

BOARD of ADJUSTMENT



Joe Bazzoli
Commission Chair

~Meeting Minutes~
January 24, 2019

Leah Carlson
Staff Liaison

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208.883.7095

<http://www.ci.moscow.id.us/354/Board-of-Adjustment>

The meeting was called to order at 5:36 PM

MEMBERS PRESENT: Mark Monson, Vice Chair; Annette Bieghler, Steve Bush, Laurene Sorensen

MEMBERS ABSENT: Joe Bazzoli, Marshall Comstock, Tim Thomson

STAFF IN ATTENDANCE: Leah Carlson, Anne Peterson

1. Approval of Minutes from January 15, 2019.

Bush moved approval of the minutes as presented.

RESULT:	ACCEPTED BY ACCLAMATION [UNANIMOUS]
MOVER:	Bush
SECONDER:	Sorensen

2. Approval of Relevant Criteria and Standards for Property Located at 421 S Jackson—LUP2018-0038

Bieghler moved approval of the Relevant Criteria and Standards as presented.

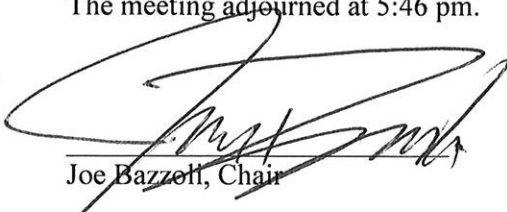
RESULT:	APPROVED BY ACCLAMATION [UNANIMOUS]
MOVER:	Bieghler
SECONDER:	Bush

3. Board Communications

The next hearing is scheduled for February 26, 2019. Joann Muneta was the one citizen in attendance and Monson asked if she had any input for the Board. Muneta said she was surprised the Board didn't conduct any discussion on the RCS. Board members explained the general process and acknowledged that staff does such a good job recording the Board's deliberations from the hearing that the RCS rarely need additional discussion.

Adjournment

The meeting adjourned at 5:46 pm.


Joe Bazzoli, Chair

2/26/2019
Date

**BEFORE THE BOARD OF ADJUSTMENT
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 CONDITIONAL USE PERMIT APPLICATION FOR A DEDICATED
PARKING LOT FOR STUDENTS AND EMPLOYEES OF NEW SAINT ANDREWS
COLLEGE LOCATED AT 421 S JACKSON STREET IN THE CITY OF MOSCOW,
IDAHO WITHIN THE CENTRAL BUSINESS (CB) ZONING DISTRICT PER MCC 3-4.**

WHEREAS, the applicant filed an application for a conditional use permit on December 18, 2018; and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed public hearing on January 15, 2019; and

WHEREAS, during the public hearing and having considered the matter including all testimony presented, the Moscow Zoning Board of Adjustment approved the proposed Conditional Use Permit and instructed Staff to prepare the Reasoned Statement of Relevant Criteria for the Board's review and approval; and

WHEREAS, having reviewed the application, including all exhibits entered, and having considered the issues presented by the applicant and the opponents:

**THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW, IDAHO, AFTER DUE
DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:**

I. RELEVANT FACTS AND CONCLUSIONS

1. The Board of Adjustment considered the request pursuant City of Moscow Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. A Conditional Use Permit (CUP) was approved on July 18, 2017, permitting an Educational Institution belonging to New Saint Andrews College (NSA) at the property addressed as 112 N. Main Street. The CUP was approved with two conditions:
 - 1) The Applicant be required to provide 47 off-street parking spaces within approximately one quarter (1/4) mile of the subject property subject to the approval of the Zoning Administrator.
 - 2) The Applicant shall be allowed to phase in the off-street parking requirement by providing 50% of the required parking mitigation upon occupancy of the building and the remaining 50% to be provided when enrollment of the Educational

Institution use upon the subject property reaches 150 FTE students, or five (5) years passes from the date of the issuance of the certificate of occupancy of the building, whichever occurs first.

3. The applicant, NSA, then submitted a CUP application to satisfy the conditions of the previous CUP approved July 18, 2017, requiring 50% of the required 47 off-street parking spaces to be satisfied upon occupancy of the building at 112 N. Main Street.
4. The applicant proposes to convert an existing unregulated gravel parking lot currently under the ownership of NSA into a dedicated parking lot for students and employees of NSA at the property addressed 421 S. Jackson Street.
5. The subject property is located within the Central Business (CB) Zoning District, where a CUP is required for Educational Services per MCC 3-4.
6. The subject property is 0.21 miles from the building located at 112 N. Main Street, meeting the condition that the off-street parking be located within 0.25 miles of the property.
7. The applicant proposes to construct a total of 25 parking spaces upon the subject property, which satisfies the condition that the applicant provide 50% of the total required parking spaces upon occupancy of the building.
8. The subject property is 7,500 square feet in size and is approximately 125 feet wide by 60 feet long.
9. The subject property is accessed from the alleyway between Jackson Street and Almon Street. There is no access to the lot from Jackson Street.
10. The parking lot is partially paved, but has a gravel surface in the center where a building was previously located.
11. Chapter 2 of the City's Comprehensive Plan, Land Use and Community Character, designates the subject property's future use as Urban Mixed. Urban Mixed designated areas are intended to provide for infill development and adaptive re-use of areas that surround downtown. An objective for Moscow's downtown is to guide the expansion and intensification of downtown development while considering the need for parking and to maintain the existing historic character.
12. Chapter 3 of the City's Comprehensive Plan, Community Mobility, identifies Jackson Street as a National Highway.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

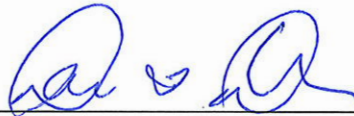
1. **The proposed use is a conditionally permitted use within the Zoning District:** Educational Services are conditionally permitted per MCC 3-4 within the Central Business (CB) Zoning District.
2. **The character of the proposed use will be in harmony with the neighborhood and surrounding land uses:** The Board finds that the proposed use will be in harmony with the neighborhood and surrounding land uses. The lot is currently used as an unregulated parking lot; therefore, the type of use will not differ. The applicant will be required to bring the parking lot into compliance with City of Moscow Parking Lot Standards, which includes paving, curbing, striping, and landscaping. The improved parking lot will be consistent with surrounding parking lots.
3. **The proposed use, as approved with conditions, will not generate nuisances that would be injurious or detrimental to the adjoining properties or the neighborhood (including, but not limited to, noise, dust, glare, vibrations, odors, and the like):** The Board finds that the proposed use is not anticipated to generate nuisances detrimental to the neighborhood. Developing the parking lot to parking lot standards will eliminate nuisances that are currently associated with gravel parking lots such as noise, dust, and vibrations. The Board heard public testimony from the property to the north that development of a paved parking lot should alleviate water issues in the basement of their building.
4. **The location, design, and size of the proposed use is adequately served by existing streets, public facilities, and services:** The Board finds that the proposed use is adequately served by existing streets, public facilities, and services. The parking lot to the south, which is also owned by New Saint Andrews, provides through-access from Jackson Street to the alley which serves the subject property. The alley which provides direct access to the west is currently paved and contains stormwater conveyance.
5. **The proposed use will not endanger the public health or safety if located where proposed:** The Board finds that the proposed use will not endanger the public health or safety. The Board heard public testimony that the development of the parking lot will alleviate existing drainage issues in the area and will also alleviate nuisance issues associated with gravel parking lots.
6. **Proposed use meets all applicable development standards of the Zoning Code:** The Board finds that proposed use meets all applicable development standards for the City Code. The parking lot will be brought into compliance with City of Moscow Parking Lot Standards which include paving, curbing, striping, and landscaping as part of the proposal.
7. **The proposed use will not be in conflict with the Comprehensive Plan:** The use is consistent with the Comprehensive Plan as it supports the goals and strategies of multiple chapters and does not conflict with other sections of the Plan.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Board of Adjustment approves the application for a Conditional Use Permit for a dedicated parking lot for NSA students and staff located at 421 S. Jackson Street with two conditions:

- 1) The applicant shall bring the subject property into compliance with City of Moscow Parking Lot Standards, which include paving, curbing, striping, and landscaping.
- 2) Signage shall be posted stated that the lot is reserved for NSA parking only.

PASSED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW THE 24 DAY
OF January, 2019.



Mark Monson, Vice Chair
Board of Adjustment