



# Planning & Development Services

PLANNING SERVICES

NEIGHBORHOOD & COMMUNITY SERVICES

911 NORTH 7<sup>th</sup> AVENUE | PO BOX 4169 | POCATELLO, IDAHO 83205-4169 | 208.234.6184 | <https://www.pocatello.us>

## \*\* NOTICE OF PUBLIC HEARING \*\*

HEARING DATE: Thursday, May 14, 2020

TIME: 5:30 p.m.

PLACE: City Council Chambers, City Hall, 911 North 7<sup>th</sup> Ave, Pocatello, Idaho

ORGANIZATION HOLDING HEARING: Pocatello Hearing Examiner

The Pocatello Hearing Examiner will hear comments from the public concerning a request for a conditional use permit and variance by Chris Petersen represented by Stewart Ward of Dioptra to install shipping container storage units on a parcel of land zoned Commercial General where self-service storage units are conditionally permitted. This parcel of land is located approximately at 206 West Alameda Road (RPRPCPP021601). Application materials are enclosed for your review.

A staff report analyzing the request will be available on Tuesday, May 5, 2020, in the Planning & Development Services Department or online at <https://www.pocatello.us/AgendaCenter>.

All interested persons are invited to attend the hearing to express their views regarding this proposal. Oral testimony may be offered at the meeting and may be restricted to no more than 3 minutes per person. Written testimony of more than two pages must be submitted at least five working days prior to the hearing; other written testimony may be submitted to the Planning & Development Services Department. This meeting may be held via video conferencing due to the COVID-19 pandemic. More information will be available as the meeting date approaches. This and other information may be obtained by calling 208.234.6184 or by emailing [planning@pocatello.us](mailto:planning@pocatello.us).

City Hall is accessible to persons with disabilities. Program access accommodations may be provided with three (3) days' advance notice by contacting Skyler Beebe at [sbeebe@pocatello.us](mailto:sbeebe@pocatello.us); 208.234.6248 or 5815 South 5<sup>th</sup> Avenue, Pocatello, ID.

Sincerely,

**JAMES ANGLESEY | CITY OF POCATELLO**

Assistant Planner | Planning & Development Services  
911 N 7<sup>th</sup> Avenue | PO Box 4169 | Pocatello ID 83205-4169  
Office 208.234.6500 | [janglesey@pocatello.us](mailto:janglesey@pocatello.us)

Enclosure



PLANNING & DEVELOPMENT SERVICES  
PO Box 4169, 911 North Seventh Avenue  
Pocatello, Idaho 83205  
(208)234-6184 FAX (208)234-6586  
[planning@pocatello.us](mailto:planning@pocatello.us)

**CONDITIONAL USE PERMIT APPLICATION**

Staff Received on: 3.4.2020 (ML) Hearing Date: 5.14.2020 Application #: 20-734  
Plan Review Approved by: JA Receipt Date: \_\_\_\_\_

*Dates for a public hearing will not be scheduled until application is deemed complete.*

Filing Fee: \$510.00 + (72 address(s) x \$3.00 per address = \$ 216<sup>00</sup>) = Total Due \$ 726<sup>00</sup>

**Applicant:**

Name: Chris Peterson  
Street address: 2715 Ridgeview Ln.  
City, ST, Zip: Pocatello, Idaho 83204  
Phone: 435-363-5048  
Email: pitasoni@gmail.com

**Representative:**

Name: Dioptra - Stewart Ward  
Street address: 4880 Clover Dell Rd.  
City, ST, Zip: Chubbuck, ID 83202  
Phone: 208-237-7373  
Email: stewart@dioptrageomatics.com

**Project Information:**

Project occupies 1.5 acres or more? No  
Street Address: W Alameda Rd. Parcel: RPRPCPP021601 Zoning: CG  
Legal Description (attach documentation—see C, below): See attached Deed #94006113

Brief Description of Proposed Project: Install shipping container storage units with an on-site office space

**THE FOLLOWING INFORMATION MUST ACCOMPANY EACH APPLICATION TO BE COMPLETE**

- A. All necessary filing fees and other specified plans and descriptions must be paid and/or filed accompanying your application.
- B. A title report, property deed, or other legal documentation of ownership of the site in question, whether freehold, option, or lease.
- C. The complete and accurate legal description for the subject property shall be submitted. This can be obtained from the Bannock County Assessor by requesting a copy of the controlling document for the subject site or address. A copy of this document shall be submitted with this application.
- D. **Two sets of typed**, gummed mailing labels with all of the names and addresses of the property owners within a 300 foot radius of the subject property. A charge of \$3.00 per property owner is required. A signed Affidavit of Mailing List must also be submitted (attached).
- E. Two (2) site plans, one (1) measuring 8-1/2" x 11" and one (1) 18" x 24" (or larger), which describe the proposal and contain the following information:
  - 1. Drawn to scale.
  - 2. Building spacing (including setbacks for front yards, side yards and rear yards).
  - 3. A detailed layout of the parking area and landscaping of that area.
  - 4. Pattern and dimensions of all sidewalks on the parcel.

5. Proposed containment of on-site storm drainage.
  6. Type, quantity and size of proposed landscaping on-site (or separate landscape plan).
  7. Location of curb cuts and access to streets and alleys.
  8. Screening or fencing to be provided (type and height).
  9. Any easements or restrictions on the property.
- F. One (1) set of complete design plans or written description of the proposed structure or additions including elevations and finished details (including material type and color).
- G. A written analysis of your request must accompany your application. It should detail the request as well as the reasons a conditional use permit is needed. Studies may be included and all steps being taken to ease the effect of this conditional use should be outlined. The written analysis must fully address each of the following standards (contained in Section 17.02.130 of the Zoning Ordinance):
1. Is conditionally permitted within the subject land use district and complies with all of the applicable provisions of the Zoning Ordinance unless modified through the CUP process.
  2. Is consistent with the goals and policies of the Comprehensive Plan of the City.
  3. Is compatible with existing and permitted land uses within the general area.
  4. Could be adequately served by public facilities and services such as thoroughfares, transportation facilities, police, and fire protection, drainage, refuse disposal, water/sewer and schools, to ensure that the proposed use would not be detrimental to public health, safety, and welfare.
  5. Would be harmonious in scale, mass, coverage, density, and intensity with all adjacent permitted land uses.
  6. Would not adversely affect the environment to a greater degree than had a use permitted outright by the ordinance been established.
  7. Would not be detrimental to the public interests, health, safety, or welfare of the City in its proposed location, size, design, and operating characteristics.
- H. If a representative will be submitting the application, an affidavit, power of attorney, or other document evidencing the right of the representative to appear and submit items on behalf of the property owner.

The approval of this application does not permit the violation of any federal or state codes, any section of the Building Code, or other Pocatello Municipal Codes as adopted. Approval of this land use permit does not exempt applicant from the provisions of the federal Fair Housing Act or ADA requirements. Further, other conditions, requirements, etc. may be imposed as part of the building permit process.


A conditional use permit must be established within one (1) year of the granting of the use permit. Actual construction of the permitted building shall constitute such establishment. This period may be extended by Planning and Development Services staff for an additional one (1) year upon request at least 30 days prior to expiration of the initial 1-year period and provided the applicant demonstrates good cause for the delay.

This application shall not be considered complete (nor will a hearing before the Hearing Examiner or Planning and Zoning Commission be scheduled) until all required information has been submitted and verified.

**I hereby acknowledge that I have read this application and state that the above information, including all submitted materials, is correct and I agree to the above terms and conditions. I further agree to abide by any and all conditions Hearing Examiner or Planning and Zoning Commission may impose on my use of this site. I also understand that non-conformance with these conditions in a timely manner will result in automatic forfeiture of my permit. I am also aware that the applicant or a representative must be present at the public hearing and that the decision on this request will be recorded in the official records of Bannock County.**

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Representative's Signature:  \_\_\_\_\_

Date: 3/4/2020 \_\_\_\_\_

*\*A sign giving public notice will be posted at the proposed site during the course of these proceedings.*



March 3, 2020

Planning & Development Services  
PO Box 4169, 911 North Seventh Ave.  
Pocatello, Idaho 83205

Re: Alameda Storage

**Conditional Use Permit Application Analysis**

The applicant is requesting a conditional use permit to build a self-service storage facility. The storage units will be built from 8' x 40' metal shipping containers on concrete pads with a gravel drive between them. There are currently no design plans for the storage units; please see the attached picture for an example of similar self-storage units. Elevations and finished details for the units have not been determined.

1. Self-Storage facilities are conditionally permitted in the Commercial General (CG) Zone.
2. This facility will provide nearby residents a storage facility within easy walking, biking, or driving distance.
3. A self-storage facility is compatible with land uses in the general area.
4. The storage facility will be easily accessible from West Alameda Road and will retain stormwater in an on-site retention pond. This development will be adequately served by existing facilities and services.
5. This conditional use permit will allow for the harmonious development of a small parcel that has been vacant for a long time.
6. The self-storage facility will not adversely impact the environment.
7. The self-storage facility will not be detrimental to the public in any way.

Stewart K. Ward, PLS



PLANNING & DEVELOPMENT SERVICES  
PO Box 4169, 911 North Seventh Avenue  
Pocatello, Idaho 83205  
(208)234-6184 FAX (208)234-6586

### VARIANCE APPLICATION

Submittal Date: 3.4.2020

Meeting Date: 5.14.2020

Application #: 20 - 231

Staff Assigned: ML

Receipt Date: \_\_\_\_\_

**Dates for public hearing will not be scheduled until application is deemed complete.**

Filing Fee: \$400.00 + ( 4 address labels x \$3.00 = \$ 3 ) for a Total Due \$ ~~403<sup>00</sup>~~ 412<sup>00</sup>

**Applicant Information:**

Chris Petersen  
Name/Firm  
2715 Ridgeview Ln. Pocatello, ID 83204  
Mailing address  
435-363-5048  
Phone (work/cell/home)

**Representative Information:**

Dioptre - Stewart Ward  
Name/Firm  
4880 Clover Dell Rd. Chubbuck, ID 83202  
Mailing address  
208-237-7373  
Phone (work/cell/home)

*email: pitasoni@gmail.com*

*email: stewart@dioptregeomatics.com*

**Project Information:**

Zoning District: CG

Street Address: W Alameda Rd. Parcel: ~~R~~RPCPP021601 Zip: 83201

Legal Description (attach documentation—see C, below): See attached Deed #94006113

Brief Description of Proposed Variance: Requesting a variance for the traditional landscape buffer between residential and commercial zones (Pocatello City Code 17.05.270 )

**THE FOLLOWING INFORMATION MUST ACCOMPANY EACH APPLICATION TO BE COMPLETE**

- A. All necessary filing fees must be paid and other required plans and information in support of the application.
- B. **Two sets of typed**, gummed mailing labels with the names and addresses of all property owners which share a common boundary line, minus public right-of-way, with the subject property. A charge of \$3.00 per property owner address is required in addition to the application fee. A signed Affidavit of Mailing List must also be submitted (attached).
- C. The complete and accurate legal description for the subject property (recorded deed, title report or other legal documentation of ownership) shall be submitted.
- D. Two (2) site plans, one (1) measuring 8-1/2" x 11" and one (1) 18" x 24" (or larger), which describes the proposal and contains the following information:
  - 1. Drawn to scale.
  - 2. Location of buildings, landscaping, setbacks, parking areas, existing and proposed fencing.
  - 3. Location of adjoining streets (including any public improvements), alleys, driveways, and property lines.

- E. Pursuant to municipal code 17.02.170 variances, all of the following criteria for review must be addressed in a written narrative:
1. The applicant shall have taken all reasonable steps to comply with the strict terms of the ordinance from which he or she requests the variance.
  2. The variance sought must be the result of unusual physical characteristics of the site in question.
  3. The circumstances surrounding the variance request shall be due to an undue hardship as related to the characteristics of the land and the applicant shall show that, absent a variance he/she would be deprived of rights commonly enjoyed by other properties in the identical zoning district.
  4. The undue hardship cited as the basis of a variance request did not result from the actions of the applicant, or the current or a prior landowner or any of their agents.
  5. The applicant shall demonstrate that the proposed variance does not adversely affect adjacent/nearby property.
- F. Precedents. The granting of a prior variance or referencing property developed under prior regulations is not admissible evidence for the granting of a new variance. Each request for a variance shall be judged on its own facts and circumstances.
- G. If a representative will be submitting the application, an affidavit, power of attorney, or other document evidencing the right of the representative to appear and submit items on behalf of the property owner is required.
- H. Burden of Proof: The burden of proof that the proposed variance complies with all of the variance criteria as described above is the responsibility of the applicant. The applicant must support their case with substantial and competent evidence.

A variance must be established within one (1) year of the granting of the variance. Actual construction of the permitted building shall constitute such establishment. This period may be extended by the staff for an additional six (6) months upon request submitted at least thirty (30) days prior to its expiration (Municipal Code Section 17.02.170(J)).

The approval of this application does not permit the violation of any federal or state codes, any section of the Building Code, or other Pocatello Municipal Codes as adopted. Approval of this land use permit does not exempt applicant from the provisions of the Federal Fair Housing Act or ADA requirements. Further, other conditions, requirements, etc. may be imposed as part of the building permit process.

I hereby acknowledge that I have read this application and state that the above information, including all submitted materials, is correct and I agree to the above terms and conditions. I further agree to abide by any and all conditions the Hearing Examiner and/or City Council may impose on my use of this property. I also understand that non-conformance with these conditions in a timely manner will result in automatic forfeiture of my permit. I am also aware that the applicant or a representative must be present at the public hearing and that the decision on this request will be recorded in the official records of Bannock County.

*By signing this application, I hereby consent to allow the City to place a sign giving public notice regarding this application on the subject property during the course of these proceedings.*

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Representative:  \_\_\_\_\_ Date: 3/4/2020



March 3, 2020

Planning & Development Services  
PO Box 4169, 911 North Seventh Ave.  
Pocatello, Idaho 83205

Re: Alameda Storage

**Variance Application Narrative**

The applicant is requesting a variance to Pocatello City Code 17.05.270 which requires a landscape buffer between Commercial General (CG) and Residential Medium Density Multi-Family (RMM) zones. Strict adherence to this code should not be required for this development.

1. Compliance with 17.05.270 is not reasonable considering the small size of the lot.
2. There is an existing 7-foot-high concrete panel fence between the proposed development and the neighboring townhouses; landscaping would not be seen through the fence. The approximately 8-foot-tall storage facilities will be placed next to this fence, which will also block the view into the facility.
3. The strip of land in question is very narrow, 91 feet wide on the front & 24 feet wide on the back. Given the small width of the parcel, a 10 buffer would impose an undue hardship on the limited space of the proposed development.
4. The small size of the lot cited as a hardship did not result from the actions of the applicant; the surrounding development's history would need to be researched to determine who is at fault for the creation of this small lot.
5. The proposed variance will allow for the development of small storage facilities that will benefit the adjacent townhomes.

Stewart K. Ward, PLS





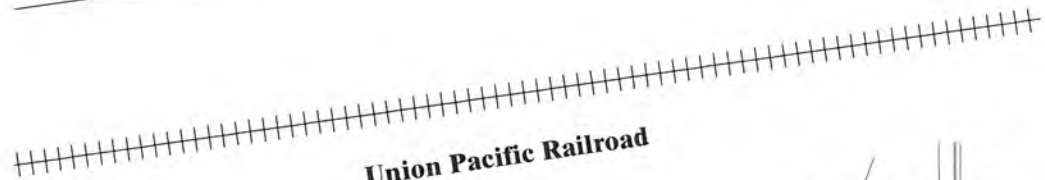
**ALAMEDA STORAGE**



**LEGEND**

- Parcel Boundary
- Easements
- Adjoining Parcels
- Proposed Storage Building
- Existing Fence Lines
- Existing Curb and Sidewalk

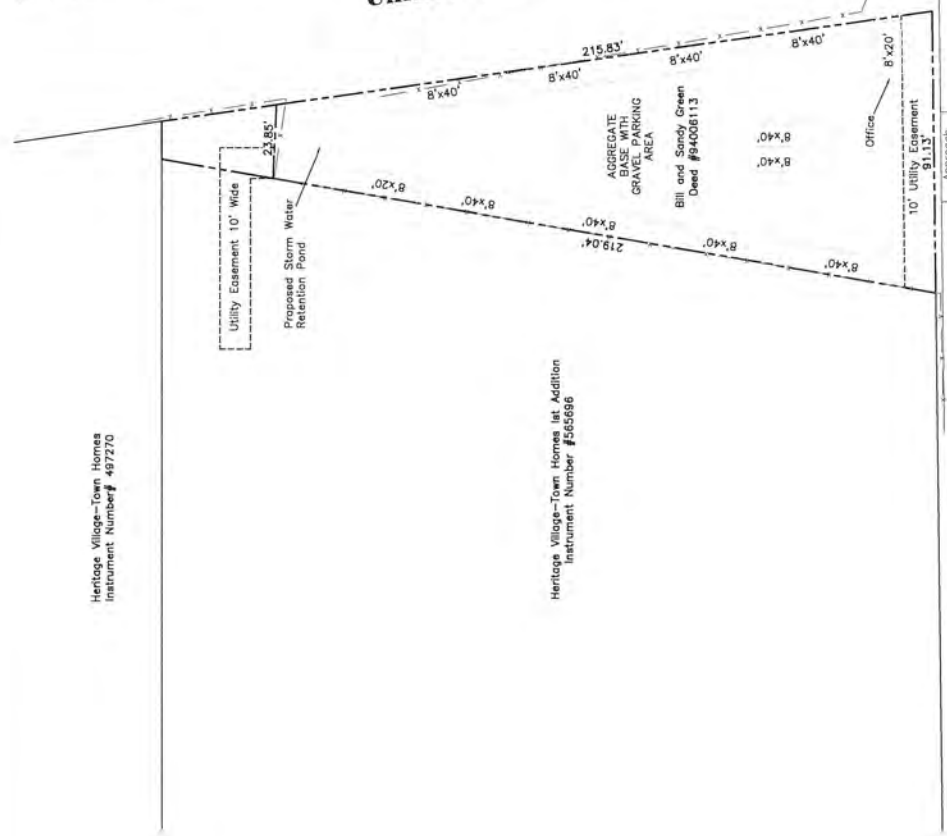
Storage Buildings will be constructed from metal shipping containers set on concrete pads.



**Union Pacific Railroad**

Heritage Village--Town Homes  
Instrument Number # 487270

Heritage Village--Town Homes lot Addition  
Instrument Number # 565686



**West Alameda Road**

NO.	BY	DATE	DESCRIPTION

DESIGNED BY:	SKW
DRAWN BY:	DRH
PROJECT NO.:	20011-ALAMEDA STORAGE
FILE:	
DATE:	

OWNER: BILL AND SANDY GREEN  
CONTRACTOR: CP INTEGRITY

ALAMEDA STORAGE  
PRELIMINARY SITE PLAN  
DEED #94006113

1 of 1  
3/2/2020