



Joe Bazzoli

~Agenda~

Leah Carlson

Commission Chair

Staff Liaison

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

Tuesday

Council Chambers

7:00 PM

October 2, 2018

206 E 3rd Street

1. Approval Of Minutes From September 4, 2018

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

Documents:

[MINBOA20180904.PDF](#)

2. Proposal For Conditional Use Permit For A Gymnastics Facility Located At 212 Rodeo Drive

Conditional Use Permit application for a gymnastics facility located at 212 Rodeo Drive. The applicant is proposing to develop a gymnastics facility serving preschool aged children located at 212 Rodeo Drive.

ACTION: Conduct the public hearing for the proposed Conditional Use Permit and upon consideration of any testimony presented, approve Conditional Use Permit without conditions and direct Staff to prepare a reasoned statement of relevant criteria and standards; or approve the Conditional Use Permit with conditions as recommended by staff and direct Staff to prepare a reasoned statement of relevant criteria and standards; or deny the Conditional Use Permit and direct Staff to prepare a reasoned statement of relevant criteria and standards; or take other action as deemed appropriate.

Documents:

[LUP202018-0028.PDF](#)

3. Board Communications
4. Other Business

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~
September 4, 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 5:31 PM

MEMBERS PRESENT: Joe Bazzoli Chair; Annette Bieghler, Marshall Comstock, Mark Monson, Laurene Sorensen

MEMBERS ABSENT: Steve Bush

STAFF IN ATTENDANCE: Leah Carlson, Anne Peterson

1. Approval of Minutes from August 29, 2018.

Comstock moved approval of the minutes as presented.

RESULT:	APPROVED
MOVER:	Comstock
SECONDER:	Monson
ABSTENTION:	Sorensen

Motion carried by acclamation.

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

Comstock moved approval of the Relevant Criteria and Standards as corrected.

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

Motion carried by acclamation.

3. Board Communications

None.

Adjournment

The meeting adjourned at 5:45pm.

Joe Bazzoli, Chair

Date

NOTICE OF PUBLIC HEARING

Proposal for Conditional Use Permit at 212 Rodeo Drive
Permit Application LUP2018-0028

A public hearing at which you may be present and speak will be conducted before the Board of Adjustment of the City of Moscow at which time the following proposals will be considered:

Conditional Use Permit application for a gymnastics facility to serve pre-school aged children located at 212 Rodeo Drive in the Motor Business (MB) Zoning District.

HEARING DATE: Tuesday, October 2nd, 2018

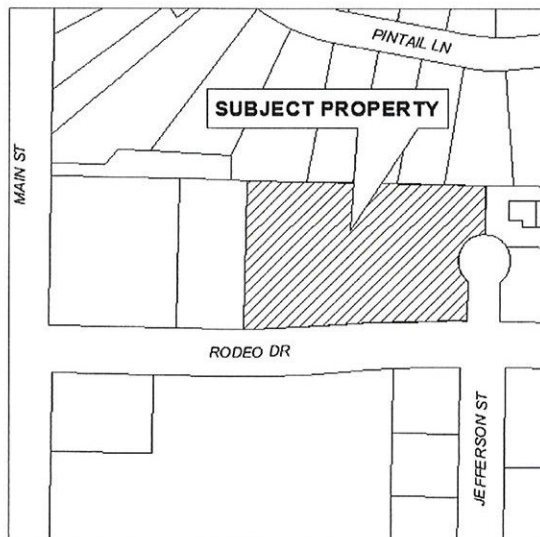
HEARING LOCATION: Council Chambers on the Second Floor of Moscow City Hall
206 East Third Street, Moscow, Idaho

MEETING TIME: 7:00pm

Note: Meeting start time is not necessarily indicative of hearing start time for the proposal advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine hearing start time, which could occur late in the meeting.

The file containing information on this matter is available for public review at the Community Development Department located in the Paul Mann Building at 221 East Second Street, Moscow, Idaho. Call 883-7035 to get a meeting agenda and further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Minor amounts of written materials (less than two (2) pages) may be submitted to the hearing body at any time prior to the close of comments, as determined by the hearing body. More in-depth written materials require at least five (5) calendar days for review prior to the hearing. You may obtain further information about the public hearing process and procedures on the City's Website at: <http://id-moscow.civicplus.com/593/Public-Hearing-Notices>.



Laurie Hopkins, Moscow City Clerk


Anne Peterson, Deputy City Clerk

Publish: Saturday, September 8th, 2018

COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

HEARING DATE: Tuesday, October 2nd, 2018

GENERAL INFORMATION

Hearing Body: Board of Adjustment

Subject: Conditional Use Permit application for a gymnastics facility located at 212 Rodeo Drive within the Motor Business (MB) Zoning District per MCC 4-2-4 (M).

Attachments: A. Public Hearing Notice – published in the Moscow-Pullman Daily News on Saturday, September 8th, 2018

B. Conditional Use Permit Application

C. Site Plan, Elevations, and Floor Plan

D. Relevant Criteria and Standards Worksheet

Prepared by: Leah Carlson, Planner I

STAFF REVIEW

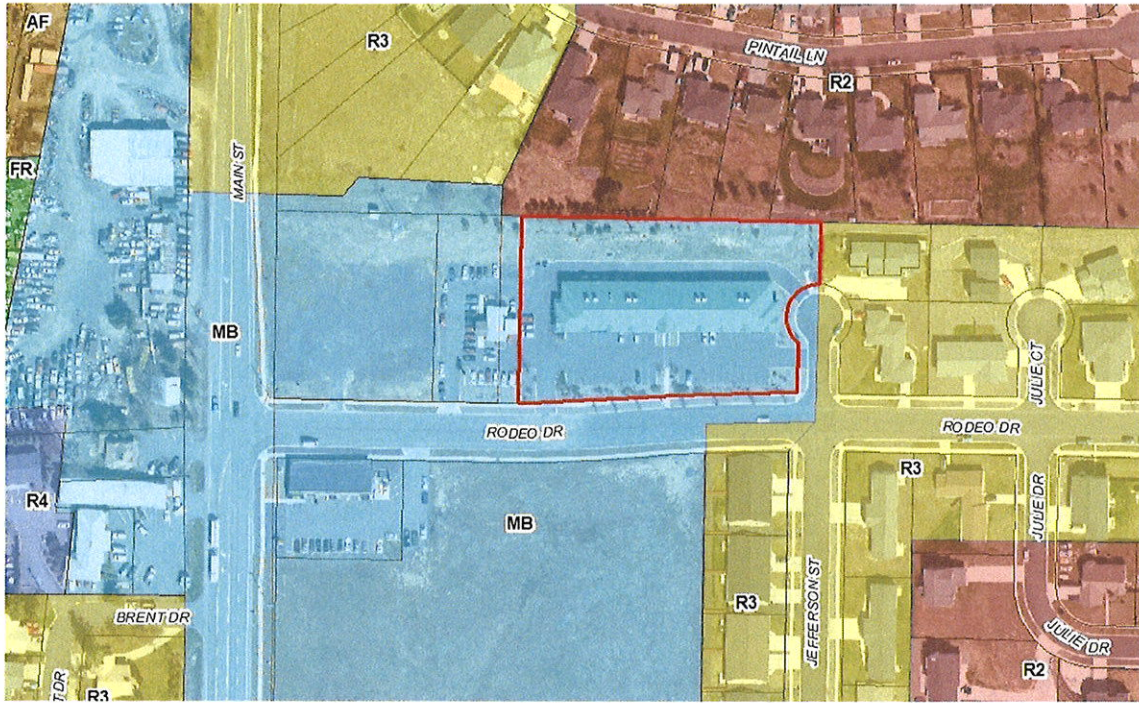
Proposal: The applicant, Palouse Empire Gymnastics, is proposing to change the use of a 4,360 square foot tenant space to a gymnastics facility located at 212 Rodeo Drive. The facility will primarily provide gymnastics lessons and birthday parties catering to pre-school aged children, with an estimated 50 students served per day. The facility would operate Monday – Saturday between the hours of 9:00 am and 7:30 pm. The subject property is located within the Motor Business (MB) Zoning District where Gymnastics Facilities are permitted as a Conditional Use.



Aerial

Zoning: The subject property is located within the Motor Business Zoning District (MB). Adjacent properties to the south and west are also located in the MB Zoning District. Adjacent properties to the north and east are located in Moderate Density (R-2) and Medium Density (R-3) Residential Zoning Districts.

Per MCC 4-2-4(M), *“The MB Zoning District is intended to provide for the location and grouping of compatible uses having similar operation as they involve enterprises which depend primarily on the transient motor vehicle-based trade. By concentrating such uses the City intends to increase public convenience when utilizing such services and, within the regulation, to allow such activities to render the maximum service.”*



Zoning Map

Site and Area Land Use: The subject property is approximately 71,196 square feet (1.63 acres) and is currently occupied by three other businesses in the 12,000 square foot building. The parcel has approximately 337 feet of frontage on Rodeo Drive to the south and 158 feet of frontage on Jefferson Court to the east. The surrounding land use is a mix of commercial and residential. Commercial uses include primarily auto-related businesses. Moscow Building Supply and a property management business are also nearby.

Streets and Access: The subject property is accessed from Rodeo Drive, which intersects with Highway 95 approximately 315 feet to the west of the subject property.

Comprehensive Plan: Chapter 2, Community Character and Land Use, designates the subject property's future land use as Auto-Urban Commercial. Auto-Urban Commercial designated areas provide for commercial services 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. Developments 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. Such areas are most appropriately zoned Motor Business (MB).

Chapter 3, Community Mobility, identifies Rodeo Drive as a collector street. Rodeo drive branches off from Hwy 95, a National Highway.

A goal of Chapter 6 is to, "Enhance and strengthen the regional economy utilizing the strengths and assets of the region."

Transportation Impact Study: A 2014 Transportation Impact Study by Hodge & Associates, Inc. examined the impact on the intersection of U.S. Highway 95 and Rodeo Drive with the full development of the Park View Estates subdivision.

The proposed development in the study included a 3,750 sf automobile center (now Meineke Car Care Center), 10-pump gas station with a convenience market, two 7,500 sf mini-storage units, a 2,000 sf veterinary clinic, a 2,000 sf fast-food restaurant with drive-through window, a 15,000 sf general office building, and a 25-unit recreational vehicle park.

The results indicated that the service impacts generated from the Park View development would not adversely affect the existing intersection such that a signalized intersection would be required. Therefore, the existing street infrastructure could accommodate for the proposed Gymnastics Facility at 212 Rodeo Drive and Idaho Transportation Department has no concerns with the proposal.

Input from Other Departments/Entities: No comments from any Departments/Entities.

RELEVANT CRITERIA AND STANDARDS

1. The proposed use (is/is not) a conditionally permitted use within the Zoning District.
2. The character of the proposed use (will/will not) be in harmony with the neighborhood and surrounding land uses.
3. The proposed use as approved, or as approved with conditions, (will/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).
4. The location, design, and size of the proposed use (will/will not) be adequately served by existing streets, public facilities and services.
5. The proposed use (will/will not) endanger the public health or safety if located where proposed?
6. Proposed use (meets/does not meet) all applicable development standards of the Zoning Code.
7. The propose use (will/will not) be in conflict with the Comprehensive Plan.

RECOMMENDATION

Staff recommends **approval** for the application for a Conditional Use Permit at 212 Rodeo Drive for a proposed Gymnastics Facility with no conditions.

Board shall direct staff to prepare Relevant Standards and Criteria to be reviewed at an upcoming meeting.



**CITY OF MOSCOW
COMMUNITY DEVELOPMENT**
Ph: 208-883-7035
Fax: 208-883-7033
apeterson@ci.moscow.id.us

For City Use Only			
Date Received		8-31-18	
Dept	Fee Type	Fees	Paid
CD	Application Fee	\$410	8-31-18
Receipt Number		LUP2018-0028	

APPLICATION FOR CONDITIONAL USE PERMIT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. Applicant

Name: Palouse empire gymnastics Telephone: 208 883-3800
Shelley Bennett
 (home address)

Relationship to affected property (please check one):

Owner ☐

Purchaser ☐

Lessee ☒

Other ☐ (explain below)

2. Owner of Affected Property (if other than applicant)

Name: Jim Gress Telephone: _____
 (home address)

3. Location of Affected Property: 212 E Rodeo Dr., Moscow, ID

Legal Description: _____
 (subdivision) (block) (lot) 83813

If described by Metes and Bounds, please attach deed on a separate sheet.

4. Proposal: The applicant proposes the following use and/or construction for the above-described property:

pre-school gymnastics

The proposed activities and use shall be shown on an attached site plan drawn to a standard engineer's or architect's scale. The site plan shall show, label and dimension all property lines and easements, existing and proposed buildings, parking lot and driveway(s), fencing and landscaping. A site topography map shall be provided when appropriate.

5. Authorization: Section _____ of the Moscow Zoning Ordinance authorizes the proposed use, subject to a Conditional Use Permit.

6. **Operating Characteristics:** Detail the operating characteristics of the proposed use. In other words, provide specific information which describes and defines how the proposed use will be conducted and what will be involved in the day to day operations of the proposed use. Applicable information may include hours of operation, number of people (employees, customers, students, etc.) involved, traffic and/or delivery information, services provided, equipment or machinery which may be involved, or any other information which helps describe and define the proposed use and impacts which it may have.

Hours of Operation M-Sa 9am-7:30pm Max Students/day=50
 Services Provided: Gymnastics Lessons, hday parties P/T Employees=15
 Gymnastics equipment.

7. Before the Moscow Board of Adjustment may issue a Conditional Use Permit, the Board must first make findings of compliance with the following seven relevant criteria and standards. Please indicate in the spaces provided below what you believe to be justification showing compliance with each of the relevant criteria and standards.

Criteria #1. THE PROPOSED USE IS A CONDITIONALLY PERMITTED USE WITHIN THE ZONING DISTRICT.

Justification and compliance with criteria #1: Previously the space was home to a health club (Anytime Fitness). A gymnastics facility is similar to a health club.

Criteria #2. THE CHARACTER OF THE PROPOSED USE WILL BE IN HARMONY WITH THE NEIGHBORHOOD AND SURROUNDING LAND USES.

Justification and compliance with criteria #2: We are a family orientated business. The other business in the complex are also service oriented.

Criteria #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).

Justification and compliance with criteria #3: none known

Criteria #4. THE LOCATION, DESIGN, AND SIZE OF THE PROPOSED USE WILL BE ADEQUATELY SERVED BY EXISTING STREETS, PUBLIC FACILITIES AND SERVICES.

Justification and compliance with criteria #4: yes.

Criteria #5. THE PROPOSED USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY IF LOCATED WHERE PROPOSED.

Justification and compliance with criteria #5: will not.

Criteria #6. THE PROPOSED USE MEETS ALL APPLICABLE DEVELOPMENT STANDARDS OF THE ZONING CODE.

Justification and compliance with criteria #6: yes.

Criteria #7. THE PROPOSED USE WILL NOT BE IN CONFLICT WITH THE COMPREHENSIVE PLAN.

Justification and compliance with criteria #7: will not.

CONDITIONS OF APPROVAL

The Board of Adjustment may impose conditions including, but not limited to, those (1) minimizing adverse impact on other development; (2) controlling the sequence and timing of development; (3) controlling the duration of development; (4) assuring that development is maintained properly; (5) designating the exact location and nature of development; (6) requiring the provision for onsite or offsite public facilities or services; (7) requiring more restrictive standards than those generally required in an ordinance; and/or (8) requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.

COMPLIANCE

1. In the event of failure to comply with the plans proof by the Board of Adjustment, or with any conditions imposed upon the Conditional Use Permit, the permit shall be immediately revoked and shall be automatically null and void.
2. Where plans are submitted and approved as part of the application for a Conditional Use Permit, modifications of the original plans may be required by the Board as a condition of approval.
3. Where plans approved by the Board of Adjustment are modified following such approval, such plan modifications must be submitted to and determined by City staff to be in substantial conformance with the plans approved by the Board. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Board for an additional public hearing as an amendment to the Conditional Use Permit application.

REVOCATIONS

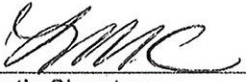
If a Building Permit and/or Certificate of Occupancy pertaining to the Conditional Use Permit is not obtained for the subject property within one year from the date of the Board of Adjustment's final decision, the Conditional Use Permit shall be immediately revoked and shall be automatically null and void. If the use and/or occupancy for which the Conditional Use Permit is approved ceases for a period of twelve consecutive months, unless otherwise provided for in the Conditional Use Permit, then the Conditional Use Permit shall be immediately revoked and shall be automatically null and void.

Application Submittal:

This application must be completed and submitted with the below described items to the Moscow Community Development Director at least twenty-one days prior to the hearing at which the application is to be considered by the Board or the application will not be processed.

The following items must be submitted with this application before it will be processed:

1. Application Fee
2. Site Plan, drawn to scale
3. Floor Plans, drawn to scale
4. Elevation Drawings, drawn to scale (for new construction only)


Applicant's Signature

8/31/18
Date

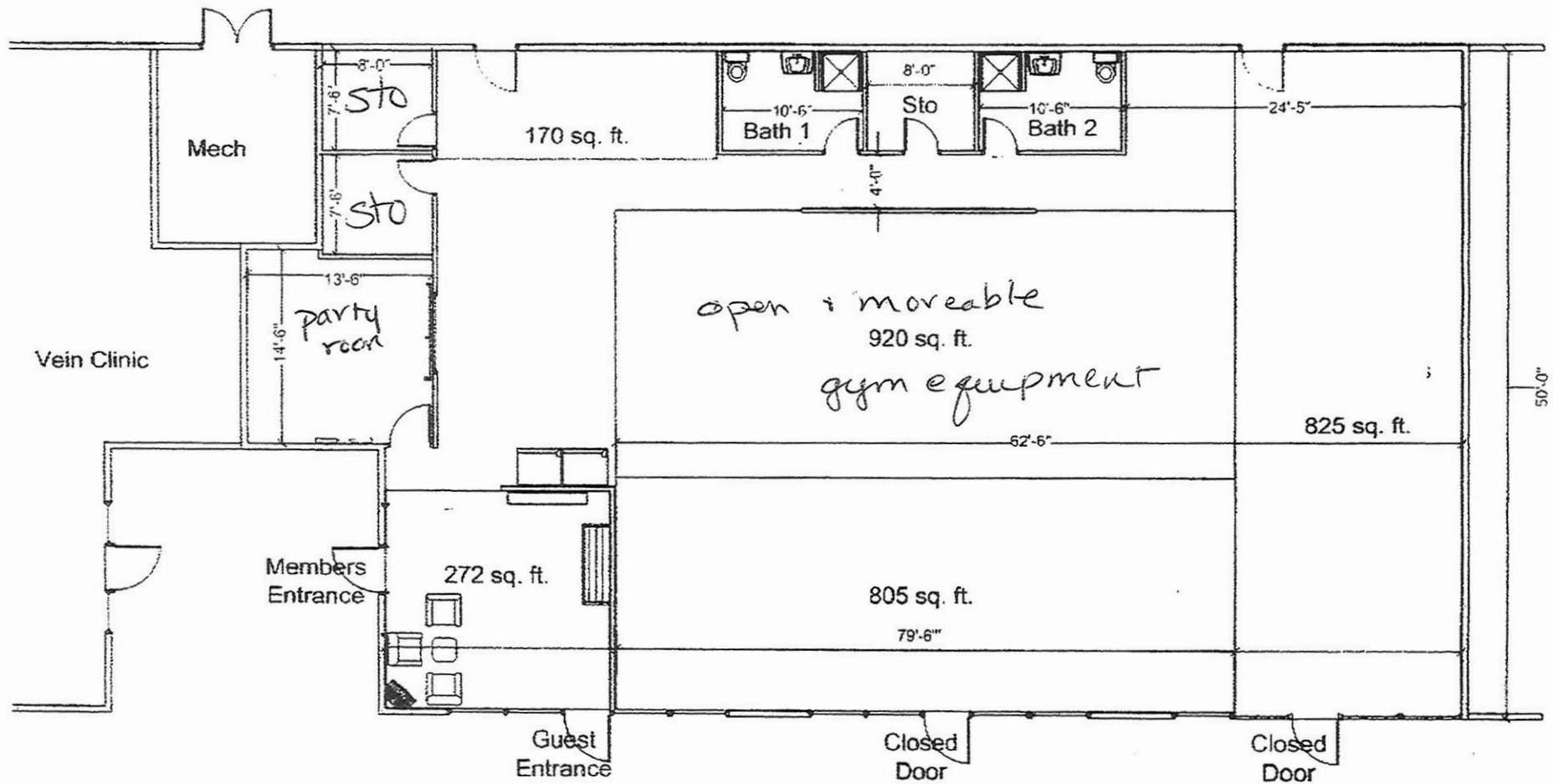

Owner's Signature

for James Gress

8/31/18
Date

212 Rodeo #510

LUP2018-0028



Received 9/6/18

LUP2018-0028

5 CONTROLLED CATCH BASIN
C1 ORIFICE SIZE Ø3.00"

1
C1

250' x 50'
FF 2638.22

CB 'D'
STA: 4+02.56 0' RT
D 35.59
INV 32.66

5 CONTROLLED CATCH BASIN 'D' DETAIL
C1 ORIFICE SIZE Ø3.25"

CB 'E'
STA: 6+38.99 0' RT
D 2636.05
INV 2632.86

5 CONTROLLED CATCH BASIN
C1 ORIFICE SIZE Ø2.25"

CB 'E' (OVERFLOW)
STA: 0+37.06 0.48' RT
D 31.00
INV 28.50

CB 'G'
D 2636.05
INV 2633.55

LANDSCAPE BUFFER
AS PER CITY STANDARD

REPLACE CONCRETE WALK

RODEO DRIVE

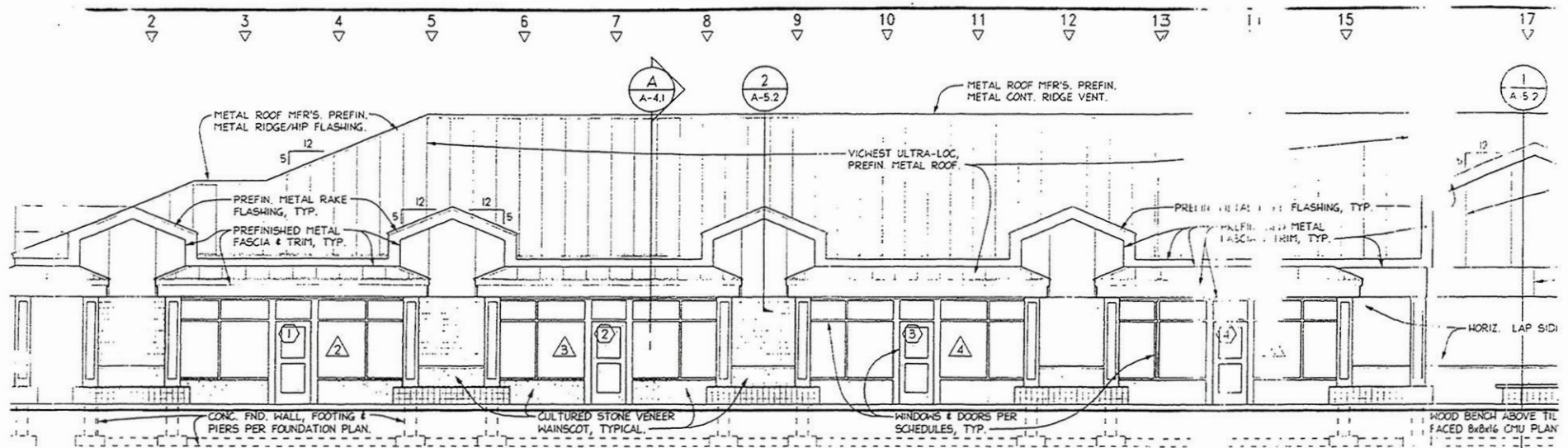
ROP
CATCH BASIN
LID: 2629.77
INV IN: 2626.48
INV OUT: 2626.38

8" PVC
-2630-

STA: 0+00.00 =
3+88.33 [RODEO]
C MONUMENT
ELEV: 2630.08

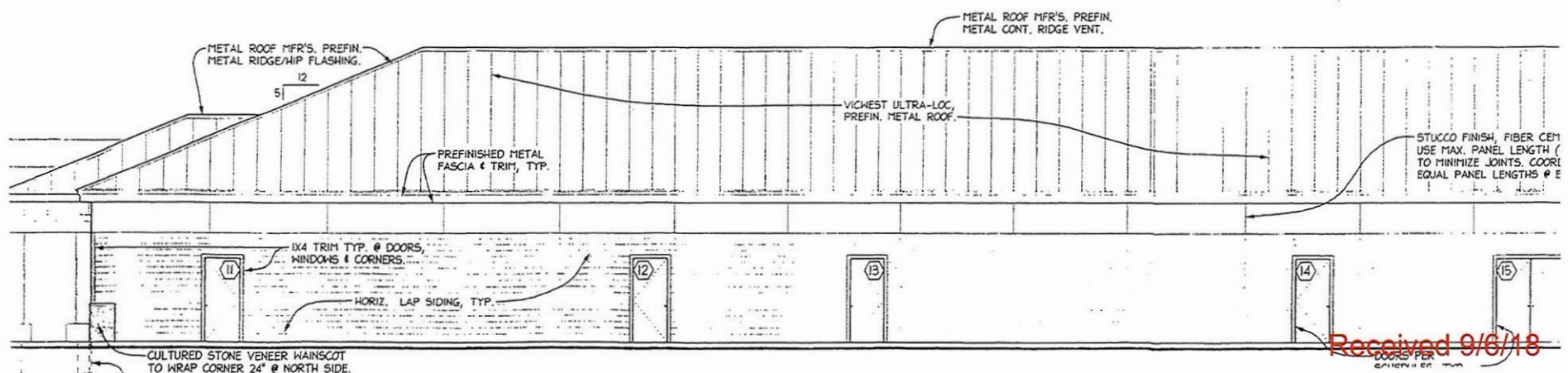
SD MANHOLE
LID: 2630.23
INV OUT: 2624.50

Received 9/6/18



SOUTH ELEVATION

COORDINATE W/ OWNER FOR BUILDING # 1
UNIT ADDRESSES W/ 3 1/2" MIN. HIGH LE



Received 9/6/18

