

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 and address, then commence with their comments. Following their statements, they shall write their name and address on the Sign-In record sheet(s) located on a separate table near the entrance of the chambers. The administrative assistant shall make an audio recording of each public meeting.
3. **The Applicant, or the spokesperson for the Applicant, shall make a presentation** on the application/request. No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing – WHICH IS A MINIMUM OF 15 DAYS PRIOR TO PUBLIC HEARING. **The applicant's presentation should include the following:**
 - **A complete explanation and description of the request.**
 - **Why the request is being made.**
 - **Location of the Property.**
 - **Impacts on the surrounding properties and efforts to mitigate those impacts.**

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

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



Public Hearing: **TUESDAY, December 9, 2014**

To: Planning & Zoning Commission

From: Rene'e V. (Carraway) Johnson, Community Development Department

AGENDA ITEM V-1

Request: Requests a **Special Use Permit** for an indoor recreation facility, operating as a nightclub with extended hours of operation, for property located at 119 2nd Avenue West c/o Derek Chesley (app. 2691)

Time Estimate:

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

Background:

Applicant:	Status: Holds a Lease Agreement	Size: 5500 sqft lot and bldg. footprint
Derek Chesley 525 Hailee Ave Twin Falls, ID 83301 208-421-1609 Dchesley3@hotmail.com	Current Zoning: CB P-1	Requested Zoning: Extended Hours and Indoor Recreation-Night Club
	Comprehensive Plan: Townsite	Lot Count: 1 Lot
	Existing Land Use: Retail	Proposed Land Use: Indoor Recreation (Night Club and Event Center)
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: 2 nd Ave W; CB P-1, Public Parking Lot	East: Shoshone St S; CB P-1; Retail
	South: CB P-2, Office & Retail – Wills Toyota	West: CB P-1, Retail
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-7.2(B)-10j & 12d, 10-10, 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.

If an applicant or interested party appeals the decision of the Commission, 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 marginal impact on the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to operate an indoor recreation facility, selling alcohol, outside the normal retail hours of operation of 7 AM – 10 PM.

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:

The location has been zoned CB since 1981, when the City adopted the zoning districts we currently use. There is no further zoning history for this location. Throughout the years, the building has been used for multiple businesses, some of those include: Antoines Restaurant, Golden Palace Restaurant, Pomerelle Portraits, Black Pine Cabinets Office, Masters Touch Framing.

Analysis:

The applicant has supplied a detailed description of the proposed night club use. The proposed operation is from 7 PM – 2 AM. The anticipated number of patrons ranges between 75 and 300, depending on the day of the week. The business anticipates employing 14 people. The applicant has acknowledged the fact that noise and glare may occur with the operation of the night club due to music and LED lights and lasers associated with the dance floor.

Per City Code 10-4: Central Business District: Retail operations outside the hours of 7 AM – 10PM, and Indoor Recreation Facilities both require a Special Use Permit prior to being legally established.

- o **Possible Impacts:** *The impacts most common with this type of business revolve around Security, safety, trash, lights, and noise. Some of these items can be addressed through conditions, others will be addressed at the time of building permit submittal, and others have been addressed by the applicant.*

Safety and Security: *The applicant has had numerous discussions with staff members, including the police department. For safety reasons we have not included the security plan in this report. However, it has been reviewed by members of the police department and the applicant has addressed their concerns in regards to camera placement, camera equipment, security staff numbers, and other items pertinent to safety of patrons. These items will not preclude a situation occurring that will require the assistance from the Police Department. However, these items will help during investigations and information retrieval if needed.*

Trash: *Clubs such as this have a history of accumulating trash on the perimeter and on adjoining properties. The reasons for this are not to be debated here, the results have been noted by staff in the past. This impact is not dealing with the location, number or type of dumpsters, it is simply noting a possible impact patrons have on surrounding areas. It would be beneficial to place a condition requiring the applicants to draft a trash cleanup plan, approved by staff, prior to establishing the business.*

Lights and Noise: *The applicant has noted that lights and noise may be an impact on the area due to the music and LED lights and lasers associated with the dance floor area within the club. Any business would need to abide by the light restrictions found within the code. These restrictions require outdoor lighting to be downward facing and to not intrude on neighboring properties. Staff does not anticipate the lighting from the dance floor to violate any codes at this time.*

Historically, similar uses have been required to keep the noise level under 78 decibels measured at 10 feet from any doorway or exterior wall. It would be beneficial to place a condition on this permit that requires the same criteria to be met.

Per City Code 10-10: Off Street Parking: This property is located within the P-1 Parking Overlay. This overlay eliminates the off-street parking requirement. However, by applying for a special use permit, the parking requirement can and should be evaluated due to the possible impacts the business could have on the area.

- o **Possible Impacts:** *{need for additional parking on the same side of 2nd Ave for safety reasons, and for the amount of people attending the club.} Despite being located within the P-1 Overlay, it is incumbent on Staff to outline the possible impacts and to address them due to the Special Use status.*

The number of patrons anticipated will have an impact on parking in the area. There are multiple public parking lots on the North side of 2nd Ave. These lots are largely used by daytime patrons and workers of downtown businesses. Thus they are mostly vacant during the later hours. However, utilizing these lots would force patrons of the club to cross 2nd Ave and that could create frequent Car vs Pedestrian conflicts.

Staff feels it is essential to offer parking on the south side of 2nd Ave for patrons to safely arrive and depart from the business. The applicant has proposed leasing some parking areas from the Furniture Store and other businesses. These parking spaces would typically be unused after these businesses close for the night. This solution could satisfy the concern for safe arrival and departure from the club.

Per City Code 10-11-1 thru 8: Required Improvements: All applicable codes and requirements will be assessed at the time of building permit submittal. Since this is an existing building, some improvements are not required; most notably storm water, landscaping, and parking areas.

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 the hours of operation being extended no later than 2 AM.
3. Subject to full cooperation with the City Staff regarding events, security, and safety plans.
4. Subject to a trash cleanup plan being approved by staff prior to establishing the business.
5. Subject to noise levels measuring no greater than **78 decibels, measured 10 feet** from any doorway or exterior wall.

Attachments:

1. Letter of Request
2. Zoning Vicinity Map
3. Aerial Map
4. Applicant Submitted Site Plan
5. Site Photos

Thriller Night Club
119 2nd Ave W
Twin Falls, ID 83301
Owners - Derek Chesley 208-421-1609
Matt Woody - 208-420-5556

We are applying for a special use permit to convert the existing main floor which is currently a shell / office type to a night club.

Hours of operation (tentative) - Wednesday-Saturday from 7 PM - 2 AM.

Number of Patrons expected, Turn around average:

Wednesday/Thursdays - 75-150 people depending on the month/event.
Fridays/Saturdays - 150-350 people depending on the month/event

Employee estimate:

General Managers - 2 (both owners)
Accountant / Book Keeper - 1
Cocktail Servers - 5
Bar Tenders - 3
Security Guards - 3

There will be both **noise** and **glare** coming from the location.

The noise will be minimal as the audio equipment will be a good distance from the entrance. The club is not set to open until 7 PM, thus there should be no issues with noise for other business owners as surrounding businesses will be closed.

The club will have high end LED equipment and several lasers. If it is deemed the glare is a distraction we will have shade coverings that we can lower over the windows.

- We have reached out to the 3 business owners in alignment with our building including the Canal Building owner and tenants, Brewery owner, and the Furniture and appliance manager. All whom agree that downtown is in need of new business and think the night club would be a great addition to the Twin Falls downtown area. - Two of the three owners have agreed to lease us their parking lot during our hours, ensuring safety of our patrons not having to cross any busy streets. I am yet to go over parking details with one of the owners, I should have more information shortly. - Lytle signs can renovate the street sign that is not being used right now and hang a sign with our business logo and state the parking hours.

In addition to the parking spaces that we have permission to use, there is a public parking lot to the SW that has more than sufficient spaces to accommodate our expected occupancy. - Attached is the requested information as well as partial business plan.

[Print](#)[Close](#)

Lease Lots 3,4,5 Block 117 Twin Falls

From: **Smithp65@aol.com**

Sent: Tue 10/14/14 9:12 PM

To: dchesley3@hotmail.com

Derek

It was nice to discuss with you your plans to open a business and the need for parking for that business.

My wife and I own lots four and five in Block 117 Twin Falls Townsite and the Schiedt's own lot three and we are both willing to lease you this land which is an existing parking lot these lots which contain 24 parking spaces. These lots are 25X125' each, which total 75'X125' with curb cuts and egress out the alley for parking under lease terms to be worked out. This lease would require you to put a sign notifying the public of when the parking is to be available to your customers.

I hope you will be able to obtain the necessary permits and please let me know if you need any additional help.

Paul and Beth Smith
P O Box 1882
Twin Falls, Idaho 83303
2084202511

[Print](#)[Close](#)

RE: Parking Lot

From: **Sharon Welch** (furnitureandapplianceoutlet@hotmail.com)

Sent: Tue 10/14/14 2:39 PM

To: derek chesley (dchesley3@hotmail.com)

Derek,

I just spoke with A & T Security, It would cost \$250-\$300 to change the current sensors. If you would be willing to include this amount in your update than I would see no problem with your adventure.

Sharon Welch, Manager
Furniture and Appliance Outlet

From: dchesley3@hotmail.com

To: furnitureandapplianceoutlet@hotmail.com

CC: matthewjohnwoody4@gmail.com

Subject: RE: Parking Lot

Date: Fri, 10 Oct 2014 10:30:11 -0500

Sharon,

Thanks for the email.

Alcohol - Yes we will have a full bar (no liquor to begin with). Beer and Wine will be served.

Regarding Trash / Cleanliness of parking lot - Myself as well as the other General Manager will ensure the parking lot is free and clear before morning as well as security will keep an eye on it.

Security System - I am not sure how touchy your system is but patrons will be parking along the main street spaces as well as utilizing the canal building and brewery owners spaces just across from yours, and walking down the sidewalk to the entrance.

We have not discussed a monetary amount to use the canal building owners and brewerys spaces, they just have granted permission and we can discuss money later. We are in the process of trying to obtain a special use permit to even use the building



CONFIDENTIAL

THRILLER Night Club

Get THRILLED at THRILLER..... The safest, cleanest, and best night club in southern Idaho!

Business Plan

Prepared October 2014

Contact Information

Derek Chesley
dchesley3@hotmail.com
208-421-1609
119 2nd Ave W
Twin Falls, ID 83301

Executive Summary

Who We Are

THRILLER is something you won't find anywhere else. THRILLER is a unique dance club that centers its theme around Michael Jackson, the king of hip hop dance and music. THRILLER is not a bar, sports bar, or a place to go drink. THRILLER is somewhere you go to dance and get the most social experience in town. Unlike other places in town that are dark, dirty, and unfriendly. THRILLER will be very colorful with a LED bar, LED lights throughout, and state of the art LED dance floor. THRILLER will be the safest entertainment venue in town. The club will invest the proper amount of funds to ensure the safest environment. After your done dancing you can relax in high quality furniture and let the best cocktail servers take care of you. For those who don't know how to dance, let us take care of that. We will have some of the top dance moves of all time listed throughout the club, with complete instructions on how to master the move. We will have a couple video screens playing with some of the moves being shown. THRILLER in a different area of the club, will have a couple pool tables and a shuffle board for those who enjoy that aspect of a night out. The club will feature a safe and secure balcony that overlooks the bar and dance floor. Karaoke as well as private party's will also be available. Whether you are the greatest dancer in town or don't have any rhythm, THRILLER is still for you.

The club will be owned and managed by Derek Chesley and Matt Woody. Derek has several years experience in the food and beverage industry, as well as several years experience in owning his own business. Matt is a hungry investor that has several years experience in club research in surrounding states.

What We Sell

THRILLER will offer a high quality dance atmosphere, along with a wide variety of draft and bottled beer. The club will offer a variety of wine and liquor once receiving the liquor license. We will have a special karaoke night with high end technology. The club can be booked for private party's including bachelor, birthday, receptions and more on nights the club is not regularly operating. We will not be in direct competition

with another dance club but will have competition with other bars that have a dance floor or karaoke such as The Pressbox, Pioneer Club, The Brickhouse, and the Klover Klub.

Who We Sell To

Our target market includes men and women aged 21-54. Twin Falls is a college town that has over 20,000 people and counting in this age range. Roughly 70% in this age group drink alcoholic drinks. We will spend accordingly on marketing, ensuring everyone hears about the great new club. Money will be used on flyers/print, radio, web, and chamber of commerce. Word of mouth is key to a clubs success, this tactic will be used heavily throughout the community.

trips to venues in Twin Falls and Boise.

1. We will use the following information to determine where to go:

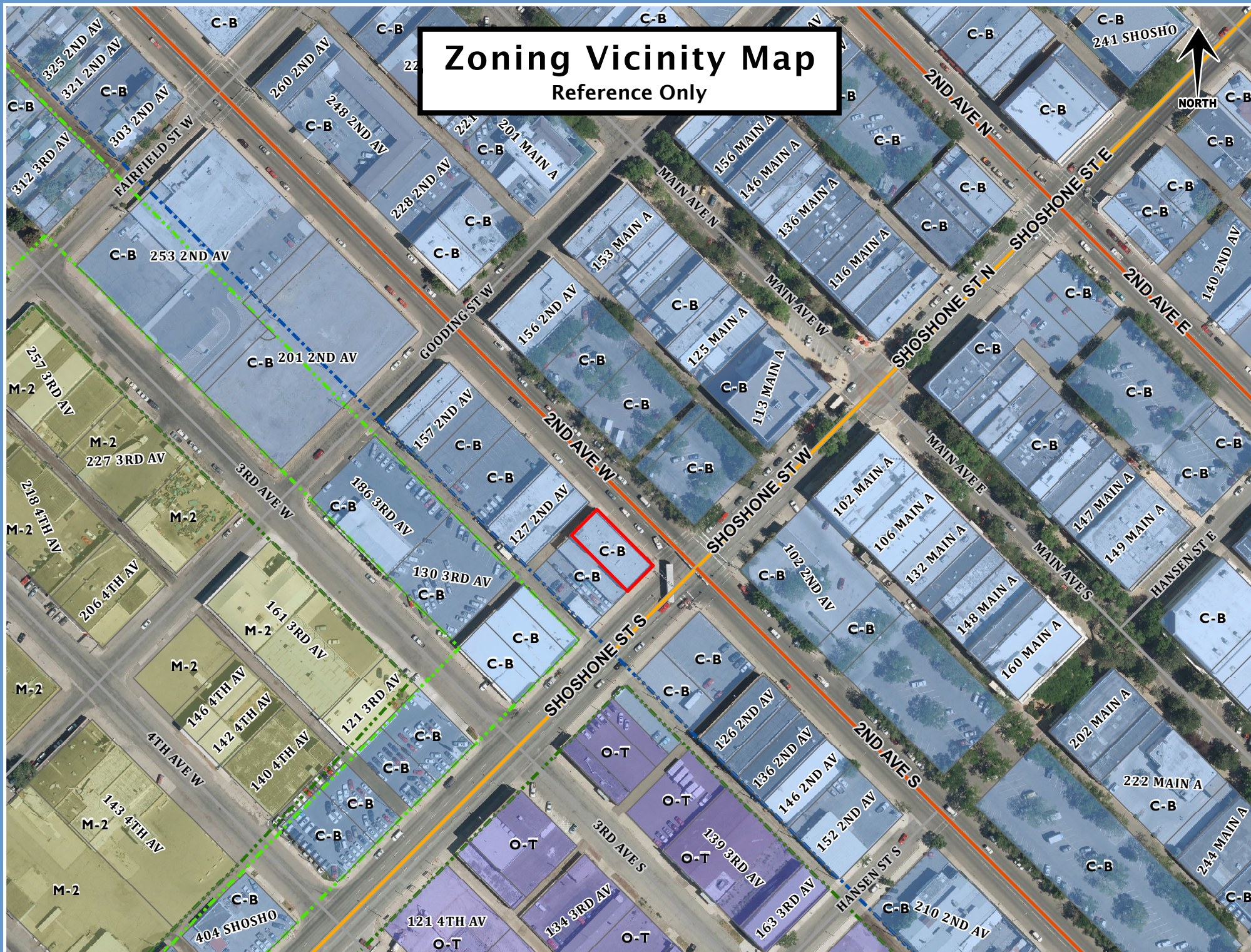
1. We will use the following information to determine where to go:

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Zoning Vicinity Map

Reference Only



Aerial Photo Map

Reference Only



113 MAIN A

163 2ND AV

157 2ND AV

2ND AVE W

SHOSHONE ST W

127 2ND AV

119 2ND AV

210 SHOSHO

222 SHOSHO

SHOSHONE ST S

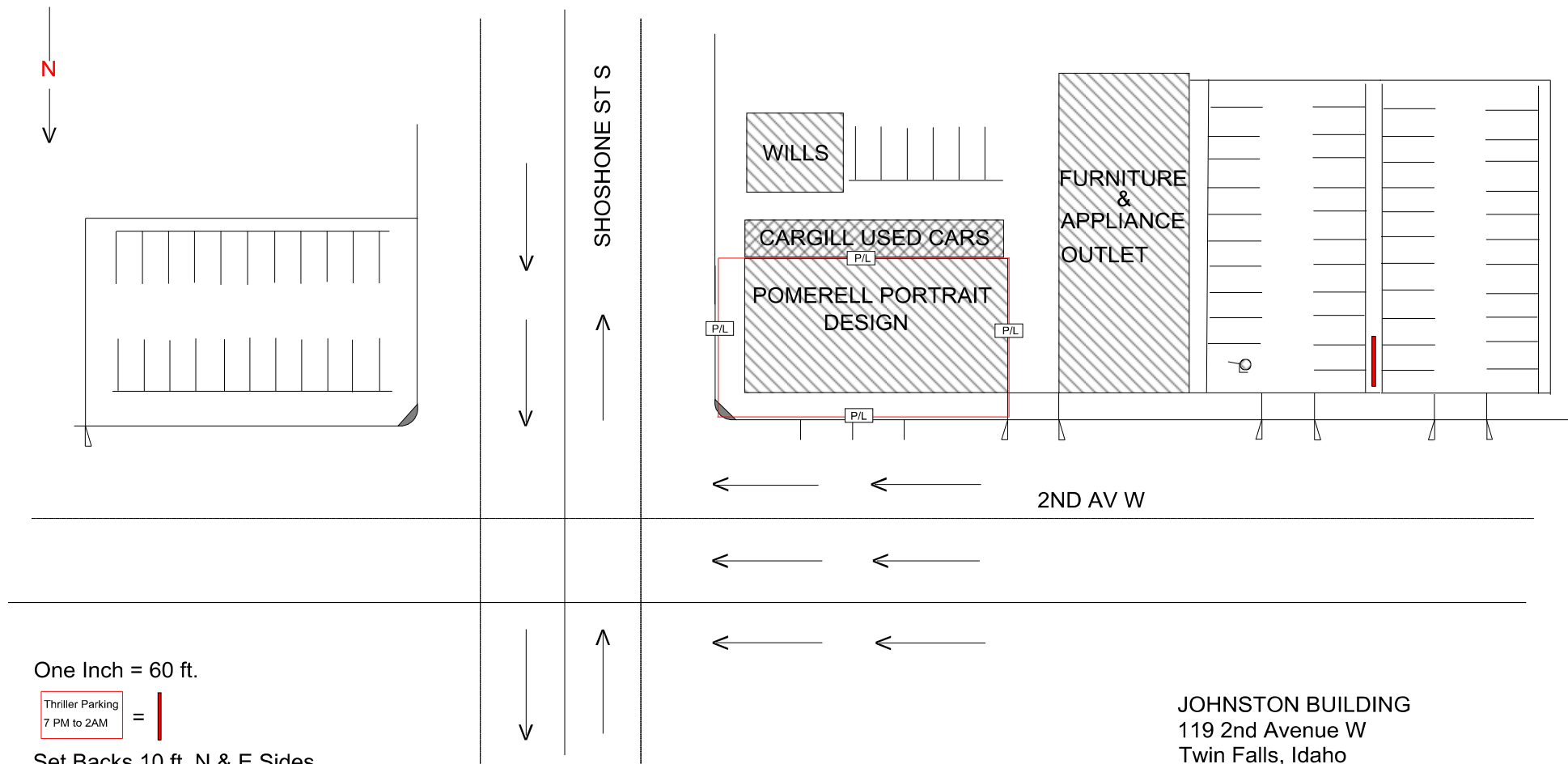
102 2ND AV

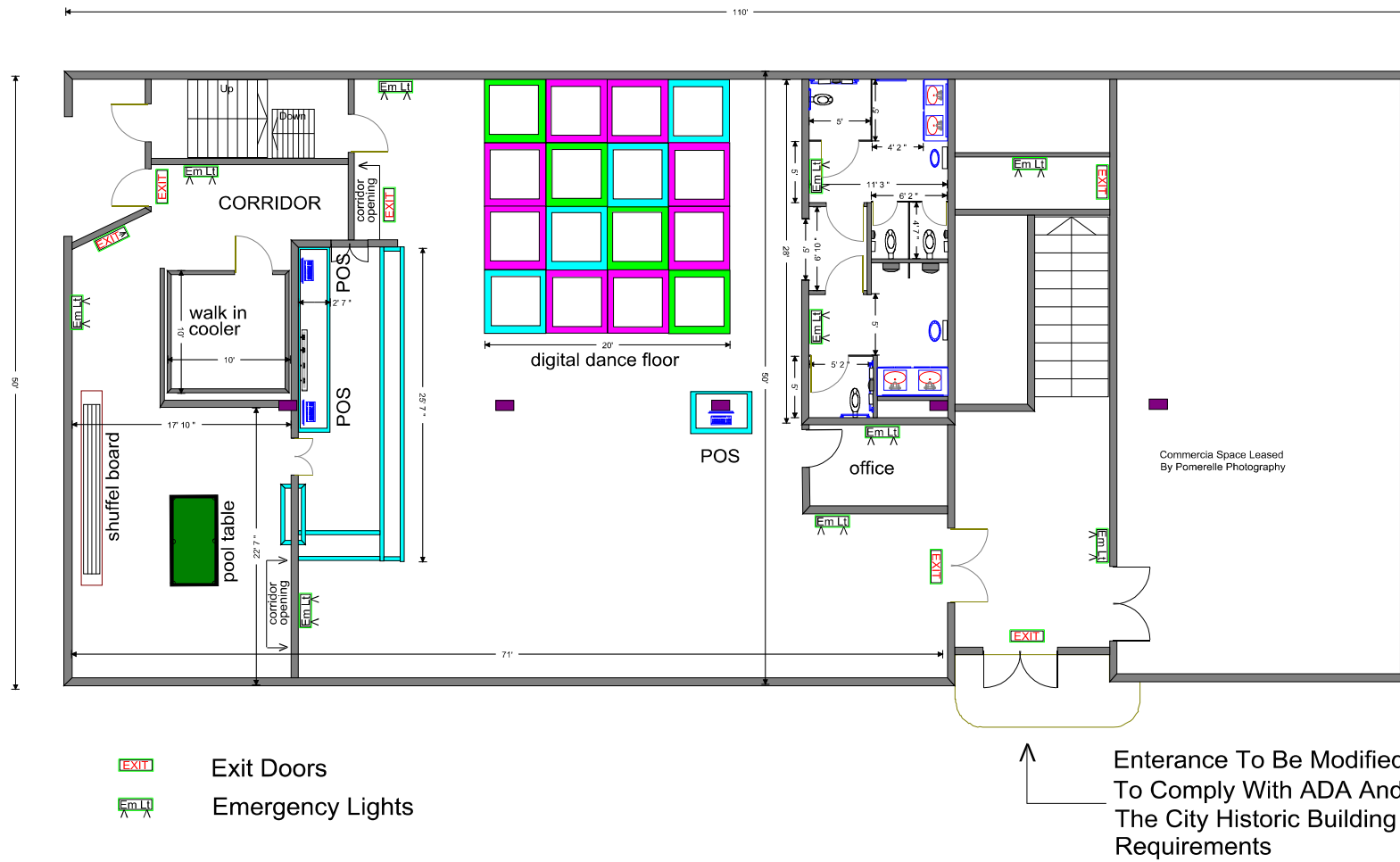
130 3RD AV

2ND AVE S

236 SHOSHO

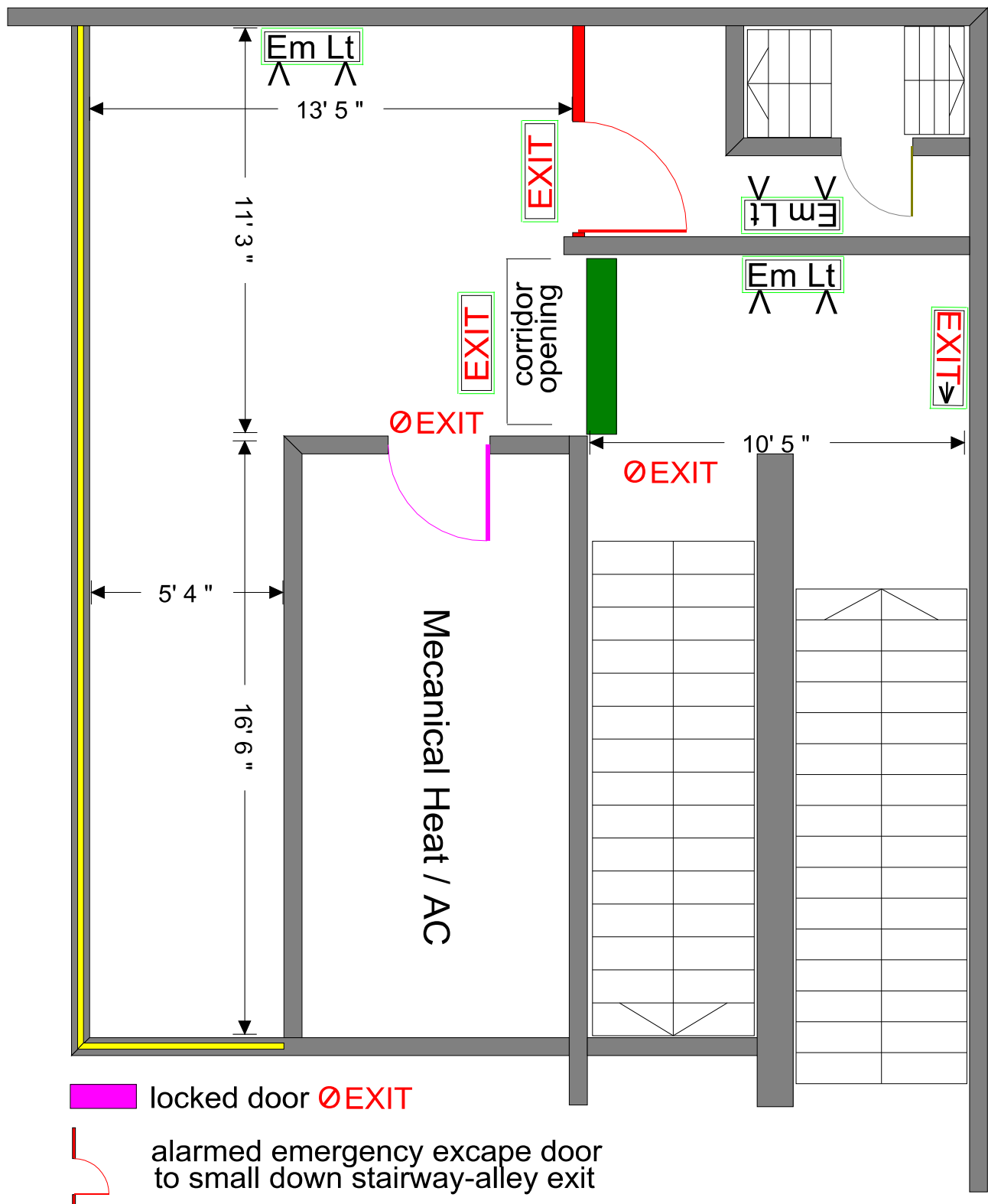
186 3RD AV





Proposed Main Floor PLan

1In. = 14Ft.



 locked door **ØEXIT**

 alarmed emergency escape door to small down stairway-alley exit

 balcony railing

 ramp to eliminate step up hazzard

Balcony Area

1 inch=4ft.







Frontage along Shoshone St

12/02/2014 12:32 PM



Public Hearing: **TUESDAY, December 9, 2014**

To: Planning & Zoning Commission

From: Rene'e V. (Carraway) Johnson, Community Development Department

AGENDA ITEM V-2

Request: Requests a **Special Use Permit** to expand an existing religious facility over 25% for property located at 455 Addison Avenue c/o Imad Eujayl on behalf of The Islamic Center of Twin Falls (app. 2692)

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: Lot – 13,500 sq ft / New Bldg – 2898 sq ft
Islamic Center of Twin Falls 455 Addison Ave Twin Falls, ID 83301 208-410-0860	Current Zoning: R-4 PRO	Requested Zoning: Special Use Permit
	Comprehensive Plan: Residential Business	Lot Count: 1 Lot
	Existing Land Use: Religious Facility	Proposed Land Use: Expansion of Religious Assembly Facility
Representative:	Zoning Designations & Surrounding Land Use(s)	
Imad Eujayl 208-732-6130 imadeujayl@yahoo.com	North: R-4; Residential	East: R-4 PRO; Residential
	South: Addison Ave; R-6 PRO; Residential	West: R-4 PRO; Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-5.2(B)6b, 10-4-18.2, 10-10, 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.

If an applicant or interested party appeals the decision of the Commission, 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 negligible impact on the City budget with the change of the property to a public assembly for a religious facility.

Regulatory Impact:

Approval of this request will allow the applicant to establish and operate a religious facility on property as presented located at 455 Addison 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:

This property has been zoned R-4 PRO since 1981 when the zoning districts we use today were established. Over the years, multiple SUP Applications were filed and some granted for Professional Offices. In 2009, a Special Use Permit was granted to establish a religious facility. There were conditions placed on that permit (see attachment #7). In 2010, a Non-Conforming Building Expansion Permit was applied for, and granted, in order to construct a porch onto the north side of the building (see attachment #8). To the best of our knowledge, the religious facility has been operating in compliance since that time.

Analysis:

The applicant will be constructing an entirely new building. This new building will be exceeding the previously approved building by more than 25% in space and therefore requires a new Special Use Permit.

The applicant has supplied a narrative outlining the operation of the facility, including number of employees, hours of operation and how the assembly facility will affect neighboring property owners.

The weekly congregation meets from 12:00pm-3:00pm on Fridays. A limited number of individuals may also participate in prayers, or other meetings during different times of the day. Traffic anticipated will be the same as has been taking place the past 6 years, 15-20 cars on Fridays and less on Sundays. The anticipated number of people expected to attend the Friday meetings is between 40 -75. The anticipated number of people for the Sunday meetings and other occasional meetings are between 5 -10. There will be minimal to no noise during the congregation. No other effects on adjoining properties are anticipated by the applicant.

Per City Code 10-4-5.2(B)-6b: religious facilities need a special use permit in order to be established in the Residential Multi-Household zoning district. The R-4 zone is designated as an area intended to promote and preserve residential development and to provide a high density residential environment free from encroachment by major commercial and industrial activities with a proportional increase in amenities as density rises.

The religious facility is classified as a public assembly and as such would offer a location for people to assemble for various activities and meetings.

Per City Code 10-10 addresses parking requirements for land uses. Religious facilities are currently assessed one (1) parking space per three (fixed) seats. The submitted site plan appears to comply with current standards and requirements. The parking will be officially reviewed for compliance with current city code at the time of building permit application.

Per City Code 10-11-1 thru 8: The required improvements, i.e. landscaping, screening, parking area (including surface condition and material), and sanitation facilities, will be reviewed for compliance with current city code at the time of building permit application.

Possible Impacts: *This religious facility has been operating for the past 6 years. Staff has no knowledge of any complaints, or any outstanding non-compliance issues at this time. Typically, religious facilities tend to be good neighbors due to their limited use and hours, their investment in the community, and general upkeep of their buildings. Staff does not foresee any unreasonable negative impacts to neighboring properties associated with this Special Use Permit application.*

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 the alley being paved for the portion used to access the property, including parking spaces.

Attachments:

1. Letter of Request
2. Zoning Vicinity
3. Aerial Map
4. Applicant Submitted Site Plan
5. Example Elevation
6. Site Photos
7. SUP #1149
8. Non- Conforming Building Expansion #1172

Statement for Special Use Permit Application

Reason:

To build a new building in the current property (land lots), because the current building – Mosque- is very old and becoming small to accommodate the congregation. Please see attached picture.

Hours of Operation:

The Islamic Center of Twin Falls holds weekly congregation on Friday afternoons between 12 and 3pm in this location since 2009. Limited number of individuals may come to pray during different times of the day.

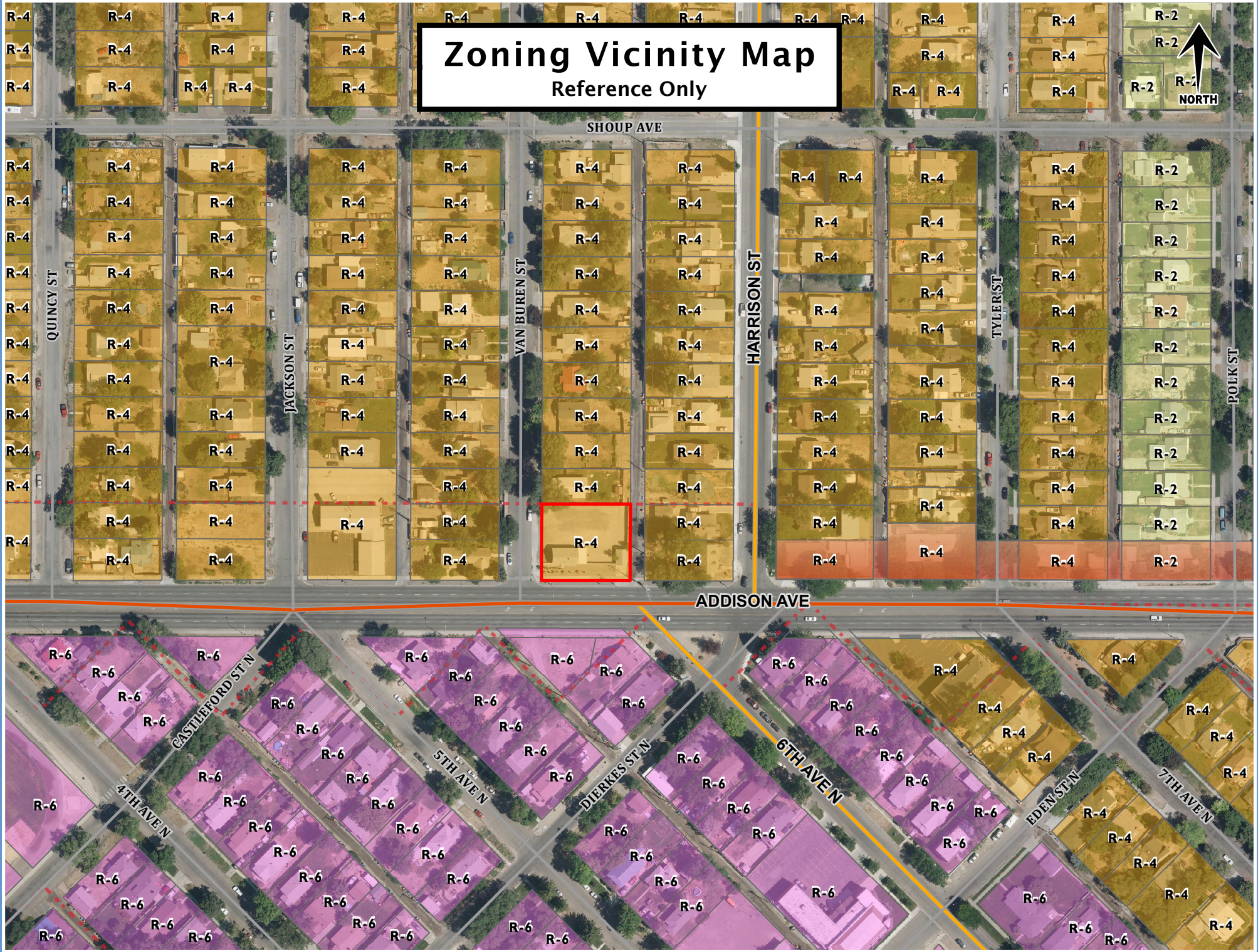
The new Mosque will hold prayer congregations in the same way it has been done for the last 6 years. There will be similar traffic to the current situation.

The center has no employees. The volunteers who manage the facility they use it during the same operating hours.

There will be no noise, glare, odors, or fumes coming from the new building. All activities will conform and will be compatible with the adjacent residential area.

Zoning Vicinity Map

Reference Only



127 VAN BU

121 VAN BU

113 VAN BU

433 ADDISO

VAN BUREN ST

Aerial Photo Map

Reference Only

120 VAN BU

455 ADDISO

129 HARRIS

121 HARRIS

111 HARRIS

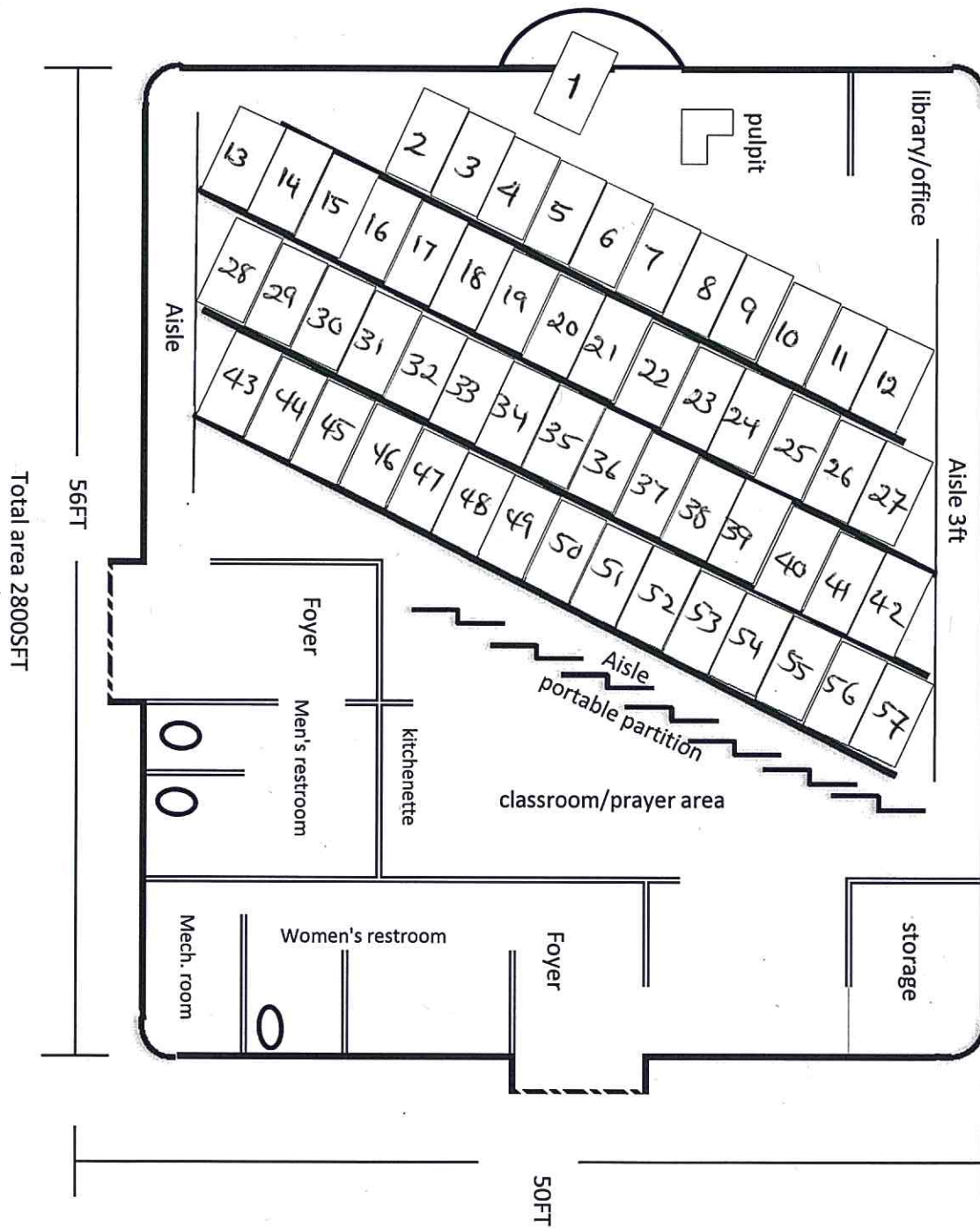
103 HARRIS



ADDISON AVE

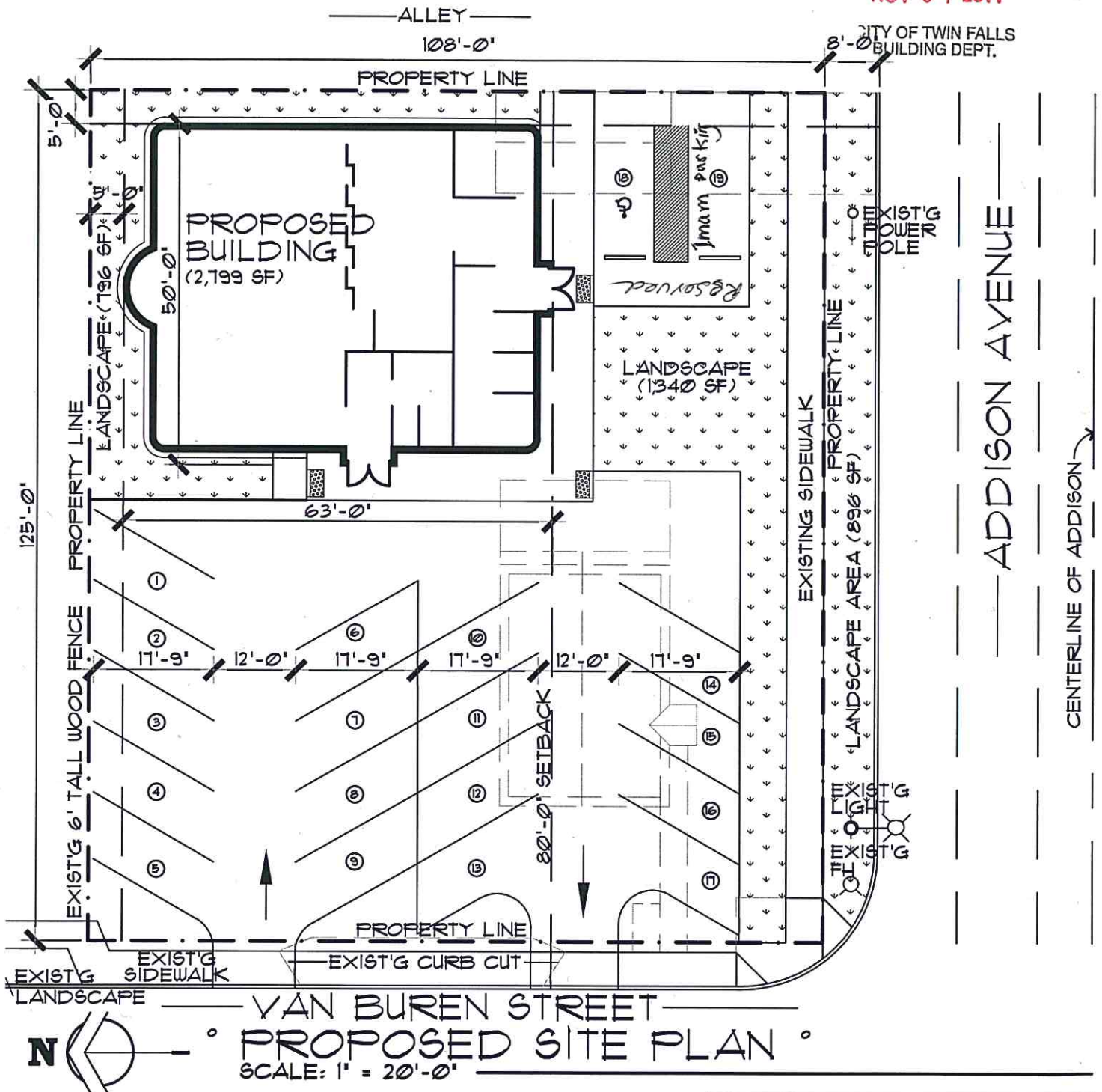
6TH AVE N

CITY OF TWIN FALLS
BUILDING DEPT.



RECEIVED

NOV 04 2014



PARKING: 19 SPACES PROVIDED
 EXISTING ZONE: R-4 PRO ZONING DISTRICT
 DOMESTIC WATER: CITY OF TWIN FALLS EXISTING WATER SYSTEM.
 SEWER: CITY OF TWIN FALLS EXISTING SEWER SYSTEM.
 STREETS: ADDISON AVENUE AND VAN BUREN.
 SETBACKS: OUTLINED PER CITY ZONING
 LANDSCAPING: EXISTING SITE IS 13,500 SF. 1,350 SF LANDSCAPE REQ'D
 3,032 SF OF LANDSCAPE PROVIDED
 LEGAL DESCRIPTION: ON FILE
 SIGN: TO BE DETERMINED, WILL MEET CITY REQUIREMENTS.

Laughlin & Assoc. Architects
 —architecture/planning—
 935 Shoshone Street North
 Twin Falls, Idaho 83301
 (208) 736-8050 Fax: (208) 733-0950

IMAD EUJAYL
 ISLAMIC CULTURAL
 CENTER
 455 ADDISON AVE
 TWIN FALLS, ID
 (208) 293-1180
 NOV 4, 2014

The new building will look similar to a section of this Mosque in Lombard, Illinois, USA

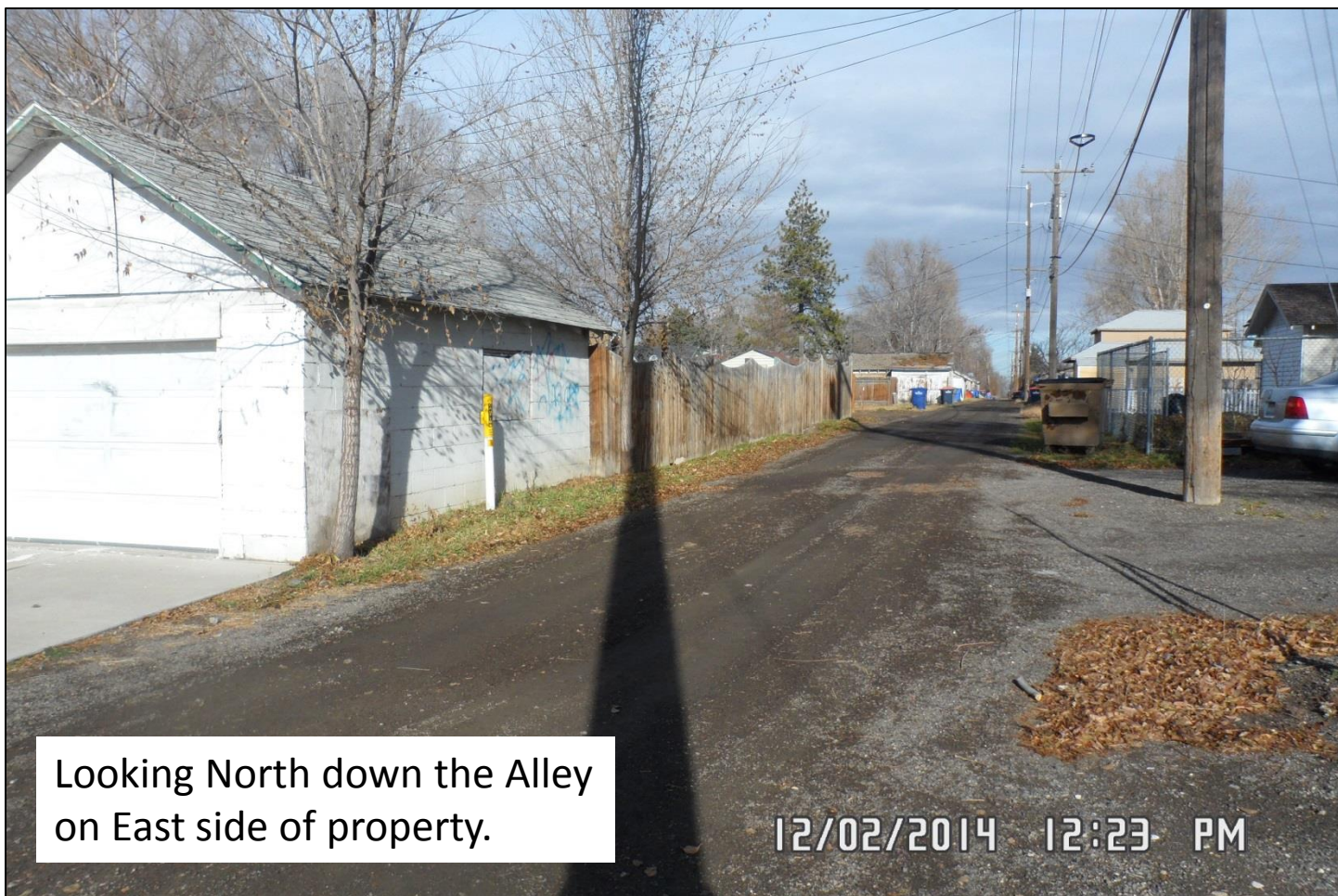




Intersection of Addison Ave
and Van Buren St



Frontage along Addison at
intersection of Alley



Looking North down the Alley
on East side of property.

12/02/2014 12:23 PM



NE Corner of property . Future
building will be in the foreground.

12/02/2014 12:23 PM



Frontage along Van Buren St

12/02/2014 12:24 PM



**CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303-1907

SPECIAL USE PERMIT

Permit No. 1149

Granted by the Twin Falls City Planning and Zoning Commission on June 9, 2009 to the Islamic Cultural Community Center whose address is 1175 Caswell Ave W Twin Falls, ID 83301 for the purpose of operating a religious facility on property located at 455 Addison Avenue and legally described as Twin Falls Golden Rule Addn Lot 23; Lot 24, Exc 7' Block 2 (9-10-17 SW)

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

This permit corresponds to Zoning Application No. 2313

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and standards
2. Subject to all parking and maneuvering areas to be hard-surfaced according to City Code 10-11-4(B) with a Portland concrete or asphaltic concrete surface
3. Subject to the issuance of a Certificate of Occupancy for a religious facility
4. Subject to no access allowed to Addison Avenue, including from the garage
5. Subject to the alley being paved if it is to be used for access to the property



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.

cc: Building Inspection



**CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303-1907

NON-CONFORMING BUILDING PERMIT

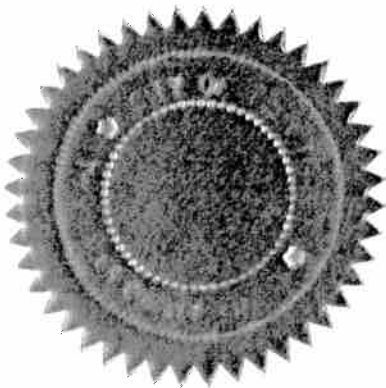
Permit No. 1172

Granted by the Twin Falls City Planning and Zoning Commission on January 12, 2010 to Islamic Cultural Community Center whose address is 455 Addison Avenue Twin Falls, ID 83301 for the purpose of adding a porch on an existing non-conforming building that is within the frontyard setback on property located at 455 Addison Avenue and legally described as Twin Falls Golden Rule Addn Lot 23; Lot 24, Exc 7' Block 2 (9-10-17 SW)

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

This permit corresponds to Application No. 2355

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to no further construction or remodeling until building permits have been issued.
3. Subject to full compliance with Special Use Permit 1149.
4. Subject to the expansion matching the existing building exterior once completed.



Chairman

Date

2/9/10

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

Please contact the Building Department at 735-7238 for further information.

cc: Building Inspection



Public Hearing: **TUESDAY December 9, 2014**

To: Planning & Zoning Commission

From: Rene'e V. Carraway, Community Development Dept.

AGENDA ITEM IV-3

Request: Requests the Commission's recommendation on a **Zoning Title Amendment** to amend Title 10-Chapter 4-Section 8.2 (B) 3; by adding (c) outside storage yard as an accessory use for a government facility by Special Use Permit and by adding a definition of Open and Outside Storage Yard to Title 10; Chapter 2. c/o Kent Taylor on behalf of Twin Falls BLM, LLC (app 2693)

Time Estimate:

Staff presentation will be approximately ten (10) minutes.

Background:

Applicant:	
Twin Falls BLM, LLC 694 Grandview Lane Lake Forest, IL 60045	Requested Zoning: Amendment to Twin Falls City Code – Title 10 – Chapter 2-Section 1; Title 10- Chapter 4- Section 8.2
Representative:	
Kent Taylor PO Box 1901 Twin Falls, ID 83301 janaye@taylorlawoffices.net	Applicable Regulations: 10-2-1, 10-4-8.2, 10-14-1 through 7,

Approval Process:

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

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

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

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

Regulatory Impact:

A recommendation from the Planning and Zoning Commission on the proposed Zoning Title Amendment will allow the request to proceed to the City Council.

History:

The City Council approved Ordinance 2012 on July 6, 1981 which replaced Twin Falls City Code - Title 10; Zoning & Subdivision Regulations in its entirety.

Analysis:

This request was initiated by Twin Falls BLM, LLC. This corporation has been in the process of building a new facility for the BLM at 2862 Addison Ave West. Part of the BLM facility included an open storage for vehicles, equipment and materials. Current City Code does not allow open storage yards in the C-1 Zoning District.

The proposed amendment modifies two sectors. The first would add a definition of “Open and Outside Storage and Wareyards” in **City Code 10-2-1: Definitions**. The Second would add a new “Use” in **City Code 10-4-8: C-1, Commercial Highway District: Use Regulations: Special Uses**: “Open and Outside Storage and Wareyards which are owned or leased by a governmental entity.”

Possible Impacts: The amendment would allow for “storage yards” owned and operated by a Governmental Agency to apply for a Special Use Permit to operate in the C-1 Zone. This would allow for local governmental oversight and public input to the design and operation of storage yards in those areas Zoned C-1.

Currently, the “Open Storage Yard” use is Permitted in the M-2 Zoning district, and requires an SUP in the M-1 Zoning District. However, this use is also limited to City, County and Highway District owned and operated facilities.

If the commission is so moved to recommend approval of this amendment, staff recommends some modifications be made to the amendment in order to maintain consistency within the City Code. The staff recommended changes are shown in attachment #3. These changes will maintain consistency throughout the code, and also shows a progression of Permitted and Special Uses from M-2 to M-1 to C-1.

Conclusion:

The Commission may recommend to the City Council that the amendment be granted as requested, or it may recommend a modification of the amendment requested (will require another public hearing before the Commission), or it may recommend that the amendment be denied.

Attachments:

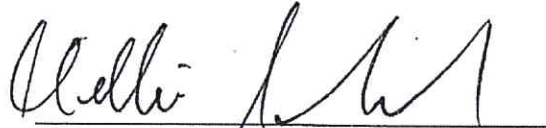
1. Narrative
2. Applicant submitted amendment
3. Staff recommended amendment

ATTACHMENT 2

The proposed amendments clarify and more fully describe the uses which certain governmental entities have for facilities which they own or lease. The outstanding open storage of equipment, vehicles and materials is ancillary and supplemental to many governmental facilities including the Bureau of Land Management and U.S. Forest Service. The unified and efficient operation of these facilities requires that the office function be integrated into the operational function.

By placing the proposed uses within the special use permit section, the Planning and Zoning Commission and the Twin Falls City Council will be able to address any relevant and unique conditions.

Dated this 4th day of November, 2014.


By:

ATTACHMENT 1

I.

FIRST AMENDMENT

To add an additional subject to the Zoning and Subdivision Regulations.

Title 10 – Zoning and Subdivision Regulations

Chapter 4 – Zoning District Regulations

10-4-8 C1 Commercial Highway District

10-4-8-2 Use Regulations

10-4-8-2(B) Special Uses. A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications and utilities:
 - a. Radio and television stations with wireless communications facilities.
 - b. Utility owned buildings and structures more than twenty-five (25) square feet in area or more than three (3') feet above ground.
2. Cultural facilities:
 - a. Cemeteries.
 - b. Zoos.
3. Governmental facilities:
 - a. Jails, detention centers, work release centers.
 - b. Water treatment plants.

(NEW SUBSECTION)

- c. Open and outside storage and wareyards which are owned or leased by a governmental entity.

II.
SECOND AMENDMENT

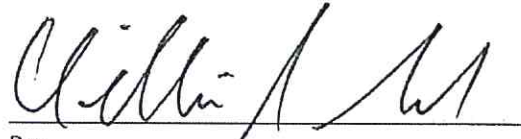
To add a NEW DEFINITION to "10-2-1: Definitions" for the term "Open and Outside Storage and Wareyard".

(NEW DEFINITION)

10-2-1: Definitions

OPEN AND OUTSIDE STORAGE AND WAREYARDS: Ingress and egress, parking, storage, and maneuvering of vehicles, equipment and materials associated with the operation of an owned or leased governmental facility.

Dated this 7th day of November, 2014.


By: _____

10-2-1: DEFINITIONS: OPEN STORAGE YARD: storage of vehicles, equipment and materials accessory to the operation of an owned or leased governmental facility.

10-4-8.2: C-1, COMMERCIAL HIGHWAY DISTRICT - USE REGULATIONS:

(B) Special Uses: A Special Use Permit May Be Granted For A Permanent Use That Is Not In Conflict With The Comprehensive Plan And That Is Not Permitted Outright Because It May Conflict With Other Uses In The District Unless Special Provisions Are Taken. Special Use Permits May Be Granted For The Following Uses:

3. Governmental Facilities:

- a. Jails, detention centers, work release centers.
- b. Water treatment plants.
- c. City, county, highway district, state, or federal - open storage yard