



NOTICE OF AGENDA
TWIN FALLS CITY PLANNING & ZONING COMMISSION
OCTOBER 27, 2015 6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Gerardo “Tato” Muñoz Christopher Reid Jolinda Tatum
Chairman Vice-Chairman

AREA OF IMPACT:

Ryan Higley Steve Woods

City Council Liaison

Rebecca Mills Sojka

- I. CALL MEETING TO ORDER:**
 1. Confirmation of quorum
 2. Introduction of staff

- II. CONSENT CALENDAR:**
 1. Approval of Minutes from the following meeting(s): **09-29-15 PH, 10-7-15 WS, 10-13-15 PH**
 2. Approval of Findings of Fact and Conclusions of Law:
 - Lopshire (SUP 10-13-15)

- III. ITEMS OF CONSIDERATION: None**

- IV. PUBLIC HEARINGS:**
 1. Request for a **Special Use Permit** to operate a used vehicle sales business on property located at 258 Washington Street North c/o Allen Nagel dba Allstate Auto Sales, Inc (app. 2751)

- V. GENERAL PUBLIC INPUT:**

- VI. ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:**

- VII. UPCOMING PUBLIC MEETINGS:** (held at the City Council Chamber unless otherwise posted)
 1. Work Session- **November 4, 2015**
 2. Public Hearing-**November 10, 2015**

- VIII. ADJOURN MEETING:**

Si desea esta información en español, llame Leila Sanchez al (208) 735-7287

Any person(s) needing special accommodations to participate in the above noticed meeting should contact Lisa A. Strickland at (208) 735-7267 at least two (2) working days before the meeting.

CITY OF TWIN FALLS
PLANNING & ZONING COMMISSION
Public Hearing Procedures for Zoning Requests

1. Prior to opening the public meeting, the Chairman shall review the public hearing procedures, confirm a quorum is present and introduce staff present.
2. Individuals wishing to testify or speak before the Commission shall wait to be recognized by the Chairman, approach the microphone/podium, state their name and address, then commence with their comments. Following their statements, they shall write their name and address on the Sign-In record sheet(s) located on a separate table near the entrance of the chambers. The administrative assistant shall make an audio recording of each public meeting.
3. **The Applicant, or the spokesperson for the Applicant, shall make a presentation** on the application/request. No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing – WHICH IS A MINIMUM OF 15 DAYS PRIOR TO PUBLIC HEARING. **The applicant's presentation should include the following:**
 - **A complete explanation and description of the request.**
 - **Why the request is being made.**
 - **Location of the Property.**
 - **Impacts on the surrounding properties and efforts to mitigate those impacts.**

The Applicant is limited to 15 minutes, unless a written request for additional time is received and granted by the Chairman prior to commencement of the public meeting.

4. Upon completion of the applicant's presentation City Staff will present a staff report which shall summarize the application/request, history of the property, if any, staff analysis of the request and any recommendations.
 - **The Commission may ask questions of staff or the applicant pertaining to the request at this time.**
5. The public will then be given the opportunity to provide public testimony/input/comments regarding the request.
 - **The Chairman may limit public testimony to no more than two (2) minutes per person.**
 - **Five (5) or more individuals, having received personal public notice of the application under consideration, may select a spokesperson by written petition. The spokesperson shall be limited to 15 minutes.**
 - **No written comments, including e-mail, received after 12:00 o'clock noon on the date of the hearing will be accepted for consideration by the hearing body. Written comments, including e-mail, received by 12:00 o'clock noon or before the date of the hearing shall be either read into the record or displayed on the overhead projector either during or upon the completion of public comment.**
 - **Following the Public Testimony, the applicant is permitted a maximum five (5) minutes rebuttal to respond to Public Testimony.**
6. Following the Public Testimony and Applicant's response, the Public Input portion of the public hearing shall be closed-**No further public testimony is permitted.** Commission Members, as recognized by the Chairman, shall be allowed to request clarification of any public testimony received of the Applicant, Staff or any person who has testified. The Chairman may again establish time limits.
7. The Chairman shall then close the Public Hearing. The Commission shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. **Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed.** Legal or procedural questions may be directed to the City Attorney.

Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and thereafter removed from the room by order of the Chairman.



Public Hearing: **Tuesday, October 27, 2015**

To: Planning & Zoning Commission

From: Rene'e V. (Carraway) Johnson, Zoning and Development Manager

AGENDA ITEM IV-1

Request: Request for a Special Use Permit to operate a used vehicle sales business on property located at 258 Washington Street North. c/o Allstate Auto Sales Inc. (app 2751)

Time Estimate:

The applicant's presentation may take up to fifteen (15) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: owner	Size: existing 2,000 sq ft bldg on a 0.5 acre Lot (22,330 sq ft)
All State Autos, Inc. 284 Washington St N Twin Falls, ID 83301 208-736-1000	Current Zoning: C-1	Requested Zoning: SUP
	Comprehensive Plan: Commercial/Retail	Lot Count: 4 lots –combined into 1 lot
	Existing Land Use: automobile sales	Proposed Land Use: Used automobile sales
Representative:	Zoning Designations & Surrounding Land Use(s)	
Michael Gomez 284 Washington Street N Twin Falls, ID 83301 208-734-7283 Mikezemog63@yahoo.com	North: C-1; Heyburn Ave, residence	East: R-4; alley, residences
	South: C-1; residences	West: C-1; Washington St N, commercial
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8.1, 10-4-8.2(B)10c, 10-4-8.3, 10-7-12, 10-10-1 through 3, 10-11-1 through 9, 10-13-2.2	

Approval Process:

As per TF City Code: 10-13-2.2 (F), (G) & (J)

(F) Public Hearing: Prior to granting a special use permit, at least one public hearing before the Commission in which interested persons shall have the opportunity to be heard shall be held. **(G)** Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve or disapprove the application as presented. If the application is approved or approved with modifications, the Commission shall direct the Administrator to issue a special use permit listing the specific conditions specified by the Commission for approval. **(J) Appeal To The Council:** Upon receipt of an appeal from the action of the commission, the council shall set a hearing date, under the same provisions as the commission hearing, to consider all information, testimony and the commission's minutes of the public hearing to reach a decision to uphold, conditionally uphold or overrule the decision of the commission. (Ord. 2124, 10-15-1984)

Budget Impact:

Approval of this request will have negligible impact on the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to establish an automobile sales business on this commercial property, subject to any conditions of approval.

A special use permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

History:

The property started as a gas station and service station in the 1960's. The property at 284 Washington Street North has been used for automotive sales for over twenty-five (25) years. The other properties had been residential dwellings up to 2011 when the residences were demolished.

In the fall of 2011, Mr. Nagel applied for a Special Use Permit (SUP) to expand his operations of used vehicle sales onto adjacent properties south of his main building. On 12-28-2011 The Planning and Zoning Commissioners granted the request subject to 12 conditions. On February 6 2012, the City Council heard an appeal on the conditions placed on Mr. Nagel's SUP (#1255). The City Council amended 3 of the 12 conditions and Mr. Nagel was allowed to continue with his expansion project.

During the course of 2012, conditions placed on the SUP were not met within the required timeline. Some of these conditions were Paving and Landscaping. City Staff worked with the applicant and his representatives to rectify this situation over the course of a year. In October 2014, pending litigation, and the inability to finish the conditions placed on the subject property led the applicant to request the original SUP (#1255) to be voided.

After the SUP was voided, all business activities ceased on the subject property. Therefore, the paving and landscaping requirements no longer applied and City Staff focused efforts on keeping the property free of weeds and debris.

Analysis:

Currently, the applicant operates the sales lot on the corner of Washington and Heyburn. The hours of operation have been listed as Monday through Saturday from 10:00 am to 6:00 pm. It has been expressed these hours would remain the same. The applicant estimates 15 customers per day. Approximately three (3) employees would be on site at any one time. The applicant states they do not anticipate any increase to noise, odor, glare, or vibrations to the area.

Per City Code 10-4-8: This zone requires a Special Use Permit for an automobile sales lot to be legally established.

These uses can be impactful on neighboring properties depending on the circumstances of the development patterns surrounding them. In this case, Washington Street North is an arterial roadway and has been constructed to accommodate a substantial amount of traffic. With the majority of traffic entering and exiting onto Washington it is believed the impacts of this business in terms of traffic and noise to be minimal.

Per City Code 10-11: Certain improvements are required in conjunction with building permits: landscaping, screening, parking areas, streets, sanitation facilities and other infrastructure.

These improvements are also reviewed during a Special Use Permit process. If the commission determines the special use will adversely impact neighboring properties, additional improvements or development requirements may be placed as conditions of approval.

Possible Impacts:

Used Automobile sales lots typically tend to cause an increase in noise, which is directly a result of increased traffic to the area. These two impacts are caused by the nature of receiving, shipping, buying, and selling vehicles which need to be started and moved repeatedly. However, due to the proximity of Washington Street North, a major arterial, the potential increase in noise and traffic would be negligible compared to the existing ambient noise and traffic.

The Engineering Department recommends that accesses onto Washington Street North be consolidated and only one (1) curb-cut allowed as the roadway carries such a high amount of traffic.

The Comprehensive Plan shows this property as Residential/Business. Which makes it consistent with the Comprehensive Plan.

Conclusion:

Should the Commission approve the request, as presented, staff recommends the following conditions be placed on this permit:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to compliance with and maintenance of the C-1 zone landscaping requirements, including a minimum ten feet (10') of landscaped area along street frontage to meet the gateway arterial landscaping requirements.
3. Subject to maintaining the solid screening fence on the southern boundary of the property.
4. Subject to consolidating the access onto Washington Street North into one (1) curb-cut / access.

Attachments:

1. Letter of Request
2. Applicant Submitted Site Plan
3. Vicinity Map
4. Aerial of the Project Site
5. SUP #1235
6. Picture Assembly

ALL STATE AUTOS INC.
284 WASHINGTON ST NORTH
TWIN FALLS, ID 83301
208-736-1000

This request is for expanding our currant adjoining used auto sales lot located at 284 washington street north.

We purchased 4 lots adjoining our currant location and dozed over 3 very run down houses (eye sores) our plans is to build a new sales office, asphalt the lot and beautify washington street north, also adding 4 new jobs.

Our hours of operation are 10am to 6pm Monday thru Saturday and will remain the same.

we feel the traffic will remain the same as it is now, that is about 15 customers a day, this expansion will allow us to have a new sales office that looks like a car lot instead of an old gas station selling cars, for that is how it looks now.

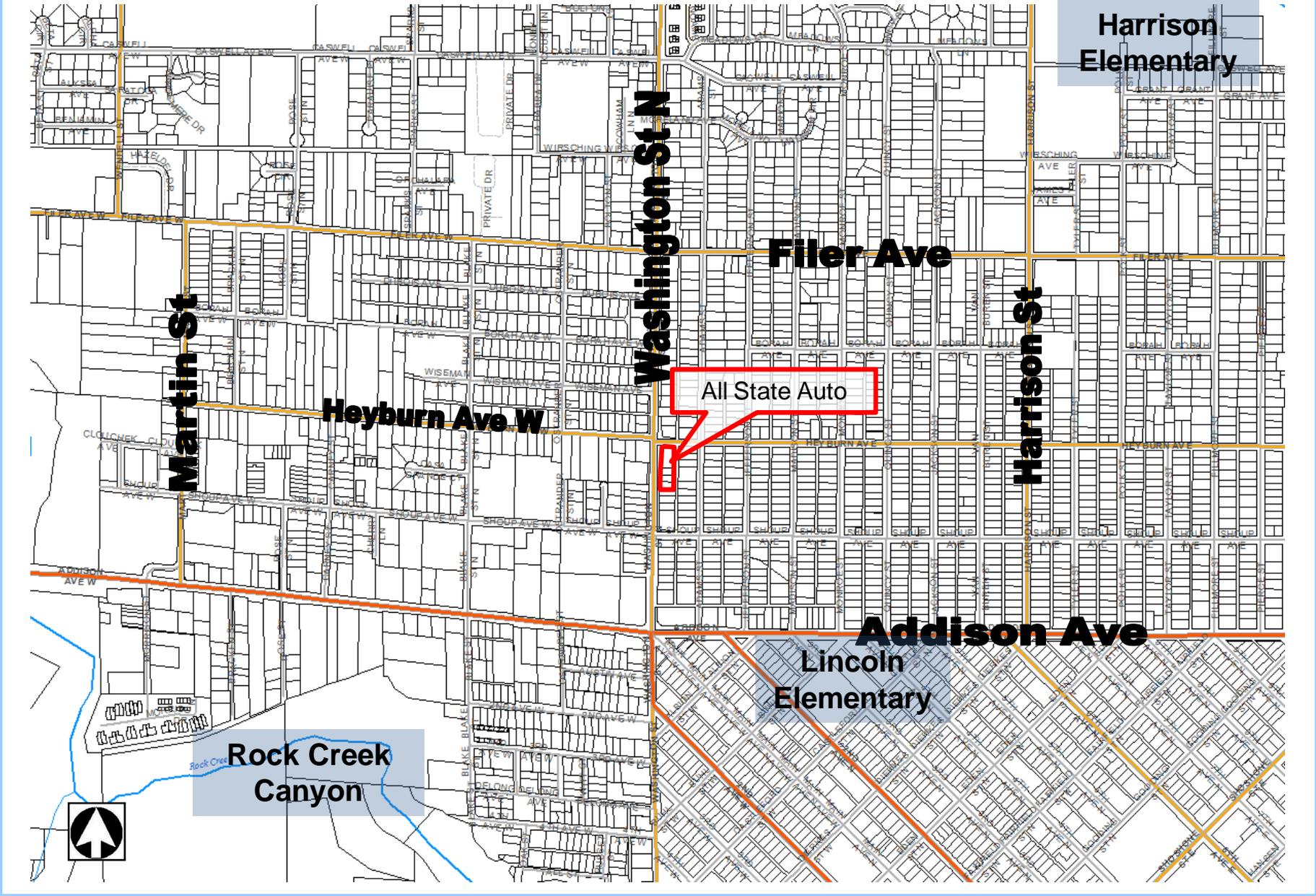
Therefore the noise,glare and odors should remain the same as it is now just a much prettier/professional auto sales lot.

The general compatibility with adjacent lots is our currant location is a car lot and has been so for 27yrs we are only adding on, also we will be next to a house as we were next to houses we dozed over so nothing changes but the beauty of washington street north.

We do ask to use the property for auto display temporary untill this project is complete, for we can not asphalt untill spring of 2012 when the plant that makes asphalt starts back up.

RECEIVED
DEC 01 2011
CITY OF TWIN FALLS
BUILDING DEPT.

VICINITY MAP



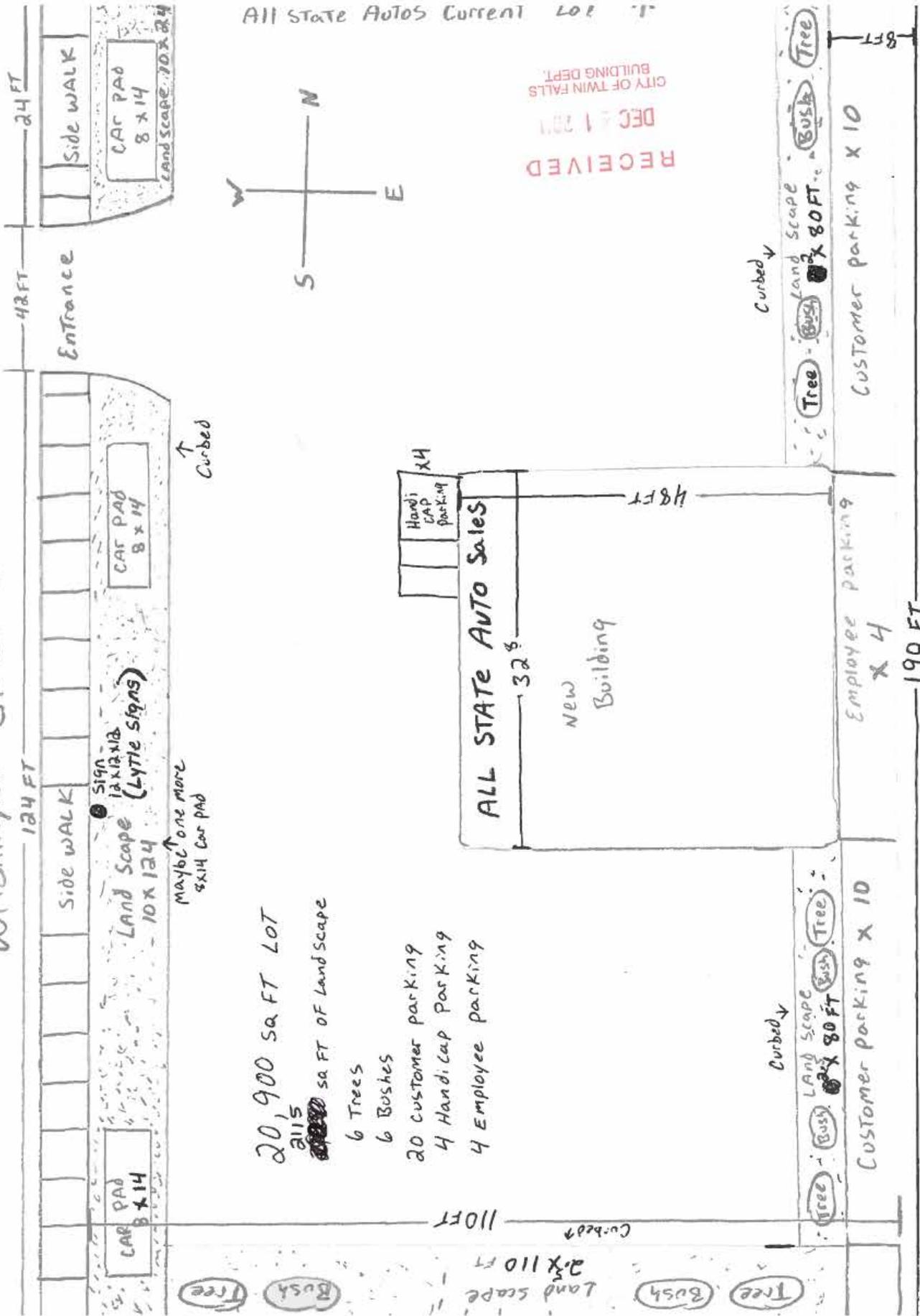
ZONING MAP



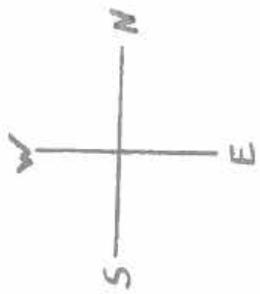
AERIAL MAP



WASHINGTON STREET NORTH



- 20,900 sq FT LOT
 2115
 2000 sq FT OF Land Scope
 6 Trees
 6 Bushes
 20 customer parking
 4 Handi Cap Parking
 4 Employee parking



RECEIVED
 DEC 4 2011
 CITY OF TWIN FALLS
 BUILDING DEPT.

All State Autos Current Lot '1'

ALL STATE AUTOS INC.
284 WASHINGTON ST NORTH
TWIN FALLS, ID 83301
208-736-1000

This request is for expanding our current adjoining used auto sales lot located at 284 Washington Street North.

We purchased 4 lots adjoining our current location and dozed over 3 very run down houses (eye sores) our plans is to build a new sales office, asphalt the lot and beautify Washington Street North, also adding 4 new jobs.

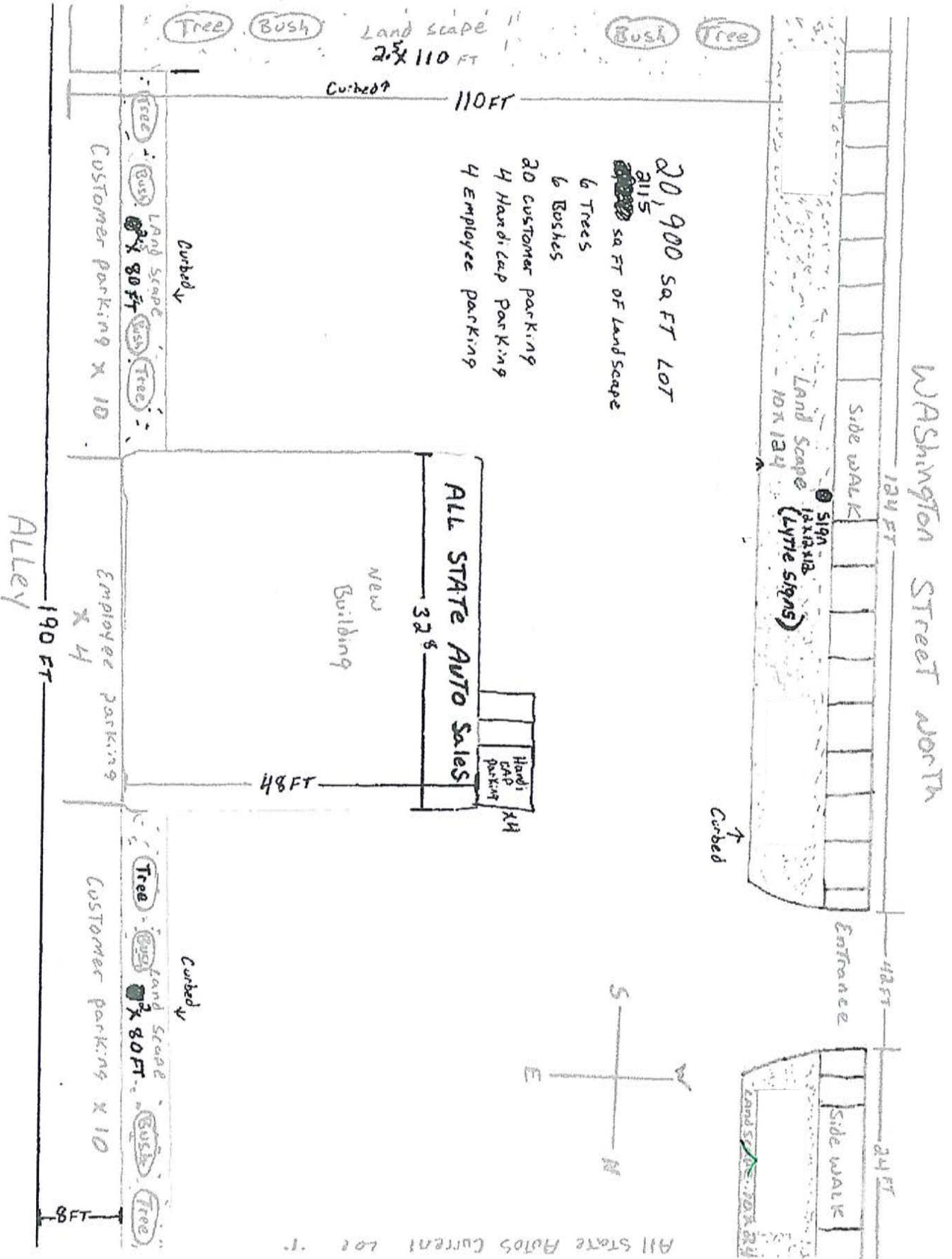
*6 DAY'S WORK
- 7 DAY'S WORK?*

Our hours of operation are 10am to 6pm and will remain the same.

We feel the traffic will remain the same as it is now, that is about 15 customers a day, this expansion will allow us to have a new sales office that looks like a car lot instead of an old gas station selling cars, for that is how it looks now.

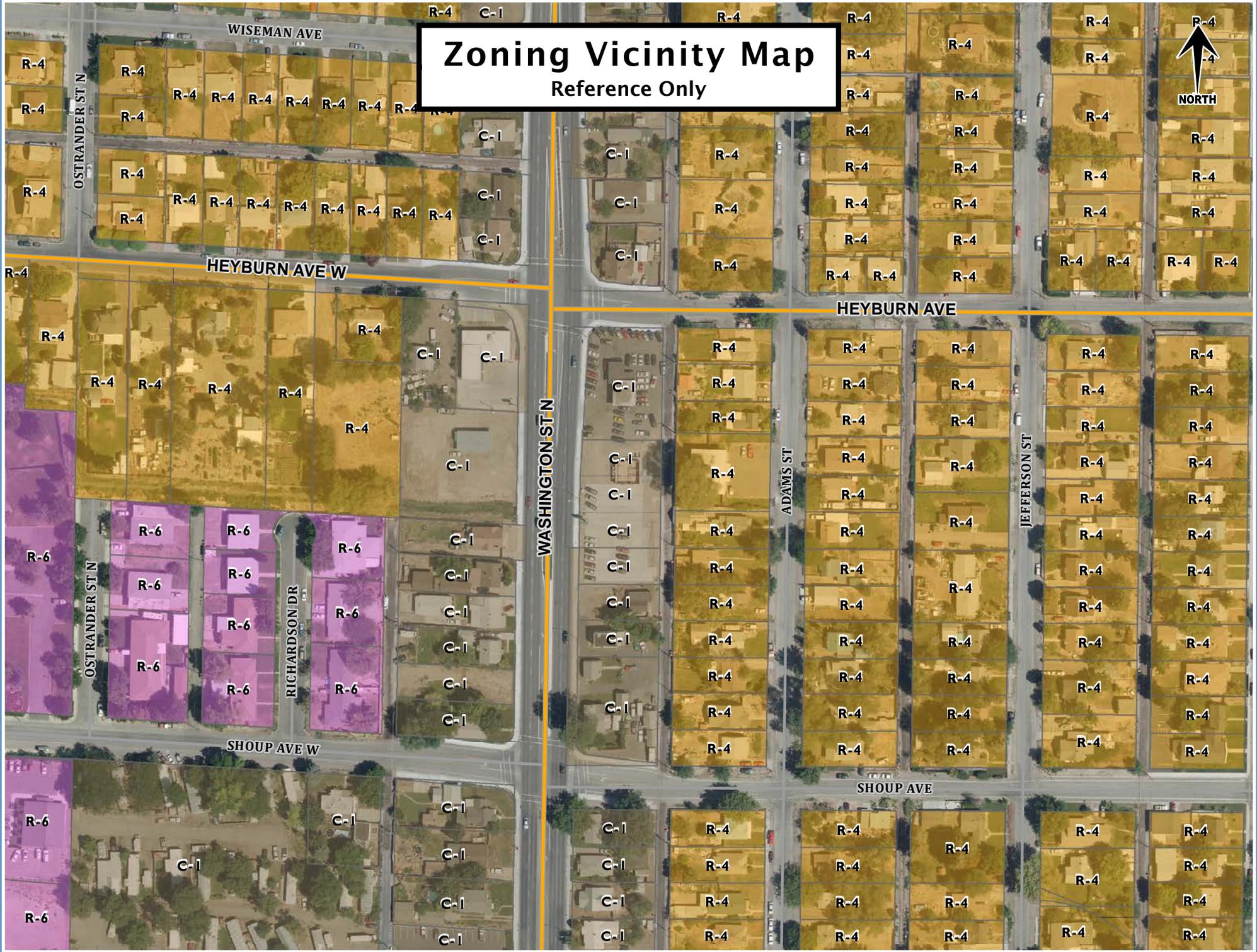
Therefore the noise, glare and odors should remain the same as it is now just a much prettier/professional auto sales lot.

The general compatibility with adjacent lots is our current location is a car lot we are only adding on, also we will be next to a house as we were next to houses we dozed over so nothing changes but the beauty of Washington Street North.



Zoning Vicinity Map

Reference Only



Aerial Photo Map

Reference Only



HEYBURN AVE W

HEYBURN AVE

WASHINGTON ST N

ADAMS ST





Voided Per
Allen Nagel 10-27-14

CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT
324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303-1907

SPECIAL USE PERMIT

City Council Amended 02-06-12

Permit No. 1255

Granted by the Twin Falls City Planning and Zoning Commission and amended on February 6, 2012 by the City Council to All State Auto c/o Allen Nagel whose address is 284 Washington Street North Twin Falls, ID 83301 for the purpose of expanding by more than 25% an existing used automobile dealership to include up to (4) display pad sites for property located at 284 Washington Street North and legally described as Twin Falls Moorman's 1st Addn N 156.21' of W 130.7' Block 5 Exc N & W .102A (9-10-17 SW)

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

This permit corresponds to Zoning Application No.2494

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to four (4) pad sites being allowed in the landscaped area, at least ten (10') feet back from the back of curb on Washington Street North, minimum of 9' x 20' and hard surfaced to meet code.
3. Subject to compliance with C-1 zone landscaping requirements and including a minimum ten feet (10') of landscaped area along the frontage to meet the gateway arterial landscaping requirements.
4. Subject to compliance with City Code §10-11-3 by implementing screening on the southern boundary of the property.
5. Subject to all parking and maneuvering areas being hard-surfaced per City Code §10-11-4 all parking and maneuvering areas being hard-surfaced per City Code 10-11-4, and to allow the applicant to park inventory for sale and to allow for sale of automobiles on the undeveloped property in the four lots described up to and until June 28, 2012 at which time the lots will be paved.
6. Subject to compliance with paving and landscaping requirements by June 28, 2012.
7. Subject to limiting the existing accesses on Washington Street North to one (1) access for ingress/egress.
8. Subject to signage being approved by staff prior to operation of the business.
9. Subject to approval and implementation of a storm water retention plan for the property prior to operation of the business.
10. Subject to review by the Twin Falls Canal Company of the coulee on the property and compliance with any requirements that they may have for development. A copy of the approved plan to be provided prior to operation of the business.
11. Subject to compliance with all DMV dealership requirements. A copy of the approved dealership license to be provided prior to operation of the business.
12. Subject to allow the hours of operation from 7:00am to 8:00pm.



 MAYOR-CITY OF TWIN FALLS
 4-16-2012

 DATE



purposes only. Other permits such as sign, building, electrical or plumbing permits, All facilities must comply with all Building and Fire Code Regulations.

For more information, please contact the Building Department at 735-7238 for further information.

on

All State Autos, Inc.
Allen Nagel
284 Washington St N
258 Washington St N – new building
September 30, 2014

Allen Nagel 10-27-2014
Lives in LV
421-1648

SUP #1255 approved on December 28, 2011 with 12 conditions. Allen Nagel appealed the condition that all parking and maneuvering areas had to be hard surfaced, landscaping requirement, and hours of operation. City Council amended the SUP on 2/6/12. The conditions are as follows:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable city Code requirements and standards. *The building permit should be null and void.*
2. Subject to four (4) pad sites being allowed in the landscaped area, at least 10 (10') feet back from the back of the curb on Washington Street North, minimum of 9' x 20' and hard surfaced to meet code. *He wasn't going to put in pad sites.*
3. Subject to compliance with C-1 zone landscaping requirements and including a minimum 10 feet (10') of landscaped area along the frontage to meet the gateway arterial landscaping requirements. *There wasn't a berm and the landscaping is dead.*
4. Subject to compliance with City Code 10-1-3 by implementing screening on the southern boundary of the property. *There isn't any screening. If he was going to use landscaping as screening it is dead.*
5. Subject to all parking and maneuvering areas being hard-surfaced per City Code 10-11-4 all parking and maneuvering areas being hard-surfaced per City Code 10-11-4, and to allow the applicant to park inventory for sale and to allow for sale of automobiles on the undeveloped property in the four lots described up to and until June 28, 2012 at which time the lots will be paved. *The paving is not completed.*
6. Subject to compliance with paving and landscaping requirements by June 28, 2012. *The paving and landscaping is not completed.*
7. Subject to limiting the existing accesses on Washington Street North to one (1) access for ingress/egress.
8. Subject to signage being approved by staff prior to operation of the business. *The pole sign cabinet has been removed but the pole is still there.*
9. Subject to approval and implementation of a storm water retention plan for the property prior to operation of the business. *There were supposed to be drywells put in. I didn't do any inspections so I'm not sure they are there.*
10. Subject to review by the Twin Falls Canal company of the coulee on the property and compliance with any requirements that they may have for development. A copy of the approved plan to be provided prior to operation of the business. *It is shown on the site plan that the canal easement is along the western boundary of the property. I looked through all my notes and the files and couldn't find anything from the canal company though.*
11. Subject to compliance with all DMV dealership requirements. A copy of the approved dealership license to be provided prior to operation of the business. *I didn't find a copy of the dealership license in any of the files.*
12. Subject to allow the hours of operation from 7:00 am to 8:00 pm.

"VOID" the permit -
he will be in TF 11-15 - move All vehicles
sup prop
back to
corner lot

Building Permit 12-752 was issued 06-19-12

There was a footing inspection done on 6/21/12. *No other inspections have been done on this building permit. This permit should be null and void.*



Voided Per
Allen Nagel 10-27-14

**CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303-1907

SPECIAL USE PERMIT

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3. Subject to compliance with C-1 zone landscaping requirements and including a minimum ten feet (10') of landscaped area along the frontage to meet the gateway arterial landscaping requirements.
4. Subject to compliance with City Code §10-11-3 by implementing screening on the southern boundary of the property.
5. Subject to all parking and maneuvering areas being hard-surfaced per City Code §10-11-4. There shall be no vehicles on undeveloped surface at any time.
6. Subject to compliance with paving and landscaping requirements by May 31, 2012.
7. Subject to limiting the existing accesses on Washington Street North to one (1) access for ingress/egress.
8. Subject to signage being approved by staff prior to operation of the business.
9. Subject to approval and implementation of a storm water retention plan for the property prior to operation of the business.
10. Subject to review by the Twin Falls Canal Company of the coulee on the property and compliance with any requirements that they may have for development. A copy of the approved plan to be provided prior to operation of the business.
11. Subject to compliance with all DMV dealership requirements. A copy of the approved dealership license to be provided prior to operation of the business.
12. Subject to hours of operation no later than 6:00 pm, as presented, and no earlier than 7:00 am per City Code §10-4-8.2.


CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

1-10-12
DATE

**This permit,
etc. may be r**



**Other permits such as sign, building, electrical or plumbing permits,
must comply with all Building and Fire Code Regulations.**

Call the Building Department at 735-7238 for further information.

cc: Building Inspection



Breaking News Police Seek Tips in College ATM Theft

Home / News / Region

3:15 p.m. UPDATE: Allen Nagel Long Studied by Local Police; Churchman Arrested on State Charges [now with court documents]

Print Email

July 26, 2012 3:15 pm • By Alison Gene Smith and Nate Poppino Times-News (0) Comments

TWIN FALLS • Of the Idaho defendants in this week's synthetic marijuana case, only Joshua Cserepes has a past record of drug or felony criminal convictions in Idaho courtrooms - including theft convictions in 2005 and 2004.

This Tuesday, the same day the indictment was filed, he was sentenced to one year of probation and 90 days' suspended jail time after pleading guilty to misdemeanor using or possessing drug paraphernalia.

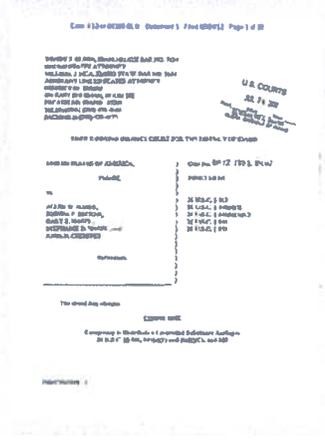
Now, he and four others - Allen W. Nagel, Gary E. Nagel and Stephanie D. Nagel of Twin Falls, and Joshua P. Becker of Tigard, Ore. - have all been arrested as part of a national synthetic drug operation called "Operation Log Jam," according to details provided by the U.S. Attorney's Office for Idaho.

All five are accused by a federal grand jury of "unlawfully, knowingly and intentionally" distributing and possessing substances containing three different substances that act as synthetic marijuana, "knowing that the substance was intended for human consumption." The offenses were allegedly committed from about March 1, 2011, to July 24, 2012.

None of the four Twin Falls residents have faced federal

Related Documents

Read Tuesday's indictment



Read the basic details of the charges for each defendant



Flyerboard

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ARE YOU BEEN CONVICTED OF A DRUG CHARGE?

If you are a defendant in a criminal case involving a drug charge involving, and possibly involving, a child, you may be eligible for relief from your criminal record, for example, if released from a drug rehabilitation program.

A complete investigation of your criminal record in the United States is necessary to determine your eligibility for relief from your criminal record. We will provide you with a complete report on your eligibility for relief from your criminal record. We will also provide you with a complete report on your eligibility for relief from your criminal record.

If you are a defendant in a criminal case involving a drug charge involving, and possibly involving, a child, you may be eligible for relief from your criminal record, for example, if released from a drug rehabilitation program.

NIELSEN

Let's a single Let's Dance

Professional services for your business. We provide the expertise you need to succeed in today's competitive market.

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• Marketing Strategy
• Financial Analysis
• Operational Efficiency

REGISTER NOW!

Kim & Pam Northern
208-734-4433

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CHILD CARE
Mon-Fri 7:30am-6pm

Pre-School:
4-5 yrs. - Tues - Thurs
4-5 yrs. - Wed - Fri
5 yrs. - Mon - Fri

APPLY NOW!
CARE AVAILABLE

More Info: Evonova 733-2939 or 961-1079

WHEN SECONDS COUNT

FAST, COMPREHENSIVE, EMERGENCY CARE IS WAITING FOR YOU

The team of emergency medicine specialists at our hospital is available 24 hours a day, 7 days a week, to provide the care you need when you need it most.

At Health Campus Medical Center, your emergency is our priority. In our hospital, we have the resources you need to get the care you need when you need it most.

Health Campus Medical Center
208-734-4433

charges before in Idaho.

Meanwhile, Daniel James Churchman - owner of Churchman's Jewelry, one of the businesses searched Wednesday as part of the synthetic marijuana investigation - has been arrested on state charges of grand theft, cocaine possession and possessing methamphetamine with intent to deliver, according to Twin Falls County Sheriff's Office records. He was listed as an inmate of the Twin Falls County Jail as of 6 a.m. today.

Allen Nagel in particular has long been under the eye of Twin Falls law enforcement.

As early as 2010, Allen Nagel had formulated his own blend of spice sold under the brand name "Hayze" that he said in an interview with the Times-News was free of pesticides and chemicals like acetone. He sold it marked as "not for human consumption" and changed the recipe to meet evolving state bans on synthetic marijuana ingredients over the years. Records requests by the Times-News revealed that Nagel's shop was one targeted by city police for occasional undercover buys to test his products' legality.

This spring, Allen Nagel said he stopped selling Hayze and sold his part of a company that produced it in late 2011, citing concerns about people's reactions to chemicals used after the original synthetic compounds were banned.

In interviews over the years, he placed the responsibility for the misuse of the substance - usually sold as incense - on buyers, arguing that law enforcement should focus on them rather than businesses selling the product.

"People are going to do what they're going to do," he told the Times-News in September 2011. "It's no different than buying Robitussin or glue or spray paint. There's always going to be people who abuse products. I don't want them to, and (their abuse) shouldn't take away our rights."

The federal indictment also seeks the forfeiture of at least \$3.5 million allegedly connected to the offenses, and a wide range of property including parcels at 3295 Longbow Drive, 252 Washington St. N., 246 Washington St. N., 1440 Blue Lakes Blvd. 258 Washington St. and 287 Washington St. in Twin Falls.

Each defendant faces one charge of felony conspiracy to distribute a controlled substance analogue. Federal prosecutors have also sought to hold Allen Nagel, Gary Nagel, Stephanie Nagel and Cserepes without bail prior to trial. If convicted, each defendant could face up to 20 years in prison, a \$100,000 fine and a minimum of three years of supervised release following their prison sentence.

Arraignments for the Twin Falls defendants are set for 9 a.m. Friday in federal court in Pocatello, according to online court records. Becker was arraigned Wednesday in federal

Read the motion to detain Allen Nagel without bail

Read the motion to detain Gary Nagel without bail

Read the motion to detain Joshua Cserepes without bail

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court in Oregon and is set to make an appearance Aug. 1 in Idaho.

The indictment preceded reports Wednesday that local, state and federal law enforcement agencies searched a number of local businesses regarding synthetic marijuana distribution and sales. According to the U.S. Attorney's Office, search warrants were executed at 11 Magic Valley locations, including the following:

- All State Auto Sales, 2135 Kimberly Road, Twin Falls.
- All State Auto Sales, 284 Washington Street North, Twin Falls.
- Boo Boo's Skate Shop, 143 4th Avenue West, Twin Falls.
- Churchman's Jewelry, 153 Main Avenue West, Twin Falls.
- Dark Side Glass Blowers, 2487 Kimberly Rd., Suite H, Twin Falls.
- Fat Ratt Tattoo & Body Piercing, 1440 Blue Lakes Blvd., North, Twin Falls.
- Smoke N' Head, 287 Washington Street North, Twin Falls.
- Ta Ta's, 221 South Lincoln Suite C, Jerome.
- 175 Bellevue Court, Twin Falls.
- 482 Cypress Way, Twin Falls.
- 3295 Longbow Drive, Twin Falls.

Locations in Tigard, Ore., and Vancouver, Wash., were also searched as part of the investigation.

Nationwide, more than 90 people were arrested and more than 5 million packets of finished synthetic designer drugs were seized as part of Operation Log Jam, according to a press release from the U.S. Drug Enforcement Administration. In Idaho, 16 people face charges of conspiracy to sell drug paraphernalia in the Treasure Valley.

The state of Idaho and the federal government have both recently taken steps to criminalize the synthetic drugs.

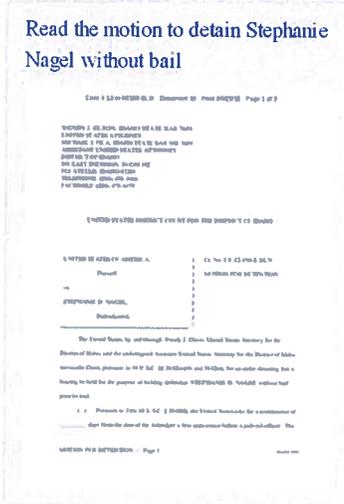
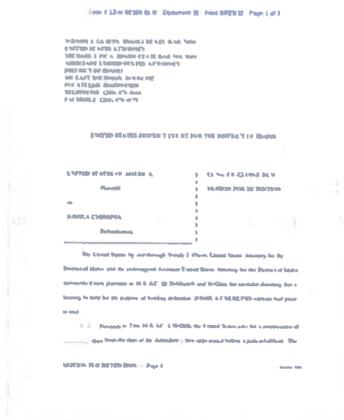
This story will be updated throughout the day. Return to Magicvalley.com and read Friday's Times-News for more on this report.

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Lisa Strickland

From: Jarrod Bordi
Sent: Monday, October 27, 2014 3:40 PM
To: Renee Carraway; Lisa Strickland; Sean Standley; Jonathan Spendlove; Kelly Weeks
Cc: Fritz Wonderlich; Fritz Wonderlich Outside; Mitch Humble
Subject: RE: ALLEN NAGEL - WASH ST N SUP FOR AUTO DEALERSHIP

I just spoke with Allen regarding the partially constructed building (@258 Washington Street North). He asked the building permit (#12-752) be closed. I informed him that City's currently adopted existing building code doesn't require this structure be demolished, but it does require him to secure it from unwanted entry. He said he would be back in town on 11/15/14 to get everything taken care of.

Thanks,
Jarrod

From: Renee Carraway
Sent: Monday, October 27, 2014 12:04 PM
To: Jarrod Bordi; Lisa Strickland; Sean Standley; Jonathan Spendlove; Kelly Weeks
Cc: Fritz Wonderlich; Fritz Wonderlich Outside; Mitch Humble
Subject: ALLEN NAGEL - WASH ST N SUP FOR AUTO DEALERSHIP

I spoke with Allen Nagel this morning. He wishes to **VOID** Special Use Permit #1255-Amended, attached, to operate the auto dealership at 284 Washington St N. He lives in LV but will be here Nov 15th to move all vehicles to the corner lot. He said they would be gone by the 20th. He said he would just let the property go to weeds and I told him the weeds still need to be taken care of. I also stated he does need to contact Jarrod to determine what to do about the partially constructed building.

LISA, PLEASE MARK Special Use Permit #1255-Amended **VOID** per Mr. Nagel as of 10-27-14.

Thank you;

Rene'e V. (Carraway) Johnson
Zoning & Development Manager
City of Twin Falls
PO Box 1907
Twin Falls, Idaho 83303-1907
208-735-7267

Lisa Strickland

From: Renee Carraway
Sent: Monday, October 27, 2014 12:04 PM
To: Jarrod Bordi; Lisa Strickland; Sean Standley; Jonathan Spendlove; Kelly Weeks
Cc: Fritz Wonderlich; Fritz Wonderlich Outside; Mitch Humble
Subject: ALLEN NAGEL - WASH ST N SUP FOR AUTO DEALERSHIP
Attachments: 1255 All State Auto-Allen Nagel CC Amend 02-06-12 (SUP-Amended).pdf

I spoke with Allen Nagel this morning. He wishes to **VOID** Special Use Permit #1255-Amended, attached, to operate the auto dealership at 284 Washington St N. He lives in LV but will be here Nov 15th to move all vehicles to the corner lot. He said they would be gone by the 20th. He said he would just let the property go to weeds and I told him the weeds still need to be taken care of. I also stated he does need to contact Jarrod to determine what to do about the partially constructed building.

LISA, PLEASE MARK Special Use Permit #1255-Amended **VOID** per Mr. Nagel as of 10-27-14.

Thank you;

Rene'e V. (Carraway) Johnson
Zoning & Development Manager
City of Twin Falls
PO Box 1907
Twin Falls, Idaho 83303-1907
208-735-7267

Spoke With Allen Nagel On Oct 27, 2014 11:00 Am. He Now Lives In Lv, Nv. I Explained The Commission Wanted An Update On The Status Of The Sup. I Reviewed The Items On This List. He Said There Is No \$\$ To Finish. He Wanted To Void Out The Sup 1255, Amended. He Said He'd Let It Go To Weeds....I Said Nope..Sean Would Contact Him. I Told Him To Contact Jarrod Re The Partially Constructed Building. He Said He'd Be Here Nov 15th To Remove All The Vehicles From The Property – Either Move Them To The Corner Lot Or Move Them Somewhere Else. He Said He'd Be Done By Nov 20th. RvcJ

All State Autos, Inc.

Allen Nagel

284 Washington St N

258 Washington St N – new building

September 30, 2014

SUP #1255 approved on December 28, 2011 with 12 conditions. Allen Nagel appealed the condition that all parking and maneuvering areas had to be hard surfaced, landscaping requirement, and hours of operation. City Council amended the SUP on 2/6/12. The conditions are as follows:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable city Code requirements and standards. *The building permit should be null and void.*
2. Subject to four (4) pad sites being allowed in the landscaped area, at least 10 (10') feet back from the back of the curb on Washington Street North, minimum of 9' x 20' and hard surfaced to meet code. *He wasn't going to put in pad sites.*
3. Subject to compliance with C-1 zone landscaping requirements and including a minimum 10 feet (10') of landscaped area along the frontage to meet the gateway arterial landscaping requirements. *There wasn't a berm and the landscaping is dead.*
4. Subject to compliance with City Code 10-1-3 by implementing screening on the southern boundary of the property. *There isn't any screening. If he was going to use landscaping as screening it is dead.*
5. Subject to all parking and maneuvering areas being hard-surfaced per City Code 10-11-4 all parking and maneuvering areas being hard-surfaced per City Code 10-11-4, and to allow the applicant to park inventory for sale and to allow for sale of automobiles on the undeveloped property in the four lots described up to and until June 28, 2012 at which time the lots will be paved. *The paving is not completed.*
6. Subject to compliance with paving and landscaping requirements by June 28, 2012. *The paving and landscaping is not completed.*
7. Subject to limiting the existing accesses on Washington Street North to one (1) access for ingress/egress.
8. Subject to signage being approved by staff prior to operation of the business. *The pole sign cabinet has been removed but the pole is still there.*
9. Subject to approval and implementation of a storm water retention plan for the property prior to operation of the business. *There were supposed to be drywells put in. I didn't do any inspections so I'm not sure they are there.*
10. Subject to review by the Twin Falls Canal company of the coulee on the property and compliance with any requirements that they may have for development. A copy of the approved plan to be provided prior to operation of the business. *It is shown on the site plan that the canal easement is along the western boundary of the property. I looked through all my notes and the files and couldn't find anything from the canal company though.*

11. Subject to compliance with all DMV dealership requirements. A copy of the approved dealership license to be provided prior to operation of the business. *I didn't find a copy of the dealership license in any of the files.*
12. Subject to allow the hours of operation from 7:00 am to 8:00 pm.

Building Permit 12-752 was issued 06-19-12

There was a footing inspection done on 6/21/12. *No other inspections have been done on this building permit. This permit should be null and void.*

Lisa Strickland

From: Sean Standley
Sent: Thursday, November 20, 2014 9:26 AM
To: Renee Carraway; Jonathan Spendlove; Kelly Weeks; Lisa Strickland
Subject: 284 Washington St. N.
Attachments: 20141120_091709.jpg; 20141120_091715.jpg

All vehicles have been moved off the property that no longer has an SUP. See attached.

Sean Standley
Code Enforcement Coordinator
City of Twin Falls
208-308-7266

STATE
AUTO SALES
INC.

736-1000







Frontage along Washington St looking North. Paving Shown, area to be landscaped is dirt along Washington.



Frontage along Washington Looking South from current Auto Sales Lot.



Panoramic photo of the property along the Alley.