PLANNING AND ZONING COMMISSION MEETING AGENDA

October 24, 2024
5:30 PM

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

REGULAR MEETING – 5:30 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

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

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION: ACTION ITEM

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. P&Z Workshop Minutes 09-11-2024

b. Planning and Zoning Meeting Minutes 10-8-2024

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 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

September 11, 2024
5:30 PM

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

DEVELOPMENT IMPACT FEE COMMITTEE SPECIAL MEETING – 5:30 PM

CALL TO ORDER
5:30 PM

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS
Vicky Jo Carey, Kibbee Walton, Ray Kimball, James Steffensen, Ross Schlotthauer, Nancy Hampe, Bobby Wilhelm

Present: Carey, Walton, Kimball, Steffensen, Schlotthauer, Hampe, Wilhelm

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION: ACTION ITEM
None

AMENDMENTS TO THE AGENDA
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Robert Seale, Post Falls Director: Due to the nature of the agenda tonight we are going to skip items 1, 2, 3, and 4 to move along to the Administrative Staff Report.

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
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ACTION ITEMS:
Skip

2. CITIZEN ISSUES

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Skip

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:

Skip

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:

Skip

5. ADMINISTRATIVE / STAFF REPORTS

a. Update Presentation: Impact Fee Study Phase One

1. Development Impact Fee Study Update: (20 min). Presenter Melissa Cleveland, Welch Comer Engineers and Todd Chase, FCS Group (10 min).
   - Phase 1
   - Schedule
   - General Impact Fee Equation
   - Considerations
   - Population & Job Growth Forecast: 2022 - 2035
   - Employment Inflow/Outflow
   - Existing Impact Fee Methodology

2. Parks (30 min).

- Park Availability Per Person
- Average Park Demand Per Dwelling Unit & Job
- Average Park Demand from Overnight Visitors

3. Police (10 min).

- Public Safety Demand
- Existing Public Safety LOS

4. Transportation (20 min).

- Consider a City Center Fee Zone
- Growth in Trips
- Trips Core vs Rest of City
- Person-Trip Conversions
- Person Trip Growth Forecast

5. Next Steps (10 min).

- Finish employment data and TAZ adjustments in Regional Demand Model
- Finalize trip growth from model (City Center and rest of City)
- Revise growth estimates and LOS estimates based on input from City and/or Planning & Zoning
- October: Police, Parks, Transportation
- November: Scaling SF, Non-residential park fees, Escalation

6. COMMISSION COMMENT

None

7. ADJOURNMENT

7:00 PM

Date: _____ Chair:_____

Attest: _____

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

CITY OF POST FALLS

PLANNING AND ZONING COMMISSION MEETING MINUTES

October 8, 2024 5:30 PM

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

REGULAR MEETING – 5:30 PM

CALL TO ORDER
5:30 PM

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS
Vicky Jo Carey, Kibbee Walton, Ray Kimball, James Steffensen, Ross Schlotthauer, Nancy Hampe, Bobby Wilhelm

Present: Carey, Walton, Kimball, Steffensen, Schlotthauer, Wilhelm
Excused: Hampe

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION: ACTION ITEM
None

AMENDMENTS TO THE AGENDA
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Jon Manley, Planning Manager: Item "C" Landmark Place File No. AYBD-24-3 will be moved to Planning & Zoning Meeting 11/12/2024 due to comments that came in on the file. We want to make sure we have a complete submittal.

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS
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Wilhelm: Recused himself from Gario Estates File No. ZC-24-2
Kimball: Recused himself from Consent Calendar.

1. CONSENT CALENDAR
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ACTION ITEMS:

a. Meeting Minutes Planning & Zoning Meeting Minutes 9/10/24

b. Mongeau Meadows Annexation Zoning Recommendation File No. ANNX-24-3

c. Mongeau Meadows Subdivision Reasoned Decision File No. SUBD-24-2

d. Shawver Autobody Zone Change Zoning Recommendation File No. ZC-24-1

e. Shawver Autobody Special Use Permit Reasoned Decision File No. SUP-24-6

Motion to Approve as presented by Walton
2nd by Carey
Vote: Carey - yes, Walton - yes, Steffensen - yes, Schlotthauer - yes, Wilhelm - yes
Kimball: Recused
Moved

2. CITIZEN ISSUES

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Joshua Hemphill, Post Falls: He expressed his concern about the sewer system, the smell and if it was able to sustain the input because the smell is so bad.
Wayne Plante, Post Falls: He has an issue with the sewer and the stench from it. He is unable to go outside his home in the evening. He is also concerned about the impact on the market value of his home if he were to sell it.
Glenn Whipple, Post Falls (Not wishing to speak): Sewer odor issue.
Steffensen: Fill out a form and we will have someone contact you directly regarding your concerns.

3. UNFINISHED / OLD BUSINESS

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

ACTION ITEMS:

None

4. PUBLIC HEARINGS

There are generally two types of public hearings. In a legislative hearing, such as adopting an ordinance amending the zoning code or Comprehensive Plan amendments, the Mayor and City Council may consider any input provided by the public. In quasi-judicial hearings, such as subdivisions, special use permits and zone change requests, the Mayor and City Council must follow procedures similar to those used in court to ensure the fairness of the hearing. Additionally, the Mayor and City Council can only consider testimony that relates to the adopted approval criteria for each matter. Residents or visitors wishing to testify upon an item before the Council must sign up in advance and provide enough information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for submission of information from City staff, then presentation by the applicant (15 min.), followed by public testimony (4 min. each) and finally the applicant's rebuttal testimony (8 min.). Testimony

should be addressed to the City Council, only address the relevant approval criteria (in quasi-judicial matters) and not be unduly repetitious.

ACTION ITEMS:

a. Bogie Subdivision File No. SUBD-24-1

Staff Report
Ethan Porter, Associate Planner Presenting:
Owner: Andrey Russu
Applicant: George Anderson
Requested Action: To review and approve the proposed subdivision determining that it meets the requirements of the Post Falls Municipal Code (PFMC).
Project Location: The property is located on the southeast corner of E. Bogie Drive and N. Greensferry Road. Property Size: 4.2-acres Current Land Use: Single family residential. Current Zoning: Single Family Residential (R1) zoning. Proposed Land Use: The proposed subdivision will serve a single-family residential housing development. Surrounding Land Use: There is a Kootenai County lot directly south that is being used as a large single-family home. The subject site is on the corner of two roadway rights-of-ways and abuts Wrenley Estates on the east, which is a single-family residential subdivision. Surrounding Zoning Districts: The proposed development pattern surrounding the subject site is predominantly single-family residential (R1). Directly south is a Lot within Kootenai County zoned as Agriculture. Water Provider: Ross Point Water District Sewer: City of Post Falls

Applicant:
Not present

Testimony:
In Favor: None
Neutral: None
In Opposition: None

Public Hearing Closed: 5:49 pm

Deliberation:
Kimball: Because there are property lines going through the buildings, would it be appropriate for us to add a condition of approval of that?
Gabbert: If you want to condition that they have to remove that at the time of final platting that would be the cleanest.

Subdivision Review and Approval Criteria:
1. Definite whether a 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.
Carey: Yes, it will be Ross Point Water District.
2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.
Kimball: We have a "Will Serve" letter per staff report indicating that the city of Post Falls has the ability to serve it.
Gabbert: There is a comment that the septic will be abandoned as well.
3. Proposed streets are consistent with the transportation element of the comprehensive

plan.

Kimball: Greensferry will be constructed to arterial standards and Bogie will be constructed to collector standards, which are important elements of the Comprehensive Plan with regard to transportation. It provides connectivity to the adjoining property for future transportation connectivity and proper planning.

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

Steffensen: No known hazards have been identified, no public testimony has said otherwise.

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

Steffensen: The whole area there is all R1 residential as it continues to build. The lot next to it is in the county.

Kimball: The lots conform to the R1 minimum lot sizes with regard to both width and area.

6. Developers 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, site mitigation will be dealt with through the obligation to pay development impact fees.

Kimball: Staff mentioned impact fees and the construction of their frontage improvements.

Motion by Kimball to Approve Bogie Subdivision File No. SUBD-24-1 finding that it meets the approval criteria in the Post Falls Municipal Code 17.12.06h as outlined in our deliberation subject to conditions 1 through 10 found in staff report and adding condition 11 stating that all structures shall be demolished prior to filing the final plat and direct staff to prepare a written Reason Decision to that effect.
2nd by Carey
Vote: Wilhelm - yes, Schlotthauer - yes, Steffensen - yes, Kimball - yes, Walton - yes, Carey - yes,
Moved

b. Gabrio Estates Duplexes File No. ZC-24-2

Wilhelm stepped down for this hearing.

Staff Report
Ethan Porter, Associate Planner, Presenter:

The applicant/owner, Nate Grossglauser, has requested approval to rezone lots 8, 9 and 10 of Gabrio Estates block 1 from Single-Family Residential (R1) to Medium Density Residential (R2) zoning district. The total acreage of the three lots is 0.59 acres. They are currently vacant lots. The water provider is East Greenacres Irrigation District and wastewater is provided by the City of Post Falls. The property is generally located north of W. Okanogan Avenue and west of N. McGuire Road near the intersection of N. McGuire Road and W. Okanogan Avenue. **Surrounding Land Uses:** Located to the north of the three lots is the Wildflower Meadows, approved as a duplex and twin home residential subdivision. To the west and south the land uses are single-family residential homes within Gabrio Estates Subdivision. The N. McGuire right-of-way is directly east of lots 9 and 10. The future land use designation has the subject property as Medium Density Residential. The proposed zone change is located within the West Prairie Focus Area, goal 7 and policy .02 were highlighted. There were no agency comments received, we received a public comment that Chair Steffensen would read.

Applicant:
Nate Grossglauser: When we originally applied for the subdivision we asked for R2 which made perfect sense for the area, but we were denied. Within months, you approved multiple subdivisions adjacent to us with varying zoning, creating an island of our subdivision. The lots the duplexes are going to be on is a private street. They just have three lots. They're unique in shape, so anything I have to do there as far as duplexes, would have to be custom designed. I currently own all the existing lots and the homes that are touching these lots, and the remaining vacant lots in the subdivision. There is a new subdivision proposed to the west of us, and it seems that will possibly be R2 as well. There are many examples of duplexes among single-family homes throughout the city of Post Falls. It makes sense here. It's a private street, and it's contiguous to R2.
Kimball: Is Okanagan private?
Grossglauser: Okanagan is a public road, it's a private road that these lot will be accessed from.
Kimball: Like a private driveway coming off of Okanagan?
Schlotthauer: That's Gabrio Court?
Grossglauser: Yes.
Schlotthauer: These lots look a little bigger than the other lots in the subdivision?
Grossglauser: Correct, they are all larger. They would be accessed by a private street that is existing, there would be no infrastructure changes as far as additional water and sewer hookups.
Carey: How many duplexes will there be?
Grossglauser: Three.
Carey: One for each lot?
Grossglauser: Yes, three custom duplexes.
Carey: And will they all access off the private street?
Grossglauser: Correct.
Schlotthauer: The house to the south of the three lots that's existing?
Grossglauser: Yes, I own that house.
Steffensen: It looks like it's partly on lot three.
Grossglauser: No it's not, it's close. There's a five-foot set back there.
Steffensen: I'm curious about the approval and denial of this. What was the history of this?
Manley: The criteria are what the criteria are for this, but for historical context, there's no nexus to the review criteria. They did come forward initially with an R2 proposal and walked away with an R1. Initially, the project to the north was approved as an R1 as well, but then shortly came after a rezone to R2, and it was approved for that rezone. If I remember the order of events correctly.
Grossglauser: Both subdivisions were approved for R2 within months after I was turned down.

Testimony:
In Favor: none
Neutral: none
In Oppostion:
Wayne Plante, Post Falls, ID: Mr. Plante spoke about his concerns that multifamily was a buffer, now they're in residential areas. He's concerned about the traffic it will create, the fire department access to the dead end street where they put two houses ten feet apart, and the debris left behind by the contractor. Mr. Plante expressed he felt that the developers are destroying the 5-acre ranchettes they moved there for.
Stephanie Johnson, Post Falls, ID: Ms. Johnson spoke about the HOA by-laws created by the developer that state that the subdivision must have single family homes. That is why she purchased her home on that street. She stated that the maintenance on the vacant lots is

atrocious and there was no response from the developer. Ms. Johnson feels the implications for future developments in subdivisions the city council approved are changed, set a precedent moving forward that she doesn't think we want for Post Falls families. Ms Johnson stated that the developer does own land there but currently rents it out and does not live there. She stated his home is not on a private street, you have to come down her street to get to those three lots.
Debbie Vocca, Post Falls, ID: Ms. Vocca does not agree with mixing the R1 and R2 so close together. She stated that the area needs more affordable single family homes and this area is still rural, which she would like it to stay that way for some time, so people will stay there.

Rebuttal:
Grossglausesr: What I'm doing here fits the lay of the land with the neighborhoods to the north. This is important to me. It's named after my son, Gabriel. We're making a nice product that fits the city well. We can amend the HOA bylaws for just those three lots. I had to submit the CCR and HOA that were relevant to the subdivision at the time.
Schlotthauer; The HOA is not relevant to us.
Grossglausesr: Also, there's a new subdivision around Prairie Falls Golf Course that has a little pocket of R2 duplexes and single family homes around it. That's a recent example.

Public Hearing Closed: 6:26 PM

Delibertaion:
Kimball: I have a question for the staff. The HOA is not part of our criteria that we would be using, rather it would be a civil issue between those property owners and the developer. Is that correct?
Chris Gabbert, Deputy City Attorney: That is correct. The city doesn't approve the HOA. The CCR is a private contract between the landowners. There was some testimony that the city had approved bylaws. That would be inconsistent with the city's practice. The city makes a recommendation or condition that they create a HOA and CCR to govern their subdivision, but the city has no role other than that. To your question if the city can consider a possible violation of the CCR's, that is not in the record before you. It's not one of the review criteria for our zoning recommendation. It's outside the scope of what we need to consider for our three criteria. We make a recommendation about whether to approve the zoning change request or not. City Council will make the final decision.

Review and Approval 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?
Kimball: The Future Land Use Map calls this medium density residential. R2 zoning is an implementing zone within that medium density residential designation. It is consistent with the Future Land Use Map.
2. Is the purposed zoning district consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan that are relevant to the area under consideration?
Kimball: The staff report speaks to it.
Schlotthauer: They give one goal and one policy.
Steffensen: Policy 2 talks about Future Land Use Mapping that goes with the focus group.
Schlotthauer: Policy 2 outlines compatibility with surrounding land uses. There are a variety of land uses around it. It's compatible with the north and probably the east, but incompatible with the south and the west.
Kimball: It would take an exception to residential uses being incompatible next to each other. My

general opinion is that people living next to each other are people living next to each other, regardless of the number of walls that they share or don't share. I do think it would be in conformance with Policy 2 because they are residential uses. Regarding it being medium density residential in The Future Land Use Map, it speaks to the up to 16 units per acre and how those little pockets of higher density are appropriate. That's one of the few places in our city where we have a land use designation of medium density residential as part of that comprehensive plan designation. Because of that, it fits with the Land Use Map Policy 2. There's sewer and water, there's no testimony of demonstrable impact, it doesn't put us close to any capacity issues. Okanagon is a residential street and has capacity for traffic for three extra homes above and beyond what would be allowed for today and Policy 3 regarding encouraging development patterns that provide housing within walkable distance of services.
Schlotthauer: If this was a hearing on a subdivision that hadn't been sold out and there hadn't been deals made based on zoning, I would completely agree that it's compatible land use and be in favor of it. But the deal was made, so I think that after the developer sold lots based on that deal I feel it's incompatible.
Walton: It seems compatible with the surrounding area lots, but not necessarily compatible with the people that are right there. It's conflicted.
Carey: The duplexes are in one corner, they are not put in the middle of the development. So, to me, that's a little different.
Schlotthauer: It's a bit of a stretch on our criteria, but I don't think the city council will see it that way.
3. Does the purposed zoning district create a Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city?
Steffensen: Nothing has come to light through public testimony or in the staff report.
Kimball: This has probably met the minimum of the criteria, and I fully recognize and understand that changes like this, especially for those who bought homes in this subdivision, are not welcome. I would encourage you to voice your concerns to the City Council as well. That's a right that you have.
Walton: We are restricted to our criteria.
Schlotthauer: I think that it is strictly judged against our criteria, the City Council will have a lot more latitude to decide on this.
Motion by Kimball to recommend approval of the Gabrio Estates Duplexes zone change file no. ZC-24-2 finding that the requested zoning meets the approval criteria in the Post Falls Municipal Code 18.20.100 as outlined in our deliberation and direct staff to prepare a zoning recommendation to be provided to city council.
2ND: Carey
Vote: Carey - yes, Walton - yes, Kimball - yes, Steffensen - no, Schlotthauer - no
Moved

c. Landmark Place Subdivision File No. SUBD-24-3

Moved to Planning & Zoning meeting 11/12/2024.

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

None

7. ADJOURNMENT

6:39 PM

Date: _____ Chair:_____

Attest: _____

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

CITY OF POST FALLS
STAFF REPORT

DATE: OCTOBER 18, 2024

TO: POST FALLS PLANNING AND ZONING COMMISSION

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

SUBJECT: STAFF REPORT FOR THE OCTOBER 24, 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

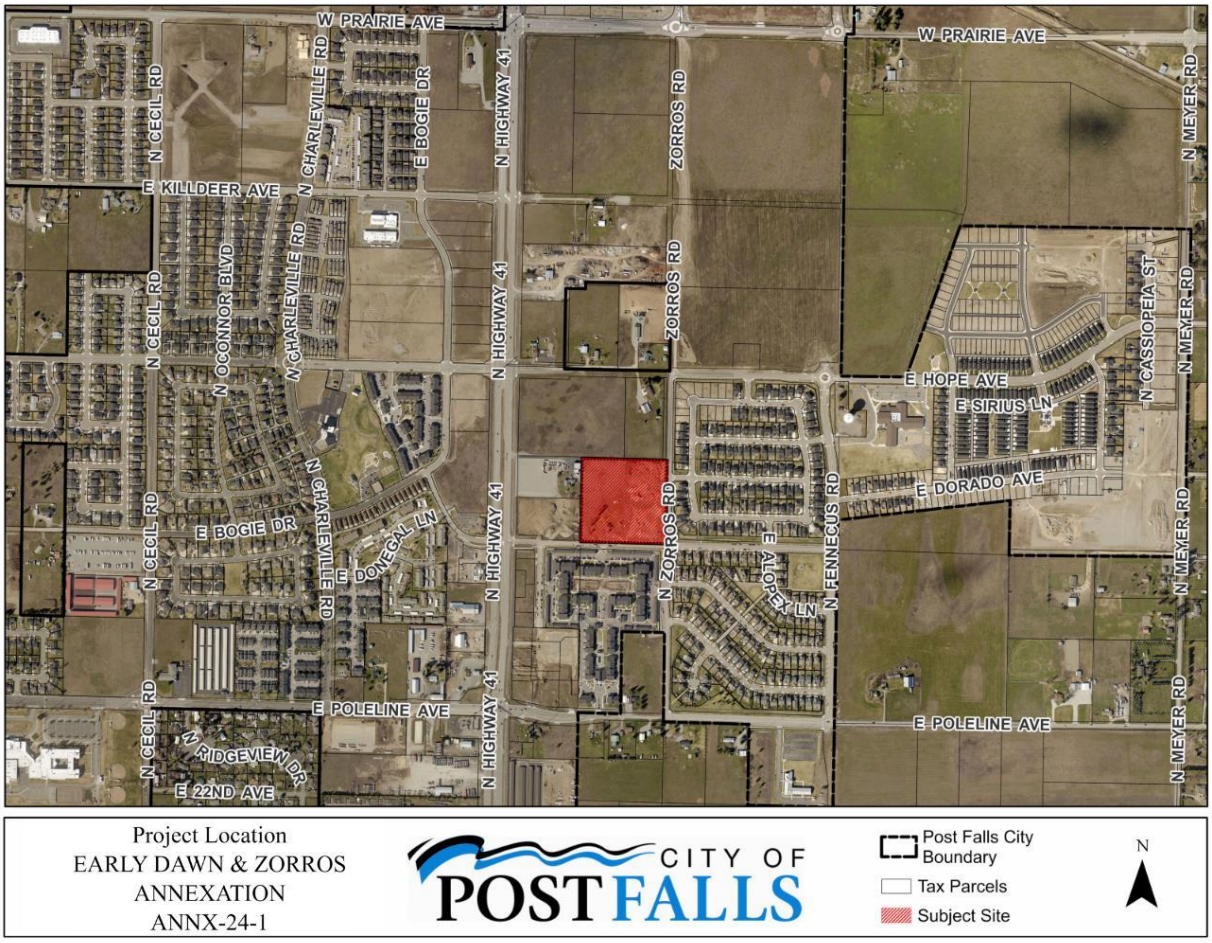
Applicant: Whipple Engineering, 21 S. Pines Road, Spokane Valley, WA 99206

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:

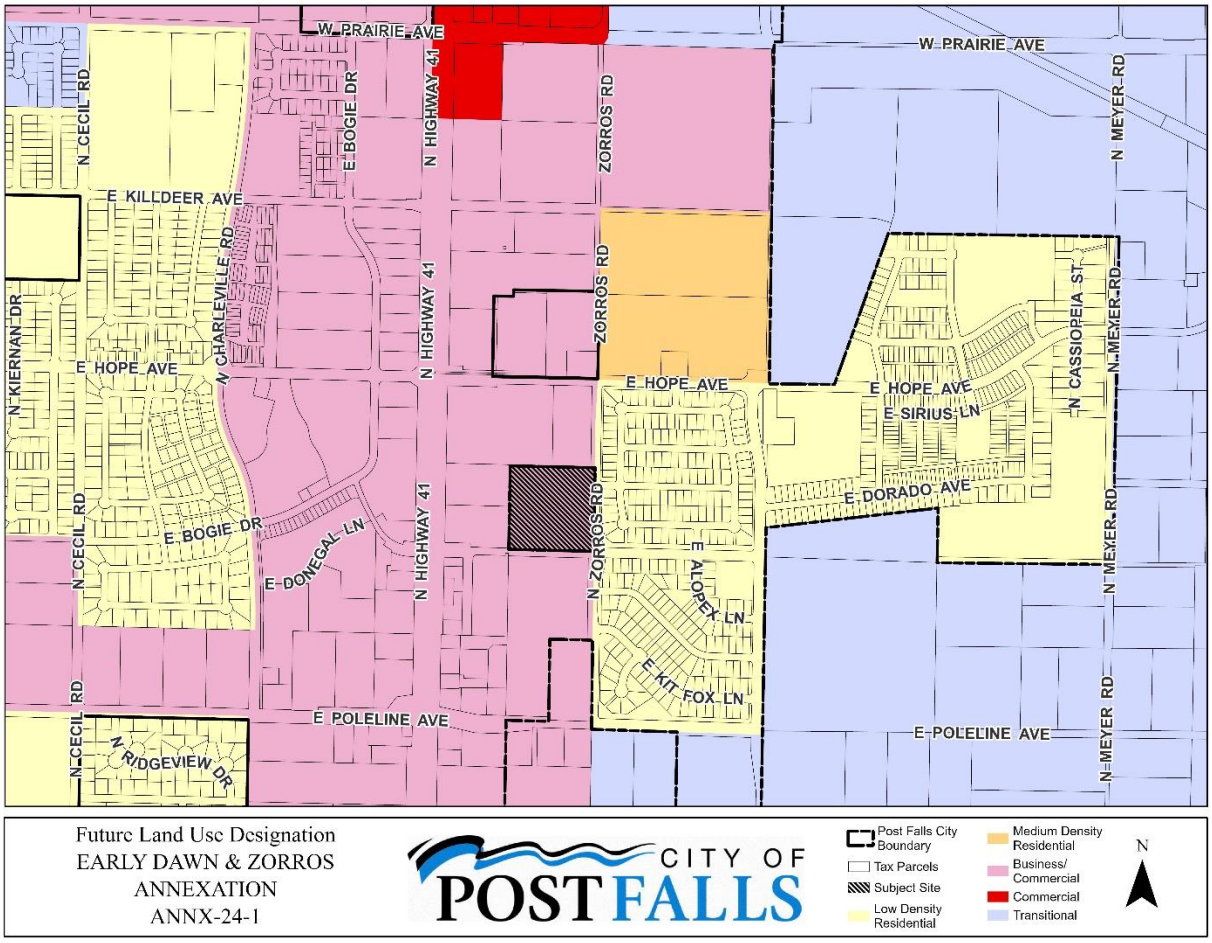
The following section provides the staff analysis pertaining to the Annexation Application and the establishment of zoning. The zone changes review criteria set forth within the Post Falls Municipal Code section 18.20.100 is cited below in **BOLD** with staff comments following. This review criteria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

<u>ZONE CHANGE REVIEW CRITERIA</u>

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 comments
- Exhibit PA-4 Post Falls Police Department – Remains neutral
- Exhibit PA-5 Post Falls Highway District – No comments

PUBLIC PROCESS: Notice of the proposed annexation was sent to appropriate jurisdictions on October 3, 2024, and mailed to property owners within 300 feet of the proposed project on September 30, 2024. Notice has been published in the Coeur d'Alene Press on October 3, 2024. The property was posted October 2, 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 PA-6	DEQ Comments
Exhibit PC-1	Williams Comments

Exhibit A-1

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 contact buyer.

true

Exhibit A-2

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.

21 South Pines Rd. • Spokane Valley, WA 99206 PO Box 1566 • Veradale, WA 99037
Phone 509-893-2617 • Fax 509-926-0227 • WhippleCE.com • Info@WhippleCE.com
Civil, Structural, Traffic, Survey, Landscape Architecture and Entitlements

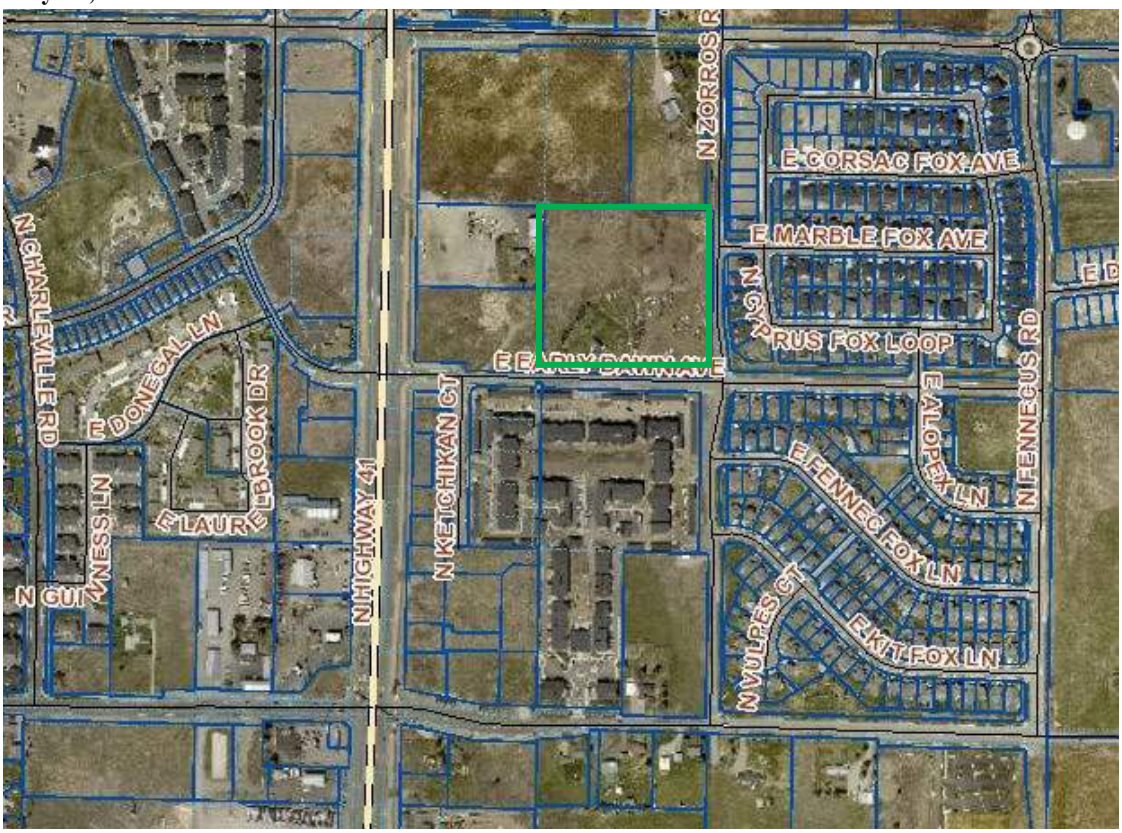


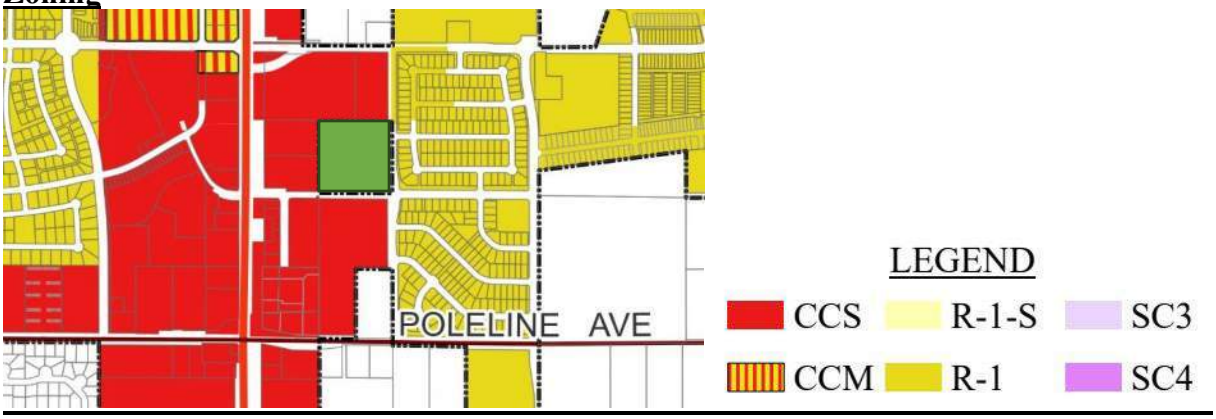
Figure 1: Property outlined in green.

Background

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.

In 2022, WCE on behalf of Douglass Properties, LLC, applied for annexation of the Early Dawn Property into the City of Post Falls with a zoning request of CCS. That application was again supported by City Staff, and the staff report was generally in favor of the proposed annexation. That annexation was denied by City Council again, in part due to the developing Highway 41.

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.

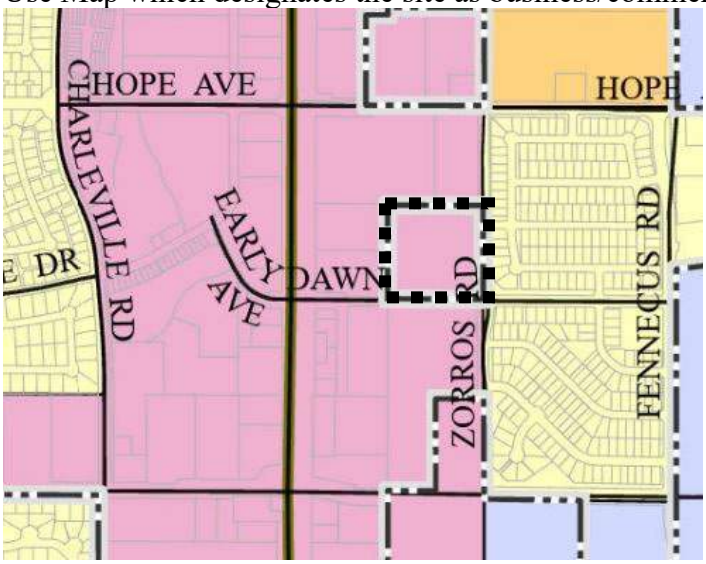
Surrounding properties already annexed into the City of Post Falls include CCS zones to the north, south, and west, which are used for retail sales or performance of consumer services. The CCS zone is typically located in areas adjacent to major transportation corridors such as the I-90 corridor, Seltice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

City Annexation Code Review

Per PFMC 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.



Pink: Business/Commercial
Yellow: Low Density Residential
Orange: Medium Density Residential
Blue: Transitional

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 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 statues or applicable City ordinances. Idaho State Statues 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.

(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.

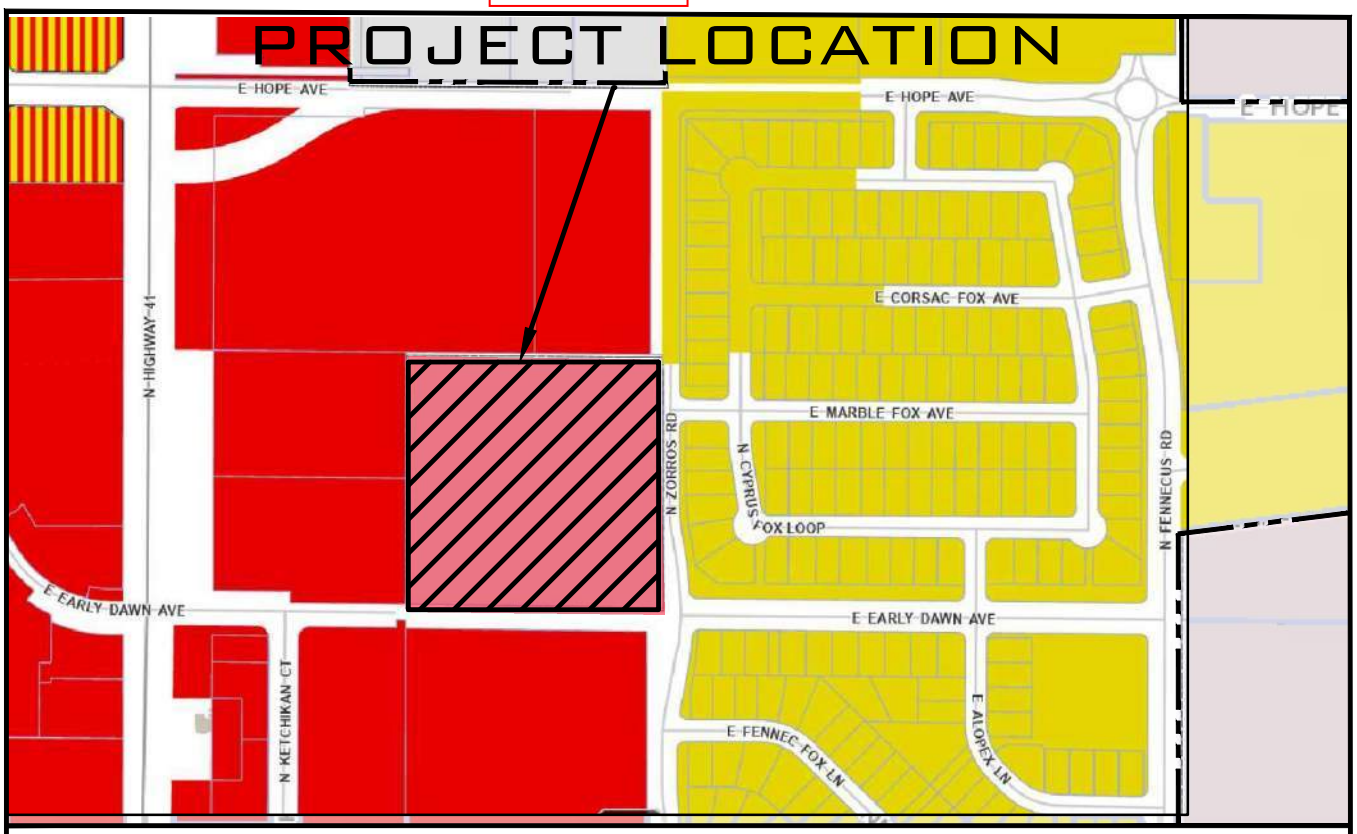
2. Traffic patterns: The parcel is anticipated to utilize Highway 41 at the existing I-90 interchange that is currently being improved by ITD. Access to the parcel from Highway 41 can be through either Hope Avenue or Poleline Avenue, which are existing signalized intersections. Early Dawn Avenue/North Market is proposed to have a ¾ 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.

Exhibit A-3



LEGEND:

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

N
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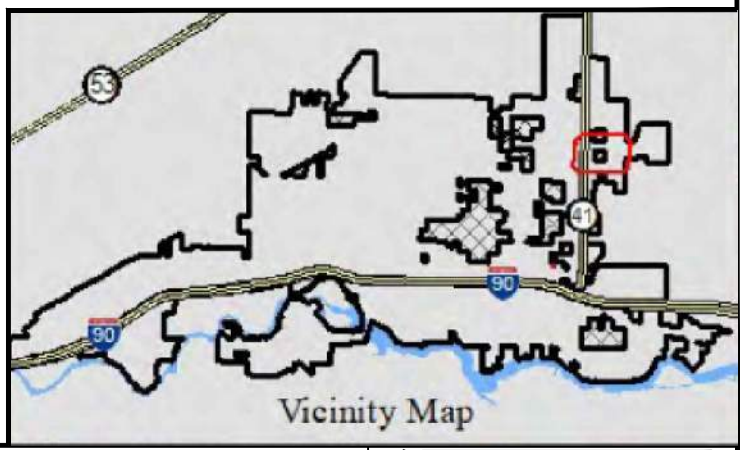
SCALE 1"=500'



N
W E
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NOT TO SCALE

PROJ #: 20-2796 DATE: 12/15/21 DRAWN: JED APPROVED: TRW	CITY OF POST FALLS ANNEXATION APPLICATON 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	

Exhibit A-4

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,

Lanzce G. Douglass

Lanzce G. Douglass, member
Douglass Properties, LLC

1402 E. Magnesium Rd. Suite 202 Spokane, WA 99217 T 509>483.6532 F 509>483.4966 License # LANZCGD 072P5

Exhibit A-5

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.

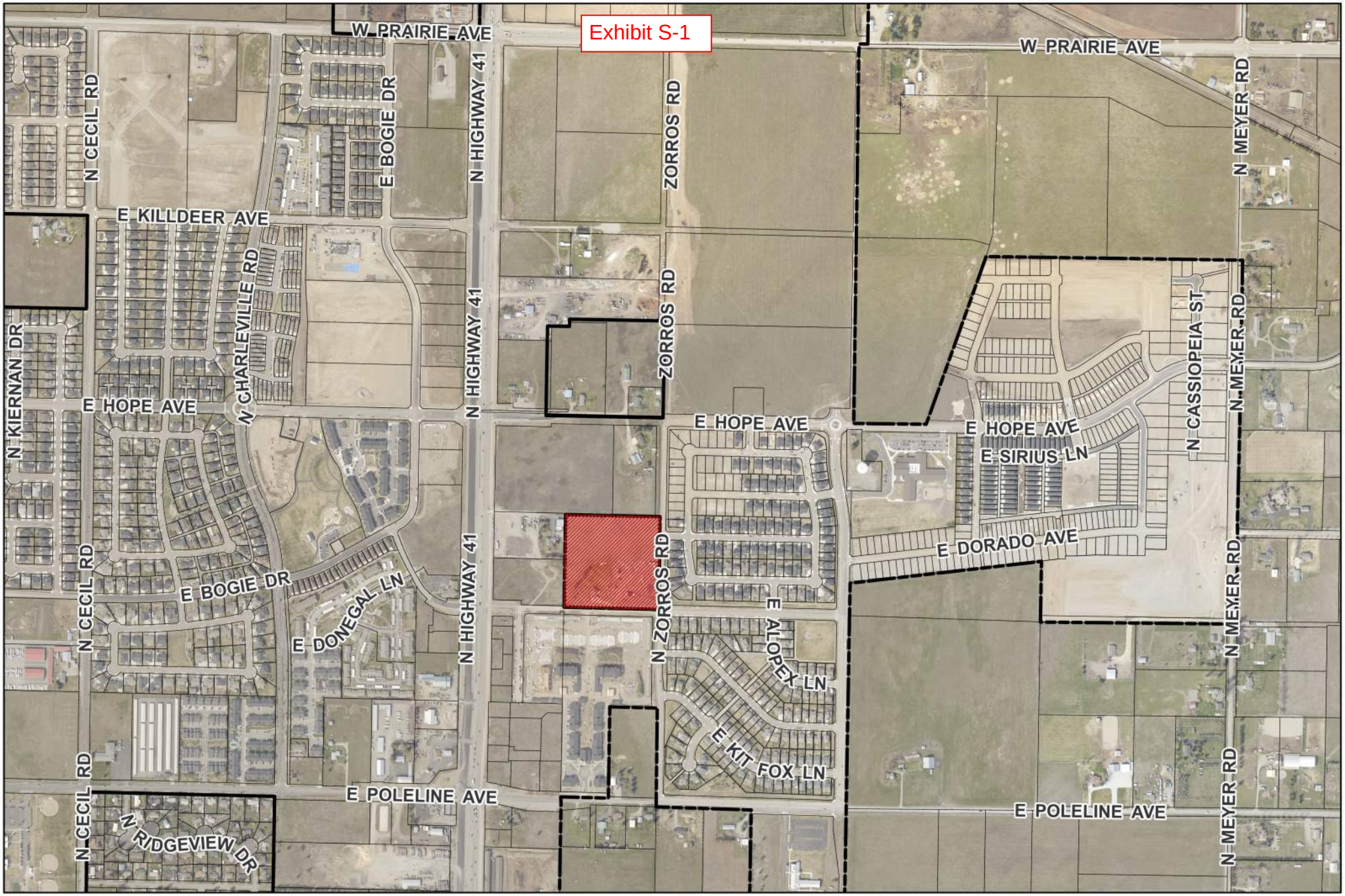
Sincerely,

Christine Waller

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.

P.O. Box 70 • Post Falls, Idaho 83877 • (208) 773-1120 Fax (208) 773-7474

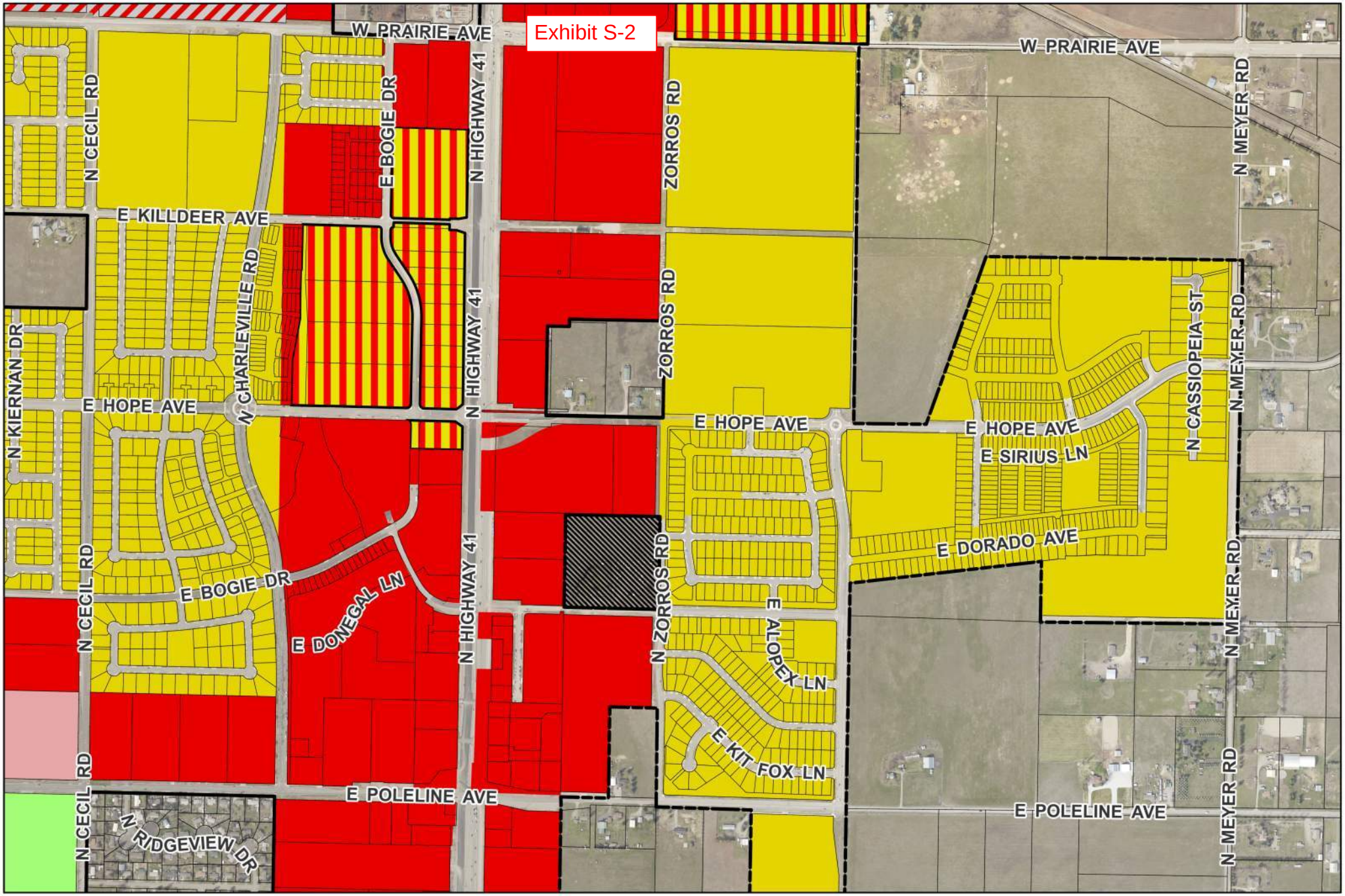


Project Location
EARLY DAWN & ZORROS
ANNEXATION
ANNX-24-1

CITY OF POST FALLS

Post Falls City Boundary
Tax Parcels
Subject Site

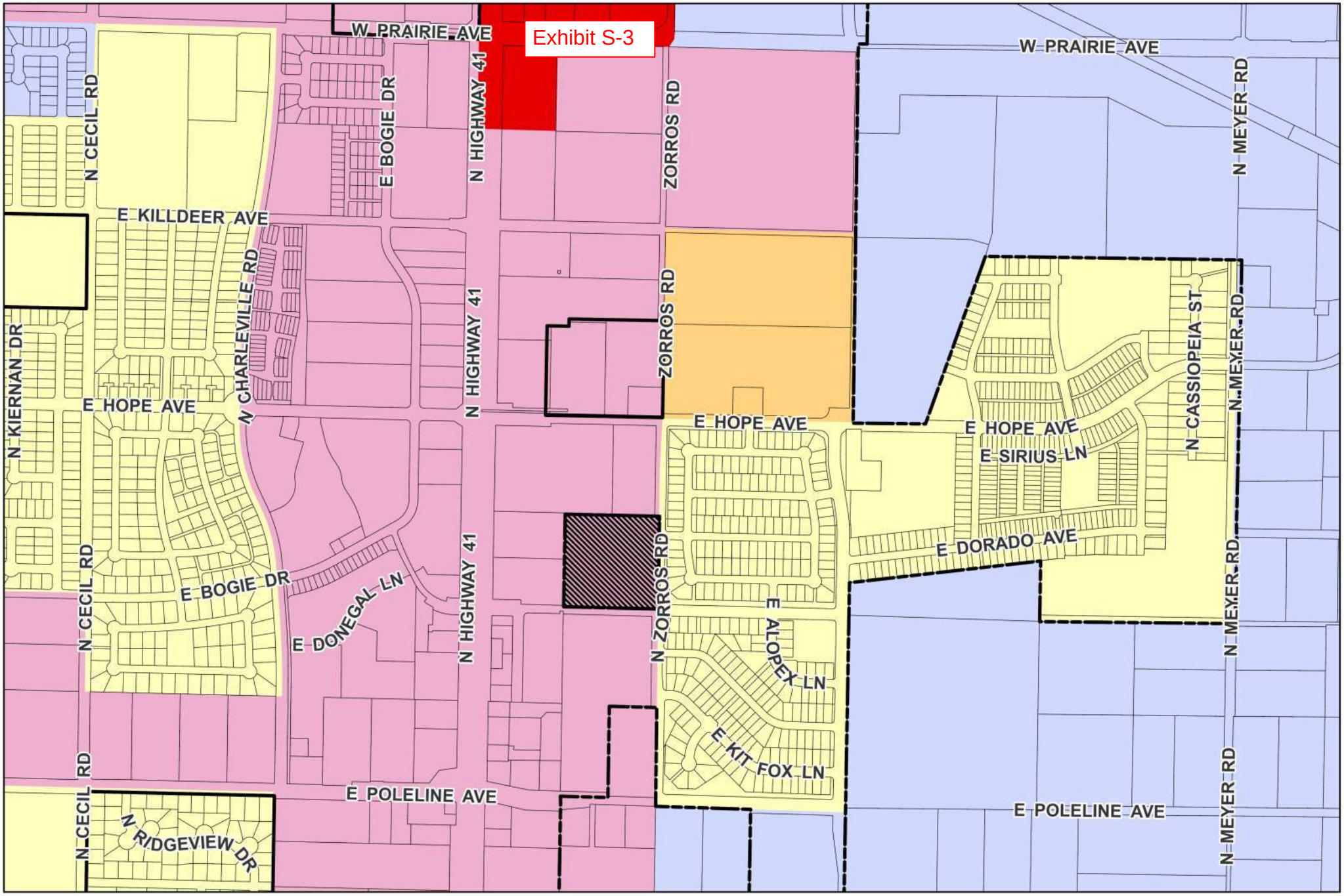
N



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

CITY OF POST FALLS

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



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

CITY OF POST FALLS

Post Falls City Boundary
Tax Parcels
Subject Site
Low Density Residential
Medium Density Residential
Business/ Commercial
Commercial
Transitional

N

Exhibit PA-1

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

Exhibit PA-2

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
nthurwatcher@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>;

CITY OF POST FALLS
POLICE DEPARTMENT

Exhibit PA-4

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,

Mark J. Brantl
Captain
Post Falls Police Department

Exhibit PA-5

Nancy Thurwachter

From: Jonie Anderson <Jonie@postfallshd.com>
Sent: Tuesday, October 15, 2024 3:34 PM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions File Early Dawn & Zorros File No. ANNX-24-1

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: Thursday, October 3, 2024 11:48 AM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; 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>

Exhibit PA-6

From: Kristie May
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdiction - Early Dawn & Zorros Annexation File No. ANNX-24-1
Date: Thursday, September 5, 2024 2:32:39 PM
Attachments: image001.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 Afternoon,

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

Thank you,

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

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

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: 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

Exhibit PC-1

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. ANNX-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

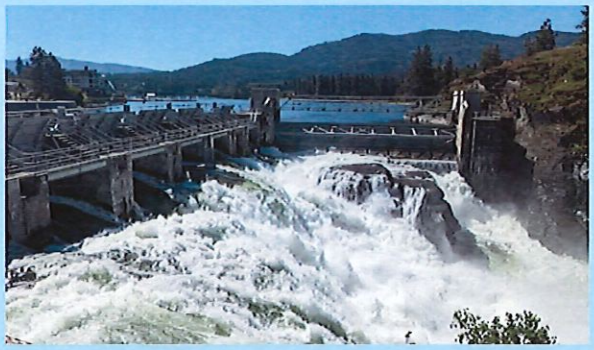
Comments: It was zoned for retail commercial and is now being changed as many many others allowed by the city to multi family, this needs to be spaced out farther.

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



CITY OF POST FALLS

Ethan Porter– Associate Planner
October 24, 2024

1

OWNER: Lanzce Douglass

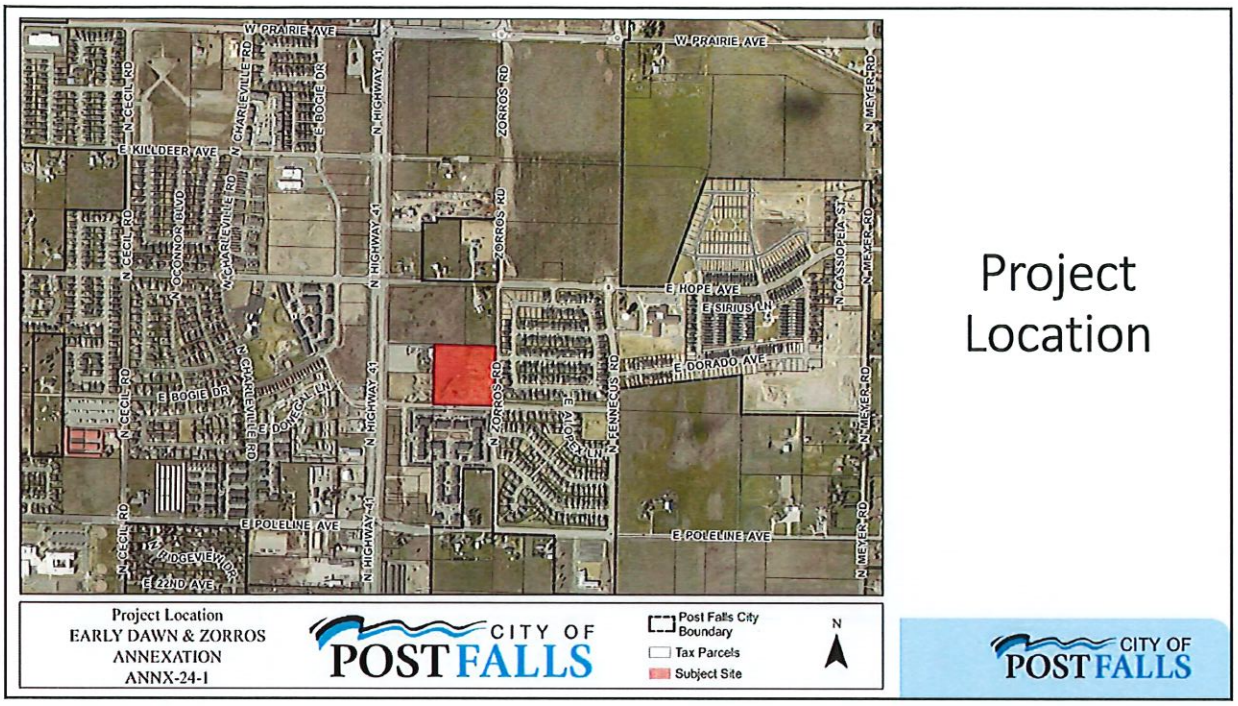
APPLICANT: Whipple Consulting Engineers, Inc

REQUESTED ACTIONS:

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

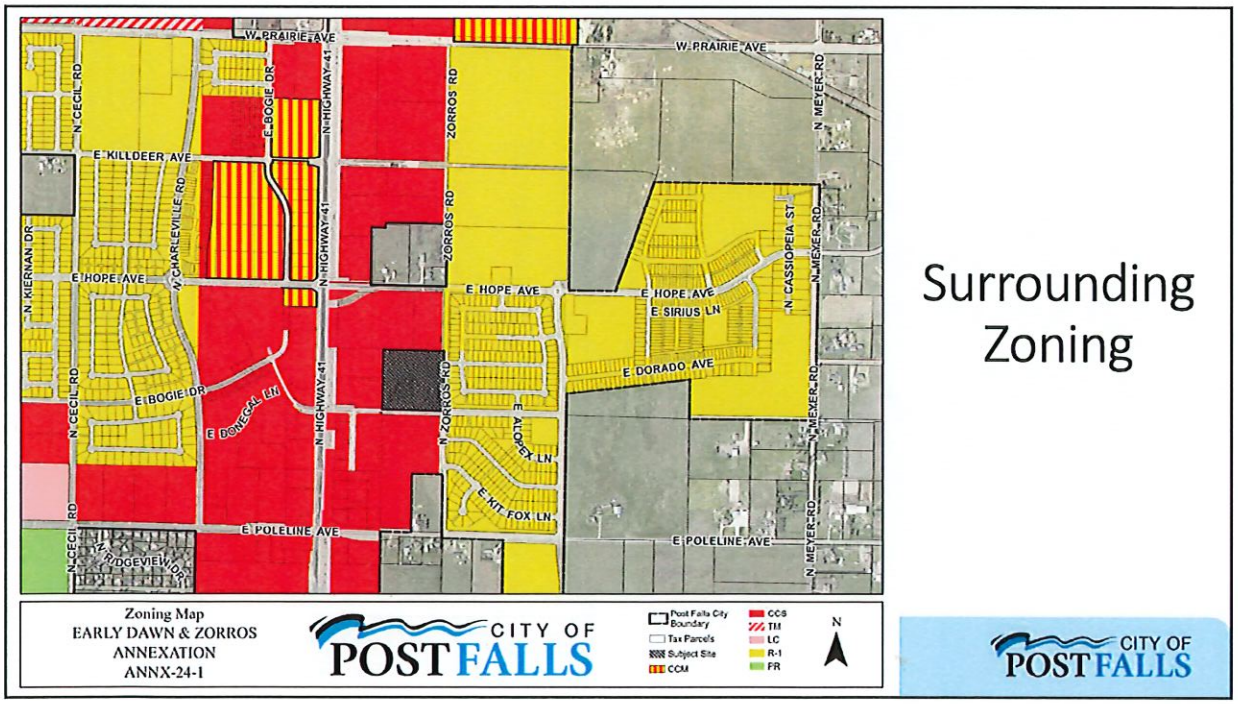
CITY OF POST FALLS

2



Project Location

3



Surrounding Zoning

4

Land Use & Site

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

Water

- Ross Point Water District

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

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

CITY OF POST FALLS

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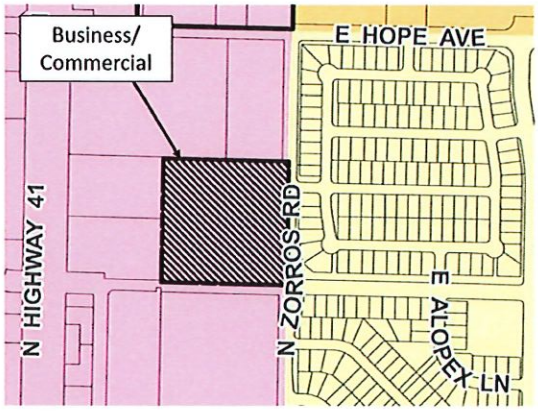
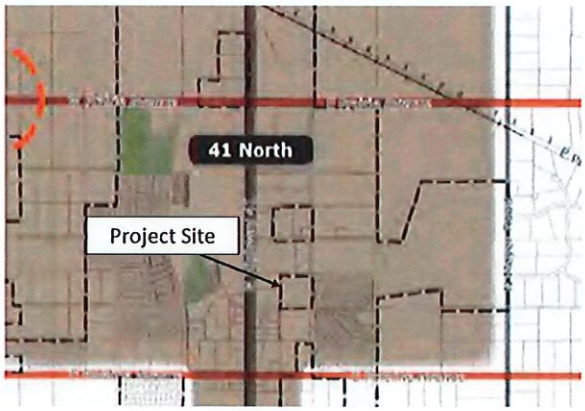
Future Land Use Designation



41 North Focus Area

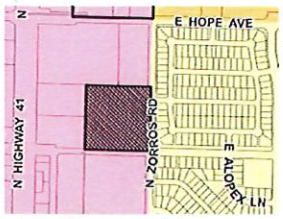


Future Land Use Designation/Focus Area

CITY OF POST FALLS

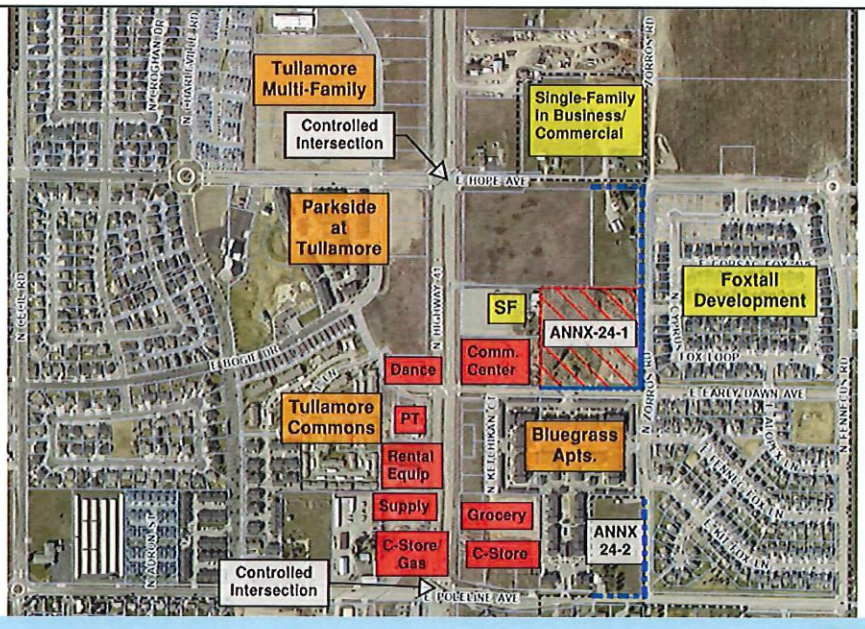
6

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

CITY OF POST FALLS

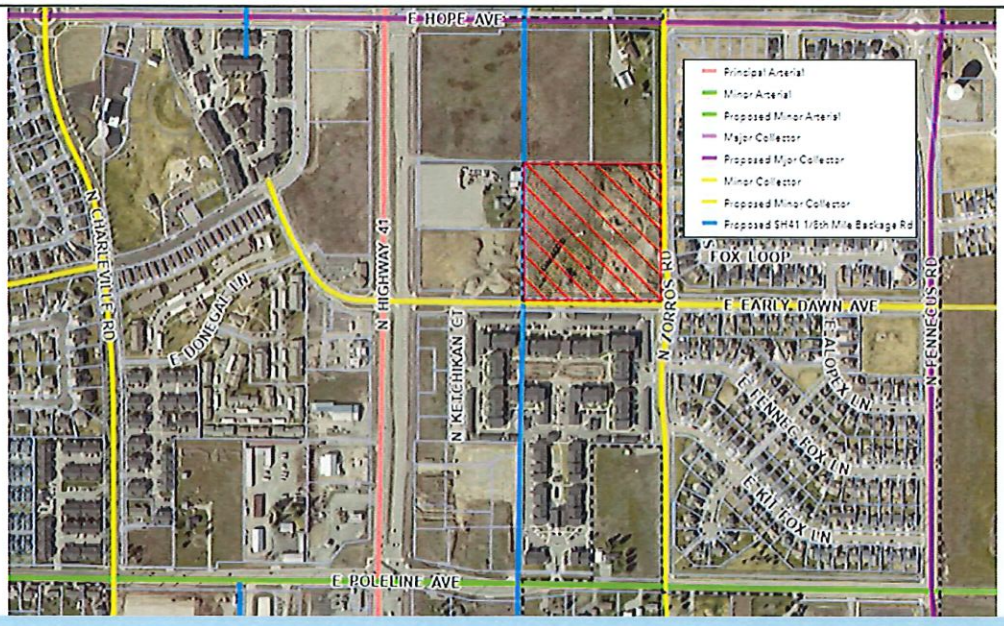
7



Surrounding Context

CITY OF POST FALLS

8



Roadway Context

CITY OF POST FALLS

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Zone Change Comprehensive Compatibility

Future Land Use Designation	Focus Area	Comprehensive Goals	Comprehensive Policies
<u>Business/Commercial</u> *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*	<u>41 North</u> *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

CITY OF POST FALLS

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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

CITY OF POST FALLS

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[PA-1] PFSD – Remain neutral

[PA-2] KCFR – Comment during permitting process

Agency Comments

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

CITY OF POST FALLS

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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

CITY OF POST FALLS

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CITY OF POST FALLS
STAFF REPORT

DATE: OCTOBER 18, 2024

TO: POST FALLS PLANNING AND ZONING COMMISSION

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

SUBJECT: STAFF REPORT FOR THE OCTOBER 24, 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

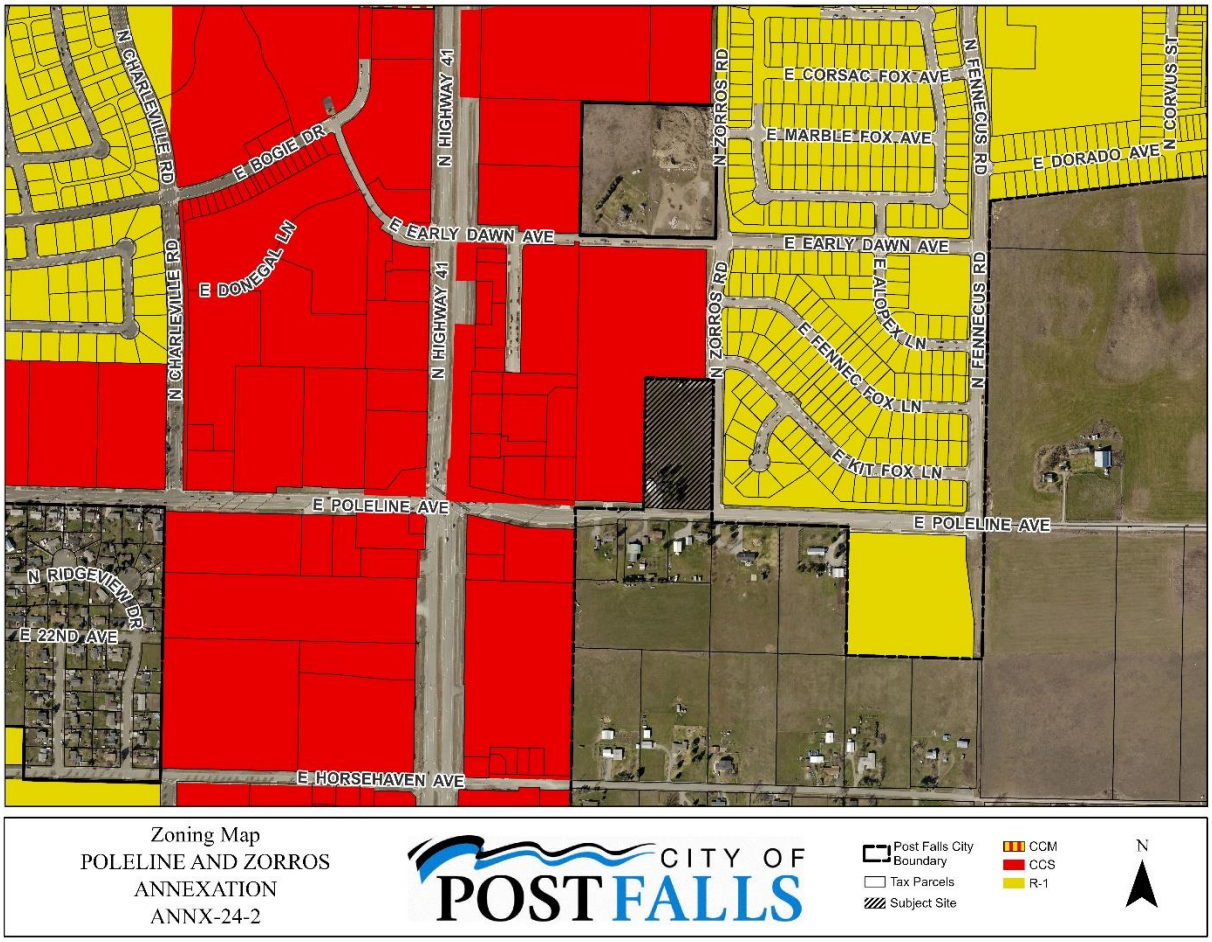
Project Description: Annex approximately 4.72-acres into the City of Post Falls with a zoning request of Community Commercial Services (CCS).

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:

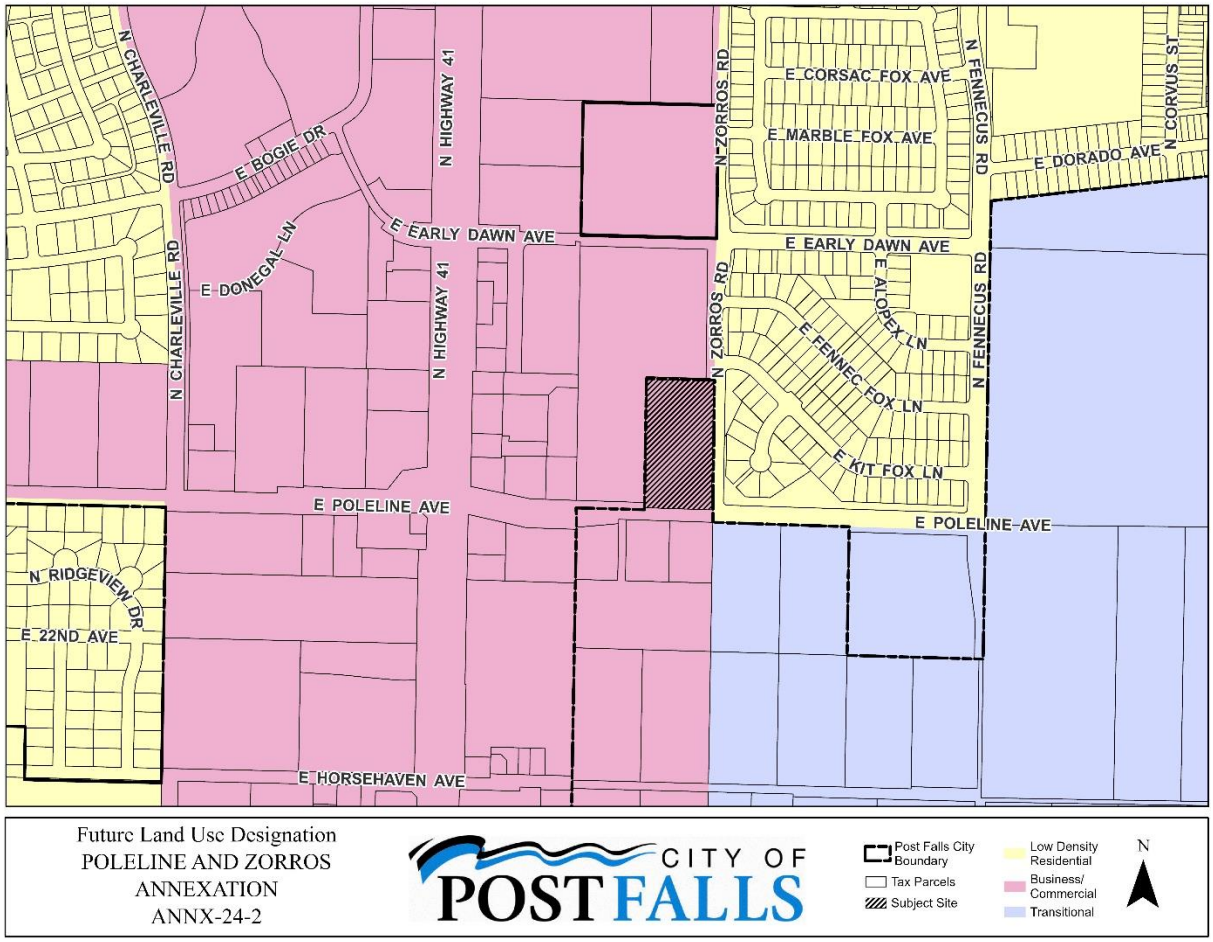
The following section provides the staff analysis pertaining to the Annexation Application and the establishment of zoning. The zone changes review criteria set forth within the Post Falls Municipal Code section 18.20.100 is cited below in **BOLD** with staff comments following. This review criteria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

<u>ZONE CHANGE REVIEW CRITERIA</u>

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 1,5000 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 comments
- Exhibit PA-4 Post Falls Police Department – Remains neutral
- Exhibit PA-5 Post Falls Highway District – Annex all right-of-way portions being adjacent
- Exhibit PA-6 Department of Environmental Quality – No comments

PUBLIC PROCESS: Notice of the proposed annexation was sent to appropriate jurisdictions on October 3, 2024, and mailed to property owners within 300 feet of the proposed project on September 30, 2024. Notice has been published in the Coeur d'Alene Press on October 3 20, 2024. The property was posted October 2, 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
Exhibit PA-6	DEQ Comments
Exhibit PC-1	Robbins Comments

Exhibit A-1

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

Exhibit A-2

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.

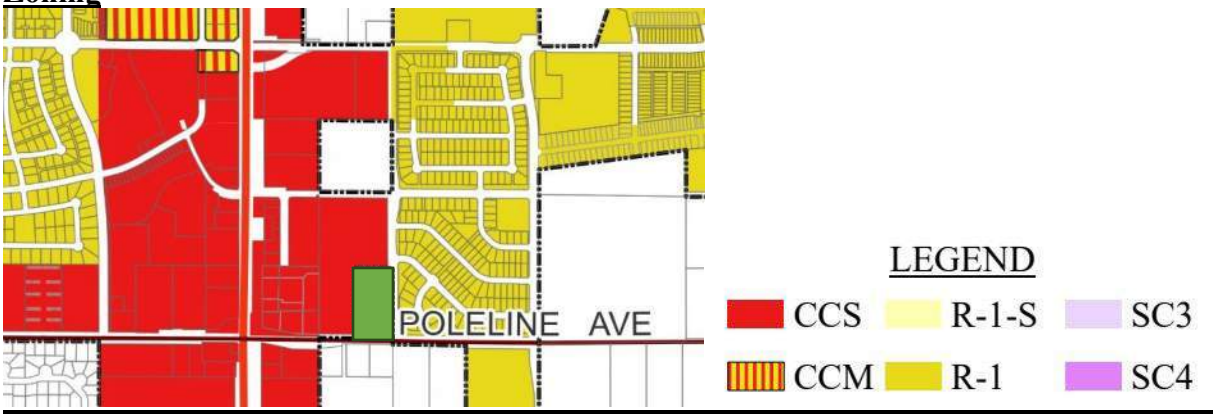
Site Description

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.

21 South Pines Rd. • Spokane Valley, WA 99206 PO Box 1566 • Veradale, WA 99037
Phone 509-893-2617 • Fax 509-926-0227 • WhippleCE.com • Info@WhippleCE.com
Civil, Structural, Traffic, Survey, Landscape Architecture and Entitlements

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.

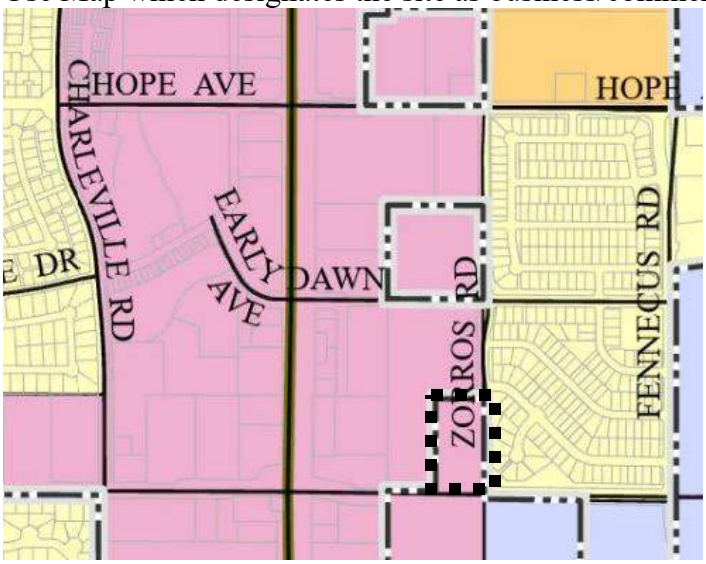
Surrounding properties already annexed into the City of Post Falls include CCS zones to the north, south, and west, which are used for retail sales or performance of consumer services. The CCS zone is typically located in areas adjacent to major transportation corridors such as the I-90 corridor, Seltice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

City Annexation Code Review

Per PFMC 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.



Pink: Business/Commercial
Yellow: Low Density Residential
Orange: Medium Density Residential
Blue: Transitional

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 statues or applicable City ordinances. Idaho State Statues 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.

(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.

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 ¾ 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

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.

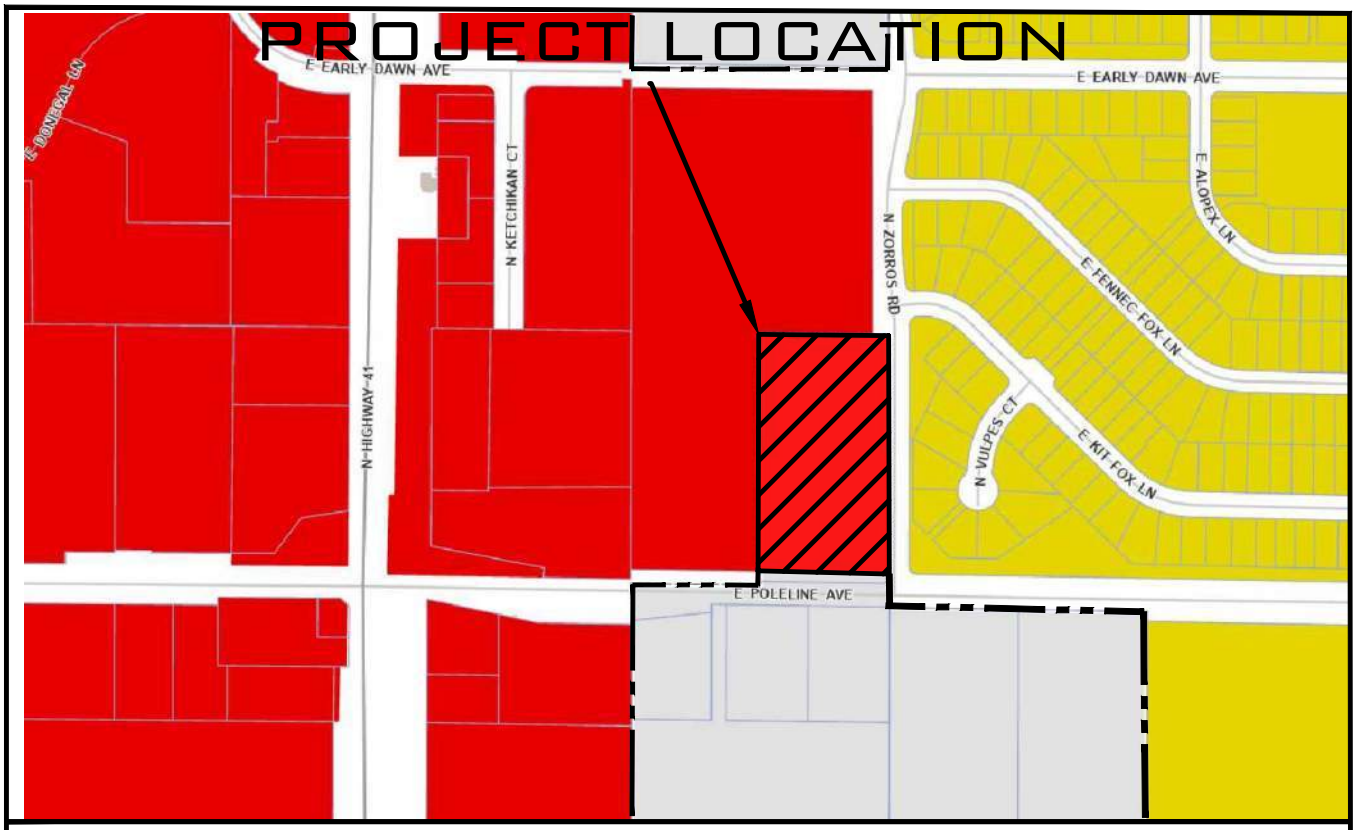
6. Geographic or natural features: The property is flat, which is appropriate for commercial zoning due to larger building footprints which would require substantial grading to accommodate otherwise.

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

Thank you,

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

Exhibit A-3



LEGEND:

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

N
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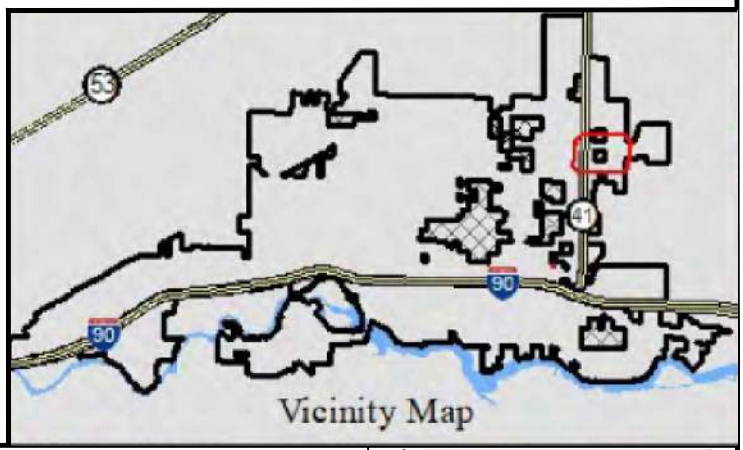
SCALE 1"=500'



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NOT TO SCALE

PROJ #: 22-3546 DATE:04/25/2024 DRAWN: WAL APPROVED: TRW	CITY OF POST FALLS ANNEXATION APPLICATION DOUGLASS ANNEXATION 4353 E POLELINE AVENUE POST FALLS, IDAHO	WCE WHIPPLE CONSULTING ENGINEERING 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	

Exhibit A-4

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 Douglas

Lanzce G. Douglass, member
Douglass Properties, LLC

1402 E. Magnesium Rd. Suite 202 Spokane, WA 99217 T 509>483.6532 F 509>483.4966 License # LANZCGD 072P5

Exhibit A-5

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.

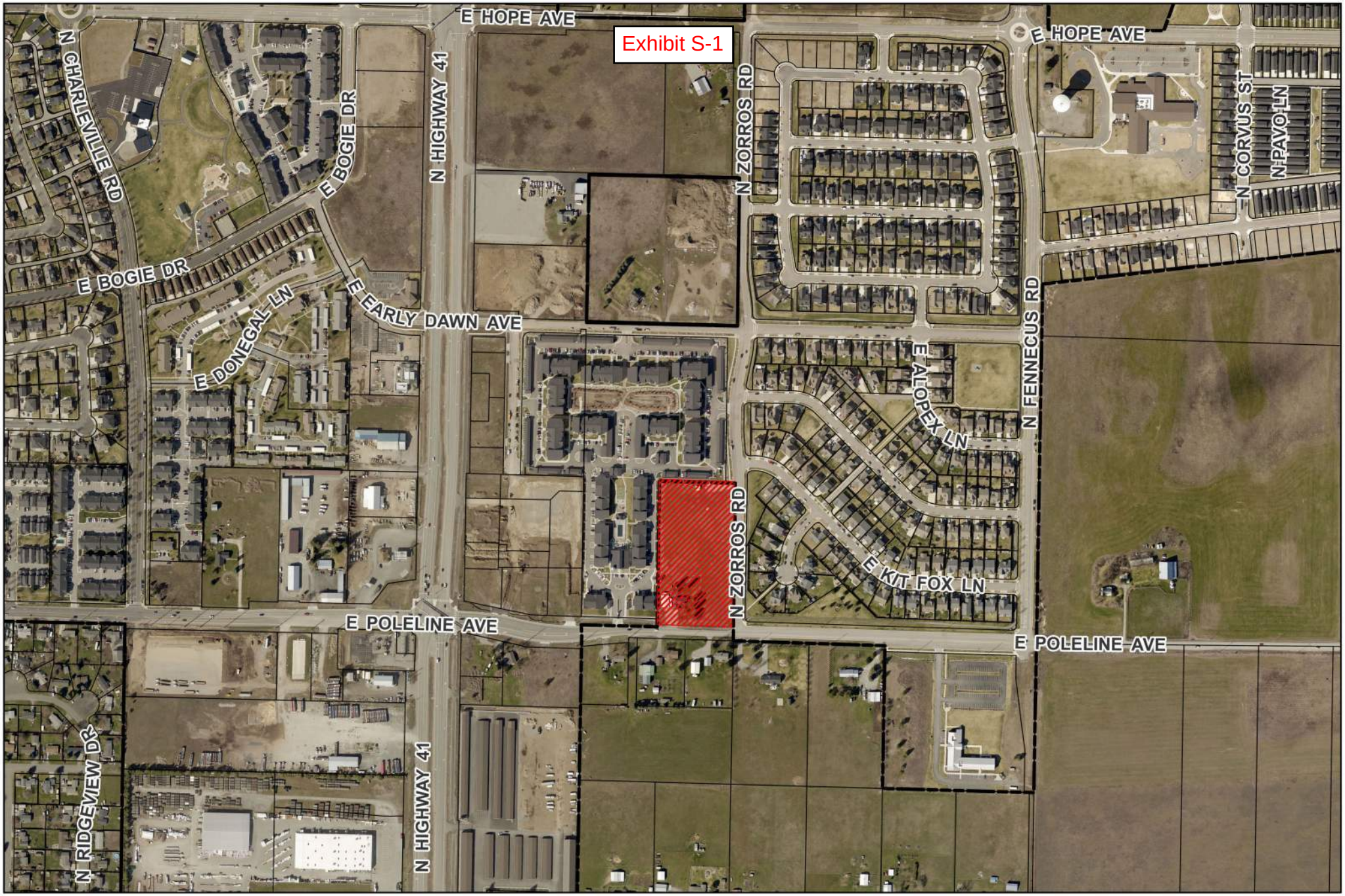
If work on the project is not begun within one year this "Will Serve" letter becomes void. If you have any questions, please feel free to contact the District.

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.

P.O. Box 70 • Post Falls, Idaho 83877 • (208) 773-1120 Fax (208) 773-7474

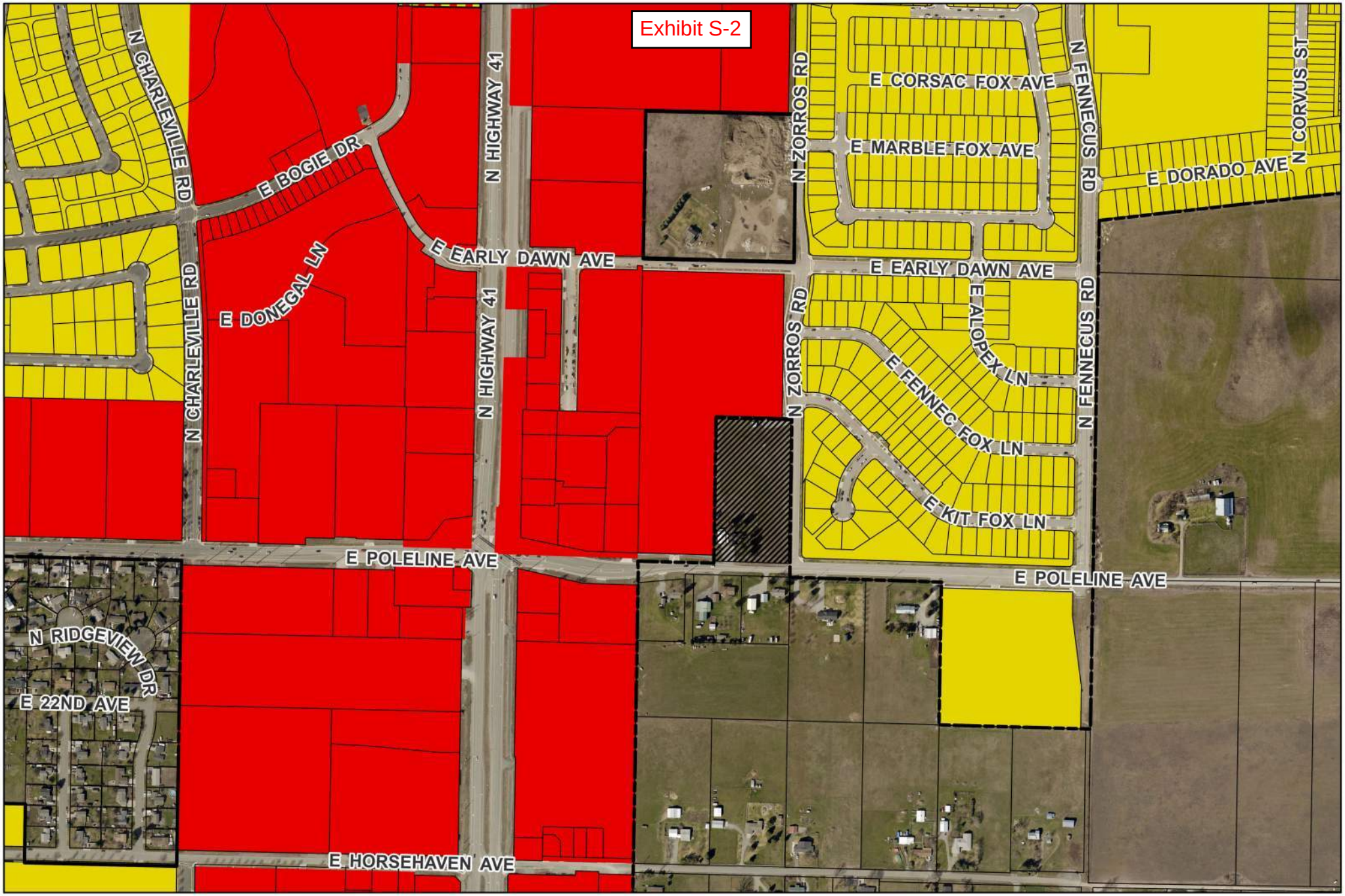


Project Location
POLELINE AND ZORROS
ANNEXATION
ANNX-24-2

CITY OF POST FALLS

Post Falls City Boundary
Tax Parcels
Subject Site

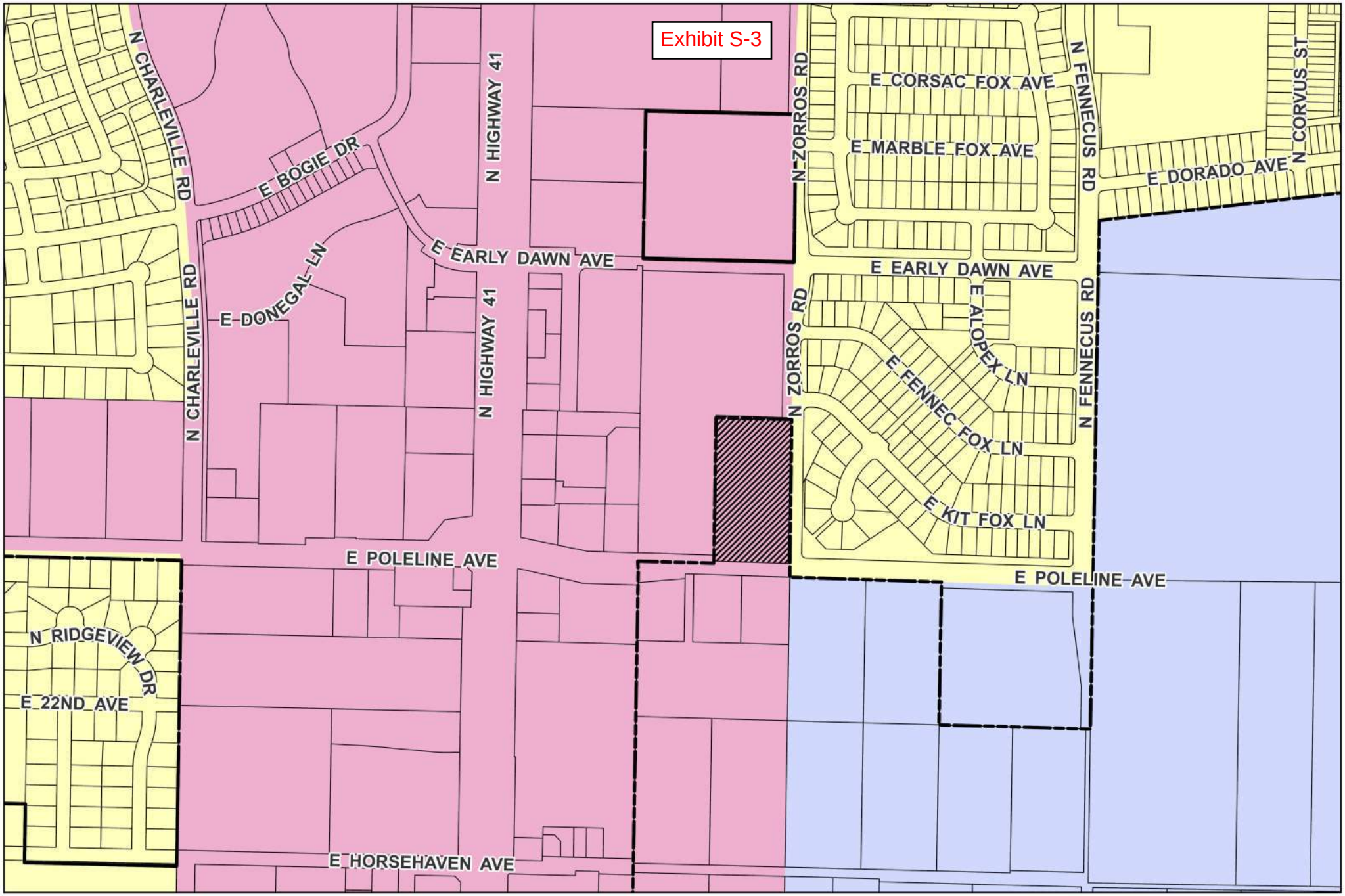
N



Zoning Map
POLELINE AND ZORROS
ANNEXATION
ANNX-24-2

CITY OF POST FALLS

Post Falls City Boundary
Tax Parcels
Subject Site
CCM
CCS
R-1
N



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

CITY OF POST FALLS

Post Falls City Boundary
Tax Parcels
Subject Site
Low Density Residential
Business/ Commercial
Transitional
N

Exhibit PA-1

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

Exhibit PA-2

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
nthurwatcher@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

CITY OF POST FALLS POLICE DEPARTMENT

Exhibit PA-4

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,

Mark J. Brantl
Captain
Post Falls Police Department

Exhibit PA-5

Nancy Thurwachter

From: Jonie Anderson <Jonie@postfallshd.com>
Sent: Tuesday, October 15, 2024 3:36 PM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions File Poleline & Zorros File No. ANNX-24-2

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 requests the City 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: Thursday, October 3, 2024 11:49 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

Exhibit PA-6

From: Kristie May
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdiction - Poleline & Zorros Annexation File No. ANNX-24-2
Date: Thursday, September 5, 2024 2:33:04 PM
Attachments: image001.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 Afternoon,

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

Thank you,

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

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

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: 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

Exhibit PC-1

Nancy Thurwachter

From:	Jim Robbins <JRobbins@kec.com>
Sent:	Thursday, October 10, 2024 10:42 AM
To:	Public Hearing Notice
Subject:	Comments on the Annexation ANNX-24-2
Attachments:	Letter to PF Planning and Zoning on Annexation of Goat.docx

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.

Attached is my opposition to the ANNX-24-2
Jim Robbins
4438 E. Kit Fox Ln
Post Falls, Id 83854
208-964-1013

Sent from my iPad

Jim Robbins | Director, District 2

Kootenai Electric Cooperative | 9014 W. Lancaster Road | Rathdrum, ID 83858
TEL 208-765-1200 | **CELL** 208-964-1013 | **WEB** kec.com
Kootenai Electric
COOPERATIVE

Written Testimony for the Annex of ANNX-24-2

This property is a vacant field that was the pasture for a goat farm. The developer, Lance Douglas, purchased this property after he built the Blue Grass Apartments on land next door to the West. The original design for the apartment complex had a built in dog park but Douglas submitted a new design, after the permits were issued to build the apartments to eliminate the dog park and build more apartments. Consequently, the apartment residents have made the old goat farm (this property up for annexation) as a quasi dog park to exercise their dogs.

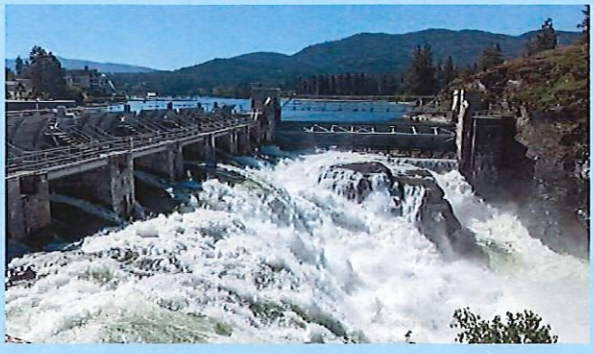
Now the developer (assumed to be Lance Douglas) is going to eliminate the old goat farm pasture to develop commercial or high density housing leaving the apartment residents and their dogs no place to exercise.

Where does the elimination of open space stop and allow for free and open space for dogs to run after balls and frisbees? People complain about dogs running around lose and yet the community does little to provide adequate space for owners to be able exercise them in a control environment.

I oppose the annexation and zoning change. Let's start providing some open space in this mad dash to build on every inch of Post Falls property.

Poleline & Zorros Annexation

Case File: ANNX-24-2



CITY OF POST FALLS

Ethan Porter– Associate Planner
October 24, 2024

1

OWNER: Lanzce Douglass

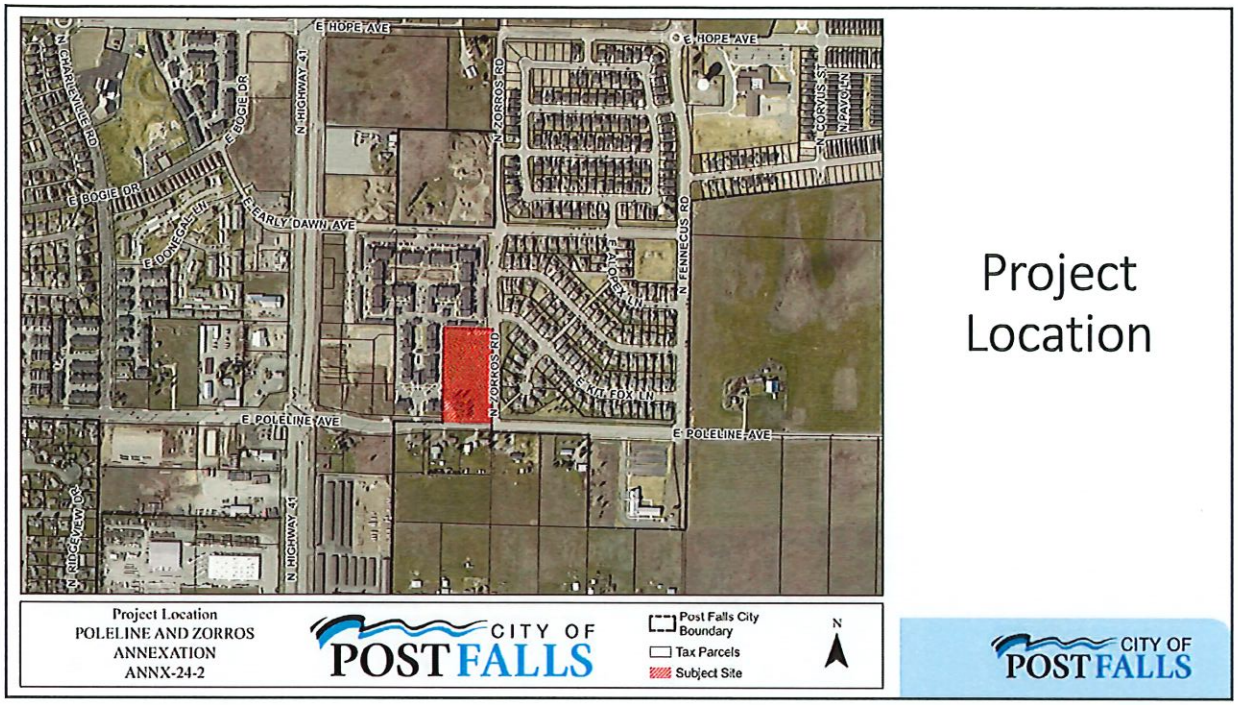
APPLICANT: Whipple Consulting Engineers, Inc

REQUESTED ACTIONS:

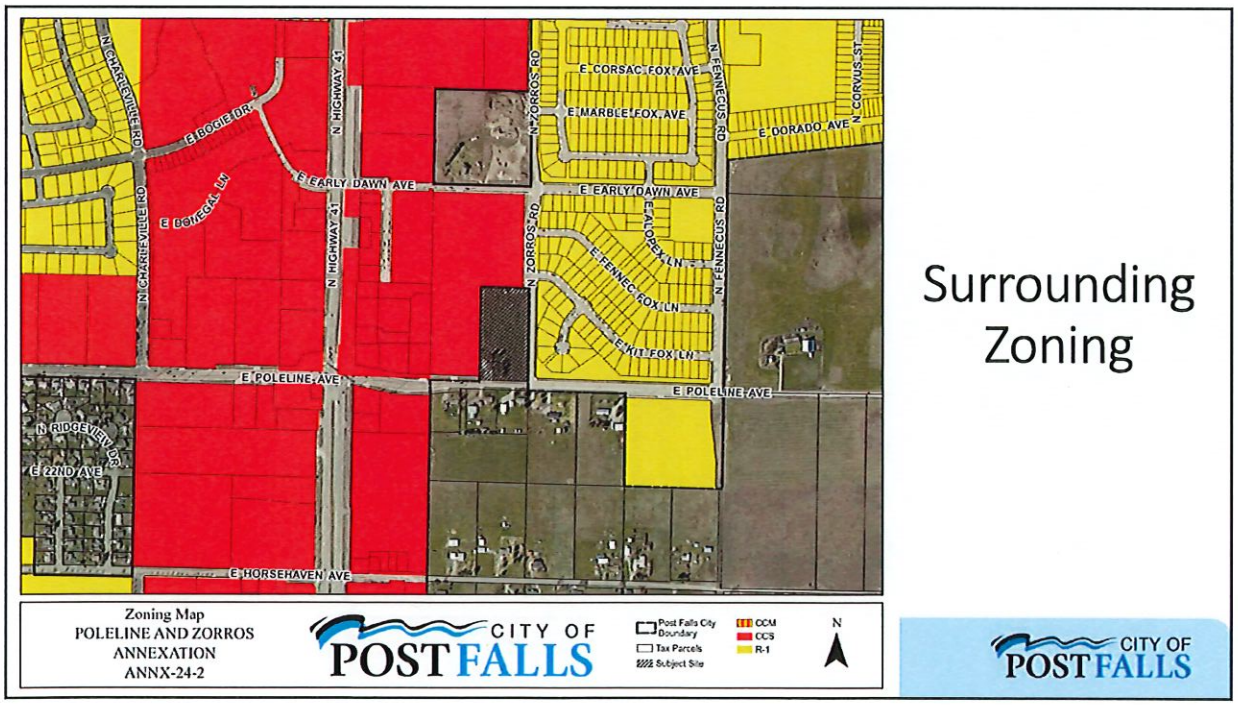
- **Zoning Recommendation:** Forward recommendation to City Council for the 4.72-acre subject property to be Community Commercial Services (CCS) zoning

CITY OF POST FALLS

2


E HOPE AVE
N CHARLEVILLE RD
E BOGIE DR
N HIGHWAY 41
N ZORROS RD
N CORVUS ST
N PAVO LN
E DONEGAL LN
E EARLY DAWN AVE
N FENNECUS RD
E POLELINE AVE
E KIT FOX LN
N RIDGEVIEW DR
Project Location
POLELINE AND ZORROS
ANNEXATION
ANNX-24-2
CITY OF POST FALLS
Post Falls City Boundary
Tax Parcels
Subject Site
N
Project Location
CITY OF POST FALLS

3


N CHARLEVILLE RD
E BOGIE DR
N HIGHWAY 41
N ZORROS RD
E CORSAC FOX AVE
E MARBLE FOX AVE
N FENNECUS RD
E DORADO AVE
N CORVUS ST
E DONEGAL LN
E EARLY DAWN AVE
E ALOPEX LN
E FENNEC FOX LN
E KIT FOX LN
E POLELINE AVE
N RIDGEVIEW DR
E 22ND AVE
E HORSEHAVEN AVE
Zoning Map
POLELINE AND ZORROS
ANNEXATION
ANNX-24-2
CITY OF POST FALLS
Post Falls City Boundary
Tax Parcels
Subject Site
CCM
CCS
R-1
N
Surrounding Zoning
CITY OF POST FALLS

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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

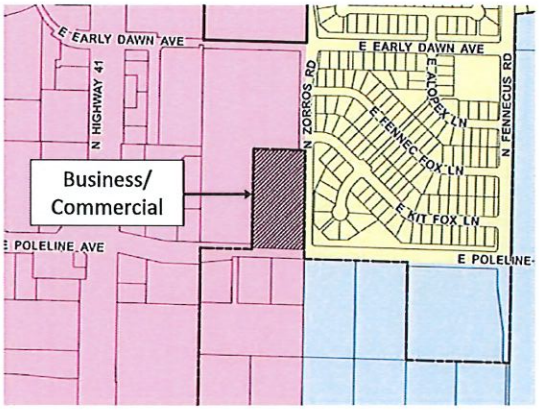
- Zorros Rd. is a Minor Collector
- Poleline Ave. is a Minor Arterial
- City's Transportation Master Plan identifies an 1/8-mile backage roadway between Early Dawn Ave. and Hope Ave. that can be made up of local access, private or commercial drives roadways
- City to obtain rights-of-way and easements

Additional Information

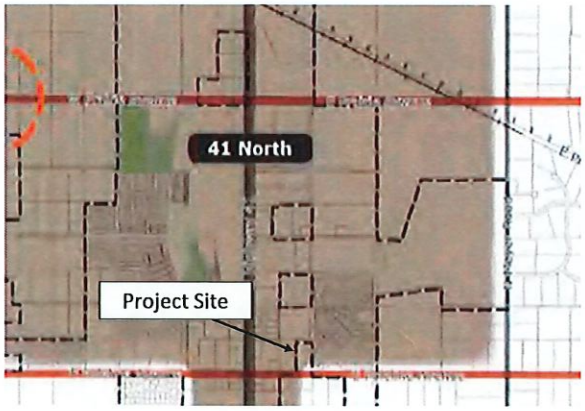
CITY OF POST FALLS

5

Future Land Use Designation



41 North Focus Area



Future Land Use Designation/Focus Area

CITY OF POST FALLS

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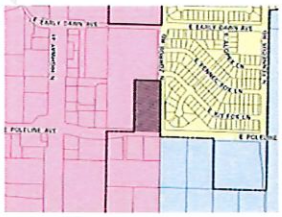
Zone Change Comprehensive Compatibility

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

CITY OF POST FALLS

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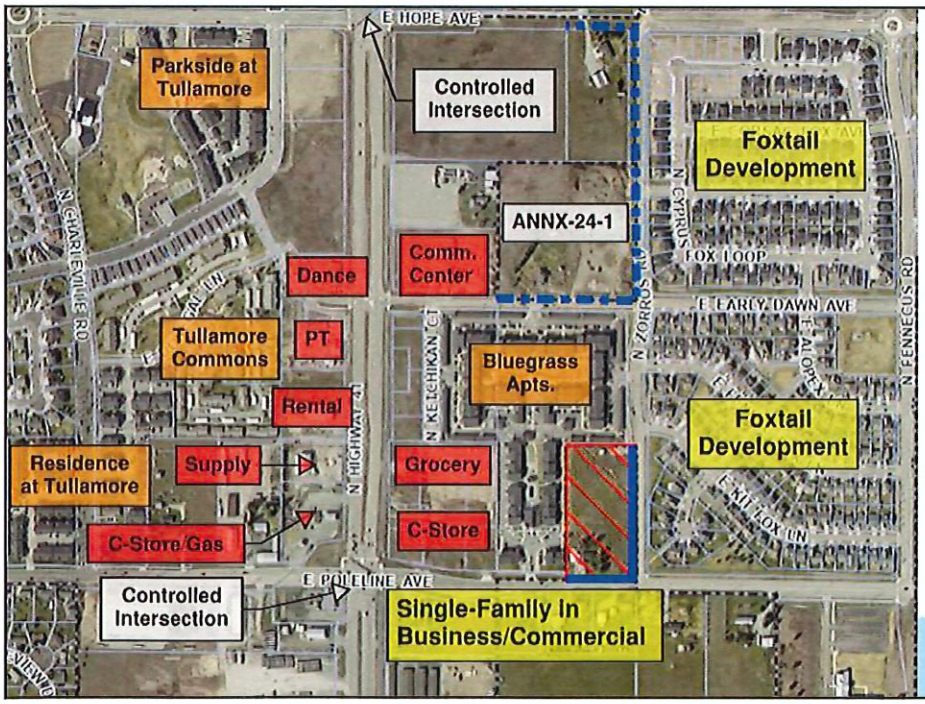

Surrounding Context

CITY OF POST FALLS

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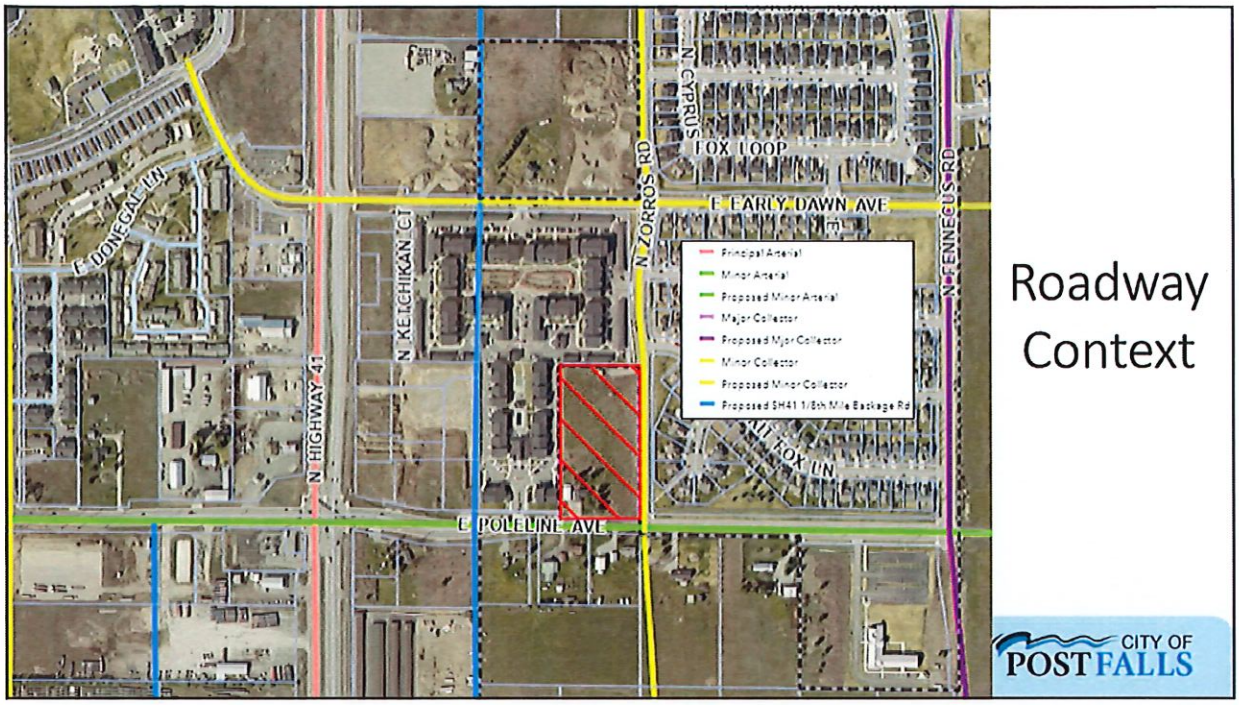

9

Zone Change Comprehensive Compatibility

Future Land Use Designation	Focus Area	Comprehensive Goals	Comprehensive Policies
<u>Business/Commercial</u> *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*	<u>41 North</u> *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

CITY OF POST FALLS

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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

CITY OF POST FALLS

12

[PA-1] PFSD – Remain neutral

[PA-2] KCFR – Comment during permitting process

Agency Comments

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

CITY OF POST FALLS

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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

CITY OF POST FALLS

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CITY OF POST FALLS
STAFF REPORT

DATE: OCTOBER 11, 2024

TO: POST FALLS PLANNING AND ZONING COMMISSION

FROM: ANNA STAAL, PLANNER 1 • astaal@postfalls.gov • 208-457-3336

SUBJECT: STAFF REPORT FOR THE OCTOBER 24, 2024, P&Z COMMISSION MEETING
KILLDEER ANNEXATION ANNX-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. ANNX-24-4

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

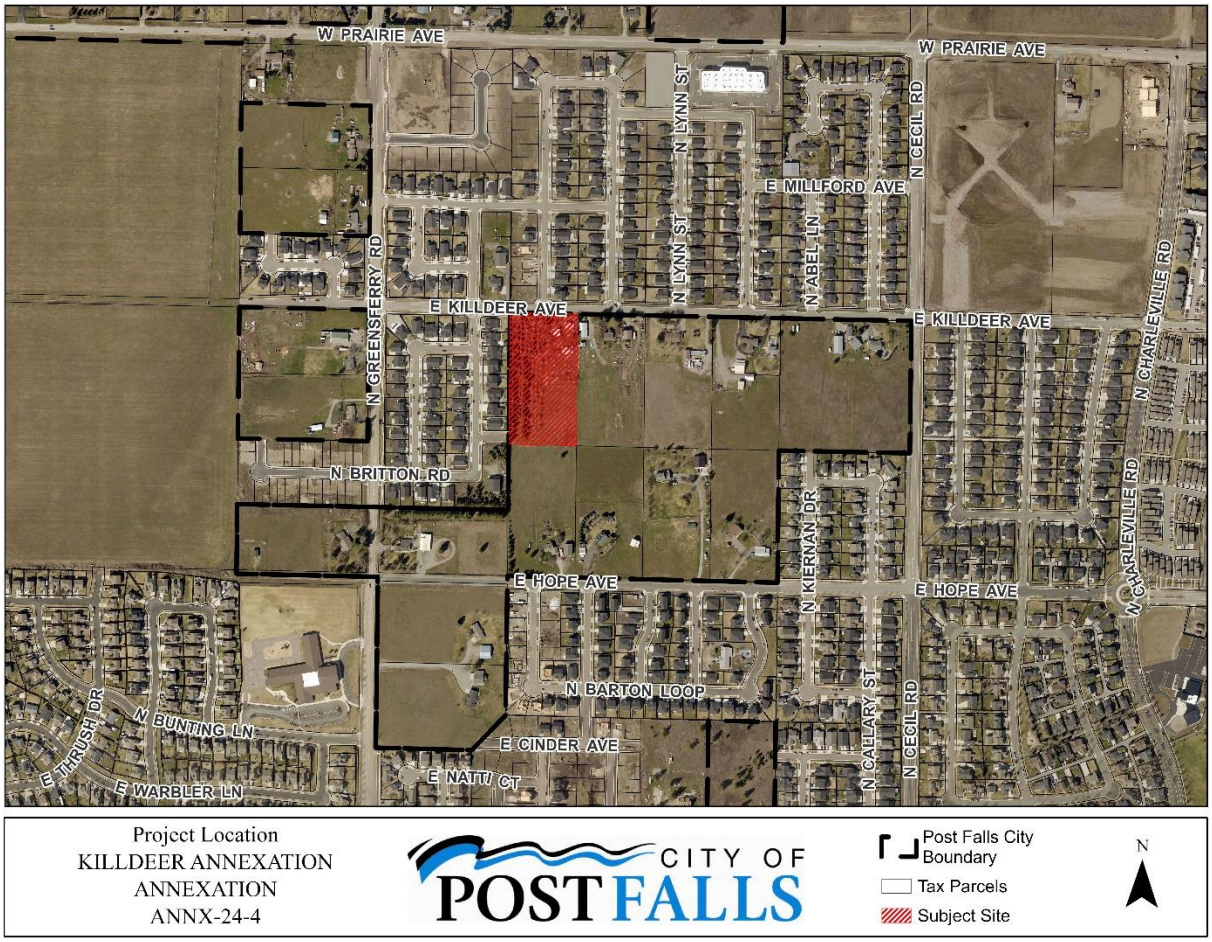
Applicant: Lake City Engineering, Inc., 126 E. Poplar Avenue, Coeur d'Alene, ID 83814

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:

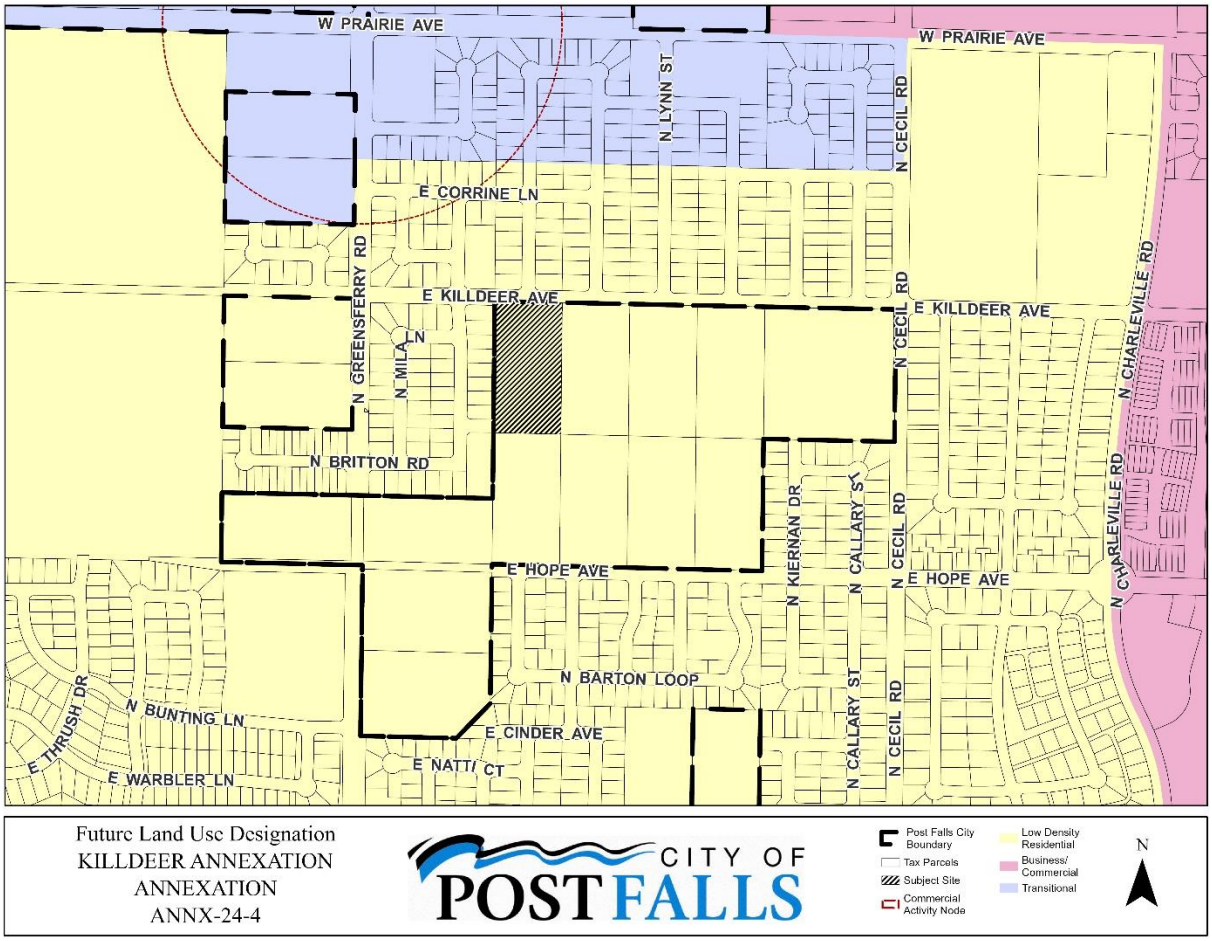
The following section provides the staff analysis pertaining to the Annexation Application and the establishment of zoning. The zone changes review criteria set forth within the Post Falls Municipal Code section 18.20.100 is cited below in **BOLD** with staff comments following. This review criteria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

<u>ZONE CHANGE REVIEW CRITERIA</u>

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. Dedications 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
- Exhibit PA-6 Department of Environmental Quality – No comment at this stage
- Exhibit PA-7 Idaho Transportation Department – 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
Exhibit PA-6	DEQ Comments
Exhibit PA-7	ITD Comments
Exhibit PC-1	Blood Comments
Exhibit PC-2	Brady Comments

Exhibit A-1

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 contact buyer.

true

Exhibit A-2

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.

<u>GOALS</u>

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

<u>Comment:</u> 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

NORTH

0 100 200 400

SCALE: 1" = 400'

LAKE CITY ENGINEERING

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/TCD
SCALE:	1" = 400'
DATE:	06/10/2024
JOB NO:	24-027
FILE: 24-027 ZONING EXB.dwg	

PLOTTED: Jun 10, 2024 - 4:04pm

Exhibit A-4

24-027

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)

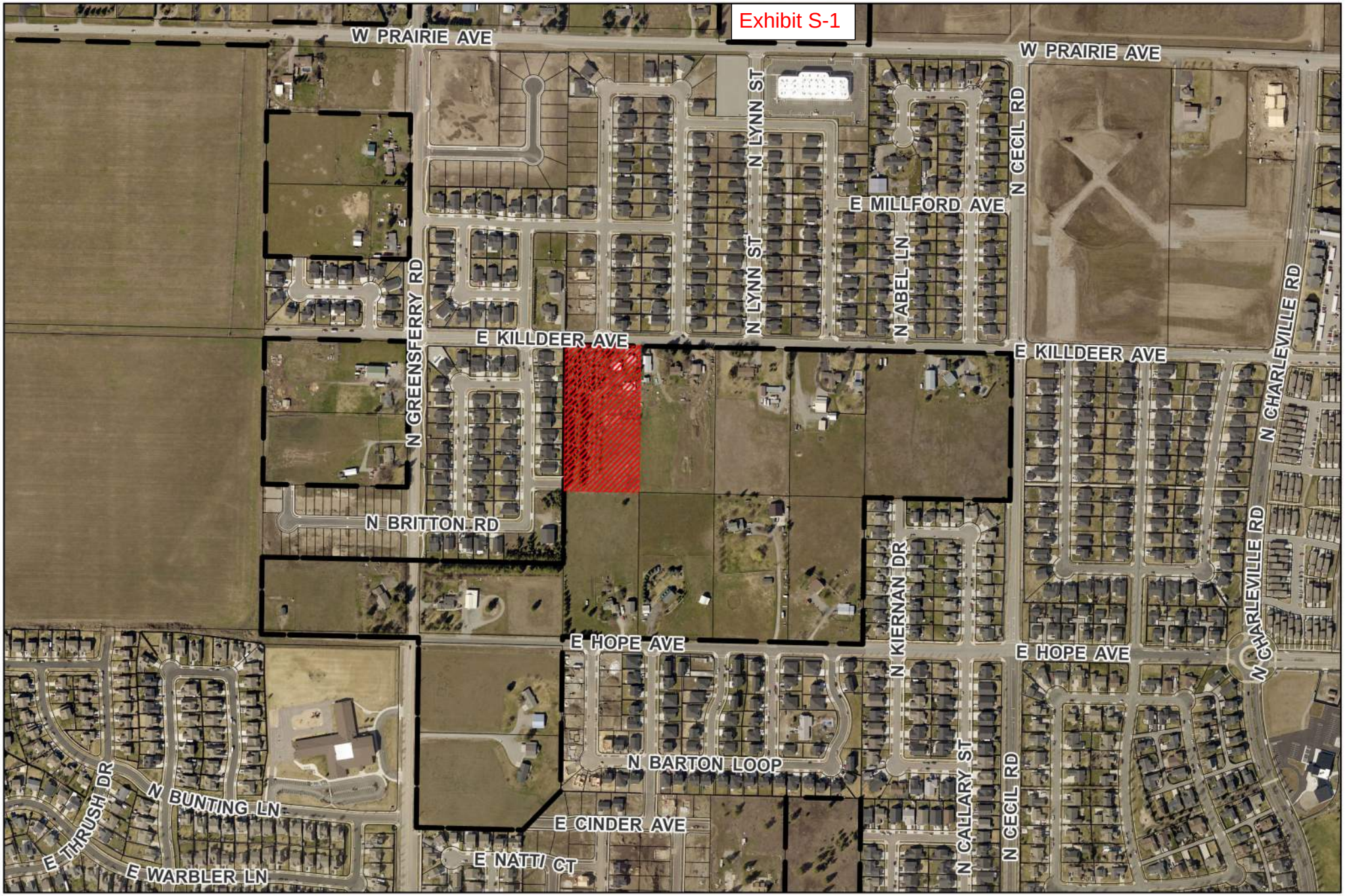
On this 27 day of June 2024, before me, the subscriber, a Notary Public in and for said State and County, personally appeared Michael Fitzgerald II, a Manager of Northern Lights Development, LLC, known or subscribed and sworn to me to be the person whose name is subscribed to the within instrument, and 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.

KALLIE S MULVANEY
NOTARY
PUBLIC
Comm No. 28410
STATE OF IDAHO

Notary Public

Residing at: Hayden, Idaho

My Commission Expires: 2-22-28



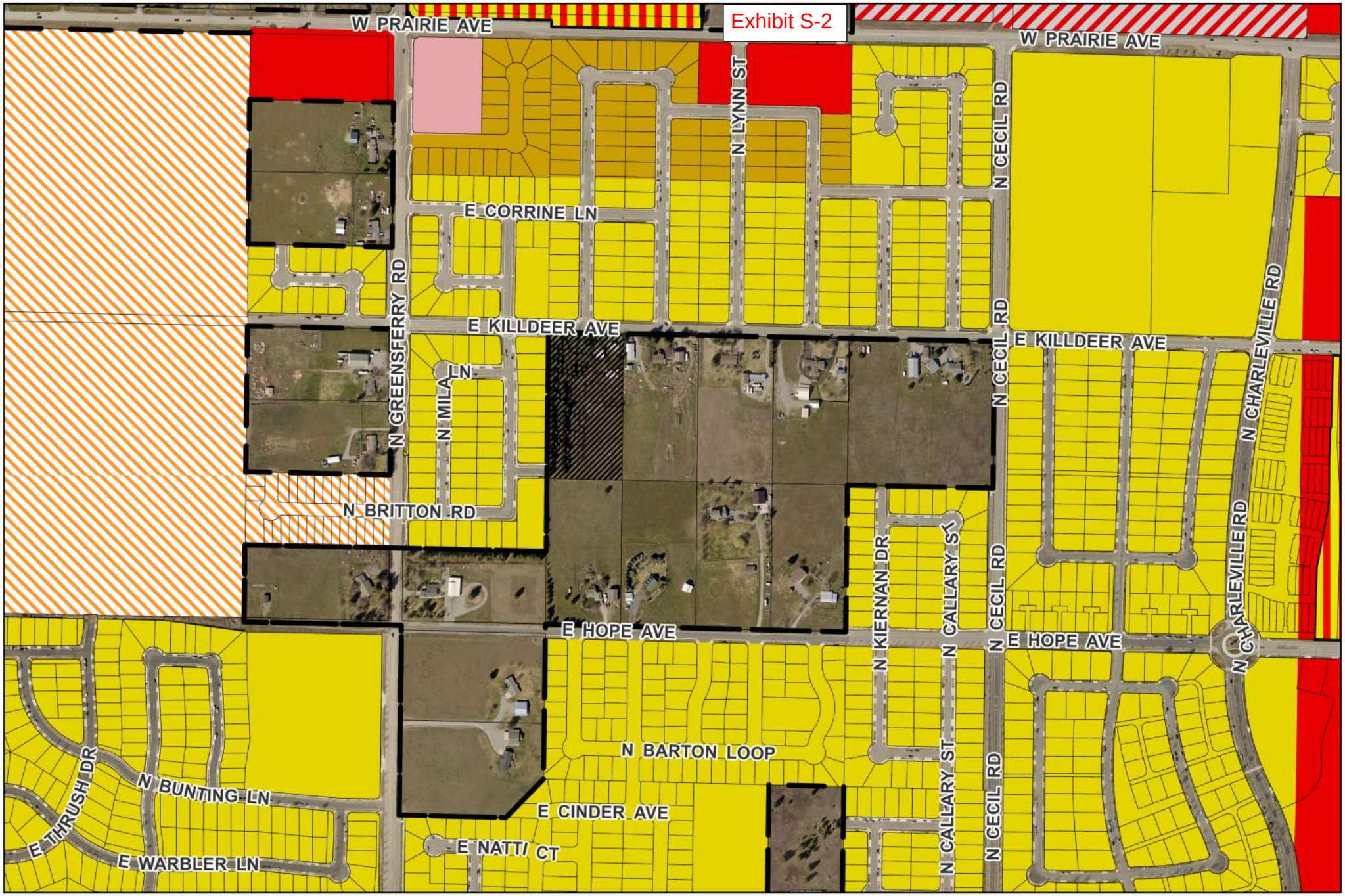
Project Location
KILLDEER ANNEXATION
ANNEXATION
ANNX-24-4

CITY OF POST FALLS

Post Falls City Boundary
Tax Parcels
Subject Site

N

Exhibit S-2



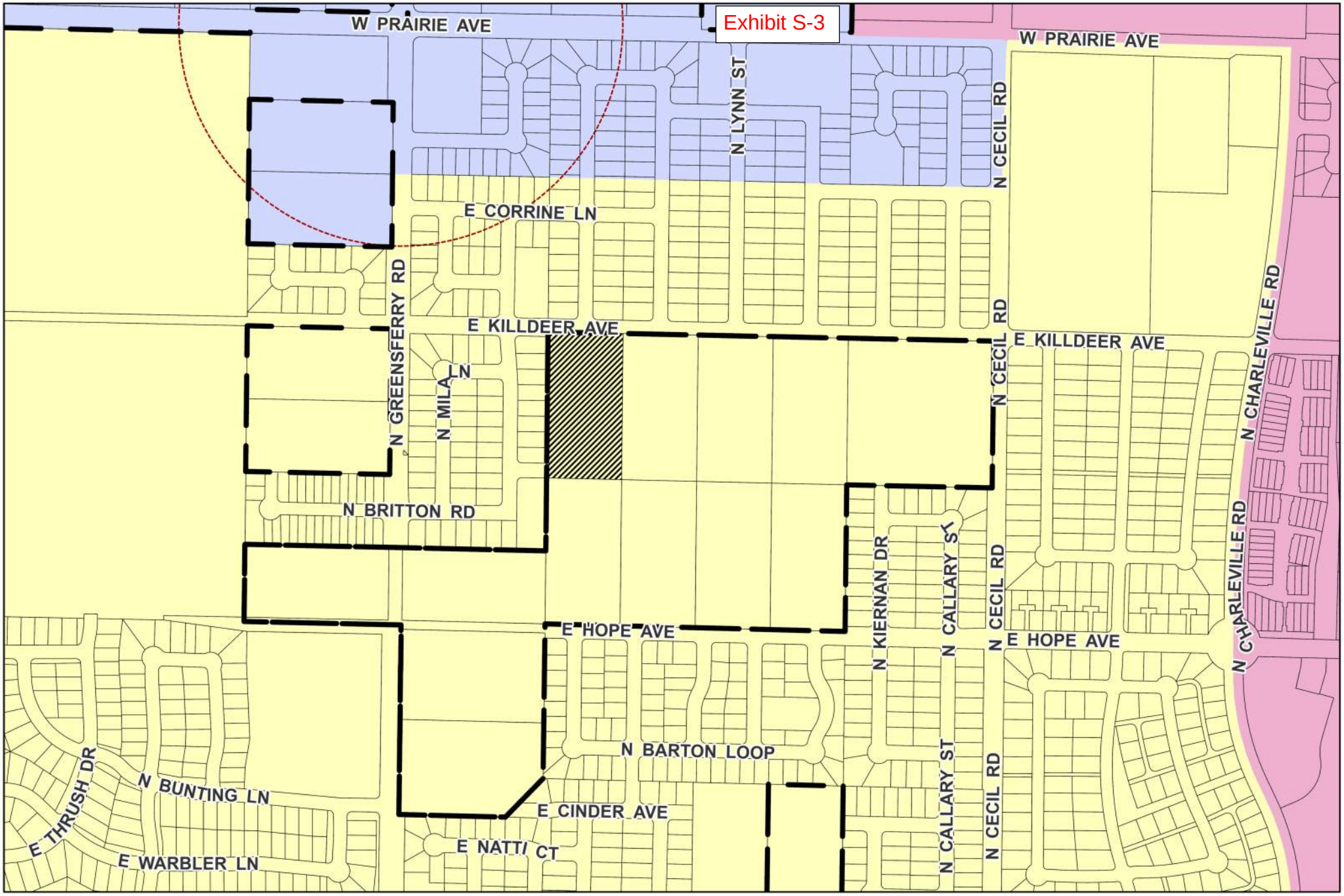
Zoning Map
KILLDEER ANNEXATION
ANNEXATION
ANNX-24-4

CITY OF POST FALLS

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

N

Exhibit S-3



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

CITY OF POST FALLS

Post Falls City Boundary
Tax Parcels
Subject Site
Commercial Activity Node
Low Density Residential
Business/ Commercial
Transitional

N

Exhibit PA-1

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

Exhibit PA-2

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
nthurwatcher@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
Cc: Calhoun, Judy
Subject: FW: Notice to Jurisdictions Killdeer Annexation File No. ANNX-24-4
Date: Thursday, October 3, 2024 12:47:01 PM
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,

Base don the location of the project, there is no impact to the YPL ROW and we do not have any questions/comments.

Sincerely,

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

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Thursday, October 3, 2024 12:50 PM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; 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@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: [EXTERNAL]Notice to Jurisdictions Killdeer Annexation File No. ANNX-24-4

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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 October 24, 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

Exhibit PA-4

CITY OF POST FALLS POLICE DEPARTMENT

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,

Mark J. Brantl
Captain
Post Falls Police Department

Exhibit PA-5

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

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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>

Exhibit PA-6

From: Kristie May
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions - Killdeer Annexation File No. ANNX-24-4
Date: Thursday, September 5, 2024 2:33:15 PM
Attachments: image001.png

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Good Afternoon,

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

Thank you,

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

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

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: 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>
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 Jurisdictions - Killdeer Annexation File No. ANNX-24-4

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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

Exhibit PA-7

From: Robert Beachler
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions - Killdeer Annexation File No. ANNX-24-4
Date: Monday, September 9, 2024 9:46:12 AM
Attachments: image001.png

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No Comment.

Robert Beachler
District 1 Planning Program Manager
Idaho Transportation Department
600 W. Prairie Ave
Coeur d'Alene, ID 83815
robert.beachler@itd.idaho.gov
(208) 772-1216
Office Hours M-TH 6-4:30

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
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>
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 Jurisdictions - Killdeer Annexation File No. ANNX-24-4

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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.

Exhibit PC-1

Nancy Thurwachter

From: nthurwachter@postfalls.gov
Attachments: IMG_1399.jpeg; IMG_1408.jpeg

From: Bobbie Blood <bobbieblood@yahoo.com>
Sent: Friday, October 4, 2024 2:30 PM
To: Public Hearing Notice <phnotice@postfalls.gov>; Nancy Thurwachter <nthurwachter@postfalls.gov>
Cc: Bob Dugan <bdugan9@hotmail.com>; Penny Sibley <lchaimtreefarm@yahoo.com>
Subject: Subject: Concern Regarding Development Impact on Local Owl Habitat Killdeer Annexation File No. ANNX-24-4

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Good Afternoon,

As residents of 3584 N Britton, my husband and I have a personal knowledge of local wildlife. We recently received notification regarding the proposed expansion of property behind our home. We understand that one of the these five-acres has already been sold, and we are deeply concerned about the potential impact this development may have on the owls and other connections to the wildlifeme to cherish the that we have co five-acre parce.

Specifically, we have observed a population of owls residing in the tree line directly behind our property. To our knowledge, at least three owls, and possibly more, frequent this area. These owls utilize the adjacent field for hunting, and their presence contributes to the ecological balance of our neighborhood.

According to the U.S. Fish and Wildlife Service, owls are a protected species, and any development plans should consider the potential disruption to their habitat. Please assess the situation and explore alternatives that would allow for the preservation of this vital wildlife habitat.

We are grateful for your attention to this matter and appreciate your understanding and consideration of this issue. We look forward to your response and the steps that will be taken to eagerly look for our local wildlife.

Best regards,
Bob and Bobbie Dugan

Exhibit PC-2

City of Post Falls, Planning and Zoning Commission Public Hearing
Killdeer Annexation (File No. ANNX 24-4), Exhibit: 4C

Public Hearing Information

Applicant: Lake City Engineering, Inc.
Location: The property is located at 2640 E. Killdeer Avenue.
Request: To annex approximately 4.89-acres into the City of Post Falls with a zoning request of Single-Family Residential (R-1).
Hearing Date: October 24, 2024

Testifier Name: Conal J. Brady III
Testifier Address: 3664 N. Britton Rd., Post Falls, Idaho 83854-4845
Testifier Email: conbrady@hotmail.com

Zoning Upon Annexation

Please Provide Your Position on the Proposed Zone Change: ***In Favor*** *without conditions, but with several* ***comments*** *and* ***recommendations*** *for consideration by the Applicant, the Commission and the City Council.*

Idaho state law only allows the City Council and Planning Commission to consider comments related to the criteria listed below. Please tell us how the requested zone change either does or does not meet the following criteria:

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?

Answer: ***Yes****, however, please refer to the answer made in response to Question 5.*

Question 1 Comments: *Please refer to the comments made in support of Question 5.*

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

Answer: ***Yes***

Question 2 Comments: ***None.***

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.

Answer: ***Yes***

Question 3 Comments: ***None.***

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

Answer: ***Yes***

Question 4 Comments: ***None.***

5. Is the requested zoning district in accordance with the Future Land Use Map in the Comprehensive Plan?

Answer: ***Yes,*** *but with a respectful request for an explanation by the Commission during the public hearing of whether "Special Use Permit(ting)" is an option within an R1 low-density residential community, therein allowing for "Land Use Type(s)" of "Cottage Homes" (R2/2,400 sq-ft lot), Townhomes" (R3/2,000 sq-ft lot) and Twinhomes" R2/2,400 sq-ft lot). Depending upon the Commission's explanation, the recommendation below is offered for the Commission's consideration.*

Question 5 Comments: *As stated in the "City of Post Falls Staff Report" draft, dated August 21, 2024, "The Future Land Use Map classifies this property with the land use designation of Low-Density Residential...This category encompasses all types of single-family residential uses up to eight dwelling units per acre..." So, the absolute minimum lot size for eight dwelling units per acre would be a minimum of 5,445 square foot lots. With the application and approval of a "Special Use Permit", R1 zoning allows for "Land Use Type(s)" of "Cottage Homes" (R2/2,400 sq-ft lot), Townhomes" (R3/2,000 sq-ft lot) and Twinhomes" R2/2,400 sq-ft lot). [Refer to Attachment 1] Therefore, any R1 Land Use Type that requires the approval of a Special Use Permit does not meet the minimum lot size requirement for a "Low-Density Residential" designation.* ***Respectfully RECOMMEND that the approval of the Killdeer Annexation include a stipulation that no land use types which require Special Use Permits will be considered or approved for the Killdeer Annexation land parcel.***

6. Is the requested zoning district consistent with the goals and policies in the Comprehensive Plan?

Answer: ***Yes,*** *but with the comment and recommendation below for the Commission's consideration.*

Question 6 Comments:

Policy 2: In the "City of Post Falls Comprehensive Plan", Policy 2 states, "Apply or revise zoning designations with careful consideration of factors including... compatibility with surrounding land uses". In the "City of Post Falls Staff Report" draft, dated August 21, 2024, the "Staff Comment" on Policy 2 states, "Existing uses surrounding the subject site are predominantly the same use that is being request(ed), single-family homes." Specifically, all the "existing uses" surrounding the subject site are R1 low-density residential homes. There are no existing uses surrounding the subject site that required the approval of a Special Use Permit. ***So, while the***

draft Staff Report does not specifically state the recommendation made in response to Question 5 above, the author does infer that the recommendation made above is within the spirit and intent of the City of Post Falls Comprehensive Plan, Policy 2.

Policy 45: This policy states, "Guide annexation decisions guided by and considering... studies that evaluate environmental and public service factors." There is currently a contiguous grove of mature deciduous and conifer trees on the subject site's western boundary running from Killdeer Lane to Luverne Lane. In-total, the tree grove covers approximately two acres. [Refer to attachment 2] There are various types of wildlife thriving within a mature ecosystem, including owls and other birds-of-prey as well as robins, hummingbirds, finches, crows and, seasonally, killdeer. Additionally, various small mammals reside within the grove. This information is being brought to the attention of the Commission as, according the author of the Staff Report draft, "No known environmental studies have been conducted..." to evaluate any possible negative environmental and public service factors with regard to the re-zoning and ensuing development of the subject site.

Therefore, ***with the voluntary concurrence of the Applicant, respectfully RECOMMEND that the Commission approve the Killdeer Annexation to include the preservation of a significant portion of the mature growth tree grove spanning the subject site's Western boundary from Killdeer Lane to Luverne Lane (563 feet) with a minimum East-West width of 40 feet. This proposed "green belt" would span approximately 22,500 square feet or 0.52 acres. The proposed "green belt" can be included in the subject site's development plan as a common area and managed by the development's HOA. Given the dimensions of the subject site, 16 to 18 home sites could be developed with required city transportation and utilities infrastructure and with average lot sizes of 7,130 sq-ft (18 total sites) to 8,021 sq-ft (16 total sites). [Refer to attachments 3A, 3B and 4] These average lot sizes significantly exceed the R1 zoning required minimum size of 6,500 sq-ft and are representative of lot sizes found within the surrounding community.***

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

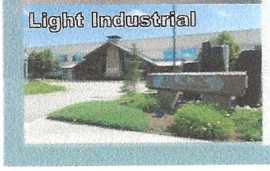
- Beautify and enhance community value.
- Provide shade and comfort.
- Affirm the city's association with the outdoors and its historic origins.
- Provide wildlife habitat.

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 (above) bulleted items.

By passing and approving the Recommendation above, Policy 71 will be fully supported as follows:

- *A mature growth tree green belt will very much* ***beautify and enhance community value****. Additionally, the eight subject site lots developed which border on the proposed green belt will merit higher retail sales prices, cost less to develop and most probably spend less time on the retail market before sale.*
- *A mature growth tree green belt* ***will provide shade and comfort*** *to all properties to the east and west of the belt while also* ***providing a natural wind break****. There is also the* ***possibility of later adding a path with benches through the green belt which would be consistent with Policy 26: "Maintain and improve the continuity of sidewalks, trails and bicycle paths in Post Falls".***
- *A mature growth tree green belt will* ***strongly affirm the City's association with the outdoors and its historic origins.*** *The earlier R1 developments in Post Falls, especially closer to the river, integrated mature growth trees into the community. There are fewer opportunities to incorporate these trees as the City moves further north. This opportunity should not be discounted.*
- *A mature growth tree green belt will preserve a significant portion of the mature ecosystem within the current tree grove on the subject site and continue to provide a* ***habit for the grove's resident wildlife.***

POST FALLS ZONING/USE CHART [Attachment 1 of 4] **September 1st, 2023**

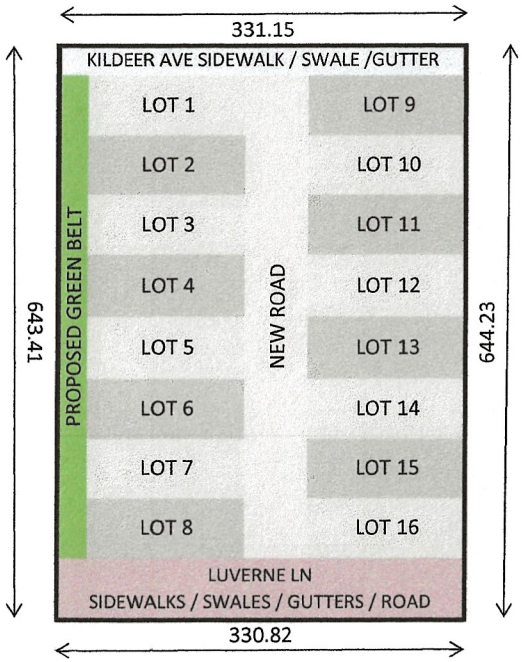
LAND USE TYPE	RIS	R1	R2	R3	RM	CCM	CCS	LC	TM	I
Single-Family	1-acre Min. Lot	6,500 sq.ft Min. Lot	4,000 sq.ft. Min. Lot	Not Permitted	Development Agreement	Not Permitted	Not Permitted	Special Use Permit per R-2	Not Permitted	Not Permitted
Tiny Home	1-acre Min. Lot	6,500 sq.ft. Min. Lot	4,000 sq.ft. Min. Lot	Not Permitted	Development Agreement	Not Permitted	Not Permitted	Special Use Permit per R-2	Not Permitted	Not Permitted
Cottage Home	Not Permitted	Special Use Permit	2,400 sq.ft. Min. Lot	2,400 sq.ft. Min. Lot	Permitted	Development Agreement	Special Use Permit	Special Use Permit	Not Permitted	Not Permitted
Duplex	Not Permitted	Not Permitted	3,600 sq.ft. Min. Lot	3,600 sq.ft. Min. Lot	Development Agreement	Not Permitted	Special Use Permit per R-3	Special Use Permit per R-2	Not Permitted	Not Permitted
Townhouses	Not Permitted	Special Use Permit	Special Use Permit	2,000 sq.ft. Min. Lot	Development Agreement	Development Agreement	Special Use Permit per R-3	2,400 sq.ft. Min. Lot	Development Agreement	Not Permitted
Twinhome	Not Permitted	Special Use Permit	2,400 sq.ft. Min. Lot	2,000 sq.ft. Min. Lot	Development Agreement	Not Permitted	Special Use Permit per R-3	Special Use Permit per R-2	Not Permitted	Not Permitted
Multi-Family	Not Permitted	Not Permitted	Not Permitted	2,400 sq.ft. Min. Lot	Development Agreement	Development Agreement	Special Use Permit	Special Use Permit	Development Agreement	Not Permitted
Vertical Mixed-Use	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted	Permitted	Permitted	Permitted	Permitted	Special Use Permit
Retail	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Development Agreement	Development Agreement	Permitted	Permitted	Development Agreement	Permitted
Sit-Down Restaurant	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Development Agreement	Development Agreement	Permitted	Permitted	Development Agreement	Permitted
Office	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Special Use Permit and Development Agreement	Development Agreement	Permitted	Permitted	Development Agreement	Permitted
Personal Service	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Development Agreement	Development Agreement	Permitted	Permitted	Development Agreement	Permitted
General Service	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Development Agreement	Permitted	Not Permitted	Development Agreement	Permitted
Light Industrial 	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Special Use Permit and Development Agreement	Special Use Permit	Not Permitted	Special Use Permit and Development Agreement	Permitted

2640 E Killdeer Lane with current mature growth tree grove on the western side of the subject property. (Attachment 2 of 4)

Attachment 3A of 4

2640 E Killdeer Ln R1 Rezone 16 Lots

10/10/2024



1 ACRE	43,560 SQ-FT	AVE LOT	(LOT LENGTH)			AVE LOT	AVE LOT
LAND USE CATEGORIES	LENGTH	WIDTH	TOTAL WIDTH	SQ-FT	ACRES	SQ-FT	ACRES
SIDEWALK / SWALE / GUTTER	17.00	-	331.15	5629.55	0.13	-	-
PROPOSED GREEN BELT	563.60	-	40.00	22544.00	0.52	-	-
LOTS 1-8	563.60	70.45	113.87	64177.13	1.47	8022.14	0.1842
SIDEWALK /SWALE / GUTTER / NEW STREET	563.60	-	63.25	35647.70	0.82	-	-
LOTS 9-16	563.60	70.45	113.87	64177.13	1.47	8022.14	0.1842
SIDEWALKS / SWALES / GUTTERS / LUVERNE LN	63.22	-	330.99	20924.87	0.48	-	-
EXTRA / EXCESS LENGTH AND AREA	0.00	-	330.99	0.00	0.00	-	-
SUBDIVIDED TOTAL --->	643.82	-	330.99	213,100	4.892	-	-

2640 E. KILDEER AVE
515W25NW Plat Map 23-AB

AVE LENGTH -	643.82	FEET
AVE WIDTH -	330.99	FEET
CALC AREA -	213,095	SQ FT
-	4.892	ACRES

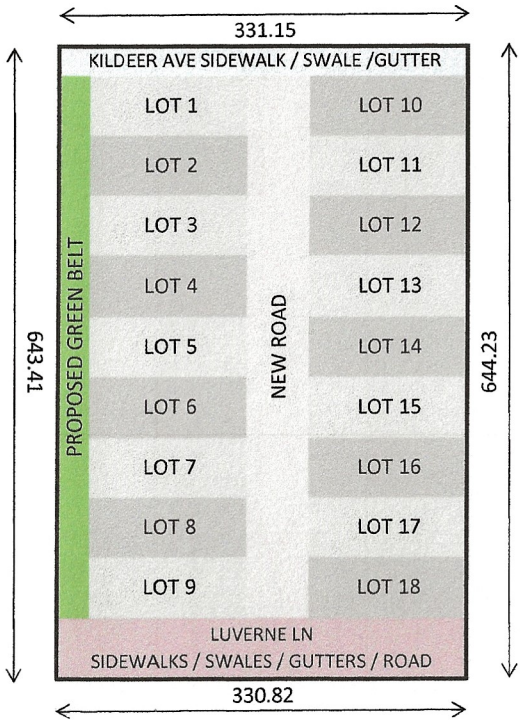
LUVERNE LN / NEW ST	
TOTAL WIDTH / FEET	
SIDEWALK	5.00
SWALE	10.00
GUTTER	2.00
STREET	29.25
GUTTER	2.00
SWALE	10.00
SIDEWALK	5.00
TOTAL --->	63.25

KILDEER AVE WIDTH OF	
SIDEWALK/SWALE/GUTTER	
SIDEWALK	5.00
SWALE	10.00
GUTTER	2.00
TOTAL --->	17.00

Attachment 3B of 4

2640 E Killdeer Ln R1 Rezone 18 Lots

10/10/2024



1 ACRE	43,560 SQ-FT	AVE LOT	(LOT LENGTH)			AVE LOT	AVE LOT
LAND USE CATEGORIES	LENGTH	WIDTH	TOTAL WIDTH	SQ-FT	ACRES	SQ-FT	ACRES
SIDEWALK / SWALE / GUTTER	17.00	-	331.15	5629.55	0.13	-	-
PROPOSED GREEN BELT	563.57	-	40.00	22542.80	0.52	-	-
LOTS 1-9	563.57	62.62	113.87	64173.72	1.47	7130.41	0.1637
SIDEWALK /SWALE / GUTTER / NEW STREET	563.57	-	63.25	35645.80	0.82	-	-
LOTS 10-18	563.57	62.62	113.87	64173.72	1.47	7130.41	0.1637
SIDEWALKS / SWALES / GUTTERS / LUVERNE LN	63.25	-	330.99	20934.80	0.48	-	-
EXTRA / EXCESS LENGTH AND AREA	0.00	-	330.99	0.00	0.00	-	-
SUBDIVIDED TOTAL --->	643.82	-	330.99	213,100	4.892	-	-

2640 E. KILDEER AVE
515W25NW Plat Map 23-AB

AVE LENGTH -	643.82	FEET
AVE WIDTH -	330.99	FEET
CALC AREA -	213,095	SQ FT
-	4.892	ACRES

LUVERNE LN / NEW ST	
TOTAL WIDTH / FEET	
SIDEWALK	5.00
SWALE	10.00
GUTTER	2.00
STREET	29.25
GUTTER	2.00
SWALE	10.00
SIDEWALK	5.00
TOTAL --->	63.25

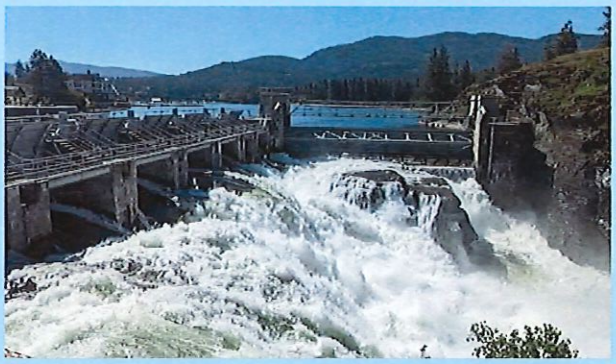
KILDEER AVE WIDTH OF	
SIDEWALK/SWALE/GUTTER	
SIDEWALK	5.00
SWALE	10.00
GUTTER	2.00
TOTAL --->	17.00

2640 E Killdeer Ln 16 x 8,000 sq-ft lots, required infrastructure and a 0.5 acre green belt on the western boundary of subject property. (Attachment 4 of 4)

vvvvvvvvvvvvvvvvvvvvvvvvvvvvvvvvv

Killdeer Annexation

Case File: ANNX-24-4



CITY OF POST FALLS

Anna Staal – Planner I
October 24th, 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

CITY OF POST FALLS

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Project Location
KILLDEER ANNEXATION
ANNEXATION
ANNX-24-4

CITY OF POST FALLS

Post Falls City Boundary
Tax Parcels
Subject Site

N

Project Location

CITY OF POST FALLS

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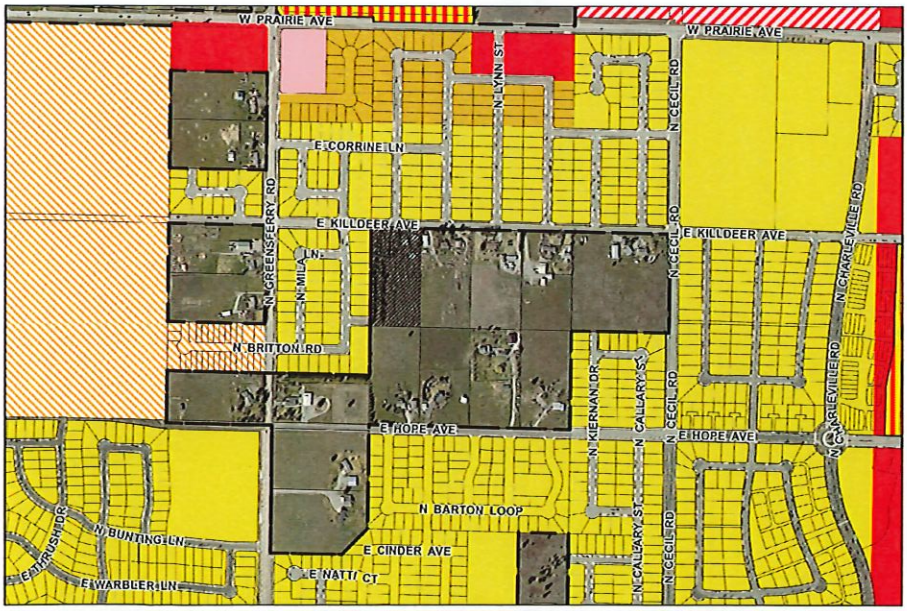

Zoning Map
KILLDEER ANNEXATION
ANNEXATION
ANNX-24-4

CITY OF POST FALLS

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

N

Surrounding Zoning

CITY OF POST FALLS

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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

CITY OF POST FALLS

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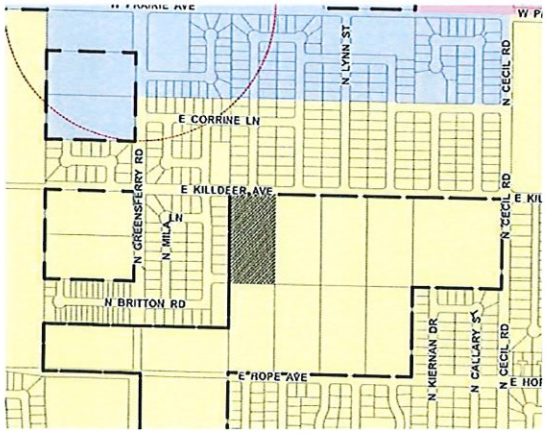
Future Land Use Designation



41 North Focus Area

Future Land Use Designation/Focus Area

CITY OF POST FALLS

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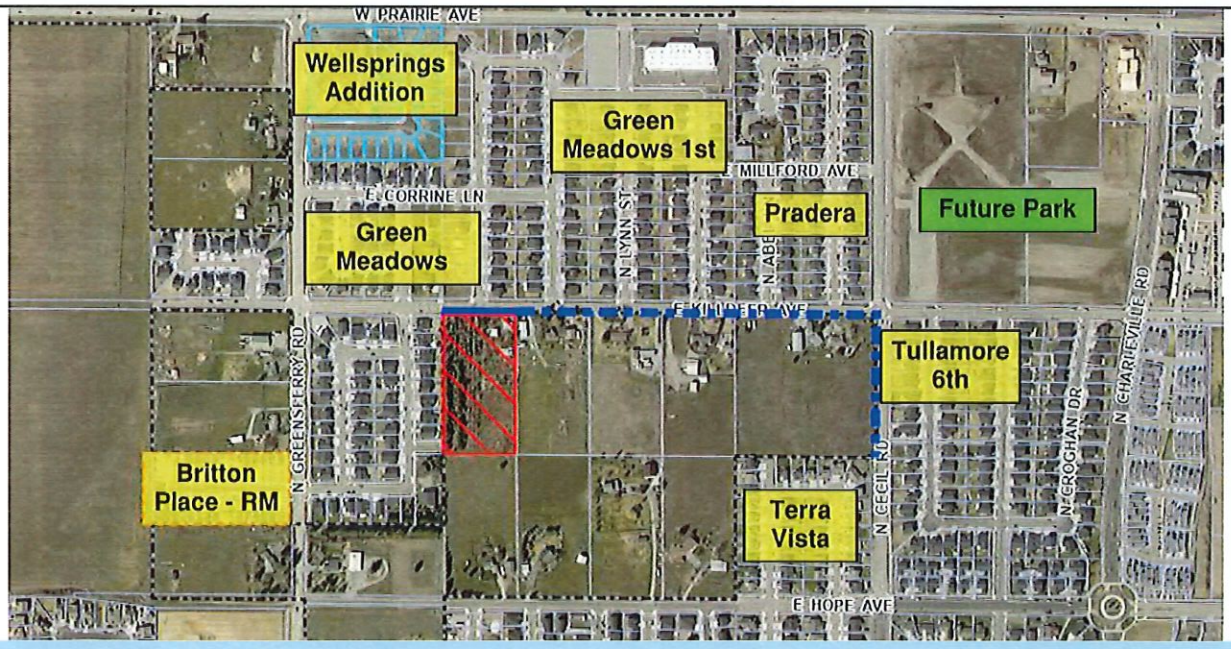
Zone Change Comprehensive Compatibility

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.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

CITY OF POST FALLS

7



Surrounding Context

CITY OF POST FALLS

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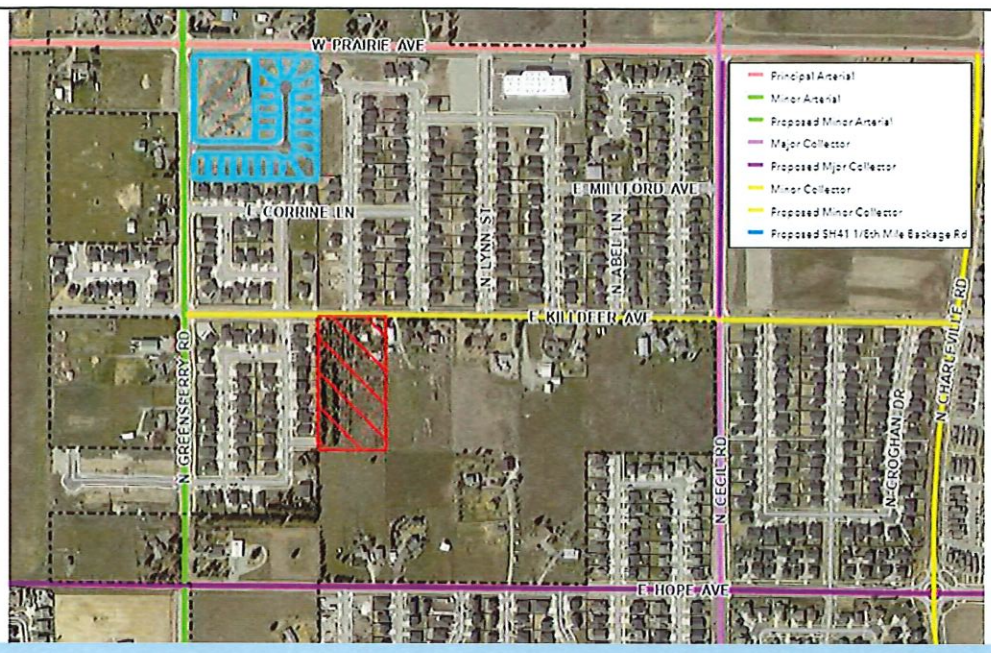

Roadway Context

CITY OF POST FALLS

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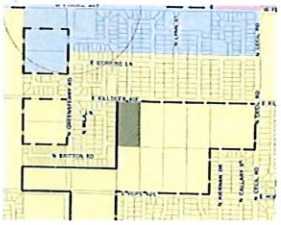
Zone Change Comprehensive Compatibility

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

CITY OF POST FALLS

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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

CITY OF POST FALLS

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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

[PA-6] DEQ – No comment at this stage

[PA-7] ITD – No comment

Agency Comments

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

CITY OF POST FALLS

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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

CITY OF POST FALLS

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