



**Lewiston Planning & Zoning Commission
REGULAR MEETING AGENDA
March 12, 2025 - 5:30 PM
Bell Building – Second Floor Conference Room – 215 D Street
Lewiston, Idaho 83501**

Seating will be available on a first-come, first-served basis.

I. CALL TO ORDER

II. CITIZENS COMMENTS

An opportunity for citizens to address the Commission with comments and/or questions about Planning and Zoning Commission-related matters that are not a public hearing action item on this agenda. Citizens are asked to limit their time to three (3) minutes each.

III. ACTIVE AGENDA

A. APPROVAL OF FEBRUARY 26, 2025 MEETING MINUTES (ACTION ITEM)

- B. APPROVAL OF THE REASONED STATEMENT FOR CONDITIONAL USE PERMIT APPLICATION CUP25-1 BY LEWIS CLARK EARLY CHILDHOOD PROGRAM (ACTION ITEM):** The applicant requests conditional use permit approval for an early childhood education program (preschool) at 1021 Burrell Avenue in the Low Density Residential, R2A, Zoning district. Preschools are permitted as a Conditional Use in the R2A Zone, subject to the special conditions of section 37-201 (6) of the Lewiston City Code.
- Action Item ()

IV. STAFF-COMMISSION COMMUNICATIONS

- A. SOLICITING COMMISSIONER ATTENDANCE FOR THE NEXT REGULARLY SCHEDULED MEETING OF MARCH 26, 2025 (PUBLIC HEARING ON LANDSCAPING CODE AMENDMENTS).**

V. ADJOURNMENT - Action Item

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages qualified persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact Nikki Province, ADA Coordinator, at least forty-eight (48) hours in advance of the meeting at 208-746-3671 x 6211.

February 26, 2025

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

I. CALL TO ORDER

COMMISSIONERS PRESENT: Gabriel Iacoboni, Chair; Emily Wolf, Vice Chair; Maureen Anderson; Shaunita Cable; Cynthia Ball; Kathy Branson via Zoom; Kevin Kelly;

COMMISSIONERS EXCUSED:

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

II. CITIZENS COMMENTS

None

III. ACTIVE AGENDA

A. APPROVAL OF FEBRUARY 12, 2025 MEETING MINUTES (ACTION ITEM)

Commissioners Anderson and Ball moved and seconded, respectively, approval of the February 12, 2025 meeting minutes as written. The motion carried 4-0-3 with Chair Iacoboni and Commissioners Kelly and Branson abstaining.

B. PRELIMINARY PLAT - NORTH LEWISTON BUSINESS PARK (ACTION ITEM):

City Surveyor Mark Weigand verbally summarized the request for the Planning and Zoning Commission.

Commissioners asked clarification questions regarding the definition of street frontage requirements to city staff.

Commissioners Branson and Anderson moved and seconded, respectively, to recommend approval of the North Lewiston Business Park Preliminary Plat and to approve the related Reasoned Statement. The motion carried 7-0.

C. INITIATION OF ZONING CODE AMENDMENT ZA-01-25, LANDSCAPING (ACTION ITEM):

Staff Hollingshead provided verbal summary of zoning code amendments for Lewiston Zoning Code Section 37-153. Staff included local landscaping

companies and the Urban Forestry Commission in meetings to provide recommendations on these code changes.

Commissioner Ball asked what section of the Comprehensive Plan triggered the landscape code changes.

Staff Hollingshead stated the parking and parking lot code changes started the conversations on also making the landscaping code changes.

After discussion, Commissioners Wolf and Kelly moved and seconded, respectively, to initiate Zoning Code amendments to amend Lewiston Zoning Code Section 37-153 as recommended. The motion carried 7-0.

D. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR CONDITIONAL USE PERMIT APPLICATION CUP25-1 BY LEWIS CLARK EARLY CHILDHOOD PROGRAM (ACTION ITEM):

Chair Iacoboni 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.

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

Applicant Joelle Johnston, Lewiston ID stated this request is for compliance with State Licensing as it was not required before. This location as already been in operation for over 5 years.

Commissioners asked clarify questions regarding staffing to student ratios.

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

There being no public comment, Chair Iacoboni closed the Public Hearing.

After discussion of the required conditional use permit relevant criteria and standards, Commissioner Wolf and Chair Iacoboni moved and seconded,

respectively, to direct staff to draft a Reasoned Statement approving CUP25-1 with the condition meeting criteria with City Code section 37-20.1(6) . Motion passed 7-0.

IV. STAFF-COMMISSION COMMUNICATIONS:

A. Query of Commissioners for the March 12, 2025 meeting.

All current commissioners present will be in attendance for the March 12, 2025 meeting beside Commissioners Anderson and Wolfe.

V. ADJOURN

There being no further business, Commissioner Anderson and Ball moved and seconded, respectively, to adjourn. The motion carried 7-0 and the Planning and Zoning Commission adjourned at approximately 6:26 p.m.

RESPECTFULLY SUBMITTED,

Dawn Ortiz,
Recording Secretary

Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this _____ day of _____, 2025.

**CITY OF LEWISTON PLANNING AND ZONING COMMISSION
REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR GRANTING OR DENIAL OF CONDITIONAL USE PERMIT**

This document shall serve as memorialization of the rationale for the granting or denial of a Conditional Use Permit, which shall be based upon relevant criteria and standards, including the Lewiston Comprehensive Plan, Lewiston City Code, and Idaho Code. *See* I.C. § 67-6535.

I. APPLICATION NUMBER:

CUP25-1

II. APPLICANT'S NAME AND ADDRESS:

Lewis Clark Early Childhood Program
1816 18th Avenue
Lewiston, ID 83501

Boys and Girls Club of the Lewis Clark Valley, Inc.
1021 Burrell Avenue
Lewiston, ID 83501

III. IDENTIFICATION AND/OR LOCATION OF SUBJECT PROPERTY:

1021 Burrell Avenue
Lewiston, ID 83501

IV. DATE OF PUBLIC HEARING:

February 26, 2025

V. NAME OF HEARING BODY:

Lewiston Planning and Zoning Commission

VI. NATURE OF SUBJECT CONDITIONAL USE PERMIT APPLICATION:

The Applicant requests Conditional Use Permit approval for an early childhood education program (preschool) at 1021 Burrell Avenue in the Low Density Residential, R-2A, Zoning district. Preschools are permitted as a Conditional Use in the R-2A zone subject to the special conditions of section 37-20.1 (6) of the Lewiston City Code.

VII. DECISION:

The Lewiston Planning and Zoning Commission **APPROVES CUP25-1** subject to the special conditions listed in Lewiston City Code Section 37-20.1(6).

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR CUP25-1

Page 1 of 7

VIII. CONDITIONS OF APPROVAL:

Pursuant to Lewiston City Code § 37-160, the Planning and Zoning Commission may impose conditions upon approval of a conditional use permit. This conditional use permit is subject to the following conditions:

Approval is subject to the special conditions contained in Lewiston City Code Section 37-20.1 (6).

(6) Preschool.

- (a) Approval of a conditional use permit from the planning and zoning commission is required. This requires a public hearing before the planning and zoning commission.
- (b) A business license is required, including a criminal history check for all employees, volunteers and people over twelve (12) years of age living on the premises.
- (c) Compliance with state regulations, Uniform Building Codes and city standards is required.
- (d) The size of the site is shown to be reasonable for the intended use.
- (e) Parking and access to the site meet all applicable ordinances.
- (f) The surrounding property will not otherwise be adversely affected.

IX. TERMINATION OF CONDITIONAL USE PERMIT:

Pursuant to Lewiston City Code § 37-160, authorization of a conditional use permit shall be void after twelve (12) months unless:

- (1) A building permit pursuant thereto has been applied for;
- (2) Where no building permit is required, the intent of the conditional use has been fulfilled; or
- (3) Substantial progress towards completion of the project has been accomplished, as determined by the community development director.

X. RELEVANT CONTESTED FACTS RELIED UPON:

The relevant contested facts relied upon are: The Planning and Zoning Commission did not receive testimony in opposition to this application.

XI. RELEVANT CRITERIA AND STANDARDS:

The following relevant criteria, standards, facts, and considerations are hereby declared as reasons for the decision on this conditional use permit:

- 1. The proposed use **will not** result in conditions that will tend to generate nuisances (such as noise, dust, glare, vibrations, and odors) or, if so, any anticipated nuisances will be appropriately mitigated. Applicable commentary:

The subject property is an approximately 4.6 acre parcel of land that contains the Boys and Girls Club building. The space in question subject to the application is located on a corner of the northeast side of the Boys and Girls Club of the Lewis Clark Valley clubhouse at 1021 Burrell Avenue in Lewiston. Surrounding properties are a mix of churches (adjacent on the east and west sides), single family dwellings

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FOR CUP25-1

Page 2 of 7

(to the north and south), multi-family dwellings (to the northeast), and a long-term care facility (to the southwest). The clubhouse is home to the Orchards branch of the Boys and Girls Club and is an allowed use through CU-20-90, which was granted in 1990. The Boys and Girls Club offers before and after school programming for children 5-18 years old and is open from 7:00 a.m. to 6:00 p.m. The Applicant plans to offer an early childhood education program for families meeting Head Start eligibility standards. During program hours, the Boys and Girls Club will not have students in the building. The Applicant acknowledges that classroom activities may generate occasional loud noises but states that staff will instruct children on movement and behavior to help minimize noise levels. However, the Applicant noted that although this use has been occurring in the building for the past five years, recent changes in licensing requirements now necessitate obtaining a license, which is the reason for this action.

The Commission discussed the Applicant's current use of the Boys and Girls Club's clubhouse as a substantial factor, and lack of history of nuisances as a substantial factor. Additionally, the building's capacity was more than adequate to house both of the uses. The Commission noted that adding 18 children and 4 adults during normal business hours, when the before and after school programs are not in session, is unlikely to generate nuisances. The Commission also acknowledged that the building and surrounding property are already designed for use by children, featuring a large fenced green space, a playground, basketball courts, and a parking lot with 119 parking spaces. No testimony was received from neighboring properties or the public regarding in opposition to the application, which the Commission interpreted as an indication that the property and the Applicant's proposed use blended into the neighborhood well.

2. The proposed use **is** a public necessity **and is** justified by the applicant and deemed to be of benefit to the public. Applicable commentary:

The Applicant indicated that the Lewis Clark Early Childhood Program provides educational services for low-income, at-risk families in the Lewiston community. It works with community agencies to ensure families and children receive the necessary resources to reach family goals and the children's educational needs. The proposed preschool use will be an expansion of its current operations at 1816 18th Avenue (main campus) and 1114 9th Avenue (its "Normal Hill" location) and will provide an accessible location for families who do not have the ability to transport their child(ren) to the main or Normal Hill locations. Further, by partnering with the Boys and Girls Club, the Applicant is able to developmentally appropriate activities in a school setting for children to enhance their school readiness for the families they serve.

The Commission also heard testimony from Joelle Johnston with the Lewis Clark Early Childhood Program, who stated that this third location would serve families in the Orchards area and the preschool program currently has a waitlist. The Commission agreed that using an existing building, already serving school age children, for a preschool program during otherwise unoccupied hours is an efficient use of the space. The Commission also determined that this shared use of the space aligns with the goals and objectives of the City of Lewiston's Comprehensive Plan, specifically, Public Services, Facility, and Utilities (PSFU). This includes PSFU.2, which maximizes access to services by prioritizing partnerships, and PSFU.2.2, which emphasizes community engagement to improve programs and facilities, as well as utilizing community groups to reach underserved populations and ensure representative input on future programs and facilities. The Commission recognized that low-income families served by the Lewis Clark Early Childhood programs are an underserved population and that the partnership between the Lewis

Clark Early Childhood program and the Boys and Girls Club provides compatible services in a single location.

3. The character of the proposed use, if developed according to the plan as submitted, **will** be in harmony with the area in which it is to be located. Applicable commentary:

The subject property is a 4.6-acre parcel that includes the Boys and Girls Club's clubhouse. Surrounding properties consist of churches, single-family homes, multi-family dwellings, and a long-term care facility. The property is located on Burrell Avenue, a collector street, and is a half-block from 10th Street and one block from Thain Road, both arterial streets. The subject property is split between two use categories on the Future Land Use Map (FLUM) with the norther portion being located in the Neighborhood Commercial designation, and the southern portion located in the Neighborhood Residential designation. The Neighborhood Commercial designation on the FLUM supports low- to mid-intensity commercial services along collector streets to serve nearby residents. This area may also provide a transition from more intense commercial or industrial uses to less intense and smaller scale residential uses. The Neighborhood Residential designation supports relatively low intensity of uses, primarily residential type uses, including various housing types. Additionally, the property is served by both the East and West Routes of the Lewiston Transit System, with a bus stop in front of the clubhouse, making it easily accessible for residents in the Orchards who rely on public transportation or walk from nearby neighborhoods.

The Applicant proposes to use a portion of the clubhouse for an early childhood education program (preschool) serving families who meet Head Start eligibility standards. The preschool will operate Monday through Thursday from 8:00 a.m. to 3:30 p.m., during times when Boys and Girls Club attendees are typically at school and not in the building. However, the Applicant noted that although this use has been occurring in the building for the past five years, recent changes in licensing requirements now necessitate obtaining a license, which is the reason for this action.

The subject property includes a fully fenced playground, basketball courts, and an established green space. Its parking lot has 119 spaces, which is sufficient to accommodate both the Boys and Girls Club and the proposed preschool. The Applicant has stated that the preschool class size will be limited to 18 students and 4 instructors during operating hours. The clubhouse has a maximum occupancy of 641 under current building codes. The Boys and Girls Club was granted a conditional use permit in 1990 for the subject property and the clubhouse was built specifically for children based services.

The Commission determined that adding the proposed preschool to the existing use was a natural extension of the property's child-focused services. The Commission noted that the subject property is already set up to provide services to children and has a fully fenced green space, playground, basketball courts, and a parking lot with sufficient parking for both the current use and the preschool.

The Commission also recognized that the subject property's location along both the West and East Routes of the Lewiston Transit System made it an ideal location for the preschool services, particularly for families served by the Applicant, many of whom rely on public transportation. Referencing the Comprehensive Plan, the Commission noted that the subject property is divided between two Future Land Use Designations: Neighborhood Residential and Neighborhood Commercial. The Neighborhood

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FOR CUP25-1

Page 4 of 7

Commercial designation supports low- to mid-intensity commercial services primarily for nearby residents. The Commission agreed that a preschool was a low-intensity commercial use that would directly serve the Orchards neighborhood. Additionally, the Commission cited the Comprehensive Plan's provision that such commercial uses should be located at the intersections of collector streets and arterial roadways. The subject property is on Burrell Avenue, a collector street, and is centrally positioned between 10th Street to the west and Thain Road to the east, both of which are arterial roadways.

4. The proposed use **will not** endanger the environment or the public health or safety. Applicable commentary:

The Commission did not receive any testimony from neighboring properties or the general public regarding any health or safety concerns. It was noted that the Applicant has been using the subject property for this purpose for the past five years without any reported issues related to the environment or public health and safety.

Additionally, the subject property is located between two churches, but the preschool will operate only Monday through Friday, minimizing any potential conflicts with weekend church services. Finally, the Commission highlighted that the subject property has sufficient parking, and the clubhouse's entry and exit points are set back from Burrell Avenue, reducing immediate safety concerns for children entering and exiting the building.

5. The proposed use **will** be in substantial conformance with the Comprehensive Plan. Applicable commentary:

The Commission agreed that, based on the aforementioned factors, the Comprehensive Plan goals and objectives cited in the staff report supported their decision and demonstrated that the proposed use is in substantial conformance with the Comprehensive Plan, specifically;

Public Services, Facilities, and Utilities (PSFU)

PSFU.2 : Maximize access to services by prioritizing partnerships.

PSFU.2.2: Engage with the community on programs and facility improvements. Utilize community groups to reach underserved communities to ensure representative input on future programs and facilities.

Land Use (LU)

LU.1.3.2: Evaluate the zoning code to enable compatible uses in more locations to minimize the distance between residents and needed services.

Community Character (CC)

CC.2.2.1: Evaluate the Land Use Code to ensure institutions located in or near residential neighborhoods can grow in the future while minimizing the impacts to the areas around them.

CC2.3: Evaluate land use regulations in areas where key institutions are situated in residential areas. Involve the institutions and the public in assessing possible conflicts to ensure compatibility of future growth.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FOR CUP25-1

Page 5 of 7

CC2.3.1: Engage and connect institutions and their neighbors to ensure institutional growth is possible while addressing neighborhood resident concerns.

Additionally, the Commission agreed that although the subject property is located in two Future Land Use Designations—Neighborhood Residential and Neighborhood Commercial—the proposed preschool is a low-intensity use primarily serving nearby residents. The Commission also noted that the surrounding uses, including churches, multi-family residential homes, and a long term care center, are similarly low-intensity commercial or community-oriented uses, making the proposed preschool compatible with the area.

6. Pursuant to Idaho Code § 67-6512, the conditional use permit may be granted subject to the ability of political subdivisions, including school districts, to provide services for the proposed use. Applicable commentary:

From the Fire Department; “Any modifications required for “preschool” use will be handled through the building permit process.”

From the Public Works Department, Engineering Division; “Engineering has no objections. As described, the added traffic from the new use will not compound current traffic because the proposed hours of operation do not overlap with existing functions. Even if the traffic did compound the existing traffic, the new traffic trips likely would not have a net increase significant enough to warrant a Traffic Study by the current regulations.”

The Commission received information the Assistant City Planner that political subdivisions were solicited for comment, and no objections were received regarding the ability to provide services from any other political subdivision.

Pursuant to Idaho Code § 67-6519(5)(c), if the decision on this application is to deny it and the applicant **could not** take actions to obtain approval, the explanation is: Not applicable.

Pursuant to Idaho Code § 67-6519(5)(c), if the decision on this application is to deny it and the applicant **could** take actions to obtain approval, such actions might include: Not applicable.

NOTICE TO APPLICANT AND AFFECTED PERSONS: An applicant or affected person may file a written request for reconsideration with the City Clerk to request that the Planning and Zoning Commission reconsider its final decision within fourteen (14) calendar days by 5:00 p.m. on the fourteenth (14th) day after the Planning and Zoning Commission has adopted this Reasoned Statement of Relevant Criteria and Standards. The written request for reconsideration shall include, at a minimum, the following information: (i) the name and address of the applicant or affected person requesting reconsideration, (ii) the specific deficiencies in the decision for which reconsideration is sought, and (iii) a description of any procedural injury or substantial harm to real property interest(s) suffered as a result of the decision, all in accordance with Lewiston City Code § 37-185(b)(1). A form may be obtained from the City Clerk. A request for reconsideration shall be a mandatory exhaustion of an applicant or affected person’s

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FOR CUP25-1

Page 6 of 7

administrative remedies prior to the filing of an appeal of the Planning and Zoning Commission's decision to the City Council.

Within fourteen (14) calendar days after the Planning and Zoning Commission has adopted its written decision on reconsideration, an applicant or affected person may file with the City Clerk a written notice of appeal to the City Council, in accordance with Lewiston City Code § 37-185(c). A form may be obtained from the City Clerk. The written notice of appeal shall include, at a minimum, the following information: (i) the name and address of the applicant or affected person, (ii) identification of the section(s) of the Lewiston City Code or applicable state or federal law(s) that has been incorrectly applied or violated and a description of how they have been incorrectly applied or violated, and (iii) a description of the real or potential prejudice to a substantial right of the applicant or affected person. The fee required by Lewiston City Code § 37-188 shall be deposited with the City Clerk within the fourteen (14)-day period. If an appeal is not filed and/or the fee required by Lewiston City Code § 37-188 is not deposited within the fourteen (14)-day period, then the decision of the Planning and Zoning Commission shall be final.

Every final decision rendered shall provide or be accompanied by notice to the applicant regarding the applicant's right to request a regulatory taking analysis pursuant to Idaho Code § 67-8003. The mailing of a signed and dated copy of this Reasoned Statement of Relevant Criteria and Standards by the City to the applicant shall constitute compliance with such notice requirement. An applicant denied an application or an affected person aggrieved by a final decision concerning matters identified in Idaho Code § 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinance, as described above, seek judicial review under the procedures provided by Title 67, Chapter 52, Idaho Code.

By: _____
Signature of Planning and Zoning Commission Chair or Vice Chair or Acting Chair

Printed: _____

Date of Signature: _____

ATTEST: _____
Dawn Ortiz, Community Development Office Supervisor