



Twin Falls Planning & Zoning Commission Agenda

Tuesday, October 24, 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, Craig Hawkins, Gerardo "Tato" Muñoz, Ed Musser

Area of Impact: Ryan Higley, Steve Woods

- 1) Confirmation of Quorum/Call Meeting to Order
- 2) Consideration of Amendments to Agenda
- 3) General Public Input
- 4) Consent Calendar
 - a) Approval of minutes from the following meeting: 10-10-17
 - b) Approval of Findings of Fact and Conclusion of Law for the following meeting: 10-10-17
 - Legg (SUP)
 - Witherspoon (SUP)
 - Valencia Park (Pre-plat)
- 5) Items of Consideration
- 6) Public Hearings
 - a) Request for a **Special Use Permit** to serve alcohol for consumption on site in conjunction with a restaurant on property located at 687 Blue Lakes Boulevard North. c/o Richard Cummings on behalf of Chipotle Mexican Grill (app. 2899)
Purpose: Action By: Steve O'Connor, Planner I
 - b) Request for a **Special Use Permit** to construct a 2320 sq. ft. detached accessory building on property located at 3684 North 2700 East in the City's Area of Impact. c/o Jon Powlus (app. 2901)
Purpose: Action By: Steve O'Connor, Planner I

- c) Consideration of the **Revocation of Special Use Permit #1233**, granted to Afrim Hetemi on June 14, 2011 to allow an indoor recreation facility to operate in conjunction with an existing bar and grocery store outside the permitted retail hours of operation on property located at 139 Shoshone Street North. c/o City of Twin Falls (app. 2455)

Purpose: Action By: Steve O'Connor, Planner I

7) Upcoming Meeting(s)

8) 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, October 10, 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, 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, Grey, Dawson, Musser, Woods

Staff Present: Carraway-Johnson, O'Connor, Spendlove, Strickland, Vitek

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) Consideration of Amendments to Agenda

3) General Public Input

None

4) Consent Calendar

a) Approval of Minutes from the Following Meeting: 09-26-17

Approval of Findings of Fact and Conclusions of Law for the Following Meeting: 09-26-17

- Joshua Hall_SUP
- Jeremy Petersen_SUP

Motion:

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

Commissioner Woods seconded the motion.

Unanimously Approved

5) Items of Consideration

a) Request for approval of the **Preliminary Plat** for Valencia Park Subdivision, a ZDA for approximately 9 (+/-) acres consisting of 84 residential lots located along Valencia Street, extended from Southwood Avenue to 3600 North Road c/o Reidesel Engineering, Inc. on behalf of Dennis Hournay

Applicant Presentation:

Rex Harding, Reidesel Engineering, Inc. stated this is a request to approve the preliminary plat for Valencia Park Subdivision. This is another step in the process that is required in order to move forward with development of the property.

Staff Presentation:

Planner I O'Connor reviewed the request on the overhead and stated in June 2016, this commission forwarded a positive recommendation to city council to approve the Valencia Park Zoning Development Agreement with the following conditions;

1. Subject to site plan amendments as determined by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and Standards.
2. Subject to the entirety of Valencia Street being constructed in the first phase, subject to engineering review of the plat.
3. Subject to the perimeter fence being installed prior to issuance of a building permit, for each phase of the project.
4. Subject to a final plat being recorded prior to any development.
5. Subject to conformance to the Zoning Development Agreement and the Valencia Park Master Development Plan as approved.

On July 25, 2016, the City Council heard and approved the ZDA, as presented subject to the following conditions:

1. Subject to site plan amendments as determined by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and Standards.
2. Subject to the entirety of Valencia Street being constructed in the first phase; if construction begins on the North end Valencia shall connect to 3600 North (Valencia connector width to be determined by City Engineer); if construction starts on the south end, either full construction of Valencia is required, or they can bond for the future phases, with a completion deadline by the year 2022; both scenarios subject to engineering review of the plat.
3. Subject to the perimeter fence being installed prior to Issuance of a building permit, for each phase of the project.
4. Subject to a final plat being recorded prior to any development.
5. Subject to conformance to the Zoning Development Agreement and the Valencia Park Master Development Plan as approved.
6. Subject to an on-site or hired property manager.

The ordinance was approved and recorded in December 2016.

On July 25, 2017, this commission held a public hearing, and deliberated a request to amend the ZDA Master Development Plan by removing the medians/landscape islands within the roadway. This body recommended to Twin Falls City Council to keep the Islands and street width as originally presented during the ZDA public process.

On August 23, 2017, City Council approved the applicants request to amend the ZDA by removing the medians/landscape islands and maintaining the collector designated street width standard.

This is a request for preliminary plat of The Valencia Park ZDA Subdivision, a 9 +/- acre parcel, which plans to develop eighty-four (84) residential townhomes. Development will be completed in phases. As of today, the Parks-n-Lieu has not had approval by the City Council. A condition the final plat may not be scheduled until the City Council has approved the Parks-n-Lieu request by the Developer would be appropriate.

The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste water services. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed. It is also indicated on the Preliminary Plat that the development will be on a pressure irrigation (P.I.) system.

The plat is consistent with the subdivision development site requirements found in City Code and the Valencia Park ZDA 2016-16 Amended. It also complies with the Comprehensive Plan, which designates this area as "Town Neighborhood." Low to medium density residential use is appropriate for this future land use designation.

Planner I O'Connor stated upon conclusion staff recommends the commission approve the preliminary plat of the Valencia Park ZDA, as presented, and subject to the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Subject to approval of the Parks-n-Lieu prior to scheduling the final plat before City Council.
3. Compliance with the Valencia Park ZDA 2016-16 Amended.

Public Hearing: Opened & Closed Without Concerns

Discussions Followed: Without Concerns

Motion:

Commissioner Woods made a motion to approve the request, as presented, with staff recommendations. Commissioner Dawson seconded the motion. Commissioner Frank, Dawson, Musser and Woods voted in favor of the motion with Commissioner Grey voting against the motion.

Motion passed 4-1.

Approved, As Presented, With the Following Conditions

1. Subject to final technical review and amendments as required by building,

engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

2. Subject to approval of the Parks-n-Lieu prior to scheduling the final plat before City Council.
 3. Compliance with the Valencia Park ZDA 2016-16 Amended.
- b) 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) **TABLED ON 09-12-17**

Staff Presentation:

Planner I O'Connor reviewed the request and stated this request is to consider the request from Mr. Charles Legg to establish an automobile dealership in the C-1 zoned portion of property located at 1215 Addison Ave W. This commission heard and tabled the item from the September 12, 2017 hearing, pending a site plan that met current city code; specifically the Gateway Arterial required landscaping. Please see the attachments for the original Staff report from the September 12, 2017 hearing. The applicant provided a revised site plan on October 3, 2017. Staff has reviewed the plan and feels it meets current city code.

Planner I O'Connor stated upon conclusion the Commission is tasked with acting on the request, approving, approving with conditions, or denying the request.

Discussions Followed:

- Commissioner Frank asked in comparison to other properties how many display pads have we allowed within the same amount of square footage.
- Planner I O'Conner explained that the code does not limit the number of display pad per site nor are there any calculations used to determine an amount that should be allowed within a certain square footage.
- Commissioner Frank asked if this is a higher number than usual.
- Planner I O'Conner stated yes.
- Commissioner Grey asked if the landscaping shown on the site plan meet the gateway arterial landscape requirement.
- Commissioner Frank asked about the 10' asphalt strip.
- Planner I O'Conner explained that the 10' asphalt strip has been removed.
- Commissioner Frank asked what will be in the 10' strip.
- Planner I O'Conner explained the pad site will be within this area and it will be a hard surfaced space with some type of landscaping.
- Commissioner Grey stated that if the landscaping has met the requirement he doesn't see an issue.
- Commissioner Frank explained he is not against the pad sites he is just concerned with the number as compared to other lots.
- Commissioner Musser explained without some guidelines it opens up the door for a

subjective decision.

- Commissioner Woods explained that comparing the Kimberly Road/Goode Motor request with this area of town is not the same. There are cars everywhere, with gravel and junk along the road along Addison Avenue West and anything would be an improvement.
- Commissioner Frank explained he doesn't think this meets the intent of the gateway arterial landscaping and the number of pad sites.
- Assistant City Engineer Vitek explained the code requirement is that there be a 30' landscape buffer, the applicant is asking to use some of the area to display cars.
- Commissioner Grey explained that if this was a parking lot there would be more cars parked close to this area. This may provide a better buffer for what is happening on the rest of the lot.
- Commissioner Musser explained he doesn't like having the pad sites encroaching into the required arterial landscaping, but the applicant is allowed to make this type of request. As for the number without some type of criteria to follow he doesn't have an issue.
- Commissioner Grey explained he doesn't like the display pads in the landscaping either, but it is the norm, which is why the applicant can make this request.
- Commissioner Dawson asked about clarification for the landscaping requirements.
- Planner I O'Connor explained the landscaping requirements for the commercial area and the arterial landscaping.
- Commissioner Dawson stated that once the landscaping is in it may turn out that there is not enough room for that many cars.

Motion:

Commissioner Woods made a motion to approve the request with the revised site plan as presented and with staff recommendations. Commissioner Dawson seconded the motion. Commissioners Grey, Dawson and Woods voted in favor of the motion, with Commissioners Frank and Musser voting against the motion.

Approved, As Presented, With the Revised Site Plan, and 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 completion of all required site improvements and issuance of the Certificate of Occupancy prior to activation of this Special Use Permit.

6) Public Hearings

- a) Request for the Commission's recommendation for a **PUD Amendment** to the Canyon Village PUD #270 to remove residential development requirements for property located at the NW corner of Eastland Drive North and Cheney Drive. c/o Kent Taylor on behalf of Northeast Investments, LLC (app. 2897)

Applicant Presentation:

Ann Taylor, the applicant representing NE Investments, LLC, stated the request is to remove some language out of the PUD Agreement regarding architectural restrictions for the

residences and the townhomes located in the development. All of the property owners directly affected have signed a document agreeing with the removal of these restrictions from the PUD Agreement. At the time this property was being discussed for development and the original PUD request came through the adjacent property owners were concerned with the how the property was going to be developed and an agreement was reached between the developers and the property owners. These restrictions were agreed upon and included in the PUD to try and relieve the neighboring property owners concerns. The restricts served as a place holder until CC&R's could be put into place once platted and until the developer could demonstrate that he would follow through with the promises made. They are asking that these restrictions be recommended for removal from the PUD Agreement.

Staff Presentation:

Planner I O'Connor reviewed the request and stated prior to current development, this area was used agriculturally. On August 12, 2014 the Planning & Zoning Commission heard the preliminary PUD presentation on this request. Due to public comments the public hearing was postponed until October 14, 2014. After the public hearing was closed at the October 14, 2014 P&Z meeting and at the applicant's request the request was tabled – to be rescheduled. On November 18, 2014, the applicant held a neighborhood meeting at EHM Engineer, Inc. offices. On November 25, 2014, the Commission held the public hearing whereby they unanimously recommended approval as presented subject to three conditions. City Council approved the PUD, as presented by the applicant, and subject to conditions, in December 2014. The Canyon Village PUD #270 was recorded in January 2015. The approved project is being developed into a mixed-use development with commercial, multi-family and single family residences.

On May 2, 2017 the applicant applied for a residential building permit to be located at 1525 Mountain View Drive. Following building department protocol, city staff reviewed the permit for compliance with Building Codes, and typical zoning codes (property line setbacks, height limitation, parking spaces, etc.). Typical residential permit reviews do not include review of CC&R's, or extensive reviews of PUD documents. After concluding the typical review, the permit was issued to the applicant and construction began.

On August 22, 2017, a phone call was made to the City inquiring about a new home being constructed which was shown to have siding being installed. After investigating the inquiry, Staff made contact with the developer notifying him of the PUD violation. During that phone conversation, the violations were listed: the Garage may not face south, and the exterior of the home shall be brick, stucco, or stone. Staff also informed the developer the house would not receive a Final Certificate of Occupancy until the conditions of the PUD were met.

A subsequent meeting was scheduled on August 24, 2017, with the Developer and Staff in order to determine options for the developer. During that meeting, the options were given to change the home to conform to the PUD or to apply to amend the PUD through the process allowed within City Code.

On August 28, 2017, Staff received an application for a PUD Amendment requesting removal of the residential development standards.

This Commission heard the preliminary presentation for the PUD Amendment request at the September 26, 2017 Planning & Zoning Hearing.

During the original application process for the Canyon Village PUD #270, there were several community outreach sessions which resulted in a unique agreement. PUD #270 has architectural elements as part of the development standards for the private residences within 280' of the southern boundary (Cheney Drive).

Listed *below* is the original PUD Verbiage for Section #5-F of the PUD development standards along with the staff analysis and impacts as written in the original P&Z Staff report from November 25, 2014.

All buildings within 280 feet of the Southerly boundary (Area C and Area F) shall be of residential architectural character.

Residential units within 280 feet of the South boundary shall have the following additional requirements:

- a. Minimum living unit size of residences shall be 1600 square feet exclusive of garage.*
- b. Each residence shall have a 2 car or larger garage.*
- c. Lot area shall average not less than 10,000 square feet*
- d. Exterior material shall be brick, stucco or stone, or a combination thereof.*
- e. No garage doors shall face Cheney Drive.*
- f. Roof pitches shall be not less than 6 in 12.*
- g. Building height shall not exceed 28 feet.*
- h. Any fencing parallel to and adjacent to Cheney shall be uniform and approved by the architectural control committee*

These regulations restrict the development standards for buildings within 280 feet of the South boundary (Area C and Area F). These criteria place minimum standards for any residential development that occurs in these areas. These criteria will be reviewed and enforced by City Staff at the time of Building Permit submittal. These restrictions are not found in Twin Falls City Code. These restrictions are typically found within Codes, Covenants, and Restrictions (CC&R's). The greatest impacts these restrictions will have are on future landowners for this property, as well as an increased review time for future Building Permits.

During the original application process and Public Hearings, the staff analysis stated these standards are typically found in CC&R's. However, these restrictions are legal to be within the PUD and as the applicant placed the restriction upon himself, they remained within the document. As generally indicated in the original report, staff showed minimal support for

these standards being in the PUD and would rather them to be in a CC&R agreement.

In the past, the sentiment of public officials and City Staff has been to remain silent on architectural elements for residential properties in order to avoid conflicts with dictating the types of materials private property owners choose to construct their homes with.

Staff supports the amendment to the PUD as it removes City Staff from responsibility of enforcing architectural design standards on private residential homes, which is a position the City and Staff has been reluctant to take up many times in the past.

The Planning and Zoning Commission is tasked with forwarding a recommendation to the City Council. The Commission may recommend: approving the request as presented, approving the request with conditions, or denying the request.

Public Hearing: Opened

- Nathan Welch, 1345 Mountain View Dr, he represents a portion of the adjacent neighborhood that helped to create this PUD Agreement. He has spoken to all of the neighbors and expressed that they are very happy with the development so far. The neighbors are supportive of this request with regard to the residential area because it has been platted and CC&R's in being put into place. The neighbors however are concerned with removing the restrictions from the section related to the residential townhomes. The townhome area currently does not have any CC&R's in place for protection and the area has not been platted. There is a good buffer in place however, if the economy takes a downturn and ownership changes hands before it is developed without the restrictions in the PUD Agreement in place there is no protection for the neighbors. They ask that the Commission consider leaving the restrictions in place for the townhome area until plating and CC&R's for that area can be put into place.

Public Hearing: Closed

Closing Statement:

- Ms. Taylor thanked them for the neighbors praise on the development. Regarding the townhomes, she thinks that with the City review, ordinances, and protections in place the townhomes will not be an issue, they are just asking to be treated like everyone else. There are not any other PUD Agreements that include these types of restrictions and it is appropriate to remove them. In the event that someone wants to do something a little different than what is in the PUD or someone purchases the property with something different in mind will have to go through this process again to make any changes, if these requirement are not removed at this time.

Discussion Followed:

- Commissioner Frank asked for clarification on the process for the townhomes should the requested change be approved, as presented.

- Senior Planner Spendlove, stated the property would need to be platted and the building permit applications would be submitted.
- Commissioner Frank asked if there would be any set along the way that would ask for public input for the development.
- Senior Planner Spendlove explained the PUD Agreement calls out the zoning requirements for this portion of the development and the lots have to be platted and developed as R-1 VAR or Townhomes.
- Commissioner Frank asked once platted with there be CC&R's for the rest of the development.
- Senior Planner Spendlove explained the CC&R's come into place when the property is platted but they are not required.
- Commissioner Grey asked if leaving this verbiage in for the townhome portion would not prevent the residential development to move forward.
- Senior Planner Spendlove explained that is correct.
- Commissioner Grey explained that the City has moved away from PUD Agreements to a ZDA Agreement process that does outline design criteria and restrictions so that the information is presented everyone knows what to expect. He understands the request, but in the future these types of things are going to be in a ZDA Agreement.
- Commissioner Woods asked if the restrictions could be left in for the townhomes and removed for the residential portion.
- Senior Planner Spendlove state yes the Commission can make a recommendation to council that the restrictions related to the townhomes could be left in the agreement.
- Commissioner Grey stated he is considering all of the negotiations that took place for this development to move forward and everyone was happy. He understands, but the economy is very volatile and removing these conditions could leave the area with something less desirable. He doesn't see any reason to remove Section 4 at this time.
- Commission Musser explained this was a very unique situation and he would like to see this type of stuff addressed in CC&R's but he understands how this happened.
- Commissioner Dawson stated that her understanding is that this was an agreement that was made with the neighbors by the developer so that things could move forward. She feels like the neighbors are being very understanding with what has happened so far, but it is the developers and builders responsibility to understand the document and make sure that they adhere to the agreement. For the time being the townhome section should be left alone, because the neighbors are not comfortable with that part of the request. It may not be appropriate to remove those conditions until the property is ready for development.
- Commissioner Grey explained the restrictions are not so restrictive that they are not going to be built. He is fairly certain that when it comes time to build the townhomes this oversight will not be forgotten. He does understand it seems counterproductive to go through a public hearing process again to make a change to the PUD Agreement.
- Commissioner Dawson explained that the applicant had the responsibility to check for compliance and understand the agreements that were made and in this instance they were told they could bring things into compliance or make a formal request to amend the

agreement.

- Commissioner Woods stated he agrees protection needs to be provided for the townhome area and protect the agreement that has been made between the developer and the neighbors. We don't want to compromise the relationship by leaving this area left to chance.
- Commissioner Frank clarified there are no CC&R's associated with this portion of the property so until those are in place he agrees with the other members.

Motion:

Commissioner Grey recommended approval of the request to the City Council, as presented, and with the following condition, that the Residential Townhome Restrictions remain in the PUD Agreement. Commissioner Woods seconded. All members present voted in favor of the motion.

Recommended for Approval, to the City Council, As Amended

- b) Request for a **Special Use Permit** to operate a gym – Cross Fit Magic Valley – as an indoor recreation facility on property located at 248 Idaho Street South. c/o Brett Witherspoon (app. 2898)

Applicant Presentation:

Brett Witherspoon, the applicant, stated she is requesting a Special Use Permit to operate a gym. She has scheduled small classes, people come in work out and leave. The business is not open all day so there will be minimal traffic to the area and minimal impacts.

Staff Presentation:

This parcel is lots 28-32 of block 119 of the Original Town site plat recorded in 1904. The zoning was likely set with Ordinance 2012 in which was adopted in 1981. Since that time, this building has housed a number of uses and currently houses Cavalli Corp, an establishment that specializes in artistic application of plaster to homes and businesses.

This request is to establish a fitness gym, classified as Indoor Recreation, at 248 3rd Ave S. The property is zoned Old Town within the Warehouse Historic Overlay with a P-3 parking overlay (OT WHO P-3). The WHO requires any exterior modifications to be granted a Certificate of Appropriateness from the Historic Preservation Commission prior to any change. In the OT zone, a Special Use Permit is required for Indoor Recreation.

The applicant owns CrossFit Magic Valley and is currently leasing space on Kimberly Rd. The owner of the property granted permission for the applicant to request an SUP before signing a lease (see packet provided by staff). The applicant runs most of the sessions herself but has coaches to fill in when needed. The narrative also states in order to keep the sessions manageable and small there will be no more than 15 individuals coached at any one time. There will be limited noise as the sound levels for music needs to be low enough so coaching can be heard over the music. All activity will take place inside the gym.

The parking requirement for a gym is 1 space per 250 sq ft of exercise/floor area. The location of the gym falls under the 10-10-12 (C) P-3 Parking District 3. Under the P-3 overlay the code states, " ***Due to the desire of the city to retain the character of the P3 district special consideration may be given on a case by case basis to the parking requirements, if the standard requirements cannot be applied. Examples of special consideration may be a variance, leased parking, and remote parking.***" In this case, 12-15 spaces are required per city code, depending on the ultimate area used in this business. URA Director, Nathan Murray, granted permission to utilize the URA/Public parking lot located across the street from 248 3rd Ave. South (see attachments). The Zoning Administrator concurs.

Per City Code 10-4-13- OT District:

An SUP is required to establish any Indoor Recreation Facility.

Per City Code 10-4-22- WHO District:

A Certificate of Appropriateness granted by the Historic Preservation Commission is required prior to any exterior modification, including signage.

Per City Code 10-11-1 thru 8- Required Site Improvements:

Required improvements include landscaping, parking and maneuvering, screening, trash enclosure, access, drainage and storm water, utilities, etc.... These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal. In this case, all improvements are existing, and no building permit is anticipated to increase the size of the building, staff does not foresee any improvements being required.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Downtown." Downtown supports a very broad and diverse range of land uses, while encouraging infill and adaptive reuse. Recreational Facilities are specifically called out in the comprehensive plan as land uses that should be supported. Staff has determined this request complies with the 2016 comprehensive plan.

The applicant nor staff anticipates any negative impacts to surrounding properties from this land use.

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 class sizes being limited to no more than 15 individuals at any one time.
3. Subject to ADA Parking space being located as close as possible to the Alleyway entrance to 248 3rd Ave.
4. Subject to a Certificate of Appropriateness, be granted by HPC prior to any exterior

changes, including signage.

PZ/Questions & Comments:

- Commissioner Grey asked if she understood the condition stating no more than 15 individuals at any one time.
- She explained that she did understand that condition and that it was acceptable. If there becomes a need for more she will just add another class to her schedule. She likes small classes and having more than 15 in a class is difficult.

Public Hearing: Opened & Closed Without Concerns

Discussions Followed: Without Concerns

7) Upcoming Meeting(s)

- a) October 24, 2017 Public Hearing
November 1, 2017 Work Session

PZ Staff or Commission Questions/Comments:

Zoning & Development Manager Carraway-Johnson explained currently staff has been preparing for the move into the new City Hall which is planned for November 6, 2017. She stated she does not want to plan a work session that may not be productive. Staff has not prepared an item for discussion for the November work session and so staff is asking if the Commission has anything they would like to focus on for the next meeting, if not the meeting will be cancelled.

Commissioner Frank explained that he understands the short term events coming up quickly within the next month or two but asked if staff had a long term plan for work sessions.

Zoning & Development Manager Carraway-Johnson explained that the monthly meetings were originally to provide a preview to the public hearing agenda, which was deemed inappropriate, therefore the work session meetings were cancelled. The work sessions were rescheduled to discuss code amendments and educate the Commission on City Code. Senior Planner Spendlove has been tasked with working on these amendments.

Senior Planner Spendlove explained that after doing the definitions approximately 60% of the definitions chapter has been amended. If the definitions chapter is any indication what it is going to take to amend Title 10, he suspects that the other chapters will require as much if not more amendments. The process for amending sections of the code requires a public hearing in front of the Planning & Zoning Commission and the City Council. When the amendment is made staff has to track what the current code is, what has been deleted and identify and amendments. The bookkeeping process for each individual item to be changed over time is very time consuming and if 60% of the definitions have been amended the remainder of Title 10 will not be any easier. He has been working with Deputy City Manager Humble to create a staff report to present to Council to propose that instead of changing the code piece by piece, staff would recommend Title 10 be completely repealed and replaced. This does two things it allows staff to overhaul not only the definitions, the uses but also the entire layout of the code

section without having to track every single change, which in turn saves time. For example in the definitions indoor recreation facility is no longer identified, staff has recognized through experience that different have been categories as indoor recreation facility they have all had different impacts that may or may not have justified acquiring a Special Use Permit. If the city adopts the new definitions and that use is no longer identified, but is still listed in the zoning section it will create a conflict in the code, but waiting to review each definition and update each zoning section piece by piece would take forever. Staff deals with this issue already because our code does not always correlate with the Comprehensive Plan and staff has to navigate through keeping in mind the code as well as the intent of the Comprehensive Plan. If the entire section is replaced it gets done all at one time, which is what we are going to propose to City Council. The conversation about what uses should be allowed or allowed with a special use permit could not take place with defining each use. After working on the definitions for uses it was recognized that if 60% of that had to be overhauled, and Comprehensive Plan identifies zones we don't have it may be better to just overhaul the entire thing and replace Title 10.

Commissioner Grey asked about a timeline for this to be presented to City Council.

Zoning & Development Manager Carraway-Johnson explained realistically it will be presented to City Council in the new year. If the Council approves staff request, that will mean that Senior Planner Spendlove will be tasked with completing a draft of the proposed Title 10 revision and be what he is assigned to focus on for possibly the next year.

Commissioner Frank suggested that staff cancel the work session for now and improvise.

Senior Planner Spendlove explained the discussions can continue and items could be scheduled for public hearings but if they are just going to be revised or relocated in the new Title 10 Code section it just creates double the work.

Commissioner Grey recommended that if he Commission wants to discuss something it could be presented for discussion at the end of the evening meetings.

Assistant City Engineer Vitek explained that the current City Council building will be used throughout the rest of this year.

Commissioner Frank explained it is next to impossible to deal with the parking now that the police department has fenced off the parking area across the street. He also reminded the Commission that Commissioner Hall has stepped down so attendance is essential for a quorum. There will be an advertisement for his vacant position as well as three other positions that will be vacant at the end of February.

8) Adjournment

Chairman Frank adjourned the meeting at 7:23 pm.



BEFORE THE PLANNING & ZONING COMMISSION OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>Special Use Permit</u> , Application,	)	FINDINGS OF FACT,
	)	
<u>A-1 Auto Sales</u>	)	CONCLUSIONS OF LAW,
<u>c/o Charles Legg</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on October 10, 2017 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of establishing 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, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit for the purpose of establishing 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
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: August 24, 2017
3. The property in question is zoned C-1 & M-2 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Industrial/Employment/Flex in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, Addison Avenue West/Addison Collision Repair; to the south, Agricultural; to the east; John's U-Pull U-Save/Salvage Yard; and to the west, Agricultural.

5. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-4-5, 10-10-3, 10-11-1 thru 9 10-13-2.2, Twin Falls City Code.

Based on the foregoing Findings of Fact, the Planning and Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

1. The application for a Special Use Permit for the purpose of establishing 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 is consistent with the purpose of the C-1 & M-2 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use does constitute a special use as established by zoning requirements for the zone involved as required by Twin Falls City Code 10-13-2.2(D)1.

3. The proposed use will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations as required by Twin Falls City Code 10-13-2.2(D)2

4. The proposed use will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area as required by Twin Falls City Code 10-13-2.2(D)3.

5. The proposed use will not be hazardous or disturbing to existing or future neighboring uses as required by Twin Falls City Code 10-13-2.2(D)4.

6. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community as required by Twin Falls City Code 10-13-2.2(D)6.

7. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors as required by Twin Falls City Code 10-13-2.2(D)7.

8. The proposed use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares as required by Twin Falls City Code 10-13-2.2(D)8.

9. The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance as required by Twin Falls City Code 10-13-2.2(D)9.

10 The proposed use is a proper use in the C-1 & M-2 Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

11. The application for a Special Use Permit for the purpose of establishing 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 should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

DECISION

1. The application for a Special Use Permit for the purpose of establishing 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 is hereby granted, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

3. The Special Use Permit shall be issued, as presented.

CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

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.

APPLICATION # 2891
SUP# 1453



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

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

SPECIAL USE PERMIT

Tabled 09-12-17 Approved 10-10-17

Permit No.1453

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on October 10, 2017 to A-1 Auto Charles Legg whose address is 1431 Kimberly Road Twin Falls, ID 83301 for the purpose of establishing 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 and legally described as RP10S17E180690A SEC 18 T 10 R 17 W1/2 W1/2 NW N, S of HWY

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.2891

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.

CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

ADMINISTRATOR SIGNATURE

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



BEFORE THE PLANNING & ZONING COMMISSION OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>Special Use Permit, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Brett Witherspoon</u>	)	CONCLUSIONS OF LAW,
<u>Applicant(s)</u>	)	AND DECISION

This matter having come before the Planning & Zoning Commission of the City of Twin Falls, Idaho on October 10, 2017 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of operating a gym – Cross Fit Magic Valley – as an indoor recreation facility on property located at 248 Idaho Street South, and the Planning & Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit for the purpose of operating a gym – Cross Fit Magic Valley – as an indoor recreation facility on property located at 248 Idaho Street South
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: September 21, 2017
3. The property in question is zoned OT WHO P-3 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Downtown in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, Alley/Commercial Business; to the south, 3rd Avenue South/URA Parking Lot; to the east, Idaho Street/Floyd Lilly Company; and to the west, Commercial/Warehouse.
5. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-4-13, 10-4-22, 10-10-12, 10-11-1 thru 8, 10-13, Twin Falls City Code.

Based on the foregoing Findings of Fact, the Planning & Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

1. The application for a Special Use Permit for the purpose of operating a gym – Cross Fit Magic Valley – as an indoor recreation facility on property located at 248 Idaho Street South is consistent with the purpose of the OT WHO P-3 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use does constitute a special use as established by zoning requirements for the zone involved as required by Twin Falls City Code 10-13-2.2(D)1.

3. The proposed use will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations as required by Twin Falls City Code 10-13-2.2(D)2

4. The proposed use will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area as required by Twin Falls City Code 10-13-2.2(D)3.

5. The proposed use will not be hazardous or disturbing to existing or future neighboring uses as required by Twin Falls City Code 10-13-2.2(D)4.

6. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community as required by Twin Falls City Code 10-13-2.2(D)6.

7. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors as required by Twin Falls City Code 10-13-2.2(D)7.

8. The proposed use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares as required by Twin Falls City Code 10-13-2.2(D)8.

9. The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance as required by Twin Falls City Code 10-13-2.2(D)9.

10 The proposed use is a proper use in the OT WHO P-3 Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

11. The application for a Special Use Permit for the purpose of operating a gym – Cross Fit Magic Valley – as an indoor recreation facility on property located at 248 Idaho Street South should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls Planning & Zoning Commission hereby enters the following

DECISION

1. The application for a Special Use Permit for the purpose of operating a gym – Cross Fit Magic Valley – as an indoor recreation facility on property located at 248 Idaho Street South is hereby granted, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

3. The Special Use Permit shall be issued, as presented.

MAYOR- TWIN FALLS PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

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 class sizes being limited to no more than 15 individuals at any one time.
3. Subject to ADA Parking space being located as close as possible to the Alleyway entrance to 248 3rd Ave.
4. Subject to a Certificate of Appropriateness, be granted by HPC prior to any exterior changes, including signage.



**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.1454

Granted by the Twin Falls City Council, as presented, on October 10, 2017 to Brett Witherspoon whose address is 688 Pole Line Rd #58 Twin Falls, ID 83301 for the purpose of operate a gym – Cross Fit Magic Valley – as an indoor recreation facility on property located at 248 Idaho Street South and legally described as RPT0001119028AA Twin Falls Townsite Lots 28 thru 32 Blk 119

The Council 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.2898

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 class sizes being limited to no more than 15 individuals at any one time.
3. Subject to ADA Parking space being located as close as possible to the Alleyway entrance to 248 3rd Ave.
4. Subject to a Certificate of Appropriateness, be granted by HPC prior to any exterior changes, including signage.

Mayor-Twin Falls City Council

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



BEFORE THE PLANNING & ZONING COMMISSION OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>Preliminary Plat Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Valencia Park Subdivision, a ZDA</u>	)	CONCLUSIONS OF LAW,
<u>c/o Reidesel Engineering, Inc.</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho at the October 10, 2017 hearing for consideration of the preliminary plat of Valencia Park Subdivision, a ZDA approximately 9.0 (+/-) acres consisting of 84 lots located along Valencia Street, extended from Southwood Avenue to the 3600 North Road, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the preliminary plat of Valencia Park Subdivision, a ZDA approximately 9.0 (+/-) acres consisting of 84 lots located along Valencia Street, extended from Southwood Avenue to the 3600 North Road
2. The property in question is zoned R-4 ZDA pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Town Neighborhood in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, Southwood Avenue/Residential; to the south, 3600 North Road/Skylane Trailer Park/Residential; to the east, South Hills Middle School; to the west, Residential
5. The City Engineering Office has reviewed the preliminary plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb, gutter and sidewalks, sewer, water

and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

6. Any detrimental effects on the neighborhood would be ameliorated by observance of the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the Planning and Zoning Commission hereby makes the following

CONCLUSIONS OF LAW

1. The preliminary plat of the Valencia Park Subdivision, a ZDA approximately 9.0 (+/-) acres consisting of 84 lots located along Valencia Street, extended from Southwood Avenue to the 3600 North Road is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water, sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The preliminary plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H) (2) (a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the Commission's attention, per Twin Falls City Code §10-12-2.3(H)(2)(e).

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

DECISION

The request for approval of the preliminary plat of Valencia Park Subdivision, a ZDA approximately 9.0 (+/-) acres consisting of 84 lots located along Valencia Street, extended from Southwood Avenue to the 3600 North Road is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

CHAIRMAN-TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Subject to approval of the Parks-n-Lieu prior to scheduling the final plat before City Council.
3. Compliance with the Valencia Park ZDA 2016-16 Amended.



Public Hearing: **Tuesday, October 24, 2017**

To: Planning and Zoning Commission

Presenter: Steve O'Connor, Planner I

Editor: Renee V. Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 6a

Request: Request for a **Special Use Permit** to serve alcohol for consumption on site in conjunction with a restaurant on property located at 687 Blue Lakes Boulevard North. Chipotle Mexican Grill c/o Richard A Cummings on behalf of Chipotle Mexican Grill of Kansas, LLC. (app. 2899)

Time Estimate:

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

Background:

Applicant:	Status: Lessee	Size: 0.97 +/- Acres
Chipotle Mexican Grill of Kansas, LLC c/o Richard A. Cummings PO Box 1545 Boise, ID 83701 rcummings@cummingslawidaho.com	Current Zoning: C-1, Highway Commercial District	Requested Zoning: SUP to serve beer and wine for consumption on site
	Comprehensive Plan: Mixed Use	Lot Count: 1 Lot
	Existing Land Use: Commercial, Restaurant	Proposed Land Use: Restaurant serving beer & wine for consumption on site
Representative:	Zoning Designations & Surrounding Land Use(s)	
Richard A. Cummings PO Box 1545 Boise, ID 83701 208.367.0722 rcummings@cummingslawidaho.com	North: Caswell Ave; C-1; Retail Commercial, Fred Meyers	East: Blue Lakes Blvd N; C-1; Commercial
	South: C-1; Commercial, Centennial Square shopping center	West: C-1; Commercial, Centennial Square shopping center
	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 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 serve alcohol for consumption on site.

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 Zoning history of this property is limited to Ordinance #2012, which established the districts we current enforce. The Polk directories indicate Intermountain Gas occupying the property as far back as 1965. Approximately 2 years ago, Intermountain Gas vacated the premises, the building was demolished and the new owner received a building permit to construct a restaurant on the corner. In June of this year, this commission approved a preliminary plat, the TF Caswell subdivision and the City Council approved the final plat in August 2017. As of the date of this report, the final plat is not recorded.

Analysis:

The applicant is requesting a Special Use Permit to serve alcoholic beverages for consumption on site. The SUP is required because the property is adjacent to and within 300' of residential property. The applicant wishes to provide their customers with more beverage options as they do at many other locations across the state and nation.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Mixed Use." This is a broad category, and since the request is tied to a permitted use of a restaurant, there is no change in the primary land use. Therefore, staff determines this request is in compliance with the 2016 comprehensive plan.

Per City Code 10-4-8:

A Special Use Permit is required for the retail sale of alcoholic drinks for consumption on site if within 300' of residential property.

Per City Code 10-11-1 thru 8:

Required improvements include access, landscaping, parking, drainage and storm water, trash enclosure, etc... These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

Possible Impacts:

Staff does not anticipate any 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 State, County, and City licensing requirements for alcoholic sales.

Attachments:

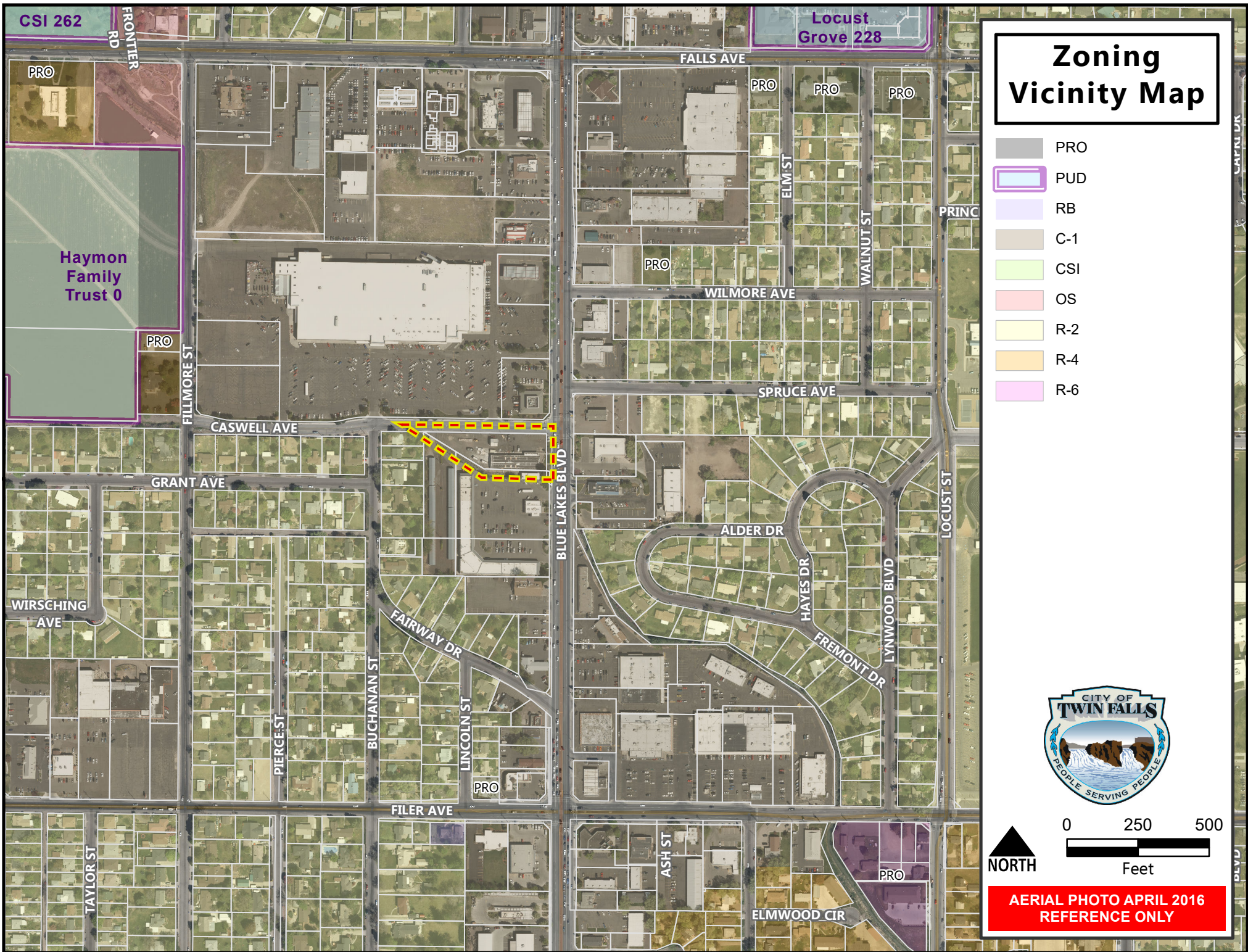
1. Letter of request
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Future Land Use Map
5. Applicant Submitted Site Plan
6. Site Photos

Response to Item 4 on Chipotle's application for a Special Use Permit

Chipotle Mexican Grill of Kansas, LLC, the licensed entity for the Chipotle Mexican Grill located at 687 Blue Lakes Blvd N, Twin Falls, ID 83301 is requesting a Special Use Permit be approved to allow for a Beer Permit (for the consumption of bottled beer, on premises) to be issued by the city.

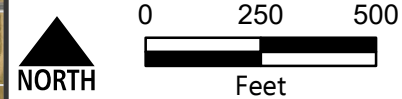
The Chipotle Mexican Grill location referenced above is open year-round, from 10:45 AM to 10 PM, daily. On average, our Idaho locations serve 60-80 customers an hour, with peak hours between 11:30 AM and 1:00 PM. Our restaurants average 25 "full time equivalent" employees, though this location's volume is on the low end of the spectrum and currently employs 16.5 FTEs (4 full time, 25 part time). Employee count fluctuates.

The structure on the side is a 2,200 square foot free-standing building beside a strip mall and across Caswell Avenue from a Sizzler restaurant. Permitting the sale of beer should have no impact on the surrounding properties. It is typically purchased with a meal. The sale of beer would not create any additional noise, glare, fumes or vibration outside the restaurant.

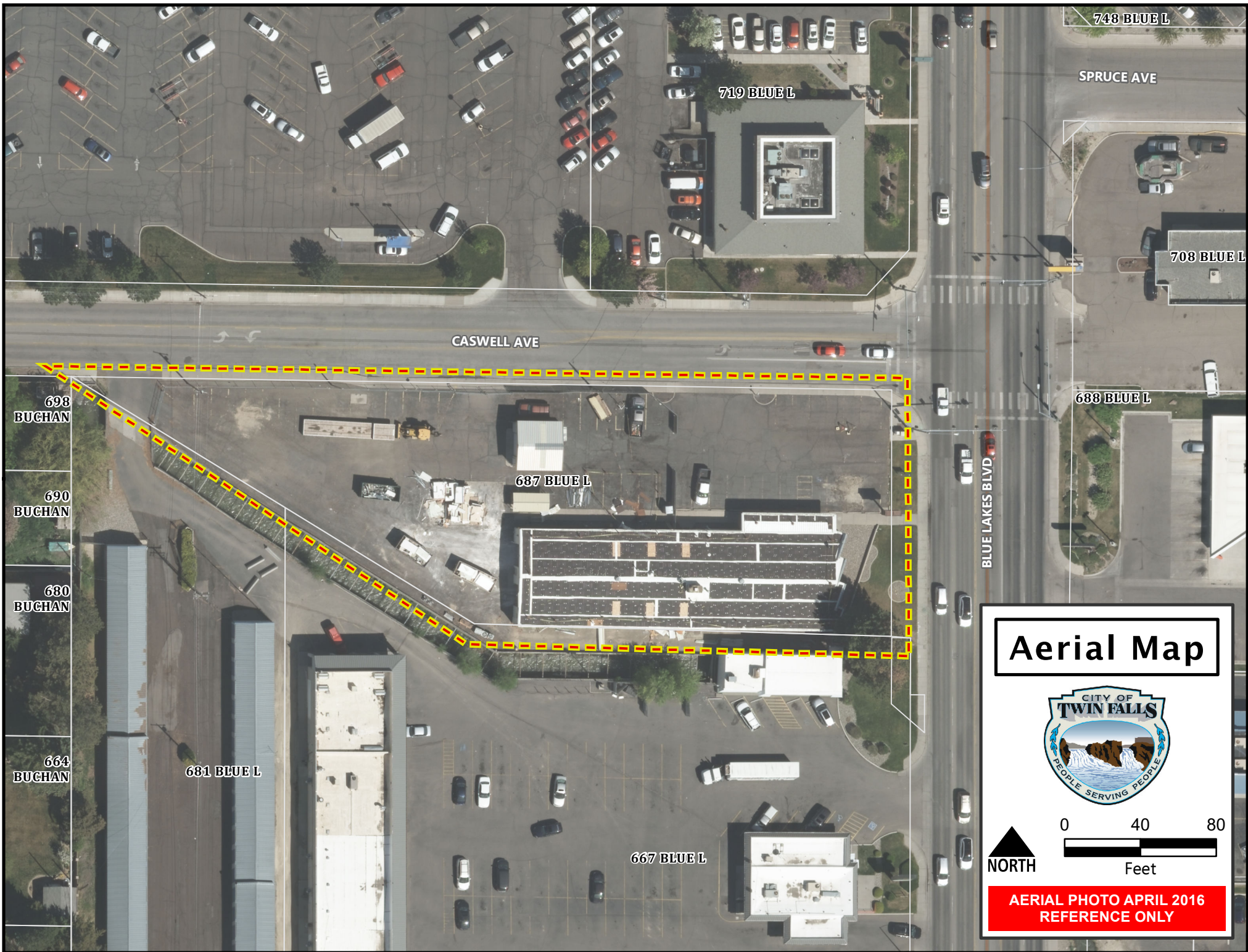


Zoning Vicinity Map

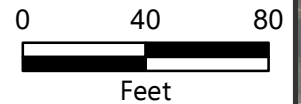
- PRO
- PUD
- RB
- C-1
- CSI
- OS
- R-2
- R-4
- R-6



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



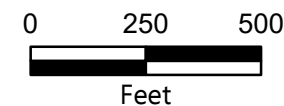
Aerial Map



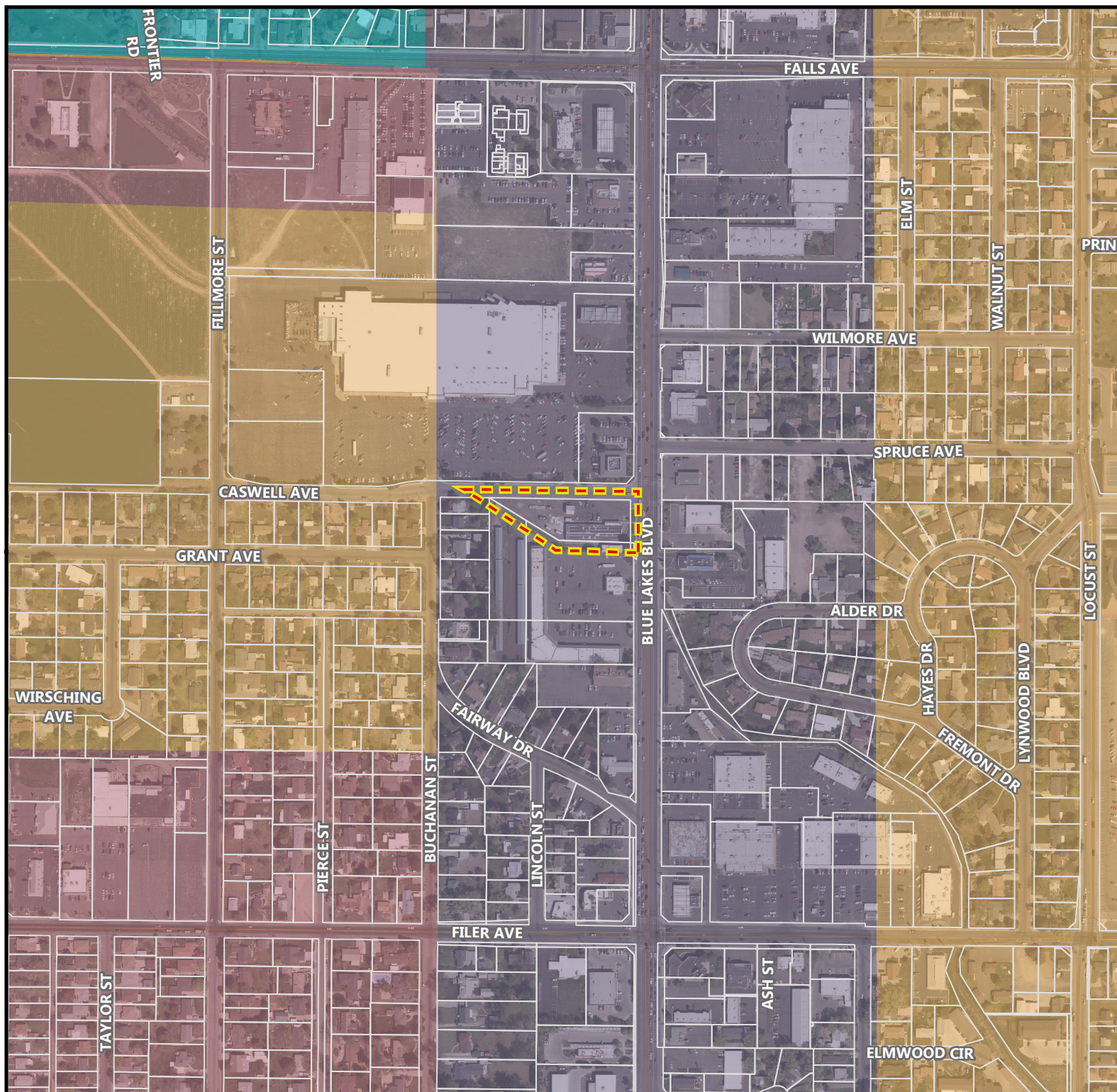
AERIAL PHOTO APRIL 2016
REFERENCE ONLY

Future Land Use Map

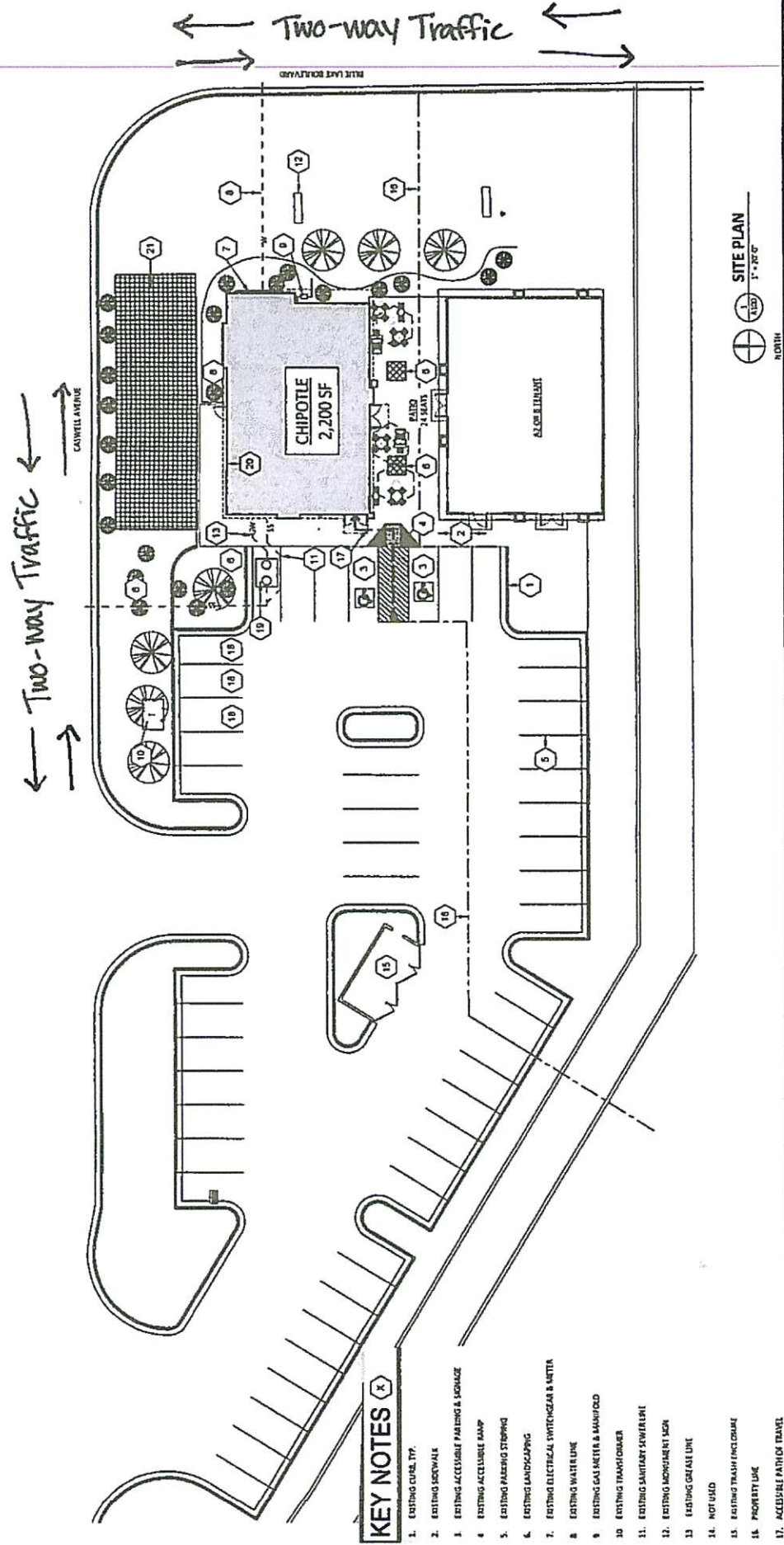
- College of Southern Idaho
- Mixed Use
- Neighborhood Commercial
- Town Neighborhood



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



Property Owner: LATCO SC, Inc.
 Address: 940 Calle Negocio, Suite 200, San Clemente, CA 92673
 Phone Number: (949) 276-4402



KEY NOTES

- EXISTING CURB, TYP.
- EXISTING SIDEWALK
- EXISTING ACCESSIBLE PARKING & STORAGE
- EXISTING ACCESSIBLE RAMP
- EXISTING PARKING STOPPING
- EXISTING LANDSCAPING
- EXISTING ELECTRICAL SWITCHGEAR & METER
- EXISTING WATER LINE
- EXISTING GAS METER & MANHOLE
- EXISTING TRANSFORMER
- EXISTING SANITARY SEWER LINE
- EXISTING MONUMENT SIGN
- EXISTING GREASE LINE
- NOT USED
- EXISTING TRASH ENCLOSURE
- PROPERTY LINE
- ACCESSIBLE PATH OF TRAVEL
- SPACES MARKED FOR "TO-GO" PARKING, REFER TO 2A(20) & 2A(21)
- EXISTING GRADE INTERFERENCE
- UNITS OF CONSTRUCTION
- EXISTING GRADE FOR EXISTING DRAINAGE AREA
- NOT USED



Blue Lakes & Caswell Looking SW



Parking lot Looking East



Public Hearing: **Tuesday, October 24, 2017**

To: Planning and Zoning Commission

Presenter: Steve O'Connor, Planner I

Editor: Renee V. Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 6b

Request: Request for a **Special Use Permit** to construct a 2320 sq. ft. detached accessory building on property located at 3684 N 2700 E in the City's Area of Impact. c/o Jon Powlus (app. 2901)

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: 1.04 +/- acres
Jon Powlus 3648 N 2700 E Twin Falls, ID 83301 208.734.4541 powlusconst@juno.com	Current Zoning: SUI Aol, Suburban Urban Interface in the Area of Impact	Requested Zoning: Detached Accessory building greater than 1,500 sqft.
	Comprehensive Plan: Agriculture	Lot Count: 1 Lot
	Existing Land Use: Residential	Proposed Land Use: No Change
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: SUI Aol; Residential	East: SUI Aol; Residential
	South: SUI Aol; Residential	West: 2700 E; County Zoning, Outside Area of Impact; Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-2, 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 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 proceed with the construction of a detached accessory garage exceeding 1,500 sqft.

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:

Records indicate this residence was built in 1979, remodeled in 1986, and added on to in 2013. The Zoning was likely set with Ordinance 2012 in 1981. Earlier this year the applicant applied and received a building permit to construct a detached garage that did not exceed 1,500 sf.

Analysis:

This is a request to construct a 2,320 sf-detached garage on property located at 3648 N 2700 E within the City's Area of Impact. In July of this year, the applicant applied for and received a building permit to construct a 1,500 sf-detached garage. The footings and foundation were approved and the structure was partially framed when on August 21, 2017 the applicant submitted a change order to increase the size of the building to 2,320 sf. He was informed of the requirement for a special use permit. If the Special Use Permit is granted the applicant has stated it will be utilized for storage of personal vehicles and property. This size for a detached accessory building is a common request in the SUI zone and is a common land use in this area.

Per City Code 10-4-2:

A Special use permit is required for any detached accessory building exceeding 1,500 sqft in size.

Per City Code 10-11-1 thru 8:

Required improvements include access, curb & gutter, minimum 50' paved driveway, drainage and storm water, etc... These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

Possible Impacts:

Staff nor the applicant anticipate any negative impacts to surrounding properties.

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 personal use of the occupants of the main house – no occupancy, business or commercial activity

Attachments:

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

To Whom it may concern,

This shop will be used for storage of R.V., boat, and misc. items from property. There will be no hours of operation on or in shop. No traffic is anticipated. No employees will be on the premises.

Noise / Glare / Odor / fumes and vibration is not applicable to the shop.

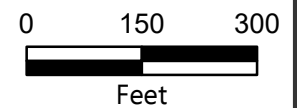
JKL

Zoning Vicinity Map

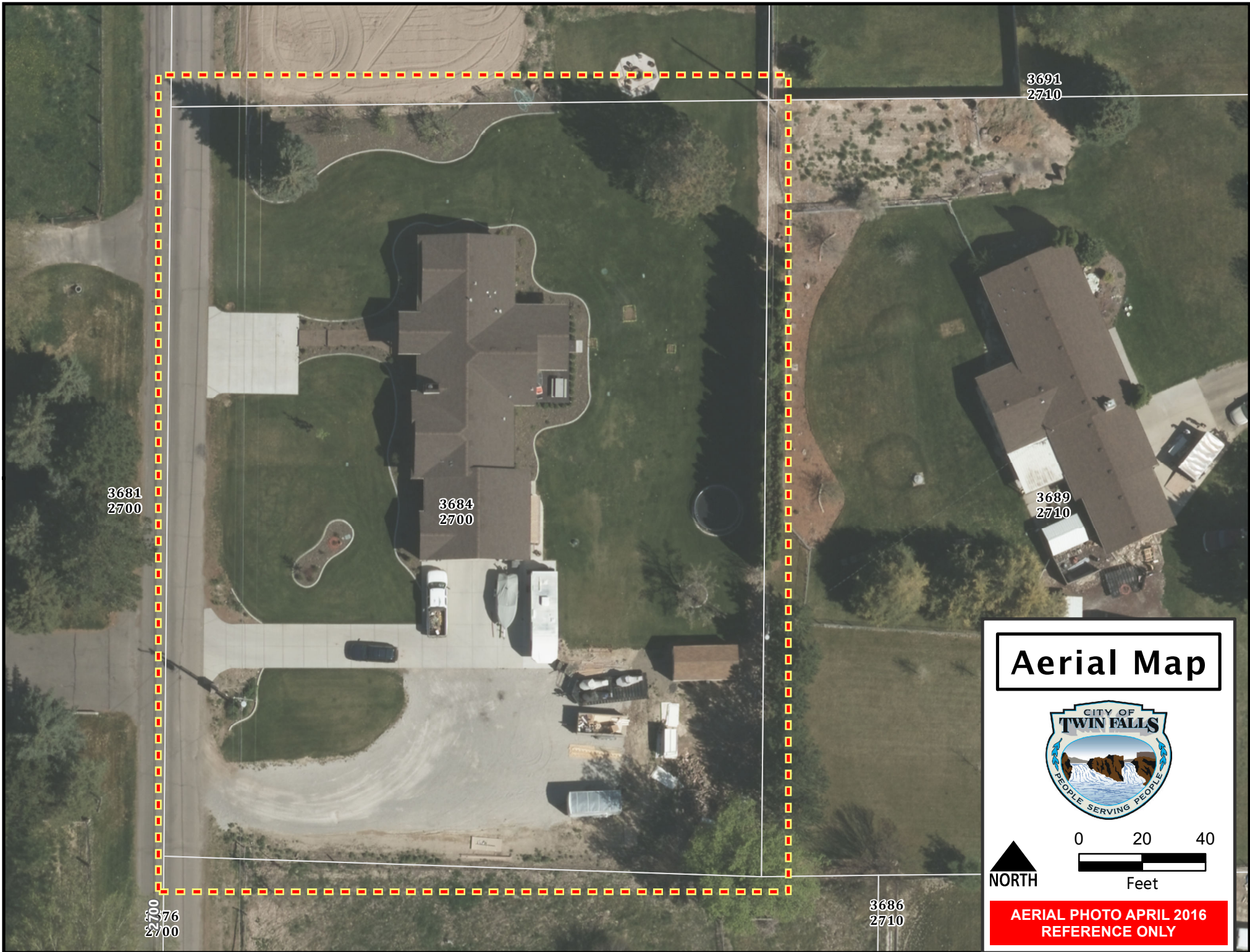
-  Area Of Impact
-  SUI

Outside Area of
Impact (County)

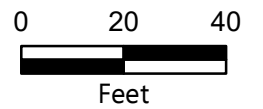
Outside City
Limits



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



Aerial Map



**AERIAL PHOTO APRIL 2016
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Future Land Use Map

 Agriculture

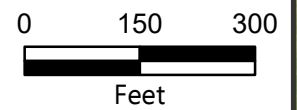
Outside Area of Impact (County)

ORCHARD DR

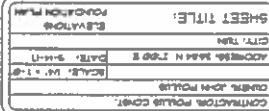
3700

2700

2710



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



2	3
---	---

LEFT SIDE

LEFT SIDE

~~FOUNDATION PLAN~~

TES:

FOUNDATION NOTES:

Garage Footing Detail

1. Read the following text and answer the questions. (10 marks)
2. Write a short paragraph about the importance of the Internet in our lives. (10 marks)
3. Write a short paragraph about the importance of the Internet in our lives. (10 marks)
4. Write a short paragraph about the importance of the Internet in our lives. (10 marks)
5. Write a short paragraph about the importance of the Internet in our lives. (10 marks)
6. Write a short paragraph about the importance of the Internet in our lives. (10 marks)
7. Write a short paragraph about the importance of the Internet in our lives. (10 marks)
8. Write a short paragraph about the importance of the Internet in our lives. (10 marks)
9. Write a short paragraph about the importance of the Internet in our lives. (10 marks)
10. Write a short paragraph about the importance of the Internet in our lives. (10 marks)

FOUNDATION NOTES:

1. VERTICAL 1/2 BARS @ 4'-0" O.C. AND 8" DIA. IN FOUNDATION
2. INTERIOR PARTITION WALLS 12" x 8" x 6" W/ 1" STP BD
WITH 1" STBS
3. CEILING TIE MILDSTEEL CUMBER AND 1" X 6" ST
AND JOIST TIE PER FLOOR FINISH CONTRACTOR
4. COORDINATE ALL INTERIOR AND EXTERIOR FLOOR QUALITY
MATERIALS AND COLORS W/ OWNER
5. DESIGNED ASSIGNED NO RESPONSIBILITY FOR STRUCTURAL
ANALYSIS. VERIFY ALL STRUCTURAL REQUIREMENTS W/
STRUCTURAL ENGINEER

ALL FOUNDATION WALLS 6" THICK X 8" W/ 1" DIA BARS
AND 1" STP BD. ALL FOUNDATION WALLS TO TOP OF JOINTS
6" DIA X 12" CUMBER TO TOP OF JOINTS

VERIFY BOTH SILLAGE DOOR BLOCKOUT SIZE W/
MANUFACTURER
ALL FOUNDATION WALLS 6" THICK X 8" W/ 1" DIA BARS
AND 1" STP BD. ALL FOUNDATION WALLS TO TOP OF JOINTS
6" DIA X 12" CUMBER TO TOP OF JOINTS

1. COORDINATE EXACT LOCATION OF BENCHMARK
SOUTH END

3" X 36" CONCRETE FOUNDATION WALL
4" REBAR VERT. & HORIZ.
2" X 24" REBAR HORIZ.

170 X 50 1/2 X 3 PLAT W/ 80S AB @ 45° OC MAX EACH SECTION OF BELL
PLATE MUST HAVE MIN 121 ANCHOR BOLTS MAX DISTANCE
BETW END OF ANCHOR BOLT PLATE SECTION TO ANCHOR BOLT
@ 20 DATE



NW Corner Looking SE



Interior Traffic Circle





Public Hearing: **Tuesday, October 24, 2017**

To: Planning and Zoning Commission

Presenter: Steve O'Connor, Planner I

Editor: Renee V. Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 6c

Request: Consideration of the **Revocation of Special Use Permit #1233**, granted to Afrim Hetemi on June 14, 2011 to allow an indoor recreation facility to operate in conjunction with an existing bar and grocery store outside the permitted retail hours of operation on property located at 139 Shoshone St N. c/o City of Twin Falls.

Time Estimate:

Staff presentation may take up to fifteen (15) minutes. Additional time for questions by the commission may be necessary.

Background:

Applicant:	Status: Lessee	Size: A portion of .13+/- acres
City of Twin Falls PO Box 1907 Twin Falls, Idaho 83303-1907	Current Zoning: CB P-1 DHD; Central Business District with a P-1 Parking Overlay and the Downtown Historic Downtown District/Overlay	Requested Zoning: Revocation of SUP 1233
	Comprehensive Plan: Downtown/High Density	Lot Count: 1 Lot
	Existing Land Use: Grocery Store, Restaurant & Bar w/extended hours of operation	Proposed Land Use: Permitted uses operating within permitted retail hours; 7am to 10pm
SUP issued to:	Zoning Designations & Surrounding Land Use(s)	
Afrim Hetemi 718 3 rd Ave E Twin Falls, ID 83301 208.404.9866 208.733.0827	North West: CB P-1 DHD; URA Parking Lot	North East: CB P-1 DHD; Hands On Art Studio
	South East: Shoshone St N; CB P-1 DHD; Public Parking Lot	South West: CB P-1 DHD; Office
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-7.2(B)10 & 12, 10-10, 10-11-1 thru 8, 10-13-2.3	

10-13-2.3 - Revocation of a Special Use Permit:

Revocation of a Special Use Permit process requires a public hearing to be held in which the permit holder, city staff and/or and aggrieved party may present testimony or other evidence at said public hearing.

City Code Section 10-13-2.3 provides a procedure for revocation of permits. Specifically, 10-13-2.3(A)2 states that a permit can be revoked, "for violation of supplementary conditions, safeguards and/or restriction imposed by the City Council or the Planning & Zoning Commission at the time the permit was granted." A petition for revocation may be initiated by the adoption of a motion by the Commission, City Council or by the filing of a petition by an aggrieved person.

The decision of the zoning body hearing a revocation proceeding **shall be based on the record**. If said zoning body finds substantial evidence on the record that continuance of the use in question will result in a significant adverse impact on the surrounding developments or other affected parties, and that the permit holder is unable or unwilling to alleviate the adversity, or if said zoning body finds substantial evidence on the record that conditions, safeguards or restrictions imposed by the commission or council have been violated, the zoning body may revoke the permit in question.

Analysis:

The site is zoned CB P-1; Central Business District with P-1 parking overlay and within the Downtown Historic District. Special Use Permit #1233 was granted to Afrim Hetemi on June 14, 2011 to operate an indoor recreation facility to include dancing and pool tables in conjunction with an existing bar and grocery store. The Special Use Permit granted allowed operating with extended hours of operation Wednesday, Friday, and Saturday from 11:00 pm to 3:00 am on property located at 139 Shoshone St N. The permit was granted, subject to the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire & Zoning Officials to ensure compliance with applicable city code requirements and standards.
2. Subject to compliance with State, County, and City Alcohol licenses and regulations.
3. Subject to this facility being allowed to operate until 3:00 am on Wednesday, Friday, and Saturdays, as presented.
4. Subject to operation of an indoor recreation facility including a dance floor and pool table as presented.

City Staff was approached by the Police Department as part of an on going effort to curb the disturbances and issues stemming from Bumpin' Bernie's operating past permitted hours of operation of 10:00 pm. See attached report from the Twin Falls Police Department for a thorough and detailed analysis of the situation. City Staff has worked collaboratively to attempt to address the issues detailed in the police report through various means. This Commission approved the Consideration of the Initiation for Revocation on September 26, 2017 and this public hearing is the next step in that process. Staff is asking the Commission to act on this request.

Sgt. Loosli is here to discuss further the Commission's request for more information with Attachment #2; Call for Service Analysis. Sgt. Looslie has suggested if the Commission votes to reduce the operating hours - 1:30 am would be consistent with other local bars operating hours.

Conclusion:

The commission is tasked to approve revocation of, deny the revocation of, or amend SUP #1233. Staff recommends amending the SUP per the Police Department's request and subject to:

1. Subject to removal of condition #3 of SUP #1233
2. Subject to closing down the establishment to all uses and patrons at 1:30 am, with no patrons allowed within the premises beyond the **1:30 am closing time** –the *PD suggested time per normal bar operating hours*.

Attachments:

1. Detailed Police Report
2. Calls for Service Analysis (PD submitted)
3. Zoning Vicinity Map
4. Aerial Map
5. Parking Lot Aerial
6. SUP #1233
7. Photos

TO: Planning and Zoning
FROM: Sgt. Kevin Loosli
SUBJECT: 139 Shoshone St. N

DEPARTMENT: City of Twin Falls
DEPARTMENT: Twin Falls Police
DATE: 9/12/2017

On June 14, 2011 Afrim Hetemi was granted a special use permit for 139 Shoshone St. N., Bumpin Bernies. Condition # 3 states "Subject to this facility being allowed to operate until 3:00am on Wednesdays, Fridays and Saturdays, as presented." There is no provision for being open past 10:00 pm on any other night. City code 10-4-7.3 (B)10 requires a special use permit for the operation of a permitted retail/trade use outside the hours of 7:00am to 10:00pm in the CB zone.

The business has run a bar/dance facility for the majority of the time, but recently added a hookah lounge inside. At 0130 hours the business no longer operates as a bar in compliance with state statute, and turns into a dance/hangout from 1:30am to 3:00am.

Since the special use permit was granted on August 14, 2017 the Twin Falls Police Department has responded to 139 Shoshone St. N. 283 times. The Twin Falls Police Department has taken 67 police reports that range from assault or battery, aggravated battery, public urination and DUI. 58% or 165 of those calls for service occur after 0130 hours. 98% of the calls after 0130 occurred on Friday or Saturday night.

Of those 283 calls for service, 88 of those calls are fights or disturbances. 71% or 63 of those 88 fights or disturbance calls occurred after 0130 hours. Of the 283 calls for service, we have made 33 traffic stops in that parking lot that have resulted in 6 DUI arrests.

I compared 139 Shoshone St. N. to other bars in town. 139 Shoshone St. N. hours of operation are Monday-Tuesday 10:00am-2:00pm, Wednesday-Thursday 10:00am-2:00pm and 7:30 pm-1:00am, Friday-Saturday 10:00am-2:00pm and 7:00pm-3:00am and Sunday 7:30pm-1:00am. The bars that I compared 139 Shoshone St. N. too close at 1:30am, as there are no bars open past 1:30am.

- Bar #1 (516): This bar opens in the evening is one of the busiest locations in town on Friday and Saturday. They have operated since 2015. The Twin Falls Police Department responded to 226 calls for service and took 45 police reports from January 1, 2015-August 14, 2017. Of those 226 calls for service 39 were after 1:30am.
- Bar#2 (1519): This bar remains busy throughout the week and is open from the morning until closing at 0130 hours. The Twin Falls Police Department responded to 285 calls for service and 60 police reports from June 14, 2011- August 14, 2017. Of those 285 calls for service 29 were after 1:30am.
- Bar #3 (402): This bar is located in the downtown area and is open throughout the week from the morning until closing at 1:30am. The Twin Falls Police Department responded to 296 calls for service and took 39 police reports from June 14, 2011-August 14, 2017. Of those 296 calls for service 37 were after 1:30am.

On Thursday September 14th and Sunday September 17th Twin Falls Police Department patrol officers conducted an inspection of 139 Shoshone St. N. On Thursday, 9/14/2017, officers conducted the inspection at 11:31 pm. On Sunday, 9/17/2017, officers conducted the inspection at 11:33 pm. Both these nights the bar was open past permitted hours per city code 10-4-7.3 (B)10.

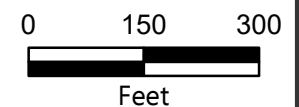
The Twin Falls Police Department is requesting that the Planning and Zoning board review the special use permit for 139 Shoshone St N and change the hours of operation not to exceed 0130 hours, on any night of the week, in accordance with other liquor, alcohol and wine licensed establishments.

Calls for Service 10/1/2016 through 9/30/2017

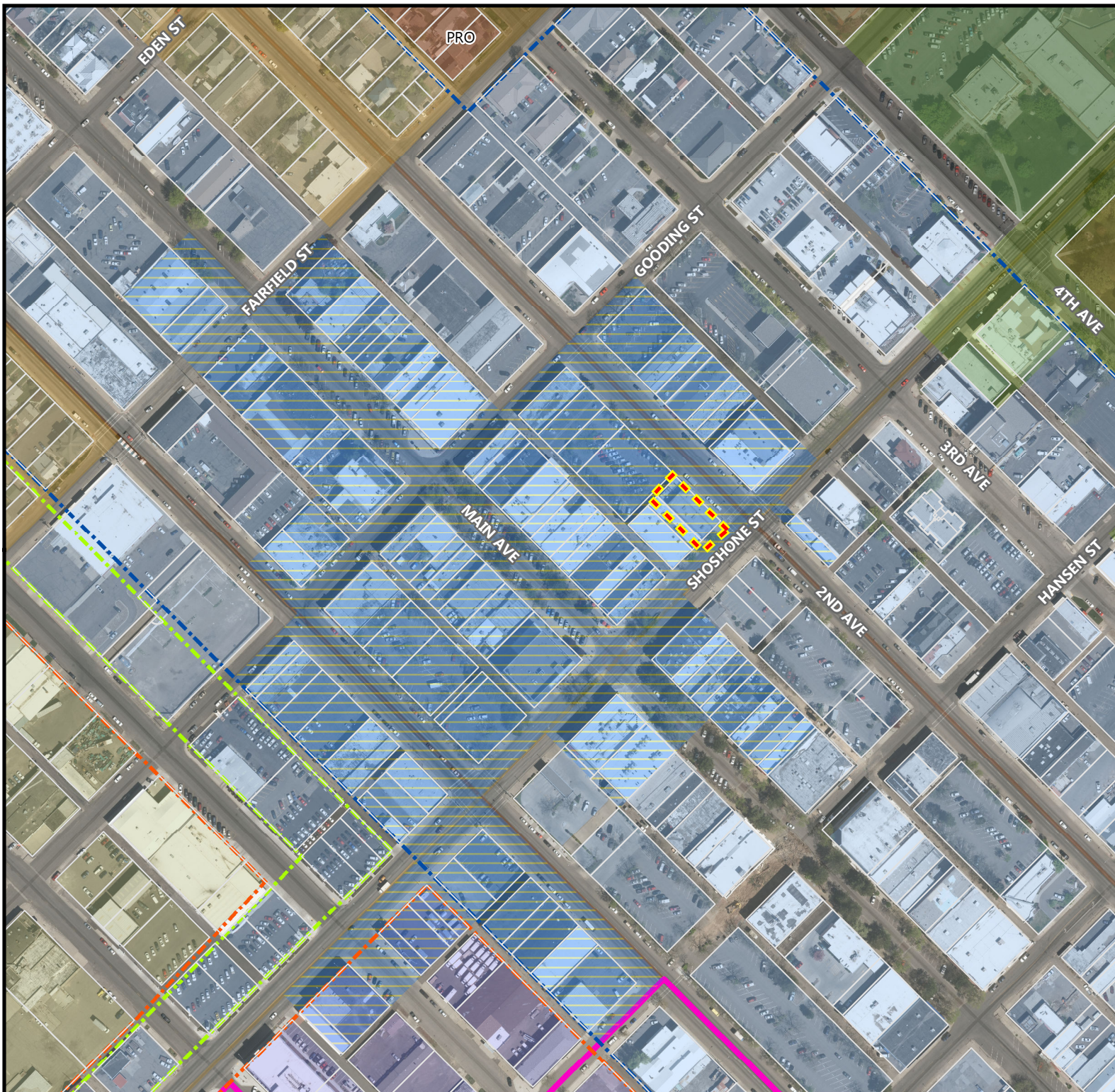
Bar	Calls For Service (CFS)	CFS after 1:30am	Fight/Disturbance/Battery CFS	Reports	Percentage of total calls after 1:30am
Bernies	108	52	36	24	48.10%
401	9	0	6	2	0%
402	80	15	8	15	18.75%
513	23	3	3	4	13%
516	90	20	21	20	22.20%
1519	52	2	17	2	3.80%
1532	39	3	12	10	7.70%
1749	48	6	4	8	12.50%
Totals of 7 other bars	341	49	71	61	14.30%

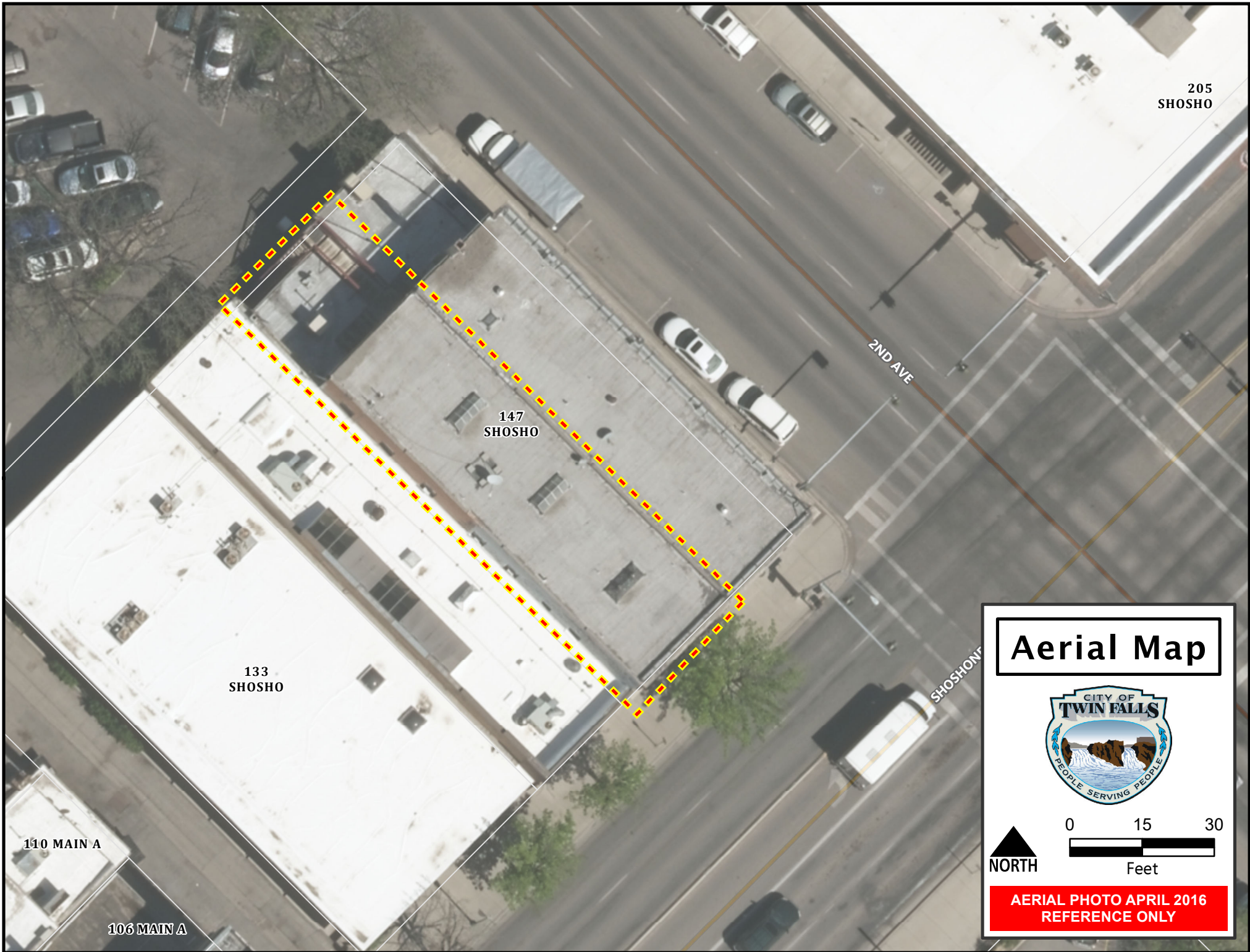
Zoning Vicinity Map

-  Parking Overlay - One
-  Parking Overlay - Two
-  Parking Overlay - Three
-  Historic City Park District
-  Historic Downtown Overlay
-  Original Townsite District
-  WHO
-  PRO
-  C-B
-  M-2
-  O-T
-  OS
-  R-6

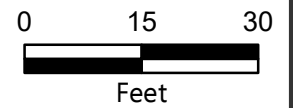


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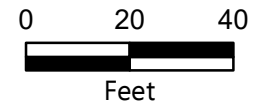


Aerial Map



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

Aerial Map



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**





**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.1233

Granted by the Twin Falls City Planning and Zoning Commission on June 14, 2011 to Afrim Hetemi whose address is 718 3rd Avenue East Twin Falls, ID 83301 for the purpose of operating an indoor recreation facility to include dancing and pool tables operating with extended hours of operation Wednesday, Friday & Saturday from 11:00 pm to 3:00 am in conjunction with an existing bar and grocery store on property located at 139 Shoshone Street North and legally described as Twin Falls Townsite Maxwells Lot D; Stronks Lots D& E SW 25' Lots 13 thru 16 Block 86 (16-10-17)

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.2455

1. Subject to site plan amendments as required by Building, Engineering, Fire & Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to compliance with State, County, and City Alcohol licenses and regulations
3. Subject to this facility being allowed to operate until 3:00 am on Wednesdays, Fridays and Saturdays, as presented
4. Subject to operation of an indoor recreation facility including and dance floor and pool table, as presented





CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE 7/12/2011

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

