



**PLANNING AND ZONING COMMISSION
MEETING/WORKSHOP AGENDA**

**January 14, 2025
5:30 PM**

Location: Second Floor Conference Room, 408 N. Spokane Street, Post Falls, ID 83854

CALL TO ORDER - 5:30 PM

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

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 12/10/2024
- b. Westfork Townhomes Reasoned Decision File No. SUBD-24-6
- c. Killdeer Meadows Reasoned Decision File No. SUBD-24-8

2. LAND USE TRAINING WORKSHOP

3. COMMISSION COMMENT

4. ADJOURNMENT

Questions concerning items appearing on this Agenda should be addressed to the Community Development Department – Planning Division at 408 N. 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



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**December 10, 2024
5:30 PM**

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

REGULAR MEETING – 5:30 PM

CALL TO ORDER

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: Steffensen, Wilhelm, Schlotthauer, Walton, Schreiber

Excused: Kimball

Absent: Carey

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

Jon Manley, Planning Manager:

1. Sending Planning and Zoning Commission a housing needs assessment city wide online.
2. January 27, 2025 there will be a housing needs presentation workshop.
3. No public hearing is scheduled for January 14. There will be a workshop that evening. The workshops are for the Impact Fee Update and Land Use Training. We will send out a survey to the commissioners regarding their preference to one long meeting and/or availability for a second meeting.

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.

Echo Estates Annexation File No. ANNX-24-5 and Subdivision File No. SUBD-24-4, the applicant and their representative were not noticed of the meeting and were not prepared. They would like an opportunity to have a discussion with some of the surrounding neighbors before they come forward. There will be a new public hearing and notice at that time.

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:

- a. Meeting Minutes 11-12-2024
- b. Bogie Subdivision Reasoned Decision File No. SUBD-24-1
- c. Killdeer Annexation Annexation Zoning Recommendation File No ANN-24-4
- d. Early Dawn & Zorros Annexation Zoning Recommendation File No. ANN-24-1
- e. Poleline & Zorros Annexation Zoning Recommendation File No. ANN-24-2
- f. Landmark Place Subdivision Reasoned Decision File No. SUBD-24-3

Motion by Commissioner Schlotthauer to approve the consent calendar as presented.

Second by Commissioner Walton.

Vote:

Yays: Steffensen, Schlotthauer, Wahlton, Wilhelm, Schreiber

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 HEARING

ACTION ITEMS:

- a. Crown Reserve Subdivision File No. SUBD-24-5

Public Hearing Opened: 5:37 pm.

Staff report

Ethan Porter, Assistant Planner:

Whipple Consulting Engineers has requested, on behalf of the property owner Jacklin Land Company LLLP, to subdivide approximately 35.55 acres of a larger 83.88 parcel into 148 single-family lots within the Residential

Mixed (RM) zoning designation. The property is located on the northern side of the N. Cologne Way and at the northern end of N. Spokane Street. Surrounding Land Use: The Crown Pointe residential subdivision is directly south of the subject site with farmland adjacent to the east and west. North of the subject site is primarily Kootenai County, larger lots across W. Hayden Avenue. Surrounding Zoning Districts: Public Reserve zoning is directly east and west. To the east is the future wastewater reclamation project and to the west is the proposed future school site. SmartCode 3 zoning is to the south. North of the subject site is Kootenai County. The zoning pattern surrounding the subject site is predominantly single-family residential (R1). Directly south, is a rural zoned lot within Kootenai County. Water service to the development will be provided by East Greenacres Irrigation District. The applicant has provided a will serve letter from the water district stating they have the capacity, willingness and intent to serve the proposed 148 lot subdivision as proposed. Wastewater is provided by the City of Post Falls. Sewer capacity analysis and sewer design have been provided and reviewed. During the construction review of phase 1, the mainline extension between phases 1 and 2 will need to be included. The proposed layout is consistent with the City's Transportation Master Plan and design standards. City staff reviewed and does not anticipate operating conditions that conflict with required design levels of service with the initial development of Phase 1. Hayden Avenue and Chase Road are major collectors, Bodine Avenue is a minor collector, and Spokane Street is a collector. A City speed and volume study conducted in October 2024 indicated lower volumes of existing traffic on Spokane Street. The Future Land Use Designation shows this as transitional. It's within the Central Prairie Focus Area and supports provisions for providing housing types and densities for that focus area.

Robert Palus, City Engineer: Regarding a public comment about lower volumes of existing traffic on Spokane Street, that inferred that the volumes of traffic on Spokane Street measured in October were lower than what was projected in the abbreviated traffic study that the applicant put together. That tends to indicate that there are more people utilizing the Crown Point exit from the Crown Point subdivision than Spokane Street. There is more capacity than what the abbreviated traffic study showed.

Schlotthauer: The capacity in the traffic study was sufficient?

Palus: Yes, the traffic study that they provided showed that there's sufficient capacity on Spokane Street to handle the projected growth of the subdivision. The actual numbers we saw in the October 2024 study showed there was even more (capacity) than what the traffic study was indicating.

Schlotthauer: Is there any potential that Bodine Avenue pulls some of the flow off of Spokane Street?

Palus: Yes, there is the potential that from the Crown Point subdivision a percentage of traffic would utilize Bodine Avenue to Chase Road to probably head north. The traffic study they provided had about 25% of the new trips being generated from this subdivision heading north. You're not going to see traffic change on Bodine Avenue until the school develops out there, or if there is development on the south side of Bodine Avenue with a more intense type of land use. This application includes Bodine Avenue all the way from Spokane Street to Chase Road. It is a reduced piece on the western half, it's a two lane road with no driveways and sufficient capacity to handle what this subdivision is going generate at this time.

Schreiber: On the streets that we're prohibiting access along Bodine and Spokane Streets, the houses front the street but have no driveways. Is there going to be street parking along there?

Palus: Yes. On Spokane Street you have street parking on both sides.

Schreiber: Having an alley that goes out on Bodine Avenue is not a problem?

Palus: No. That allows for traffic to come out onto Bodine Avenue in a front-facing way.

Applicant

Ray Kimball, Whipple Consulting Engineers: Thank you, Ethan, for a thorough presentation. We were limited by the zoning agreement to 150 lots without figuring out a sewer for the whole thing. 148 lots was a convenient cut-off. Part of the zone map amendment requires us to bring utilities and roadways to the school district property to make the site ready for school construction when it is needed. The project is designed to be a pedestrian-oriented neighborhood and alignment for future development. We meet all the requirements of RM zoning. We have also included a secured boat/RV storage area as an amenity to the neighborhood. Provisions have been made to supply adequate water and adequate sewer. The proposed streets are consistent with the Transportation Master Plan. We do not know of any hazards or topographical conditions that are incompatible with the proposed use. Impact fees will be paid at the time of a building permit to ensure that the community will bear no more than its fair share of costs to provide services. A 3.6 acre park will be constructed and 1/4 mile of off-site streets will be constructed. Regarding the highway district and their requests for a traffic study to ensure we are safely designing the intersections of Bodine Avenue and Chase Road, Chase Road and Hayden Avenue, and Chase Road and Prairie Avenue, we are willing to do that no problem. I submit that we have met

all the requirements for a subdivision approval and will answer any questions you may have.

Schreiber: Regarding the alleyways, will those be private and HOA maintained?

Kimball: Yes.

Schreiber: And the boat/RV storage as well, that is only accessed via an alleyway?

Kimball: Yes, and the alleyways will be designed at 20 feet wide.

Schreiber: Does the fire department have any issues with the RV storage?

Kimball: No, they were happy with it.

Schreiber: Is there any parking provided for the 3.6 acre park?

Kimball: No, it is intended to be a neighborhood park. There are residential streets on the north and south sides that are designed with parking on both sides of the street.

Schreiber: At the intersection of Bodine and Cologne, will there be bulb outs there? I didn't see them on the site plan.

Kimball: Yes they will be there. They are not on the site plan. That was something that the staff requested.

Instead of revising the preliminary plat, we're taking care of that in the construction plans.

Wilhelm: Does the water treatment have a stench to it?

Kimball: No. It is class A wastewater, which means it is better than river water quality. It's chlorinated, treated at the treatment plant, and runs in purple pipes, which means it's used for irrigation.

Schlotthauer: Which lots are the boat/RV parking for?

Kimball: We haven't figured out the logistics of that yet.

Testimony

In-Favor: - None

Neutral - Valerie Hamilton, Post Falls, ID: Ms Hamilton had questions regarding: 1) The placement, installation, and timing of placement for the wastewater pipes. 2) Has the parking along Spokane Street near the round about been addressed, it's congested at that location. 3) Who is responsible for plowing the roads? 4) Will the street connections be in place before the school is built and if the school is not built what is the impact on the streets? 5) What are the plans for the south side of Bodine Street and who will maintain that? 6) There are 148 lots planned for the neighborhood. Who will have access to the limited boat/RV storage area? 7) Will the houses on the other side of Bodine Street be two-stories?

In Opposition - None

Applicant Response

Kimball: The purple wastewater line will be placed now, avoiding the need to tear up the roadway in the future for installation. There will be curb/gutter/sidewalk on the south side of Bodine Street maintained by the city. Bodine Street will be constructed regardless of whether the school goes in or not. Part of our commitment was to get water/sewer/streets to the school site so if and when it's developed, it is ready. This befits the school district and any potential bond payers for future school district. The housing will be consistent with what is currently in Crown Point; one and two-story homes. The bulb out along Spokane Street produces a defined parking lane and has a calming influence on drivers that slows them down and benefits pedestrians. We have options for boat/RV parking, and may charge for it on a first come first served basis, that would produce an income stream to help with the HOA.

Public Hearing Closed: 6:27 pm.

Review Criteria:

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

Commissioners all agree that East Greenacres has agreed to service the subdivision.

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

Commissioners agree that the city has indicated they the ability to serve.

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

Steffensen: There was a traffic study done on the areas around Spokane Street that determined there was less volume than the city staff thought, so there is significant ability to handle more traffic. The addition of Bodine Street connecting to Chase Avenue gives another exit out of that area along with the original Crown Point entrance and exit.

Schreiber: It is the best way to approach it since the right-of-way doesn't exist to the west.

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

Commissioners agree that nothing was identified or presented in the public hearing.

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

Schreiber: It follows the development agreement, the density is lower than what is allowed in that zone.

Chris Gabbart, Deputy City Attorney: We have a residential mixed zoning which allows for the R1 zoning. All the testimony showed that all the lot sizes conformed.

6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off-site mitigation will be dealt with through the obligation to pay development impact fees.

Schlotthauer: They are going to bear a lot of costs with Bodine, the park, and sewer sizing to accommodate the school, they're going to pay considerably more than their fair share.

Motion by Commissioner Walton to move to approve the Crown Reserve Subdivision File No. SUBD-24-5 finding that it meets the approval criteria in the Post Falls Municipal Code 17.12.06H as outlined in our deliberation and subject to the conditions 1 through 12 contained in the staff report, would also direct staff to delete condition 6 and remove Balmoral Drive from condition 7 and to prepare a written reasoned decision.

Second by Commissioner Schreiber.

Vote:

Yes - Walton, Wilhelm, Steffensen, Schlotthauer, Schreiber

Moved

b. Killdeer Meadows Subdivision File No. SUBD-24-8

Public Hearing Opened: 6:39 pm.

Staff report

Anna Staal, Planner 1:

Lake City Engineering has requested, on behalf of the property owner Northern Lights Development, LLC, to subdivide approximately 4.89-acres into 18 single-family lots within the Single-Family Residential (R-1) zoning designation. The property is located at 2640 E. Killdeer Avenue. It is located within a county pocket. They are in the process of applying for annexation into the city with a zoning designation of Single Family Residential R1. Currently, it is used as a large lot for residential single-family use. The site is over the Rathdrum Prairie Aquifer. The water provider is Ross Point Water District. Ross Point Water District is willing and able to service the proposed subdivision. Wastewater provider City of Post Falls. The City has the capacity and is willing to serve as proposed. The requested zoning is in conformance with the land use assumptions within the City's Water Reclamation Master Plan. The City has the capacity to provide service and is willing to serve the property at the requested density. Killdeer Ave. is classified as a Minor Collector roadway, which provides connectivity between Greensferry Rd. (Minor Arterial) and Cecil Rd. (Major Collector). Traffic impacts on Killdeer Avenue are not expected to exceed design volumes for the roadway and align with the Transportation Master Plan. There are no known soil or topographical conditions which have been identified as presenting hazards, so any onsite septic systems will be removed upon development. The subdivision and proposed lots conform to the requirements of Title 17 and Title 18. The lot widths are all 60-feet or above. The lot area ranges from 7,973 to 9,185 sq.ft (6,500 minimum). Impact fees and cap fees will be assessed and collected on individual building permits to assist in mitigating the off-site impacts on parks, public safety, streets, multi-modal, EMS and Fire and Rescue.

Applicant:

Drew Dittman, Lake City Engineering: This is an infill project located on the south side of Killdeer Avenue. We have signed the development agreement and the annexation agreement that will be going before the City Council in January or February. We meet all six of the subdivision requirements. The water is Ross Point Water

District. The city code requires that we dedicate any water rights that we may have to a municipal water system. That is also in the annexation agreement. The sewer is the City of Post Falls and it is available.

Schreiber: What does the fire department require for a turn around where the street dead ends into another development?

Dittman: From the fire department standpoint, any street that is longer than 150 feet in length requires a turn around. This section is less than 150 feet in length, so it does not meet those criteria. The fire chief has approved this.

Testimony

In-Favor: - None

Neutral - Jim Rough, Post Falls, ID (not wishing to speak): Continue to encourage the planning commission to encourage them to find a way to maintain the back row of mature plantation trees for policy 71 and goal one. Shade that we now have, and nice green belt makes common sense.

In Opposition - None

Applicant Response

Dittman: This was brought up at the annexation. There were trees that were burlap wrapped or in buckets and were not viable. We worked with the Urban Forester, Preston. The city took six of the big mature trees for some city projects. Speaking to the developer, the intention is to keep the row of trees along the fence line to the best of our ability.

Public Hearing Closed: 6:54 pm.

Review Criteria:

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

Steffensen: There is a Ross Point will serve letter in the staff report.

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

Commissioners agree that the city has indicated they have the ability to serve.

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

Steffensen: It's one street, it's going to start adding that connectivity for this infill project.

Gabbart: There is no impact proposed on Killdeer Avenue and it proposes that alignment for Luverne Lane.

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

Commissioners agree that nothing was identified or presented in the public hearing.

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

Walton: It conforms to the requirements of Title 17 and 18, R1.

Gabbart: The annexation request and our zoning recommendation that was approved was for R1.

6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off-site mitigation will be dealt with through the obligation to pay development impact fees.

Steffensen: The staff report spoke about impact fees, improvements to the streets and parks. As this develops that will be paid.

Motion by Commissioner Schreiber moves to approve Killdeer Meadows Subdivision File No. SUBD-24-8 finding that it meets the approval criteria in Post Falls Municipal Code 17.12.060H as outlined in our deliberations and subject to the nine conditions presented by the city staff and contained in the staff report and direct staff to prepare a written reasoned decision. To my motion I would amend that to be conditioned on annexation into the city.

Second by Commissioner Schlotthauer.

Vote:

Yes - Walton, Wilhelm, Steffensen, Schlotthauer, Schreiber

No - None
Moved

- c. Echo Estates Annexation and Subdivision File Nos. ANNEX-24-5 & SUBD-24-4

Cancelled

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

None

7. ADJOURNMENT

7:02 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

Westfork Townhomes Subdivision File No. SUBD-24-6 Planning and Zoning Commission Reasoned Decision

A. INTRODUCTION:

APPLICANT: Drew Dittman, Lake City Engineering, Inc
OWNER: Robert King
LOCATION: The property is located approximately 200-feet east of the Mullan Avenue and Spokane Street intersection, on the north side of Mullan Avenue
REQUEST: To subdivide approximately 0.44-acres into 6 townhome lots within the Limited Commercial (LC) zoning designation)

B. RECORD CREATED:

1. A-1 Annexation Application
2. A-2 Narrative
3. A-3 Preliminary Plat
4. A-4 Authorization Letter
5. S-1 Vicinity Map
6. S-2 Zoning Map
7. S-3 Future Land Use Map
8. PA-1 PFSD Comments
9. PA-2 KCFR Comments
10. PA-3 Philip 66 (YPL) Comments
11. PA-4 PFPD Comments
12. PA-5 DEQ Comments
13. PA-6 PFHD Comments
14. Planning and Zoning Commission Staff Report
15. Testimony at the November 12, 2024, Planning and Zoning public hearing:

The Planning and Zoning Commission (hereinafter "Commission") heard the request at the November 12, 2024, public hearing, the meeting was in-person and live-streamed on the City of Post Falls YouTube Channel. The request was for the Commission to review the request to subdivide approximately 0.44-acres into 6 townhome lots within the Limited Commercial (LC) zoning designation). The request is evaluated under the standards of PFMC § 17.12.060.

Ethan Porter, Associate Planner

Mr. **Porter** presented the staff report and testified that the applicant, Drew Dittman on behalf of Robert King, is requesting to subdivide approximately 0.44-acres into 6 townhome lots within the proposed Limited Commercial (LC) zoning designation.

Mr. **Porter** testified that the property is located approximately 200-feet east of the Mullan Avenue and Spokane Street intersection, on the north side of Mullan Avenue. He testified as to the surrounding roads and that utility services were available from the city. The proposed subdivision plan

depicts rear access to the lots via an alleyway. Mr. Porter testified that to the east lies another approved subdivision for townhomes, not yet constructed.

Regarding the subdivision review criteria Mr. Porter testified that the staff report identifies no traffic concerns and that the proposed development would meet the City's Transportation Master Plan. He discussed that the property is situated within the Seltice Central Focus area and is designated as Business/Commercial per the Future Land Use Map. It was identified that within the Limited Commercial zoning Townhomes are permitted at six units a structure. No concerns were identified pertaining to significant soil or topographical hazards. Additionally, Mr. Porter identified that impact fees that will be charged to cover the new development's fair share of regional infrastructure costs through building permit(s).

Drew Dittman, Lake City Engineering, Applicant

Mr. Dittman presented on behalf of the applicant, echoing many of Mr. Porter's points adding that this is in conformance with the LC zoning and the lot sizes meet the minimum criteria for the zoning.

The hearing was opened for public comment.

There was no public testimony.

Deliberations: After the public hearing was complete, the hearing was closed and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the approval criteria contained in Post Falls Municipal Code ("PFMC") § 17.12.060 H.

C. SUBDIVISION REVIEW CRITERIA: (Post Falls Municipal Code Title 17.12.060, Subsection H): No subdivision shall receive approval unless findings and conclusions are made that:

C1. 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.

Based on the testimony supplied and the staff report, the Commission finds that the City indicated there is adequate capacity to provide service to the subdivision as proposed.

C2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.

The Commission determines that the City has adequate capacity and is willing to provide service to the subdivision as proposed. Sewer availability is located off Mullan Avenue.

C3. Proposed streets are consistent with the transportation element of the comprehensive plan.

The Commission determines that the subdivision and proposed layout are consistent with the City's Transportation Master Plan and will not have a negative impact on the local transportation system.

C4. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards have been identified and that the proposed uses of these areas are compatible with such conditions.

The Commission determines that no testimony or evidence was presented that identified any soil or topographical conditions that would prevent or hinder the development of the property.

C5. The area proposed for subdivision is zoned for the proposed uses and the uses conforms to

other requirements found in this code.

The Commission determines that this subdivision and proposed lots conform to the requirements for Limited Commercial zoning for townhomes, at six units or less per structure.

- C6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.**

The Commission determines that impact fees will be assessed on individual building permits at the time of issuance to mitigate the off-site impacts to parks, public safety and streets.

- C7. Additional Recommended Conditions necessary to ensure compliance with the adopted standards:**

The Commission decides that the requested subdivision can meet the City's standards. However, certain conditions will need to be completed to meet the criteria. Those conditions, 1-8 listed below, when imposed, will ensure that the six criteria found in PFMC 17.12.060.H are met. Based upon the presentations made to the Commission at a properly noticed public hearing, the record compiled in this matter, the applicant must meet the following conditions:

1. Corrections and additions, if any, to the Subdivision requested by staff and/or the Planning & Zoning Commission should be completed by the applicant and reviewed by staff prior to approval by the City Council.
2. The proposed subdivision must be completed in a single phase.
3. A Master Development Agreement shall be prepared by staff, reviewed, and approved by the City Council, and signed by the parties prior to commencement of any construction.
4. A Construction Improvement Agreement shall be prepared and executed prior to commencement of construction for the subdivision.
5. Submitted Preliminary Plans were reviewed from a conceptual basis only and reflect the general ability to provide service. Final construction plans of the streets and utilities shall be reviewed and approved by the Engineering Division prior to any street or utility construction. Such plans shall also include driveway approaches and location of proposed mailboxes. Construction limits shall correspond with the improvements indicated on the Preliminary Plat.
6. Except where an exception is granted, all streetlights, roadways and city owned utilities shall be designed and constructed in accordance with city standards. The application did not request any exceptions from city code or design standards.
7. Direct access to or from residential lots to Mullan Avenue or Frederick Street shall be prohibited on the face of the plat.
8. Final landscaping plans for the street trees will be submitted for review and approval as part of the construction plans. The Urban Forester shall be notified prior to planting.

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

Not applicable.

E. CONCLUSION

SUBD-24-6: Based on the evidence in the record placed before the Commission, the testimony received at the properly noticed public hearing, and with the imposition of the above conditions, it is the conclusion of the Commission that the requested Subdivision meets the standards of City Code, and the Idaho Local Land Use Planning Act, and is hereby approved with the conditions contained herein.

Approved by the Planning and Zoning Commission on _____.

Date

Chairman

Attest

NOTICE OF RIGHTS:

Any affected person aggrieved by a final decision of the Planning and Zoning Commission may submit a written notice of appeal along with the required fees in accordance with the City's adopted fee schedule, to the City Clerk for appeal to the Post Falls City Council within fourteen (14) days of the date of the written decision, pursuant to Post Falls City Code 18.20.60.E

The final decision of the Planning and Zoning Commission is not a final decision for purposes of judicial review until the City Council has issued a final decision on appeal and the party seeking judicial review has requested reconsideration of that final decision as provided by Idaho Code 67-6535(2)(b), pursuant to Post Falls City Code 18.20.60.E.

Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section 67-6535 must first seek reconsideration of the final decision within fourteen (14) days of such decision. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section 67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code Section 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.

**Killdeer Meadows Subdivision
File No. SUBD-24-8
Planning and Zoning Commission
Reasoned Decision**

A. INTRODUCTION:

APPLICANT: Drew Dittman, Lake City Engineering

OWNER: Northern Lights Development, LLC

LOCATION: 2640 E. Killdeer Avenue

REQUEST: To subdivide approximately 4.89-acres into 18 single-family lots within the Single-Family Residential (R-1) zoning designation.

B. RECORD CREATED:

1. A-1 Annexation Application
2. A-2 Narrative
3. A-3 Preliminary Plat
4. A-4 Authorization Letter
5. A-5 Ross Point Water District Will Serve Letter
6. S-1 Vicinity Map
7. S-2 Zoning Map
8. S-3 Future Land Use Map
9. PA-1 PFSD Comments
10. PA-2 KCFR Comments
11. PA-3 Philip 66 (YPL) Comments
12. PA-4 BPA Comments
13. PA-5 PFPD Comments
14. PA-6 DEQ Comments
15. PA-7 Parks & Rec Comments
16. PA-8 PFHD Comments
17. PC-1 Rough Public Hearing Comments
18. Planning and Zoning Staff Report
19. Testimony at the December 10, 2024, Planning and Zoning public hearing

The Planning and Zoning Commission (hereinafter “Commission”) heard the request at the December 10, 2024, public hearing, the meeting was in-person and live-streamed on the City of Post Falls YouTube Channel. The request was for the Commission to review the request to subdivide approximately 4.89-acres into 18 single-family lots within the Single-Family Residential (R-1) zoning designation. The request is evaluated under the standards of PFMC § 17.12.060.

Anna Staal, Planner 1

Mx. Staal presented the staff report and testified that the applicant, Drew Dittman on behalf of Northern Lights Development, LLC, is requesting to subdivide approximately 4.89-acres into 18 lots within the proposed Single-Family Residential (R1) zoning district.

Mx. Staal testified that the property is located at 2640 E. Killdeer Avenue and the current usage of

the property is large lot single family use.

Mx. Staal testified that the street layout aligns with the City's transportation element, the site was free from significant soil or topographical hazards and the subdivision proposal conforms to zoning requirements for single-family lots within the proposed R1 zoning designation. Water would be provided by Ross Point Water District and Wastewater by the City of Post Falls, both of which have the capacity and willingness to service the proposed subdivision. Further that impact fees will be charged to cover the new development's fair share of regional infrastructure costs. Mx. Staal also testified that subdivision approval is contingent on the City Council's approval of the annexation request with the R1 zoning designation.

Drew Dittman, Lake City Engineering, Applicant

Mr. Dittman presented on behalf of the applicant, echoing many of Mx. Staal's points adding that this is an infill project in a county pocket, the land uses, street classification, and traffic patterns are all compatible with the Comprehensive Plan. The proposed subdivision is also surrounded by residential uses.

The hearing was opened for public comment.

In Favor: None

Neutral: Jim Rough, Post Falls. Mr. Rough continued to encourage the city and applicant to find ways to maintain the back row of mature trees in support of Policy 71 and Goal 1.

Drew Dittman, Lake City Engineering, Rebuttal

Mr. Dittman responded that some of the mature trees on the original site were not viable and some were removed for city projects, but the developer's intention is to keep the existing westernmost trees along the fence line to the best of their ability.

Deliberations: After the public hearing was complete, the hearing was closed and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the approval criteria contained in Post Falls Municipal Code ("PFMC") § 17.12.060 H.

C. SUBDIVISION REVIEW CRITERIA: (Post Falls Municipal Code Title 17.12.060, Subsection H): No subdivision shall receive approval unless findings and conclusions are made that:

C1. 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.

Based on the testimony supplied and the staff report, the Commission finds that Ross Point Water District has adequate capacity and is willing to provide service to the subdivision as proposed.

C2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.

The Commission determines that the City of Post Falls has adequate capacity and is willing to provide service to the subdivision as proposed.

C3. Proposed streets are consistent with the transportation element of the comprehensive plan.

The Commission determines that the subdivision and proposed layout are consistent with the City's Transportation Master Plan and will not have a negative impact on the local transportation system. There are no proposed impacts on Killdeer and the Luverne Lane improvements will provide connectivity to the adjacent subdivision to the west while ensuring future connectivity to the east as well.

- C4. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards have been identified and that the proposed uses of these areas are compatible with such conditions.**

The Commission determines that no testimony or evidence was presented that identified any soil or topographical conditions that would prevent or hinder the development of the property.

- C5. The area proposed for subdivision is zoned for the proposed uses and the uses conforms to other requirements found in this code.**

The Commission determines that this subdivision and proposed lots will conform to the requirements for Single-Family Residential (R1) zoning upon annexation approval by City Council with the requested R1 zoning designation.

- C6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.**

The Commission determines that impact fees will be assessed on individual building permits at the time of issuance to mitigate the off-site impacts to parks, public safety, and streets.

- C7. Additional Recommended Conditions necessary to ensure compliance with the adopted standards:**

The Commission decides that the requested subdivision can meet the City's standards, after certain conditions are completed. Those conditions, 1-10 listed below, when imposed, will ensure that the six criteria found in PFMC 17.12.060.H are met. Based upon the presentations made to the Commission at a properly noticed public hearing, the record compiled in this matter, the applicant must meet the following conditions:

1. Corrections and additions, if any, to the Subdivision requested by staff and/or the Planning & Zoning Commission should be completed by the applicant and reviewed by staff prior to approval by the City Council.
2. A Master Development Agreement shall be prepared by staff, reviewed, and approved by the City Council, and signed by the parties prior to commencement of any construction.
3. The proposed subdivision must be completed in a single phase.
4. A Construction Improvement Agreement shall be prepared and executed prior to commencement of construction for the subdivision.
5. Submitted Preliminary Plans were reviewed from a conceptual basis only and reflect the general ability to provide service. Final construction plans of the streets and utilities shall be reviewed and approved by the Engineering Division prior to any street or utility construction. Such plans shall also include driveway approaches and location of proposed mailboxes. Construction limits shall correspond with the improvements indicated on the Preliminary Plat.

6. Except where an exception is granted, all streetlights, roadways and city owned utilities shall be designed and constructed in accordance with city standards. No exceptions were requested with the application.
7. Final landscaping plans for the street trees will be submitted for review and approval as part of the construction plans. Street trees shall be planted by the developer in the spring and fall following construction of homes. The Urban Forester shall be notified prior to planting.
8. A Homeowners Association (HOA) shall be formed to:
 - Maintain the common right-of-way frontage along E. Killdeer Avenue and the south side of Luverne Lane.
9. Existing septic systems shall be abandoned with site development in accordance with Panhandle Health requirements.
10. This subdivision approval is contingent on annexation approval by the city.

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

Not applicable.

E. CONCLUSION

SUBD-24-8: Based on the evidence in the record placed before the Commission, the testimony received at the properly noticed public hearing, and with the imposition of the above conditions, it is the conclusion of the Commission that the requested Subdivision meets the standards of City Code, and the Idaho Local Land Use Planning Act, and is hereby approved with the conditions contained herein.

Approved by the Planning and Zoning Commission on _____

Date

Chairman

Attest

NOTICE OF RIGHTS:

Any affected person aggrieved by a final decision of the Planning and Zoning Commission may submit a written notice of appeal along with the required fees in accordance with the City's adopted fee schedule, to the City Clerk for appeal to the Post Falls City Council within fourteen (14) days of the date of the written decision, pursuant to Post Falls City Code 18.20.60.E

The final decision of the Planning and Zoning Commission is not a final decision for purposes of judicial review until the City Council has issued a final decision on appeal and the party seeking judicial review has requested reconsideration of that final decision as provided by Idaho Code 67-6535(2)(b), pursuant to Post Falls City Code 18.20.60.E.

Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section 67-6535 must first seek reconsideration of the final decision within fourteen (14) days of such decision. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section 67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code Section 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.