

Buhl Planning & Zoning

JANUARY 19, 2022
203 Broadway Ave N

MINUTES

COMMISSIONERS PRESENT:

Barbara Gietzen	Commission President
Jeannie Gannon	Commission Member
Gary Dannenhauer	Commission Member
Jason Richardson	Commission Member
Patricia Beltran	Commission Member

CITY STAFF PRESENT:

Scott Bybee	P & Z Administrator
Regie Finney	Public Works Director
Teresa Robbins	Public Works Clerk
Karen Drown	City Clerk
Jazmine Mills	Assistant Clerk

ALSO PRESENT:

Lur Napoles	Applicant
Bruno Napoles	Applicant Representative
Concerned Citizens	

OPENING

The meeting was called to order at 10:30 AM.

Patricia Beltran stated that she lives within the 300 square foot radius of the property listed in the rezone application and that there was no economic interest.

CONFIRMATION OF QUORUM for Public Hearing:

Scott Bybee confirmed a quorum.

PUBLIC HEARING

Barbara Gietzen asked the applicant to make a statement. Bruno Napoles stated that he would speak on behalf of Lur Napoles. They would like to be able to build storage units on the property located at the corner of Peck and Sunrise View. The application for rezone would allow that business to be there. There will be two (2) exits and two (2) entrances and minimal lighting. They would like to fill the need for storage in this community and keep people close to home instead of having residents commute to a storage unit in Twin Falls or someplace else.

STAFF REPORT

Scott Bybee confirmed that the application for rezone met all the requirement for a complete application and all fees were paid. The request is to rezone the property from R-4 to B-3. There are three (3) zones that allow stick-built storage units: B-1, B-2, and B-3. He strongly stated that this application is only for a zone change and not the approval of storage units. To have approval for building the storage units, a building permit is needed.

Buhl Planning & Zoning

Barbara Gietzen asked if there were any questions from the Board.

Barbara asked if there will be staff on-site. Bruno stated no, there will be remote security cameras where the property can be observed via their phones. Jeannie questioned if the proposed storage units would be on a foundation. Bruno stated yes. Jeannie asked if there will be fire protection. Bruno stated that there will be a wider entrance facing Sunrise View and the spaces between each storage building will follow fire code.

Barbara Gietzen asked if there was any testimony in support of the application. There was none.

Barbara Gietzen asked if there was any testimony in opposition of the application.

- Alisa Atkinson stated that she is opposed to the rezone application. She is concerned about having a commercially zoned property near residential living, high traffic impact on 4225 N and Peck St, road widths, and property value depreciation. She stated that if the pasture is zoned commercial, the land could be subdivided, sold, and multiple businesses could move into the neighborhood.
- Ron Orr stated that he is opposed to the rezone application. He is concerned about neighborhood safety, garbage/debris, property value depreciation, lack of impact studies, lack of infrastructure, insurance, fire protection, lighting, noise, high traffic load on Peck St, fencing, irrigation water rights, and the storage unit area becoming an eyesore. He requests an 8-foot block wall to fence the area along property line if this is approved.
- Clarence Knudson stated that he is opposed to the rezone application. His concerns were about property values, neighborhood safety, traffic load, obstructed views, preservation of quiet neighborhood, and the continuity of the previous Commission's decision to zone the area as residential.
- Sherry Dillard stated that she is opposed to the rezone application. Her concern was the Napoles's lack of due diligence prior to annexing the pasture. She stated that if it would've been left out of city limits, the property would've been viable since a well and septic could be put in. She also stated that she rents a storage unit in Filer, ID and does not consider it an inconvenience to drive out there for storage.

Barbara Gietzen opened up the discussion for rebuttal.

- Bruno Napoles stated that they have considered all the neighbors' concerns. The 24-hr access to the units is amendable. They will make sure that the storage units are lit for safety. As to water rights, they are willing to put in pipes there. He stated that they are trying to do something to benefit the community.

Barbara Gietzen closed the public hearing discussion at 10:55 AM.

Buhl Planning & Zoning

REGULAR MEETING

CONFIRMATION OF QUORUM:

Scott Bybee confirmed a quorum.

OLD BUSINESS:

Minutes of December 21, 2021: Jason Richardson would like a copy of the ex parte law. The Planning and Zoning office will provide the Board copies. Jeannie Gannon moved to approve the minutes; Patricia Beltran seconded the motion. There was no discussion; the motion passed.

NEW BUSINESS:

Public Hearing #1: Consideration of the request by Lur Napoles for a change of zone from R-4 to B-3 to allow the construction of storage units.

Jason Richardson made the motion to not approve the request for a rezone. Patricia Beltran seconded the motion. Jason Richardson stated that with this much community opposition, it wouldn't be wise to approve this request. He does agree that storage units will devalue the area. There was further discussion about the surrounding areas and how they were zoned. Gary Dannenhauer asked if there were storage units nearby. It was confirmed that there are storage units on Barsness Ave. Jeannie Gannon does not like the idea of changing the zone to commercial.

Barbara Gietzen, Jeannie Gannon, Jason Richardson, Patricia Beltran voted yes to deny the rezone request. Gary Dannenhauer voted no. The motion to deny request was passed on a 4-1 vote.

Barbara Gietzen informed the applicants that an appeal can be made to the Buhl City Council.

COMMISSION CONCERNS—There were none.

CITIZEN CONCERNS—There were none.

MEETING ADJOURNED

Jason Richardson moved that the meeting be adjourned; Patricia Beltran seconded the motion and all were in favor. The meeting was adjourned at 10:59 AM.

Minutes prepared by Jazmine Mills, Assistant Clerk