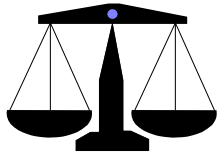


**MINUTES
KOOTENAI COUNTY HEARING EXAMINER
PUBLIC HEARING**

JULY 20, 2023

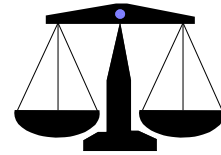
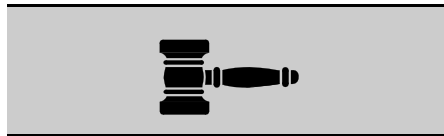
**HEARING EXAMINER
KARL GRANRATH**

**STAFF PRESENT
VLAD FINKEL
BEN TARBUTTON
DAVID CALLAHAN
JENNIFER CONNER**



**MINUTES
PREPARED BY:**

JENNIFER CONNER
Recording Secretary



**MINUTES
REVIEWED BY:**

VLAD FINKEL
Planner III

A handwritten signature in black ink, appearing to read 'K. Granrath', written over a horizontal line.

KARL GRANRATH
Hearing Examiner

The Official Record of Public Hearing is available on-line at
www.kcgov.us

Karl Granrath called the meeting to order at 6:00 p.m.

The Hearing Examiner explained that the purpose of the public hearing is to take testimony on the items that appear on the agenda.

The Hearing Examiner will review the testimony presented and make a written recommendation to the Board of County Commissioners, who will make the final decision.

HEARING EXAMINER MINUTES
JULY 20, 2023

CASE NO. CUP22-0017 CROSSROADS STORAGE

Staff Presentation: Vlad Finkel, Planner III presented the project with a PowerPoint presentation. The information being presented, including the staff report and recommendation is based on the evidence and information received by the closing of the public comment period which ended on July 10th. The applicant is the Hughes Family Trust. The subject property consists of a 20 acre parcel southwest of the intersection of Meyer Road and Prairie Avenue. The parcel was created through a large lot exemption, the applicant owns adjacent parcels to the west and northwest. The parent parcel was just about 100 acres. The property is flat with no vegetation, and had been used for hay grazing in the past. The property is zoned Agriculture and sits adjacent to the city limits of Post Falls and a new subdivision called Fox Tail. The Comp Plan designation is Transitional. This parcel is within the ACI, and within the exclusive tier of Post Falls. Within the exclusive tier, per the County Code, the County agrees to apply infrastructure and subdivision development standards identical to those from the respective cities to all development within the exclusive tier of Area of City Impact. The County agrees to require all development to use public sewer and public water systems and to meet the fire flow requirements of the respective cities or of the International Fire Code. There was an attempt to annex into Post Falls which was denied. The original site plan shows a request of 15 storage buildings 5,100 to 21,600 sq ft., an on-site office and caretakers residence, outdoor storage, domestic water supply by Ross Point Water, and effluent discharge treatment by septic and drainfield. There is no sewer main in the area and the city is unable to provide a sewer connection. The proposal conflicts with the ACI agreement, the proposed layout conflicts with the future extension of Killdeer Avenue. The applicant did submit a revised site plan where they shifted the buildings to allow the future extension of Killdeer Avenue connecting to Meyer Road. The Post Falls Highway District would need to review the new temporary access. The City of Post Falls stated they would be neutral, but encourages being consistent with the ACI agreement requirements. The Post Falls Highway District did have concerns with the access location, and a Trip Generation Analysis must be further addressed. They did not review the revised site plan at time of comments. Staff could not recommend approval based on the comments from the City of Post Falls, and the Post Falls Highway District. There are a list of conditions should the hearing body decide to approve. Additional information was received yesterday from the City of Post Falls, and Post Falls Highway District. The applicant will present these new findings.

Applicant Presentation: Scott Poorman, Attorney representing the Hughes Family. The family has owned this property for over 5 decades. It has been operated as farmland. The change in the beneficiaries of the Trust has prompted the family to look at other options for long term use. The application to annex into the City was submitted in 2021 and heard in early 2022 where the City Council denied the request stating it was not the right time. The City has encouraged to reapply. The full 130 acres was the request for annexation for a residential mixed use project. When that was denied was when the large lot exemption was done. The mini storage facility fits in well with the County standards, however did not within the City of Post Falls. The obstacles included the conflict with the future of Killdeer Avenue, public bathrooms connected to a sewer system, landscaping, public water, fire flow, and right-of-way dedication/improvements. As of today, all those issues have been addressed and resolved. The City has agreed to a temporary septic until annexation or sewer can be provided. The landscaping buffer will exceed the minimum buffer. The City proposed a Consent to Annexation Agreement which was signed by the applicant's representative on July 13th. The updated comments from the City was submitted yesterday. Did also receive an updated comment letter from Post Falls Highway District, and the issues/concerns have already been addressed within the Consent to Annexation Agreement. They have completely satisfied the conditions of the ACI with Post Falls. Some of the recommended conditions of approval do not apply anymore.

Roger Glassner, Engineer states this has been a family farm since the 1970's, but with the recent growth it is not feasible to have a farm anymore. There is a recently installed 12 inch water main through Ross Point Water. There is a fire hydrant where Killdeer will be put in. The City requires a 10 landscape buffer, and we will be providing a 15 foot strip. There is a 30 foot right of way on Meyer, but we are providing an additional right of way line that would make it 42.5 feet which is beyond the requirements of PFHD and meets the City of PF requirements. Also providing a 15 foot

HEARING EXAMINER MINUTES
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utility easement. There have been enough setbacks to provide for the right of ways, easements, etc. as needed for the future. The PFHD has approved the updated access point off the future Killdeer road. All the concerns have been met.

Vlad Finkel states if there is a condition of approval that states the applicant shall submit a recorded Consent of Annexation Agreement to Community Development prior to issuance of any development permits, including site disturbance and building permits would suffice. Plus any additional deeds of conveyance for the benefit of additional road right of way and utility easements along the subject property. Those documents would need to be recorded and a part of the file before moving forward with issuing any permits.

Public Comment: Comment Sheets submitted: - 4; Applicant – 3, In Favor – 4, Neutral – 0, Opposed – 0. The names and address of the individuals speaking or submitting comments are part of the record.

Sheila Strain: Told story of family. Own duplexes and see how people are interested in the garages/storage space which is how they decided to pursue the mini storage option.

Mark Hughes: Embarked on this venture 2.5 years ago. Originally were wanting to put the storage units along Prairie, however staff objected, so they decided to put it on Meyer. We have been agreeable with all requests.

Mike Bennier: Lives directly across the street (Meyer). Concerned about Meyer Road and weight limits/conditions. It is deteriorating. The traffic will be substantial, and unless improvements are done prior to development, Meyer will continue to deteriorate. Not supportive of storage units. This is a lot of new information as of today, and not sure the public had a chance to review.

Applicant Rebuttal: Roger Glassner states the street front improvements would be an extension from Fox Tail, which has a sidewalk. The weight limit restrictions happens every year during the spring thaw, but not due to increase of traffic. The City does not require weight restrictions, so when this property gets annexed into the City, Meyer road will no longer have those. It is likely the Highway District will want improvements done to this road with this development. The City originally wanted Killdeer to go straight through, however Mr. Bennier's home would be affected by headlights, so they proposed Killdeer go around the buildings to avoid this.

Exhibits: HE-1000 PowerPoint presentation by Vlad Finkel
HE-1001 Phase Map by Scott Poorman
HE-1002 Consent to Annexation Agreement by Scott Poorman
HE-1003 City of Post Falls Comments by Scott Poorman
HE-1004 Post Falls Highway District Comments by Scott Poorman
HE-1005 Map by Roger Glassner

The Hearing Examiner states he has enough information to form a recommendation for the Board of Commissioners.

Karl Granrath closed the public hearing for CUP22-0017 Crossroads Storage at 7:04 p.m.

Prepared By,

Jennifer Conner, Recording Secretary