

BOARD *of* ADJUSTMENT



Joe Bazzoli
Commission Chair

~Special Meeting Agenda~

Leah Carlson
Staff Liaison

boa@ci.moscow.id.us

208.883.7095

<http://www.ci.moscow.id.us/agendacenter>

**Tuesday
September 4, 2018**

5:30 PM

**Paul Mann Building
221 E Second Street**

Call to order

1. **Approval of Minutes from August 29, 2018**

ACTION: Approve minutes as presented; approve minutes with amendments; or provide staff further direction.

2. **Approval of Relevant Criteria and Standards for Property Located at located at 209 Rodeo Drive – LUP2018-0024**

A proposed Conditional Use Permit application for a Self-Storage Facility located at 209 Rodeo Drive in the Motor Business (MB) Zoning District.

ACTION: Review the draft Relevant Criteria and Standards document and approve the document; or approve the document with corrections; or provide Staff further direction as deemed necessary.

3. **Board Communications**

4. **Other Business**

Adjournment

NOTICE: Moscow City Council Commission meetings can be televised, videotaped and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.

BOARD of ADJUSTMENT



Joe Bazzoli
Commission Chair

~Meeting Minutes~
August 29, 2018

Leah Carlson
Staff Liaison

boa@ci.moscow.id.us

208.883.7095

<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; Annette Bieghler, Steve Bush, Marshall Comstock, Mark Monson, Laurene Sorensen

MEMBERS ABSENT: None

STAFF IN ATTENDANCE: Leah Carlson, Mike Ray, Anne Peterson

1. Approval of Minutes from August 6, 2018.

Monson moved approval of the minutes as presented by staff.

RESULT:	ACCEPTED
MOVER:	Monson
SECONDER:	Bush
ABSENTIONS:	Sorensen

Motion carried by acclamation.

2. Public Hearing: Proposal for Conditional Use Permit for a Self-Storage Facility located at 209 Rodeo Drive – LUP 2018-0024

Carlson presented the proposal for self-storage units located within the Motor Business zoning district where storage units are permitted as a conditional use. Parcels to the west and south are vacant and R-3 zoning is to the east. Subject property is accessed via Rodeo Drive which intersects with Highway 95. A 2014 Transportation Impact Study determined service impacts from further development in the Park View addition would not adversely affect the existing intersection such that a traffic signal would be warranted. There are 30-foot utility easements on both the northern and eastern borders of the parcel. Staff recommended approval with no conditions.

Bazzoli opened the public hearing at 7:07 pm.

Shelley Bennett, 2279 Moser, said she represented the developer and the property owner and thought the project would provide a good buffer between the residential area to the east and future commercial development on the remaining portion of the parcel.

Rob Kwate, 107 Valleyview Dr, Troy, owns the duplexes on Jefferson immediately east of the proposed storage units. He was concerned about access to the west side of his fence for ongoing maintenance and asked where the landscape buffer would be within the utility easement. Carlson replied the City Engineering Department requested the trees be planted on the western five feet of the easement so roots wouldn't interfere with the utilities. Kwate said that would create a long narrow area between the landscaping and his fence, so he asked if another fence could be installed perpendicular with his fence to the storage units to prevent people from accessing the space in between. Kwate also asked what uses were allowed by right on that parcel and staff read through the extensive list.

Applicant Cody Merrill, 1221 Crane Creek Rd, Potlatch, thought a perpendicular fence at both ends of the easement was feasible. The entire storage facility will be fenced for security.

Micah Russell, 973 N Jefferson, expressed concern about noise and light pollution, particularly on the eastern side, and asked if night access and its associated noise would be allowed. He strongly favored the suggested perpendicular fencing to prevent pedestrian traffic right behind his yard.

Ray pointed out that full cut-off lights are required on all commercial buildings. He thought that type of lighting combined with the landscape buffers on both the subject project and the Jefferson properties should diminish the light pollution.

Ashley Bredenberg, 971 N Jefferson, asked the height of the buildings adjacent to the fence and requested a redesign of the eastern row of storage units so there wouldn't be a gap between the buildings behind her yard.

Rob Kwate clarified his request was for very short perpendicular fences at both ends of the utility easement rather than something parallel to his fence. He also requested access through said fence so he could provide regular maintenance to the back side of his fence.

Cody Merrell said he plans to use the same lighting as at his Mountain View storage units which are very expensive, full-cutoff lights that are affixed to the buildings rather than on tall poles. He said records from his Mountain View units indicate there is very little traffic during night hours. In response to Bredenberg's questions, he said the storage units are nine feet in height and the slight gap between buildings in the southeast corner was necessary to allow access to the southern row of units.

Scott Becker, 405 S Washington, stated the detention pond needed to be on the southwest corner because of topography.

Bredenberg reapproached to respectfully disagree about the lights not bothering the neighbors, noting that the Meineke sign down the street shines right into her bedroom window. She agreed this proposal was probably the best use to have as a neighbor, however.

Hearing no further public testimony, the hearing closed at 7:32 pm.

Comstock thought the project made sense and said Moscow has a need for more storage units. He said the landscaping and the buildings themselves will provide an excellent buffer between the proposed project and the Jefferson Street neighbors. Monson thought it would be a low-traffic use that was probably the best neighbor-friendly option. Bush said the lighting would be on the alley side rather than the back side of the buildings and the buildings themselves would block much of the light. Sorensen said it was a good proposal and thought it was important to have storage units in various locations around town. She recommended black-out curtains for people concerned about light trespass.

Comstock moved approval of the application with no conditions and directed staff to draft the relevant criteria and standards.

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

Motion carried by acclamation.

3. Board Communications

Board members agreed to schedule the RCS approval meeting for next Thursday at 5:30.

It was noted there is now a vacancy on the Board due to Jerry Long's resignation. Staff said a replacement would be at the Mayor's discretion with Council approval.

4. Other Business

None

Adjournment

The meeting adjourned at 7:43 pm.

Joe Bazzoli, Chair

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 SELF-
STORAGE FACILITY LOCATED AT 209 RODEO DRIVE IN THE CITY OF MOSCOW,
IDAHO, WITHIN THE MOTOR BUSINESS ZONING DISTRICT PER MCC 4-3-4.**

WHEREAS, the applicant filed an application for a Conditional Use Permit on July 31, 2018; and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed public hearing on August 29, 2018; and

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

**THE MOSCOW 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 to the City of Moscow Zoning Code, Comprehensive Plan, State Statutes, and Moscow City Code.
2. The applicant is proposing to construct a 42,410 square foot Self-Storage Facility located at 209 Rodeo Drive where the property is currently vacant.
3. The self-storage units range in size from 5-feet by 5-feet to 20-feet by 40-feet.
4. The subject property is a 90,300 square foot (2.07-acre) lot with 210 feet frontage on Rodeo Drive.
5. The site is surrounded to the west and south by vacant properties. A row of duplexes border the site on the eastern side.
6. A 30-foot utility easement exists on the northern and eastern sides of the subject property. The eastern side overlaps the residential properties by 10-feet, leaving a 20-foot easement on the eastern side of the subject property. The required 10-foot irrigated landscape buffer will be placed over the easement area.
7. The Engineering Department has recommended the large trees, as part of the required landscape buffer, be placed on the western-most edge of the easement area to avoid tree roots interfering with underground utilities.

8. The existing roads and traffic infrastructure would sufficiently support the proposed development. A 2014 Traffic Impact Study confirmed that the presence of new development in the area would not significantly impact the intersection of Hwy 95 and Rodeo Drive such that a signalized traffic light would be required.
9. The subject property is located in Motor Business Zoning District, which requires a Conditional Use Permit (CUP) for Self-Storage Facilities per MCC 4-3-3.
10. Adjacent properties to the east are all located within the Medium Density Residential (R-3) Zoning District and properties to the west and south are located in the Motor Business Zoning District.
11. Land uses are primarily auto-related and commercial to the north, west, and south and are primarily residential to the west.
12. Chapter 2, Community Character and Land Use, designates the subject property's future land use as Auto-Urban Commercial.
13. According to the Comprehensive Plan, Auto-Urban Commercial Designated Areas, *"provide for commercial series and developments that are motor vehicle oriented or those which require large amounts of land. These areas should be located adjacent to existing commercial developments and along major arterials where the vehicle traffic can be accommodated. Development within these designations should be required to provide significant landscaping which would be applied to enhancing area along the street edge, screening parking lots, and buffering adjacent uses."*
14. Self-Storage Facilities are defined as establishments primarily engaged in renting or leasing space for self-storage. These establishments provide secure space (i.e., rooms, compartments, lockers, containers, or outdoor space) where client can store and retrieve their goods.
15. Upon review of the submitted materials, it is the Board's determination that the proposal meets all of the required setbacks and height, and locations of the proposed buildings conform to the proper zoning requirements.

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:** Self-Storage Facilities are conditionally permitted in the Motor Business Zoning District per MCC 4-3-4.
2. **The character of the proposed use will be in harmony with the neighborhood and surrounding land uses:** The proposed Self-Storage Facility is consistent with the existing character of the uses within the surrounding neighborhood. The proposed design of the facility creates a visually pleasant character that is in keeping with the character of the rest of the neighborhood.
3. **The proposed use as approved, or 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 proposed use will not generate nuisances to the adjoining properties or the neighborhood through noise, dust, glare, vibrations, or odors. The Self-Storage facility is not expected to generate a significant amount of additional traffic to the neighborhood since most users of the facility will access their units during the day. The facility will contain a 10' landscape buffer along the eastern property line abutting residential properties, shielding the nearby homes from any unwanted light or noise nuisances. Full cut-off lighting is required for all commercial developments, preventing unwanted light from entering nearby residences at night. The units will also be completely fenced with a locked gate that will require a key code for entry, ensuring privacy and safety in and around the facility.

4. **The location, design, and size of the proposed use will be adequately served by existing streets, public facilities and services:** Primary access to the Self-Storage Facility is via Rodeo Drive, which is a collector street with nearby access to Hwy, 95, which is a National Highway. The existing streets and public facilities will sufficiently serve the proposed facility. A 2014 Traffic Impact Study examined the impact of new development on the intersection of Hwy. 95 and Rodeo Drive and found no signalized light to be necessary. Because the proposed development is significantly less intense than the development proposed in the study, the intersection will sufficiently provide for the traffic impacts of the proposed Self-Storage Facility.
5. **The proposed use will not endanger the public health or safety if located where proposed:** The proposed use will not endanger the public health or safety on the proposed site. The Facility will be completely fenced in and with a key code required for entry. Such security features will serve as protection for the contents inside the units and will decrease the incentive for unwanted visitors to loiter nearby the facility and subsequently, the nearby residential properties.
6. **Proposed use meets all applicable development standards of the Zoning Code:** The use meets all applicable development standards of the zoning code. The existing facility conforms to the overall height, setback, and lighting requirements in the zoning code.
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 Self-Storage Facility at 209 Rodeo Drive with no conditions.

PASSED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW THE ____ DAY
OF _____ 2018.

Joe Bazzoli, Chair
Board of Adjustment