

BOARD of ADJUSTMENT



Joe Bazzoli
Commission Chair

~Meeting Minutes~
June 20, 2018

Leah Carlson
Staff Liaison

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

The meeting was called to order at 7:00 PM

MEMBERS PRESENT: Joe Bazzoli, Chair; Steve Bush, Marshall Comstock, Mark Monson, Laurene Sorensen (arrived at 7:17)

MEMBERS ABSENT: Annette Bieghler, Jerry Long

STAFF IN ATTENDANCE: Leah Carlson, Staff Liaison; Mike Ray, Planning Manager; Anne Peterson, Deputy City Clerk

1. Approval of Minutes from December 18, 2017

RESULT:	ACCEPTED
MOVER:	Monson
SECONDER:	Bush
AYES:	Bazzoli, Bush, Monson
NAYS:	None
ABSTENTIONS:	Comstock

Roll call vote carried the motion.

2. Public Hearing: Proposal for Conditional Use Permit for a large Child Care Facility located at 412 N. Monroe Street – LUP2018-0014

Conditional Use Permit application for large Child Care Facility located at 412 N. Monroe Street. The applicant is proposing to relocate the existing large Child Care Facility across the street at 412 N. Howard Street (St. Rose's) to the St. Mary's School site at 412 N. Monroe Street.

Ray presented the application for the daycare to operate 7:00am-3:30pm Monday through Friday for approximately 28 children and 3-4 staff. He reviewed the history of CUPs and renewals for the St. Mary's School building which now operates under a permanent CUP approved in 2010 capping school enrollment at 185. Current enrollment is 77 students and 18 employees. Subject property is in the R-2 zone and primarily surrounded by single family dwellings; the neighborhood transitions to R-3 a block west. The proposal meets the new off-street parking requirements of four spaces per facility by identifying spaces on the east side of the school building. The proposed on-street loading spaces have been approved by the City Engineer on the east side of Monroe Street and the previous loading zone on the west side of Monroe will change to No Parking. The outdoor play area is already fenced and exceeds the size required for a large Child Care Facility. Since it is surrounded by City streets rather than adjacent yards, Staff recommended screening of the playground not be required in this instance. Staff recommended approval of the proposal with one condition that the applicant be required to improve the proposed four-space parking lot located in the southeast corner of the subject property to City of Moscow parking lot standards within five years of the approval of the Conditional Use Permit.

Comstock asked about ADA compliant parking spaces and whether the dumpster location would need to change in relation to the daycare entrance. Ray said the dumpster could be moved if needed and that the ADA parking requirements have already been met. Bazzoli asked Staff's reasoning for requiring parking lot improvement for the four spaces if not required by Code. Ray explained that while the school's parking lots aren't contiguous, altogether they function as an entire parking system so Staff felt the parking lot improvement requirements should apply to all portions. Comstock asked about parking availability on Lincoln Street and the backing-up space behind the angled parking in front of the school. Ray replied that parking is allowed on Lincoln and a few spaces are designated as bus loading only. He said the narrowness of existing parking on Monroe was a pre-existing situation.

Bazzoli opened the public hearing at 7:19pm.

Father Joe McDonald, 618 E First Street, is the pastor at St. Mary's Church and Superintendent of St. Mary's School. He said they are anxious to continue serving city residents with the preschool that has been operating for decades. Monson asked McDonald to confirm that the only logistical change was the daycare unloading will switch from the west side of the road to east side, which McDonald affirmed. Bush asked McDonald to elaborate on the historic high/low daycare enrollment. McDonald said they stated 28 in the application because that is how many they anticipate from last year's enrollment, and 28 is also about average enrollment. Monson asked if the recommended condition of improving the parking lot would create an undue hardship. McDonald said he didn't anticipate it being a problem to make those improvements within five years.

Keith Stormo, 904 E D Street, said he has lived across the street for 25 years and the school has been an excellent neighbor. The school does a good job of handling the traffic and watching children. He stated that he rarely saw the existing large parking lot fully utilized so, in his opinion, paving the extra four spaces was unnecessary.

Hearing no further testimony, the public hearing closed at 7:27 pm.

Comstock said the facility meets the daycare requirements, it was a good location and he didn't have problems approving the CUP. Regarding the recommended condition about paving, Comstock thought it perhaps wasn't necessary but the Board needs to treat all applicants the same and anyone else would be required to pave. Bazzoli said the school's track record stands for itself and the CUP complies with all seven criteria. He appreciated needing to treat all applicants the same but thought it unfortunate to create additional impervious surfaces. Bush agreed the request itself was a minor issue in his opinion but he was torn on whether to require the parking improvements. Comstock asked to what extent the four spaces would need to be improved, and Ray replied the applicant would need to pave, stripe and add about ten feet of curbing and landscaping. He explained one reason for requiring institutional parking areas to be paved was to minimize the nuisance from noise, dust and vibration of cars maneuvering on gravel, which can be a greater disturbance in a residential zone. Sorensen agreed the CUP proposal was simple, but wondered why additional parking spaces couldn't be deferred into the future since the school is currently operating so far below their maximum capacity.

Comstock moved approval the application with the condition as proposed by staff.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Comstock
SECONDER:	Sorensen

Motion carried by roll call vote.

Comstock moved to accept the relevant criteria as outlined within the application.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Comstock
SECONDER:	Monson

Motion carried by roll call vote.

Ray advised that Staff still need to draft the Findings of Fact, so Comstock moved to direct staff to prepare the Findings of Fact and Relevant Criteria and Standards document per tonight's discussion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Comstock
SECONDER:	Monson

Motion carried by roll call vote.

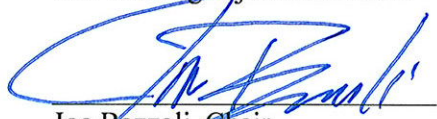
The meeting to approve the RCS document will be Tuesday, June 26, at 5:30pm.

3. Board Communications

Ray introduced Leah Carlson who has replaced Ryan Cash as Planner 1. He also advised that another CUP is on the horizon which will necessitate a meeting in late July or early August.

Adjournment

The meeting adjourned at 7:39


Joe Bazzoli, Chair

6/26/2018
Date