

# Buhl Planning & Zoning

MARCH 16, 2022  
203 Broadway Ave N

## MINUTES

### COMMISSIONERS PRESENT:

Jeanne Gannon	Commission Chair
Patricia Beltran	Commission Member
Gary Dannenhauer	Commission Member
Margaret Himmelberger	Commission Member
Jeff Gabardi	Commission Member

### CITY STAFF PRESENT:

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

### ALSO PRESENT:

Scott Houtz	Applicant
Challis Bishop	Applicant
Jim McNall	ICRMP Trainer

Concerned Citizens

### OPENING

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

### CONFIRMATION OF QUORUM for Public Hearing:

Scott Bybee confirmed a quorum.

### PUBLIC HEARING #1

Jeanne Gannon asked the applicant to make a statement. Scott Houtz for Bishop Auction & Consignment stated that he and Challis Bishop partnered up in February 2020. They both grew up attending Masters' Auctions here in Buhl. They would like to open an auction house in Buhl to help community members sell their items and to have a weekly event for families. They are aiming for monthly auctions at first, then expand into internet auctions, then bi-monthly auctions, to weekly auctions. In the future, they would like to be open three (3) days a week on Mondays, Wednesdays, and Fridays from 9 AM – 3 PM with one staff member to receive consignment/auction items for either internet auctions or Saturday's live auctions. Saturday auctions start at 11 AM and can end at 3 PM, 6 PM, or 7 PM depending on the size of the event. Scott Houtz stated that Richard Jagels spoke to Reed Grain & Bean about parking at their property for these auctions. Richard Jagels interjected and stated that on February 28, 2022, he spoke to Earl Reed and the only concern for parking was Saturdays during the month of August when his business is open. Richard Jagels stated that the Auctioneers will contact the manager prior to events in August to ensure parking availability.

Jeanne Gannon called for testimony from citizens on the sign-in sheet.

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- Challis Bishop stated that he is partnered with Scott Houtz in this auction business. He believes that it will help the community out. He is an auctioneer and has been going to Lyle Masters' Auction since he was 5 years old. He also mentioned that concessions will be provided at the events.
- Richard Jagels stated that he is in favor of the auction house. He is the owner of 231 9<sup>th</sup> Ave S and will be renting the space to Scott Houtz and Challis Bishop. He stated that having an auction house in Buhl will benefit the community by bringing people in just like when he was a kid. Richard talked to the owner of Reed Grain & Bean, Earl Reed, and got verbal approval of auction-goers parking at the corner of Broadway and Elm St.
- Tom McCauley stated that he is in favor of the auction house but has concerns regarding the unintended consequences of approval. He is in favor of growth; however, he is concerned about visitors parking along Broadway Ave S which would affect the existing businesses along that street and the need for City enforcement over parking limits. He stated that the Masters' Auction would bring around 100 cars to Buhl and if this auction house is similar in popularity, parking can be an issue. Tom stated that approval of this application should occur with the condition of having a formal, written agreement from Reed Grain & Bean regarding use of their property for parking.

Jeanne Gannon asked the Board if they had any questions.

Jeanne Gannon asked Tom McCauley for clarification regarding having a signed agreement between the Auctioneers and Earl Reed. Tom McCauley recommended that having a formal document can protect the applicant in case Reed Grain & Bean changes their mind about allowing parking on their property.

There was no testimony in opposition of the application.

Jeanne Gannon closed Public Hearing #1 at 10:42 AM.

### **REGULAR MEETING**

#### **CONFIRMATION OF QUORUM:**

Scott Bybee confirmed a quorum.

#### **OLD BUSINESS:**

Minutes of February 16, 2022: Gary Dannenhauer 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 Scott Houtz/Bishop Auction & Consignment for a Conditional Use Permit to allow an auction house at 231 9<sup>th</sup> Ave S in a B-1; Central Business District Zone. Jeanne Gannon opened to entertain a discussion or motion. Scott Bybee stated he'd like to provide the staff report.

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**STAFF REPORT:** Scott Bybee confirmed that the application for a Conditional Use Permit met all the requirements for a complete application and all fees were paid. The request is to have an auction house in a B-1; Central Business District, which is allowed in this zone with a Conditional Use Permit. There are concerns regarding this application such as parking on Reed Grain & Bean property, hours of operation, and parking on Broadway Ave S.

Jeff Gabardi asked Scott Bybee about occupancy limits at the applicant property. Scott Bybee explained that occupancy will be addressed once a certificate of occupancy is applied for.

Jeanne Gannon opened to entertain a motion.

Scott Bybee stated that the Board can deny, approve as presented, approve with conditions, or table for more information. Scott Bybee suggested that he would work with the applicant to put together a written document with the property owner of Reed Grain & Bean to put something on the file addressing their concerns, and then bring it back to discuss the Board's decision at next month's meeting.

Patricia Beltran stated her concern of approving this Conditional Use Permit without a written document showing approval of parking at Reed Grain & Bean. Patricia Beltran moved to approve the application with the condition of a written parking agreement. Gary Dannenhauer seconded the motion. Scott Bybee interjected and recommended that their decision should come on the next meeting. Jeanne Gannon asked Scott Bybee if this should be tabled. Scott Bybee said yes to allow the documentation to be provided to the Board. Patricia Beltran moved to postpone approval until the next meeting when a written agreement is provided. Gary Dannenhauer seconded the motion. The motion passed unanimously.

Action Item: ICRMP Training with Jim McNall. Jim McNall was introduced and it was suggested to end the meeting to allow for training for Board and Council Members. All were in favor to do so.

**COMMISSION CONCERNS**—This item was not discussed.

**CITIZEN CONCERNS**— This item was not discussed.

### **MEETING ADJOURNED**

Jeanne Gannon declared the meeting adjourned at 10:48 AM. Gary Dannenhauer moved that the meeting be adjourned; Margaret Himmelberger seconded the motion and all were in favor.

Minutes prepared by Jazmine Mills, Assistant Clerk