

BOARD of ADJUSTMENT



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

Public Hearing
~ Agenda ~

Aimee Hennrich
Staff Liaison
208.883.7095

<https://www.ci.moscow.id.us/581/Agendas-and-Minutes>

Tuesday
October 22, 2024

7:00 PM

Council Chambers
206 E Third Street

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. **Approval of June 26, 2024, Minutes (ACTION ITEM)**

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

2. **Public Comment**

Time limit 15 minutes. Members of the Public may speak to the Board regarding matters NOT on the Agenda nor currently pending before the Board of Adjustment. Please state your name and resident city for the record and limit your remarks to three (3) minutes.

3. **Public Hearing: Proposal for a Variance at 1906 Nursery Street. Permit Application LUP2024-0033 (ACTION ITEM)**

Variance application to reduce the rear yard setback for a single-family dwelling within the Multiple Family Residential Zoning District (R-4) located at 1906 Nursery Street, per Moscow City Code 4-4-2.

PROPOSED ACTIONS: Conduct the public hearing for the proposed Variance (VAR) request and upon consideration of any testimony received, approve the proposed VAR and direct Staff to prepare a reasoned statement of relevant criteria and standards; or approve the proposed VAR with conditions and direct Staff to prepare a reasoned statement of relevant criteria and standards; or deny the proposed VAR and direct Staff to prepare a reasoned statement of relevant criteria and standards; or take other action as deemed appropriate.

4. **Public Hearing: Proposal for a Conditional Use Permit at 110 S Jackson Street. Permit Application LUP2024-0029 (ACTION ITEM)**

Conditional Use Permit application for a proposed large daycare located at 110 S Jackson Street within the Central Business (CB) Zoning District, per Moscow City Code 4-3-4.

PROPOSED ACTIONS: Conduct the public hearing for the proposed Conditional Use Permit (CUP) request and upon consideration of any testimony received, approve the proposed CUP and direct Staff to prepare a reasoned statement of relevant criteria and standards; or approve the proposed CUP with conditions and direct Staff to prepare a reasoned statement of relevant criteria and standards; or deny the proposed CUP and direct Staff to prepare a reasoned statement of relevant criteria and standards; or take other action as deemed appropriate.

NOTICE: It is the policy of the City of Moscow that all City-sponsored public meetings and events are accessible to all people. If you need assistance in participating in this meeting or event due to a disability under the ADA, please contact the City's ADA Coordinator by phone at (208) 883-7600, TDD (208) 883-7019, or by email at adacoordinator@ci.moscow.id.us at least 48 hours prior to the scheduled meeting or event to request an accommodation. The City of Moscow is committed to ensuring that all reasonable accommodation requests are fulfilled.

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Board of Adjustment meeting is scheduled for 7:00 PM on October 28, 2024.

ADJOURN

NOTICE: It is the policy of the City of Moscow that all City-sponsored public meetings and events are accessible to all people. If you need assistance in participating in this meeting or event due to a disability under the ADA, please contact the City's ADA Coordinator by phone at (208) 883-7600, TDD (208) 883-7019, or by email at adacoordinator@ci.moscow.id.us at least 48 hours prior to the scheduled meeting or event to request an accommodation. The City of Moscow is committed to ensuring that all reasonable accommodation requests are fulfilled.

BOARD of ADJUSTMENT



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

Public Meeting
~ Minutes~

Aimee Hennrich
Staff Liaison
208.883.7095

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

Wednesday
June 26, 2024

5:30 PM

Council Chambers
206 E Third Street

Comstock called the meeting to order at 5:31 PM

MEMBERS PRESENT: Marshall Comstock, Vice Chair; Steve Bush, Jerry Schutz, Tim Thomson
MEMBERS ABSENT: Joe Bazzoli, Ivy Dickinson, Tim Kinkeade
STAFF: Jennifer Fleischman, Aimee Hennrich

REGULAR AGENDA

1. Approval of June 18, 2024 Minutes (ACTION ITEM)

Schutz moved for approval of the minutes as written, seconded by Thomson. Roll Call Vote; Ayes: Unanimous (4). Nays: None. Abstentions: None. Motion carried.

2. Public Comment

Time limit 15 minutes. Members of the Public may speak to the Board regarding matters NOT on the Agenda nor currently pending before the Board of Adjustment. Please state your name and resident city for the record and limit your remarks to three (3) minutes.

None.

3. Approval of Reasoned Statement of Relevant Criteria and Standards (ACTION ITEM)

Conditional Use Permit for the expansion of an existing Public Service Facility located at 650 North Van Buren Street within the Medium Density Residential (R-3) Zoning District, per Moscow City Code 4-3-4.

Schutz moved for approval of the Reasoned Statement of Relevant Criteria and Standards for the Conditional Use Permit as corrected, seconded by Thomson. Roll Call Vote; Ayes: Unanimous (4). Nays: None. Abstentions: None. Motion carried.

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The meeting adjourned at 5:35 PM

Joe Bazzoli, Chair

Date

**CITY OF MOSCOW
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

HEARING DATE: Tuesday, October 22, 2024

GENERAL INFORMATION

Hearing Body: Board of Adjustment

Subject: LUP2024-0033 – Variance application to reduce the rear yard setback on a lot located at 1906 Street within the Multiple Family Residential Zoning District (R-4) per MCC 4-4-2.

Attachments:

1. Public Hearing Notice – published in the Moscow-Pullman Daily News on Saturday, October 5, 2024
2. Variance Application
3. Site Plan, Floor Plan, & Elevation Drawings

Prepared by: Aimee Hennrich, AICP

STAFF REVIEW

Proposal: The applicant, Habitat For Humanity, is requesting a Variance to reduce rear yard setback on a lot located at 1906 Nursery Street within the Multiple Family Residential Zoning District (R-4). Specifically, the applicant is proposing to reduce the rear yard setbacks to ten feet (10') on the southwest side of the property. Typically, lots within the R-4 Zoning District would require a minimum twenty-foot (20') rear setback. All other setbacks shown on the site plan meet the requirements of the R-4 Zoning District. Habitat for Humanity has proposed to build a single level zero-step entrance with ADA accessible bathroom, hallway, doorways, and bedrooms all on one level.

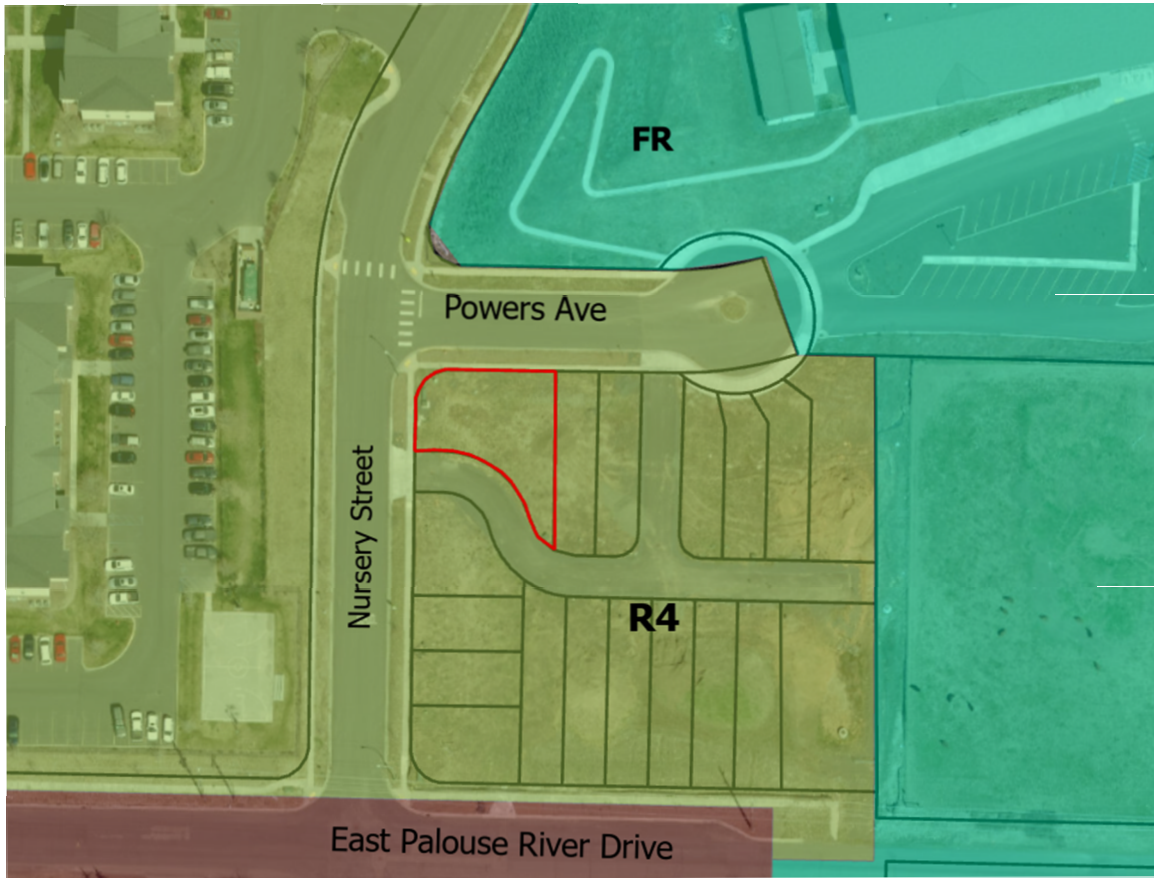


Subject Property

Zoning: The subject property is located within the Multiple Family Residential (R-4) Zoning District. According to the Zoning Code 4-2-4(G):

“The R-4 zoning district provides for the most intense residential land uses permitted in the community. It is to be applied where activity levels are high and adequate public facilities are available, especially near the University of Idaho campus or the City Central Business Zoning District. Adequate transportation access should be given high priority in determining the appropriate location for the R-4 zoning districts.”

Adjacent properties to the south, east and west are all also within the R-4 Zone. The property to the north across Powers Ave is zoned Farm Ranch Outdoor Recreational (FR).



Zoning Map

Site and Area Land Use: The subject property is approximately 5,049 square feet in size and is bound by Nursery Street to the west, Powers Ave to the north and an alley directly to the south. The properties adjacent to the east and south (across the alley) are currently vacant land and owned by the Moscow Affordable Housing Trust. The property to the north across Powers Avenue is Palouse Prairie Charter School. The property located across Nursery to the west a residential apartment complex known as the Grove.

Streets and Access: The subject property is adjacent to Nursery Street and Power Ave which are both local neighborhood streets. The subject property also has vehicular access via the adjacent alley to the south.

Comprehensive Plan: Chapter 2 of the Comprehensive Plan, Land Use and Community Character, designates the subject property as Auto Urban Residential, these areas are designated to,

“represent the area that are developed as multifamily and manufactured homes. These areas are generally located south of the central SH 8 corridor and the northwest region of the City. The existing zoning of these areas is largely Medium Density Residential (R-3) and Multiple Family Residential (R-4).

An objective of Chapter 2 is to, “provide a mix of housing that meets the economic and lifestyle needs of the diverse population of Moscow.”

Input from other Departments/Agencies: No comments were received from other departments/agencies upon review of the request for the variance.

RELEVANT CRITERIA AND STANDARDS:

The following statements may be used for the Relevant Criteria and Standards or changed to include or remove any statement deemed necessary or appropriate by the Board.

1. The applicant (has/has not) demonstrated that special conditions and/or circumstances exist which are peculiar to the property (such as size, shape, topography or location) which are not applicable to other property similarly situated in the same zoning district.
2. The applicant (has/has not) demonstrated that, because of the aforementioned special conditions of the property, application of the provisions of this Zoning Code would impose undue hardship and would deprive the property owner of rights commonly enjoyed by owners of other property similarly situated in the same zoning district under the terms of this Zoning Code.
3. Granting of the variance (will/will not) be in conflict with the public interest or injurious to property or persons in the vicinity of the subject property.

RECOMMENDATION FOR VARIANCE APPLICATION

Staff recommends **approval** of the Variance application at 1906 Nursery Street with no conditions.

The Board shall direct staff to develop Relevant Criteria and Standards to be reviewed at a following meeting.

NOTICE OF PUBLIC HEARING

Proposal for a Variance at 1906 Nursery Street.
Permit Application LUP2024-0033

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:

Variance application to reduce the rear yard setbacks for a single-family dwelling within the Multiple Family Residential Zoning District (R-4) per MCC 4-4-2.

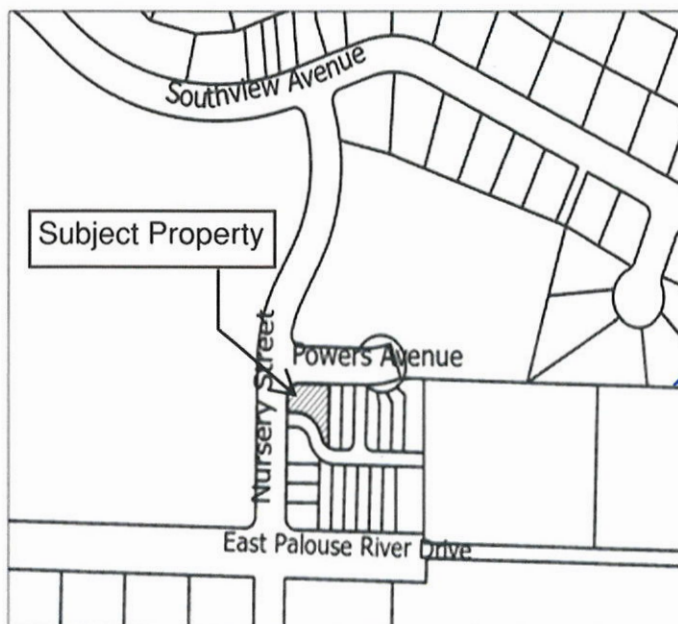
HEARING DATE: Tuesday, October 22, 2024

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

MEETING TIME: 7:00 pm

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 Haddock Building at 504 S Washington Street, Moscow, Idaho. Call 883-7035 for 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 Website at: <https://www.ci.moscow.id.us/593/Public-Hearing-Notices>



Laurie M. Hopkins, Moscow City Clerk


Jennifer Fleischman, Deputy City Clerk

Publish: Saturday, October 5, 2024



**CITY OF MOSCOW
COMMUNITY DEVELOPMENT**
Ph: 208-883-7035
504 S. Washington Street
jfleischman@ci.moscow.id.us
ahennrich@ci.moscow.id.us

For City Use Only			
Date Received			
Dept	Fee Type	Fees	Paid
CDV	Application Fee	\$561.00	
Receipt Number			

APPLICATION FOR ZONING VARIANCE

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. Applicant

Name: Palouse Habitat for Humanity, Inc. Phone: 208-883-8502 x4

Address: 306 N. Main Street, Moscow Idaho 83843 Email: director@palousehabitat.org

Relationship to affected property (please check one):

Owner ☐ Purchaser ☐ Lessee ☐ Other ☐ (explain below)

Partnership agreement with the owner, Moscow Affordable Housing Trust, to build an affordable Habitat for Humanity single family residential home

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

Name: Moscow Affordable Housing Trust Phone: 509-336-1664

Address: 510 W. Palouse River Dr. Moscow, ID 83843 Email: director@moscowhousingtrust.org

3. Location of Affected Property: 1906 Nursery St. Moscow, Idaho 83843

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

Legal Description: Paradise View 1 1
(Subdivision) (Block) (Lot)

INFORMATION ON REQUESTED VARIANCE

4. **Proposal:** The applicant proposes the following construction and/or use for the above-described property: New Construction of a single level, ADA compliant single-family residence.

Existing and proposed site conditions 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) and fencing. The site plan should also show topography and landscaping if pertinent to the Variance.

5. **Reason(s) for Variance Request:** The proposed construction and/or use described in Question 4 above would be in violation of Section 4-4 of the Moscow Zoning Ordinance which requires that: Setbacks in R-4 are as follows: front -15'; rear 20'; street side 13'; sides are a total of 15' with no side less than 5'

6. In order for the Board of Adjustment to issue a Variance, the Board must make findings of compliance with the following three **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. SPECIAL CONDITIONS AND/OR CIRCUMSTANCES EXIST WHICH ARE PECULIAR TO THE PROPERTY (SUCH AS SIZE, SHAPE, TOPOGRAPHY OR LOCATION) WHICH ARE NOT APPLICABLE TO OTHER PROPERTY SIMILARLY SITUATED IN THE SAME ZONING DISTRICT.

Justification and compliance with criteria #1:

Due to the unusual 'peninsula' corner location, the size, slope and irregular shape of the lot situated between two streets and one alley.

Criteria #2. BECAUSE OF THE AFOREMENTIONED SPECIAL CONDITIONS OF THE PROPERTY, APPLICATION OF THE PROVISIONS OF THIS ZONING CODE WOULD IMPOSE UNDUE HARDSHIP AND WOULD DEPRIVE THE PROPERTY OWNER OF RIGHTS COMMONLY ENJOYED BY OWNERS OF OTHER PROPERTY SIMILARLY SITUATED IN THE SAME ZONING DISTRICT.

Justification and compliance with criteria #2:

The house plan required to meet Palouse Habitat for Humanity's program requirements puts the home in conflict of Section 4-4. Palouse HFH's goal is to construct an affordable, ADA compliant home to fit the family of three (single father and two sons) selected for this home. This plan is most feasible for Palouse HFH's building model, which relies heavily on the use of volunteers to help keep our construction costs down, enabling our nonprofit to build affordable, accessible homes in our area. Without this variance, construction of a single-family home on this lot would be significantly more expensive.

Criteria #3. GRANTING OF THE VARIANCE WILL NOT BE IN CONFLICT WITH THE PUBLIC INTEREST OR INJURIOUS TO PROPERTY OR PERSONS IN THE VICINITY OF THE SUBJECT PROPERTY.

Justification and compliance with criteria #3:

The proposed variance of the setback affects the alley side, which will have low volumes of both vehicle and foot traffic, and low vehicle speeds as it is at an intersection, posing minimal safety concerns. Without this variance, the only feasible driveway location would be off Powers St. With this variance, public safety would be increased by placing the homeowner's vehicle access on the alley off Nursery St., removing the risk posed by vehicles accessing a driveway on Powers St. during congested times with children and vehicles in front of Palouse Prairie Charter School, which is located across the culdesac across from this lot.

CONDITIONS OF APPROVAL

In granting any Variance, the Board of Adjustment may prescribe appropriate conditions and safeguards that enable the Board or the Commission to approve the Variance application and ensure the Variance is consistent with the purposes and intents of the Zoning Code.

COMPLIANCE

1. In the event of failure to comply with the plans approved by the Board of Adjustment, or with any conditions of a Variance approval, 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 Variance, 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 Variance application.

REVOCATIONS

If a Building Permit and/or Certificate of Occupancy pertaining to the Variance is not obtained for the subject property within one (1) year from the date of the Board of Adjustment's final decision, such Variance 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 Community Development Department at least sixteen (16) days prior to the hearing at which the application is to be considered by the Board of Adjustment. Applicant will be notified by the City Planner I as to the time, date, and place of the hearing pertaining to this application.

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

1. Application Fee
2. Legal description (deed) of subject property, if it is not subdivision, block and lot
3. Site Plan, drawn to scale
4. Floor Plan(s) (drawn to scale), if applicable
5. Elevation Drawing(s) (drawn to scale), if applicable

I understand this information is a public record and may be posted to a public website. I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.


Signature of Applicant

9/16/2024
Date

Signature of Property Owner (if different)

Date



We build strength, stability, self-reliance and shelter.

September 11, 2024

Attn: City of Moscow and the Board of Adjustment

RE: Palouse HFH request for a zoning variance at 1906 Nursery Street in Moscow

Palouse Habitat for Humanity (Palouse HFH) is the local affiliate of Habitat for Humanity International. Our mission is to bring people together to build homes, community and hope. To date, we have built 23 new affordable single-family homes in our service area (Latah and Whitman counties) as well as completed 250 home accessibility improvements (primarily ramp installations) and repairs for very low- and low-income homeowners.

This year we entered into our first of what we hope are many homes built in partnership with the Moscow Affordable Housing Trust. With skyrocketing land costs, this partnership offers Palouse HFH the option for affordable home building in the City of Moscow, putting our Habitat homeowners in closer proximity to jobs, public transportation, childcare and other infrastructure that may be lacking in outlying (but more affordable) communities. And, because of the land trust model, it ensures that this home will be permanently affordable.

However, the 1906 Nursery St lot poses its own challenges, particularly if we're trying to meet Palouse HFH's goal to build a home that fits the family of three selected for this home, as well as an ADA compliant home. We know firsthand from the 250 projects we've already completed, and our six-week wait list, that the lack of accessible housing is a real problem in our community. Homeowners have difficulty remaining in their homes as they age and lose mobility because most houses around the region weren't built with aging in place in mind. Simple changes, ie no steps at the entrances, and a bedroom and bathroom on the main floor large enough to accommodate walkers or wheelchairs, make all the difference to be able to live in a home safely long-term.

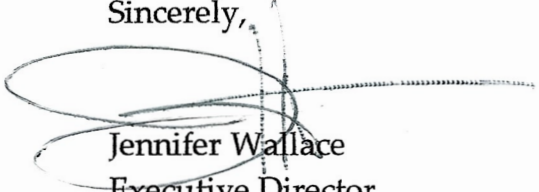
Our draft house plan (included with this application) includes a zero-step entrance, an ADA accessible bathroom, hallway and doorways, and bedrooms all on one level. However, it would encroach on the 20' setback from the neighborhood alley by just under 10', a total of 212 sqft. This alley will have very low volumes of both vehicle and foot traffic, so this proposal would not result in any real increased public safety concerns. Additionally, vehicle speeds on this alley would be low. The encroachment would in fact increase public safety on Powers St. Without the variance, the only feasible driveway location for this home is off Powers St., across the culdesac from Palouse Prairie Charter School. A driveway on Powers St. would increase

risk to vehicles and children during congested drop off and pick up hours and be a significant inconvenience the homeowner.

Given our nonprofit mission to build affordable housing, we also ask that the City consider waiving the fee for this application. It would be a significant help.

We would be happy to answer any questions. Thank you for considering this application.

Sincerely,



Jennifer Wallace
Executive Director
Palouse Habitat for Humanity

Moscow Affordable Housing Trust

510 W Palouse River Dr.
 Moscow, ID 83843
 MocoowHousingTrust.org
 (509) 336-1664 (cell)
Director@MoscowHousingTrust.org
 Tax ID #27-0306873

Nils Peterson, Executive Director

**Board of Directors**

Karl Johnson, President (2025)
 Bob Ries, Vice President (2024)
 Casey Holcomb, Treasurer (2025)
 Teresa Heitmann, Sec'y (2026)
 Vacant (2026)
 Jonathan Carson (2024)
 Vacant (2026)
 Sunshine Siebert (2024)
 Janice Smith-Hill (2025)

Terms expire 9/30 of year stated

To: Moscow Board of Adjustment

Re: Application for Variance at 1906 Nursery St

Date: Sept 10, 2024

I support the request by Palouse Habitat for Humanity for a variance of the back yard setback at 1906 Nursery St.

I hope to be present at your meeting to testify and answer questions.

This request originates from an agreement between Palouse H4H and Moscow Affordable Housing Trust (Trust) to collaborate on the construction of a house by Palouse H4H on Trust land – creating another permanently affordable house.

When you look at the plat, you will see that the Trust created as many lots as possible on the site, with the goal of reducing land cost per house. For the most part the lots were designed with the Moscow Twinhome specifications, but the lot in question has such an odd shape it was not a good candidate for a twinhome.

The site has the public alley system shown on the plat because of (1) topography - the drop off on the Palouse River Drive side made front loading those lots prohibitive and (2) traffic flow - both the Palouse River Drive and Powers sides of the site are poor locations for backing movements from private driveways. In one case, because of the high speed traffic and the other because of the congestion caused at times by Palouse Prairie Charter School. The alley also seems to be evolving into a community hub, with the placement of the mailboxes to the NW of the interior intersection. Consequently the Trust views the alley as a woonerf space and anticipates pedestrians and playing children to mingle with occasional slow speed vehicular traffic.

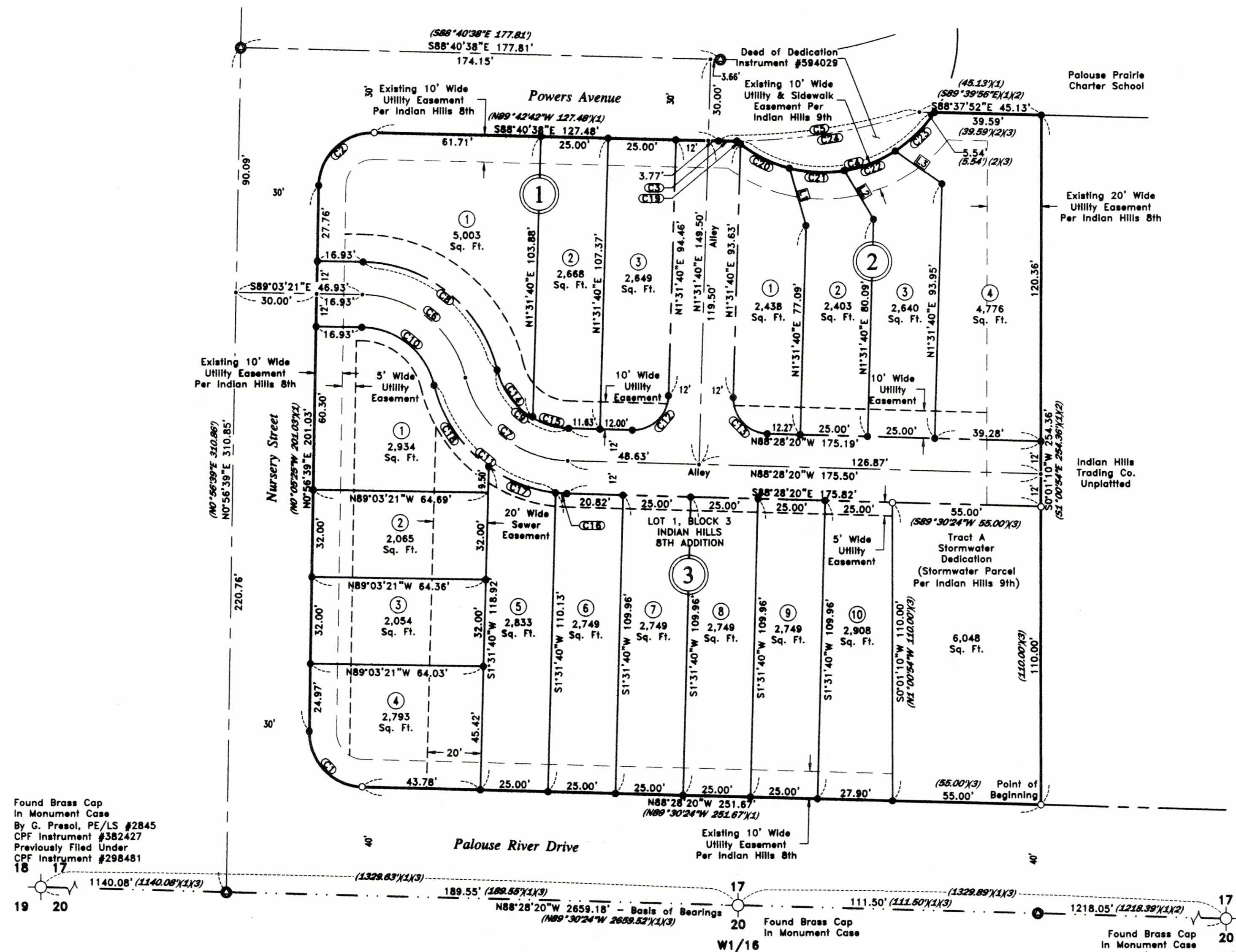
The subject lot fits the requirements for a single family lot in R4 - which works well for Palouse H4H because they have a historic practice of building detached single family homes.

Previously the Trust had designed a 2-story 3 bed/2 bath house for the site. That design fit the setbacks and met the standards of Visitability.org for accessibility, but none of the bedrooms is required to be accessible by that standard.

Palouse H4H has other design requirements, including for the safety of its volunteers that houses be one story. Having tried myself, I can tell you that a one story footprint on a 3 bed house is not practical for the particular site. The proposed design enhances accessibility of the house by having all bedrooms on the main floor.

I urge you to approve this request and facilitate another permanently affordable house in Moscow.

Section 17, T39N, R5W, BM



Found Brass Cap
in Monument Case
By G. Presol, PE/LS #2845
CPF Instrument #382427
Previously Filed Under
CPF Instrument #298481

18 17
19 20

W1/16

Found Brass Cap
in Monument Case
By L. Hodge, PE/LS #3003
CPF Instrument #525673
Previously Filed Under
CPF Instrument #281753

Found Brass Cap
in Monument Case
By L. Hodge, PE/LS #3003
CPF Instrument #525673
Previously Filed Under
CPF Instrument #281753

Curve Table					
Curve	Length	Delta	Radius	Chord	Chrd Brng
C1	31.21'	89°24'59"	20.00'	28.14'	S43°45'50"E
C2	31.55'	90°22'43"	20.00'	28.38'	S46°08'01"W
C3	6.89'	1°43'00"	230.00'	6.89'	S89°32'47"E
C4	83.61'	95°48'43"	50.00'	74.20'	N81°46'58"E
C5	75.90'	18°54'29"	230.00'	75.56'	N81°51'27"E
C6	52.75'	75°33'54"	40.00'	49.01'	S51°16'24"E
C7	52.35'	74°58'53"	40.00'	48.69'	S50°58'53"E
C8	68.58'	75°33'54"	52.00'	63.72'	N51°16'24"W
C9	36.64'	74°58'53"	28.00'	34.08'	N50°58'53"W
C10	36.93'	75°33'54"	28.00'	34.31'	S51°16'24"E
C11	68.05'	74°58'53"	52.00'	63.30'	S50°58'53"E
C12	20.42'	90°00'00"	13.00'	18.38'	S46°31'40"W

Curve Table					
Curve	Length	Delta	Radius	Chord	Chrd Brng
C13	20.42'	90°00'00"	13.00'	18.38'	S43°28'20"E
C14	22.71'	46°27'49"	28.00'	22.09'	S36°43'21"E
C15	13.94'	28°31'04"	28.00'	13.79'	S74°12'48"E
C16	4.19'	4°36'44"	52.00'	4.18'	N88°09'58"W
C17	26.80'	29°31'31"	52.00'	26.50'	N69°05'51"W
C18	37.07'	40°50'39"	52.00'	36.29'	N33°54'46"W
C19	1.68'	1°55'15"	50.00'	1.68'	S51°16'18"E
C20	20.48'	23°28'19"	50.00'	20.34'	S63°58'04"E
C21	20.48'	23°28'21"	50.00'	20.34'	S87°26'24"E
C22	20.48'	23°28'22"	50.00'	20.34'	N69°05'14"E
C23	20.48'	23°28'27"	50.00'	20.34'	N45°36'50"E
C24	69.01'	17°11'28"	230.00'	68.75'	N80°59'57"E

Line Table		
Line	Bearing	Distance
L1	S16°14'35"E	22.17'
L2	S31°15'59"E	21.10'
L3	S55°01'19"E	21.13'

Curves 1, 2 & 3 Length, Delta, Radius and Chord Length Values are the Same as the Values Shown in Reference (1).
Curve 3 Length, Delta, Radius and Chord Length Values are the Same as the Values Shown in Reference (3).
Curves 4 & 24 Length, Delta, Radius and Chord Length Values are the Same as the Values Shown in References (2) & (3).

Survey References:

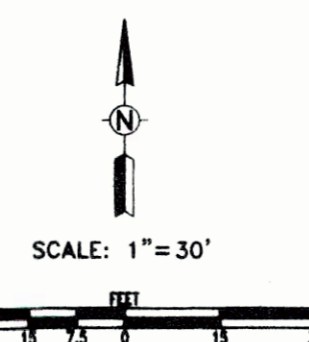
- Indian Hills 8th Addition to the City of Moscow, Instrument #525967, by J. Hammond, PE/LS #2102.
- Deed of Dedication, Instrument #594029, Indian Hills Trading Co. LLC to City of Moscow.
- Indian Hills 9th Addition to the City of Moscow, Instrument #595522, by J. Hammond, PE/LS #2102.

Basis of Bearings

The Basis of Bearings for this survey is the south line of the SW1/4 of Section 17 shown hereon as N88°28'20"W, per GPS observation.

Legend

- Found Monument as Described
- Set 5/8" Diameter Rebar w/Yellow Plastic Cap Stamped "Priest 6449"
- Found 5/8" Diameter Rebar "Hedco, Inc PE/LS 2102"
- Calculated Position
- Found Centerline Monument
- Block Number
- Lot Number
- Record Data, See Survey References Boundary Line
- Lot Line
- Section Line
- Centerline
- Right-of-Way
- Right-of-Way, Prior to Deed of Dedication Instrument #594029
- Easement - This Platting
- Existing Easement



NO. _____ AT THE REQUEST OF:

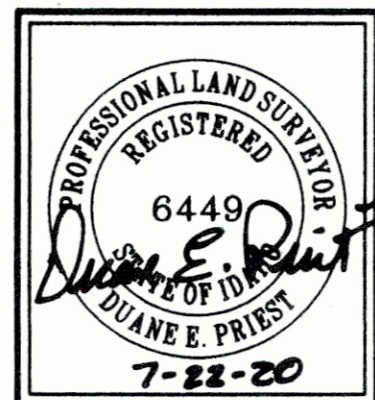
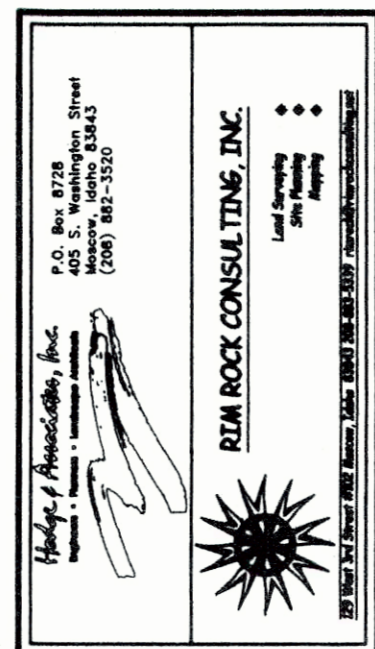
SEE PAGE 2
HENRIANNE WESTBERG
LATAH COUNTY RECORDER

FEE \$ _____ BY _____

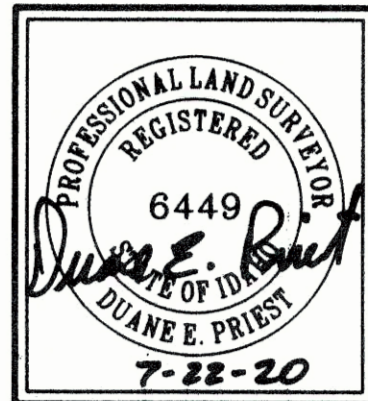
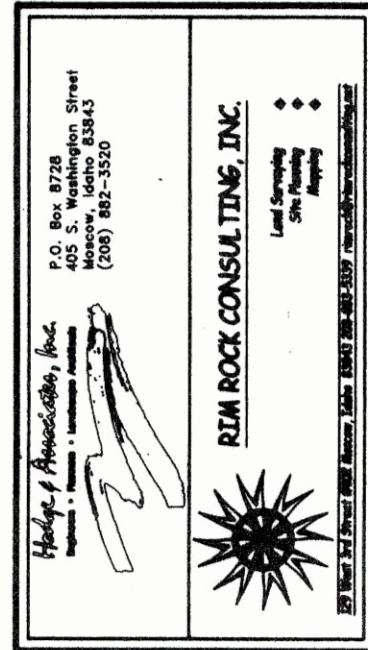
Plat of:
Paradise View Addition
to the City of Moscow, Latah County, Idaho
A Re-Plat of Lot 1, Block 3 of Indian Hills 8th Addition

Drafted by: SW
Checked by: DEP
File Name: 4145 Plat.dwg
Tab: Layout
Plot Style: OCE.ctb
Project: 4145-0519
Date: 7/21/20

1 of 2



Section 17, T39N, R5W, BM



Plat of:
Paradise View Addition
to the City of Moscow, Latah County, Idaho
A Re-Plat of Lot 1, Block 3 of Indian Hills 8th Addition

Drafted by: SW
Checked by: DEP
File Name: 4145 Plat.dwg
Tab: Sign
Plot Style: Default.ctb
Project: 4145-05-19
Date: 7/21/20

2 of 2

Legal Description

a parcel of land located in the S1/2 of the SW1/4 of Section 17, T39N, R5W, B.M., being a portion of Lot 1, Block 3 of Indian Hills 8th Addition to the City of Moscow, Instrument #525967, Latah County, Idaho and being more particularly described as follows:

Beginning at the southeast corner of Lot 1, Block 3 of Indian Hills 8th Addition to the City of Moscow, on the north right-of-way of Palouse River Drive;
Thence along the south line of said Lot 1 and said north right-of-way N88°28'20"W, 251.67 feet;
Thence 31.21 feet along a curve to the right, said curve having a Delta = 89°24'59", Radius = 20.00 feet, Chord = 28.14 feet and a Chord Bearing = N43°45'50"W to the west line of said Lot 3 and the east line of Nursery Street;
Thence along said west line and said east right-of-way, N0°56'39"E, 201.03 feet;
Thence 31.55 feet along a curve to the right, said curve having a Delta = 90°22'43", Radius = 20.00 feet, Chord = 28.38 feet and a Chord Bearing = N46°08'01"E to the north line of said Lot 1 and the south right-of-way of Powers Avenue;
Thence along said north line and said south right-of-way the following two courses:
Thence S88°40'38"E, 127.48 feet;
Thence 6.89 feet along a curve to the left, said curve having a Delta = 1°43'00", Radius = 230.00 feet, Chord = 6.89 feet and a Chord Bearing = S89°32'47"E to the west corner of right-of-way Deed of Dedication, Instrument #594029;
Thence leaving said north line and said south right-of-way, along the south line of said Deed of Dedication 83.61 feet, along a curve to the left, said curve having a Delta = 95°48'43", Radius = 50.00 feet, Chord = 74.20 feet and a Chord Bearing = N81°46'58"E to the north line of Lot 1, Block 3 of Indian Hills 8th Addition;
Thence along said north line, S88°37'52"E, 39.59 feet to the northeast corner of said Lot 1;
Thence along the east line of said Lot 1, S0°01'10"W, 254.36 feet to the Point of Beginning

Parcel contains 1.49 Acres, more or less.

Dedication

Know all persons by these presents, that Moscow Affordable Housing Trust, Inc. owner of the land and premises described above, has caused said land to be subdivided and platted as shown hereon as an addition to the City of Moscow, Latah County, Idaho, to be known as Paradise View Addition to the City of Moscow, Latah County, Idaho. The easements as shown on this plat are hereby reserved for public utility purposes as designated hereon and no permanent structures are to be erected within the lines of said easements. The owner certifies that all lots within this plat will be eligible to receive water service from an existing municipal water system and the existing water distribution system has agreed in writing to serve all of the lots in the subdivision (Section 50-1334, Idaho Code). The owner does herewith declare to offer for dedication to the public for public use the alley right-of-ways and tract A for stormwater Detention.

In witness thereof, the undersigned has set his hand and seal.

Nils Peterson
Moscow Affordable Housing Trust
Nils Peterson, Director

Acknowledgment

State of Idaho
County of Latah

On this 23 day of July, 2020, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared Nils Peterson, known or identified to me to be the director of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

In witness whereof, I hereunto set my hand and official seal.

Megan Hansen
Notary Public,
Residing in Latah, Idaho
My Commission Expires 10-15-2021



Surveyor's Certificate

I, Duane Priest, P.L.S. #6449, State of Idaho, hereby certify that the above platted and described property represents a survey performed by me or under my supervision in accordance with the laws of the State of Idaho, and that the streets, lots, distances, and monuments have been measured and located as shown hereon.
The interior monuments will be set in accordance with Idaho Code 50-1303, on or before 2021, as referenced on the plat and approved by the City of Moscow.
Witness my hand and seal this 22 day of July, 2020.

Duane E. Priest
Duane Priest, PLS #6449

Approvals

Moscow Planning and Zoning Commission

Approval of this plat by the City of Moscow certifies agreement to allow connection of the above described property to the municipal water system and satisfies Section 50-1334, Idaho Code. Examined and approved by action of the Moscow Planning and Zoning Commission at a regular meeting with a quorum present this 10 day of March, 2020.

John Chien
Chairman, Planning and Zoning Commission

Moscow City Council

Examined and approved by action of the Moscow City Council at a regular meeting with a quorum present this 10 day of May, 2020.
Dedication of Tract A, Street right-of-way and all easements described on this plat are hereby accepted in accordance with Section 50-1334, Idaho Code.

John Chien
Clerk
Paul J. Chamber
Mayor, City of Moscow

City Engineer, City of Moscow

Examined and approved by the City Engineer this 14 day of September, 2020.

John Chien
City Engineer, City of Moscow

Latah County Surveyor

Examined and approved by the Latah County Surveyor this 24 day of September, 2020.

John Chien
Latah County Surveyor

Latah County Treasurer

I hereby certify that taxes and assessments on property shown hereon have been paid for 2019 and preceding years as of this 24 day of September, 2020.

John Chien
Latah County Treasurer



Public Health - Idaho North Central Health District

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied. Sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval.

Dan M. Becker
Public Health - Idaho North Central Health District,
Senior Environmental Health Specialist

9/11/2020
Date

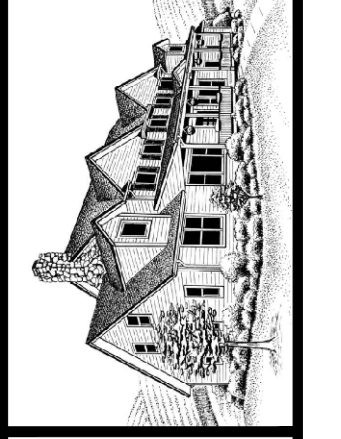
608940

NO. AT THE REQUEST OF:

Nils Peterson
DATE & HOUR:

9/24/2020 4:03 PM
HENRIANNE WESTBERG
LATAH COUNTY RECORDER

FEE \$ 11.00 BY *Shapma?*



NURSERY STREET RESIDENCE
1906 NURSERY STREET, MOSCOW, ID 83843

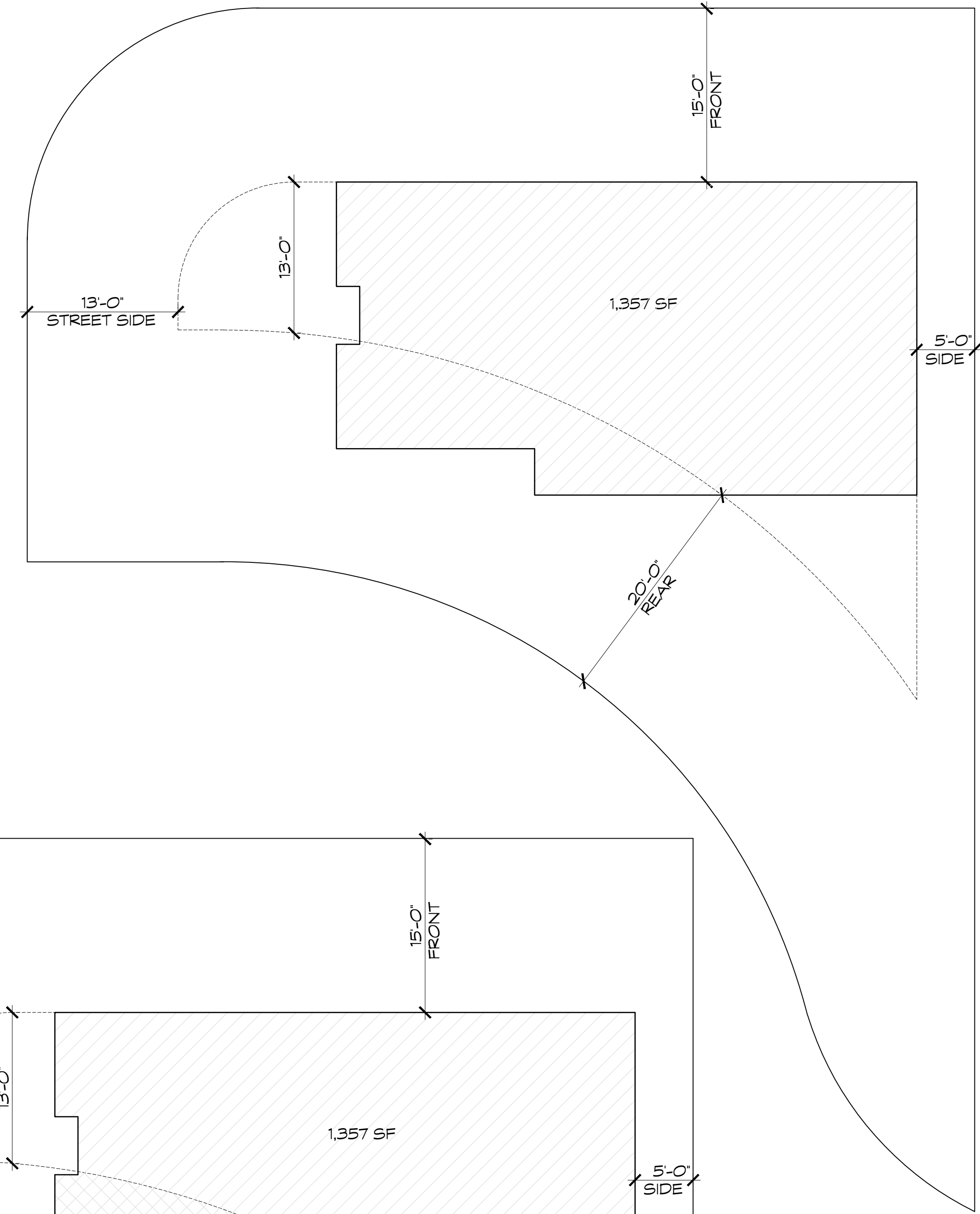
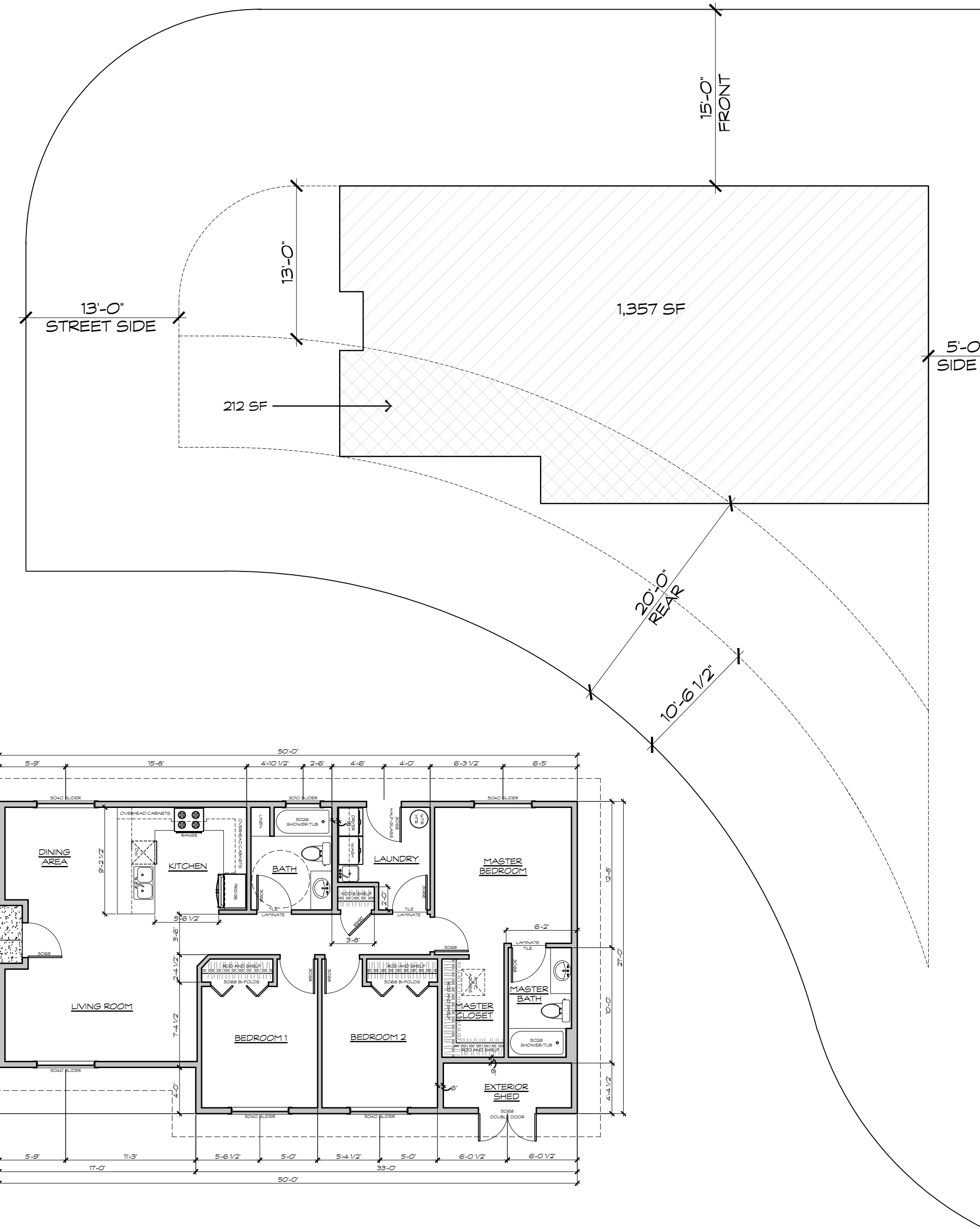
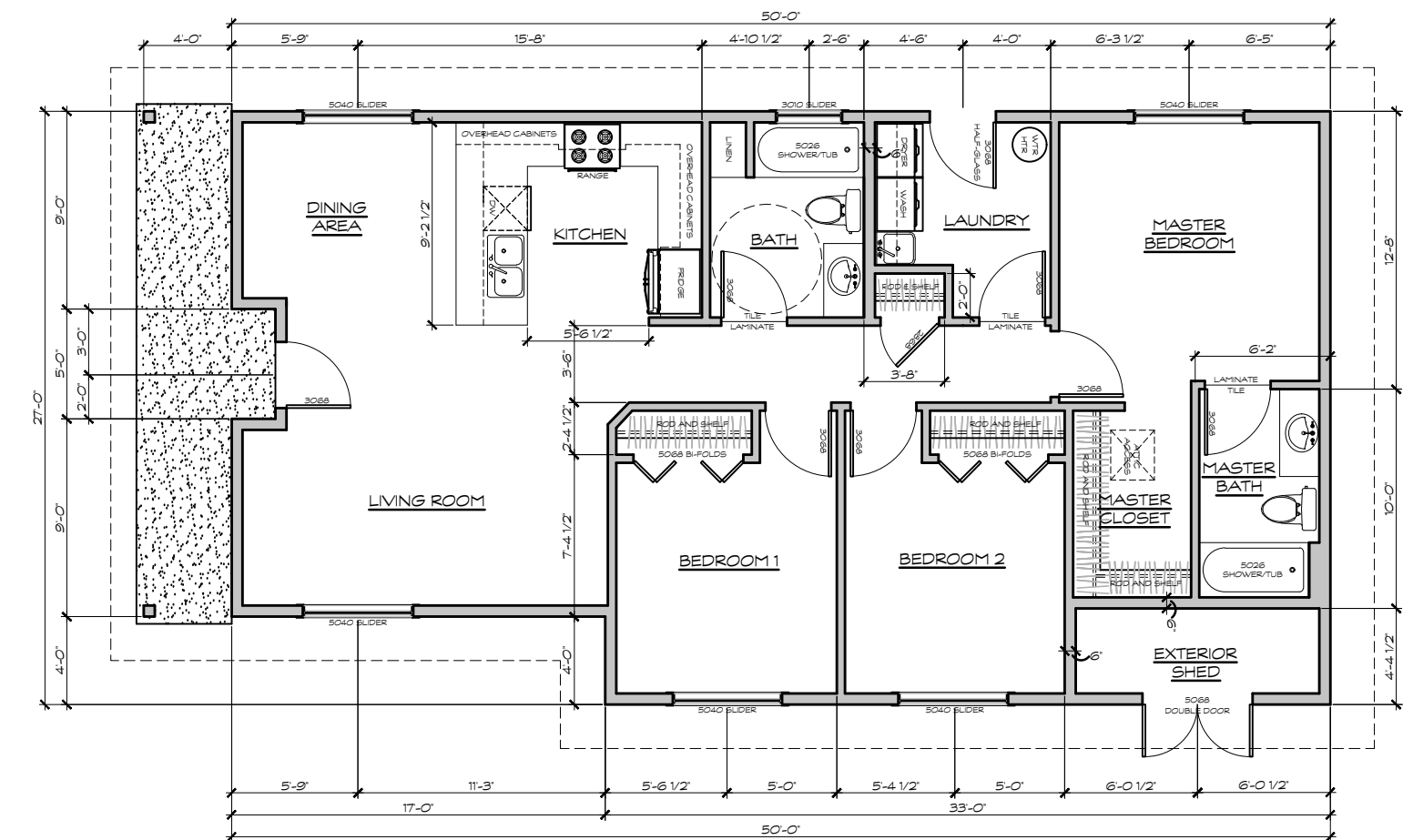
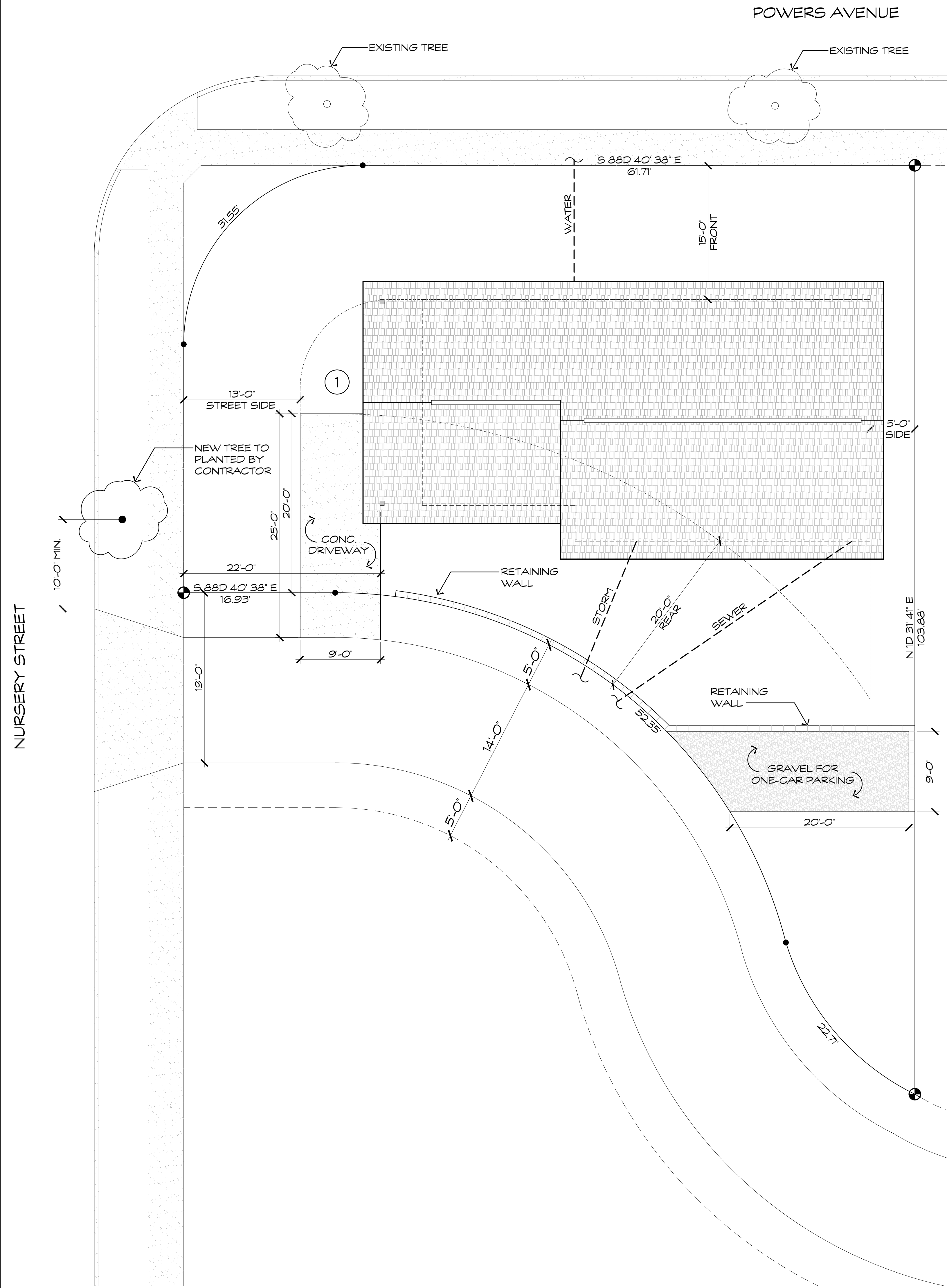
1906 NURSERY STREET, MOSCOW, ID 83843

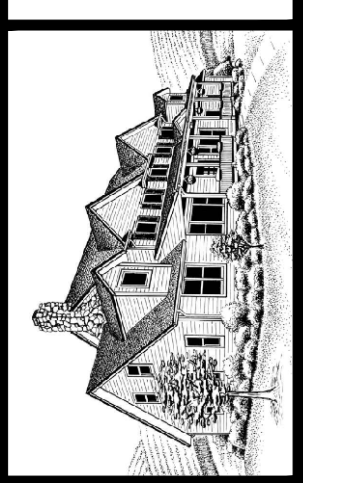
SUPPLEMENTAL
SITE DRAWING
INFO

DESIGN: DWS
DRAWN: DWS
DATE: -
PROJECT NO:
2023-17



 SHEET ____ OF ____





NURSERY STREET RESIDENCE

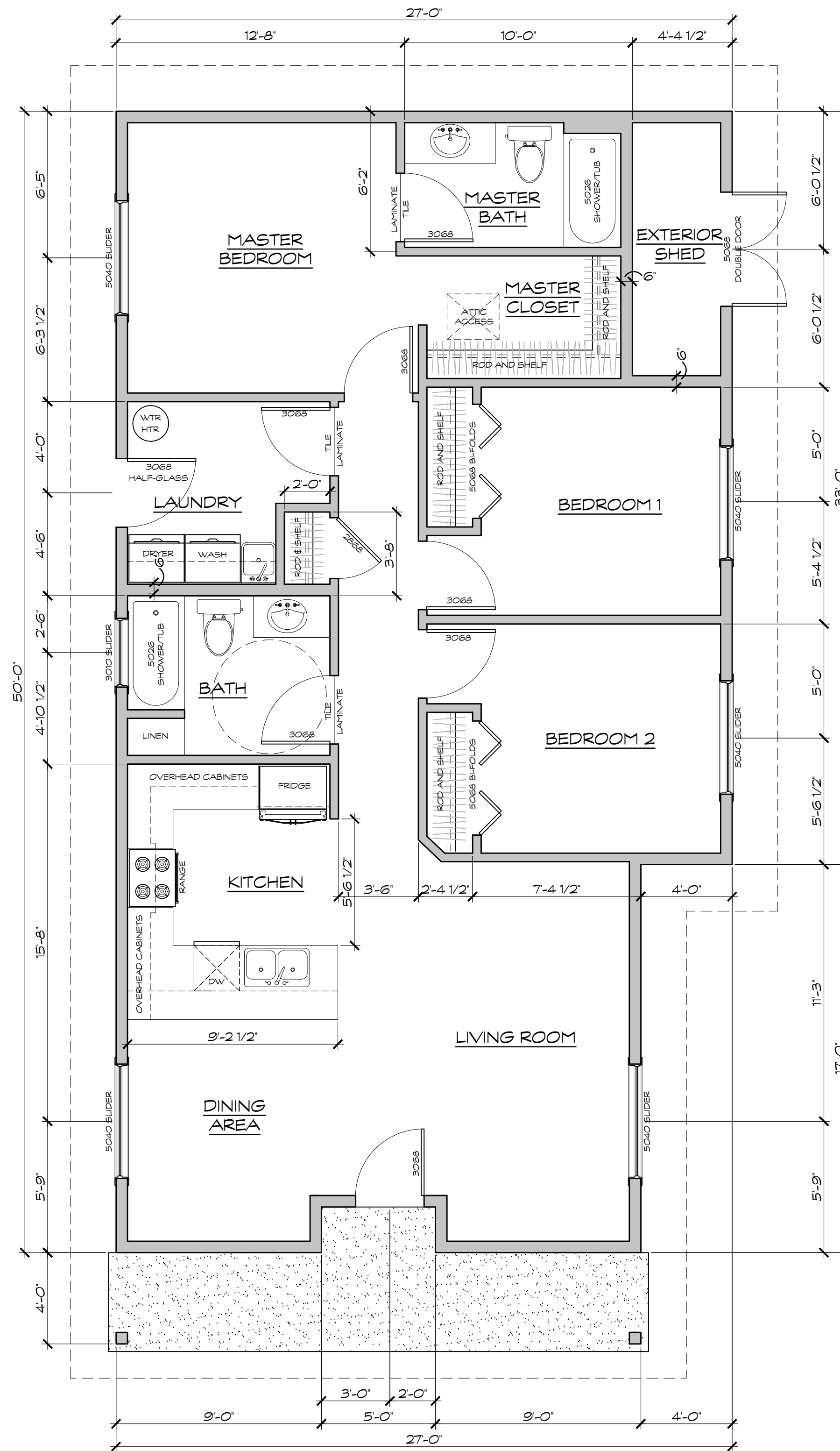
1906 NURSERY STREET, MOSCOW, ID 83843

FLOOR PLAN,
ROOF FRAMING PLAN,
ROOF PLAN AND
RAKE OVERHANG LIMITS DETAIL

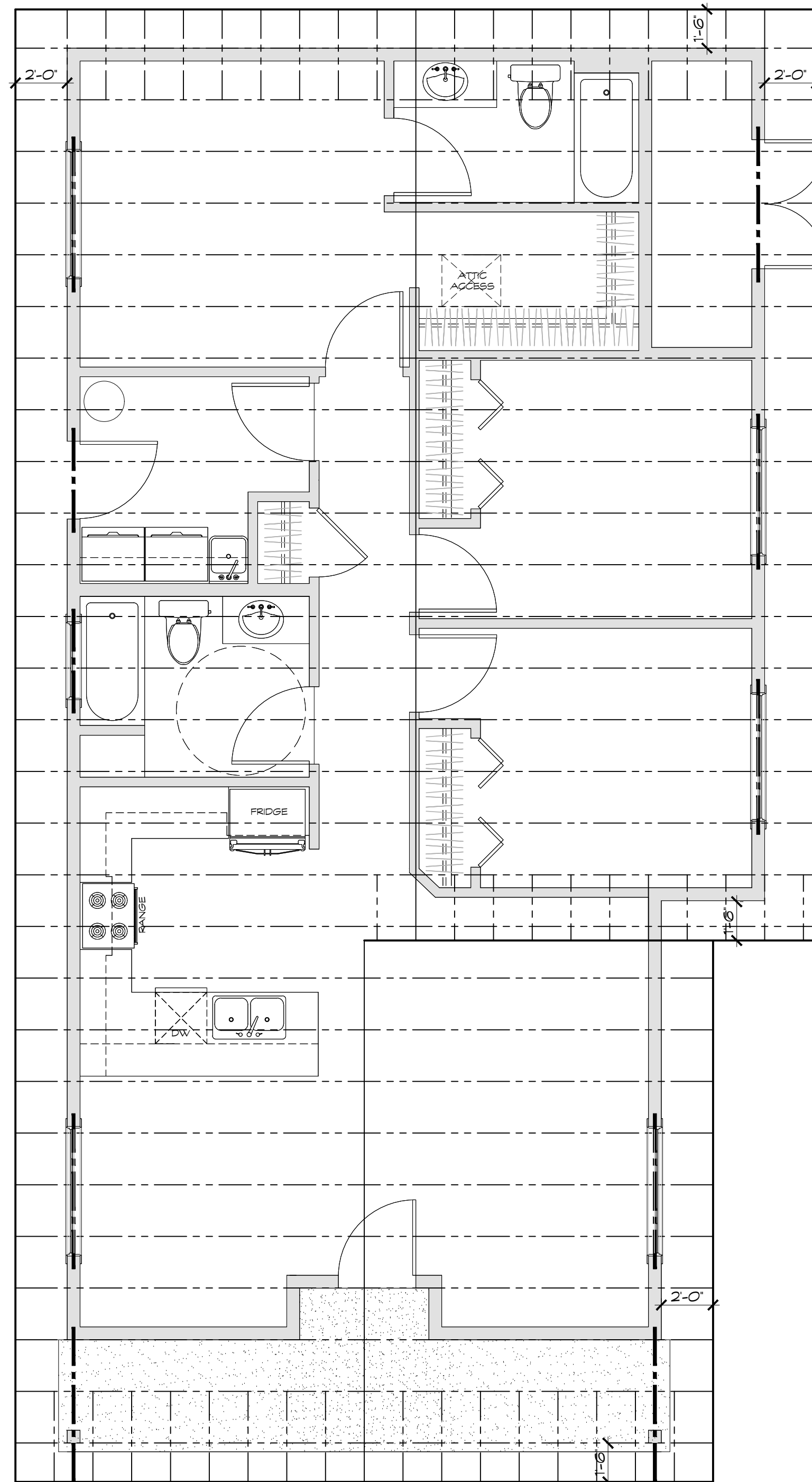
LICENSED
ARCHITECT
AR-986371
DARRYL W. SHERMAN
STATE OF IDAHO
06/29/24

DESIGN: DWS
DRAWN: DWS
DATE: 05/21/24
PROJECT NO:
2023-17

A-3
SHEET 3 OF 5

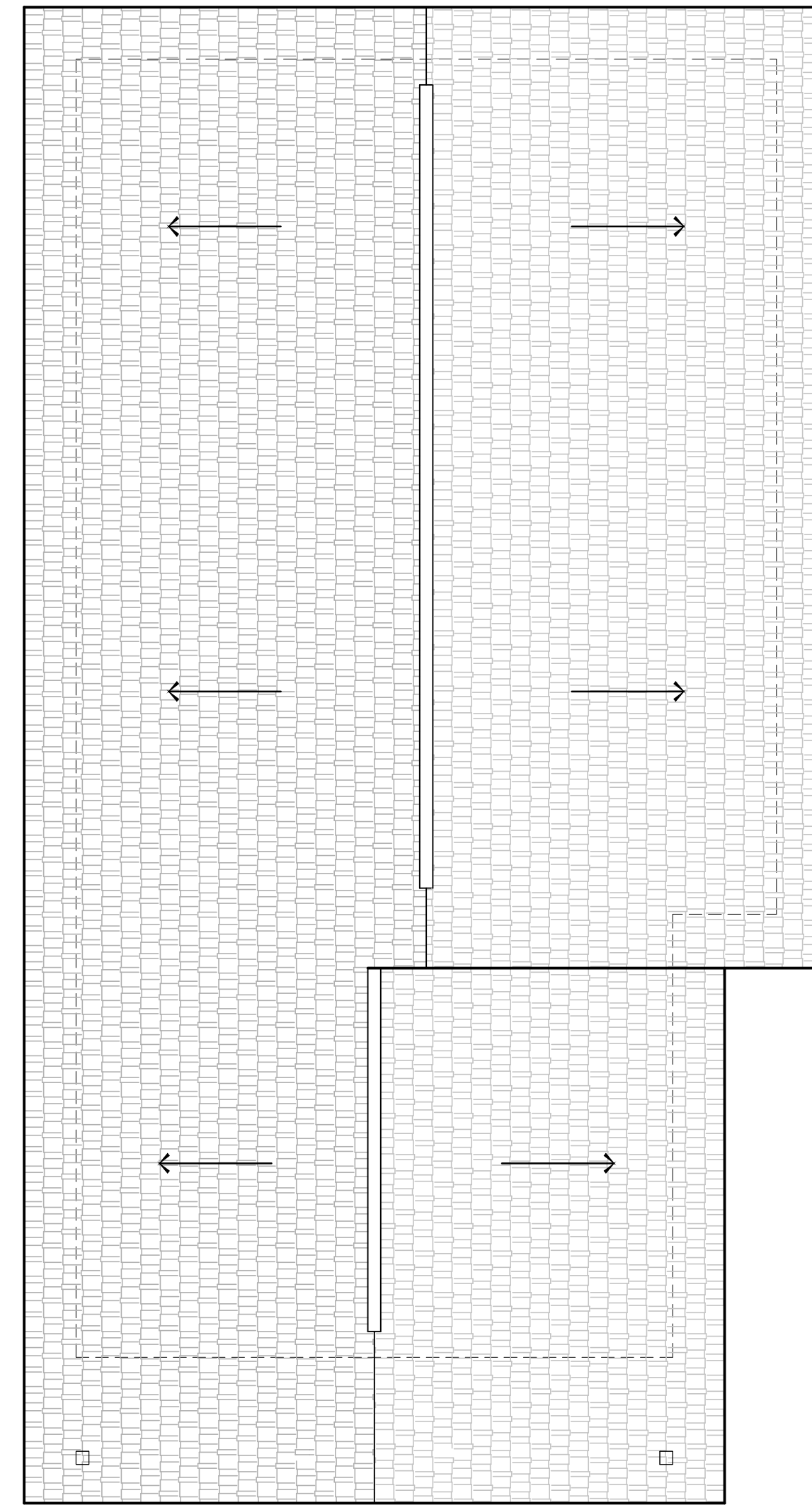


NORTH
1
A-3
FLOOR PLAN
SCALE: 1/4" = 1'-0"

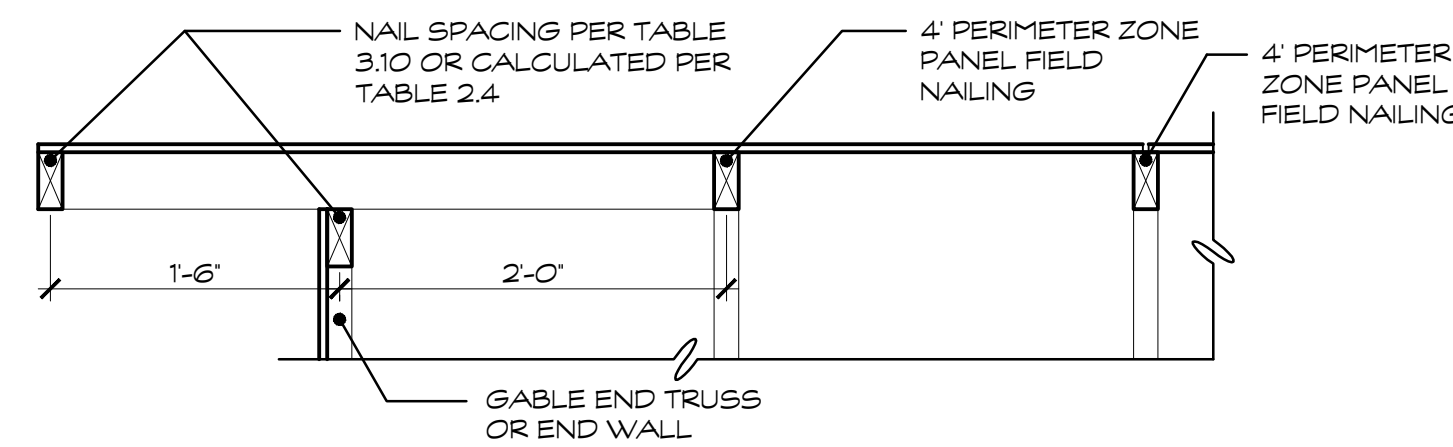
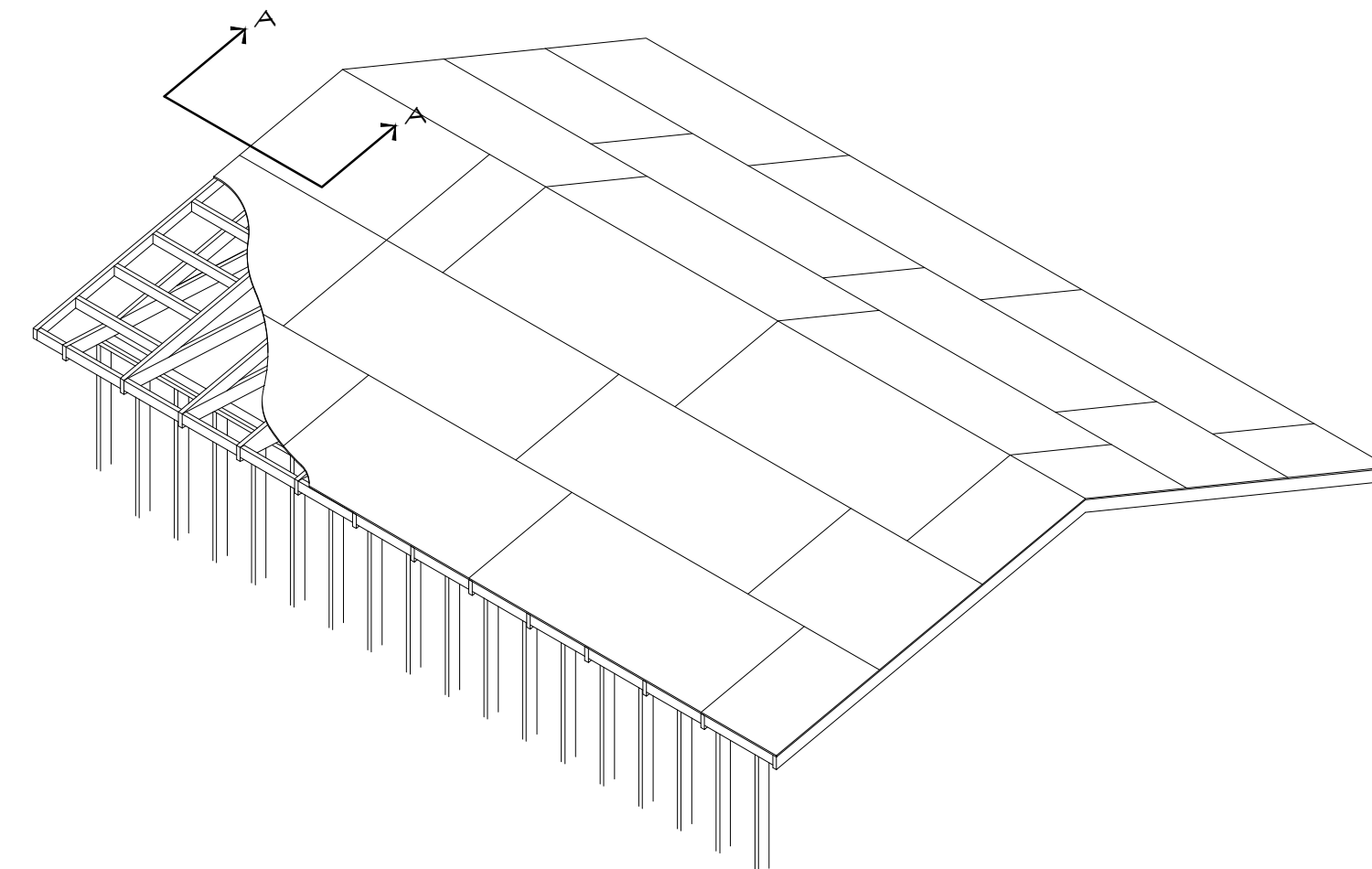


NOTE:
ENGINEERED ROOF TRUSSES TO BE PROVIDED BY PRODUCT
MANUFACTURER AND WILL BE SUBMITTED WITH ARCHITECTURAL
PLANS BY CONTRACTOR FOR PERMITTING.

NORTH
2
A-3
ROOF FRAMING PLAN
SCALE: 1/4" = 1'-0"

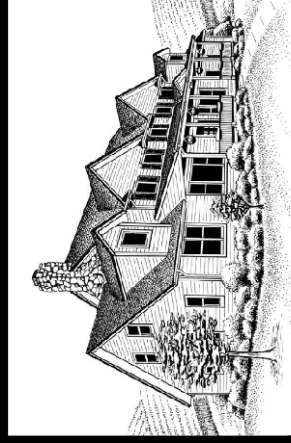


NORTH
3
A-3
ROOF PLAN
SCALE: 3/16" = 1'-0"



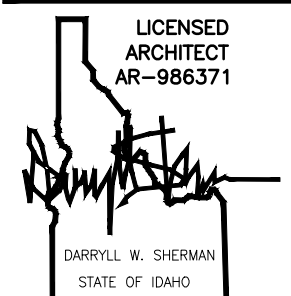
SECTION A-A

4
A-3
RAKE OVERHANG LIMITS LOOKOUT BLOCK
SCALE: NONE



NURSERY STREET RESIDENCE
1906 NURSERY STREET, MOSCOW, ID 83843

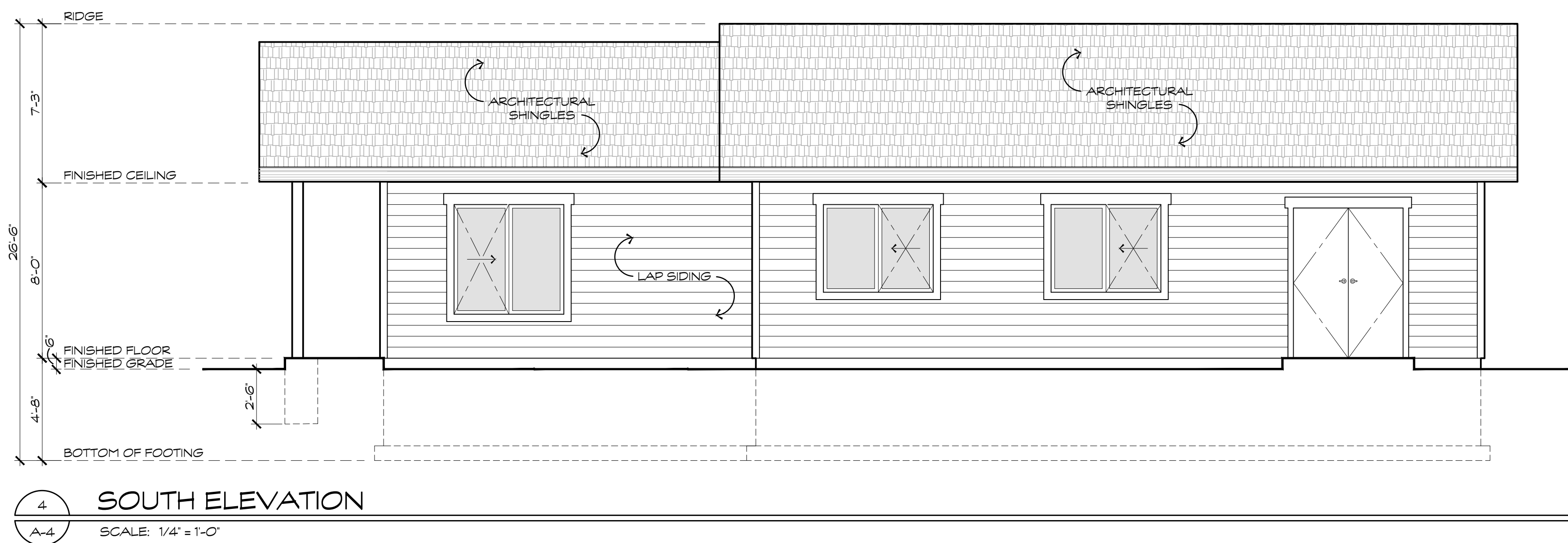
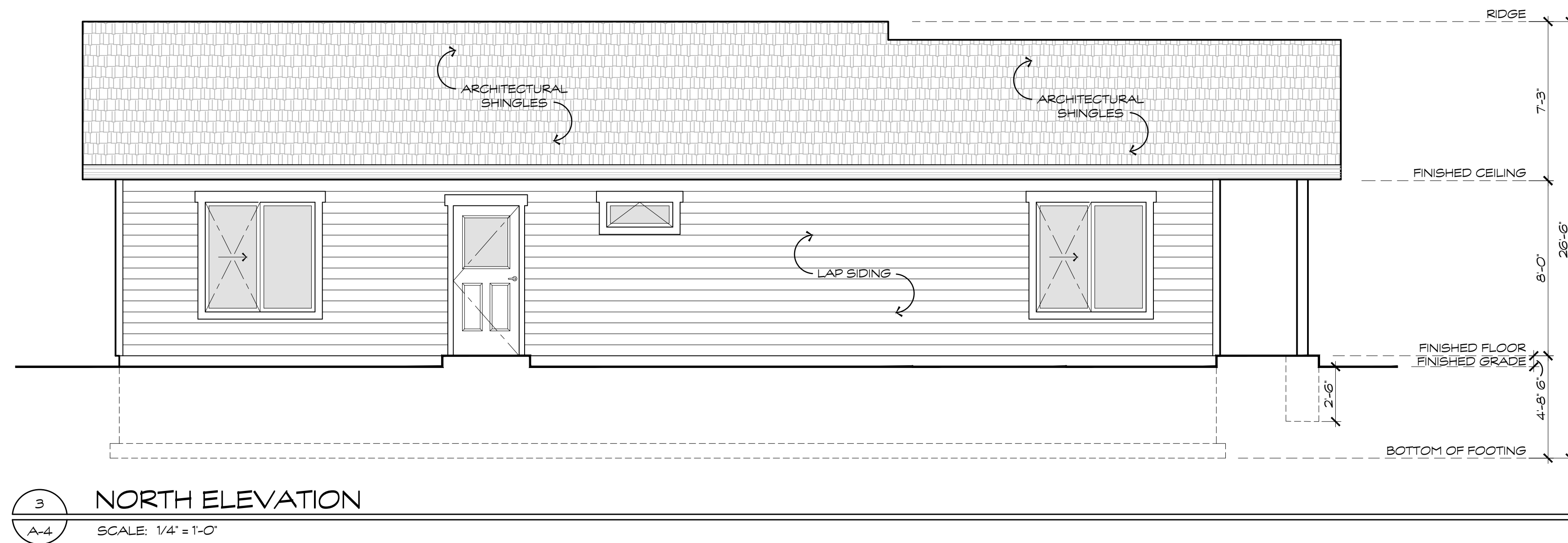
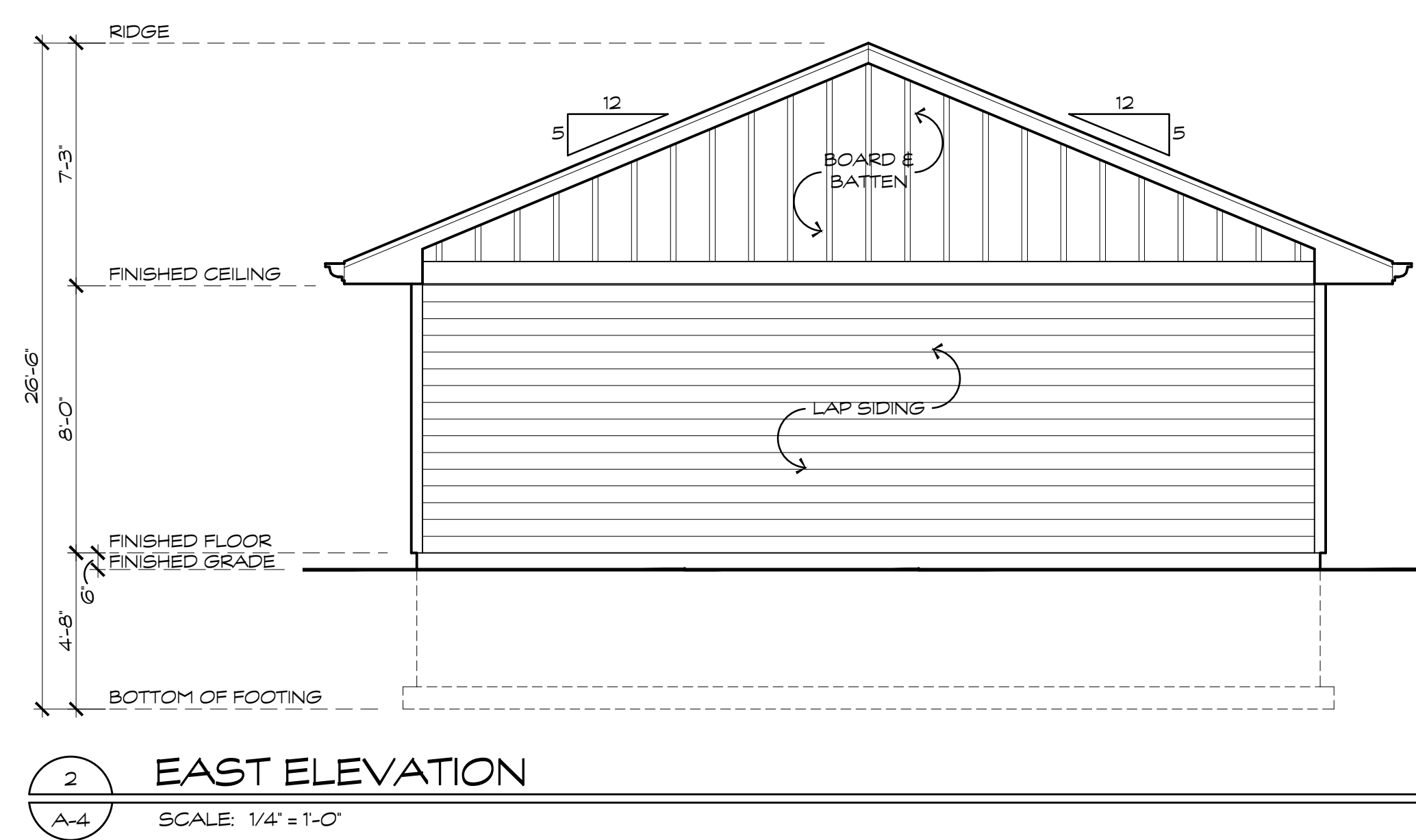
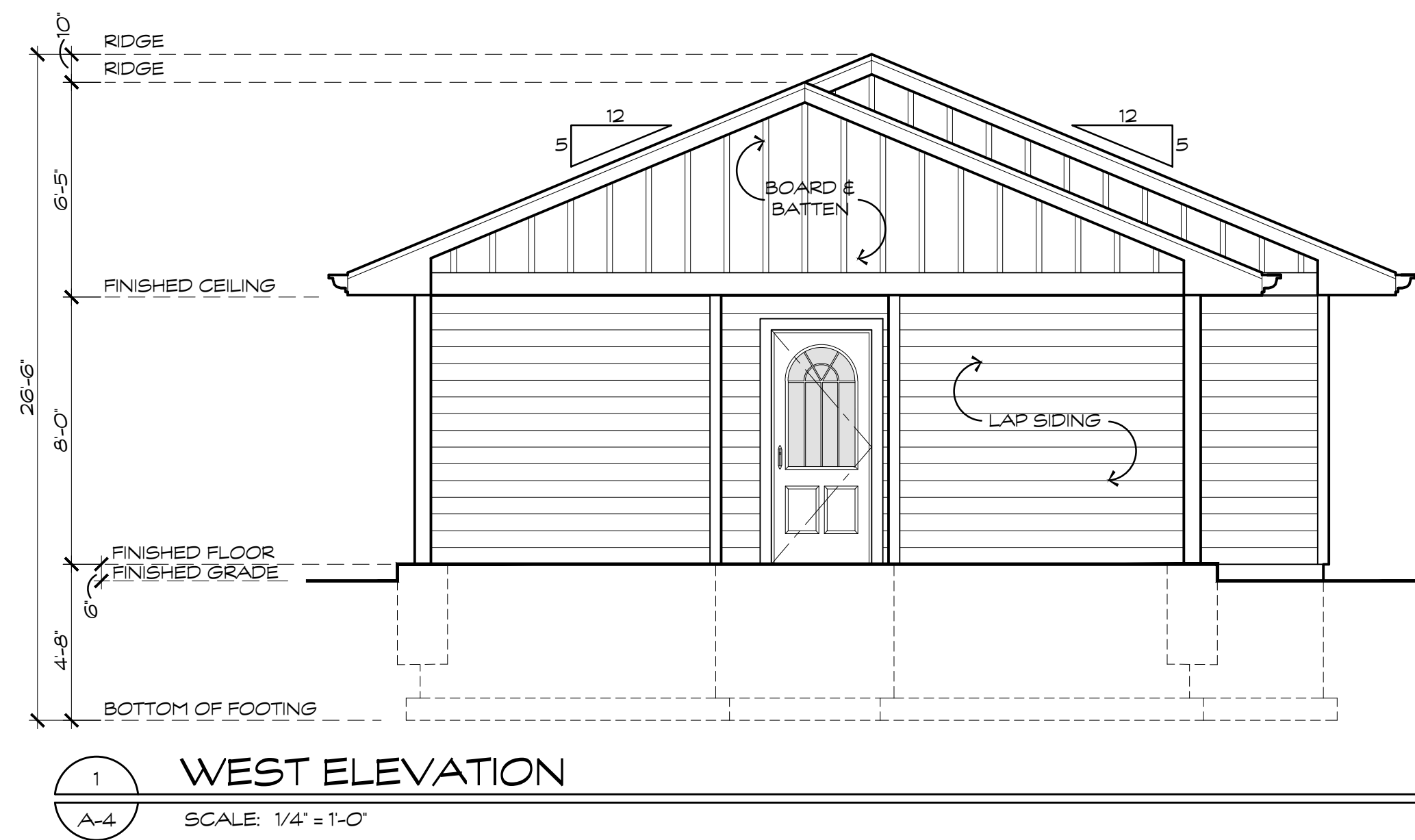
ELEVATIONS



06/29/24

DESIGN: DWS
DRAWN: DWS
DATE: 05/21/24
PROJECT NO: 2023-17

A-4
SHEET 4 OF 5



COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

HEARING DATE: Tuesday October 22nd, 2024

GENERAL INFORMATION

Hearing Body: Board of Adjustment

Subject: LUP2024-0029 - 110 S Jackson Street – An application for a large daycare facility, allowing 21 or more children, in the Central Business (CB) Zoning District per MCC 4-3-4.

Attachments: A. Public Hearing Notice – published in the Moscow-Pullman Daily News on Saturday, October 5, 2024

B. Conditional Use Permit Application

1. Site Plan
2. Floor Plan

C. Relevant Criteria and Standards Worksheet

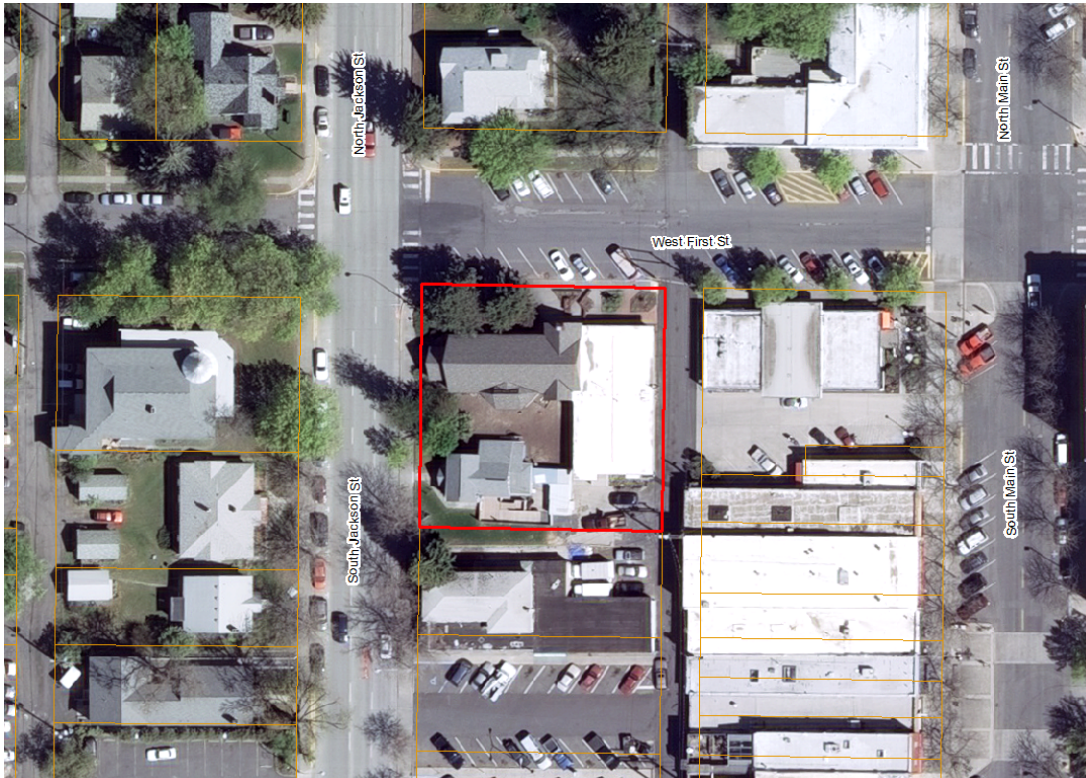
Prepared by: Aimee Hennrich, AICP

STAFF REVIEW

Proposal: The applicant is proposing to operate a large daycare facility allowing 21 or more children at 110 S Jackson Street. The daycare will operate from 8:00 am to 5:00 pm Monday through Friday. The location would offer full day childcare to infants, toddlers, preschool age, and grade school children.

Background: Records indicate the use of the property as an older church building, a 1963 daycare/school addition, and a former residential building also used as a daycare. Over the years, the subject property has been the location for daycare facilities such as Success by 6, New Discovery's Playschool, and Learning Garden. Historical records show that New Discovery's Playschool and Learning Garden were approved for Conditional Use Permits in 2012 and 2016 respectfully. Most recently, the space has been occupied by Lotus Early

Learning, Behavior Intervention Program, an allowed use, by right. Lotus Early Learning would like to become licensed as a large daycare facility. Since the subject property has not been used as a daycare facility for over two years, the applicant must acquire a Conditional Use Permit.



Aerial

Site and Area Land Use: The subject property is a 125 ft. by 125 ft. lot located at the southwest corner of First Street and Jackson Street. Adjacent property uses include an apartment complex to the north, Zions Bank to the east, a planning and architecture firm with residential uses above to the south, and residential office uses across Jackson Street to the west.

Streets and Access: The property has vehicular access by way of a 20 ft. wide public alley on the east side of the property. First Street provides 45 degree on-street parking for the surrounding uses.

Zoning: The subject property is located within the Central Business (CB) Zoning District which requires a Conditional Use Permit (CUP) for large daycare facilities per MCC 4-3-4. The property is surrounded by the CB Zone adjacent to the north, south and east. The Residential Office (RO) Zone is located to the west across Jackson Street.

Parking and Loading: Permitted uses in the CB Zone are not required to provide off-street parking. A large daycare facility is required to provide loading space for at least two

(2) vehicles provided in a manner that will not result in a safety hazard and can be provided on-street where the space is reserved or generally available and located on the same side of the street; off-street where ingress and egress does not require backing movements; or other loading space as determined safe by the City Engineer considering exiting street and traffic conditions

The applicant has proposed using two conventional parking spaces located behind the property via alley access to satisfy the loading zone requirement. Additional parking is available in a first-come, first served manor adjacent to the north, on First Street.

Outdoor Play Area: Child Care Facilities shall provide a contained or fenced outdoor play area sufficient to comply with the spatial standards required by City Code. Sight-proof fencing or sight-proof landscaping shall be provided on perimeters of such outdoor play areas where necessary to protect the privacy of neighbors' yards.

The applicant has shown a sufficient fenced outdoor play area on the site plan that complies with City Code requirements.



Zoning

Comprehensive Plan: Chapter 2, Community Character and Land Use, designates the subject property as Urban Commercial (UC). Urban Commercial designated areas are intended to provide for the most intensive mix of commercial and residential uses in a pedestrian orientated manner. This is appropriately applied within the City’s downtown urban core and the immediate surrounding area where it is deemed appropriate.

Chapter 3, Community Mobility, identifies First Street as a local street and Jackson Street as a National Highway.

A Goal of Chapter 6, Economic Development, is to “provide for sustainable economic growth and employment opportunities where existing and new businesses can thrive, while preserving and enhancing the character of the community.”

Another Goal of Chapter 6 is to, “Enhance and strengthen the regional economy utilizing the strengths and assets of the region. “

Input from other Departments/Agencies: No comments were received from other departments/agencies upon review of the request for the conditional use permit.

RELEVANT CRITERIA AND STANDARDS

The following statements may be used for the Relevant Criteria and Standards or changed to include or remove any statement deemed necessary or appropriate by the Board.

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 proposed use (will/will not) be in conflict with the Comprehensive Plan.

RECOMMENDATION FOR CONDITIONAL USE PERMIT APPLICATION

The Board has the option to approve, approve with conditions, or deny the application subject to the Relevant Criteria and Standards and any public testimony provided at the public hearing. The Board may also table the decision for the application in order to request more information, including studies of social, economic, fiscal and environmental effects of the proposed Conditional Use Permit.

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 on- or off-site 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.

Staff recommends **approval** of the application for a Conditional Use Permit for a large daycare facility, allowing 21 or more children, located at 110 S Jackson St with no conditions.

In accordance with the Board's decision, direct staff to prepare the Relevant Criteria and Standards document.

NOTICE OF PUBLIC HEARING

Proposal for Conditional Use Permit at 110 S Jackson Street
Permit Application LUP2024-0029

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 proposed large daycare located at 110 S Jackson Street within the Central Business (CB) Zoning District per MCC 4-3-5(C).

HEARING DATE: Tuesday, October 22, 2024

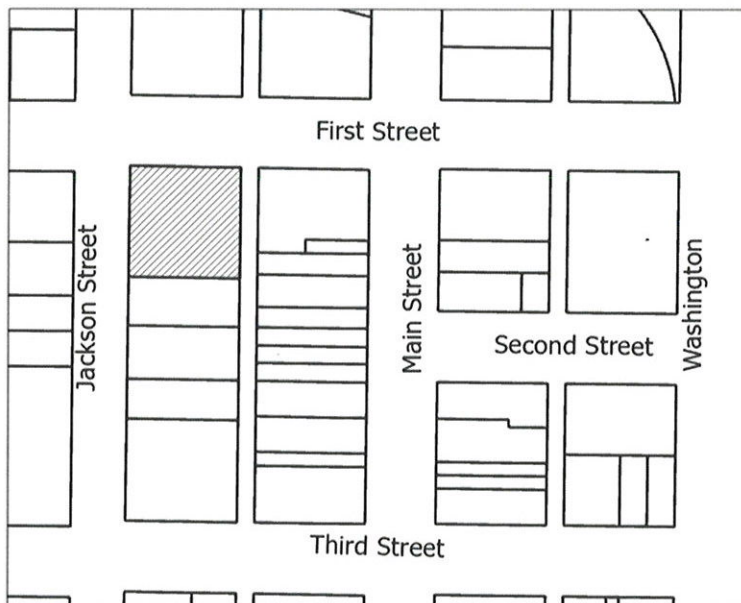
HEARING LOCATION: Council Chambers on the Second Floor of Moscow City Hall
206 East Third Street, Moscow, Idaho

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 Haddock Building 504 S Washington 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: <https://www.ci.moscow.id.us/593/Public-Hearing-Notices>



Laurie Hopkins, Moscow City
Clerk


Jennifer Fleishman, Deputy City
Clerk

Published: Saturday, October 5, 2024



**CITY OF MOSCOW
COMMUNITY DEVELOPMENT**
Ph: 208-883-7035
504 S. Washington Street
jfleischman@ci.moscow.id.us
ahennrich@ci.moscow.id.us

For City Use Only			
Date Received		8/27/24	
Dept	Fee Type	Fees	Paid
CDV	Application Fee	\$561.00	8/27
Receipt Number		LUP2024-0029	

APPLICATION FOR CONDITIONAL USE PERMIT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. Applicant

Name: Jessie Davis Phone: 208 582-3281
Address: 110 S. Jackson Street, Moscow, ID 83843 Email: jessied@lotusearlylearning.org

Relationship to affected property (please check one):

Owner ☐ Purchaser ☐ Lessee ☒ Other ☐ (explain below)

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

Name: The United Church of Moscow Phone: 208 882-2924
Address: 123 W. First Street Email: _____

3. Location of Affected Property: 110 S. Jackson Street

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

Legal Description: West Part of Moscow Addition 2 1 & 2
(Subdivision) (Block) (Lot)

INFORMATION ON REQUESTED CONDITIONAL USE

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

Lotus Early Learning is a Behavioral Intervention Program that proposes to add Early Learning Childcare to their programming that would be housed in their current location in property owned by The United Church of Moscow at 110 S. Jackson and a portion of the basement at 123 W. First Street. The program would offer full-day, quality childcare to young children (infants, toddlers, preschoolers, gradeschoolers) and youths.

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.
Business Hours: Monday-Friday 8 AM to 5 PM. Parents will drop off children throughout the day with staff. Children will be engaged in early learning activities and routines indoors and in outdoor playspaces onsite and in the community Indoor spaces to include the building at 110 S. Jackson and designated rooms in the basement of 123 W. 1st Street.
Lotus will likely range in staff numbers between 5 and 15 staff members at any time for 12-25 children receiving group or individualized care. This location previously operated a child care, "New Discoveries Playschool."
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: This location is zoned for Central Business. As such the proposed usage will not be an out of character nuisance. Children will largely be contained on premises during business hours with appropriate supervision to maintain Central Business zoning activities. The business will be licensed through the city and state with assurances to follow regulatory expectations.

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: This space has previously housed childcare facilities in the existing neighborhood in harmony with character and land uses. The location offers close proximity to local business and community services as a benefit to the children and families utilizing the childcare and local employees needing childcare As the children will largely stay inside buildings and the fenced play area there should not be a conflict with the surrounding neighborhood and land uses and instead provide a needed benefit

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: Services offered by Lotus Early Learning will largely be contained on site and not impact the neighboring community. As it is zoned for central business no additional parking is required, but there are 3 temporary spots on the property for parents to pick up and drop-off their children (see site map). The playground is enclosed with fencing to reduce and eliminate transference of any nuisances to and from the site.

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: Options for quality, convenient, early learning opportunities for children and youths is in high demand in Moscow. The downtown location is easy to access and provides community opportunities for the children they otherwise may not have access to. The owner of Lotus is committed to providing children and families with rich environments and well-educated staff that are able to foster relationship-based learning to master skills that increase autonomy and independence in their homes, schools, and communities.

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

Justification and compliance with criteria #5: The indoor and outdoor spaces were previously designed for use with children and for childcare in past usage agreements. Appropriate inspections and licensure will be acquired following regulatory expectations to return to providing childcare services in this location. As the children will largely be onsite to receive their services no endangerment to public health or safety is expected.

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

Justification and compliance with criteria #6: As this is an existing site previously utilized as a childcare, the continued conditional use of the sites indicated on the map as a childcare meets applicable development standards of the Central Business Zoning Code in which it is located. Parking requirements required of other city zoning requirements are not required in the Central Business Zone.

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

Justification and compliance with criteria #7: Lotus Early Learning should contribute to the Comprehensive Plan for maintaining walkable/bikeable access to services to a compact small town by offering childcare in a central location. Permitting for childcare usage in this location will also support the economic strategy of encouraging economic growth by expanding business in an existing location that preserves and enhances the character of the community through the addition of a quality early program in an existing building.

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 (1) 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 Community Development Department at least twenty-one (21) days prior to the hearing at which the application is to be considered by the Board. Applicant will be notified by the City Planner I as to the time, date, and place of the hearing pertaining to this application.

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)

I understand this information is a public record and may be posted to a public website. I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

Jessie Davis MS BLP

Signature of Applicant

Aug 16, 2024

Date

Meredith Goodwin

Signature of Property Owner (if different)

Aug 23, 2024

Date

ArcGIS Web Map



5/7/2024, 3:38:38 PM

Image



Blue: Blue

Road Centerlines



Red: Red



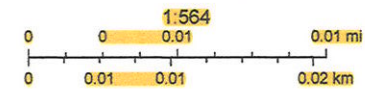
Area of Impact



ArcGIS.DBO.Parcel



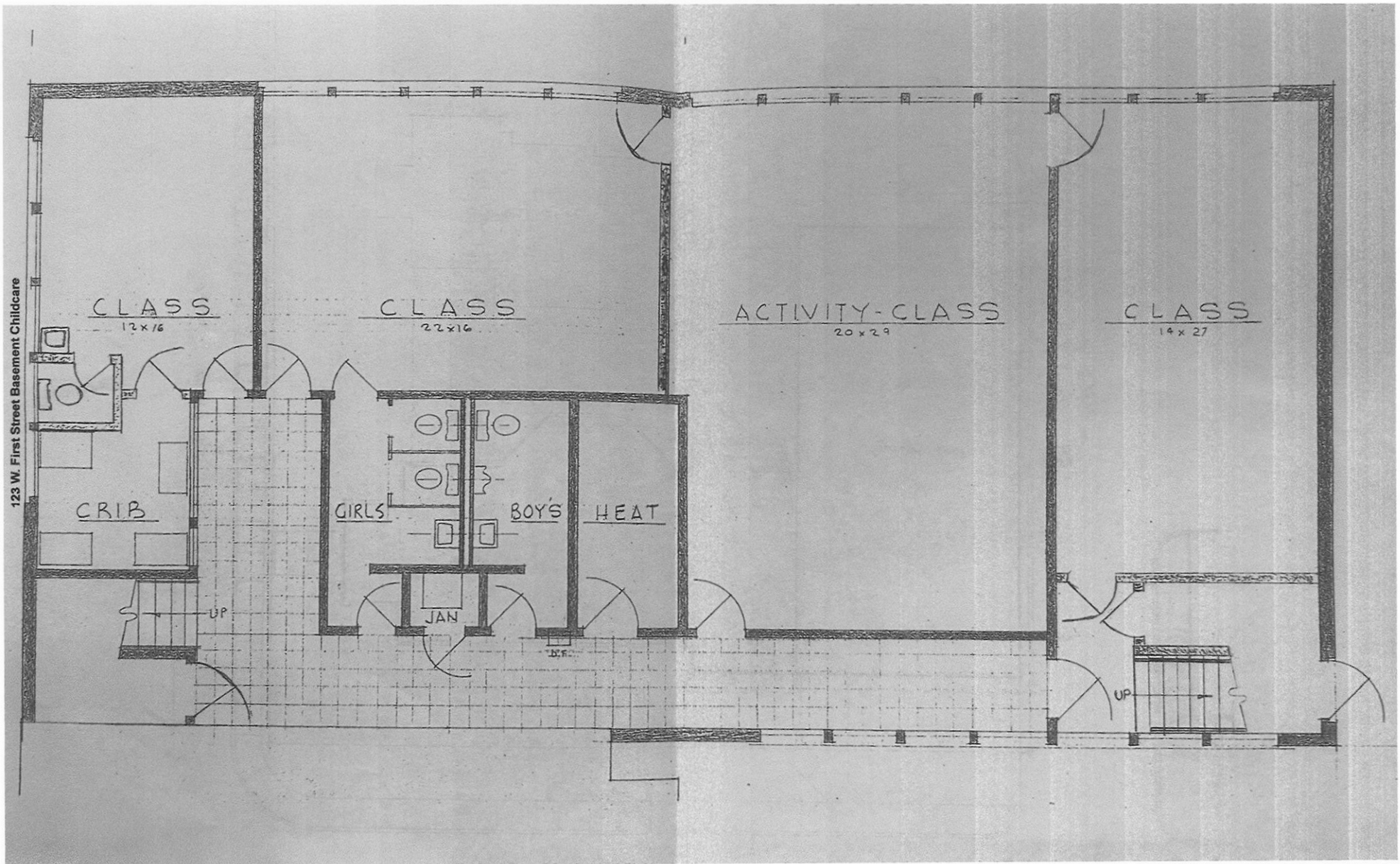
Green: Green



University of Idaho, Bureau of Land Management, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, City of Moscow Engineering

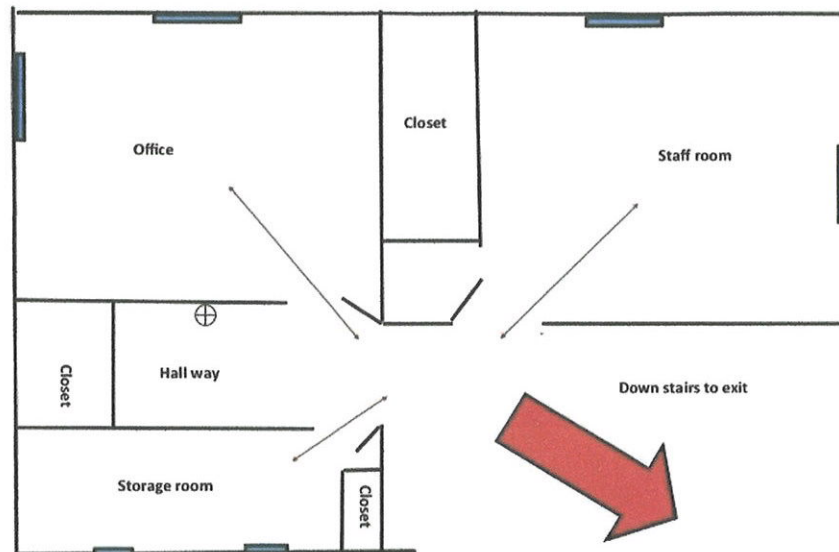
ArcGIS Web AppBuilder

University of Idaho, Bureau of Land Management, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | City of Moscow | City of Moscow Engineering Department | City of Moscow, Engineering, cedwards |



110 S. Jackson Street

Upstairs



110 S. Jackson Street

Main Floor

