



CITY OF Caldwell, Idaho

Planning & Zoning

HEARING REVIEW APPLICATION

Type of Review Requested (check all that apply)

- Annexation/Deannexation
- Appeal/Amendment
- Comprehensive Plan Map Change
- Design Review
- Ordinance Amendment
- Rezone
- Special Use Permit
- Subdivision- Preliminary Plat
- Subdivision- Final Plat
- Subdivision- Short Plat
- Time Extension
- Variance
- Other _____

STAFF USE ONLY:
 File number(s): APP-19-05
 Project name: Flores Appeal
 Date filed: 10/17/19 Date complete: _____
 Related files: SUP-18-01
Blue Ring Studio Tattoo

Subject Property Information

Address: 2402 Cleveland Blvd. Parcel Number(s): 235362
 Subdivision: _____ Block: _____ Lot: _____ Acreage: .07 Zoning: C-2
 Prior Use of the Property: Lockshop
 Proposed Use of the Property: Tattoo Shop

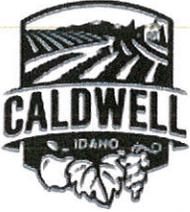
Applicant Information:

Applicant Name: J.R. Flores Phone: 208 859 0969
 Address: 2402 Cleveland Blvd. City: Caldwell State: ID Zip: 83605
 Email: blueringstudio1@gmail.com Cell: 208 859 0969
 Owner Name: Same as above Phone: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Email: _____ Cell: _____
 Agent Name: (e.g., architect, engineer, developer, representative) _____
 Address: _____ City: _____ State: _____ Zip: _____
 Email: _____ Cell: _____

Authorization

Print applicant name: J.R. Flores
 Applicant Signature: _____ Date: _____

AI



CITY OF
Caldwell, Idaho

Planning & Zoning
APPEAL/AMENDMENT

Project Name: <u>Blue Ring Studio</u>	File #: <u>APP-19-05</u>
Applicant/Agent: <u>J.R. Flores</u>	

Applicant (v)	Please provide the following REQUIRED documentation:	Staff (v)
•	Completed and signed Hearing Review Application	
•	Narrative fully describing the request, including the following: <ul style="list-style-type: none"> ➢ Specific item/requirement being appealed ➢ Reasons for the appeal/amendment ➢ Site-specific limitations and/or impediments on the property ➢ Any other pertinent information to the request. Please remember the applicant has the burden of proof to show why their request should be granted 	
•	Warranty deed for the subject property	
•	Signed Property Owner Acknowledgement (if applicable)	
<u>N/A</u>	Vicinity map, showing the location of the subject property	
•	Copy of the Order of Decision, other documents for any prior approvals of the site	
•	All of the above items shall be submitted in 8 ½ x 11 paper format AND in electronic format (preferably PDF or Word) on either a jump drive or CD. Please be aware the jump drive or CD will become part of the file and will not be returned	
•	Fee	

<u>APPEALING A CASE DECISION</u>	<u>REQUESTING AN AMENDMENT</u>
CASE #: _____	CASE #: <u>SUP-18-01</u>
<u>Case decision being appealed was rendered by:</u>	<u>Requesting an amendment of:</u>
<input type="checkbox"/> Planning & Zoning Commission <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Historic Preservation Commission <input type="checkbox"/> Design Review Commission <input type="checkbox"/> P & Z Director <input type="checkbox"/> Landscape Design Review Committee	<input type="checkbox"/> Development Agreement _____ : Item #(s) <input checked="" type="checkbox"/> Condition(s) of Approval from Order of Decision _____ : Condition #(s) <u>landscaping</u>

<u>STAFF USE ONLY:</u>
Date Application Received: <u>10/7/19</u>
Received by: <u>VC</u>
Proposed Hearing Date: <u>12/10/19</u>
Hearing Body: <u>PZ</u>

AL

Reason for Appeal:

After the original city hearing, I had an email conversation and an onsite meeting with Jarom Wagner to discuss amendments to the original requirements. I had a discussion with my contractor, I became aware of the fact that the original requirements would not be beneficial to my business due to eliminating the customer parking.

I emailed Jarom to discuss amending the original requirements because the beautification would virtually eliminate my customer parking. At the time of the City Hearing, shared parking with Coyote Plaza (previously known as Pablo's Plaza) was allowed, however that is not the case as of now.

See Attachment.

I followed the direction of the email conversations that took place with Jarom, I budgeted and planned to only complete curb, gutter and side walk on Cleveland and finish the landscaping on Indiana then install the rock garden on the corner of Cleveland and Indiana. That is what the emails stated as well as what was reflected in the aerial shot provided by Jarom.

See Attachment.

When I was arranging with the contractor that I hired, Mark Hess, to do the newly amended requirements, Mark wanted to know directly from the City of Caldwell (Jarom Wagner) the specific requirements so that the work would be completed correctly.

On site meeting took place on September 19th, 2019 with Jarom Wagner, Mark Hess, and I (J.R. Flores) to explain the what was to be done for beautification.

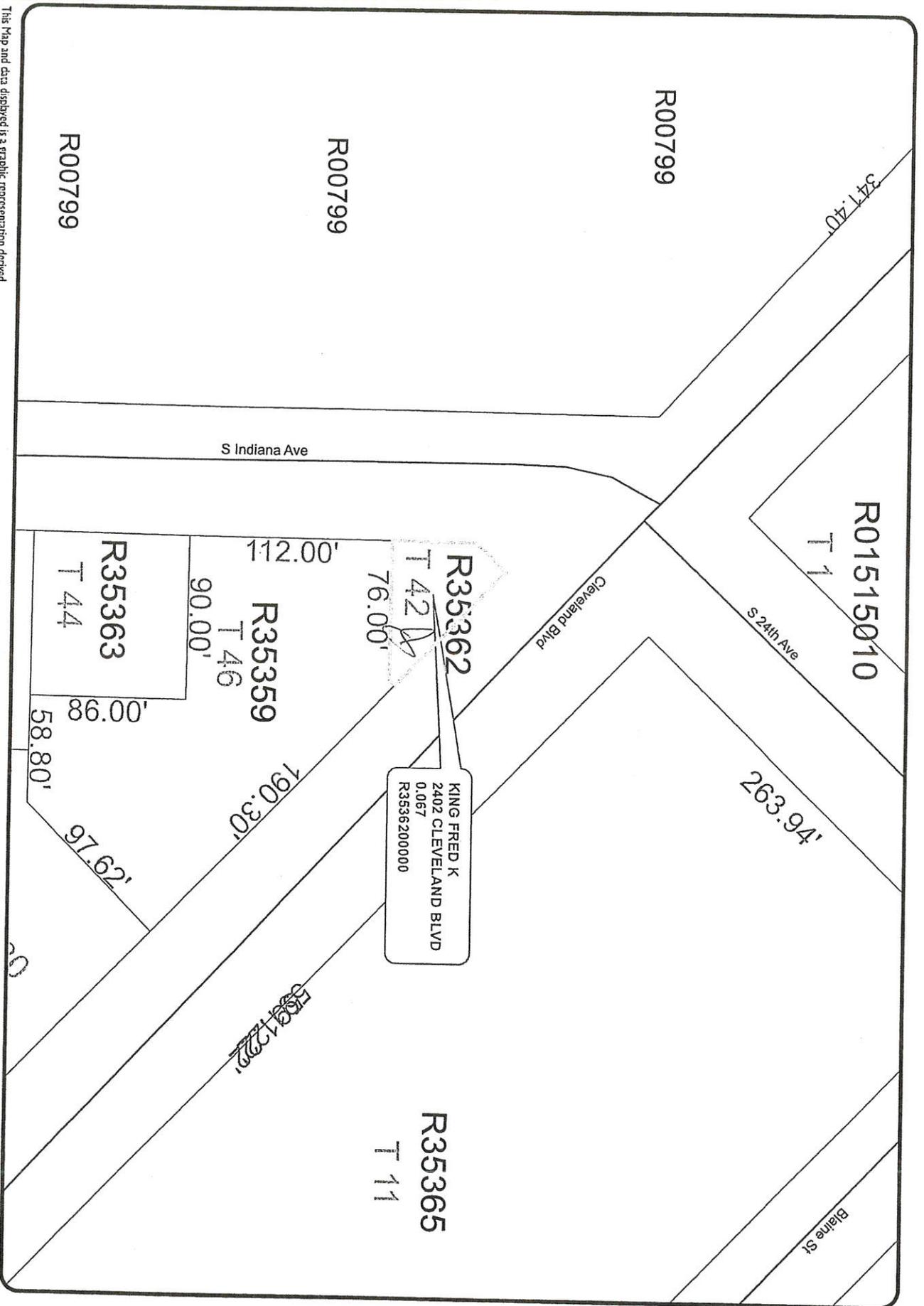
During this meeting, Jarom stated that landscaping was still to take place on Cleveland. That is a contradiction to what was discussed and agreed upon in the email chain in April 2019.

I would like to keep my already limited customer parking and to do this I need to be able to only do what is shown in the aerial shot from April 2019. Also, since I am self-employed and run a business, I only budgeted to complete the curb, gutter, and sidewalk on Cleveland – not to include landscaping. I had only budgeted for what was agreed upon in April 2019.

If the City of Caldwell will commit to the what was discussed and agreed upon in the email in April 2019 so that I can complete the work it would mean a lot to me and my family to be able to move forward so that I can focus on improving our lives in other areas.

AR

AB



KING FRED K
 2402 CLEVELAND BLVD
 0.067
 R3536200000

This map and data displayed is a graphic representation derived from the Canyon County Geographic Information System (GIS) data. It was designed and intended for staff use only.

It is not guaranteed survey accuracy.

This map is based on information available and was compiled from numerous sources which may not be accurate. Users are to field verify this information. Canyon County and Single Point Solutions, LLC are not liable for errors or omissions resulting from the use of this product for any purpose.



Pioneer Title Co.

GOING FORWARD



PioneerTitleCo.
GOING BEYOND

610 S. Kimball Avenue
Caldwell, ID 83605

**ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT**

File No. 640446 VH/LF

WARRANTY DEED

For Value Received Fred K. King, an unmarried man
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Blue Ring Studio L.L.C., an Idaho Limited Liability Company
hereinafter referred to as Grantee, whose current address is 1004 North C Street Parma, ID 83660

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 27, 2017

Fred K. King
State of Idaho, County of Canyon

On this ___ day of December in the year of 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared Fred K. King known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Residing at: Caldwell, ID
Commission Expires: 12/2/2022

AG

EXHIBIT A

A part of the Northwest Quarter of the Southwest Quarter of Section 26, Township 4 North, Range 3 West of the Boise Meridian, more particularly described as follows:

COMMENCING at the Southwest corner of said northwest Quarter of the Southwest Quarter, thence
North 283.00 feet along the West boundary of said Northwest Quarter of the Southwest Quarter, thence
East 30.00 feet to a point on the Easterly boundary of Indiana Avenue, the POINT OF BEGINNING; thence
continuing
East 76.00; thence North 43°22'00" East 11.01 feet; thence
North 46°38'00" West 114.94 feet along the Southwesterly boundary of Cleveland Boulevard; thence
South 86.92 feet along the Easterly boundary of Indiana Avenue to the POINT OF BEGINNING.

EXCEPTING THEREFROM :

A parcel of land situated in the Northwest Quarter of the Southwest Quarter of Section 26, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho more particularly described as follows:

COMMENCING at the Southwest corner of said Northwest Quarter of the Southwest Quarter; thence
North 283.00 feet along the West boundary of said Northwest Quarter of the Southwest Quarter; thence
East 30.00 feet to a point on the Easterly boundary of Indiana Avenue; thence
North 55.13 feet along the Easterly boundary of Indiana Avenue to a point, which is also the POINT OF
BEGINNING; thence continuing
North 31.79 feet along the Easterly boundary of Indiana Avenue to a point on the Southwesterly boundary line of
Cleveland Boulevard; thence
South 46° 38' 00" East 21.64 feet along the Southwesterly boundary of Cleveland Boulevard; thence
South 42° 54' 57" West 23.11 feet to the POINT OF BEGINNING.

AK



BLUE RING STUDIO <blueringstudio1@gmail.com>

Parking

1 message

Eric & Tina Wilson <etwilsonclan@gmail.com>
To: Blueringstudio1@gmail.com

Fri, Jan 11, 2019 at 2:33 PM

J.R. Flores,

As per our conversation, we regret to say that, due to our tenants having limited parking spaces themselves, we will not grant you an easement or access to our property for any reasons. This includes parking for you and or your customers.

Sincerely,

Eric and Tina Wilson

c/o W E & T LLC, Coyote Complex

21

Landscape area



Driveway to be closed.



Driveway to be extended



94N03W26

Driveway to remain



Cleveland Blvd



AU

Attached Drawing

5 messages

Jarom Wagoner <jwagoner@cityofcaldwell.org>
To: BLUE RING STUDIO <blueringstudio1@gmail.com>

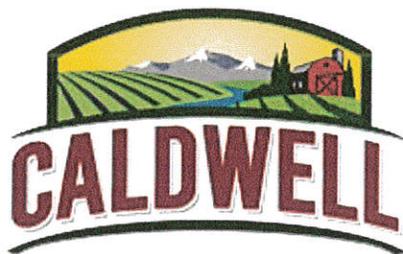
Thu, Apr 4, 2019 at 5:13 PM

JR,

Please see the attached drawing. I believe this more or less shows what we discussed yesterday. I am following up with the City Engineer to see the time frame to when that roadway will come into the city's jurisdiction.

Thanks!

Jarom



JAROM WAGONER, AICP
SENIOR PLANNER

621 Cleveland Blvd. • Caldwell, Idaho 83605
www.cityofcaldwell.com • (208) 455-4662

blue ring.jpg
785K

AM



BLUE RING STUDIO <blueringstudio1@gmail.com>
To: Jarom Wagoner <jwagoner@cityofcaldwell.org>

Thu, Apr 4, 2019 at 6:21 PM

Yes, the shot looks correct with the landscaping portion only being a rock garden.
There will be no flowers, grass, or shrubbery; only a nice rock garden with a larger boulders correct?
[Quoted text hidden]



image001.jpg
48K

JAROM WAGONER, AICP
SENIOR PLANNER

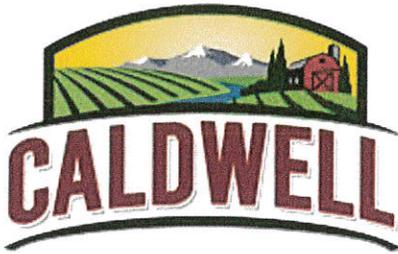
621 Cleveland Blvd • Caldwell, Idaho 83605
www.cityofcaldwell.com • (208) 455-4662

Jarom Wagoner <jwagoner@cityofcaldwell.org>
To: BLUE RING STUDIO <blueringstudio1@gmail.com>

Mon, Apr 8, 2019 at 9:56 AM

That is correct. There may need to be some vertical curbing to ensure the landscaping rock/etc stays within that area and not kicked out onto the street/sidewalk easily.

PM



JAROM WAGONER, AICP

SENIOR PLANNER

621 Cleveland Blvd. • Caldwell, Idaho 83605
www.cityofcaldwell.com • (208) 455-4662

[Quoted text hidden]

BLUE RING STUDIO <blueringstudio1@gmail.com>
To: Jarom Wagoner <jwagoner@cityofcaldwell.org>

Mon, Apr 8, 2019 at 11:40 AM

And if nothing else could always just put higher curbing there to stop people from driving through at a.

[Quoted text hidden]

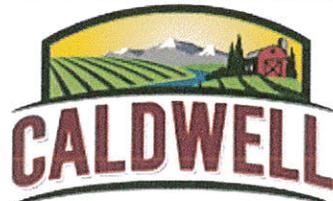


image001.jpg
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JAROM WAGONER, AICP

SENIOR PLANNER

621 Cleveland Blvd. • Caldwell, Idaho 83605
www.cityofcaldwell.com • (208) 455-4662

BLUE RING STUDIO <blueringstudio1@gmail.com>
To: Tiyanna Harvey <tiyanna.harvey@mcoacs.org>

Wed, Oct 2, 2019 at 11:04 AM

[Quoted text hidden]

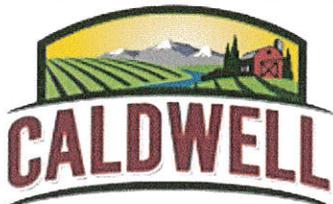


image001.jpg
48K

JAROM WAGONER, AICP

SENIOR PLANNER

621 Cleveland Blvd. • Caldwell, Idaho 83605
www.cityofcaldwell.com • (208) 455-4662

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**Order of Decision
Caldwell Planning & Zoning Commission
City of Caldwell, Idaho
Public Hearing Held February 13, 2018**

Subject: Case No. SUP-18-01 (Blue Ring Studio Tattoo Parlor)

The following Land Use Action is the primary feature of this application:

- **Special-Use-Permit request to operate a Tattoo Parlor within the C-2 (Community Commercial) zone.**

TABLE OF CONTENTS:

I	COURSE OF PROCEEDINGS
II	GENERAL FACTS
III	TESTIMONY
IV	APPLICABLE LEGAL STANDARDS
V	COMPREHENSIVE PLAN ANALYSIS
VI	FINDINGS OF FACT
VII	CONCLUSIONS OF LAW
VIII	ORDER OF DECISION

I COURSE OF PROCEEDINGS

- 1.1 The Caldwell Planning and Zoning Department issued a notice of Public Hearing on application SUP-18-01 to be held on February 13, 2018. Public notice requirements set forth in Idaho Code, Chapter 65, Local Planning Act, were met. On, or before, January 28, 2018, notice was published in the Idaho Press Tribune, and on, or before, January 26, 2018 notice was mailed to all political subdivisions providing services to the site and to all property owners within 300 feet of the project site; and on, or before, February 1, 2018 notice was posted on the site.
- 1.2 Files and exhibits relative to this application are available for review in the Planning and Zoning Department, 621 Cleveland Boulevard, Caldwell and at applicable public hearings.

II GENERAL FACTS

- 2.1 APPLICANT: JR Flores, 2408 Cleveland Boulevard, Caldwell, Idaho, 83605.
- 2.2 OWNER: Fred King, 2402 Cleveland Boulevard, Caldwell, Idaho, 83605.
- 2.3 REQUEST: The applicant is requesting special use permit approval to operate a tattoo parlor within the C-2 (Community Commercial) zone.
- 2.4 COMPREHENSIVE PLAN DESIGNATION: The Caldwell Comprehensive Plan Map designation for the site is Commercial.

Community Commercial – Suitable for a broad range of retail, service and professional businesses clustered in areas such as a shopping center which may be anchored by one or more large retail establishments.

COMPREHENSIVE PLAN COMPONENTS APPLICABLE TO THE REQUEST:

Land Use: The subject property is zoned C-2 (Community Commercial) and is surrounded by the following land uses:

<u>Direction</u>	<u>Zone</u>	<u>Comprehensive Map</u>	<u>Use</u>
Site	C-2	Community Commercial	Lock Shop
North	C-2	Community Commercial	Retail/Gas Station
South	C-2	Community Commercial	Retail
East	C-2	Community Commercial	Retail/Restaurant
West	C-D	Public	The College of Idaho

2.5 Transportation/Connectivity: The subject property has frontage onto Cleveland Boulevard, a principal arterial roadway, and Indiana Avenue, a minor arterial roadway.

2.6 Public Services, Utilities and Facilities: The engineering department, fire marshal, building department, police department, Pioneer Irrigation District, Canyon Highway District #4, ITD, and COMPASS were all sent a request for comment on January 4, 2018.

2.7 Access: There are two driveways onto Cleveland Boulevard abutting the site. They are located as follows:

- 60-foot wide driveway located approximately 10 feet east of Indiana Avenue (measured near-edge to near-edge).
- 34-foot wide driveway located approximately 100 feet east of Indiana Avenue (measured near-edge to near-edge).

In order to be compliant with City Codes and Policies, staff is recommending that the applicant eliminate the 60-foot wide driveway located 10 feet east of Indiana Avenue and replace it with vertical curb, gutter, and sidewalk. This driveway is unnecessary to provide access to the site and creates a traffic hazard in regards to vehicles entering the site, as well as for pedestrians.

There are two driveways onto Indiana Avenue abutting the site. They are located as follows:

- 24-foot wide driveway located approximately 10 feet south of Cleveland Boulevard (measured near-edge to near-edge).
- 18-foot wide driveway located approximately 55 feet south of Cleveland Boulevard (measured near-edge to near-edge).

In order to be compliant with City Codes and Policies staff is recommending that the applicant eliminate both driveways along Indiana Avenue and replace them with vertical curb, gutter, and sidewalk. These driveways create a significant traffic hazard due to their location and configuration, both for vehicular traffic and for pedestrian traffic.

2.8 Landscaping: As per Section 10-07-02(2) of City Code, landscaping should be required for this project. Principal arterial roadways, such as Cleveland Boulevard, typically require a 25-foot wide

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landscape buffer with grass, trees, and shrubs. Due to the significant site constraints of the property staff is recommending a modification to the width requirement of the buffer. Staff is recommending the applicant be required to install a 10-foot wide landscape buffer, located directly adjacent the back of curb along Cleveland Boulevard. The applicant should be required to install 2 Class II trees within the grassed landscape buffer area. The 10-foot wide landscape buffer should run the entire length of the sites frontage along Cleveland Boulevard, which equates to approximately 90 feet as shown in Exhibit A-14. The applicant should be required to install a 5-foot wide detached sidewalk located along the back side of the landscape buffer

Minor arterial roadways, such as Indiana Avenue, typically require a 20-foot wide landscape buffer with grass, trees, and shrubs. Due to the significant site constraints of the property, staff is recommending a modification to the width requirement of the buffer. Staff is recommending the applicant be required to install a 4-foot wide landscape buffer, located directly adjacent the back of curb along the Indiana Avenue frontage. Due to the limited space and minimum width of the buffer, trees and shrubs should not be required. Staff is recommending to allow the applicant to install only grass within this buffer area. This buffer should run for approximately 45 feet, beginning at the south property line on Indiana Avenue and running north 45 feet to the edge of the existing building. At which point the buffer should gradually widen to 10 feet as it continues north to the intersection of Cleveland Boulevard. The applicant should be required construct a 5-foot wide detached sidewalk along the back side of the landscape buffer.

The construction of the landscape buffers along the site's frontage should be in substantial compliance to the proposed landscape buffer drawing labeled as Exhibit A-14.

III PUBLIC TESTIMONY

3.1 Before the Planning & Zoning Commission, February 13, 2018

Jarom Wagoner, 621 Cleveland Blvd., Caldwell, ID 83605, Senior Planner, presented the staff report. Mr. Wagoner stated the applicant is requesting special use permit approval to operate a tattoo parlor within the C-2 (Community Commercial) zone. Applicant is currently in the Pablo Plaza and looking to relocate to this building.

Mr. MacDonald presented an arial photo of the location for Commissioners to view.

Mr. Wagoner reviewed the landscape updates the applicant will be required to complete. Staff recommends that these improvements be implemented over time allowing the applicant to work and save money to make these improvements. Staff would like sidewalks to be constructed and driveways removed by April 30, 2019 and have the landscaping be completed October 31, 2019.

Commissioner Nelson asked what the repercussions were for the applicant if he did not make these improvements by the requested time period.

Mr. Wagoner indicated that there is a little bit of risk involved - if the business closes down prior to completing the updates. However, the repercussion would be that we would revoke the Special Use Permit and the application would have to cease operation.

Commissioner Vance asked if the applicant was working on the updates but running behind could he make arrangements to extend the deadline?

Mr. Wagoner indicated yes, definitely, that would be an option.

Mr. Soriano asked about the 5 ft wide sidewalk. Since it is such a heavy traffic area with the College right there and people may be riding their bicycles, is that width sufficient to accommodate that? Is there a bike path there?

Mr. Wagoner indicated that typically they do not design sidewalks for bicycle traffic. However, people will still use them. The recommended mode of travel for bicycles is on the street – on the shoulder. He believes that there is a shoulder, perhaps even a bike lane, on Cleveland Blvd. Indiana does not have that. The majority of the frontage is on the boulevard and there is a shoulder there.

Commissioner Doty asked about parking. What is the distance between the front of the building and the sidewalk?

Mr. Wagoner stated that there is shared parking within the plaza that customers can utilize as well as providing some parking stalls.

Commissioner Vance asked if there was anything in the agreement requiring them to put in parking spaces.

Mr. Wagoner said there is not. That is something that they could add as a condition if they felt that was appropriate.

Commissioner Doty asked if the additional parking was located in front of a different building.

Mr. Wagoner stated the additional parking is facing Cleveland Boulevard and in front of other businesses.

Mr. J.R Flores, 2408 Cleveland Blvd., Caldwell, Idaho testified that moving to this location is the best decision for his business and family long term.

Commissioner Vance asked that applicant if all the terms of this agreement were something that is doable for him.

Mr. Flores answered yes, absolutely.

Commissioner Doty asked the applicant about the parking.

Mr. Flores said he spoke with Pablo about a month ago and he indicated it was totally fine for everyone to share parking.

Ms. Tiyanna Harvey, 580 Cove Road, Weiser, ID 83672 signed up in favor but chose not to speak.

Mr. Fred King 306 Voyage Ave., Caldwell, Idaho signed up in favor but chose not to speak.

Commissioner Doty closed the public testimony.

IV APPLICABLE LEGAL STANDARDS

- 4.1 City of Caldwell Zoning Ordinance No. 1451, as amended
- 4.2 City of Caldwell Comprehensive Plan, as amended
- 4.3 Idaho Code, Title 67, Chapter 65, Local Planning Act

V COMPREHENSIVE PLAN ANALYSIS

The Caldwell Planning & Zoning Commission accepts the Comprehensive Plan Components as listed below.

5.1 The proposed project is consistent with the following Comprehensive Plan Components:

GOALS AND POLICIES – Property Rights

Goal 1: *Ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of the property.*

Policy 1-1: Establish a sound basis for land use and environmental regulations through comprehensive planning and adopted policies and ordinances.

Policy 1-3: Consider on a case-by-case basis economic hardship relief that would allow legitimate, economically beneficial uses of property in situations where regulations would have an extreme result.

GOALS AND POLICIES – Economic Development

Goal 1: *Promote economic development initiatives relating to housing, business, jobs, schools, recreational opportunities, infrastructure systems, public utilities and facilities, and public services.*

Policy 1-3: Encourage development that generates new job opportunity.

GOALS AND POLICIES – Land Use

Goal 1: *Establish land-use management policies that protect property rights and the environment, maintain a high quality of life, provide adequate land for all types of development, and adequately buffer non-compatible uses.*

Policy 1-2: Encourage commercial and industrial uses in areas that are readily accessible to regional and principal arterials and/or public transit.

5.2 The request was found to be inconsistent with the following Comprehensive Plan Components:

GOALS AND POLICIES – Transportation

Goal 1: *Provide for the efficient, safe, and cost-effective movement of people and goods.*

Policy 1-7: Preserve roadway corridors as development occurs.

Goal 5: *Protect the integrity of arterial corridors.*

Policy 5-2: In order to minimize the number of driveway approaches, create alternative access points when locating along a principal arterial road.

All adopted city ordinances, standards and codes were used in evaluating the application. The main

AC2

concern for staff is in eliminating those driveways that create safety hazards for the traveling public and that do not meet current standards. The elimination of those driveways will bring the request into full compliance with the Comprehensive Plan and will still provide adequate access into and out of the site.

VI FINDINGS OF FACT

- 6.1 The Caldwell Planning & Zoning Commission accepts the facts outlined in the staff report, public testimony and the evidence list. All adopted city ordinances, standards and codes were used in evaluating the application. The proposed use is conditionally permitted by the terms of the ordinance and is subject to conditions of approval.

VII CONCLUSIONS OF LAW

- 7.1 The Caldwell Planning & Zoning Commission has the authority to hear this case and order that it be approved or denied. The public notice requirements were met and the hearing was conducted within the guidelines of applicable Idaho Code and City ordinances.

VIII ORDER OF DECISION

- 8.1 Based on the Findings of Fact and Conclusions of Law, the Caldwell Planning & Zoning Commission hereby orders that Case Number SUP-18-01 a request by JR Flores for a special-use permit to operate a Tattoo Parlor within the C-2 (Community Commercial) Zone for the property located at 2402 Cleveland Boulevard in Caldwell, Idaho, is **approved** with the following conditions of approval:
- 8.2 Comply with the all applicable city codes, ordinances, policies, and standards.
- 8.3 Remove the 60-foot wide driveway on Cleveland Boulevard located approximately 10 feet east of Indiana Avenue and replace it with vertical curb, gutter, and detached 5-foot wide sidewalk. The applicant shall be allowed until April 30, 2019 to complete this requirement.
- 8.4 Remove the 24-foot wide driveway on Indiana Avenue located approximately 10 feet south of Cleveland Boulevard and replace it with vertical curb, gutter, and detached 5-foot wide sidewalk. The applicant shall be allowed until April 30, 2019 to complete this requirement.
- 8.5 Remove the 18-foot wide driveway on Indiana Avenue located approximately 55 feet south of Cleveland Boulevard and replace it with vertical curb, gutter, and detached 5-foot wide sidewalk. The applicant shall be allowed until April 30, 2019 to complete this requirement.
- 8.6 Install a vegetative landscape buffer along the properties entire frontage in substantial compliance with the submitted Exhibit A-14. This shall include the following:
- 10-foot wide grassed landscape buffer with a minimum of 2 Class II trees, located directly adjacent the back of curb along Cleveland Boulevard. The landscape buffer should run the entire length of the sites frontage along Cleveland Boulevard, which equates to approximately 90 feet.
 - 4-foot to 10-foot wide grassed landscape buffer with no tree or shrub requirement, located directly adjacent the back of curb along the Indiana Avenue frontage. The 4-foot wide landscape buffer should beginning at the south property line on

A12

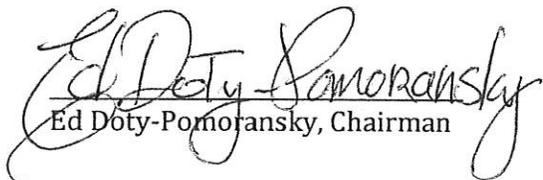
Indiana Avenue and run north for approximately 45 feet at which point the buffer should gradually widen to 10 feet as it continues north to the intersection of Cleveland Boulevard.

The applicant shall be allowed until October 31, 2019 to complete these requirements.

- 8.7 Replace the existing curb and sidewalk with 6-inch vertical curb and a 5-foot wide detached concrete sidewalk, abutting the entire site. The sidewalk shall be placed directly adjacent the back side of the required landscape buffers as shown in Exhibit A-14 and shall include improvements to the intersection of Cleveland Boulevard and Indiana Avenue so as to provide proper connectivity to the existing crosswalks and landing areas. The applicant shall be allowed until April 30, 2019 to complete these requirements.
- 8.8 Provide a minimum of 2 dedicated parking stalls for the proposed use.

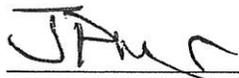
Case Number SUP-18-01 was heard by the Caldwell Planning & Zoning Commission at a public hearing held February 13th, 2018.

The Findings of Fact, Conclusions of Law, and Order of Decision were administratively approved and signed by the Planning & Zoning Chairman on the date noted below.


Ed Doty-Pomorski, Chairman

ATTEST:

3 March 2018
Date



Jason Wagoner, AICP
Senior Planner

