



MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
August 13, 2013 6:00PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Gerardo "Tato" Munoz Chuck Sharp Jolinda Tatum
Chairman

AREA OF IMPACT:

Lee DeVore Steve Woods

Vice-Chairman

City Council Liaisons

Suzanne Hawkins Rebecca Mills Sojka

ATTENDANCE

CITY LIMIT MEMBERS

Present

Boyd

Frank

Grey

Munoz

Sharp

Tatum

Absent

Derricott

AREA OF IMPACT MEMBERS

Present

Woods

Absent

DeVore

LIAISONS

Present

Hawkins

Absent

Mills Sojka

CITY STAFF: Carraway, Spendlove, Strickland, Vitek, Wonderlich

I. CALL MEETING TO ORDER:

1. Confirmation of quorum
2. Introduction of staff

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **July 23, 2013**
2. Approval of Findings of Fact and Conclusions of Law: **NONE**

III. ITEMS OF CONSIDERATION:

1. Consideration of a recommendation to the City Council regarding a proposed amendment to the Urban Renewal Plan #4 that expands Revenue Allocation Areas #4-1 c/o Melinda Anderson, Economic Development Director (app. 2591)

IV. PUBLIC HEARINGS:

1. Request for a Special Use Permit to add a U-Haul truck and trailer rental business in conjunction with an existing retail store on property located at 850 Shoshone Street West c/o Wes Overlin on behalf of Twin Falls Community Market (app. 2554) **WITHDRAWN**
2. Request for a Non-Conforming Building Expansion Permit to add 1188 Sq. ft. to an existing legal non-conforming building on property located at 1519 Kimberly Road c/o Mary Pierce dba Pioneer-Club (app. 2584)
3. Request for a Special Use Permit to operate a Community Event Center, to include private parties, weddings, receptions, art shows, plays, with extended hours of operation until 1 AM seven days a week, on property located at 136 Main Ave North c/o Lisa Douda (app. 2588)
4. Request for a Special Use Permit to operate a hookah lounge with extended hours of operation from 6:00 PM to 1:00 AM on weekdays and 6:00 PM to 3:00AM on weekends, on property located at 677 #D Filer Avenue/Campus Commons Shopping Center c/o Artem Petrosyan on behalf of the Hookah Paradise (app. 2589) **WITHDRAWN**

Planning & Zoning Commission Minutes

August 13, 2013

V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

VI. UPCOMING PUBLIC MEETINGS: (held at the City Council Chamber unless otherwise posted)

1. Public Hearing-**Tuesday, August 27, 2013** 6:00 PM
2. Work Session-**Wednesday, September 4, 2013** 12:00 PM-1:00 PM

VII. ADJOURN MEETING:

MINUTES

I. CALL MEETING TO ORDER:

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

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **July 23, 2013**
2. Approval of Findings of Fact and Conclusions of Law: **NONE**

III. ITEMS OF CONSIDERATION:

1. Consideration of a recommendation to the City Council regarding a proposed amendment to the Urban Renewal Plan #4 that expands Revenue Allocation Areas #4-1 c/o Melinda Anderson, Economic Development Director (app. 2591)

APPLICANT PRESENTATION:

Melinda Anderson, Economic Development Director, stated she would like to update the Commission on the Urban Renewal Agencies recent activity. Yesterday the URA closed Revenue Allocation Area 4-2. This area was actually created in 2007 to assist JAYCO with their expansion. Originally JAYCO came to Twin Falls in 2005 and began business in an existing building located on Washington Street South. The building and the property was not ideal for their operation so they decide to build a brand new facility. The new building was construction on Hankins Road just south of Eldridge and the property consisted of approximately 176 acres. The kept 76 acres for their own operations and created an industrial park with the remaining 100 acres. To help JAYCO with their investment the URA created Revenue Allocation Area 4-2 to help pay for Eldridge Road which was extended through the business park and JAYCO was reimbursed for the infrastructure. When the Revenue Allocation Area 4-2 was created the total assessed value of this area in 2007 was approximately \$2.7 million dollars as of last year in 2012 the assessed value of this same area was \$14.8 million. The Revenue Allocation Area 4-2 was created to last for 10 years to close in 2017 but because the agency has completed its reimbursement requirement to JAYCO the URA Board decided to close the area. Within the past year the Agency has received about \$200,000.00 in property tax income from Revenue Allocation Area 4-2, this money would normally go to the URA however now that this area has been closed the money will go to all seven of the taxing districts.

She stated tonight's request is about a proposal to amend the URA Plan #4 and expand Revenue Allocation Area #4-1. At the July Urban Renew Agency meeting the Board approved the expansion of Revenue Allocation Area 4-1. This area is the oldest and largest of the TIFF Districts. She

reviewed on the overhead the existing area and the expansion. The Revenue Allocation Area 4-1 consists of approximately 608 acres. Once a district is created a plan is created for that district, this plan tells the public what is going to be done in the area, how much money it is going to take and how much money would be received in property tax income. The plan can be amended once after it is created; it can't expand over 10% of the existing districts geographic area. This expansion is approximately 60.5 (+/-) acres; it still has to remain under 10% of the City's total assessed value. The boundaries of the expansion must be adjacent to current district boundaries; it can't go passed the current expiration date and the current 4-1 plan has an expiration date of 2022. So the reason for this expansion is because that has been an increased focus on the downtown area and the current downtown infrastructure could use some major help. The water and sewer lines are old deteriorating or just in adequate in size. There is a need for sidewalks, lighting, landscaping, street improvements and possibly new parking. These area things the URA can provide assistance with in order to create investment into downtown. The estimate over an 8 year period could cost an estimated \$10 million dollars. The plan was created to address the improvements and gathered public input.

STAFF PRESENTATION:

Zoning & Development Manager Carraway displayed the exhibits on the overhead and reviewed the request. The role of the Commission with regards to this request is to provide a recommendation to the City Council whether or not this request is in conformance with the long term planning documents to include the Comprehensive Plan and the Strategic Plan. The Strategic Plan addresses parking structures and issues in the downtown area; this change should help potential businesses that are leery about investing in the downtown area. Staff is in support of this change.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Woods asked if this did not get approved how these improvements would occur.
- Economic Development Director Anderson stated it would have to come out of the City budget and currently there are not any funds budgeted for these types of projects. Therefore the Citizens would be paying for the improvements. The mechanism that allows for these improvements comes from increased property value in the overall district. So the 608 (+/-) acres included in the original Revenue Allocation Area 4-1 has continually gone up in value over the years by adding these 17 blocks it will increase that value. As properties get on the tax rolls the assessed value will go up. For example; last week there was a grand opening for Glanbia Headquarters and their Cheese Innovation Center, because that investment was made and is owned by a private party the increase value will go into the Revenue Allocation Area 4-1; which in turn will help with new projects that want to move forward.
- Commissioner Frank confirmed that the projects essentially pay for themselves.
- Economic Development Director Anderson, she explained that the base taxes that are currently calculated for the 17 blocks continues to be paid to the 7 taxing districts, any new property tax generated because the property values have increased would then go to the URA for the next 8 years to help pay for the infrastructure work that needs to be done.
- Commissioner Woods asked if there has been any pre-planning for what needs to be done and have the property owners in this area had input on the project.
- Economic Development Director Anderson stated that currently the URA is working with JUB Engineering to do a full infrastructure assessment, primarily in old town but also in some areas of downtown. They have been working with the merchants and will continue to work with the merchants throughout the process.

PUBLIC HEARING: OPENED AND CLOSED WITHOUT CONCERNS

DELIBERATIONS FOLLOWED:

Commissioner Munoz stated this should be a win/win situation because the improvements will increase the property value and will bring growth into the area.

Commissioner Grey asked if there is a priority for projects when planning takes place.

Assistant City Engineer Vitek explained that there is major infrastructure repair needed in this area, which would be a priority. There are portions of the sewer and water system that have been there since the original townsite. They have found undersized pipes, some that go through basements that need to be rerouted, parking structures would be considered if a major business came into the area with a proposal for one.

Commissioner Woods stated there are only two things that can happen, things can only move forward or go backwards, things can't stay the same. If improvement of the downtown area is a priority this needs to happen.

Commissioner Munoz stated he thinks that the infrastructure repairs need to happen and that this plan is in conformance with the Comprehensive Plan and the Strategic Plan.

City Attorney Wonderlich stated that the motion is to find that the amended plan is in conformance with the Comprehensive Plan and approve the Findings of Fact and Conclusions of Law. He explained that the Commission can say so moved. He explained the first decision is to determine if the request is in conformance with the Comprehensive Plan and the second is to decide if the request should be recommended for approval to the City Council

MOTION:

Commissioner Frank accepted the motion, as presented, that the proposed Amended Urban Renewal Plan for Revenue Allocation Area #4-1 is in conformance with the Comprehensive Plan, the objective of the zoning ordinance, and is in conformity with the general plan for the development of the municipality as a whole and to recommend approval of the request to the City Council. Commissioner Tatum seconded the motion. All members present voted in favor of the motion.

**RECOMMEND THAT THE CITY COUNCIL OF APPROVE THE
AMENDED URBAN RENEWAL PLAN FOR REVENUE ALLOCATION AREA #4-1, AS PRESENTED**

IV. PUBLIC HEARINGS:

1. Request for a Special Use Permit to add a U-Haul truck and trailer rental business in conjunction with an existing retail store on property located at 850 Shoshone Street West c/o Wes Overlin on behalf of Twin Falls Community Market (app. 2554) **WITHDRAWN**
2. Request for a Non-Conforming Building Expansion Permit to add 1188 Sq. ft. to an existing legal non-conforming building on property located at 1519 Kimberly Road c/o Mary Pierce dba Pioneer-Club (app. 2584)

APPLICANT PRESENTATION:

- Marv Pierce, the applicant is requesting to put a storage unit on unused land that is located behind the Pioneer Club. There will be no increase in employees due to this change, parking spaces will not be removed and it will make the property look cleaner. He stated that the fencing on the northern property line will be replaced; however he does have an issue with fencing along the east. He stated that an agreement was made a few years ago with the

Planning & Zoning Commission Minutes

August 13, 2013

property owner to the east so that the cars for the neighboring property would be able to get into and out of the residential property that is next door. He has a proposal to install a fence on a portion of the east property and leave the shrubs in place to provide better screening between the parking area and the adjacent residential property. He stated that when this project is complete the parking area will be resurfaced, striped and have the handicap space redone.

- John Larimer, the Engineer, stated that the reason for the request is because the building is too close to the center line of Kimberly Road, making this an expansion to a non-conforming building.

STAFF PRESENTATION:

Planner I Spendlove displayed the exhibits on the overhead and reviewed the request along with the history of the property. The building files go back as far as 1976 for this lot. In 1981 an Ordinance was passed which created the zoning of the property which is currently zoned C-1; Commercial Highway District. In 2005 the applicant applied for a Non-Conforming Building Expansion Permit which was approved with the condition that parking and maneuvering areas be paved and striped, these conditions were met. In 2008 the applicant applied for another Non-Conforming Building Expansion Permit for a walk-in cooler with no additional conditions. The building which is being expanded upon is within the 80' center line setback. The expansion will take place on the north side of the building, it will not decrease the existing parking nor will it change any other function of the lot or operations. The space is going to be used for storage; the property is surrounded by commercially zone property. The reason for the request is for Non-Conforming Building Expansion permit. The main impact to the neighboring properties is the construction of the facility and visual impacts to the neighbors to the north and east that are by products of a commercial business. With this in mind, it would be appropriate to have a sight obscuring fence installed along the north and east property lines to separate the commercial use from the existing residential uses.

Planner I Spendlove stated upon conclusion should the Commission grant this request, as presented, staff recommends 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 the installation of a sight obscuring fence being constructed on the North and East portion of the property.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Frank asked if shrubbery can account for screening between properties.
- Planner I Spendlove stated it could there have been other places where staff has accepted this as an alternative to a fence.
- Zoning & Development Manager Carraway confirmed that staff would be willing to work with the applicant with regards to the screening materials, especially since the applicant has worked with the neighbor on this issue.
- Commissioner Munoz asked if the applicant could clarify what the finished product will look like when it is complete.
- Mr. Pierce stated that the materials on the exterior will be tongue and groove cedar and will blend in with the existing building.

PUBLIC HEARING:

Carl Wormsbaker 3770 N 3700 E Kimberly, Id asked about the parking and if the expansion is for storage or expansion of the bar.

Mr. Pierce explained this will not reduce the parking and it will only be used for storage.

DELIBERATIONS FOLLOWED:

Commissioner Munoz stated he didn't have any concerns.

Commissioner Woods stated he sees this as an opportunity to repair and replace the fencing with better sight obscuring materials.

MOTION:

Commissioner Woods made a motion that the request be approved as presented with an amendment to condition #2 stating that the applicant will work with staff regarding screening materials. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

APPROVED, AS PRESENT, 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 the installation of a sight obscuring fence on the North property line and an alternative screening material along the East property line as approved by City Staff.
3. Request for a Special Use Permit to operate a Community Event Center, to include private parties, weddings, receptions, art shows, plays, with extended hours of operation until 1 AM seven days a week , on property located at 136 Main Ave North c/o Lisa Douda (app. 2588)

APPLICANT PRESENTATION:

Lisa Douda, the applicant stated they would like to use this space to have an event center. The hours of operation are being request to be open until 1:00 AM because it is consistent with regular bar hours. They are not interested in catering and will be encouraging the use of other businesses for this type of service. They will be operating mostly during the time that the businesses in the area are not open. They have provided a parking clause in their contract showing the primary parking designation area and showing the clients where there patrons are asked to park allowing Main Avenue to stay open for customer parking for local businesses. The client has to go through a business that has a catering license and the applicants will provide the onsite security.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Woods asked what the plan is for handling dumpsters.
- Ms. Douda stated they are responsible for managing their trash and there is a dumpster on site.
- Commissioner Woods asked if the parking area is lighted.
- Ms. Douda stated there are lights on a timer but at a certain time the light remains on for safety.
- Commissioner Munoz asked about the cleaning-up of the event center and the parking area.

- Ms. Douda stated they attend all of the parties and they are responsible for keeping the front of the building to the center of the street and from the back of the building to the center of the alley clean. The clients are not allowed to use glass and will be supervised if they are outside of the building.

STAFF PRESENTATION:

Planner I Spendlove displayed the exhibits on the overhead and reviewed the request along with the history of the property. In 1981 an Ordinance was passed which created the zoning of the property which is currently zoned CB, Central Business District with a P-1; Parking Overlay for this property. The purpose of the request is for a Special Use Permit to operate an event center with extended hours. Currently the applicant operates a retail space in the building for rentals which is an allowed use in this zone. The Special Use Permit is specific to the party event area. There are no setbacks or landscaping requirements because there is no parking area required in this area and no off-street parking is required because it is in the P-1; parking overlay zone. The applicant has provided a plan to show where they are going to direct people to park leaving the parking spaces along Main Avenue open for the businesses along that street, minimize impacts to the neighbors. This property is in a commercial retail area with a variety of business along Main Avenue, staff does not expect the approval of this request to impact the area adversely. The event center being allowed in the space prior to the neighboring spaces being occupied allows the new tenants the opportunity to know this is an event center and what to expect. Staff would request a written statement from the applicant regarding a plan for managing litter outside the building, additional security risks and noise levels. Parking for the events will have an impact and because this is public parking it will be a first come first serve basis.

Planner I Spendlove stated upon conclusion should the Commission approve the request as presented, staff recommends 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 a written plan addressing trash cleanup, security and noise level for events being approved by staff.
3. Subject to permit being issued to Soiree 12 c/o Lisa Douda, with any change of ownership requiring resubmittal for a Special Use Permit.

PUBLIC HEARING: OPENED & CLOSED WITHOUT COMMENTS

DELIBERATIONS FOLLOWED:

- Commissioner Woods asked if the Commissions should consider future plans for the area and noise impacts to the area.
- Commissioner Frank stated the residents had an opportunity to come and speak for or against the request tonight and as for the future this would be an existing business at the time, and they were there first.
- Commissioner Munoz stated there may be some impacts to the neighboring buildings but not very much. The business needs to be in place to attract the growth in the area.
- Commissioner Woods stated his gut says first come first serve so he is not too concerned but he wanted to see how the rest of the Commission felt.
- Commissioner Frank stated he is not concerned.

Planning & Zoning Commission Minutes

August 13, 2013

- Commissioner Tatum asked what the maximum occupancy would be for the space.
- Planner I Spendlove stated this has not been determined the applicant has to have the Special Use Permit first and this information is determined upon review of the building permit application.

MOTION:

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

APPROVED, AS PRESENTED, 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 a written plan addressing trash cleanup, security and noise level for events being approved by staff.
3. Subject to permit being issued to Soiree 12 c/o Lisa Douda, with any change of ownership requiring resubmittal for a Special Use Permit.
4. Request for a Special Use Permit to operate a hookah lounge with extended hours of operation from 6:00 PM to 1:00 AM on weekdays and 6:00 PM to 3:00AM on weekends, on property located at 677 #D Filer Avenue/Campus Commons Shopping Center c/o Artem Petrosyan on behalf of the Hookah Paradise (app. 2589) **WITHDRAWN**

V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION: NONE

VI. UPCOMING PUBLIC MEETINGS: (held at the City Council Chamber unless otherwise posted)

1. Public Hearing-**Tuesday, August 27, 2013** 6:00 PM
2. Work Session-**Wednesday, September 4, 2013** 12:00 PM-1:00 PM

VII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 7:15

Lisa A Strickland
Administrative Assistant
Community Development Department