

October 9, 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; Kathy Branson; Shaunita Cable; Maureen Anderson; Emily Wolf; Kevin Kelly

COMMISSIONER EXCUSED:

STAFF MEMBERS PRESENT: Joel Plaskon, City Planner; Dawn Ortiz, Community Development Office Supervisor; Pat Severance, Engineering Development Supervisor

II. CITIZEN COMMENTS

None

III. APPROVAL OF SEPTEMBER 25, 2024 MEETING MINUTES (ACTION ITEM)

Commissioner Branson and Vice Chair Iacoboni moved and seconded, respectively, approval of the September 25, 2024 meeting minutes with corrections. The motion carried 6-0-1 with Commissioner Wolf abstaining.

IV. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS ON CONDITIONAL USE PERMIT APPLICATION CUP24-4 BY SARA BENNETT OF RIVERSIDE RECOVERY (ACTION ITEM):

Commissioners Anderson and Branson moved and seconded, respectively, to approve the reasoned statement for CUP24-4 as written. The motion carried 6-0-1 with Commissioner Kelly abstaining.

V. CONTINUATION OF PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR ZONE CHANGE APPLICATION ZNC24-4 BY CHRIS CLARK (ACTION ITEM):

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

Staff Plaskon provide verbal summary of what was discussed at previous Planning and Zoning Commission meeting.

Chair Ball asked staff if there are already split zone areas.

Staff Plaskon stated that yes there are and provided examples.

Commissioner Anderson asked if there are current incidents where the building has been split by a zone.

Staff Plaskon stated he was not sure if there is and that any concerns should be judged against the relevant criteria for the reasoned statement.

Chair Ball asked what the rear yard setback was for structure.

Staff Plaskon stated it was 11.5 feet and if this rezone was approved this part of the building would become a nonconforming in terms of the setbacks for the side and rear yard standards.

Chair Ball stated there was discussion at last meeting on if there would be room for back patio when it looked like the existing building didn't meet setbacks.

Staff Plaskon stated this CUP proposal is not a development proposal but a rezone. Staff would review the building use change so there is no additional nonconformity created above and beyond the existing conditions. So they would not be able to get any closer to the property line that already is, so the only patio that would be allowed would be flat work.

Commissioner Anderson expressed her concern for the lot size not meeting R3 standards.

Staff Plaskon provided verbal confirmation on how this request would fit into the Comprehensive Plan.

Chair Ball discussed that it might be better to rezone to a C4 or a C5 and keep the lot commercial.

Staff Plaskon stated that would create an island of that zone or an illegal spot zone. It is okay to be an R3 because it already abuts an existing R3 zone. Staff asked the Commission to take concerns back to the criteria.

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

Applicant Chris Clark, Pullman Wa stated the valley doesn't have a need for more office space, but there is a need for residential. He is only asking for a change of use not to change setbacks. The structure is already a nonconforming structure to today's standards as there is not enough parking.

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

Dawn Ortiz, Community Development Office Supervisor read in a public comment submitted via email.

Noah Prescott "I hope this is the right place to send this. I am in support of ZNC24-4, performing the zone change from C3 Commercial to R3 Residential. It frustrated me that the Planning and Zoning Commission emphatically approved a Residential to Commercial rezone earlier in the meeting on 9/25/2024, but then began bike shedding small issues when this proposal originally came up. This kind of development is exactly the "slippery slope" we need in order to make Lewiston a sustainable city. As the Developer, Chris, said in the original meeting, mixed use development is all around us, but it should be in a lot more locations. His new proposal is exactly in the spirit of what the new Project 2044 Zoning Code is supposed to be, and I'm glad someone has begun to take the first step. Many of the housing developments the Commission has approved lately have been large-scale housing with multiple bedrooms, but what we really need in this valley are small homes and apartments for young people without kids or older people who don't need more than a bedroom or two. These proposed apartments seem to be just that, and rejecting this proposal flies in the face of the new Zoning Regulations that were just approved. Please approve this change, so that Lewiston can take a positive step forward into the future."

There being no further public comment, Chair Ball closed the public hearing

After discussion, Commissioner Kelly and Vice Chair Iacoboni moved and seconded, respectively, to direct staff to draft a written statement approving ZNC24-4. Motion passed 6-1 with Commissioner Cable opposing.

VI. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR VARIANCE APPLICATION VAR24-2 BY DK HOLDING LLC: (ACTION ITEM)

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

Staff Plaskon provided a verbal summary of the staff report with maps and photos so the commission could get geographically familiar with the area.

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

Applicant Dan Yonge, Lewiston explained the location of the mentioned retaining wall and that the lot has a four foot elevation change. Due this elevation change it would cause the driveway to have such a different elevation. Trying to build with the existing street causes problems also due to the slope. It is hard to see the slope in pictures and the larger garage would have a better curb appeal and hopefully influence owners to actually park in their garage.

Staff Plaskon reminded the commission that subdivision plat approval does not approve building footprints. He also stated that even if the plat implied approval of the building footprints shown, the plat did not identify which portion of the structure in the building footprint is garage vs livable space and that the plat has a note on it that says that the development of the lots would be built to the small lot development standards of the zoning code.

Pat Severance, Engineering Development Supervisor was available for questions.

Vice Chair Iacoboni asked staff Severance if there are alternatives or is this variance application the actual minimum variance needed, in your opinion.

Staff Severance stated the applicant did propose an alternative, but he is not sure how the applicant came to that. He doesn't understand why the 2% cross slope would cause the garages to be next to each other or why they couldn't stay separate. To give the commissioners an idea of what a 2% cross slope is, that is the same as an Americans with Disabilities Act (ADA) compliant slope. There are not many 2% cross slopes in Lewiston. Most are steeper.

Commissioner Anderson pointed out that the side to side elevation is only two foot.

Staff Severance stated that was correct, the four foot slope is from corner of lot to other corner of lot diagonally.

Applicant Yonge stated he is applying for all lots to have this variance because he understands the housing shortage and he has built these houses before so he knows they can be affordable. Having the neighborhood looking consistent.

There being no questions for the applicant and no public comment, Chair Ball closed the public hearing.

After discussion and deliberation on the required relevant criteria and standards, Commissioner Anderson and Vice Chair Iacoboni moved and seconded, respectively, to direct staff to draft a written statement denying VAR24-2. Motion passed 7-0.

VII. STAFF-COMMISSION COMMUNICATIONS

Staff Plaskon stated work has begun on creating a work plan to implement the Comprehensive Plan and that should come in front of the commission soon in regards to rezones and code amendments.

Chair Ball asked if anyone was addressing boxcar storage in the community.

Staff Plaskon stated he didn't know, but that shipping containers used as buildings will be in front of City Council at their November work session.

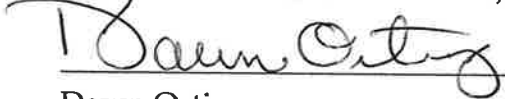
A. Query of Commissioners for the October 9, 2024 meeting

All present Commissioners besides Commissioners Cable and Kelly, shall be in attendance at the October 23, 2024 meeting.

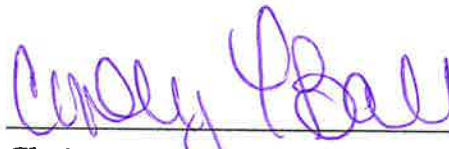
VIII. ADJOURN

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 7:58 p.m.

RESPECTFULLY SUBMITTED,



Dawn Ortiz,
Recording Secretary



Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this B day of November, 2024.