



Twin Falls Planning & Zoning Commission Minutes

Tuesday, February 13, 2018, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

Members -

City Limits: Tom Frank, Chairman, Kevin Grey, Vice Chairman, Danielle Dawson, Craig Hawkins, Gerardo "Tato" Muñoz, Ed Musser

Area of Impact: Ryan Higley, Steve Woods

1) Confirmation of Quorum/Call Meeting to Order

Members Present: Woods, Dawson, Frank, Musser, Higley, Grey, Hawkins

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

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

2) Consideration of Amendments to Agenda

None

3) General Public Input

None

4) Consent Calendar

- a) Approval of minutes for the following meeting: 01-23-18 PH

Motion:

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

Unanimously Approved

5) Items of Consideration

None

6) Public Hearings

- a) Request for a **Special Use Permit** to operate an Indoor Recreation Facility operating as a nightclub to include a dance floor, alcohol for consumption onsite and extended retail hours of operation to 12:00 midnight on property located in the basement of 132 Main Avenue North. c/o Tim Stastney on behalf of Magic Valley Dining & Entertainment, LLC (app. 2923)

Applicant Presentation:

Tim Stastney, the applicant explained they would like to operate a nightclub, it would be a space that could be rented out and operated like a speak easy style bar in the basement of the Slice

restaurant.

Staff Presentation:

Planner I O'Connor reviewed the request on the overhead and stated this address falls in the Model Building which is a contributing building on the Twin Falls Historic Properties list. It was built in the early 1920's. In 1950, the Polk directories listed this address as Brunswick Cigars. In 2011, the P&Z Commission granted a special use permit to operate a hookah lounge with extended hours of operation for 1 year. The SUP expired with no further action requested. The Slice is operating a restaurant at this location.

This is a request to operate an Indoor Recreation Facility operating as a nightclub to include a dance floor, alcohol for consumption onsite and extended retail hours of operation to 12:00 midnight on property located in the basement of 132 Main Avenue North. The request is specific to the basement of 132 Main Ave. N. and does not apply to the operation of Slice, the restaurant at street level of 132 Main Ave. N. The applicant plans to remodel the basement of this building, approximately 1,500 sq. ft. of space, to accommodate a space for private events. There will likely be a bar in the space to allow for a full service bar during events. The applicant also has no plans in the future to operate beyond the requested extended hours of midnight.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Downtown." Downtown is described as promoting infill development in the central business district. Staff has determined this request complies with the 2016 comprehensive plan as it repurposing underutilized space in the central business district.

Per City Code 10-4-7:

Requires an SUP for an indoor recreation facility and extended retail hours as presented.

Per City Code 10-11-1 thru 8:

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

The applicant nor staff anticipate any increase in negative impacts from a private event facility operating to midnight.

Planner I O'Connor stated upon conclusion should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

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

PZ Questions/Comments:

- Commissioner Musser asked if this is just going to be open for special events or every night.
- Mr. Stastny explained it has the potential to be open Monday-Saturday if someone has booked a private party. If the room is not booked on a Thursday, Friday or Saturday it will be open to the public.
- Commissioner Grey asked if this would be in conflict with the use on the upper floor.
- Planner I O'Connor explained that he is not aware of any conflict, this will be specific to the basement for indoor recreation and extended hours of operation. The upstairs use is an outright permitted use. They will not be serving food downstairs so it will not be an extension of the business upstairs.

Public Hearing: Opened and Closed Without Comments**Deliberations Followed:**

Commissioner Woods explained that his only concern is the door that is along the alley. It should open outwards to the alley and would like to make sure that concern is addressed. Commissioner Frank stated he is excited about the request and has no issues.

Motion:

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

Approved, As Presented, With the Following Conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
- b) Consideration of a request for a **Zoning District Change & Zoning Map Amendment** from C-1 PUD To R-6 & C-1 ZDA to allow a multi-family residential and commercial Planned Development for 12.46 (+/-) acres located at the Northeast corner of Addison Ave E and Carriage Lane North aka 2695 Addison Avenue East. c/o Scott Allen / JUB Engineers, Inc. on behalf of Thad Farnham (app. 2994)

Applicant Presentation:

Scott Allen, JUB Engineers, Inc. representing the applicant, they are here tonight to ask for a recommendation on a rezone for a property located along the northeast corner of Addison Avenue East and Carriage Lane North. He reviewed on the overhead the surrounding zoning and land uses. The proposed uses they have submitted for the site include approximately 7 acres to the north that will be developed as townhomes for rent in the form of 4-plexes and 8-plexes.

There will be clubhouse and a dog park with the entire development retained by one owner. The property to the south of the residential development approximately 5 acres to the south would be developed as storage units and retail/light commercial.

As a Zoning Development Agreement they have included some changes to the underlying zones. The clubhouse as a land use in the R-6 zone currently requires a Special Use Permit, they would like to move this land use to the allowed uses so that a Special Use Permit would not be required. The storage units as a land use in the C-1 zone currently requires a Special Use Permit, they would like to move this land use to the allowed uses so that a Special Use Permit would not be required.

Under the property development standards in the ZDA individual lots would be required for individual buildings in the residential portion of the development. They are also requesting that the multi-family units be permitted on one lot because they will be retained under one ownership. They have also committed to a 6' high screening fence be placed between the residential development and the religious facility. They also have included a 20' landscape buffer in the R-6 and C-1 zone. This property abuts another property to the east that fronts Addison Avenue with restricted access. They have requested a shared common access along the southeast corner to provide access not only to their property but the property to the east of this proposed development. In the northeast portion of the property where the storage units abuts the residential area, normally the setback would be 25' in the ZDA they are requested that be reduced to 15'.

PZ Questions/Comments:

- Commissioner Woods asked for clarification on the master plan.
- Mr. Allen explained it is the deceleration lane for the shared approach.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated this parcel has been in agricultural use since at least 1950 and likely before then. Development has occurred around it and most recently, it is part of the Cedar Park PUD #210, recorded in April 2008.

He explained that the City Code requires 25' setback between residential uses with 5 units or less if they are next to commercial and the applicant is not sure they can meet the 25' setback with the design proposed for the storage units. The code added the 25' setback to help protect the existing residential properties when commercial property is developed adjacent to them.

Per City Code 10-6: Zoning Development Agreements:

Development of a ZDA shall conform to all sections of Title 10 unless specifically addressed within the written zoning development agreement and approved by the City. The agreement shall list ALL requested variations from standard code requirements. The council may add other requirements they deem appropriate.

The applicant shall provide a signed and notarized written Zoning Development Agreement identifying land uses and development requirements that are variations to minimum zoning code requirements. The Zoning Development Agreement shall include a color

Master Development Plan that illustrates the phasing and specific development criteria specific to this project. The Zoning Development Agreement shall also include, a Master Landscaping Plan, a Master Lighting Plan, a Master Parking Plan, building heights-if greater than allowed by code, building materials, identify non-vehicular pathways and any other specific land uses or development criteria -if not permitted by code.

Comprehensive Plan Compliance:

Twin Falls "Grow With Us" 2016 Comprehensive Plan identified this area as both "Neighborhood Commercial" and "Town Neighborhood." This request complies with both designations in that the C-1 portion of the request is located within the Neighborhood Commercial designated area and the R-6 residential development is generally located within the Town Neighborhood designated area. Staff has determined this project, as presented, complies with the 2016 Comprehensive Plan.

The impacts seen from this development are not unlike any impacts that would be experienced from any other type of residential and commercial development. All new development will inevitably bring an increase in vehicular traffic as residents move in and customers utilize the spaces of the commercial units occupied by businesses. An increase in usage of surrounding public amenities can also be expected. However these impacts cannot be completely mitigated as the growth and development of vacant land in and around the city continues.

If the Commission determines the proposed request as appropriate, you may recommend approval to the City Council, as presented, subject to the following conditions.

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.
2. Subject to a recorded final plat prior to development.
3. Subject to all outside lighting being downward facing and which shall not encroach onto surrounding properties.
4. Subject to no "temporary" or off-site rental units (commonly referred to as PODS) being utilized or stored on this property.
5. Subject to no outside storage allowed.

PZ Questions/Comments:

- Commissioner Grey asked if there were any garages or storage for peoples things.
- Mr. Allen explained that originally there was going to be covered parking in the middle of the parking area but those are now being moved to the front of the units.
- Rick Messer explained each unit has a 5'x5' storage area on the front of the building for personal storage.

Public Hearing: Opened

- Brad Wills, 816 Cherokee Lane, asked what the storage units will look like from Addison and if there will be any storage of RVs/Boats etc.
- Keven Rosenau, 2692 Joshua Way asked if there are any of the businesses in the retail

section going that are going to be open 24 hours and if they have an estimate of how many people will actually live in the townhomes.

- Elaine Malory, 2683 Whispering Pine, asked about the height of the storage units and has some questions about flooding along this area from when the property was used for farming.

Public Hearing: Closed

Closing Statements:

Mr. Allen showed a visual of the storage units and there is a 35' landscape requirement along Addison Avenue. The units will be used for standard household storage no open for RVs or Boats. He also explained the City has standard business hours and if there are 24 hours operations a Special Use Permit is required. Currently, they don't have any 24 hour users. As for the number of people there are several combinations of sizes on the units however there will be 96 units. The height on the storage units will be 8'-12' high. Part of the development will include widening out Carriage installing curb, gutter and sidewalk which will most likely will address and alleviate the flooding issue.

Deliberations Followed:

- Commissioner Grey explained that one single lot allows for one ownership.
- Assistant City Engineer, Troy stated it would be difficult to parcel off and a one ownership development is the best approach.
- Commissioner Frank explained we need more of this type of housing; we are downsizing but not getting rid of stuff. The design looks nice because it adds architectural character.

Motion:

Commissioner Grey made a motion to recommend approval of the request, as presented, with staff recommendations. Commissioner Higley seconded the motion. All members present voted in favor of the motion.

Recommended Approval, As Presented, With the Following Conditions

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.
2. Subject to a recorded final plat prior to development.
3. Subject to all outside lighting being downward facing and which shall not encroach onto surrounding properties.
4. Subject to no "temporary" or off-site rental units (commonly referred to as PODS) being utilized or stored on this property.
5. Subject to no outside storage allowed.

Scheduled for City Council March 12, 2018

7) Upcoming Meeting(s)

a) February 27, 2018 Public Hearing

b) March 7, 2018 Work Session

8) Adjournment

Chairman Frank informed the Commission that there are interviews scheduled for the vacancies on the Commission and that a selection of the new members will be complete prior to the first meeting in March. He adjourned the meeting at 6:48 pm.

Lisa A. Strickland, Administrative Assistant