



**P & Z COMMISSION
REGULAR MEETING
AGENDA**

**January 10, 2012
6:00 PM**

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

1. CALL TO ORDER

Please Turn Off Your Cell Phones

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

4. AMENDMENTS TO THE AGENDA

- **Election of Chair and Vice Chair**

5. CEREMONIES, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS

6. DECLARATION OF CONFLICT

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

7. 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 to 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.

- A. Minutes – December 13, 2011 Planning & Zoning Meeting**
- B. Post Falls Senior Care Facility Special Use Permit – Findings of Facts**

8. 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. Comments on issues that are planned for future meeting agendas should be held for that meeting.

9. **UNFINISHED / OLD BUSINESS**

None

10. **PUBLIC HEARINGS**

None

11. **NEW BUSINESS**

12. **STAFF COMMENTS**

Title 18 Housekeeping Ordinance

13. **COMMISSION COMMENTS**

14. **ADJOURNMENT**

Questions concerning items appearing on this agenda should be addressed to the Public Services Department – Planning Division at 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 telephone number is 208-292-2314. Thank you.

Commission Chair: Alan Wolfe Vice-Chair: Gene Hill

Members: Ryan Davis, Fred Ostermeyer, Tim Moses, Paula Rehrmann, Lynn Borders



**P & Z COMMISSION
REGULAR MEETING
MINUTES**

**December 13, 2011
6:00 PM**

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

1. CALL TO ORDER

Commissioner Wolfe called the meeting to order at 6:00 P.M.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Commissioners Present: Lynn Borders, Larry Gilman, Mark Latham, Tim Moses, Paula Rehrmann and Alan Wolfe

Commissioners Absent: Gene Hill

Staff Present: Hilary Anderson, Planning Manager; Bill Melvin, City Engineer; Jon Manley, Associate Planner; and Kelley Setters, Administrative Specialist.

4. AMENDMENTS TO THE AGENDA

None.

5. CEREMONIES, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS

Mayor Clay Larkin thanked the Commission and Staff for all the work they do and presented retiring commissioner Larry Gilman with a Buck Knife for his 17 years of service on the Planning and Zoning Commission.

6. DECLARATION OF CONFLICT

Mark Latham has a conflict of interest with the Post Falls Senior Care Facility Special Use Permit because he is working on the project.

7. CONSENT CALENDAR

A. Minutes – November 8, 2011 Planning & Zoning Meeting

Commissioner Gilman **moved to approve** the consent agenda as presented.
Commissioner Borders **seconded**.

Roll Call Vote: Rehrmann abstain, Gilman aye, Latham aye, Borders aye, Moses aye, and Wolfe abstain **Motion carried.**

8. CITIZEN ISSUES

None.

9. UNFINISHED / OLD BUSINESS

None.

10. PUBLIC HEARINGS

A. Post Falls Senior Care Facility Special Use Permit (SUP-11-01)

The applicant has requested a Special Use Permit to allow a 16 room Senior Care Facility in the Single Family Residential (R-1) zone. The property is generally located on the northeast corner of Cedar Street and Maplewood Avenue.

Cliff Mort (Applicant) - 6812 E Maplewood, Post Falls: This project is a two phased building development which will have 16 rooms each. If approved the first phase will begin construction right away and the second to follow. This is a private facility, and designed to fit the community.

Drew Dittman (Project Engineer) - 3909 N Schreiber Way, Ste 4, Coeur d Alene: Explained some technical aspects of the project stating there is adequate sewer and water capacity for the project. The parking meets the standards per city code. The project will not adversely impact traffic flow in the area.

Manley: Presented the staff report. Stating if the project is approved it will have to meet all city standards prior to a building permit being issued through the site plan review process.

Gilman: If approval is given what is the city's position if the first phase is completed and the second phase is not.

Manley: The special use permit is for a senior care facility so they would have to comply with that use only, they could not build something different in the future.

Wolfe: How many total units?

Manley: First phase will have 16 units, and the second phase will have 16 units the total equals 32 units.

Gilman: How many employees?

Manley: 4-5 employees per shift.

In Favor

Mike Becker – Did not wish to speak.

Jeremy Boulder – Did not wish to speak.

Opposed

Larry Chmura, 2990 Nettleton Gulch Rd, and Coeur d Alene: Presented research on other Senior Care Facilities in the area. The average vacancy is 26% and getting worst.

Neutral

Christopher Jessen, 5475 E Shoreline Dr Post Falls: Concerns with height of the building, lack of parking for employees and visitors.

Mort: Addressed concerns related to the number of employees. He stated there will be 4-5 employees per shift. This project has an excess of 30 spaces over the required parking requirement which is more than is required in Coeur d' Alene for the same project. The height of the facility at the highest peak will be 25 feet. On the site plan we have provided a driveway section in which emergency vehicles could gain access if the parking lot was full. The completion of the second phase would be in our best interest to complete to maintain the character of the project. Our research indicates there is a need for smaller senior care facilities.

Commissioner Gilman **moved to approve** as presented accepting the findings of facts and conclusions and conditions contained in the staff report. Impact on the community would be favorable.

Commissioner Moses **seconded**.

Roll Call Vote: Borders aye, Rehrmann aye, Gilman aye, Moses aye, and Wolfe aye **Motion carried**.

11. NEW BUSINESS

None.

12. STAFF COMMENTS

Hilary Anderson informed the Commission of the Housekeeping Ordinance Title 18 Workshop scheduled for the January meeting to follow with a public hearing on the Housekeeping Ordinance at the February meeting.

13. COMMISSION COMMENTS

Larry Gilman stated that it has been a pleasure to work with the Commission and Staff. Alan Wolfe thanked Larry for contributing to the City and to him personally.

14. ADJOURNMENT

Commissioner Borders moved **to adjourn at 6:32 meeting adjourned**.

Alan Wolfe, Chair

Kelley Setters, Recording Secretary

FINDINGS OF FACT & CONCLUSIONS
SPECIAL USE PERMIT
Post Falls Senior Facility
(The Lodge at Riverside Harbor)
File No. SUP-11-01

Mort Construction, has applied for a Special Use Permit in order to construct an assisted senior living facility in the Single Family Residential (R-1) zone. The development is proposed on a portion of a 1.869-acre site, located on the north east corner of Cedar Street and Maplewood Avenue. The City Zoning Ordinance, Title 18.20.030 LAND USE TABLE, identifies that a senior care facility is allowed with a Special Use Permit in the Single Family Residential (R-1) zone.

The purpose of a Special Use Permit, as outlined in the Post Falls Municipal Code 18.20.070, is to provide for uses that are not permitted by right in any district and to allow for expansion of non-conforming uses, upon review and public hearing.

This application has been reviewed in accordance with procedures outlined in the Post Falls Municipal Code, Title 18.20.070 SPECIAL USE PERMITS, and the Idaho Code 67-6512 SPECIAL USE PERMITS, CONDITIONS AND PROCEDURES.

Notice of a public hearing was published, and property owners within 300 feet were notified of the public hearing according to Title 18.20.060 QUASI-JUDICIAL PROCEDURES of the Post Falls Municipal Code and Idaho Code 67-6512 SPECIAL USE PERMITS, CONDITIONS, SPECIAL USE PERMITS, CONDITIONS AND PROCEDURES.

A public hearing was held before the Planning and Zoning Commission on December 13, 2011. Testimony was taken from the applicant and from the public.

NOW, THEREFORE, THE PLANNING AND ZONING COMMISSION, HEREBY MAKES THE FOLLOWING FINDINGS OF FACT AND CONCLUSIONS:

1. The approximate 1.869-acre site is located on the north east corner of Cedar Street and Maplewood Avenue and is zoned Single Family Residential (R-1).
2. The Special Use Permit it being requested to construct a Senior Assisted Living Facility.
3. The proposed use will be compatible with the health, safety, and general welfare of the public and with land uses in the vicinity of the proposal.
4. Notice and Hearing procedures have been provided in accordance with Post Falls Zoning Ordinance regarding Special Use Permits.
5. The Special Use request has been reviewed in accordance with Title 18.20.070, Special Use Permits, of the Post Falls Municipal Code.

DECISION:

In consideration of the foregoing Findings of Fact and Conclusions, the Planning and Zoning Commission, at the December 13, 2011 meeting, moved to **approve** the Special Use Permit for Post Falls Senior Care Facility, subject to the following **conditions**:

1. If development permits for the requested special use have not been issued within one year of the granting of the special use permit, or if development of the approved special use has not commenced with sustained effort to complete development within three (3) years after granting approval of the special use, the special use permit shall become null and void, unless the planning and zoning commission or city council, whichever gave final approval, has granted an extension. An extension to the permit may be granted if applied for in writing to the approving body prior to the date of expiration and if the approving body finds, upon review of the record, that an extension is warranted due to circumstances beyond control of the applicant and upon finding that city regulations have not been changed significantly from those under which the original approval was reviewed.
2. The project shall comply with all applicable laws and regulations when it is reviewed through the Post Falls Site Plan Review process found in the Zoning Ordinance and the Post Falls Building Permit process.
3. Right-of-way dedication, easement dedication, access restriction, frontage improvement and necessary site improvements will be addressed during the Site Plan Review.
4. Access onto Cedar Road and Maplewood Avenue shall conform to City access standards.
5. The applicant must comply with all applicable regulations.

Date

Alan Wolfe, Chairperson
Planning & Zoning Commission

Attest

January 5th, 2012

To: Planning and Zoning Commission

From: Jon Manley, Associate Planner

Re: Title 18 Housekeeping Ordinance

Title 18 Housekeeping Ordinance Overview

What is a Housekeeping Ordinance? Title 18 Housekeeping Ordinance is an annual update to Title 18 of the Post Fall Municipal Code, which is the zoning code. Each year new modifications to Title 18 become necessary, due to a multitude of factors. Examples of these factors include: market condition changes, other section of code revisions within the Post Falls Municipal Code, and other lessons learned by the building community or staff.

The purpose for doing a Housekeeping Ordinance is to improve the level of service that is delivered to the community and at the same time improve clarity and consistency within the zoning code.

Goals for the current Housekeeping Ordinance

- **Clarify the “Administrator of Title 18” as the Zoning Administrator rather than City Administrator**
- **Insert new definitions or modify pre-existing definitions**
- **Re-organize information within Title 18 for clarity.**
- **Modify the Land Use Table in section 18.20.030**
- **Modify the Bulk and Placement Table in section 18.20.040**
- **Clarify requirements for Site Plan Review**
- **Modify Home Occupation signage requirement to be consistent with Sign Code section**
- **Modify Administrative Exceptions section**
- **Repeal Section 18.24.020 General Standards subsection C. The issue will be addressed under Title 10.020.060: Private Property**
- **Add additional General Standards to Section 18.24.020 addressing commercial curbing, outbuildings and carports.**
- **Potentially expand permitted residential housing in R-2 and R-3 residential zones**
- **Clarify Language in Section 18.24.080: Landscaping**
- **Added a reduced water usage option called “Xeriscaping” within Section 18.24.080: Landscaping.**

- **Next Steps**
 - Workshop with the Planning and Zoning Commission on January 10th, 2012
 - Bring forward to Planning and Zoning Commission as a Public Hearing on February 14th, 2012
 - Workshop with the City Council on January 10th, 2012
 - Bring forward to City Council as a Public Hearing on March 20th, 2012