

PLANNING & ZONING COMMISSION



Robb Parish
Commission Chair
P&Z@ci.moscow.id.us

Regular Meeting
~Agenda~

Mike Ray
Staff Liaison
208.883.7008

<https://www.ci.moscow.id.us/581/Agendas-and-Minutes>

Wednesday
January 26, 2022

7:00 PM

Council Chambers
206 E Third Street

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. **Approval of January 12, 2022 Minutes (ACTION ITEM)**

PROPOSED ACTIONS: Approve minutes as presented; approve minutes with amendments; or provide staff further direction.

2. **Public Comment**

Time limit 15 minutes. Members of the Public may speak to the Commission regarding matters NOT on the Agenda nor currently pending before the Planning and Zoning Commission. Please state your name and resident city for the record and limit your remarks to three (3) minutes.

3. **Public Hearing: Proposal for Rezone of an approximately 4-acre area located at 1604 & 1704 East D Street: LUP2022-0036 (ACTION ITEM)**

Rezoning of the subject property from the Farm, Ranch, and Outdoor Recreation (FR) Zone to the Moderate Density Single Family Residential (R-2) Zone.

PROPOSED ACTIONS: After conducting the public hearing and consideration of testimony received:

1. Recommend approval of the proposed Rezone with no conditions; or recommend approval of the proposed Rezone with conditions; or recommend denial of the proposed Rezone; or take such other action deemed appropriate.
2. Approve the attached Relevant Criteria and Standards document; or approve the attached Relevant Criteria and Standards document with modifications; or take such other action deemed appropriate.

4. **Proposed Final Subdivision Plat for a property located at 2075 Sunnyside Ave and 706 W Palouse River Drive within the City of Moscow – Anderson 7th Addition: LUP2022-0001 (ACTION ITEM)**

Proposed Final Plat of a 5.89-acre property to create eighteen (18) parcels with an average lot size of 12,971 square feet, referred to as Anderson 7th Addition.

PROPOSED ACTIONS: Review the Anderson 7th Addition final plat and recommend approval to City Council; or recommend approval of the final plat with conditions; or recommend denial of the final plat; or provide Staff further direction as deemed necessary.

NOTICE: Moscow City Council and Commission meetings can be televised, videotaped and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.

5. Palouse Basin Aquifer Presentation – Tyler Palmer (ACTION ITEM)

PROPOSED ACTIONS: Receive the presentation and provide Staff further direction as deemed necessary.

REPORTS

1. Transportation Commission meeting report.

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

Next Planning & Zoning Commission regular meeting is scheduled for February 9, 2022.

ADJOURN

PLANNING & ZONING COMMISSION



Robb Parish
Commission Chair
P&Z@ci.moscow.id.us

Regular Meeting ~Minutes~

Mike Ray
Staff Liaison
208.883.7008

<https://www.ci.moscow.id.us/457/Planning-Zoning-Commission>

**Wednesday
January 12, 2022**

7:00 PM

**Council Chambers
206 E Third Street**

The meeting was called to order at 6:59 PM

MEMBERS PRESENT: Robb Parish, Chair; Rich Beebe, Drew Davis, Joel Hamilton, Mike Nelsen, Nels Reese, Victoria Seever, Dennis Wilson
MEMBERS ABSENT: Scott Gropp
OTHERS: Hailey Lewis
STAFF: Jennifer Fleischman, Mike Ray, Cody Riddle

REGULAR AGENDA

1. Approval of December 8, 2021 Minutes (ACTION ITEM)

Wilson moved for approval of the minutes as presented, seconded by Seever. Vote by Acclamation; Ayes: Unanimous (8). Nays: None. Abstentions: None. Motion carried.

2. Public Comment

Time limit 15 minutes. Members of the Public may speak to the Commission regarding matters NOT on the Agenda nor currently pending before the Planning and Zoning Commission. Please state your name and resident city for the record and limit your remarks to three (3) minutes.

None.

3. Approval of Reasoned Statement and Relevant Criteria and Standards (ACTION ITEM)

Proposal for a Comprehensive Plan Land Use Designation and Zoning Designation for an 8,636 square foot property proposed to be annexed into the City of Moscow and located at 1825 N Polk Street Extension.

1. Retaining the current Comprehensive Plan Land Use Designation of Suburban Residential (SR).

2. Rezoning of the subject property from the Agriculture Forestry (AF) Zone to the Multiple Family Residential (R-4) Zone.

Wilson moved to approve the Relevant Criteria and Standards for both the proposed Comprehensive Plan Land Use Designation and Rezone, seconded by Davis. Vote by Acclamation; Ayes: Unanimous (8). Nays: None. Abstentions: None. Motion carried.

4. Continuing Education Discussion: On Common Ground – Addressing the Housing Shortage

Parish started the discussion on the continuing education material as indicated above, specifically about zoning districts. City of Moscow zoning code allows varied uses for different types of housing, with the only possible limitations regarding parking regulations. Some municipalities have removed off-street parking requirements to allow for denser development. Commissioners talked about the Identity parking that has been a frequent source of complaint from residents. There followed discussion about Accessory Dwelling Units (ADUs) and minimum lot size zoning code changes.

The Commission discussed the size of Moscow compared to the other cities referenced in the article, and how that might affect zoning districts and the public's opinion regarding housing development. There was conversation about affordable housing options, the Moscow Affordable Housing Trust, and how that impacts housing availability. There continued to be discussion about affordable housing and the economic factors that affect development.

A downtown parking study is anticipated in the next year, which should answer questions about the need for parking in the downtown core. Creating more parking spaces is counter-intuitive to pedestrian-centric planning. There was talk about car storage, especially for university students. Modular homes were mentioned, and the City's work on planning for growth. Some more conversation about the public opinion of housing development.

REPORTS

1. Transportation Commission meeting report.

The next meeting is scheduled for Thursday January 13th. An Intercity Transit update is on the agenda.

ANNOUNCEMENTS

Hailey Lewis is the 2022 Council liaison for Planning & Zoning.

UPCOMING EVENTS/MEETINGS

Next Planning & Zoning Commission regular meeting is scheduled for January 26, 2022.

The meeting adjourned at 7:33 PM

Robb Parish, Chair

CITY OF MOSCOW COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

Hearing Date: January 26, 2022

GENERAL INFORMATION

Hearing Body: Planning and Zoning Commission

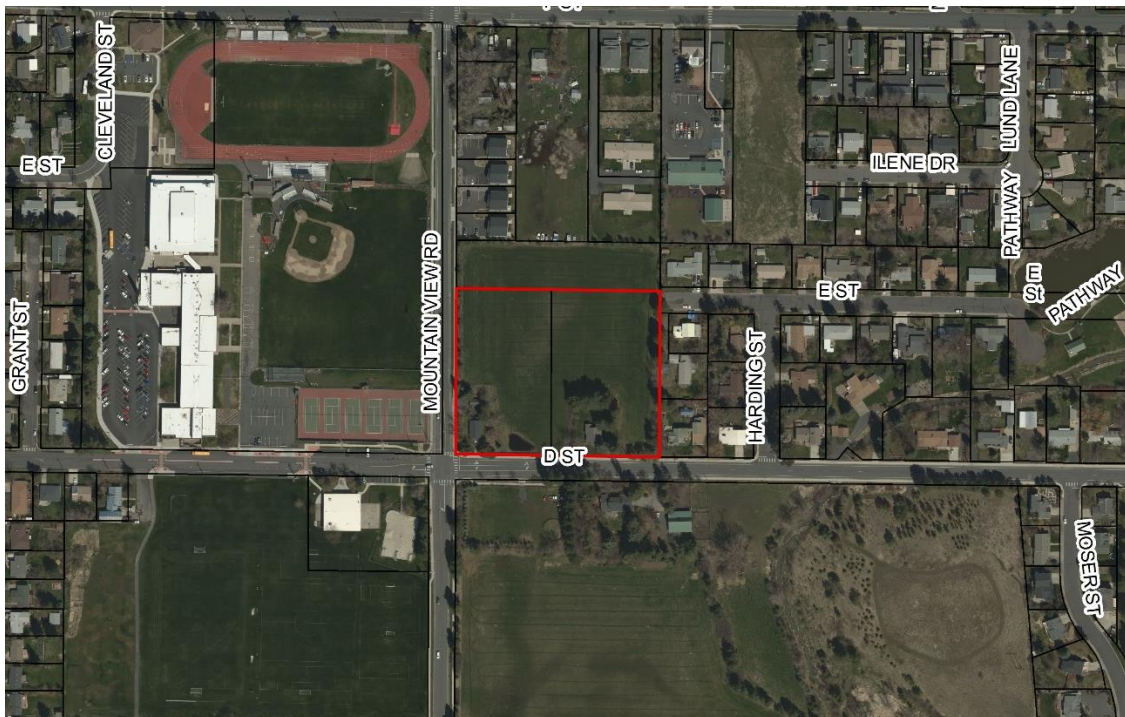
Subject: Proposal for Rezone of an approximately 4-acre area located at 1604 & 1704 East D Street from the Farm, Ranch, and Outdoor Recreation (FR) Zone to the Moderate Density Single Family Residential (R-2) Zone - LUP2021-0036

Attachments:

1. Public Hearing Notice
2. Rezone Application
3. Neighborhood Meeting Materials

STAFF REVIEW

Proposal: The applicant, Jon Staniewski, is requesting to rezone an approximately 4-acre area located at 1604 & 1704 East D Street. The parcel is currently zoned Farm, Ranch, and Outdoor Recreation (FR) which the applicant is proposing to rezone to the Moderate Density Single Family Residential (R-2) Zone. The purpose for the rezone request is to facilitate the separation of two single family dwellings from the pasture field that exists on the property which is currently within a conservation easement.



Aerial of Subject Property



Close-up Aerial of Subject Property

Site and Area Land Use: The subject property consists of a 4-acre area of land located on the northeast corner of 'D' Street and Mountain View Road. The subject property currently contains two single family dwellings and a pasture field. The applicant has indicated that there is a conservation easement around the entire property except for the land immediately surrounding the single-family dwellings.

The property is surrounded primarily by a residential neighborhood to the east and north, Moscow Middle School to the west, and the main Fosberg property to the south which contains a single-family dwelling with a small farm on a conservation easement.

Comprehensive Plan Land Use Designation:

The entirety of the subject property is currently designated as Auto-Urban Residential (AU-R). According to the Comprehensive Plan, AU-R designated areas,

“contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and

townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”

The surrounding properties to the north, east, and south are also designated as Auto-Urban Residential (AU-R). Moscow Middle School to the west is designated as Civic/Institutional (CI).

The subject property has property frontage on Mountain View Road and ‘D’ Street which are both designated as minor arterials in the 2019 Comprehensive Plan.



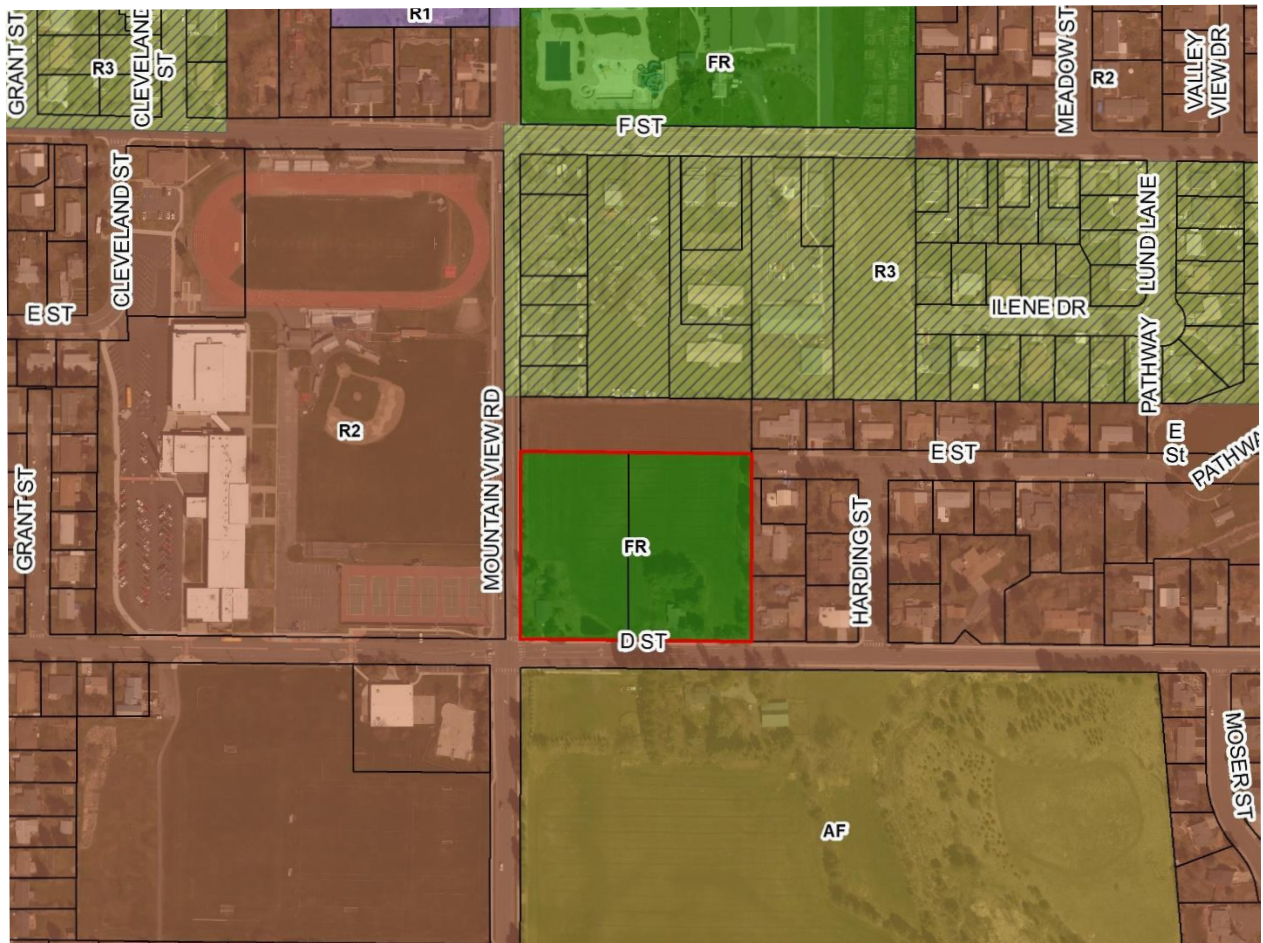
Current Comprehensive Plan Land Use Designation

Zoning: The proposal is to rezone the subject property from its current designation of Farm, Ranch, and Outdoor Recreation (FR) to the Moderate Density Single Family Residential (R-2) Zone. Surrounding properties to the west, north, and east are all located within the R-2 Zone, while the main Fosberg property to the south is located in the Agriculture/Forestry (AF) Zone.

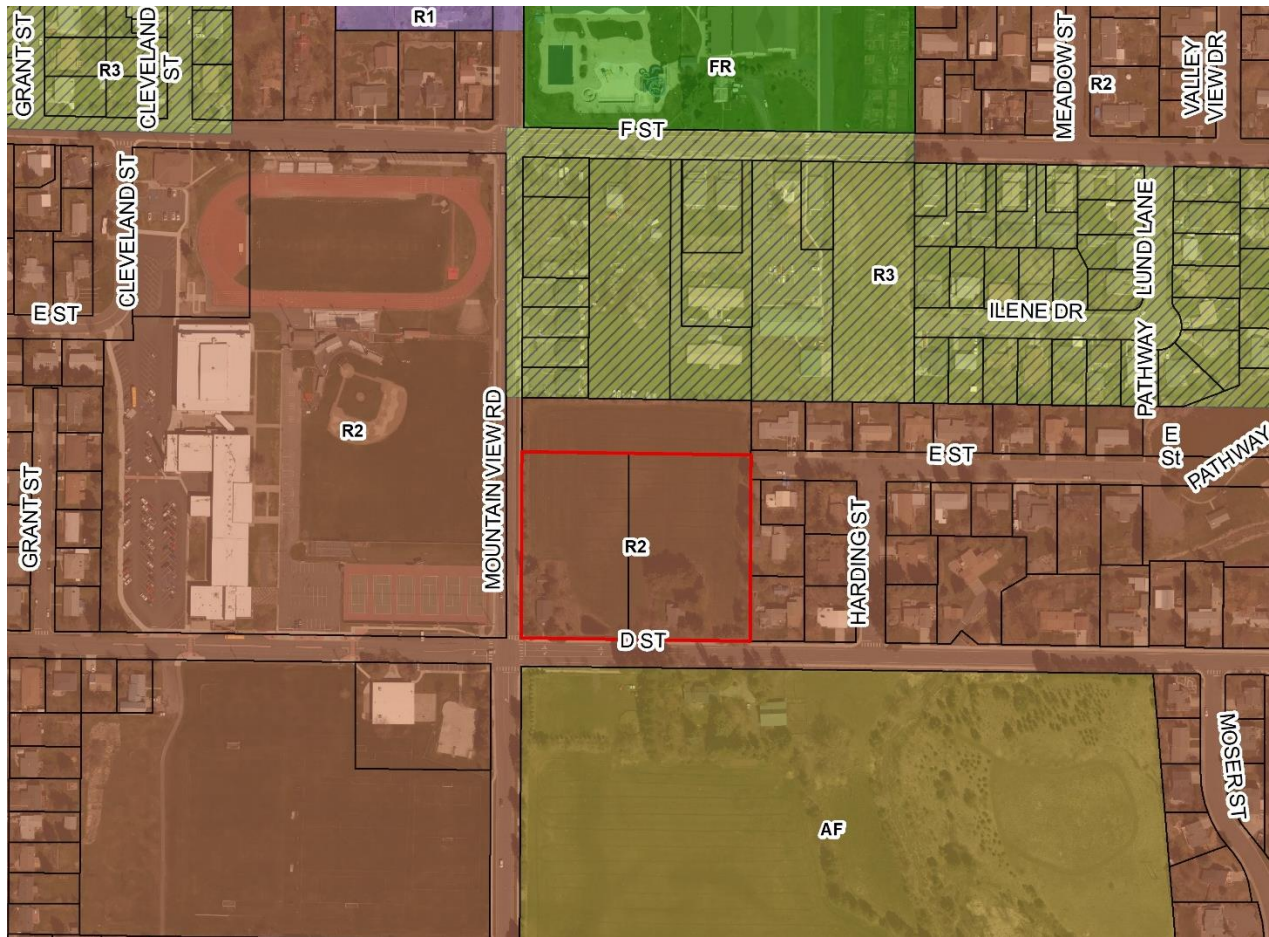
The R-2 zoning district is a moderate density residential zone appropriate where the following circumstances are present:

1. Single family dwellings predominate.
2. The terrain is not harshly irregular and smaller lot sizes can be accommodated without extensive earthwork.
3. Utilities and other public facilities are adequate for the densities allowed.
4. Existing lot development patterns and policies embodied in the Plan will also guide application of this zoning district.

Uses permitted within the R-2 Zone include single-family residential dwellings, market and community gardens, group child care facilities, and public parks and recreational facilities.



Current Zoning



Proposed Zoning

Water and Sewer: There are existing water and sewer mains within the surrounding streets which are of sufficient capacity to accommodate any future use that the R-2 Zone would allow on the subject property.

Access, Streets, Traffic: The subject property is located adjacent to the intersection of Mountain View Road and 'D' Street which are both designated in the Thoroughfare Plan as minor arterials. There is currently one vehicular approach to the easternmost single-family dwelling on 'D' Street. There is an additional vehicular approach on Mountain View Road which provides access to the westerly single-family dwelling as well as the pasture field.

Other Issues: The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on November 17, 2021 to discuss the proposed rezone. All neighborhood meeting materials are attached.

Input from Other Agencies: None received.

RELEVANT CRITERIA & STANDARDS:

Rezone:

1. The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.
2. The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.
3. The uses expected to occur as a result of the rezone will be compatible with the surrounding area.
4. The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.
5. The size, type, and density of development expected to occur as a result of the rezone can be adequately served by the existing transportation network, public facilities and services.

RECOMMENDATIONS:

Staff recommends that the City of Moscow Planning and Zoning Commission conduct the public hearing and upon consideration of testimony received:

1. Recommend approval of the proposed rezone from the combination of Farm, Ranch, and Outdoor Recreation (FR) to the Moderate Density Single Family Residential (R-2) Zone with no conditions.
2. In accordance with the Commission's decision on the rezone request, direct staff to prepare the Relevant Criteria and Standards document.

NOTICE OF PUBLIC HEARING

Proposal for Rezone of an approximately 4-acre area located at 1604 & 1704 East D Street.
Permit Application LUP2021-0036

A public hearing at which you may be present and speak will be conducted by the Planning and Zoning Commission of the City of Moscow at which time the following proposal will be considered:

1. Rezoning of the subject property from the Farm, Ranch, and Outdoor Recreation (FR) Zone to the Moderate Density Single Family Residential (R-2) Zone.

MEETING DATE: Wednesday, January 26, 2022

HEARING LOCATION: Council Chambers, Second Floor, Moscow City Hall
206 East Third Street, Moscow, Idaho

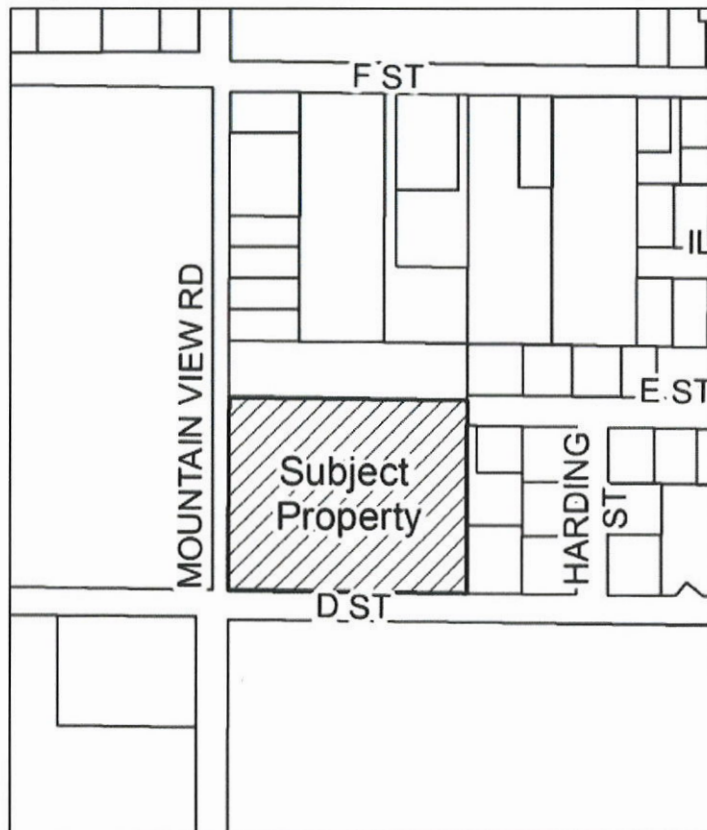
MEETING TIME: 7:00 p.m.

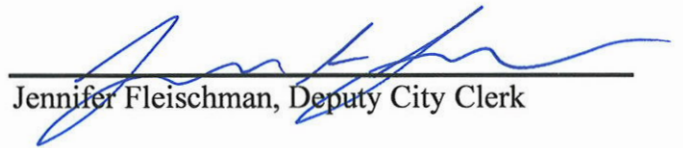
Note: Meeting start time is not necessarily indicative of the hearing start time for the proposal advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine hearing start time, which could occur late in the meeting. The file containing information on this matter is available for public review at the Community Development Department located in the Haddock Building, 504 S. Washington Street, Moscow, Idaho. Call 883-7035 to get a meeting agenda and further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Minor amounts of written materials (less than two (2) pages) may be submitted to the hearing body at any time prior to the close of comments, as determined by the hearing body. More in-depth written materials require at least five (5) calendar days for review prior to the hearing. You may obtain

further information about the public hearing process and procedures on the City's Website at:
<https://www.ci.moscow.id.us/593/Public-Hearing-Notices>

Laurie M. Hopkins, Moscow City Clerk




Jennifer Fleischman, Deputy City Clerk

Publish: January 8, 2022

AUG 17 2021

City of Moscow

William C. Kirsch (Retired)
*Paul L. Clark**

KIRSCH & CLARK
A PROFESSIONAL
COMPANY
ATTORNEYS AT LAW
309 E. SECOND STREET
P.O. BOX 9384
MOSCOW, IDAHO 83843

Phone: 208/882-3598
Fax: 208/882-2283

August 16, 2021

Moscow Planning and Zoning Commission
City of Moscow
221 E. 2nd St.
Moscow, ID 83843

RE: Application for Zoning Amendment
Applicant: Fosberg Manor LLC
Parcels: 1604 and 1704 E. D Street

Greetings:

I represent Fosberg Manor LLC in this matter.

Fosberg Manor LLC requests the two parcels be rezoned from Farm-Ranch (FR) to Single Family (R-2).

Background.

The parcels lie north east of the intersection of Mountain View Road and D Street. Currently there are two single family homes, one on each parcel. These parcels are labeled Parcel 1 and Parcel 2 on the attached Quitclaim Deed. The balance of the parcels are currently devoted to growing grass hay. The majority of the parcels are covered by a Conservation Easement granted in 2010 by Maynard and Margaret Fosberg. The conservation easement excludes the area around each house creating residential lots of approximately ¼ acre each. Maynard and Margaret are both deceased. Their Trust directed these parcels be given to their grandchildren who have formed Fosberg Manor LLC to own the parcels.

Plan for the Parcels.

Fosberg Manor LLC's goal, is to divide the two parcels, separating the single-family homes from the land covered by the conservation easement. The parcel on the north side of the two subject parcels is also covered by the conservation easement (and currently zoned R-2). Eventually the three parcels covered by the conservation easement will be consolidated into one parcel with the two houses on separate parcels.

These are the proposed steps to reach the goal:

*Licensed in Idaho and Washington

Recieved 08-17-2021

RECEIVED

AUG 17 2021

City of Moscow

1. Rezone these two parcels to R-2.
2. Apply for lot divisions to create individual lots for the two houses and consolidate the three resulting parcels covered by the conservation easement into a single parcel.
3. Apply for a rezone of the parcel covered by the conservation easement to change from R-2 to FR.

The requested rezone from FR to R-2 will not impact the City other than to provide two additional residential lots to be taxed as residences (currently in the FR zone). There will be no change in land use, no change in impact on City services.

The advantage provided by the rezone will be to bring zoning designations into line with land use and align the zoning of the area covered by the conservation easement with its current and future use. (The conservation easement prevents any residential development or significant change in use of the land it covers.)

Please approve the Application.

Respectfully:



Paul Clark
Attorney at Law

Enclosure
Cc: Jon Staniewski



**CITY OF MOSCOW
COMMUNITY DEVELOPMENT**
Ph.: 208-883-7035
Fax: 208-883-7033
jfleischman@ci.moscow.id.us

For City Use Only			
Date Received			
Dept	Fee Type	Fees	Paid
CD	Application Fee	\$895	
Receipt Number			

RECEIVED

AUG 17 2021

APPLICATION FOR ZONING AMENDMENT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

City of Moscow

1. Applicant

Name: Jon Staniewski Telephone: 615-260-6022
424 Patterson St, Nashville, TN 37211
 (Home address)

Relationship to affected property (please check one):

Owner ☐ Purchaser ☐ Lessee ☐ Other ☒ (explain below)

Registered agent of Owner

2. Owner of Affected Property (if other than applicant)

Name: Fosberg Manor LLC Telephone: _____
424 Patterson St, Nashville, TN 37211
 (Home address)

3. Location of Affected Property: 1604 & 1704 E. D St.

Legal Description: Schumacher Addition 89.10
 (Subdivision) (Block) (Lot)

If described by Metes and Bounds, please attach deed on a separate sheet.

INFORMATION ON REQUESTED REZONE**4. Proposal:** The applicant requests a rezone on the above-described property as follows:

From: Form-Ranch (FR) to: Single Family (R-2)
 (Current zoning) (Proposed zoning)

5. Reason: Applicant requests a rezone for the following reason(s): To facilitate division of parcels removing single family residences from pasture in conservation easement.

6. Before the Moscow Planning and Zoning Commission can approve a zoning amendment request, the Commission must first make findings of compliance with the following five Relevant Criteria and Standards. Please indicate in the spaces provided below what you believe to be justification showing compliance with each item:

A. The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.

See Attached

B. The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.

See Attached

C. The uses expected to occur as a result of the rezone will be compatible with the surrounding area.

See Attached

D. The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.

See Attached

E. The size, type, and density of development expected to occur as a result of the rezone can be adequately served by existing transportation network, public facilities and services.

See Attached

Notification: The Idaho Code requires that all property owners located within 300 feet of the affected property receive notification of the public hearing to be conducted by the Planning and Zoning Commission regarding any rezone request.

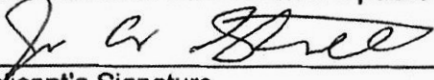
The Planning and Zoning Commission shall have the authority to require any additional information they consider necessary to render a fair decision and recommendation on a rezone request. The Commission may recommend and the City Council may require additional conditions and limitations as specified in Section 4-9-3C of the Moscow Code.

All questions addressed on this application and the application itself must be filed with the Moscow City Planner at least twenty-one (21) days prior to the hearing date. The applicant will be notified by the City as to the time and place of the hearing pertaining to this application. The applicant or his/her duly-appointed representative must be present at the public hearings held before both the Planning & Zoning Commission and the City Council.

The following materials must be included with this application:

1. Application fee.
2. If a legal description of the affected property is given by Metes and Bounds, a separate sheet containing that description.

I understand this information is a public record and may be posted to a public website.


Applicant's Signature

8.16.2021
Date


Property Owner's Signature
* on behalf of Fosberg Menor LLC

8.16.2021
Date

Addendum: Application for Zoning Amendment

1604 and 1704 E. D Street

Item 6A: The proposed rezone is consistent with the Comprehensive Plan goals, objectives, and implementation actions.

The rezone will not change any land use. The surrounding area is zoned R-2. The subject parcels has a single-family residence on a lot this is approximately ¼ acre. The rest of the parcels is in a conservation easement and will remain pasture or a hay field. This rezone will:

- Promote the conservation of valuable agricultural lands and Moscow's surrounding rural landscape. (Goal/Objective 1.1.2 Chapter 1, 1.4.2)
- Will protect existing neighborhood identify and character. (Goal/Objective: 1.1.2 Chapter 2)
- Preserve and enhance special areas of the community to celebrate the community's identity, character, and heritage. (Goal/Objective: 1.1.2 Chapter 2)

Item 6B: The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.

The rezone will not change land uses or impact community services or facilities.

Item 6C: The uses expected to occur as a result of the rezone will be compatible with the surrounding area.

The uses will not change. The surrounding area is zoned R-2. The single-family houses on the parcels will be compatible with the surrounding zone.

Item 6D: The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.

The rezone does not change current use and does not alter the expectation that no additional development will occur as a result of the rezone. No change will occur to the burden on services provided.

Item 6E: The size, type, and density of development expected to occur as a result of the rezone can be adequately served by existing transportation network, public facilities and services.

No change to demands on the transportation network, public facilities or services.

RECEIVED

AUG 17 2021

City of Moscow

Recieved 08-17-2021

NO. _____
AT THE REQUEST OF
KIRSCH + CLARK
DATE & HOUR
7.15.2021 11:43
HENRIANNE K. MUSTWEG
LATAH COUNTY RECORDER
FEE \$ 15.00 BY [Signature]

QUITCLAIM DEED**RECEIVED****AUG 17 2021****City of Moscow****GRANTORS:**

Jon Andrew Staniewski
424 Patterson St.
Nashville, TN 37211

Amee Howard
1707 E. D St.
Moscow, ID 83843

Katharine Gross
1301 Vesta Circle
Lafayette, CO 80026

dealing in their separate property, for no consideration grant, convey, and quitclaim to the

GRANTEE:

Fosberg Manor LLC
135 McKinnon Ranch Road
Sandpoint, ID 83864-0510

all of GRANTOR's interest in, including any after acquired interest, in the following described real estate and premises situated in the Town of Moscow, County of Latah, State of Idaho, more particularly described as:

Parcel 1

The North 110 feet of Lots 8, 9, and 10 of Schumacher's Addition to Moscow, as shown by the recorded plat thereof, in Section 9, Township 39 North, Range 5 West Boise Meridian.

Parcel 2

The South 377.35 feet of Lot ten (10) and the south 377.35 feet of the West half of Lot Nine (9) of Schumacher's Addition to Moscow, in Section nine (9), Township thirty-nine (39) North, Range five (5), West of the Boise Meridian.

Parcel 3

The South 377.35 feet of Lot Eight (8) and the South 377.35 feet of the East one-half of Lot Nine (9) of Schumacher's Addition to the City of Moscow, as shown by the recorded plat thereof.

616609

Subject to the Deed of Conservation Easement dated December 7, 2010 and recorded as Instrument 541471 on December 9, 2010, Latah County Recorder.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said GRANTEES, their heirs and assigns forever.

DATED this 8th day of July, 2021.

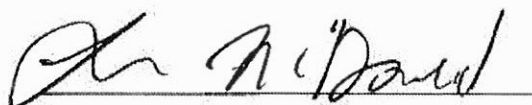

Jon Andrew Staniewski

STATE OF TENNESSEE)
) ss.
County of Davidson)

On this 8th day of July, 2021, before me a notary public, personally appeared Jon Andrew Staniewski, and proved to me by satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year herein above first written.





Notary Public in and for
the State of Tennessee
Residing in Davidson County
My commission expires: 05-09-2023

DATED this _____ day of July, 2021.

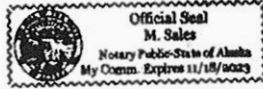

Amee Howard

STATE OF ALASKA)
) ss.
Borough of Matanuska-Susitna)

On this 12th day of July, 2021, before me a notary public, personally appeared Amee Howard, and proved to me by satisfactory evidence to be the person whose name is subscribed to

the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year herein above first written.



M. Sales
Notary Public in and for
the State of Alaska.
Residing in Wasilla AK
My commission expires: 11/18/2023.

DATED this 13th day of July, 2021.

Katharine Gross
Katharine Gross
KAG

STATE OF IDAHO)
) ss.
County of Latah)

On this 13 day of July, 2021, before me a notary public, personally appeared Katherine Gross, and proved to me by satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year herein above first written.



Paul L. Clark
Notary Public in and for
the State of Idaho.
Residing in Moscow
My commission expires: 1-7-2026.

520005

T 39 N, R 5 W, S 9

LEGAL DESCRIPTIONS

PARCEL 1

A parcel of land located in the Southwest Quarter of the Southwest Quarter of the Northwest Quarter of Section 9, Township 39 North, Range 5 West of the Boise Meridian, Latah County, Idaho, described as follows:

COMMENCING at the Southwest Corner of the Northwest 1/4 of Section 9, said point being the centerline intersection of D Street and Mountain View Road, from which the Northwest corner of Section 9 bears N 00°14'32" E, 2641.97 feet;
Thence N 45°31'09" E, 42.22 feet to a point at the intersection of the North right-of-way of D Street and the East right-of-way of Mountain View Road, said point being the POINT OF BEGINNING;
Thence continuing along said East right-of-way N 00°14'32" E, 132.13 feet;
Thence leaving said East right-of-way S 89°12'14" E, 93.74 feet;
Thence S 00°14'32" W, 132.13 feet to a point along said North right-of-way;
Thence continuing along said North right-of-way N 89°12'14" W, 93.74 feet to the POINT OF BEGINNING.

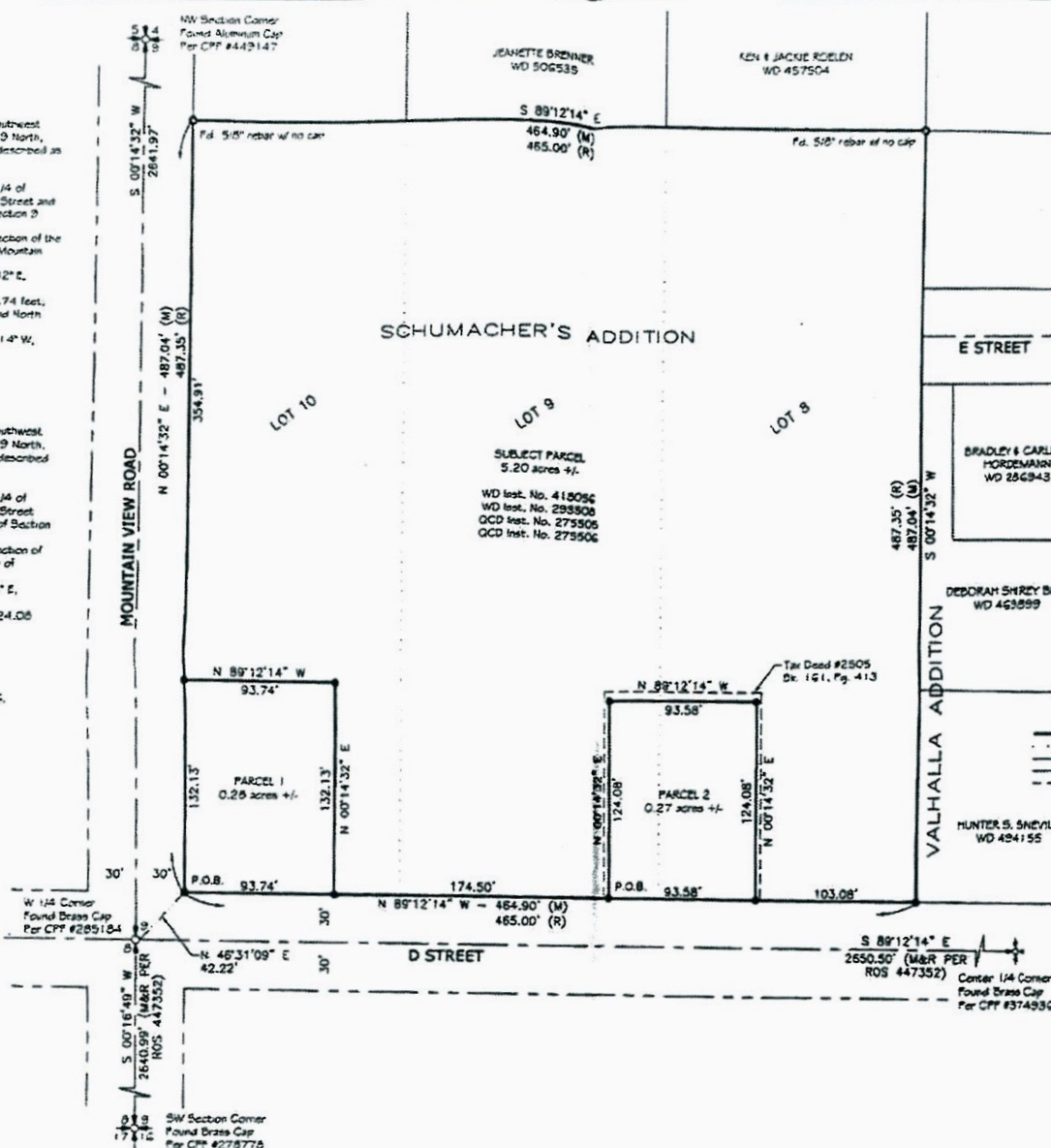
Containing 0.25 acres, more or less.

PARCEL 2

A parcel of land located in the Southwest Quarter of the Southwest Quarter of the Northwest Quarter of Section 9, Township 39 North, Range 5 West of the Boise Meridian, Latah County, Idaho, described as follows:

COMMENCING at the Southwest Corner of the Northwest 1/4 of Section 9, said point being the centerline intersection of D Street and Mountain View Road, from which the Northwest corner of Section 9 bears N 00°14'32" E, 2641.97 feet;
Thence N 45°31'09" E, 42.22 feet to a point at the intersection of the North right-of-way of D Street and the East right-of-way of Mountain View Road;
Thence continuing along said North right-of-way S 89°12'14" E, 268.24 feet to the POINT OF BEGINNING;
Thence leaving said North right-of-way N 00°14'32" E, 124.08 feet;
Thence S 89°12'14" W, 93.55 feet;
Thence S 00°14'32" W, 124.08 feet to a point along said North right-of-way;
Thence continuing along said North right-of-way N 89°12'14" W, 93.55 feet to the POINT OF BEGINNING.

Containing 0.27 acres, more or less.



RECORD OF SURVEY

A Division of Land Located in
lots 8, 9 & 10 of Schumacher's Addition
Section 9, T39N, R5W, Boise Meridian
City of Moscow
Latah County, Idaho



ORIGINAL SCALE: 1" = 50 FEET
GDD FILE: Following survey

LEGEND

- Set 5/8" x 30" Long Rebar w/cap 15 10 62
- Found Property Corner as Described
- Calculated Position - Nothing Found or Set
- ✚ Found Section or 1/4 Section Corner
- ✚ Found Sectional Subdivision Corner
- (M) Measured
- (R) Record
- Subject Property Boundary Line
- Existing Schumacher's Addition Lot Line
- Centerline
- Right of Way Line
- Tax Deed #2505 Boundary Line

BASIS OF BEARINGS

The Basis of Bearings for this survey is the Idaho Coordinate System, West Zone, NAD 83, as shown between the found West 1/4 and the Center 1/4 Corners of Section 9, said bearing being S 89°12'14" E.

SURVEY REFERENCES

- 1) GCD, Inst. No. 275505
- 2) GCD, Inst. No. 275506
- 3) WD, Inst. No. 293508
- 4) WD, Inst. No. 418056
- 5) RDS, Inst. No. 447352
- 6) Valhalla Addition to City of Moscow, Inst. No. 260648
- 7) Schumacher's Addition, Book 3 of Maps, Page 9

SURVEYORS CERTIFICATION

This map correctly represents a survey made by me or under my direction in accordance with the Survey Recording Act and at the request of Maynard Fosberg in December, 2007.



John L. Dunn - Idaho Professional Land Surveyor

COUNTY RECORDER CERTIFICATE

STATE OF IDAHO, COUNTY OF LATAH
RECORDED AT THE REQUEST OF Maynard Fosberg
AT 3:51 PM THIS 11th DAY OF Feb 2007
RECORDED 5.00
DEPUTY SUSAN PETERSEN



RIM ROCK CONSULTING, INC.

Land Surveying
Site Planning
Mapping

520005
OF
1

RECEIVED

AUG 17 2021

City of Moscow

DATE	STATE	COUNTY	PROJECT	DRAWN BY
DECEMBER, 2007	ID	LATAH	FOSEBERG	ECB

William C. Kirsch (Retired)
*Paul L. Clark**

KIRSCH & CLARK

A PROFESSIONAL
 COMPANY
 ATTORNEYS AT LAW
 309 E. SECOND STREET
 P.O. BOX 9384
 MOSCOW, IDAHO 83843

Phone: 208/882-3598
Fax: 208/882-2283

December 29, 2021

City of Moscow
 504 S. Washington St.
 Moscow, ID 83843

RE: Application for Zoning Amendment
 Fosberg Manor, LLC
 Subject Property: 1604 and 1704 E. D Street

Report of Neighborhood Meeting

Greetings:

The Application filed August 16, 2021, requested the parcels be rezoned so they can be divided.

A Neighborhood meeting was held November 17, 2021, at 6:45 pm at the Eggan Youth Center, Moscow, Idaho.

Attached are the following:

- ☐ Names and addresses of all property owners who were sent notice of the meeting.
- ☐ Meeting Notice that was mailed.
- ☐ Map and FAQ mailed with Meeting Notice.
- ☐ Materials distributed at the meeting
 - o Conservation Easement Facts
 - o Current Status diagram and Future State diagram
- ☐ Sign in sheet from meeting showing 6 attendees.
- ☐ Summary of Minutes of Meeting

At the Neighborhood meeting there were two main concerns: whether the open field would be subdivided/developed and tax status for owners. The tax concern is not relevant to the neighbors.

The development concern was addressed with a handout explaining the conservation easement and the controls it imposes on use of the property burdened by the easement. The

*Licensed in Idaho and Washington

Received 12-29-2021

neighbors were assured that the easement would continue to keep the undeveloped field in substantially the same condition and type of use. The two lots with houses on them will be divided off from the larger parcels and continue to be zoned R-2.

No changes to the original proposal are planned.

Respectfully:



Paul Clark
Attorney at Law

Enclosure
Cc: Jon Staniewski

Christine Oulman 1013 Cedar Ave Moscow, ID 83843	Mark McGuire 1908 E D St Moscow, ID 83843	Erika Gaskill 530 N Harding St Moscow, ID 83843
James Cripe, Jr 11033 198th Pl Se Snohomish, WA 98296	Dannette Klontz 1908 E E St Moscow, ID 83843	Moscow School District #281 650 Cleveland St Moscow, ID 83843
Jeanette Brenner 1112 15th Ave Spokane, WA 99203	Mark Watson 1913 E E St Moscow, ID 83843	Jacob Woodall PO Box 1083 Selah, WA 98942
Linda Bentley 12501 Wawawai Rd Colton, WA 99113	Helen Sprenke 1918 E E St Moscow, ID 83843	Ronald Mastrogiuseppe PO Box 3303 Moscow, ID 83843
KJP Investments, LLC 13904 2nd St SE Snohomish, WA 98290	Jon Kimberling 1923 E E St Moscow, ID 83843	Community Planning & Design PO Box 9203 Moscow, ID 83843
Deborah Bell Living Trust 1719 E E St Moscow, ID 83843	Erin Linskey 1924 E D St Moscow, ID 83843	Stubbs PO Box 9444 Moscow, ID 83843
Bradley Hordemann 1723 E E St Moscow, ID 83843	Maja Huff 1937 Ilene Dr Moscow, ID 83843	Mountain View Hill PO Box 9734 Moscow, ID 83843
Moscow Charter School 1723 E F St Moscow, ID 83843	Jacob Harbin 1938 Ilene Dr Moscow, ID 83843	Rachel Johnson 1808 E E St Moscow, ID 83843
Tabitha Brown 1724 E D St Moscow, ID 83843	Travis Dawson 1951 Ilene Dr Moscow, ID 83843	Evelyn Simon 1816 E E St Moscow, ID 83843
Allen Tedrow 1724 E E St Moscow, ID 83843	Magan Smith 1973 Ilene Dr Moscow, ID 83843	Mark Schemmer 1824 E D St Moscow, ID 83843
John Carnahan 1808 E D St Moscow, ID 83843	Mark Boehne 2004 E E St Moscow, ID 83843	Leland Connelly 1824 E E St Moscow, ID 83843

SW6, LLC 2780 N Mountain View Rd Moscow, ID 83843	Tia Benjamin 1855 E Stratford Dr Hayden, ID 83835
Kevin Kilwein 3236 Highway 8 Moscow, ID 83843	Shirley Jones 1903 E E ST Moscow, ID 83843
Helene Rogalski 402 N Monroe St Moscow, ID 83843	
Perrine Rental Properties 415 S Lincoln St Moscow, ID 83843	
Elsie Sakuma 519 N Harding St Moscow, ID 83843	
William White 520 N Harding Moscow, ID 83843	

William C. Kirsch (Retired)
*Paul L. Clark**

KIRSCH & CLARK

A PROFESSIONAL
COMPANY
ATTORNEYS AT LAW
309 E. SECOND STREET
P.O. BOX 9384
MOSCOW, IDAHO 83843

Phone: 208/882-3598
Fax: 208/882-2283

October 21, 2021

Moscow, ID 83843

RE: Neighborhood Meeting about Re-zone from Farm-Ranch (FR) to Single Family (R-2)
Applicant: Fosberg Manor LLC
Parcels: 1604 and 1704 E. D Street

Greetings:

I represent Fosberg Manor LLC in this matter. Fosberg Manor LLC is owned by Maynard and Margaret Fosberg's three grandchildren. They inherited the subject property after the death of both Maynard and Margaret.

Fosberg Manor LLC requests two parcels be rezoned from Farm-Ranch (FR) to Single Family (R-2). Moscow City Code requires a Neighborhood Meeting before a change in Zoning.

NOTICE:

A Neighborhood Meeting will be held November 17, 2021 at 6:45 pm in the Eggan Youth Center, 1515 E. D Street.

At the Neighborhood Meeting public comment will be taken regarding the proposed Re-zone of 1604 and 1704 E. D Street

You are welcome to attend the neighborhood meeting if you have questions or want to make a comment about the re-zone. See attached FAQ and site map.

Respectfully:

Paul Clark
Attorney at Law

Enclosure

Cc: Fosberg Manor LLC, Jon Staniewski Managing member

Frequently Asked Questions

What is the background for the Re-zone?

The parcels lie north east of the intersection of Mountain View Road and D Street. Currently there is a single-family home on each parcel with most of the parcels devoted to growing grass hay. These parcels are labeled Parcel 1 and Parcel 2 on the attached site map.

What is the current use of the property?

The hay fields surrounding the houses are in a Conservation Easement granted in 2010 by Maynard and Margaret Fosberg. The conservation easement excludes the area around each house creating residential lots of approximately ¼ acre each. The two houses are currently rented for residential occupancy.

How big are the two residential lots?

1604 E. D (Western lot) is approximately 132' x 94'; 1704 E. D (Eastern lot) is approximately 124' x 94'.

What will change if the Re-zone is approved?

Nothing. Fosberg Manor LLC's goal is to split the home lots from the hay fields. The homes will continue to be rented as residences or sold (compatible with the R-2 zone). The hay fields will continue to be farmed.

The Conservation Easement requires the hay field portion remain in its current use. The strip of land to the north of the two parcels (Parcel 3 on the site map) is also part of the Conservation Easement. Eventually the three parcels covered by the Conservation Easement (minus the two home lots) will be consolidated into one parcel.

What does R-2 Zoning mean?

The R-2 Zoning District is defined in City code [Title 4, Sec. 2-4(E)]:

Moderate Density, Single Family Residential Zoning District (R-2). Purpose: The R-2 zoning district is a moderate density residential zone appropriate where the following circumstances are present:

1. Single family dwellings predominate.
2. The terrain is not harshly irregular and smaller lot sizes can be accommodated without extensive earthwork.
3. Utilities and other public facilities are adequate for the densities allowed.
4. Existing lot development patterns and policies embodied in the Plan will also guide application of this zoning district.

Can the hay fields be subdivided and developed?

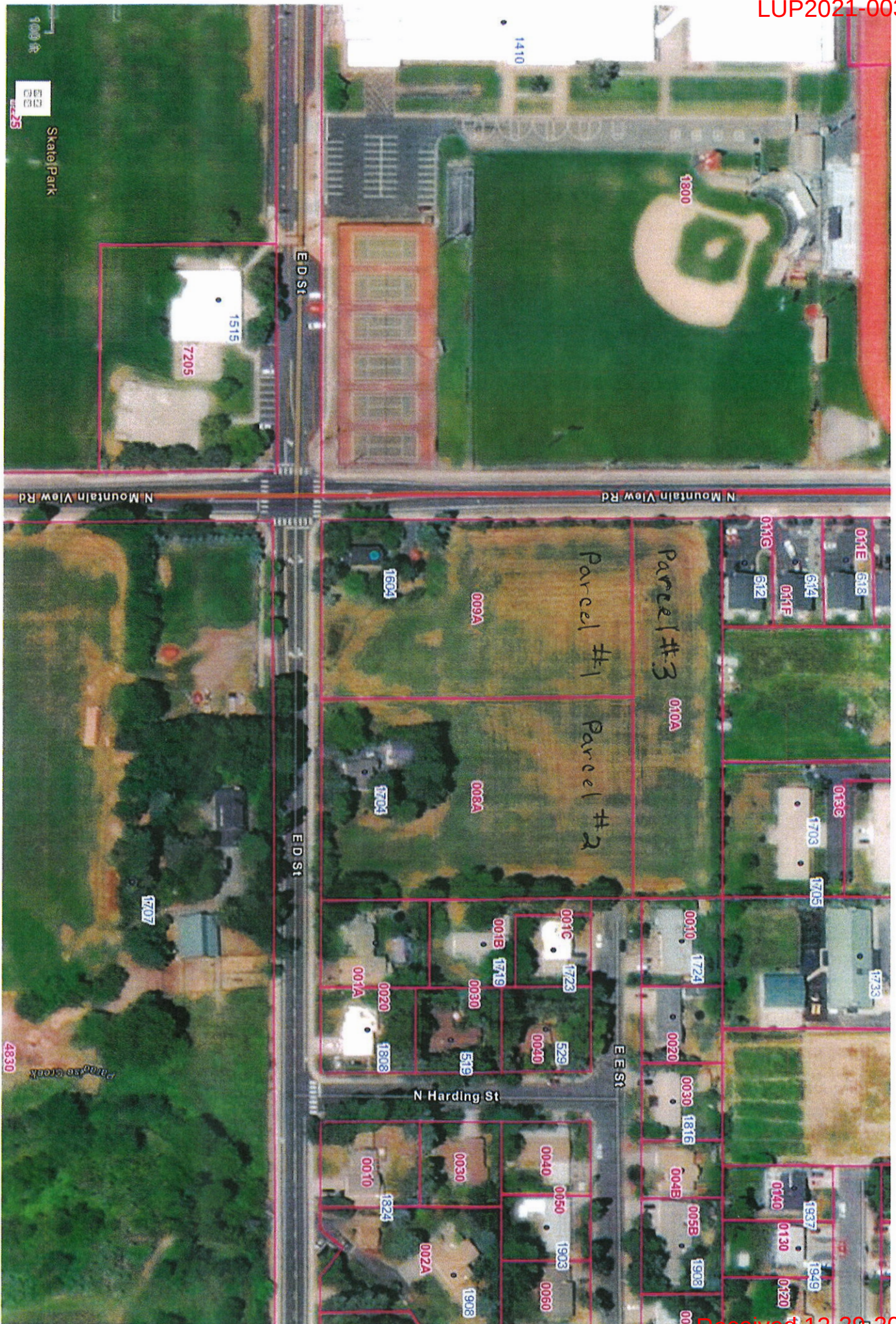
No. The hay fields will continue to be cultivated in generally the same way they are now, as regulated by the Conservation Easement. The Conservation Easement locks in the current use.

Will the Re-zone change traffic at D St. and Mountain View?

No. There will not be a change of traffic volume or the nature of the vehicles using the city streets adjacent to the parcels. The two homes will be occupied, the fields will be farmed as they presently are.

I can't attend the Neighborhood Meeting but want to comment, what can I do?

After the Neighborhood Meeting the Planning and Zoning Commission will hold a public hearing to consider the Re-zone request. You can attend and make comments then.



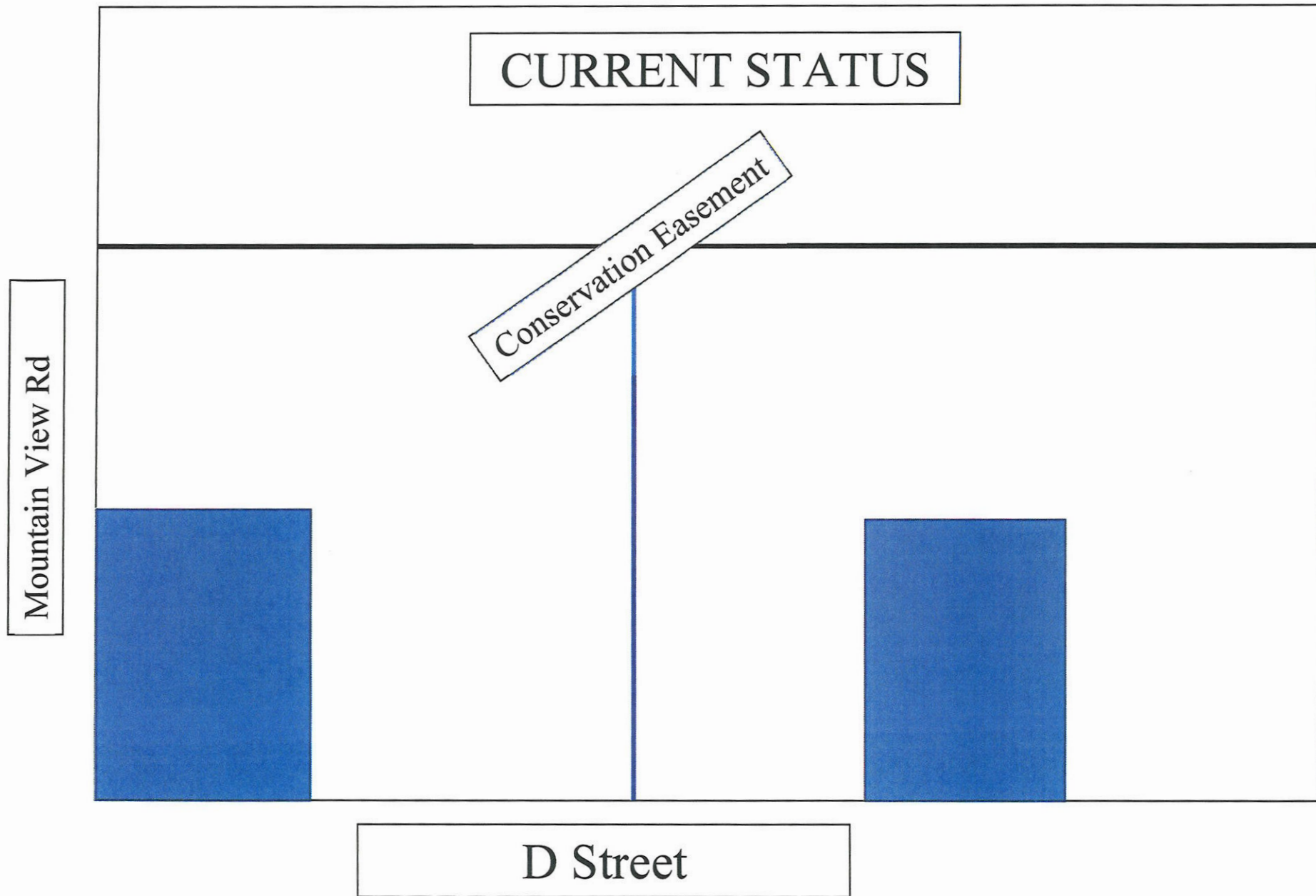
Conservation Easement Facts

Created in 12/7/2010

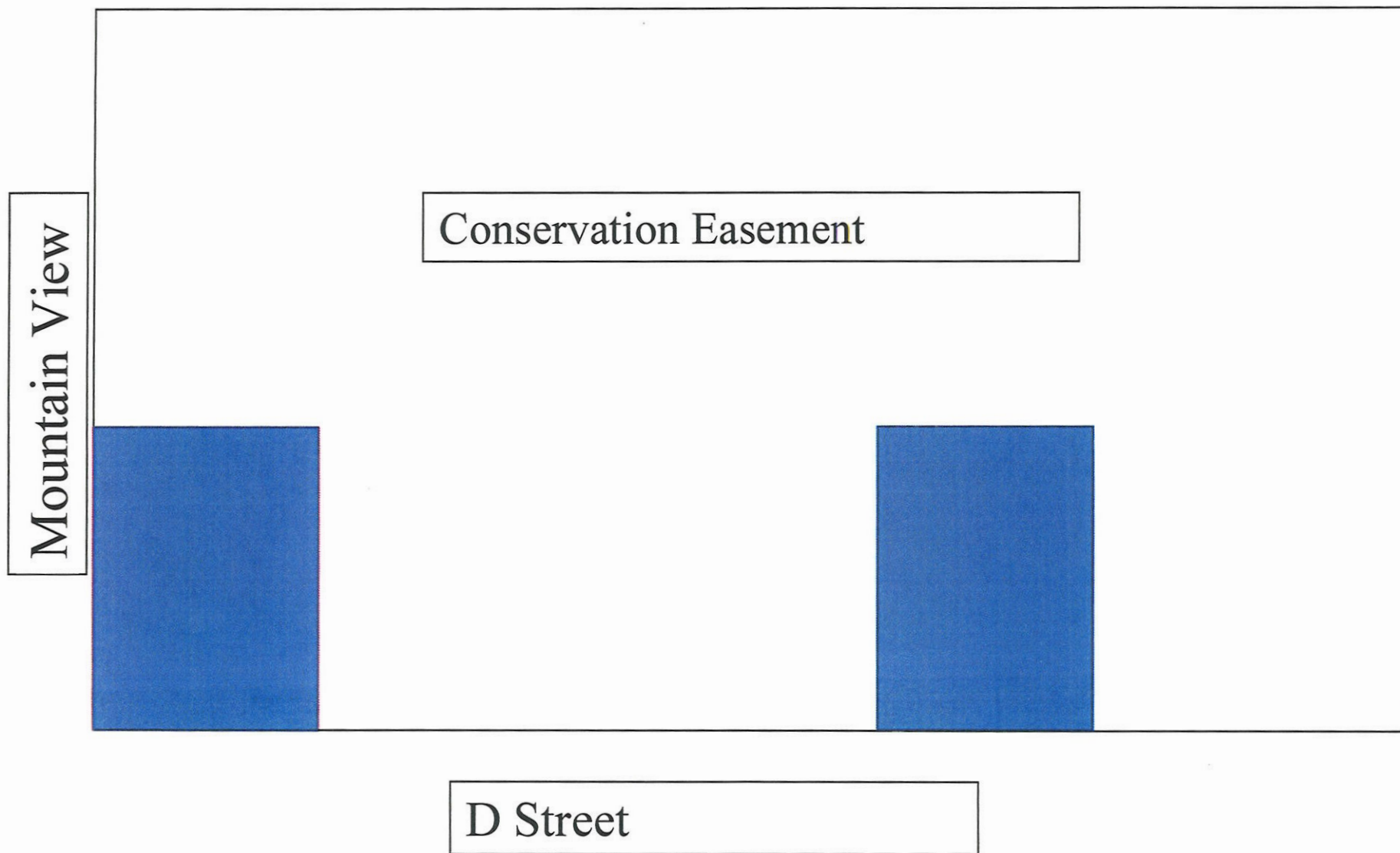
Grantor: Maynard and Margaret Fosberg

Grantee: Palouse Land Trust

1. Conservation Easement sticks to land, passes from owner to owner as a burden on the land. A sale or transfer of ownership will not remove the easement.
2. Purpose: to assure that the property will be retained forever predominantly in its natural, scenic, and open space condition and to prevent any use of the property that will significantly impair or interfere with the Conservation Values.
 - a. Uses of the property only those consistent with this purpose and the Conservation Values.
3. Owner's Rights
 - a. Engage in the current and historical uses they make and have made of the Property, including, the harvest of seeds and plants, and collection of invertebrate and vertebrate specimens, and plant and soil samples for educational and scientific purposes.
4. Prohibited uses
 - a. Subdivision
 - b. Commercialization/industrial development (except those relating to agriculture, education, or maintenance)
 - c. Construction and improvements—buildings, structures, or other improvements (e.g., roads, parking lots, and utility lines and related facilities) except fences
 - d. Surface alteration, excavation, removal of soil, sand, gravel, rock, peat, sod, or organic matter (except to preserve the Conservations Values)
 - e. Mineral development
 - f. Waste disposal
 - g. Storage tanks and utility systems (including water, sewer, power, fuel, communication lines) except irrigation
 - h. Signs (billboards, etc.) except informational and interpretive signs supportive of Conservation Values



FUTURE STATUS



PLEASE SIGN IN

NAME	ADDRESS
DAVID White	1724 E. D ST moscow
Tabitha Brown	same
Elsie Sakoma	519 N. Harding St
Bonnie Sampson	632 N. Mt. View
Evelyn Simon Phil Shinn	1816 EE St moscow

RE: Application for Zoning Amendment
 Fosberg Manor, LLC
 Subject Property: 1604 and 1704 E. D Street

Neighborhood Meeting Minutes

Number in attendance: 6

Paul Clark explained diagrams of property, current and future status; explained relevant City Code, explained Conservation Easement.

Question: Will E street be extended through the property?

Answer: No, unless the City condemns the property.

Question: T. Brown—can comments be made at neighborhood meeting and at public hearing.

Answer: yes

Question: D. White—why want to change zoning

Answer: Grandkid who inherited want to sell off rental house on corner of D and Mt. View which is not in Conservation Easement.

Question: T. Brown how long is process and can things change for the worse, i.e., land development.

Answer: no

Question about tax implications

Question: T. Brown, concern that condo be built on corner creating more traffic, danger for kids.

Answer: R-2 means single family

Question: E. Sakuma, wonders about tax burden on land with temporary R-2 zone (easement portion).

More questions about two step rezone process and easement property temporarily in R-2 with higher taxes

Answer: conservation easement controls use of property (not 2 house lots) and that use won't change. Tax issue is one for Fosberg Manor and not neighbors.

Question on whether a vote taken at meeting

Answer: no voting, just gathering comments.

Question: D. White are there restriction on R-2 that interfere w/ herbicide and maintenance

Answer: property has been farmed, sprayed for years without problem. More chemicals used on residential lots typically than pasture

Question: E. Sakuma concern about two step process and difficulty for Fosberg Manor

Question: B. Sampson why R-2 and not R-1.

Answer: City dictated that need to change residential lots to R-2 before splitting off from land in Conservation Easement.

No modifications are contemplated as a result of comments at the Neighborhood meeting. Neighbors were concerned that more dense development would occur. Were assured that Conservation Easement keeps agricultural land in its current use, cannot develop. Simply want to divide parcels so two residential lots are separate parcels (so one can be sold). No desire to change overall use of property.

**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 REZONE OF AN APPROXIMATELY FOUR (4) ACRE PROPERTY LOCATED AT 1604 & 1704 EAST D STREET WITHIN THE CITY OF MOSCOW FROM THE FARM, RANCH, AND OUTDOOR RECREATION (FR) ZONE TO THE MODERATE DENSITY SINGLE FAMILY RESIDENTIAL (R-2) ZONE.

WHEREAS, the applicant filed an application for Rezone on December 29, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on January 26, 2022; 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 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property consists of a 4-acre area of land located on the northeast corner of 'D' Street and Mountain View Road. The subject property currently contains two single family dwellings and a pasture field. The applicant has indicated that there is a conservation easement around the entire property except for the land immediately surrounding the single-family dwellings.
3. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential.
4. According to the 2019 Comprehensive Plan, Auto-Urban Residential designated areas are intended to,

“contain predominantly single family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and

Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”

5. The surrounding properties to the north, east, and south are also designated as Auto-Urban Residential (AU-R). Moscow Middle School to the west is designated as Civic/Institutional (CI).
6. The subject property is currently zoned Farm, Ranch, and Outdoor Recreation (FR) and the applicant is proposing to rezone the property to the Moderate Density Single Family Residential (R-2) Zone.
7. According to the City of Moscow Zoning Code, the R-2 zoning district is a moderate density residential zone appropriate where the following circumstances are present:
 1. Single family dwellings predominate.
 2. The terrain is not harshly irregular and smaller lot sizes can be accommodated without extensive earthwork.
 3. Utilities and other public facilities are adequate for the densities allowed.
 4. Existing lot development patterns and policies embodied in the Plan will also guide application of this zoning district.
12. Uses permitted within the R-2 Zone include single-family residential dwellings, market and community gardens, group child care facilities, and public parks and recreational facilities.
13. There are existing water and sewer mains within the surrounding streets which are of sufficient capacity to accommodate any future use that the R-2 Zone would allow on the subject property.
14. The subject property is located adjacent to the intersection of Mountain View Road and ‘D’ Street which are both designated in the Thoroughfare Plan as minor arterials. There is currently one vehicular approach to the easternmost single-family dwelling on ‘D’ Street. There is an additional vehicular approach on Mountain View Road which provides access to the westerly single-family dwelling as well as the pasture field.
15. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on November 17, 2021 to discuss the proposed rezone. All neighborhood meeting materials are attached.

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. **The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed rezone is consistent with the existing 2019 Comprehensive Plan Land Use Designation of Auto-Urban Residential.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed R-2 Zone provides a continuation of the existing R-2 Zone to the west, north, and east. The proposed zoning and uses are consistent with the surrounding area and will not unduly burden the neighborhood of public infrastructure.

3. **The uses expected to occur as a result of the rezone will be compatible with the surrounding area.** The proposed zoning is consistent with adjacent zoning districts and will create a logical and orderly zoning configuration for the subject area.
4. **The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed zoning and uses are suitable for the area and will not unduly burden the area of public infrastructure.
5. **The size, type, and density of development expected to occur as a result of the rezone can be adequately served by the existing transportation network, public facilities and services.** The subject property has street access via Mountain View Road and 'D' Street, which are both minor arterial streets which can adequately serve any proposed development allowed in the R-2 Zone. City water, sanitary sewer, and storm sewer mains are currently extended 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 rezone request for the approximately four (4) acre property from the Farm, Ranch, and Outdoor Recreation (FR) Zone to the Moderate Density Single Family Residential (R-2) Zone with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this
____ day of _____, 2022.

Robb Parish, Chair
Planning and Zoning Commission

Memo

To: Planning and Zoning Commission
From: Mike Ray, AICP - Planning Manager
Date: January 20, 2022
Re: Anderson 7th Addition Final Plat Review

The Planning & Zoning Commission conducted a public hearing on May 26, 2021 to consider the request of Jim Swift for a preliminary subdivision plat for a 5.88-acre area of land located at 2075 Sunnyside Ave and 706 W Palouse River Drive, referred to as Anderson 7th Addition. After considering public testimony and the relevant criteria and standards, the Planning and Zoning Commission recommended approval of the preliminary subdivision plat with the following three conditions:

1. Lot 7, Block 5 shall be converted to a flag lot with the flagpole portion providing direct access to Sunnyside Avenue and no vehicular access shall be permitted from Palouse River Drive;
2. Street frontage improvements shall be required on the north side of Palouse River Drive adjacent to the subject property to include installation of curbing, sidewalk and roadway widening to improve Palouse River Drive to thirty-four (34) feet in width; and
3. The pedestrian pathway connecting Cloudy Court with Anderson Frontier Park shall be increased to ten (10) feet in width.

City Council then conducted a public hearing on June 21, 2021 and approved the Anderson 7th Addition with the same three conditions.

On January 5, 2022 the applicant submitted the final subdivision plat to be reviewed by the Planning and Zoning Commission and City Council. Staff has reviewed the final plat for conformance with City and State Code requirements and found it to be in conformance. Therefore, Staff recommends that the Commission recommend approval of the final plat for Anderson 7th Addition to City Council with no conditions.



**CITY OF MOSCOW
COMMUNITY DEVELOPMENT**
Ph.: 208-883-7035
Fax: 208-883-7033
504 S. Washington Street
jfleischman@ci.moscow.id.us



For City Use Only			
Date Received		01/05/22	
Dept	Fee Type	Fees	Paid
CDV	Application Fee	\$445.00 plus \$27.00/lot	01/05/22
Receipt Number		WP2022-0001	

APPLICATION FOR FINAL SUBDIVISION PLAT

APPLICANT:

Name: Jim Swift Telephone: 208-301-0447
Complete Address: 1290 Indian Hills Dr Moscow ID 83843
E-Mail: _____ Fax: _____

OWNER: (if other than applicant)

Name: _____ Telephone: _____
Complete Address: _____
E-Mail: _____ Fax: _____

ENGINEER/SURVEYOR:

Name: Scott Becker, PE Telephone: 208-882-3520
Complete Address: 405 S Washington
E-Mail: scottbecker@moscow.com Fax: _____

Primary point of contact (select one): Applicant _____ Owner _____ Engineer/Surveyor X

PROPERTY:

- Proposed Subdivision Name: Anderson Addition 7
- Address(as) or Parcel Number(s): Parcel #RPM0025004025B and RPM00250050010
- Gross area of all land involved: 5.89 acres, and/or _____ sq.
- Total Net Area of land area exclusive of proposed or existing public street and other public lands:
5.36 acres, and/or _____ square feet.
- Total number of lots: 18 Average lot size: 12,971 SF

SEWER AND WATER MAIN OVERSIZING REIMBURSEMENT POLICY

Oversizing of utilities will not be eligible for reimbursement from the City unless a written request is submitted to the City Engineer prior to approval of the project construction drawings and a written approval of such request is issued by the City Engineer.

FINAL PLAT CHECKLIST:

All Final plats, including the legal description of the exterior boundary, shall be prepared in accordance with the Idaho Code. Final plats shall be drawn to a scale no larger than 1"=100' unless pre-approved by the city engineer. The final plat drawing shall not be substantially different than the approved preliminary plat for the subdivision and shall contain the following information:

- ✓ 1. Name of subdivision and its location by section, township, range, and county, with drawing scale, date of submission, and north arrow.
- ✓ 2. Name, address, phone number, registration number and seal of the professional land surveyor preparing the plat, and name of subdivider and owners of property being platted.
- ✓ 3. Boundary lines of property being platted including bearings, distances and curve data based on an accurate survey in the field closing within the tolerances prescribed by Idaho Code; lines of departure and owners of unplatted adjoining property; and lots, blocks and names of adjoining subdivisions. Adjoining subdivision lots shall be shown with dashed lines.
- ✓ 4. Names and widths of all proposed streets; bearings, distances, and curve data of all street centerlines; location, width, purpose, and dimensions of easements; location and description of all property being dedicated for public use. All curves shall be described by central angle, radius, arc length, and chord bearing and distance.
- ✓ 5. Location, name, and widths of adjacent street rights-of-way, the location and width of adjacent public easements, and the location and purpose of any adjacent property previously dedicated for public use.
- ✓ 6. Lots and blocks with lots numbered consecutively within each block; bearings, distances, and curve data for each lot; the square footage of lots less than one acre in size or acreage of lots one acre or greater. Blocks shall be labeled consecutively. All curves shall be described by central angle, radius, arc length, and chord bearing and distance.
- ✓ 7. Location and description of all monuments, including found monuments. If interior monuments are not set at the time the plat is recorded (as allowed by Idaho Code), include a statement indicating the date which they shall be set. Said date shall be approved by the City Engineer.
- ✓ 8. Basis of bearing used to determine bearings shown on plat.
- ✓ 9. Point of beginning of the subdivision with ties to the point of beginning from a minimum of two established corners of the Public Land Survey System (PLSS) in one or more of the sections containing the subdivision. List the recording numbers of the corner perpetuation and filing forms of the PLSS monuments. List horizontal coordinates for each PLSS monument and the point of beginning based on the Idaho Coordinate System West Zone. All coordinates values shall be grid coordinates based on the North American Datum of 1983 (NAD83) and specified as such.
- ✓ 10. Street centerline monuments at each intersection, point of curvature, and point of tangency. Street monuments shall be constructed in accordance with City of Moscow standard specifications for street monuments. All other monuments shall be as prescribed by Idaho Code.
- ✓ 11. Signed certificate by the owners of the land containing a correct legal description of the land, with the statement containing their intentions to include the same in the plat, and make a dedication of all public rights-of-way, easements, and parkland. The owners' signatures upon the certificate shall be notarized upon the plat by an officer duly authorized to take acknowledgements. If the property being mortgaged, the signature of the mortgagee's representative is also required.

- ☒ 12. Signed certificate by the land surveyor, stating that the plat is correct and accurate, the land survey of the platted property was performed by him/her or under his/her direct supervision, the monuments indicated on the plat have been located as described, and the surveying and platting was done in accordance with Idaho Code. The statement shall be accompanied by the seal of the registered professional land surveyor, signed and dated. The surveyor shall in every case have a valid certificate of registration with the Idaho Board of Registration of Professional Engineers and Professional Land Surveyors.
- ☒ 13. Signed certificate by the City of Moscow Planning and Zoning Commission with date of approval.
- ☒ 14. Certificate stating that the City Council has approved the plat and accepts all public dedications as shown thereon. The certificate shall be signed by the Mayor and attested to by the City Clerk.
- ☒ 15. Certificate by the City Engineer that the plat conforms to the requirements of Title 50, Chapter 13, Idaho Code, and with the requirements of this chapter.
- ☒ 16. Signed certification by the subdivider stating the City of Moscow has agreed in writing to supply water to all the lots in the subdivision from the municipal water system.
- ☒ 17. Certificate signed and sealed by the Latah County Surveyor stating the plat and computations have been checked and the plat meets the requirements of Title 50, Chapter 13, Idaho Code.
- ☒ 18. Certificate of satisfaction of the sanitary restrictions, to be endorsed by the Latah County Recorder at the time of filing if the sanitary restrictions have been satisfied according to Idaho Code, Section 50-1326.
- ☒ 19. Certificate that taxes have been paid to date on the property to be signed by the Latah County Treasurer at the time of filing.
- ☒ 20. Certificate of recording, to be signed by the Latah County Recorder at the time of filing.

SUBMITTAL:

A Subdivision application is made by submitting the following information to the Community Development Department:

- Completed application.
- Payment of application fees.
- One full-sized Preliminary Plat Map and one electronic copy.

I understand this information is a public record and may be posted to a public website.

James B. Smith
Applicant's Signature

1-4-22
Date

Property Owner's Signature (if different)

Date

Sections 18 & 19, T39N, R5W, BM

Survey References:

- Anderson 1st Addition to the City of Moscow, Instrument #404026, by G. Stone, PLS #4346.
- Prospect Place Addition to the City of Moscow, Instrument #580048, by M. Roubesh, PLS #16744.
- Permanent Public Utility Easement, Instrument #545162.
- Warranty Deed, Instrument #617776, L.L.F. Inc to James B. Swift.

Basis of Bearings

The Basis of Bearings for this survey is identical to the Idaho Coordinate System, West Zone, NAD 83 as shown between the found southeast corner of Section 18 and the found southwest corner of the Southeast Quarter of Section 18, said bearing being S88°09'54"W.

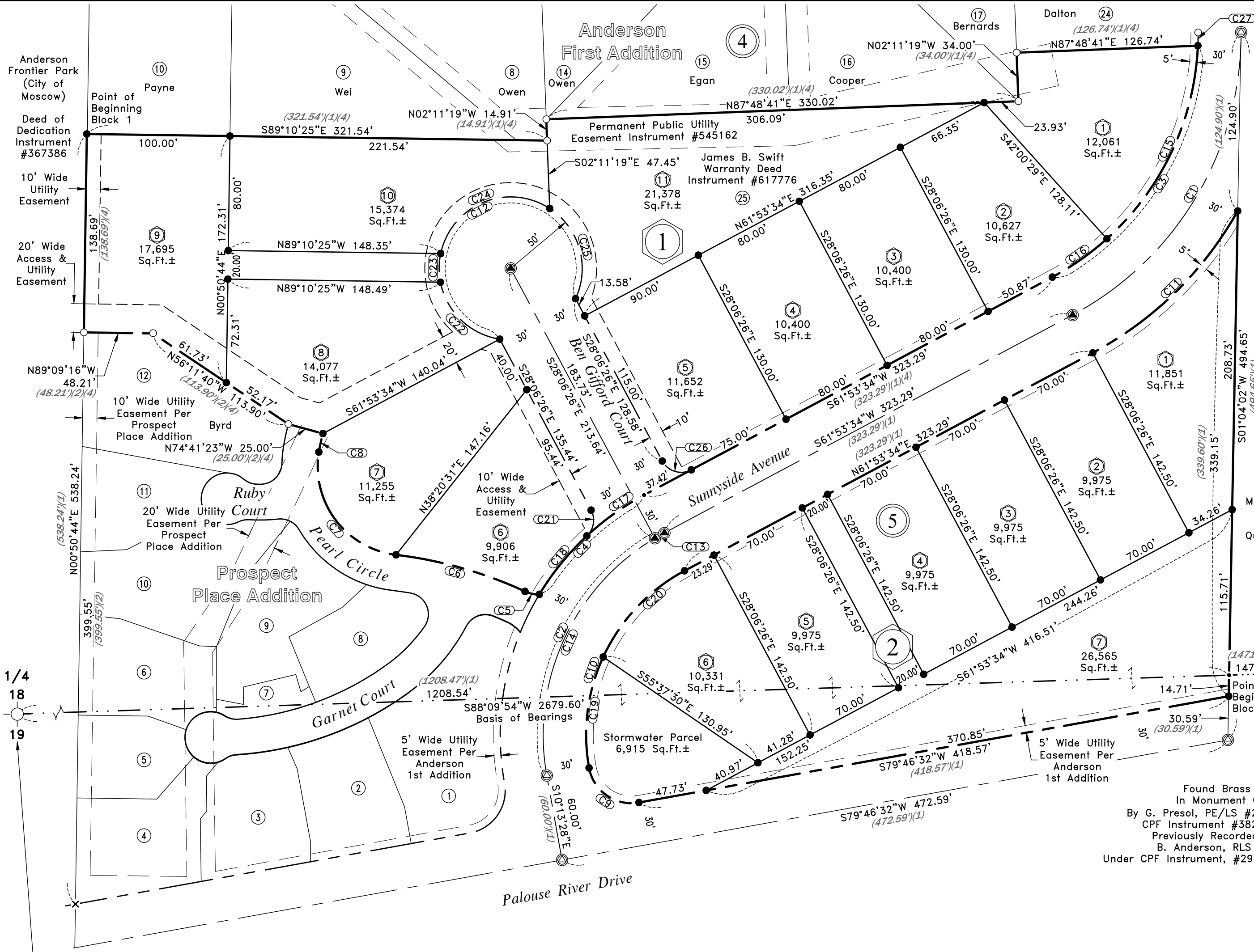
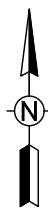
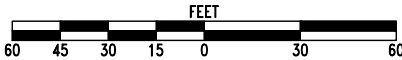
Surveyor Narrative

- The purpose of this survey was to locate, monument and map the boundaries of the parcel of land described in Warranty Deed, Instrument #617776, being a portion of Lot 25 of Block 4 and the entirety of Block 5 of Anderson 1st Addition to the City of Moscow, and to replat said parcel, as shown hereon.
- The south line of the Southeast Quarter of Section 18 was located to establish the Basis of Bearings and primary boundary control. The parcel of land described in Warranty Deed, Instrument #617776 was rotated to project basis and located accordingly.

Legend

- Found Monument as Described
 - Set 5/8" Diameter Rebar w/Aluminum Cap Stamped "PLS 17534"
 - Set City of Moscow Standard Centerline Monument Stamped "PLS 17534"
 - Found 5/8" Diameter Rebar Stamped "Hodge 3003"
- Found Centerline Monument
- Found Scribe in Concrete
- Calculated Position
- Replat Block Number
- Replat Lot Number
- Anderson 1st Addition Block Number
- Other Subdivision Lot Number
- Record Data - See Survey References
- Replat Boundary Line
- Replat Lot line
- Other Lot line
- Section Line
- Centerline
- Right-of-Way
- Easement - This Replatting
- Existing Easement

SCALE: 1"=60'



Found Aluminum Cap
Set by L. Hodge PE/LS #3003
Recorded by M. Dahlin, PLS #17534
CPF Instrument, #618563
Previously Recorded by
C. Smith PE/LS #2058
CPF, Instrument #288896

Curve Table

Curve	Length	Delta	Radius	Chord	Chrd Brng
C1	241.66'	62°12'44"	222.56'	229.96'	S30°47'12"W
C2	201.39'	72°07'02"	160.00'	188.36'	S25°50'03"W
C3	199.85'	59°27'52"	192.56'	191.00'	N32°09'37"E
C4	102.32'	30°51'19"	190.00'	101.09'	S46°27'54"W
C5	10.22'	23°25'00"	25.00'	10.15'	N76°53'24"W
C6	94.02'	17°56'33"	300.22'	93.63'	N74°09'18"W
C7	100.37'	92°30'16"	62.17'	89.82'	N36°52'27"W
C8	13.19'	5°56'04"	127.32'	13.18'	N12°20'35"E
C9	47.12'	90°00'00"	30.00'	42.43'	N55°13'28"W
C10	163.63'	72°07'02"	130.00'	153.04'	N25°50'03"E
C11	143.63'	32°35'01"	252.56'	141.70'	N45°36'03"E
C12	249.81'	286°15'37"	50.00'	60.00'	N61°53'34"E
C13	7.58'	2°42'50"	160.00'	7.58'	S60°32'09"W
C14	193.81'	69°24'12"	160.00'	182.18'	S24°28'38"W

Measurements shown here for curves 1 through 11 match the measurements of these same curves as shown on the documents of record.

Curve Table

Curve	Length	Delta	Radius	Chord	Chrd Brng
C15	153.13'	45°33'49"	192.56'	149.13'	S25°12'36"W
C16	46.72'	13°54'03"	192.56'	46.60'	S54°56'32"W
C17	49.28'	14°51'44"	190.00'	49.15'	S54°27'42"W
C18	53.04'	15°59'36"	190.00'	52.86'	S39°02'02"W
C19	79.36'	34°58'42"	130.00'	78.14'	N07°15'52"E
C20	84.27'	37°08'20"	130.00'	82.80'	N43°19'23"E
C21	19.67'	75°08'16"	15.00'	18.29'	N09°27'42"E
C22	61.22'	70°09'24"	50.00'	57.47'	N46°09'33"W
C23	20.14'	23°04'28"	50.00'	20.00'	N00°27'23"E
C24	96.91'	111°03'06"	50.00'	82.44'	N67°31'10"E
C25	71.54'	81°58'39"	50.00'	65.59'	S15°57'58"E
C26	23.56'	90°00'00"	15.00'	21.21'	S73°06'26"E
C27	9.24'	2°45'01"	192.56'	9.24'	N01°03'11"E

P.O. Box 8728
405 S. Washington Street
Moscow, ID 83843
(208) 882-3526

RIM ROCK CONSULTING, INC.

Land Surveying
Site Mapping

PRELIMINARY

PROFESSIONAL LAND SURVEYOR

NOT FOR RECORDING

17534

REPLAT

Anderson 7th Addition

A Replat of Portions of Lot 25, Block 4; & Block 5

of Anderson 1st Addition to the City of Moscow

Latah County, Idaho

Drafted by: SW

Checked by: MED

File Name: 4393 Plat.dwg

Tab: Layout

Plot Style Primary.ctb

Project: 4393-02-21

Date: 1/3/22

1 of 2

LEGAL DESCRIPTION

A parcel of land, being a portion of Lot 25 of Block 4 of Anderson 1st Addition to the City of Moscow, located in the Southwest Quarter of the Southeast Quarter of Section 18, Township 39 North, Range 5 West, Boise Meridian, Latah County, Idaho, described as follows:

Beginning at the northwest corner of Lot 25, Block 4 of Anderson 1st Addition to the City of Moscow, Instrument #404026, Latah County Records;
Thence along the north boundary of said Lot 25, the following five courses:
S89°10'25"E, 321.54 feet;
Thence N02°11'19"W, 14.91 feet;
Thence N87°48'41"E, 330.02 feet;
Thence N02°11'19"W, 34.00 feet;
Thence N87°48'41"E, 126.74 feet, to a point on the northwest right-of-way line of Sunnyside Avenue;
Thence along said northwest right-of-way line the following three courses;
199.85 feet along a non-tangent curve to the right, said curve having a Delta = 59°27'52", Radius = 192.56 feet, Chord = 191.00 feet and a Chord Bearing = S32°09'37"W;
Thence S61°53'34"W, 323.29 feet;
Thence 102.32 feet along a curve to the left, said curve having a Delta = 30°51'19", Radius = 190.00 feet, Chord = 101.09 feet and a Chord Bearing = S46°27'54"W to the northeast corner of Prospect Place Addition to the City of Moscow, Instrument #580048, Latah County Records;
Thence leaving said northwest right-of-way line, along the north boundary of said Prospect Place Addition the following seven courses:
10.22 feet along a non-tangent curve to the right, said curve having a Delta = 23°25'00", Radius = 25.00 feet, Chord = 10.15 feet and a Chord Bearing = N76°53'24"W;
Thence 94.02 feet along a non-tangent curve to the left, said curve having a Delta = 17°56'33", Radius = 300.22 feet, Chord = 93.63 feet and a Chord Bearing = N74°09'18"W;
Thence 100.37 feet along a curve to the right, said curve having a Delta = 92°30'16", Radius = 62.17 feet, Chord = 89.82 feet and a Chord Bearing = N36°52'27"W;
Thence 13.19 feet along a non-tangent curve to the right, said curve having a Delta = 5°56'04", Radius = 127.32 feet, Chord = 13.18 feet and a Chord Bearing = N12°20'35"E;
Thence N74°41'23"W, 25.00 feet;
Thence N56°11'40"W, 113.90 feet;
Thence N89°09'16"W, 48.21 feet to the northwest corner of said Prospect Place Addition to the City of Moscow and the west line of Lot 25, Block 4 of Anderson 1st Addition to the City of Moscow;
Thence N00°50'44"E, 138.69 feet to the **Point of Beginning**.

Parcel contains 3.70 acres, more or less.

Together With:

A parcel of land, being Block 5 of Anderson 1st Addition to the City of Moscow, located in the Southwest Quarter of the Southeast Quarter of Section 18, and the Northwest Quarter of the Northeast Quarter of Section 19, Township 39 North, Range 5 West, Boise Meridian, Latah County, Idaho, described as follows:

Beginning at the southeast corner of Block 5 of Anderson 1st Addition to the City of Moscow on the north right-of-way line of Palouse River Drive;
Thence along said north right-of-way line, S79°46'32"W, 418.57 feet to a point on the southeast right-of-way line of Sunnyside Avenue;
Thence along said southeast right-of-way line the following four courses:
47.12 feet along a curve to the right, said curve having a Delta = 90°00'00", Radius = 30.00 feet, Chord = 42.43 feet and Chord Bearing = N55°13'28"W;
Thence 163.63 feet along a curve to the right, said curve having a Delta = 72°07'02", Radius = 130.00 feet, Chord = 153.04 feet and Chord Bearing = N25°50'03"E;
Thence N61°53'34"E, 323.29 feet;
Thence 143.63 feet along a curve to the left, said curve having a Delta = 32°35'01", Radius = 252.56 feet, Chord = 141.70 feet and Chord Bearing = N45°36'03"E to the northeast corner of Block 5 of Anderson 1st Addition to the City of Moscow;
Thence leaving said southeast right-of-way line, S01°04'02"W, 339.15 feet to the **Point of Beginning**.

Parcel contains 2.19 acres, more or less.

Overall replatted area contains 5.89 acres, more or less.

DEDICATION

Know all persons by these presents, that I, James B. Swift, owner of the land and premises described above, have caused said land to be subdivided and platted as shown hereon as an addition to the City of Moscow, Latah County, Idaho, to be known as the Replat of Portions of Lot 25, Block 4; & Block 5 of Anderson 1st Addition to the City of Moscow, Latah County, Idaho. The easements as shown on this plat are hereby reserved for public access and utility purposes as designated hereon and no permanent structures are to be erected within the lines of said easements. The owner certifies that all lots within this plat will be eligible to receive water service from an existing water system, be the water system municipal, a water district, a public utility subject to the regulation of the Idaho public utilities commission, or a mutual or nonprofit water company, and the existing water distribution system has agreed in writing to serve all of the lots in the subdivision (Section 50-1334, Idaho Code). The owner does herewith dedicate to the public, the Stormwater Parcel for stormwater detention. In witness thereof, the undersigned has set his hand and seal.

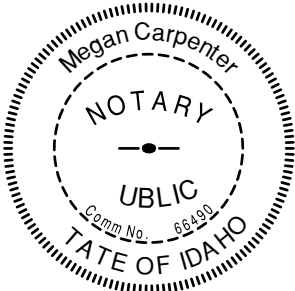
James B. Swift _____ Date _____

State of _____
County of _____

On this _____ day of _____ 2022, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared James B. Swift, known or identified to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same.

In witness whereof, I hereunto set my hand and official seal.

Notary Public, _____
Residing in _____
My Commission Expires _____



APPROVALS

Moscow Planning and Zoning Commission

Approval of this plat by the City of Moscow certifies agreement to allow connection of the above described property to the municipal water system and satisfies Section 50-1334, Idaho Code. Examined and approved by action of the Moscow Planning and Zoning Commission at a regular meeting with a quorum present this _____ day of _____, 2022.

Chairman, Planning and Zoning Commission

Moscow City Council

Examined and approved by action of the Moscow City Council at a regular meeting with a quorum present this _____ day of _____ 2022.
Dedication of all public streets, easements, and parkland described on this plat is hereby accepted in accordance with Section 50-1313, Idaho Code.

Clerk _____ Mayor, City of Moscow

City Engineer, City of Moscow

Examined and approved by the City Engineer this _____ day of _____ 2022.

City Engineer, City of Moscow

Latah County Surveyor

Examined and approved by the Latah County Surveyor this _____ day of _____ 2022.

Latah County Surveyor

Latah County Treasurer

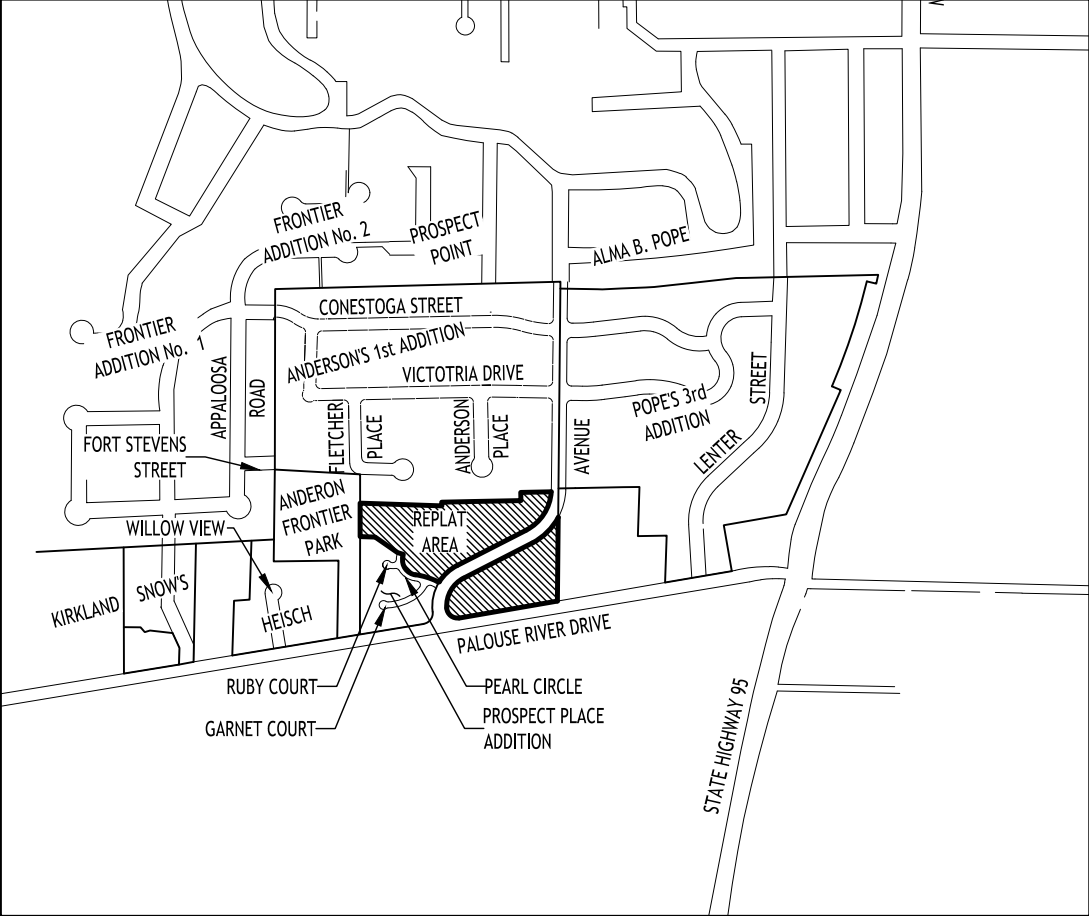
I hereby certify that taxes and assessments on property shown hereon have been paid for 2021 and preceding years as of this _____ day of _____ 2022.

Latah County Treasurer

Public Health - Idaho North Central Health District

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied. Sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval.

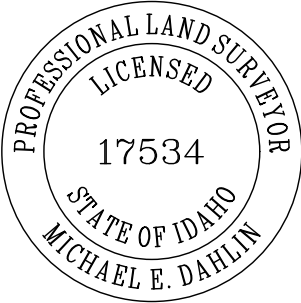
Public Health - Idaho North Central District, _____ Date _____
Senior Environmental Health Specialist



Vicinity Map

SURVEYOR'S CERTIFICATE

I, Michael E. Dahlin, P.L.S. #17534, State of Idaho, hereby certify that the above platted and described property represents a survey performed by me or under my supervision in accordance with the laws of the State of Idaho, and that the streets, lots, distances, and monuments have been measured and located as shown thereon.
The interior monuments will be set in accordance with Idaho Code 50-1303, on or before 12-01-2022, as referenced on the plat and approved by the City of Moscow.
Witness my hand and seal this _____ day of _____ 2022.



Michael E. Dahlin, PLS #17534 _____

NO. _____ AT THE REQUEST OF: _____
DATE & HOUR: _____

TONYA DODGE
LATAH COUNTY RECORDER
FEE \$ _____ BY _____

PRELIMINARY
NOT FOR
RECORDING

Anderson 7th Addition
A Replat of Portions of Lot 25, Block 4; & Block 5
of Anderson 1st Addition to the City of Moscow
Latah County, Idaho

Drafted by:	SW
Checked by:	MED
File Name:	4393 Plat.dwg
Tab:	Sign
Plot Style	Primary.ctb
Project:	4393-02-21
Date:	1/3/22

Moscow City Council



Regular Meeting ~Minutes~

www.ci.moscow.id.us

Laurie M. Hopkins
City Clerk

208.883.7015

Monday, June 21, 2021

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, Sandra Kelly, Maureen Laflin, Brandy Sullivan, Gina Taruscio

ABSENT: Anne Zabala

STAFF: Jen Pfiffner, Mia Bautista, Mike Ray, Megan Cherry, Laurie M. Hopkins

PLEDGE OF ALLEGIANCE

Taruscio led the Pledge of Allegiance.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council June 7, 2021 Minutes - Laurie M. Hopkins

B. Disbursement Report for May 2021 - Sarah Banks

Presentation of the Accounts Payable Report for the month ending May, 2021.

ACTION: Approve and authorize the use of digital signatures to sign the Disbursements Report for the month of May 2021.

C. Lot Line Adjustment: 816 and 902 Public Avenue - Aimee Hennrich

The applicant, Pat Planagan, is requesting a lot line adjustment between two properties located at 902 and 816 Public Ave. 902 Public Ave is currently 51,231 sf and 816 Public Ave is currently 37,093 sf. As a result of the proposed adjustment, 902 Public Ave will become 17,038 sf and 816 Public Ave will become 71,286 sf. 902 Public Ave contains a barn currently used for storage and 816 Public Ave currently has a single-family home. The subject properties are located within the Medium Density Residential District (R-3). Within the R-3 Zoning District, lots are limited to single-family, twin homes, townhouses and two-family dwellings, require a minimum area of 6,000 square feet for a single-family home and a minimum lot width of 60 feet and 20 feet in width for flag lots. The proposed lot line adjustment meets all of these standards. This was reviewed and approved by the Public Works and Finance Committee on June 14, 2021.

ACTION: Approve the Lot Line Adjustment with no conditions.

D. Development Agreement Amendment: Ridgeview Estates 2nd Addition - Todd Drage

Noel Blum, on behalf of Blum Enterprises - 3 LLC, has requested to amend the Development Agreement for the Ridgeview Estates 2nd Addition Subdivision. The Ridgeview Estates Second Addition was platted in 2014 and the development agreement was approved and signed in November of that year. The requested modification is to allow the development to be completed in two phases, as detailed in Section 18 and Exhibit B of the attached agreement. The phasing modification is the only item requesting to be amended. All other sections of the original development agreement would remain unchanged.

ACTION: Approve the development agreement amendment with Blum Enterprises - 3 LLC for the Ridgeview Estates 2nd Addition.

E. Sixth and Logan Asphalt Improvement Project Bid Results and Contract Award - Nate Suhr

The City published an advertisement for bids on May 21st, 2021 for Sixth & Logan Asphalt Improvement Project. The bid for the project includes the replacement of eighty-four (84) tons of deteriorated asphalt and the installation of two hundred and seventy (270) feet of subsurface drain pipe to catch groundwater that caused the deterioration in the asphalt. The Engineer's estimate for the project was \$65,776.00.

Bid opening for the project took place on May 28th, 2021, at which one (1) bid was received. Motley-Motley Inc. was the only bidder on the project with a bid of \$57,940.00. A bid tabulation is included in the packet.

ACTION: Accept the low bid from Motley-Motley Inc. for Base Bid, award the contract in the amount of \$57,940.00 and authorize staff approval for construction change orders in an amount not to exceed 10% of the contract amount.

F. Portable Collection Donation Proposal - Megan Cherry

Five works by artist Pam Overholtzer have been offered as a donation to the City's Portable Collection. Overholtzer comes from a long line of artists with a lifelong passion for design, art, and craft. She maintained an interior design practice focused on historic architecture and interiors before returning to college to study architecture at the University of Idaho where she earned a Master of Architecture degree and research-oriented Master of Science degree. The seeds for this project began when Pam first saw Lillian Otness's well-known book "A Great Good Country," and particularly Lillian's sketches of the historic buildings in downtown Moscow. While working on City Hall's Centennial Art Show at the Third Street Gallery as a member of the Moscow Historic Preservation Commission, she had an opportunity to work directly with Otness's original drawings. Musing about the sketches, Pam sought a way to apply her artistic talent, a penchant for detail-oriented projects, and model-building skills to three dimensional interpretations of Otness's beautiful sketches in the form of small, multi-dimensional models mounted in shadow boxes. The donation is offered by architect and longtime City of Moscow Planning & Zoning and Historic Preservation Commission member Wendy McClure.

The Moscow Arts Commission voted during their May 11, 2021 meeting to recommend acceptance of this donation and states a preference for keeping all five works together in a single display location. The donation proposal was reviewed by Administrative Committee on June 14, 2021.

ACTION: Accept artwork donation.

G. Moscow Farmers Market Live Entertainment Request - Amanda Argona

Per the direction of City Council, live entertainment and performances are scheduled to return to the Moscow Farmers Market on Saturday, July 3. Given the current downward trend of cases in the community, updated guidance from the Center for Disease Control, and Resolution 2021-08 Terminating Amended Public Health Order 20-03, staff is seeking to have the 9:00 to 10:00 a.m. performance time slot reinstated alongside the already approved 10:30 a.m. to 12:30 p.m. performance time slot, as well as lifting the suspension of the Performance Vendor program.

ACTION: Approve the reinstatement of the 9:00 to 10:00 a.m. performance time slot and Performance Vendor Program.

H. Community Oriented Policing Services (COPS) - Law Enforcement Mental Health and Wellness Act (LEMHWA) Grant - Alisa Anderson / Anthony Dahlinger

The Pullman Police Department will be leading in the application and management of grant funds from the COPS Law Enforcement Mental Health and Wellness Act (LEMHWA). The Moscow Police Department as well as other local law enforcement agencies have been invited to participate in a regional team of law enforcement peer support. Four officers will be selected from the Moscow Police Department to participate on the Peer Support Team and in training. Grant funds requested by Pullman Police for the Moscow Police Department will not exceed \$38,000.

ACTION: Ratify approval of the grant application for participation in the regional Peer Support team under the COPS Law Enforcement Mental Health and Wellness Act (LEMHWA), managed by Pullman Police Department, not to exceed \$38,000 in grant awards for the Moscow Police Department.

I. Andrew Becker Memorial Public Art Installation at the ITC Sculpture Garden – Megan Cherry

In January 2021, the family of Andrew Thatcher Becker contacted the City of Moscow with an offer to donate funds for a public art installation. Following conversations between donor, staff, and MAC members, the ITC Sculpture Garden was identified as a location that fits the budget and artistic direction for the project. The ITC Sculpture Garden has traditionally hosted temporary installations of three-dimensional artworks that are featured for up to one year. There are five plinths in that location, each of which are filled following an RFP process and selection by a panel of community members. Each artist is paid an honorarium for the loan of their artwork, and this program has traditionally served the UI student artist population. The offer of donated funds to support the accession of an artwork into the Permanent Collection has prompted the re-assignment of one of the plinths as a permanent location for the artwork to be funded by the donor's contribution. This shift would result in four plinths being available for the annual call to artists. The MAC voted during their March 9, 2021 meeting to recommend this re-assignment.

Arts staff has prepared an RFP for this opportunity based upon Becker's biographical information, the Public Art subcommittee's advice, and standard Arts Department processes and timelines. The MAC voted during their May 8, 2021 meeting to recommend approval of this donation and the RFP, and the project was reviewed by Administrative Committee on June 14, 2021.

ACTION: Approval the donation, plinth re-assignment, and RFP.

Bettge moved and Taruscio seconded to approve the consent agenda as presented. Roll Call Vote: Ayes: unanimous. Nays: None. Abstentions: None. Motion carried.

REGULAR AGENDA

2. Staff Recognition Report - Gary J. Riedner

Pfiffner thanked the staff at the HLAC and reported the pool is canceling the limit on patrons. More lifeguards are needed with the increase of patrons.

3. Mayors Appointments (ACTION ITEM)

None offered.

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

None offered.

5. Update of MPD Bodyworn Cameras Report - James Fry, Mia Bautista

Heard as item six.

Chief Fry said the officers received training on the use of cameras. There were a few issues with the camera batteries but the issues have been resolved. The cameras are in use and have already recorded an

intense incident which in turn can be used in ongoing training for the cameras. Officers can turn the camera on but also will turn on automatically with the car's emergency lights. Bautista added there have been a couple records requests. It takes time to review the video and redact information allowed by Code and takes a significant amount of staff time and may be charged if processing takes over two hours. Legal staff attended the same training the officers did and also partook in training on the redaction program. Laflin felt the transparency is important but the educational side of the video is great. Self-reflection is critical. Taruscio said she was at an incident and found the camera is lending a good degree of comfort to the businesses. Chief Fry thanked the City Council as the purchase of cameras was a large ticket item.

6. Public Hearing: Rolling Hills 9th Addition Preliminary Plat (ACTION ITEM) - Mike Ray

The applicant, Ryan Itani, is proposing to subdivide a 2.3-acre area of land generally located east of the intersection of Third Street and Sixth Street into 10 lots ranging from 7,310 sf to 8,461 sf in size, referred to as Rolling Hills 9th Addition. The Planning and Zoning Commission conducted a public hearing for this matter on May 26, 2021 and recommended approval of the proposed preliminary plat with two conditions.

PROPOSED ACTIONS:

1. After conducting the public hearing and upon consideration of testimony received, approve the preliminary plat with conditions; or approve the preliminary plat with no conditions; or reject the preliminary plat; or take other such action deemed appropriate.
2. 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.

Heard as item 5.

Ray introduced the item by providing a background of the plat, describing the Comprehensive Plan designation, zoning and infrastructure. Approval of the preliminary plat will not affect the negotiation of shifting Third Street to adjust for Moser Park.

Mayor Lambert opened the public hearing at 7:13 p.m.

Rafik Itani (Pullman) (applicant) said this plat is consistent with their master plan from 1996. The delay with Moser Park/Third Street is a grading plan for the steep area.

Mayor Lambert asked for testimony in favor of the application. Hearing none, he asked for general testimony or in opposition. A letter was received from Romney Boehm and the Council received copies. Mayor Lambert closed the public hearing at 7:20 p.m.

Bettge said it seems to be a clear cut preliminary plat. He moved to approve the preliminary plat with two conditions: (1) the applicant shall provide stormwater control analysis and design in accordance with the City's Stormwater Runoff Control Standards; (2) the applicant shall extend Third Street 19.87 feet to the east to align with the eastern property boundary of Lot 6, Block 2 of the proposed subdivision. Taruscio seconded. Sullivan felt it is a natural extension of the Rolling Hills plan and appreciated reaching out to the neighbors. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

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

7. Public Hearing: Anderson Addition Phase VI Preliminary Plat (ACTION ITEM) - Mike Ray

The applicant, Jim Swift, is proposing to subdivide a 5.88-acre area of land generally located at 2075 Sunnyside Ave and 706 W Palouse River Drive into 18 lots with an average lot size of 12,346 square feet, referred to as Anderson Addition Phase VI. The Planning and Zoning Commission conducted a public hearing for this matter on May 26, 2021 and recommended approval of the proposed preliminary plat with three conditions.

PROPOSED ACTIONS:

1. After conducting the public hearing and upon consideration of testimony received, approve the preliminary plat with conditions; or approve the preliminary plat with no conditions; or reject the preliminary plat; or take other such action deemed appropriate.
2. 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 providing an aerial of the property and described the Comprehensive Plan designation and zoning of the neighborhood. The subject property was rezoned to the R-3 and R-4 zones in 1993 which included three conditions. The zoning and conditions imposed seem to lean towards a retirement community extending on this property from Latah Care Center. Although plans for the area has changed, the conditions still apply to the subject property. The preliminary plat includes 18 lots and a pedestrian path. Utilities are adequate, storm sewer will be constructed and streets will be constructed to the standard that was approved at the time Anderson 1st Addition was approved.

Mayor Lambert opened the public hearing at 7:47 p.m.

Scott Becker, Hodge and Associates (applicant) said the applicant is looking into the possibility of reversing the height restrictions and a possible rezone. The neighborhood meeting was positive.

Mayor Lambert asked for testimony in favor of the application. Hearing none, he asked for general testimony or in opposition. Hearing none, he closed the hearing at 7:49 p.m.

Taruscio moved, Kelly seconded, to approve the preliminary plat with three conditions: (1) Lot 7, Block 5 shall be converted to a flag lot with the flagpole portion providing direct access to Sunnyside Avenue and no vehicular access shall be permitted from Palouse River Drive; (2) street frontage improvements shall be required on the north side of Palouse River Drive adjacent to the subject property to include installation of curbing, sidewalk and roadway widening to improve Palouse River Drive to thirty-four (34) feet in width; (3) the pedestrian pathway connecting Cloudy Court with Anderson Frontier Park shall be increased to ten (10) feet in width. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

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

Ray explained a preliminary plat can expire at 12 months if not advanced to the final plat stage. An applicant can request an extension of 6 months.

REPORTS

City Council

Moscow Pathways Commission – Kelly reported the maps created for pathways are being distributed and Jonathan Gradin has one last meeting as a member.

Human Rights Commission – Kelly said there was an informal discussion on bias reporting.

Transportation Commission – Taruscio said the Commission discussed ebike/escooter code additions; addition of eboards; and pedestrians having the right away.

Palouse Basin Aquifer Committee – Taruscio said the Committee heard about research on tracking snowfall and the rate at which it recharges the aquifer; working toward annual recharge amount; update on water alternatives project report. Council discussion ensued regarding the phases and funding with each alternative and taking action.

Moscow Volunteer Fire Department – Bettge said the Department is moving forward on policy manuals that meet national standards for fire suppression and control.

Farmers Market Commission – Bettge said after consulting with vendors, the mobile market will be discontinued; live performances will start back up; definition of "loyal".

Moscow Arts Commission – Sullivan highlighted the donations of art which were on the consent agenda above. The Commission voted to name the new micro-gallery The Box Gallery.

Mayor

Mayor Lambert attended the AIC conference where a large discussion was about HB389 regarding limiting the amount of taxable value of new construction and to 90% and URA returning to 80%. eals with foregone tax amounts, placed 8% limit Bettge was elected

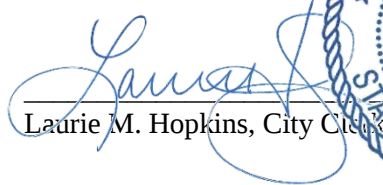
Staff

Juneteenth holiday declared.

ADJOURN

It was moved, seconded and mutually agreed upon to adjourn at 8:14 p.m.

ATTEST:


Laurie M. Hopkins, City Clerk




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 FIVE POINT EIGHT EIGHT (5.88) ACRE AREA OF LAND LOCATED AT 2075 SUNNYSIDE AVENUE AND 706 W PALOUSE RIVER DRIVE, KNOWN AS ANDERSON ADDITION PHASE VI TO THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Preliminary Subdivision Plat on April 23, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on May 26, 2021; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on June 21, 2021; 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 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a 5.88-acre area of land located at 2075 Sunnyside Ave and 706 W Palouse River Drive.
3. The subject property is currently undeveloped and was previously platted as Lot 25, Block 4 and Lot 1, Block 5 of Anderson 1st Addition. To the west of the subject property is Anderson/Frontier Park, to the southwest is the Prospect Place Addition, to the east is Gritman's Martin Wellness Center, and to the north is single family residential development also within the Anderson 1st Subdivision. Properties to the south of Palouse River Drive include two manufactured home parks and ITD's service facility.
4. The subject property contains areas of moderate sloping topography at an average slope of 10% as the land continues to gain elevation to the north. There are no drainage ways or natural features that have been identified upon the subject property.
5. The northern portion of the subject property is currently designated as Auto-Urban Residential (AU-R). AU-R designated areas,

“designated areas contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may

require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate."

6. The southern portion of the subject property is currently designated as High-Density Residential. According to the Comprehensive Plan, High-Density Residential designated areas,

"allow the highest density residential development at common densities between 15 and 26 units per acre. Areas appropriate for this designation include those located adjacent to areas of higher activity where there is a range of uses. High-Density Residential areas should be located adjacent or in close proximity to designated arterial or collector streets. New areas of high-density residential development should be located near mixed-use activity areas and corridors that accommodate multi-modal transportation. Lands designated as Urban Residential are generally appropriately zoned Medium Density Residential (R3), Multiple Family Residential (R-4), or Residential Office (RO)."

7. The subdivisions to the north are currently designated as Auto-Urban Residential. Martin Wellness Center to the east is currently designated as Suburban Commercial and properties to the south of Palouse River Drive are designated as High-Density Residential. Anderson/Frontier Park to the west is currently designated as Parks and Open Space.
8. The subject property is currently designated as a combination of Medium Density Residential (R-3) and Multiple Family Residential (R-4). The north portion of the property is encompassed by the R-3 Zone and the southern portion contains the R-4 Zone.
9. The properties to the south and east of subject property are currently zoned R-4 and the properties to the west and north are zoned R-1. Properties to the south of Palouse River Drive are currently designated as Motor Business (MB).

10. According to the zoning code, the R-3 Zone,

"provides for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan. Uses permitted within the R-3 Zone include single family, two family, twinhome, and townhouse dwellings."

11. The minimum lot size for parcels within the R-3 Zone is 6,000 sf for single family dwellings, 7,000 sf for two family dwellings, 3,250 sf for twinhome dwellings, and 2,000 sf for townhouse dwellings. Townhouse lots within the R-3 Zone are allowed to be a minimum of 2,000 sf, but the total density of a townhouse development must not exceed 14.5 dwelling units per acre.
12. The minimum lot width for parcels within the R-3 Zone is 60 feet for single- and two-family dwellings, 30 feet for twinhome dwellings, and 20 feet for townhouse dwellings.
13. The R-4 Zone,

"provides for the most intense residential land uses permitted in the community. It is to be applied where activity levels are high and adequate public facilities are available, especially near the University of Idaho campus or the City Central Business Zoning District. Adequate

transportation access should be given high priority in determining the appropriate location for R-4 zoning districts."

14. The minimum lot size for parcels within the R-4 Zone is 5,000 sf or 800 sf per dwelling, whichever is greater. Twinhome dwellings are required to have a minimum lot size of 2,250 sf and townhouse dwellings are required to be at least 1,800 sf in size.
15. The minimum lot width for parcels within the R-4 Zone is 50 feet for single family, two family, and multi-family dwellings. Twinhome dwellings are required to be at least 25 feet and townhouse dwellings are required to be 18 feet in width.
16. In 1993, the subject property was rezoned to the current configuration of the R-3 and R-4 Zones which still exists today. The Council imposed three conditions of approval on the rezone, which are as follows:
 1. The density shall be limited to a minimum lot area of 2,000 sf per dwelling unit;
 2. The buildings shall be limited to one-story in height exclusive of basements; and
 3. There shall be dedicated a pedestrian pathway, minimum of ten feet in width extending from Latah Care Center to the Anderson/Frontier Park.
17. The proposed preliminary plat is subject to the conditions above and any future buildings will be required to comply with the single-story height restriction.
18. The applicant is proposing to subdivide the 5.88-acre area of land into 18 lots ranging from 9,644 sf to 23,672 sf in size.
19. The plat includes a stormwater detention pond on the northeast corner of Palouse River Drive and Sunnyside Avenue. Sunnyside Avenue was previously platted as part of the Anderson 1st Subdivision, and will be constructed as part of the proposed subdivision.
20. A cul-de-sac street named Cloudy Court will be extended to the northwest from Sunnyside Avenue to provide access to the northwest portion of the property. The applicant has included a 10-foot-wide public pedestrian easement with a 5-foot-wide pathway which connects Cloudy Court with Anderson/Frontier Park. Per the conditions of approval of the 1993 rezone on this property, the pathway will need to be increased to 10 feet in width.
21. Water services are proposed to be extended along the Sunnyside Avenue alignment to connect existing mains at the southern and northern terminuses of Sunnyside Avenue. The property is considered developable in the City's Comprehensive Water System Plan dated January 2012. Engineering has determined that the existing system has adequate potable and fire flows to serve the proposed subdivision.
22. It is anticipated that under commonly observed household water use within the City (114 gallons per day per occupant) that the proposed development could be reasonably anticipated to use approximately 1.69 million gallons of water per year ($18 \text{ du} \times 2.25 \text{ occupants/du} \times 114 \text{ gallons/occupant} \times 365 \text{ days/year} = 1.12 \text{ M gallons/year}$).
23. Sanitary sewer is proposed to be extended through the subdivision along the Sunnyside Avenue alignment. A sanitary main will be installed on the north end of Sunnyside Avenue and extended to connect to the existing main in Sunnyside Avenue near its intersection with Pearl Circle. Once the required improvements are constructed by the developer, Engineering 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.

24. The storm sewer for the subdivision is proposed to be extended in a similar fashion to the sanitary sewer system by following the Sunnyside Avenue alignment. A storm sewer main will be installed on the north end of Sunnyside Avenue and extended to connect to the existing main in Sunnyside Avenue near its intersection with Pearl Circle. A stormwater detention pond is proposed to be constructed on Tract A at the northeast corner of Palouse River Drive and Sunnyside Avenue.
25. The subject property is located adjacent to Sunnyside Avenue which was platted as part of the Anderson 1st Subdivision and is currently designated as a local neighborhood street. A prior development agreement that was recorded as part of the Anderson 1st Subdivision requires that Sunnyside Avenue be constructed prior to any building permits being issued upon the subject property. Sunnyside Avenue will be constructed to match the standard that was approved at the time the Anderson 1st Subdivision was approved. That neighborhood street standard that was previously approved included curb, gutter, tree lawn, and sidewalk on the north side of the street and curb and gutter on the south side of the street.
26. The subject property is also located adjacent to Palouse River Drive which is designated as a minor arterial. The section of Palouse River Drive adjacent to the subject property currently does not have curb, gutters, or sidewalks on either side of the street. As part of the subdivision code the applicant is responsible for street frontage improvements for portions of the property adjacent to public streets. Therefore, the Council is requiring frontage improvements to be made to the north side of Palouse River Drive as part of the proposed subdivision.
27. The parkland dedication requirements for the proposed subdivision were previously met with Anderson/Frontier Park to the west, so no further dedication is required.
28. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on March 25, 2021 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 proposed preliminary plat is consistent with and in conformance with the requirements and provisions of the Medium Density Residential (R-3) and Multiple Family Residential (R-4) Zoning Districts, including lot area, dimensions and other relevant provisions. The proposed preliminary plat is also in conformance with the general requirements of the Moscow Subdivision Ordinance including, but not limited to, the provision of the logical and orderly connection to the City's street network, public utilities, and the provision of public parkland.
2. **The proposed subdivision is in general conformance with the Comprehensive Plan.** The proposed preliminary plat is consistent with the City of Moscow Comprehensive Plan and provides for the logical and orderly development and extension of the City's street system. The extension of Sunnyside Avenue is consistent with the general alignment within the Thoroughfare Plan. The proposed lots sizes and densities are consistent with the Comprehensive Plan Land Use designation of Auto-Urban Residential and High-Density Residential.
3. **Public Services and utilities are available or can be made available and are adequate to accommodate the proposed subdivision.** The subject property has direct access to Palouse

River Drive which is designated as a minor arterial street. Water and sewer services are proposed to be extended along the Sunnyside Avenue alignment to connect with existing mains at the current norther and southern terminuses of Sunnyside Avenue. The Engineering Department has determined that the existing system has adequate potable and fire flows and sewer capacity to serve the proposed subdivision.

4. **The proposed subdivision will not be detrimental to the public health, safety, or general welfare.** The proposed preliminary plat provides for the extension of City streets and services and will not be detrimental to the public health, safety, or general welfare.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Moscow approves the preliminary subdivision plat request for the five point eight eight (5.88) acre area of land located at 2075 Sunnyside Ave and 706 W Palouse River Drive with three conditions:

1. Lot 7, Block 5 shall be converted to a flag lot with the flagpole portion providing direct access to Sunnyside Avenue and no vehicular access shall be permitted from Palouse River Drive;
2. Street frontage improvements shall be required on the north side of Palouse River Drive adjacent to the subject property to include installation of curbing, sidewalk and roadway widening to improve Palouse River Drive to thirty-four (34) feet in width; and
3. The pedestrian pathway connecting Cloudy Court with Anderson Frontier Park shall be increased to ten (10) feet in width.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 21st day of June, 2021.



Bill Lambert, Mayor