

Moscow City Council



Regular Meeting ~Minutes~

www.ci.moscow.id.us

Laurie M. Hopkins
City Clerk

208.883.7015

Monday, June 17, 2019

7:00 PM

**Council Chambers
206 E. Third St.**

The meeting was called to order at 7:00 p.m.

PRESENT: Mayor Bill Lambert, Art Bettge, Jim Boland, Kathryn Bonzo, Gina Taruscio, Anne Zabala

ABSENT: Brandy Sullivan

STAFF: Gary J. Riedner, Mia Bautista, James Fry, Brian Nickerson, Dwight Curtis, Mike Ray, Julie Fry, Tyson Barrett, Karen Potter, Roger Lanier, Laurie M. Hopkins, numerous police officers

PLEDGE OF ALLEGIANCE

Council Member Bonzo led the Pledge of Allegiance.

CONSENT AGENDA (ACTION ITEM)

1. All Consent Items

A. Approval of Moscow City Council June 3, 2019 Minutes - Laurie M. Hopkins

Minutes presented for approval.

ACTION: Approve minutes as presented.

B. Proposed Lot Division in an Area Generally Located East of the Intersection of Southview Avenue and Alice Street - Leah Carlson

The applicant, Thompson Family Limited Partnership, is requesting a lot division in an area generally located east of the intersection of Southview Avenue and Alice Street. The existing lot is approximately 281,003 sf or 6.45 acres in size. The applicant is proposing to create three new lots of approximately 9,600 sf, 9,650 sf, and 11,273 sf in size, leaving a remainder lot of 250,480 sf. The applicant intends to create the three lots for future development of single-family residential homes. On June 3, 2019, City Council approved a rezone of the property from Agriculture/Forestry (AF) Zoning District to Low-Density, Single-Family Residential Zoning District (R-1). Within the R-1 Zoning District, lots require a minimum lot size of 9,600 sf and a minimum lot width of 80 feet. The three proposed lots meet these requirements. There are currently no buildings on the subject property. This was reviewed by the Public Works/Finance Committee on 6/10/2019 and recommended for approval.

ACTION: Approve the lot division request with no conditions.

C. Beer Garden Request for Rendezvous in the Park 2019 -Dwight Curtis

In accordance with Moscow City Code 5-13-4(B), Rendezvous in the Park is requesting that the City Council pass a Resolution allowing them to have a beer garden catered by a licensed vendor in East City Park for Rendezvous in the Park on July 18, 19 and 20, 2019, from 4:00 p.m. to 10:00 p.m. There will be food vendors, live music, and other activities at the event. As has been approved in the past, the entire fenced off area will be designated as the beer garden to allow families to be together to watch the music festivities, as well as a secured internal alcohol dispensing area. There have been no problems associated with this set-up. Also, the fenced off area will not block public access to the restroom facility (beer garden location map attached). Police Chief James Fry is supportive of Rendezvous in the Park providing its own security as done previously. There have been no problems associated with alcohol at this event in the past. This request has also been reviewed by the City Attorney. This item was reviewed by the Administrative Committee on June 10, 2019, and recommended for City Council approval.

ACTION: Approve beer garden request for Rendezvous in the Park 2019 and adopt the attached Resolution.

D. Request by Rendezvous in the Park to Waive Permit Fees – Gary J. Riedner

Rendezvous in the Park Music and Arts Festival, is an annual event which was originally sponsored by the City of Moscow. The event is now in its 38th consecutive year and Rendezvous in the Park, Inc. a non-profit corporation, has been putting on the event for the past several decades. Rendezvous in the Park is held annually in East City Park, and is a major signature summertime music and arts festival. Each year Rendezvous in the Park, Inc. requests waiver of fees associated with installation of the downtown banner advertising the event, as well as fees for sanitation services. Staff has authority to waive those fees and has traditionally granted the waiver. Staff has received a request from Rendezvous in the Park, Inc. co-President Cyndi Faircloth, requesting waiver of the following additional fees: 1. Stage rental at \$75 per day for 5 days (\$375); 2. Recycling fee at \$50; 3. Alcohol permit fee at \$100 and tax at 25.50 (\$125.50), for a total cost is \$550.50. The rationale for waiver of these fees is in recognition of Rendezvous in the Park's origin as a City-sponsored event, which continues to benefit the City, and is now being produced by the non-profit organization at no additional cost to the City. Staff is requesting that authority be granted to the City Supervisor to waive such fees at his/her discretion in the future. This was reviewed by the Administrative Committee on June 10, 2019 and recommended for approval.

ACTION: Approve waiver of City fees associated with 2019 Rendezvous in the Park Music and Arts Festival, and that the City Supervisor be granted the authority to waive such fees in the future at his/her discretion.

Bettge moved, Boland seconded, approval of the consent agenda as presented. Roll Call
Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

2. Staff Recognition Report - Gary J. Riedner

Gary introduced Brad Johnson, Division Administrator of POST. He provided highlights of Fry's work history and accomplishments and presented the POST Executive award, and Fry said a few words.

3. Mayors Appointments (ACTION ITEM)

None offered.

4. Public Comment and Mayor's Response Period (limit 15 minutes)

David Hall, Wallen Rd, Moscow, commented that another season of Farmers Market isn't supporting recycling. The FMC has been studying it and he feels it is about time to get something started.

Victoria Lilly, Lilly St, Moscow, said she is loving the wisescapes outside City Hall. The mural on the Water Department building is beautiful.

Dulce Kersting-Lark, introduced Kendra Ewing with the Chamber of Commerce. Ewing described the Crossroads: Change in Rural America Smithsonian exhibit visiting Moscow at the Chamber with a series of events, beginning Saturday, June 22 with a bus tour and an opening party on August 23.

5. Public Hearing: Indian Hills East Addition Preliminary Plat and Planned Unit Development (ACTION ITEM) - Mike Ray

The applicant, Noel Blum, is proposing to subdivide a 41,151 square foot parcel located at 1330 Indian Hills Drive to allow for 10 single-family dwellings on lots ranging from 2,660 sf to 3,910 sf in size. Mr. Blum is also requesting a PUD to allow for a reduction in the minimum lot size, minimum lot width, setbacks, and to accommodate a private street through the development. The Planning and Zoning Commission conducted a public hearing for this matter on May 22, 2019 and recommended approval of the preliminary plat with two conditions and recommended approval of the PUD with no conditions.

1. Conduct the public hearing upon the proposed PUD and upon consideration of any testimony presented, approve the PUD for Indian Hills East Addition; or approve the PUD with conditions; or reject the PUD; or take other action as deemed appropriate.
2. In accordance with the decision upon the PUD, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria; or direct Staff to prepare a Reasoned Statement of Relevant Criteria for the Council's consideration at a future meeting.
3. Conduct the public hearing upon the proposed Indian Hills East Addition preliminary plat and upon consideration of any testimony presented, approve the preliminary plat with the two (2) conditions recommended by staff; or approve the preliminary plat with no conditions; or reject the preliminary plat; or take other action as deemed appropriate.
4. In accordance with the decision upon the preliminary plat, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria; or direct Staff to prepare a Reasoned Statement of Relevant Criteria for the Council's consideration at a future meeting.

Ray introduced the item by describing the neighborhood zoning, comprehensive plan designation, and the Residential Office Zone and PUD requirements. Street and utility systems were described. A

"Type A" buffer is required and the parkland requirement has been met.

The City is not responsible for maintenance of the private drive. The developer can set up a homeowners association for the maintenance. Homeowners would be responsible for the landscaping including the adjacent tree lawn. With the lack of space in the backyard on the west side of the development, the driveways were allowed to be 17 feet and may overhang the sidewalk.

Mayor Lambert opened the public hearing at 7:31 p.m.

Curtis Blum, Highway 8 Troy, applicant, explained they are trying to create affordable housing in the \$250,000-275,000 range with 1500-2000 square feet. He confirmed an HOA would be created for maintenance.

Garrett Thompson, Pinecrest Rd Moscow, said he gives the project his blessing.

Chris Sawyer, Sherwood St Moscow, feels this is a great asset for Moscow. He is a real estate agent and these types of options are limited.

The public hearing was closed at 7:35 p.m.

Boland moved to approve the PUD for Indian Hills East Addition. Taruscio seconded. Roll Call
Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Boland moved to approve the preliminary plat with the two conditions recommended by staff (1. the construction of the proposed private street shall meet current City standards including the dedicated easement for public and franchise utilities, 2. the proposed detention pond shall meet the current Moscow Stormwater Runoff Control Standards). Bettge seconded. Roll Call
Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Bettge move to adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria regarding the PUD. Taruscio seconded. Roll Call
Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Taruscio moved to adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria regarding the preliminary plat. Bonzo seconded. Roll Call
Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

6. Ice Rink Extension Request (ACTION ITEM) – Gary J. Riedner

By adoption of Resolution 2017-13 on June 19, 2017, the Moscow City Council approved a commitment of \$1 million of Hamilton Funds to Palouse Ice Rink for construction of an ice rink facility. The Resolution sets the parameters of the City's commitment, which expires on June 28, 2019. The Palouse Ice Rink applied for an extension of the conditional use permit for the ice rink at its current location and that conditional use permit was granted by the Moscow Zoning Board of Adjustment on May 22, 2019, and has a term of three years, with an expiration date of May 22, 2022. Christina Randal, fundraiser for the Palouse Ice Rink, has asked to meet with the City Council to request an extension of the City's commitment of \$1 million of Hamilton funds. Staff has attached the request and accompanying materials, as well as documents pertinent to the original request and

commitment.

PROPOSED ACTIONS: Receive request for extension of \$1 million of Hamilton Funds from Palouse Ice Rink and approve request with conditions; or deny request; or take such other action deemed appropriate.

Riedner introduced the item as written above. If the Council extends funding, staff recommends continuing the conditions in the original resolution. The Hamilton fund has a little over \$2 million.

Christina Randal, Logan St Moscow, asked Palouse Ice Rink (PIR) Board Member Travis Wambecke to provide the presentation.

The meeting was recessed at 7:44 p.m. and reconvened at 7:50 p.m.

Wambecke, Lorien Ln Moscow, provided a background of the ice rink beginning in 2001. PIR is a non-profit with 9 board members. The ice rink provides physical activity and education programs as well as brings economy to the city. With a full size rink, PIR would be able to host tournaments. PIR is looking for major organizations and partners to help leverage the community support to complete this project. A renewed commitment of \$1 million of matching Hamilton funds can motivate donors to contribute to this effort and help us raise the funds needed. Project costs, current donations and operational costs were discussed. PIR has approached corporate and major donors outside the Moscow community as well as grants. They have also looked at different locations but all increase costs.

Boland moved to extend the terms of the Hamilton Funds for the PIR in conjunction with the extension of the CUP and direct staff to draft a resolution with updated numbers. Zabala seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

7. Surplus of Fire Engine to Rural Fire Districts (Genesee and Wheatland) (ACTION ITEM) – Gary J. Riedner

In April of 2018, the City of Moscow took delivery of a new fire engine to replace the existing Engine 26, and the following spring took delivery of a second new engine to replace Engine 27. The two retired engines have been surplused and retired from service. The City listed retired Engine 26 for sale in the summer of 2018 for \$25,000. No offers were received. The engine was also listed with a consignment fire apparatus dealer in Colorado and no offers have been received. Chief Nickerson has contacted local fire departments to determine interest in the retired engines. In April 2019, Wheatland Fire Protection District contacted the City to offer \$3,500 on several year payment-plan for retired Engine 26. Genesee Fire Department also noted interest in retired Engine 27. With the lack of interest in resale of both retired engines, they will continue to sit idle, requiring storage and maintenance by City staff. Both Wheatland and Genesee agencies face limited resources, as they serve smaller rural communities. As such, City staff proposes selling retired Engine 26 to the Wheatland Fire Protection District for \$1 and retired Engine 27 to the Genesee Fire Department for \$1. This was reviewed by the Administrative Committee on June 10, 2019 and recommended for approval.

PROPOSED ACTIONS: (1) Approve sale of retired Engine 26 to Wheatland Fire Protection District for \$1, or take other such action deemed appropriate. (2) Approve sale of retired Engine 27 to Genesee Fire Department for \$1 or take other such action deemed appropriate.

Riedner introduced the item as written above. Nickerson introduced Mayor Steve Odenborg and Fire Chief Bill Krick of Genesee. Krick said a few words and thanked the City Council for consideration of the donation. Nickerson introduced Assistant Chief Schnatz of Wheatland who said a few words of thanks. Bettge moved and Taruscio seconded to approve the sale of retired Engine 26 to Wheatland Fire Protection District for \$1, the sale of retired Engine 27 to Genesee Fire Department for \$1. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REPORTS

City Council

Transportation Commission - Boland reported the grand opening for the pedestrian bridge on Third Street is scheduled for July 29.

Moscow Arts Commission - Bettge said the Commission worked on the calendar for the Third Street Gallery events and discussed possible funding account for art related requests.

Moscow Pathway Commission - Zabala heard a presentation by Amber Corvalis regarding the northeast Chipman Trail.

Palouse Basin Aquifer Committee – Zabala said the Committee had their retreat and discussed funding opportunities for grants and pursuit for a more robust public involvement.

Planning and Zoning Commission - Zabala reported the Commission finalized recommendation for the use table and discussed accessory dwelling units.

Council Members reported on other events

Mayor

Mayor Lambert said he attended the Airport Board where they rejected bids for fencing and the old WSU buildings.

Staff

No report.

ADJOURN to Executive Session per Idaho Code 74-206 (1)(a) – The meeting will not reconvene.
Bonzo moved, Boland seconded to adjourn to executive session at 8:45 p.m.

ATTEST:

Laurie M. Hopkins, City Clerk



Bill Lambert, Mayor



**CITY OF MOSCOW
MINUTES OF CITY COUNCIL EXECUTIVE SESSION
June 17, 2019**

Present: Mayor Lambert, Art Bettge, Jim Boland, Kathryn Bonzo, Brandy Sullivan, Anne Zabala

Also Present: Gary J. Riedner, City Supervisor; Mia Vowels, City Attorney,

The executive session was called to order at 8:49 p.m.

Item discussed pursuant to I.C. 74-206(1)(a)

The executive session was adjourned at 9:59 p.m.

**BEFORE THE CITY COUNCIL
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR A PLANNED UNIT DEVELOPMENT OF A FORTY-ONE THOUSAND ONE HUNDRED AND FIFTY-ONE (41,151) SQUARE FOOT PARCEL OF LAND LOCATED AT 1330 INDIAN HILLS DRIVE, KNOWN AS INDIAN HILLS EAST ADDITION TO THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Planned Unit Development on May 2, 2019; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on May 22, 2019; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on June 17, 2019; and

WHEREAS, having reviewed the application, including all exhibits entered, and having considered the issues presented by the applicant and the opponents:

THE CITY COUNCIL OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The City Council considered the request pursuant to the City of Moscow 2009 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a forty-one thousand one hundred and fifty-one (41,151) square foot parcel of land located at 1330 Indian Hills Drive.
3. The subject property is currently vacant and surrounded by the USDA office building to the east, vacant lots within Alturas Technology Park to the north, townhouse-style multi-family development to the west, and agricultural land to the south.
4. The subject property is relatively flat and gradually increases in elevation as the property heads in the northeasterly direction. There are no drainage ways or natural features that have been identified upon the subject property.
5. The subject property is currently designated as Auto-Urban Commercial (AU-C). AU-C designated areas,

“provide for commercial services and developments that are motor vehicle oriented or those which require large amounts of land. These areas should be located adjacent to existing commercial developments and along major arterials where the vehicle traffic can be accommodated. Developments within these designations should be required to provide significant landscaping which would be applied to enhancing areas along the street edge,

screening parking lots, and buffering adjacent uses. Such areas are most appropriately zoned Motor Business (MB)."

6. The USDA office property to the east, as well as properties on the east side of Mountain View Road are also designated as Auto-Urban Commercial (AU-C). The multi-family residential developments to the west are currently designated as High Density Residential (HR). Alturas Technology Park to the north is currently designated as Business Park (BP).
7. Indian Hills Drive is currently designated by the Thoroughfare Plan as a local neighborhood street and Mountain View Road is designated as a minor arterial.
8. The subject property is currently located within the Residential Office (RO) Zoning District.
9. According to the Zoning Code the RO Zoning District is,
"A moderately intensive zone including both offices and high density housing. It serves as a transitional Zoning District between residential Zoning Districts and commercial or industrial Zoning Districts. The RO Zoning District is appropriately applied in the following circumstances:
 1. *On the perimeter of commercial or industrial districts where they abut residential land uses;*
 2. *Where transportation network use is greater than desirable for lower density residential uses;*
 3. *Where landforms create sites which are reasonably accessible by transportation systems and which are buffered from nearby residential areas; and*
 4. *Where the development patterns in a neighborhood will allow development of moderate intensity to occur without producing adverse visual impact or harm to the transportation network."*
10. Uses permitted within the RO Zone include single family dwellings, two family dwellings, twinhomes, townhouses, and multi-family dwellings. Also permitted are professional offices, bed and breakfasts, daycare facilities, and parking lots.
11. The minimum lot size for parcels within the RO Zone is 5,000 sf for single-family, two-family, and multi-family dwellings; 2,250 sf for twinhome dwellings; and 1,800 sf for townhouse dwellings. The minimum lot width is for single-family, two-family, and multi-family dwellings is 50 feet; 25 feet for twinhomes; and 18 feet for townhouses.
12. The applicant is proposing to subdivide the 41,151 square foot parcel into 10 single family lots ranging from 2,660 sf to 3,910 sf in size. The proposed widths of the lots would range between 33.5 feet and 63.16 feet in width.
13. The applicant is requesting a PUD in order to allow a reduction in the minimum lot size and width, as well as a reduction in the required setbacks.
14. Setbacks within the RO Zone are 10 ft on the front, 5 ft on the side with both sides equaling 15 ft, 20 ft on the rear, and 20 ft for a garage door facing the street. The applicant is proposing to establish setbacks on the project of 10.5 ft on the front, 5 ft on both sides, and 10 ft on the rear. The garage door setbacks range from 17.5 ft away from the sidewalk for the houses on the west side of the street and a little over 20 ft from the garage door to the curb for houses on the east side of the street to allow for vehicular parking in the driveway.

15. The minimum PUD base density of the RO Zone is 24 units per acre. The proposed PUD has a base density of 9.4 units per acre, therefore no density bonuses are required as part of the project.
16. The applicant has submitted sample floor plans and elevations of the proposed single family dwellings. The design of the dwellings includes a two-story gabled roof with two-car garage, hardie board batten siding, painted trim, architectural asphalt shingles, belly band, and vinyl windows. The floor plan includes the living room, kitchen, dining room, garage, and a bathroom on the first floor. The second floor includes three bedrooms, two bathrooms, and a utility room.
17. An 8 inch water main currently exists within Indian Hills Drive, which will provide water service to the subject property. A 6 inch water main will be extended within the private street, which will provide individual service to each lot within the development. The water main will terminate with a fire hydrant at the very north end of the subject property.
18. The property is considered developable in the City's Comprehensive Water System Plan dated January 2012. Public Works has determined that the existing system has adequate potable and fire flows to serve the proposed subdivision.
19. It is anticipated that under commonly observed residential household water use within the City (114 gallons per day per occupant) that the proposed development could be reasonably anticipated to use approximately 936,225 gallons of water per year ($10 \text{ du} \times 2.25 \text{ occupants/du} \times 114 \text{ gallons/occupant} \times 365 \text{ days/year} = 936,225 \text{ gallons/year}$).
20. Sanitary sewer is proposed to be extended from an existing City main in the northwest corner of the property, which currently extends to the north through lots within Alturas Technology Park, to a main within Alturas Drive. A sanitary sewer main will be extend from the existing main down the private street to serve each individual lot.
21. Public Works has determined that the system has adequate capacity to convey the additional flow from the development. The subject property is considered developable in the Comprehensive Sewer System Plan dated September 2011.
22. The storm sewer for the subdivision is proposed to be conveyed to a stormwater detention pond in the southwest corner of the property, and partially located upon the property directly to the west, which is under common ownership. The stormwater detention pond will then be connected to the existing stormwater facilities within the development to the west.
23. The subject property is accessed via Indian Hills Drive, which is designated as a local neighborhood street. Indian Hills Drive is currently constructed as a 34 foot wide paved roadway with curb, gutters, tree lawns, and sidewalks on both sides of the street.
24. The applicant is proposing a private street to serve the proposed development with parking on one side of the street. The street will contain two 11 foot wide vehicular travel lanes, on-street parallel parking on the west side of the street, and a 4.5 foot sidewalk on the west side of the street. With the alignment of the proposed private driveways, there will be room for 4 on-street parking spaces on the private street. The private street will be paved with curbs and gutters and will meet the City of Moscow's standard for private streets.
25. The subject property is part of the Indian Hills 6th Subdivision, which parkland dedication requirements have already been met. The Indian Hills Park at the northeast intersection of Blaine Street and Indian Hills Drive satisfied the parkland dedication requirement for the Indian Hills 6th Subdivision.
26. There is a required Type A landscape buffer adjacent to the eastern property line of the proposed PUD, since the adjacent zoning district is General Business (GB). A Type A buffer requires 2

canopy trees, 4 understory trees, and 6 shrubs every 100 lineal feet. Other than the Type A buffer on the east side, the applicant is proposing to leave the landscape design of the individual lots up to the owners of the property.

27. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on April 8, 2019 to discuss the proposed PUD.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE CITY COUNCIL OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed PUD is consistent with the Comprehensive Plan.** The proposed PUD is consistent with the uses and densities designated within the 2019 Comprehensive Plan. The Auto-Urban Commercial (AU-C) designation is generally a more intense commercial land use designation than what the Residential Office (RO) Zone would permit. However, properties may be developed with a lower intensity use than is indicated by the Plan, which is what the being proposed in this circumstance. Therefore, the Council finds that the proposed PUD is consistent with the Comprehensive Plan.
2. **The proposed PUD is consistent with the intents and purposes of this Chapter.** The proposed PUD meets the intent of the PUD chapter to permit and encourage innovative, economical, and attractive development; which includes land uses which harmonize with natural features and constraints; which promotes efficient, innovative, economical, attractive, and environmentally sensitive development; and which efficiently phases and locates public and private services and facilities. The proposed PUD of ten single family dwellings on smaller lots creates more affordable housing options in the City.
3. **The proposed PUD is compatible with the character and uses in the surrounding area.** The PUD is consistent with the surrounding area which is primarily a mixture of residential and commercial developments. The proposed PUD provides for development of the subject property, including the general construction and alignment of the private access street in conformance and consideration of the natural contours of the subject property.
4. **Public services and utilities are available or can be made available and are adequate to accommodate the proposed PUD.** Public Works has indicated that water, sanitary sewer, and storm sewer systems are readily available in the area and can accommodate the proposed PUD. The subject property has been determined to be developable in the 2012 Comprehensive Water System Plan and the 2011 Comprehensive Sewer System Plan. The primary point of access is Indian Hills Drive, which provides sufficient access to the subject property.
5. **The proposed PUD will not endanger the public health or safety.** There is no evidence that the proposed PUD would have an impact on the public health and safety. The proposed PUD will help serve the need of providing a more affordable housing option of single family homes on smaller lots.
6. **The residential densities, proposed land uses, and design proposed within the PUD promote the innovative, efficient, economic and attractive development of the subject property.** The proposed PUD with ten single family dwellings on lots which range from 2,660 sf to 3,910 sf in size, provides an efficient and economical home ownership opportunity which is currently

limited in the City. The proposed design of the homes is attractive and will provide a quality product on smaller lots which are served by a private street.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Moscow approves the Planned Unit Development (PUD) request for the forty-one thousand one hundred and fifty-one (41,151) square foot parcel of land located at 1330 Indian Hills Drive with no conditions.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 17th day of June, 2019.



Bill Lambert, Mayor

**BEFORE THE CITY COUNCIL
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR A PRELIMINARY SUBDIVISION PLAT OF A FORTY-ONE THOUSAND ONE HUNDRED AND FIFTY-ONE (41,151) SQUARE FOOT PARCEL OF LAND LOCATED AT 1330 INDIAN HILLS DRIVE, KNOWN AS INDIAN HILLS EAST ADDITION TO THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Preliminary Subdivision Plat on May 2, 2019; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on May 22, 2019; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on June 17, 2019; and

WHEREAS, having reviewed the application, including all exhibits entered, and having considered the issues presented by the applicant and the opponents:

THE CITY COUNCIL OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

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4. The subject property is relatively flat and gradually increases in elevation as the property heads in the northeasterly direction. There are no drainage ways or natural features that have been identified upon the subject property.
5. The subject property is currently designated as Auto-Urban Commercial (AU-C). AU-C designated areas,

“provide for commercial services and developments that are motor vehicle oriented or those which require large amounts of land. These areas should be located adjacent to existing commercial developments and along major arterials where the vehicle traffic can be accommodated. Developments within these designations should be required to provide significant landscaping which would be applied to enhancing areas along the street edge,

screening parking lots, and buffering adjacent uses. Such areas are most appropriately zoned Motor Business (MB)."

6. The USDA office property to the east, as well as properties on the east side of Mountain View Road are also designated as Auto-Urban Commercial (AU-C). The multi-family residential developments to the west are currently designated as High Density Residential (HR). Alturas Technology Park to the north is currently designated as Business Park (BP).
7. Indian Hills Drive is currently designated by the Thoroughfare Plan as a local neighborhood street and Mountain View Road is designated as a minor arterial.
8. The subject property is currently located within the Residential Office (RO) Zoning District.
9. According to the Zoning Code the RO Zoning District is,
"A moderately intensive zone including both offices and high density housing. It serves as a transitional Zoning District between residential Zoning Districts and commercial or industrial Zoning Districts. The RO Zoning District is appropriately applied in the following circumstances:
 1. *On the perimeter of commercial or industrial districts where they abut residential land uses;*
 2. *Where transportation network use is greater than desirable for lower density residential uses;*
 3. *Where landforms create sites which are reasonably accessible by transportation systems and which are buffered from nearby residential areas; and*
 4. *Where the development patterns in a neighborhood will allow development of moderate intensity to occur without producing adverse visual impact or harm to the transportation network."*
10. Uses permitted within the RO Zone include single family dwellings, two family dwellings, twinhomes, townhouses, and multi-family dwellings. Also permitted are professional offices, bed and breakfasts, daycare facilities, and parking lots.
11. The minimum lot size for parcels within the RO Zone is 5,000 sf for single-family, two-family, and multi-family dwellings; 2,250 sf for twinhome dwellings; and 1,800 sf for townhouse dwellings. The minimum lot width is for single-family, two-family, and multi-family dwellings is 50 feet; 25 feet for twinhomes; and 18 feet for townhouses.
12. The applicant is proposing to subdivide the 41,151 square foot parcel into 10 single family lots ranging from 2,660 sf to 3,910 sf in size. The proposed widths of the lots would range between 33.5 feet and 63.16 feet in width.
13. The applicant is concurrently requesting a PUD in order to allow a reduction in the minimum lot size and width, as well as a reduction in the required setbacks.
14. An 8 inch water main currently exists within Indian Hills Drive, which will provide water service to the subject property. A 6 inch water main will be extended within the private street, which will provide individual service to each lot within the development. The water main will terminate with a fire hydrant at the very north end of the subject property.

15. The property is considered developable in the City's Comprehensive Water System Plan dated January 2012. Public Works has determined that the existing system has adequate potable and fire flows to serve the proposed subdivision.
16. It is anticipated that under commonly observed residential household water use within the City (114 gallons per day per occupant) that the proposed development could be reasonably anticipated to use approximately 936,225 gallons of water per year ($10 \text{ du} \times 2.25 \text{ occupants/du} \times 114 \text{ gallons/occupant} \times 365 \text{ days/year} = 936,225 \text{ gallons/year}$).
17. Sanitary sewer is proposed to be extended from an existing City main in the northwest corner of the property, which currently extends to the north through lots within Alturas Technology Park, to a main within Alturas Drive. A sanitary sewer main will be extend from the existing main down the private street to serve each individual lot.
18. Public Works has determined that the system has adequate capacity to convey the additional flow from the development. The subject property is considered developable in the Comprehensive Sewer System Plan dated September 2011.
19. The storm sewer for the subdivision is proposed to be conveyed to a stormwater detention pond in the southwest corner of the property, and partially located upon the property directly to the west, which is under common ownership. The stormwater detention pond will then be connected to the existing stormwater facilities within the development to the west.
20. The subject property is accessed via Indian Hills Drive, which is designated as a local neighborhood street. Indian Hills Drive is currently constructed as a 34 foot wide paved roadway with curb, gutters, tree lawns, and sidewalks on both sides of the street.
21. The applicant is proposing a private street to serve the proposed development with parking on one side of the street. The street will contain two 11 foot wide vehicular travel lanes, on-street parallel parking on the west side of the street, and a 4.5 foot sidewalk on the west side of the street. With the alignment of the proposed private driveways, there will be room for 4 on-street parking spaces on the private street. The private street will be paved with curbs and gutters and will meet the City of Moscow's standard for private streets.
22. The subject property is part of the Indian Hills 6th Subdivision, which parkland dedication requirements have already been met. The Indian Hills Park at the northeast intersection of Blaine Street and Indian Hills Drive satisfied the parkland dedication requirement for the Indian Hills 6th Subdivision.
23. There is a required Type A landscape buffer adjacent to the eastern property line of the proposed PUD, since the adjacent zoning district is General Business (GB). A Type A buffer requires 2 canopy trees, 4 understory trees, and 6 shrubs every 100 lineal feet.
24. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on April 8, 2019 to discuss the proposed preliminary plat.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE CITY COUNCIL OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed subdivision is in conformance with all applicable City Code requirements.** The applicant is concurrently requesting a PUD in order to allow a reduction in the minimum lot size and width, as well as a reduction in the required setbacks of the Residential Office (RO) Zone. All other Zoning Code requirements will be met as part of the proposal.
2. **The proposed subdivision is in general conformance with the Comprehensive Plan.** The proposed preliminary plat is consistent with the uses and densities designated within the 2019 Comprehensive Plan. The Auto-Urban Commercial (AU-C) designation is generally a more intense commercial land use designation than what the Residential Office (RO) Zone would permit. However, properties may be developed with a lower intensity use than is indicated by the Plan, which is what is being proposed in this circumstance. Therefore, the Council finds that the proposed preliminary plat is consistent with the Comprehensive Plan.
3. **Public Services and utilities are available or can be made available and are adequate to accommodate the proposed subdivision.** The subject property has property frontage on Indian Hills Drive to the south. There are currently sufficient and available public utility services to meet the needs of the proposed development. Water and sewer connections are readily available in the area and the property has been determined to be developable in the City's Comprehensive Water and Sewer System Plans.
4. **The proposed subdivision will not be detrimental to the public health, safety, or general welfare.** The proposed preliminary plat provides single family dwellings on small lots that will be served by a private street, which is consistent with the Comprehensive Plan. The proposal will not be detrimental to the public health, safety, and general welfare.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Moscow recommends approval of the preliminary subdivision plat request for the forty-one thousand one hundred and fifty-one (41,151) square foot parcel of land located at 1330 Indian Hills Drive with the following conditions:

Public Works:

1. The construction of the proposed private street shall meet current City standards including dedicated easements for public and franchise utilities.
2. The proposed detention pond shall meet the current Moscow Stormwater Runoff Control Standards.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 17th day of June, 2019.



Bill Lambert, Mayor