

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
November 15, 2023

7:00 PM

Council Chambers
206 E Third Street

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. Approval of October 18, 2023 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 a Comprehensive Plan Land Use Designation and Zoning Designation for a 7.98-Acre Property Proposed to be Annexed into the City of Moscow and Located at 2216 South Main Street. Permit Application LUP2023-0020 (ACTION ITEM)

1. Retaining the current Comprehensive Plan Land Use Designation of Auto-Urban Commercial.
2. Rezoning of the subject property from the combination of the Agriculture Forestry (AF) Zone and the Industrial (I) Zone to the Motor Business (MB) Zone.

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

1. Recommend approval of the proposed Comprehensive Plan Land Use Designation with no conditions; or recommend approval of the proposed Comprehensive Plan Land Use Designation with conditions; or recommend denial of the proposed Comprehensive Plan Land Use Designation; or take such other action deemed appropriate.
2. 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.
3. In accordance with the Commission's decision on the Comprehensive Plan Land Use Designation and Rezone, approve the prepared Relevant Criteria and Standards documents; or approve the prepared Relevant Criteria and Standards documents with modifications.

NOTICE: It is the policy of the City of Moscow that all City-sponsored public meetings and events are accessible to all people. If you need assistance in participating in this meeting or event due to a disability under the ADA, please contact the City's ADA Coordinator by phone at (208) 883-7600, TDD (208) 883-7019, or by email at adacoordinator@ci.moscow.id.us at least 48 hours prior to the scheduled meeting or event to request an accommodation. The City of Moscow is committed to ensuring that all reasonable accommodation requests are fulfilled.

REPORTS

1. Transportation Commission meeting report.

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The Planning & Zoning Commission meeting regularly scheduled for November 22, 2023 has been cancelled. The next meeting is scheduled to occur December 13, 2023.

ADJOURN

NOTICE: It is the policy of the City of Moscow that all City-sponsored public meetings and events are accessible to all people. If you need assistance in participating in this meeting or event due to a disability under the ADA, please contact the City's ADA Coordinator by phone at (208) 883-7600, TDD (208) 883-7019, or by email at adacoordinator@ci.moscow.id.us at least 48 hours prior to the scheduled meeting or event to request an accommodation. The City of Moscow is committed to ensuring that all reasonable accommodation requests are fulfilled.

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
October 18, 2023

7:00 PM

Council Chambers
206 E Third Street

Parish called the meeting to order at 6:58 PM

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

REGULAR AGENDA

1. Approval of September 27, 2023 Minutes (ACTION ITEM)

Beebe moved for approval of the minutes as written, seconded by Hamilton. Roll Call Vote; Ayes: Unanimous (6). 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 of Relevant Criteria and Standards (ACTION ITEM)

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.

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.

Mize moved for approval of the Relevant Criteria and Standards for the Preliminary Plat as written, seconded by Hamilton. Roll Call Vote; Ayes: Unanimous (6). Nays: None. Abstentions: None. Motion carried.

REPORTS

1. Transportation Commission meeting report.

The last Transportation Commission meeting was cancelled.

2. Discussion regarding Relevant Criteria and Standards (RCS).

The Commission asked Staff about preparing a draft Relevant Criteria and Standards at the same time as the Public Hearing, to eliminate the need for a second meeting afterwards. Staff recommends approval only if a proposal meets all the Criteria. There continued to be a discussion regarding a draft RCS being prepared at the same time as the Staff Report.

3. Discussion regarding Large Retail Establishments.

Staff reviewed the history of the Large Retail Establishment guidelines, design manual, and where a Conditional Use Permit (CUP) was previously required, but was eliminated by a prior Council.

4. New information from Palouse Basin Aquifer Committee (PBAC).

The Daily News published an article about an update that PBAC provided to City Council on Monday October 16th. The Commissioners were encouraged to watch the meeting online. There was a discussion about having Tyler Palmer present to the Commission soon, or waiting until a new Executive Director was hired for PBAC.

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Planning & Zoning Commission regular meeting is scheduled for November 8, 2023.

The next meeting may be shifted to November 15, 2023 if an application is received and processed in time to be published for a Public Hearing.

The meeting scheduled for November 22, 2023 will be cancelled.

The Commission may schedule to have their Officer Elections during a meeting in December.

Parish declared the meeting adjourned at 7:14 PM

Robb Parish, Chair

COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

HEARING DATE: November 15, 2023

GENERAL INFORMATION

Hearing Body: Planning and Zoning Commission

Subject: Proposal for a Comprehensive Plan Land Use Designation and Zoning Designation for a 7.98-Acre Property Proposed to be Annexed into the City of Moscow and Located at 2216 South Main Street. Permit Application LUP2023-0020.

Attachments:

1. Notice of Public Hearing
2. Annexation Request Letter
3. Application for Rezone
4. Preliminary Plat Application
5. Preliminary Plat
6. Legal Descriptions
7. Neighborhood Meeting Materials

Prepared by: Mike Ray, AICP – Planning Manager

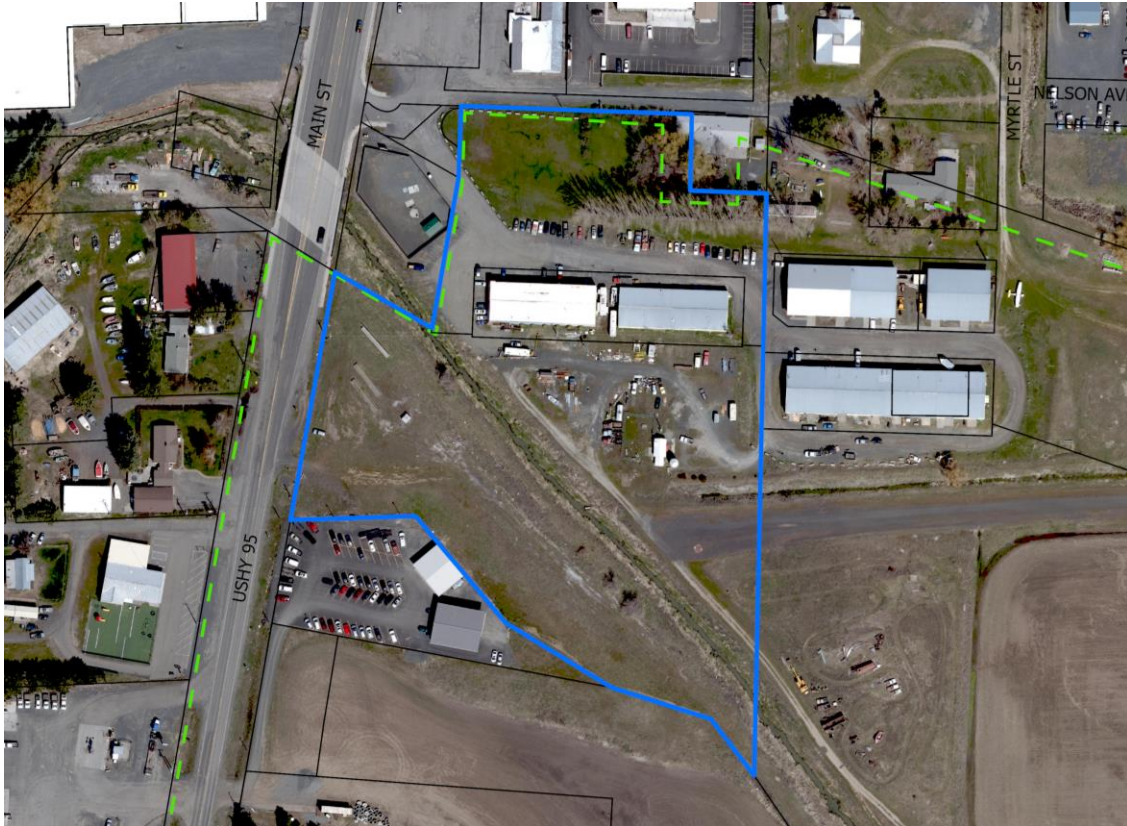
STAFF REVIEW

Proposal: The applicant, Joel Cohen, is proposing a Comprehensive Plan land use designation and zoning designation for a 7.98-acre property proposed to be annexed into the City of Moscow and located at 2216 South Main Street. The current Comprehensive Plan Land Use Designation is currently Auto-Urban Commercial and the proposal is to retain that designation. The zoning of the subject property is currently a combination of the Industrial (I) and Agriculture Forestry (AF) Zones and the proposal is the Motor Business (MB) Zone. Prior to annexation, the Planning and Zoning Commission is required to review the subject property and provide the City Council with a recommendation regarding the appropriate future land use designation and zoning designations to be applied to the subject property upon annexation.

Site and Area Land Use: The subject property is a 7.98-acre area that contains a portion of Fountains Industrial Park. There are currently two buildings which contain various commercial uses including an automotive repair business. The South Fork of the Palouse River bisects the property. To the west of the subject property is the City's sewer lift station, the Palouse Ice Rink, and various other commercial and residential uses. To the north includes a restaurant, bar, and a church. The remainder of Fountains Industrial Park is located to the east and southeast of the subject property. Agricultural land and a car detailing business are located to the south.



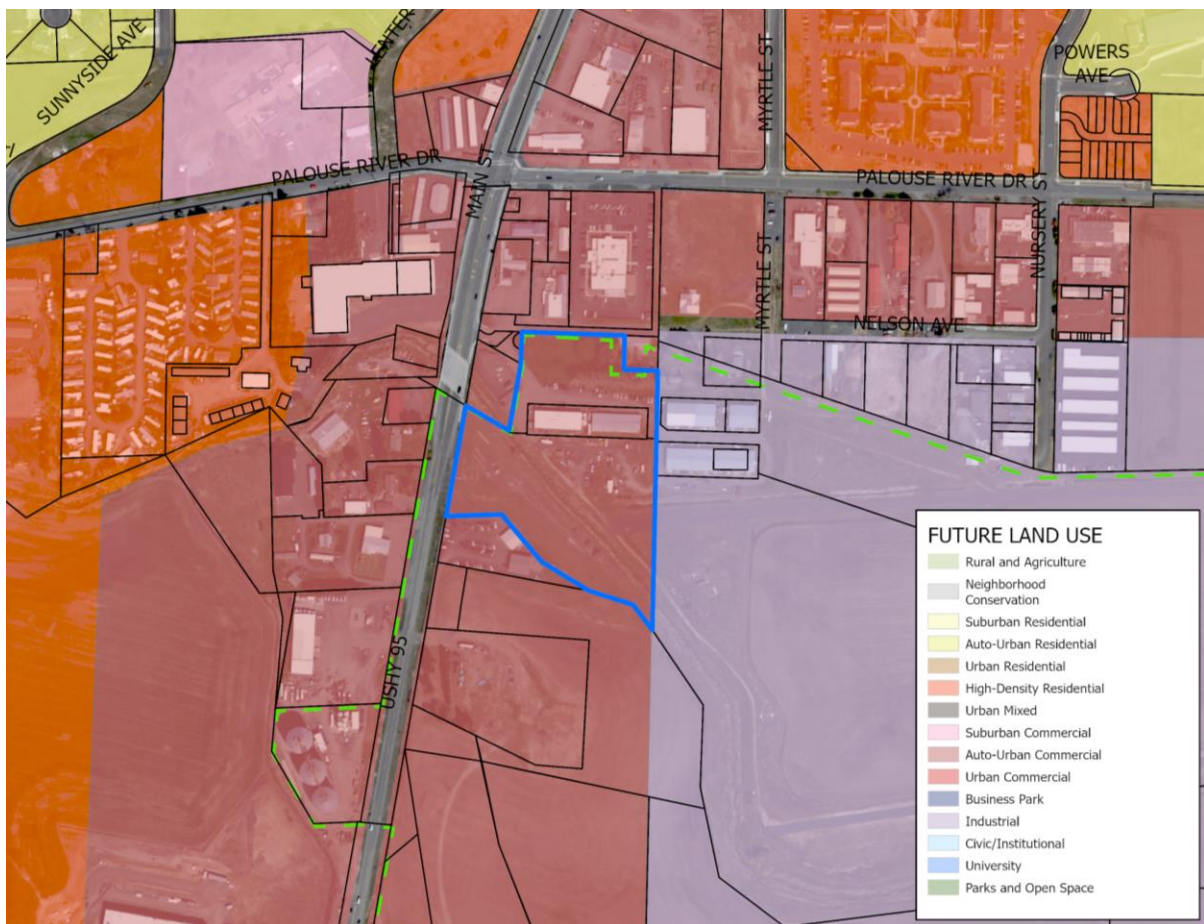
Vicinity Map



Aerial of Subject Property

Comprehensive Plan: Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Commercial and the proposal is to retain the Auto-Urban Commercial designation. According to the 2019 Comprehensive Plan, Auto-Urban Commercial designated areas are intended to,

“Provide for commercial services and developments that are motor vehicle oriented or those which require large amounts of land. These areas should be located adjacent to existing commercial developments and along major arterials where the vehicle traffic can be accommodated. Developments within these designations should be required to provide significant landscaping which would be applied to enhancing areas along the street edge, screening parking lots, and buffering adjacent uses. Such areas are most appropriately zoned Motor Business (MB).”



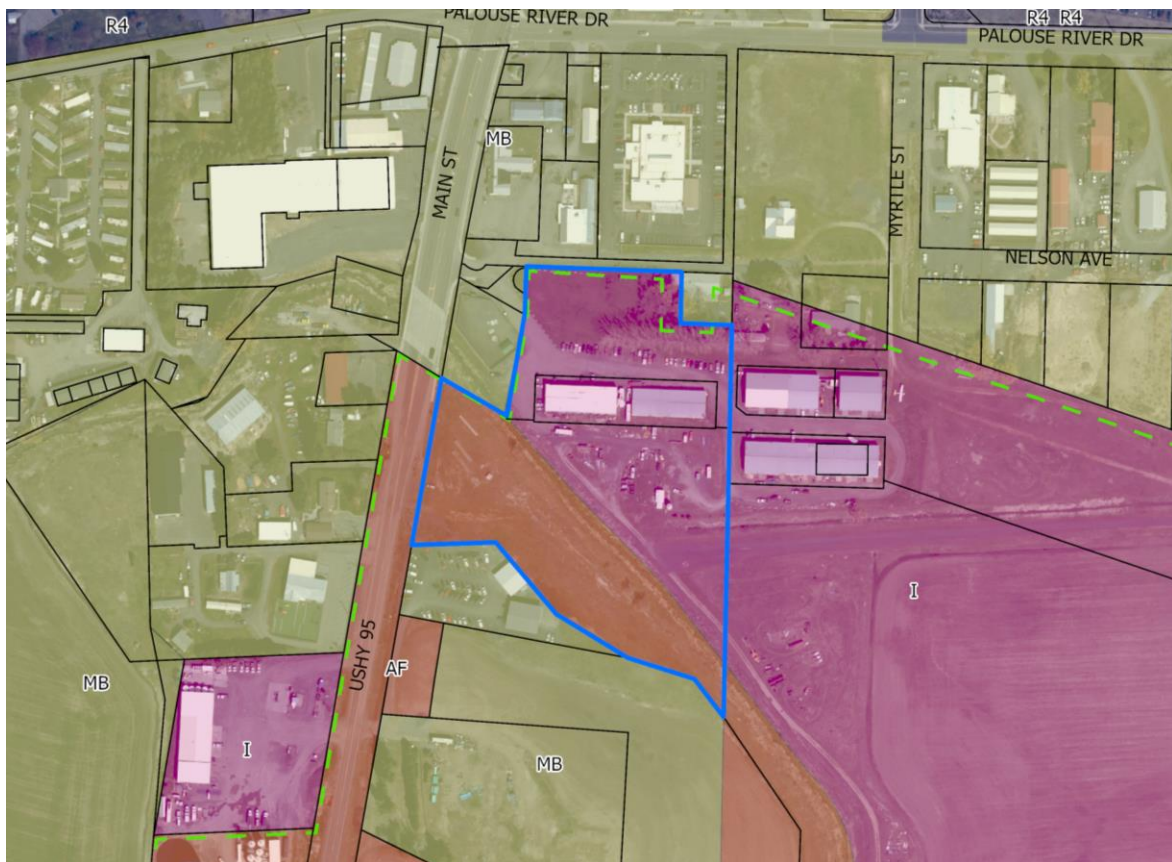
Current Comprehensive Plan Land Use Designation

Zoning: The subject property is currently zoned a combination of the Agriculture/Forestry (AF) and Industrial (I) Zones. Surrounding properties are within the Agriculture/Forestry (AF), Industrial (I), and Motor Business (MB) Zones. The proposal is to rezone the 7.98-acre parcel from the combination of the Agriculture/Forestry (AF) and Industrial (I) Zones to the Motor Business (MB) Zone.

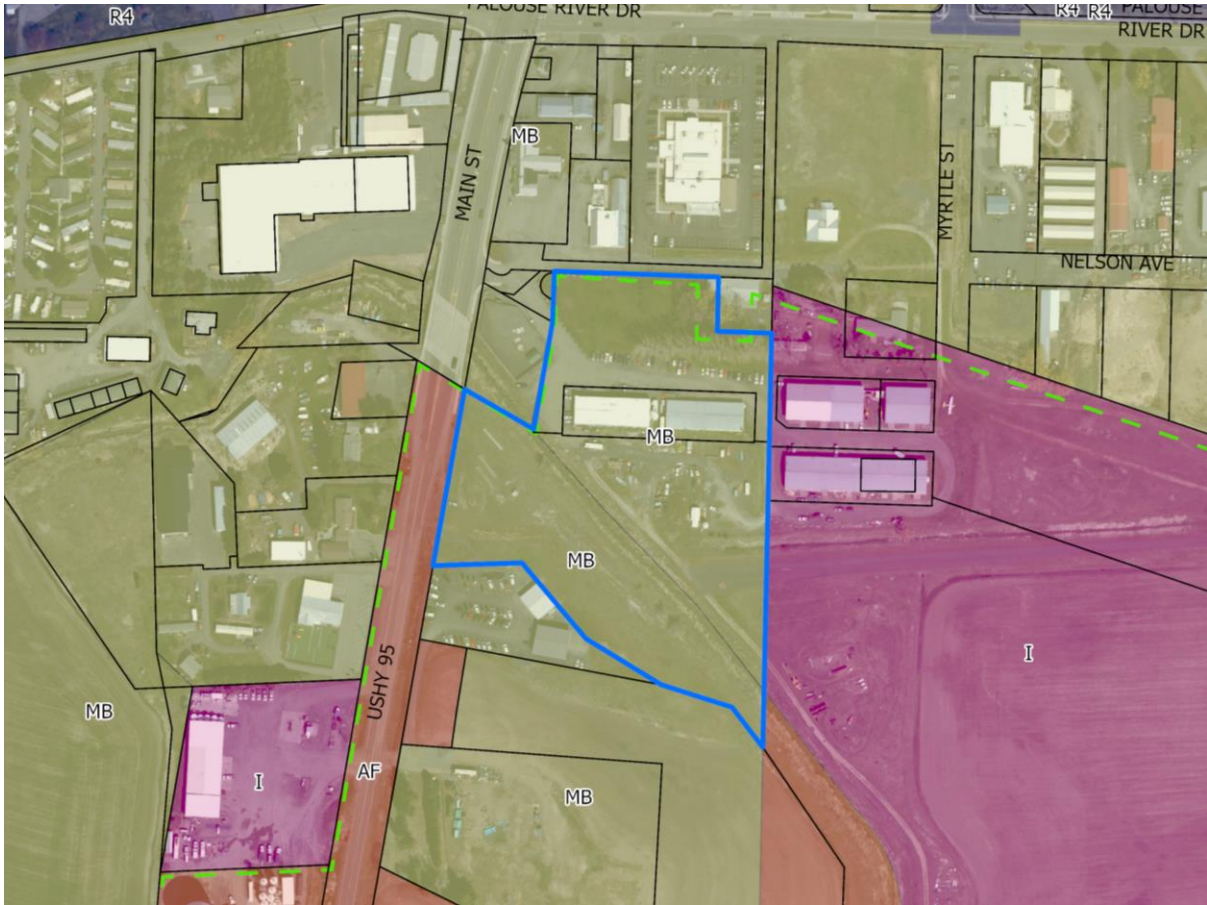
According to the City of Moscow Zoning Code, the MB Zone is intended to,

“provide for the location and grouping of compatible uses having similar operation as they involve enterprises which depend primarily on the transient motor vehicle-based trade. By concentrating such uses the City intends to increase public convenience when utilizing such services and, within the regulation, to allow such activities to render the maximum service.”

Uses permitted within the MB Zone include retail enterprises, offices, eating and drinking establishments, printing and publishing houses, religious institutions, residential uses, hotels and motels, off-street parking facilities, kennels, storage facilities, laundromats, and light manufacturing.



Existing Zoning



Proposed Zoning

Access, Streets, Traffic: The subject property shares an existing vehicular approach to Highway 95. The adjacent portion of Highway 95 contains four travel lanes and a center turn lane with curb, gutter, and sidewalks on both sides of the street.

Utilities: The subject property is currently on a well and septic system. As part of the annexation, the buildings on the subject property will be required to connect to City water and sewer mains. Water and sewer mains are currently located within the shared access drive to the northwest of the subject property. The property is considered developable in the City's Comprehensive Water and Sewer System Plans.

Other Issues: The applicant conducted a neighborhood meeting with affected property owners within 600 ft. of the subject property on October 16, 2023 to discuss the proposal. All neighborhood meeting materials are attached to your packet.

Input from other Departments/Commissions:

RECOMMENDATIONS:

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

1. Recommend retaining the current Comprehensive Plan Land Use Designation of Auto-Urban Commercial; and
2. Recommend approval of the proposed rezone from the Agriculture/Forestry (AF) Zone and Industrial (I) Zone to the Motor Business (MB) Zone with no conditions.
3. In accordance with the Commission's decision on the Comprehensive Plan land use designation and rezone, direct staff to prepare the Relevant Criteria and Standards documents.

NOTICE OF PUBLIC HEARING

Proposal for a Comprehensive Plan Land Use Designation and Zoning Designation for a 7.98-Acre Property Proposed to be Annexed into the City of Moscow and Located at 2216 South Main Street as Shown on the Vicinity Map Below. Permit Application LUP2023-0020.

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 proposals will be considered:

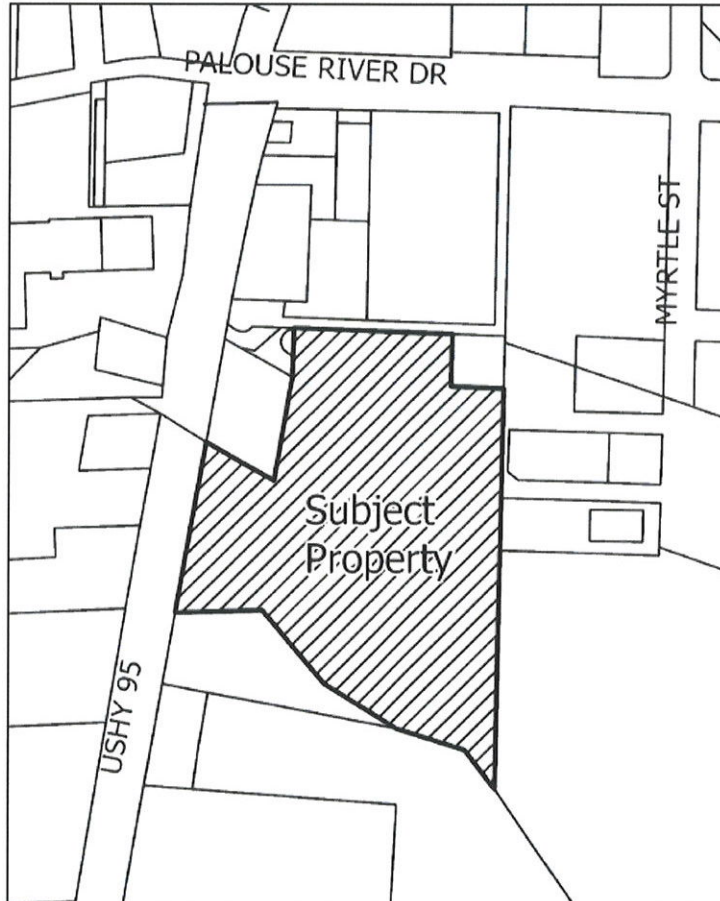
1. Retaining the current Comprehensive Plan Land Use Designation of Auto-Urban Commercial.
2. Rezoning of the subject property from the combination of the Agriculture Forestry (AF) Zone and the Industrial (I) Zone to the Motor Business (MB) Zone.

MEETING DATE: Wednesday, November 15, 2023

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

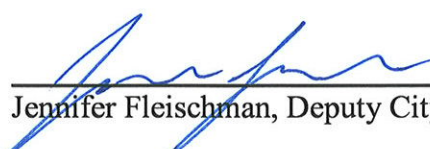
MEETING TIME: 7:00 p.m.

Note: Meeting start time is not necessarily indicative of 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 at 504 S Washington Street, Moscow, Idaho. Call 883-7035 for 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 Website at: <https://www.ci.moscow.id.us/593/Public-Hearing-Notices>

Laurie M. Hopkins, Moscow City Clerk


Jennifer Fleischman, Deputy City Clerk

Publish: Saturday, October 28, 2023

October 20, 2023

City of Moscow Mayor Art Bettge
Moscow City Council
206 East Third Street
Moscow, ID 83843

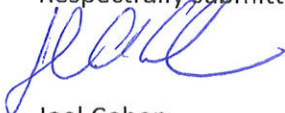
Dear City Officials

Please consider this letter of request for the annexation of a parcel of land in South Moscow. I wish to purchase a portion of said parcel and an annexation is required to divide said property.

We are requesting the annexation as shown on the attached parcel map and an initial zoning of Motor Business. (MB)

I am submitting herewith a check to the city of Moscow for a ^{\$1071.00}~~\$400.00~~ annexation fee for the portion of land I intend to purchase post annexation and zoning. Also included are copies of the neighborhood meeting invitation, mailing list, documents mailed, and minutes from the meeting. This annexation will only create one new parcel.

Respectfully submitted,



Joel Cohen



Received 10-23-2023



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

For City Use Only			
Date Received		10/23/23	
Dept	Fee Type	Fees	Paid
CDV	Zoning/Comp Plan Amend	\$1,040.00 \$1,040.00 \$1071.00	
CDV	Annexation	\$1,040.00	10/23
Receipt Number		LUP2023-0020	

APPLICATION FOR ZONING OR COMPREHENSIVE PLAN AMENDMENT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. Applicant

Name: Joel Cohen Telephone: 208.310.6098
418 EB St Moscow Email: joel@idocloud.com
 (Home address)

Relationship to affected property (please check one):

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

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

Name: T+Kinnah LLC Telephone: 208.301.2199
2216 S Main Moscow ID Email: _____
 (Home address)

3. Location of Affected Property: 2216 S Main St Moscow

Legal Description: _____
 (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: MB to: MB
 (Current zoning) (Proposed zoning)

5. Reason: Applicant requests a rezone for the following reason(s): Acquiring parcel of property and annexing it into the City

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.

The city's intent is to have industrial buildings to the South of town, this property meets that objective.

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

The zoning remains unchanged after annexation, it stays MB zoning which is consistent with the surrounding zoning and building types.

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

The uses will remain unchanged and are all compatible with the surrounding buildings and neighboring zoning.

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.

It has been evaluated w/ the City Engineer that the water and sewer lines which are being connected to are adequate for the use of the existing structures.

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.

Because it is adequately served by existing transportation network, and nothing is changing, it will be adequate after annexation.

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.

- ~~4. 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.~~

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, comprehensive plan amendment, or annexation 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 submitted documents 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, date 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 before it will be processed:

1. Application fee
2. Copy of neighborhood meeting invitation, mailing list, attendance list and minutes
3. If a legal description of the affected property is given by Metes and Bounds, a separate sheet containing that description

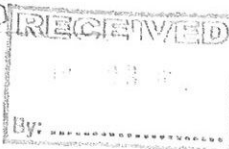
I understand this information is a public record and may be posted to a public website. I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.


Signature of Applicant

10/23/23
Date


Signature of Property Owner (if different)

10/24/2023
Date


By: _____


Rezon: CPT Comprehensive Plan Amendment Application

(Printed Name) _____

October 9, 2023

Legal Description for Tatkinmah, LLC and Idaho Transportation Department Properties to be Annexed to the City of Moscow Corporate Boundary by Hodge and Associates

A tract of land located in Section 19, Township 35 North, Range 5 West, Boise Meridian, Latah County, Idaho, described as follows:

Commencing at the Northeast Corner of said Section 19;

Thence along the east line of said Section 19, S01°06'54"W, 543.45 feet, to a point on the City of Moscow Corporate Boundary, City of Moscow Ordinance 2023-01, Instrument #627343, Latah County records, and the **Point of Beginning**;

Thence continuing along said east line, S01°06'54"W, 214.81 feet, to a point on the north line of a parcel described in Trustees' Deed, Instrument #553985, Latah County Records;

Thence continuing along said east line, S01°06'54"W, 571.99 feet, to a point on the north line of a parcel described in Warranty Deed, Instrument #618608;

Thence leaving said east line and continuing along said parcel the following two (2) courses:

N34°49'19"W, 102.26 feet;

Thence N72°24'11"W, 136.50 feet, to the southeast corner of a parcel described in Warranty Deed, Instrument #590472, Latah County Records;

Thence, along the north line of said parcel the following three (3) courses;

N58°15'48"W, 162.37 feet;

Thence N40°12'46"W, 182.72 feet;

Thence S88°10'42"W, 163.59 feet, to a point on the east right-of-way of U.S. Highway 95;

Thence along said right-of-way, N10°02'43"E, 329.88 feet, to the northwest corner of a parcel described in Warranty Deed, Instrument #623327, Latah County Records;

Thence leaving said east right-of-way and along the north line of said parcel, S60°25'36"E, 88.67 feet, to a point on the west line of the parcel described in said Trustees' Deed, Instrument #553985;

Thence, S60°25'31"E, 58.13 feet, to a point on the west line of a parcel described in Trustees' Deed, Instrument #553983;

Thence along the west line of said parcel the following four (4) courses:

N09°36'37"E, 200.00 feet;

Thence N01°15'20"E, 38.70 feet;

Thence N01°42'31"E, 51.92 feet;

Thence N02°01'52"E, 5.77 feet, to the northwest corner of said parcel;

Thence along the north line of said parcel, S89°12'59"E, 302.30 feet, to a point on said City of Moscow Corporate Boundary;

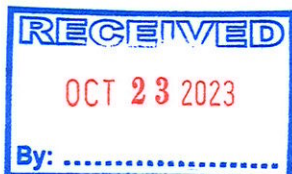
Thence along said Corporate Boundary the following two (2) courses:

S00°03'15"W, 100.00 feet;

Thence S89°56'45"E, 100.00 feet, to the **Point of Beginning**.

Tract contains 7.98 acres, more or less.

Owner Name	Owner Address 1	Owner City Owner State Owner Zip
AMAZING DOCTOR RANSOMS PAPER	207 N MAIN ST	MOSCOW, ID 83843
ANDERSON, BARBARA	1197 LYON RD	MOSCOW, ID 83843
ASPACE4ME, LLC	2624 DANBY RD	MOSCOW, ID 83843
BROYLES REVOCABLE LIVING TRUST	577 CONESTOGA DR	MOSCOW, ID 83843
BURRAGE, TED	1016 PRAIRIE LN	MOSCOW, ID 83843
CHS-MOSCOW INC	PO BOX 64089	ST PAUL, MN 55164
CLYDE, KENNETH	1175 ZEITLER RD	MOSCOW, ID 83843
COLUMBIA 7 LLC	912 CYPRESS ST	LEWISTON, ID 83501
COMMUNITY DEVELOPMENT	504 S WASHINGTON ST	MOSCOW, ID 83843
CURTIS, GAVIN	2006 S MAIN ST	MOSCOW, ID 83843
DE MEERLEER, JEFF	215 E PALOUSE RIVER DR	MOSCOW, ID 83843
ENG'S CHINESE VILLAGE, LLC	1209 E E ST	MOSCOW, ID 83843
FICCA 255 NELSON LLC	3422 FOOTHILL RD	MOSCOW, ID 83843
FLOMER, ANNAJEAN	2205 S MAIN ST	MOSCOW, ID 83843
FOUNTAIN, STEVEN	2020 S MAIN ST	MOSCOW, ID 83843
GERMER, LARRY	1005 ZEITLER RD	MOSCOW, ID 83843
GROPP, BARBARA	PO BOX 9065	MOSCOW, ID 83843
GYPSY JAVA LLC	1301 THORN CREEK RD	GENESEE, ID 83832
IDAHO TRANSPORTATION DEPT	3311 W STATE ST	BOISE, ID 83703
MERRELL HOLDINGS II, LLC	1221 CRANE CREEK RD	POTLATCH, ID 83855
MILLER DEVELOPMENT LLC	3471 GRANGEMONT RD	OROFINO, ID 83544
MOCK AND FROH HOLDINGS, LLC	824 LEITH ST	MOSCOW, ID 83843
NOBLE PRESTON, LLC	621 HATHAWAY ST	MOSCOW, ID 83843
ODD CHESTER INDUSTRIES, LLC	PO BOX 8551	MOSCOW, ID 83843
SANDELL, JOHN	953 PLUM CT	MOSCOW, ID 83843
STELLAS TOBOGGAN LLC	PO BOX 8967	MOSCOW, ID 83843
STOOR PROPERTY LLC	1926 S MAIN ST	MOSCOW, ID 83843
TATKINMAH LLC	709 E F ST	MOSCOW, ID 83843
TRINITY REFORMED CHURCH	101 E PALOUSE RIVER DR	MOSCOW, ID 83843
TWO-GM LLC	6901 SR 270	PULLMAN, WA 99163



Fountains Industrial Park, LLC

September 26, 2023

120 E 3rd St
Moscow, ID 83843

Dear Recipient:

You are invited to a neighborhood meeting to discuss the annexation of:

2216 S Main St
Bldgs A and B
Moscow, ID 83843.

There are two buildings and approximately 4 acres of land intending to be annexed into the City of Moscow. Please see the included document.

The neighborhood meeting will be held on October 16th at 5:30 pm in the Game Room at the 1912 Center Building:

412 E 3rd St
Moscow, ID 83843

Sincerely,

Joel Cohen

120 E 3rd St
Moscow, ID 83843
208.310.6098
joel@idozfund.com

120 E 3RD ST MOSCOW, ID 83843
T (208) 310-6098 EM JOEL@IDOFUND.COM



Received 10-23-2023

[illegible]

Annexation Neighborhood Meeting Minutes
October 16, 2023
5:30 PM - 1912 Center

Meeting was called to order by Joel Cohen at 5:30pm.

It was proposed that a large piece of land belonging to Tatkinmah LLC be annexed into the city, in order to sell off a smaller piece of land in the proposed area.

The city required additional areas of annexation, not just the piece that is being sold, due to a few factors:

1. The proposed piece to be sold would leave a piece of land or an "island" that would be left in the county.
2. The highway piece that was purchased by the state of Idaho, adjacent to the Tatkinmah LLC annexation, also needed annexation.

The pump station in the Northwestern corner is already annexed.

There were no questions about the annexation and no objections about the project.

Joel Cohen closed the meeting at 6:00 PM



**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 COMPREHENSIVE PLAN LAND USE DESIGNATION OF A SEVEN POINT NINE EIGHT (7.98) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND LOCATED AT 2216 SOUTH MAIN STREET.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on October 23, 2023; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on November 15, 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 an approximately 7.98-acre property proposed to be annexed into the City of Moscow and located at 2216 South Main Street.
3. Under Idaho Code, prior to the annexation of the property within the City, the Planning and Zoning Commission is required to review the subject property and provide the City Council with a recommendation regarding the appropriate future land use designation and zoning designation to be applied to the subject property upon annexation.
4. The subject property currently contains a portion of Fountains Industrial Park and there are two existing buildings which contain various commercial uses including an automotive repair business. The South Fork of the Palouse River bisects the property.
5. To the west of the subject property is the City's sewer lift station, the Palouse Ice Rink, and various other commercial and residential uses. To the north includes a restaurant, bar, and a church. The remainder of Fountains Industrial Park is located to the east and southeast of the subject property. Agricultural land and a car detailing business are located to the south.

6. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Commercial and the proposal is to retain the Auto-Urban Commercial designation.
7. Auto-Urban Commercial (AU-C) designated areas,
“Provide for commercial services and developments that are motor vehicle oriented or those which require large amounts of land. These areas should be located adjacent to existing commercial developments and along major arterials where the vehicle traffic can be accommodated. Developments within these designations should be required to provide significant landscaping which would be applied to enhancing areas along the street edge, screening parking lots, and buffering adjacent uses. Such areas are most appropriately zoned Motor Business (MB).”
8. The subject property is currently zoned a combination of the Agriculture Forestry (AF) and Industrial (I) Zones.
9. Surrounding properties are within the Agriculture/Forestry (AF), Industrial (I), and Motor Business (MB) Zones.
10. The subject property shares an existing vehicular approach to Highway 95. The adjacent portion of Highway 95 contains four travel lanes and a center turn lane with curb, gutter, and sidewalks on both sides of the street.
11. The subject property is currently on a well and septic system. As part of the annexation, the buildings on the subject property will be required to connect to City water and sewer mains. Water and sewer mains are currently located within the shared access drive to the northwest of the subject property. The property is considered developable in the City’s Comprehensive Water and Sewer System Plans.
12. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on October 16, 2023 to discuss the proposal.
13. Based upon the availability of public services, constructed adjacent roadway, access and surrounding land use patterns, the Commission concludes that it is appropriate for the property to be designated as AU-C upon annexation into the City of Moscow.

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 Comprehensive Plan amendment is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed Auto-Urban Commercial designation for the subject property is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan and is consistent with the surrounding properties, as well as the surrounding land use and development patterns.
2. **The proposed Comprehensive Plan amendment would provide for the logical and orderly location of land uses, community services and facilities.** The Commission finds that the proposed designation of AU-C is logical and harmonious with the surrounding land uses and

development, and is consistent with the land use designations of the surrounding property to the north, west, and south of the subject property.

3. **The uses expected to occur as a result of the Comprehensive Plan amendment will be compatible with the surrounding area.** The zoning districts that are consistent with the AU-C designation exist within the current City Limits boundary to the north, west, and southwest. The adjacent properties to the north, west, and south are primarily commercial.
4. **The size, type, and density of development expected to occur as a result of the Comprehensive Plan amendment will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed designation is suitable for the area and will not unduly burden the neighborhood of public infrastructure. The subject property has direct access, via national highway, as well as sufficient and available public utility services to meet the needs of existing and future development.
5. **The proposed Comprehensive Plan amendment is deemed to be appropriate in consideration of changing conditions within the community that are not reflected within the current Comprehensive Plan (such as new development or re-development, land use patterns and/or trends, traffic patterns and/or volume, market demands, community vision and/or needs, capital improvements, or new or revised City plans).** The Commission finds that the land use patterns within the immediate vicinity of the subject property have been transitioning into more Auto-Urban Commercial uses. The Auto-Urban Commercial land use designation is consistent with commercial properties adjacent to the north, west, and south.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Planning and Zoning Commission recommends approval of the proposal to retain the existing Comprehensive Plan Land Use Designation of Auto-Urban Commercial for the 7.98-acre property with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this ____ day of _____, 2023.

Robb Parish, Chair
Planning and Zoning Commission

**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 A SEVEN POINT NINE EIGHT (7.98) ACRE AREA OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF MOSCOW AND LOCATED AT 2216 SOUTH MAIN STREET FROM THE COMBINATION OF THE AGRICULTURE FORESTRY (AF) AND INDUSTRIAL (I) ZONES TO THE MOTOR BUSINESS (MB) ZONE.

WHEREAS, the applicant filed an application for Annexation, Comprehensive Plan Land Use Designation, and Rezone on October 23, 2023; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on November 15, 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 an approximately 7.98-acre property proposed to be annexed into the City of Moscow and located at 2216 South Main Street.
3. Under Idaho Code, prior to the annexation of the property within the City, the Planning and Zoning Commission is required to review the subject property and provide the City Council with a recommendation regarding the appropriate future land use designation and zoning designation to be applied to the subject property upon annexation.
4. The subject property currently contains a portion of Fountains Industrial Park and there are two existing buildings which contain various commercial uses including an automotive repair business. The South Fork of the Palouse River bisects the property.
5. To the west of the subject property is the City's sewer lift station, the Palouse Ice Rink, and various other commercial and residential uses. To the north includes a restaurant, bar, and a church. The remainder of Fountains Industrial Park is located to the east and southeast of the subject property. Agricultural land and a car detailing business are located to the south.

6. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Commercial and the proposal is to retain the Auto-Urban Commercial designation.
7. Auto-Urban Commercial (AU-C) designated areas,

“Provide for commercial services and developments that are motor vehicle oriented or those which require large amounts of land. These areas should be located adjacent to existing commercial developments and along major arterials where the vehicle traffic can be accommodated. Developments within these designations should be required to provide significant landscaping which would be applied to enhancing areas along the street edge, screening parking lots, and buffering adjacent uses. Such areas are most appropriately zoned Motor Business (MB).”
8. The subject property is currently zoned a combination of the Agriculture Forestry (AF) and Industrial (I) Zones.
9. Surrounding properties are within the Agriculture/Forestry (AF), Industrial (I), and Motor Business (MB) Zones.
10. The proposal is to rezone the subject property from the combination of the Agriculture Forestry (AF) and Industrial (I) Zones to the Motor Business (MB) Zone.
11. According to the City of Moscow Zoning Code, the MB Zone is intended to,

“provide for the location and grouping of compatible uses having similar operation as they involve enterprises which depend primarily on the transient motor vehicle-based trade. By concentrating such uses the City intends to increase public convenience when utilizing such services and, within the regulation, to allow such activities to render the maximum service.”
12. Uses permitted within the MB Zone include retail enterprises, offices, eating and drinking establishments, printing and publishing houses, religious institutions, residential uses, hotels and motels, off-street parking facilities, kennels, storage facilities, laundromats, and light manufacturing.
13. The subject property shares an existing vehicular approach to Highway 95. The adjacent portion of Highway 95 contains four travel lanes and a center turn lane with curb, gutter, and sidewalks on both sides of the street.
14. The subject property is currently on a well and septic system. As part of the annexation, the buildings on the subject property will be required to connect to City water and sewer mains. Water and sewer mains are currently located within the shared access drive to the northwest of the subject property. The property is considered developable in the City’s Comprehensive Water and Sewer System Plans.
15. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on October 16, 2023 to discuss the proposal.
16. Based upon the availability of public services, constructed adjacent roadway, access and surrounding land use patterns, the Commission concludes that it is appropriate for the property to be designated as AU-C upon annexation into the City of Moscow.

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 Commercial.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed MB Zone is a continuation of the current zoning designation of property adjacent to the north, west, and south. 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. The adjacent properties along the Highway 95 corridor are all primarily commercial except for a few residential properties located within the MB Zone on the west side of the highway.
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 Highway 95, which can adequately serve any proposed development allowed in the MB Zone. The subject property has sufficient and available public utility services to meet the needs of existing and future development.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Planning and Zoning Commission recommends approval of the rezone request for the 7.98-acre property proposed to be annexed into the City of Moscow and located at 2216 South Main Street from the Agriculture Forestry (AF) Zone and the Industrial (I) Zone to the Motor Business (MB) Zone with no conditions.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MOSCOW this ____ day of _____, 2023.

Robb Parish, Chair
Planning and Zoning Commission