

September 27, 2023

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

I. CALL TO ORDER

COMMISSIONERS PRESENT: Michael Busch, Chair; Gabriel Iacoboni, Vice Chair; Kevin Kelly; Maureen Anderson; Cynthia Ball

COMMISSIONERS EXCUSED: Kathy Branson

COMMISSIONERS ABSENT: Justin Merwin

STAFF MEMBERS PRESENT: Joel Plaskon, City Planner; Dawn Ortiz, Community Development Specialist; Aaron Butler, IT; Jennifer Tengono, Assistant City Attorney; Pat Severance, Engineering Development Supervisor

II. CITIZEN COMMENTS

None

III. APPROVAL OF SEPTEMBER 13, 2023 MEETING MINUTES (ACTION ITEM)

Commissioners Anderson and Ball moved and seconded, respectively, approval of the September 13, 2023 meeting minutes. The motion carried 4-0-1 with Commissioner Kelly abstaining.

IV. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR APPLICATIONS ANX23-3, CPA23-4, ZNC23-6 BY DK HOLDING LLC (ACTION ITEM):

Chair Busch 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.

Commissioner Ball asked questions about the existing zoning and land use for the surrounding area. Staff Plaskon provided clarification on the surrounding zones and land uses.

Commissioner Anderson asked staff to clarify the concern for animal rights, as related to what's in the Comprehensive Plan section of the staff report.

Staff Plaskon stated there could be complaints from incoming residents of the subject property after it is developed against current residents having livestock, but most of the surrounding residents don't have livestock, so it is a wash.

There being no further questions of staff, Chair Busch asked the applicant for testimony.

Applicant Dan Yonge of 247 Thain Rd Lewiston, Id stated that he is ready to develop this lot and the R2 Zone seems the most appropriate. Staff have done a great job with their report and did not have anything to add besides that what's proposed will coincide with the surrounding area.

Commissioner Ball asked if there was a possibility of a small house village.

Applicant Yonge stated that a small house village is not in his plan.

Commissioner Ball asked how many homes could be put on the property. Staff Plaskon stated his estimated potential is that there could be 220 to 226 single family homes on the subject property.

Applicant Yonge stated he estimated 3.5 to 4 lots per acre. He is looking at about 180 single-family residential homes.

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

Doug Havens of Lewiston ID stated he is not an engineer and thinks the annexation and of the R2 Zone is the best use for the property. The sewer line to be tied into running down 18th Street is the main collector for Canyon Crest and now the East Orchards Sewer. He has concerns about the size of this line. There is a road to the north that ties into Lindsey Creek Road and it is only an emergency access road at this time. Mr. Havens stated there was an agreement with the PUD of Canyon Crest and this road should be developed by them and the Planning and Zoning Commissioners should look into this. Mr. Havens stated that this development will have a large effect on the existing infrastructure in this area.

Staff Severance stated that no one has been able to substantiate Mr. Havens' claims. The existing line has the capacity to serve 2,800 lines. City Staff reached out to the original engineer of this line and there are still no capacity concerns. In regards to traffic access into this section, they are looking at 17th Street as a second access.

Staff Plaskon asked the Commission to focus on what the annexation and zoning request is at this time and the details of the development will come out in the subdivision process. Staff Plaskon stated that staff does send public hearing notices to all service providers and there have not been any comments submitted stating they wouldn't be able to provide service.

There being no further public testimony, Chair Busch asked the applicant for rebuttal. Applicant Yonge pointed out where all of the existing sewer main lines are located on the provided map. He stated the City did upgrade these sewer lines.

Commissioner Ball asked if Mr. Yonge was stating he had the ability to tie into two different sewer lines. Mr. Yonge stated yes he can, but he is choosing to tie into the one line that runs through this lot.

Chair Busch closed the public hearing.

After deliberation Commissioners Kelly and Ball moved and seconded, respectively, to recommend approval of ANX23-3 to City Council. Motioned passed 5-0.

Commissioners Kelly and Anderson moved and seconded, respectively, to recommend approval of CPA23-4 to City Council. Motioned passed 5-0.

After discussion of relevant criteria, Vice Chairperson Iacoboni and Commissioners Kelly moved and seconded, respectively, to direct staff to draft a Reasoned Statement recommending approval of ZNC23-6 to City Council. Motion passed 5-0.

Commissioner Kelly and Vice Chairperson Iacoboni moved and seconded, respectively, to recommend approval of the associated Area of City Impact map amendment to City Council. Motioned passed 5-0.

V. PUBLIC HEARING ON ZONING CODE AMENDMENT, ZA-02-23

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

Staff Plaskon provided a verbal summary of the Zoning Code changes proposed in ZA-02-23.

Commissioner Anderson asked staff to clarify what the standard requirements are for setbacks relative to overhead electric transmission lines. Staff Plaskon stated they have to meet Avista requirements, Fire Code standards and can't build within the easement itself and meet setback from the right of way line set in that the particular zone of the property in question.

Staff Tengono stated that in her experience the easement is based on the location of where the lines exist. In many instances is 5 feet on each side of the line because the exact line is not always known.

There being no public testimony Chair Busch closed the public hearing.

After deliberation Vice Chairperson Iacoboni and Commissioner Ball moved and seconded, respectively, to recommend approval of ZA-02-23, as set forth in Ordinance No. 4896, to the City Council.

VI. STAFF-COMMISSION COMMUNICATIONS:

A. Query of Commissioners for October 11, 2023 meeting.

All current commissioners plan to be in attendance at the next meeting on October 11, 2023.

Staff Plaskon stated an Existing Conditions Report for the new Comprehensive Plan was provided by the consultant recently and that it is very comprehensive and was a lot of work. He also stated that next Monday is the next Comprehensive Plan Steering Committee meeting.

VII. ADJOURN

There being no further business, Chair Busch and Commissioner Anderson moved and seconded, respectively, to adjourn. The motion carried 5-0 and the Planning and Zoning Commission adjourned at approximately 6:40 p.m.

RESPECTFULLY SUBMITTED,



Dawn Ortiz,
Recording Secretary



Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this 25 day of October, 2023.