



Twin Falls Planning & Zoning Commission Minutes

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

Members Present: Frank, Dawson, Grey, Hall, Hawkins, Higley, Musser, Woods

Staff Present: Carraway-Johnson, Spendlove, Strickland, Vitek, Wonderlich

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.

2) Consent Calendar

- a) Approval of minutes from the following meeting: 08-22-17

Approval of Findings of Fact and Conclusions of Law: None

Motion:

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

Commissioner Dawson seconded the motion.

Unanimously Approved

3) Items of Consideration

- a) **Consideration** of an alternative to parking lot landscaping islands required for an expansion at Chobani per City Code Title 10, Chapter 10, Section 11(b). c/o Dave Thibault/EHM Engineers, Inc. (app. 2893)

Applicant Presentation:

Dave Thibault, EHM Engineers, Inc, representing the applicant stated city code requires interior landscape islands. Chobani was constructed prior to the parking code amendment that now requires interior landscape islands. Chobani is currently undergoing an expansion and will be losing parking spaces. They are requesting that landscaping be installed along the entry driveway into the parking making it easier for watering and maintenance. The minimum landscape required is 1200 sq. ft. with 10 islands and the plan is to meet the minimum landscaping requirements.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated 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."**

Senior Planner Spendlove stated upon conclusion the Commission is tasked with acting on the request, approving, approving with conditions, or denying the request.

PZ Questions/Comments:

- Commissioner Frank asked what a lay down and staging area.
- Mr. Thibault explained they use a lot of equipment and the machinery is stored, maintained and prepped on-site in the staging area. They continuously update equipment and creating new products, to do that they have to have a location on site to assemble, maintain and store these pieces of equipment.

Public Hearing: Opened & Closed Without Comment**Discussion Followed: Without Concerns****Motion:**

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

Approved, As Presented

Commissioner Woods stepped down.

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)

Applicant Presentation:

Jim Capps, the applicant, stated he is applying for a Special Use Permit to operate a home occupation for transfer of fire arms from his home and online. The transfer will take place by appointment only, with approximately 25 in a year. It will be limited to friends and acquaintances.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated 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.

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 requires 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.

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

Senior Planner Spendlove 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 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.

PZ Questions/Comments

- Commissioner Grey asked for a description of how the process works.
- Mr. Capps explained he has to log the item in full detail and the individuals will be known to him. The weapon will be shipped to his home, he will contact the person that made the purchase online, and he will transfer the gun to the buyer.

Public Hearing: Opened

- Senior Planner Spendlove showed on the overhead a letter submitted by a citizen that has been filed with the application.
- Steve Woods, 210 Longbow Dr, explained he has known the applicant for a long time. They are very good neighbors, but a lot of discussion has occurred about extra traffic. The impacts would be minimal and he would not put his is sure the applicant would no put his family in jeopardy buy selling the guns to a stranger. The neighborhood does have CCR's and they do not mention home occupations only that there should be no signage.
- Donald Gaspar, a neighbor, across the street, stated he has no issues with the request.

Public Hearing: Closed

Discussion Followed: Without Concerns

Motion:

Commissioner Dawson made a motion to approve the request, as presented, with staff recommendations. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

Approved, As Present, 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 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.

Commissioner Woods returned to his seat.

- b) Request for a **Special Use Permit** to operate a gunsmith shop as a home occupation on property located 2543 Sunglow Circle within the City's Area of Impact. c/o Edward R Stephens (app. 2889)

Applicant Presentation:

Edward Stephens, the applicant, stated he is here to request a Special Use Permit to operate a small custom rifle shop at his home. This will allow him to purchase parts and custom build rifles and transfer. He will be able to purchase the components at cost. It will take weeks to months to complete these rifles and he estimates a limited number of transactions per year. The transfers will take place by appointment only and background checks will be required. He feels it will be a small business and be low impact to the area. They do not want to change the character of the neighborhood and they want the neighborhood to remain safe.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated 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.

This is a request to operate a Home Occupation of assembly and sales of firearms at 2543 Sunglow Cir. The Bureau of Alcohol, Tobacco, 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. The applicant nor staff anticipates any negative impacts to the neighborhood from this request.

Senior Planner Spendlove 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 all Federal, State and Local laws and regulations.

PZ Questions/Comments:

- Commissioner Woods asked the applicant about noise impacts, will there be an inventory, will there be any ammunition sold, and will there be any test firing at the home.
- Mr. Stephens explained the parts are too expensive to keep inventory, he will not have ammunition and there will not be any firing at the home.

Public Hearing: Opened

- Brian Croner, 2526 Sunglow Cir, explained that he is a neighbor to the applicant; he is concerned with noise from the construction of the guns, traffic and this becoming a retail business in a residential neighborhood.
- Less Bow, 2542 Sunglow Cir, they are great neighbors and involved in many activities. He has never heard a lathe running and seems like an obscure business. He would like to make sure the permit stays with the applicant.
- Van Peterson, 2575 Sunglow Cir, asked if they could consider using one of their commercial properties and using it as a place of transfer.

Public Hearing: Closed

Closing Statements:

- Mr. Stephens explained he doesn't want to disrupt anyone, and if there is an issue with running equipment he can limit it to weekend days and hours. He has no intention of retail sales, he is not in this to make money, and it is a hobby. In order to transfer the firearms license it has to be transferred to physical another address.
- Commissioner Frank asked about the using the lathe and air compress currently with any complaints.
- Mr. Stephens explained that he has used his lathe and air compressor and has not had any complaints. The shop is finished and insulated so it is very quiet. He has made 3 guns for himself in the last 5 years. When he buys a component that is serialized and regulated by the federal government it is always linked back to him.
- Commissioner Grey explained there is no regulation against someone coming home in the evening and working in his or her shop; it is allowed and anticipated in a neighborhood.

Discussion Followed:

Commissioner Woods explained there could be conditions listing the applicant as the only one, no storage outside, revocation can be pursued if the conditions are not met.

Motion:

Commissioner Woods made a motion to approve the request, as presented, with staff recommendations and as amended. Commissioner Higley seconded the motion. All members present voted in favor of the motion.

Approved, As Presented, With the Following Conditions and As Amended

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.
 3. Subject to no materials related to the business be stored outside
 4. Subject to the SUP being restricted to the applicant only
- 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)

Applicant Presentation:

Ryan Russell, Russell Architects, stated there are three restaurants planned for this location, they would like the extended retail hours, the same as neighboring properties. They have worked with staff to ensure the drive through windows and lanes meet code.

Staff Presentation:

Senior Planner reviewed the request on the overhead and stated 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.

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.

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.

Senior Planner Spendlove 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.

PZ Questions/Comments:

- Commissioner Frank asked if the request is for just the drive through lanes shown on the exhibit.
- Planner I Spendlove explained there are five buildings on the exhibit and three have drive through windows shown the request is applicable to all five buildings. The buildings and drive through windows would have to meet code requirement. The entire property has one

owner that will then construct the buildings and lease the spaces.

- Commissioner Woods asked if there has been any discussion or investigation about the access located at the southwest corner of this property, it is a traffic hazard. There is an island across there to prevent people from heading east, but with additional traffic this project will bring that could become a hazard, because people drive over the islands to turn east now.
- Assistant City Engineer Vitek stated when the Walmart was constructed the islands were not in place, when the subdivision to the south platted there was some discussion about creating a U-turn option or forcing traffic to the main entrance in anticipation of lots of people wanting to head east. He stated he has witnessed people drive across the island and there has not been any discussion with this applicant about the islands. The island may not be long enough, but if it does become a major hazard the City would look into extending the island or making it more abrupt so that driving over it was less appealing.

Public Hearing: Opened & Closed Without Concerns

Discussion Followed: Without Concerns

Motion:

Commissioner Hawkins made a motion to approve the request, as presented, with staff recommendations. Commissioner Musser seconded the motion. All members present voted in favor of the motion.

Approved, As Presented, 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.
- 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)

Applicant Presentation:

Charles Legg, the applicant stated he is here 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.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated 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.

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 Landscaping identified to be 30' deep, and 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 10' 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 a 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.

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:

What number, if any, of allowable 9' x 20' paved display pads along Addison Ave West

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.

Senior Planner Spendlove 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 completion of all required site improvements and issuance of the Certificate of Occupancy prior to activation of this Special Use Permit.

PZ Questions/Comments:

- Commissioner Hall asked if vehicles would be displayed on a ramp or just a hard surface.
- Planner Spendlove explained the hard surface would be required with or without a ramp.
- Commissioner Frank explained in the past a site plan for this type of request has been provided showing the number of vehicles and where they would be located within the landscaping.

Public Hearing: Opened and Closed Without Comments

Discussion Followed:

- Mr. Legg explained he over paved the area by 10' and there is 20' ready for landscaping. He had the site plan submitted with the display pads shown. He could plant trees within the area around the display pads or put planters between the vehicles. His plan for the display pads is to have 4 located east and then 6 on the west side of the entrance.
- Commissioner Frank explained without a master plan it is hard to visualize the plan.
- Commissioner Grey asked for clarification on the discrepancy on the landscape area.
- Planner I Spendlove explained the applicant measured from the face of the curb 30', code states the measurement should be 30' from the back of sidewalk or future sidewalk.
- Commissioner Grey stated with the discrepancy and without a site plan its hard to make a decision.
- Commissioner Frank asked if it is appropriate to table the item.
- City Attorney Wonderlich explained that it would be very appropriate; it would be beneficial to have staff ask for a more defined site plan.
- Commissioner Woods stated he would recommend that there need to be some compromise and be reasonable.
- Commissioner Higley explained the idea behind the requirements is to make the change occur and transition this area. It is unfortunate that this is the first property to have to make the changes but it is a code requirement for a reason.
- Commissioner Grey agreed the code requirements are there for a reason but the site plan needs to clearly show where the lines are located and where the display pads will be.

Motion:

Commissioner Grey made a motion to table the item for further information. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

4 (d) TABLED

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

Applicant Presentation:

Loren Baker, the applicant, explained he is here to request a special use permit to establish a storage unit facility. The parcel is landlocked and surrounded but AAMCO, Farm Credit Services, the US Postal Service and the Red Lion, it will be a use that has minimal impact on the infrastructure and adjoining properties.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated 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.

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. 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.

Senior Planner Spendlove 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 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.

PZ Questions/Comments:

- Commissioner Grey asked if there is a delineation between a storage facility with storage units verses a RV storage.
- Senior Planner Spendlove explained the visual impact is different but the paving requirement in this zone is not different. They parking and maneuvering areas have to be paved.
- Commissioner Grey recommended some RV storage may be another option to consider.
- Commissioner Frank explained he thinks this is a great land use for this parcel and there is a need for this type of business.

Public Hearing: Opened & Closed Without Comments

Discussion Followed: Without Concerns

Motion:

Commissioner Woods made a motion to approve the request, as presented, with staff recommendations. Commissioner Grey seconded the motion. All members present voted in

favor of the motion.

Approved, As Presented, 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 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.

5) General Public Input

- a) Jerry Mason Registration

6) Upcoming Meeting(s)

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

7) Adjournment

Chairman Frank adjourned the meeting at 7:42 pm.

Lisa A. Strickland, Administrative Assistant