



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**November 12, 2024
6:00 PM**

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

IMPACT FEE WORKSHOP - 4:30 PM (BASEMENT CONFERENCE ROOM)

- a. Development Impact Fee Study Update

WORKSHOP - 4:30 pm Basement Conference Room

1. Development Impact Fee Study Update Introduction Outline: (5 min)
2. Impact Fee Growth Assumptions and Policy Alternatives Discussed (10-15 min).
 - Phase 1
 - General Impact Fee Equation
 - Considerations
 - Population and Job Growth Forecast: 2020-2035
 - Existing Methodology
3. Parks
 - Employment Inflow/Outflow
 - Park Availability Per Person
 - Park Demand per DU and Job
 - Park Demand from Visitation
 - Parks Issues and Alternatives
 - Draft Parks Impact Fee Growth Alternatives
4. Police
 - Draft Public Safety Demand Assumptions
 - Draft Public Safety LOS Assumptions
 - Public Safety Issues & Alternatives
5. Transportation
 - Consider a City Center Fee Zone
 - Vehicle Trip Growth Forecast
 - Vehicle Trip Growth: Core vs Rest of City
 - Multimodal Growth Assumptions
 - Peron Trip Growth Forecast

- Transportation and Multimodal Issues and Alternatives

6. Next Steps

- One more meeting with the Planning and Zoning Commission
- Zones
- Scaling by home size
- Non-residential alternatives
- Multimodal alternatives
- Automatic Escalation

There will be one more workshop with the Planning and Zoning Commission in December. Phase 1 is projected to be completed in January.

ROLL CALL

Present - Carey, Walton, Wilhelm, Steffensen, Schreiber, Kimball (call in)

Excused - Schlotthauer

REGULAR MEETING – 6:00 PM

CALL TO ORDER

6:00 PM

PLEDGE OF ALLEGIANCE

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION: ACTION ITEM

- a. Swearing in Chris Schreiber

Chris Schreiber took the Oath of Office.

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Vicky Jo Carey, Kibbee Walton, Ray Kimball, James Steffensen, Ross Schlotthauer, Bobby Wilhelm, Chris Schreiber

Present - Carey, Walton, Wilhelm, Steffensen, Schreiber

Excused - Schlotthauer, Kimball

AMENDMENTS TO THE AGENDA

Final action cannot be taken on an item added to the agenda after the start of the meeting unless an emergency is declared that requires action at the meeting. The declaration and justification must be approved by motion of the Council.

None

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

Commission members are requested to declare if there is a conflict of interest, real or potential, pertaining to items on the agenda.

None

1. CONSENT CALENDAR

The consent calendar includes items which require formal Commission action, but which are typically routine or not of great controversy. Individual Commission members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the Commission agenda packet regarding these items and any contingencies are part of the approval.

ACTION ITEMS:

- a. Meeting Minutes 10-24-2024
- b. Gabrio Estates Duplexes Zoning Recommendation (ZC-24-2)

Motion to approve as presented by Commissioner Carey

Second, by Commissioner Walton

Vote: Carey - yes, Walton - yes, Steffensen - yes, Wilhelm - yes, Schreiber - abstain

Moved

2. CITIZEN ISSUES

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

None

3. UNFINISHED / OLD BUSINESS

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

ACTION ITEMS:

None

4. PUBLIC HEARINGS

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

ACTION ITEMS:

- a. Westfork Townhomes SUBD-24-6

Public Hearing Opened at 6:06 PM

Ethan Porter, Associate Planner Presenting: Lake City Engineering, Inc has requested on behalf of the property owner, Robert King, to subdivide approximately 0.44 acres into 6 townhome lots within the Limited Commercial (LC) zoning designation. The property is located approximately 200 feet east of the Mullan Avenue and Spokane Street intersection, on the north side of Mullan Avenue. The surrounding zoning of the subject site includes Limited Commercial (LC) to the west and the north. Directly south across E. Mullan Avenue are Community Commercial Services (CCS) properties. Across N. Frederick Street, to the east, the zoning is High Density Residential (R3). The site is currently a vacant parcel over the Rathdrum Prairie Aquifer. The City of Post Falls will be the wastewater provider. The requested land use is in conformance with the land use assumptions within the city's Water Reclamation Master Plan and there is capacity and the willingness to provide service for the property at the requested density. The City of Post Falls will provide water for the site. The proposed layout is consistent with the City's Transportation Master Plan. Mullan Avenue is classified as a Minor Arterial roadway. Frederick Street is classified as a local roadway. The Future Land Use designation of the focus area has Business Commercial. It is within the Seltice Focus Area, which encourages higher density residential uses in the area, boosting support for retail and commercial uses.

Schreiber: Mr. Schreiber raised questions regarding private roadways and sidewalk placement with regard to rights-of-way and easements, and uses for that zoning code.

Rob Palus, the City Engineer, addressed the roadway/sidewalk concerns.

Mr. Porter clarified the zoning codes for the subdivision.

Applicant:

Drew Dittman, Lake City Engineering: Staff did a great job presenting. I'm here on behalf of Robert King for this subdivision request. We're proposing six townhome lots. It's zoned Limited Commercial (LC). Sewer will be served from the south, water in the alley and the primary access will be off the alley. It is in conformance with the LC zoning and the lot sizes meet the minimum criteria for the zoning.

Testimony

In-Favor: - None

Neutral - None

In Opposition - None

Public Hearing Closed: 6:23 PM

Review Criteria:

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

Carey: Post Falls water has said that it's adequate for there.

2. Adequate provisions for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.

Steffensen: The City will handle that also. It's off Mullan Avenue.

3. Are the proposed streets are consistent with the transportation element of the comprehensive plan?

Wilhelm: It is consistent with the Transportation Master Plan.

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

Gabbert: There was no testimony to the contrary.

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

Commissioners agree townhomes are permitted outright in the Limited Commercial zone. There was no testimony that it would not meet any of the size or dimensional criteria to the adverse.

6. Has the developer made adequate plans to ensure that the community will bear no more than its fair share of costs by providing impact fees?

Commissioners agree that the developer is paying impact fees.

Gabbert: The staff report noted that the impact fees would be imposed at the time of development.

Motion by Commissioner Wilhelm to approve Westfork Townhomes File No. SUBD-24-6 finding that it meets the approval criteria in Post Falls Municipal Code 17.12.060H as outlined in our deliberations subject to conditions in the subdivision conditions that the staff report put page four and five numbers one through eight and directs staff to prepare a written reason decision.

Vote:

Carey - yes, Walton - yes, Steffensen - yes, Wilhelm - yes, Schreiber - yes

Moved

- b. Title 18 Amendment - Police Access File No. TA-24-2

Public Hearing Opened at 6:26 PM

Jon Manley, Planning Manager Presenting: The Planning Division is the applicant, the code was coordinated with our legal department and the police over access concerns for access for some multifamily. The Planning Division is seeking amendments to Title 18 Post Falls Municipal Code (PFMC) to add a new section 18.24.020, subsection Q, entitled POLICE ACCESS EXIGENT CIRCUMSTANCES. The key issue allows the chief of police authorized to require the owner or developer to install and maintain a keyless entry system or suitable alternative, to provide police access to the common areas and corridors. A site plan review for an apartment complex would be routed for comments from the police department and include that in the aspect and record that documentation. Exigent circumstances shall mean and include those situations where urgent and immediate action is necessary to prevent imminent harm to individuals, protect public safety, prevent the destruction of evidence, or stop a fleeing suspect.

Gabbert: This mirrors what is under the Fire Department Code that is controlled by the state. The Fire Marshall can require these keyless entry systems for fire access in common areas that are locked on the exterior. We wanted to provide the police with the same type of access that fire officials have. This is before you tonight because this is an amendment to the zoning code. It goes to you for a recommendation, then to City Council for action.

Schreiber: Raised questions regarding "access to or within a structure" as meaning the entire structure, including individual apartments.

Gabbert: This language is the same language as in the International Fire Code. "Exigent Circumstances" was explained that it does not provide access to individual apartments. Restrictions of the Fire Code do not allow sharing keys. For that reason, the police department will need their own access key.

Carey: Would this be a retrospective of past units?

Manley: This would apply to new construction.

Gabbert: The intent is not to go backwards, if there is a substantial remodel or new building permits are pulled, that would trigger this requirement.

Testimony

In-Favor: - None

Neutral - None

In Opposition - None

Public Hearing Closed: 6:35 pm.

Motion by Commissioner Carey to recommend approval of Title 18 Amendment Police Access File No. TA-24-2 to be forwarded to the City Council for adoption approval.

Second by Schreiber

Vote: Schreiber - yes, Wilhelm - yes, Steffensen - yes, Walton - yes, Carey - yes,

Moved

- c. Landmark Place Subdivision SUBD-24-3

Public Hearing Opened at 6:36 PM

Staff report

Anna Staal, Planner 1: The applicant, ACE Solutions, has requested, on behalf of the property owner, Rose of Sharon Enterprises Inc., to subdivide approximately 11.15-acres into 55 single-family lots within the Single-Family Residential (R-1) zoning designation. The parcel is currently undeveloped land, over the Rathdrum Prairie Aquifer. The water and wastewater provider is the City of Post Falls. The property is located on the northeast corner of S. McGuire Road and the Centennial Trail, south of Interstate 90. To the north is Idaho

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Department of Transportation Land, Interstate 90. To the east are SC3 and RMHP zoned properties, city property and a public park use. To the south and west is county zoned Ag-Suburban with residential single-family use. The project is zoned R-1. The project lots are over 6,500 square feet, over the minimum for the R-1 zoning designation. The city has the capacity to provide water service to the subdivision. Design of the water main extension will be coordinated with the city to limit conflicts with existing utilities. The city has the capacity to provide sewer service to the subdivision as proposed. Sanitary sewer for the site was previously constructed but not used. The existing sewer system will be tested as services are constructed. The subdivision and proposed layout are consistent with the City's Transportation Master Plan. All areas of the proposed subdivision which may involve soil or topographical conditions have been identified and the proposed uses of these areas are compatible with such uses. The subject property is located over the Rathdrum Prairie Aquifer and no hazards have been identified by staff or throughout the comment period. Impact fees will be assessed and collected on individual building permits to assist in mitigating the off-site impacts on parks, fire, EMS, public safety, multi-modal pathways and streets.

Schreiber: There was discussion around the public/private streets, city property/limits, rights-of-way/easements, site acreage, code application, sewer installation, and set-backs.

Palus: Mr. Palus addressed all the discussion points presented.

Applicant:

Roger Glessner, Ace Solutions: There was a question regarding a fence. There would be a six-foot sight obscured fence along I-90 and a lesser fence all the way across the Centennial Trail. We have some access lots where we're going to provide some overflow parking and provide residents with access to the Centennial Trail. We're extending the sidewalks along McGuire Road beyond our property line down to where it meets the Centennial Trail to provide access for pedestrians. There will be a 10-foot wide path from Lundy to the Centennial Trail and on the north side of the Centennial Trail. Regarding a bollard on the Centennial Trail, we spoke with those in charge of the Centennial Trail, they were not in favor of that. They felt it imposed a hazard to the people on the trail. The water service has already been approved. This will be a private road gated on each end of the subdivision, with a speed table designed for the Centennial Trail, for the purpose of keeping the Centennial Trail at its current profile and encouraging the traffic going over it to slow down there. The required signs will be there. The average lot is 70 feet wide and in the 7,000 square foot range, which exceeds the minimum requirement.

Wilhelm: Where is the snow being plowed going?

Glessner: In the easement areas. One side is a 10-foot grassy storm water swell, the other side is 6 feet for a landscape strip. We also have a long open strip if snow gets bad.

Carey: What is that long space going to be?

Glessner: It will be grass, maintained by the HOA. There will be some overflow parking on the wider end of it.

Schreiber: The lot size is gross? Is CC&R based on dealing with that?

Glessner: It is. We have an exhibit that shows the layout of a typical lot with an 1100 square foot home with a 800 square foot garage and a parking area 21-22 feet back of the sidewalk. There's only a sidewalk on one side of the road. Parking is not allowed on the street.

Schreiber: Are these smaller starter homes proposed?

Glessner: Yes.

Manley: Staff required that the applicant provide an exhibit showing that there are feasible lots, not that the lots just met the minimum lot size per code. We wanted to make sure they could meet off-site parking and setbacks.

Testimony

In-Favor: - None

Neutral: - None

In Opposition:

Dennis Hiatt, Post Falls, ID: A resident in McGuire Estates expressed his concerns regarding roadway access connecting to Lundy Boulevard. He cited snow removal issues, school bus access, and connecting roadways as concerns. He has no concerns about the subdivision.

Joshua Hemphill, Post Falls, ID (not wishing to speak): Too much traffic. His street is a dead end, and he wants it to stay that way. This will likely reduce the value and appeal of his neighborhood. The city sewer is obviously already above capacity, the smell is terrible.

Naomi Holt, Post Falls, ID: There are large parcels, less houses in their neighborhood. She agrees with adding

houses in this space, but the amount is too many. She also expressed concern over the school bus access and increased traffic.

Rebuttal

Glessner: We understand the community concerns, we will work with the city through the improvement plans to alleviate concerns within reason. We will be widening McGuire Road in front of the property and adding another lane there. Hopefully, that will help with the school bus loading/unloading.

Public Hearing Closed: 7:28 PM

Review Criteria:

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

Commissioners agree there are plans in place to get it to where it needs to be in coordination with ITD per the staff report.

2. Adequate provisions for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.

Commissioners agree, per the staff report, it is adequate and will be provided by the city.

3. The proposed streets are consistent with the transportation element of the comprehensive plan.

Steffensen: Overall, some of the streets around the area are outside the city and there is a private road. They are making improvements to help mitigate traffic, especially with improvements on McGuire Road.

Walton: We heard from city engineering that with the gates most of that traffic will go back through that subdivision out to McGuire Road.

Gabbert: It is generally consistent with some adverse testimony as to the size and suitability of Lundy which is an off-site street from this development.

Commissioners agree.

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

Commissioners determined that none were identified in the staff report.

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

Schreiber: It does. The density requested is less than what is permitted. Per code, you can get 6.9 units per acre, and this is 5 units per acre.

Gabbert: It is R1 zoning

6. Has the developer made adequate plans to ensure that the community will bear no more than its fair share of costs by providing impact fees?

Carey: The developer will be paying impact fees on the building permits.

Schreiber: They have that agreement in place to put the waterline under the highway at the expense of the developer.

Motion by Commissioner Carey move to approve Landmark Place Subdivision File No. SUBD-24-3 finding that it meets the approval criteria in Post Falls Municipal Code as outlined in our deliberations subject to conditions one to nine contained in the staff report and direct staff to prepare a written reason decision.

Second by Commissioner Walton

Vote: Carey - yes, Walton - yes, Steffensen - yes, Wilhelm - yes, Schreiber - yes

Moved

5. ADMINISTRATIVE / STAFF REPORTS

None

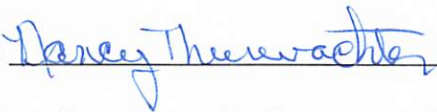
6. COMMISSION COMMENT

None

7. ADJOURNMENT

Date: 12/10/24

Chair: 

Attest: 

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

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

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