



**PLANNING & ZONING COMMISSION
SPECIAL MEETING AGENDA**

**SEPTEMBER 10, 2019
1:30 PM**

Location: City Hall, Mayor's Conference Room

SPECIAL MEETING – 1:30 pm City Council Chambers

CALL TO ORDER

Please Turn Off Your Cell Phones

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Davis, Carey, Bishop, Hampe, Steffensen, Latham, Kimball

AMENDMENTS TO THE AGENDA

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

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION

DECLARATION OF CONFLICT

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

1. CONSENT CALENDAR

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

ACTION ITEMS:

- A. Minutes – August 13, 2019**
- B. Minutes – August 27, 2019**
- C. Savory Annexation & Comp Plan Amendment File No. ANNX-0006-2019/CPA-0002-2019 – Reasoned Decision**
- D. Bel Cielo III Annexation File No. ANNX-0007-2019 – Reasoned Decision**
- E. Ruby Springs Annexation & Subdivision File No. ANNX-0008-2019/SUBD-0013-2019 – Reasoned Decision**

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

3. UNFINISHED / OLD BUSINESS

4. PUBLIC HEARINGS

Items listed as public hearings allow citizen comment on the subject matter before the Commission. Residents or visitors wishing to comment upon the item before the Commission should follow the procedural steps. In order to testify, individuals must sign up in advance, providing sufficient information to allow the Secretary to properly record their testimony in the official record of the Planning and Zoning meeting. Hearing procedures call for staff presentation, applicant presentation followed by public testimony. Testimony by the public will be limited to 4 minutes per person.

5. NEW BUSINESS

6. ADMINISTRATIVE/STAFF REPORTS

7. COMMISSION COMMENTS

8. ADJOURNMENT

Questions concerning items appearing on this Agenda should be addressed to the Community Development Department – Planning Division at 208-773-8707.

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. Thank you.

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Chair: Ryan Davis Vice Chair: Ray Kimball
Members: Mark Latham, Vicky Jo Carey, Nancy Hampe, Sam Bishop, James Steffensen



**PLANNING & ZONING COMMISSION
MEETING MINUTES**

**AUGUST 13, 2019
6:00 PM**

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

REGULAR MEETING – 6:00 pm City Council Chambers

CALL TO ORDER

Please Turn Off Your Cell Phones

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Davis, Carey, Bishop, Hampe, Steffensen, Latham - **PRESENT**
Kimball – **EXCUSED**

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.

N/A

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION

N/A

DECLARATION OF CONFLICT

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

DAVIS – KIMBALL IS INVOLVED AS A PRESENTER FOR 2 ITEMS TONIGHT.

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. Minutes – July 9, 2019

B. Crown Enterprises File No. USE-0003-2019 – Reasoned Decision

- C. Landmark Place Annexation File No. ANNX-0003-2019 – Reasoned Decision
- D. Prairie and Spokane St Annexation File No. ANNX-0004-2019 – Reasoned Decision
- E. Nelson-Williams Annexation File No. ANNX-0005-2019 – Reasoned Decision

MOTION TO APPROVE BY: CAREY

2ND BY: BISHOP

**VOTE: HAMPE – YES; BISHOP – YES; LATHAM – OBSTAIN; DAVIS – YES; CAREY- YES;
STEFFENSEN – YES**

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

N/A

3. UNFINISHED / OLD BUSINESS

N/A

4. PUBLIC HEARINGS

Items listed as public hearings allow citizen comment on the subject matter before the Commission. Residents or visitors wishing to comment upon the item before the Commission should follow the procedural steps. In order to testify, individuals must sign up in advance, providing sufficient information to allow the Secretary to properly record their testimony in the official record of the Planning and Zoning meeting. Hearing procedures call for staff presentation, applicant presentation followed by public testimony. Testimony by the public will be limited to 4 minutes per person.

A. Bel Cielo III Annexation File No. ANNX-0007-2019 (ACTION ITEM) – Jami Hayes, Planner 1, To Present –

The requested action is to review the annexation request of approximately 4.84 acres and to make a recommendation of the proposed High-Density Multi-Family (R-3) Residential zoning designation to City Council. The general location is east of HWY 41 just south of E 16th Ave. The feel of the built environment is a Goodwill on the corner of 16th and HWY 41 and there is phase 1 and phase 2 of the Bel Cielo development, all to the west and the to the east and south are mobile home parks. This property is currently zoned as Agricultural in the County and is vacant with no significant topology or vegetation. Water will be provided by Ross Point Water District and the sewer will be provided by the City of Post Falls.

Zone Change Criteria:

- Consistent with Future Land Use Map
- Consistent with the Goals and Policies Found in the Comprehensive Plan – we will look at the Transportation Master Plan, is it pedestrian friendly, connection, the compatibility with the surrounding built environment, etc.
- Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features. Encourage a balance of land uses to help Post Falls remain a desirable, stable, and sustainable community. – 16th Ave is a Major Collector and HWY 41 is a Principle Arterial. The surrounding zoning is a mix of Community Commercial Services (CCS), High-Density Multi-Family (R-3) and to the west is R-2, medium density. Our Future Land Use Map shows the area to be a mix of Commercial and Residential.

- Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
- Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity. Ensure that adequate land is available for future housing needs. This could be relevant as multi-family is typically 3 stories high and could be used as a buffer.
- Industrial zoning is typically assigned for properties with enough access to major transportation routes and may be situated away from residential zoning. – Not applicable

All other agencies were notified and both Kootenai County Fire & Rescue and the Post Falls Police Department both remain neutral.

Carey – What is the property to the east?

Hayes – Residential Mobile Homes. The zone in the County is High-Density which is 14 units per acre.

Applicant – Drew Dittman, Lake City Engineering – This is the third phase of Bel Cielo with 16th running east and west and HWY 41 running north and south. It does fit in with the built environment, with commercial and high-density multi-family surrounding the proposal. This does fit with the Comp Plan and the goals and policies that are in the staff report. It is also in conformance with the Transportation Master Plan and the Wastewater Master Plan.

Hampe – Does 16th Ave narrow?

Dittman – We will be dedicating right of way and the road improvements will be extended.

Hampe – The road will become wider?

Dittman – Correct.

Latham – There will be sidewalk that will go all the way across as well?

Dittman – Yes, it will extend on the south side of 16th, up to the mobile home park.

Testimony:

In Favor: Drew Dittman, already spoke.

Neutral: None

In Opposition:

Read by Davis – Anton Nentchev – in opposition; **Anne and Kent Hayes** – Current road infrastructure is not adequate to handle the increased vehicular traffic created by this and already approved developments at this location, and will adversely impact the safety of Post Falls residents utilizing I-90, HWY 41, and 16th Ave. The proposed development is unsightly and adversely affects the residential, nature and characteristics of the surrounding community.

June Peterson, 1464 N Heidi Ct. – (Lived here sense 1973) There is talk about this area being high-density however there are many single-family homes further down the street where I live. We already have a difficult time getting onto HWY 41 because of the traffic. The 2 lane road does not support this, they did widen a little in the beginning, there are no lines, people do not know what they are doing and I have almost been hit there twice. We have too many people in a small area and we will end up with rat syndrome. Cars are being left on the road with flat tires from winter, I called the police to have it removed. I have been against it from the first phase, and have been voicing my concerns with Planning and Zoning. We have been told there would be a light at this intersection when the Fire Department was put in, that never happened. How many units are being put in, how many units were already put in, do you know that?

Davis – We will give the applicant opportunity for rebuttal and they can answer that question.

Peterson – This is not conducive to families living there.

David Shinault, 1505 N. Heidi Ct. – Lived here sense 2008 and starting a couple years ago with Goodwill and the phase 1 it has created a tremendous amount of traffic. We all know this whole area is growing so fast. Without a signal light right here it is very unsafe to get out onto HWY 41 at any time of the day. I don't know what the signal was not put in when the Goodwill was developed, people are obviously going to be attracted to it. The pedestrian connectivity isn't complete, there are no sidewalks on HWY 41 and they do not continue down 16th Ave. My daughter, 16, is a new driver and we make her go around and up to Poleline where the traffic signal is. This is only a 2 lane road, we need more lanes that are designated for people who are turning and going straight across. I am not sure what is proposed for 41 in the future however, I think all of this needs to be taken care of and be in place and up and running before they add anymore apartments.

Rebuttal: Drew Dittman, Lake City Engineer – Between Phase I and II there are combined 180 units, with phase 2 being under construction currently and will not be complete until Spring of next year. We do not currently have a plan for the Phase III, we wanted to get the zoning first and move forward. I am unsure if it will be apartments, duplexes, tri-plexes, etc. we have some hoops to jump through like the sewer and a north/south backage road that needs to go in, all this weighs in on the development. I will defer some of the traffic questions to Melvin. The traffic light on 16th and 41, Melvin, is that next year? He can talk about the ITD schedule and the parking on 16th Ave. The unsightly comment is just a preference and I am going to choose to not debate that. Road stripping etc. again I will have Melvin address that.

Bishop – Once the sewer is tied in, when do you think you would be breaking ground?

Dittman – If we had a plan today and get through all of the process we would be lucky to break ground next summer. Then a year to build out, this is all best case scenario.

Davis – Mr. Melvin, would you come up and address the ITD schedule and traffic.

Bill Melvin, City Engineer – The ITD has a project to widen HWY 41, the proposal is to begin next Spring, 2020, they are investing \$40 million, to widen from Mullan up to Rathdrum. There is a signal in their project for 16th Ave, 16th would be widened as well. I imagine we would be in the time frame of 2021 before that signal would be activated and fully functional. I will go and check on the parking, I'll need to see if we have a code enforcement issue and see if we need to eliminate on-street parking along 16th. With development there is plan for a north/south backage road to relieve some of the traffic along HWY 41. This is a long-term regional plan to help this corridor.

Davis – So, if we are looking at 2021 for Phase III of this project and the improvements of HWY 41, they would almost be constructed simultaneously. Correct?

Melvin – They would coincide, yes. As mentioned, we are just at annexation and there no plans that have been approved.

Davis – We are not holding anyone to it.

Melvin – We are probably looking at the 1st of the year before annexation is even complete.

Bishop – Parking, how soon do you think you can have any details on that?

Melvin – We will have someone within a week to go and take a look at both parking and stripping.

Steffensen – With the right-of-way that is proposed, how much wider will the road be?

Melvin – On 16th Ave. we should have a total 40-foot roadway. So there will be a travel lane in each direction and a center turning lane once it is ultimately built out.

Hampe – When will that be?

Melvin – The intersection will be widened with the HWY 41 project the rest of the roadway will be constructed as development comes in.

Hampe – Can you talk more about the backing road, where would the quarter mile be?

Melvin – The quarter mile would be to the very east end of the proposed R-3. We are trying to get the roads to connect from Mullan Ave up to Prairie and hopefully past that on both the east and west of HWY 41.

Hampe – So, the same time HWY 41 is being improved those improvements will be happening?

Melvin – Those improvements will also be done by development.

Hampe – So, it will be a road to nowhere basically, until someone else develops.

Melvin – As development comes in those roads will be developed, as the entire City grows we cannot develop everything in one fall swoop. There will be a road to nowhere, as you put it, but that is how growth and development occur.

Comment

Carey – I understand the traffic problem and 180 units between the 2 phases already is allot. I think this should be annexed in with a smaller density, like an R-2 or something. It would act as a buffer between the mobile homes and the apartments. With a lesser density, we are still looking at a couple years of the HWY 41 improvements.

Hampe – I was also concerned with the traffic a year ago with the last request. I am concerned even more now; I don't mind the apartments there once the infrastructure can actually handle it.

Latham – I think the infrastructure will go hand in hand with the development, at least it is supposed to. Nothing is perfect and things happen but it all ultimately work out as well as possible. R-3 is a dense zone, we are not looking at what this development is going to look like right now, just zoning and it is high-density in the county to the east and to the south. So, I don't have any issues with the annexation request.

Steffensen – I think the traffic is a concern however, if the timing of everything goes as planned the traffic should be alleviated. If Phase II is just now being worked on and this was approved a year ago, as Dittman said in a perfect world Phase II will be started late Spring into Summer so, it will be 2021 and the improvements on HWY 41 should be started or even close to completion at that point.

Davis – this is all part of growing pains, the growth brings the improvements of the roads. If we are looking at 41 improvement and other things in 2021 will help alleviate the traffic issues.

MOTION TO APPROVE BY: LATHAM AS PRESENTED

2ND BY: STEFFENSEN

VOTE: STEFFENSEN – YES; CAREY – NO; DAVIS – YES; LATHAM – YES; BISHOP – YES; HAMPE - NO

MOVED

B. Savory Comp Plan Amendment and Annexation File No(s). CPA-0002-2019/ANNX-0006-2019 (ACTION ITEM) – Jami Hayes, Planner 1, To Present –

The recommended action is to review the Comprehensive Plan Amendment (4 acres) and Annexation request of approximately 8.61 acres and to make a recommendation of the proposed High-Density Multi-Family (R-3) Residential zoning designation to City Council.

The general location is just east of N Ross Point Rd south of E 3rd Ave on the northwest corner of E Maplewood Ave and N Pinion Park Rd. This proposal is surrounded by medium to high-density to the west and south, and to the east there are large lot single-family and due south is a single-family development. The property is currently vacant to the north and residential to the south half with no significant topology or vegetation present. Both water and sewer will be provided by the City of Post Falls.

Zone Change Criteria:

- Consistent with Future Land Use Map – this brings us to the Comp Plan Amendment.
- Consistent with the Goals and Policies Found in the Comprehensive Plan – prioritizing infill development, walkable dense communities, having multi-family access to arterials and collectors, the rest can be found in the staff report.
- Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features. Encourage a balance of land uses to help Post Falls remain a desirable, stable, and sustainable community. There is R-2 directly east, Industrial to the north, there is high-density multi-family and the rest is single-family residential. You can see in our Future Land Use that south is designated residential and north is designated commercial.
- Commercial and high-density residential zoning is typically assigned along streets with a higher road classification. – Maplewood Ave and Ross Point Rd are the higher road classifications.
- Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity. Ensure that adequate land is available for future housing needs. – This proposal could be viewed as providing a buffer for the internal community from noise, light, the traffic on Seltice and the highway and possibly from the Industrial zone as well.
- Industrial zoning is typically assigned for properties with enough access to major transportation routes and may be situated away from residential zoning. – This is not applicable.

All agencies have been notified and both Kootenai County Fire & Rescue and the Post Falls Police Department remain neutral.

Applicant – Ray Kimball, Whipple Consulting Engineers – This property has been owned by the Savory family for a better part of 50 years. I was looking at the old Pinevilla Plat and Mr. Savory's name was on the Plat even before these were single-family houses to the south. You know where the site is, its along 3rd Ave and the land mark of Capones to the northwest. This is not part of our community that you show your out of state friends, this is part of our community that has been in need of rejuvenation for a long time. The property to the north are part of the Urban Renewal District, east of Post Falls, this was created because it was considered to be deteriorating. This property is zoned as High-Density Residential in the county. On the north side of 3rd Ave there are little Commercial/Industrial type shops which contain a little publishing company and a couple automotive repair shops. Possibly a "man cave" it says private shop with a motorcycle logo on it. You will also notice that a large portion of 3rd Ave is a gravel road; Pinion Park Rd is a narrow paved road that is county maintained. With any development of this site, both Pinion Park and 3rd Ave will be improved to City standards.

Is commercial zoning the correct zoning for the northern part of this property? This is considered to be a dilapidated area, there is an overabundance of undeveloped and

underdeveloped commercial property surrounding this area and 3rd Ave is not the best place for commercial. Not many people realize that this area even exists in our community.

Is Residential (R-3) zoning the correct zoning for this area? Yes. This is currently zoned High-Density Multi-Family which is 14.5 units per acre, the development pattern in this area is multi-family. The adjacent land use to the north is low impact light industrial/commercial and the multi-family will provide for a high property value transition from a dilapidated commercial area to residential properties to the south of Maplewood.

Is the zoning compatible with street classifications – We have 2 collectors, Maplewood and 3rd Ave as well as local streets such as Pinion Park Rd and all streets fronting this property will be improved to city standards.

Is the zoning compatible with traffic patterns. 3rd Ave is anticipated to be the primary access to the site which is currently under-utilized. ITD is currently reworking the intersection along HWY 41 and Seltice so this should help.

Is the zoning compatible with existing development and future land uses? The recent land development pattern has been focused on Multi-Family this type of development encourages commercial services and will help with a more walkable community.

Is the zoning compatible with geographic or natural features? This site is relatively flat and suitable for an R-3 development. Higher density residential zoning should be assigned along streets with a higher road classification; they shouldn't be placed further inland. The site is also approximately ¼ mile from an existing transit stop for those with limited vehicular mobility.

Is it in accordance with the Future Land Use Map, the southern part is to north is not which is why we are asking for an Amendment. Even as a commercial zoned property it would still meet the criteria for a Special Use Permit for Multi-Family use in a commercial zone.

Zoning should be in accordance with the Comprehensive Plan goals and policies. We have discussed this in-depth already in both presentations and in the staff report. It is important to note that this is an infill annexation and is located in a deteriorating part of our community and this development will provide an avenue for revitalization without the use of Urban Renewal funds.

Carey – To be clear the properties to the east and west are still county correct?

Kimball – Yes

Carey – What is the county zoning on those?

Kimball – To the west is High-Density Residential and to the east is Ag-Suburban.

Bishop – So, in the county is can be up to 14.5 units per acre, what would the density be in the city?

Kimball – Typical density for an R-3 in the City right now is 18 units per acre, for an apartment complex, I believe the townhouses in that zone are 21 units per acre which I don't believe this is a good fit for townhouses. This has been zoned High-Density Residential for a long time and it has not been developed as such in the county.

Davis – Correct me if I am wrong, but at about 8.6 acres and 18 units per acre, you also have included the road improvements as well. Which will drive that number down.

Kimball – Yes, the idea is not put as many apartments as we can here it is to revitalize this area.

Testimony:

In Favor - None

Neutral – Read by Davis – Mary Strain – Need privacy from multi-story units that would overlook into yards.

In Opposition

Laurie Potts, 4455 E Maplewood Ave – Our single-family neighborhood, streets, and schools are already at our limits. Adding an R-3 development will make the traffic, streets, and care beyond what it can handle. I don't feel this is a deteriorating part of town as you get closer to the river the higher value the homes are. I wouldn't consider the mobile home park high-density, I didn't see on the map where it stated it was an R-3. The business to the north do not require allot of traffic you go to them for a purpose. What type of development is coming, is it low-income? We already have traffic issues and with more people and more traffic comes more issues.

Glenn Courtney, 4576 E 3rd Ave – I am 1 of the 4 that live to the east of Pinion Park on 3rd and it is a dead end street. My concern is the roads and the high-density apartments I would rather see single-family like Pinevilla.. Also the drainage, where is all the run-off going to go if they add a big complex with parking lots etc.

Rebuttal – Kimball – The widening happens on our side that fronts the property all the way around it. The idea is to make the streets safe and with this project along Pinion Park and 3rd it would be widened on our side and 3rd is a dead end to the east however, the traffic from the development would go west on 3rd. City Ordinance states that the drainage remains onsite, we will take care of it with swales and dry wells. City Sewer will be brought into the site and the existing septic will be removed, this is a good thing as we are on an aquifer. I don't want to add to criminal activity being associated with apartments, I used to live in one and I don't consider myself to be a criminal. We all hit traffic, traffic is going to happen everywhere. Our City Staff has a Transportation Master Plan and they go into detail in the studies and when they review new land use applications they look at everything. All we can do is plan for more people to come and plan for increased traffic as the city has done.

Carey – The property to the west is high-density in the County, correct?

Kimball – Correct.

Carey – Even though it is a mobile home park right now it could be turned into high-density.

Kimball – There are allot of mobile homes in there, honestly I don't know what the current density is, and I don't know what it could be.

Carey – I would like to know the City plans for 3rd Ave.

Melvin – With development they would need to dedicate 70' of right-of-way along 3rd and Pinion Park which would provide access to 3rd and additional access to Maplewood Ave. We have not completed a detailed traffic study as mentioned we manage the traffic patterns through our Transportation Master Plan this is in conformance with it. Also worth mentioning along with the widening of HWY 41 ITD is also going to improve the interchange at HWY41 and Ross Point and is in line with what is going on down there. We are only looking at an annexation currently however, with development will come improvements on 3rd and the section between the development and Ross Point Rd that is currently gravel we will help them pave that section in order to limit the gravel as the traffic is increased.

Hampe – Is this two separate recommendations?

Wilson – It is two determinations tonight and the Comprehensive Plan is whether you would want to make that recommendation to change the northern piece from commercial to residential.

Hampe – So, you would need to make the Comp Plan first and then the annexation.

Comments –

Latham – I lived that way in my 20's and I would bike it, it is funny that there is commercial backed up to the railroad tracks and it isn't laid out real well. I guess at some point it made

sense for these to be backed up the railroad however, now a days that isn't where you would want commercial property. I am always wanting to see commercial stay and not be changed but in this case I think it makes more sense and I like it.

Bishop – I would normally like to always see commercial be a buffer and then multi-family be another buffer to the single-family but in this case, it is a unique area. Traffic is limited and I think in this area it makes more sense as a residential property.

Hampe – I think commercial has had a long time to develop if it was going to as an alternative, this is a good plan.

Carey and Steffensen – Agree with majority.

Davis – I think we all agree even those that live around there; there needs to be some kind of improvement. We are only looking at an amendment and an annexation and it is nice to see that ITD is looking at that interchange and improvements there.

Carey – Can I ask a question?

Wilson – Is it procedural?

Carey – Conditions 1 and 2 for the annexation are they also part of the amendment?

Wilson – No, those get looked at when we negotiate an annexation agreement once it is adopted by City Council.

MOTION TO APPROVE BY: CAREY FOR THE AMENDMENT OF THE FUTURE LAND USE MAP FROM COMMERCIAL TO RESIDENTIAL DESIGNATION.

2ND BY: HAMPE

VOTE: HAMPE – YES; BISHOP – YES; LATHAM – YES; DAVIS – YES; CAREY – YES; STEFFENSEN - YES

MOVED

MOTION TO APPROVE BY: STEFFENSEN; FINDING IT IS CONSISTENT WITH THE COMP PLAN AND THE AMENDMENT OF THE COMP PLAN AND ADOPTING THE FINDINGS FOUND IN THE STAFF REPORT WITH THE REQUESTED ZONING OF R-3.

2ND BY: BISHOP

VOTE: STEFFENSEN – YES; CAREY – YES; BISHOP – YES; LATHAM – YES; DAVIS – YES; HAMPE - YES

MOVED

C. Ruby Springs Annexation and Subdivision File No(s). ANNX-0008-2019/SUBD-0013-2019 (ACTION ITEM) – Ethan Porter, Planner 1, To Present

Requested action is to review the Annexation request of approximately 5.73 acres and to make a recommendation of the proposed Single-Family Residential (R-1) zoning designation and subdivision to City Council. Located along Prairie Ave which is a Principal Arterial; to the west is N. Chase Rd which is a minor arterial and to the east is Spokane St which is a major collector. To the north is Crown Pointe, a SmartCode Subdivision; east is a single-family subdivision (R-1) and to the south is Pheasant's Landing which is another R-1 subdivision. To the west is county large lot residential. The property is currently a large lot residential home within the County with no significant topography or vegetation present. Water will be provided by East Greenacres Irrigation and the sewer by City of Post Falls.

Zone Change Criteria:

- Consistent with Future Land Use Map – the proposal is consistent with the Future Land Use Map.

- Consistent with the Goals and Policies Found in the Comprehensive Plan –This project will help with the pedestrian network as well as being considered infill, as it abuts on three side to the City boundary lines. Sewer would also be brought in and more septic tanks being dismantled which helps with our aquifer.
- Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features. Encourage a balance of land uses to help Post Falls remain a desirable, stable, and sustainable community. There will be no negative impact with transportation; there is an existing home that has access to Prairie for now, once the annexation goes through and the subdivision is in process the access will change to the inner road network of the subdivision.
- Commercial and high-density residential zoning is typically assigned along streets with a higher road classification. Not applicable
- Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity. Ensure that adequate land is available for future housing needs. This proposal is not along a commercial corridor nor is it within our City Center.
- Industrial zoning is typically assigned for properties with enough access to major transportation routes and may be situated away from residential zoning. – Not applicable.

Subdivision Review Criteria:

- 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 – There is adequate capacity
- Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows. – There is adequate capacity
- Proposed streets are consistent with the transportation element of the comprehensive plan. There are two proposed streets; Kilchis Ave and Kiwanda Ave and are consistent with the Transportation Master Plan.
- 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. There are no topographical conditions or hazards.
- The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements founds in this code. The development will conform to the R-1 standards found in our PFMC.
- 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. Impact fees will be paid at time of building permits.

All other agencies have been notified and the Post Falls Police Department remains neutral.

Applicant – Ray Kimball, Whipple Consulting Engineers – As previously discussed it is consistent with the Future Land Use Map and the current surrounding zoning. The proposed R-1 zoning is near the current northern edge of the City and approximately two miles from the higher intensity Seltice Way corridor. This project is consistent with the goals and policies found in the Comprehensive Plan as described in the narrative and staff report. The minimum and

maximum lot areas will be approximately 8,712 square feet to 24,296 square feet. The target market is for the retiree that want a three car garage and minimal yard work. We also have “shop lots” they are a little deeper just as wide to fit a nice house with a three car garage and a shop in the back. Domestic water will be provided by East Greenacres Irrigation District and sanitary sewer will be provided by the City of Post Falls. We will be providing connectivity to the adjacent properties and there are no known hazards or topographical conditions. This meets all proposed requirements of the R-1 zoning.

Bishop – What will happen with the Prairie Ave. right-of-way?

Kimball – So, all of the properties between Chase and Idaho St. that come into the city all still dedicate the appropriate right of way to the City, draw up a preliminary plan to make the improvements, come up with cost estimates and give that amount to the City of Post Falls. From there the City puts that money into an account and when they revive all funds for all properties they will then build out the improvements along Prairie at the same time so we don’t end up with pockets of non-improved roadways along that main arterial. (health and welfare and safety of the public).

Hampe – So, will they come out onto Ash?

Kimball – They will head south on Mashie and either turn left or right onto Ashworth.

Bishop – Last question, that little buffer zone, what does that look like? On the west of the proposal.

Kimball – That is a fire apparatus, our fire code states we can only go 150 feet until we need a fire apparatus turn around. So this little stretch was our solution, it will affect those two lots and will go away once more development comes in.

Testimony:

In Favor – Read by Davis – Wade Jacklin in Favor and Michael Siegmann in Favor both not wishing to speak.

Neutral - None

In Opposition - None

Bill Melvin, City Engineer – I want to clarify a little on the emergency turn around access. When weather hits and our city crews come in they will be moving all the snow to the end of those roadways so we want to ensure that there will be adequate room for the emergency services as well. I just wanted to be clear that this may not be the final layout of what it will look like however, it will be adequate for all parties.

Comments:

No comments by Commission

MOTION TO APPROVE BY: CAREY – SUBDIVISION; FINDING IT IS CONSISTENT WITH THE COMPREHENSIVE PLAN AND ADOPTING THE FINDINGS AND CONDITIONS 1-12 AS FOUND IN THE STAFF REPORT.

2ND BY: BISHOP

VOTE: STEFFENSEN – YES; CAREY – YES; DAVIS – YES; LATHAM – YES; BISHOP – YES; HAMPE - YES

MOVED

MOTION TO APPROVE BY: HAMPE – ANNEXATION; WITH AN R-1 ZONING DESIGNATION

2ND BY: STEFFENSEN

**VOTE: HAMPE – YES; BISHOP – YES; LATHAM – YES; DAVIS – YES; CAREY – YES;
STEFFENSEN - YES**

MOVED

D. Title 18A & 18 Text Amendment File No. TA-0003-2019 (ACTION ITEM) – Robert Seale, Community Development Director, To Present

The requested action is to amend the parking requirements within Title 18A and regulations for residential driveway lengths and setbacks within Title 18.

18A.20.070 Building Configuration: General to zones SC-2 – SC-6 adding:

7. All principal buildings must have a primary entrance facing the public sidewalk that is made readily identifiable by the use of canopies, forecourts, porticos, clerestory and/or side windows and/or other architectural details. Interior buildings (secondary buildings) may utilize will-lit and clearly marked pedestrian oriented plazas, or courtyard entrances to service as principal entrances. Entrances at building corners may be used to satisfy this requirement. All entrances must be connected to the sidewalk within the public frontage and/or private frontage by providing a concrete, asphalt, or utilizing pavers for a connection.

18A.20.110 Parking and Density Calculations: Specific to zones SC4, SC5, SC6:
adding/removing:

1. Buildable Density on a lot for a nonresidential or vertical mixed use is shall be c) by paying fees in lieu of providing parking spaces as allowed by Section 18A.20.105 purchase or lease from a civic parking reserve within the pedestrian shed, if available. No more than 50% of the required parking can be provided in the parking lanes corresponding to the lot frontage. Buildable density on a lot for a residential use is determined by the sum of the actual parking calculated as that provided: a) within the lot, b) along the parking lane corresponding to the lot frontage, and c) by paying fees in lieu of providing parking spaces as allowed by Section 18A.20.105. No more the 25% of the required parking can be provided in the parking lanes corresponding to the lot frontage.

18A.28.010: Basic Development Standards; Fees in Lieu of Parking: Adding:

Instead of furnishing the off-street parking spaces required for uses within the downtown (SC-4, SC-5 zones), in-lieu payments may be made as set forth in this section.

A. Fee Established: The City Council will adopt an in lieu of parking fee by resolution. The fee should reflect the cost of acquiring property and constructing public parking spaces within the downtown. The fee will be calculated as follows: Average tax assessed property value in the downtown per square foot multiplied by two hundred seventy (270) square feet (the size of a parking stall and a portion of the access drive) plus the average cost of constructing a parking space. The adopted fee should be reviewed annually by the City Council.

B. Payment of fee: Prior to the issuance of a building permit, an applicant for payment of in-lieu of parking fees must pay the fee for each parking space that they desire to replace. An applicant may utilize a combination of actual spaces as otherwise allowed by this title and fees in-lieu of parking up to the following limits:

1. If eight (8) or fewer parking spaces are required, fifty percent (50%) (rounded up to the next space) of the spaces may be replaced with fees in-lieu.
2. If nine (9) to twenty (20) required parking spaces are required, forty percent (40%) (rounded up to the next space) of the spaces may be replaced with fees in-lieu.
3. If more than twenty-one (21) parking spaces are required, thirty percent (30%) (rounded up to the next space) of the spaces may be replaced with fees in-lieu not to exceed fifteen (15) parking spaces.

- C. Fund to be Established: The City Council will set up a special fund for revenues received from the payment of in-lieu of parking fees to be used only for the purposes of providing public parking facilities reasonably related to serving the downtown by either purchasing or improving property for public parking purposes.
- D. Notation of Payment of Fees: The number of parking stalls offset by the payment of in-lieu of parking fees will be noted on the Certificate of Occupancy for the building.

Changes to Table 10: Removing

Limited Retail: The building area available for Retail use is limited to the first story of buildings at corner locations, ~~not more than one per block~~ and by the requirement of 4.0 assigned parking places per 1000 square feet of net retail space in addition to the parking requirement of each dwelling. ~~The specific use shall be further limited to neighborhood store, or food service seating no more than 40.~~ (SC-4)

Open Residential: The number of dwellings on each lot is limited by the requirement of ~~4.0~~ 1.5 parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11) (SC-5; SC-6)

Seale – Are there any questions so far?

Carey – The “in-Lieu of” how is this determined?

Seale - Instead of furnishing the off-street parking spaces required for uses within the downtown (SC-4, SC-5 zones), in-lieu payments may be made as set forth in this section. So, this is designed to help the developer with their design and some lots are tighter than others and the developers may not be able to construct all parking onsite. So, they can pay money and have more parking constructed in the downtown area and utilized some of the on-street parking as part of the requirements.

Carey – So, will the building department make that decision?

Seale – No, this will be taken care of at the Site Plan Phase.

Wilson – Commission Carey, I wanted to note that this concept was already in the code, just wasn't very clear. It stated that you could purchase parking spaces from the City reserve, it just wasn't really implemented. This allows the City to acquire funds to build additional parking spaces for the downtown area.

Carey – Thank you

Davis – This is cleaner language.

Wilson – It's more specific and clear on what you can do.

Bishop – Is there already a set requirement for on-site parking for non-residential?

Seale – The non-residential has its own parking requirements. The only thing we changed is what counts for on-street parking. Rather how much on-street counts towards the requirements. This has been changed from 100% down to 50% of the requirements can be on-street.

Davis – Now Residential is at 25%.

Seale – Yes. As well as the number of parking spaces required per unit. From 1 to 1.5

18.20.040: Official Bulk and Placement Regulations Table – Not 3: Adding and Removing:
3. The front yard setback for garages is a minimum of twenty feet (20') measured from the front of the garage to the property line or the edge of the sidewalk nearest the structure if the sidewalk has been constructed outside of the right of way (in an easement), whichever is closer to the garage. ~~Minimum 20-foot setbacks to residential garages are required, measured to property lines or back of sidewalk when within an easement, whichever is closer.~~

18.20.150: Administrative Exceptions: Subsection A1:

1. A maximum twenty percent (20%) reduction in required setback from external property lines provided that the front yard setback for a residential structure can't be reduced below ten feet

(10') to the front of the residence or twenty feet (20') to the front of the garage measured from the edge of the sidewalk nearest the structure. If no sidewalk is present, front yard setbacks may not be reduced through an administrative exception;

B. Administrative exceptions may be granted upon the finding that such exception is consistent with the general intent of this title. ~~Administrative exceptions shall not be granted when the request is to reduce the front yard setback to a residential structure to less than ten feet (10') or garage to less than twenty feet (20'), with setbacks to garages measured from the property line or back of sidewalk when placed within an easement.~~

18.24.020: General Standards: Subsection H: Surfacing:

1. Residential: All required residential access drives and parking areas must be surfaced with concrete or asphalt paving. Driveways to individual residences may not exceed a maximum of twenty percent (20%) slope, provided that any residence with a driveway in excess of fifteen percent (15%) slope must be provided with a separate access route from the front door to the edge of the paved street or sidewalk that meets the design requirements for a means of egress contained in the adopted Building Code applicable to structure. Each driveway must have a drive approach that meets city standards. Driveways to individual residences must measure a minimum of fourteen feet (14') in width and 20 feet in length. ~~Twenty feet (20') in depth including the City Standard drive approach.~~

All agencies have been notified.

Davis – What is the action we would take on this?

Wilson – A motion to recommend approval or denial to City Council.

MOTION TO APPROVE BY: STEFFENSEN AS PRESENTED

2ND BY: BISHOP

**VOTE: HAMPE – YES; BISHOP – YES; LATHAM – YES; DAVIS – YES; CAREY – YES;
STEFFENSEN - YES**

MOVED

5. NEW BUSINESS

N/A

6. ADMINISTRATIVE/STAFF REPORTS

N/A

7. COMMISSION COMMENTS

N/A

8. ADJOURNMENT

MOTIONED BY CAREY 7:56PM

Questions concerning items appearing on this Agenda should be addressed to the Community Development Department – Planning Division at 208-773-8707.

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. Thank you.

Planning & Zoning Commission meetings are broadcast live on Post Falls City Cable on cable channel 1300 (formerly 97.103). City videos are also available as video on demand on the City website.

Chair: Ryan Davis Vice Chair: Ray Kimball
Members: Mark Latham, Vicky Jo Carey, Nancy Hampe, Sam Bishop, James Steffensen

Date: _____

Chairman/Vice Chair: _____

Attest: _____



**CITY COUNCIL, PLANNING &
ZONING COMMISSION,
URBAN RENEWAL
WORKSHOP MUNITES**

**August 27, 2019
3:00 PM**

Location: Q'emiln Trailhead, 12361 W Parkway Dr, Post Falls, ID 83854

WORKSHOP – 3:00 pm Q'emiln Trailhead Event Center

Topic: Development of Downtown Urban Renewal Districts Utilizing Various Tools.

CALL TO ORDER BY MAYOR JACOBSON

ROLL CALL OF CITY COUNCIL MEMBERS

Alan Wolfe, Steve Anthony, Lynn Borders, Linda Wilhelm - **Present**
Kerri Thoreson, Joe Malloy - **Excused**

ROLL CALL OF URBAN RENEWAL AGENCY MEMBERS

Jerry Baltzell, Len Crosby, Larry Carstensen, Jame Davis, Eric Clemensen - **Present**
Collin Coles, Laura Horn – **Excused**

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Ryan Davis, James Steffensen, Vicky Jo Carey, Sam Bishop, Nancy Hampe - **Present**
Mark Latham, Ray Kimball - **Excused**

The Community Development Department is going to host the Urban Land Institute of Idaho (ULI) for an informative session on the development of downtowns utilizing various tools including to Urban Renewal Districts. The session will include presentations and roundtable discussions as well as a Q&A session. Depending upon the Q&A and the number of case studies, the session will last 2 to 4 hours. Below is break down of the session.

ULI Idaho will develop a panel of industry professionals to provide outside perspective and visual case studies from communities that have implemented successful policies for downtown development/redevelopment including the use of urban renewal districts to complement and encourage appropriate real estate projects. The workshop will center on best practices as it relates to the following:

- What types of tools could be used to further the redevelopment of Post Falls to further the redevelopment of the downtown?
- What types of projects have been successful elsewhere?
- Best practices in creating a downtown core where businesses want to locate, and people want to live and visit.
- Revitalizing historic town centers including the redevelopment and adaptive reuse of historic buildings.

- Using parks, open space, and trails around waterfronts to create a sense of place.
- Best practice for and examples of communities using urban renewal districts to support the above with tax increment financing.

Workshop Begins/Welcome: Robert Seale, Community Development Director, City of Post Falls
We have invited the Urban Land Institute to come here today to discuss how we can use Urban Renewal for our proposed downtown area.

ULI Overview: Alexandra Monjar, Manager, Urban Land Institute Idaho

We are a nonprofit organization that provides leadership in responsible use of land and in creating and sustaining thriving communities worldwide. We do research, network, and grow our professional and provide expertise through our members. We are going to show some examples of downtown development and give some tools you can use for development.

Creating Successful Downtowns: Derick O'Neill, President, Rivershore Development

One of the most important parts of creating a successful downtown is a shared vision. Communicate a clear vision to the public. Strengthen links between land use, urban design, transportation and sustainability. Provide clear guidance at the planning-area level. Synchronize regulations with community vision. Balance your portfolio to ensure success for every demographic. Guiding principles should be:

Innovation – People + Ideas. Employment center of choice. Learning for all.

Celebration – Entertainment + Energy. Public places and spaces. Welcome new residents. Events for all.

Transportation – Connectivity + Convenience. Accommodate Autos. Smarter parking. Dedicated bike lanes. Celebrate pedestrian crossing. Downtown circulator.

Revitalizing Downtowns with Urban Renewal: Meghan Conrad, Shareholder, Elam & Burke
Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code.

How is Urban Renewal funded? When a revenue allocation area is formed, property valuation is calculated on a parcel-by-parcel basis. This is the base assessment roll of the revenue allocation area. Base assessment roll for the geographic area under consideration (or collectively if more than on district) cannot exceed 10% of the current assessed value for the entire city. Due to the redevelopment, it is anticipated the property values will rise. If property values increase above the base value, the added value is called the increment. What types of projects can Urban Renewal fund? This may include undertakings and activities of a municipality in an urban renewal area for the elimination of deteriorated or deteriorating areas and for the prevention of the development or spread of slums and blight and may involve slum clearance and redevelopment in an urban renewal area, or rehabilitation or conservation in an urban renewal area, or any combination or part thereof in accordance with an urban renewal plan. Such undertakings and activities may include:

- Property acquisition
- Demolition and removal of buildings and improvements
- Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, off-street parking facilities, public facilities or buildings and other improvements necessary for carrying out in the urban renewal area the urban renewal objectives of this chapter in accordance with the urban renewal plan.
- Property disposition.
- Repair and rehabilitation of buildings or other improvements.

What are project financing options?

- Pay-as-you-go. Often no tax increment is available to fund projects on a pay-as-you-go method until at least two years after plan creation. Many projects require infrastructure immediately in order for a project to go, requiring financing of improvements.
- Developer reimbursement agreements.
- Owner participation agreements.
- Conventional bank loans
- Bonds

Urban Renewal District Strategies of Capital City Development Corporation: Doug Woodruff, Senior Project Manager, Capital City Development Corp (CCDC)

Urban Renewal is the primary economic development tool for the State of Idaho. It catalyzes growth through public infrastructure investments.

Key Strategies

- Economic Development: Cultivate commerce and grow resilient, diversified, and prosperous local economies.
- Infrastructure: Improve public infrastructure to attract new investment and encourage best use of property.
- Mobility & Parking: Expand mobility choices that include parking and multiple transit modes to enable universally accessible urban districts.
- Place Making: Develop public spaces and energized environments where a blend of cultures and concentrated mix of uses create a valued sense of place.
- Special Projects: Invest in projects that respond to emerging revitalization opportunities including public amenities, historic preservation, and support of local arts and culture.

Case Study: Transforming McCall: Michelle Groenevelt Community & Economic Development Director, City of McCall

The MRA District was established in 1990 in downtown McCall. The area that was focus on in the district was Legacy Park. We wanted to create a sense of place on the lake in downtown. Since the park was finished many events have happened there. with the design of the park a lot of people can be there and there is still a good flow for pedestrian traffic. Other area in the district being focused on is the corner of 2nd and Lenora St (downtown core project).

Case Study: Destination Caldwell: Keri Smith-Sigman, CEO, Destination Caldwell

Destination Caldwell Brand Promise: "To position Caldwell as Idaho's premier gathering place with a focus on locally produced wines along the Sunnyslope Wine Trail, market fresh goods and farm to fork dining."

Reasons to revitalize Caldwell

- To slow the leakage of locally earned money being spent elsewhere.
- Increase property values in downtown.
- Help businesses downtown become more successful.
- To make downtown a vibrant, active gathering place and a showcase for the Western United States.

Put Caldwell "on the map" as a desirable place to live, visit and raise a family.

We found that lots of people in the community wanted these exact things. One of the committee members was tasked with the Urban Renewal Agency's Sky Ranch Business Park. A lot of the businesses he was recruiting were talking about the quality of life. They wanted to know about the health of the downtown. He lost tons of leads because we didn't offer much or anything.

Urban Renewal Project Indian Creek Plaza first 12 months of operations fun facts

- At least 137,000 event and activity attendance.
 - 139 events and activities days.
 - 99 ice skating days.
 - 304,412 pedestrians and/or bikes crossed the Indian Creek Bridge at TVCC (up 100,000 from previous 12 months).
 - We will end 2019 with 277 events/activities, plus 100 days of ice skating.
- Indian Creek Plaza the Living Room of our community.

ADJOURNMENT 5:00 PM

Ryan Davis, Chair
Planning & Zoning Commission

Ronald G. Jacobson, Mayor

Attest: Amber Blanchette

Shannon Howard, City Clerk

REFRESHMENTS

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 408 Spokane Street or call 208-773-3511. City Council and City commission meetings are broadcast live on Post Falls City Cable on cable channel 1300 (formerly 97.103). City videos are also available as video on demand on the City website.

Mayor Ronald G. Jacobson

Councilors: Kerri Thoreson, Alan Wolfe, Joe Malloy, Steve Anthony, Lynn Borders, Linda Wilhelm

Mission

The City of Post Falls mission is to provide leadership, support common community values, promote citizen involvement and provide services which ensure a superior quality of life.

Vision

Post Falls, Idaho is a vibrant city with a balance of community and economic vitality that is distinguished by its engaged citizens, diverse businesses, progressive leaders, responsible management of fiscal and environmental resources, superior service, and a full range of opportunities for education and healthy lifestyles.

“Where opportunities flow and community is a way of life”

Savory Comp Plan Amendment & Annexation File No. CPA-0002-2019/ANNX-0006-2018

Planning and Zoning Commission

Reasoned Decision

A. INTRODUCTION:

APPLICANT: RAY KIMBALL, WHIPPLE CONSULTING ENGINEERING

LOCATION: GENERALLY LOCATED ALONG E 3RD AVE., SOUTH OF E. SELTICE WAY,
NORTH OF E. MAPLEWOOD AVE., AND EAST OF HWY 41.

REQUEST: ANNEXATION OF 8.61 ACRES WITH HIGH-DENSITY MULTI-FAMILY
RESIDENTIAL (R-3) ZONE AS DEPICTED IN EXHIBIT A-2 ALONG WITH
AMENDING THE FUTURE LAND USE MAP WITHIN THE COMP PLAN FROM
COMMERCIAL TO RESIDENTIAL.

B. RECORD CREATED:

1. A-1 Annexation Application.
2. A-1 Comp Plan Application
3. A-2 Annexation/Comp Plan Narrative
4. S-1 Staff Vicinity Map
5. S-2 Staff Zoning Map
6. S-3 Staff Future Land Use Map
7. S-4 Parks Map
8. S-5 Bus Routes
9. PA-1 PFPD Comments
10. PA-2 KCFR Comments
11. P&Z Staff Report
12. Testimony at the August 13, 2019 hearing including:

Jami Hayes, City Planner.

Ms. Hayes testified that the applicant is seeking annexation, a comprehensive plan amendment from Commercial to Residential and initial zoning of multi-family residential (R-3) for approximately 8.61 acres generally located east of N. Ross Point Road, south of E. 3rd Ave. on the northwest corner of E Maplewood Ave and N Pinion Park Rd. She testified that the subject property is currently vacant and is surrounded by medium to high-density to the west and south with single-family development to the south and east. She noted that the site has no significant topology or vegetation. She testified that, with development, water and sewer would be provided by the City. She testified that Maplewood Ave and Ross Point Road are designated as Major Collectors. She noted that this proposal could create a buffer between the commercial and industrial uses along Seltice Way and the single-family residential uses to the south.

Ray Kimball, Applicant's Representative.

Mr. Kimball testified that the subject property has been owned by the Savory family for approx. 50 years. He noted that this area of the community needs rejuvenation. He testified that the property is currently zoned High-Density Residential in the county. He noted that on the north side of 3rd Ave there are little Commercial/Industrial type shops which contain a little publishing company and a couple automotive

repair shops and a large portion of 3rd Ave is a gravel road. Pinion Park Rd is a narrow, paved road that is county maintained. With any development of this site, both Pinion Park and 3rd Ave will be improved to City standards, with 3rd Ave. envisioned as the main entrance into the development. He noted that because 3rd Ave. dead-ends past Pion Park Road, vehicles with likely exit west. He testified that the requested R-3 zoning is the correct zoning for this area given the current High-Density Multi-Family zoning in the county and the surrounding development patter with adjoining multi-family and low impact light industrial/commercial to the north. He also noted that the multi-family with provide for a high property value transition from a dilapidated commercial area to residential properties to the south of Maplewood. He noted that the requested zoning is consistent with the area street classifications with two collectors (Maplewood and 3rd Ave) and that the site is approx. ¼ mile from an existing transit stop. He testified that the site is relatively flat and suitable for an R-3 development. He testified that under City ordinances, drainage must remain on site.

Laurie Potts.

Ms. Potts testified that the single-family neighborhood, streets, and schools are already at our limits. Adding an R-3 development will make the traffic, streets, etc. beyond what they can handle. She doesn't believe that this is a deteriorating part of town. She noted that the closer to the river you get the higher the home values are. She testified that she didn't consider the mobile home park in the area as high-density and that the businesses to the north don't generate much traffic. She questioned if the development would be low-income housing.

Glenn Courtney.

Mr. Courtney testified that he lives east of Pinion Park Road on 3rd Ave. and it is a dead-end street. He testified that his concern is the roads, the high-density apartments and the drainage. He testified that he would rather see single-family development.

Bill Melvin, City Engineer.

Mr. Melvin testified that with development the developer will need to dedicate 70' of right-of-way along 3rd and Pinion Park which would provide access to 3rd and additional access to Maplewood Ave. He noted that a detailed traffic study has not been completed because the city manages traffic patterns through our Transportation Master Plan and the proposed development is in conformance with the master plan. He also noted that in conjunction with the widening of Highway 41, ITD will be improving the interchange at Highway 41 and Ross Point Road.

C. EVALUATION OF APPROVAL CRITERIA:

C1. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features (M.C. 18.16.010).

The applicant has requested Multi-Family (R-3) zoning for the property to be annexed. The staff report indicates that the property is currently designated Commercial on the Future Land Use Map. However, that applicant has requested a change to Residential, which we have recommended. As such we find that the requested zoning will be consistent with the Future Land Use Map if the map change is approved by the City Council. The staff report notes that the property is on 3rd Ave. (Local Residential Collector) with access to Maplewood Ave. (Major Collector) and Ross Point Road (Major Collector), which are higher road classifications and would be consistent with the higher density R-3 zoning designation. As such, we find the requested zoning consistent with the street classification. There was no testimony to the contrary on these points, given that, we find that the requested R-3 zone is consistent with the street classification, future land uses and community plans.

Concerning compatibility with existing development, Ms. Hayes and Mr. Kimball both testified that

the subject property is in an area of existing multi-family development and is located between a commercial/industrial corridor along the railroad line and Seltice Way to the north and single-family residential uses to the south. While Ms. Potts testified that she did not consider the existing mobile home park to be high-density, we find that the requested R-3 zoning is consistent with the existing uses in the area and will provide a buffer between the high intensity uses on the north and the single-family uses to the south.

Finally, regarding unusual geographic or natural features, the staff report indicates that there are no geographic or other natural features that would impact the proposed development. There was no other testimony. As such we find that the property can be developed consistent with the R-3 zone.

C2. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification (M.C. 18.16.010).

As noted above, the subject property is accessed from a Local Residential Collector and a Major Collector, which are higher road classifications. There was not testimony or other evidence to the contrary. As such, we find this criterion has been met.

C3. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity (M.C. 18.16.010).

Because the requested zone is the R-3 Multi-Family zone, this criterion is not relevant to this request.

C4. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning (M.C. 18.16.010).

Because the requested zone is the R-3 Multi-Family zone, this criterion is not relevant to this request.

C5. Amendments to the zoning map should be in accordance with the Future Land Use Map (M.C. 18.20.100).

As noted above, the Planning Commission has recommended that the Future Land Use Map designation for the property should be amended from Commercial to Residential. If the requested amendment is approved by the City Council, the requested multi-family zone will be consistent with the Future Land Use Map "Residential" designation.

C6. Amendments to the zoning map should be consistent with the goals and policies found in the Post Falls Comprehensive Plan (M.C. 18.20.100).

Based on the staff report, we find the requested zone change is consistent with the goals and policies contained in the comprehensive plan. Specifically, we note, that the proposal is consistent with the following policies:

Annexation Policies: 2, 3, 4.
Overall Policies: 1, 5, 7, 10 & 12.
Residential Policies: 2, 4 & 5.
Transportation Policies: 2.

D. STEPS THE APPLICANT CAN TAKE TO OBTAIN APPROVAL:

Because the Commission is only making a recommendation, this section is not applicable.

E. CONCLUSION AND DECISION:

The Planning and Zoning Commission hereby recommends that the applicant's request for R-3 zoning be approved upon annexation.

Approved by the Planning Commission on _____

Date

Chairperson

Attest

NOTICE OF RIGHT TO REQUEST A TAKINGS ANALYSIS:

AN APPLICANT WHO IS AGGRIEVED BY A FINAL DECISION IS ENTITLED TO REQUEST THAT THE CITY PROVIDE A REGULATORY TAKINGS ANALYSIS AS REQUIRED BY I.C. 67-8003. THE REQUEST MUST BE MADE WITHIN 28 DAYS OF THE DATE OF THE FINAL DECISION IN THIS MATTER.

**BEL CIELO PHASE III Annexation
File No. ANNEX-0007-2018**

Planning and Zoning Commission

Reasoned Decision

A. INTRODUCTION:

APPLICANT: DREW DITTMAN, LAKE CITY ENGINEERING CONSULTING

LOCATION: GENERALLY LOCATED ALONG E. 16TH AVE. AND EAST OF HWY 41.

REQUEST: ANNEXATION OF 4.84 ACRES WITH THE HIGHT-DENSITY MULTI-FAMILY RESIDENTIAL (R-3) ZONING DESIGNATION.

B. RECORD CREATED:

1. A-1 Annexation Application.
2. A-2 Annexation Narrative
3. S-1 Staff Vicinity Map
4. S-2 Staff Zoning Map
5. S-3 Staff Future Land Use Map
6. S-4 Parks Map
7. PA-1 PFPD Comments
8. PA-2 KCFR Comments
9. P&Z Staff Report
10. Testimony at the August 13, 2019 hearing including:

Jami Hayes, City Planner.

Ms. Hayes testified that the applicant is seeking annexation and initial zoning of multi-family residential (R-3) for approximately 4.84 acres generally located east of Highway 41 (Principal Arterial) just south of E 16th Ave (Major Collector). She noted that the Future Land Use Map in the Comprehensive Plan designates this area for residential growth consistent with the requested R-3 zone. She noted that the property is vacant with Agricultural zoning in the County. The property has no significant topology or vegetation. She testified that surrounding uses include Goodwill on the corner of 16th and Highway 41, Bel Cielo phases 1 and 2 to the west and mobile home parks to the south and east in the County with a High-Density (14 units/acre) zoning designation. The surrounding zoning is a mix of Community Commercial Services (CCS), High-Density Multi-Family (R-3) and to the west is R-2, medium density. With development, water would be provided by Ross Point Water District and sewer by the City.

Drew Dittman, Applicant's Representative.

Mr. Dittman testified that this is the third phase of Bel Cielo with 16th Ave. running east and west and Highway 41 running north and south. He noted that the proposed zoning fits with the surrounding area with commercial and high-density multi-family surrounding the proposal. He also testified that it fits with the Comp Plan and the goals and policies that are in the staff report. It is also in conformance with the Transportation Master Plan and the Wastewater Master Plan. He noted that 16th Ave. will be widened with development including sidewalks. He testified that between phase 1 and 2 there are a total of 180 units. Phase 2 remains under construction and will not be complete until spring of 2020. He noted that there is not a plan for phase 3 yet. The may construct apartments, duplexes or triplexes. He testified

that they need to construct a sewer line and a north/south backage road. Given that, the earlies they would break ground would be next summer with about a year to complete construction

June Peterson.

Ms. Peterson testified that she has lived in the area since 1973. She noted that while there are high density developments in the area there are also many single-family homes further down the street. She testified that it is difficult to get onto Highway 41 because of traffic and the two-lane 16th Ave. doesn't support the traffic that will be generated by this proposal. She said that while the road was widened at the beginning, there isn't any striping making it difficult to drive on. She noted that she has almost been in an accident twice. Cars are being left on the road with flat tires. She testified that there are too many people in a small area, and it is not conducive to families living there.

David Shinault.

Mr. Shinault testified that he has lived in the area since 2008. He noted that since Goodwill and phase 1 of Bel Cielo were constructed there has been a tremendous amount of traffic. He testified that without a signal at the intersection of 16th Ave and Highway 41 it is very unsafe getting onto Highway 41 at any time of day. He also noted that pedestrian connectivity isn't complete in the area. There are no sidewalks on Highway 41, and they don't continue down 16th Ave. He testified that his daughter is a new driver and he requires her to drive up to Poleline Ave. where there is a traffic signal. 16th Ave. is only a two-lane road and more lanes for people who are turning are needed or going straight across Highway 41. He testified that these improvements are needed before this proposal is up and running.

Bill Melvin, City Engineer.

Mr. Melvin testified that ITD has a \$40 million project to widen Highway 41 from Mullan Ave. to Rathdrum that is planned to begin in spring of 2020. The project includes widening 16th Ave to 40 feet with a travel lane in each direction and a center turn lane. The remainder of 16th Ave. will be improved as development occurs. The project also includes installing a traffic signal at the Highway 41/16th Ave intersection. The signal likely wouldn't be functional until 2021. There is also a plan to construct a north/south backage road between Mullan Ave. and Prairie Ave. to relieve some of the traffic along Highway 41 that will be constructed as development occurs.

C. EVALUATION OF APPROVAL CRITERIA:

C1. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features (M.C. 18.16.010).

The applicant has requested Multi-Family (R-3) zoning for the property to be annexed. The staff report indicates that the property is designated Residential on the Future Land Use Map, which is consistent with the requested zoning. As such, we find that the requested zone is consistent with the future land uses in the area as well as community plans for this area.

The staff report notes that the property is located on a Major Collector (16th Ave.), which is the preferred location for higher density developments. While Mr. Shinault and Ms. Peterson testified that the intersection of 16th Ave and Highway 41 is not improved with a traffic signal and traffic is currently an issue on 16th Ave., Mr. Melvin testified that ITD has a project set to begin in 2020 that will improve 16th Ave including installation of a traffic signal at Highway 41. Based on Mr. Melvin and Mr. Dittman's estimates of the timing of the projects, we conclude that highway 41/16th Ave. improvements should be completed near the occupancy of the proposed project. Given that, we find that the proposed zoning is consistent with the street classification and traffic patterns in the area.

Concerning compatibility with existing development, Ms. Hayes testified that the site is essentially surrounded by other high density uses both apartments and mobile home parks. Ms. Peterson's testimony that there are single family uses further down 16th Ave. supports the conclusion that the surrounding uses are higher density in nature. As such, we find the requested R-3 zone consistent with existing development.

Finally, regarding unusual geographic or natural features, the staff report indicates that there are no geographic or other natural features that would impact the proposed development. There was no other testimony. As such we find that the property can be developed consistent with the R-3 zone.

C2. Commercial and high density residential zoning is typically assigned along streets with a higher road classification (M.C. 18.16.010).

As noted above, the property is located on 16th Ave, which is a Major Collector. Major Collectors are considered a higher street classification. Therefore, this criterion is met.

C3. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity (M.C. 18.16.010).

Because the requested zone is the R-3 Multi-Family zone, this criterion is not relevant to this request.

C4. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning (M.C. 18.16.010).

Because the requested zone is the R-3 Multi-Family zone, this criterion is not relevant to this request.

C5. Amendments to the zoning map should be in accordance with the Future Land Use Map (M.C. 18.20.100).

As noted above, the requested single-family zone is consistent with the Future Land Use Map "Residential" designation.

C6. Amendments to the zoning map should be consistent with the goals and policies found in the Post Falls Comprehensive Plan (M.C. 18.20.100).

Based on the staff report, we find the requested zone change is consistent with the goals and policies contained in the comprehensive plan. Specifically, we note, that the proposal is consistent with the following policies for the reasons outlined in the staff report.:

Annexation Policies: 2, 3 & 4.
Overall Policies: 1, 5, 7 & 12.
Residential Policies: 1, 2 & 4.
Transportation Policies: 2.

D. STEPS THE APPLICANT CAN TAKE TO OBTAIN APPROVAL:

Because the Commission is only making a recommendation, this section is not applicable.

E. CONCLUSION AND DECISION:

The Planning and Zoning Commission hereby recommends that the applicant's request for R-3 zoning be approved upon annexation.

Approved by the Planning Commission on _____

Date

Chairperson

Attest

NOTICE OF RIGHT TO REQUEST A TAKINGS ANALYSIS:

AN APPLICANT WHO IS AGGRIEVED BY A FINAL DECISION IS ENTITLED TO REQUEST THAT THE CITY PROVIDE A REGULATORY TAKINGS ANALYSIS AS REQUIRED BY I.C. 67-8003. THE REQUEST MUST BE MADE WITHIN 28 DAYS OF THE DATE OF THE FINAL DECISION IN THIS MATTER.

**Ruby Springs Annexation & Subdivision
File No. ANNX-0008-2018/SUBD*0013-2019**

Planning and Zoning Commission

Reasoned Decision

A. INTRODUCTION:

APPLICANT: RAY KIMBALL, WHIPPLE CONSULTING ENGINEERS

LOCATION: GENERALLY LOCATED ALONG THE SOUTH SIDE OF PRAIRIE AVE., EAST OF N. CHASE RD., AND WEST OF N. SPOKANE ST.

REQUEST: ANNEXATION OF 5.73 ACRES WITH THE SINGLE-FAMILY RESIDENTIAL (R-1) ZONE AS DEPICTED IN EXHIBIT A-2 ALONG WITH SUBDIVIDING THE SAID 5.73 ACRES INTO 16 SINGLE-FAMILY LOTS.

B. RECORD CREATED:

1. A-1 Annexation Application.
2. A-1 Subdivision Application
3. A-2 Annexation/Subdivision Narrative
4. A-3 Subdivision Preliminary Plan
5. S-1 Staff Vicinity Map
6. S-2 Staff Zoning Map
7. S-3 Staff Future Land Use Map
8. S-4 Parks Map
9. PA-1 PFPD Comments
10. P&Z Staff Report
11. Testimony at the August 13, 2019 hearing including:

Ethan Porter, City Planner.

Mr. Porter testified that the applicant is seeking annexation, initial zoning of single family residential (R-1) and subdivision for approximately 5.73 acres generally located along Prairie Ave (Principal Arterial), east of Chase Rd (Minor arterial) and west of Spokane St (Major Collector). He noted that the property is not located on a commercial corridor and is not within the City Center. Concerning annexation and initial zoning, he noted that the Future Land Use Map in the Comprehensive Plan designates this area for residential growth consistent with the requested R-1 zone. He noted that the property is currently a large lot residential home within the County with no significant topography or vegetation. Surrounding uses include the Crown Pointe subdivision to the north, single-family subdivisions (R-1) to the east and south and large lot residential homes in the county to the west. present He noted that the project would be considered infill as it abuts City boundaries on three sides. He testified that, with development, water would be served by East Greenacres Irrigation District and sewer will be provided by the City.

Regarding the subdivision he testified that there is adequate sewer and water capacity to serve the development and that the proposed streets are consistent with transportation element of the Comprehensive Plan. Two new streets are proposed; Kilchis Ave and Kiwanda Ave. He noted that the subdivision would comply will all the zoning code requirements for the R-1 zone. Finally, he testified that no soil or topographical conditions presenting hazards have been identified.

Ray Kimball, Applicant's Representative.

Mr. Kimball testified that the proposal is consistent with the Future Land Use Map and the current surrounding zoning. The proposed R-1 zoning is near the current northern edge of the City and approximately two miles from the higher intensity Seltice Way corridor. This project is consistent with the goals and policies found in the Comprehensive Plan as described in the narrative and staff report. The minimum and maximum lot areas will be approximately 8,712 square feet to 24,296 square feet. He noted that the target market for the development is retirees that want a three-car garage and minimal yard work. He also noted that they will have "shop lots" they are a little deeper to fit a nice house with a three-car garage and a shop in the back. Domestic water will be provided by East Greenacres Irrigation District and sanitary sewer will be provided by the City of Post Falls. He testified that they will provide connectivity to the adjacent properties and there are no known hazards or topographical conditions. He noted that they have provided a fire apparatus turn around to comply with the Fire Code that will go away in the future with future development

Bill Melvin, City Engineer.

Mr. Melvin testified that the location of the emergency turnaround may need to be relocated to ensure that there is adequate room for emergency services during the winter with snow being stored on the streets.

C. EVALUATION OF APPROVAL CRITERIA:

C1. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features (M.C. 18.16.010).

The applicant has requested Single Family (R-1) zoning for the property to be annexed. The staff report indicates that the property is designated Residential on the Future Land Use Map, which is consistent with the requested zoning. As such, we find that the requested zone is consistent with the future land uses in the area. The staff report notes that the property is on Prairie Ave (Principal Arterial). Both Mr. Porter and Mr. Kimball testified that the property is located away from the commercial corridors. There was no other testimony on this point, given that, we find that the requested R-1 zone is consistent with the street classification, future land uses and community plans.

Concerning compatibility with existing development, Mr. Porter testified that the property is surrounded by other residential uses. There was no other testimony on this point. As such, we find the requested R-1 zone consistent with existing development.

Finally, regarding unusual geographic or natural features, the staff report indicates that there are no geographic or other natural features that would impact the proposed development. There was no other testimony. As such we find that the property can be developed consistent with the R-1 zone.

C2. Commercial and high density residential zoning is typically assigned along streets with a higher road classification (M.C. 18.16.010).

Because the requested zone is the R-1 Single Family zone, this criterion is not relevant to this request.

C3. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity (M.C. 18.16.010).

As noted above, both Mr. Porter and Mr. Kimball testified that the property is located away from

the higher intensity corridors along Seltice Way and the city center. There was no contrary evidence received. As such, we find this criterion has been met.

C4. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning (M.C. 18.16.010).

Because the requested zone is the R-1 Single Family zone, this criterion is not relevant to this request.

C5. Amendments to the zoning map should be in accordance with the Future Land Use Map (M.C. 18.20.100).

As noted above, the requested single-family zone is consistent with the Future Land Use Map "Residential" designation.

C6. Amendments to the zoning map should be consistent with the goals and policies found in the Post Falls Comprehensive Plan (M.C. 18.20.100).

Based on the staff report, we find the requested zone change is consistent with the goals and policies contained in the comprehensive plan. Specifically, we note, that the proposal is consistent with the following policies:

Annexation Policies: 2, 3, 4.
Overall Policies: 7 & 12.
Residential Policies: 2.
Transportation Policies: 2.

C7. 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 (M.C. 17.12.060H).

The Staff Report indicates that water will be provided to the proposed subdivision by East Greenacres Irrigation District who has capacity to serve the development as evidenced by the will-serve letter contained in the file. There was no testimony or other evidence received to the contrary. Based on that, we find that this approval criterion has been satisfied.

C8. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows (M.C. 17.12.060H).

The Staff Report indicates that wastewater service will be provided by the City. The staff report indicates that there is adequate capacity to provide sewer service to the subdivision and that the proposed layout of the sewer system is also adequate to service the subdivision. There was no testimony or other evidence received to the contrary. As such, we find that this approval criterion has been satisfied.

C9. Proposed streets are consistent with the transportation element of the comprehensive plan (M.C. 17.12.060H).

As discussed in the staff report, the proposed streets have been designed to be built to city standards and those streets comply with the transportation elements of the adopted comprehensive plan. As such, we find that the proposed development is consistent with the transportation elements of the Comprehensive Plan.

C10. 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 (M.C. 17.12.060H).

The staff report indicates that the site is not constrained with any known soil or other topographical conditions that present a hazard to development. No other testimony was received on this point. Given that, we find this approval criterion has been satisfied.

C11. The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code (M.C. 17.12.060H).

The staff report indicates that the proposed lot sizes and other elements will conform to the zoning code requirements. Additionally, both Mr. Porter and Mr. Kimball testified that the proposal conforms to requirements for the R-1 zone. Given that, we find this approval criterion has been satisfied.

C12. 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 (M.C. 17.12.060H).

The applicant has paid all applicable fees and will continue to pay development impact fees for the project as required by city code. Additionally, project development costs for extending streets and utilities will be paid for by the developer. As such, we find this condition of approval satisfied.

D. STEPS THE APPLICANT CAN TAKE TO OBTAIN APPROVAL:

Because the Commission recommended approval of the requested zoning and approved the subdivision (contingent upon annexation), this section is not applicable.

E. CONCLUSION AND DECISION:

The Planning and Zoning Commission hereby recommends that the applicant's request for R-1 zoning be approved upon annexation.

The Planning Commission further finds that the applicant's subdivision request has met the required approval criteria and is approved subject to the following conditions:

1. This subdivision may only be approved subject to annexation approval.
2. 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.
3. The proposed subdivision must be completed in one phase.
4. 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. A Construction Improvement Agreement shall be completed for each phase of construction.
5. Submitted Preliminary Plans were reviewed from a conceptual basis only. 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 mail boxes. Construction limits shall correspond with the improvements indicated on the Preliminary Plat.

6. Except where an exception is granted, all street lights and roadways shall be designed and constructed in accordance with City standards.
7. A fence shall be constructed along the Prairie Avenue frontage with subdivision construction.
8. 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.
9. Residential access to Prairie Avenue shall be restricted on the plat.
10. Swales and right-of way landscaping areas along Prairie Avenue will be maintained by the homeowner's association. An irrigation connection shall be provided with construction of the Subdivision.
11. Easements for storm water swales, internal to the subdivision, shall be dedicated to the City of Post Falls. Modification of swales without the written approval of the City shall be prohibited. The underlying property owner shall be responsible for irrigation and maintenance of swale areas.
12. Temporary Fire Access shall be maintained by the HOA, including regular snow removal.

Approved by the Planning Commission on _____

Date

Chairperson

Attest

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