

Buhl Planning & Zoning

July 20, 2022
203 Broadway Ave N

MINUTES

COMMISSIONERS PRESENT:

Barbara Gietzen Commission Chair
Jason Richardson Commission Member
Patricia Beltran Commission Member
Jeff Gabardi Commission Member

CITY STAFF PRESENT:

Scott Bybee P & Z Administrator
Regie Finney Public Works Director
Jazmine Mills Assistant Clerk

ALSO PRESENT:

Alberto Arizmendi Applicant
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

Barbara Gietzen asked the applicant to state his testimony.

Alberto Arizmendi stated that he has been a resident of the Buhl area since 1985 and has worked in dairy farms since then. He stated that the car dealing business would let him slow down as he gets older.

Barbara Gietzen asked if there were any question. There was none.

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

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 a used car dealer in a B-1; Central Business District, which is allowed in this zone with a Conditional Use Permit. One of the concerns regarding this application was days and hours of operation. Albert Arizmendi stated that the long-term goal would be to open six days a week from 9 a.m. to 9 p.m. in the summer and shorten the hours in the winter. Scott Bybee stated that the Board can approve, modify, or add restrictions to the Conditional Use Permit regarding number of vehicles and/or hours of operation. He stated that the location is on Broadway and has good visibility on both ways. Jazmine Mills stated that, in the summer, Fields 66 has a firework stand in front of it, so the potential car dealership so access to neighboring businesses can be taken into account.

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

Keith Thomas, owner of Broadway Automotive, stated that he is opposed to the application. His concerns were that a used car lot could lead to a wrecking yard with less than desirable vehicles on a main roadway into town like that of Barrigan Auto or Speedway Auto. He is also concerned about how this would affect the neighboring businesses.

Barbara Gietzen asked the applicant for a rebuttal.

Alberto Arizmendi stated that he plans to have a maximum of 20 cars, low mileage ranging from 80,000 mi – 130,000 miles, and models ranging from 2010 and up. He also stated that there could be older cars if a trade-in were to occur, but his main focus is newer used vehicles.

Barbara Gietzen asked if he purchased the land at Fields 66. Alberto Arizmendi stated that he will be leasing.

Scott Bybee reminded the Board that with opposition like this, they can impose restrictions to address the concerns and that the restrictions should be the type the City can enforce. He stated that the Board can also table this if they wish.

Barbara Gietzen closed the Public Hearing at 10:40 a.m.

REGULAR MEETING

CONFIRMATION OF QUORUM: Scott Bybee confirmed a quorum.

OLD BUSINESS:

Minutes of May 18, 2022: Jason Richardson moved to approve the minutes. Patty Beltran seconded the motion. Jeff Gabardi confirmed if the corrections were made. Jazmine Mills confirmed. The motion passed unanimously.

NEW BUSINESS:

Public Hearing - Consideration of the request by Alberto Arizmendi/2022 Automobile Sales located at 326 Broadway Ave S: Scott Bybee reminded the Board of the action options they have for this application. Jason Richardson asked questions about the zone of the property and conditional use permit process. Scott Bybee stated that the zoning district is what determines when a proposed use needs a Conditional Use Permit is needed, not the proposed use. Barbara Gietzen was concerned about the leasing details of this property. Scott Bybee stated that documentation could be added as a condition of their approval. Patty Beltran stated that this property isn't unique to a car dealership use since the Family Dollar across the street used to be a Chevy/Toyota dealership in the eighties and feels that this is an appropriate location. There was discussion about the concern regarding the age of cars and it not being an issue when there are similar types of cars

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at Broadway Auto. Patty Beltran stated that the reputation of Alberto Arizmendi with his previous buildings he owned in town are well kept and not eyesores.

Barbara Gietzen asked to entertain a motion.

Jeff Gabardi asked for clarification on the layout of the proposed dealership. Alberto Arizmendi explained that the storage building on the eastside will be the office and he'd line out the cars on that area.

Scott Bybee recommended to the Board that a 90-day probationary period could also be an option.

Jeff Gabardi agreed that this probationary period with conditions would be a good opportunity, since he doesn't have a major concern at this very visible location. There was discussion to fine tune the type of restrictions to attach to the Board's approval. Scott Bybee also stated that signage will have to comply with ITD and Building standards.

Jeff Gabardi moved to approve the Conditional Use Permit to have a car dealership at Fields 66 with the 90-day probationary period, maximum of 20 vehicles—all in operational condition, a 6-day/week from 9 a.m. – 9 p.m., copy of the state dealer license, and lease information. There was discussion about when the 90-days started and it was determined that once Arizmendi is ready to open, the probationary period starts. Jason Richardson seconded the motion. The motion passed unanimously.

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 10:55 AM.

Minutes prepared by Jazmine Mills, Assistant Clerk