation File No. ANNX-24-1 that is scheduled for the Planning and Zoning meeting on September 10, 2024. The draft staff report will be on the city's website shortly.

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.



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

August 21st, 2024

Nancy Thurwachter
Planning Administrative Specialist
nthurwachter@postfalls.gov

Re: Early Dawn & Zorros Annexation File No. ANNX-24-1

The Police Department has reviewed the above listed annexation/zone change request and will remain Neutral. The department will provide further comment during the development process. 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

From: [Jonie Anderson](#)
To: [Nancy Thurwachter](#)
Subject: RE: Notice to Jurisdiction - Early Dawn & Zorros Annexation File No. ANNX-24-1
Date: Thursday, August 22, 2024 12:28:44 PM
Attachments: [image003.png](#)

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 Post Falls Highway District has no comment.

Regards,
Jonie

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: Wednesday, August 21, 2024 10:36 AM
To: Ali Marenau <AMarienu@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>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; 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>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; 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>; 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>; Tess Reasor <tess@connectkootenai.org>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@ZiPLY.com>; URA <postfallsura@gmail.com>

Cc: Anna Staal <astaal@postfalls.gov>; Bobby Wilhelm <bobby@bobbywilhelm.com>; Christopher Gabbert <cgabbert@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>; 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>; Ross Schlotthauer <ross@burlyproducts.com>; 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 Jurisdiction - Early Dawn & Zorros Annexation File No. ANNX-24-1

Please find attached the Notice to Jurisdictions for the Early Dawn & Zorros Annexation File No. ANNX-24-1 that is scheduled for the Planning and Zoning meeting on September 10, 2024. The draft staff report will be on the city's website shortly.

Nancy Thurwachter

Planning Administrative Specialist

408 N. Spokane Street

Post Falls, ID 83854

(208) 457-3338



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From: [Jeffrey Williams](#)
To: [Public Hearing Notice](#)
Subject: Formal Comments for public hearing
Date: Tuesday, August 27, 2024 10:44:18 PM

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.

Re: Early Dawn & Zorros
File# ANNX-24-1

My name is Jeffrey Williams, I am a home owner within 300 feet of the proposed zoning request.

I'd like to state that I understand growth & that building will take place, however, I'd ask that the city officials representing myself and the other citizens taken into account several important factors before allowing any change to take place regards to the zoning of this and other properties.

Growth is happening at an exponential rate & we as residents of post falls would like to see our lives and home values taken into account by our representatives.

I understand the need for low income housing, and for commercial services, I also understand the plan to keep higher density housing & commercial/retail nearest to main traffic arteries (hwy 41), BUT we as homeowners would like you to take into account that when we already have several low income housing options to the SW & East of us within a very short distance this not only blocks our views that we paid high cost for but also isn't necessary within such a short distance.

Low income & multi family housing statistically & historically increases crime rates by simple population density placing an increased safety risk for simple and complex crime, to surround our single family residence's increases crime rates and is just one of several factors that decrease home values (ours)!

Let's make the area more beautiful, not more apartments please!

In a personal note, we sold our last (first home) due to the city allowing the rezoning & building of a 3 story multifamily apartment complex that blocked our west/sunset view and highly decreased our property value, we again face the exact same concern again now, this is heartbreaking as we may need to sell again, when does it stop, can't the Re zoning be done with class, upscale retail perhaps, things that utilize our arterial highways to attract better stores, perhaps a Costco on this side of town, or a real mall?

Thanks for taking into account my opinion, kindly
Jeff Williams
3671 N. Cypress Fox Loop Post Falls 83854



08/28/2024

PUBLIC COMMENT

Early Dawn & Zorros Annexation

File No. ANNEX-24-1

Exhibit: 4A

Applicant: Whipple Consulting Engineers

Location: Northwest corner of E. Early Dawn Ave. and N. Zorros Rd.

Request: To annex approximately 9.63-acres into the City of Post Falls with a zoning request of Community Commercial Services (CCS).

Hearing Date: September 10, 2024

Questions list:

Name: Jeff Williams

Address: 3671 N Cyprus Fox Loop, Post Falls ID 83854

Email: jeffreywilliams27@yahoo.com

Zoning Upon Annexation

Please Provide Your Position on the Proposed Zone Change: Opposed

1. Is the requested zoning district compatible with the street classification, traffic patterns, existing development, future land uses, community plans and geographic or natural features of the area?: No

Comments: If yet another multi family complex is constructed (there's one within a few hundred feet already) then it will decrease single family home values just adjacent (including mine), it will obstruct current west sky views (including mine) if built over 1 story in height, again decreasing our property values, it will increase traffic in our neighborhood raising safety concerns for our neighborhood children especially. There is no detail as to "What will be built" which in my opinion is a shady act by the city of Post Falls representing its citizens. If it is more several story

multifamily the we are AGAINST it, if it is single story residential or retail stores then we are okay with that. Building apartments & gas stations all around our home decreases our home value & this needs to stop.

2. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.: Yes

Comments: But ANOTHER Multifamily complex within 1 block supports only low income and targets single family home owners by decreasing home values & forcing us out at a loss. There's already 2 gas stations within 1/4 mile & now a third, there's already a 3 story multi family complex next door to the proposed site.

3. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.: No

Comments: There is already a 3 story multifamily complex across the street from the proposed site. There should be a limit to the multi family builds as they proceed up the 41 as to not have the entire length of the 41 lined with multi family as it opposes the other post falls plan of beautification.

4. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.: Yes

Comments: I am in a single family residential home and this would place yet another multi family complex right behind our home. So this is not far enough from said residential zoning!

5. Is the requested zoning district in accordance with the Future Land Use Map in the Comprehensive Plan?: No

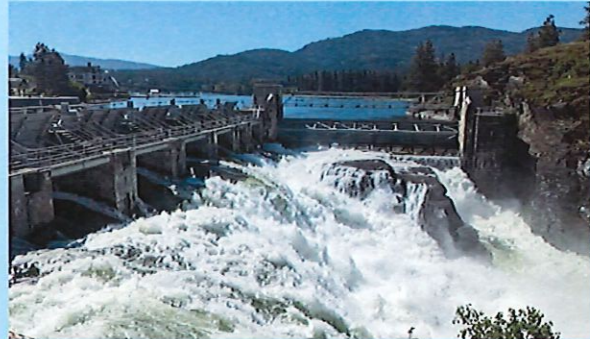
Comments: It was zoned for retail commercial and is now being changed as many many others allowed by the city to multi family, this needs to be spaced out farther.

6. Is the requested zoning district consistent with the goals and policies in the Comprehensive Plan?: No

Comments: Again it creates low income neighborhoods therefore decreasing home owner property values & negating maintained population densities furthering strain on limited resources and roadways.

Early Dawn & Zorros Annexation

Case File: ANNX-24-1



Ethan Porter– Associate Planner
September 10, 2024

1

OWNER: Lanzce Douglass

APPLICANT: Whipple Consulting Engineers, Inc

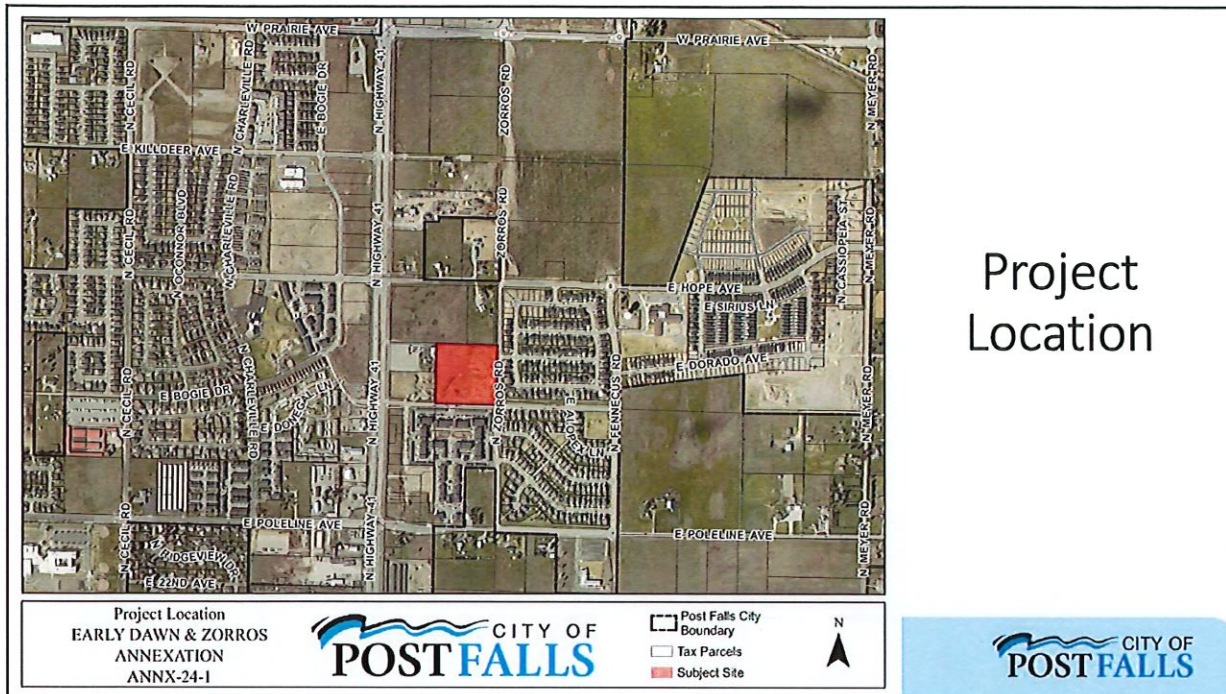
REQUESTED ACTIONS:

- **Zoning Recommendation:** Forward recommendation to City Council for the 9.63-acre subject property to be Community Commercial Services (CCS) zoning

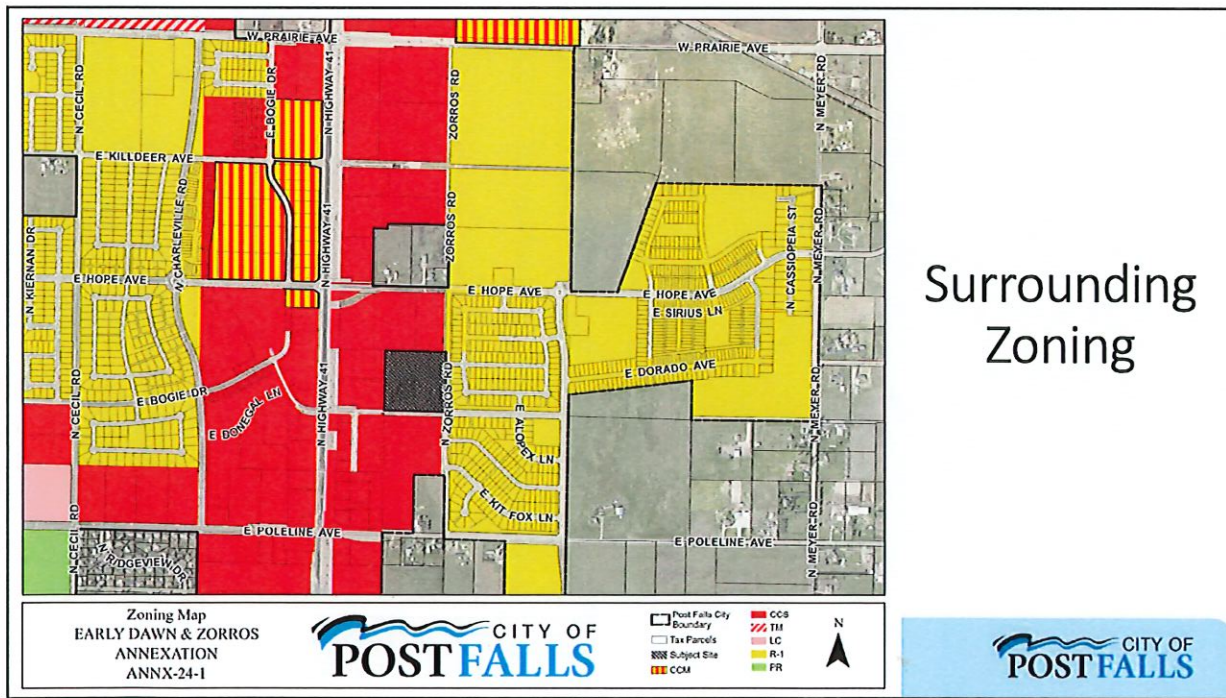
Early Dawn & Zorros Annexation



2



3



4

Land Use & Site

- Currently it is used as a large lot residential single-family use
- Over the Rathdrum Prairie Aquifer

Wastewater

- City of Post Falls
- City would be willing to serve the property for the requested zoning of CCS and is subject to the 12th Avenue Surcharge and the Meyer Line Surcharge upon development

Water

- Ross Point Water District

Traffic

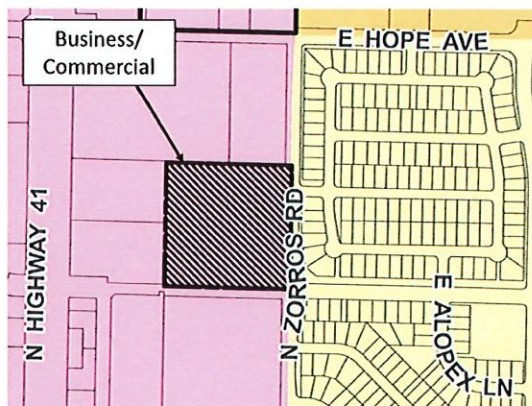
- Early Dawn Ave. and Zorros Rd. are both Minor Collectors
- City's Transportation Master Plan identifies an 1/8-mile backage roadway between Early Dawn Ave. and Hope Ave. that can be made up of local access, private or commercial drives roadways
- City to obtain rights-of-way and easements

Additional Information

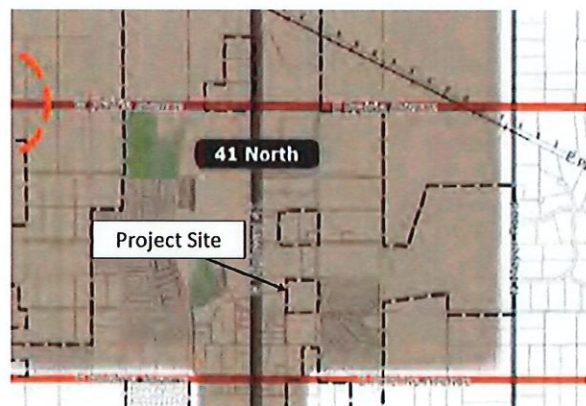


5

Future Land Use Designation



41 North Focus Area

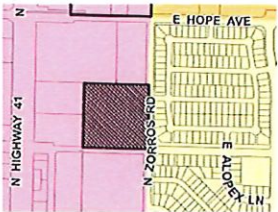


Future Land Use Designation/Focus Area



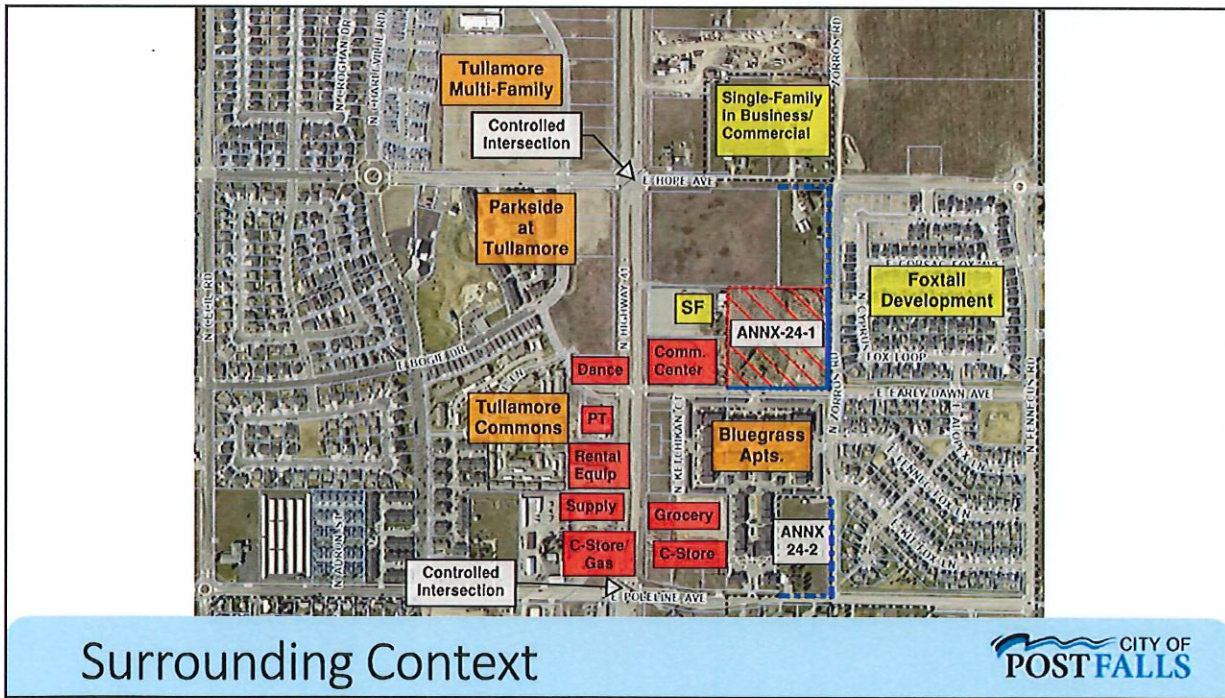
6

Zone Change Comprehensive Compatibility

Future Land Use Designation	Focus Area	Comprehensive Goals	Comprehensive Policies
 Business/Commercial This category promotes a mixture of moderate/high density housing types and a wide variety of general service, retail, professional office, light industrial, artisan manufacturing and mixed-uses	41 North Development should provide pedestrian connectivity to all multi-use paths and trails including SH41 Trail Facilitate the creation of the "backage roads" system...supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses	[G.06]: Maintain and improve Post Falls' transportation network, on pace and in concert with need and plan objectives	[P.24]: Plan for and protect transportation corridors from encroachment and preserve adequate rights-of-way for future corridors including utility facilities [P.33]: Annexation should help implement Post Falls' transportation plans, enabling completion or preserving continuity of circulatory patterns for roads and pedestrian ways



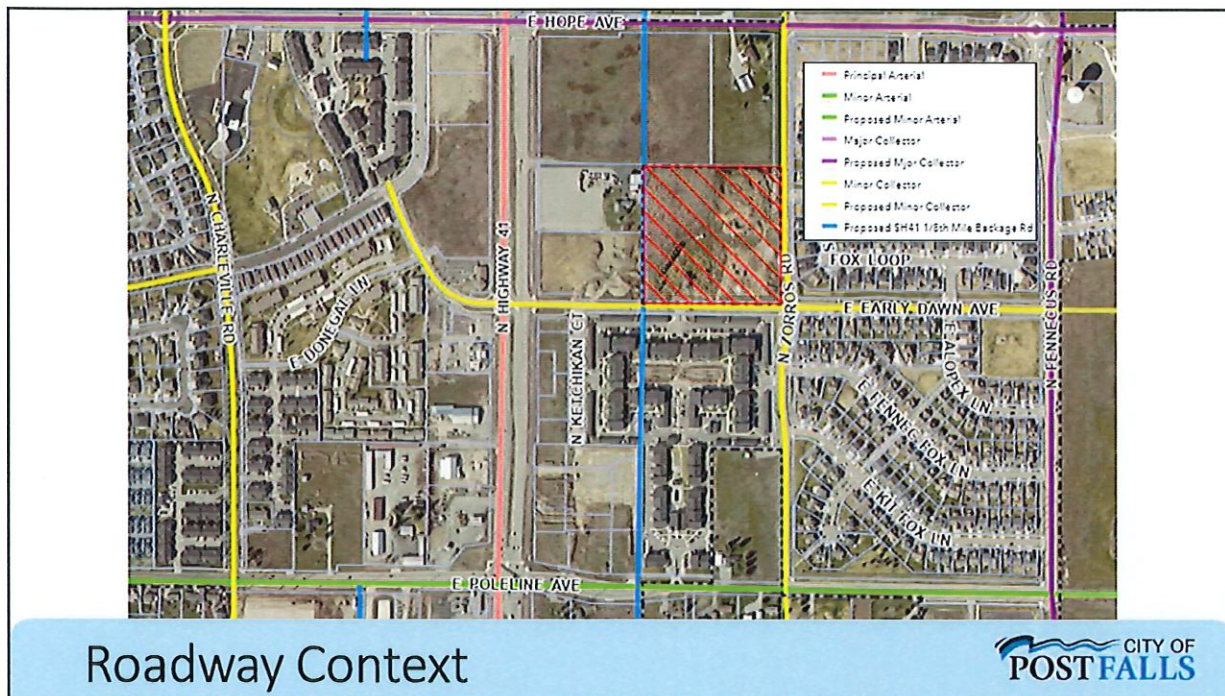
7



Surrounding Context



8



9

Future Land Use Designation	Focus Area	Comprehensive Goals	Comprehensive Policies
 Business/Commercial This category promotes a mixture of moderate/high density housing types and a wide variety of general service, retail, professional office, light industrial, artisan manufacturing and mixed-uses	41 North Development should provide pedestrian connectivity to all multi-use paths and trails including SH41 Trail Facilitate the creation of the "backage roads" system...supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses	[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.	[P.08]: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits. [P.09] Encourage annexation of County "islands" within the City, with priority given to areas: - Surrounded by incorporated areas. - That have readily available service infrastructure and capacity.

CITY OF POST FALLS

10

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?

Zone Change Review Criteria 3



11

- | | |
|----------------------------------|---------------------------------------|
| • Kootenai County Fire | • Verizon |
| • PF Highway District | • Idaho Department of Lands |
| • PF School District | • Panhandle Health |
| • Avista (WWP-3) | • NW Pipeline Corp. |
| • Dept. of Environmental Quality | • PF Post Office |
| • Conoco Inc. (Pipeline company) | • East Greenacres Irrigation District |
| • Yellowstone (Pipeline company) | • Time Warner Cable |
| • TransCanada GTN | • PF Police Department |
| • PF Parks & Rec | • Utilities |
| • Kootenai Electric | • Urban Renewal Agency |
| • Ross Point Water | • Kootenai County Planning |
| • TDS | • KMPO |

Agencies Notified



12

[PA-1] PFSD – Remain neutral

[PA-2] KCFR – Comment during permitting process

[PA-3] YPL – No impact, no comment

[PA-4] PFPD – Remain neutral

[PA-5] PFHD – No comment

Agency Comments



13

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?

Zone Change Review Criteria 3



14

- 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?**

Zone Change Review Criteria



**CITY OF POST FALLS
STAFF REPORT**

DATE: AUGUST 30, 2024

TO: POST FALLS PLANNING AND ZONING COMMISSION

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

SUBJECT: STAFF REPORT FOR THE SEPTEMBER 10, 2024, P&Z COMMISSION MEETING
POLELINE & ZORROS ANNEXATION ANNX-24-2

INTRODUCTION:

Todd Whipple, with Whipple Engineering is requesting, on behalf of Lanzce Douglass, the property owner, approval to annex approximately 4.72-acres into the City of Post Falls with a zoning request of Community Commercial Services (CCS) (Exhibit A-2). 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: Poleline & Zorros File No. ANNX-24-2

Owner(s): Lanzce Douglass, 1402 E Magnesium Rd. Suite 202, Spokane Valley, WA 99217

Applicant: Whipple Engineering, 21 S. Pines Road, Spokane Valley, WA 99206

Project Description: Annex approximately 4.72-acres into the City of Post Falls with a zoning request of Community Commercial Services (CCS).

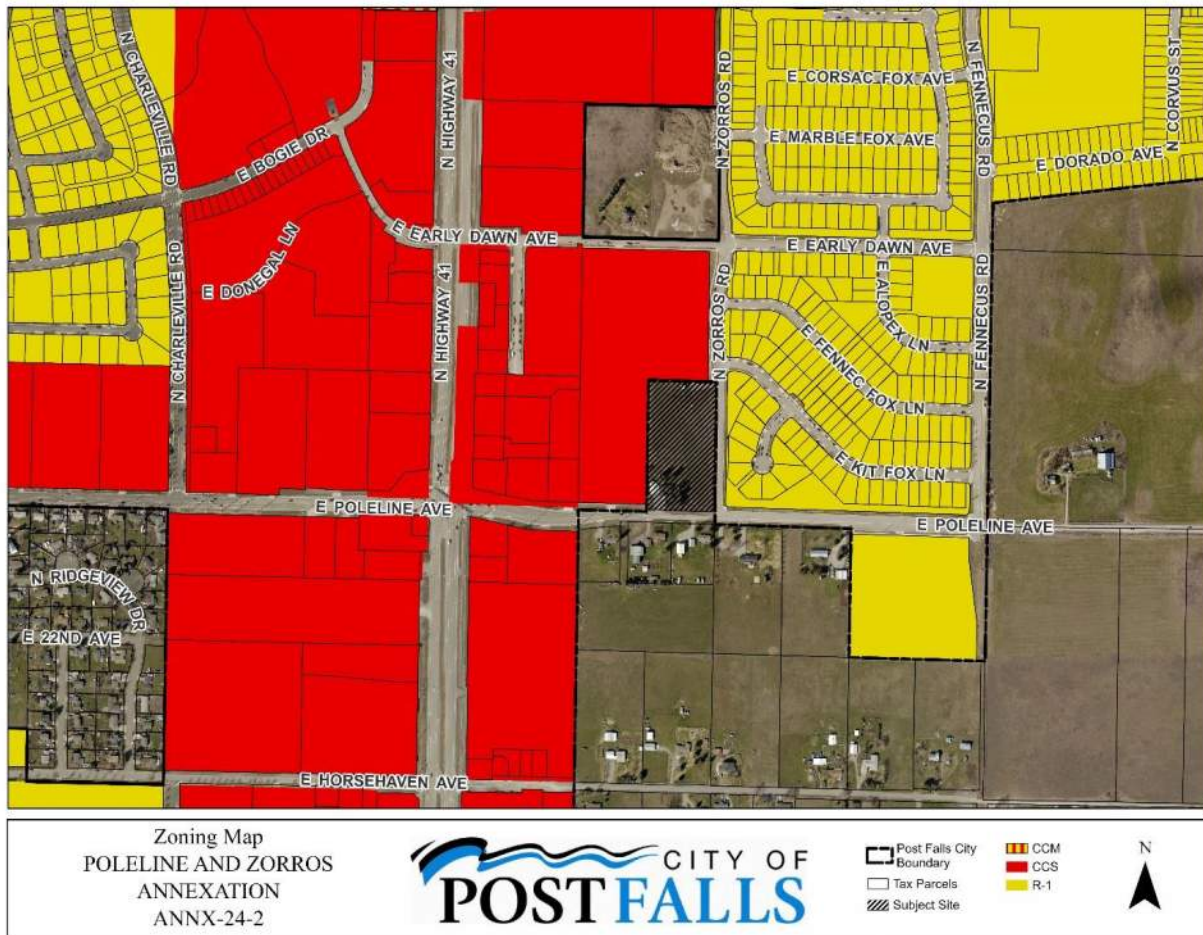
Project Location: The property is generally located on the northwest corner of E. Poleline Ave. and N. Zorros Rd.

AREA CONTEXT (proposed site hatched red below):

Area Context Vicinity Map



Surrounding Land Uses: Located to the north and west of the subject site is the Blue Grass Apartments. Directly east, across N. Zorros Road is the single-family Foxtail Subdivision. Across E. Poleline Avenue, to the south, there are large lot residential homes within Kootenai County.

**EVALUATION OF ZONING APPROVAL CRITERIA:**

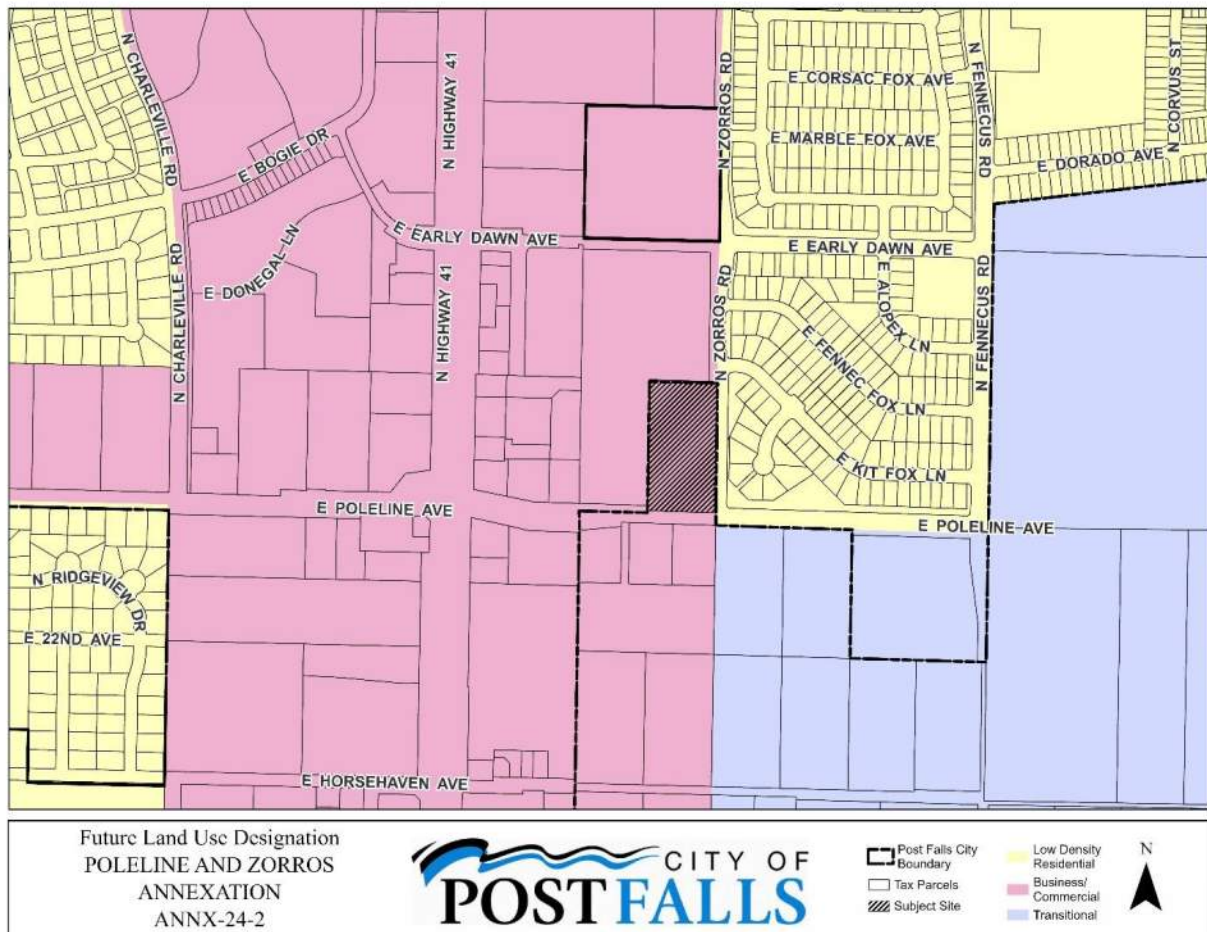
The following section provides the staff analysis pertaining to the Annexation Application and the establishment of zoning. The zone changes review criteria set forth within the Post Falls Municipal Code section 18.20.100 is cited below in **BOLD** with staff comments following. This review criteria 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 **Business/Commercial** (See Following Image). This category provides for a wide variety of general service, retail, professional office, light industrial, artisan manufacturing and mixed-uses that serve local and regional residents as well as the traveling public. This category promotes a mixture of moderate/high density housing types within walking distance of the city center, neighborhood center and corridor commercial uses, as well as civic uses and other amenities within Post Falls. The implementing zoning district details the breadth and types of uses that would be permitted within the Business/Commercial area. Multifamily uses may also be integrated into Business/

Commercial areas. Compatible non-residential uses are also allowed under special conditions. Technology park land uses that provides for a mix of light manufacturing, warehousing, business park, service commercial, and multifamily uses in areas with suitable land and transportation access that are buffered appropriately to residential and other uses typically seen as incompatible with technology park activities. The following are the Implementing Zoning Districts: LC, CCS, CCM, TM, R-2, R-3, SC4, SC5, Per Focus Area.



The proposed annexation is located within the 41 North Focus Area, which states the following:

The Highway 41 corridor promises to rival Seltice in terms of importance as a retail, mixed-use residential, and services district. The 2016 Highway 41 Corridor Master Plan calls for the creation of "collector" and "backage roads" parallel to 41 to aid the corridor's suitability for mixed-use development. These, the plan envisions, will allow regional retail, residential and service uses to coexist, reducing reliance on large parking lots with direct access to highway lanes and easing the transition between the highway and lower-intensity residential development expected to occur to the east and west. Residential development has been predominant in recent years, and with some forecasts estimating as many as 30,000 new residents in this area by 2040, it's a trend that's likely to continue. Such growth is expected to spur commercial uses adjacent to the highway, especially at stop-controlled intersections. As with North Prairie, land values will pressure development to attract a range of residents, offering shared amenities, housing variety and neighborhood-scale services. To help enrich the future identity of 41 North, growth should include strategically located, carefully-designated land uses incorporating trails and an interconnected,

walkable street network. Post Falls recently annexed additional lands for a planned technology park to be located near the northwest corner of Highway 41 and Prairie Avenue. This feature is expected to help diversify land uses and boost demand for commercial services.

The following items affirm or guide development of key policies for this area, or suggest future action items for the 41 North focus area:

- Focus provisions for multi-family, commercial, and tech uses near higher classified roadways;
- Development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail;
- Manage development patterns in the airport fly zone east of 41 and north of Prairie Avenue, coordinating with the 2018 Coeur d'Alene Airport Master Plan;
- Facilitate the creation of the "backage roads" system envisioned in the Highway 41 Corridor Master Plan, supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses;
- Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day

Staff Comment: The proposed Community Commercial Services (CCS) zone aligns with other zoning districts along the Highway 41 corridor and is an implementing zoning district within the future land use designation. The 41 North focus area descriptions reaffirms commercial zoning with its proximity to Highway 41 and its adjacent roadway classifications.

- 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 with a supportive housing stock within City limits.

Goal 2: Maintain and improve the provision of high-quality, affordable and efficient community services in Post Falls.

Municipalities exist to provide infrastructure and services that would be impossible for individuals to provide. While pooled resources make essential services achievable, they also require strong levels of coordination and management to assure accountability and efficiency.

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

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.

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, this plan supports the allocation of land use types, parks features and other areas sufficient to achieve overall plan objectives.

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 ratepayers 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 relating to parks, public safety, multi-modal, streets and Fire/EMS services.

- Foster the long-term fiscal health of the community

Staff Comment: Additional commercial services, or amenities, for the public may help further long-term fiscal health of the City by supporting both the residents and other commercial uses by supporting employment and commerce objectives.

- Maintain and enhance resident quality of life

Staff Comment: Annexing this property in the City may assist improving the resident's quality of life through further development. Being in a county island, the adjacent roadway would be dedicated for rights-of-way and frontage improvements to be constructed once developed. This would include improvements such as sidewalks, trees, swales and curbing as needed through the site plan review process. Future amenities or development could provide a service that is needed for the City of Post Falls and therefore help the residents to have access to the service.

- Promote compatible, well-designed development

Staff Comment: Development will be required to meet City design standards through development and the permitting processes.

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

Staff Comment: Transportation impacts, 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 has been addressed in Criteria 1.

- Compatibility with surrounding land uses

Staff Comment: Existing uses to the west and north include the Blue Grass Apartments site for multi-family. Any special use permits in the future will be decided upon by the Planning and Zoning Commission. There is the single-family Foxtail Subdivision east across N. Zorros Road. Once rights-of-ways are dedicated, the separation between the proposed site and the single-family subdivision will be approximately 80-feet.

- Infrastructure and service plans.

Staff Comment: Sanitary Sewer for the site is located along the property boundary in Poleline Avenue. The requested zoning is in conformance with the land use assumptions within the City's Water Reclamation Master Plan. The current 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 Site is subject to the 12th Avenue Surcharge for sanitary sewer that supplements the development of sewer forcemains from the 12th Ave. Lift Station to the Water Reclamation Facility. The current surcharge (August 2024) is \$3,259.87 per Service Unit (SU). Surcharge rates are adjusted each year on October 1 by the Construction Cost Index published by the Engineering News Index. Sewer surcharges are collected based on the current fee in place at the time of site development with the issuance of building permits.

The Site is subject to the Meyer Line Surcharge for sanitary sewer that supplements the extension of a sewer transmission main along Horsehaven Ave. and Fennecus Road. The current surcharge (August 2024) is \$818.67 per Service Unit (SU). Surcharge rates are adjusted each year on October 1 by the Construction Cost Index published by the Engineering News Index. Sewer surcharges are collected based on the current fee in place at the time of site development with the issuance of building permits.

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

The Site is located within and currently provided water service from the Ross Point Water District.

- Existing and future traffic patterns

Staff Comment: The property's boundary is adjacent to Poleline Avenue. and N. Zorros Rd.

Poleline Avenue currently operates at a traffic volume of 4,400 AADT (2023 ITD) and is classified as a Minor Arterial Roadway. Minor Arterial Roadways are generally designed and intended for roadway operations of 6,000 to 15,000 vehicles per day. By 2035 Poleline Ave. is projected to need a 5-lane cross section to accommodate

projected growth.

Zorros Rd. is classified as a Minor Collector Roadway and part of the SH41 Backage Roadway System identified in the City's Transportation Master Plan and the SH41 Corridor Master Plan. The Backage roadway system is intended to supplement local traffic movements parallel to SH41 and enhance long term capacity of SH41 for regional transportation. Current transportation Modeling shows 2035 traffic volumes on Zorros Rd. (between Poleline Ave. and Prairie Ave.) at under 2,000 vehicles per day. Minor Collectors are generally designed and intended for roadway operations of 1,500 to 5,000 vehicles per day.

The intersection of Poleline Ave. / Zorros Rd. is located ¼-mile east of the recently upgraded SH41. This intersection is identified in the City's Transportation Master Plan as needing installation of a traffic control device (Traffic Signal or Roundabout) sometime between 2027 and 2035. Construction of this improvement would be done as a Transportation Impact Fee Project (NKNL30 – East ¼-mile and Poleline). Timing of this project will be updated with the 2025 Transportation Master Plan that is under development and scheduled for completion in 2025. Completion of this improvement requires additional rights-of-way to be acquired in the northwest quadrant and the southern quadrants of the intersection.

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:

Poleline Ave. / Zorros Rd. to accommodate a future multi-lane roundabout, approximately 1,500 square feet of additional rights-of-way would be required. Final layout of the rights-of-way would be coordinated with the Applicants Engineer based off concept (planning level) layouts of a typical multi-lane roundabout. The City Engineering Division has contacted the applicants Engineer and is coordinating a verification of the area. Rights-of-way would be required with annexation.

Zorros Rd. – Minor Collector, 80-foot road rights-of-way, as measured from the existing eastern rights-of-way of Zorros Rd. Zorros Rd. would require an additional 10-foot sidewalk, drainage, and utility easement to be provided adjacent to the dedicated rights-of-way.

Prairie Ave. – Minor Arterial, 110-foot road rights-of-way, aligned with the existing northern rights-of-way line to the west. Prairie Ave. would require an additional 15-foot sidewalk, drainage, and utility easement to be provided adjacent to the dedicated rights-of-way.

Dedication of the rights-of-way and easements identified will aid in facilitating the completion of necessary roadway improvements identified within the City's Transportation Master Plan to maintain adopted levels of service for transportation along Poleline Ave. and within the SH41 Corridor.

- 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 of this staff report.

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

Staff Comment: This site would be considered a compatible infill development area and within the exclusive tier of the Area City Impact. Having this approved to be incorporated into the City may help meeting this policy.

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

- Surrounded by incorporated areas

Staff Comment: The site is currently within a County “island”.

- That have readily available service infrastructure and capacity

Staff Comment: The City of Post Falls is the purveyor for Sanitary Sewer. Sanitary sewer infrastructure is located adjacent to the property. Ross Point Water is the water purveyor and has facilities adjacent to the site. The City has capacity and is willing to provide sanitary sewer service to the site.

Urban improvements have been constructed along the adjoining properties to the north, east and west. Annexation of this property would aid in completion of missing roadway improvements and facilitate completion of an identified Transportation Impact Fee project (NKNL30 – East ¼-mile and Poleline).

- That support increased development intensity near the urban core

Staff Comment: The location of the proposed annexation is not near the urban core, but is within proximity to a commercial corridor and this may, upon development, increase intensity to support the existing commercial uses along Highway 41.

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 and will be followed for this proposal.

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(s) and easement(s) would need to be provided as part of annexation. Annexation shall include all rights-of-way adjoining the site currently within the County.

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

Staff Comment: Upon the development of the site, frontage improvements will be required to be completed. This allows for continuity of pedestrian pathways along N. Zorros Road and E. Poleline Avenue. The improvements along Poleline Ave. would complete a missing section and allow for a continuous route from Fennecus Road to the SH41 Trail.

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: Upon the development of the site from a subdivision, roadway and pedestrian improvements will be required to be completed. Dedications of rights-of-way would further aid in the completion of the future traffic control (roundabout or traffic signal) improvements at the Poleline/Zorros intersection. This allows for continuity of roadways and pedestrian pathways for both E. Poleline Avenue and N. Zorros Road.

Policy 45: Guide annexation decisions guided by and considering:

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

Staff Comment: Compliance with associated master plans has been outlined previously within this staff report. Schools and emergency services have been notified of this request and have been given the chance to comment on the request.

- Provision of necessary rights-of-way and easements

Staff Comment: Dedication of additional rights-of-way and associated easements have been previously addressed and will be 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. Per Idaho Code, Interstate pipelines are located within 1,000 feet of the proposed annexation and subdivision, the Yellowstone Pipeline is located along the property's Poleline Avenue frontage and has been noticed of this annexation request. 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.

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

Staff Comment: The property is abutting the City of Post Falls on three (3) sides. Utilities are located adjacent to the property and capable of providing service to the property. The City of Post Falls currently maintains and operates the water reclamation facilities adjoining the site.

Rights-of-way of the adjoining roadway, Poleline Ave. and Zorros Rd., are owned and maintained by the City of Post Falls. Urban transportation improvements exist along the north side of Poleline Ave., adjacent to the east and west of the site; along with both sides of Zorros Rd., immediately adjacent to the project.

Annexation of the property would create no net increase in the operational and maintenance costs of the adjoining City infrastructure.

- Comprehensive plan goals and policies.

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

Policy 71: Promote the planting and protection of trees citywide, helping.

Staff Comment: Frontage improvements associated with future development, including the planting of street trees and adequate irrigation, are required. Policy 71 will be met through these plans as existing trees are assessed and any new proposed trees to help identify the below bulleted items.

- Beautify and enhance community value.
- Provide shade and comfort.
- Affirm the city's association with the outdoors and its historic origins.
- Provide wildlife habitat.

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: There have been no identified "Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city" at this point in time.

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

PUBLIC AGENCY COMMENTS:

- Exhibit PA-1 Post Falls School District – Remains neutral
- Exhibit PA-2 Kootenai County Fire & Rescue – Will comment during permit process
- Exhibit PA-3 Yellowstone Pipeline Co. – No impact, no comment
- Exhibit PA-4 Post Falls Police Department – Remains neutral
- Exhibit PA-5 Post Falls Highway District – Request for City to annex all portions of Poleline Ave. adjacent to the subject site per Idaho Code 50-222, Chapter 2

PUBLIC PROCESS: Notice of the proposed annexation was sent to appropriate jurisdictions on August 21, 2024, and mailed to property owners within 300 feet of the proposed project on August 16, 2024. Notice has been published in the Coeur d'Alene Press on August 20, 2024. The property was posted August 23, 2024.

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.

ITEMS TO BE CONSIDERED FOR INCLUSION IN AN ANNEXATION AGREEMENT: Should the Planning & Zoning Commission move to recommend approval; staff proposes the following conditions:

1. The Site is part of the 12th Ave. Sewer Surcharge area. Surcharges will be collected in the future, during site development, with the issuance of building permits at the rate in effect at the time of building permit application.
2. The Site is part of the Meyer Line Surcharge area. Surcharges will be collected in the future, during site development, with the issuance of building permits at the rate in effect at the time of building permit application.
3. Existing structures are not required to connect to sanitary sewer until site development. Connection of existing structures to the sanitary sewer will require payment of appropriate connection fees, capacity fees and surcharge fees.
4. Dedications of rights-of-way and easements along N. Zorros Road as a Minor Collector. 80-foot rights-of-way, measured from the eastern rights-of-way, and including a 10-foot Sidewalk, Drainage and Utility Easement.

5. Dedications of rights-of-way and easements along E. Poleline Avenue as a Minor Arterial. 110-foot rights-of-way, northern limits in-line with current rights-of-way line to the east and west., and including a 15-foot Sidewalk, Drainage and Utility Easement.
6. Dedications of additional rights-of-way and easements at the Poleline Ave. / Zorro's Rd. intersection for accommodation of the Transportation Impact Fee project (NKNL30 – East ¼-mile and Poleline). Final limits to be coordinated between Owner and City prior to adoption of an ordinance.
7. 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.

ATTACHMENTS:**Applicant Exhibits:**

Exhibit A-1	Annexation Application
Exhibit A-2	Narrative
Exhibit A-3	Vicinity Map
Exhibit A-4	Owner Authorization
Exhibit A-5	Will Serve Letter

Staff Exhibits:

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

Testimony:

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

Annexation

ANNX-24-2

Submitted On: May 28, 2024

Applicant

 Austin Fuller
 5098932617
 afuller@whipplece.com

Primary Location

Point Location: 47.7307, -116.8893

Application Information

Did an Annexation Pre-app take place?

No

Applicant Type

Engineer

Description of Project/Reason for Request

Annex one property within a City of Post Falls peninsula. The property is surrounded on three sides by City of Post Falls urban zoning.

Existing Zoning

Agriculture

Adjacent Zoning

CCS, R-1

Current Land Use

Vacant

Adjacent Land Use

Single family residential, multifamily residential

Proposed Zone

CCS

Owner Information

Name

Douglass Properties, LLC

Company

--

Phone

509.483.6632

Email

lanzce@irentspokane.com

Address

1402 E Magnesium Rd. STE 202

City, State, Zip Code

Spokane, WA 99217

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 contact buyer.

true



Whipple Consulting Engineers, Inc.

WCE No. 23-3546

May 10, 2024

Post Falls Planning and Zoning Commission
C.O.: Jon Manley, Planning Manager
408 N. Spokane Street
Post Falls, ID 83854

Re: City of Post Falls
Poleline & Zorros – Annexation Narrative

To whom it may concern:

This letter is intended to serve as a written narrative for a proposed annexation of parcel 0-6360-30-058-AA, AIN 115171 (Poleline Property) on 4353 E. Poleline Avenue into the City of Post Falls. This letter discusses zoning information, how the proposal relates to the City of Post Falls Annexation Goals and Policies Future Land Use Plans, and any impact the proposal would have on City services.

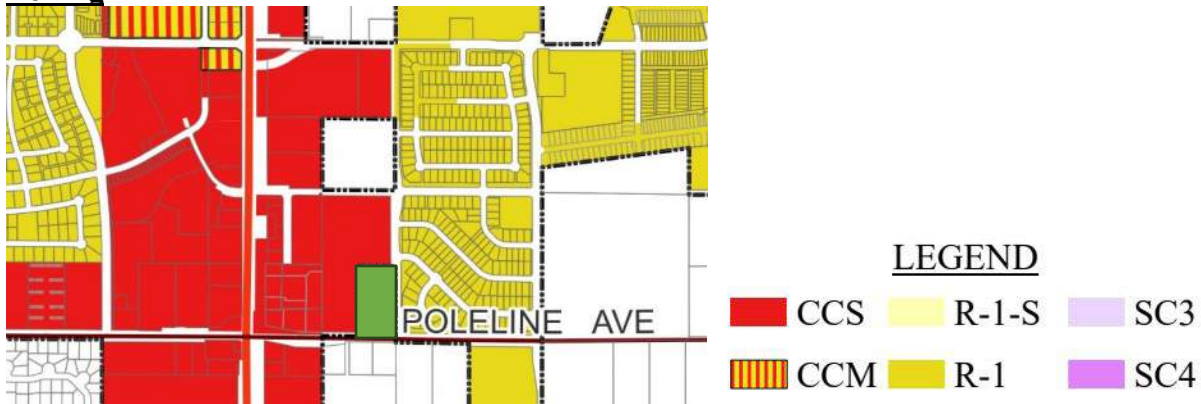
Site Description

This annexation application is in regards to the subject property located in the Agriculture Zone in Kootenai County, Idaho in Section 30, Township 51 North, Range 4 West, B.M. The City of Post Falls Future Land Use Map designates both properties for annexation as Business/Commercial. The Poleline Property is one 4.76-acre rectangular parcel, listed as Kootenai County tax parcel number 0-6360-30-058-AA. The Poleline Property has frontage on Zorros Road to the east and Poleline Avenue to the south.



Figure 1: Property outlined in green.

Zoning



The site is currently located in the Kootenai County Agricultural Zone and is also located in the Border designation of the Kootenai County Comprehensive Plan.

Surrounding properties already annexed into the City of Post Falls include CCS zones to the north, south, and west, which are used for retail sales or performance of consumer services. The CCS zone is typically located in areas adjacent to major transportation corridors such as the I-90 corridor, Seltice Way and Highway 41. To the east of the site is zoned R-1 for single-family residences.

May 10, 2024

City Annexation Code Review

Per PPMC 18.16.010 and 18.20.100(C) and (D), the zone change approval criteria in the City of Post Falls has four requirements, listed below as A through D. The annexation of this property meets the requirements in the following ways:

A. Is the proposed zoning district consistent with the future land Use map and focus area contained in the currently adopted Post Falls Comprehensive Plan?

We ask that the parcels be annexed into the CCS zone in keeping with adjacent land uses to the north, south and west. CCS zoning is supported by the Comprehensive Plan in the Future Land Use Map which designates the site as business/commercial.

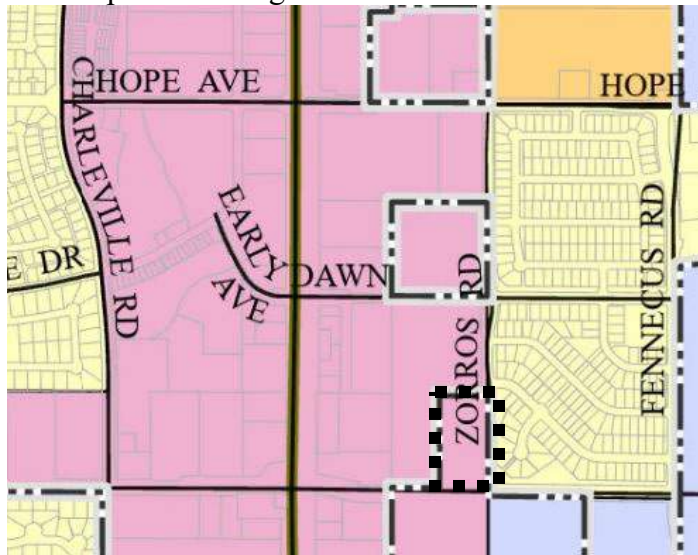


Figure 2: figure 2.03, page 37 of the Comprehensive Plan

B. 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?

This proposed annexation meets the Comprehensive Plan goals and policies in the following ways:

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.

This goal is met through the following policies:

P.09 – Encourage annexation of County “islands” within the City, with priority given to areas: surrounded by incorporated areas; that have readily-available service infrastructure and capacity; that support increased development intensity near the urban core.

The Poleline Property is surrounded on three sides by the incorporated areas, with CCS zone to the north and west, and R-1 zone to the east. To the south is County property, with a future land use of Business/Commercial.

P.14 – Follow all annexation procedures established by Idaho State statutes and applicable City ordinances.

This proposal will follow all annexation procedures established by Idaho State statutes or applicable City ordinances. Idaho State Statutes are listed below, and applicable city ordinances under PFMC 18.20.10(C) and (D) are itemized as part of this narrative.

Idaho Statutes Section 50-222. Annexation by Cities

(2) General authority. Cities have the authority to annex land into a city upon compliance with the procedures required in this section. In any annexation proceeding, all portions of highways lying wholly or partially within an area to be annexed shall be included within the area annexed unless expressly agreed between the annexing city and the governing board of the highway agency providing road maintenance at the time of annexation. Provided further, that said city council shall not have the power to declare such land, lots or blocks a part of said city if they will be connected to such city only by a shoestring or strip of land which comprises a railroad or highway right-of-way.

This section of code grants the City of Post Falls the authority to annex land into a city.

(3) Annexation classifications. Annexations shall be classified and processed according to the standards for each respective category set forth herein. The three (3) categories of annexation are:

(a) Category A: Annexations wherein:

(i) All private landowners have consented to annexation. Annexation where all landowners have consented may extend beyond the city area of impact provided that the land is contiguous to the city and that the comprehensive plan includes the area of annexation;

The property owner has consented to annexation of this property, the property to be annexed is contiguous to the city, and the comprehensive plan includes the area of annexation.

(ii) Any residential enclaved lands of less than one hundred (100) privately owned parcels, irrespective of surface area, which are surrounded on all sides by land within a city or which are bounded on all sides by lands within a city and by the boundary of the city's area of impact; or

This section does not apply, as the application is allowed under subsection (i).

(iii) The lands are those for which owner approval must be given pursuant to subsection (5)(b)(v) of this section.

This section does not apply, as the application is allowed under subsection (i).

(5) Annexation procedures. Annexation of lands into a city shall follow the procedures applicable to the category of lands as established by this section. The implementation of any annexation proposal wherein the city council determines that annexation is appropriate shall be concluded with the passage of an ordinance of annexation.

May 10, 2024

(a) Procedures for category A annexations: Lands lying contiguous or adjacent to any city in the state of Idaho may be annexed by the city if the proposed annexation meets the requirements of category A. Upon determining that a proposed annexation meets such requirements, a city may initiate the planning and zoning procedures set forth in chapter 65, title 67, Idaho Code, to establish the comprehensive planning policies, where necessary, and zoning classification of the lands to be annexed.

This subsection allows the City of Post Falls to initiate the planning and zoning procedures for annexation.

67-6525. PLAN AND ZONING ORDINANCE CHANGES UPON ANNEXATION OF UNINCORPORATED AREA. Prior to annexation of an unincorporated area, a city council shall request and receive a recommendation from the planning and zoning commission, or the planning commission and the zoning commission, on the proposed plan and zoning ordinance changes for the unincorporated area. Each commission and the city council shall follow the notice and hearing procedures provided in section 67-6509, Idaho Code. Concurrently or immediately following the adoption of an ordinance of annexation, the city council shall amend the plan and zoning ordinance.

This project will be presented to the planning and zoning commission before being presented to city council for adoption of the annexation.

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

Significant transportation infrastructure already exists adjacent to the subject property. A future development of either site may require improvements to existing roads or construction of new roads, as well as frontage to Poleline and Zorros to complete these streets in this area.

P.44 – Annexation should leverage existing capital facilities, with minimal need for expansion or duplication of facilities.

As the parcel has developed or developing land surrounding them, no significant extensions would be required.

P.46 – Mitigate impacts of annexation through the use of service agreements and/or development intensities that minimize City fiscal impacts.

The developer of this property would be responsible for installation of utilities and public road improvements along the perimeter of the property. With any future project, the developer would also be responsible for impact fees, permit fees, hookup fees, etc. to mitigate.

C. 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 parcel is within the future land use map of the City of Post Falls. As the parcel is surrounded by City of Post Falls annexed properties, all City services are already available. Any impact on City services from a future project should not impact services beyond an acceptable level. A will-serve letter from Ross Point Irrigation District was submitted along with the application.

May 10, 2024

D. Is annexation of the property in the best interest of the city (Legislative Decision)?

Annexation of the subject property will provide additional opportunities for development within the CCS Zone. The following items have been considered as part of annexation:

1. Street classification: per the transportation layer on the Post Falls GIS (figure 3), the Poleline Property is adjacent to the minor collector N. Zorros Road to the east and the Minor Arterial Poleline Avenue to the south. Additionally, to the west is the proposed SH41 1/8th Mile Backage Road, which is not adjacent and for which Right of Way, to our knowledge has been acquired. Further west is the N. Highway 41 principal arterial.



Figure 3: Post Falls GIS transportation layer, subject property in green.

2. Traffic patterns: The parcel is anticipated to utilize Highway 41 at the existing I-90 interchange that is currently being improved by ITD. Access to the parcels from Highway 41 can be through either Hope Avenue or Poleline Avenue, which are existing signalized intersections. Early Dawn Avenue/North Market is proposed to have a 3/4 movement intersection.
3. Existing development:
 - a. To the west of the Poleline Property lies the existing Bluegrass Apartments.
 - b. To the east of the property is an existing subdivision, Foxtail 1st Addition.
 - c. To the west, across HWY 41, is existing commercial and apartment developments: The Residence at Tullamore, Rockhound Landscape Supply, T & L Mini Storage, and Tullamore Commons.
4. Future land uses: The future land use of the parcel is Business/Commercial, which is in line with the proposed CCS zone.
5. Community plans: This parcel lies within Focus Area 41 North, which places importance on retail, mixed-use residential and services as well as multi-family and tech uses. It calls

May 10, 2024

for the creation of collector roads parallel to HWY 41 with the purpose of aiding mixed-use development. A main goal of the community plan for Focus Area 41 North is to place commercial uses along arterial and collector streets.

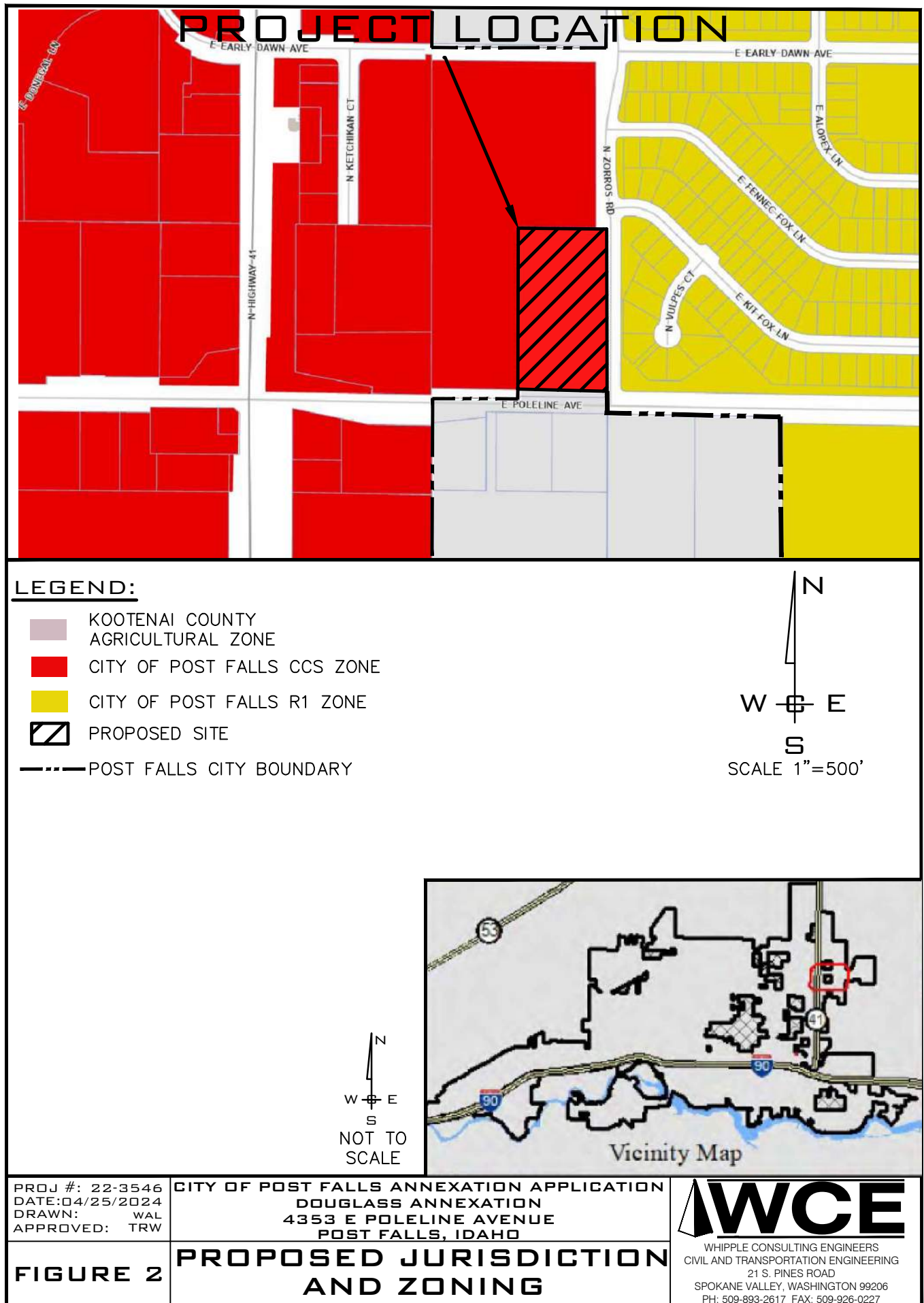
6. Geographic or natural features: The property is flat, which is appropriate for commercial zoning due to larger building footprints which would require substantial grading to accommodate otherwise.

If you have any questions or comments regarding this letter, please feel free to contact us at (509) 893-2617

Thank you,

A handwritten signature in blue ink, appearing to read "Todd R. Whipple", with a stylized flourish at the end.

Todd R. Whipple, P.E.
President, Whipple Consulting Engineers, Inc.





Lanzce G. Douglass
CONSTRUCTION / PROPERTIES / DEVELOPMENT

May 6, 2024

City of Post Falls Planning Division
Attn: Ethan Porter, Associate Planner
1st Floor of City Hall
408 N. Spokane St.
Post Falls, ID 83854

**Re: Authorization Letter
Poleline & Zorros Annexation**

Dear Mr. Porter:

Douglass Properties, LLC hereby authorizes Whipple Consulting Engineers to act on its behalf for the Poleline and Zorros Annexation on Kootenai County parcel number 0-6360-30-058-AA.

Thank you,

Lanzce G. Douglass, member
Douglass Properties, LLC

ROSS POINT WATER DISTRICT

April 26, 2024

TO: Bill Melvin, P.E.
City Engineer, City of Post Falls
408 Spokane Street
Post Falls ID 83854

RE: UPDATED WILL SERVE LETTER FOR: DOUGLASS PROPERTIES, parcel # 0-6360-30-058-AA on 5353 Poleline Ave

Dear Mr. Melvin:

Ross Point Water District has reviewed the preliminary plans for on-site improvements for the above referenced project and found them to be acceptable. We will need to review the completed construction plans before we can give final approval of the water system.

Ross Point Water District's Consulting Engineer, Whipple Consulting Engineers, Inc., have completed a study, which analyses the impact the proposed subdivision will have on our water supply and distribution system. The study identifies improvements that if made by the Developer, will allow the District to provide service to the subject project and maintain the existing level of service in the Ross Point Water District.

This letter is to advise you that Ross Point Water District is willing and able to provide water service to the proposed Douglass Properties Project, to the extent of its readily available capacity if the following prerequisites are met:

Additional requirements include:

1. Annexation of the subdivision into the Ross Point Water District service area, if applicable.
2. Satisfactory completion and dedication of approved on-site and off-site water system improvements.
3. Payment of all applicable fees and charges.
4. Compliance with all Ross Point Water District policies, rules and regulations.
5. Transfer of all water rights associated with project property, if applicable.
6. The Applicant must petition to annex into the District, and such annexation must be approved by the District's Board at a properly noticed public hearing.
7. All cost associated with the annexation process will be covered by the applicant.
8. The Applicant must agree to be bound by the terms and conditions set by the Board if annexation is granted.

If work on the project is not begun within one year this "Will Serve" letter becomes void. If you have any questions, please feel free to contact the District.

Sincerely,



Christine Waller
Ross Point Water District

Cc: Ray Kimball, Whipple Consulting Engineers, Inc.
Idaho Department of Quality
Panhandle Health District
Austin Fuller, Whipple Consulting Engineers, Inc.



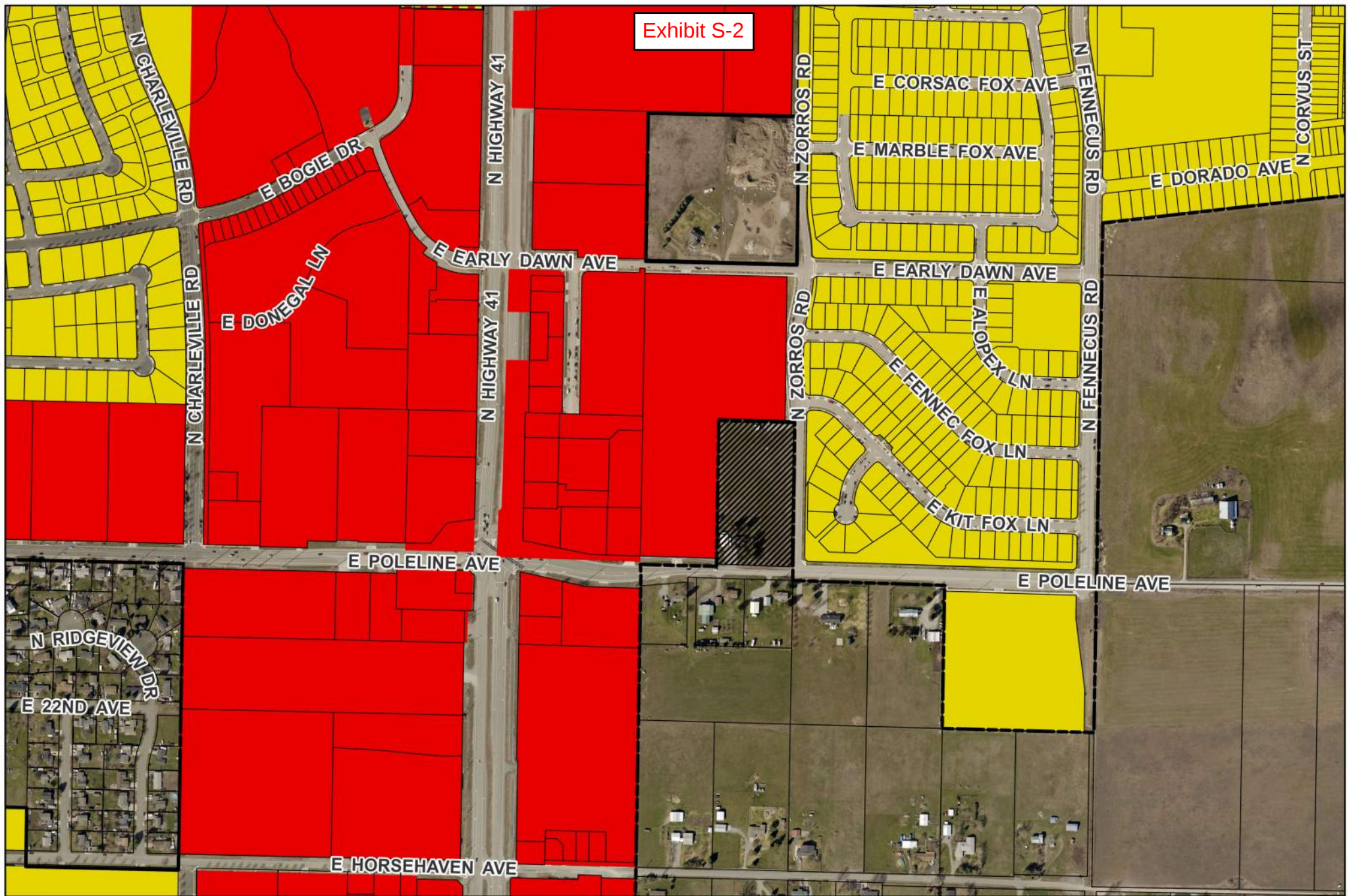


Project Location
POLELINE AND ZORROS
ANNEXATION
ANNX-24-2



-  Post Falls City Boundary
-  Tax Parcels
-  Subject Site





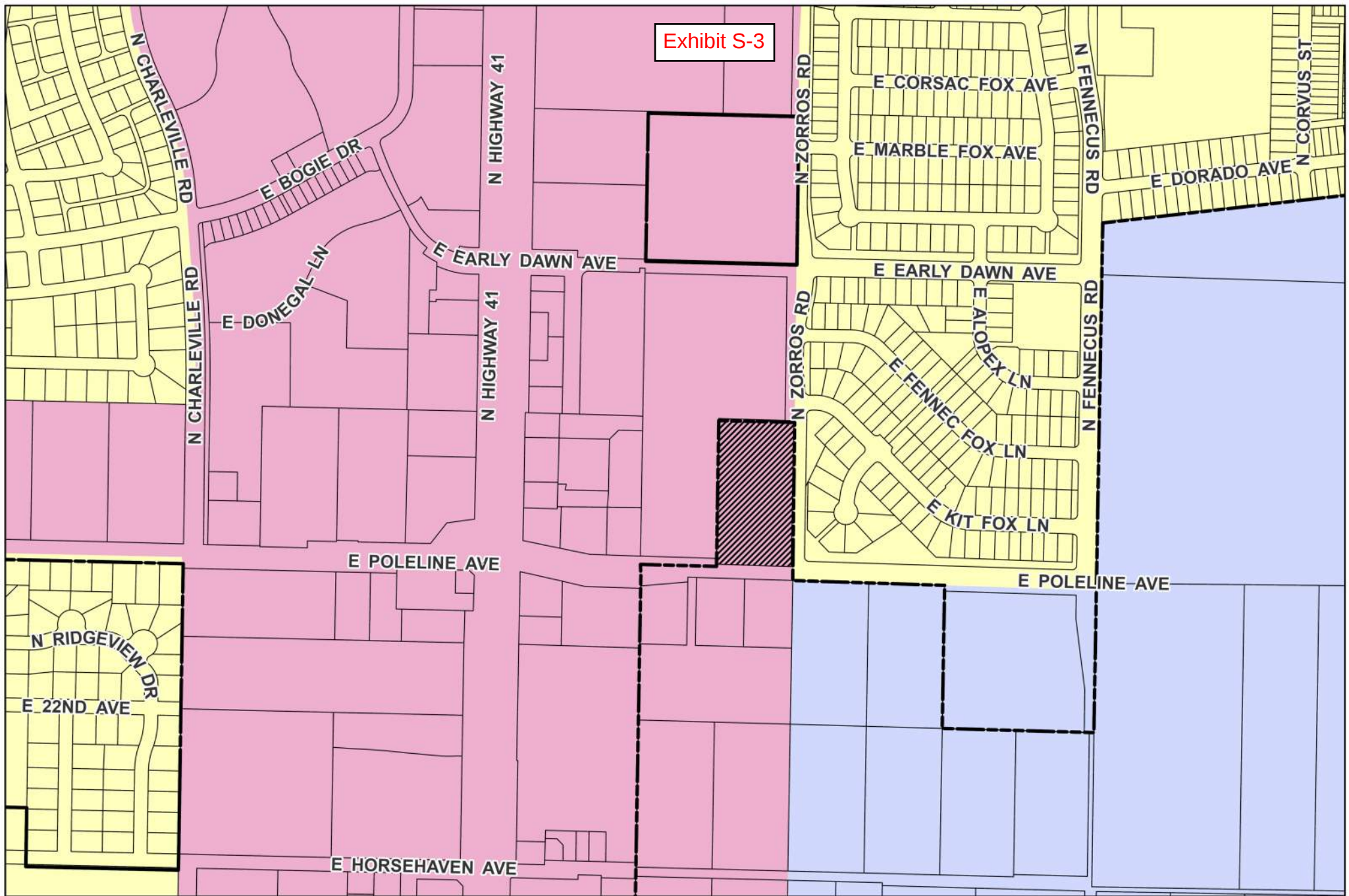
Zoning Map
POLELINE AND ZORROS
ANNEXATION
ANNX-24-2



- Post Falls City Boundary
- Tax Parcels
- Subject Site

- CCM
- CCS
- R-1





Future Land Use Designation
POLELINE AND ZORROS
ANNEXATION
ANNX-24-2



- Post Falls City Boundary
- Tax Parcels
- Subject Site

- Low Density Residential
- Business/Commercial
- Transitional





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.

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

Kootenai County Fire & Rescue

Fire Marshal's Office

5271 E. Seltice Way
Post Falls, ID 83854
Tel: 208-777-8500
Fax: 208-777-1569
www.kootenaifire.com

January 18, 2024

Nancy Thurwachter
Planning Administrative Specialist
nthurwachter@postfalls.gov

RE: Notice to Jurisdiction Response

Nancy,

Please use the following as a standard response for Kootenai County Fire & Rescue on all applicable Notice to Jurisdiction notifications.

"Kootenai County Fire & Rescue (KCFR) participates in partnership with the City of Post Falls throughout the review and permitting process to include but not limited to the following: City annexations, zoning issues, comprehensive plan development, subdivision development, site plan approval and building construction code compliance. KCFR reserves all fire code related comments for that process."

Respectfully,



Jeryl Archer II
Kootenai County Fire & Rescue
Division Chief
Fire Marshal

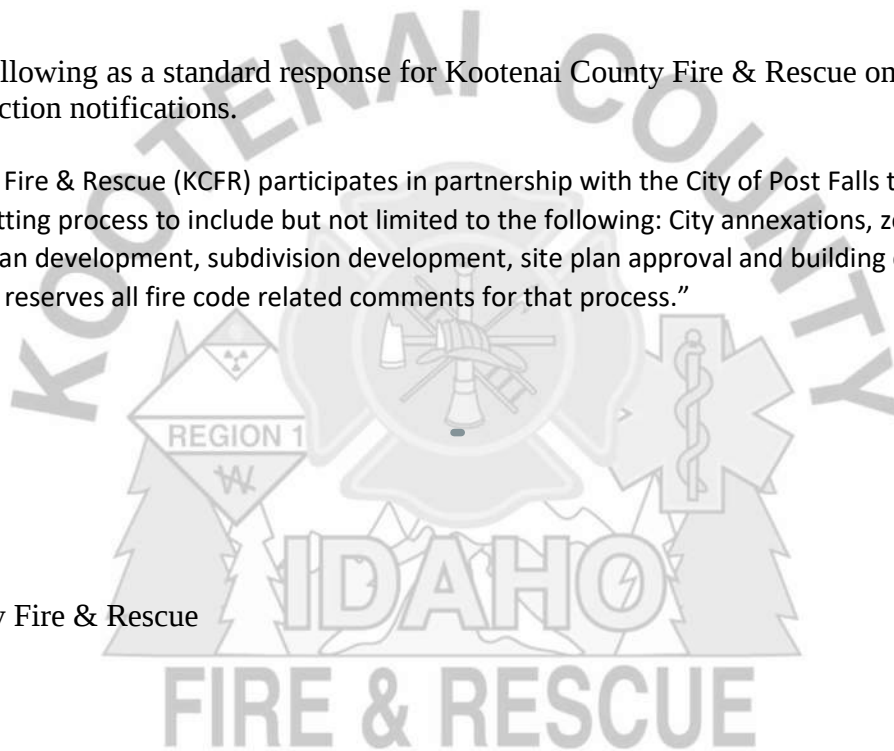


Exhibit PA-3

From: [Polak, Chad M](#)
To: [Nancy Thurwachter](#)
Subject: FW: Notice to Jurisdiction - Poleline & Zorros Annexation File No. ANNX-24-2
Date: Wednesday, August 21, 2024 11:12:10 AM
Attachments: [image001.png](#)
[Exhibit PH-2 NTJ_Poleline & Zorros_PZ.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,

No impact to the P66 ROW and we do not have any concerns.

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: Wednesday, August 21, 2024 11:37 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>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; 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>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; 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>; 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>; Tess Reasor <tess@connectkootenai.org>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziplay.com>; URA <postfallsura@gmail.com>

Cc: Anna Staal <astaal@postfalls.gov>; Bobby Wilhelm <bobby@bobbywilhelm.com>; Christopher Gabbert <cgabbert@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>; 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>; Ross Schlotthauer <ross@burlyproducts.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stephanie Herman <sherman@postfalls.gov>; Tisha Gallop <tgallp@postfalls.gov>; Vicky Jo Carey <vjcarey@aol.com>; Wade Meyer <wmeyer@postfalls.gov>; Warren Wilson <wwilson@postfalls.gov>

Subject: [EXTERNAL]Notice to Jurisdiction - Poleline & Zorros Annexation File No. ANNX-24-2

This Message Is From an External Sender

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[Report Suspicious](#)

Please find attached the Notice to Jurisdictions for the Poleline & Zorros Annexation File No. ANNX-24-2 that is scheduled for the Planning and Zoning meeting on September 10, 2024. The draft staff report will be on the city's website shortly.

Nancy Thurwachter

Planning Administrative Specialist

408 N. Spokane Street

Post Falls, ID 83854

(208) 457-3338





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

August 21st, 2024

Nancy Thurwachter
Planning Administrative Specialist
nthurwachter@postfalls.gov

Re: Poleline & Zorros Annexation File No. ANNX-24-2

The Police Department has reviewed the above listed annexation/zone change request and will remain Neutral. The department will provide further comment during the development process. 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-5

From: [Jonie Anderson](#)
To: [Nancy Thurwachter](#)
Cc: [Jon Manley](#)
Subject: RE: Notice to Jurisdiction - Poleline & Zorros Annexation File No. ANNX-24-2
Date: Thursday, August 22, 2024 10:52:11 AM
Attachments: [image003.png](#)

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,
The Post Falls Highway District requests the city of Post Falls annex all portions of Poleline Ave adjacent to the subject site, as per Idaho Code 50-222, Chapter 2.

Regards,
Jonie

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: Wednesday, August 21, 2024 10:37 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>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; 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>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; 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>; 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>; Tess Reasor <tess@connectkootenai.org>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>

Cc: Anna Staal <astaal@postfalls.gov>; Bobby Wilhelm <bobby@bobbywilhelm.com>; Christopher Gabbert <cgabbert@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>; 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>; Ross Schlotthauer <ross@burlyproducts.com>; 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 Jurisdiction - Poleline & Zorros Annexation File No. ANNX-24-2

Please find attached the Notice to Jurisdictions for the Poleline & Zorros Annexation File No. ANNX-24-2 that is scheduled for the Planning and Zoning meeting on September 10, 2024. The draft staff report will be on the city's website shortly.

Nancy Thurwachter

Planning Administrative Specialist

408 N. Spokane Street

Post Falls, ID 83854

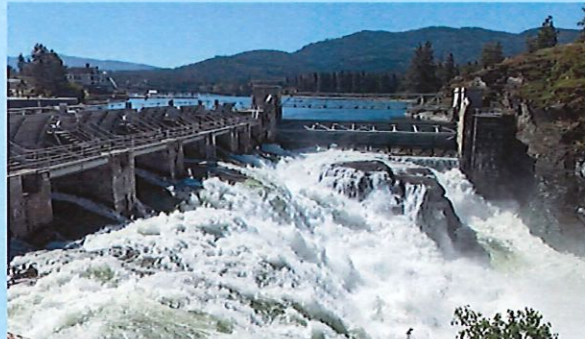
(208) 457-3338



The City of Post Falls has changed our domain to [POSTFALLS.GOV](https://www.postfalls.gov). Please adjust your contacts/links.

Poleline & Zorros Annexation

Case File: ANNX-24-2



Ethan Porter– Associate Planner
September 10, 2024

1

OWNER: Lanzce Douglass

APPLICANT: Whipple Consulting Engineers, Inc

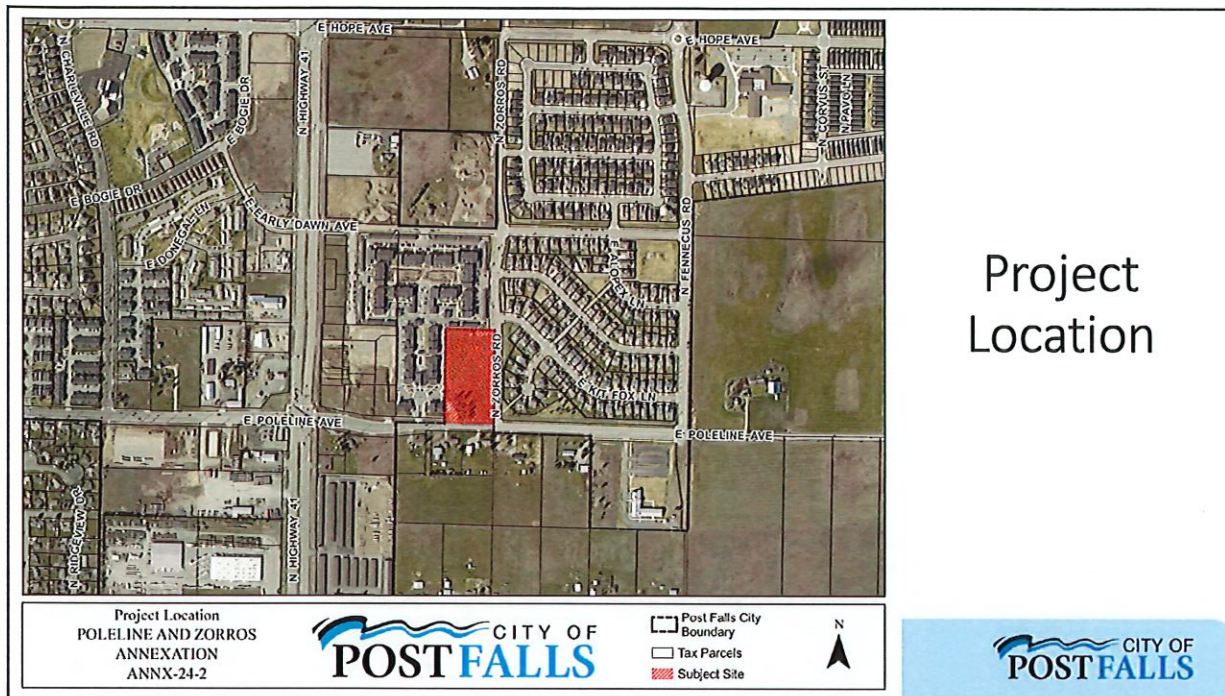
REQUESTED ACTIONS:

- **Zoning Recommendation:** Forward recommendation to City Council for the 4.72-acre subject property to be Community Commercial Services (CCS) zoning

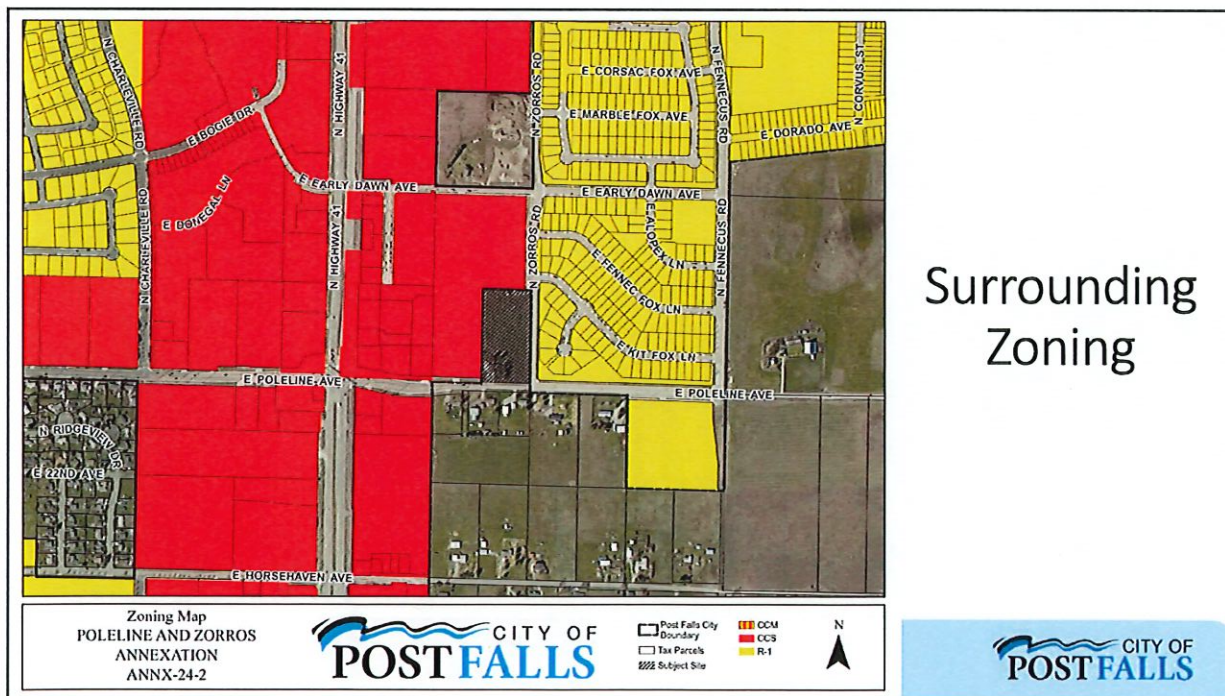
Poleline & Zorros Annexation



2



3



4

- Currently it is used as a large lot residential single-family use
- Over the Rathdrum Prairie Aquifer

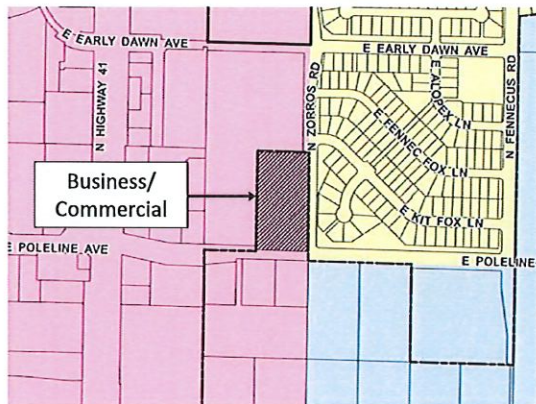
- City of Post Falls
- City would be willing to serve the property for the requested zoning of CCS and is subject to the 12th Avenue Surcharge and the Meyer Line Surcharge upon development

- Ross Point Water District

- Zorros Rd. is a Minor Collector
- Poleline Ave. is a Minor Arterial
- City's Transportation Master Plan identifies an 1/8-mile backage roadway between Early Dawn Ave. and Hope Ave. that can be made up of local access, private or commercial drives roadways
- City to obtain rights-of-way and easements

CITY OF
POST FALLS

Future Land Use Designation



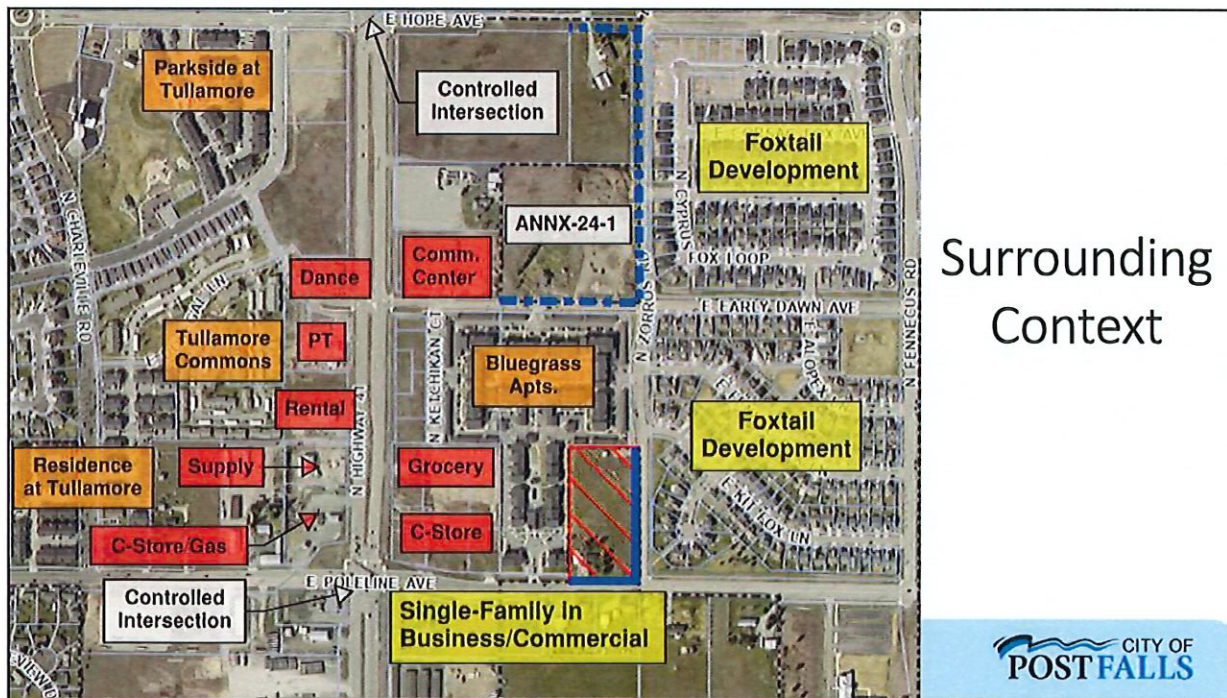
CITY OF
POST FALLS

Page 112 of 155

Zone Change Comprehensive Compatibility

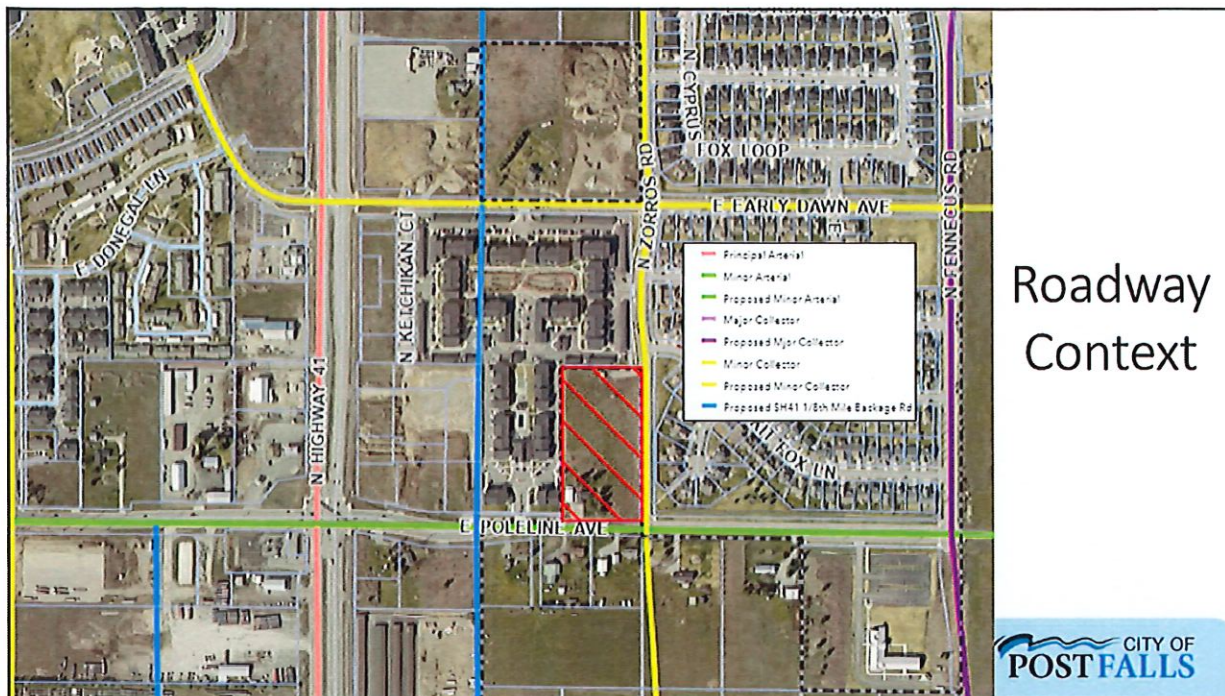
Future Land Use Designation	Focus Area	Comprehensive Goals	Comprehensive Policies
 Business/Commercial This category promotes a mixture of moderate/high density housing types and a wide variety of general service, retail, professional office, light industrial, artisan manufacturing and mixed-uses	41 North Development should provide pedestrian connectivity to all multi-use paths and trails including SH41 Trail Facilitate the creation of the "backage roads" system...supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses	[G.06]: Maintain and improve Post Falls' transportation network, on pace and in concert with need and plan objectives	[P.26]: Maintain and improve the continuity of sidewalks, trails, and bicycle paths in Post Falls [P.33]: Annexation should help implement Post Falls' transportation plans, enabling completion or preserving continuity of circulatory patterns for roads and pedestrian ways

7



Surrounding
Context

8

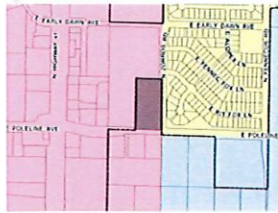


Roadway Context

CITY OF
POST FALLS

9

Zone Change Comprehensive Compatibility

Future Land Use Designation	Focus Area	Comprehensive Goals	Comprehensive Policies
 Business/Commercial This category promotes a mixture of moderate/high density housing types and a wide variety of general service, retail, professional office, light industrial, artisan manufacturing and mixed-uses	41 North Development should provide pedestrian connectivity to all multi-use paths and trails including SH41 Trail Facilitate the creation of the "backage roads" system...supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses	[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.	[P.08]: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits. [P.09] Encourage annexation of County "islands" within the City, with priority given to areas: - Surrounded by incorporated areas. - That have readily available service infrastructure and capacity.

CITY OF
POST FALLS

10

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?

Zone Change Review Criteria 3



11

- | | |
|----------------------------------|---------------------------------------|
| • Kootenai County Fire | • Verizon |
| • PF Highway District | • Idaho Department of Lands |
| • PF School District | • Panhandle Health |
| • Avista (WWP-3) | • NW Pipeline Corp. |
| • Dept. of Environmental Quality | • PF Post Office |
| • Conoco Inc. (Pipeline company) | • East Greenacres Irrigation District |
| • Yellowstone (Pipeline company) | • Time Warner Cable |
| • TransCanada GTN | • PF Police Department |
| • PF Parks & Rec | • Utilities |
| • Kootenai Electric | • Urban Renewal Agency |
| • Ross Point Water | • Kootenai County Planning |
| • TDS | • KMPO |

Agencies Notified



12

[PA-1] PFSD – Remain neutral

[PA-2] KCFR – Comment during permitting process

[PA-3] YPL – No impact, no comment

[PA-4] PFPD – Remain neutral

[PA-5] PFHD – Request for City to annex all portions of Poleline Ave. adjacent to the subject site per Idaho Code 50-222, Chapter 2

Agency Comments



13

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?

Zone Change Review Criteria 3



14

- 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?**

Zone Change Review Criteria



**CITY OF POST FALLS
STAFF REPORT**

DATE: AUGUST 30, 2024

TO: POST FALLS PLANNING AND ZONING COMMISSION

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

SUBJECT: STAFF REPORT FOR THE SEPTEMBER 10, 2024, P&Z COMMISSION MEETING
KILLDEER ANNEXATION ANN-24-4

INTRODUCTION:

Lake City Engineering, Inc. is requesting, on behalf of Northern Lights Development, LLC, the property owner, approval to annex approximately 4.89-acres into the City of Post Falls with a zoning request of Single-Family Residential (R1) (Exhibit A-2). 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: Killdeer Annexation File No. ANN-24-4

Owner(s): Northern Lights Development, LLC, 179 E. Wilbur Avenue, Dalton Gardens, ID 83815

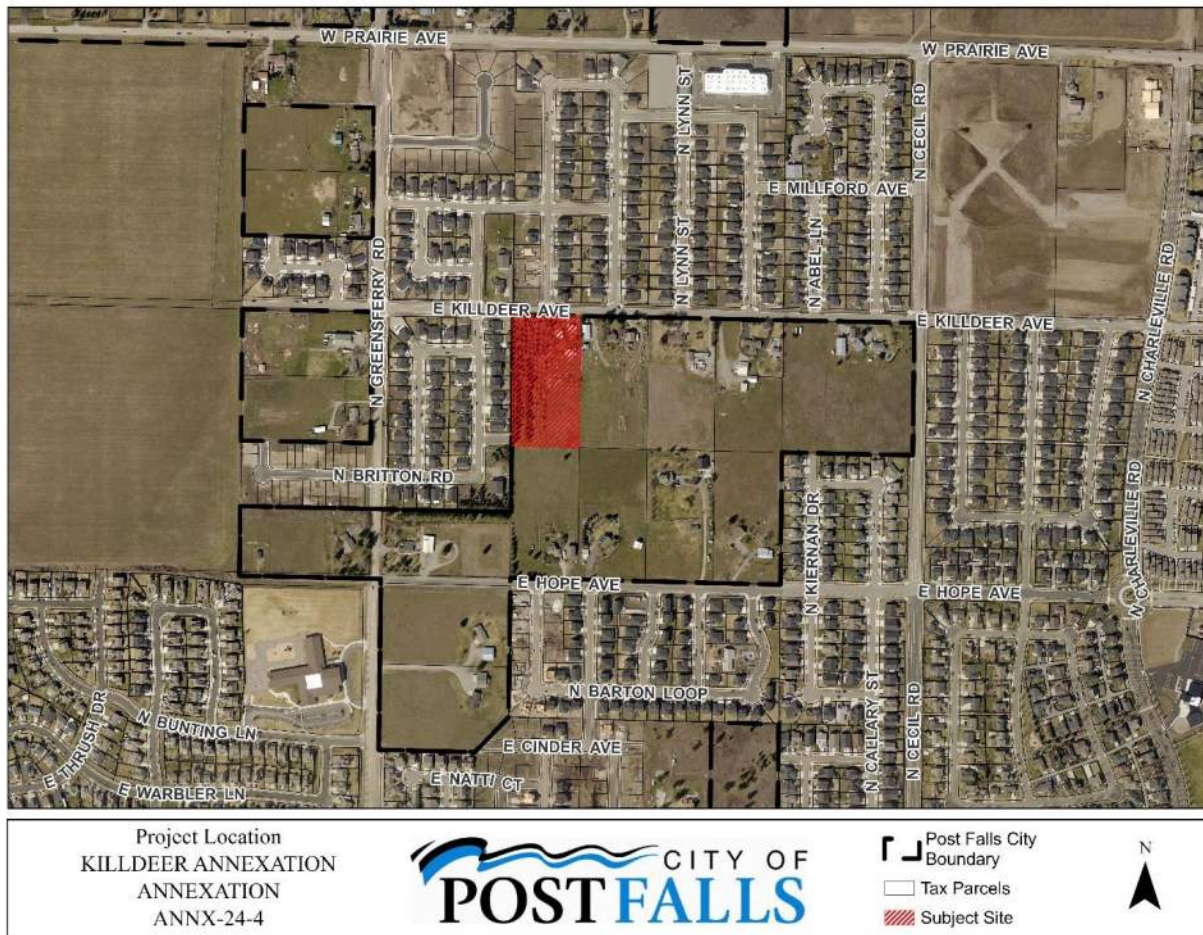
Applicant: Lake City Engineering, Inc., 126 E. Poplar Avenue, Coeur d'Alene, ID 83814

Project Description: Annex approximately 4.89-acres into the City of Post Falls with a zoning request of Single-Family Residential (R1).

Project Location: The property is located at 2640 E. Killdeer Avenue.

AREA CONTEXT (proposed site hatched red below):

Area Context Vicinity Map



Surrounding Land Uses: Located to the north across E. Killdeer Avenue is the Green Meadows 1st Addition Single-Family residential subdivision. Directly west of the subject site is Green Meadows Single-Family residential subdivision. There are large lot single-family residential uses to the south and east that are within Kootenai County. Land uses surrounding the site are predominantly single-family.

EVALUATION OF ZONING APPROVAL CRITERIA:

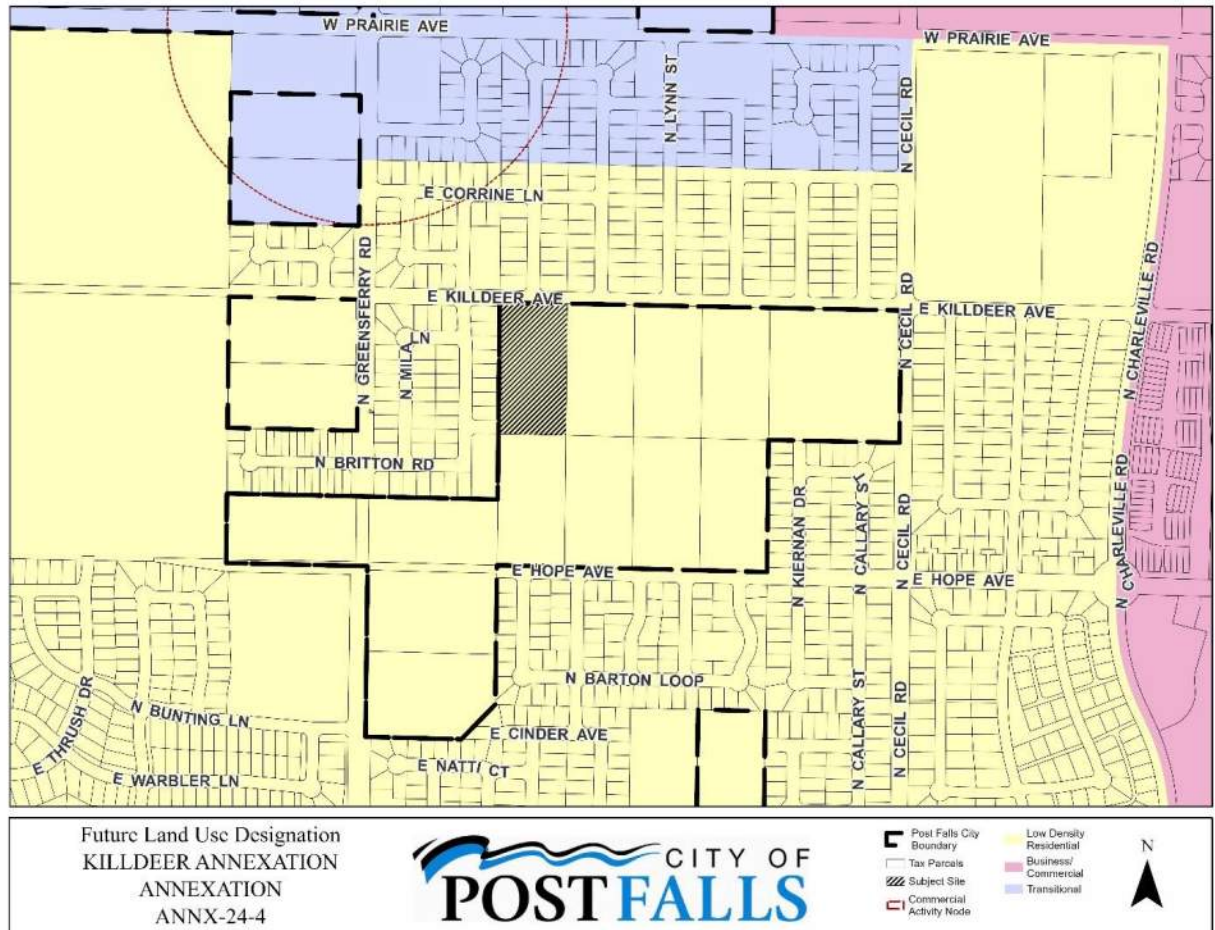
The following section provides the staff analysis pertaining to the Annexation Application and the establishment of zoning. The zone changes review criteria set forth within the Post Falls Municipal Code section 18.20.100 is cited below in **BOLD** with staff comments following. This review criteria 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 **Low-Density Residential** (See Following Image). This category encompasses all types of single-family residential uses up to eight dwelling units per acre and also supports land uses such as 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 are consistent with the Focus Area descriptor, 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. The following are the Implementing Zoning Districts: R-1-S, **R-1**, R-2, RM, SC3, Per Focus Area.



The proposed annexation is located within the 41 North Focus Area, which states the following:

The Highway 41 corridor promises to rival Seltice in terms of importance as a retail, mixed-use residential, and services district. The 2016 Highway 41 Corridor Master Plan calls for the creation of "collector" and "backage roads" parallel to 41 to aid the corridor's suitability for mixed-use development. These, the plan envisions, will allow regional retail, residential and service uses to coexist, reducing reliance on large parking lots with direct access to highway lanes and easing the transition between the highway and lower-intensity residential development expected to occur to the east and west. Residential development has been predominant in recent years, and with some forecasts estimating as many as 30,000 new residents in this area by 2040, it's a trend that's likely to continue. Such growth is expected to spur commercial uses adjacent to the highway, especially at stop-controlled intersections. As with North Prairie, land values will pressure development to attract a range of residents, offering shared amenities, housing variety and neighborhood-scale services. To help enrich the future identity of 41 North, growth should include

strategically located, carefully-designated land uses incorporating trails and an interconnected, walkable street network. Post Falls recently annexed additional lands for a planned technology park to be located near the northwest corner of Highway 41 and Prairie Avenue. This feature is expected to help diversify land uses and boost demand for commercial services.

The following items affirm or guide development of key policies for this area, or suggest future action items for the 41 North focus area:

- Focus provisions for multi-family, commercial, and tech uses near higher classified roadways;
- Development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail;
- Manage development patterns in the airport fly zone east of 41 and north of Prairie Avenue, coordinating with the 2018 Coeur d'Alene Airport Master Plan;
- Facilitate the creation of the "backage roads" system envisioned in the Highway 41 Corridor Master Plan, supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses;
- Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day

Staff Comment: The proposed Single-Family Residential (R1) zone aligns with other surrounding zoning districts and is an implementing zoning district within the future land use designation.

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

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.

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, this plan supports the allocation of land use types, parks features and other areas sufficient to achieve overall plan objectives.

Goal 15: Maintain and Improve the City's water and sewer infrastructure, anticipating future needs regarding population and regulatory conditions.

Provision of clean, safe water and responsible treatment and disposition of wastewater are essential services for any community. Post Falls recognizes the extreme value of potable water and wastewater treatment as relates to its future, and working with all providers, pledges to manage provision of water and wastewater services, sustaining growth and community vitality

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

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

- Future land use mapping.

Staff Comment: This has been addressed in Criteria 1.

- Compatibility with surrounding land uses.

Staff Comment: Existing uses surrounding the subject site are predominantly the same use that is being requesting, single-family homes.

- Infrastructure and service plans.

Staff Comment: Sanitary Sewer for the site is located in the adjacent Killdeer Avenue. 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.

The Site is currently provided water service from the Ross Point Water District.

- Existing and future traffic patterns.

Staff Comment: The property's northern boundary is adjacent to Killdeer Avenue, a classified Minor Collector roadway providing connectivity between Greensferry Road (Minor Arterial) and Cecil Road (Major Collector). 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:

Killdeer Avenue – Minor Collector, 80-foot road rights-of-way, as measured from the existing northern rights-of-way line for Killdeer Avenue. Along with a 10-foot sidewalk, drainage, and utility easement to be provided adjacent to the dedicated rights-of-way.

- 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 of this staff report.

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

Staff Comment: This site would be considered a compatible infill development area and within the exclusive tier of the Area City Impact. Having this approved to be incorporated into the City may help meeting this policy.

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

- Surrounded by incorporated areas.

Staff Comment: The site is currently within a County “island”.

- That have readily available service infrastructure and capacity.

Staff Comment: The City of Post Falls is the purveyor for Sanitary Sewer. Sanitary sewer and water infrastructure (Ross Point Water) is located adjacent to the property. The City has capacity and is willing to provide sewer service to the site.

Killdeer Avenue is a classified Minor Collector with constructed urban improvements to the west and along the north side of the roadway. Dedication of rights-of-way and easement would aid in accommodating the completion of missing improvements within the county island section.

- That support increased development intensity near the urban core.

Staff Comment: The location of the proposed annexation is not near the urban core.

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 and will be followed for this proposal.

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(s) and easement(s) would need to be provided as part of annexation. Annexation shall include all rights-of-way adjoining the site currently within the County.

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

Staff Comment: Upon the development of the site, frontage improvements will be required to be completed. This allows for continuity of pedestrian pathways along E. Killdeer Avenue.

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: Upon the development of the site from a subdivision, roadway and pedestrian improvements will be required to be completed. This allows for

continuity of roadways and pedestrian pathways for both E. Killdeer Avenue.

Policy 45: Guide annexation decisions guided by and considering:

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

Staff Comment: Compliance with associated master plans has been outlined previously within this staff report. Schools and emergency services have been notified of this request and have been given the chance to comment on the request.

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

Staff Comment: Dedication of additional rights-of-way and associated easements have been previously addressed and will be 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. Per Idaho Code, no Interstate pipelines are located within 1,000 feet of the proposed annexation and subdivision. 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.

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

Staff Comment: The property is abutting the City of Post Falls on the western and northern sides. Utilities are located adjacent to the property and capable of providing service to the property. The City of Post Falls currently maintains and operates the water reclamation facilities adjoining the site.

Rights-of-way for Killdeer Avenue, adjacent to the site, are owned and maintained by the City of Post Falls. Urban transportation improvements exist along the northern side of Killdeer Avenue and to the west.

Annexation of the property would create no net increase in the operational and maintenance costs of the adjoining City infrastructure.

- Comprehensive plan goals and policies.

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

section.

Policy 71: Promote the planting and protection of trees citywide, helping.

Staff Comment: Frontage improvements associated with future development or subdivision, including the planting of street trees and adequate irrigation, are required. Policy 71 will be met through these plans as existing trees are assessed and any new proposed trees to help identify the below bulleted items.

- Beautify and enhance community value.
- Provide shade and comfort.
- Affirm the city's association with the outdoors and its historic origins.
- Provide wildlife habitat.

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: There have been no identified "Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city" at this point in time.

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

PUBLIC AGENCY COMMENTS:

- Exhibit PA-1 Post Falls School District – Remains neutral
- Exhibit PA-2 Kootenai County Fire & Rescue – Will comment during permit process
- Exhibit PA-3 Yellowstone Pipeline Co. – No impact
- Exhibit PA-4 Post Falls Police Department – Remains neutral
- Exhibit PA-5 Post Falls Highway District – No comment

PUBLIC PROCESS: Notice of the proposed annexation was sent to appropriate jurisdictions on August 21, 2024 and mailed to property owners within 300 feet of the proposed project on August 16, 2024. Notice has been published in the Coeur d'Alene Press on August 20, 2024. The property was posted August 23, 2024.

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.

ITEMS TO BE CONSIDERED FOR INCLUSION IN AN ANNEXATION AGREEMENT: Should the Planning & Zoning Commission move to recommend approval; staff proposes the following conditions:

1. Dedications of rights-of-way and easements along Killdeer Avenue. 80-feet of rights-of-way measured from the existing northern rights-of-way for Killdeer Avenue, along with a 10-foot Sidewalk, Drainage and Utility easement adjoining the new rights-of-way dedication.
2. 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.

ATTACHMENTS:

Applicant Exhibits:

Exhibit A-1	Annexation Application
Exhibit A-2	Narrative
Exhibit A-3	Vicinity Map
Exhibit A-4	Owner Authorization

Staff Exhibits:

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

Testimony:

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

Annexation

ANNX-24-4

Submitted On: Jun 27, 2024

Applicant

 Lake City Engineering, Inc.
 (208) 676-0230
 admin@lakecityengineering.com

Primary Location

Point Location: 47.7408, -116.9132

Application Information

Did an Annexation Pre-app take place?

Yes

Applicant Type

Engineer

Description of Project/Reason for Request

Annexation of 4.89 acres into the City of Post Falls.

Existing Zoning

Agriculture (County)

Adjacent Zoning

Agriculture (County); R-1

Current Land Use

Residential

Adjacent Land Use

Residential

Proposed Zone

R-1

Owner Information

Name

Northern Lights Development, LLC

Company

--

Phone

208-772-4083

Email

michael@hallmarkhomescda.com

Address

179 E. Wilbur Avenue

City, State, Zip Code

Dalton Gardens, ID 83815

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

Killdeer Annexation

Project Narrative

City of Post Falls, Idaho

June 2024



*126 E. Poplar Avenue
Coeur d'Alene, Idaho 83814
Phone: (208) 676-0230*

INTRODUCTION

We are hereby requesting the annexation of approximately 4.89 acres into the City of Post Falls. The subject property is located 0.2 miles East of the intersection of Greensferry Road and Killdeer Avenue, on the South side of the road.

SUBJECT PARCEL

The property being requested for annexation is as follows:

Parcel #:	0-6360-25-023-AB
Parcel Area:	4.89 acres
Total Annexation Area:	4.89 acres
Legal Description:	West 1/2 of Tract 23, Block 25 of Post Falls Irrigated Tracts, in the Northwest quarter of Section 25, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho.
Proposed Zoning:	Single-family Residential (R-1)



Figure 1: Vicinity Map

REVIEW CRITERIA

Annexations are intended to be a logical and orderly expansion of the City and allow for the increased efficiency and economic provisions of public services. In order to ensure orderly development that would benefit the community, the review criteria listed below have been established by City Staff. The Applicant believes this Annexation request is in the best interest of the City of Post Falls, and the review standards are addressed as follows:

1) *Consistent with Future Land Use Map and Focus Area*

The City of Post Falls Future Land Use Map labels this property as Low-Density Residential, which, according to the City of Post Falls Comprehensive Plan (adopted July 2020), is assigned to lands suitable for all types of single-family residential uses up to eight dwelling units per acre. The proposed zoning classification of single-family residential (R-1) is an implementing zoning district and fits well with the intended future uses for the subject property. This parcel also lies within the 41 North Focus Area, which the Comprehensive Plan envisions will ease the transition between the highway and lower-intensity residential development that's expected to occur to the East and West. The subject property is located on the westernmost edge of this Focus Area, adjacent to the Green Meadows subdivision and across the street from the Green Meadows 1st Addition subdivision. Allowing this property to be developed into R-1 residential will increase pedestrian connectivity and access to nearby trails and parks in the Tullamore subdivision located just to the East.

2) *Consistent with the Goals and Policies found in the Comprehensive Plan*

The City of Post Falls Comprehensive Plan is the guiding document for annexation and zoning classification requests. It is important that land use decisions meet or exceed the goals, policies and actions as outlined in the Comprehensive Plan. The subject property is designated as Low-Density Residential and lies in the 41 North Focus Area. The project proponent believes that the following goals and policies (shown in *italics*) as outlined in the Comprehensive Plan are applicable to the requested annexation and zone classification. Additional commentary is located below each goal or policy as appropriate.

GOALS

- G.02 *Maintain and improve the provision of high-quality, affordable and efficient community services in Post Falls.*

Comment: The proposed zoning designation complies with the Future Land Use Map, and this project will provide additional housing options for the growing community. Utilities are currently in place within Killdeer Avenue and are anticipated to have adequate capacity to serve the proposed use. The additional improvements needed for the project will be the responsibility of the Developer to provide.

- G.05 *Keep Post Falls' neighborhoods safe, vital, and attractive.*

Comment: The development of this property will be in accordance with adopted standards and regulations adopted by the City of Post Falls. The proposed project will provide additional, much-needed housing for existing and future residents who are looking for a safe, aesthetically pleasing, and pedestrian-friendly neighborhood with connectivity to the Green Meadows subdivision to the East via Luverne Lane. This is an infill annexation wherein the subject property is surrounded by existing residential neighborhoods.

- 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.*

Comment: The annexation and requested zoning designation are in accordance with the City's Master Plans, the Comprehensive Plan and City Code, and are in line with the current growth patterns stretching North along the nearby Hwy 41 corridor and East along Killdeer Avenue. The proposed residential zoning will provide additional housing for residents and connectivity with the surrounding community.

POLICIES

- P.01 *Support land use patterns that:*
- *Maintain or enhance community levels of service;*
 - *Foster the long-term fiscal health of the community;*
 - *Maintain and enhance resident quality of life;*
 - *Promote compatible, well-designed development;*
 - *Implement goals and policies of the comprehensive plan, related master plan and/or facility plans*
- P.02 *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;*
 - *Goals and policies of the comprehensive plan, related master plan and/or facility plans*
- P.03 *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.*

Comment: The proposed infill annexation and subsequent development will be compatible with surrounding land uses and will be in accordance with all approved City Master Plans. Residents living in the project will enjoy aesthetically pleasing housing adjacent to existing subdivisions. The subject

property is also within walking or biking distance of the Tullamore Subdivision, which contains several parks and recreational opportunities.

- P.08 *Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.*
- P.09 *Encourage Annexation of County “islands” within the City, with priority given to areas:*
- *Surrounded by incorporated areas*
 - *That have readily available service infrastructure and capacity;*
 - *That support increased development intensity near the urban core.*
- P.14 *Follow all annexation procedures established by Idaho State statutes and applicable City ordinances.*
- P.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.*

Comment: The proposed annexation will be in accordance with all City of Post Falls and State of Idaho statutes, codes and requirements. The subject property is part of a County island consisting of a dozen parcels of land situated in the middle of multiple residential subdivisions. The conversion of the existing dilapidated single-family residence and under-utilized piece of land into multiple single-family lots that support workforce housing options will benefit a variety of existing and future residents.

- P.18 *Maintain housing standards, fees and regulations that support and sustain related services and infrastructure.*

Comment: All development will be in accordance with City of Post Falls and Ross Point Water District standards and requirements. Minimal off-site, or additional, infrastructure will be required to be extended to serve the proposed project.

- P.19 *Encourage clustering of units in new residential development, providing service efficiencies and creating opportunities for private or community open space.*

Comment: Although the subject parcel itself does not allow for additional public parks or community open space because of the size of the property, the planned development will effectively utilize the private space it occupies and will beautify an otherwise mostly vacant piece of land. The subject parcel is also within walking and biking distance to the multiple parks and open spaces in the Tullamore neighborhood.

- P.27 *Work to improve street connectivity in all areas of Post Falls, improving walkability, public health and safety, and transportation efficiency.*

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

P.38 *Plan new development to ensure provision of public services at current levels of Service (LOS) or the LOS identified in City-adopted master plans.*

Comment: The proposed annexation and development will not adversely impact the existing Levels of Service (LOS) as identified in City Master Plans. All utilities are within adjacent Killdeer Avenue and are available to service the project. Infrastructure such as sidewalks, curb, street trees and swales at the northern and southern ends of the parcel will beautify the vacant land and improve the overall walkability to existing developments to the West and future developments to the East.

P.44 *Annexation should leverage existing capital facilities, with minimal need for expansion or duplication of facilities.*

P.45 *Guide annexation decisions guided by and considering:*

- *Master plans for water, sewer, transportation, parks, schools and emergency services;*
- *Provision of necessary rights-of-way and easements;*
- *Studies that evaluate environmental and public service factors;*
- *Timing that supports orderly development and/or coordinated extension of public services;*
- *Comprehensive plan goals and policies.*

Comment: Utilities with the capacity to serve the project already exist within adjacent Killdeer Avenue. This project will be developed in accordance with all applicable City of Post Falls Master Plans and requirements for annexations and infrastructure.

P.71 *Promote the planting and protection of trees citywide, helping:*

- *Beautify and enhance community value;*
- *Provide shade and comfort;*
- *Affirm the city's association with the outdoors and its historic origins;*
- *Provide wildlife habitat.*

Comment: The proposed development will include a variety of landscaping, street trees and grassy swales that will beautify the environment and provide shade and habitat.

P.106 *Encourage cooperation between local water districts and the City, supporting planning for and provision of services concurrent with community needs.*

Comment: Ross Point Water District will provide both irrigation and domestic water needs. They currently have the willingness and capacity to serve the proposed project.

3) Demonstrable Adverse Impacts

The property is zoned Agriculture in Kootenai County and currently contains an older single-family residence and outbuildings in the northeastern corner of the parcel, a multitude of tree-farm style plantings on the western half, and mostly vacant, under-utilized land on the eastern half. It lies on the edge of a section of rapidly developing and changing section of Post Falls and is part of a County island. The subject property is surrounded by residential uses.

The proposed zoning of R-1 is not anticipated to create any adverse impacts on the delivery of public services, largely because it's a smaller infill project with all utilities already located in the adjacent Killdeer Avenue and available to serve the subject property. When added to the other surrounding residential subdivisions such as Pradera, Terra Vista and Corbin Meadows, the proposed annexation and subsequent development will only serve to increase access and connectivity options for new and existing residents, both through this future development and to other neighborhoods and businesses down the street.

Exhibit A-3



LEGEND
 — x — EXISTING CITY LIMITS
 — [] — ANNEXATION BOUNDARY

0 100 200 400
 SCALE: 1" = 400'



126 E. POPLAR AVENUE
 COEUR D'ALENE, IDAHO 83814
 PHONE: 208.676.0230
 WWW.LAKECITYENGINEERING.COM

KILLDEER ANNEXATION

ZONING MAP

DESIGNED BY: DCD
 DRAFTED BY: SMA/TC/D
 SCALE: 1" = 400'
 DATE: 06/10/2024
 JOB NO: 24-027
 FILE: 24-027 ZONING EXB.dwg

City of Post Falls
408 N. Spokane Street
Post Falls, ID 83854

June 26, 2024

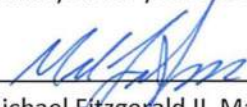
ATTN: Planning Department

RE: Parcel # 0-6360-25-023-AB

To Whom It May Concern,

I hereby authorize Lake City Engineering, Inc. and Northern Lights Development, LLC to act as the Authorized Agents for matters related to the above referenced project.

Thank you for your time and consideration in this matter.



Michael Fitzgerald II, Manager
Northern Lights Development, LLC

6.27.24

Date

STATE OF IDAHO)
)ss.
COUNTY OF KOOTENAI)

On this 27 day of June, 2024, before me, the subscriber, a Notary Public in and for said State and County, personally appeared Michael Fitzgerald II, a Manager of Northern Lights Development, LLC, known or subscribed and sworn to me to be the person whose name is subscribed to the within instrument, and in due form of law acknowledged that he is authorized on behalf of said limited liability company to execute all documents pertaining hereto and acknowledged to me that he executed the same as his voluntary act and deed on behalf of said limited liability company.

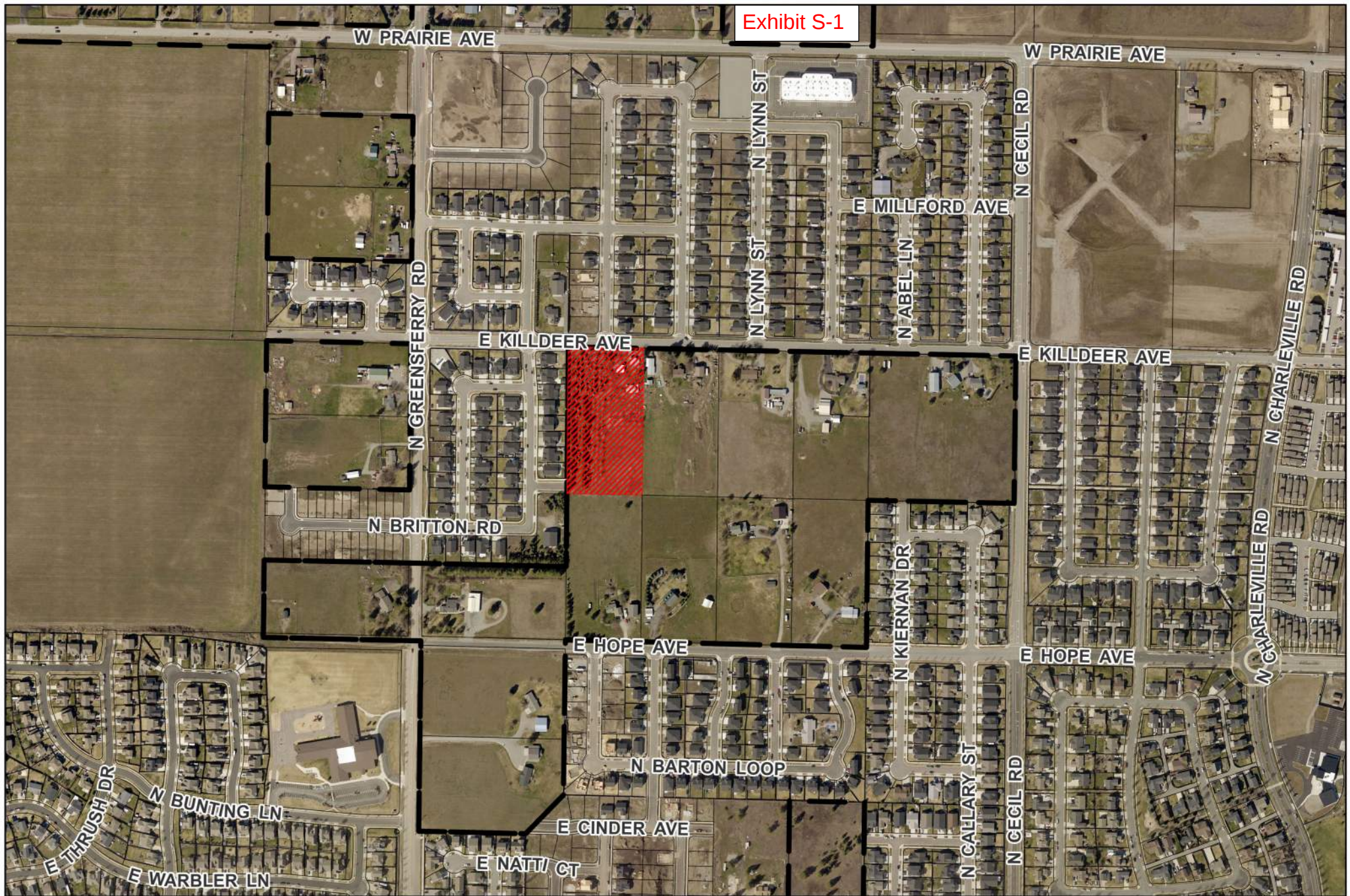




Notary Public

Residing at: Hayden, Idaho

My Commission Expires: 2-22-28



Project Location
KILLDEER ANNEXATION
ANNX-24-4



- Post Falls City Boundary
- Tax Parcels
- Subject Site



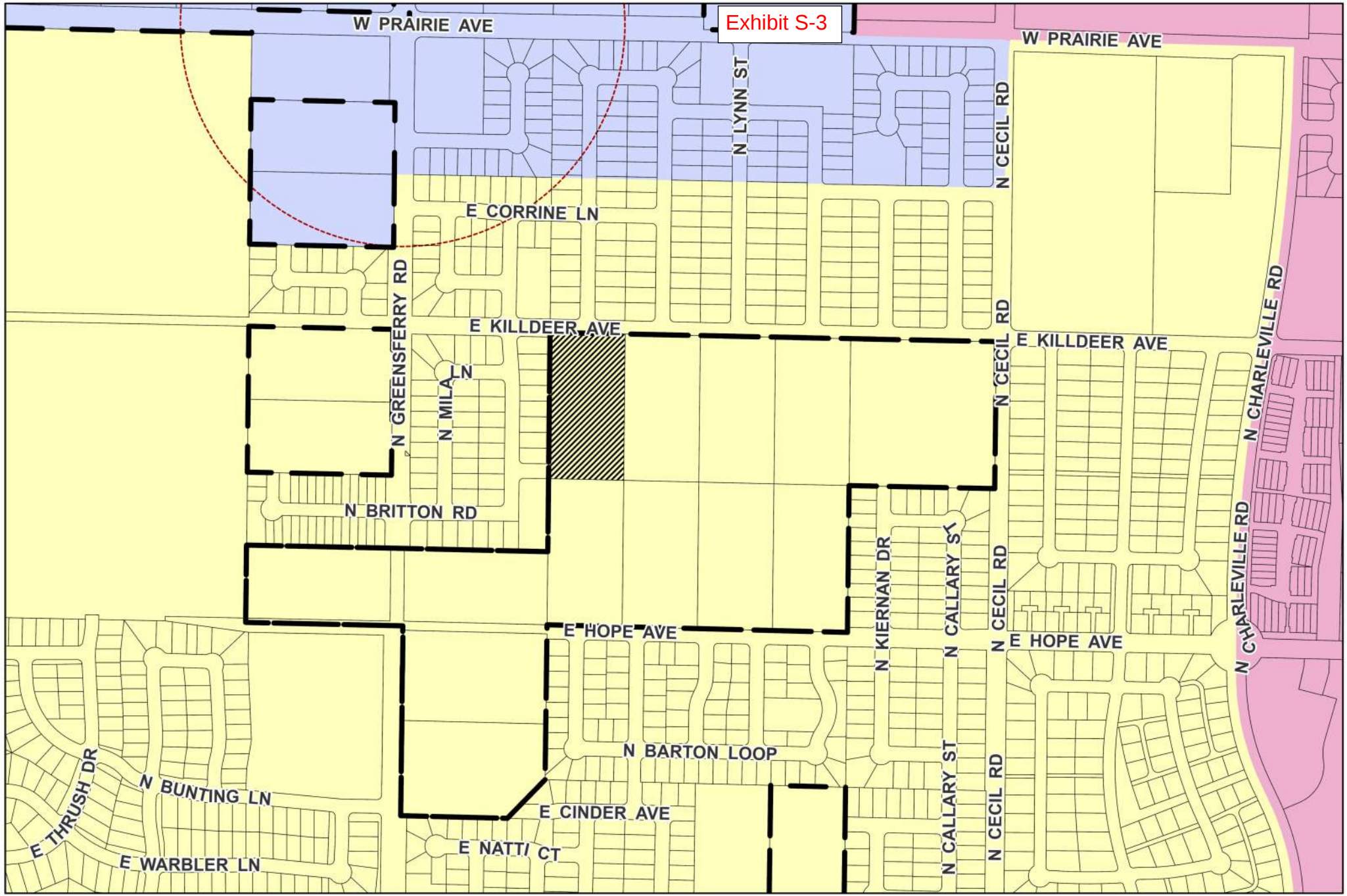


Zoning Map
KILLDEER ANNEXATION
ANNEXATION
ANNX-24-4



- Post Falls City Boundary
- Tax Parcels
- Subject Site
- CCM
- CCS
- TM
- LC
- RM
- R-1
- R-2





Future Land Use Designation
KILLDEER ANNEXATION
ANNEXATION
ANNX-24-4



- Post Falls City Boundary
- Tax Parcels
- Subject Site
- Commercial Activity Node

- Low Density Residential
- Business/Commercial
- Transitional





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.

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

Kootenai County Fire & Rescue

Fire Marshal's Office

5271 E. Seltice Way
Post Falls, ID 83854
Tel: 208-777-8500
Fax: 208-777-1569
www.kootenaifire.com

January 18, 2024

Nancy Thurwachter
Planning Administrative Specialist
nthurwachter@postfalls.gov

RE: Notice to Jurisdiction Response

Nancy,

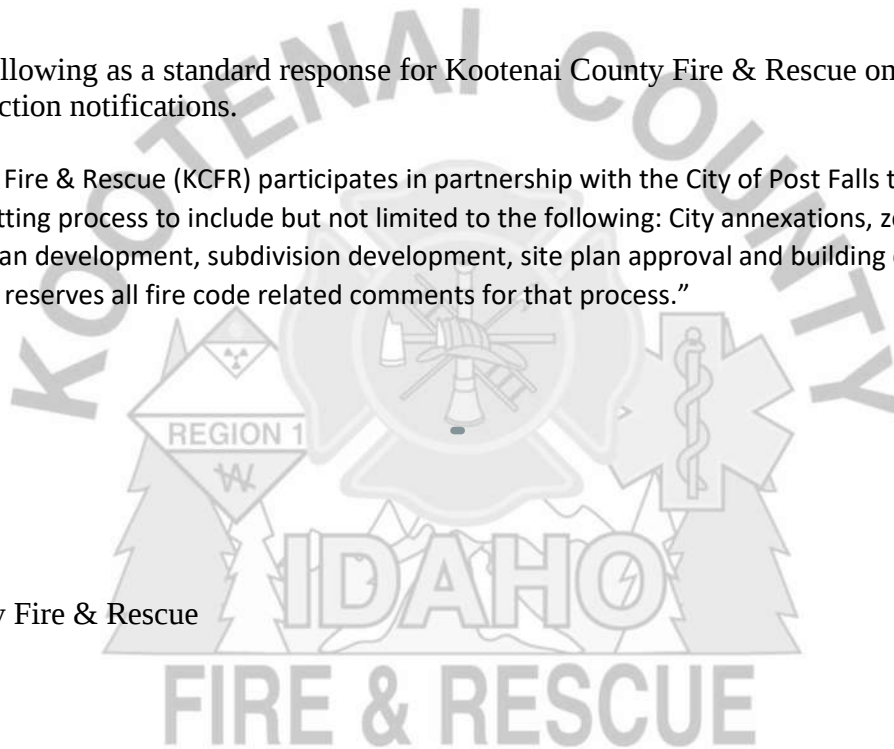
Please use the following as a standard response for Kootenai County Fire & Rescue on all applicable Notice to Jurisdiction notifications.

"Kootenai County Fire & Rescue (KCFR) participates in partnership with the City of Post Falls throughout the review and permitting process to include but not limited to the following: City annexations, zoning issues, comprehensive plan development, subdivision development, site plan approval and building construction code compliance. KCFR reserves all fire code related comments for that process."

Respectfully,



Jeryl Archer II
Kootenai County Fire & Rescue
Division Chief
Fire Marshal



From: [Polak, Chad M](#)
To: [Nancy Thurwachter](#)
Subject: FW: Notice to Jurisdictions - Killdeer Annexation File No. ANNX-24-4
Date: Wednesday, August 21, 2024 11:10:23 AM
Attachments: [image001.png](#)
[Exhibit PH-2 NTJ_Killdeer_PZ.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,

No impact to the P66 ROW and we do not have any concerns.

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: Wednesday, August 21, 2024 11:36 AM
To: Ali Marenau <AMarienau@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>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; 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>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; 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>; 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>; Tess Reasor <tess@connectkootenai.org>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziplay.com>; URA <postfallsura@gmail.com>

Cc: Anna Staal <astaal@postfalls.gov>; Bobby Wilhelm <bobby@bobbywilhelm.com>; Christopher Gabbert <cgabbert@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>; 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>; Ross Schlotthauer <ross@burlyproducts.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stephanie Herman <sherman@postfalls.gov>; Tisha Gallop <tgallp@postfalls.gov>; Vicky Jo Carey <vjcarey@aol.com>; Wade Meyer <wmeyer@postfalls.gov>; Warren Wilson <wwilson@postfalls.gov>

Subject: [EXTERNAL]Notice to Jurisdictions - Killdeer Annexation File No. ANNX-24-4

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Please find attached the Notice to Jurisdictions for the Killdeer Annexation File No. ANNX-24-4 that is scheduled for the Planning and Zoning meeting on September 10, 2024. The draft staff report will be on the city's website shortly.

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.



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

August 21st, 2024

Nancy Thurwachter
Planning Administrative Specialist
nthurwachter@postfalls.gov

Re: Killdeer Annexation File No. ANNX-24-4

The Police Department has reviewed the above listed annexation/zone change request and will remain Neutral. The department will provide further comment during the development process. 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

Nancy Thurwachter

From: Jonie Anderson <Jonie@postfallshd.com>
Sent: Monday, August 26, 2024 8:45 AM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions - Killdeer Annexation File No. ANNX-24-4

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.

The annexation request does not impact the PFHD.

Regards,
Jonie

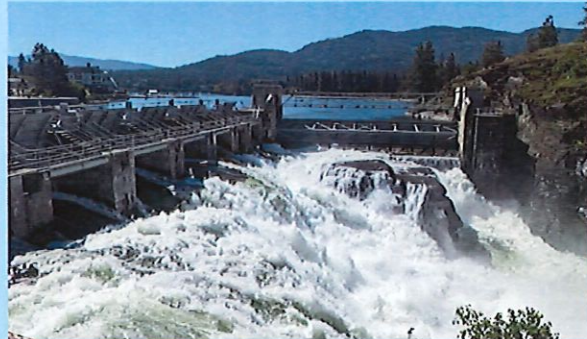
Jonie Anderson
Post Falls Highway District
208.765.3717
contactus@postfallshd.com



From: contactus@postfallshd.com <contactus@postfallshd.com> **On Behalf Of** Nancy Thurwachter
Sent: Wednesday, August 21, 2024 10:36 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>; Carolyn Bostick <cbostick@cdapress.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; 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>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Gregory Ashley <gregory.Ashley@williams.com>; 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>; 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>; Tess Reasor <tess@connectkootenai.org>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@ZiPLY.com>; URA <postfallsura@gmail.com>

Killdeer Annexation

Case File: ANNX-24-4



Ethan Porter– Associate Planner
September 10, 2024

1

OWNER: Northern Lights Development, LLC

APPLICANT: Lake City Engineering, Inc.

REQUESTED ACTIONS:

- **Zoning Recommendation:** Forward recommendation to City Council for the 4.89-acre subject property to be Single-Family Residential (R1) zoning as part of the annexation request

Killdeer Annexation



2

Land Use & Site

- Currently it is used as a large lot residential single-family use
- Over the Rathdrum Prairie Aquifer

Wastewater

- City of Post Falls
- City would be willing to serve the property for the requested zoning of R1 and the location of the nearest sewer line is within the adjacent Killdeer Avenue

Water

- Ross Point Water District

Traffic

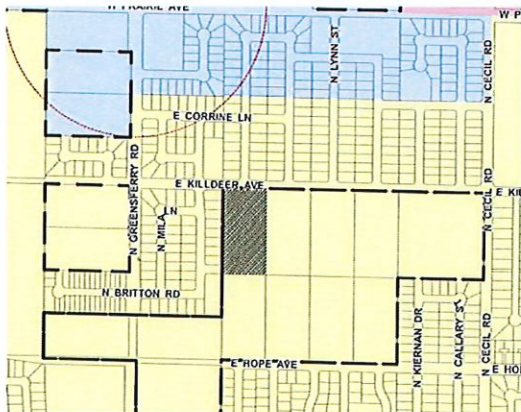
- Killdeer Ave. is classified as a Minor Collector roadway, which provides connectivity to between Greensferry Rd. (Minor Arterial) and Cecil Rd. (Major Collector)
- No impacts anticipated on the traffic network from the requested R1 zoning

Additional Information



5

Future Land Use Designation



41 North Focus Area



Future Land Use Designation/Focus Area

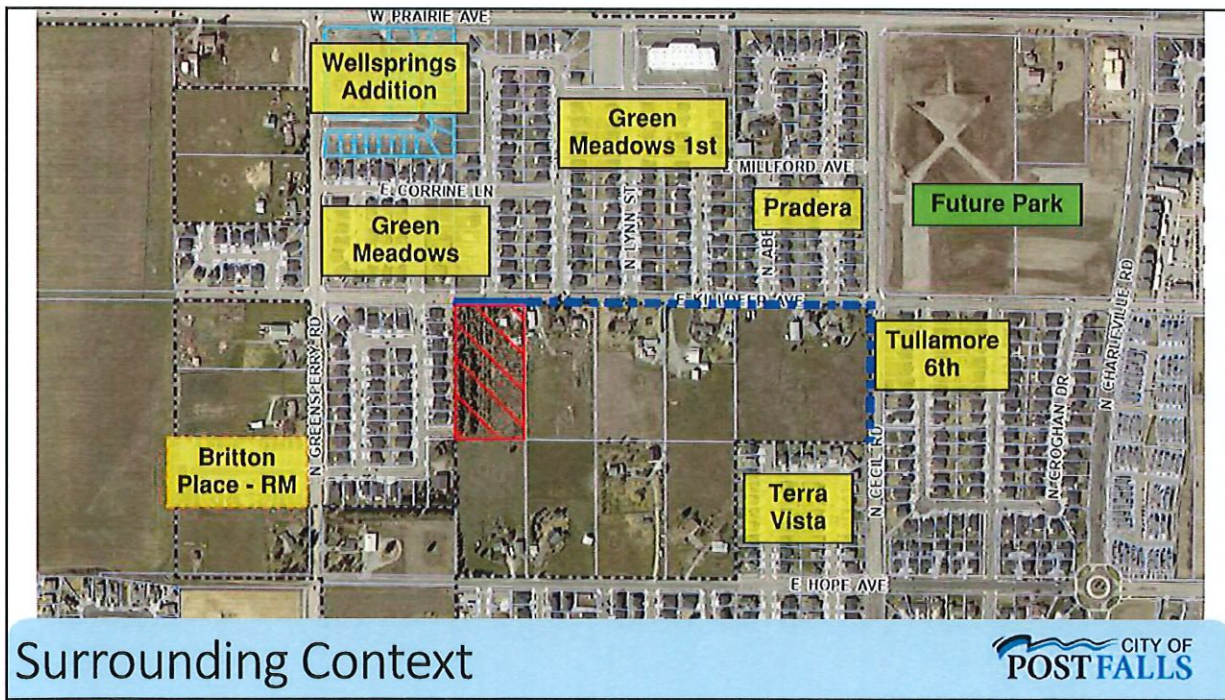


6

Zone Change Comprehensive Compatibility

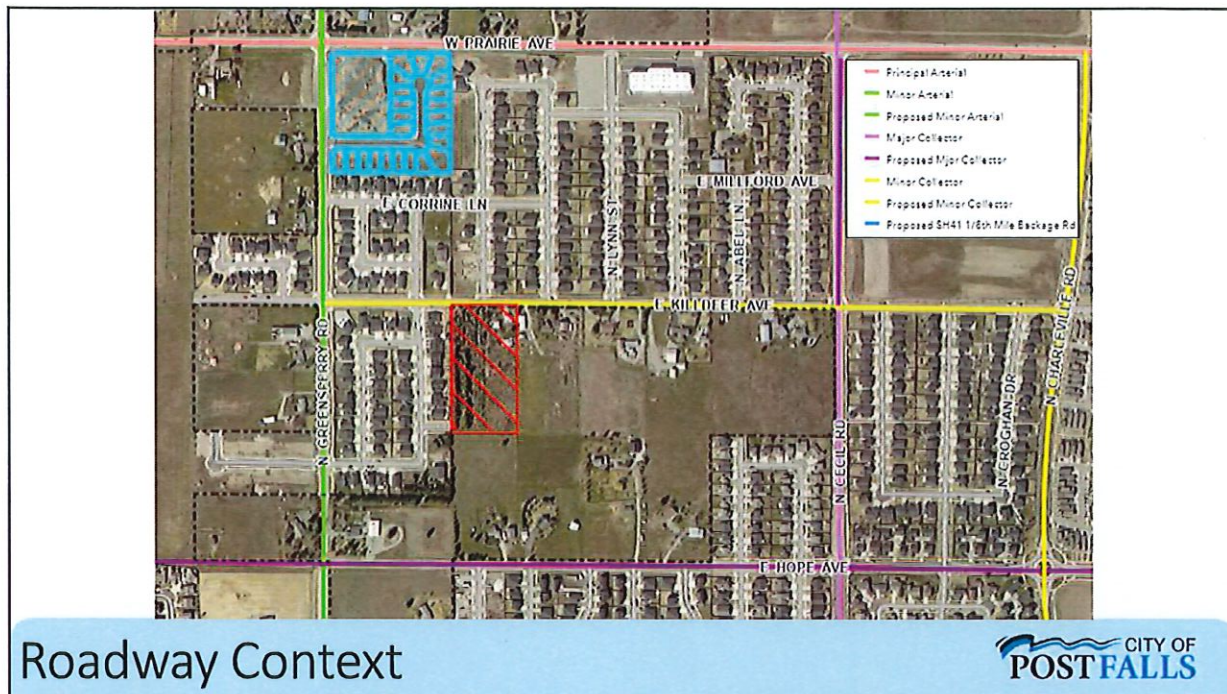
Future Land Use Designation	Focus Area	Comprehensive Goals	Comprehensive Policies
 Low Density Residential This category encompasses all types of single-family residential uses up to eight dwelling units per acre.	41 North Development should provide pedestrian connectivity to all multi-use paths and trails including SH41 Trail Facilitate the creation of the "backage roads" system...supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses	[G.06]: Maintain and improve Post Falls' transportation network, on pace and in concert with need and plan objectives	[P.24]: Plan for and protect transportation corridors from encroachment and preserve adequate rights-of-way for future corridors including utility facilities [P.33]: Annexation should help implement Post Falls' transportation plans, enabling completion or preserving continuity of circulatory patterns for roads and pedestrian ways

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Surrounding Context

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Zone Change Comprehensive Compatibility			
Future Land Use Designation	Focus Area	Comprehensive Goals	Comprehensive Policies
 Low Density Residential This category encompasses all types of single-family residential uses up to eight dwelling units per acre.	41 North Development should provide pedestrian connectivity to all multi-use paths and trails including SH41 Trail Facilitate the creation of the "backage roads" system...supporting appropriately-scaled commercial and mixed-use development along 41 and improving access for nearby residential uses	[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.	[P.08]: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits. [P.09] Encourage annexation of County "islands" within the City, with priority given to areas: - Surrounded by incorporated areas. - That have readily available service infrastructure and capacity.

CITY OF POST FALLS

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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?

Zone Change Review Criteria 3



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

Agencies Notified



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[PA-1] PFSD – Remain neutral

[PA-2] KCFR – Comment during permitting process

[PA-3] YPL – No impact

[PA-4] PFPD – Remain neutral

[PA-5] PFHD – No comment

Agency Comments



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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?

Zone Change Review Criteria 3



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- 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?**

Zone Change Review Criteria

