



Twin Falls Planning & Zoning Commission Agenda

Tuesday, January 9, 2018, 6:00 PM

203 Main 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 Findings of Fact and Conclusions of Law for the following:
 - Amazing Grace Fellowship (SUP Amend 01-03-18)
- 5) Items of Consideration
- 6) Public Hearings
 - a) Request for a **Special Use Permit** to operate a professional office on property located at 2016 Addison Ave East. c/o Dave Thibault / EHM Engineers, Inc. on behalf of Janice Seagraves Family Foundation(app. 2905)
Purpose: Action By: Steve O'Connor Planner I
 - b) Request for a **Special Use Permit** to operate a beauty salon as a home occupation on property located at 1624 Kimes Avenue. c/o Paige Allred (app. 2907)
Purpose: Action By: Steve O'Connor Planner I
 - c) Request for a **Special Use Permit** to remodel a main level garage/storage area into a residential duplex for property located at 242 Main Avenue North. c/o Sid Lezamiz (app. 2913)
Purpose: Action By: Steve O'Connor Planner I
 - d) Request for a **Special Use Permit** to allow a drive-thru window in conjunction with a restaurant on property located at the SE corner of Canyon Falls Drive & Harrison Street. c/o Ryan Bybee (app. 2914)
Purpose: Action By: Steve O'Connor, Planner I

- e) Request for a **Zoning District Change & Zoning Map Amendment** for one (1) +/- acre from C-1 to M-2 for property located at 1211 Addison Avenue West within the Area of Impact. c/o John M Lucas (app. 2915)

Purpose: Action By: Jonathan Spendlove, Senior Planner

- f) Request for a **Variance** to allow an off premise sign for property located at 825 North College Road. c/o Dave Thibault-EHM Engineers, Inc. on behalf of Loren Baker (app. 2916)

WITHDRAWN

Purpose: Action By: Jonathan Spendlove, Senior Planner

- g) Request for a **Special Use Permit** to allow alcohol consumption on site in conjunction with a restaurant on property located at 1925 Fillmore Street Ste. 100. c/o Rachelle Fenderson dba Peace Love & Pizza, LLC (app. 2917)

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

- h) Request for a **Zoning District Change & Zoning Map Amendment** from C-1 PUD to C-1 ZDA for the Magic Valley Mall approximately 58 (+/-) acres on property located at 1485 Pole Line Road East. c/o Brent White on behalf of Magic Valley Mall (app. 2919)

Purpose: Action By: Jonathan Spendlove, Senior Planner

7) Upcoming Meeting(s)

8) Adjournment

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Lisa A. Strickland (208) 735-7267 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez (208) 735-7287.

CITY OF TWIN FALLS

PLANNING & ZONING COMMISSION

Public Hearing Procedures for Zoning Requests

1. Prior to opening the public meeting, the Chairman shall review the public hearing procedures, confirm a quorum is present and introduce staff present.
2. Individuals wishing to testify or speak before the Commission shall wait to be recognized by the Chairman, approach the microphone/podium, state their name, then commence with their comments. Following their statements, they shall write their name on the Sign-In record sheet(s) located on a separate table near the entrance of the chambers. The administrative assistant shall make an audio recording of each public meeting.
3. **The Applicant, or the spokesperson for the Applicant, shall make a presentation** on the application/request. No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing – WHICH IS A MINIMUM OF 15 DAYS PRIOR TO PUBLIC HEARING. **The applicant's presentation should include the following:**
 - A complete explanation and description of the request.
 - Why the request is being made.
 - Location of the Property.
 - Impacts on the surrounding properties and efforts to mitigate those impacts.

The Applicant is limited to 15 minutes, unless a written request for additional time is received and granted by the Chairman prior to commencement of the public meeting.

4. Upon completion of the applicant's presentation City Staff will present a staff report which shall summarize the application/request, history of the property, if any, staff analysis of the request and any recommendations.
 - The Commission may ask questions of staff or the applicant pertaining to the request at this time.
5. The public will then be given the opportunity to provide public testimony/input/comments regarding the request.
 - The Chairman may limit public testimony to no more than two (2) minutes per person.
 - Five (5) or more individuals, having received personal public notice of the application under consideration, may select a spokesperson by written petition. The spokesperson shall be limited to 15 minutes.
 - No written comments, including e-mail, received after 12:00 o'clock noon on the date of the hearing will be accepted for consideration by the hearing body. Written comments, including e-mail, received by 12:00 o'clock noon or before the date of the hearing shall be either read into the record or displayed on the overhead projector either during or upon the completion of public comment.
 - Following the Public Testimony, the applicant is permitted a maximum five (5) minutes rebuttal to respond to Public Testimony.
6. Following the Public Testimony and Applicant's response, the Public Input portion of the public hearing shall be closed- **No further public testimony is permitted.** Commission Members, as recognized by the Chairman, shall be allowed to request clarification of any public testimony received of the Applicant, Staff or any person who has testified. The Chairman may again establish time limits.
7. The Chairman shall then close the Public Hearing. The Commission shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. **Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed.** Legal or procedural questions may be directed to the City Attorney.

Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and thereafter removed from the room by order of the Chairman.



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

In Re:	)	
	)	
<u>Special Use Permit, Application,</u>	)	FINDINGS OF FACT,
<u>Amendment</u>	)	
	)	CONCLUSIONS OF LAW,
<u>Amazing Grace Fellowship</u>	)	
<u>Applicant(s)</u>	)	AND DECISION

This matter having come before the Planning & Zoning Commission of the City of Twin Falls, Idaho on January 3, 2018 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of amending Special Use Permit # 0885 to remove condition #2-No additional access to Eastland Drive North , on property located at 1061 Eastland Drive 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 amending Special Use Permit # 0885 to remove condition #2-No additional access to Eastland Drive North , on property located at 1061 Eastland Drive North
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: May 8, 2014
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 Commercial/Retail in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, Residential Apartments; to the south, Office Buildings/Addison Avenue West; to the east; Commercial; and to the west, County Offices/Martin Street

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

CONCLUSIONS OF LAW

1. The application for a Special Use Permit for the purpose of amending Special Use Permit # 0885 to remove condition #2-No additional access to Eastland Drive North , on property located at 1061 Eastland Drive 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 amending Special Use Permit # 0885 to remove condition #2-No additional access to Eastland Drive North , on property located at 1061 Eastland Drive 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 Planning & Zoning Commission hereby enters the following

DECISION

1. The application for a Special Use Permit for the purpose of amending Special Use Permit # 0885 to remove condition #2-No additional access to Eastland Drive North , on property located at 1061 Eastland Drive North and 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.

Chairman-Planning & Zoning Commission

DATE

- 1) Submit a plan of the entire building including the expansion showing seating to allow a parking requirement determination.
- ~~2) No additional access to Eastland Drive North is allowed.~~
- 3) Provide a drainage plan for the site.
- 4) Assure compliance with the zoning and building code requirements including off-street parking, landscaping, building height, etc.
- 5) Playground to be moved to southern portion of the property.
- 6) Parking lot lights to be turned off by midnight.
- 7) Plant 6 foot Thuja Occidentalis on the entire length of the northern property line at 36 inch on center.



P.O. Box 1907

321 Second Avenue East

Twin Falls, Idaho 83303-1907

Fax: (208) 736-2296

OFFICE OF THE PLANNING & ZONING DIRECTOR

208-735-7267

SPECIAL USE PERMIT

Planning & Zoning Commission Amended 01-03-18

Permit No. 0885

Granted by the Twin Falls City Planning and Zoning Commission on July 13, 2004, to Reverend Lynn J. Schaal on behalf of Amazing Grace Fellowship whose address is 1061 Eastland Drive North, for the purpose of expanding more than 25% of an existing religious facility on real property located at 1061 Eastland Drive North and legally described as Twin Falls Acres Inside, North 412' of East 574.66' of South 1,529.05' of East ½ Southeast "3-10-17".

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

- 1) Submit a plan of the entire building including the expansion showing seating to allow a parking requirement determination.
- ~~2) No additional access to Eastland Drive North is allowed.~~
- 3) Provide a drainage plan for the site.
- 4) Assure compliance with the zoning and building code requirements including off-street parking, landscaping, building height, etc.
- 5) Playground to be moved to southern portion of the property.
- 6) Parking lot lights to be turned off by midnight.
- 7) Plant 6 foot Thuja Occidentalis on the entire length of the northern property line at 36 inch on center.

Chairman

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.

This permit corresponds to Application No. 1845 & 2918

cc: Building Inspection



Public Hearing: **Tuesday, January 9, 2018**

To: Planning and Zoning Commission

Presenter: Steve O'Connor, Planner I

Editor: Renee Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 6a

Request: Request for a **Special Use Permit** to operate a professional office on property located at 2016 Addison Avenue East. c/o Dave Thibault / EHM Engineers, Inc. on behalf of the Janice Seagraves Family Foundation. (app. 2905)

Time Estimate:

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

Background:

Applicant Janice Seagraves Family Foundation 320 Main Ave N. Twin Falls, ID 83301 Representative David Thibault, EHM Engineers Inc. 621 N College Rd Ste. 100 Twin Falls, ID 83301 208.734.4888	Status: Owner	Size: .17 +/- acres
	Current Zoning: R-2 PRO	Requested Zoning: SUP for Professional Office
	Comprehensive Plan: Neighborhood Commercial	Lot Count: 1 Lot
	Existing Land Use:	Proposed Land Use:
	Zoning Designations & Surrounding Land Use(s)	
	North: Addison Ave. E; R-2 PRO; Commercial Day Care, Residential	East: R-2 PRO; Professional Office
	South: Alley; R-2; Residential	West: R-2 PRO; Professional Office
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-18, 10-11-1 thru 8, 10-13	

Approval Process:

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. **Conditions shall be implemented within 6 months or the permit if void.**

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to establish a professional office on property located at 2016 Addison Ave. E in the R-2 PRO district.

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

History:

This parcel is lot 2 of Block 1, in the Federico Subdivision recorded in 1947. Several properties along this corridor have been rezoned with the Professional Office Overlay and have been remodeled from a residence to a professional office. This property has been a residence since its construction in 1952.

In September of this year, this commission forwarded a positive recommendation for a rezone of this parcel from R-2 to R-2 PRO. City Council approved the rezone on October 16th, and Ordinance 2017-027 was adopted October 30th and published November 2nd.

Analysis:

This is a request for a Special Use Permit to establish a Professional Office, for the Seagrave Family Foundation, on property located at 2016 Addison Ave. E. The property is zoned R-2 with a Professional Office Overlay and it is currently being used as a residence. The code allows a professional office to be established by special use permit. The foundation wishes to establish their office at this location to conduct day-to-day operations with 2 full time employees as well as candidate interviews for scholarship awards. Generally, all business will be conducted during normal business hours Monday through Friday. All landscaping, property improvements, and parking requirements are met with the submitted site plan. The rear of the property will accommodate the required parking for the office, similar to the property to the east. There will also be two spaces in the front, one ADA and one non-ADA space.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Neighborhood Commercial." Neighborhood Commercial supports land uses, which are generally more intense than a home occupation, but less impactful than a strictly commercial use. A residence changing to a professional office is a natural and logical progression from strictly residential to a more commercial land use along an arterial road. Therefore, staff has determined this request complies with the 2016 comprehensive plan.

Per City Code 10-4-18:

An SUP is required to establish a Professional Office.

Per City Code 10-11-1 thru 8:

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

Possible Impacts:

Due to the location of this request along Addison Ave. E., and the contiguous properties being R-2 PRO, the applicant nor staff anticipate any increase in negative effects on the surrounding properties.

Conclusion:

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

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.

Attachments:

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

Janice SeaGraves Family Foundation Request

For

Special Use Permit

The Janice SeaGraves Family Foundation hereby requests a special use permit to renovate and occupy the property located at 2016 Addison Avenue East for the purpose of a professional office. This property is designated with an R-2 zone and a PRO, professional office overlay. Therefore, in order to occupy the property and use the premises for professional office uses, a special use permit is required.

It is anticipated that two full-time employees will occupy the building Monday through Friday on a regular schedule with office hours generally between 9:00 AM and 5:00 PM. The property will host Board Meetings with seven Board Members present once a month generally during business hours between 9:00 AM and 5:00 PM. Additionally, quarterly interviews for scholarship and other funding opportunities may be held at the residence where applicants will complete an interview with the Board Members a part of an award process hosted by the Foundation. These interviews will typically be scheduled during regular business.

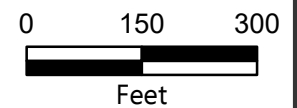
Parking for staff and Board Members is anticipated to be located at the rear of the property accessed by the alley. This proposal is similar to the model implemented east of the property where many of the residences have converted to professional office uses. An ADA compliant parking stall and one standard stall will be provided at the front of the property along Addison Avenue East.

The impacts of the professional office on adjoining properties are anticipated to be minimal as the premises will be occupied during typical business hours (9AM to 5PM) by a professional office type tenant. Noises emissions would be similar to the neighboring properties and their noise emissions with vehicles starting and stopping at the office. No additional glares or odors are anticipated as a result of the establishment of an office. No fumes or vibrations are expected once the construction of a new parking area at the front and rear of the property is completed. The properties to the north, east, and west have been zoned R-2 PRO and are occupied with office type tenants. Little to no long-term effects on the neighboring properties are anticipated with the proposed use.

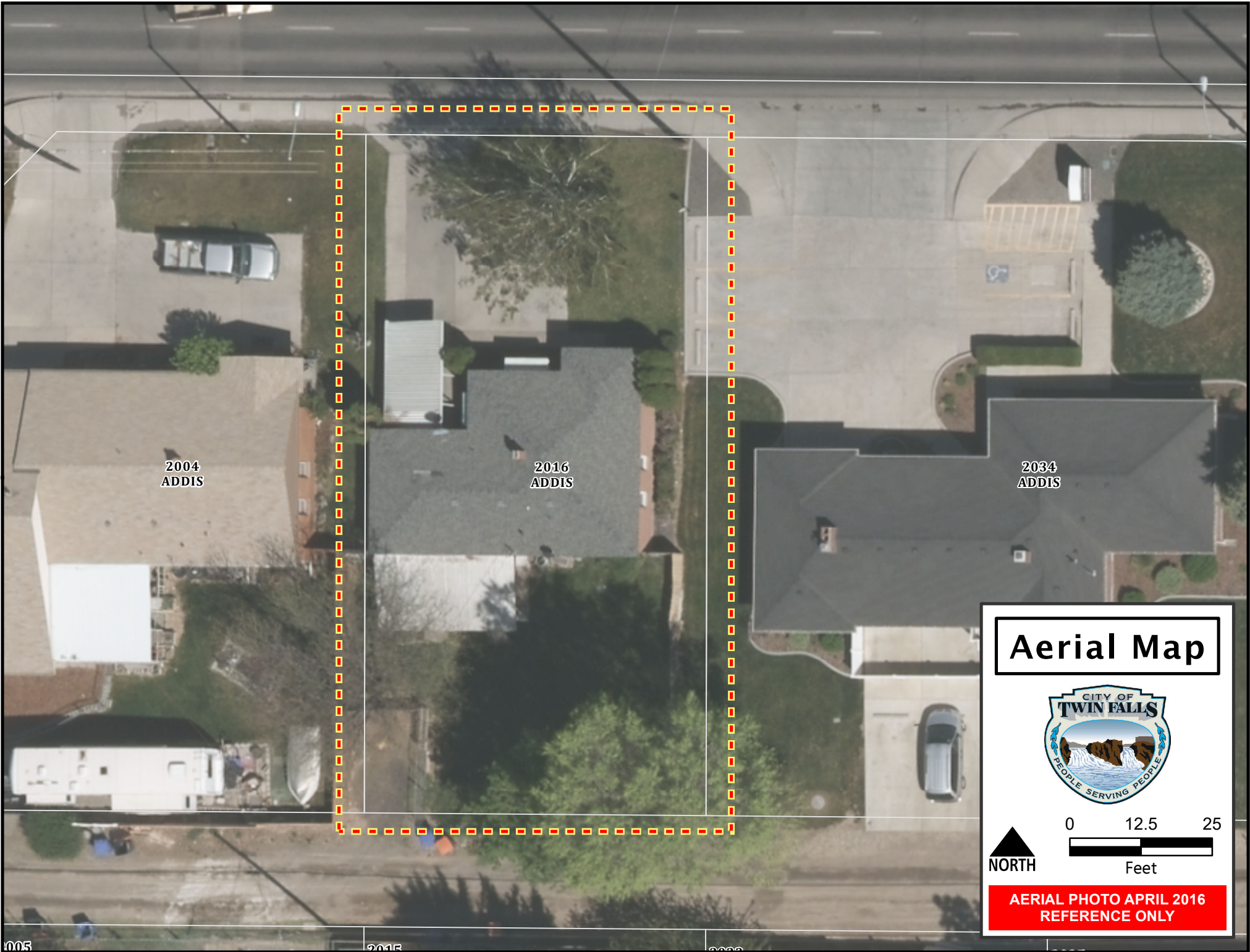
Zoning Vicinity Map

- PRO
- PUD
- RB
- C-1
- R-2
- R-4

Tomer



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

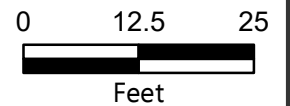


2004
ADDIS

2016
ADDIS

2034
ADDIS

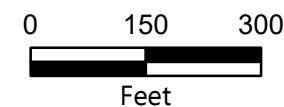
Aerial Map



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

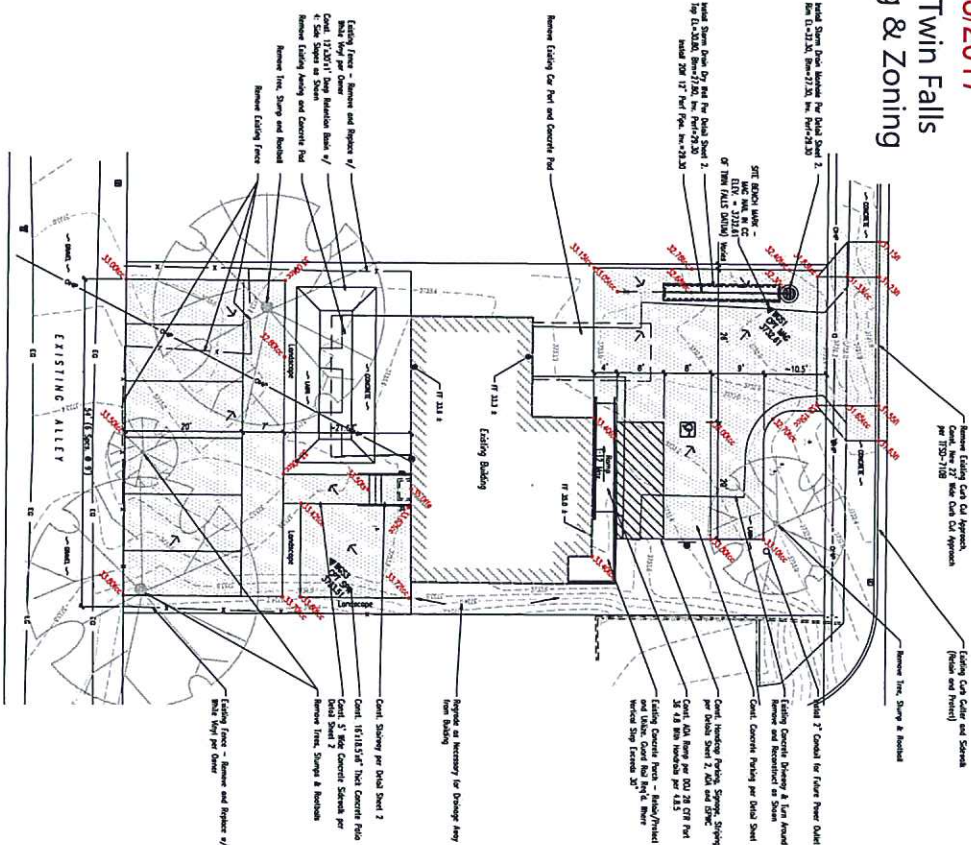
Future Land Use Map

- Neighborhood Commercial
- Town Neighborhood

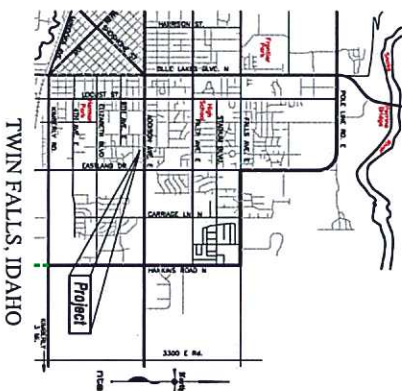


AERIAL PHOTO APRIL 2016
REFERENCE ONLY

Date	Location	Factor	Value
1992	1992	1992	1.6/14/170/0/0/0
1993	1993	1993	1.6/14/170/0/0/0
1994	1994	1994	1.6/14/170/0/0/0
1995	1995	1995	1.6/14/170/0/0/0
1996	1996	1996	1.6/14/170/0/0/0
1997	1997	1997	1.6/14/170/0/0/0
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2059	2059	2059	1.6/14/170/0/0/0
2060	2060	2060	

City of Twin Falls
Planning & Zoning

Per Line 10 - Chapter 10 001 - Street Parking and Loading
Required Parking 1,250SF
Basking Area = 1,115sf
8 Spaces Provided including 1 ADA Space

[illegible]

TWIN FALLS, IDAHO

Legend

Property Boundary Line	—
Learned Line	- - -
Water Main & Size	— f
Sewer Main & Size	— F
Pressure Mains & Size	— f
Storm Drain & Size	— F
Fire Hydrant	— H
Manhole	—
Existing Spot Elevation	—
Proposed Spot Elevation	—

α 1.50'

β 1.50'

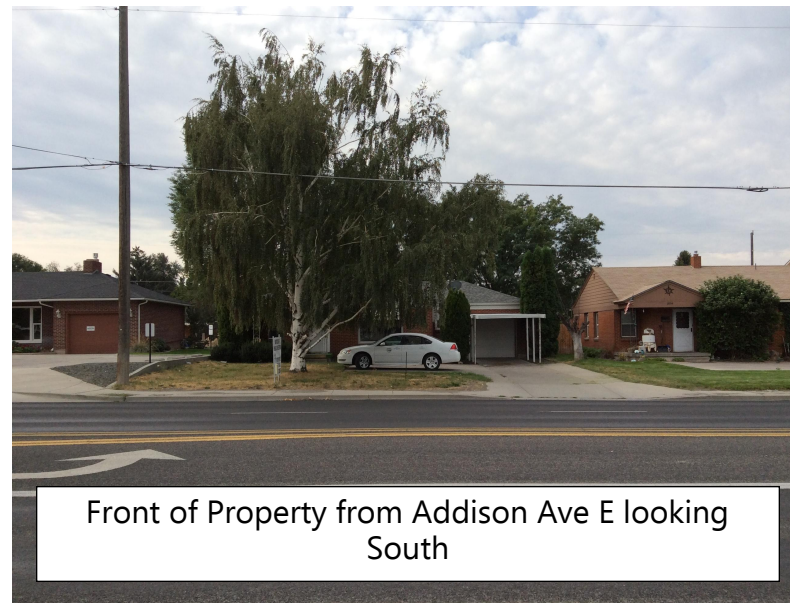
γ 1.50'

Site Development Plan
for:
Seagraves Foundation Inc.
Twin Falls, Idaho

 **EHM Engineers Inc.**
Engineers / Surveyors / Planners
621 N College Rd., Suite 100 Twin Falls, ID 83301 - (208)734-4888



Notification Sign



Front of Property from Addison Ave E looking South



NW Corner looking SE



Public Hearing: **Tuesday, January 9, 2018**

To: Planning and Zoning Commission

Presenter: Steve O'Connor, Planner I

Editor: Renee V Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 6b

Request: Request for a Special Use Permit to operate a beauty salon as a home occupation on property located at 1624 Kimes Avenue. c/o Paige Allred (app. 2907)

Time Estimate:

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

Background:

Applicant Paige Allred 710 Locust St Twin Falls, ID 83301 208.410.5636 paigeaaron5656@gmail.com	Status: Owner	Size: .14 (+/-) acres
	Current Zoning: R-4, Residential Medium Density District	Requested Zoning: Home Occupation
	Comprehensive Plan: Town Neighborhood	Lot Count: 1 Lot
	Existing Land Use: Residential	Proposed Land Use: Residential
	Zoning Designations & Surrounding Land Use(s)	
	North: Kimes Ave; R-4; Residential	East: R-4, Residential
	South: 8 th Ave. E.; R-4; Residential	West: R-4, Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-5, 10-11-1 thru 8, 10-13	

Approval Process:

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. **Conditions shall be implemented within 6 months or the permit if void.**

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to establish and operate a Home Occupation of a beauty salon at property located at 1624 Kimes Ave.

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

History:

Records indicate this location has been a residence since at least 1960.

Analysis:

This is a request to establish a beauty salon as a home occupation at 1624 Kimes Ave. A SUP is required to operate a Home Occupation in the R-4 district. The applicant states she will have one chair for one customer at a time. Since the salon is in the basement of the residence, it would be better for customers to access at the rear of the property off 8th Ave. East. There is no driveway provided for this property. The applicant's site plan shows two (2) paved off-site parking spaces on 8th Ave E RoW. The applicant was made aware she shall be required to provide two (2) on-site hard-surfaced parking spaces that are not located on Right of Way. No signage is allowed for a home occupation.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Town Neighborhood." As the request is not changing the primary function of the residence, Staff has determined this request complies with the 2016 comprehensive plan.

Per City Code 10-4-5:

An SUP is required to establish a Home Occupation in the R-4 zone.

Per City Code 10-11-1 thru 8:

Required improvements may include access, parking, drainage and storm water, etc... These required improvements will be evaluated and all applicable code requirements shall be in compliance prior to the operation of the home occupation and/or prior to issuance of a certificate of occupancy.

Possible Impacts:

The applicant stated there are elements of a salon, which create fumes, however, since there will only be one customer at a time, the applicant and staff do not anticipate any adverse effects on surrounding properties.

Conclusion:

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

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to two (2) hard surfaced on-site parking spaces available prior to operation.

Attachments:

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

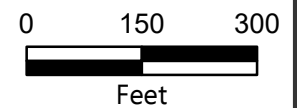
4a. The reason for my request is that I'm a licensed cosmetologist, and I'd like to operate a salon from my home.

4b. My hours of operation start at 9am, and normally go until 5pm Monday through Saturday. It will only be me working from this location, so there will only be one car at a time, but there may be up to 6 cars a day.

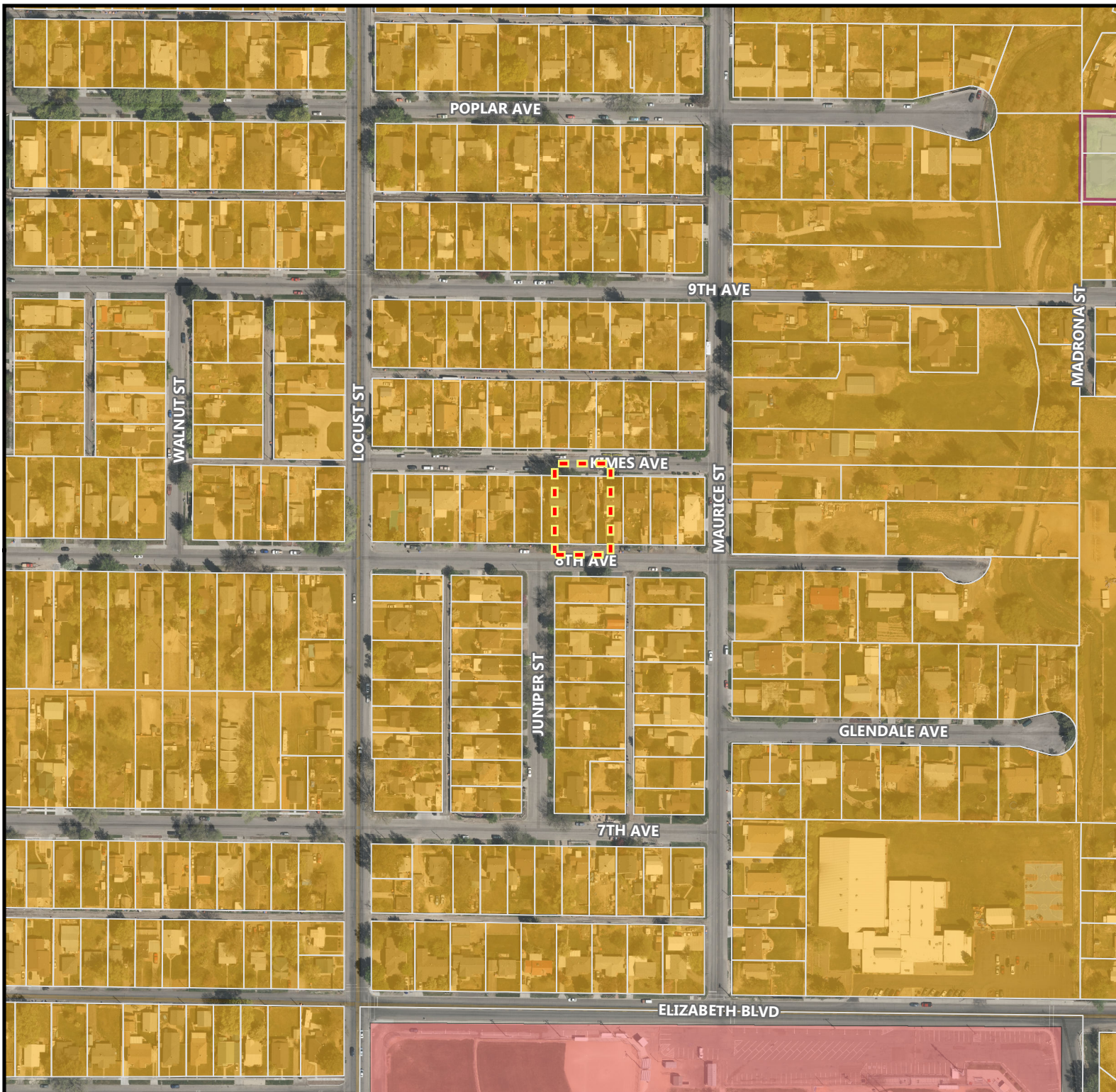
4c. Typically in a salon there are fumes such as perm solutions, or the monomer of acrylic nails, but the odor will not be a hindrance on the quality of life for any of my surrounding neighbors. Noise will not be an issue, considering my business is going to be in a basement, and my loudest tool is a blowdryer. There will be no glare, as my business will be underground, and my hours of operation end at 5pm. I believe I'm compatible for this neighborhood as a business, because I am only one person, and the influx of traffic will not be unbearable for any properties around me.

Zoning Vicinity Map

- PUD
- OS
- R-4
- R-6



AERIAL PHOTO APRIL 2016
REFERENCE ONLY





1546
KIMES

1604
KIMES

1624
KIMES

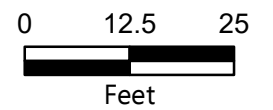
1642
KIMES

1658
KIMES

1660
KIMES

8TH AVE

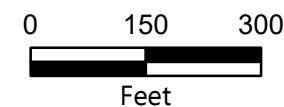
Aerial Map



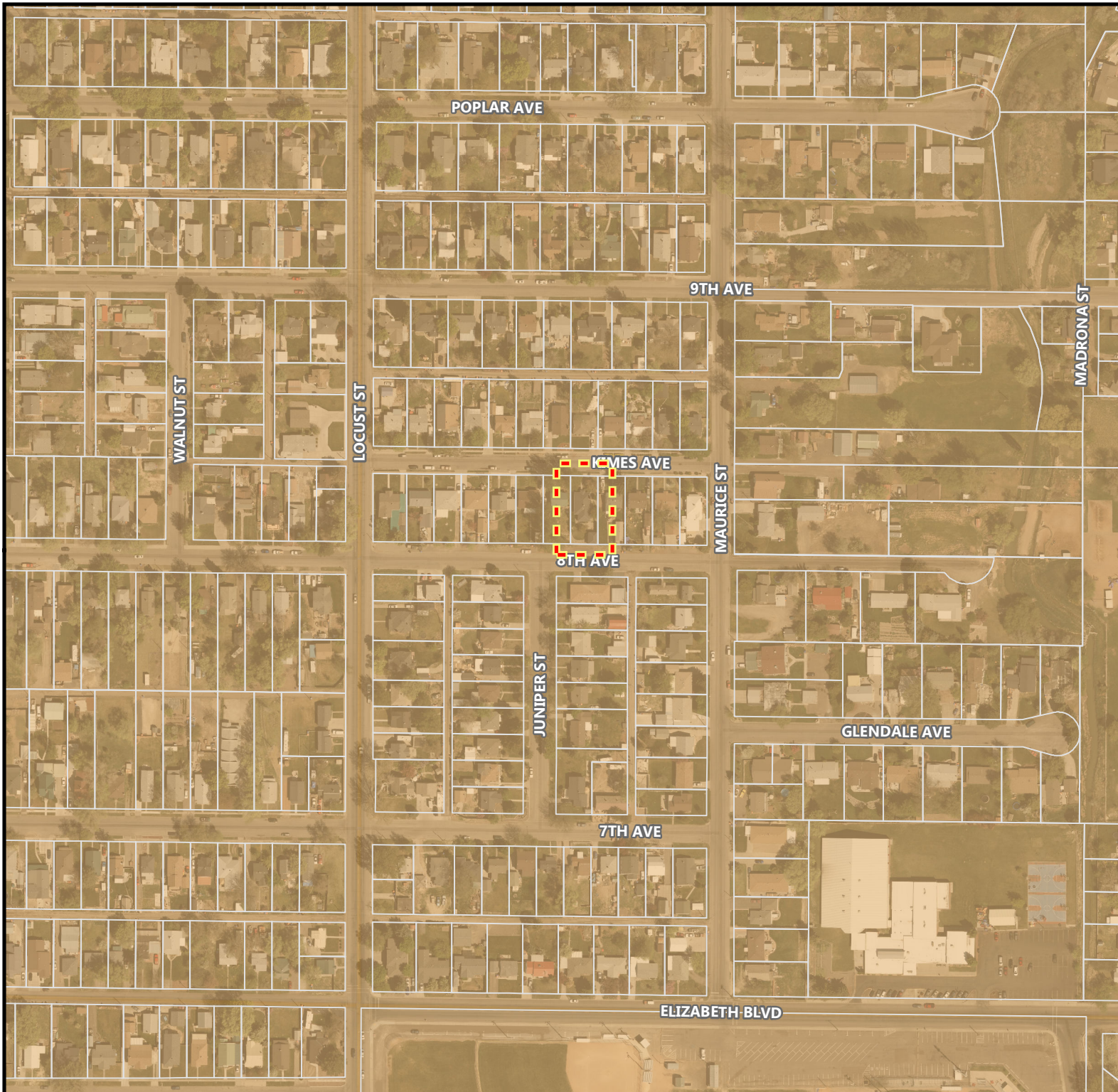
AERIAL PHOTO APRIL 2016
REFERENCE ONLY

Future Land Use Map

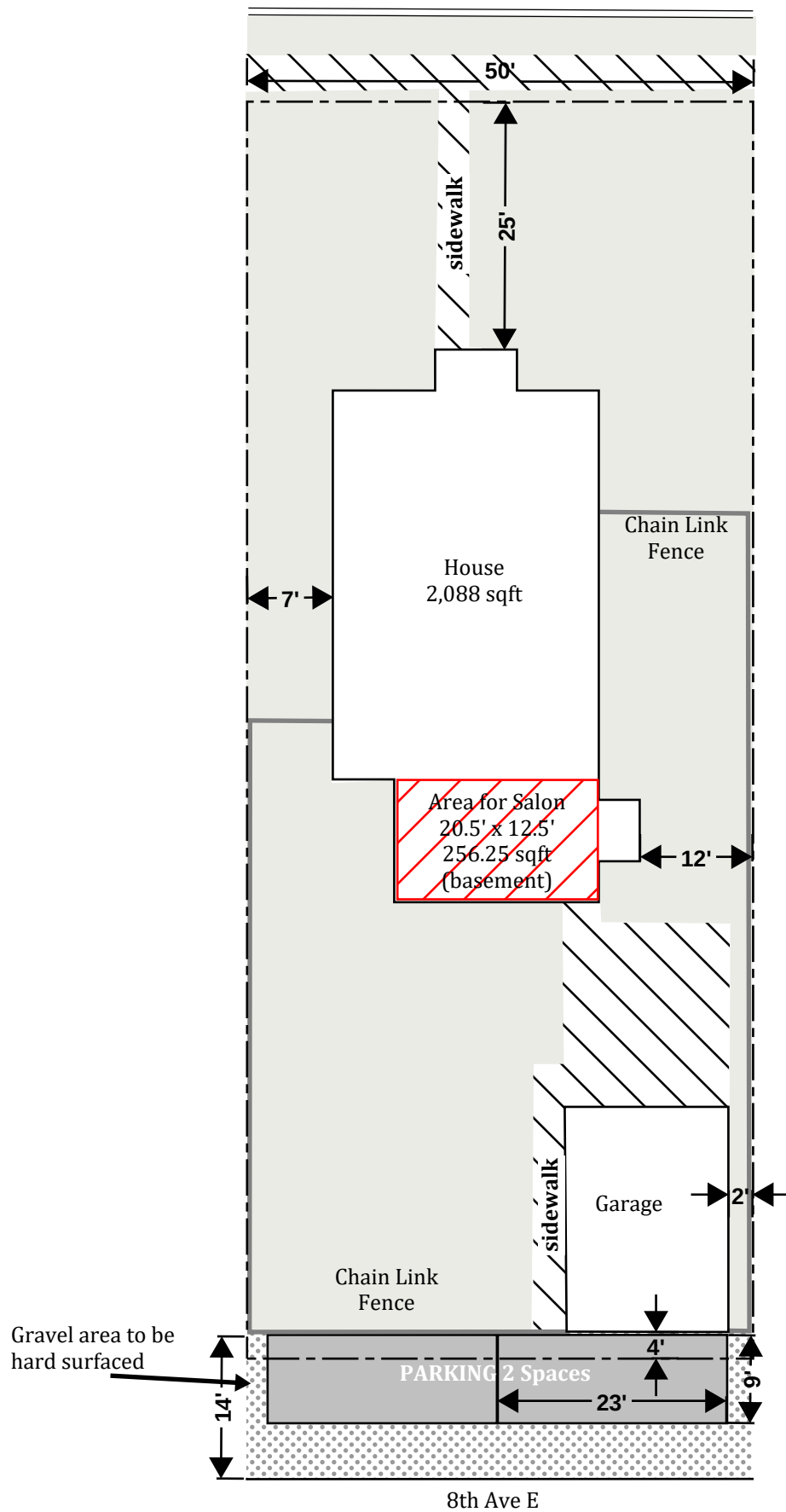
 Town Neighborhood



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



Kimes Ave

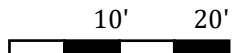


RECIEVED

11/15/2017

City of Twin Falls
Planning & Zoning

Paige Allred
1624 Kimes Ave
Twin Falls, ID





NW Corner Looking SE



SW Corner Looking NE



Public Hearing: **Tuesday, January 9, 2018**

To: Planning and Zoning Commission

Presenter: Steve O'Connor, Planner I

Editor: Renee V. Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 6c

Request: Request for a **Special Use Permit** to remodel a main level garage/storage area into a residential duplex for property located at 242 Main Avenue North. c/o Sid Lezamiz (app. 2913)

Time Estimate:

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

Background:

Applicant Sid Lezamiz 705 Fillmore St. Twin Falls, ID 83301 208.734.7007 sid@lezamizrealestate.com Representative	Status: Owner	Size: 25x 125' townsite lot
	Current Zoning: CB w/ P1 Parking & Historic Downtown Overlay	Requested Zoning: A SUP to develop a Residential Duplex
	Comprehensive Plan: Downtown	Lot Count: 1 Lot
	Existing Land Use: Commercial with Apartment above	Proposed Land Use: Shared Residential Duplex w/Commercial Use
	Zoning Designations & Surrounding Land Use(s)	
	North West: CB w/ P1; Alley & public parking lot (owned by URA)	North East: CB P1; alley & public parking lot
	South East: CB w/P1; Main Ave N & W; various Commercial/Retail businesses	South West: CB w/P1; Main Ave N & W; various Commercial/Retail businesses
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-7, 10-11-1 thru 8, 10-13	

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 add a dwelling, creating a duplex unit, on property located at 242 Main Ave N.

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

History:

This lot was part of the Original Townsite plat, dated 1904, and listed as a non-contributing building on the Twin Falls list of Historic Properties. A building does not appear at this location until the 1957 Aerial Photographs, which is listed as Bill's Hotpot Home Electrics and Appliances.

Analysis:

The property is zoned CB with a P1 parking overlay and is located within the Historic Downtown District. This is a request to establish a residential duplex at 242 Main Ave N. A Special Use Permit is required per the CB zone. Currently there is a commercial retail business in the front portion of the main level of this property and a residential apartment upstairs. The main level has an empty unused garage/storage area in the rear of the building. The applicant wishes to convert this area as a new 1 bedroom dwelling unit thereby creating a residential duplex within an existing commercial building, a true mixed-use building. The code requires two (2) off-street parking spaces per dwelling; however, as this property is within a P-1 parking overlay there is no parking required. The applicant has submitted a letter from the owner of the adjacent parking lot allowing the residential tenants to use the parking lot.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Downtown." Downtown is described as an area that supports mixed commercial and high density residential. Staff has determined this request complies with the 2016 Comprehensive Plan; "Grow With Us".

Per City Code 10-4-7:

The CB Zone requires a Special Use Permit to establish a residential duplex.

Per City Code 10-11-1 thru 8:

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

Per City Code 10-13-1(C):

Requires a Certificate of Appropriateness to make any exterior changes, including signage, to any properties located within a historic district before applying for a building permit.

Possible Impacts:

As this is already a commercial property with an apartment above, the impacts from adding an additional living space in the rear of the building will create minimal negative impacts. This is proposed to be a one-bedroom unit therefore additional vehicular traffic would likely be limited to 1 or 2 vehicles and noise would be of little impact. Staff does not anticipate an increase of negative impacts to the area.

Conclusion:

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

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 Certificate of Occupancy prior to use.

Attachments:

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

12-01-17

Paragraph four:

A) Reason for the request:

The reason for the request is to utilize space in the building which presently is unusable storage space. There is a garage inside the building with a large wooden overhead door. The garage door opens into the alley. We have safety concerns regarding carbon monoxide from the vehicles entering the building, as well as the vehicle backing into the alley, as one would not be able to see oncoming alley traffic until the vehicle has crossed over the alley.

B) Explanation of the project:

The project is to convert the unusable portion of the building to a residential rental. It would include removing of the garage overhead door and enclosing the area. The garage parking area would be converted to an open great room design living room. The back unusable space would be converted to a bedroom, bath and walk in closet.

- i) Hours of operation; One would expect the unit to be occupied in the evenings, and throughout parts of day.
- ii) Traffic Anticipated; We would expect the occupants of the unit to have one to two cars.
- iii) Number of employees, etc. N/A

C) An Evaluation of the effects on adjoining property including the effect of such elements as:

- i) Noise; We would expect the noise to be very minimal as the occupants of the unit would spend the majority of their time inside the building unless entering or leaving the property which we believe would be of little impact on the adjoining property owners.
- ii) Glare; The effects of glare would be very similar to what it is presently with the exception should a window or possibly two windows be added facing the alley to allow for more natural light into the building.
- iii) Odor; We do not expect to have an odor issue which would affect the adjoining property owners
- iv) Fumes and vibration on the adjoining property; I do not believe fumes or vibration will be an issue on the adjoining properties.
- v) Discussion of general compatibility with adjacent and other properties in the district.

The exterior of the building would experience only a minor change aesthetically. We feel the Building and the building use would remain compatible to the Down District.

We feel our proposed improvement would make the building more suitable to the future needs of the people of Twin Falls. We have had many requests for downtown Twin Falls Residential Housing most recently which we believe to be a result of the hard work, and vision of the City of Twin Falls Leaders. It is our thoughts that the key to revitalizing, improving , and keeping our Down Town Twin Falls strong is a mixed use of Commercial Store Fronts, and Residential housing.

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

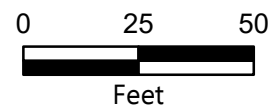


A horizontal number line is shown with the number 0 at the left end and 200 at the right end. A vertical tick mark is placed exactly halfway between 0 and 200, representing the value 100. The segment of the number line from 0 to 100 is white, and the segment from 100 to 200 is black.

**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



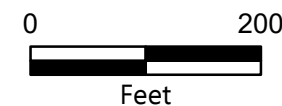
Aerial Map



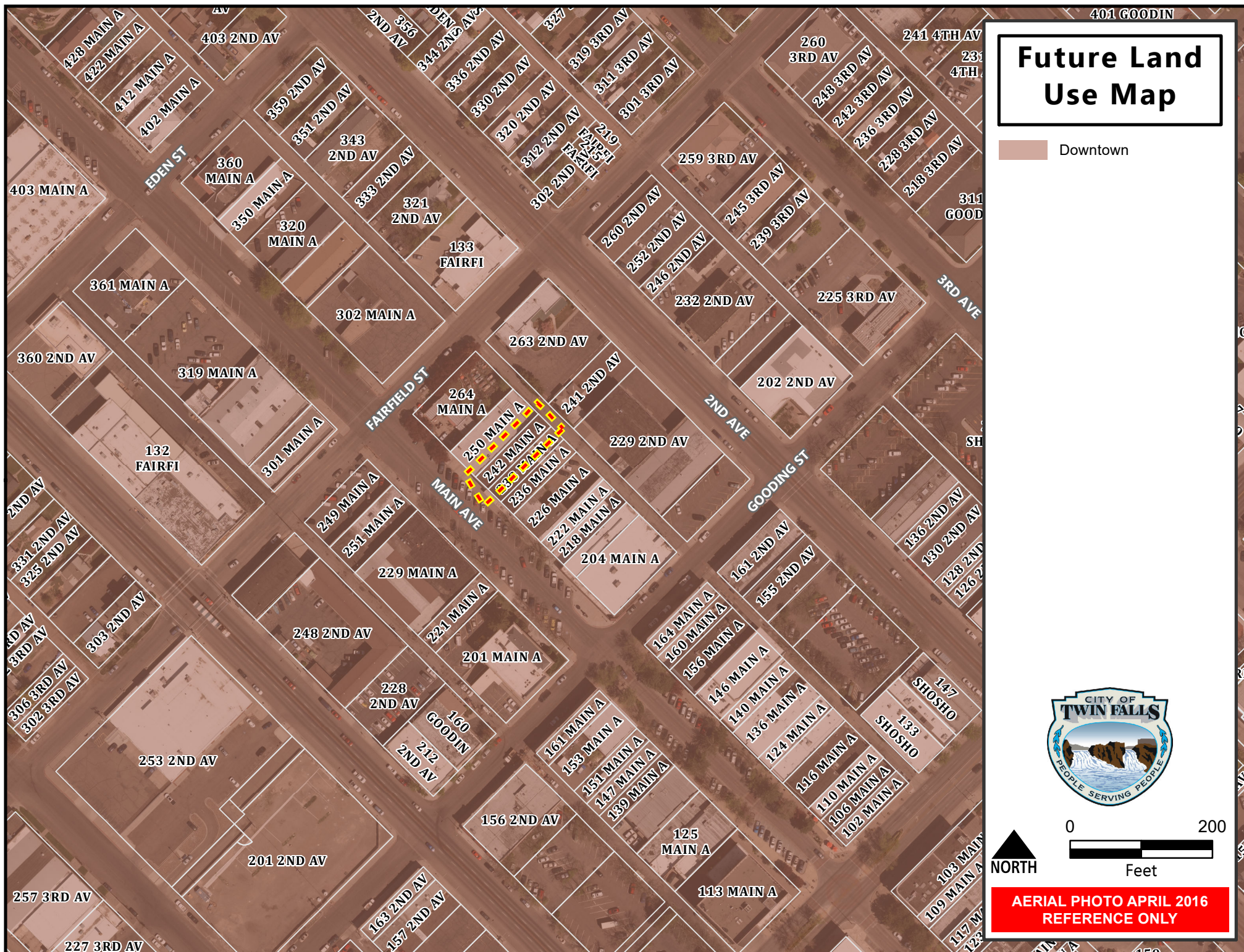
**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

Future Land Use Map

 Downtown



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



Sid Lezamiz

From: Nathan Murray
Sent: Wednesday, November 29, 2017 3:59 PM
To: sid@lezamizrealestate.com
Subject: 242 Main Ave N

Sid,

The parking lot owned by the Twin Falls Urban Renewal Agency at 229 2nd Ave N is an area open to the general public for parking. The tenants of your building at 242 Main Ave N may use the lot to park short and long-term. Please be aware that the Urban Renewal Agency reserves the right to regulate the use of the lot and may assign stalls as needed in the future.

Please let me know if you have any questions.

Nathan W. Murray
Twin Falls Urban Renewal Agency-
Executive Director
o- 208.735.7240
c- 208.731.0291



Main Ave. Face



Alley Way Face



View of Apartment on second level



Public Hearing: **Tuesday, January 9, 2018**

To: Planning and Zoning Commission

Presenter: Steve O'Connor, Planner I

Editor: Renee V. Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 6c

Request: Request for a **Special Use Permit** to remodel a main level garage/storage area into a residential duplex for property located at 242 Main Avenue North. c/o Sid Lezamiz (app. 2913)

Time Estimate:

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

Background:

Applicant Sid Lezamiz 705 Fillmore St. Twin Falls, ID 83301 208.734.7007 sid@lezamizrealestate.com Representative	Status: Owner	Size: 25x 125' townsite lot
	Current Zoning: CB w/ P1 Parking & Historic Downtown Overlay	Requested Zoning: A SUP to develop a Residential Duplex
	Comprehensive Plan: Downtown	Lot Count: 1 Lot
	Existing Land Use: Commercial with Apartment above	Proposed Land Use: Shared Residential Duplex w/Commercial Use
	Zoning Designations & Surrounding Land Use(s)	
	North West: CB w/ P1; Alley & public parking lot (owned by URA)	North East: CB P1; alley & public parking lot
	South East: CB w/P1; Main Ave N & W; various Commercial/Retail businesses	South West: CB w/P1; Main Ave N & W; various Commercial/Retail businesses
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-7, 10-11-1 thru 8, 10-13	

Approval Process:

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. **Conditions shall be implemented within 6 months or the permit if void.**

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to add a dwelling, creating a duplex unit, on property located at 242 Main Ave N.

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

History:

This lot was part of the Original Townsite plat, dated 1904, and listed as a non-contributing building on the Twin Falls list of Historic Properties. A building does not appear at this location until the 1957 Aerial Photographs, which is listed as Bill's Hotpot Home Electrics and Appliances.

Analysis:

The property is zoned CB with a P1 parking overlay and is located within the Historic Downtown District. This is a request to establish a residential duplex at 242 Main Ave N. A Special Use Permit is required per the CB zone. Currently there is a commercial retail business in the front portion of the main level of this property and a residential apartment upstairs. The main level has an empty unused garage/storage area in the rear of the building. The applicant wishes to convert this area as a new 1 bedroom dwelling unit thereby creating a residential duplex within an existing commercial building, a true mixed-use building. The code requires two (2) off-street parking spaces per dwelling; however, as this property is within a P-1 parking overlay there is no parking required. The applicant has submitted a letter from the owner of the adjacent parking lot allowing the residential tenants to use the parking lot.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Downtown." Downtown is described as an area that supports mixed commercial and high density residential. Staff has determined this request complies with the 2016 Comprehensive Plan; "Grow With Us".

Per City Code 10-4-7:

The CB Zone requires a Special Use Permit to establish a residential duplex.

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Possible Impacts:

As this is already a commercial property with an apartment above, the impacts from adding an additional living space in the rear of the building will create minimal negative impacts. This is proposed to be a one-bedroom unit therefore additional vehicular traffic would likely be limited to 1 or 2 vehicles and noise would be of little impact. Staff does not anticipate an increase of negative impacts to the area.

Conclusion:

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

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Attachments:

1. Letter of request
2. Zoning Vicinity Map
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4. Future Land Use Map
5. Parking Email
6. Site Photos

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Paragraph four:

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The reason for the request is to utilize space in the building which presently is unusable storage space. There is a garage inside the building with a large wooden overhead door. The garage door opens into the alley. We have safety concerns regarding carbon monoxide from the vehicles entering the building, as well as the vehicle backing into the alley, as one would not be able to see oncoming alley traffic until the vehicle has crossed over the alley.

B) Explanation of the project:

The project is to convert the unusable portion of the building to a residential rental. It would include removing of the garage overhead door and enclosing the area. The garage parking area would be converted to an open great room design living room. The back unusable space would be converted to a bedroom, bath and walk in closet.

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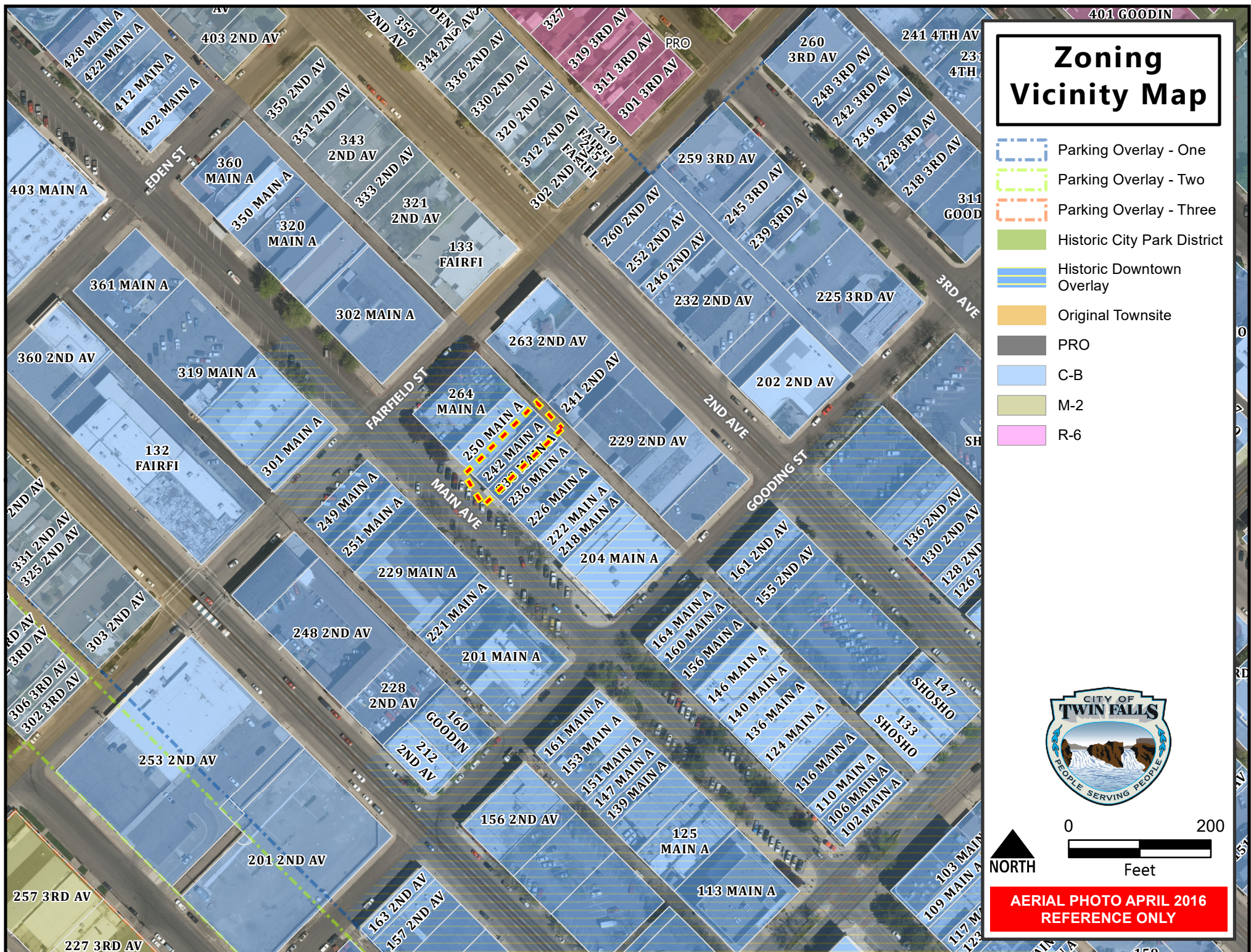
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Zoning Vicinity Map

-  Parking Overlay - One
-  Parking Overlay - Two
-  Parking Overlay - Three
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-  Historic Downtown Overlay
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-  C-B
-  M-2
-  R-6

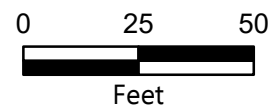


**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**





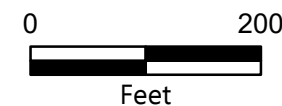
Aerial Map



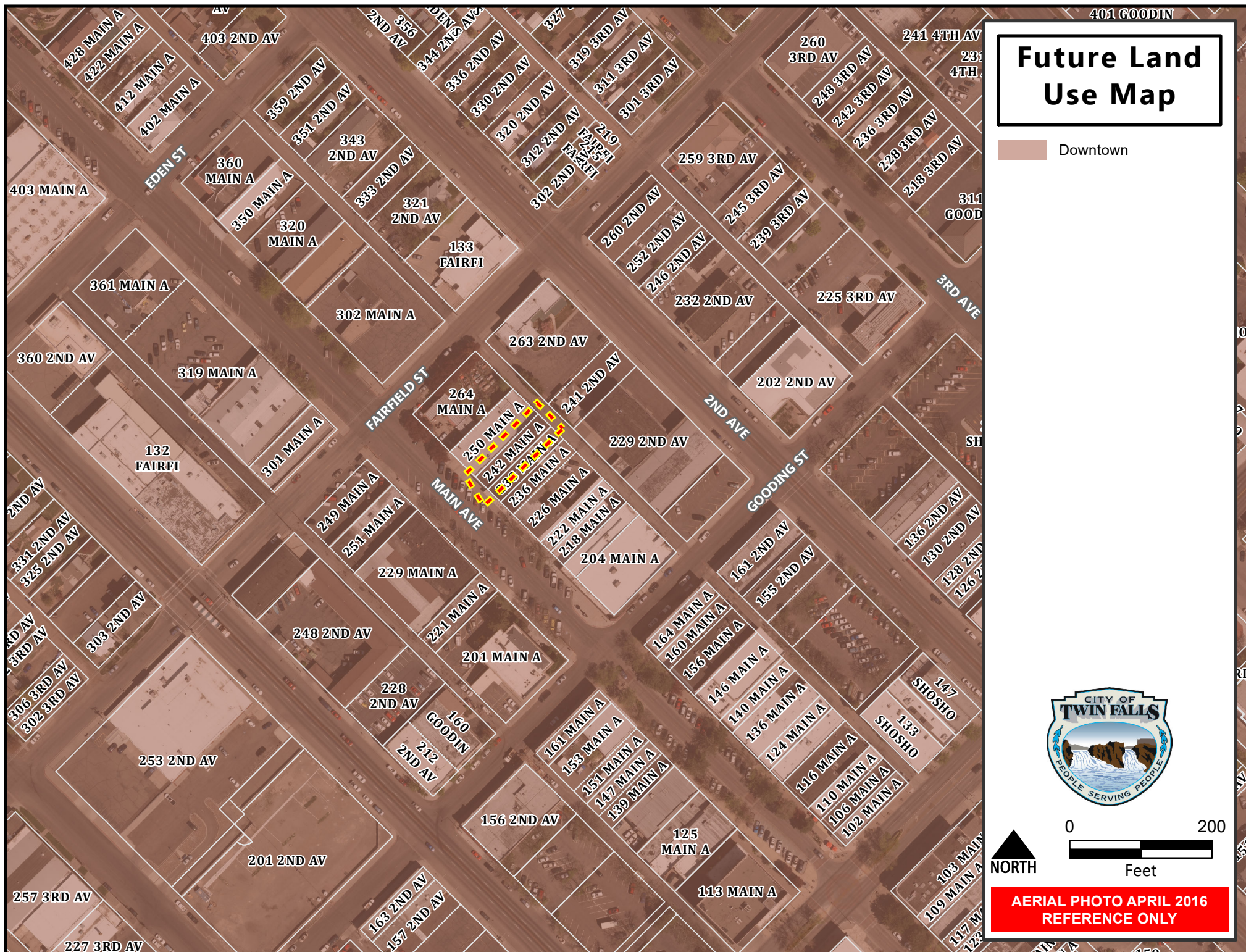
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Future Land Use Map

 Downtown



**AERIAL PHOTO APRIL 2016
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Sid Lezamiz

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Sent: Wednesday, November 29, 2017 3:59 PM
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Subject: 242 Main Ave N

Sid,

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Nathan W. Murray
Twin Falls Urban Renewal Agency-
Executive Director
o- 208.735.7240
c- 208.731.0291



Main Ave. Face



Alley Way Face



View of Apartment on second level



Public Hearing: **Tuesday, January 9th, 2018**

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 6d

Request: Request for a **Special Use Permit** to allow a drive-thru window in conjunction with a restaurant on property located at the SE corner of Canyon Falls Drive & Harrison Street. c/o Ryan Bybee (app. 2914)

Time Estimate:

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

Background:

Applicant Ryan Bybee 924 E 4300 N Buhl, ID 83316 208.543.2633 ryanb.pm@gmail.com	Status: Owner	Size: .22 +/- acres
	Current Zoning: C-1 & C-1 PUD	Requested Zoning: Approval of a SUP
	Comprehensive Plan: Mixed Use	Lot Count: 2 Lots
	Existing Land Use: Undeveloped	Proposed Land Use: Commercial
	Zoning Designations & Surrounding Land Use(s)	
	North: Canyon Falls Dr.; C-1 PUD & R-6; Assisted Living & Agriculture	East: C-1 PUD; Harrison St, Hotel (La Quinta Inn)
	South: Pole Line Rd.; C-1 PUD & R-4; Vacant, Residential	West: Harrison St.; C-1 PUD; Hotel & Restaurant (Hilton & Black Bear Diner)
Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-11-1 thru 8, 10-13		

Approval Process:

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. **Conditions shall be implemented within 6 months or the permit if void.**

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to establish a drive-thru on property located at the southeast corner of Canyon Falls Road and Harrison Street.

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

History:

These two parcels were at one point part of the larger Breckenridge Farm. The easterly long slim parcel was, according to the applicant, the old driveway to access the Breckenridge farm. The northerly small triangular tract was zoned C-1 PUD when the Northbridge PUD was adopted in 1993. The old driveway was annexed in late 2016 as part of ITD negotiations with the applicant(s).

Analysis:

This is a request to establish a drive-thru window in conjunction with a restaurant on property located at the southeast corner of Canyon Falls Road and Harrison Street. The applicant has stated that the drive-thru window is not a typical drive-thru in that you do not place an order at a window or order board. It is strictly for call ahead orders and for pick-up only. Orders can only be taken from the counter in-person or over the phone/online. As per code, the applicant will be required to meet the stacking City Code 10-10-10;...Stacking Requirements. The narrative states the restaurant shall be open 7 days a week from 11am to 8pm. The applicant anticipates between 3 – 15 employees at any one time.

This Commission heard two (2) requests from this applicant on December 12, 2017; one (1) for a Zoning District Change (Rezone) from C-1 PUD to C-1 for the northerly small triangular tract and the other was for a request to vacate a utility easement. The Commission recommended both requests be approved, as presented. Both requests are scheduled for a Public Hearing in front of City Council on January 8, 2018.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; “Grow With Us” designates this area as appropriate for “Mixed Use.” Mixed use is a very broad category, which supports high-density residential and commercial development. Staff has determined this request complies with the 2016 comprehensive plan.

Per City Code 10-4-8:

A Special Use Permit is required to establish a drive-thru window on C-1 zoned property.

Per City Code 10-7-12:

The property has frontage on Pole Line Rd, which is a gateway arterial. The submitted site plan currently does not meet the gateway arterial landscape requirements.

Per City Code 10-11-1 thru 8:

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

Possible Impacts:

The applicant nor staff anticipate a significant increase in impacts to the surrounding properties from this request.

Conclusion:

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

1. Subject to approval of the request for a Zoning District Change (Rezone) from C-1 PUD to C-1 for the northerly small triangular tract. ***Public Hearing before the CC on 01-08-2018***
2. Subject to approval of the request to vacate a utility easement. ***Public Hearing before the CC on 01-08-2018***
3. 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. Applicant Submitted Site Plan
6. Applicant Submitted Elevations
7. Site Photos

4.

a. The reason for the request; We are requesting a special use permit for a pick up window. A pick up window is different from a drive up window in the manor that you do not order from the window or a speaker system. We request that each of our customers phone their orders in 15 minutes prior to pick up and they just swing through the pick up window and away they go. No waiting in line to order which eliminates having a line.

b. An explanation of the project, including:

i. Hours of operation; 11am to 8pm 7 days a week 361 days a year

ii. Traffic anticipated; We sell anywhere from 120 to 400 pizzas a day depending on the day with the majority of pizzas sold from Thursday to Saturday. Each transaction could average 1-3 pizzas. With that said I would anticipate 50-190 cars a day with the higher number being Thursday- Saturday.

iii. # of employees; 3-8 depending on the time and day. We employee a total of 12-15 people in total.

c. An evaluation of the effect on adjoining property including the effect of such elements as:

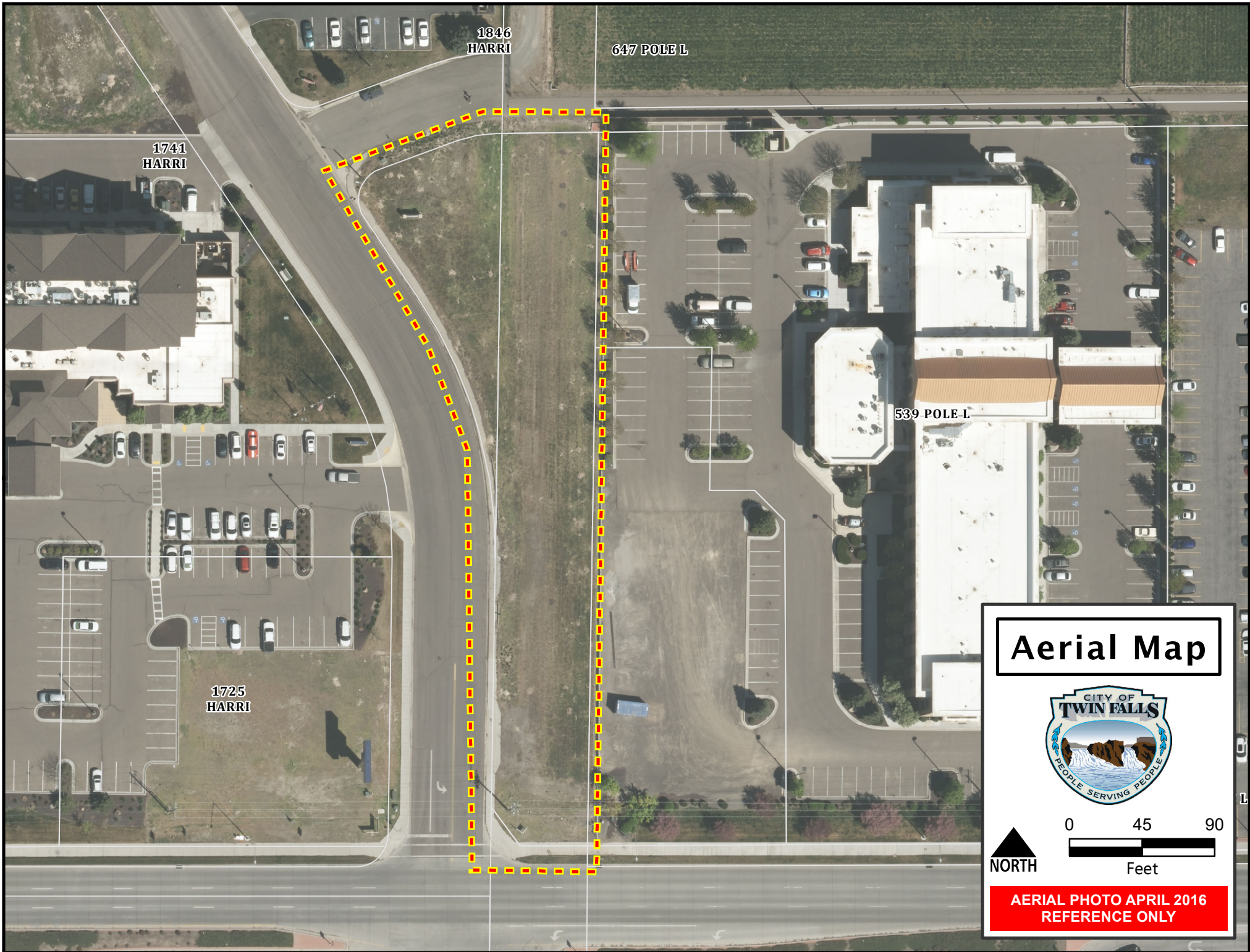
i. Noise; Minimal car noise which I feel would have no effects on adjoining properties being they are hotels that are basically open 24 hours a day.

ii. Glare; I do not feel glare will be an issue at all due to the landscape of all adjoining properties.

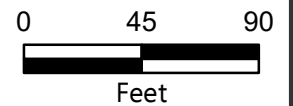
iii. Odor; We are a take and bake pizza company so there is no cooking just mixing dough, chopping vegetables, and building pizzas. We have no odors just the smell of fresh inside the store.

iv. Fumes & Vibration; The business itself would have no fumes or vibration. The only possible fumes and vibration would be from vehicle traffic in and out of the parking lot. The effect it would have on adjoining property would be zero as they have the same traffic in and out with longer hours of operation than us.

v. A discussion of the general compatibility with adjacent and other properties in the district; I feel we are very compatible with our adjacent properties in the manor we are a very simple food concept were we make the pizza you swing by to pick it up and you bake it at your convenience. Our average turnaround time for a customer is about 2 ½ minutes so they are in and out. We are basically as simple and quiet as it gets compared to the other food establishments in our surrounding area.



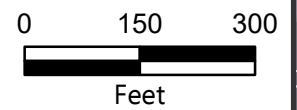
Aerial Map



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

Future Land Use Map

Mixed Use



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



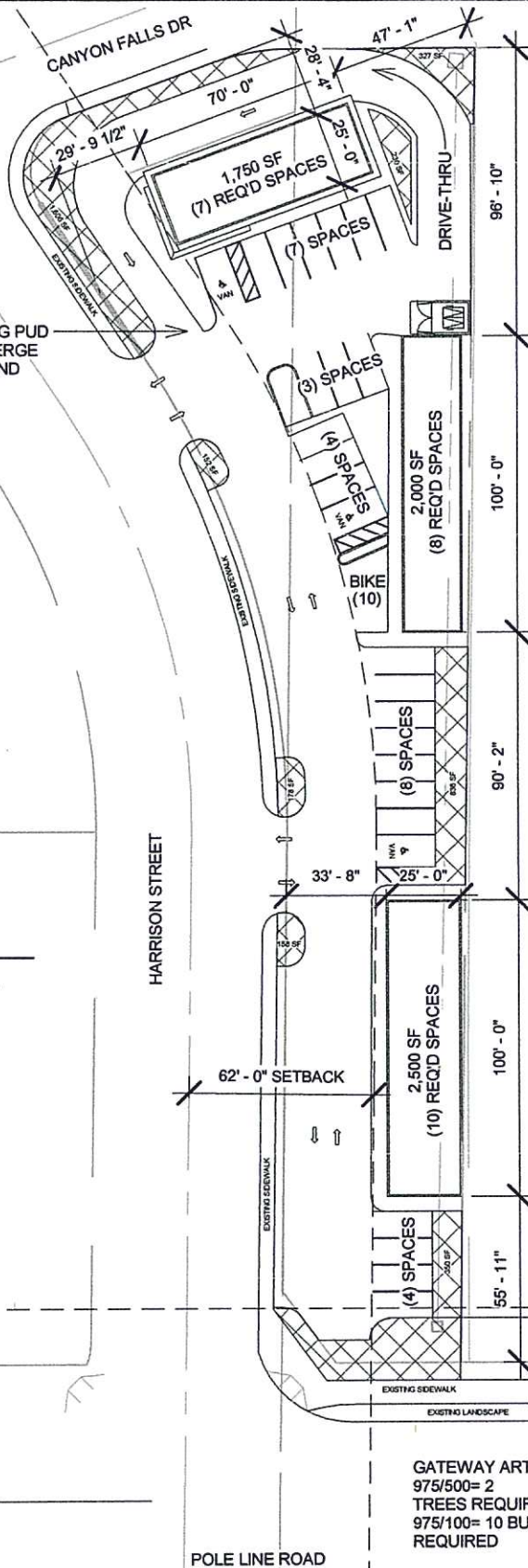
1 SUP SITE PLAN
1" = 60'-0"

PARKING REQ'D:
1:100 W/ DRIVE THROUGH
1,750 / 100 = 8 SPACES REQ'D

4,500 / 250 = 18
26 SPACES REQ'D
10-10-7 REDUCE 1 REQ'D

25 SPACES REQUIRED
26 SPACES PROVIDED

VACATE EXISTING PUD
TRACT A AND MERGE
W/ PROPERTY AND
RE-ZONE AS C-1



LANDSCAPE REQ'D:
3% OF 35,950 SF SITE OR
10% 24,078 SF PARKING

35,950 SF X .03 =
1,078 SF REQUIRED

24,078 X .10 =
2,408 SF REQUIRED

3,837 SF PROVIDED

3,837/500 = 8
TREES REQUIRED
3,837/100 = 38
BUSHES REQUIRED

C-1 LANDSCAPING: 50%
OF TREES AND BUSHES
SHALL BE EVERGREENS.

GATEWAY ARTERIAL:
975/500 = 2
TREES REQUIRED
975/100 = 10 BUSHES
REQUIRED

Laughlin Ricks Architecture
—architecture/planning—

935 Shoshone Street North * Twin Falls, Idaho 83301
(208) 736-8050 Fax: (208) 733-0950

RYAN BYBEE
(208) 308-5555
ryanb.pm@gmail.com

RYAN BYBEE
PAPA
MURPHEYS

SITE PLAN

Drawn by **KL**
Checked by **RCR**

SUP

Scale 1" = 60'-0"





Public Hearing: **Tuesday, Tuesday, January 9th, 2018**

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 6e

Request: Request for a **Zoning District Change & Zoning Map Amendment** for one (1) acre +/- from C-1 to M-2 for property located at 1211 Addison Avenue West within the Area of Impact. c/o John Lucas (app. 2915)

Time Estimate:

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

Background:

Applicant John Lucas 1211 Addison Ave W. Twin Falls, ID 83301 201.595.1235 lucasmi@tfsd.org Representative	Status: Owner	Size: one (1) +/- acres
	Current Zoning: C-1, Commercial Highway District & M-2, Heavy Manufacturing District	Requested Zoning: Request for a Zoning District Change and Zoning Map Amendment for approximately 1(+/-) acres from C-1 to M-2
	Comprehensive Plan: Industrial / Flex / Employment	Lot Count: 1 Parcel
	Existing Land Use: Auto Salvage	Proposed Land Use: adding Auto Sales to existing salvage yard
	Zoning Designations & Surrounding Land Use(s)	
	North: C-1 Aol; Addison Ave W; Commercial Highway District; Auto Repair, Addison Collision Repair	East: C-1 & M-2 Aol; Auto Impound & Construction Supply Yard
	South: SUI Aol, Suburban Urban Interface; Residential and Vacant parcels	West: C-1 & M-2 Aol; Commercial Highway District; M-2, Heavy Manufacturing District; vacant and storage yard
Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-4-10, 10-7-12, 10-11-1 thru 8, 10-13, 10-14		

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.

Budget Impact:

Redevelopment of this property to a commercial/manufacturing use may have a positive tax impact on the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to proceed with the process of rezoning a one (1) +/- acre portion of the property at 1211 Addison Ave W, in its entirety to M-2, Heavy Manufacturing District.

History:

This parcel has been utilized as what appears to be a junk/auto salvage yard since at least the late 1960's according to aerial imagery. The applicant has owned this parcel since July 2017. The northern portion of the property was likely rezoned C-1, Commercial Highway District in 1981 with the adoption of Ordinance 2012 to acknowledge this corridor as the westerly gateway entrance into the city and to maintain separation from heavy industrial impacts along this major corridor.

Analysis:

The applicant owns a seven (7) +/- acre parcel at 1211 Addison Ave West. The property is zoned C-1 and M-2 within the Area of Impact. This is a request for a **Zoning District Change and Zoning Map Amendment** to rezone the northerly one (1) +/- acre of property located at 1211 Addison Ave W, from C-1 to M-2. If approved this would zone the owner's entire seven (7) +/- acre parcel owned by the applicant to M-2, Heavy Manufacturing District within the Area of Impact. Though most of the property is M-2, the portion directly abutting Addison Ave W, 171' x 245' +/- (41,895 sf), is zoned C-1. The applicant stated in his narrative that he wishes to establish and utilize this portion of the property as an automobile sales business. The southerly six (6) +/- acres is currently a salvage yard.

The 2016 Comprehensive Plan indicates this corridor as appropriate for Industrial/Flex/Employment. There is no development plan to evaluate, as this request is to only rezone the property. Any changes will require a full review by staff to determine the extent and nature of the changes. Any change shall comply with the purpose, uses and development standards of the M-2 Zoning District prior to development.

There are some major differences for required site improvements between the C-1 zone and the M-2. The C-1 zone requires hard surfacing, paving or asphalt, for all parking and maneuvering areas while the M-2 zone does not.

The applicant states he wishes to establish an auto dealership along the frontage of this property. The C-1 zone requires a Special Use Permit to establish an automobile dealership while the M-2 zone outright permits this use.

To make a positive recommendation, the Commission must determine that **1-** the request is in conformance with the Comprehensive Plan and **2-** the extent and nature of changing the zoning of this property to the Heavy Manufacturing District would allow land development that would be compatible with and not detract from the surrounding area.

Conclusion:

The Commission is asked to make a recommendation to the City Council on this request. The Commission's decision may be to deny the request, approve the request as presented or request additional information be provided.

Attachments:

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

Zoning District Change and Zoning Map Amendment (Rezone)

For

John's U-Pull U-Save

4. Provide a Detailed Written Statement On A Separate Sheet Of Paper Containing:

a. The reason for the request;

To rezone the front portion of the 7 acre property back to its original zoning (since 65+ years) of M-2 from C-1 (rezoned front .5 acre to C-1 by the city in the 80/90's). Rezoning the front part of the land to M-2 to conduct an auto sales business.

b. A statement on:

i. How the proposed zoning change relates to the Comprehensive Plan; and

This rezone complies with this 2016 comprehensive plan as it is designated "industrial" on the future land use map.

ii. Compatibility with the surrounding area, and

This is compatible with all surrounding land and property as it is all wrecking yards, auto service, or industrial uses.

iii. An explanation of the intended use/development of the property

We plan to rezone to the front portion of land back to M-2 so the entire parcel is M-2 again to conduct an auto sales business. Rezoning would allow us to place cars for sale in a visible location on the property.

Zoning Vicinity Map

-  Area Of Impact
-  CRO
-  C-1
-  M-2
-  OS
-  R-4
-  SUI

Outside City
Limits (Aol)

ADDISON AVE

GULCH CREEK RD



NORTH

0 325
Feet

AERIAL PHOTO APRIL 2016
REFERENCE ONLY



ADDISON AVE

1097
ADDIS

1205
ADDIS

1187
ADDIS

1209
ADDIS

Outside City
Limits (Aol)
1215
ADDIS

GULCH CREEK RD

1197
ADDIS

322
GULCH

294
GULCH

Aerial Map

0 95 190
Feet

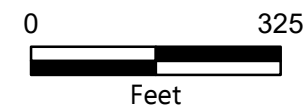
**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

Future Land Use Map

- Industrial
- Natural Areas

ADDISON AVE

GULCH CREEK RD



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



NE Corner Looking SW



NW Corner Looking SE



Public Hearing: **Tuesday, January 9th, 2018**

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 6g

Request: Request for a **Special Use Permit** to allow alcohol consumption on site in conjunction with a restaurant on property located at 1925 Fillmore St. Ste. 100 c/o Rachelle Fenderson dba Peace Love & Pizza, LLC. (app. 2917)

Time Estimate:

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

Background:

Applicant Rachelle Fenderson dba Peace Love & Pizza, LLC 3541 E 3985 N Kimberly, ID 83341 907.750.1731 blaze@peacelovefranchises.com Representative	Status: Tenant	Size: .35+/- acres
	Current Zoning: C-1 CRO PUD	Requested Zoning: SUP for the retail sale of alcohol for consumption on site
	Comprehensive Plan: Mixed Use	Lot Count: 1 lot
	Existing Land Use: Restaurant/Commercial	Proposed Land Use: Retail sale of alcohol for consumption on site
	Zoning Designations & Surrounding Land Use(s)	
	North: C-1 CRO PUD; Commercial Retail	East: C-1 CRO PUD; Commercial Retail
	South: Fillmore St.;C-1 PUD; Commercial Retail & Banking	West: C-1 CRO PUD; Commercial Retail & Restaurant
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-4-19, 10-11-1 thru 8, 10-13 Canyon Park West PUD #219 & #264	

Approval Process:

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. **Conditions shall be implemented within 6 months or the permit if void.**

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to serve beer and wine on property located at 1925 Fillmore St. Ste. 100, Twin Falls, ID 83301

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

History:

Aerial Imagery has this site as agricultural and vacant land from 1950 to 2016. The Canyon Park West PUD's #219 & #264 were recorded in 2000 and 2012 respectively. A shell-building permit was issued earlier this year for 1925 Fillmore St. and then a building permit for Ste. 100 of the shell building was submitted in July of this year, and approved in August. The certificate of occupancy was issued in December 2017 and is currently operating as Blaze Pizza.

Analysis:

The site is zoned C-1 CRO PUD and is located along Fillmore St. The applicant wishes to serve alcohol for consumption onsite in conjunction with a restaurant. This site is within the Canyon Rim Overlay. To serve alcohol for onsite consumption a Special Use Permit. The narrative states the restaurant shall operate from 11am to 9pm with 10-14 employees at any one time. There are no designated operating days of the week. The applicant has supplied a site plan showing the location of the restaurant within the shell building. Currently Blaze Pizza has their State and County license to sell beer and wine for consumption onsite. They need an SUP to sell alcohol for consumption on the premises in conjunction with the restaurant as they fall under the Canyon Rim Overlay.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Mixed Use." Mixed Use is a very broad category in uses and a restaurant fits into the category of Mixed Use. The request to sell beer and wine is a secondary use to a restaurant and therefore fits the future land use category. Therefore staff has determined this request complies with the 2016 comprehensive plan.

Per City Code 10-4-19: Canyon Rim Overlay:

A Special Use Permit is required for the sale of Alcoholic beverages, when consumed on the premises where sold within the Canyon Rim Overlay.

Per City Code 10-11-1 thru 8:

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

Possible Impacts:

The applicant nor staff anticipate any negative impact to the surrounding properties upon approval of this request, as there are generally intense commercial uses in the area.

Conclusion:

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

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to compliance with all State, County and City licensing requirements prior to issuance of the SUP.

Attachments:

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

Narrative

Peace, Love, and Pizza Inc. Doing business as Blaze Pizza a quick service restaurant that will serve pizza, salads, dessert, beer and wine sales consumed on premises. Hours of operations will be from 11 AM until 9 PM. Average number of employees on premises will be 10 to 14. All other permits and licenses have already been obtained from the State Alcohol Board and from the City of Twin Falls.

Pat Fenderson

A handwritten signature in black ink, appearing to read "Pat Fenderson", with a long, sweeping horizontal stroke extending to the right.

Zoning Vicinity Map

-  Area Of Impact
-  CRO
-  PUD
-  C-1
-  OS
-  R-1 VAR
-  R-4
-  SUI

**Canyon
Park West
219 & 264 0**

CANYON PARK AVE

**Blue
Lakes Concept
91 0**

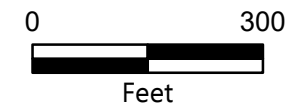
CANYON SPRINGS RD

FILLMORE ST

BLUE LAKES BLVD

NIELSEN POINT PL

**Magic Valley Mall
Magic Valley
Mall 215**



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



2150
FILLM

1842
PERRI

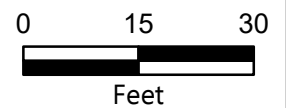
2058
FILLM

FILLMORE ST

2042
FILLM

1863
BLUE

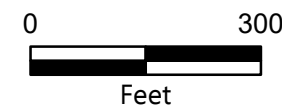
Aerial Map



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

Future Land Use Map

- Mixed Use
- Natural Areas



AERIAL PHOTO APRIL 2016
REFERENCE ONLY





S Corner Looking N



W Corner Looking E



Preliminary Presentation: Wednesday January 3, 2018
 Public Hearing: **Tuesday, January 9th 2018**
 To: Planning and Zoning Commission
 Presenter: Jonathan Spendlove, Senior Planner
 Editor: Rene'e V. Carraway-Johnson, Zoning Administrator
 Authors: Jonathan Spendlove

AGENDA ITEM 6g

Request: Request for a **Zoning District Change & Zoning Map Amendment** from C-1 PUD to C-1 ZDA for Magic Valley Mall, LLC., approximately 58(+/-) acres, on property located at 1485 Pole Line Road East c/o Brent White on behalf of Magic Valley Mall, LLC (app. 2919)

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation may take up to ten (10) minutes.

Background:

Applicant Magic Valley Mall LLC 1485 Poleline Road East Twin Falls, ID Representative Brent White 1485 Poleline Road East Twin Falls, ID 83301 Brent.white@woodburycorp.com	Status: Owner	Size: ~58 Acres
	Current Zoning: C-1 PUD #'s C-1243, C-1873, 215, 215 Amended, 242, 242 Amended	Requested Zoning: C-1 ZDA
	Comprehensive Plan: Mixed-Use	Lot Count: 10 Lots, various owners
	Existing Land Use: Commercial/Retail	Proposed Land Use: Mixed-Uses; residential, professional and retail
	Zoning Designations & Surrounding Land Use(s)	
	North: Canyon Park West C-1 & CRO PUD #219 & 264 and Canyon Park East C-1 CRO PUD #223; Blue Lakes Blvd N & Bridgeview Blvd; Commercial/Retail Uses	East: C-1 PUD; Bridgeview Blvd; Assisted Living Facility
	South: Rex C-1 PUD #212 and Eastpark Mixed-Use PUD #213; Poleline Road East; Commercial/Retail	West: C-1 PUD Blue Lakes Concept 91, Blue Lakes Blvd N; Commercial/Retail
Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-6-1, 10-9-1 thru 16, 10-10-1 thru 12, 10-11-1 thru 8, 10-13-2, 10-14-1 thru 7, PUD #'s: C-1243, C-1873, 215, 215 Amended, 242, 242 Amended.		

Approval Process:

As per Twin Falls City Code 10-6-1.4(E) Approval of a ZDA Sub-District:
 The applicant is required to do a preliminary presentation to the Planning and Zoning Commission and the Public with a preliminary overview of the proposed amendment. The Commission and Public are allowed to give suggestions and ask questions of the applicant about the proposed project. At a later date a public hearing shall be held before the Commission for a recommendation on the requested PUD Amendment.

Budget Impact:

No impact to budget from this presentation.

Regulatory Impact:

After a public hearing, a recommendation from the Planning and Zoning Commission for the requested amendment will allow the applicant to proceed to the City Council for a decision.

History:

The Magic Valley Mall has a long history in Twin Falls. In the early 1980's zoning actions took place to establish a C-1 PUD on the original mall parcel under one owner. Prior to that, it was agricultural land. Throughout the years, multiple plats, PUD's and amendments to PUD's took place, the latest occurring in 2014. These various PUD's added/platted additional pad sites, several have been sold to other businesses, made concessions to the Sign Code (the previous version), and enacted various other development requirements including landscaping, height limitations, land uses and other site criteria.

Analysis:

This is a request to rezone the "Original" Magic Valley Mall property from C-1 PUD to C-1 ZDA. This rezone to ZDA would remove the restrictions and requirements of the previously enacted PUD's, although not entirely rescinding any Plat requirements found in those documents.

City Code requires the applicant to request a "Base" Zoning Code to apply to some or all areas as identified on the Conceptual Plan. The application has identified the C-1 Zone to apply to the entire area. Also as part of the ZDA, the applicant is requesting some exceptions to the C-1 Zone, these are outlined in the Written Commitment Document.

The main exceptions identified by the applicant are: adding some land uses into the permitted use section, eliminating residential lot area and occupancy, reducing building setbacks, reducing centerline setbacks, modifying perimeter landscaping, modifying off street parking ratios, and signage allowances. The exceptions will be listed in the following analysis by identifying the **Code Section** – including any summarization of that code section, then followed by *Staff commentary on the possible impacts of these requested exceptions.*

Per City Code 10-4-8 C1 Zoning District:

Use Regulations: The following uses are being requested by the applicant to be permitted outright. These uses are not currently listed within the "Permitted" section and would either require a Special Use Permit; *alcohol consumption on premises, Drive-Thru Facilities, Indoor Recreation Facilities* or the uses are not currently identified in code; *Parking Structures, Entertainment Facilities.*

The requested exceptions to allow these types of Land Uses as an outright permitted use would remove any further public hearing process.

Property Development Standards: Residential Uses are required to adhere to certain property and development standards such as lot area, lot occupancy, building height, yards (setbacks), access, landscaping, off street parking ratios, and signs. Each area the applicant has requested a change will be addressed independently.

Lot Area and Lot Occupancy: The exception listed by the applicant is to remove the minimum lot area and maximum lot occupancy.

As the applicant has expressed a desire to venture into the possibility of housing options on the property, these exceptions seem reasonable. This will allow housing to be developed on the property without requiring separate lots or larger lots of separate ownership to be created. This also creates a regulation whereby the owner can pursue different types of housing units that meet current market demand in a timely manner. Any developed housing cannot be sold separately unless platted on a separate lot.

Yards (Building Setbacks): The applicant has requested the setback section be modified to remove the arterial/collector roadway centerline building setback reference, and to be subject to only meeting the setback of thirty five (35') from property line along Pole Line Rd and Blue Lakes Boulevard North and fifteen (15') from property line along Bridgeview Blvd. Additionally they requested a section of Pole Line Road to be subject to a twenty (20') from property line setback.

Although the removal of the centerline building setback reference may appear to have an impact on future road widening, while reviewing this request it was reaffirmed we currently have 115 feet of right of way, and have only developed 75 feet (back of sidewalk to back of sidewalk). Removing the centerline building setback reference will not affect currently dedicated right of way, but it will allow the use of more property for buildings and uses by increasing the available land area for buildings.

Arterial Landscaping: The current code requires a minimum of 35' from back of sidewalk on arterials; Blue Lakes Blvd N and Pole Line Rd E. The requested change would permit an **average depth** of landscaping instead of a constant depth. The applicant has requested a minimum landscape strip of 15' from the back of sidewalk, so no portion of landscaping would be less than that in any one area on the perimeter of the MV Mall site.

Averaging the depth of gateway arterial landscaping is an innovative way of providing some relief to areas that are restricted by existing geography and restraints on properties while still providing the total landscaped area along major roadways. If the applicant needs to narrow the landscaping to accomplish a competing requirement, they will need to provide that loss in area in an adjacent location to average that loss out. The net result is the same, a landscaped area along our major arterials; BLBN and Poleline and the collector; Bridgeview, to provide a welcoming feel and aesthetically appealing (no sea of asphalt) in our community, which is the purpose of the gateway arterial landscaping requirement.

Off Street parking: The applicant has requested to modify the parking standard in order to accommodate more areas for buildings and increase the parking utilization of current facilities. The ratio they are requesting is 3.5 spaces per thousand square feet of building and/or utilized outside patio area. This is due to the volume of square footage they deal with. Our current code has a varied ratio based upon use but the average is 1 space per 250 sq ft (for general retail). To compare them equally, they are asking to be reviewed at 1 space per 285 sq ft. Additionally, they have requested to remove all "common areas" from the commercial parking calculation.

In addition the request also includes a modification is to allow a joint or shared use of the parking between residential and commercial uses. The way the modification is written, 1 of the residential spaces would be reserved exclusively for residential parking, the other space could be counted for or used by the surrounding or nearby commercial businesses.

The dual concept of reducing the parking requirement and allowing shared or joint use parking areas between residential and commercial entities within a single project is an established practice within the planning profession across the country. As large retailers move out or close, malls are looking to other models and modes of entertainment and commercial enterprises to keep these large properties productive. Part of this productivity is having mixed uses and a more compact/walkable development pattern. By reducing the parking requirement, it frees up some of the property to be used for other buildings and uses.

Signs: The applicant is requesting to be subject to the current sign code with one modification to allow the “pennant signs” currently installed. All future signs would need to follow current city code, or as modified by the city in the future.

The change to follow current city code will greatly help city staff review applications for sign permits at this location. Staff does believe this change will allow the mall to have more signage on the property, the total amount has not been calculated. However, we have done some preliminary research on large freestanding signs and we believe they may have a few more per current code, these would be primarily on Blue Lakes and Pole Line.

Future Buildings: The applicant has made it clear, they have not submitted a Master Development/Conceptual Plan. The conceptual plan submitted only shows existing buildings and previously approved pad sites. This does not portray where future buildings may be located. With the change to follow the C-1 Code, additional buildings will need to follow the development criteria of the C-1 Zone and this ZDA document in order to be constructed.

This is a crucial part of this ZDA, the MV Mall is seeking to be treated like any other C-1 property in regards to number of buildings on the property, and allowing different/mixed uses on the property which follow the base Zoning Code created and enforced by the City – with the exceptions they have requested. From a staff perspective, this type of development and agreement falls in-line with the Comprehensive Plan and its directives to have a Mixed Use type of land uses in this area.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; “Grow With Us” designates this area as appropriate for “Mixed Use.” This designation is to be targeted at intersections of major arterials, anchored by commercial, civic, or entertainment uses and allows high-intensity mixed uses in compact pedestrian oriented environments. The types of commercial uses should be retail, office, restaurant, hotel, and mixes of residential land uses. Staff has determined this request complies with the 2016 comprehensive plan.

Conclusion:

The Commission may recommend to the City Council approval of this request as presented, recommend approval of this request subject to conditions you feel may mitigate possible impacts, or recommend denying this request.

Attachments:

1. Letter of request
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Future Land Use Map
5. ZDA – Written Commitment
6. Conceptual and Sign Plan



1485 POLE LINE ROAD EAST, TWIN FALLS IDAHO 83301
+ 208 733 3000 + 208 733 3283 FAX

Magic Valley Mall L.L.C.
1485 Poleline Rd. East
Twin Falls, Idaho 83301
Attn: Brent White C.S.M.

The Honorable Mayor Mr. Shawn Barigar
Members of the City Council
Members of The City Planning and Zoning Commission
Members of the City Staff
The City of Twin Falls 103 Main Ave. E
Twin Falls, Idaho 83301

Re: Request for rezone – Magic Valley Mall

Dear Mr. Mayor,

Attached you will find the application of Magic Valley Mall L.L.C for request to rezone from C-1 PUD to C-1 ZDA for its owned property; Magic Valley Mall.

This application is submitted for consideration after extensive consultation with members of the City staff to accomplish three objectives as follows:

- a. The current development agreement with the City includes an original PUD dated 2/6/1984 and many subsequent modifications and amendments of that agreement. Plan review and other City staff duties related to the subject property are currently quite difficult due to the extensive nature of many agreements entered into with the City over multiple decades. The proposed ZDA will greatly simplify City staff review tasks as it will address most of the pertinent development requirements and specifics in a single document.
- b. The proposed ZDA will permit mixed use development including retail, office and residential uses subject to applicable code and the terms of the proposed ZDA.
- c. The needs of commercial enterprise change rapidly in the modern era. The proposed Agreement will allow within the terms of City code and the Agreement for adaptive development over time vital to ensuring that the subject property may continue to serve and enhance the nature of the community.

The proposed zoning conforms to the City's Comprehensive Plan as the subject site is within the C-1 zone and otherwise meets related Plan provisions. The intended use of the subject property as retail, residential and office development is compatible in every respect to all surrounding



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properties. Included with this application is the proposed Mixed Use Residential and Commercial Zoning Development Agreement describing requested exceptions which are important due to specific characteristics of the site and for achieving the purposes described in this application. We thank all who will consider this application for your part in this process and look forward to responding to your concerns.

Best Regards,

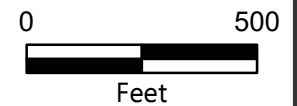
Brent White C.S.M.
Magic Valley Mall L.L.C.

Attached:

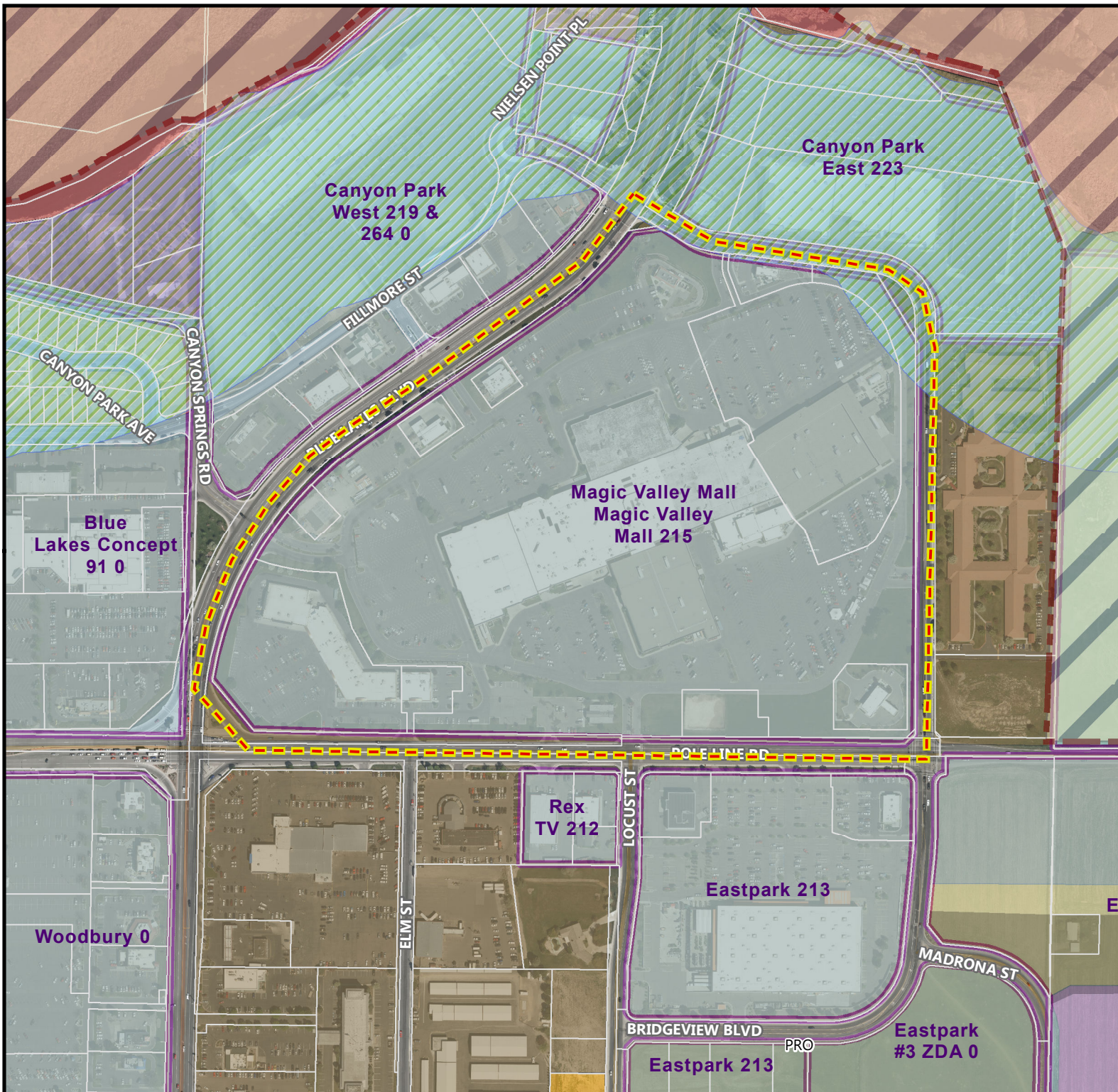
- Zoning District Change Application
- Subject property proof of ownership – deed
- Mixed Use Residential and Commercial Zoning Development Agreement
- Exhibit "A" – subject property Site Plan

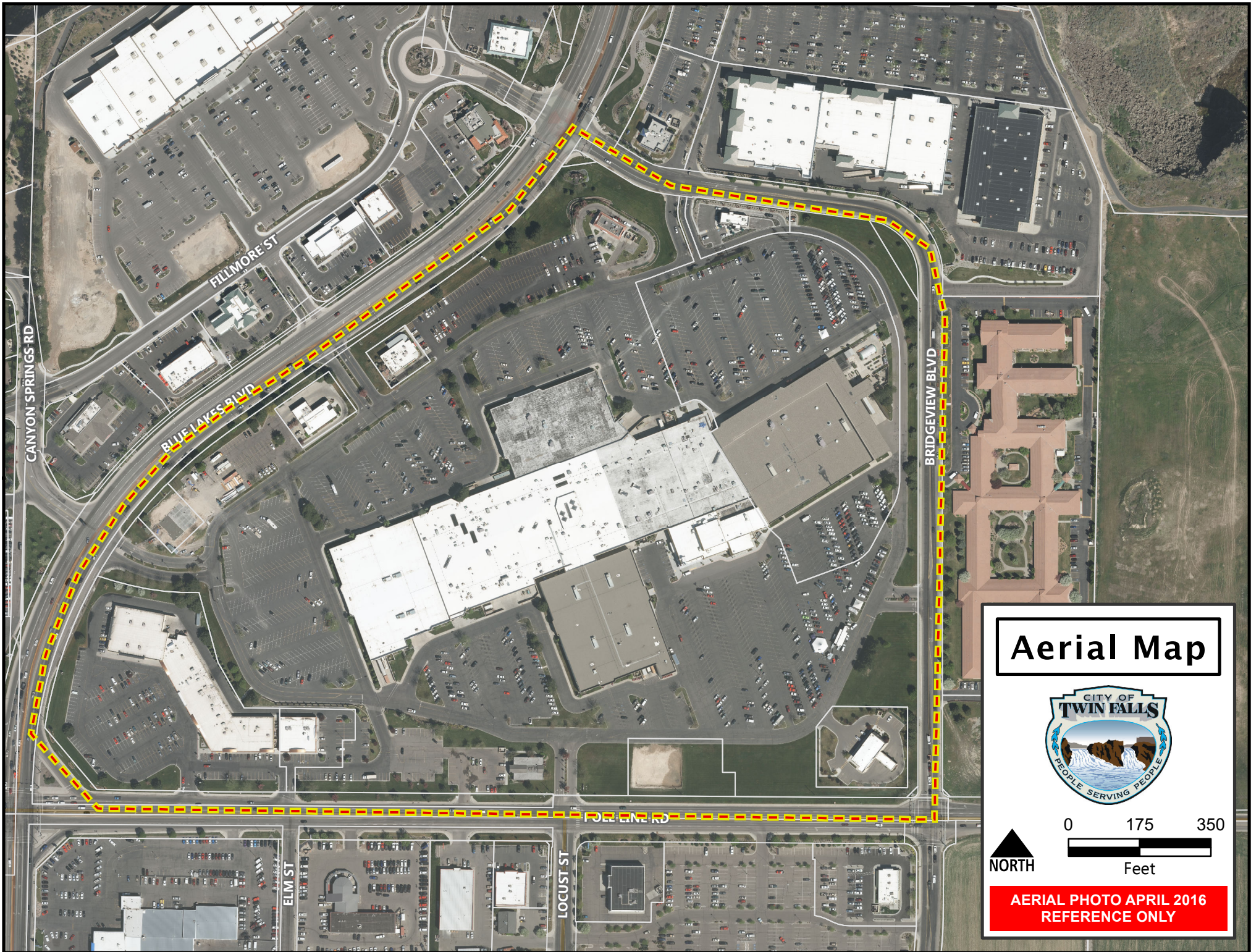
Zoning Vicinity Map

-  Area Of Impact
-  CRO
-  PRO
-  PUD
-  C-1
-  OS
-  R-1 VAR
-  R-2
-  R-4
-  SUI



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**





Aerial Map



0 175 350

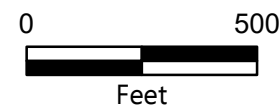


Feet

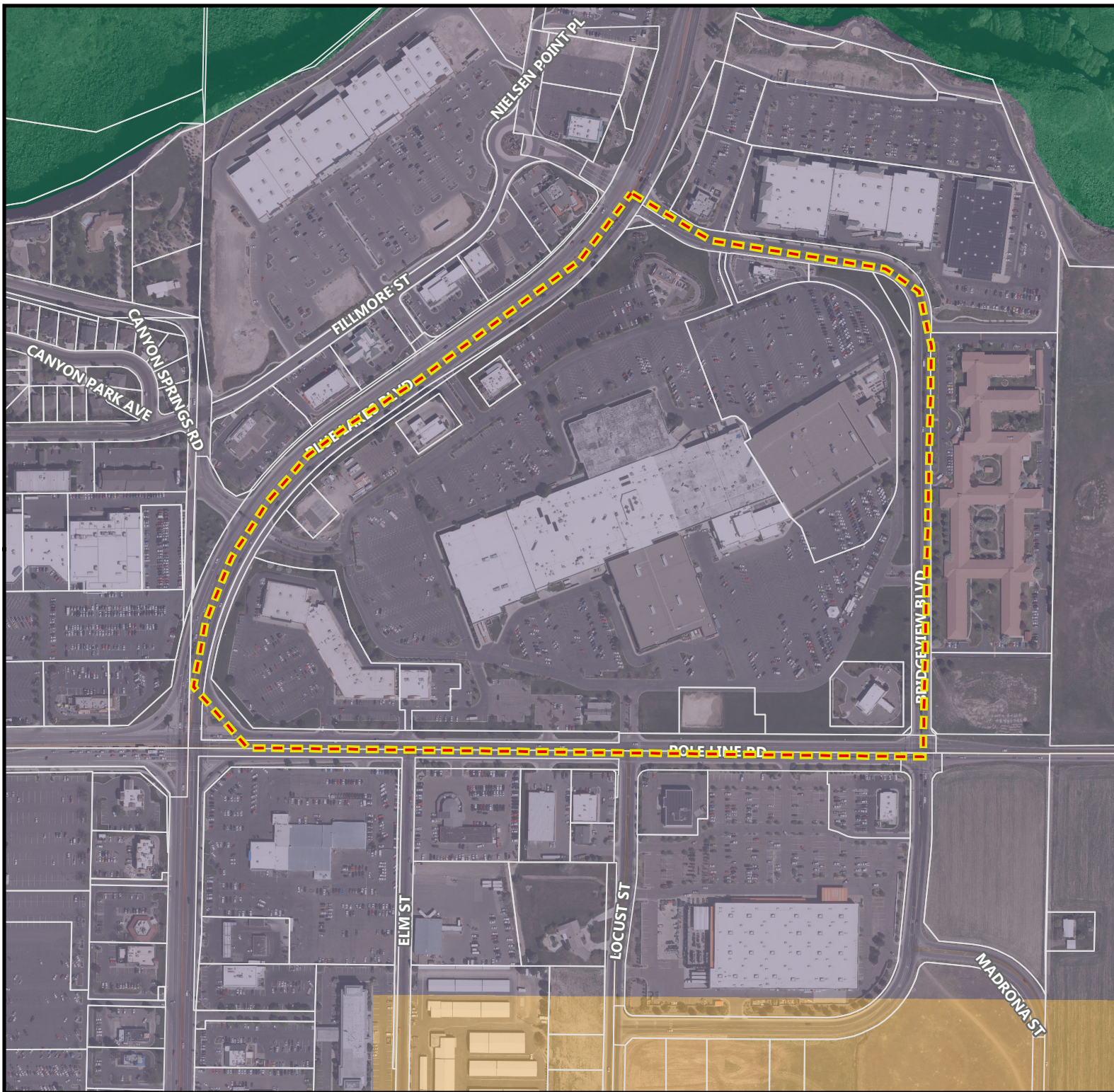
**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

Future Land Use Map

- Mixed Use
- Natural Areas
- Town Neighborhood



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



Mixed Use Residential & Commercial Zoning Development Agreement

Written Commitment Document

This Zoning Development Agreement is entered into as of the ____ day of _____, 2018 by and between the City of Twin Falls, Idaho, a Municipal Corporation (hereinafter called "City") and Magic Valley Mall L.L.C., a Utah Limited Liability Company (hereinafter called "MVM") whose address is 2733 Parley's Way, Suite 300, Salt Lake City, Utah 84109

MVM is the developer of a regional shopping center in the City of Twin Falls on the land and as depicted in Exhibit "A", attached hereto developed in accordance with provisions of a PUD agreement dated February 6th, 1984 and subsequent amendments thereto between the City of Twin Falls and MVM and its predecessors in interest.

WHEREAS, the parties hereto now desire to enter into agreement of this written commitment document.

NOW THEREFORE:

1. All future development and improvements shall conform to the standards and regulations of the Twin Falls City Code Title 10 – Chapter 4 – Section 8, or as amended, and all references to other sections therein except for the following:
2. Use Regulations: Modified to include the following:
 - (A). Permitted Uses:
 1. Retail Trade: Alcoholic Beverages when consumed on the premises
 2. Transportation: Parking Structures
 3. Miscellaneous: Drive-Thru Facilities
 4. *Sports:* Indoor recreation/entertainment facilities
 - (B). Special Uses: No Change Requested
 - (C). Prohibited Uses: No Change Requested
4. Property Development Standards:
 - (A). Lot Area : Modified as follows:
 1. Residential Uses: No Minimum.
 - (B). Lot Occupancy: Modified as follows:
 1. Residential Uses: No Maximum.
 - (C). Building Height: No change requested.
 - (D). Yards: Replaced as follows:
 1. Commercial Uses And Residential Uses:
 - a. Front Yards: A building setback of thirty five feet (35') shall be maintained on major arterials and fifteen feet (15') on all other streets. The Poleline Road property

frontage between Locust Street and Bridgeview Boulevard shall require a building setback of twenty feet (20') in order to mitigate the effects of the natural steep slope on ADA accessibility. In developed areas which have building lines already established, this requirement may be reviewed and adjusted by the commission, subject to the following exceptions:

- (1). A gasoline service station pump island, including cashier's booth, and canopy setback may be less than the required thirty five feet (35') property line setback on arterial streets, providing the property line setback is not less than thirty feet (30') for a pump island nor less than twenty feet (20') for the outer edge of a canopy. Gasoline service station pump islands, including cashier's booths, and canopies, shall not be used to adjust setbacks in developed areas which have building lines already established.
- (2). Outdoor or patio seating, including associated canopies or coverings, at a food service establishment providing the outdoor seating area including any canopies or coverings does not exceed a property line setback of twenty feet (20') or the minimum required arterial landscaping is provided, whichever is greater. Any outdoor or patio seating area proposed within a required setback must be approved by the planning and zoning commission.

b. Side And Rear Yards: No property line setbacks are required on side yard or rear yards.

(E). Access: No Change Requested

(F). Landscaping: Additional standards set forth hereafter.

1. Arterial Landscaping to be modified as follows:

- a. Perimeter/Frontage landscaping shall be an average depth of thirty (30) feet, with no area having a depth less than fifteen(15) feet, measured from back of Curb. If, by requirement of governmental authority, curbs are relocated reducing the landscaped area, the required depth will be reduced by the same distance or measurement.

(G). Off Street Parking: Modified as follows:

1. Commercial Uses shall be parked at an overall ratio of three and one-half (3.5) spaces per one thousand (1000) square feet.
 - a. Common areas are exempt from the parking ratio calculation. Examples of common areas are as follows: access areas, foyers, hallways, pathways, stairways, vestibules.
 - (1). If any portion of the aforementioned areas are used for retail trade purposes, that specific square footage shall be counted towards the overall parking ratio.
2. Residential Units shall provide two (2) parking space for each dwelling unit.
 - a. One of the parking spaces may be attributed to shared or joint use with surrounding businesses or common parking area and may be counted for the purposes of required parking ratios listed in 4-(G)-1 above. In this event, a cross-use agreement duly signed and recorded by applicable parties shall be required.
3. All other parking regulations found in current City Code, or as amended, shall still apply.

(H). Signs: Modified to include the following

1. Monument signs as depicted and described in Exhibit A shall be allowed as currently installed.



2. Pennant signs of the general size and number in Exhibit A shall be allowed without permit within the development in the following manner.
 - a. Maximum size of each pennant: 32.6 sq ft
 - b. Maximum Height : 17'
 - c. Maximum of thirty (30) pennant signs shall be allowed on the subject property.
 3. Existing signage which does not meet current City Code Title 10 Chapter 9 shall be considered legal non-conforming.
 - a. Such signage, excepting Pennant Signs, shall be counted toward the total maximum square footage as listed in their respective category, or similar category, as assigned by the Zoning Administrator.
 4. Any new signage shall meet current City Code or as amended.
- (I). Walls, Fences, Hedges, Trees, Shrubs, and Landscaping Structures: no change requested

5. Other Site development Criteria – if applicable

1. Density: No change requested
2. Building Coverage – The Conceptual plan portrays existing buildings. This should not prohibit new buildings within the development which follow criteria as listed in this document, or in the base C-1 Zoning code.
3. Lot Width: No change requested
4. Lot Depth: No change requested.
5. Multi-Use Transportation Access and Pathways: No change requested.
6. Screening: No change requested.
7. Primary Building materials: No change requested.



IN WITNESS WHEREOF, this Agreement has been executed on the day and year first above written.

City of Twin Falls, a Municipal Corporation
By: Mayor

Magic Valley Mall, L.L.C.,

By: WOODBURY CORPORATION, a Utah Corporation,
Its Manager



By: O Randall Woodbury, Its President

By: W Richards Woodbury, Chairman

By: THORTON DEVELOPMENT AND
INVESTMENT, L.L.C., a Utah limited liability
Company, Its Co-Manager

By: Scott W. Thornton, Its Manager

STATE OF Idaho }

COUNTY OF Twin Falls }

On this 11 day of December, 2017, before me, a Notary Public in and for the said County and State, personally appeared O Randall Woodbury, Its President ~~and W. Richards Woodbury, Its Chairman,~~ known or identified to me to be the individuals whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my official seal the day and year in this certificate first above written.



Heather D. Barrett
NOTARY PUBLIC

Residing At: Twin Falls, Idaho

My Commission Expires: 8/23/2019

STATE OF _____ }

COUNTY OF _____ }

On this ____ day of _____, 20__, before me, a Notary Public in and for the said County and State, personally appeared Scott W Thornton its Manager, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my official seal the day and year in this certificate first above written.

NOTARY PUBLIC

Residing At: _____

My Commission Expires: _____

WS

STATE OF _____ }

COUNTY OF _____ }

On this ____ day of _____, 20__, before me, a Notary Public in and for the said County and State, personally appeared Mr. Shawn Barigar, Mayor of Twin Falls, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my official seal the day and year in this certificate first above written.

NOTARY PUBLIC

Residing At: _____

My Commission Expires: _____



EXHIBIT "A"
insert

W

C	h	h ₁	h ₂	h ₃	h ₄	h ₅	h ₆	h ₇	h ₈	h ₉	h ₁₀	h ₁₁	h ₁₂	h ₁₃	h ₁₄	h ₁₅	h ₁₆	h ₁₇	h ₁₈	h ₁₉	h ₂₀	h ₂₁	h ₂₂	h ₂₃	h ₂₄	h ₂₅	h ₂₆	h ₂₇	h ₂₈	h ₂₉	h ₃₀	h ₃₁	h ₃₂	h ₃₃	h ₃₄	h ₃₅	h ₃₆	h ₃₇	h ₃₈	h ₃₉	h ₄₀	h ₄₁	h ₄₂	h ₄₃	h ₄₄	h ₄₅	h ₄₆	h ₄₇	h ₄₈	h ₄₉	h ₅₀	h ₅₁	h ₅₂	h ₅₃	h ₅₄	h ₅₅	h ₅₆	h ₅₇	h ₅₈	h ₅₉	h ₆₀	h ₆₁	h ₆₂	h ₆₃	h ₆₄	h ₆₅	h ₆₆	h ₆₇	h ₆₈	h ₆₉	h ₇₀	h ₇₁	h ₇₂	h ₇₃	h ₇₄	h ₇₅	h ₇₆	h ₇₇	h ₇₈	h ₇₉	h ₈₀	h ₈₁	h ₈₂	h ₈₃	h ₈₄	h ₈₅	h ₈₆	h ₈₇	h ₈₈	h ₈₉	h ₉₀	h ₉₁	h ₉₂	h ₉₃	h ₉₄	h ₉₅	h ₉₆	h ₉₇	h ₉₈	h ₉₉	h ₁₀₀	h ₁₀₁	h ₁₀₂	h ₁₀₃	h ₁₀₄	h ₁₀₅	h ₁₀₆	h ₁₀₇	h ₁₀₈	h ₁₀₉	h ₁₁₀	h ₁₁₁	h ₁₁₂	h ₁₁₃	h ₁₁₄	h ₁₁₅	h ₁₁₆	h ₁₁₇	h ₁₁₈	h ₁₁₉	h ₁₂₀	h ₁₂₁	h ₁₂₂	h ₁₂₃	h ₁₂₄	h ₁₂₅	h ₁₂₆	h ₁₂₇	h ₁₂₈	h ₁₂₉	h ₁₃₀	h ₁₃₁	h ₁₃₂	h ₁₃₃	h ₁₃₄	h ₁₃₅	h ₁₃₆	h ₁₃₇	h ₁₃₈	h ₁₃₉	h ₁₄₀	h ₁₄₁	h ₁₄₂	h ₁₄₃	h ₁₄₄	h ₁₄₅	h ₁₄₆	h ₁₄₇	h ₁₄₈	h ₁₄₉	h ₁₅₀	h ₁₅₁	h ₁₅₂	h ₁₅₃	h ₁₅₄	h ₁₅₅	h ₁₅₆	h ₁₅₇	h ₁₅₈	h ₁₅₉	h ₁₆₀	h ₁₆₁	h ₁₆₂	h ₁₆₃	h ₁₆₄	h ₁₆₅	h ₁₆₆	h ₁₆₇	h ₁₆₈	h ₁₆₉	h ₁₇₀	h ₁₇₁	h ₁₇₂	h ₁₇₃	h ₁₇₄	h ₁₇₅	h ₁₇₆	h ₁₇₇	h ₁₇₈	h ₁₇₉	h ₁₈₀	h ₁₈₁	h ₁₈₂	h ₁₈₃	h ₁₈₄	h ₁₈₅	h ₁₈₆	h ₁₈₇	h ₁₈₈	h ₁₈₉	h ₁₉₀	h ₁₉₁	h ₁₉₂	h ₁₉₃	h ₁₉₄	h ₁₉₅	h ₁₉₆	h ₁₉₇	h ₁₉₈	h ₁₉₉	h ₂₀₀	h ₂₀₁	h ₂₀₂	h ₂₀₃	h ₂₀₄	h ₂₀₅	h ₂₀₆	h ₂₀₇	h ₂₀₈	h ₂₀₉	h ₂₁₀	h ₂₁₁	h ₂₁₂	h ₂₁₃	h ₂₁₄	h ₂₁₅	h ₂₁₆	h ₂₁₇	h ₂₁₈	h ₂₁₉	h ₂₂₀	h ₂₂₁	h ₂₂₂	h ₂₂₃	h ₂₂₄	h ₂₂₅	h ₂₂₆	h ₂₂₇	h ₂₂₈	h ₂₂₉	h ₂₃₀	h ₂₃₁	h ₂₃₂	h ₂₃₃	h ₂₃₄	h ₂₃₅	h ₂₃₆	h ₂₃₇	h ₂₃₈	h ₂₃₉	h ₂₄₀	h ₂₄₁	h ₂₄₂	h ₂₄₃	h ₂₄₄	h ₂₄₅	h ₂₄₆	h ₂₄₇	h ₂₄₈	h ₂₄₉	h ₂₅₀	h ₂₅₁	h ₂₅₂	h ₂₅₃	h ₂₅₄	h ₂₅₅	h ₂₅₆	h ₂₅₇	h ₂₅₈	h ₂₅₉	h ₂₆₀	h ₂₆₁	h ₂₆₂	h ₂₆₃	h ₂₆₄	h ₂₆₅	h ₂₆₆	h ₂₆₇	h ₂₆₈	h ₂₆₉	h ₂₇₀	h ₂₇₁	h ₂₇₂	h ₂₇₃	h ₂₇₄	h ₂₇₅	h ₂₇₆	h ₂₇₇	h ₂₇₈	h ₂₇₉	h ₂₈₀	h ₂₈₁	h ₂₈₂	h ₂₈₃	h ₂₈₄	h ₂₈₅	h ₂₈₆	h ₂₈₇	h ₂₈₈	h ₂₈₉	h ₂₉₀	h ₂₉₁	h ₂₉₂	h ₂₉₃	h ₂₉₄	h ₂₉₅	h ₂₉₆	h ₂₉₇	h ₂₉₈	h ₂₉₉
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MAJOR'S COURTS
FOODCOURT COURTYARD
NON MALL MONUMENT SIGN

ENTRY LOCATIONS
 PLANTED ISLAND
 (IN PARKING AREA)
 PAINTED ISLAND

SHOPPING CENTER BOUNDARY
KIOSK (5' WIDE x 12' LONG)
WITH 12" CLEARANCE
SWITCH GEAR LOCATION

TRANSFORMER
RING ROAD
ACCESS ROAD

- 3.5/1,000 s.f. Parking Ratio
- Retail/Commercial
- 2.0/unit - Residential

- Drawing depicts site as of 1/1/18.
 - Subject to change according to ZDA terms.

MAGIC VALLEY MALL
MASTER SITE PLAN
TWIN FALLS, IDAHO



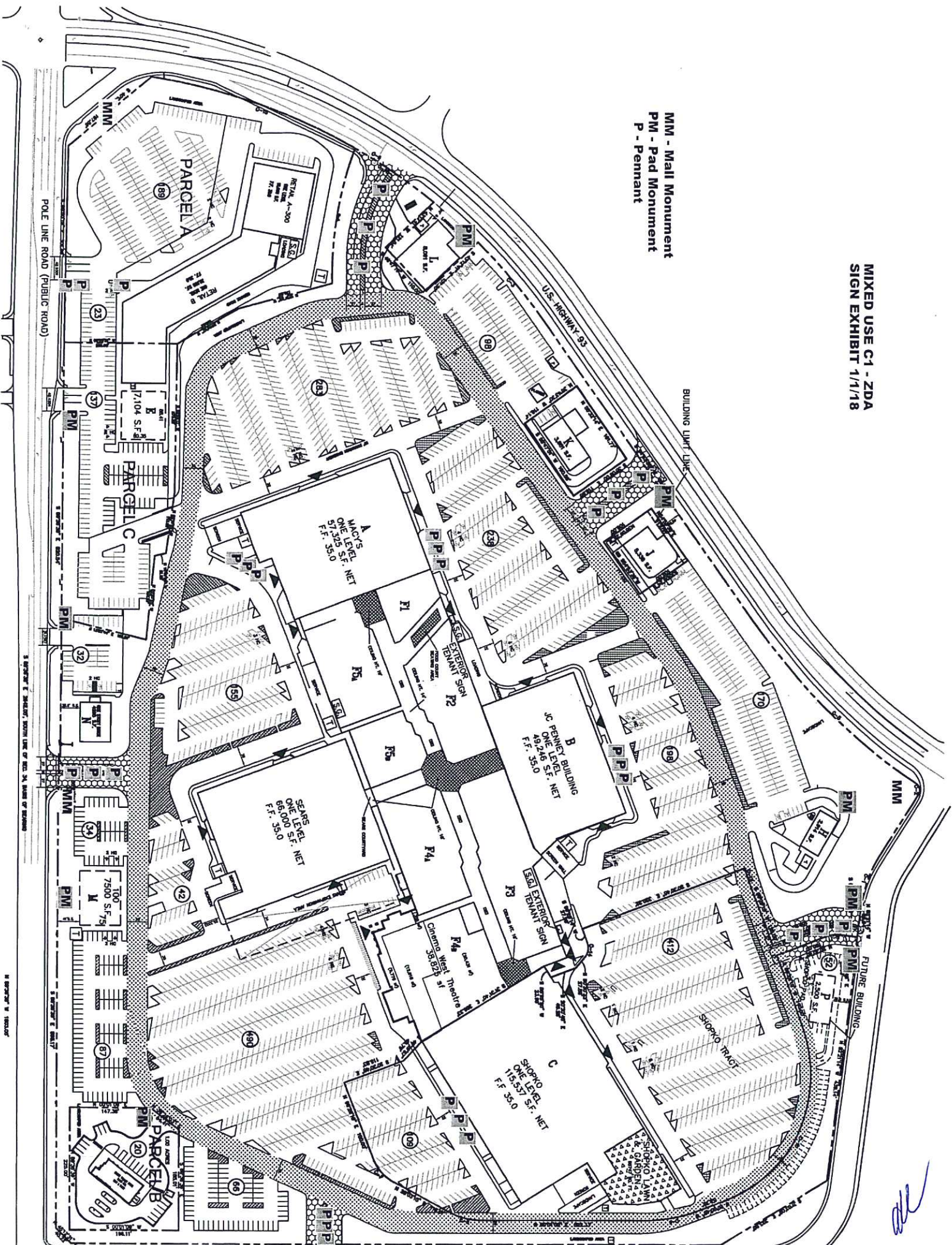
LYNN S. WOODBURY AND ASSOCIATES, ARCHITECTS
2733 EAST PARLEYS WAY, SUITE 300
SALT LAKE CITY, UTAH 84109
(801) 485-7770

SITE

NOVEMBER 30, 2000

MIXED USE C1 - ZDA
SIGN EXHIBIT 1/1/18

MM - Mail Monument
PM - Pad Monument
P - Pennant



[Handwritten signature]

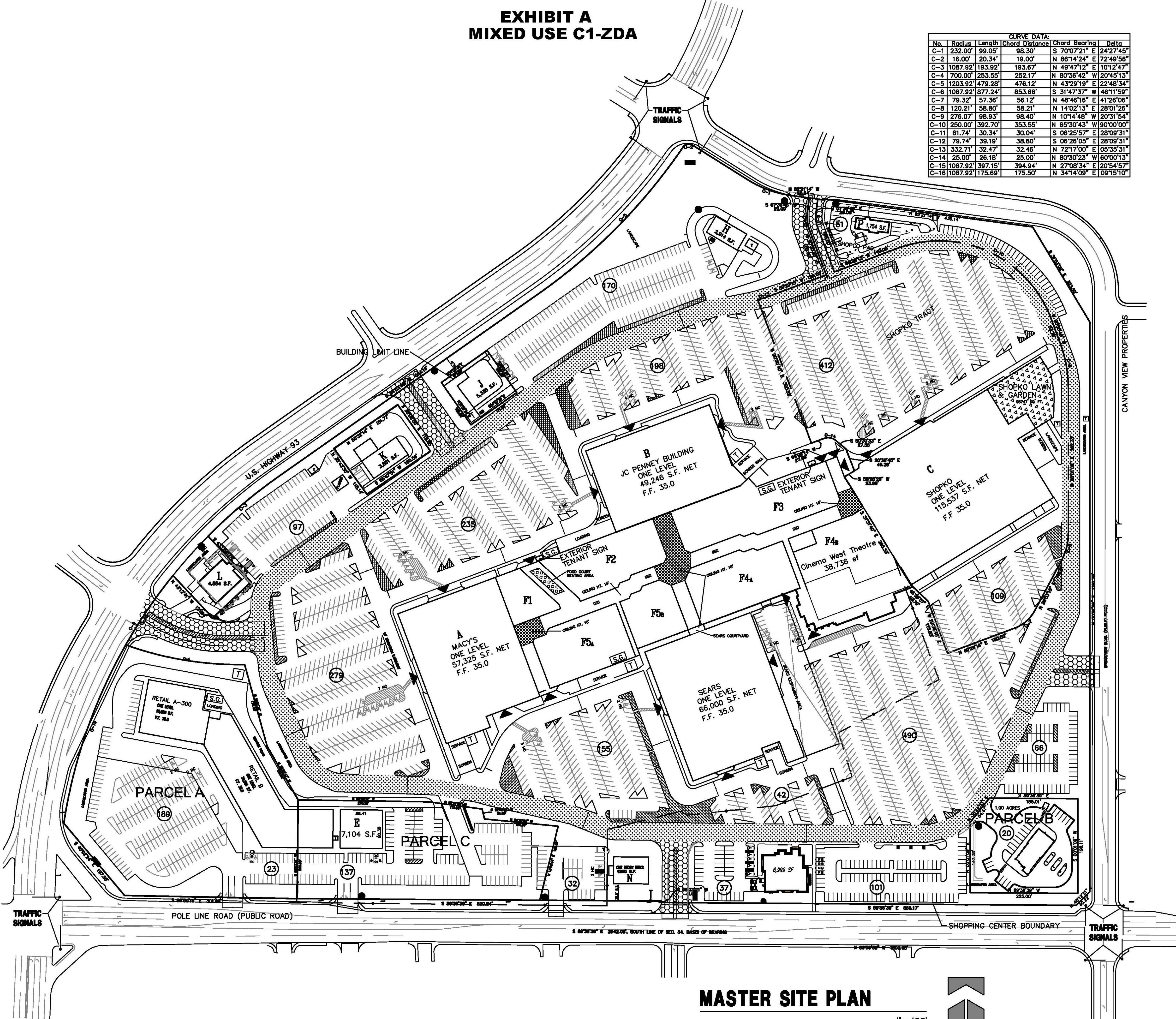
EXHIBIT A
MIXED USE C1-ZDA

CURVE DATA:					
No.	Radius	Length	Chord Distance	Chord Bearing	Delta
C-1	232.00'	99.05'	98.30'	S 70°07'21" E	24°27'45"
C-2	16.00'	20.34'	19.00'	N 86°14'24" E	72°49'56"
C-3	1087.92'	193.92'	193.67'	N 49°47'12" E	10°12'47"
C-4	700.00'	253.55'	252.17'	N 80°36'42" W	20°45'13"
C-5	1203.92'	479.28'	476.12'	N 43°29'19" E	22°48'34"
C-6	1087.92'	877.24'	853.66'	S 31°47'37" W	46°11'59"
C-7	79.32'	57.36'	56.12'	N 48°48'16" E	41°26'06"
C-8	120.21'	58.80'	58.21'	N 14°02'13" E	28°01'26"
C-9	276.07'	98.93'	98.40'	N 101°4'48" W	20°31'54"
C-10	250.00'	392.70'	353.55'	N 65°30'43" W	90°00'00"
C-11	61.74'	30.34'	30.04'	S 06°25'57" E	28°09'31"
C-12	79.74'	39.19'	38.80'	S 06°26'05" E	28°09'31"
C-13	332.71'	32.47'	32.46'	N 72°17'00" E	05°35'31"
C-14	25.00'	26.18'	25.00'	N 80°30'23" W	60°00'13"
C-15	1087.92'	397.15'	394.94'	N 27°08'34" E	20°54'57"
C-16	1087.92'	175.69'	175.50'	N 34°14'09" E	09°15'10"

- MAJOR'S COURTS
- FOODCOURT COURTYARD
- NON MALL MONUMENT SIGN
- MONUMENT SIGN
- ENTRY LOCATIONS
- PLANTED ISLAND (IN PARKING AREA)
- PAINTED ISLAND
- FUTURE PARKING
- FUTURE BUILDING/FUTURE EXPANSION
- SHOPPING CENTER BOUNDARY
- KIOSK (5' WIDE x 12' LONG) WITH 12' CLEARANCE
- S.G. SWITCH GEAR LOCATION
- B.S. BUILDING SET BACK
- T TRANSFORMER
- RING ROAD
- ACCESS ROAD

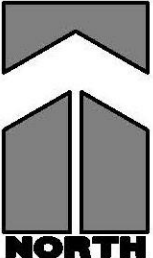
- 3.5/1,000 s.f Parking Ratio
Retail/Commercial
- 2.0/unit - Residential

- Drawing depicts site as of 1/1/18.
Subject to change according to ZDA terms.



MASTER SITE PLAN

1" = 100'



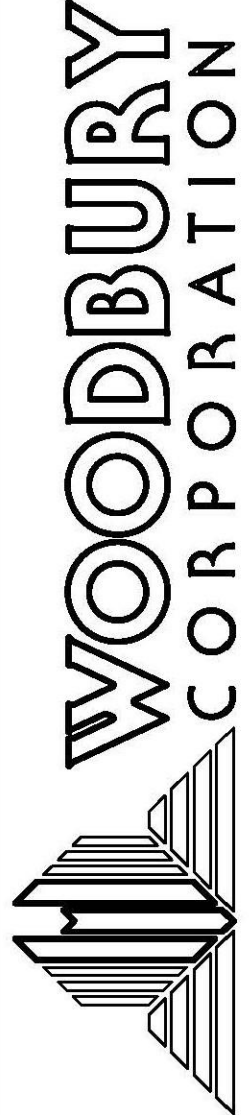
MAGIC VALLEY MALL
MASTER SITE PLAN

TWIN FALLS, IDAHO

DRAWING DATE:
NOVEMBER 30, 2011
REVISION DATE:

11111-MASTER SITE PLAN

SITE



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SALT LAKE CITY, UTAH 84109
(801) 485-7770

MM - Mall Monument
PM - Pad Monument
P - Pennant

