



Twin Falls Planning & Zoning Commission Agenda

Tuesday, September 12, 2017, 6:00 PM

City Council Chambers
305 3rd Ave E
Twin Falls, ID 83301

Members -

City Limits: Tom Frank, Chairman, Kevin Grey, Vice Chairman, Danielle Dawson, Darren Hall, Craig Hawkins, Gerardo "Tato" Muñoz, Ed Musser

Area of Impact: Ryan Higley, Steve Woods

- 1) Confirmation of Quorum/Call Meeting to Order
- 2) Consent Calendar:
 - a) Approval of Minutes: 08-22-17
Approval of Findings of Fact and Conclusions of Law: None
- 3) Items of Consideration:
 - a) **Consideration** of an alternative to parking lot landscape islands required for an expansion at Chobani per city code Title 10, Chapter 10, Section 11(b). c/o Dave Thibault/EHM (app. 2893)
- 4) Public Hearings:
 - a) Request for a **Special Use Permit** to operate a Home Occupation for the transfer of firearms ownership as a service on property located at 3231 Longbow Drive within the City's Area of Impact. c/o Jim Capps (app. 2888)
 - b) Request for a **Special Use Permit** to operate a gunsmith shop as a home occupation on property located at 2543 Sunglow Circle within the Area of Impact. c/o Edward R Stephens (app. 2889)
 - c) Request for a **Special Use Permit** to allow drive through services/windows and extended hours of operation to 1:00 AM for the 5 buildings shown on the 5 acre (+/-) Master Development Plan of the HB Properties PUD located on the northwest corner of Washington Street North and Cheney Drive West. c/o HB Properties, LC (app 2890)
 - d) Request for a **Special Use Permit** to establish an automobile sales business and to include a designated asphalt vehicle display strip within the gateway arterial landscaping on property located at 1215 Addison Ave West within the Area of Impact. c/o Charles Legg dba A-1 Auto Sales. (app. 2891)
 - e) Request for a **Special Use Permit** to establish a storage unit facility with 275 +/- units on property located at 808 Cheney Drive. c/o Loren Baker on behalf of TTLB, LLC (app. 2892)
- 5) General Public Input:
- 6) Upcoming Meeting(s)

September 26, 2017 Public Hearing
October 4, 2017 Work Session
- 7) Adjournment

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Lisa A. Strickland (208) 735-7267 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez (208) 735-7287.

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, then commence with their comments. Following their statements, they shall write their name 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.



Twin Falls Planning & Zoning Commission Minutes

Tuesday, August 22, 2017, 6:00 PM

City Council Chambers
305 3rd Ave E
Twin Falls, ID 83301

Members -

City Limits: Tom Frank, Chairman, Kevin Grey, Vice Chairman, Danielle Dawson, Darren Hall, Craig Hawkins, Gerardo "Tato" Muñoz, Ed Musser

Area of Impact: Ryan Higley, Steve Woods

1) Confirmation of Quorum/Call Meeting to Order

Chairman Frank called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff.

Commissioners Present: Frank, Grey, Hall, Higley, Munoz

Staff Present: O'Connor, Spendlove, Strickland, Vitek, Wonderlich,

2) Consent Calendar

a) Approval of the Minutes for the following meeting: July 25, 2017

Approval of the Findings of Fact and Conclusions of Law for July 25, 2017 public hearing:

- Eastpark Subdivision No. 3, a ZDA (now Pineford Subd, a ZDA)-Pre Plat
- Bill Riebesel SUP
- Early Day SUP-Denied

Motion:

Commissioner Grey made a motion to approve the consent calendar, as presented.

Commissioner Hall seconded the motion.

Unanimously Approved

3) Items of Consideration

4) Public Hearings

a) Request for a **Special Use Permit** to operate a hookah lounge and indoor dance club with extended hours of operation on property located at 360 Main Avenue North. c/o Adrian Quiroz (app. 2886)

Applicant Presentation:

Adrian Quiroz, the applicant, explained the reason for the request is to open a hookah lounge. He would like to provide a cultural experience, and give people a place to meet new people

and dance with friends. The hours he is requesting, are Monday thru Thursday 8pm to 12:30am, Friday and Saturday 8pm to 3:30am. The building will accommodate 137 people. The traffic he anticipates to have Monday thru Thursday on each one of those days is 15 to 20 people. Friday and Saturday, he anticipates having 80 to 100 people. The number of employees would be 4 employees 2 employees serving the hookah to the customers and 2 securities Friday and Saturday. Monday thru Thursday he will have 1 employee serving the customers and 1 security and he will always be present Monday thru Saturday from open to close. There will be no noise and vibration complaints from the surrounding businesses. Next door is Music Magic Events (MME). Their hours are 10 AM to 3 PM Tuesday thru Thursday and Friday 10 AM to 12 PM and Saturday, Sunday and Monday they are closed. His business hours will be from 8 PM and up so there should be no conflict. Across the street is a bar so he will not be doing anything different from what they are doing. To the people in the back they will not be able to hear the noise because he will have the back doors closed at all times. No noise or vibration should be heard in that direction and customers will be entering all in the front entrance. The front entrance will be closed at all times also and will only be open when people are entering and exiting out of the door. There will be no glare or fumes.

He has hired 5 security staff that he has monitoring the outside of the building, they pick up trash and afterword's when he is done he and his wife go out and pick up trash. He has also gotten signatures of support for the neighbors, trying to be proactive. They have been open for about a week and a half until 3:30 am. They have not had any complaints, no police calls and he has even told the neighbors to let him know if he can help them with anything.

Staff Presentation:

Planner I O'Connor reviewed the request and stated in June 2007 this Commission approved SUP #1035 for a Restaurant and Lounge with Extended hours to 1am Monday thru Thursday, and until 3:30am Friday & Saturday at this site. In 2015, a new business moved in advertising itself as a Hookah Lounge. They operated for approximately 7-8 months in this location under the original SUP #1035. Since then Tacos Dos Hermanos has moved in and advertises as operating from 9am to 9pm, well within the allowed hours.

This is a request to operate a Hookah Lounge with extended hours and dancing, an activity classified as "Indoor Recreation" at 360 Main Ave. The Hookah lounge itself does not require an SUP per the CB zone, however, the extended hours and Indoor Recreation do. Since there has been a lapse in some time of the approved use of SUP #1035, the applicant is required to acquire an SUP before operating the Dance Club and operating the sale of product at the Hookah Lounge past 10pm. There is no alcohol proposed at this time.

Police Input: The Twin Falls Police Department has seen a pattern of negative impacts with establishments, such as hookah lounges, operating past the hours of the normal closing time of the bars in town. There have been three (3) other known hookah lounges in town, with one previously at the location of this request. During its operation from April 2015 to no later than November 2015 (when Tacos Dos Hermanos received their Gas Permit), nine (9) calls for Police response were requested through dispatch. Of those 9 incidents, 8 involved a fight or battery.

There were two other hookah lounges in town, which operated between May 2011 and May 2015, requiring 39 direct police response calls, usually involving some sort of disturbance, fight, or other altercation. In response to this trend, the Police Department recommends any SUP for extended hours be subject to closing by 1:30 AM, the same time as most bars in the area.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Downtown." Downtown is defined as supporting and serving a diverse mix of uses from restaurants, retail, civic uses for regional and local activities, and high density residential. A Hookah lounge can be considered "Cultural" in that the activity is commonly practiced in South East Asia, the Middle East and parts of Northern Africa. The Downtown Future Land Use designation specifically calls out Entertainment, Arts, and Cultural activities as categories that should be supported through this designation. Staff has determined this request complies with the 2016 Comprehensive Plan; "Grow With Us".

Per City Code 10-4-7:

A Special Use Permit is required for any operation that operates outside the normal business hours of 7am to 10pm, and for Indoor Recreation establishments such as a dance club.

Per City Code 10-11-1 thru 8:

Required improvements will be assessed and all applicable code requirements will be enforced at the time of building permit submittal.

The impacts from extended hours in conjunction with a Hookah lounge and dance club presents a conflict, which has historically shown to provide many opportunities for individuals to get into trouble. It is not the establishment itself which is the issue but the hours of operation. According to conversations with the Police Department, individuals who would usually go home after the bars close, end up at locations still open. This provides the opportunity and location for individuals to continue drinking. These impacts are exacerbated by the fact there is residential uses adjoining and very near 360 Main Ave N.

Planner I O'Connor stated upon conclusion should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to the business being closed and customers being out of the building by 1:30am.
3. Subject to blocking the street access from Eden Street North into the property.
4. ~~Subject to no operation of the business until COO is issued if determined a change of use.~~ (Staff removed this condition because no building permit is required)

PZ/Questions & Comments:

- Commissioner Grey asked for clarification of the location of the access that is to be closed, as well as where the nearest residential area is located adjacent to the property.

- Planner I O'Connor showed on the overhead the locations.
- Commissioner Munoz asked about alcohol consumption for sale on-site.
- Mr. Quiroz explained he does not plan to do any alcohol or catering.
- Commissioner Munoz asked if their security staff is licensed.
- Mr. Quiroz explained one is licensed and the licensed staff are training the other security staff. He has 3-4 security staff there every Friday and Saturday night.
- Commissioner Munoz asked about any age restrictions.
- Mr. Quiroz explained 18 and older is allowed access into the building and they do ask for ID's to verify age.
- Commissioner Frank clarified with staff that the actual hookah lounge does not require a Special Use Permit. The applicant is asking for extended hours and dancing that is classified as indoor recreation which requires a Special Use Permit.
- Planner I O'Connor concurred and stated that is correct.
- Commissioner Frank asked what the applicants background with this type of business.
- Mr. Quiroz explained that he attended Idaho State University and met several middle eastern students that introduced him to hookah. They have educated him on the hookah and helped him get his product. He has a criminal justice degree and has worked with probation and parole for a year. He has a good understanding of how to keep people in order. He is working to have someone from probation and parole do some training with his staff.
- Commissioner Frank explained the past history or experience with hookah has not been positive. He wants to make sure the applicant understands and wanted to find out what kind of background the applicant has for running this type of business.
- Mr. Quiroz explained he was aware of the bad experience and has been trying to make sure how to proceed without creating problems. He has been open for about a week and a half and has not had any issues. Things have been calm and orderly, he wants the business to be a success.
- Commissioner Hall asked about hours of operation while they have been open.
- Mr. Quiroz explained that they have been open Monday thru Thursday from 8pm to Midnight. On Friday and Saturday they have been from 8pm – 3am. He has not had any complaints from the neighbors and he has informed them.
- Commissioner Munoz asked about the reason for being open past 1:30am.
- Mr. Quiroz so that people that want to continue to hang out, sit back and relax. He stated they have a couple TV's for people to watch and unwind.
- Commissioner Frank explained that the concern is that the people coming to the business after 1:30am most likely are inebriated.
- Commissioner Woods asked if they have been open and have been open until 3am.
- Senior Planner Spendlove clarified the business being open until 3am and people being in the building is not illegal, selling items beyond 10pm is the issues.
- Mr. Quiroz explained they have been open but have not been selling anything after 10pm.

Public Hearing: Opened

- Chairman Frank explained that the Commission received a letter from a citizen that will be

speaking tonight, and it has been filed with the application.

- Sid Vanderpool, owns 350 Main Avenue North, property adjacent to this location and has video to show of how the previous hookah lounge that was operated in 2015. He also provided video of trash that was left behind after their opening night on August 12, 2017. The video showed beer cans and bottles left behind in a parking lot. He doesn't want his property value to decrease and he doesn't want people to be afraid to come to his business. He asked for clarification on the number of security staff.
- Ruth Pierce, owns 320 Main Avenue North, explained she is here as a business owner and citizen. She stated she is a City Council member and this if this were to go before the Council she would recuse herself from the discussion and from voting. She confirmed the last hookah bar at this location created lots of issues. They had concerns with security so she hired a private security guard because they do work past 5pm during tax season, and their parking lot was trashed. Monday morning after the soft opening her flower pots were full of beer cans, it looked like the parking lot had been cleaned up but not the flower pots. The building next door had a bunch of beer cans too. She is concerned about her building, her neighbors and the parking lots in the area. She would like the applicant to address lighting, security, and drinking in public, it may work but there needs to be a plan for it to work.
- Travis Quast, Times News representative explained they are a 24 hour operation and he is concerned for the safety of his employees and the property. His concern is the where they don't have a liquor license, after 1:30am they have to go outside to drink, and since Ms. Pierce hired security for her parking lot the people just moved over to the Times New parking lot. They had a daily occurrence of having to clean the parking lot. If they are anticipating 80-100 people, there is not adequate parking for that amount of people. They are not allowed to drink inside after 1:30am so they move outside and drink in the parking lots on private property. He explained that they have not had any contact with the applicant to discuss these issues.
- Terry Halbert, asked that the Commission consider the impacts of this business, the plans the City has for this area and whether or not this business is family friendly.
- Barbara Ruth, 351 2nd Avenue North, directly across the alley, she has spoken to the applicant about a problem she had on the first night he opened. He was responsive and even assisted her in getting an old couch taken to the dump. She wanted to clarify that there is an apartment building close to this location that has many refugees the work at dairies that have to be up early for work and having the hookah lounge open until 3:30am may not be the best situation for the people that live in that building. The first night they were open she rode her bike home around 10pm after cleaning up at her church and found several people hanging out in the driveway next door to her. When she asked, what they were doing they told her they were visiting the girl that lived there, but she wasn't home. She can also confirm that previously when the hookah lounge was operating there were always broken bottles, used condoms, used tampons and trash left everywhere in the parking lot. She did explain to the applicant that with the color of the building being so dark, with no lights on the back of the building it did make it seem like the opportune place to hide what was going on. She has mixed concerns, if things go the way that they

did before, with this age group and the level of responsibility they have.

- Leon Martin, 429 2nd Avenue West, explained he lives in this area of town and his wife and he enjoy walking around in this area. He does appreciate the diversity of this community; however, if this business cannot maintain the area any better than the bar across the street, that has been there for years, he has reservations about letting it operate.
- Maricela Rocha, explained that seeing new activities for the younger crowd, would help keep the kids off the street, and would be better than having the kids going to after parties and doing drugs. She has visited the business at several different times and has seen the security that seems to be good, and they do ask for ID's. She explained that the video showed the previous hookah lounge and that was poorly operated. The applicant has stated they will not be serving alcohol and they want to be a good neighbor, so she thinks this new owner should be given a chance.
- Mathew Marshall, explained it sounds like the business is controlled in the building, but the applicant may not be able to control the outside environment and what happens on other people's property. He would ask that the hours of operation be considered, he thinks 1:30am is late enough.
- Makahlah Quiroz, explained that they have communicated with the neighbors to try and prevent the problems that happened previously from the other owners. She would like to try hard to please the neighbors, and she is willing to clean up the properties. They do have security checking around the property regularly and they have told the security staff that if they see anyone drinking on the property that they need to leave.
- Ms. Rocha, explained that after work she has gone to the hookah bar and it is a nice place. He can't control everything that goes on outside of his property, but he is willing to try.
- Kathy Jones, explained she was not aware of what a hookah lounge was until tonight. She personally feels they should not be open after 1:30 am. She has been a Taxi operator in the past and it was difficult. She has had bar owners call her to pick up people that are inebriated, they get in the car and then jump out and leave in their own cars. Having this place open past 1:30am just creates more issues.

Public Hearing: Closed

Closing Statements:

- Mr. Quiroz explained they have invested a lot of money into this business. He has painted the building a dark chocolate color to create a calmer environment. He is trying to make it look nice and improve the downtown. He understands the previous hookah lounge was not operated as it should have been. He is trying to make sure trash is picked up. He has increase the security from 2 to 5 security people. They has also increased the staff, because the business has been doing well. He is also planning to have probation and parole come out and do some security training. He is trying to move forward and not be held responsible for something someone did in the past.
- Commissioner Frank asked what areas are the security keeps an eye on while operating.
- Mr. Quiroz explained that they check out front and behind the building, they were not completely prepared for the day after opening, but they were out there and had

everything cleaned up by 8am the next day.

- Commissioner Frank asked if he has a plan to take care of the concerns brought up in the testimony.
- Mr. Quiroz explained they are going to continue cleaning the property the best they can, they will train the security staff. People do come from the other bars in the area but they have been calm and have not had any fights.

Discussions Followed:

- Commissioner Grey asked about alcohol sales and if an SUP would be required.
- Planner I O'Connor explained an SUP is not required to serve alcohol, but the license to sale beer or wine would have to be approved by the City Council.
- Commissioner Higley asked about parking requirements.
- Planner I O'Connor explained they are in a P1 overlay so there are not any off street parking requirements.
- Commissioner Frank asked about security off the property.
- City Attorney Wonderlich explained their authority is limited to the boundaries of their property.
- Commissioner Grey explained he has no issue with the business, but his issue is the hours of operation.
- Commissioner Woods explained he is having issues with supporting the request based on the criteria for approving a Special Use Permit.
- Commissioner Grey explained that the business brought the issues to the area, so it should be his responsibility to clean up.
- Commissioner Frank explained that this is a new business owner, but he is not in support of the extended hours. He would like to give the applicant a chance, possibly the Special Use Permit for extended hours could come back if things go well. The other point he made was that the Special Use Permit can come back through a revocation process.
- Commissioner Woods explained that he would like to see the business operate for a while before extending the hours beyond 1:30 am.
- Commissioner Munoz explained the biggest issue he has is the hours beyond 1:30 am. He says he would like to see the business in operation for a little time, and then if things are going good, the applicant can come back and ask for extended hours. Not all the people that come in after 1:30 am are looking for a place to relax they are looking for a place to continue partying and drink out in their cars. Having security walking around outside will discourage people from doing this but there is no guarantee.
- Commissioner Hall explained that the building has been open for a while but he asked if the building has adequate restrooms.
- Senior Planner Spendlove explained the building department would determine the bathroom requirements.
- Commissioner Munoz asked about clarification on the access closure.
- Senior Planner Spendlove explained it is closure to access on to the property from Eden Street North not building access. He also reviewed the conditions recommended by the citizen and explained which conditions could be addressed by the Commission.

- Commissioner Grey explained if they can operate without any issues until 1:30am then possibly, they could request additional hours later.

Motion:

Commissioner Grey made a motion to approve the request, as presented, with staff recommendations. Commissioner Woods seconded the motion.

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to the business being closed and all customers out of the building by 1:30am.
3. Subject to blocking the street access from Eden Street North into the property.

Discussion Followed:

- City Attorney Wonderlich clarified that the Commission needs to make sure that everyone, understands the condition #2. Does that mean the business is closed and no one new can come in.
- Commissioner Woods asked what is the rule for a bar.
- City Attorney Wonderlich stated if the intent is that the business has to be closed at 1:30am, the condition provided by staff is a little ambiguous.
- Commissioner Grey explained that he has worked in places that close to new customers at 1:30am but the customers that are already there can finish up and leave when they are done.
- Commissioner Munoz explained the biggest problem he sees is people loitering in the parking lot.
- Commissioner Woods asked if the business closes at 1:30am and people continue to hang around outside is that grounds for revocation.
- City Attorney Wonderlich explained that is the reason for this discussion so that everyone is clear on what the condition means. The hookah lounge over on Filer Avenue the police had multiple issues because they told the police they were not open they just had people visiting us and ongoing problems long after 1:30 am. They claimed they were closed, they weren't selling anything they just has a bunch of friends in the building. If the intent is for the effects to stop the condition needs to say close the business, if the intent is to stop anyone new from entering that condition needs to be stated that way. For clarification, the law for a bar is that the business is closed and all customers are out of the building by 1:30am.

Vote:

All members present voted in favor of the motion.

Approved, With the Following Conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to the business being closed and all customers out of the building by 1:30am.
3. Subject to blocking the street access from Eden Street North into the property.

Recess for 5 Minutes

- b) Request for a recommendation to **Vacate** the Garnand Conveyance Plat located at 129 Eastland Drive. c/o Fran Florence on behalf of Gary Garnand (app. 2887)

Applicant Presentation:

Fran Florence, representing the applicant, explained this is a request to vacate the Garnand Conveyance Plat. Several years ago the Conveyance Plat was kind of the trend, rather than full on plats. The benefits may have appeared to be good at the time, however the conditions that were typically placed on the conveyance plat can become a huge disadvantage for the property owner, deeming the property undevelopable. The applicant is requesting that the conveyance plat be vacated so that in the future it can be developed or possibly a building permit may be approved for the property. The conditions for development would then be decided at that time, meeting the current standards. The one item the city does not want to happen is that the dedication of right-of-way go away, and the applicant agrees. Part of the vacation process is to discuss with all of the utility companies the request and to acquire letters from each of them stating they are okay with the vacation. The applicant has received letters from all of the utility companies.

Staff Presentation:

Senior Planner Spendlove reviewed the request and stated this request covers two lots, which are part of the Garnand Conveyance Plat, recorded in March 2008. According to County records the building was constructed in 1978 and has been an office ever since.

This is a request to vacate the previously approved Garnand Conveyance Plat, which contained two Lots. Neither lot has been sold. At this time, the owner wishes to recombine them and sell the property as one parcel. There is no requested change in the use of the land. We have received approval letters from all (except Cable One as of 08-01) interested utility companies (except Cable One as of 08-01-17) and no comments have been received from the applicable political subdivisions.

The vacation of a Plat does not release the property owner of all obligations for improvements to the subject property. Typically, the improvements (Curb, gutter, sidewalk, road widening, sewer and water service), are designed during the platting phase and installed as part of subdivision construction. In this case, no development has occurred and no subdivision construction has taken place. However, these types of improvements may also be required as part of building permit approval per City Code 10-11. The extent of the improvements would

depend on the proposed use or development of the property.

Staff has determined since no sale or development of property has taken place since the recording of the conveyance plat, the request to vacate is reasonable. It will facilitate an easier sale of the property for the applicant. Vacating the plat will not release the current or future owner of required improvements should there be redevelopment or a change in use of the development as stated above.

Senior Planner Spendlove stated upon conclusion should the Commission recommend to the City Council, this request be granted as presented, staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to the City of Twin Falls keeping the dedicated Easements and the Right of Way directly adjacent to Eastland Dr.
3. Subject to any conditions placed by applicable Utility Companies for vacation approval.

Public Hearing: Opened & Closed Without Comment

Discussions Followed:

- Commissioner Higley asked about the vehicular easement, and if it will stay in place.
- Senior Planner Spendlove explained that this easement was most likely in place prior to the conveyance plat and will remain in place.
- Commissioner Munoz asked if the property could be platted again.
- Senior Planner Spendlove explained yes.

Motion:

Commissioner Higley made a motion to approve the request, as presented. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

Recommended, As Presented, To the City Council, With the Following Conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to the City of Twin Falls keeping the dedicated Easements and the Right of Way directly adjacent to Eastland Dr.
3. Subject to any conditions placed by applicable Utility Companies for vacation approval.

5) General Public Input

6) Upcoming Meeting(s)

- a) WS Wednesday, September 6, 2017
PH Tuesday, September 12, 2017

7) Adjournment

Lisa A. Strickland, Administrative Assistant



Date: [Tuesday September 12, 2017](#)

To: Planning & Zoning Commission

From: Jonathan Spendlove, Senior Planner

Request:

Consideration of an alternative to parking lot landscape islands required for an expansion at Chobani per city code Title 10, Chapter 10, Section 11(b). c/o Dave Thibault/EHM. (app. 2893)

Time Estimate:

Staff presentation may take five (5) minutes. Applicant or representative will be available to answer any questions.

Background:

Attached is a request from Chobani who is asking to group required landscaping for their parking lot expansion as shown on the provided site plan. The parking lot landscaping would require 10 parking islands with one (1) tree per island. The applicant is requesting that the island requirement be modified, as permitted in code, and the landscaping be moved to line "Chobani Way" as denoted on the site plan.

The applicant is bringing this request in Per City Code 10-10-11(b) which states:

"Required landscape islands may be grouped, subject to approval by the planning and zoning commission."

Conclusion:

The Commission is tasked with acting on the request, approving, approving with conditions, or denying the request.

Attachments:

1. Narrative
2. Area/GIS Map Exhibit
3. Applicant Submitted Site Plan



August 23, 2017

Mrs. Renée Carraway-Johnson
City of Twin Falls Planning and Zoning
Zoning & Development Manager
324 Hansen Street
Twin Falls, Idaho 83301

RECEIVED

AUG 23 2017

CITY OF TWIN FALLS
BUILDING DEPT.

RE: Request to Group Landscaping According to 10-10-11(B) 4.

Mrs. Carraway-Johnson:

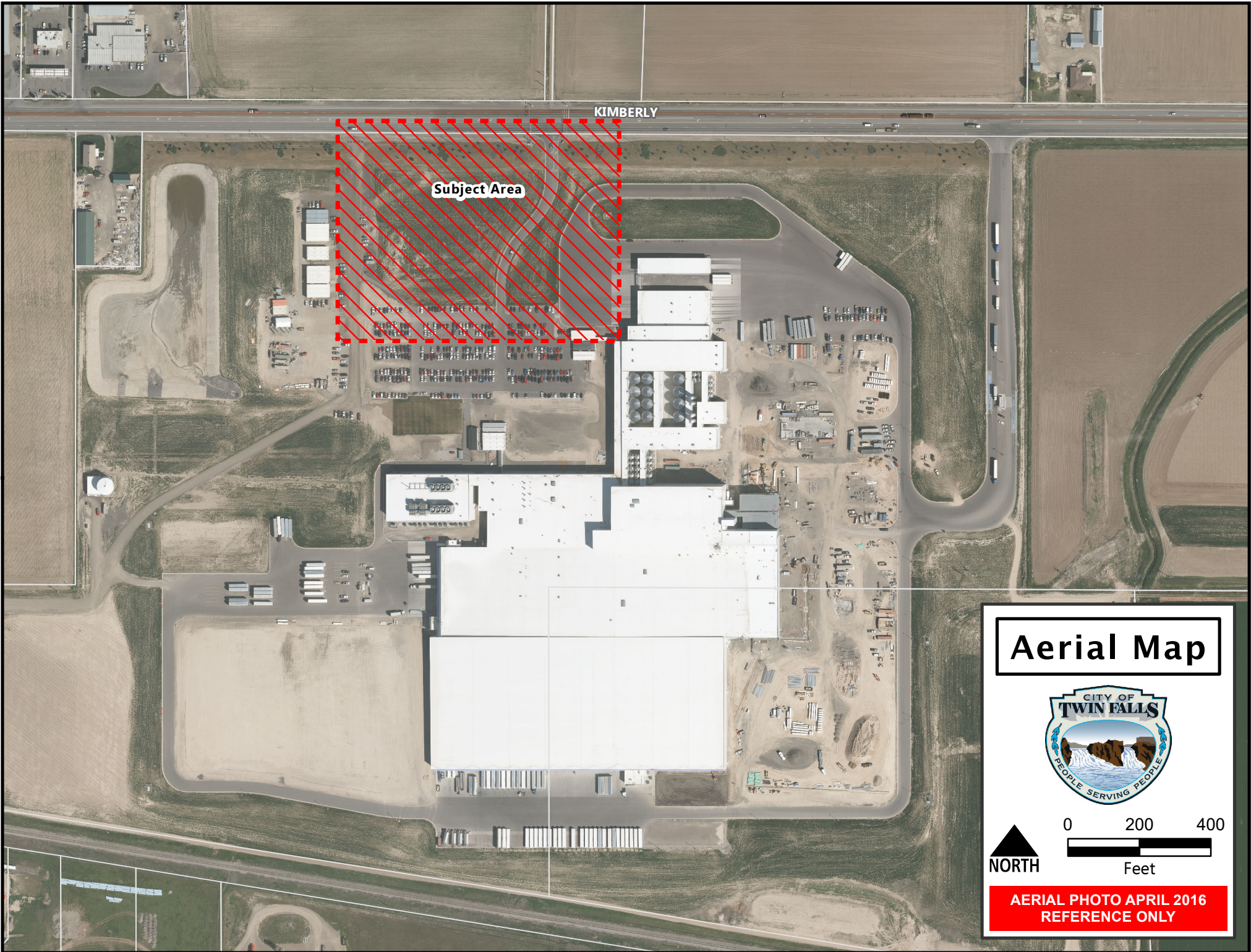
We would like to formally request audience with the Twin Falls Planning and Zoning Commission for the purpose of requesting that grouped landscaping in lieu of individual landscape islands be permitted for a parking lot expansion and new building project located at Chobani's Twin Falls Facility.

The accompanying exhibit will detail the location of the proposed grouping of trees and landscaped area which is adjacent to the entry way into Chobani's facility. This request is made to eliminate the need to extend/re-route irrigation lines through the existing asphalt parking lot. Additionally, as delivery vehicles, service vehicles, and larger sized construction equipment utilize the parking lot, the presence of raised curb islands poses maneuvering limitations and constraints that are not desired within this industrial food processing facility's parking area.

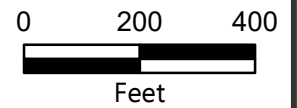
Please notify me once scheduled to make a request before the Planning and Zoning Commission.

Sincerely,

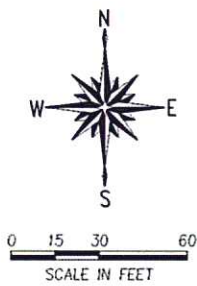
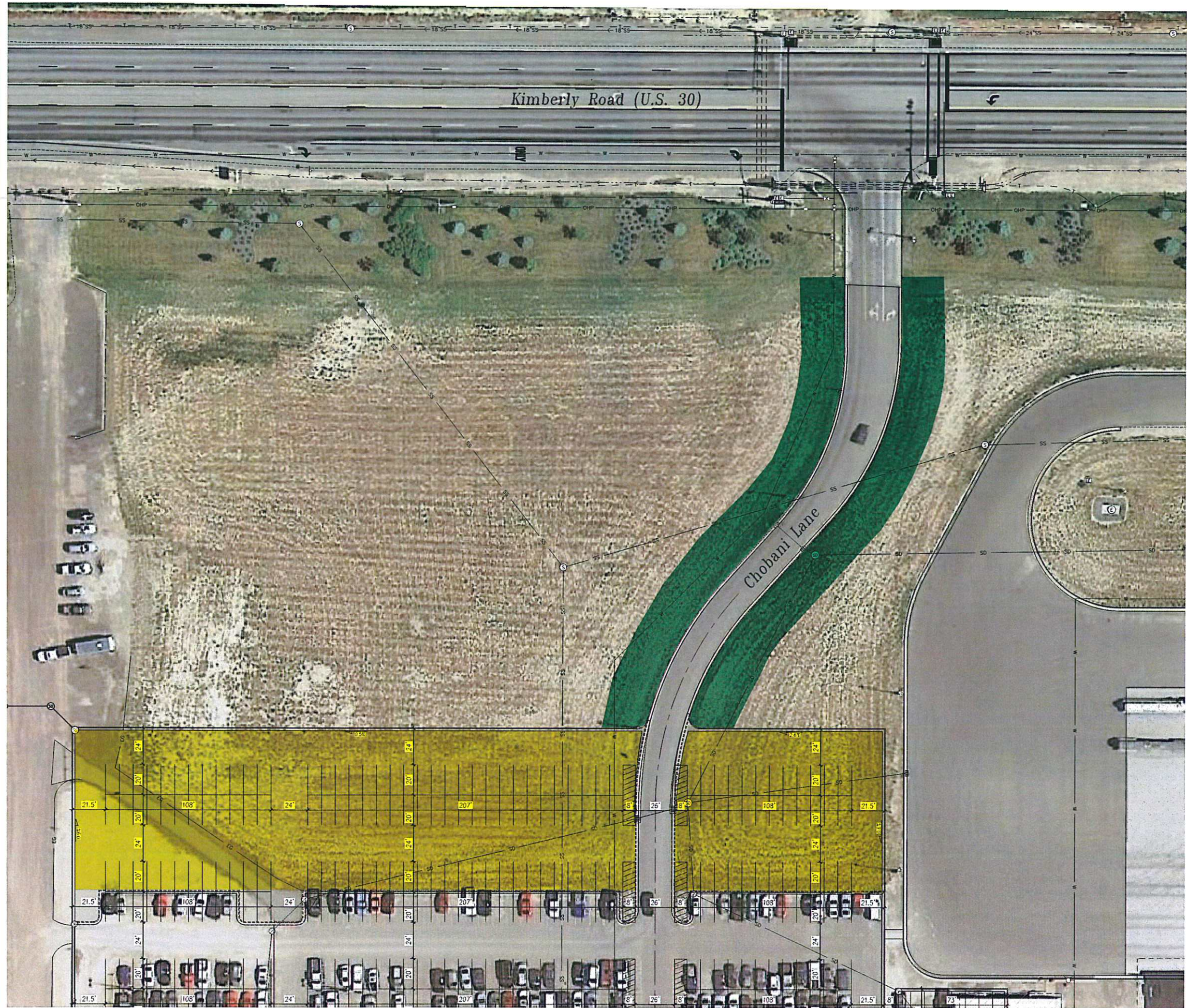
David Thibault, P.E.
EHM Engineers, Inc.



Aerial Map



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



LANDSCAPE ISLAND GROUPING NOTES

New Construction Parking Spaces = 141

15 Spaces max. per Landscape Island
1 Tree min. per Landscape Island (4' min. Height)
8' x 15' Landscape Island min. dimensions (120 sq. ft.)

141 / 15 = 10 Islands (Rounded up)

10 Islands x 120 sq. ft. = 1200 sq. ft. min. Landscape
10 Islands x 1 Tree = 10 Trees min.

 New Construction Parking Area used for landscape island group calculations

 Proposed grouped landscape area in lieu of Parking Islands

LANDSCAPE EXHIBIT
PARKING ISLAND AND ALTERNATE GROUPING AREA
for
CHOBANI OLYMPUS PROJECT

REVISIONS

DO NOT SCALE DRAWINGS
CONTRACTOR SHALL VERIFY ALL
CONTRASTS AND DIMENSIONS AT
THE JOB SITE AND NOTIFY THE
ENGINEER OF ANY DIMENSIONAL
ERRORS, OMISSIONS, OR DIS-
CREPANCIES BEFORE BEGINNING
OR FABRICATING ANY WORK.

STAMP	
APPROVED	-
DESIGN	-
DRAWN	-
DATE	8/16/2017
SCALE	AS SHOWN
DWG. NO.	C 306-17 MASTER
SHEET	

PRELIMINARY



Public Hearing: **Tuesday, September 12th, 2017**
 To: Planning and Zoning Commission
 Presenter: Jonathan Spendlove, Senior Planner
 Editor: Renee V Carraway-Johnson, Zoning Administrator
 Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 4-a

Request: Request for a **Special Use Permit** to operate a Home Occupation for the transfer of firearms ownership as a service on property located at 3231 Longbow Drive within the City's Area of Impact. c/o Jim Capps (app. 2888)

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: Owner	Size: .58+/- acre
Jim Capps 3231 Longbow Dr. Twin Falls, ID 83301 208.420.4072 Jimcapps79@msn.com	Current Zoning: R-1 VAR, Residential Single Family Household District	Requested Zoning: Home Occupation
	Comprehensive Plan: Town Neighborhood	Lot Count: 1 Lot
	Existing Land Use: Residential	Proposed Land Use: No Change - Residential
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: R-1 VAR; Residential	East: R-1 VAR; Residential
	South: Longbow Dr; R-1 VAR; Residential	West: R-1 VAR; Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-3, 10-11-1 thru 8	

Approval Process:

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit is void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to operate a Home Occupation of firearms and ammunition sales from his residence at 3231 Longbow Dr.

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:

This lot is part of the 2nd Phase of the Terrace Gardens Subdivision recorded in January 2001. The Home was built in 2003 and has remained residential ever since.

Analysis:

This is a request to operate a Home Occupation. The home occupation is the Transfer of Firearms via Federal Firearms License (FFL), at 3231 Longbow Drive. The Bureau of Alcohol, Tabaco, and Firearms regulations require the transfer of ownership from a firearms dealer to a private citizen to take place at the location of license. Individuals who purchase firearms from online sources are required to pick up their firearm from a Registered FFL carrier. In this way, "customers" will be required to come to 3231 Longbow Drive to pick up their item. The applicant is not the "owner" of the guns nor does he sell them. This business is only the transfer from the gun companies to the new owner. The applicant acts as a mediator; he does require a small fee for his service.

The applicant has stated that there likely will be no more than twenty-five (25) transactions per year and only one (1) customer at a time by appointment only. The hours of operation are very limited as well, 6pm-8pm Monday through Friday, 10am-4pm Saturday and closed Sunday. The applicant has stated no ammunition sales will take place, and no inventory or stock of firearms will be located on the property.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Town Neighborhood." Town Neighborhood is appropriate for Residential uses, with open space for parks, schools and civic facilities all serving the residential development. Staff has determined this request complies with the 2016 comprehensive plan because it is not changing the primary function or use of the land from Residential to another use.

Per City Code 10-2-1:

HOME OCCUPATION: A service, excluding daycare, offered by the resident of a household unit or the sale of items handcrafted on the premises by the resident of a household unit providing the service, sale or handcrafting is performed only by the resident therein and providing the area used in performing the home occupation does not exceed four hundred (400) square feet in area and providing there is no exterior indication of the home occupation. Services which generate no traffic to the premises or which use no vehicles which would not normally be found incidental to a residential use shall be exempt from this definition. In the C1, M1 and M2 zones, only existing on site residences may be used for home occupations. (Ord. 2741, 11-4-2002)

Per City Code 10-4-3:

Home Occupations within the R-1 VAR Zone require a Special Use Permit.

Per City Code 10-11-1 thru 8:

Staff does not foresee any change to the building or property at this time. These requirements are still required if changes occur in the future.

Possible Impacts:

The applicant nor staff anticipate an increase in negative impacts from this request.

Conclusion:

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to all Federal, State and Local laws and regulations regarding firearms storage, sales, and transfers.
3. Subject to no more than 25 transactions/transfers per calendar year.
4. Subject to no sales of products; ammunition, weapons or accessory items.

Attachments:

1. Letter of request
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Future Land Use Map
5. Applicant Submitted Site Plan
6. Site Photos
7. Neighbor Comment Letter

James D. Capps
3231 Longbow Drive
Twin Falls, Id 83301

RECEIVED

SEP 08 2017

CITY OF TWIN FALLS
BUILDING DEPT.

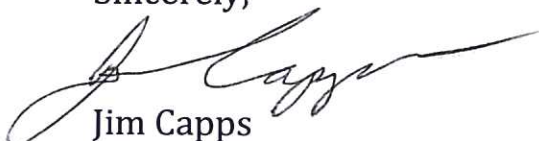
To Whom It May Concern:

I am currently in the process of opening a small operation with my Federal Firearms license. This business will be done by Internet sales and transactions at my home will be limited to appointment only when customers pick up items. I will not sell ammunition or carry any inventory at my residence.

Operating hours will be from 6:00-8:00 pm Monday through Friday and 10:00 – 4:00 on Saturday. One car per transaction will be at my place of residence with an estimation of no more than twenty-five transactions per year. There will be no sign at my residence advertising the business and no change in traffic conditions on our street.

I am happy to address any additional concerns and appreciate your assistance in moving forward with this endeavor.

Sincerely,

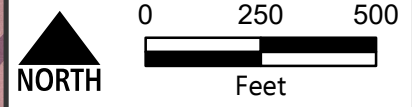


Jim Capps
Canyon Guns



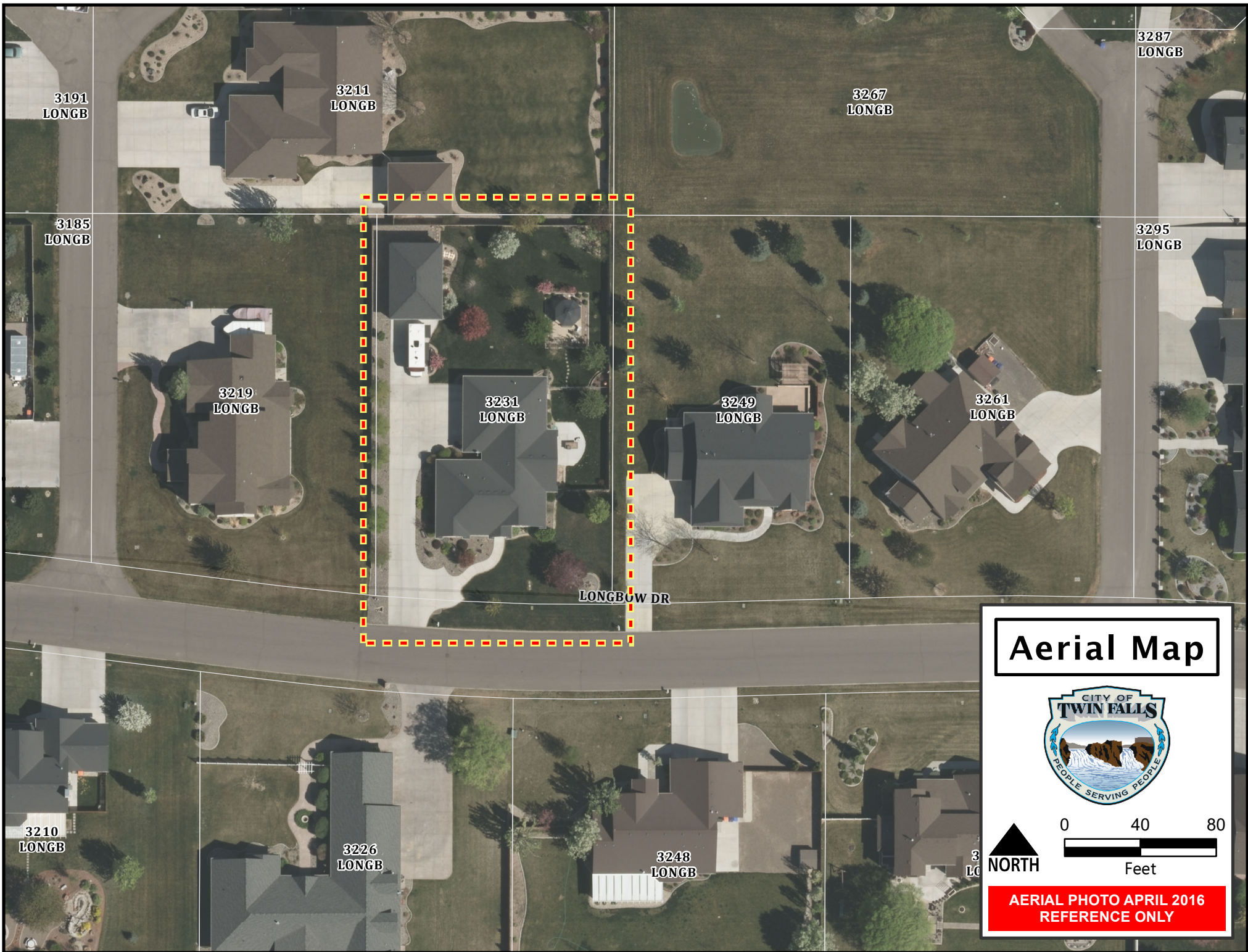
Zoning Vicinity Map

-  Area of Impact
-  C-1
-  R-1 VAR
-  R-2
-  SUI

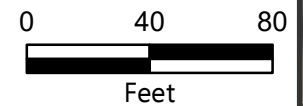


**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

390



Aerial Map

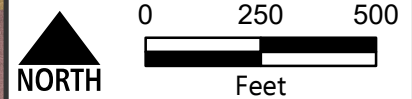


**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

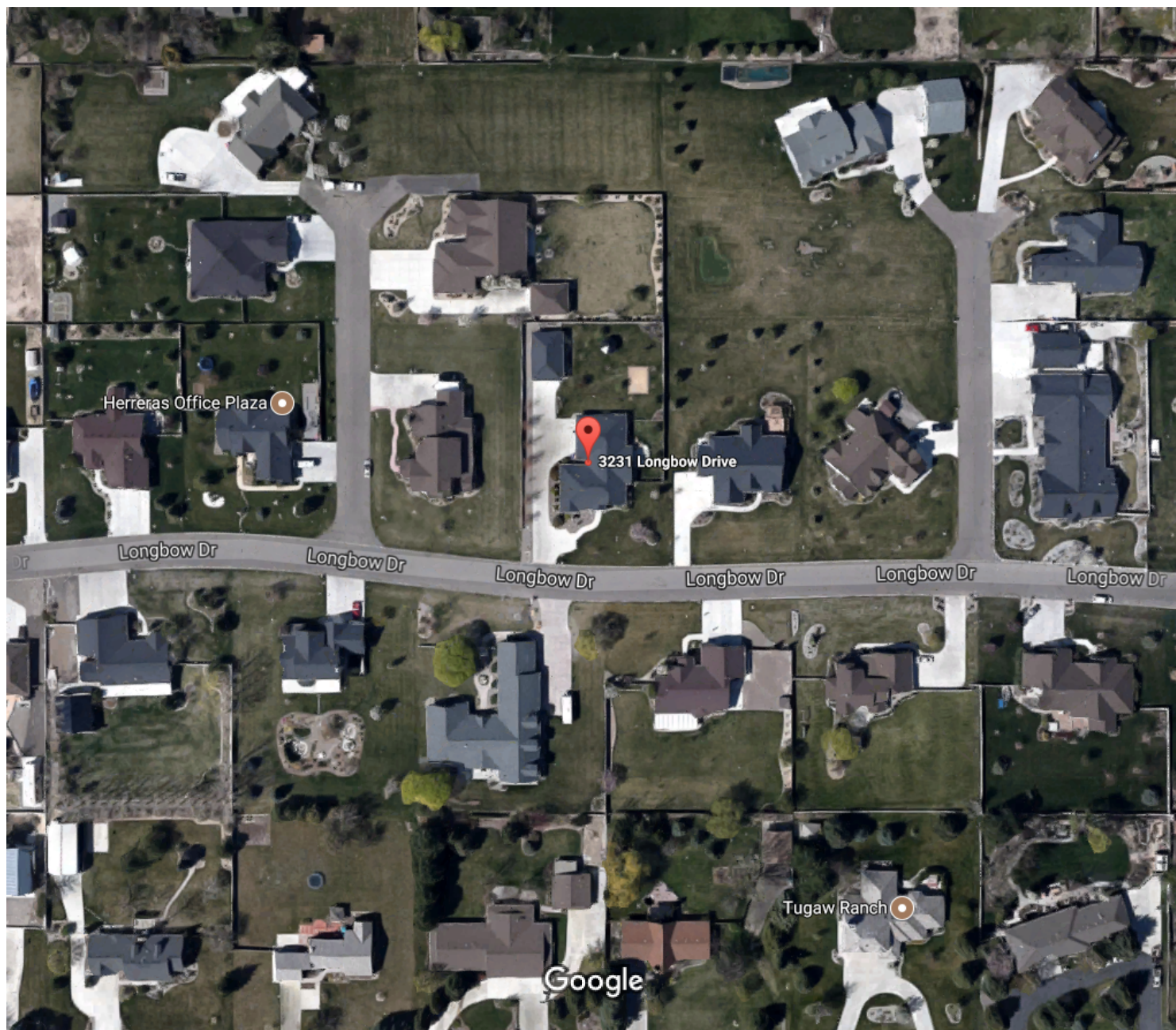


Future Land Use Map

-  Neighborhood Commercial
-  Town Neighborhood



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**





Public Notification Sign



SW Corner Looking NE



SE Corner Looking NW

September 6, 2017

Sent via email to lsanchez@tfid.org:

City of Twin Falls
Planning & Zoning Department
P.O. Box 1907
Twin Falls, ID 83301

Re: Response to Special Use Application for Jim Capps, App. No. 2888

To Whom It May Concern:

I am writing in response to a Notice of Public Hearing I received regarding the application of Jim Capps for a Special Use Permit to operate a gun and ammunition sales business at 3231 Longbow Drive, Twin Falls, Idaho. I reside at 3279 Longbow Drive, Twin Falls, Idaho, which is down the street from the subject property. I have a previous commitment the evening of September 12 and will not be able to be personally present at the committee meeting.

I am not in favor of a gun and ammunition business operating on our street for several reasons. First, our neighborhood does not have CC&Rs. We rely solely on zoning ordinances to preserve the integrity of the residential nature of our neighborhood. I fear that granting the application could lead to additional individuals seeking to operate businesses on our street. Once the City has allowed one exception, it will be increasingly difficult to deny successive applications or expansions thereof. Second, I have many young children. By and large, I know where they are and look out for their safety. Even at my most vigilant, however, there are still children (mine and others) frequently riding their bikes and/or walking down the street, whether for recreation or coming home from school. I am concerned about what impact a home business would have on traffic down Longbow Drive. Also, it might be an irrational fear, but I also do not like the idea of a gun shop around my kids. Third, this is a neighborhood. I generally do not want businesses in my neighborhood. When I am looking to purchase a home, the existence of businesses on the street is a strong deterrent to me.

Admittedly, I have not reviewed the materials for the application and the agenda packet is not yet available online. I would not be opposed to the operation of the business if it were 100% online sales and the applicant simply shipped the product from his home. I do not feel that a UPS truck coming to the residence once or twice a day would adversely impact myself or the other residents of the street. However, I remain strongly opposed to any "brick and mortar" operation which would bring customers of the business to our street.



I am willing to discuss this matter further at a subsequent hearing, if further discussion is necessary. You can contact me at any of the methods indicated in the heading above.

Thank you for your consideration.

Sincerely,



Tyler Rands





Public Hearing: **Tuesday, September 12th, 2017**

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove, Senior Planner

Editor: Renee V Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 4-b

Request: Request for a **Special Use Permit** to operate a gunsmith shop as a home occupation on property located at 2543 Sunglow Circle c/o Edward R Stephens (app. 2889)

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: Owner	Size: .33 +/- acres
Edward R. Stephens 2543 Sunglow Cir. Twin Falls, ID 83301 208-539-7269	Current Zoning: R-2 Single Family Duplex District	Requested Zoning: SUP for Home Occupation
	Comprehensive Plan: Town Neighborhood	Lot Count: 1 Lot
	Existing Land Use: Residential	Proposed Land Use: Gunsmith Shop as a Residential Home Occupation
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: R-2 (Aol), Residential	East: R-2, Residential
	South: R-2; Sunglow Cir, Residential	West: R-2 (Aol), Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-2-1, 10-4-4, 10-11-1 thru 8	

Approval Process:

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit is void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to operate a Home Occupation of firearms manufacturing and sales from his residence located at 2543 Sunglow Cir.

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:

This location is Lot 6, Block 1 of the Morning Sun #4 Subdivision, platted and recorded in November 2004. Prior to 2004, this property was undeveloped or agricultural land.

Analysis:

This is a request to operate a Home Occupation of assembly and sales of firearms at 2543 Sunglow Cir. The Bureau of Alcohol, Tabaco, and Firearms regulations require the transaction of transfer of ownership from a firearms dealer to a private citizen to take place at the location of license. The applicant's customers will be required to come to his residence at 2543 Sunglow Circle to complete the gun transaction of transfer of ownership. A gunsmith shop has been determined to meet the home occupation requirements of providing a service or handcrafted items. A Home Occupation requires a Special Use Permit per the R-2 zone.

The applicant has stated the operation of his gunsmith shop will be limited to evenings during the week and 9am-5pm on Saturdays. The applicant anticipates 1-2 customers per week. His customers will be by appointment only.

Per City Code 10-2-1:

HOME OCCUPATION: A service, excluding daycare, offered by the resident of a household unit or the sale of items handcrafted on the premises by the resident of a household unit providing the service, sale or handcrafting is performed only by the resident therein and providing the area used in performing the home occupation does not exceed four hundred (400) square feet in area and providing there is no exterior indication of the home occupation. Services which generate no traffic to the premises or which use no vehicles, which would not normally be found incidental to a residential use shall be exempt from this definition. In the C1, M1 and M2 zones, only existing on site residences may be used for home occupations. (Ord. 2741, 11-4-2002)

Per City Code 10-4-4:

Home Occupations require a Special Use Permit.

Per City Code 10-11-1 thru 8:

Typically, a home occupation does not include required site improvements. However, prior to issuance of the Special Use Permit staff will ensure conditions of approval are complete.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Town Neighborhood." Town Neighborhood is appropriate for Residential uses, with open space for parks, schools and civic facilities all serving the residential development. Staff has determined this request complies with the 2016 comprehensive plan because it is not changing the primary function or use of the land from Residential to another use

Possible Impacts:

The applicant nor staff anticipates any negative impacts to the neighborhood from this request.

Conclusion:

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to all Federal, State and Local laws and regulations.

Attachments:

1. Letter of request
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Future Land Use Map
5. Applicant Submitted Site Plan
6. Site Photos

August 2, 2017

Special uses permit application for homebased Gunsmith shop

Request granting of a special use permit at the residential property located at 2543 Sunglow Cir. In Twin Falls Idaho for the purpose of operating a part time Gunsmith shop in an existing 392 square foot outbuilding located on the property.

The Gunsmith shop will be operated part time on weekday evenings from 5pm to 9pm. Saturday operation will be part time from 9am to 5pm

Customer traffic to the shop will be by appointment only and is anticipated to be less than 1-2 scheduled pick-ups or drop offs per week.

The Gunsmith shop will be staffed by the current property owner and his son.

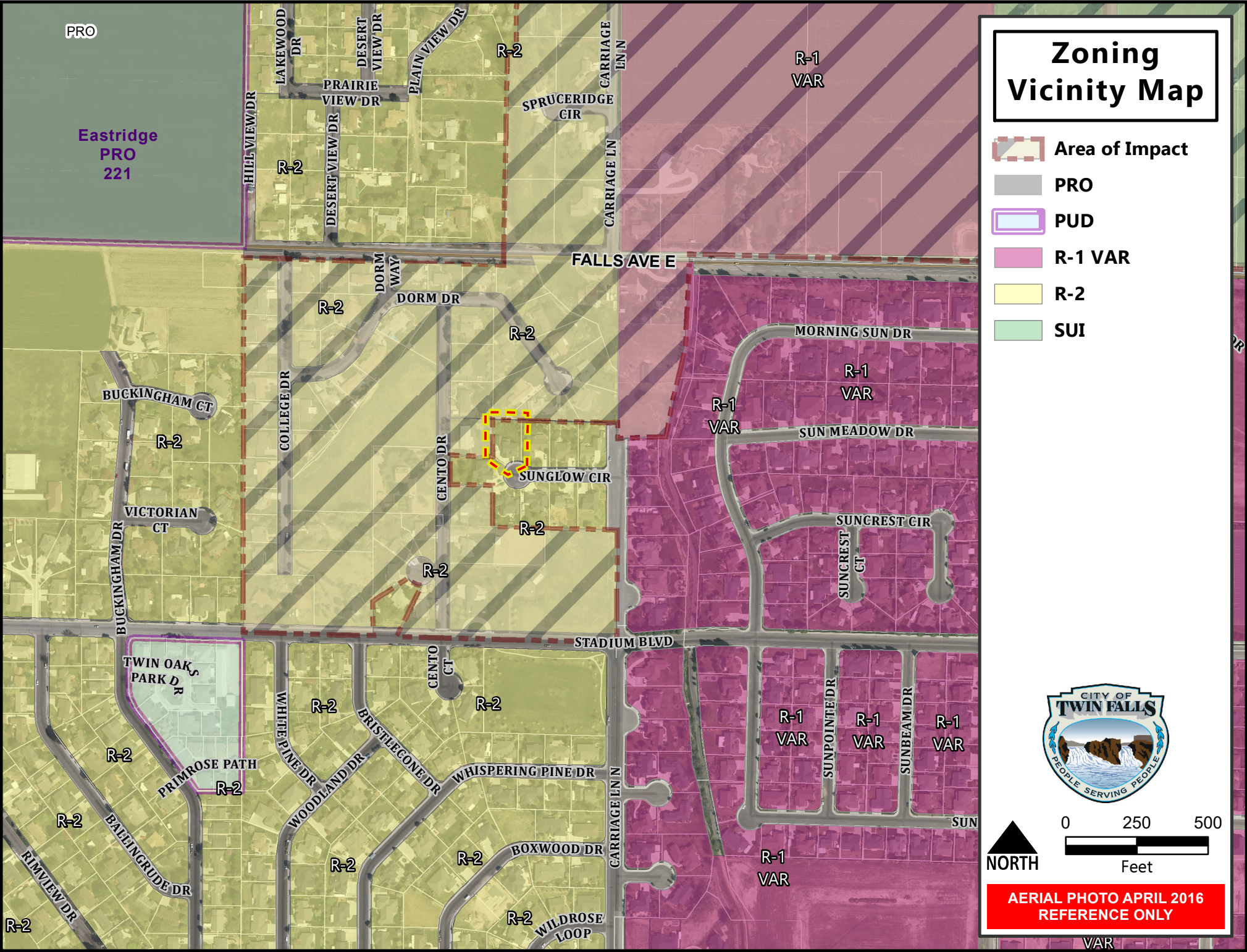
The effects on adjoining properties will be minimal.

1. Noise; The shop will run some machining operations that will produce some noise output, however the proposed outbuilding is fully finished and insulated to prevent excessive noise perforation.
2. Glare; there is none anticipated.
3. Odor; there is none anticipated.
4. Fumes and vibration; there are no fumes anticipated. Vibration from equipment will be minimal, equipment will be installed with vibration dampening and use will be scheduled for early weekday evenings and midday weekend operations.
5. It is anticipated that the general compatibility with adjacent properties will be of low impact. The proposed shop is located approximately 100 feet from all adjacent homes and should not produce any ill effects on those properties. The overall effect of this homebased part time business should have little to no impact on neighborhood properties. The business will build high end precision hunting rifles. The business is designed to cater to high-end clientele that will be individually vetted to insure compatibility with high ethical standards. There will be no drop-in customers. Individual customers will only be allowed, by appointment, on the property during normal hours of operation.

Edward R Stephens (Rob)

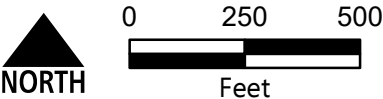
President / member

Soldier Mountain Arms L.L.C

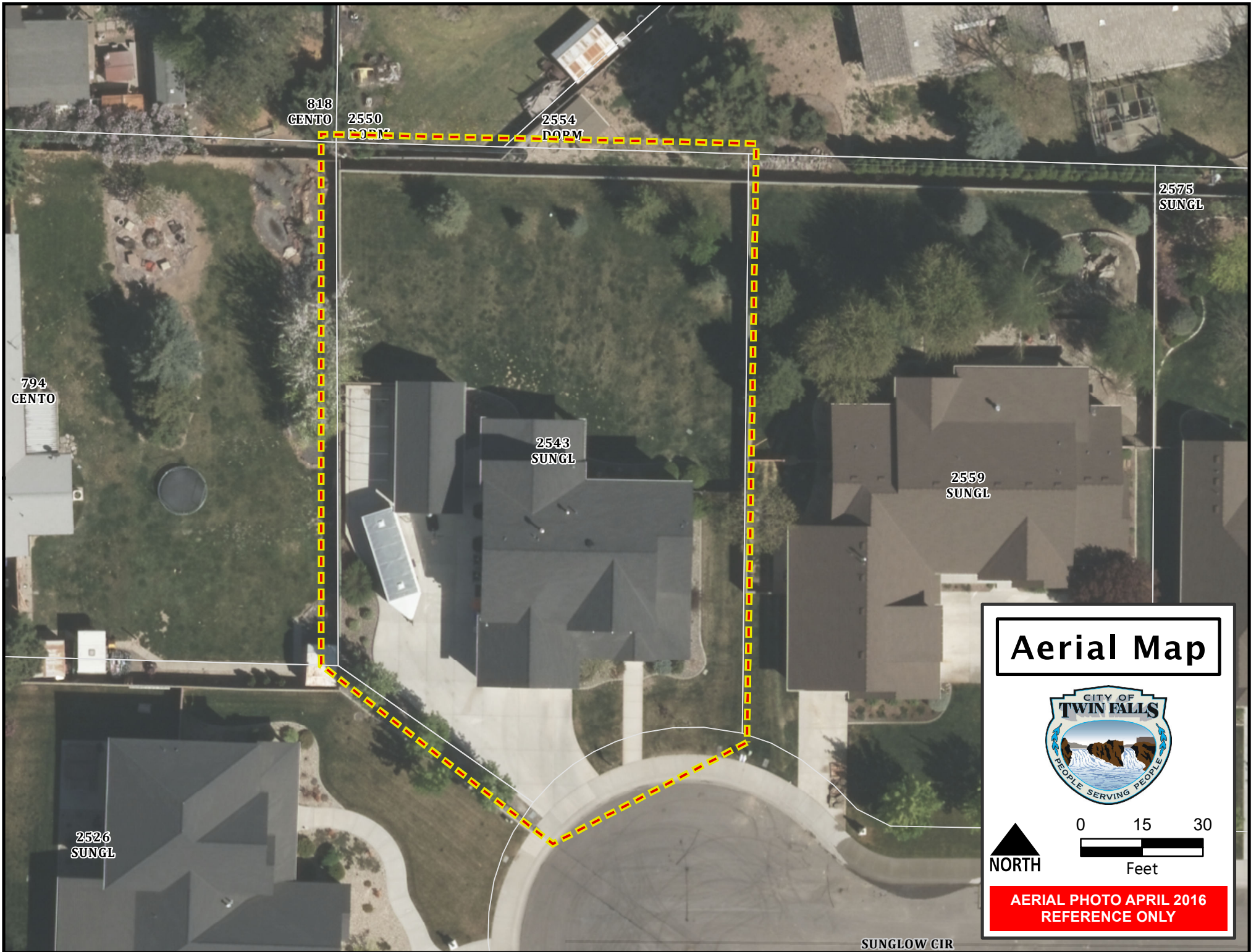


Zoning Vicinity Map

- Area of Impact
- PRO
- PUD
- R-1 VAR
- R-2
- SUI



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



818
CENTO

2550
DORM

2554
DORM

2575
SUNGL

794
CENTO

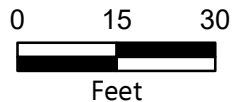
2543
SUNGL

2559
SUNGL

2526
SUNGL

SUNGLOW CIR

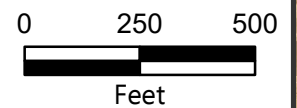
Aerial Map



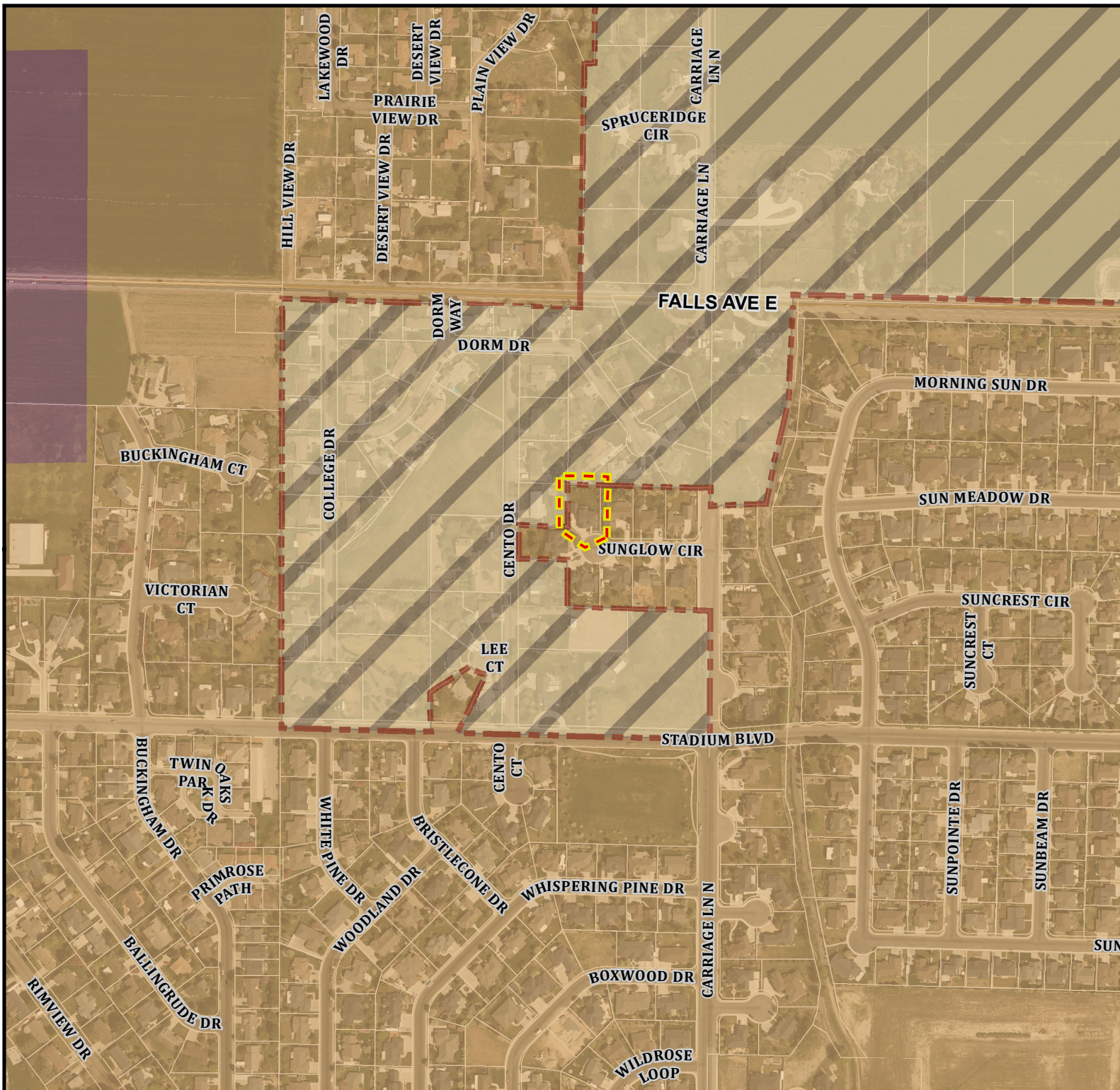
AERIAL PHOTO APRIL 2016
REFERENCE ONLY

Future Land Use Map

-  Area of Impact
-  Neighborhood Commercial
-  Town Neighborhood



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



Stephens Property

2543 Sunglow Cir.
Twin Falls, ID 83301
Edward R Stephens
Phone 208-539-7269

Legend

-  2543 Sunglow Cir
-  Curb-cut & driveway width 18'
-  Gunsmith Shop outbuilding 392 square foot
-  Line Measure

Gunsmith Shop outbuilding 392 square foot

2543 Sunglow Cir

Curb-cut & driveway width 18'

Sunglow Cir

Cento Dr

Google earth

© 2017 Google



100 ft



Public Notice Sign



SW Corner Looking NE



SE Corner Looking NW



Gareage



Public Hearing: **Tuesday, September 12th, 2017**
 To: Planning and Zoning Commission
 Presenter: Jonathan Spendlove, Senior Planner
 Editor: Renee V Carraway-Johnson, Zoning Administrator
 Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 4-c

Request: Request for a **Special Use Permit** to allow drive through services/windows and extended hours of operation to 1:00 AM for the 5 buildings shown on the 5 (+/-) acre Master Development Plan of the HB Properties PUD located on the northwest corner of Washington Street North and Cheney Drive West. c/o HB Properties, LC (app 2890)

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: Owner	Size: 4.06+/-acres
HB Properties LC 2280 Main St. Salt Lake City, UT 84115 801.557.370 gmoore@hbboys.com	Current Zoning: C-1 PUD (HB Properties)	Requested Zoning: Extended hours of operation for the proposed drive-through windows in conjunction with retail and restaurant businesses.
	Comprehensive Plan: Mixed Use	Lot Count: 1 lot
	Existing Land Use: Undeveloped	Proposed Land Use: Retail and Restaurants with drive-through windows and extended hours of operation to 1:00 A.M.
Representative:	Zoning Designations & Surrounding Land Use(s)	
Larvin Pollock 52 W 100 N Heber City, Utah 84032 801.718.5993 larvin@legendengineering.com	North: C-1 PUD (North Haven); Commercial, Wal-Mart	East: Washington St. N.; C-1 PUD (Sun West – Lazy J PUD 259); undeveloped
	South: Cheney Dr. W.; C-1 PUD (Canyon Ridge Commercial Subdivision and Canyon Ridge HS); developing credit union and undeveloped commercial subdivision	West: C-1 PUD (North Haven); Commercial, Wal-Mart Parking Lot
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8.3(B)6(a) and 10(j), 10-11-1 thru 8 and the HB Properties PUD Agreement #273	

Approval Process:

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit if void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow retail and restaurant tenants to operate with extended hours and drive-through windows.

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:

According to historical aerial imagery, from at least 1969 to 2004, this parcel was part of an agricultural operation. This particular corner had what appeared to be storage silos, barns, and a residence when used agriculturally. Currently this parcel is undeveloped and governed by the HB Properties PUD, recorded July 25th, 2017.

Analysis:

This is a request for a Special Use Permit, encompassing the entirety of the lot, which would allow for drive-through services and extended hours of operation to 1:00 AM for retail and restaurant uses within the development. For clarification, the PUD specifically states Non-Retail uses will have no restriction on hours of operation, but it was silent on Retail uses thus reverting to the base Zoning Code of C-1; 7:00 am to 10:00 pm. Non-Retail uses would be land uses such as; professional offices, medical, financial, etc.

Per City Code 10-4-8:

A special use permit is required for any retail operation with extended hours outside the hours of 7am to 10pm, and any establishment providing a drive-through service.

Per City Code 10-11-1 thru 8:

Required improvements include access, screening, storm water, and others. These required improvements are currently being evaluated and all applicable code requirements are being enforced with the building permit review currently underway.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Mixed Use." Mixed Use, is a very broad and wide-ranging designation, supporting high-density retail as well as retail and other commercial operations. The main aspect is that Mixed Use focuses on the Pedestrian connections and human scale. As this development combines many different commercial uses on one lot, staff has determined this request complies with the 2016 comprehensive plan.

Possible Impacts:

The applicant, nor staff, anticipates an increase of negative impacts to any undesirable levels with the approval of this request. High traffic commercial development, undeveloped land, or major arterial and collector streets surround the location.

Conclusion:

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.

Attachments:

1. Narrative (2)
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Future Land Use Map
5. Site Plan
6. Elevations
7. Site Photos



July 27, 2017

City of Twin Falls

PO Box 1907
324 Hansen Street E
Twin Falls, ID 83303

Special Use Permit Application

Reason for Request

This request is being submitted for a business park development containing retail and restaurant uses with their associated parking, landscaping and drive through areas.

Project Explanation

The proposed business park containing retail and restaurant uses is anticipated to have various operating hours determined by the tenants. In general, hours of operation are expected to be between 7:00 am and 10:00 pm. The anticipated traffic for this business center is consistent with the master plan. Employees will be hired by the tenants to meet their needs. Generally, the business center is anticipated to have 25 employees at any given time.

Project Effects on Neighbors

The proposed business park containing retail and restaurant establishments is not anticipated to generate an excessive amount of noise pollution for the neighboring properties. The architectural and landscape design are such that glare will not be an issue on either Cheney Drive or Washington Street. Furthermore, this development will not produce any undesirable fumes, vibrations, or odors on site or to the neighboring properties. This project is compatible with adjacent and other properties in the district due to its retail and restaurant centered use.

Thank you for the opportunity to submit this application. We look forward to working with City of Twin Falls on this development.

Larvin Pollock
Project Engineer
Legend Engineering
Larvin@legendengineering.com
(801) 718-5993

Steve O'Connor

From: Larvin Pollock <larvin@legendengineering.com>
Sent: Friday, August 4, 2017 8:36 AM
To: Steve O'Connor
Cc: Kelly Weeks
Subject: Re: Special Use Application for Project at Washington St. N. and Cheney Dr. W.
Attachments: scans@titlefact.com_20160810_154651.pdf

Steve,

This is what I just received from the owner.

--
BEGIN-ANTISPAM-VOTING-LINKS

Teach CanIt if this mail (ID 0aTR2ABwp) is spam:

Spam: <https://antispam.roaringpenguin.com/canit/b.php?c=s&i=0aTR2ABwp&m=982a6f490e5d&rlm=tfid-org&t=20170804>
Fraud/Phish: <https://antispam.roaringpenguin.com/canit/b.php?c=p&i=0aTR2ABwp&m=982a6f490e5d&rlm=tfid-org&t=20170804>
Not spam: <https://antispam.roaringpenguin.com/canit/b.php?c=n&i=0aTR2ABwp&m=982a6f490e5d&rlm=tfid-org&t=20170804>
Forget vote: <https://antispam.roaringpenguin.com/canit/b.php?c=f&i=0aTR2ABwp&m=982a6f490e5d&rlm=tfid-org&t=20170804>

END-ANTISPAM-VOTING-LINKS

Thanks,
Larvin Pollock
Legend Engineering
larvin@legendengineering.com
www.legendengineering.com
Tel 435 654-4828
Mobile 801 718-5993
Fax 866 310-9972
52 West 100 North
Heber City, UT 84032



> On Aug 3, 2017, at 2:58 PM, Steve O'Connor <soconnor@tfid.org> wrote:

>

> Mr. Pollock,

> That is what we need, however, the Warranty Deed is not an executed deed. There are no signatures, notary stamp. or stamp of recordation. The Quit Claim Deed has all of that but we cannot except a Quit Claim deed without the chain of title. If you have any questions please let me know.

>

> Regards,

> Steve

>

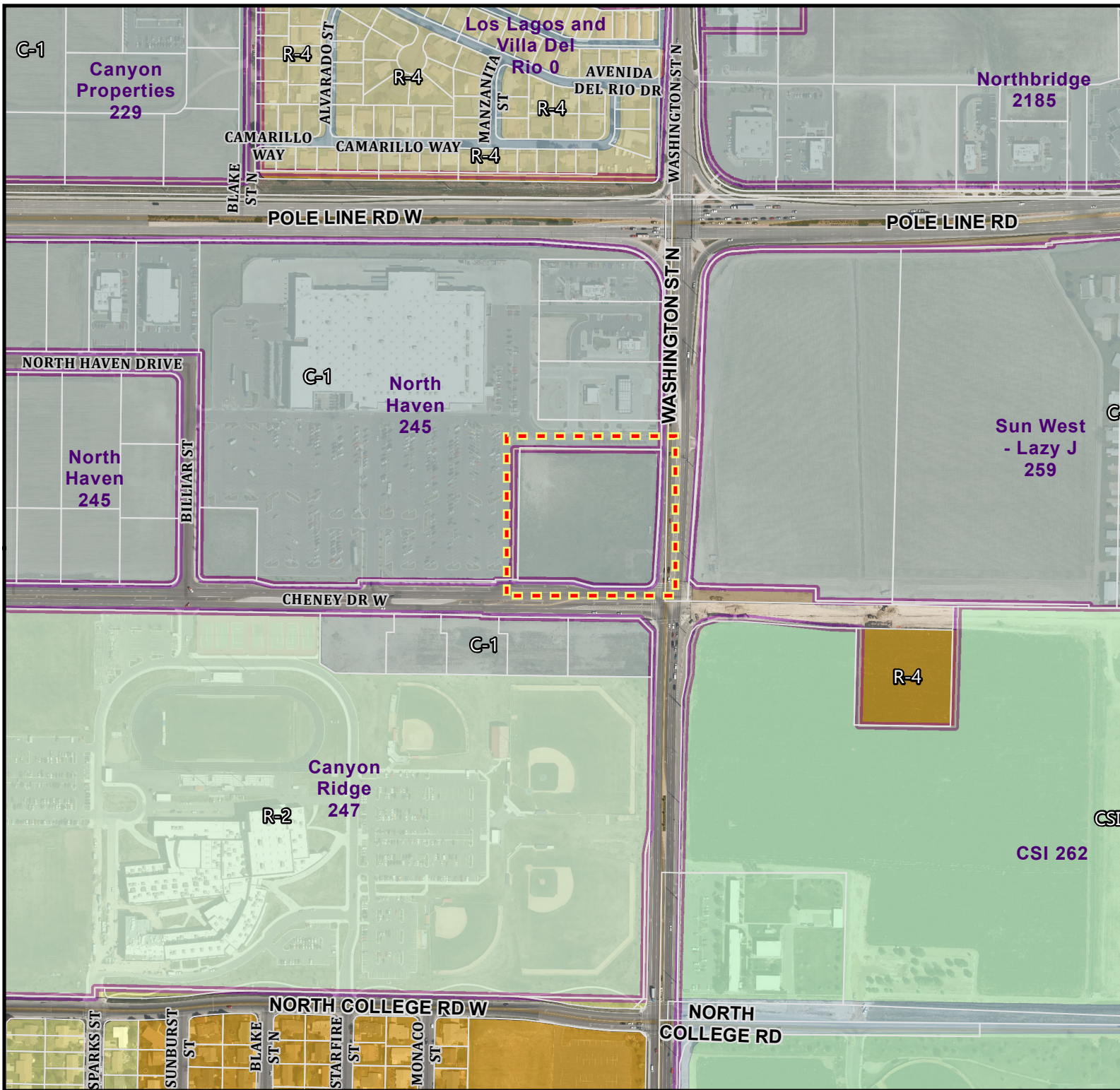
> Steve O'Connor

> Planner I

> 208.735.7270

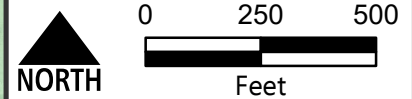
>
> From: Larvin Pollock [<mailto:larvin@legendengineering.com>]
> Sent: Thursday, August 3, 2017 2:20 PM
> To: Steve O'Connor <soconnor@tfid.org>
> Cc: Kelly Weeks <kweeks@tfid.org>
> Subject: Re: Special Use Application for Project at Washington St. N. and Cheney Dr. W.
>
> Steve,
>
> See attached documents. Will this work? It looks like I sent you the old deed.
>
>
> --
>
>
> Thanks,
> Larvin Pollock
> Legend Engineering
> larvin@legendengineering.com
> www.legendengineering.com
> Tel 435 654-4828
> Mobile 801 718-5993
> Fax 866 310-9972
> 52 West 100 North
> Heber City, UT 84032
>
> <image001.jpg>
>
>
>> On Aug 3, 2017, at 7:44 AM, Steve O'Connor <soconnor@tfid.org> wrote:
>>
>> Perfect, I will apply extended hours to 1am for the application. If there is anything else you think of, for the SUP application, between now and next Wednesday, please let me know. Thank you.
>>
>> Regards,
>> Steve
>>
>> Steve O'Connor
>> Planner I
>> 208.735.7270
>>
>> From: Larvin Pollock [<mailto:larvin@legendengineering.com>]
>> Sent: Wednesday, August 2, 2017 5:05 PM
>> To: Steve O'Connor <soconnor@tfid.org>
>> Cc: Kelly Weeks <kweeks@tfid.org>
>> Subject: Re: Special Use Application for Project at Washington St. N. and Cheney Dr. W.
>>
>> The Burger King would be open the latest and I some of there locations are open until 1:00 am on weekends.
>>
>> Sent from my iPhone
>>
>> On Aug 2, 2017, at 4:45 PM, Steve O'Connor <soconnor@tfid.org> wrote:
>>
>> Mr. Pollock,
>> With that, would 12am (midnight) be reasonable?
>>
>> Steve O'Connor
>> Planner I
>> 208.735.7270
>>
>> From: Larvin Pollock [<mailto:larvin@legendengineering.com>]

> > Sent: Wednesday, August 2, 2017 9:40 AM
> > To: Steve O'Connor <soconnor@tfid.org>
> > Subject: Re: Special Use Application for Project at Washington St. N. and Cheney Dr. W.
> >
> > Steve,
> >
> > Thanks for reaching out. Yes if you would add extended hours that would be great. It is possible that they could be open later than 10:00 and they would not want to be limited if they had a tenant that had extended drive thru hours.
> >
> > Thanks,
> > Larvin Pollock
> > Legend Engineering
> > larvin@legendengineering.com
> > www.legendengineering.com
> > Tel 435 654-4828
> > Mobile 801 718-5993
> > Fax 866 310-9972
> > 52 West 100 North
> > Heber City, UT 84032
> >
> > <image001.jpg>
> >
> >
> >
> > On Aug 2, 2017, at 9:02 AM, Steve O'Connor <soconnor@tfid.org> wrote:
> >
> > Mr. Pollock,
> > I am reviewing the Special Use Application you sent in to our office for the development of retail and restaurant space with drive-thrus. I noticed in the narrative, it says hours of operation will be from 7am to 10pm as determined by the tenants. If there is any chance the restaurants want to be open later than 10pm to serve food or at least keep their drive thru windows open past 10pm then we will need to add "extended hours" as part of the SUP request. With your permission I can add this to the application. Please let me know as soon as you can and I will push this along the review process to be scheduled as early as possible. Thank you.
> >
> > Regards,
> > Steve
> >
> > <image003.png>
> >
> >
> >
> >
> >
> >
> > Spam
> > Phish/Fraud
> > Not spam
> > Forget previous vote
>

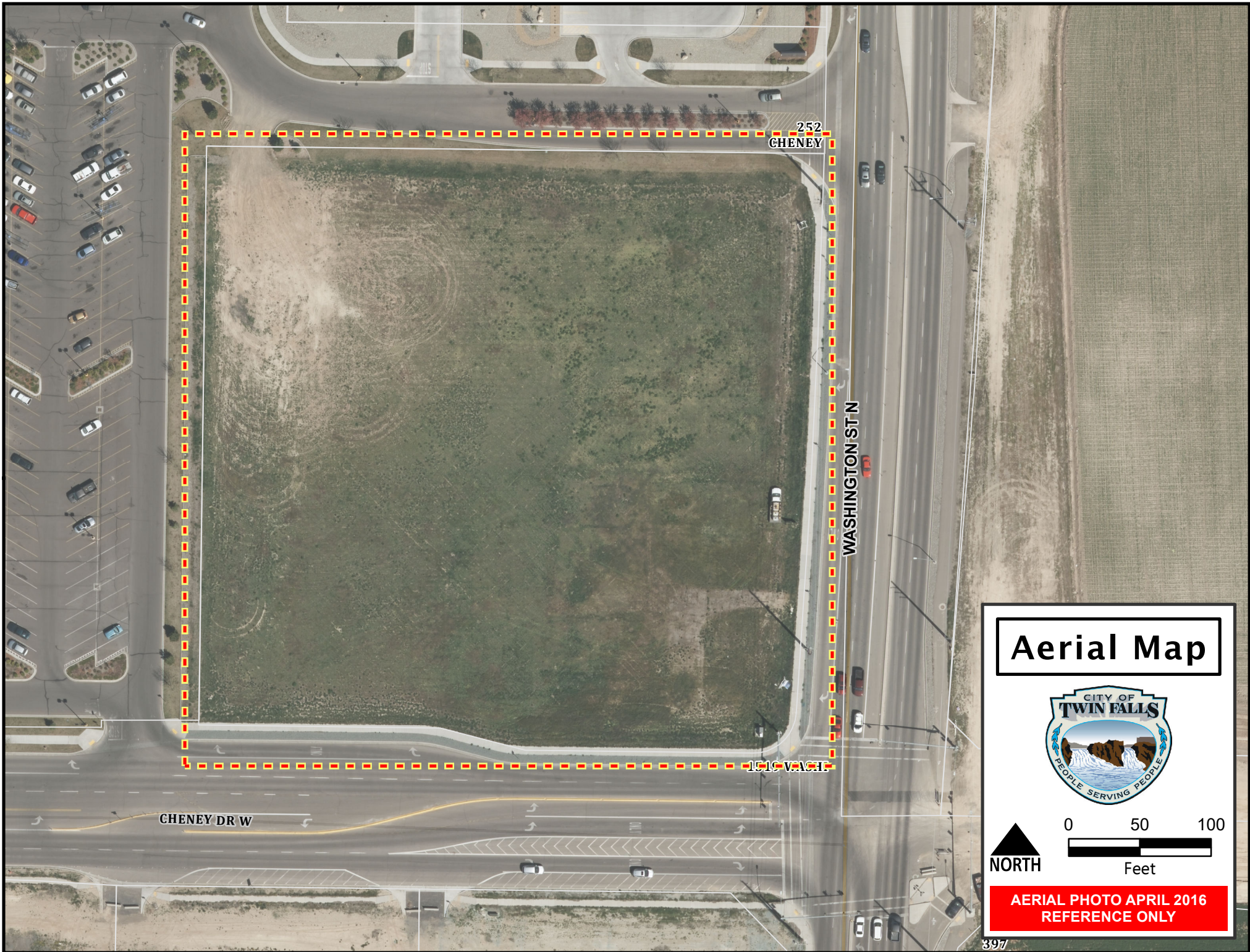


Future Land Use Map

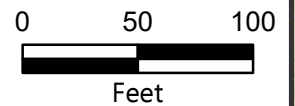
-  PUD
-  C-1
-  CSI
-  OS
-  R-2
-  R-4



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



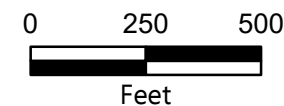
Aerial Map



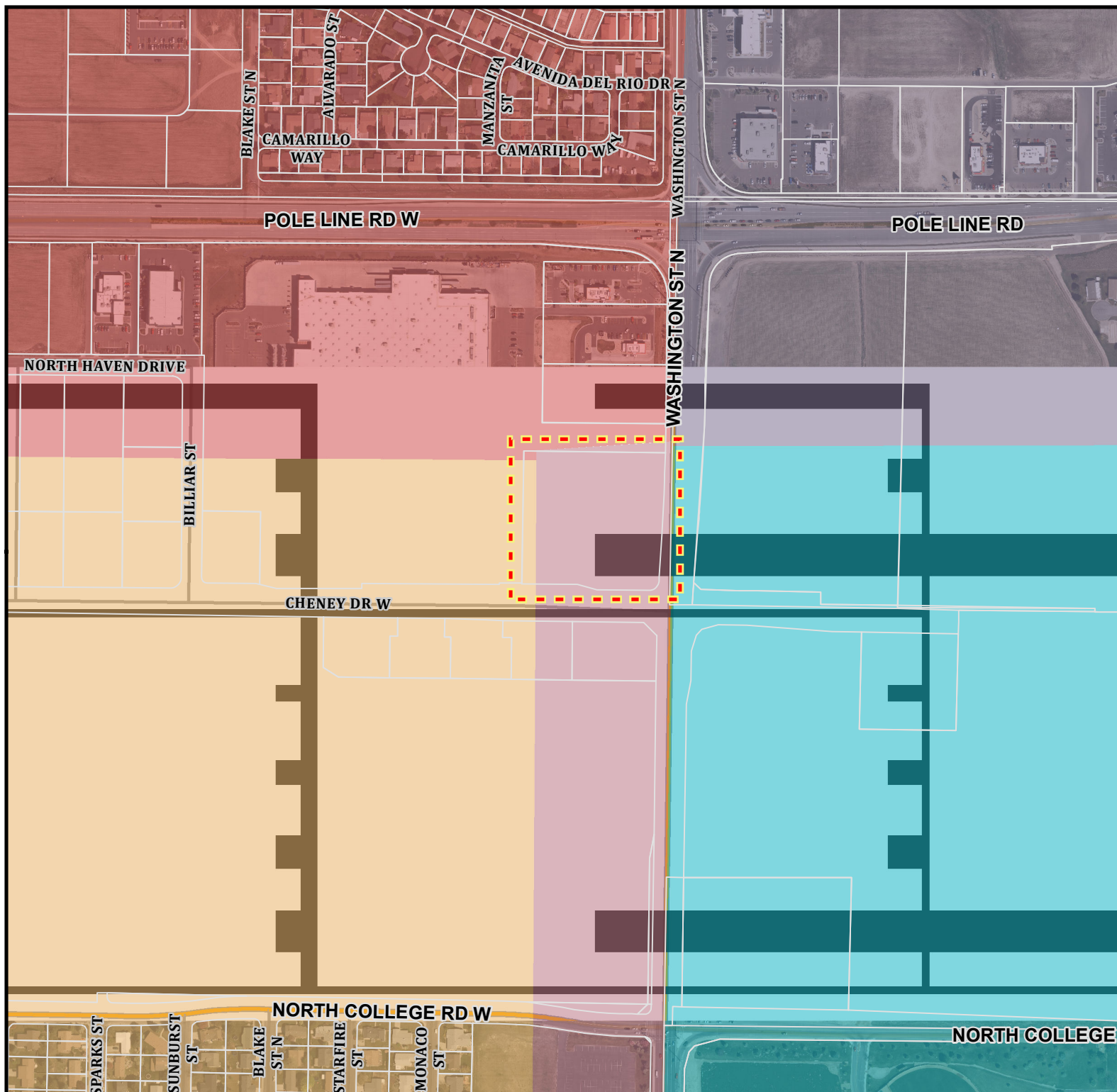
AERIAL PHOTO APRIL 2016
REFERENCE ONLY

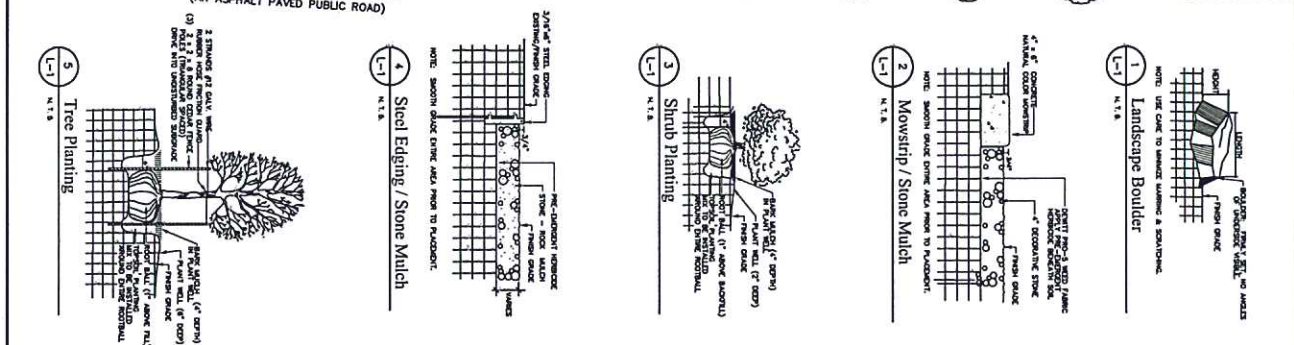
Future Land Use Map

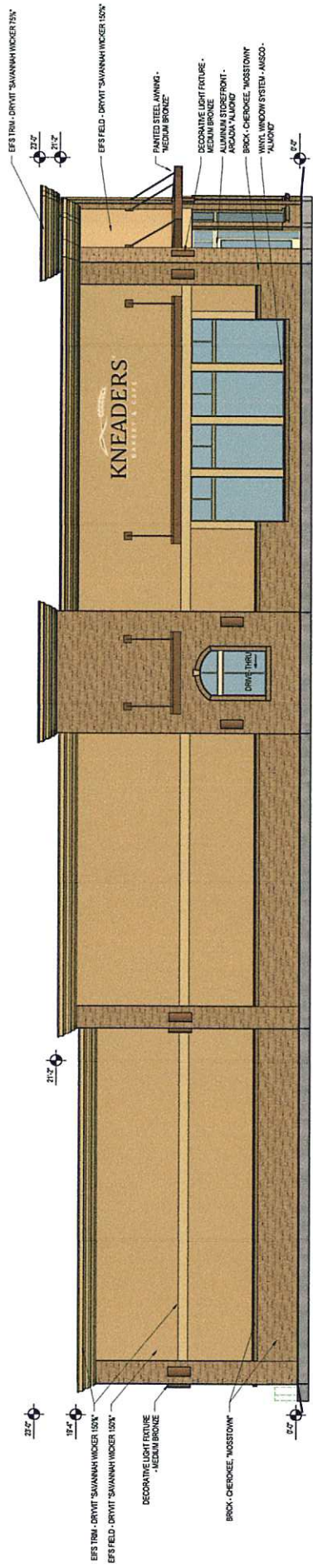
- College of Southern Idaho
- Commercial
- Mixed Use
- Neighborhood Commercial
- Town Neighborhood



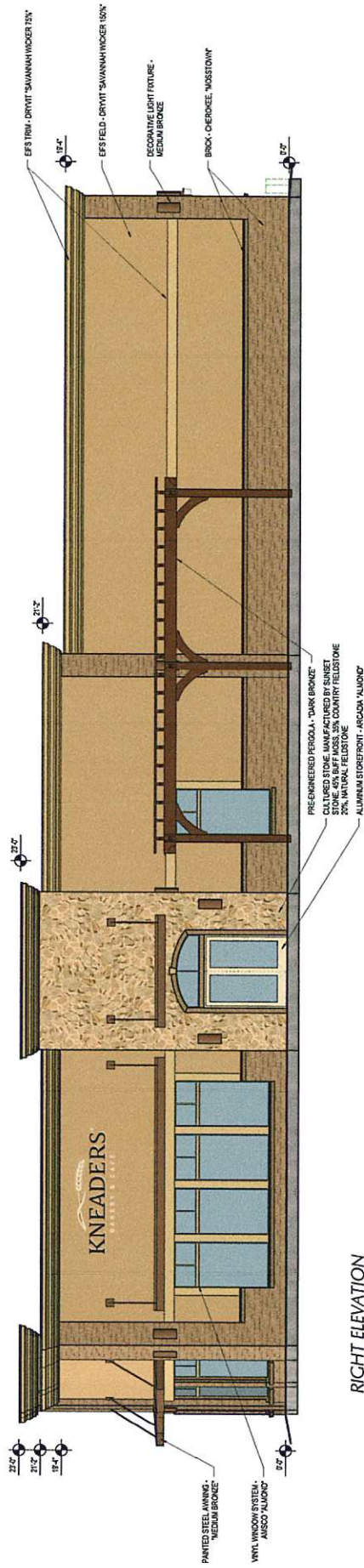
AERIAL PHOTO APRIL 2016
REFERENCE ONLY







LEFT ELEVATION



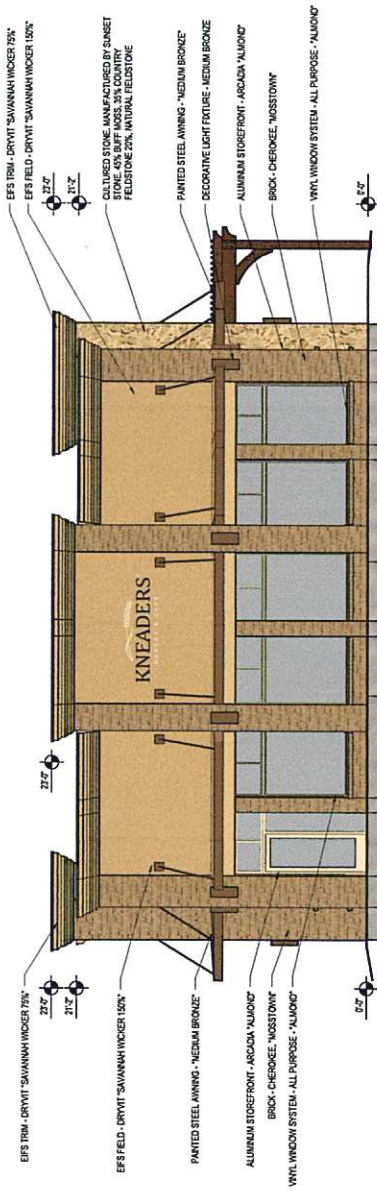
RIGHT ELEVATION

KNEADERS - PROTOTYPE
V7.0 - REGULAR - WARM

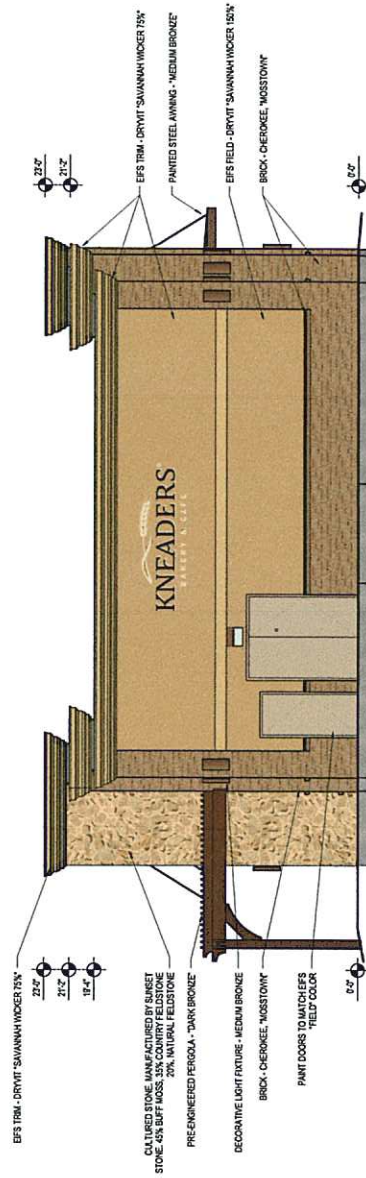
13 JULY 2017



CURTIS MINNER
ARCHITECTS
233 SOUTH PLANTANT CANYON BLVD.
SUITE 100
PLANTANT CANYON, UT 84402
PH: 801.724.1000
FAX: 801.724.1001
cma@curtisminner.com



FRONT ELEVATION



BACK ELEVATION

KNEADERS - PROTOTYPE
V7.0 - REGULAR - WARM

13 JULY 2017

OTA

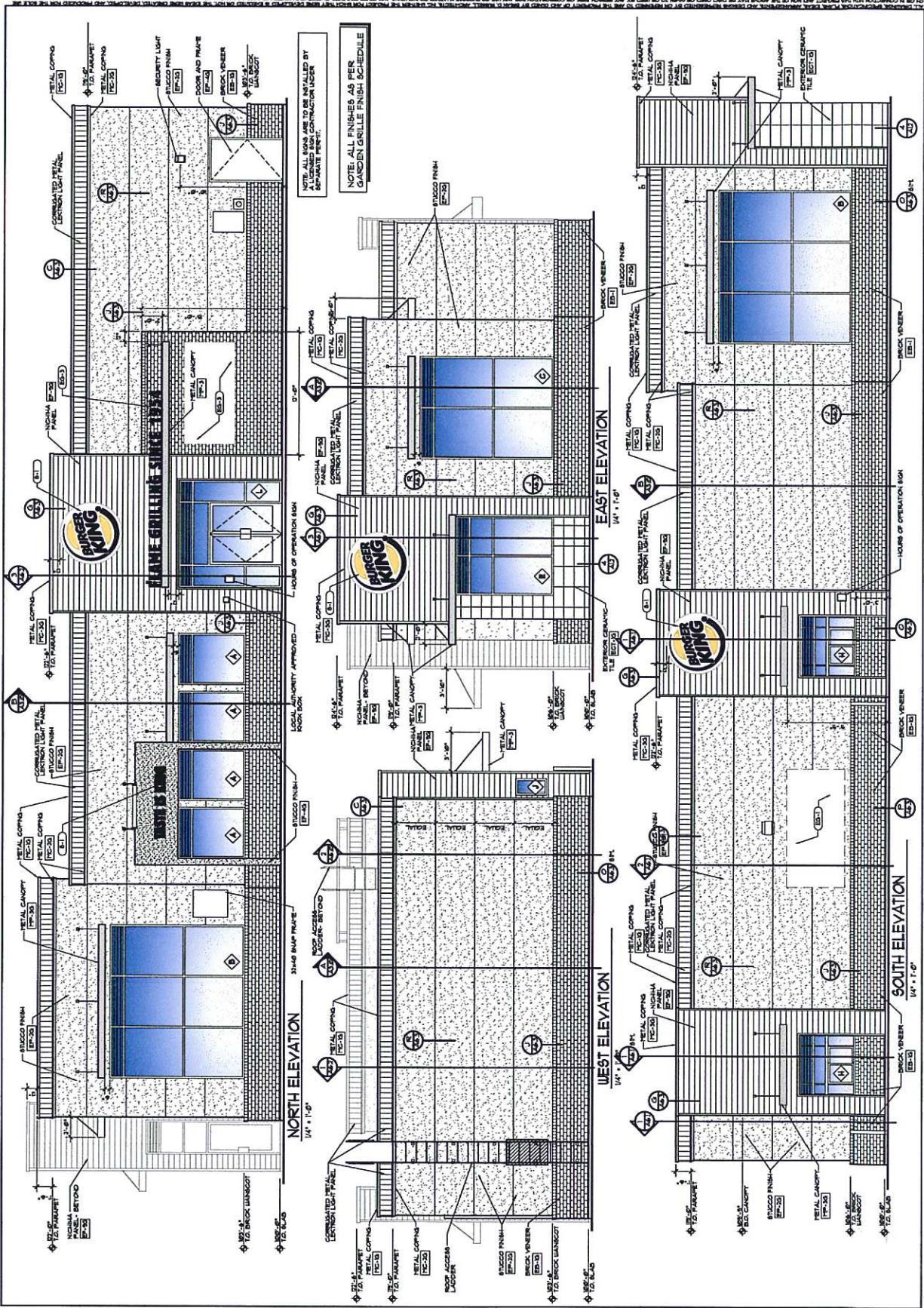
CURTIS MINER

233 SOUTH PLEASANT CANYON BLVD.
PLEASANT CANYON, CA 92562
PH: 951.754.1000
FAX: 951.754.1001
ota@otadesign.com

BRIAN D. RUSSELL ARCHITECTS, INC.
 12312 SOUTH REDWOOD ROAD
 LITTLEROCK, UTAH 84040
 (801) 307-0800 (801) 307-0801 FAX

BURGER KING CORPORATION
 NEW BUILDING FOR
 CHENEY DR. AND WASHINGTON STREET
 TWIN FALLS, IDAHO

A2.0





SOUTH ELEVATION
SCALE: 3/16" = 1'-0"





NOTICE OF
PUBLIC MEETING
FOR MORE
INFO CALL
735.7267

Public Notice Along Washington



NOTICE OF
PUBLIC MEETING
FOR MORE
INFO CALL
735.7267



NOTICE OF
PUBLIC MEETING
ON ZONING REQUEST
FOR MORE INFO CALL
735.7267

Public Notice Along Cheney



NOTICE OF
PUBLIC MEETING
ON ZONING REQUEST
FOR MORE INFO CALL
735.7267



Canyon Ridge H.S.

NW Corner Looking SE



Wal-Mart

SE Corner Looking NW



Public Hearing: **Tuesday, September 12th, 2017**
 To: Planning and Zoning Commission
 Presenter: Jonathan Spendlove, Senior Planner
 Editor: Renee V Carraway-Johnson, Zoning Administrator
 Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 4-d

Request: Request for a **Special Use Permit** to establish an automobile sales business and to include a designated asphalt vehicle display strip within the gateway arterial landscaping on property located at 1215 Addison Ave West within the Area of Impact. c/o Charles Legg dba A-1 Auto Sales. (app. 2891)

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: Owner	Size: 8.46 (+/-) acres- designated 200' x 300' area for use
Charles Legg 1431 Kimberly Rd Twin Falls, ID 83301 208.734.0473 a1towing@live.com	Current Zoning: C-1, Commercial Highway District on northern most ~170' of the property and M-2, Heavy Manufacturing District to the south – WITHIN THE AREA OF IMPACT	Requested Zoning: Special Use Permit
	Comprehensive Plan: Industrial / Employment / Flex	Lot Count: 1 Lot – northern most ~170' of property
	Existing Land Use: Impound Yard, Landscaping Material Sales	Proposed Land Use: Automobile sales business in the C-1 Zoned portion of the property & a designated asphalt vehicle display strip within the gateway arterial landscaping
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: C-1 Aol; Addison Ave W, Addison Collision Repair	East: C-1 & M-2 Aol; John's U-Pull U-Save/Salvage Yard
	South: SUI Aol, Agricultural	West: C-1 Aol; Agricultural
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-4-10, 10-8, 10-11-1 thru 8, 10-13	

Approval Process:

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit if void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to establish a vehicle sales business in the C-1 zoned portion of the property located at 1215 Addison Ave. W.

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 applicant purchased the property in April 2017, prior to that it was agricultural in use. In March of this year, this commission approved Special Use #1424 allowing an Impound Yard in the southern portion of the property within the M-2 zone.

Analysis:

This is a request for a Special Use Permit to establish a vehicle sales business on the C-1 zoned portion of property located at 1215 Addison Ave. W. The applicant operates A-1 Auto Sales and Towing and was recently operating at 1431 Kimberly Rd. The applicant has submitted two building permits for construction of two offices on site, one for the impound yard (SUP #1424) and one to operate the vehicle sales business. The applicant was informed the northerly 170' +/- is zoned C-1, which requires a special use permit to operate a vehicle sales business. The site plan submitted with the building permit shows Gateway Arterial Landscaping identified to be 30' deep, measured from the back of the curb. Gateway Arterial Landscaping is required to be measured from behind the sidewalk or future sidewalk.

The applicant has identified on the site plan a continuous strip of asphalt within the gateway landscape strip to allow for a solid vehicle display strip, thus removing 15-20' of the required gateway arterial landscaping. Through conversations with staff, the applicant has requested that the 30' arterial requirement be waived in lieu of what is on the parcel now, and has offered planters to replace the required tree and bush counts. This waiver would need to meet the Commissions' approval for *"alternative plans or designs to allow innovative landscaping"* found in City Code 10-11-2.

Recently, the applicant had parked vehicles for display on the asphalt fronting Addison Ave W. He was informed with a supplemental letter to the dealership license application, verbally, and finally with two notices of Violation through Code Enforcement (NOV #556122 & NOV #556410), to have all vehicles for sale back off Addison Ave W. by at least ~170' to the M-2 zone, where vehicle sales is a permitted use. If the Special Use Permit is granted this evening the required site improvements and any additional conditions the commission places shall be in compliance prior to operation of the business. Since the issuance of the 2 violations the applicant has complied with the code requirement.

Staff has determined this request for auto sales is reasonable for the area. However, compliance with the required improvements in a timely manner is paramount to all Special Use Permits. To further inform the applicant of these requirements, staff recommends the official delivery and approval of the request be contingent upon full compliance of city regulations, such as; landscaping, hard surfacing, screened trash enclosure, storm water retention prior to operation of the business within the C-1 Zone. This is not an additional special condition, it is written in City Code currently. However, due to previous misunderstandings and miscommunication we feel it important to fully disclose this portion of the code within this Special Use Permit approval.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Industrial / Employment / Flex." This designation supports an intense use of the land through heavy commercial to heavy industrial, while other uses such as hotels, restaurants and other retail uses are integrated in to the primary use. Staff has determined this request complies with the 2016 comprehensive plan since this request intensifies the already multi-use nature of this lot.

Per City Code 10-4-8:

A Special Use Permit is required to establish a vehicle sales business.

Per City Code 10-7-12(B): Gateway Arterial Landscaping

Thirty foot (30') of Gateway Arterial Landscaping shall be provided immediately behind the sidewalk or future sidewalk when vacant land is being developed. Any continuous landscaped strip exceeding forty feet (40') in length shall contain a twelve-inch (12") minimum height undulating berm. Each separate section of the landscaping strip shall contain trees or shrubs. The plant types in each portion of the landscaping strip shall be as set forth in subsection [10-11-2\(A\)](#) of this title, except that evergreen trees shall not be required. Each landscaped strip shall be kept clean and free of noxious and other weeds. (Ord. 2978, 10-26-2009)

Per City Code 10-11-1 thru 8:

Required improvements include access, drainage and storm water, screened trash enclosure, hard surfacing of all parking and maneuvering areas, 30' of gateway arterial landscaping measured from behind the sidewalk or future sidewalk, in addition 3% of site or 10% of required parking/maneuvering areas shall be landscaped, etc.... These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal. If the Commission grants the special use permit a condition all required improvements be in compliance prior to issuance of the SUP and operation of the vehicle sales business.

Possible Impacts:

Staff does not anticipate any increase in negative impacts to this area regarding the operation of a vehicle sales business at this location. The impact to the visual corridor of Addison Avenue West will be greatly enhanced upon full implementation of the required site improvements: especially the minimum thirty-feet (30') of required Arterial Landscaping. Recent surveys have highlighted the blighted entrances into the city, especially from the west. The survey results clearly state aesthetic improvements are greatly encouraged.

In addition to the Commission being tasked to make a decision whether to grant the special use permit or not, the applicant is asking for acceptance of an alternative landscape plan. There was no additional plan submitted with this request, only the site plan. Relative to this portion of the request it is the commissions charge to determine two (2) things:

1. What number, if any, of allowable 9' x 20' paved display pads along Addison Ave West
2. Whether the "PLAN" of a solid 15-20' strip of asphalt within the 30' gateway arterial landscape to allow for a greater number of vehicles displayed for sale, as submitted by the applicant's site plan, meets the *"alternative plan or design to allow innovative landscaping"* per City Code 10-11-2.

The Commission may approve the "plan" as shown, approve it with conditions or deny the applicants proposed alternative landscape plan. In any case, a condition should be placed on the SUP clearly identifying which direction the Commission determines.

Conclusion:

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to completion of all required site improvements and issuance of the Certificate of Occupancy prior to activation of this Special Use Permit.

Attachments:

1. Letter of request
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Future Land Use Map
5. Applicant Submitted Site Plan
6. Violation Notices
7. SUP # 1424
8. Site Photos

4. A - Reason for Request - Car lot - Secondary lot

B - i - Hours 9-5 Monday thru Friday

Saturday by Appointment only

ii - Traffic - Customer's in & out to look

@ Vehicles to purchase. Test Drives are also allowed. Normal traffic

C - i - Noise - minimal Noise - Cars starting and running - power washer noise for cleaning them off.

ii - Glare - No App

iii - None

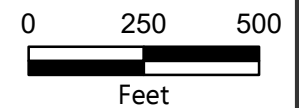
iv - None

V - Equipment Sales, Body Shops,
Junk yards

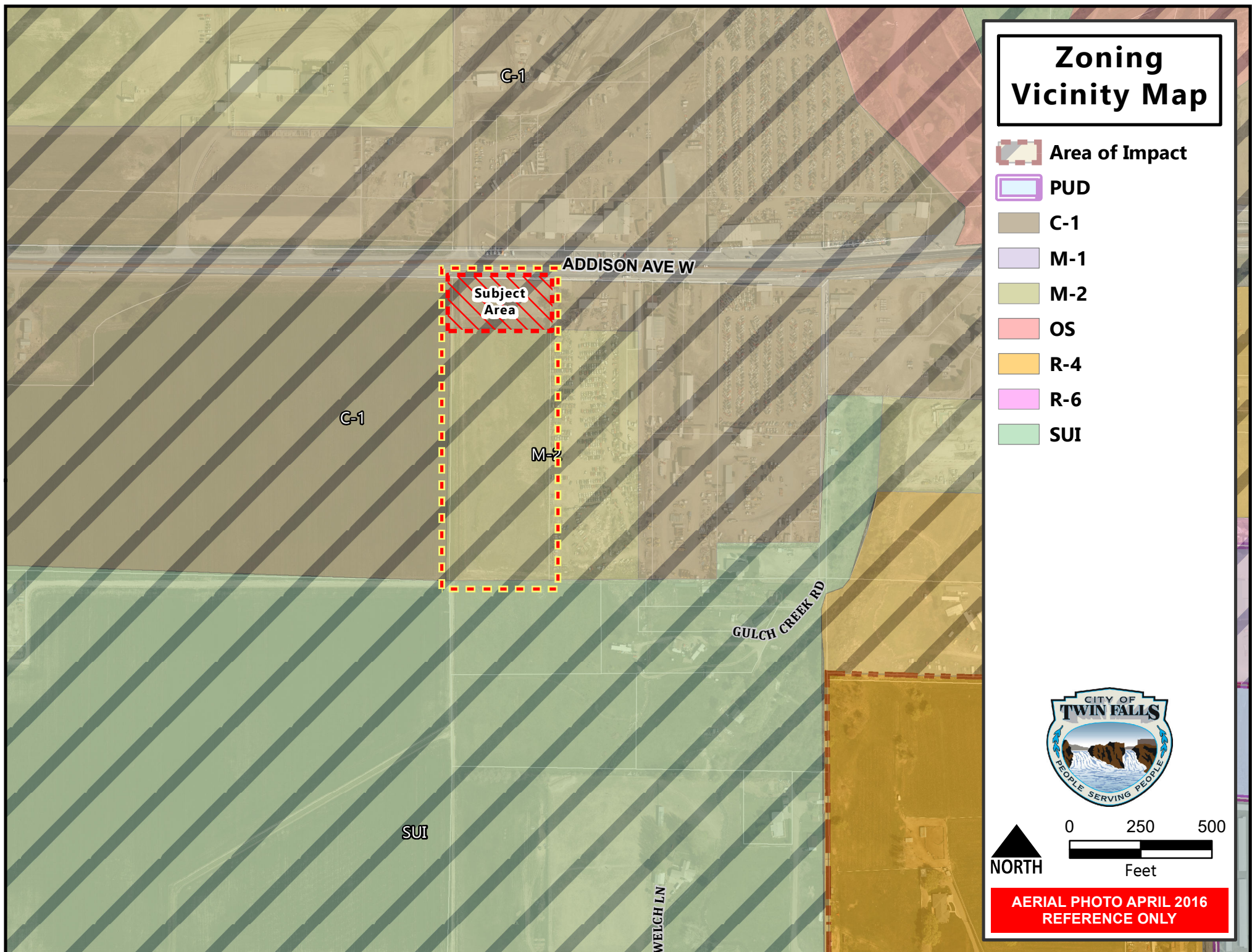
use ~~front~~ portion of gate way
for site pads

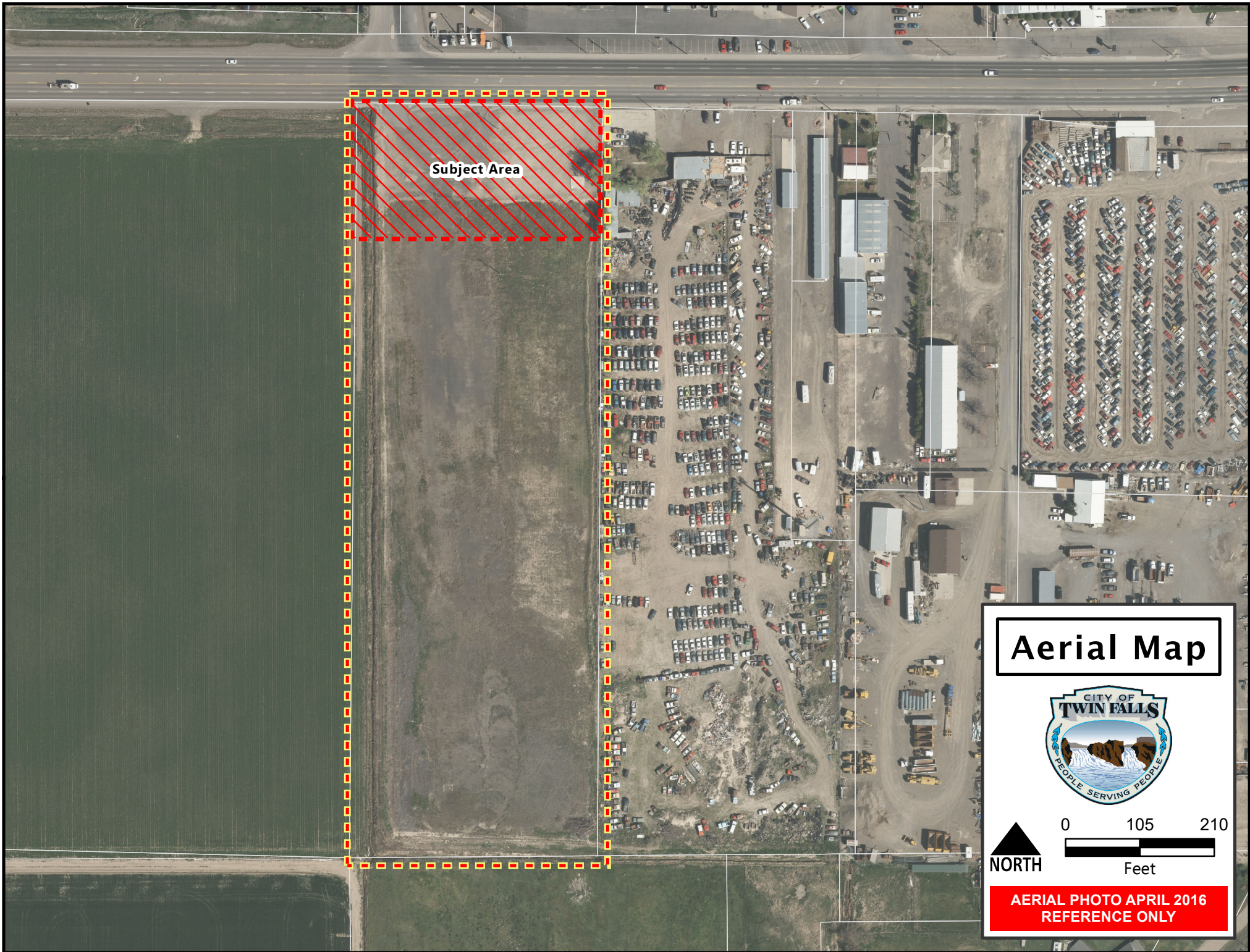
Zoning Vicinity Map

-  Area of Impact
-  PUD
-  C-1
-  M-1
-  M-2
-  OS
-  R-4
-  R-6
-  SUI



AERIAL PHOTO APRIL 2016
REFERENCE ONLY





Subject Area

Aerial Map



0 105 210
Feet

AERIAL PHOTO APRIL 2016
REFERENCE ONLY

Future Land Use Map

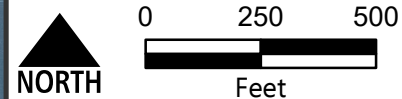
- Industrial
- Open Space
- Town Neighborhood

Subject Area

ADDISON AVE W

GULCH CREEK RD

WELCH LN



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

935 Shoshone Street North * Twin Falls, Idaho 83301
(208) 736-8050 Fax: (208) 733-0950

City of Twin Falls

CITATION# 556122

DATE OF SERVICE 07/31/2017 10:59 AM

RESPONDENT'S NAME LEGG, CHARLES

DATE OF VIOLATION 07/31/2017

VIOLATION LOCATION " 1215 ADDISON AVE W

NATURE OF VIOLATION

10-1-11 / ZONING CODE VIOLATION:

VIOLATION DISPLAYING VEHICLES IN C1 ZONE WITHOUT SUP



FINE \$0

REINSPECTION DATE 08/07/2017

OFFICER NOTES

OFFICER NO. 272

SEE REVERSE

Violation Notice

City of Twin Falls

CITATION# 556410

DATE OF SERVICE 08/15/2017 9:42 AM

RESPONDENT'S NAME CHARLES LEGG

DATE OF VIOLATION 08/09/2017

VIOLATION LOCATION " 1215 ADDISON AVE W

NATURE OF VIOLATION

10-1-11 / ZONING CODE VIOLATION:

VIOLATION DEALER DISPLAYING VEHICLES IN C-1 ZONE WITHOUT SUP



FINE \$0

REINSPECTION DATE 08/10/2017

OFFICER NOTES Vehicles must be removed from the C-1 zone area until SUP is obtained.

OFFICER NO. 272

SEE REVERSE

Violation Notice



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

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

SPECIAL USE PERMIT

Permit No.1424

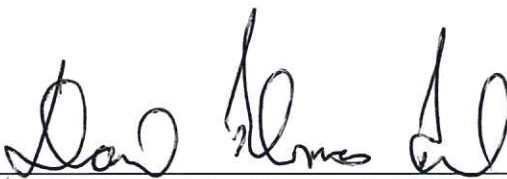
Granted by the Twin Falls City Planning and Zoning Commission, as presented, on March 14, 2017 to Charles Legg whose address is 1431 Kimberly Road Twin Falls, ID 83301 for the purpose of operating an automobile impound facility on a portion of property located at 1215 Addison Avenue West within the City's Aol and legally described as Sec 18 T 10 R 17 W ½ W ½ NW NE S of Hwy RP10S17E180690

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.2845

1. Vehicle storage in the impound yard be limited to the time allowed by code;
 - a. Maximum of 45 days for mechanically operable and licensed vehicles, and
 - b. Maximum of 14 days for wrecked vehicles awaiting transport.
2. No auto wrecking/salvage or junkyard permitted. The Impound Facility is for storage of impounded vehicles only.
3. Subject to plan approved by staff for management of storm water prior to operation of Impound Facility. Any change of surface will require additional water retention and shall be subject to review by staff.
4. Subject to a minimum 6' solid site-obscuring screening fence constructed around the entire perimeter of the Impound Facility.
5. No stacking of vehicles higher than the fence.
6. Subject to a plan approved by staff on the paved arterial access and the paved/graveled surface from Addison Ave W to the Impound Facility.
7. Subject to plan approved by staff addressing how vehicle fluids and/or chemicals are required to be disposed of properly- to include in the plan that those fluids and/or chemicals shall not drain onto the ground.
8. Subject to a plan approved by staff addressing how reasonable precautions will be taken to prevent
9. particulate matter from becoming airborne.
10. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.





CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

3/18/17

DATE

This 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.

Please contact the Building Department at 735-7238 for further information.

cc: Building Inspection



SW Corner Looking NE



SE Corner Looking NW



NE Corner Looking SW



NW Corner Looking SE



Public Hearing: **Tuesday, September 12th, 2017**
 To: Planning and Zoning Commission
 Presenter: Jonathan Spendlove, Senior Planner
 Editor: Renee V Carraway-Johnson, Zoning Administrator
 Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 4-e

Request: Special Use Permit to construct and operate a storage unit facility with 275 +/- units on property located at 808 Cheney Drive. c/o Loren Baker on behalf of TTLB, LLC (app 2892).

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: Owner	Size: 1.88+/- acres
TTLB LLC 808 Cheney Dr Twin Falls, ID 83301 208.734.6425	Current Zoning: C-1, Commercial Highway District	Requested Zoning: SUP to establish a Storage Unit Rental Business
	Comprehensive Plan: Mixed Use	Lot Count: 1 Lot
	Existing Land Use: Vacant	Proposed Land Use: Storage Units
Representative:	Zoning Designations & Surrounding Land Use(s)	
Loren Baker 808 Cheney Dr. Twin Falls, ID 83301 208.869.7123 loren@aamcotwinfalls.com	North: C-1 PUD (Woodbury); Auto Detail and Repair (AMMCO)	East: C-1; Hotel (Red Lion)
	South: C-1; Financial Office (Farm Credit Services)	West: C-1 PUD (Woodbury); U.S. Post Office
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-11-1 thru 8	

Approval Process:

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit is void.

If an applicant or interested party appeals the decision of the Commission within fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all previously presented information, testimony and minutes of the previous public hearing to reach a decision on the appeal.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to establish a storage unit facility on property located at north of 815 North College Rd.

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:

This lot is part of an original parcel that has been sold in pieces and developed over the last half century. The access and utility easement to the south was surveyed and recorded in 2004.

Analysis:

This is a request for a Special Use Permit to establish a storage unit facility in the C-1 zone on undeveloped property located north of 815 North College Road and south of 808 Cheney Drive. The applicant has provided a preliminary site plan, which may be adjusted as development occurs or as trends in the market dictate. The submitted site plan shows 275 units constructed of steel with a maximum height of 12'. The unit sizes range from 5'x10' to 10'x40'. There is no landscaping shown on the site plan at this time. The C-1 zone requires 3% of the total site or 10% of the required parking, **whichever is greater**. In the narrative, the applicant states there will be no outside storage allowed. He anticipates 2-4 customers at any one time for an average 30-minute site visit. There will be a 7' fence, which includes three (3) strands of barbed wire and a video surveillance in and around the facility. The hours of operation are stated to be 7:00 am to 7:00 pm seven days a week. The narrative states there will be two (2) employees. It is unclear if the employees will be onsite or only available on-call.

This lot is land-locked, but has acquired an access and utility easement from the south through the business located at 815 North College Dr. The applicant stated he wishes this to be the main access to the storage facility. However, the applicant owns AAMCO off Cheney Dr., which is to the north and adjacent to this parcel, so access can be gained via North College Rd. and/or Cheney Dr.

There is also a 10' x 10' sign easement on the SW corner of Parcel 2, as identified on the Record of Survey dated 2013. As the applicant does not own the property to the south, any signage would be considered "off-premise" which is not permitted in the City of Twin Falls Sign Code. An easement is granted between two property owners and is viewed by the City similar as CC&R's. The easement is between the two (2) property owners and is not binding to the City.

Per City Code 10-4-8:

A Special Use Permit is required to establish a storage unit facility in the C-1 zone.

Per City Code 10-11-1 thru 8:

Required improvements include access, drainage and storm water, landscaping, screened trash enclosure, hard surfacing of all parking/maneuvering area, etc.... Required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Mixed Use." Storage units, though more commercial in nature do provide a secondary means of storage for many residents due to space limitations in their home. This request therefore, while more commercially developed, fits with in the Mixed Use designation and complies with the 2016 comprehensive plan.

Possible Impacts:

The applicant does not anticipate any adverse impact to the surrounding properties as they are all developed and/or zoned C-1 properties and will likely be utilized more often than the storage units on a daily basis. Staff does not feel impacts from this development would go beyond a reasonable level for the surrounding area.

Conclusion:

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to all lighting being downward facing and not to encroach onto surrounding properties.
3. Subject to no “temporary” or off-site rental units (commonly referred to as PODS) being stored on this property.
4. Subject to no outside storage allowed.

Attachments:

1. Narrative
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Future Land Use Map
5. Site Plan
6. Elevations
7. Access & Sign Easement
8. Site Photos

8/7/2017

City of Twin Falls Community Development Services 324 Hansen St E Twin Falls, ID 83301

RE: Special Use Permit Application

TTLB LLC would like to operate a Self-Storage Facility at TBD N College Road. This parcel is landlocked, and surrounded by the Red Lion, the United States Post Office, Northwest Farm Credit, and AAMCO. There is an easement on the east side of Northwest Farm Credit's property offering access to the subject property.

The facility would have approximately 275 individual units constructed of steel with a maximum height of 12'. The unit sizes would range from 5X10 to 10X40. All units will be enclosed. Storage will not be available for RV's, trailers or boats.

Hours of Operation: 7:00am-7:00pm seven days a week

Traffic Anticipated: Self-Storage units with an electronically access control system have afforded the industry with an excellent data base that documents the number of customers that access the facility at any given time. This data has shown that a typical self-storage facility has between (0) and (12) customers on site at any given time. The hourly average based upon a 12-hour day is (3) to (4) customers per hour. The average size of most urban facilities designed today are in the range of 80,000 SF to 150,000 SF.

Based on the size of this proposed facility which is about 30,000 SF, data shows to expect, at most, (2) to (4) customers at any one time. It takes less than 30 minutes to complete a transaction.

Number of Employees: Two

Effects of the adjoining properties will be minimal. Storage is not a day to day business such as Wal-Mart or other retailers. It has a low impact on infrastructure. In fact, it could be a benefit as it would offer added protection to the rear of their properties. There will be video recording surveillance pointed towards the front side of all storage units. A 6' fence with an additional foot of three strands of barbed wire will surround the perimeter. There will be a 20' gate on the north and south side of the property. The south side will be customer access. The north side

will provide access for emergency vehicles. The north side is accessed through AAMCO which is also owned by TTLB LLC.

Noise: None.

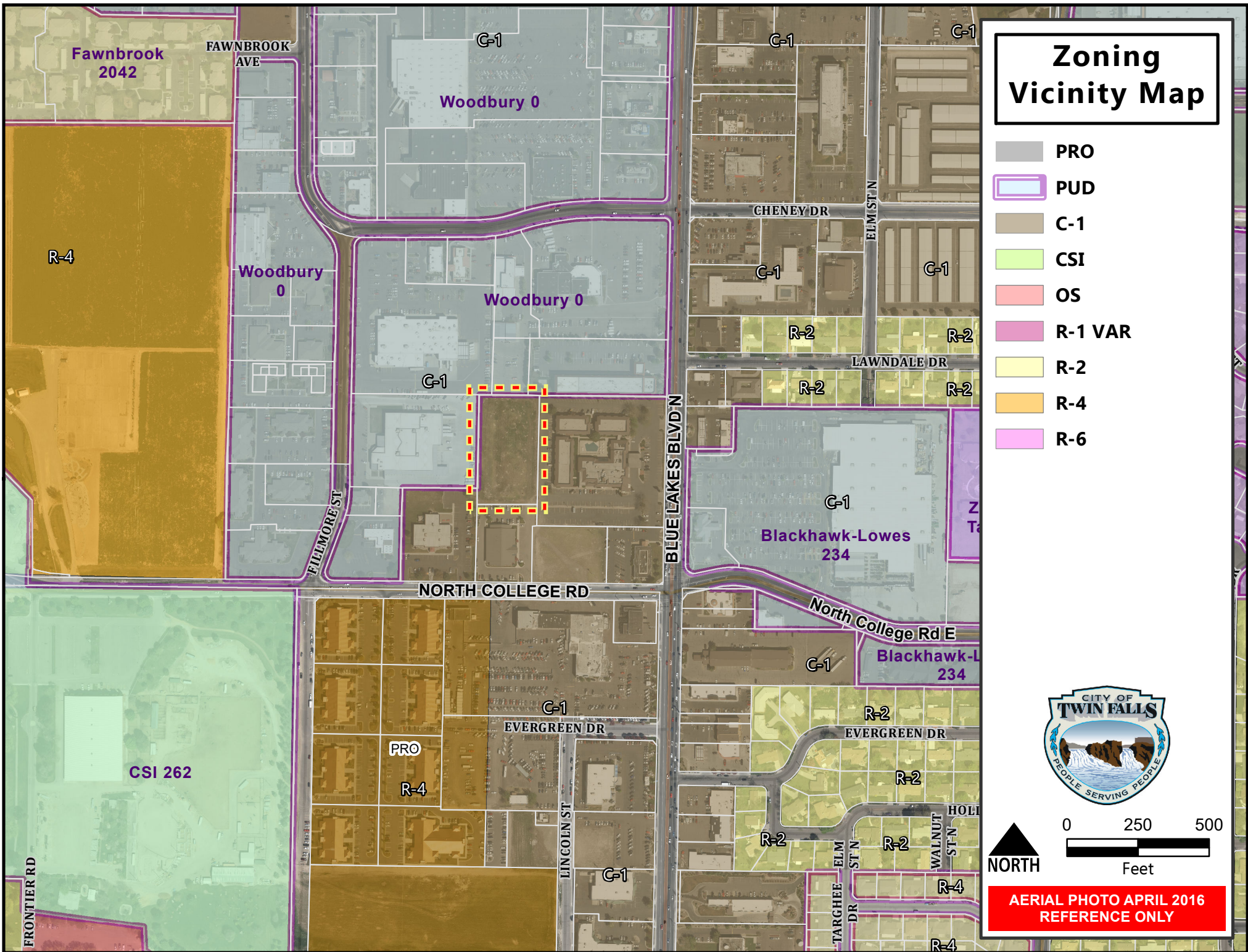
Glare: There will be down facing lighting on the perimeter and motion detection lighting on the interior. There will be no glare other than parking light illumination.

Odor/Fumes/Vibration: None.

Based on the limited number of customers that will be entering and exiting the facility, we believe this use to be the highest and best use for the subject property. It will serve to benefit surrounding property owners with its minimal activity, and added security & surveillance.

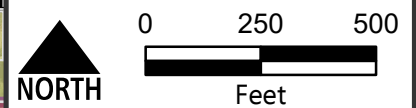
Sincerely,

Loren N Baker
TTLB LLC
808 Cheney Drive
Twin Falls, ID 83301
(208) 863-7123

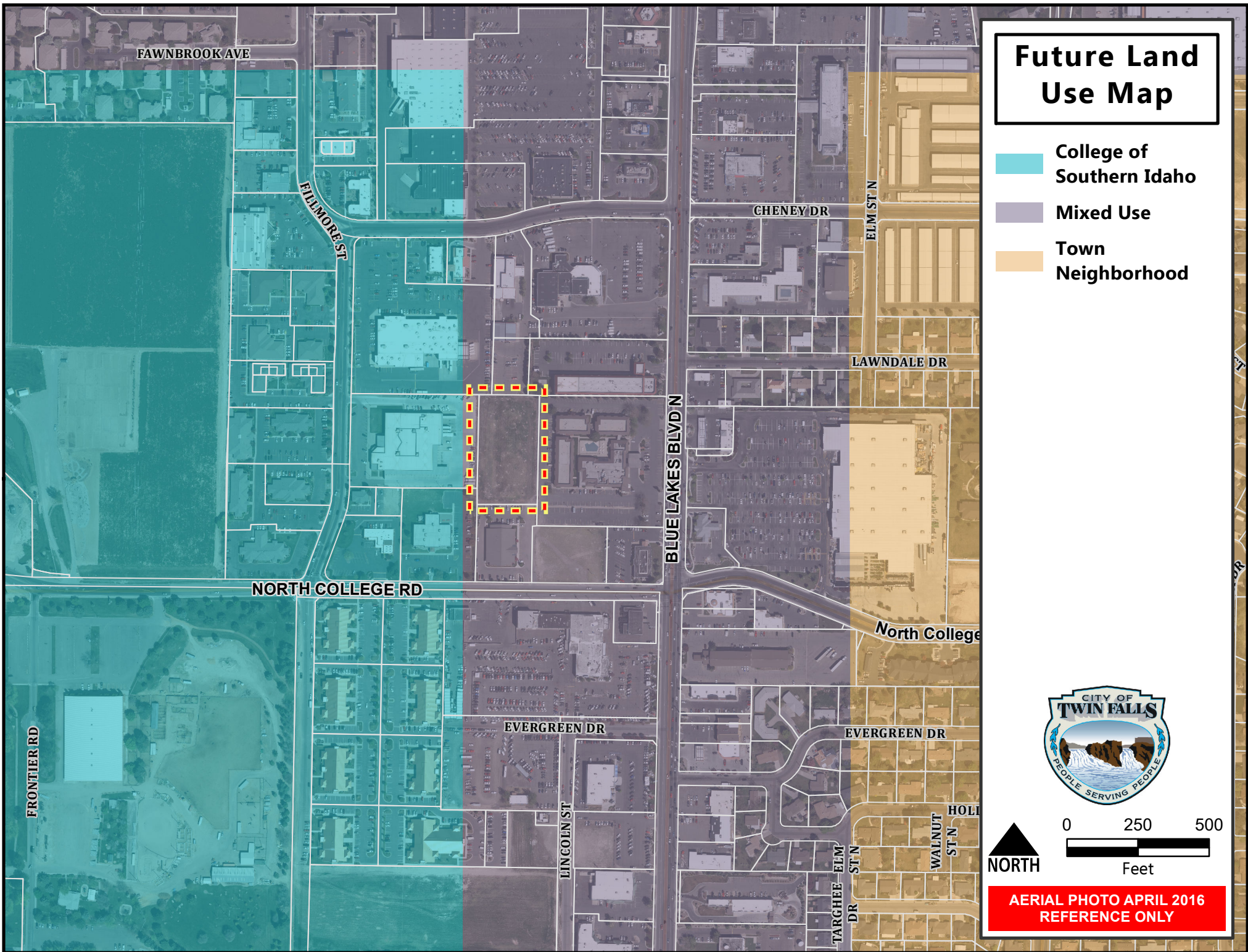


Zoning Vicinity Map

- PRO
- PUD
- C-1
- CSI
- OS
- R-1 VAR
- R-2
- R-4
- R-6

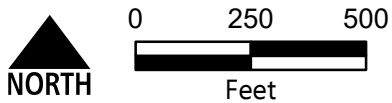


AERIAL PHOTO APRIL 2016
REFERENCE ONLY



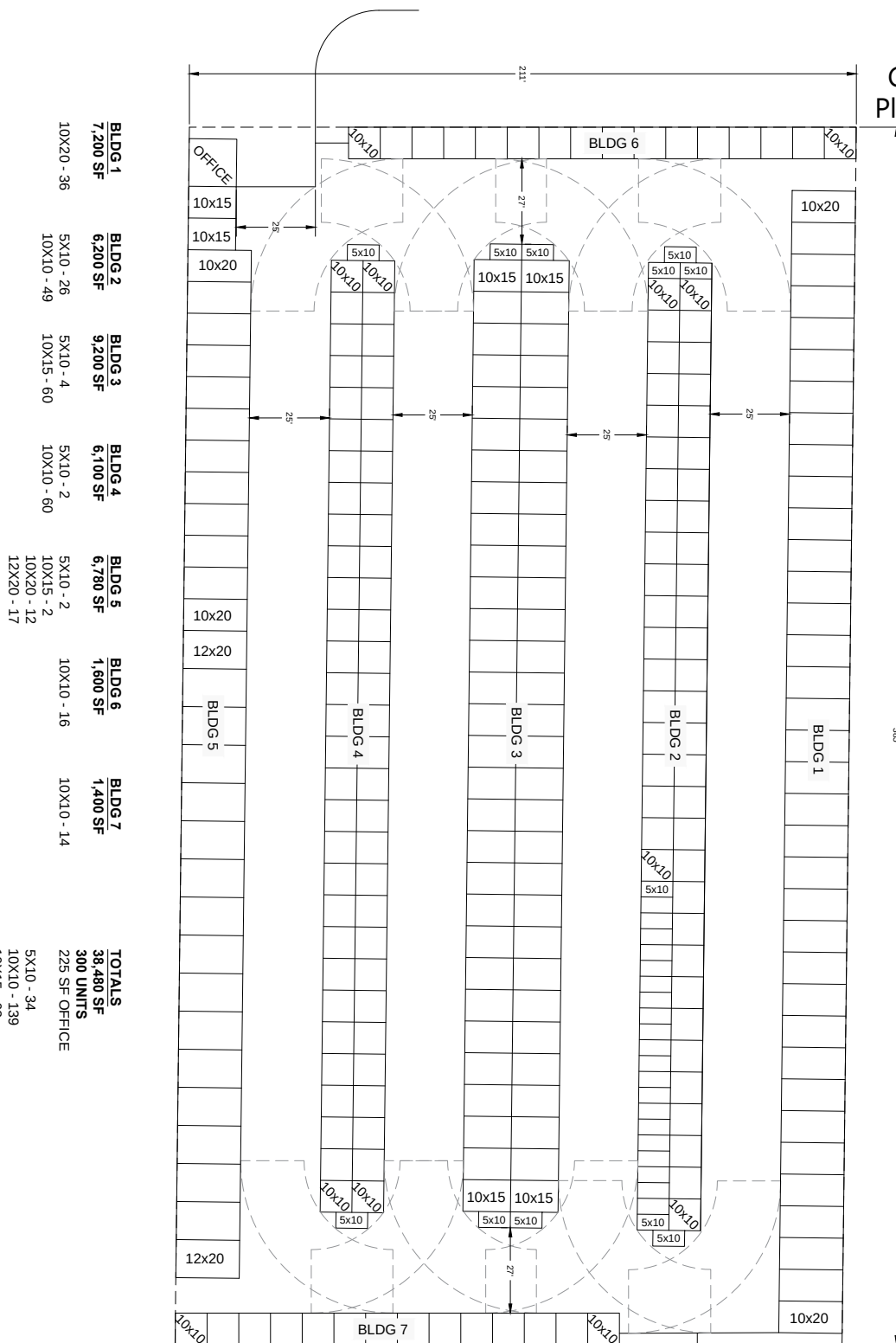
Future Land Use Map

- College of Southern Idaho
- Mixed Use
- Town Neighborhood



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

08/21/2017

City of Twin Falls
Planning & Zoning

NORTH COLLEGE
STORAGE

TWIN FALLS, ID

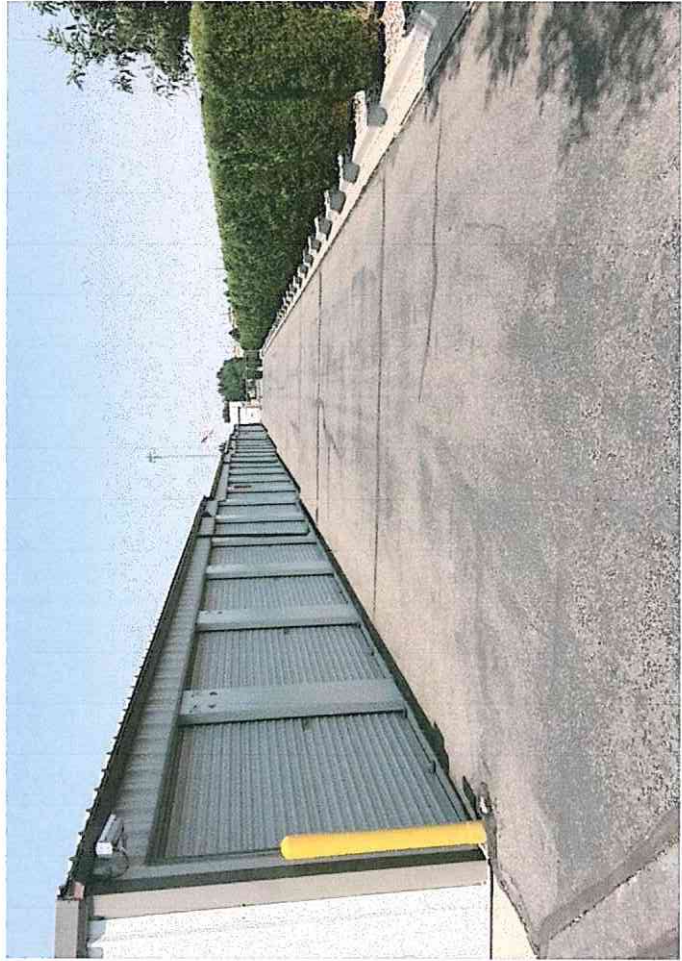
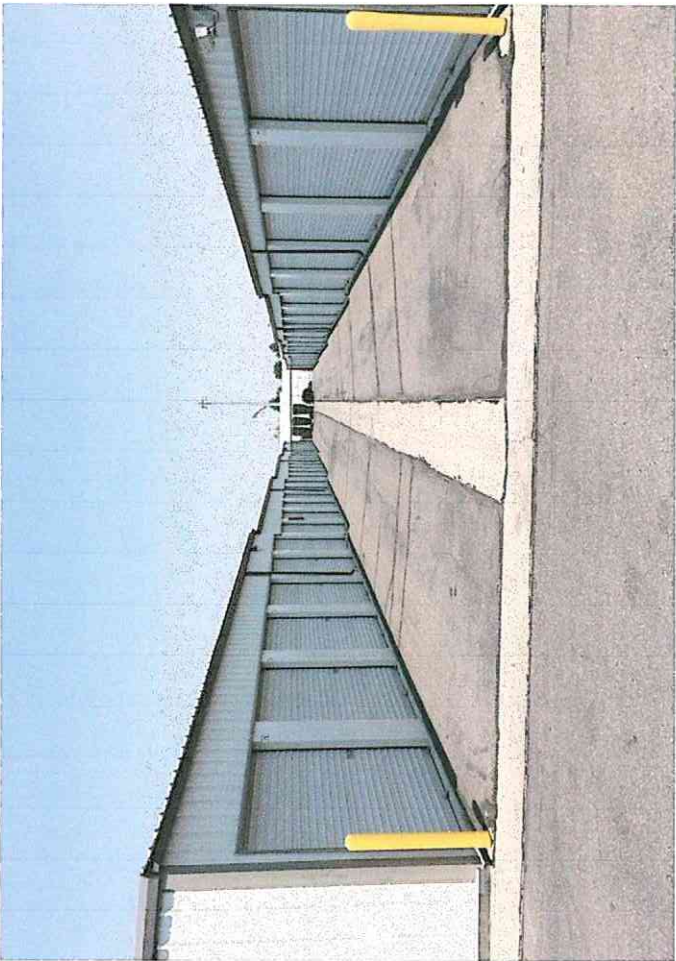


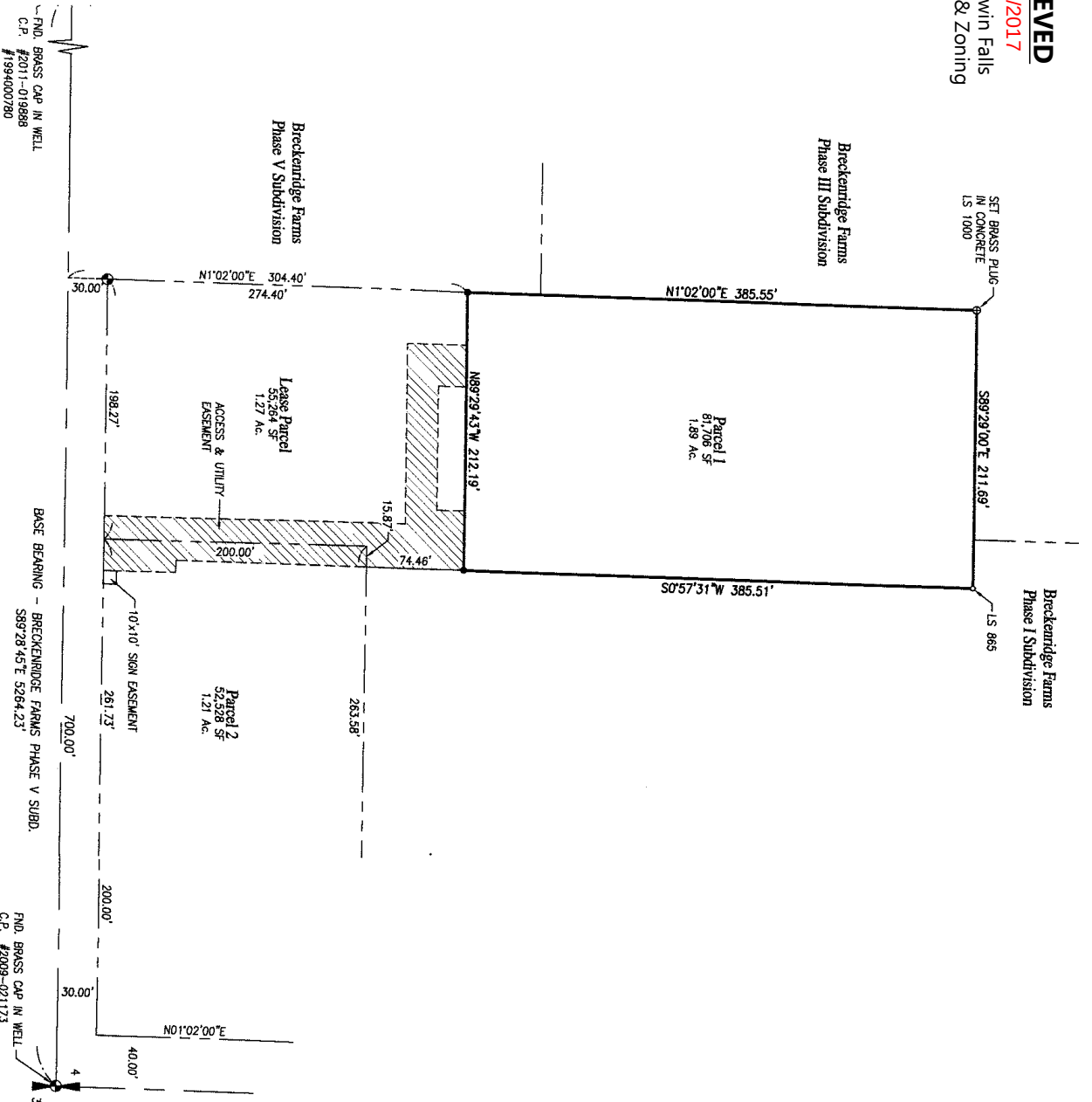
2619 Lampert Drive Boise, ID 83705
Phone, (208) 629-2945
Fax, (208) 343-0762
Email: fbc@forgeuildings.com

Date:	Description
Dwg Date:	30d Number:
Drawn By:	FBC -
Cheeked by:	Chen B.
Sr:	PB

FBC-

Issue #	Issue Description	Status
Initial Issue #	N.T.	Scale
Final Review	Issue Date	





Legend

SURVEY BOUNDARY LINE	—
SECTION LINE	- - -
EASEMENT LINE	- · -
ADJACENT PROPERTY LINE	· · ·
FOUND BRASS CAP	⊙
FOUND 5/8" REBAR (AS NOTED)	⊙
FOUND 1/2" REBAR (AS NOTED)	⊙
SET 1/2"x24" REBAR & CAP (LS1000)	⊙

Located In
 A Portion of
 SE 4 NE 4, Section 4
 Township 10 South, Range 17 East
 Boise Meridian
 Twin Falls County, Idaho
 2013

Survey References
 #2004-022919

Deed References
 #2004-026778



I, ROGER A. KRUGER, DO HEREBY CERTIFY THAT THIS PLAN IS A TRUE AND ACCURATE MAP OF THE LAND SURVEYED UNDER MY SUPERVISION AND DIRECTION.

Record of Survey for GARY STORRER

JOB NO.	340-13
APPROVED	
DESIGN	
DRAWN	
DATE	November 2013
SCALE	As Shown
Sheet No.	1



Public Notice Signs



North End Looking South



South End Looking North