



Twin Falls Planning & Zoning Commission Agenda

Tuesday, November 14, 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: 10-24-17
 - b) Approval of the Findings of Fact and Conclusions of Law for the following meeting: 10-24-17
 - Chipotle Mexican Grill (SUP)
 - Powlus, Jon (SUP)
- 5) Items of Consideration
 - a) Consideration to **Approve an Alternative** of the requirement to install parking lot landscape islands per Twin Falls City Code Title 10, Chapter 10, Section 11(b) on property located at 511 Hankins Rd South. c/o Glenn Walker, VanAuker Architects on behalf of Jayco, Inc. (app. 2904)
Purpose: Action By: Steve O'Connor, Planner I
 - b) Request for approval of the **Preliminary Plat** for Temple View Subdivision, consisting of 2 residential lots on 2.20 acres (+/-) located at 491 Canyon Rim Road. c/o EHM Engineers, Inc
Purpose: Action By: Steve O'Connor, Planner I
 - c) Request for approval of the **Preliminary Plat** for Z Country Subdivision, consisting of 114 single-family residential lots and 1 tract on 30.10 acres (+/-) located on the south side of the 200 block of Pheasant Road. c/o EHM Engineers, Inc.
Purpose: Action By: Steve O'Connor, Planner I
- 6) Public Hearings
 - a) Request for a **Special Use Permit** to operate an auto sales and auto repair business on property located at 1102 Kimberly Road. c/o John Andrew Yurivilca (app. 2902)
Purpose: Action By: Steve O'Connor, Planner I

- b) Request for the Commission's **recommendation on a Zoning Title Amendment** to add "Agritourism" in the AG District 10-4-1.2(A) for permitted uses & (B) as allowed by Special Use Permit and to the SUI District 10-4-2.2(A) for permitted uses & 10-4-2.2(B) as allowed by Special Use Permit and to add to Title 10-2-1 the definition of "Agritourism". c/o Scott Allen, JUB Engineers, Inc. on behalf of Kirk & Heidi Tubbs (app. 2903)

Purpose: Action By: Jonathan Spendlove, Senior Planner

7) Upcoming Meeting(s)

- a) November 28, 2017 Public Hearing
December 12, 2017 Public Hearing

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 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

Members Present: Frank, Grey, Dawson, Munoz, Musser, Woods

Staff Present: Carraway-Johnson, O'Connor, 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) Consideration of Amendments to Agenda

None

3) General Public Input

None

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)

Motion:

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

Commissioner Musser seconded the motion.

Unanimously Approved

5) Items of Consideration

None

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)

Applicant Presentation:

Gary Slette, Attorney, representing the applicant, stated this is a request for a special use permit application for the ability to serve beer and wine on premise at the restaurant located

at 687 Blue Lakes Blvd N. There should not be any impacts to the surrounding area, and the reason for the request is that they are located within 300' of a residential property.

Staff Presentation:

Planner I O'Connor reviewed the request and stated 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.

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.

Planner I O'Connor stated upon conclusion staff does not anticipate any increase in negative impacts from this request. 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.

Public Hearing: Opened and Closed Without Comment

Discussion Followed: Without Concerns

Motion:

Commissioner Dawson 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.
 2. Subject to all State, County, and City licensing requirements for alcoholic sales.
- 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)

Applicant Presentation:

Jon Powlus, the applicant stated he is constructing a detached accessory building to store personal items, it exceeds the 1500 sq. ft. allowance requires a special use permit.

Staff Presentation:

Planner I O'Connor reviewed the request and 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.

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. As of today, the applicant has asked to increase the size by an additional 40 sq. ft., making the size of the building 2360 sq. ft. Staff does not have an issue with the additional square footage.

Per City Code 10-4-2:

A Special use permit is required for any detached accessory building exceeding 1,500 sq. ft. 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.

Planner I O'Connor, stated staff nor the applicant anticipate any negative impacts to surrounding properties. Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments a 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.

Public Hearing: Opened and Closed Without Comment

Discussion Followed: Without Concerns

Motion:

Commissioner Musser made a motion to approve the request, as presented. 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 a 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.

- 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)

Staff Presentation:

Planner I O'Connor reviewed the request and stated City Code 10-13-2.3 - 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.

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. Kevin Loosli is here to discuss further the Commission's request for more information regarding the 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.

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%

Sgt. Kevin Loosli reviewed the calls for service data with the Commission. He explained the calls for service presented this evening are from October 1, 2016 to September 30, 2017. He also stated this is the only establishment of this type that operates until 3am; therefore, it was difficult to make a true comparison with the data.

Planner I O'Connor stated upon 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.*

Applicant Presentation:

Burhan Hetemi, the business owner, stated there have been fights and calls reported so that the problems could be taken care of, before this request was brought to this body, he did not have a way of getting rid of people, he does not own the parking lot. He has since worked with city staff to get No Loitering, sign installed in the parking lot, which has improved the situation. The sign has been up he thinks for about 6 weeks, and since then they have not had any issues.

PZ Questions/Comments:

- Commissioner Grey asked Sgt. Loosli if there is any way to differentiate between filing of the report and what may have actually happened at the business.
Sgt. Loosli explained it is an all-inclusive report.
- Commissioner Frank asked if there are any numbers to corroborate the claim that there have not been any issued over the past several weeks.
- Sgt. Loosli explained the numbers are calculated through September 30, 2017, if the sign was installed approximately 6 weeks ago; there have been 3 calls for service in that time frame. These calls came in after 1:30am.
- Mr. Hetemi confirmed that the last two calls were made by his business and they were prior to the sign being installed. He has been the one that calls in the problems and is willing to do whatever it takes to make things better. He has also signed a contract with Taxi services and they will pay for the cost so that people are not driving drunk.
- Commissioner Grey asked if Mr. Hetemi understands these calls are because of their business operating during these hours.
- Mr. Hetemi explained yes, but he has taken steps to get the No Loitering sign put up so that he can get rid of people hanging around and he has made the majority of the calls to the police about the people in the parking lot.
- Commissioner Hawkins asked what the busiest hours of operation are for the business.
- Mr. Hetemi explained between 12:45am and 3:00am. He advertises that they are open earlier but the problem is that most people think their hours are 12:00am -3:00am because they have been operating this way for 6 years. Customers start showing up when the other bars start closing, which is part of the problem because they have already been drinking, and after these hours, they only serve food, drinks and no alcohol.

- Commissioner Frank asked if the business has ever thought about closing the doors at 1:30am so that these after-hours problems would go away.
- Mr. Hetemi stated that the majority of his business is during the after-hours timeframe and he has never considered closing at 1:30am. The fights are not occurring in the bar, they are occurring outside in the parking lot because they can drink outside and can't drink inside during these hours.

Public Hearing: Opened

- Artem Petrosyan, 766 Alyssa Ave, he is a refugee and has been a resident of Twin Falls for 14 years. He presented a power point presentation showing pictures of the bar and ratings from their customers. He explained he helps manage the business, and there has never been a written complaint about the bar, and no fights in the bar. The customers enjoy the atmosphere; they provide a place for local artists to perform, they try to have one event a month and fund raisers to support their community.
- Rico Chi, 155 2nd Ave N, stated he does case management for Medicaid and his clients come through the parking lot area frequently. There are broke bottles, empty beer cans and trash in the parking lot and he and his wife have had to clean it up. He has asked the business owners to help pick up the trash and clean up the area but it doesn't happen. His clients are disabled, don't see well and are fall risks which causes him concern when they have to travel through a parking lot full of broken glass and trash.
- Nathan Wheeler, Falls Ave Apt. E, felt that he needed to comment about this request, his sister works at Hands On next door and explained that the broken glass is a nuisance to her also and has mentions problems with public urination. At the same time, he is a bit torn because there are not a lot of options for the 21 and older age group to go and have a nightlife. He explained, he thinks the town needs; to have a place like this but there needs to be better control of the people.
- Ms. Totle, explained there were pictures of cans outside the business and they do not serve cans.
- Tim Stastny, owner of Slice downtown, stated they have a business that is needed, the problem is what goes on in the parking lot. Saturday night his son was accosted in this parking lot, policing the place more efficiently seems to be the answer. The people all know this is the location to go after 1:30 am and there was blood and vomit on the back of his door Saturday. The people use the parking lot as a racing area, he understands there are only so many police, the problems are not in the bar, the parking lot is the real issue. The parking lot needs to be controlled better. People know to go there because their business I open late, but people are afraid to park in this area and walk into the business. He doesn't want to see places go out of business, but the messes like blood, vomit and urine nobody can clean up. A discussion about how to police the parking lot better needs to happen. He is getting ready to open another business, there are going to be two more breweries opening downtown and his concern is the impacts this will have on the new businesses and the people that want to come downtown.

Closing Statement

Mr. Hetemi explained he does agree, policing the outside and the parking lot is the issue, they try to do their best, they can do better at cleaning and apologizes to the businesses that spoke for the

people's behavior. He is willing to help regulate the area better; they call the police when they have trouble. He wants the businesses to be successful.

Discussion Followed:

- Planner I O'Connor reviewed the options for the Commission to consider when discussing this item: approve the request for revocation, deny the request for revocation, or amend the Special Use Permit #1233 per the request.
- Commissioner Woods explained on his way here tonight he came with a different mindset and after hearing testimony and listening to all of the views, he has changed his mind. He is not within the age range for this business, but he does believe people need an outlet for things to do. The idea of telling the town that businesses close at 1:30am is archaic. He does think the business is a target for nightlife, an outlet for people to socialize and it does bring people for many reasons. In his opinion, he would recommend that the business owner work with the police, the neighbors and the URA to make the area safer, and postpone a decision for a few months.
- Commissioner Munoz explained another option is to table the item. The location is a focal point after 1:30 am because it is the only place open after the other bars close. Being open during this time attracts the undesirables to this location.
- Commissioner Grey the data presented tonight was implied to be occurring at this establishment and it is undoubtedly this is the establishments fault because they are open after 1:30am. They have the only place open and the people hanging out are making a mess, the business needs to recognize because they are the only business open at this time of this type, they are responsible for cleaning it up. The issues are not coming from the businesses that are closed during this time.
- Commissioner Woods stated there needs to be some communication with URA and possibly installing better lighting. The owner does need to clean up.
- Commissioner Frank stated when you talk about safety, taking control of the situation is essential, this is not beneficial for the community and it is impacting the neighbors. He explained to this extent if the doors closed at 1:30am the people would not be coming to this location to hang out.
- Commissioner Grey explained they are trying to have a nightlife in the downtown area, with two new breweries planned for this area.
- Commissioner Frank explained he has not seen any business owners take control of the situation for the businesses that have tried to stay open past 1:30am. He thinks that because statistically there are less problems with businesses that close at 1:30am.
- Commissioner Woods explained the numbers don't show the situation they only show numbers. He hates to see Twin Falls be the town that closes at 1:30am.
- Commissioner Munoz explained he sees the issues happening after 1:30am and he doesn't like the mentality we are going to close at 1:30. We granted this time with the SUP, which caused problems indirectly.
- Commissioner Grey stated he would be ok with tabling the item.
- Commissioner Munoz explained if we want numbers presented differently, the Commission needs to explain what they want to see.

- Commissioner Dawson it seems they want it to be open and safe which is why they are calling the police department when there are issues in the parking lot. The calls that are made are counted against this business, because they are the only ones open at this time, however it may be that the parking lot needs to be policed more to make it safer, so that the business can operate. She thinks cutting the hours back, is the wrong message to send, when the neighbors are not advocating for the hours to change, they are advocating for the parking area to be safer.
- Commissioner Munoz explained they need to step up on the clean up after hours, but he would like to see a progress report in a few months.
- Commissioner Musser explained he is skeptical that the signage would be effective in the long term.
- Commissioner Grey explained he expects the owner to do something.
- Commissioner Woods the owner needs to understand that this is threat to their business and they need to take a lead in changing the environment.
- Commissioner Grey explained that he is afraid of the impacts of closing at 1:30am and wonders if it would be counter productive.
- Commissioner Musser explained that most towns nightlife closes between 1:00am or 2:00am so he is not convinced 3am is necessary. It is just standard in most places.
- Commissioner Hawkins stated would be willing to look at it a little closer in the future.

Motion:

Commissioner Grey made a motion to table the request for further information, until December 12, 2017. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

Motion To Table Until December 12, 2017 Approved

7) Upcoming Meeting(s)

- November 14, 2017 Public Hearing
- November 28, 2017 Public Hearing

8) Adjournment

Chairman Frank adjourned the meeting at 7:21 pm



**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.1455

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on October 24, 2017 to Chipotle Mexican Grill c/o Richard A Cummings whose address is P.O. Box 1545 Boise, ID 83701 for the purpose serving alcohol on site in conjunction with a restaurant on property located at 687 Blue Lakes Boulevard North and legally described as RPT00110091800 Twin Falls Acres Inside Tax #1096 In NE SE NE (9-10-17)

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. 2899

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.

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,
	)	
	)	CONCLUSIONS OF LAW,
<u>Chipotle Mexican Grill</u>	)	
<u>c/o Richard Cummings</u>	)	AND DECISION
Applicant(s)	)	

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on October 24, 2017 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of serving alcohol for consumption on site in conjunction with a restaurant on property located at 687 Blue Lakes Boulevard North, 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 serving alcohol for consumption on site in conjunction with a restaurant on property located at 687 Blue Lakes Boulevard North
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: October 5, 2017
3. The property in question is zoned C-1 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Mixed Use 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, Caswell Avenue/Retail/Fred Meyers; to the south, Commercial/Centennial Square Shopping Center; to the east; Blue Lakes Boulevard North/Commercial; and to the west, Commercial/Centennial Square Shopping Center.
5. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-4-8, 10-11-1 thru 8, 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 serving alcohol for consumption on site in conjunction with a restaurant on property located at 687 Blue Lakes Boulevard North is consistent with the purpose of the C-1 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 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 serving alcohol for consumption on site in conjunction with a restaurant on property located at 687 Blue Lakes Boulevard North 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 serving alcohol for consumption on site in conjunction with a restaurant on property located at 687 Blue Lakes Boulevard North 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 all State, County, and City licensing requirements for alcoholic sales.

APPLICATION # 2899
SUP# 1455



**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.1456

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on October 24, 2017 to Jon Powlus whose address is 3684 N 2700 E Twin Falls, ID 83301 for the purpose constructing a 2360 sq. ft. detached accessory building on property located at 3684 N 2700 E in the City's Area of Impact and legally described as RP10S17E303050A Sec 3o T 10 R17 SW 1.06A of N 10.8A of Lot 1 (J)

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. 2901

1. Subject to the site plan amendments a 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.

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</u> , Application,	)	FINDINGS OF FACT,
	)	
<u>Jon Powlus</u>	)	CONCLUSIONS OF LAW,
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on October 24, 2017 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of construct a 2360 sq. ft. detached accessory building on property located at 3684 N 2700 E in the City's 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 construct a 2360 sq. ft. detached accessory building on property located at 3684 N 2700 E in the City's Area of Impact
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: October 5, 2017
3. The property in question is zoned SUI Aol pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Agriculture 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, Residential; to the south, Residential; to the east; Residential; and to the west, Residential/2700 East Road.
5. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-11-1 thru 8, 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 construct a 2360 sq. ft. detached accessory building on property located at 3684 N 2700 E in the City's Area of Impact is consistent with the purpose of the SUI AoI 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 SUI AoI 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 construct a 2360 sq. ft. detached accessory building on property located at 3684 N 2700 E in the City's 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 construct a 2360 sq. ft. detached accessory building on property located at 3684 N 2700 E in the City's 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 a 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.

APPLICATION # 2901
SUP# 1456



Date: Tuesday November 14, 2017

To: Planning & Zoning Commission

From: Steve O'Connor, Planner 1

Request:

Consideration to **Approve an Alternative** of the requirement to install parking lot landscape islands per Twin Falls City Code Title 10, Chapter 10, Section 11(b) on property located at 511 Hankins Rd South. c/o Glenn Walker, VanAuker Architects on behalf of Jayco, Inc. (app. 2904)

Time Estimate:

Applicant or representative presentation may take five (5) minutes. Staff presentation may take five (5) minutes with additional time for questions or clarifications.

Background:

In September of this year, Jayco contacted staff regarding a large expansion being considered by their management. Jayco is located at 511 Hankins Road South and is zoned M-2: industrial. Initial site plan review identified the proposed parking lot as gravel with the northern boundary fronting onto Eldridge Avenue. The code requires a minimum of 2 sf per LF of frontage in addition landscaped islands shall be located at the terminus of all parking rows with no more than 15 spaces per row. Attached is a request from Glenn Walker, VanAuker Architects on behalf of Jayco, Inc. who is asking to allow grouping the required landscape islands required within their parking lot and include it with the required landscaping of 1,011 sf with three (3) trees and eleven (11) bushes between Eldridge Ave and the building, as required per code. The parking lot landscaping would require 20 parking islands with one (1) tree per island. The total landscape requirement is twenty-three (23) trees and eleven (11) bushes. As per 10-11-2, at least 50% of the trees and bushes are to be evergreen. The trees shall be a minimum four feet (4') tall when planted.

The applicant is asking for the landscape island requirement be grouped and all the landscaping to be included within the landscaping along Eldridge Ave, as denoted on the site plan. ***The minimum standards and the tree and bush ratios shall comply with code.***

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

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

Conclusion:

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

Attachments:

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



GLENN WALKER, AIA
3084 E. Lanark St.
PH (208) 887-7994

ARCHITECT & PLANNER
Meridian Idaho 83642
FAX (208) 887-7998

Date: November 1, 2017

City of Twin Falls
Planning & Zoning Department
P.O. Box 1907
Twin Falls, Idaho 83303

Re: 511 Hankins Road, Twin Falls, Idaho 83301.

On behalf of Jayco, Van Auker Companies is submitting the attached Site Plan and Landscape Plan for approval. This project is for a new 248,574 sq. ft. manufacturing facility located at 511 Hankins Road, Twin Falls Idaho.

It is the intention of Jayco, to construct this new 248,574 sq. ft. pre-engineered metal building for the use of their manufacturing area and office area. The building will have PBR metal sheeting for the walls and standing seam metal roof in the manufacturing area. For the office portion of the building the walls will be CMU block walls.

The site plan will have a new gravel area for their employee parking. This new parking area will be used strictly for the employees of this new facility. We are requesting that the requirement for landscape islands and perimeter landscaping within the parking area be moved to the street frontage along Eldridge. We are proposing 23 trees and 12 shrubs along this frontage area, which will include 6 large shade trees, 11 evergreens, and 6 ornamental trees, along with the shrubs.

This facility will have the required amount of accessible parking spaces out front of the office area. We are proposing a 6-ft. high chain link fence around the building to make the area secure. As for the trash, we are proposing an enclosed trash compactor.

I appreciate your consideration of our request for approval. Please call us if you have any further questions or requests.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Glenn Walker', is written over a horizontal line.

Glenn Walker, AIA
Van Auker Companies



HANKINS RD

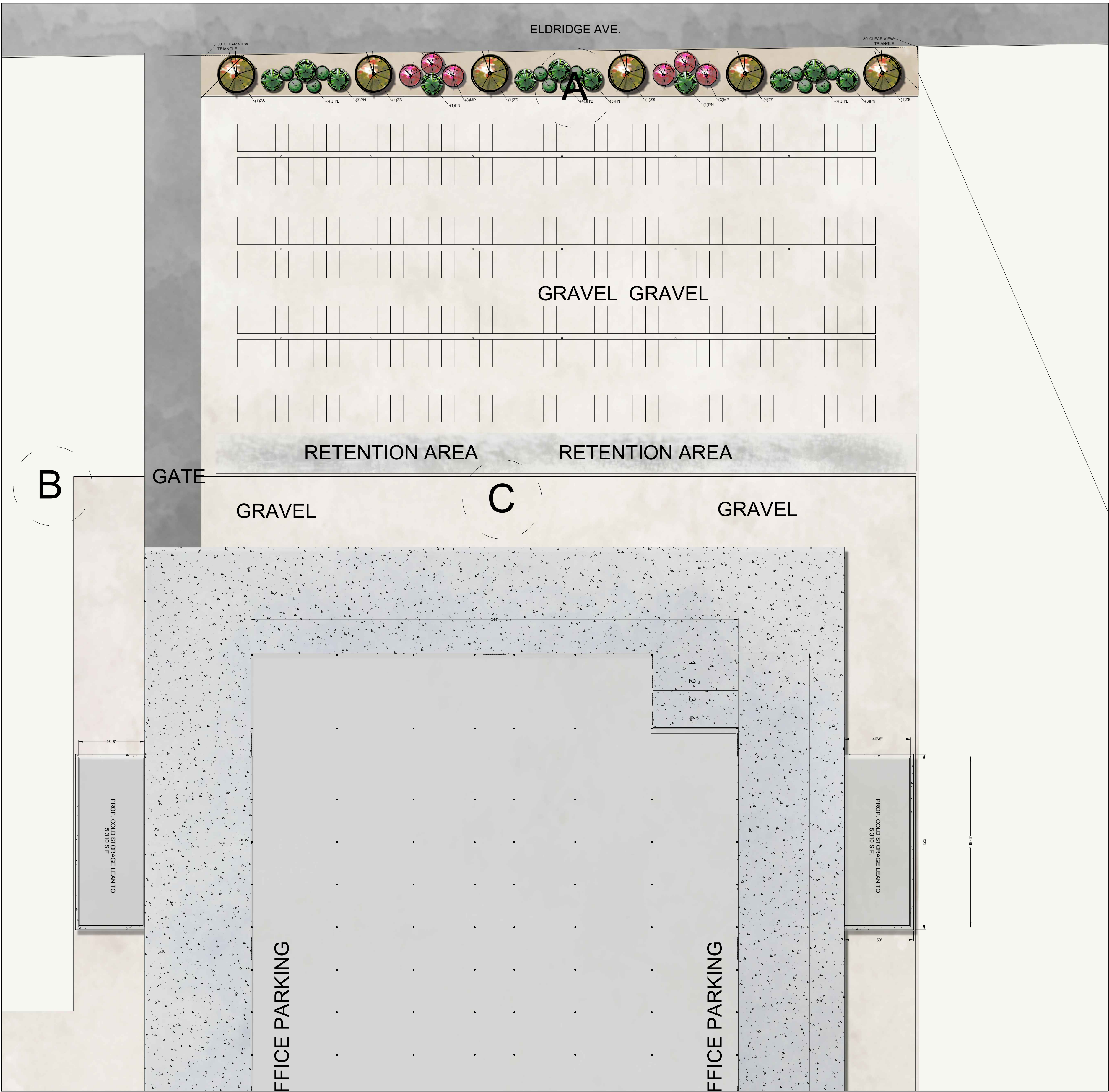
ELDRIDGE AVE

Aerial Map



0 250 500
Feet

AERIAL PHOTO APRIL 2016
REFERENCE ONLY



TREE LEGEND (TOTAL PLANT COUNT)

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	HYDROZONE	SPECIAL NOTES
ZS	ZELKOVA SERRATA	JAPANESE ZELKOVA	6	2" CAL	LOW	
MP	MALUS X PRARIEFIRE	PRAIRIEFIRE CRABAPPLE	6	2" CAL	LOW	
PN	PINUS NIGRA	AUSTRIAN PINE	11	6" TALL	LOW	

SHRUB LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	HYDROZONE	SPECIAL NOTES
JHFB	JUNIPERUS 'BLUE CHIP'	BLUE CHIP JUNIPER	12	5 GAL	LOW	

SITE MATERIALS

SYMBOL	SITE MATERIAL	QUANTITY	SPECIAL NOTES
	1" ALL SEASONS COBBLE OR APPROVED EQUAL (DEWET 5 OZ. WEED BARRIER FABRIC TO BE INSTALLED IN ALL PLANTER AREAS)	16,122 SQ.FT. (150 CU.YD) 3" DEPTH	LOCATED WHERE SPECIFIED

LANDSCAPE GENERAL NOTES

- INSTALLER RESPONSIBILITIES AND LIABILITIES
- THESE PLANS ARE FOR BASIC DESIGN LAYOUT AND INFORMATION. THE INSTALLER IS REQUIRED TO REFER TO THEIR INDIVIDUAL TRADE - SCOPE OF WORK. OWNER ASSUMES NO LIABILITIES FOR INADEQUATE ENGINEERING CALCULATIONS, MANUFACTURER PRODUCT DEFECTS, INSTALLATION OF ANY LANDSCAPING AND COMPONENTS, OR TIME EXECUTION.
 - THE INSTALLER OF ALL LANDSCAPING AND IRRIGATION SYSTEMS ARE LIABLE AND RESPONSIBLE FOR ALL JURISDICTIONAL AND CODE REQUIREMENTS, TIME EXECUTIONS, AND INSTALLED PRODUCTS AND MATERIALS.
- GRADING AND DRAINAGE REQUIREMENTS
- ALL GRADING IS TO SLOPE AWAY FROM THE STRUCTURE PER CODE.
 - FINISHED GRADE IS NOT PERMITTED BY CODE TO DRAIN ON NEIGHBORING PROPERTIES
 - 6" MIN. FOUNDATION LEFT EXPOSED AT ALL CONDITIONS
 - LANDSCAPER TO MAINTAIN OR IMPROVE EXISTING FINAL GRADE AND PROPER DRAINAGE ESTABLISHED BY THE EXCAVATOR'S FINAL GRADE ACTIVITIES INCLUDING ANY MAINTENANCE, PRESERVATION, OR EXAGGERATION OF SLOPES, BERMS, AND SWALES.
 - IF ANY SWALE, BERM, OR GRADE HAS BEEN DAMAGED OR IS INCORRECT TO ENSURE CORRECT WATER FLOW THE TRADE CONTRACTOR IS RESPONSIBLE TO FIX STATED ISSUE.
 - ROOF RUN-OFF DEVICES SHOULD BE INSTALLED TO COLLECT AND DISCHARGE ALL ROOF RUNOFF A MINIMUM OF 10 FEET FROM FOUNDATION ELEMENTS OR BEYOND THE LIMITS OF BACKFILL AROUND THE FOUNDATION WALLS, WHICHEVER DISTANCE IS GREATER.
 - THE GROUND SURFACE WITHIN 10 FEET OF THE FOUNDATIONS SHOULD BE SLOPED TO DRAIN AWAY FROM THE STRUCTURE WITH A MINIMUM FALL OF 6 INCHES.
- LANDSCAPING REQUIREMENTS
- ALL LANDSCAPING IS TO BE INSTALLED PER ALL GOVERNING JURISDICTIONS I.E. INTERNATIONAL BUILDING CODE, CITY CODES.
 - NON-COMPLIANCE TO ALL GOVERNING JURISDICTION REQUIREMENTS AND REGULATION ARE THE RESPONSIBILITY OF THE LANDSCAPING INSTALLER.
 - ALL PLANTED LANDSCAPING IS TO BE INSTALLED ACCORDING TO THE NURSERY CARE AND INSTALLATION INSTRUCTIONS WHERE PURCHASED AND BASED ON INDIVIDUAL SOIL CONDITIONS AND SITE CONDITIONS.

LANDSCAPE NOTES

- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING QUANTITIES OF ALL MATERIALS FOR BIDDING AND INSTALLATION PURPOSES. IF DISCREPANCIES EXIST, THE PLAN SHALL DICTATE QUANTITIES TO BE USED.
- PLANT MATERIAL TO BE INSTALLED PER PLANT LEGEND. IF SUBSTITUTIONS ARE WANTED, PROPOSED LANDSCAPE CHANGES MUST BE SUBMITTED TO THE LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO PLANTING.
- NEW LAWN AREAS TO BE SODDED WITH DROUGHT TOLERANT VARIETY. FINE LEVEL ALL AREAS PRIOR TO LAYING SOD.
- SANDY LOAM TOPSOIL TO BE IMPLEMENTED AT THE FOLLOWING DEPTHS: 6" TOPSOIL (WITH 2" HUMUS MIXED INTO TOPSOIL PRIOR TO SPREADING) IN ALL NEW PLANTER AREAS AND 4" IN ALL NEW LAWN AREAS. PLANTER BEDS TO BE EXCAVATED AS NECESSARY IN ORDER TO ACCOMMODATE NEW TOPSOIL AND/OR PLANTER BED MULCH TO REACH FINISHED GRADE.
- 4"x6" EXTRUDED CONCRETE MOW CURB TO BE INSTALLED BETWEEN ALL LAWN AND PLANTER AREAS PER PLAN. ANY TREES LOCATED IN LAWN MUST HAVE A 4" CONCRETE TREE RING.
- DEWET 5 OZ. WEED BARRIER FABRIC TO BE INSTALLED IN ALL PLANTER AREAS EXCEPT UNDER ANNUAL PLANTING AREAS AS SHOWN ON PLAN.
- ROCK MULCH TO BE IMPLEMENTED AT THE FOLLOWING DEPTHS: 4" IN ALL TREE, SHRUB, AND PERENNIAL PLANTER AREAS; ANNUAL PLANTING AREAS AS SHOWN ON PLAN TO RECEIVE 4" OF SOIL AID MATERIAL. PULL BARK MULCH MIN. 3" AWAY FROM BASE OF ALL PERENNIALS AND SHRUBS AND MIN. 6" AWAY FROM ALL TREES.
- CONTRACTOR TO PROVIDE NEW AUTOMATIC UNDERGROUND IRRIGATION SYSTEM TO BE INSTALLED IN ALL LANDSCAPE AREAS. ALL LAWN AREA TO RECEIVE 100% HEAD TO HEAD COVERAGE WITH SPRAY AND ROTARY SPRINKLER HEADS. ALL PLANTER AREAS NEED TO RECEIVE A FULL DRIP SYSTEM TO EACH TREE AND SHRUB ON PROJECT. SEE IRRIGATION PLAN.

ISSUE DATE

10/24/2017

PROJECT NUMBER

ID17007

PLAN INFORMATION

DIGLINE INC. OF IDAHO
UTILITY NOTIFICATION CENTER, INC.
1-800-342-1585
www.digline.com
CALL BEFORE YOU DIG.
IT'S FREE AND IT'S THE LAW

PROJECT INFORMATION

JAYCO IDAHO
ELDRIDGE AVE.
TWIN FALLS, ID

DEVELOPER / PROPERTY OWNER / CLIENT

Developer / Property Owner:

JAYCO, INC
511 HANKINS RD
TWIN FALLS, ID 84004
(208)736-1782

Client / Engineer:

NEUDESIGN ARCHITECTURE
725 EAST 2ND STREET
MERIDIAN, IDAHO 83642
208-884-2824

LANDSCAPE ARCHITECT / PLANNER

PKJ DESIGN GROUP L.L.C.
3450 N. TRIUMPH BLVD. SUITE 102
LEHI, UTAH 84043 (801) 960-2698
www.pkjdesigngroup.com

LICENSE STAMP

PM: JTA
DRAWN: KBA
CHECKED: TM
PLOT DATE: 10/24/2017

LANDSCAPE PLAN

PRELIMINARY PLANS NOT FOR CONSTRUCTION LP-COLOR



NW Corner Looking SE



Looking South from
Eldridge Ave



NE Corner looking SW



Public Meeting: **TUESDAY, November 14th, 2017**

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove, Planner I

Authors: Steve O'Connor & Jonathan Spendlove

Editor: Renée V. Carraway-Johnson

AGENDA ITEM 5a

Request: Consideration of the Temple View Preliminary Plat, consisting of two (2) residential lots on 2.19 +/- acres located at 491 Canyon Rim Road. c/o EHM Engineers, Inc. on behalf of Gordon Greaves

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: 2.19+/- acres
Gordon Greaves 491 Canyon Rim Rd. Twin Falls, ID 83301 208.734.2228	Current Zoning: R-2, Low Density Residential District	Requested Zoning: Approval of a preliminary plat
	Comprehensive Plan: Town Neighborhood	Lot Count: 2 s/f Lots
	Existing Land Use: Residential	Proposed Land Use: Residential
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers, Inc 621 N College Rd. Ste 100 Twin Falls, ID 83301 208.734.4888 dthibault@ehminc.com	North: 4200 N Rd; SUI; Residential; AOI	East: Canyon Rim Rd; OS, Snake River Canyon; AOI
	South: R-2; Residential	West: R-2; Residential
	Applicable Regulations: 10-14-1 thru 4	

Approval Process:

As per Twin Falls City Code 10-12-2.3 Action on Preliminary Plat:

The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Commission. The action and the reasons for such action shall be stated in writing by the Administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the approved preliminary plat to the Council for its information and record.

Budget Impact:

As the request is for a Preliminary Plat, approval of this request will have negligible impact on the City budget.

Regulatory Impact:

Upon approval of a preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

History:

There is very little historical zoning or building data for this parcel. However, aerial imagery from 1950 shows what could be a residence at this location, and County parcel records have a home appraisal for this parcel dated in July 1963. There is a building permit, in city records, from 2003 for a 1,120 sqft-detached garage.

Recently, the majority of the old Canyon Rim Road was converted to a multi-use pathway as part of the Settlers Ridge Subdivision #3. The small portion of road in front of Mr. Greaves property remained under the jurisdiction and maintenance of the Twin Falls Highway District.

In April of this year, this commission forwarded a positive recommendation for annexation with a zoning designation of R-2, to the City Council, who then approved the annexation and zoning designation this past May. Approval of annexation was contingent upon two (2) conditions: 1) a 15' wide easement adjacent to the Snake River Canyon Rim being recorded, and 2) a warranty deed being recorded for the entire property to be annexed. Both conditions have been completed. On October 16, 2017, the City Council adopted Ordinance 2017-25 annexing the 2.19 (+/-) acres into the city.

Analysis:

This is a request for approval of the Temple View Subdivision preliminary plat, consisting two (2) residential lots on 2.19 (+/-) acres, located at 491 Canyon Rim Road. The Parks in Lieu Contribution was approved by city council on October 16, 2017.

The plat is consistent with other subdivision development in the area and is in conformance with the Comprehensive Plan, which designates this area as "Town Neighborhood or Rural Residential."

This is the first step of the plat approval process. A preliminary plat is presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or wastewater services. The current residence is connected to sewer, but not city water. Per City policy, this can remain until the well fails, at which time connection to city water will be required as the house is within 50' of city water. Any development on the new lot will have to be connected to City of Twin Falls water and sewer systems per City Code 10-4-4. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed.

Conclusion:

Staff recommends the commission approve the preliminary plat of the Temple View Subdivision, as presented, and subject to the following condition:

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.

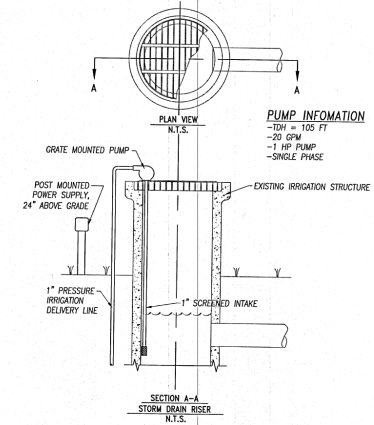
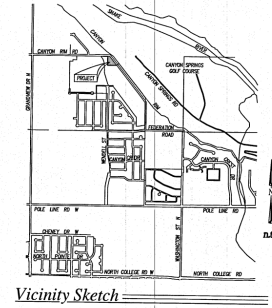
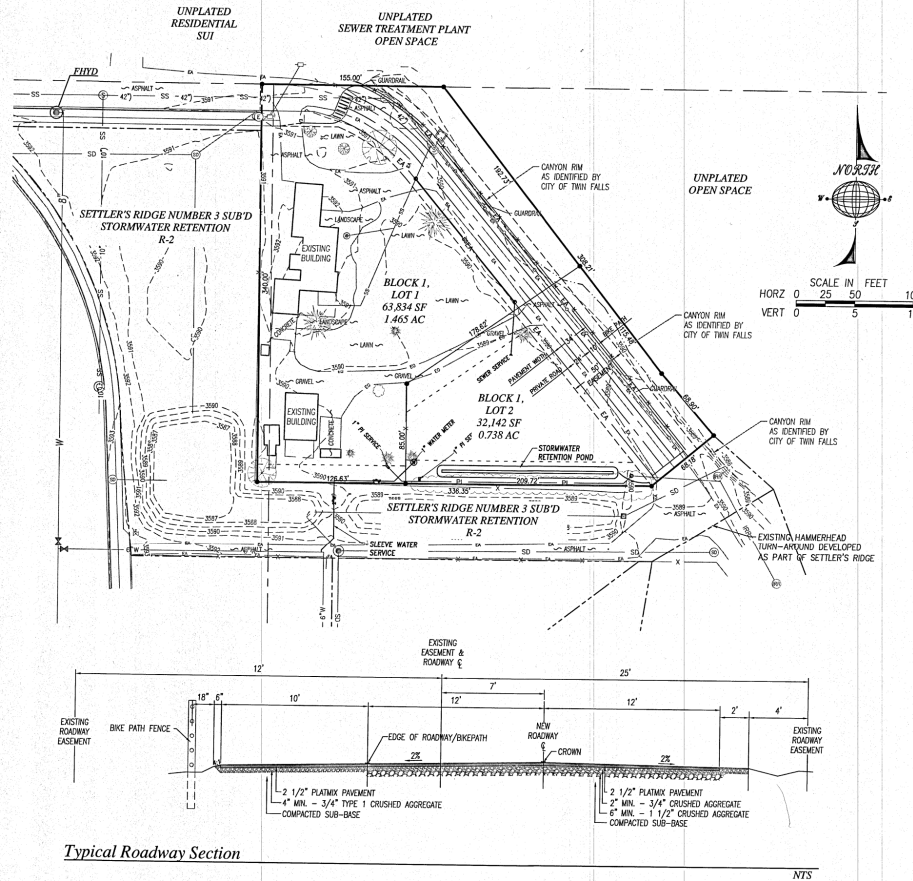
Attachments:

1. Preliminary Plat
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Site Photos

TEMPLE VIEW SUBDIVISION LOCATED IN A PORTION OF NE4 NE4 NW4, & NW4 NW4 NE4 SECTION 32, TOWNSHIP 9 SOUTH, RANGE 17 EAST, TWIN FALLS, IDAHO 2017

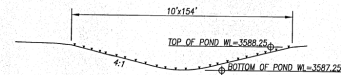
RECEIVED
JUL 05 2017
CITY OF TWIN FALLS
ENGINEERING DEPT.

EHM Engineers, Inc.
BEYOND THE FUTURE DATA FOUNDATION OF EXCELLENCE
Engineers / Surveyors / Planners
621 North College Road, Suite 100 Twin Falls, Idaho 83301
P (208) 734-4888 FAX (208) 734-6049 web: ehmic.com



Pressure Irrigation Station

NTS



Swale/Retention Pond Detail

NTS

Typical Roadway Section

NTS

Design Data:

PARCEL NUMBER: RPT0354001001A	SEWER: CITY SEWER
OWNER/DEVELOPER: GORDON B. GREAVES 691 CANYON RIM ROAD TWIN FALLS, IDAHO 83301	WATER: CITY WATER
ENGINEER: DIM ENGINEERS, INC. 621 N. COLLEGE RD., SUITE 100 TWIN FALLS, ID. 83301 (208)734-4888	STREETS: NO NEW PROPOSED PUBLIC STREETS
EXISTING ZONE: R-2	SETBACKS: BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE STANDARDS FOR THE R-2 ZONING DISTRICT IN EFFECT AT THE TIME OF ISSUANCE OF BUILDING PERMITS.
PROPOSED ZONE: SAME	EASEMENTS: AS SHOWN
EXISTING USE: RESIDENTIAL/VACANT	IRRIGATION: PRIVATE PRESSURE IRRIGATION TO BE INSTALLED
PROPOSED USE: RESIDENTIAL	UTILITIES: UNDERGROUND POWER, TELEPHONE, GAS, & CABLE TELEVISION
DEVELOPMENT AREA: 2.20 ACRES	BENCHMARK: #150-2874 S. SIDE OF FEDERATION ROAD, 75' W. OF CANYON RIM ROAD, BOLT ELEV.=3623.60
VARIANCE: NONE REQUESTED	

Notes:

- EASEMENTS FOR UTILITIES AND ACCESS ROADS SHALL BE DETERMINED BASED ON FINAL LOCATIONS AND BE INCLUDED ON THE FINAL PLAT OR GRANTED BY SEPARATE DOCUMENT.
- ALL LOTS AND LOT OWNERS SHALL BE SUBJECT TO A PROPERTY OWNERS ASSOCIATION OR A SEPARATE MAINTENANCE AGREEMENT.
- REQUIRED LANDSCAPING SHALL BE THE RESPONSIBILITY OF EACH LOT OWNER FOR INSTALLATION AND MAINTENANCE.
- STORM WATER RETENTION IS TO BE CONVEYED TO LOT 2, BLOCK 1 INTO A STORM WATER RETENTION EASEMENT. RETENTION POND SHALL BE OWNED AND MAINTAINED BY THE OWNER OF LOT 2, BLOCK 1.
- EXISTING UTILITIES ARE LOCATED ON THE PLANS FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. THE CONTRACTOR SHALL BEAR FULL RESPONSIBILITY FOR THE PROTECTION OF UTILITIES AND THE ENGINEER BEARS NO RESPONSIBILITY FOR UTILITIES NOT SHOWN ON THE PLANS OR NOT IN THE LOCATION SHOWN ON THE PLANS. THIS INCLUDES ALL SERVICE LATERALS OF ANY KIND.

Drainage Calculations:

1 DEVELOPMENT LOT 32,142 SF	
RESIDENTIAL IMPERVIOUS	
RESIDENTIAL LANDSCAPED	
STREET IMPERVIOUS	
STREET LANDSCAPED	
TOTAL PREDEVELOPMENT ALLOWANCE:	
TOTAL RETENTION REQUIRED	
POND CAPACITY (6" x 150' x 1' DEEP)	

22,738 * 0.33 * 1.6/12 * 0.95	= 950 cf
22,738 * 0.67 * 1.6/12 * 0.25	= 508 cf
6,392 * 1.6/12 * 0.95	= 810 cf
3,012 * 1.6/12 * 0.25	= 100 cf
32,142 sf * 1.6/12 * 0.35	= 1,500 cf
	= 888 cf
	= 900 cf

Legend:

PROPERTY BOUNDARY	PROPOSED
ROADWAY CENTERLINE	
EASEMENT LINE	
RIGHT OF WAY LINE	
WATER LINE	
SEWERY SEWER LINE	
STORM SEWER LINE	
CANYON RIM LINE	
CONTOUR LINE	
STANDARD CURB & GUTTER	
EDGE OF ASPHALT	
EDGE OF GRAVEL	
SAW CUT LINE	
FENCE LINE	
JERSEY BARRIERS	
SEWER SERVICE	
CLEAN-OUT	
FIRE HYDRANT	
MANHOLE	
IRRIGATION BOX	
VALVE	
POWER POLE	
TREE	

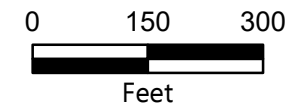
DO NOT SCALE DRAWINGS
CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE ENGINEER OF ANY DIMENSIONAL ERRORS, OMISSIONS OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

STAMP

APPROVED: D. THEBAULT
DESIGN: S. KASTER
DRAWN: J. SKEDIN
DATE: 7/3/2017
SCALE: AS SHOWN
SHEET: 455-16 PP
PREPLAT

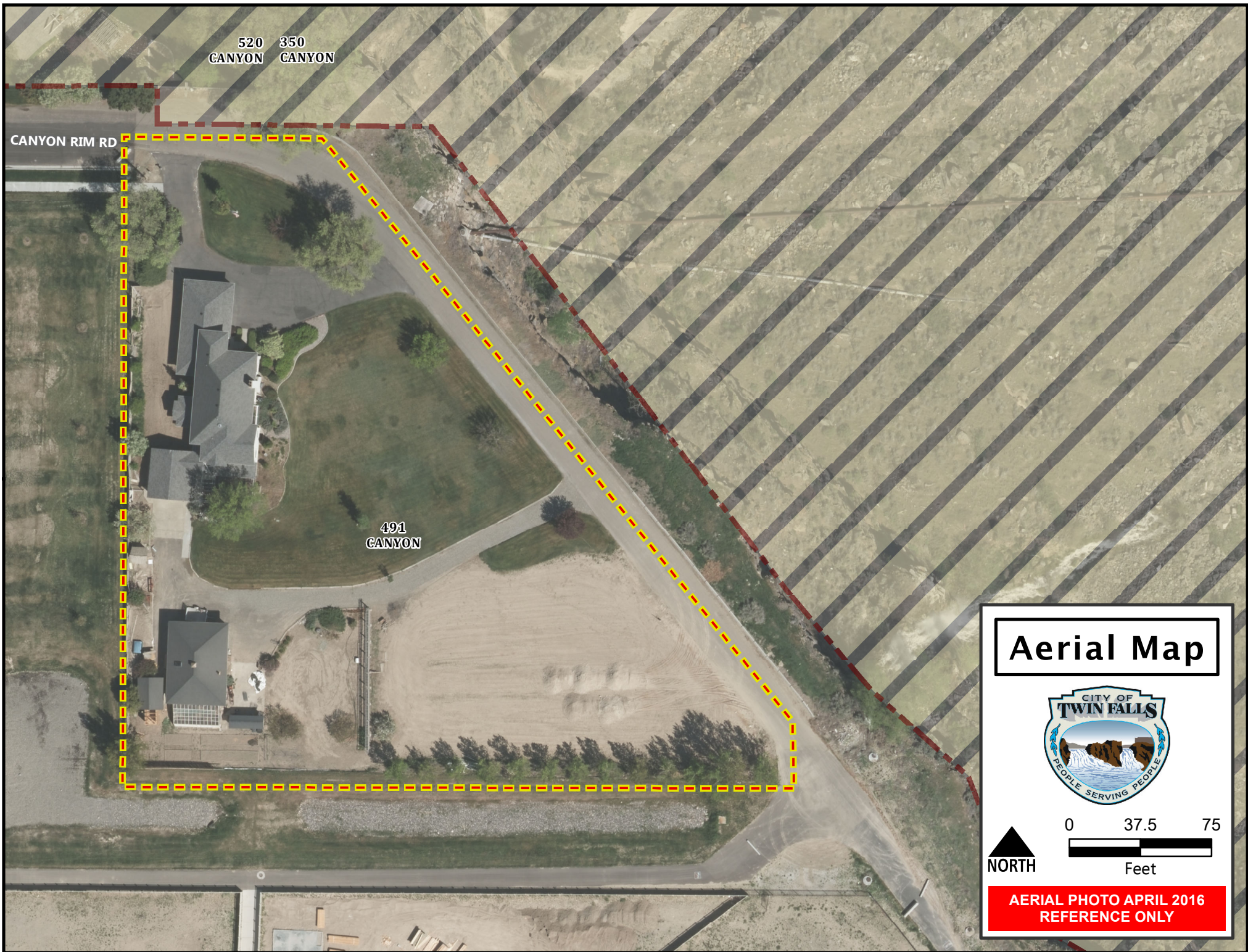
Zoning Vicinity Map

-  Area Of Impact
-  OS
-  R-2
-  SUI

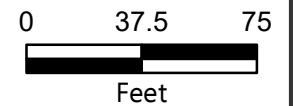


**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**





Aerial Map



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



SW Corner Looking NE



SE Corner looking NW



Public Meeting: **TUESDAY, November 14th, 2017**
To: Planning and Zoning Commission
Presenter: Steve O'Connor, Planner
Authors: Steve O'Connor & Jonathan Spendlove
Editor: Renée V. Carraway-Johnson

AGENDA ITEM 5b

Request: Request for approval of the **Preliminary Plat** for Z Country Subdivision, consisting of 114 single-family residential lots and 1 tract on 30.10 acres (+/-) located on the south side of the 200 block of Pheasant Road. c/o EHM Engineers, Inc.

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: 30.1 +/- acres
Jon Zernickow 808 Norumbega Dr Monrovia, CA 91016 626.945.2700 jzernickow@aol.com	Current Zoning: R-4	Requested Zoning: Approval of a Preliminary Plat
	Comprehensive Plan: Town Neighborhood	Lot Count: 114 s/f Lots, 1 Tract
	Existing Land Use: Agriculture & Residential	Proposed Land Use: Residential
Representative:	Zoning Designations & Surrounding Land Use(s)	
David Thibault 621 N College Rd, Ste 100 Twin Falls ID 83301 208.734.7888 dthibault@ehminc.com	North: Pheasant Rd; R-4, Residential Medium Density District; Residential	East: R-4, Residential Medium Density District; Residential
	South: portion of Southwood Ave: R-4; Residential Medium Density District; Residential	West: R-4, Residential Medium Density District; Residential
	Applicable Regulations: 10-1-1 thru 12; 10-4-5; 10-12-1 thru 5; 10-16-1	

Approval Process:

As per Twin Falls City Code 10-12-2.3 Action on Preliminary Plat:

The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Commission. The action and the reasons for such action shall be stated in writing by the Administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the approved preliminary plat to the Council for its information and record.

Budget Impact:

As the request is for a Preliminary Plat, approval of this request will have negligible impact on the City budget.

Regulatory Impact:

Upon approval of a preliminary plat, including any conditions the Commission may have required, a final plat is then prepared by the applicant and presented to the City Council. Only after a final plat has been approved by the City

Council and construction plans approved by the City Engineer, may the final plat be recorded and lots sold for development.

History:

This lot has been an agricultural use since at least 1950. Records indicate the single-family residence was built in 1959. The residential developments to the South and East are part of the Golden Eagle Subdivision, recorded in the mid 2000's. The applicant purchased this property in November 2016 and applied for annexation, which this commission sent a positive recommendation with a zoning designation of R-4 to City Council in April of this year. City Council approved the annexation with the R-4 zoning in May, and Ordinance 2017-018 was adopted in June.

Analysis:

This is a request for approval of the Z Country preliminary plat. The property is zoned R-4 and is located on the south side of the 200 block of Pheasant Road. The preliminary plat consists of 30.1 (+/-) acres with one hundred fourteen (114) lots and one (1) tract. The Parks in Lieu Contribution was approved by city council on October 30, 2017 for 114 single-family units. The R-4 zone allows s/f and duplex dwellings outright and tri-plex and 4-plex dwellings by Special Use Permit. If the property is developed with more than 114 residential units, the city will re-evaluate the parks in-lieu fees. This will be monitored through the building permit process.

This is the first step of the plat approval process. A preliminary plat is presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. A final plat, that is in conformance with the approved preliminary plat, including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or wastewater services. The current residence is not connected to sewer or city water. Per City policy, this can remain until the septic field and well fails, at which time connection to city water will be required as the house is within 50' of city water and sewer. Any development on the newly platted lots will be required to connect to City of Twin Falls water and sewer systems per City Code 10-4-4. A guarantee of services comes when the City Engineer signs a will-serve letter after final plat construction plans are reviewed and approved.

The plat is consistent with other subdivision development criteria and is in conformance with the Comprehensive Plan, which designates this area as "Town Neighborhood."

Conclusion:

Staff recommends the commission approve the preliminary plat of the Temple View Subdivision, as presented, and subject to the following condition:

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.

Attachments:

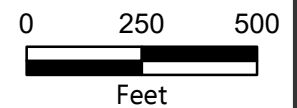
1. Preliminary Plat
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Site Photos

Zoning Vicinity Map

- PUD
- R-1 VAR
- R-4
- R-6

Washington
Park Apts.
250

Valencia
Park
ZDA 0



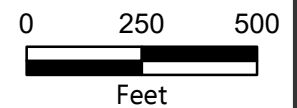
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Zoning Vicinity Map

- PUD
- R-1 VAR
- R-4
- R-6

Washington
Park Apts.
250

Valencia
Park
ZDA 0



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



NW Corner Looking SE



SW Corner looking NE



Public Hearing: **Tuesday, November 14th, 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 operate an automobile sales business on property located at 1102 Kimberly Rd. c/o John Andrew Yurivilca (app. 2902)

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: .49 +/- acres
John Andrew Yurivilca 1102 Kimberly Rd. Twin Falls, ID 83301 208.316.3560 Smarts2k@live.com	Current Zoning: C-1, Commercial Highway District	Requested Zoning: SUP
	Comprehensive Plan: Commercial	Lot Count: 1 Lot
	Existing Land Use: Vacant	Proposed Land Use: Auto Dealership to include auto service and minor repair of vehicles for sale.
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: Kimberly Rd; C-1; Retail & Storage units	East: C-1; Restaurant, Shake Out
	South: Eastern Idaho Rail Road; M-2; S&D Automotive Service & Repair	West: Eastern Idaho Rail Road; M-2; railroad tracks & yard
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-7-12, 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 establish an automobile dealership with auto service and minor repair of the vehicles for sale on property located at 1102 Kimberly Rd.

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

History:

Building records on this property indicate that it was a gasoline service station from the early 70's thru the early 1980s. In 1981, the pumps were removed and it was converted to the Chicken Shack Restaurant.

On July 18, 1983, Special Use Permit (SUP) #0124 was issued for a drive-in window for a restaurant run by Roy Miller.

In 1994, the property was remodeled and a Certificate of Occupancy was issued for the Coin-Op and Drop Laundromat.

On October 27, 1998, SUP #0577 was granted to Bill Hart to operate an automobile sales business on this site, as presented. There were three (3) conditions attached to Special Use Permit #0577: **1)** Comply with arterial landscaping requirements, **2)** Submit an approved parking plan showing traffic flows, and **3)** Delete the westerly approach and add a landscaping strip along that portion of the frontage. On June 30, 2000 the Commission unanimously voted to revoke SUP #0577 due to non-compliance with condition **1)** Comply with arterial landscaping requirements.

On January 28, 2003, the Commission granted SUP #0800 to David Hall for the purpose of operating an automobile sales business on the subject property, as presented. The permit had the following conditions:

- 1) Assure compliance with all zoning and building code requirements including gateway arterial requirements.
- 2) The westerly curb cut is to be closed and arterial landscaping to be placed across it.
- 3) The shared driveway is to be kept open at all times.

On September 13, 2005, the Commission revoked SUP #0800 due to non-compliance with arterial landscaping requirements. Mr. Hall appealed the request to the City Council. On November 7, 2005, the City Council granted the appeal subject to the original three (3) conditions **PLUS** the additional three (3) conditions:

- 4) There are to be (4) trees and (19) shrubs or approved alternate landscaping on the site.
- 5) The plantings are to be kept, weeded, watered, and arranged as adaptable to the site.
- 6) The applicant has at least one (1) year to come into compliance with the Special Use Permit.

On August 11, 2009, the Commission voted to revoke SUP #0800 due to non-compliance with arterial landscaping requirements. Mr. Hall appealed the Commission's decision to revoke SUP #0800 to the Council.

On September 8, 2009, the Council voted to uphold Planning and Zoning Commission's decision to revoke Special Use Permit #0800 with an effective date of August 31, 2010.

On August 31, 2010, Special Use Permit #0800 expired.

The applicant submitted a new application requesting a new special use permit to operate an automobile sales business located at 1102 Kimberly Road.

On July 27, 2010, the Commission unanimously denied the applicants request for a special use permit. The applicant again appealed the Commission's decision. The City Council approved the SUP subject to three (3) conditions:

- 1) Subject to site plan amendments as required by Building, Engineering, Fire and Zoning officials to ensure compliance with all applicable City Code Requirements and Standards.
- 2) Subject to compliance with City Code 10-7-12; Special Landscaping Requirement for Gateway Arterials or submit an alternative landscaping plan (including plan to maintain, water and keep weed free) to be approved by City Staff no later than September 30, 2010.
- 3) Subject to applicant maintaining staff approved landscape strip in front of the westerly Kimberly Road access at all times or the approach is to be removed and curb, gutter and sidewalk to be constructed.

None of the conditions were met and the SUP was voided.

The applicant purchased the property in August 2016. Since the applicant purchased the property, he has fixed up the building, opened up the bay door and cleared the lot of weeds. The applicant began operating when he purchased the property. Code Enforcement responded to numerous calls over the past year or so. There have also been multiple violations issued due to the repair, displaying and selling of vehicles on the lot without an SUP.

Analysis:

This is a request to establish an automobile sales business that includes minor auto service and minor repair only for the vehicles for sale on this property. The property is zoned C-1, which requires a Special Use Permit to operate an auto sales business. The Gateway Arterial Landscaping requirement also applies to this property, as it is along Kimberly Rd. The applicant has given the building a face-lift, opened up the covered service bay door and removed weeds from the lot. The parking area around the structure is also in need of repair and the applicant has stated he has engaged a contractor to get that updated and fixed. This should be added as a condition if the request is granted.

The site plan provided by the applicant shows gateway arterial landscaping and closure of the western most access point. Since the gateway arterial landscaping requirement is 10', there is no need to request display pads, as vehicles cannot be on display within 15' of the back of sidewalk. The applicant has stated he wishes to be permitted to service and perform minor repair of the vehicles he intends to sell on this property. The exposing of the service bay door and request for minor vehicle repair puts the total required parking at 5 spaces. This property is very limited in size and the site plan only shows 3 total spaces. The Commission has historically placed a condition to require all parts associated with the business and all non-operating vehicles be kept either inside an enclosed building or behind a sight obscuring screening fence. With Kimberly Road and Blue Lakes Blvd intersection both being major arterials it would be appropriate to place this condition if the permit is granted.

This is a reasonable request given that this lot has been permitted as a car lot in the past. However, given the overall history of non-compliance with this property, it would be prudent for the commission to require all required improvements be completed prior to issuance of an SUP and/or operation of the business.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Commercial."

Commercial is a more intense use than a mixed-use designation as it does not support residential development but encourages retail, restaurant, and hotel operations. Staff has determined this request complies with the 2016 comprehensive plan.

Per City Code 10-4-8:

A Special Use Permit is required to operate an automobile sales business that services and does minor repair on the vehicles for sale on the sales lot.

Per City Code 10-11-1 thru 8:

Required improvements may include access, landscaping, paving, parking, trash enclosure, lighting, 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 or prior to the city issuing the special use permit.

Possible Impacts:

Staff does not anticipate an increase in negative effects from the operation of an automobile dealership with service and minor auto repair if operated as presented and approved. Considering the history of non-compliance the Commission may consider placing a condition if the special use permit is granted that is be for this applicant only.

Conclusion:

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

1. Subject to the physical closure of the western most access along Kimberly Rd at all times, to be approved by staff, or the approach is to be removed and curb, gutter and sidewalk constructed.
2. Subject to compliance with Gateway Arterial Landscaping.
3. Subject to maintaining staff approved arterial landscape strip along Kimberly Rd.
4. Subject to repair of the parking lot.
5. Subject to minor auto service and minor repair only for the vehicles for sale on this property.
6. Subject to all parts, tools or miscellaneous merchandise associated with the business and all non-operating vehicles kept either inside an enclosed building or behind a sight obscuring screening fence.
7. Subject to this Special Use Permit granted to Mr. John Andrew Yurivilca only. Any change in ownership shall require a new SUP.
8. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.

Attachments:

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

1102 Kimberly Road

I John Andrew Yurivilca am requesting this special use permit, this permit is necessary for the compliance of Planning and zoning to open a new Auto Dealership.

The lot at 1102 Kimberly road has needed improvement since the first time I saw it. That is simply what I am trying to do. Create a pleasant business that compliments its surroundings. Renovations are almost complete to finish the facade. Landscaping will be a big portion of this project. I intend on 11.6 feet of landscaping from the sidewalks edge with curbing to keep in place. 4 trees total 2 at each end. To comply there will be around 14 small bushes to add life to this once desolate lot.

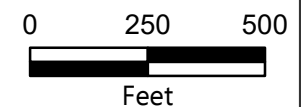
This will start out as a very small business. Repairs and maintenance will be minimal, that of what a basic service station would be capable. Hours of operation will consist of 10am-5pm m-f and 11a-3p Saturday closed Sunday. With a limited space for inventory. Traffic should be minimal, 5-10 cars per day. I will solely start this venture with myself as the only employee. If projections are met and sales assistants are needed I could employee up to 2 other people.

Evaluating the effects of elements of adjoining property

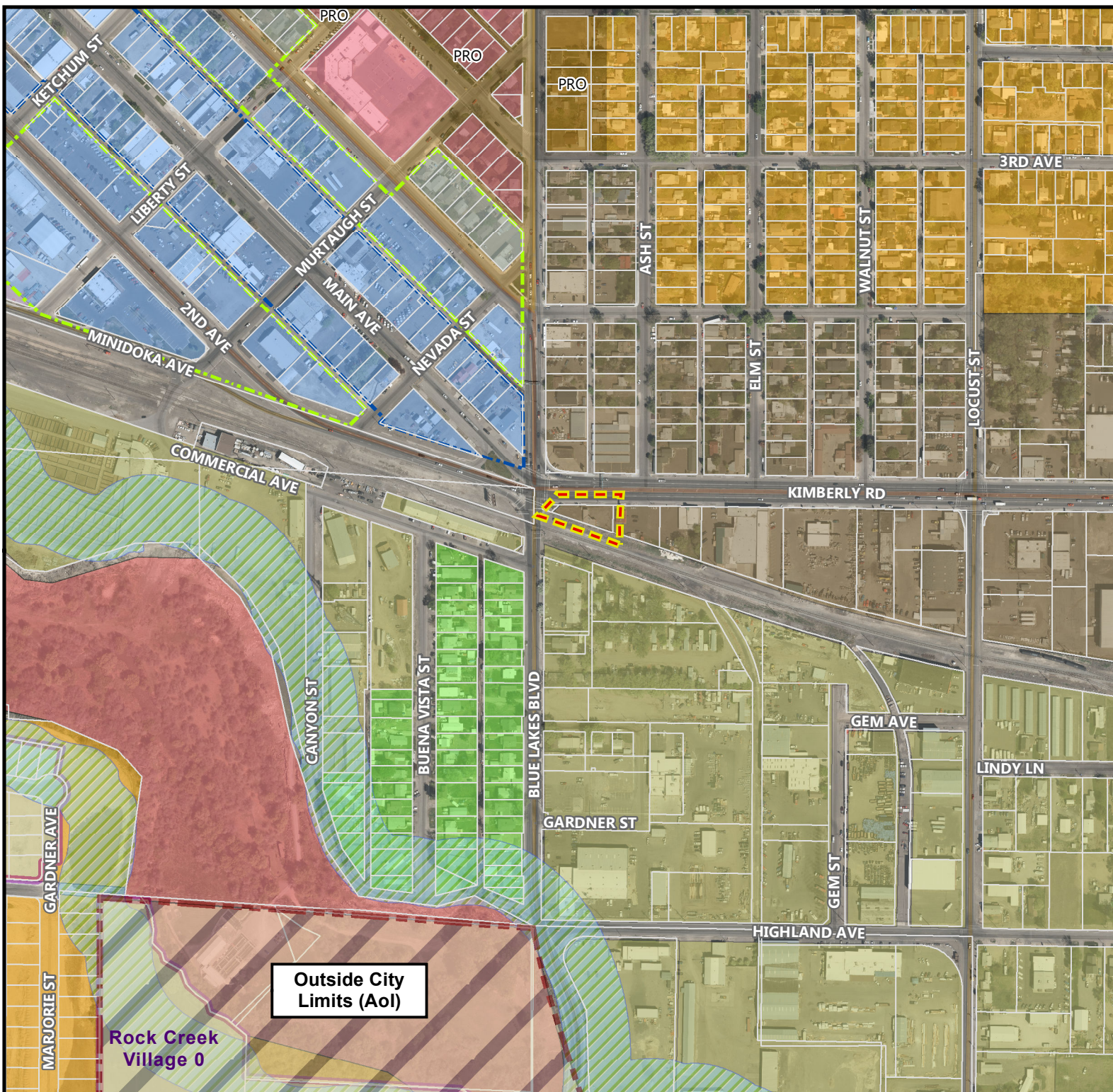
- Noise, minimal no more than an air compressor
- Glare, no changes
- Odor, no odor or idling vehicles
- Fumes and vibration, none

Zoning Vicinity Map

-  Area Of Impact
-  Parking Overlay - One
-  Parking Overlay - Two
-  Original Townsite District
-  CRO
-  PRO
-  PUD
-  C-1
-  C-B
-  M-1
-  M-2
-  OS
-  R-4
-  R-6
-  R-6-MHO-1



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

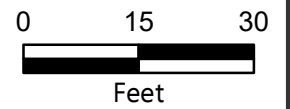


KIMBERLY RD

1102
KIMBE

1186
KIMBE

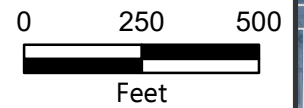
Aerial Map



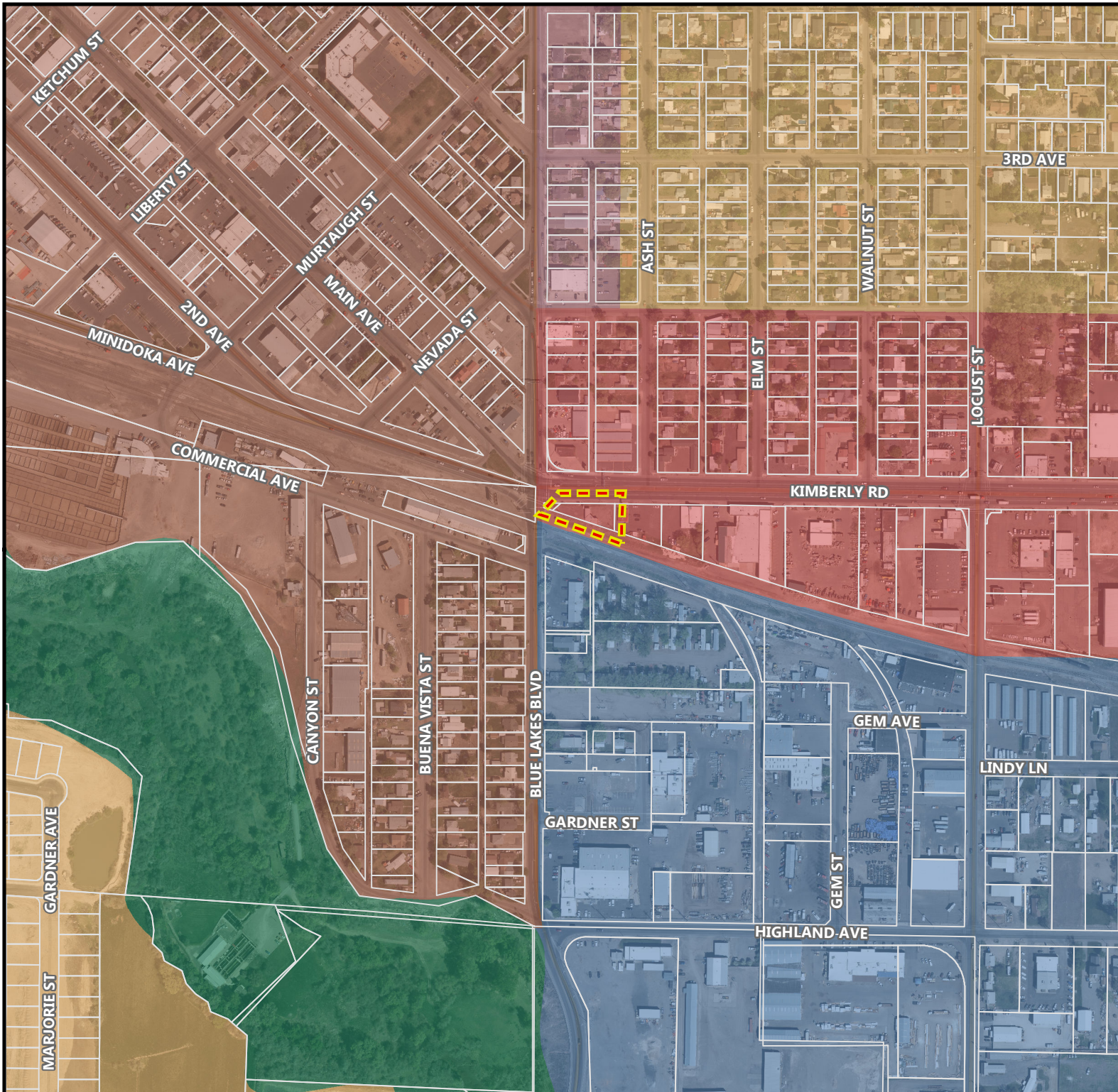
**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

Future Land Use Map

- Commercial
- Downtown
- Industrial
- Neighborhood Commercial
- Natural Areas
- Town Neighborhood

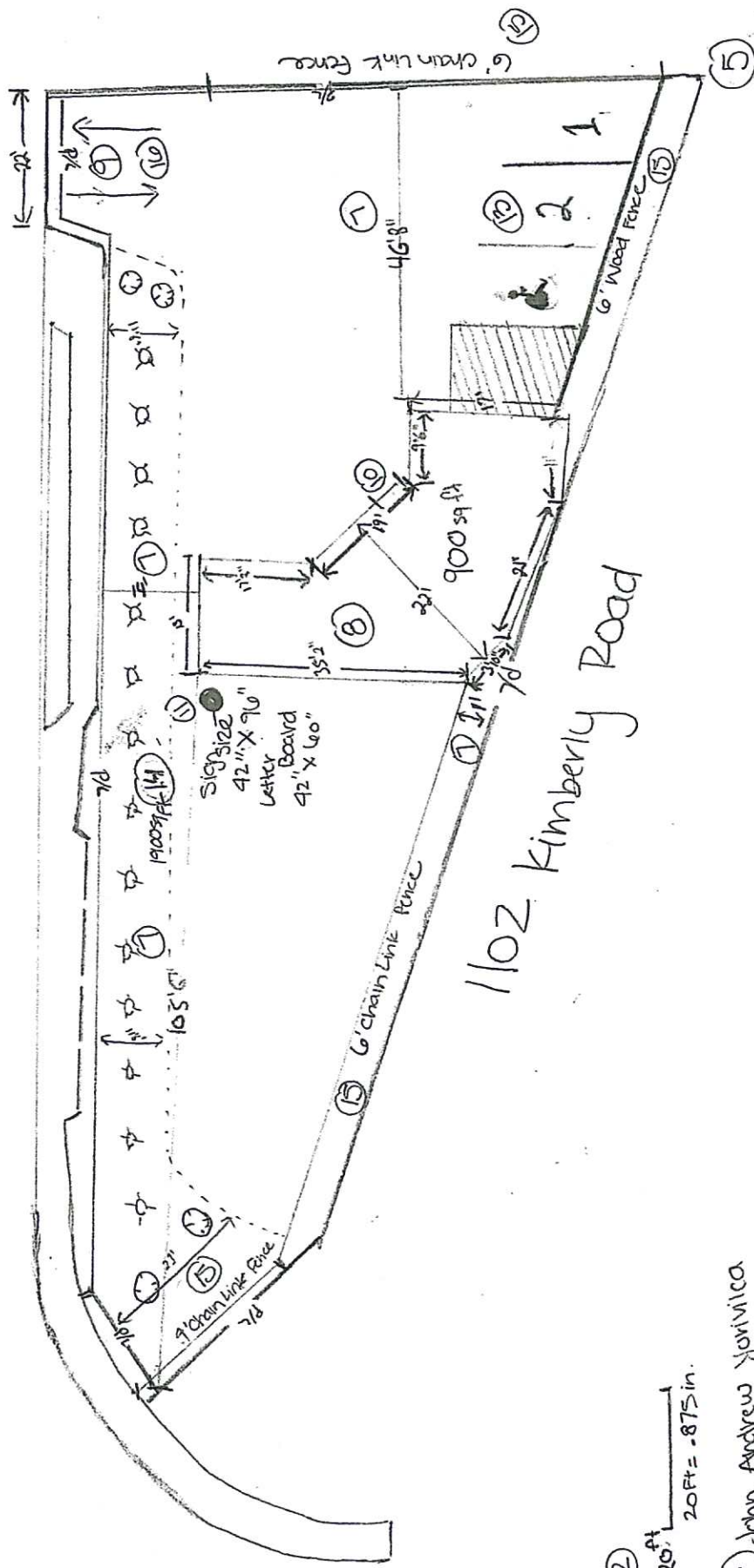


AERIAL PHOTO APRIL 2016
REFERENCE ONLY





⑩ Kimberly Road



SPECIAL USE PERMIT APPLICATION

John Andrew Yurivilca

1102 Kimberly Road
Twin Falls. Idaho 83301

1. North Arrow
2. Scale (Lower left corner) 20'=.875"
3. Legal description: (See next page)
4. Owner: John Andrew Yurivilca
Address: 425 Jeweler street Twin Falls, Idaho 83301
Phone Number: (208)-316-3560
5. Property Line: Solid line around property
6. Streets: Blue lakes, Kimberly Road
7. Set back: 14',105.5'
8. Location of building, sq. ft. and dimensions: 900 sq. ft.
9. Access Driveway
10. Front Entrance
11. Sign Location and size: Main Size 42"x 96" and Letter Board 42"x60"
12. No Fire Lanes
13. Parking Plan: 2 regular parking one handicapped.
14. Landscaping and sq. Footage: 1900 sq. ft. 4 trees 14 bushes surrounded by grass.
15. Fence Type/Size: Around sides and back
16. Direction of Traffic Flow



Southern Property Line



West Corner looking East



NE Corner Looking SW



SE Corner looking NW



Public Hearing: **TUESDAY, November 14th, 2017**

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove, Senior Planner

Editor: Renee V. Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

ITEM 6b

Request: Request for the Commission's **recommendation on a Zoning Title Amendment** to add "Agritourism" in the AG District 10-4-1.2(A) for permitted uses & (B) as allowed by Special Use Permit and to the SUI District 10-4-2.2(A) for permitted uses & 10-4-2.2(B) as allowed by Special Use Permit and to add to Title 10-2-1 the definition of "Agritourism." Kirk & Heidi Tubbs c/o Scott Allen/JUB Engineers, Inc. (app.2903)

Time Estimate:

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

Background:

Applicant:	
Kirk & Heidi Tubbs 1150 South Park Ave. W. Twin Falls, ID 83301 208.961.0969 info@tubbsberryfarm.com	Requested Zoning: Request for a Zoning Title Amendment to Twin Falls City Code Title 10
Representative:	
Scott Allen 115 Northstar Ave. Twin Falls, ID 83301 208.733.2414 sallen@jub.com	Applicable Regulations: 10-2-1, 10-4-1, 10-4-2, 10-14-1 through 7

Approval Process:

All procedures will follow the process as described in TF City Code 10-14: Zoning Amendments.

Zoning Title Amendments, which consist of text or map revisions, require a public hearing before the Planning Commission. Following the public hearing, the Commission may forward the amendment with its recommendation to the City Council. Any material change by the Commission from what was presented during the public hearing will require an additional hearing prior to the Commission forwarding its recommendation to the Council.

After the Council receives a recommendation from the Commission, a public hearing shall be scheduled where the Council may grant, grant with changes, or deny the Zoning Title Amendment. In any event the Council shall specify the regulations and standards used in evaluating the Zoning Amendment, and the reasons for approval or denial.

In the event the Council shall approve an amendment, such amendment shall thereafter be made a part of the Title upon the passage and publication of an ordinance.

Regulatory Impact:

A recommendation from the Planning and Zoning Commission on the proposed Zoning Title Amendment will allow the request to proceed to the City Council. Upon approval by the City Council, an ordinance is later approved and codified.

History:

Since Ordinance 2012 was first adopted in 1981 the AG and SUI zones were identified as RR; Rural Residential and R-1 43,000; Residential Large Lot Districts. In 2004, as part of an update to the Area of Impact Agreement between the County and the City, the names of those two zoning districts were amended to be AG; Agricultural and SUI; Suburban Urban Interface District. The content of the zones remained unchanged.

The purpose of the **AG Zone** “..... is intended to preserve the rural integrity of areas adjacent to the city” with land uses described to allow farming in the form of; **a**-animals on pasture, **b**-trees and plants, and **c**-intense agriculture on parcels 5 acres or larger, as well as fish farms with a special use permit.

The purpose of the **SUI zone** “....is intended to provide a transition district from agricultural land uses to residential land uses within the Area of Impact. This district is also intended as a holding zone for future higher density residential zones, to be annexed and developed when city water and sewer services become available” with land uses that allow minimum one- acre lots per single family residence and allows some cultural and sporting activities by special use permit. The SUI Zone is still considered an agricultural/rural area of town.

In 2013, the state legislature enacted the Idaho Agritourism Promotion Act, which essentially allowed Agritourism as secondary activity in conjunction with an active agricultural operation, and released the owner or operator from liability for the inherent risk in which such an operation presents.

This request looks to add “Agritourism” to the list of land uses in the AG and SUI zones on active agricultural farms.

Analysis:

This request is to add Agritourism to Title 10; Chapter 4 on active agricultural land. The applicant has requested to amend City Code 10-2-1, 10-4-1, and 10-4-2. Agriculture plays a significant role in Idaho’s economy, culture, and history, yet many Idahoans have been removed from that daily experience and do not have the opportunity to interact, with that culture and history. Per the Idaho State Statute 6-3003, the purpose of Agritourism is to provide an opportunity for Idahoans and visitors to Idaho, the chance to understand and experience a working agricultural operation that is still a predominate way of life in Idaho.

After multiple work sessions and phone conversations. The applicant and Staff have developed the following amendments:

- 1) **Add** the term and definition of “Agritourism Activity” as Defined by Idaho State Statute 6-3003 (2013) into City Code 10-2-1: Definitions:

AGRITOURISM ACTIVITY: An accessory use/secondary activity carried out on an active farm or ranch of ten (10) acres or more that allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities including, but not limited to, farming, ranching, historic, cultural, on-site educational farming programs, recreational farming programs that may include on-site hospitality services, guided and self-guided tours, bed and breakfast accommodations, farm animal petting zoos, short term farm festivals, corn mazes, “harvest-your-own” events, hayrides, barn parties, horseback riding, fee fishing and camping. An activity is an Agritourism activity whether or not the participant paid to participate in the activity.

2) **Add “Agritourism Activity”, as a land use to City Code 10-4-1.2(A) and 10-4-1.2(B):**

10-4-1: AG, AGRICULTURAL DISTRICT:

10-4-1.1: PURPOSE: This district is intended to preserve the rural integrity of areas adjacent to the city.

10-4-1.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures, or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Agricultural:

- a. Farms - animals on pasture.
- b. Farms-plants and trees.
- c. Intensive agricultural units of five (5) acres or more without residential facilities.
- d. Agritourism Activities located **more than 750’** from residentially zoned property or residential uses.

(B) Special Uses: A special use may be granted for a permanent use that is not in conflict with the Comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Agricultural:

- a. Farms-Fish
- b. Agritourism Activities **within 750’** of any residentially zoned property or residential uses or any Agritourism activity involving outdoor amplified sound or music.

3) **Add “Agritourism Activity”, as a land use to the City Code 10-4-2.2(A) & 10-4-2.2(B):**

10-4-2: SUI, SUBURBAN URBAN INTERFACE

10-4-2.1: PURPOSE: This district is intended to provide a transition district from agricultural land uses to residential land uses in the area of impact. This district is also intended as a holding zone for future higher density residential zones, to be annexed and developed when city water and sewer services become available. (Ord. 2796, 6-14-2004)

10-4-2.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures, or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Agricultural:

- a. Farms - animals on pasture.
- b. Farms-plants and trees.
- c. Intensive agricultural units of five (5) acres or more without residential facilities.
- e. Agritourism Activities located **more than 750’** from residentially zoned property or residential uses.

(B) Special Uses: A special use may be granted for a permanent use that is not in conflict with the Comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Agricultural:

- a. Farms-Fish
- b. Agritourism Activities **within 750’** of any residentially zoned property or residential uses or any Agritourism activity involving outdoor amplified sound or music.

Staff supports this amendment, as it will allow currently active farms to augment their income and activities to continue their operations while allowing the industry to grow and offer educational opportunities to the younger generation of Magic Valley residents.

However, perhaps the Commission should consider each request prior to operation, either by consideration or by public hearing. The definition, as proposed, offers a minimum size of **ten (10) acres or more** for an active farm or ranch as it relates to this proposed definition. Title 10 Chapter 2 defines a *Farm* as 20 acres or more within the Area of Impact. If the Commission feels **ten (10) acres** is not appropriate, they may motion to amend the minimum acreage of an active farm or ranch to be a more appropriate size for an Agritourism Activity.

In addition, the requirement for a **750' public notice distance** is a proposed distance by staff. The Commission may determine this distance is not appropriate, and motion to amend that distance. There is staff recommendation on the number of attendees that would or would not be appropriate. The Commission may wish to add a number of attendees as permitted. If the anticipated attendees exceeds that number, it may be considered by special use permit. Development Standards to address parking plans, lighting, noise, hours of operation, etc. should be taken into consideration as well.

Conclusion:

The Commission may recommend to the City Council the Zoning Title Amendment as requested, recommend a modification of the proposed amendment, as presented (this may require another public hearing before the Commission), recommend the proposed amendment with staff's proposed modifications, or recommend the amendment be denied.

Attachments:

1. Applicants Narrative
2. Letter of Support

Reason for the Request

Many small farms today are looking to supplemental income in order to make farming profitable, while at the same time there is a surge of public interest in agricultural activities. This has led to a dramatic increase in agricultural or farm based activities for the public often called agritourism or agritainment.

The Idaho Agritourism Promotion Act (Section 6-3003 enacted 2013) defines an Agritourism Activity as: "any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities including, but not limited to, farming, ranching, historic, cultural, on-site educational programs, recreational farming programs that may include on-site hospitality services, guided and self-guided tours, bed and breakfast accommodations, petting zoos, farm festivals, corn mazes, harvest-your-own operations, hayrides, barn parties, horseback riding, fee fishing and camping. An activity is an agritourism activity whether or not the participant paid to participate in the activity."

Agritourism activities allow agricultural land to remain in production while giving farmers a supplemental income source. They also provide the community with another option for recreation, education, and leisure time activities. Agritourism is not currently addressed or defined in current Twin Falls City or County Code, although there are several agritourism type activities currently being conducted in the area. Addressing these activities in city code will help take away some of the grey area surrounding which activities are appropriate or allowed, and provide guidance for agricultural operations looking to include agritourism activities on their farm or ranch.

Nationally, agritourism designations and zoning has been met with enthusiasm from the public and economic success for not only the participating farms, but the entire region. Providing for agritourism activities in Twin Falls City Code will allow agricultural operations surrounding the city to provide places where community members, schools, families, and organizations can learn about and enjoy our agricultural heritage.



Snake River Soil and Water Conservation District
1441 Fillmore St #A • Twin Falls, ID 83301
208-733-5380 • FAX 208-734-5138

August 8, 2017

Twin Falls Planning and Zoning Commission
324 Hansen St. E
Twin Falls, ID 83301

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AUG 14 2017
CITY OF TWIN FALLS
PLANNING & ZONING

Dear Commissioners,

The Snake River Soil and Water Conservation District is writing to support efforts to develop agritourism within the City of Twin Falls. Many operations involved with agritourism are small, family-owned businesses with deep ties to the community. Preserving these operations provides a connection to the rich agricultural heritage of this region. In addition to producing healthy local food and preserving pockets of farmland, the Snake River SWCD believes agritourism can help protect critical soil and water resources.

Smaller operations are often able to pioneer new technology that may not be cost-effective on a large commercial scale. Drip irrigation is one example of a technology many small farms have embraced that can reduce both irrigation water usage and the potential for irrigation erosion into Rock Creek or the Snake River.

Consumers who visit these farms are often looking for organic produce which encourages these small farms to use cover crops to provide needed plant nutrients. Over 95 percent of the cropland in Twin Falls County is considered to be highly erodible and vulnerable to wind erosion events. Keeping a cover crop growing throughout as much of the season as possible helps armor the soil against wind erosion. Cover crops often provide key habitat for pollinators and other wildlife living in the rural/urban interface.

Educating future consumers about the importance of protecting fragile soil and water resources is a high priority for the Snake River SWCD. The district works with local students through environmental education days along with the annual poster and speech contests. But without small farms near urban centers where children can actually see crops and animals, soil and water, lessons lack the emotional connection needed to reinforce scientific concepts.

The Snake River SWCD asks you to help agritourism grow and thrive within Twin Falls by simplifying the zoning process for agritourism enterprises.

Matt Nail
Snake River SWCD chairman