

PLANNING & ZONING COMMISSION



Wendy McClure
Commission Chair

~Meeting Minutes~
June 27, 2018

Mike Ray
Staff Liaison

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The meeting was called to order at 7:00 PM.

MEMBERS PRESENT: Wendy McClure, Chair; Scott Gropp, Joel Hamilton, Mike Nelsen, Kurt Obermayr, Robb Parish, Nels Reese, Victoria Seever, Dennis Wilson

ALSO IN ATTENDANCE: Mike Ray, Staff Liaison; Anne Zabala, Council Liaison; Anne Peterson, Deputy City Clerk

1. Approval of minutes from June 13, 2018

RESULT:	ACCEPTED BY ACCLAMATION
MOVER:	Seever
SECONDER:	Nelsen

2. Correspondence

None.

3. Transportation Commission Meeting Report

Discussion at the June 14 meeting included a presentation on the SMART transit changes. Survey results showed a much higher interest in expanded hours rather than additional routes. The Third Street traffic calming report from the consultant is available on the City website. The next meeting is scheduled for July 12, 2018.

4. Public Comment

None.

5. Public Hearing: Proposal for Rezone at 2324 South Highway 95 in the Area of City Impact - LUP2018-0010

Ray presented the proposal to rezone a 1.04-acre area located at 2324 South Highway 95 from the Agriculture/Forestry (AF) Zone to the Motor Business (MB) Zone. The 1999 comp plan designation is Light Industrial with Extensive Commercial to the north/northwest, and Medium Density Residential to the west. General industry and warehousing operations are appropriate within the Light Industrial designation. Under the 2009 comp plan, the subject project is designated as Auto-Urban Commercial which provides for commercial services that are motor-vehicle oriented and require a large amount of land. The Motor Business zoning district provides for the grouping of compatible uses, and there is already a large area of Motor Business across Highway 95 to the west. The City's annexation policy requires annexation if the property is completely surrounded by the City or the property is served by City water and/or City sewer and there is a structure on it. Currently there are no sewer services in the area and this parcel is relatively small with a limited utility demand. Staff recommended the Commission recommend approval of the application to the Latah County Board of Commissioners, with the condition that Applicant enter into a

development agreement to consent to annexation at the time utility services are fully available to the subject property.

Parish asked if an island of Motor Business would complicate matters if the surrounding property wanted to be rezoned to Industrial. Ray said it was unlikely the demand for that much Industrial zoning would arise and it was probably better suited for Motor Business. Obermayr asked if staff was satisfied with development occurring in that proximity to the floodplain. Ray replied that any development would be required to meet the County's current floodplain development regulations.

The public hearing opened at 7:14pm.

Mike Salisbury, 2315 Shelby Lane, stated on behalf of the property owner that they support the application.

Hearing no further testimony, the hearing closed at 7:15pm and there were no comments or questions from the Commission. Wilson moved to recommend to the County approval of the request to rezone to Motor Business, with the condition recommended by City staff.

RESULT:	APPROVED BY ACCLAMATION
MOVER:	Wilson
SECONDER:	Parish

Hamilton moved to direct staff to prepare the Relevant Criteria and Standards.

RESULT:	APPROVED BY ACCLAMATION
MOVER:	Hamilton
SECONDER:	Nelsen

6. Public Hearing: Proposal for Rezone of a 13,033 square foot area located at 109 N Almon Street within the City of Moscow: LUP2018-0016

Ray explained the subject property was recently divided off from the larger parcel that was formerly the Dumas Seed plant. Applicant wants to rezone the new parcel from Multiple Family Residential (R-4) Zone to the Neighborhood Business (NB) Zone. The current comp plan designation of subject property and the neighborhoods to the south, east and west is Urban Mixed which provides for adaptive re-use of areas that surround downtown including limited commercial use such as niche retail, restaurants, artist studios and personal/professional services. The property is currently zoned R-4, as are properties to the west, north and southeast, and properties to the east are zoned Industrial. The proposed Neighborhood Business zone is the lowest intensity commercial zoning district, intended for areas of less than two acres where commercial services serve the everyday needs of adjoining residential neighborhoods. Uses are limited to those whose traffic generation, access requirements, lighting impacts and noise production will be compatible with residential uses. Staff recommended that the Commission recommend approval to City Council with no conditions.

Obermayr asked if residential uses are allowed in the NB zone. Ray replied affirmatively, as long as there is commercial use is on the ground floor; ground floor residential is allowed on a secondary street frontage or by CUP. McClure asked about sidewalk improvements and Ray said all standard street frontage improvements would be required with any redevelopment. Seever announced that she lives within 600 feet of subject property, and although there is no conflict of interest she was choosing to recuse herself from the hearing.

McClure declared the public hearing open at 7:27pm.

Garrett Thompson, 1010 Pine Crest Road, said his rezone request is consistent with the comprehensive plan and seemed a perfect fit with the neighborhood. He is under contract to purchase the parcel based on his desire to preserve the historic building on the property and redevelop it for uses compatible with the

neighborhood. Reese asked if Thompson knew yet whether the steam stack was sound. Thompson said based on preliminary research he hopes to save the stack, if not the entire building.

Roberta Radavich, 809 East B, owns a house at 109 S Almon, and another at 233 N Asbury. She opposed the proposal because in her opinion other NB zones in town already do not “serve the needs of the local neighborhood.” She submitted a list of businesses already within four blocks of that site (attached) and didn’t want another business of an unknown nature on the subject property. Radavich shared pictures (attached) of existing historic residences in the neighborhood, very few of which have off-street parking. She said additional businesses would impact parking negatively.

Shelly Werner, 117 S Almon, said parking is a serious issue on Almon. She loves the old buildings in the community and was opposed to seeing a business there.

Timothy Dalton, 809 East B, was not opposed to a business on the subject property but said the only advantage to having a business there would be to preserve the old landmark building. He would like it to be a condition of approval that the building must be preserved.

Victoria Seever, 121 N Lilly, has lived within a couple blocks of the subject property for nearly 50 years. She favored the neighborhood park that was developed on another portion of the former Dumas site because she felt it more appropriate than cramming in more residential units. She thought this proposal provided another opportunity to turn more of the Dumas site into something other than high-density residential, because low-intensity businesses have less of a traffic and parking impact than high-density housing. She’d like to see the power building become something special if possible. She said the site is a reclaimed brownfield site and she thought high-end apartments and a small residential business would be a nice addition to the neighborhood.

Given no further testimony, McClure closed the hearing at 7:45pm.

Obermayr asked if the Legacy Crossing District had different parking requirements. Ray said there’s an overlay zone south of Sixth Street and west of Jackson that has different parking requirements, but this parcel would need to follow all off-street parking requirements per code. Reese was excited for the possibilities on this site and he appreciated the desire to preserve this bit of agricultural history. He thought a neighborhood business in that location would be positive for the area, and encouraged re-use of the building. Gropp, whose business is located just east of the site, said the Dumas property was for sale for a long time and many interested developers wanted to demolish everything and start from scratch. Salvaging the structure will cost far more than building new, so he applauded Thompson for acknowledging its historical importance. Hamilton was also interested in preserving a remnant of the Dumas operation and didn’t think that could happen if the parcel remained zoned Residential. Wilson thought it was a perfect transition between the Motor Business and R-4. McClure spoke as a member of the Historic Preservation Commission, noting that neighborhoods weren’t historically built solely with residential uses. Nelsen asked for clarification of the parking requirements; Ray said it would depend on the ultimate use but any new structure or substantial improvement would create the need for parking and other code requirements to be brought into compliance. Reese suggested that Thompson might be interested in the large photographic collection of the Dumas site that the City commissioned prior to demolition. Gropp added that he is in possession of some of the original building blueprints.

Wilson moved to recommend approval of the rezone request to City Council.

RESULT:	APPROVED BY ACCLAMATION
MOVER:	Wilson
SECONDER:	Reese

Parish moved to direct staff to prepare the Relevant Criteria and Standards.

RESULT:	APPROVED BY ACCLAMATION
MOVER:	Parish
SECONDER:	Wilson

7. Draft Ordinance Amending Planned Unit Development Base Density, Rural Lot Access Requirements, Expiration of Certain Land Use Actions, and Public Notice Requirements

Ray presented the draft in ordinance format, including the changes discussed at the last meeting. Seever pointed out a minor typo and staff was directed to schedule the ordinance amendment for hearing on July 25, 2018.

8. Approval of Reasoned Statements of Relevant Criteria and Standards for Property Currently addressed as 2375 Highway 95 North in the Area of City Impact -- LUP2018-0011

Reese moved approval of the RCS as presented.

RESULT:	APPROVED BY ACCLAMATION
MOVER:	Reese
SECONDER:	Hamilton

The meeting adjourned at 8:01 p.m.



Robb Parish, Vice Chair

**BEFORE THE PLANNING AND ZONING COMMISSION
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 THE PRELIMINARY SUBDIVISION PLAT OF A NINE POINT FIVE (9.5) ACRE AREA OF LAND LOCATED AT 2375 NORTH HIGHWAY 95 WITHIN THE AREA OF CITY IMPACT OF THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Preliminary Plat in the Moscow Area of City Impact on April 30, 2018; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on June 13, 2018; and

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

THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The Planning and Zoning Commission considered the request pursuant to the City of Moscow 1999 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, the Moscow Area of City Impact Agreement, and other applicable development regulations.
2. Per the Moscow Area of City Impact Agreement with Latah County, the Moscow Planning and Zoning Commission is to conduct one hearing and forward a recommendation on to Latah County.
3. The subject property is a nine point five (9.5) acre area of land generally located at 2375 N Highway 95 within the Area of City Impact.
4. The subject property is currently developed with a single family dwelling, machine shop, and an office building. The applicant had previously received a Conditional Use Permit in 1990 from Latah County to operate the office and machine shop.
5. The subject property has direct access to Highway 95 which is adjacent to the east, via a single approach. The subject property gains elevation towards the southwest of the property and the single family dwelling is located on a ridge at a higher elevation than the other two buildings. Surrounding uses include rural single family dwellings, agrarian uses, and a mobile home park across the highway to the east.
6. The subject property is designated as Agricultural upon the 1999 City of Moscow Comprehensive Plan Land Use Map.

7. According to the 1999 Comprehensive Plan, the Agricultural designated areas,

“are farming, ranching, or forestry activity areas, or lands suited best thereto, located either within or adjacent to the city boundary or outside the city boundary but within the Area of City Impact. Lands with this designation shall remain primarily undeveloped except for single-family dwellings and accessory buildings on large lots, and except for buildings related to agricultural, ranching, or forestry uses or other uses which do not conflict with the rural aspects of the uses previously specified.”

“The majority of lands outside the urban area and the area of expansion have been designated for agriculture. Both the city and Latah County recognize that every attempt should be made to keep other development out of these agricultural areas in order to maintain acreage large enough for agricultural utilization. Available lands within the city should all be developed before development occurs outside of the present city limits. As lands designated for low-density residential use are developed, areas designated for agricultural use within the Area of City Impact may be gradually reclassified for low density residential use.”

8. The subject property is located in Latah County within the Area of City Impact and is currently within the Suburban Residential (SR) Zoning District with a small portion in the southeast corner within the Agriculture Forestry (AF) Zoning District.
9. Adjacent properties to the north, south, and west are currently zoned Agriculture/Forestry (AF). Properties across Highway 95 to the east are all zoned Suburban Residential (SR).
10. According to the City of Moscow Zoning Code, the purpose of the SR Zoning District is to,

“Create and protect a permanent single family residential neighborhood at a very low density. Where properly located and controlled, specified rural uses, including pasturage of livestock, may be allowed. Because large areas are contained within lots in this zoning district, the demand for parking is to be satisfied by spaces located entirely on private property. Public improvements are to be designed to serve the rural, low intensity uses permitted in this zoning district; for this reason and because some uses permitted in the SR zoning district may not be compatible with more intensive zoning districts, the following conditions shall apply to the designation of land in the SR zoning district.

- 1. Local streets developed to a reduced standard specially applicable in the SR zoning district shall not provide primary access to development with a higher density than permitted in the SR zoning district.*
- 2. The minimum size of an SR zoning district shall be ten (10) acres.*
- 3. The SR zoning district shall be located only in areas specifically designated A or A/LR on the Comprehensive Plan Map. Because the SR zoning district may interfere with higher density, more efficient land use, it should be applied where such interference would be unlikely, such as in areas primarily rural in character and not close to schools, public facilities and shopping areas. The SR zoning district should not be applied where the reduced street standards permitted would interfere with present or future transportation needs for the area in which the SR zoning district is proposed.*
- 4. After zoning and development of land in the SR zoning district occurs, changes from this zoning district can only take place concurrently with or after redevelopment of streets and utilities to standards applicable in the proposed zoning district for which the person is applying.*

12. Water is currently available to the subject property via a private well and sewer is available via a private septic system.
13. The applicant is proposing to subdivide the existing 9.5-acre area currently addressed as 2375 Highway 95 North to allow for the creation of three parcels of 3.24, 3.36, and 2.90 acres in size. All of the proposed lots meet the minimum lot size in the SR Zone of 1 acre and minimum lot width of 100 feet.

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

II. RELEVANT CRITERIA AND STANDARDS

1. **This plat is not contradictory to the Moscow Comprehensive Plan.** The proposed preliminary plat is consistent with the underlying 1999 Comprehensive Plan Land Use Designations of Agricultural and the 2009 Comprehensive Plan Land Use Designation of Suburban Residential (SR). The proposed lots sizes and densities are consistent with the Comprehensive Plan Land Use designation of Agricultural and SR.
2. **This plat is compatible with the Moscow Zoning Ordinance.** The proposed preliminary plat is consistent with and in conformance with the requirements and provisions of the Suburban Residential (SR) Zone, including lot area, dimensions and other relevant provisions.
3. **This plat is compatible with the Moscow Subdivision Ordinance.** The proposed preliminary plat is consistent and in conformance with the general requirements of the Moscow Subdivision Ordinance.
4. **This plat is considerate of the natural features of the subject land.** The proposed preliminary plat provides for development of the subject property in conformance and consideration of the natural contours of the subject property.
5. **This plat is not expected to place an undue burden on public services and infrastructure, and does not pose an apparent threat to the public health, safety or welfare.** The subject property has direct access to Highway 95 which is a National Highway. The applicant will be required to obtain proper approval for water and sewer to the subject property.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the Planning and Zoning Commission of the City of Moscow recommends approval of the preliminary plat request for the nine point five (9.5) acre property to Latah County with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
27th day of June, 2018.



Wendy McClure, Chair
Planning and Zoning Commission

Written testimony from Roberta Radavich

Business needs and services within the immediate **4 blocks** of the proposed zoning change at A St and Almon

Major Supermarket- Rosauers (11PM)

Drug store- Walgreens (10PM)

Banks (3)- Zions, Wells Fargo and US Bank

Eateries – (7)

Red Bento , Subway, Pizza Perfection, Rants and Raves (11PM), Garlic Garden Bistro, Loco Grinz Hawaiian, Humble Burger, Varsity Diner

Brew pubs- (5)

Moscow Brewing company, Rants and Raves, Hunga Dunga (11PM), Coulter's Creek Winery, Tapped taphouse and kitchen

Bars- (2) Mingles, Corner Club

High End Dining-, Lodge Pole (10PM)

Chocolate! - Cowgirl Chocolates

Coffee /latte

Coffee shop/pub- Bucer's Coffeeshouse

Drive through Coffee stand - Dutch Brothers

Convenience stores - Taj (2AM), Zip Trip

Health and Medical:

Dr Offices Moscow Medical Center- family practice doctors and Sleep specialists

Medical Supplies and devices, oxygen - Norco

Pharmacies (2)- Rosauers, Walgreens

Massage- (5) Allan's therapudic Massage, Belinda L Rhodes LMT, Arleen M Stoddard massage, Deb Welch LMP, Alyssa Hansen Massage Therapist

Fitness center - Anytime Fitness

Chiropractic- Quality Chiropractic, Moscow Chiropractic Clinic

Phone and computer

Phone services - Internet phone store

Computers and internet- Cactus Computer

Specialty stores:

Tattoo parlors – Swan Family Ink, Bitterroot Tattoo

Bicycle shop- Palouse Bicycle Collective

Thrift stores -Salvation army, Moscow OUI thrift store

Antique mall- Main St Antique Mall

Bookstore- Palouse Books
Photo processing- Archer Photography

Auto Services

Gas station -Zip Trip
Auto Parts and repairs- Carquest St Johns , Moscow Transmission, Advanced Auto Glass
Cars- C&T used cars

Laundromat Suds Zees Laundry

Churches - United church of Moscow, Impact Church, Islamic Center of Moscow

Beauty needs:

Barber shop- kazumi's
Beauty Salons (7) -Q's Corner, The Loft, Paper Moon, Hare Studio, Highlights Cut and Color, Spirit Springs Day Spa, Twisters
High end gifts - Essential Glass Works Art Gallery

Vetrinary care- Palouse Animal Wellness and Surgery (5 blocks away)

Childrens and Daycare (2) - White pine Montessori, Small Steps Day Care

Professional services:

Appliance Repair – Chris' Appliance
Realtors – Remax realtors, Team Idaho
Accountant – Hayden Ross
Copies, Printing, Screenprinting- Artbeat
Insurance- State Farm Insurance-, Kuespert Insurance, Kimberlings Farmer's insurance
Investments- Coldwell Bankers plus the local banks already listed.
Tax Assistance- H&R Block , Palouse Tax Service

Almon Asbury Lieuallen House - built 1884
Added to national register of historic places in 1978

The wooden structure was built outside the town of Moscow on his farm and occupied by Almon Asbury Lieuallen and his family.^[3] One of the early settlers of Moscow, he operated one of the first stores and was postmaster in 1876. Together with James Deakin, Henry McGregor, and John Russell, he donated one-quarter of the one-hundred and 20 acres (81,000 m²) which became the city center of Moscow.

From Wikipedia











BUILT - 1988

