

September 11, 2024

The LEWISTON PLANNING AND ZONING COMMISSION met in the Community Development Department Second Floor Conference Room at 215 "D" Street. Chair Ball called the meeting to order at 5:30 p.m.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Cynthia Ball, Chair; Gabriel Iacoboni, Vice Chair leaving at 9:10 pm; Kathy Branson; Shaunita Cable; Emily Wolf; Maureen Anderson; Kevin Kelly;

COMMISSIONERS EXCUSED: None

STAFF MEMBERS PRESENT: Katie Hollingshead, Assistant Planner; Dawn Ortiz, Community Development Office Supervisor; Jennifer Tengono, City Attorney;

II. CITIZEN COMMENTS

Linda Glines, Lewiston Idaho stated a group of us local residents were at the meeting last week to voice our opposition to the village. We mistakenly were under the impression that the meeting was just to allow parking changes. We did not understand that it was a vote on allowing the next step for the village to become a possible reality. We understand that not having that knowledge is a moot point at this time. That being said, I am addressing the Commission tonight to make this statement a part of the public records. We have concerns about a Commissioner's conflict of interest and discussing the project within the meeting which could have led to the persuasion of other commissioners and their vote, and then also voting on the village project. Gabe Iacoboni has a long-term relationship with Michelle King and her projects. He was treasurer of the LC Valley Adult Resource center the ARC and is a proponent who publicly supports the village project. Due to this involvement, we feel that he should have recused himself from the discussion and the vote on the village. Recusing himself could have changed the outcome of the discussions and the final vote. My questions are legally, should he have declared his involvement and his support for and with Michelle King and her projects, and should he have recused himself from the proceedings involving the project

III. APPROVAL OF AUGUST 28, 2024 MEETING MINUTES (ACTION ITEM)

Commissioner Branson and Anderson moved and seconded, respectively, approval of the August 28, 2024 meeting minutes with corrections. The motion carried 7-0.

IV. **APPROVAL OF THE REASON STATEMENT OF RELEVANT CRITERIA AND STANDARDS ON CONDITIONAL USE PERMIT APPLICATION CUP24-3 FOR A TRANSITIONAL HOUSING VILLAGE (ACTION ITEM)**

Chair Ball called for a recess at 5:35, Planning and Zoning Commission resumed at 5:50 PM.

Commissioner Iacoboni stated he would like to address some of the comments related to the conflict of interest, statement, or allegation. It's probably well known that the housing is an issue that's important to me. So I currently serve on the board of the LC Valley Adult Resource Center. We have currently rebranded to LC Valley Cares. It is also true that on prior issues I have worked with Michelle King on issues. However, LC Valley Cares is an organization that has no financial stake or interest in this application. I have had no contact with Michelle King related to this application in any way. There's been prior analyses done on issues like this when I have served on the board of LC Valley Cares as well, and I don't believe there is a conflict of interest related here. However, I will say Wendy Geiger, who serves as LC Valley Cares board chair, wrote a personal letter in support of the application, but there was no official action taken by LC Valley Cares as a board to officially support that application. So I do not believe there is a conflict of interest here.

Commissioners Wolf and Branson moved and seconded, respectively, to approve the reasoned statement for CUP24-3 as written. The motion carried 7-0.

V. **PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT AND RELEVANT CRITERIA AND STANDARDS ON APPLICATION ANX24-2, CPA24-3 AND ZVC24-3 BY CODY MERRELL (ACTION ITEM)**

Chair Ball explained the public hearing process, opened the public hearing and asked for a staff presentation.

Staff Hollingshead provided a verbal summary of the staff report with maps and photos so the commission could get geographically familiar with the area. Staff did state the property is in a 1031 exchange and staff is working with that company to get their signature on the application.

Jennifer Tengono stated there is a page in the provided packet that says annexation authority, state Idaho code and Lewiston annexation policy. The Idaho code section that's referenced is not the current section of Idaho code that has been repealed. The reference in the Staff report on page 2 is the current Idaho code section. So that's just a procedural note.

Chair Ball asked if the houses on the property were inhabited.

Staff Hollingshead stated no they are not.

There being no further questions for staff, Chair Ball asked the Applicant for testimony.

Nuri Nemmer with Hodge and Associates, Moscow Idaho stated he does not have anything else at this time but stands for questions.

There being no questions for the applicant, Chair Ball asked for public testimony.

Anna Hegar, 1126 Warner Ave. Asked who the new neighbor is going to be.

Staff Hollingshead stated the applicant is Cody Merrell.

Dawn Ortiz, Community Development Office Supervisor read public comment that was received prior to the meeting.

Virginia James, 1128 Warner Ave stated she is against zoning to commercial, south side of Warner is all residential. Effects value of our homes and will increase the amount traffic coming in and out of the property. Change to C3 is taking residential property and changing it to commercial which is not fair to the neighborhood.

Karl Ziegler owner of 1109 Warner Ave emailed. Karl and Theresa Ziegler (Ziegler's) own the property to the west of 1125/1127 Warner Ave. Ziegler Lumber Co. (Ziggy's) leases the property from the Ziegler's at 1109 Warner Ave. Ziggy's has operated in Lewiston since May of 1981. Ziegler built and leased 1109 Warner Ave to Ziggy's in September 1999 where Ziggy's continues to operate. Ziegler's and Ziggy's have no objection to Cody Merrell's application to be annexed into the Lewiston City Limits.

Commissioner Branson stated that there is a traffic analysis in the staff report.

There being no further public comment or rebuttal from the applicant, Chair Ball closed the Public Hearing.

After deliberation and articulate detailed reasons for the proposed recommendations, Commissioner Anderson and Vice Chair Iacoboni moved and seconded, respectively, to recommend approval of ANX24-2 to City Council. Motion passed 7-0.

Commissioners Anderson and Branson moved and seconded, respectively to amended previous motion to recommend approval of ANX24-2 to City Council condition upon approval of the landowner. Motion passed 7-0.

Vice Chair Iacoboni and Commissioner Anderson moved and seconded, respectively, to recommend approval of CPA24-3 to City Council. Motion passed 7-0.

Commissioners Branson and Kelly moved and seconded, respectively, to direct staff to draft the Reasoned Statement approving ZNC24-03. Motion passed 7-0.

VI. STAFF-COMMISSION COMMUNICATIONS

A. Query of Commissioners for the September 25, 2024 meeting

All Commissioners present stated they should be in attendance of the September 25, 2024 meeting besides Commissioner Wolf.

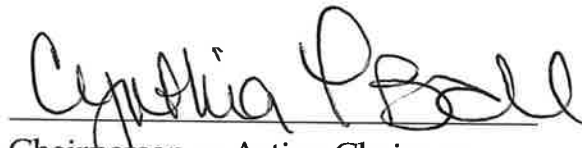
VII. ADJOURN

There being no further business, Commissioner Kelly and Vice Chair Iacoboni moved and seconded, respectively, to adjourn. The motion carried 7-0 and the Planning and Zoning Commission meeting adjourned at approximately 6:38 p.m.

RESPECTFULLY SUBMITTED,



Dawn Ortiz,
Recording Secretary



Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this 25 day of September, 2024.