

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
September 27, 2023**

7:00 PM

**Council Chambers
206 E Third Street**

Parish called the meeting to order at 7:00 PM

MEMBERS PRESENT: Robb Parish, Chair; Rich Beebe, Scott Gropp, Joel Hamilton, Cole Mize, Nels Reese, Victoria Seever, Dennis Wilson
MEMBERS ABSENT: Sue Scott
OTHERS: Gina Taruscio
STAFF: Jennifer Fleischman, Mike Ray

REGULAR AGENDA

1. Approval of September 13, 2023 Minutes (ACTION ITEM)

Wilson moved for approval of the minutes as written, seconded by Seever. Roll Call Vote; Ayes: Beebe, Gropp, Hamilton, Mize, Reese, Seever, Wilson (7). Nays: None. Abstentions: Parish (1). 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. Public Hearing: Proposal for a Preliminary Subdivision Plat for property generally located at the northeast corner of Highway 95 and Pintail Lane and legally described as Lot 12 and Lot 13, Block 3 of the Quail Run Addition to the City of Moscow. Permit Application LUP2023-0017 (ACTION ITEM)

1. Proposed Replat of a 2.08-acre property to create seven (7) lots with an average lot size of 12,931 square feet, referred to as the Replat of Lot 12 and Lot 13, Block 3 of the Quail Run Addition.

Ray presented the proposed replat as described above, and recommended approval with no conditions. The twin-home lots would extend north and south, all the way to Pintail Lane, with an access easement across the lots for a shared driveway. The unused land on the front could be used as stormwater detention. The Engineer's recommendation would be met during the construction stage of the project, if it was approved for development. There are two primary points of access to the whole Quail Run subdivision; one off of North Highway 95 and the other from Polk Street Extension.

Public Hearing opened at 7:11 PM

Nuri Nimmer (applicant's engineer), Moscow, offered to answer any questions from the Commissioners, of which there were none.

Kalab Fisher, Moscow, utilizes the adjacent driveway that has an access agreement with the subject lots. He does not think that the easement was designed for the proposed use. If the easement agreement were to be

renegotiated, it would be up to the individual owners to reach an agreement, not the City. The original plat was zoned as R-3, which was intended for multi-family dwellings. There was a brief discussion about property lines and the access road.

Megan Lamb, Moscow, was concerned about the access road being widened and paved, and who would be responsible for maintenance. She wanted to know where the property lines would be in regards to the expanded road. The applicants informed neighbors at the neighborhood public meeting that they would help establish the property lines.

Erich Seamon, Moscow, was concerned about an increase in traffic along Pintail Lane impacting the primary access to North Highway 95. If there was traffic backed up, fire engines could struggle to get through the intersection.

Nuri Nimmer, Moscow, provided clarification on the number of families who would use the access road. The current driveway is graveled, but would be paved to a 20-foot width, with the possibility of a retaining wall on the south side. The lot to the south has existing landscaping that encroaches on the subject property. The road widening would not infringe onto other property, and any grading issues would be solved with a retaining wall. It is unknown how many current subdivision occupants use the N Hwy 95 access as opposed to Polk Street Extension.

Public Hearing closed at 7:28 PM

The Idaho Department of Transportation does not require a traffic impact study for the proposed replat. When the Quail Run subdivision was originally platted in the 1990's, a traffic impact study would have been conducted at that time, if it was required. The projected increase in traffic is estimated to be only 50 additional daily trips, based on average counts, and the Commission talked about how this is a good infill project. The developer was strongly encouraged to work with the neighboring properties regarding the access easement and expanded driveway. The proposed addition of six additional units to the approximate 250 dwellings would have minimal impact on the subdivision.

Wilson moved for approval of the replat of Lot 12 and Lot 13, Block of Quail Run Addition as written, seconded by Beebe. Roll Call Vote; Ayes: Unanimous (8). Nays: None. Abstentions: None. Motion carried.

Wilson moved to direct Staff to draft the Relevant Criteria and Standards, seconded by Hamilton. Roll Call Vote; Ayes: Unanimous (8). Nays: None. Abstentions: None. Motion carried.

REPORTS

1. Transportation Commission meeting report.

Hamilton said he has not seen an agenda for the next meeting yet.

- Joint meeting with City Council is still planned and will be scheduled sometime later this fall.
- PBAC has a new Director and the Commissioners would like to schedule a time for them to present new information, possibly during a meeting in November.

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Planning & Zoning Commission meeting is scheduled for October 11, 2023.

The next meeting will be rescheduled from October 11th to October 18th, and the second meeting in October will be cancelled.

Parish declared the meeting adjourned at 7:39 PM



Robb Parish, Chair

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR A PRELIMINARY SUBDIVISION PLAT OF A TWO POINT ZERO EIGHT (2.08) ACRE AREA OF LAND LOCATED AT THE NORTHEAST CORNER OF HIGHWAY 95 AND PINTAIL LANE AND LEGALLY DESCRIBED AS LOT 12 AND LOT 13, BLOCK 3 OF THE QUAIL RUN ADDITION TO THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Preliminary Subdivision Plat on August 16, 2023; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on September 27, 2023; 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 is a two point zero eight (2.08) acre area of land located at the northeast corner of Highway 95 and Pintail Lane and legally described as Lot 12 and Lot 13, Block 3 of the Quail Run Addition to the City of Moscow.
3. The subject property is currently undeveloped and comprised of two previously platted lots within the Quail Run subdivision which was approved in 1995. The subject property has property frontage on Pintail Lane and Highway 95, but is accessed via a shared driveway from Pintail Lane. North, east, and south of the subject property is developed with a combination of single family and two-family dwellings. Fire Station 3 is located on the south side of Pintail Lane, to the south of the subject property. Across Highway 95 to the west is a single-family dwelling and junk yard and towing business.
4. The subject property contains areas of extreme sloping topography with slopes up to 45% as the property gains elevation to the northeast. There are no drainage ways or natural features that have been identified upon the subject property.
5. The subject property is currently designated as Auto-Urban 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. All surrounding land is currently designated as Auto-Urban Residential, with the exception of the property across Highway 95 to the west which is designated as Auto-Urban Commercial.
7. The subject property is currently designated as the Medium Density Residential (R-3) Zoning District. A large portion of the properties on Pintail Lane are also located within the R-3 Zone until they transition to the Moderate Density Residential (R-2) Zone to the east. Properties on the west side of Highway 95 are designated as Motor Business (MB) and Agriculture Forestry (AF).
8. The Medium Density Residential (R-3) Zoning District 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.
9. Uses permitted within the R-3 Zone include single-family dwellings, two family dwellings, twinhomes, townhouses, market and community gardens, group and small child care facilities, and public parks and recreation facilities.
10. The applicant is proposing to subdivide the 2.08-acre property to create seven (7) lots ranging from 4,868 square feet to 1.27 acres in size, referred to as the Replat of Lot 12 and Lot 13, Block 3 of the Quail Run Addition. The proposal includes six (6) twinhome lots and one (1) single family lot.
11. Within the R-3 Zone, single family lots are required to have a minimum lot area of 6,000 square feet in size and a minimum lot width of 60 feet. Twinhome lots are required to have a 3,250 square foot minimum lot size and a 30-foot minimum lot width.
12. Water services are currently extended to the subject property from Pintail Lane. 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.
13. 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 655,357 thousand gallons of water per year (20 du x 2.25 occupants/du x 114 gallons/occupant x 365 days/year = 655,357 thousand gallons/year).
14. Sanitary sewer is currently located within Pintail Lane and the proposed lots will connect to the existing sewer main. 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.
15. The storm sewer for the subdivision is proposed to be detained on-site and then conveyed to the existing storm sewer main within Pintail Lane. The stormwater system of the proposed development will need to meet Moscow's Stormwater Runoff Control Standards which require the stormwater to be detained to the pre-development rate.
16. The subject property is located adjacent to Pintail Lane which is designated as a local neighborhood street and Highway 95 which is designated as a national highway. Current and

proposed access to the proposed lots is via an existing shared driveway on an adjacent lot to the east which contains an access easement. The proposed lots are proposing to continue to utilize the shared driveway, and an access easement is proposed across all of the lots for the continuation of the shared access drive

17. Pintail Lane adjacent to the subject property is constructed to a local residential street standard which includes a 34-foot-wide roadway with two travel lanes and curbing, gutters, and tree lawns on both sides of the street, and a sidewalk on the west side of the street.
18. Highway 95 is constructed to a 30-foot-wide paved roadway with two 12-foot-wide northbound and southbound travel lanes. A designated right-hand turn lane northbound onto Pintail Lane currently exists, as well as gravel shoulders on both sides of the highway
19. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on August 10, 2023 to discuss the proposed preliminary plat.

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 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) Zoning District, 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 infill development within an existing subdivision. The proposed lots sizes and densities are consistent with the Comprehensive Plan Land Use designation of Auto-Urban 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 Pintail Lane which is a local neighborhood street and is near the intersection with Highway 95. Water and sewer services currently exist in Pintail Lane. 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 infill development within an existing subdivision 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 Planning and Zoning Commission of the City of Moscow recommends approval of the preliminary subdivision plat request for the two point zero eight (2.08) acre area of land located at the northeast corner of Highway 95 and Pintail Lane and legally described as Lot 12 and Lot 13, Block 3 of the Quail Run Addition with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this

18th day of October, 2023.

A handwritten signature in blue ink, appearing to read "Robb Parish", is written over a horizontal line.

Robb Parish, Chair
Planning and Zoning Commission