



PLANNING AND ZONING COMMISSION
MEETING MINUTES

September 12, 2023
5:30 PM

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Carey, Walton, Kimball, Steffensen, Schlotthauer, Ward, Hampe

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

Hampe – **Present**

Kevin Ward - **Absent**

DEVELOPMENT IMPACT FEE COMMITTEE - 5:30 pm City Council Chambers

a. Impact Fee Report

Jon Manley, Planning Manager: It is required for an annual report to be presented to look at what has been expended and collected in regard to impact fees. These fees are used to shift the cost of financing public utilities from the general taxpayers to the developers. Impact fees are payments required by local governments of new development for the purpose of providing new or expanded public capital facilities. Impact fees are required under state and city code. They are used for system improvements and create additional improvements. They are not to be used for maintenance type items. The fees collected need to be expended within eight years from when they are collected, on a first in first out methodology. In Fiscal Year 2022, just shy of \$5 million was collected in impact fees and around \$8 million was spent on roads, parks, and public safety projects to assist with mitigating growth in the community. There is an overview of collections and expenditures broken down by fee type and specific projects, as well as current balances in each fund type. There is a snapshot of the past four years as well as the current fiscal year 2023 to date.

Hampe: What does public safety cover?

Manley: That is the Police Department.

Schlotthauer: What about the other revenue?

Manley: That could come from grants and other sources of funding, potentially from the Urban Renewal District. I don't know in this case, because it depends on the particular project.

Rob Palus, Assistant City Engineer: In the Other Revenue line, the City of Post Falls received funds back from the Urban Renewal District for projects that were done on HWY 41 also Urban Renewal dollars that were received to construct the roundabout last year on Cecil.

Steffensen: How about Fire and EMS, since we just began collecting for them this year? Is it still too early to see any numbers from this year?

Manley: We collect on behalf of them and they manage their expenditures and collections on their own. At this point, I haven't updated this report to reflect the management of their monies.

Schlotthauer: Have you started collecting for them?

Manley: Yes

Schlotthauer: Is everyone in the County doing that?

Manley: Yes, I believe they had to go through an agreement with each municipality on their own.

Field Herrington, Deputy City Attorney: I believe we were the first to collect on their behalf. I think we have been collecting for almost a year now. I believe Rathdrum and Coeur d'Alene are collecting them now.

Schlotthauer: Recently there was some debate over that with some of the municipalities.

Herrington: So the debate has been with Kootenai County to have jurisdictions collect on behalf of the actual county, not Fire. There's been some negotiation in regards to parks and the Sheriff's Department.

REGULAR MEETING - PLANNING AND ZONING COMMISSION

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION: ACTION ITEM

Manley: There are some upcoming workshops to discuss. There is a workshop with Kootenai County for a joint P&Z consortium on November 2nd from 5:30-7:30pm. You can coordinate with city staff for who is attending and we can let the County know.

Kimble: What's the purpose of that workshop?

Steffensen: That was the one last year with all the Planning and Zoning Commissions from the area, Councils, City Attorneys and Connect Kootenai to get everyone together and talk.

Manley: Another workshop that the Planning staff would like to get a poll on scheduling, but ideally it would be on September 26th, we would like to do a workshop on Tiny Homes. There wouldn't be much else but the workshop on that agenda.

Schlotthauer: Do we not have that ordinance already?

Manley: We have a draft ordinance that we've talked about, and a joint workshop initially.

Hampe: Is that the same as the Cottage Home ordinance?

Manley: Yeah, it's more to allow for tiny homes, below the 800 square foot minimum.

- a. National Video Games Day
National Police Woman Day

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

2. CONSENT CALENDAR

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

ACTION ITEMS:

- a. Meeting Minutes: August 8, 2023

Motion by Planning and Zoning Commissioner Carey to accept the Consent Calendar as presented.

Second by Planning and Zoning Commissioner Hampe.

Ayes: Planning and Zoning Commissioner Carey, Planning and Zoning Commissioner Schlotthauer, Planning and Zoning Commissioner Hampe, Planning and Zoning Commissioner Walton, Planning and Zoning Commissioner Steffensen

Abstain: Planning and Zoning Commissioner Kimball

Motion Carried

3. 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

4. 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

5. 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. **Recommendation** for the Development Agreement Text Amendment File No. TA-23-1
- Jon Manley, Planning Manager, to present a request to increase the time to attain a signature on a Development Agreement to 12 months from 6 months in the Post Falls Municipal Code (PFMC) Title 18.20.190.

Public Hearing Opened at 5:46pm.

Staff Report

Jon Manley, Planning Manager: This is the Development Agreement Text Amendment. Post Falls Municipal Code, section 18.20.190:Development Agreements as it sits now, when an annexation gets approved, they have six months to sign a development agreement. Many times it works out fine, but sometimes you have changes that the current six months doesn't work. Staff believes that twelve months would allow staff to have more flexibility in those situations. That's the only change here, to avoid an applicant having to go through the whole annexation process again if it takes more than six months.

Steffensen: Is twelve months common in other area cities?

Manley: I don't know, I just know from our current experience. We have had a couple of instances of applications going beyond six months.

Steffensen: Are there any cons to going to twelve months?

Manley: I can't think of any.

Field Herrington, Deputy City Attorney: At some point we don't want things languishing too long and you have turnover on Council. We do want a time limit.

Kimball: I think it makes sense to kick it out to twelve months. For the most part, development agreements are fairly straight forward, but sometimes they will be more complex.

Testimony

In Favor: None

Neutral: None

Opposed: None

Public Hearing Closed at 5:49pm

Discussion:

Schlotthauer: I think it's a good opportunity not to waste everybody's time.

Walton: Yeah, seems like a benefit for both sides.

Hampe: I don't think twelve months is unreasonable.

Motion by Planning and Zoning Commissioner Kimball to recommend approval of the Development Agreement Text Amendment File No. TA-23-1.

Second by Planning and Zoning Commissioner Hampe.

Ayes: Planning and Zoning Commissioner Hampe, Planning and Zoning Commissioner Schlotthauer, Planning and Zoning Commissioner Steffensen, Planning and Zoning Commissioner Kimball, Planning and Zoning Commissioner Walton, Planning and Zoning Commissioner Carey

Motion Carried

- b. **Approve/Deny** Post Falls Food Bank File No. SUP-23-3 - Jon Manley, Planning Manager, to present a request to approve or deny a Special Use Permit to allow the Food Bank to locate on a High Density Residential (R3) zoned property with an existing senior care facility.

Public Hearing Opened at 5:51pm

Jon Manley, Planning Manager: This is an interesting project because the City of Post Falls owns the land that the Senior Center and the proposed Food Bank are located on through a long-term lease. Currently, this property is zoned R3 and it does require a Special Use Permit to operate a food bank. It is located north of East 3rd Avenue, west of North Bay Street. Surrounding zoning is Industrial and High Density Multi-Family (R3). They are proposing an addition to the existing building. Brana with the Food Bank is here, so if there are any questions she can answer them. There aren't many changes to the existing parking lot proposed. There's the main floor and the second floor proposed new building plan.

Hampe: Isn't construction and remodeling already in process on that building?

Manley: Yes, there's already some construction going on there. We allowed the issuance of the building permit, with the applicant knowing it was contingent on the special use permit. Any kind of certificate of occupancy would be contingent on this permit.

Hampe: There's already an existing building there?

Manley: There is already a building there.

Brana Cully with the Post Falls Food Bank (Co-Applicant): The Senior Center facility is there, but the Food Bank operation is merging with the Senior Center operation. About a third of the external use of the building will be adjusted. We will be adding a second level to allow for more storage. We are adding a loading dock. The rest of the building will remain as is. The warehouse will be on the north end, then the processing area, then the market area, and a senior lunch area with a kitchen next to the market.

Manley: Another thing to mention is its location on 3rd Avenue is on the transit route where many of the users of this building will need those services.

Hampe: What is to the east?

Manley: To the east is the VFW

Hampe: Then there are storage units?

Manley: To the northeast.

Hampe: Were they a special use as well?

Manley: I don't know. They've been there for a long time.

Testimony

In Favor: None

Neutral: None

Opposed: None

Public Hearing Closed at 6pm

Review Criteria

1. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district. Hampe: It conforms to what is there already.

Kimball: The current use is a civic use. It's typical of a city-owned property. This is just an expansion of a civic use. It's odd that it is R3.

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

Kimball: That was demonstrated by its existence in the table, the code.

Hampe: Yeah, it was.

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

Schlotthauer: Pretty compatible.

Kimball: It fits hand and glove with what's already there. It speaks to the welfare of the public.

Hampe: Absolutely.

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

Kimball: Staff covered that pretty well and it does.

Walton: Yeah it does.

Motion by Planning and Zoning Commissioner Hampe to Approve the Post Falls Food Bank File No. SUP-23-3 finding that it meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberations, not subject to any conditions, and to direct staff to prepare a reasoned decision.

Second by Planning and Zoning Commissioner Schlotthauer.

Ayes: Planning and Zoning Commissioner Carey, Planning and Zoning Commissioner Kimball, Planning and Zoning Commissioner Schlotthauer, Planning and Zoning Commissioner Hampe, Planning and Zoning Commissioner Walton, Planning and Zoning Commissioner Steffensen

Motion Carried

- c. **Approve/Deny** Mullan Villas File No. SUP-23-2 - Jon Manley, Planning Manager, to present a request to approve or deny a Special Use Permit in a Limited Commercial (LC) Zone to allow for 18 Multi-Family units to be developed with townhome construction on 1.27 acres.

Public Hearing Opened 6:04 PM

Staff Report

Jon Manley, Planning Manager: The owner of the property is Dennis Decker. The applicant is Drew Dittman of Lake City Engineering. They are requesting a Special Use Permit for 18 Multi-Family units to be developed with townhome construction on 1.27 acre. The location of the property is north of East Mullan Avenue and west of North Syringa Street. The surrounding zoning is Single Family R1, Multi Family R2, and Community Commercial Services. This being a multi-family plan, our design standards do require some open space as well as a landscape buffer. They are providing a landscape border along the north, east, and west sides. They do provide pedestrian connectivity along Mullan Avenue, which meets our design standards for multi-family. Townhomes would be permitted outright in this current zone, but the way they want to put it as a unit on a common lot, it requires a Special Use Permit and a buffer yard. The property is city water and city wastewater. The project's alignment with the review criteria were presented.

Carey: This is all around R-1, for the future land map, that's all going to be limited commercial, right?

Manley: R-1 is not the most ideal zoning district going out twenty years. Not saying R1 is not suitable but you are going to see over time, increased light and noise pollution along that corridor. On the future land use map, you usually put what is going to be most suitable going out twenty to thirty years.

Carey: the corner on Syringa and Mullan is that the new medical facility that just went in? Was that changed to LC?

Manley: It was already LC.

Carey: Our piece that we are looking at, when did it become LC?

Manley: I would have to go back to see when exactly, but I believe it was early in my time here.

Carey: Is it a vacant lot?

Manley: It is vacant with a pre-existing Single-Family home with a vacant lot. I believe it is within 10 years of being zoned limited commercial.

Steffensen: For clarification, a townhome that would be permitted, would not need a buffer?

Manley: Correct, meeting the definition of being on your own lot. So, you own not only your home, but also the land under it, then it would be seen as a single family home without needing a buffer.

Steffensen: So what would need to be done to this land to have townhomes put in and not just what they are proposing?

Manley: They could do a common parking lot and treat that as a tract of land. They would have to plat lot lines through this for 18 platted lots. They would have, for limited commercial, meet the minimum density design standards. They could do a PUD and get density exceptions. There would be a way to do that.

Steffensen: It would look a lot different, but you could still put townhomes.

Manley: Yes, a few less units, no open space requirements.

Hampe: What is the open space requirement on this project?

Manley: It's 300 square feet for each unit with more than one bedroom and 150 square feet for one bedroom or less.

Hampe: How much of that 1.27 acres is required to be open space?

Manley: They did calculate all their units and they did meet the requirements. They do have to exempt out the buffer yard.

Field Herrington, Deputy City Attorney: Required 18 units at 300 square feet would be 5,400 square feet, semi-private, 225 square feet for 18 units is 4,050, and common area of 2,000 square feet for a total of 6,050 square feet.

Applicant

Drew Dittman of Lake City Engineering: I'm representing Chad Oakland, the buyer of the property; Dennis Decker is the current owner. We are asking for 18 units of townhouse construction, which will actually be a multi-family use because of the nuances of building code and zone code here. It is basically the same product but we are subject to multi-family design standards. We are providing a little bit more than the 6,000 square feet of open space if you include the buffer, but your code doesn't allow us to count that. Each unit gets a garage. The four interior units will access from the front, the exterior units will access from the side. Each unit gets their own patio with a semi-private fence.

Carey: Is there parking on site other than the single garage?

Dittman: Yes, we provide a total of 59 parking spaces for 18 units.

Carey: These are rental units?

Dittman: Yes

Hampe: You refer to them as townhomes, but they're kind of an apartment.

Dittman: It's a nuance between the building code and the zoning code. The building code looks at it as a townhome, they share a common wall, all the access is on the main floor. The zoning code looks at it differently because of some of the nuances in it.

Hampe: The individual units can not be owned individually, it's one building?

Dittman: Correct.

Kimball: With the townhome construction requirements being what they are, would this allow the future owner to condo plat it in the future, if you decide to go that route?

Dittman: Yes, it's not our plan to do that, but it could be done.

Steffensen: What type of buffer are you looking at in the surrounding areas?

Dittman: We don't have a landscaping plan yet, but the code requires...

Manley: It is 4 evergreen trees, 4 deciduous trees, and I believe 10 shrubs for every 100 feet. The building code is concerned about the actual building and safety of those residents in it. The zoning code is looking at how does that unit function and how does it relate to the land. When it is on its own land, you can purchase and sell like any other single family home. When they are one unit on one tax parcel, it is looking and feeling like a multi-family building.

Carey: What's the difference between this and an apartment building?

Manley: Its the type of construction. A multi-family building is going to have building requirements for a multi-family building. Like a three-story apartment requirement.

Walton: If it wasn't this project on this land, what other types of things might end up on a limited commercial lot?

Manley: Other commercial, offices, neighborhood commercial. You can't exceed 25% of the area for your structure. By the time you put in parking, swales...

Kimball: You could do restaurants, convenience stores, art gallery, general arts and tourism, libraries, electrical power.

Walton: Which none would fit as well as these homes there it seems to me.

Schlotthauer: It strikes me as odd that this is the one residential use that's outright permitted. How are townhouses the one thing that is outright permitted?

Manley: I wish I had a good answer for that. We don't see it as a negative thing when you look at limited commercial zones already in place. A lot of times you have single family homes near limited commercial. So, having a special use permit allows the opportunity to provide buffering.

Hampe: What's the density if it were to be a townhome?

Manley: You need to meet the base density within the range of the underlying zone

Schlotthauer: 2400 square foot per lot.

Hampe: Didn't I see something about six townhomes or something?

Manley: It's six townhomes or less per structure is permitted. So you don't just line up 24 townhomes in one line, a whole bunch of garages. So you don't end up with no green space or pedestrian breaks.

Kimball: 23 at 2400 square feet per unit on that property, on 1.27 acres, so 23 units potential under the townhome code.

Testimony

In Favor:

Daniel Hummer, Post Falls (not wishing to speak): I support agenda Item 5c.

Dennis Decker, Coeur d'Alene: I think that having townhomes is safe. People are going to be there for some time versus having apartment houses or like a Hotel 8 or something of that nature. The house that is there is very old, and the face lift that it will receive will be far better looking and cleaner. Good news for the hospital would give the workers a place to live and cuts down on transportation. The way the ingress and egress works for the people that will live in these homes is a very good thing. No one has to travel through the tract through any of the

homeowners' homes. I want to thank the contractor because of the safety factors and the ingress egress and buffer zones. Please find this in favor.

Chad Oakland, Coeur'd Alene: I wanted to give you some handouts. I get it, no one likes change, no one likes it in your backyard. It could be a lot worse. There's 55 permitted uses we could do on that piece of property. We wouldn't even have to go through this process.

Herrington: We do have rules for written testimony, but as the chair, you guys can choose to look at this to accept it or disregard it.

Oakland: I just photocopied your land use off the internet, but I understand that sir, sorry.

Someone could go in there right now and put a three or four-story mixed use building in there—that's a permitted use. We were trying to design something where there's no decks looking into other people's back yard. I'm a homeowner, so I appreciate that there's no perfect use except maybe leaving it as a park and that's not going to happen, so. I think we are doing one of the least intrusive projects that we could.

Neutral: None

Opposed:

Chad Patrick, Post Falls: I have lived with places like this being built. People jumping our fences, destroying our property, driving their vehicles through our fences and we had to pay money out of our own pocket. The traffic on Mullan has gotten worse in the past few years. We've talked about the traffic and noise pollution with the Post Falls Police. The homeowners around that area are worried about the destruction of our property or not controlling their noise pollution. Watching our property values go down. The more we see Post Falls growing out, everything is getting worse, prices are going up. We are worried about the crime rate. We've seen the crime rate go up. Where is the parking in this area? 1.27 acres is not a lot of property. I have 11 acres and that's a lot of property to put parking in. Is it going to be in front of our fences where, if someone gets mad or is not paying attention, they are going to go through our yard? If you want to put a couple of houses there, that's fine, but we don't want 18 units there. We don't want to see the traffic, we see kids almost get hit all the time.

Rebuttal

Dittman: Mr. Oakland kind of did my rebuttal for me. There are several other uses that are outright permitted that are way more intense than what we are proposing that wouldn't require any kind of hearing. Mr. Patrick had concerns about parking and traffic on Mullan. In the staff report, it shows that there are no anticipated impacts on Mullan due to the traffic from this project. Mullan is a minor arterial, it can handle that type of traffic. He mentioned parking. As you can see in the site plan, there's designated parking spots, they are not along the fence. The fence is near the buffer zone. This project is over parked from an engineering standpoint.

Public Hearing Closed at 6:45 PM

Review Criteria

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

Kimball: It's pretty straight forward that residential uses are allowed as special uses in that zone and the one that is outright permitted. Which if someone were to be driving by at 20 miles per hour, they would think those are townhomes. They wouldn't know they are technically a multi-family. It does meet the purpose of that zoning district.

Schlotthauer: I find it odd that it would be an outright permitted use in limited commercial. The difference between one lot or eighteen and having renters versus single family homeowners is not going to be a big difference. I think both products are needed.

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

All Commission: Yeah it does.

Kimball: It is allowed as a special use in the zone with regards to the other laws and ordinances. It's going to be building codes and buffer yards. Having eight trees every 100 feet is incredibly dense for a lot of trees along a dark road. They will shield all of those back yards from headlights of people parking. They have met the applicable laws and there's no testimony to the contrary.

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

Schlotthauer: Its pretty much all residential land use on that side. So it is pretty compatible.

Kimball: I would actually think that putting a convenience store, which is an allowed use, would be more incompatible than this.

Walton: Yeah, a hotel or a multi family.

Kimball: Yeah, a convenience store that is open 24 hours would be a lot worse than what they are proposing.

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

Kimball: That's covered pretty well in the staff report as well as the applicant's narrative.

Hampe: It does comply.

Deliberation

Carey: In reviewing the things that can be done outright on that zoning, this seems to be the least obtrusive thing that you could put there.

Hampe: I agree with that. I don't love that it is basically apartments. I do think the design is nice and by all appearances it does look like townhomes.

Motion by Planning and Zoning Commissioner Carey to Approve the Mullan Villas File No. SUP-23-2, finding that it meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberation, subject to one condition as noted in the staff report.

Second by Planning and Zoning Commissioner Hampe.

Ayes: Planning and Zoning Commissioner Carey, Planning and Zoning Commissioner Kimball, Planning and Zoning Commissioner Schlotthauer, Planning and Zoning Commissioner Hampe, Planning and Zoning Commissioner Walton, Planning and Zoning Commissioner Steffensen

Motion Carried

- d. **Zoning Recommendation** Bogie Annexation File No. ANNEX 23-2 - Jon Manley, Planning Manager, to present a request for approval to annex approximately 5-acres into the City of Post Falls with a zoning request of Single-Family Residential (R1).

Public Hearing opened at 6:53 PM

Staff Report

Jon Manley, Planning Manager: The owner of the land is Northern Lights LLC and Drew Dittman

is the applicant for the proposal. They are looking for a recommendation of a Single Family Residential (R1) zoning district on five acres as part of an annexation request into the City of Post Falls that would go to City Council. The property is located north of East Bogie Drive, halfway between Cecil Road and Greensferry Road. The current land use is large lot single family residence. The surrounding land uses are primarily city R1 subdivisions and a county single family lot. The proposed zoning is consistent with the Future Land Use Map and Focus Area. The City will provide water reclamation and has the capacity to serve the site. Water will be provided by Ross Point Water. The rights-of-way, sidewalk dedication, drainage and utility easements, and other needs for transportation and pedestrian improvement will be provided. Zoning review criteria were presented.

Hampe: Is that section of Bogie all city or is that just happening as these pockets are being annexed?

Manley: Yes, there are two five acre chunks that will remain in the County for getting that connectivity between Greensferry and Cecil.

Hampe: So what is happening there? Will there just be a little strip of gravel where it is still the county?

Rob Palus, Assistant City Engineer: On Bogie Drive, we recently annexed and are in the review process for the Milsap subdivision. They will be building the south half of Bogie along their frontage. If this was annexed in and developed, they would be building the remaining north side of it. We don't have a methodology for getting that last 330 feet from the east property line to the Tullamore Subdivision. That part will remain gravel at this time. It is a public right of way but it has never been accepted by the Post Falls Highway District, being in the county, as a public roadway for public maintenance purposes. It is currently, and will be marked on both ends as 'end of publicly maintained roadway'.

Hampe: So Post Falls plows up to the end of that and then the county is supposed to plow the rest?

Palus: The county does not plow it. Historically, the people who live along there take care of the gravel road.

Applicant

Drew Dittman of Lake City Engineering: Bogie Annexation. It's a five acre property. It's Northern Lights developer, the same as Boyd's Landing to the west. The anticipation is this will be an extension of that. It's an infill, it's a county island. It's a straight forward annexation with a R1 zoning that matches everything that surrounds it.

Testimony

In Favor: None

Neutral: None

Opposed: None

Public Hearing closed at 7:08 PM

Review Criteria

1. Is the proposed zoning district consistent with the Future Land Use Map and Focus Area contained in the currently adopted Post Falls Comprehensive Plan?

Kimball: The future land use map is low-density residential. It's single family residential and the focus area says the further away from Highway 41, the lower the density should be. That fits all the criteria.

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?

Kimball: The focus is on infill development. This is a county pocket with city all around it. The city zoning all the way around it is consistent with R1. Jon covered a lot of them.

Steffensen: Policy two talks about the future land use which we just talked about infrastructure and connectivity.

Kimball: Nancy hit on something with the extension of Bogie Drive. It is piece by piece, but one could look at it as at least it's not a quarter mile that's gravel still. The city is now plowing it where they don't have to. It is really good for the infrastructure in that area.

Schlotthauer: It cuts both ways, less gravel for them to drive, more traffic and dust.

3. Does the proposed zoning district create a Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city?

Steffensen: There were seven that had written comments and no concerns with any of them.

Carey: This would cover agencies like public service and water and sewer?

Manley: Yes

Field Herrington, Deputy City Attorney: This is just a recommendation on zoning. Just like always, the Council will make a final decision on the annexation and zoning based on your recommendation.

Motion by Planning and Zoning Commissioner Carey to Approve the Zoning Recommendation Bogie Annexation File No. ANNX 23-2, finding that the zoning meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberation, and direct staff to prepare a zoning recommendation to be provided to City Council of R1 subject to conditions one through four.

Second by Planning and Zoning Commissioner Hampe.

Ayes: Planning and Zoning Commissioner Carey, Planning and Zoning Commissioner Kimball, Planning and Zoning Commissioner Schlotthauer, Planning and Zoning Commissioner Hampe, Planning and Zoning Commissioner Walton, Planning and Zoning Commissioner Steffensen

Motion Carried

6. ADMINISTRATIVE/STAFF REPORTS

a. Zoning Informational Handouts

Anna Staal, Planner One: We got started on these at the request of Nancy Hampe. We put together the Land Use Chart, which is a single handout. It would be useful for anyone that has a single use in mind, or a business they want to start or move to Post Falls. It would also be useful for anyone looking to annex into the City of Post Falls to get an idea of what zones they can annex in with. The zoning code sheets are a good place to start for anyone who has a piece of property in Post Falls already and want to know what they can do with that property based on what is already zoned. There are ten zoning code handouts for ten different zones in Post Falls that get a lot of questions. The main information we have on them is the intent of the zone and the type of community it is hoping to accommodate, also uses that are permitted with a Special Use Permit. The residential one has accessory uses as well. We do have information on the setback requirements and the lot coverage.

Hampe: This is exactly what I was looking for.

Schlotthauer: Do these exist for the other zonings?

Staal: Yes

Kimball: These are fantastic for design professionals who are unfamiliar with city codes. It's a useful thing for the development community.

7. COMMISSION COMMENT

Steffensen: In the public hearings, the school numbers are from last year. Can we get the new numbers?

Manley: Yes, we have reached out and are getting updated numbers and comment letters.

Steffensen: I want to make sure with the changes in City Staff that everyone is getting emails from city staff.

All Commission: Yes

Steffensen: This is for Rob. My neighbors keep asking me when Prairie and Greensferry are going to be open again.

Rob Palus, Assistant City Engineer: Prairie Avenue at Greensferry Road, we are estimating that Greensferry Road will be open within the next two weeks. The second roundabout that is being constructed on Prairie Avenue at Zorros Road is scheduled for completion by the end of October.

Kimball: For the record, the one that is completed on Prairie Avenue is beautiful, and I designed it.

Walton: Rob, while you are here, since we talked about impact fees and roads, is Bogie Drive one of those things that the City would look at to finish eventually if the annexation didn't go through?

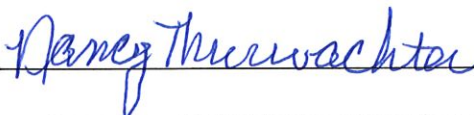
Palus: We have a list of impact fee projects that are capacity-related projects and we have identified them as serving a larger need for the city for up to a twenty year period. The difficulty with a piece of gravel road that is in the county, is that it is in the county. We do not spend our dollars on county roadways.

8. ADJOURNMENT

Meeting Adjourned at 7:22 PM

Date: 10/10/23

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.

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