



Twin Falls Planning & Zoning Commission Agenda

Tuesday, December 19, 2017, 2:00 PM

305 3rd Avenue East
Twin Falls, ID 8330

SPECIAL MEETING

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
- 5) Items of Consideration
- 6) Public Hearings
 - a) Request for a **Non-Conforming Building Expansion** to add (66') Sixty Six square feet to a legal non-conforming building located at 1879 Addison Avenue East c/o Brian Scott (app. 2912)
Purpose: Action By: Steve O'Connor Planner I
- 7) Items for Discussion
 - a) Signs (Flags)
 - b) Special Use Permit Violation Process
 - c) 2018 Planning & Zoning Draft Meeting Schedule
- 8) Upcoming Meeting(s)
 - a) January 3, 2018 Work Session with Public Hearing Item
 - b) January 9, 2018 Public Hearing
- 9) 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.



Public Hearing: **Tuesday, December 19th, 2017**

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove, Senior Planner

Editor: Renee V. Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 6a

Request: Request for a Non-Conforming Building Expansion Permit to add Sixty-Six square feet +/- (66 sq. ft.) to a legal non-conforming building on property located at 1879 Addison Ave East. c/o Brian Scott/SIPS (app. 2912)

Time Estimate:

The applicant's presentation may take up to fifteen (15) minutes. Staff presentation will be approximately ten (10) minutes.

Background:

Applicant:	Status: Owner	Size: 0.31 (+/-) acres & 920 sf building
Brian Scott 2858 Sunray Loop Twin Falls, ID, 83301 208.251.3512 bescott@gmail.com	Current Zoning: C-1, Commercial Highway District	Requested Zoning: Non-Conforming Building Expansion Permit
	Comprehensive Plan: Neighborhood Commercial	Lot Count: 1 Lot
	Existing Land Use: Vacant	Proposed Land Use: Eating Place with a drive-thru
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: C-1; Commercial; Parking Lot	East: Morningside Dr.; C-1; Commercial; Gas Station
	South: Addison Ave E; C-1; Commercial/Retail	West: C-1; Commercial/Retail/Office
	Applicable Regulations: 10-1-4, 10-1-5, 10-3-4(D), 10-4-8, 10-7-6, 10-10-3, 10-11-1 9	

Approval Process:

As per TF City Code: 10-3-4 NONCONFORMING USES OR BUILDINGS

A building or use made nonconforming but which was lawfully existing or under construction at the time of adoption hereof may continue to be used or occupied, subject to the provisions of this section. The requirements of this section may be waived for residences and residential uses by motion and minute entry of the city council.

[...]Permits To Expand Nonconforming Buildings Or Conforming Buildings Housing A Nonconforming Use: The city planning and zoning commission may authorize the issuance of a nonconforming building expansion permit.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to expand a legal non-conforming commercial building based on current City Codes.

History:

The current structure was built in 1979 according to Building Department records. It was Red Steer and then Taco John's for about 30 years. A Special Use Permit to allow a drive-thru window was granted in 1978 by the City Council by Ord 1891 for the building under construction. Burnt Lemon Grill was the most recent establishment to occupy this space until they moved to a new location earlier this year. The applicant wishes to utilize this space in the same manner as the previous occupants.

Analysis:

This is a request to expand a commercial building on property located at 1879 Addison Ave. E. by 66 sq. ft. The property is zoned C-1; Commercial. The C-1 zone allows a restaurant with a drive-thru window by Special Use Permit. The Special Use Permit was granted by the City Council in 1978. Currently, the structure is 67' +/- from the centerline of Addison Ave. E. City Code 10-7-6 requires a front yard building setback of 80' from the centerline of Addison Ave from Washington Street to Eastland Drive. As the building is not 80' from centerline yet built prior to this regulation it is classified as a Legal Non-Conforming Building. City Code 10-3-4 allows a process where the Commission may grant an expansion of a legal non-conforming commercial building by public hearing. The expansion, if approved, would expand the west side of the build to allow for an easier and more efficient drive-thru experience. The proposed expansion, as presented, would not encroach further into the 80' centerline set back.

Staff has reviewed has reviewed this request and does not have issue with an expansion of the west side of the building, as presented.

Conclusion:

Should the Commission grant the request, as presented, staff recommends the following condition:

- 1) Site Plan Amendments As Required By Building, Fire, Engineering, and Zoning Officials to Ensure Compliance with All Applicable City Code Requirements and Standards.

Attachments:

1. Letter of Request
2. Zoning Map
3. Aerial
4. Future Land Use Map
5. Site Plan
6. Aerial with Site Plan
7. Site Photos

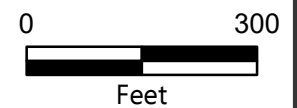
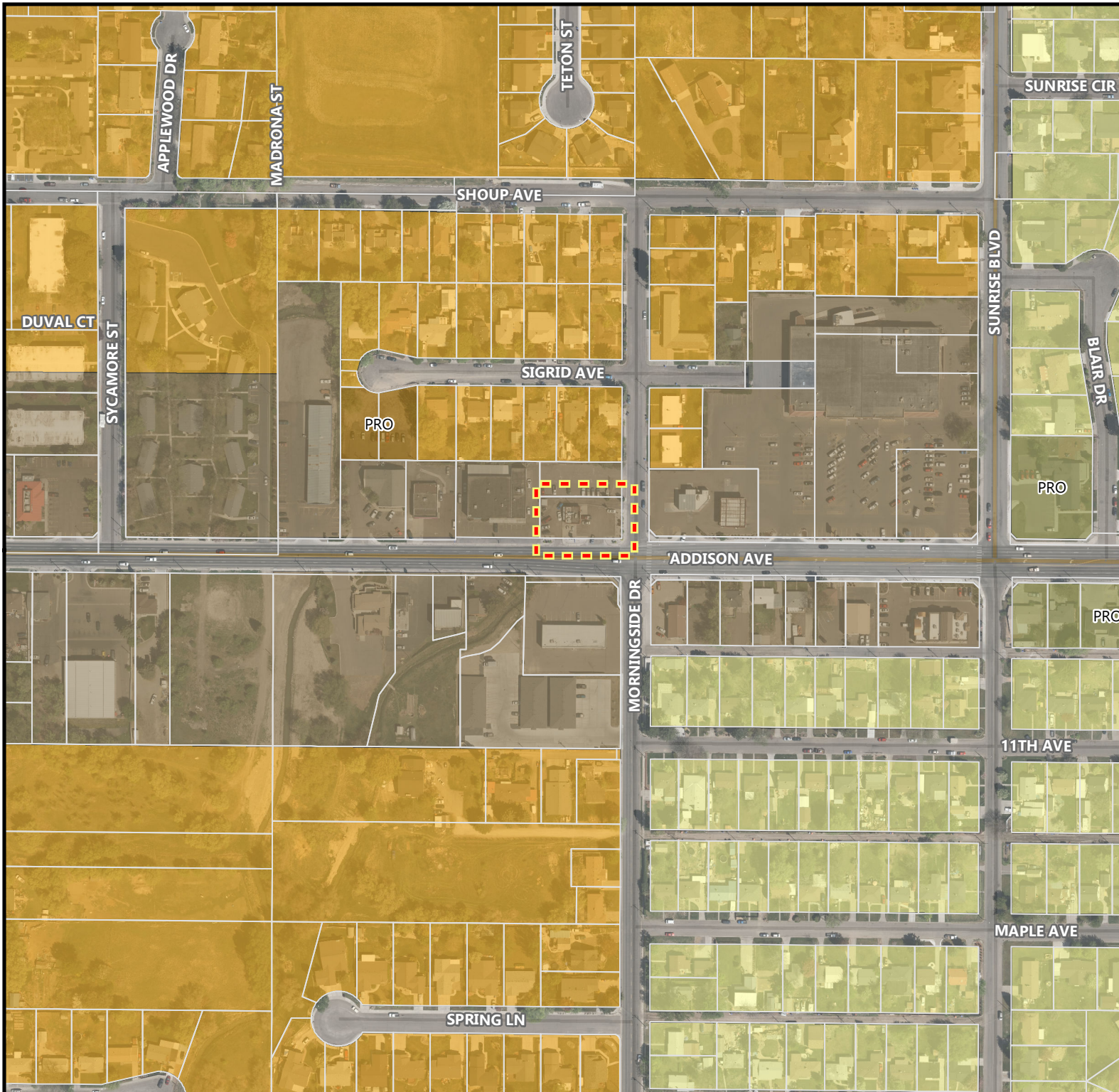
11/8/17

Twin Falls Planning and Zoning,

- (A.) The request for this non-conforming use permit is to allow for an addition to the existing structure located at 1879 Addison Ave East Twin Falls. The proposed addition will be an expansion to the drive through service window allowing customer to better access the service window.
- (B.) Adding 6' x 10' onto existing drive through window
- I. 8:30 am - 9 pm Monday - Thursday
8:30 am - 10 pm Friday - Saturday
 - II. 180 - 250 orders Daily
 - III. 5-10 employees
- (C.)
- I. N/A <Noise>
 - II. N/A <Glare>
 - III. N/A <Odor>
 - IV. N/A <Fumes>
 - V. NA

Zoning Vicinity Map

- PRO
- C-1
- R-2
- R-4



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

1863
ADDIS

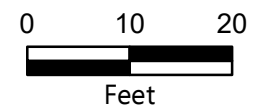
1879
ADDIS

80'-0"

ADDISON AVE

MORNINGSIDE DR

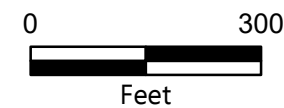
Aerial Map



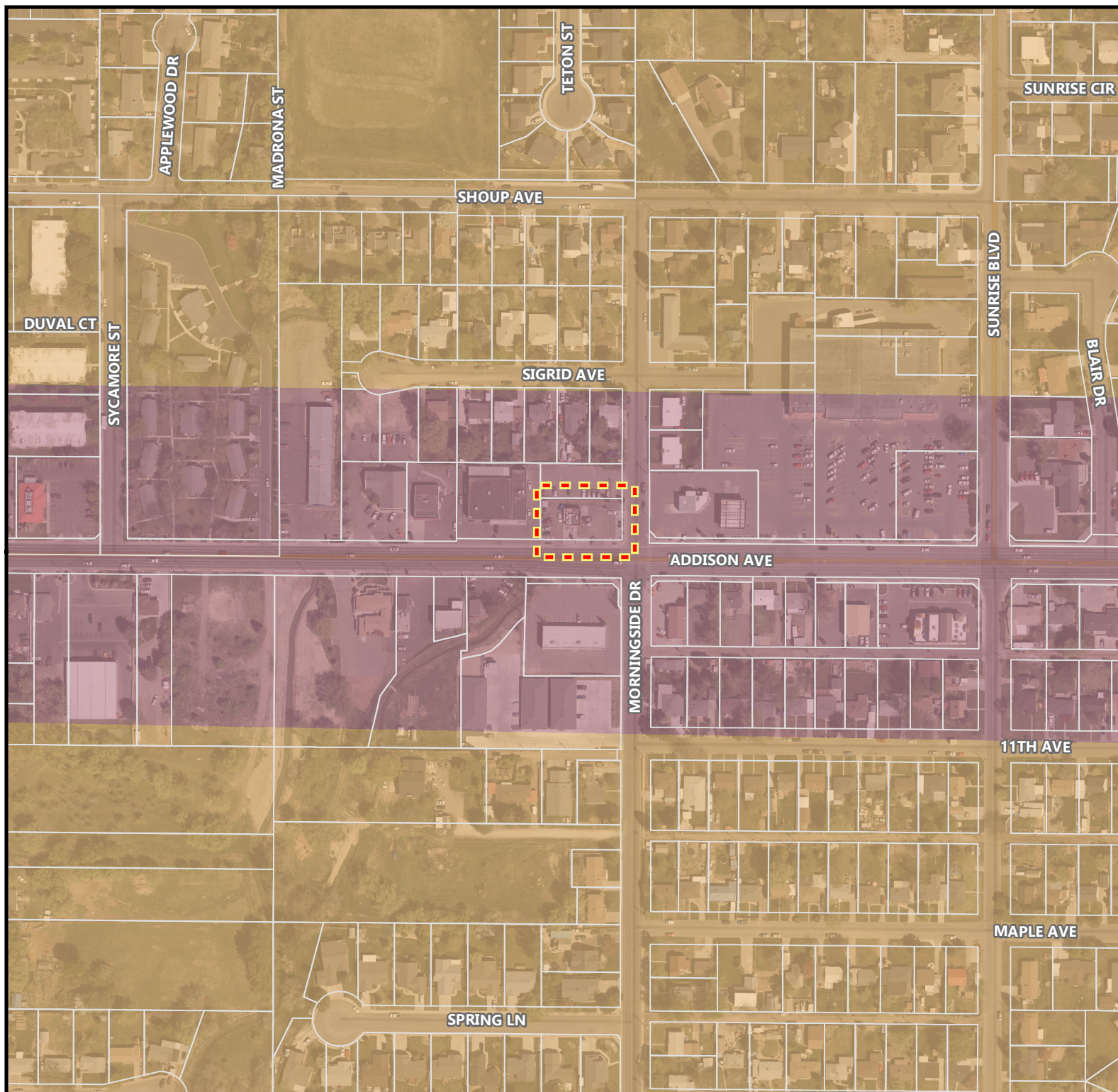
AERIAL PHOTO APRIL 2016
REFERENCE ONLY

Future Land Use Map

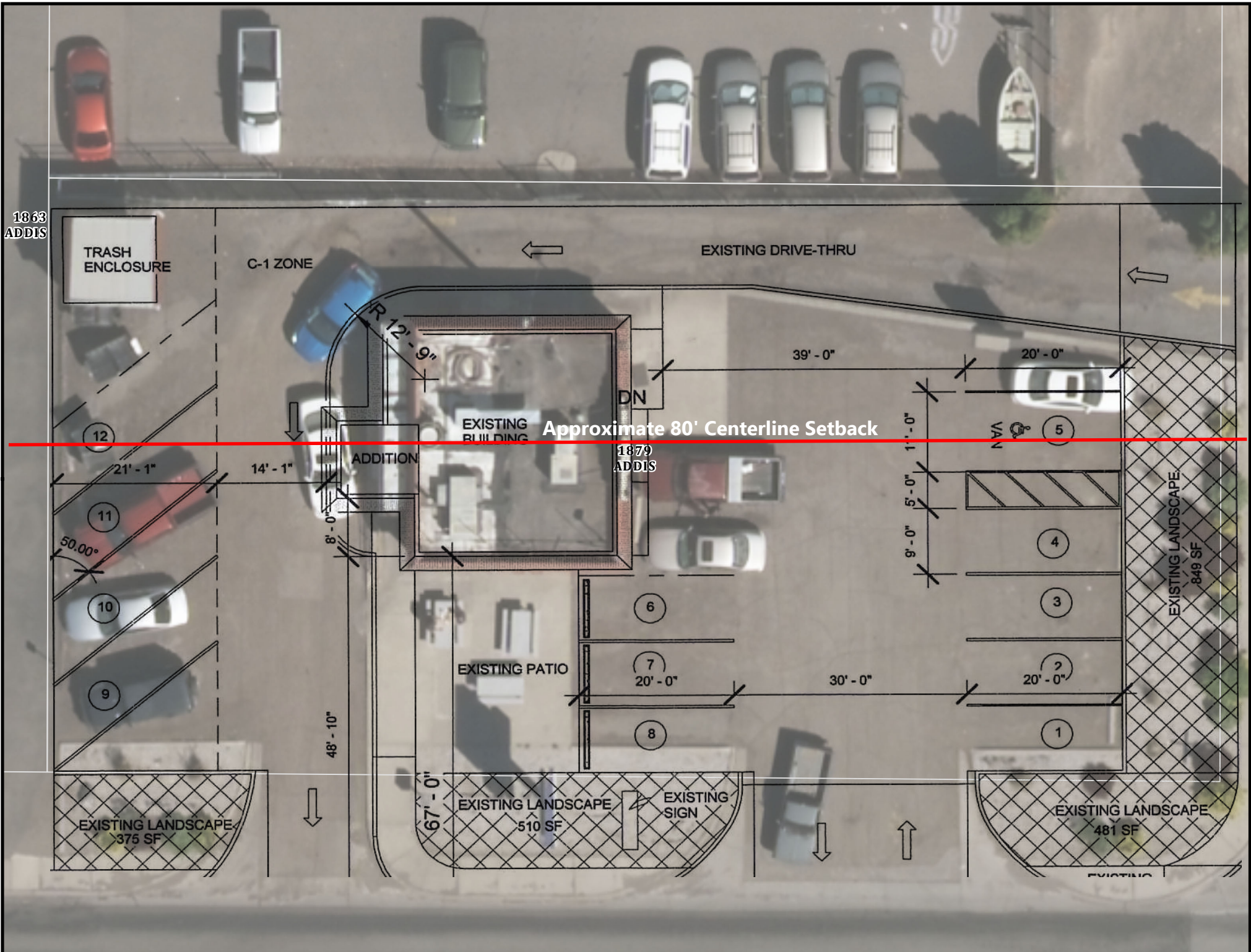
- Neighborhood Commercial
- Town Neighborhood



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



1863
ADDIS





SE Corner Looking NW



SW Corner Looking NE



West Side looking N



West Side looking S



CITY OF TWIN FALLS
Planning & Zoning Department
203 Main Avenue East, Twin Falls, ID
83301
Phone: 208-735-7267
Fax: 208-735-6644

PLANNING & ZONING COMMISSION 2018 MEETING SCHEDULE

The following is the **2018** schedule of regular Planning & Zoning Commission meetings. Meetings are generally held on the 2nd and 4th Tuesdays of the month, unless otherwise posted, starting at **6:00 P.M.** and are held in the **City Council Chambers** located at **203 Main Avenue East**, Twin Falls, Idaho.

Meetings

January 09
January 23

February 13
February 27

March 13
March 27

April 10
April 24

May 08
May 22

June 12
June 26

Meetings

July 10
July 24

August 14
August 28

September 11
September 25

October 09
October 23

November 13
November 27

December 11

PLANNING & ZONING COMMISSION WORK SESSION MEETING SCHEDULE

January 03
February 07
March 07
April 04
May 02
June 06

July 11 (2nd Wednesday)
August 01
September 05
October 03
November 07
December 05