

BOARD of ADJUSTMENT



Joe Bazzoli
Board Chair
BOA@ci.moscow.id.us

Public Hearing
~ Minutes ~

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

Tuesday
April 19, 2022

7:00 PM

Council Chambers
206 E Third Street

Bazzoli called the meeting to order at 7:01 PM

MEMBERS PRESENT: Joe Bazzoli, Chair; Steve Bush, Cole Mize, Tim Thomson
MEMBERS ABSENT: Annette Bieghler, Marshall Comstock, Tim Kinkeade
STAFF: Jennifer Fleischman, Aimee Hennrich

REGULAR AGENDA

1. Approval of November 29, 2021 Minutes (ACTION ITEM)

Thomson moved for approval of the minutes as presented, seconded by Bush. Vote by Acclamation; Ayes: Unanimous (4). Nays: None. Abstentions: None. Motion carried.

2. Election of Officers (ACTION ITEM)

This was seen as Agenda Item No. 3. Bush nominated Bazzoli for Chair. Bazzoli communicated that he would not be able to attend the 5:30 PM meetings, but should be present to chair all the 7 PM hearings.

Bush nominated Marshall as Vice Chair, and Thomson seconded the motion to elect Joe Bazzoli as Chair and Marshall Comstock as Vice Chair for the Board of Adjustment. Vote by Acclamation: Ayes: Unanimous (4). Nays: None. Abstentions: None. Motion carried.

3. Public Hearing: Conditional Use Permit located at 706 N. Main Street in the Motor Business (MB) Zoning District per MCC 4-3-4. – LUP2021-0048 (ACTION ITEM)

Conditional Use Permit application to allow residential apartments on the ground floor of an existing Motel (Hillcrest Motel) located at 706 N Main Street in the Motor Business (MB) Zoning District per MCC 4-3-4.

This was seen as Agenda Item No. 2. Hennrich presented the Conditional Use Permit (CUP) as described above, and recommended approval with no conditions. Bazzoli clarified that the plan designs were completed by the company he works for, but he has not, nor will be, part of the project in any capacity.

The Public Hearing opened at 7:09 PM

Rob Jacobs and Dan Jacobs (applicants), Richland WA, talked about their work on the Idaho Inn which is being converted to The Empire. They emphasized their business's priority of purchasing older properties and making them into newer housing options that are desirable to tenants. Fortify Holdings is under contract to purchase Hillcrest and renovate it to make studio and one-bedroom apartments. They would upgrade electrical and plumbing, install new finishes, refinish the exterior with new paint, and update the landscaping and parking lot. The Empire should be completed by July 1st of 2022, and Hillcrest is estimated to be done around February 1st, 2023. Each individual unit would have a kitchenette.

Jane Pritchett, Moscow, expressed apprehension about removing low income housing and fixing up properties with subsequent higher prices. A lot of the current tenants do not have vehicles, and the property is walking distance to amenities. She asked that the new apartments be Equal Opportunity Housing, and that some of the units be set aside for low income, in particular. The current owners work with the Department of Corrections, Sojourner's, and Habitat with Humanity to providing short-term and long-term housing.

Joel Plaskon, Moscow, supports the proposed CUP but was concerned about the state of the parking lot and landscaping. He spoke on the potential increase of traffic, and was interested in the housing density numbers. He suggested making one-bedroom units instead of studio to decrease density for the Motor-Business Zone.

The Public Hearing closed at 7:22 PM

The applicants plan on paving the east parking lot, effectively removing any gravel concerns. Habitat for Humanity indicated that our community was short 1400 residential units this last year. The Board talked about refurbishing older buildings to make residential units that more people would be inclined to use. There was some discussion about the availability of current apartments versus cost and quality, as well as an overall visible need for more housing. Staff said that if the subject property was zoned as R-4, it would meet the standards as far as housing density. Motor-Business does allow for high density housing, but only behind or above commercial use. This CUP is specifically for the 15 units that are on the bottom floor of the building facing Main Street.

Thomson moved for approval of the Conditional Use Permit for 706 N Main Street and directed Staff to draft the Relevant Criteria and Standards with no conditions, as recommended. Motion seconded by Mize. Vote by Acclamation; Ayes: Unanimous (4). Nays: None. Abstentions: None. Motion carried.

REPORTS

ANNOUNCEMENTS

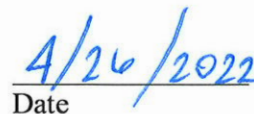
The two new Board of Adjustment members were announced and welcomed.

UPCOMING EVENTS/MEETINGS

Next Board of Adjustment hearing is scheduled for Tuesday, April 26th, 2022.
Two more applications will be scheduled in the coming weeks.

The meeting adjourned at 7:32 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 TO ALLOW RESIDENTIAL USE TO BE LOCATED ON THE GROUND FLOOR AND NOT LOCATED BEHIND A COMMERCIAL USE WITHIN AN EXISTING BUILDING LOCATED AT 706 NORTH MAIN STREET WITHIN THE MOTOR BUSINESS (MB) ZONING DISTRICT.

WHEREAS, the applicant filed an application for a conditional use permit on March 3, 2022; and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed public hearing on April 19, 2022; 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, and Moscow City Code.
2. The subject property is an existing motel (Hillcrest Motel) that is located at 760 N. Main Street in the City of Moscow.
3. The applicant is proposing to use an existing motel (Hillcrest Motel) located at 706 N Main Street in the City of Moscow, within the Motor Business Zoning District as long term (residential) dwellings.
4. The subject property is located within the Motor Business (MB) Zoning District, where residential uses located on the ground floor which are not located behind commercial uses are permitted with a conditional use permit.
5. The applicant has applied for a CUP for the ground floor units to be used as apartments, and the CUP is required because the dwelling units are not located behind a commercial use.
6. The Hillcrest Motel was built in 1958 and many rooms were previously used for extended stays.
7. In 1995, the motel was sold and the new ownership operated the motel with long-term stay rooms on the ground floor behind the motel units and on the second floor.

8. The applicant Fortify Holdings, LLC seeks to purchase the Hillcrest Motel from the current owner and proposes to renovate and use all units as residential studio and one-bedroom housing units.
9. Adjacent properties to the north, south and west, are also located within the MB Zone, with nearby properties to the east zoned as Multiple Family Residential (R-4).
10. The subject property is approximately 1.7 acres, with 300 feet of frontage along Main Street (Hwy 95), and 275 feet of frontage on McKinley Street. The parcel meets all required development standards including lot width and lot area.
11. The proposed multi-family residential use for studio and one-bedroom apartments has a minimum off-street parking requirement of 1.25 spaces per dwelling unit.
12. The total minimum off-street parking requirement for the proposed uses is 78 spaces. The applicant has provided a site plan showing 78 spaces including four (4) ADA accessible spaces.
13. The Board determined that the proposed residential use located on the ground floor and not located behind commercial uses is consistent with the historical use of the subject property and existing building and will be of benefit to the public.

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:** The current zoning of the subject property is Motor Business, which requires a conditional use permit for residential uses located on the ground floor that are not located behind commercial uses.
2. **The character of the proposed use will be in harmony with the neighborhood and surrounding land use:** The character of the proposed use will be in harmony with the area since the existing structure will continue to be utilized and the multi-family residential use is similar to the current and historical motel use on the property.
3. **The proposed use as approved, or as approved with conditions, will not generate nuisances that would be injurious or detrimental to adjoining properties or the neighborhood (including but not limited to noise, dust, glare, vibrations, odors and the like).** The proposed residential use to be located on the ground floor and not located behind a commercial use will not endanger the public health or safety and will not result in nuisances.
4. **The location, design and size of the proposed use will be adequately served by existing streets, public facilities and services:** The proposed use is adequately designed to comply and be serviced by existing streets, public facilities and services.
5. **The proposed use will not endanger the public health or safety if located where proposed:** The proposed use does not create endangerment to public health or safety. The applicant is proposing to use the existing structure for a similar type of use as currently exists. Residential uses

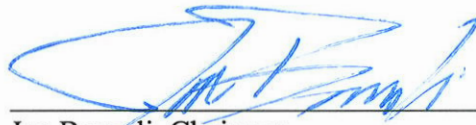
on the ground floor and not located behind a commercial use on the subject property creates no endangerment to public health or safety.

6. **The proposed use meets all applicable development standards of the Zoning Code:** The proposed use meets all applicable development standards including setbacks, building height, and minimum lot area and width. The required functional open space of seventy-five square feet per dwelling unit is shown on the site plan and exceeds the minimum square footage per dwelling unit.
7. **The proposed use will not be in conflict with the comprehensive plan:** The proposed use is not in conflict with the Comprehensive 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 residential use located on the ground floor and not located behind a commercial use at 706 North Main Street, with no conditions.

PASSED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW THIS 26 DAY OF April, 2022.



Joe Bazzoli, Chairman
Board of Adjustment