



NOTICE OF AGENDA
TWIN FALLS CITY PLANNING & ZONING COMMISSION
February 14, 2017 6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Danielle Dawson Tom Frank Kevin Grey Gerardo “Tato” Muñoz Ed Musser **Vacancy** Jolinda Tatum
Chairman Vice-Chairman

AREA OF IMPACT:

Ryan Higley Steve Woods

I. CALL MEETING TO ORDER:

1. Confirmation of quorum
2. Introduction of staff

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **January 24, 2017 PH**
2. Approval of Findings of Fact and Conclusions of Law: **Chasewood Partners, LLC (SUP 01-24-17)**

III. ITEMS OF CONSIDERATION:

1. Consideration of the **Reactivation of Special Use Permit #1332**, granted on September 23, 2014 to operate a new restaurant/deli with a drive-through window at 1925 Fillmore Street with extended hours of operation. Geronimo, LLC c/o Tina F. Luper/Nielsen & Company (app. 2674)
2. **Preliminary ZDA presentation** requesting the Commission’s recommendation on an **Annexation with a Zoning District Change & Zoning Map Amendment** from R-4 CRO Aol to M-1 CRO ZDA for 7.5 (+/-) acres to allow a Storage Unit Facility, an outdoor RV & Vehicle storage yard and a truck rental business (U-Haul) with Display Pad Sites on property located at 403 Grandview Drive. c/o Mojo, LLC-Gregg Olsen (app. 2836)
3. **Preliminary ZDA presentation** requesting the Commission’s recommendation on **Zoning District Change & Zoning Map Amendment** from R-2 PRO PUD and R-1 VAR PUD to R-2 PRO ZDA for 7.75 (+/-) acres to develop a planned commercial and professional development on property located on the northwest corner of Cheney Drive and Madrona Street North, a portion of the Eastpark PUD #213. c/o EHM Engineers, Inc.-Dave Thibault on behalf of Andrew Jarvis (app. 2841)

IV. PUBLIC HEARINGS:

1. Request for a **Special Use Permit** to allow an expansion of an existing shelter home facility by the addition of new residence on property located at 485 Addison Avenue West. c/o Valley House-Sharon Breshears (app. 2835)
2. Request for a **Zoning Title Amendment** to Twin Falls City Code Title 10; Chapter 4; to ~~delete~~ the special use permit requirement to allow an indoor recreation facility within 10-4-7.2(B), 10-4-8.2(B), 10-4-9.2(B), 10-4-10.2(B) and 10-4-13.2(B) Zoning Districts c/o City of Twin Falls - Planning & Zoning Department. (app. 2831)

V. GENERAL PUBLIC INPUT:

VI. ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

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

1. Public Hearing-**February 28, 2017**
2. Work Session-**March 1, 2017**

VIII. ADJOURN MEETING:

Si desea esta información en español, llame Leila Sanchez al (208) 735-7287

Any person(s) needing special accommodations to participate in the above noticed meeting should contact Lisa A. Strickland at (208) 735-7267 at least two (2) working days before the meeting.

CITY OF TWIN FALLS
PLANNING & ZONING COMMISSION

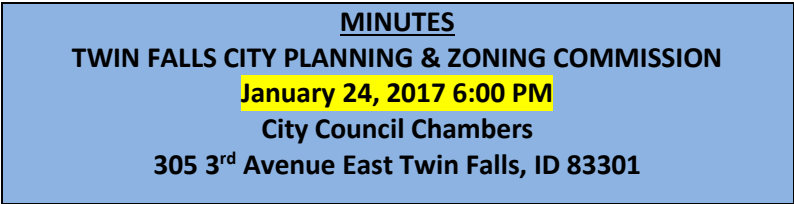
Public Hearing Procedures for Zoning Requests

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.



Scott Allen, JUB Engineers, Inc. representing the applicant, stated they have sent out approximately 170 notices and weather may have an impact on the audience attendance, however he is here to answer any questions the Commission may have and the owner of the property is also here tonight. This is a Special Use Permit for a quick serve restaurant to be located on the southeast corner of Blue Lakes Boulevard North and Heyburn Avenue. North of this property is the Walgreens and northwest of this property is the newly renovated McDonalds. The Special Use Permit is for extended hours of operation 6am to Midnight seven days a week. The drive through window is the other item of this request. In designing this site they

tried to move the building as far west as possible to allow for better stacking and allowed the speakers for the order board to be placed further away from the residence. They have also added an island along the east end of the property between the drive through and the residential area to mitigate light and noise impacts. As part of this process they have already contact the Idaho Transportation Department and completed traffic impact studies and ITD is ready to issue a permit for the new approach on Blue Lakes Boulevard North and they will remove four approaches along Heyburn leaving Ash Street as the only access to the site from Heyburn Avenue. They will also eliminate one approach on Blue Lakes Boulevard North and in their opinion will truly clean up this corner not only for the restaurant facility with landscaping but also for public safety.

Staff Presentation:

Planner I O'Connor reviewed the request on the overhead and stated Ordinance 2012 was passed in 1981, it created the zoning districts we currently use, and zoned various properties within City Limits. Zoning designations were assigned at that time, or when areas were annexed. The 5 parcels included in this application are a part of the Ashton Addition subdivision, which was recorded as a legal plat in March 1908.

292 Blue Lakes Blvd N. first appeared in the Polk Directories in 1962, as Jones Texaco Gas Station, and the two residential parcels to the east 1134 & 1140 Heyburn Ave. E, have been residential since at least that same time. 280 Blue Lakes Blvd N, the parcel to the south, first appeared in the Polk Directories as Metropolitan Life Insurance and Real Estate Service in 1965.

This application is for an SUP to operate a quick serve restaurant outside seven o'clock am (7:00am) to ten o'clock pm (10:00pm) in conjunction with a drive through window. A drive through window and extended hours are expected features for a business such as this to operate effectively. The change of use will likely have the most impact on the neighbors to the east, as there will no longer be a residential buffer between them and the C-1 Zone. This particular corner has been a commercial service node since the early 1960's and the continued growth of the Blue Lakes Corridor has helped facilitate further growth since. The zoning, surrounding land use and future land use map all support the proposed use.

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Mixed Use". Mixed Use is described as serving local and regional commercial opportunities, being located at intersections of or along major arterials and is usually more pedestrian friendly than other use designations. Mixed use generally consists of but not limited to retail, office, restaurant, and higher density residential. Staff determined this use is consistent with the mixed use designation.

Per City Code 10-4-8:

Any facility with a drive through window and a retail/trade use operating outside of operating outside seven o'clock am (7:00am) to ten o'clock pm (10:00pm) requires a Special Use Permit.

Per City Code 10-7-12:

Thirty feet (30') of landscaping is required along Blue Lakes Blvd N. This landscaped area will require a certain number of trees and bushes per the landscaping requirement in City Code.

Per City Code 10-11-1 thru 8:

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

Redevelopment of this corner as a quick serve restaurant with a drive through will likely increase vehicular traffic from current levels thus increasing noise and light pollution. Additionally, the change of use from residential to commercial will cause additional light intrusion onto nearby residential dwellings. This will come in the form of parking and building securing lighting. However, this location is directly adjacent to Blue Lakes Blvd N, and the impacts are not anticipated to be substantially intrusive.

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.
2. Subject to construction of the building and site plan being consistent with the submitted drawings/elevations, as presented.
3. Subject to all exterior building and parking lot lighting being downward facing and/or shielded to preclude the light source being visible on neighboring residential properties.

PZ Questions/Comments:

- Commissioner Munoz explained he understands the landscaping will meet the arterial landscaping requirements, but he has questions about the possibility of providing a landscape buffer between the commercial and residential properties along the east end of the property.
- Mr. Allen explained they will complete a landscape plan when the building plans are submitted and they can address the noise by planting more tall grasses in this area to provide a buffer. These grasses seem to work better than a deciduous tree for the simple reason the tree branches are high, so they can design it so there is a buffer in this area.
- Commissioner Grey asked about access to the other properties located along Ash Street.
- Mr. Allen explained the applicant that is making this request owns all of the properties in question so there will not be any impacts to access for these properties, and there will be a cross use agreement.
- Commissioner Woods asked about headlight impacts to surrounding properties from vehicles headed east down the drive through or exit onto Ash Street.
- Mr. Allen explained the applicant owns the building Commissioner Woods is referring too and that is the back of the property so there should not be any headlight issues. They have done an traffic impact study and it showed that as you are traveling east or west on Heyburn Avenue from Blue Lakes Boulevard there is no designated light making this area for maneuvering through this are a level D on the level of service. Part of the impact that this will have they have been working with ITD to actually install left hand turn bay lights as part of the development for the permit process bring the level of service up to a B/C level of service. The City and ITD will work together of on the timing and the queues through the lights at this intersection.

Planning & Zoning Commission Minutes

January 24, 2017

- Commissioner Woods asked about the southbound Blue Lakes Boulevard North traffic stopping to turn into the entrance off of Blue Lakes Boulevard.
- Mr. Allen explained this is not permitted by law because of the striping of the left hand turn bay.

Public Hearing: [Open and Closed Without Public Comment](#)

- Auto Gauna, explained he owns the duplex at 290 Ash Street, and is curious about improvements to Ash Street.
- Mr. Allen explained that Ash Street has portions that are vacated further south of this proposed development, however the portion behind this proposed development is public and they will make improvement to the center of the street.

Deliberations Followed:

- Commissioner Munoz explained he wanted to bring up the landscaping as a buffer to the applicant to reduce the impacts to the neighbors.
- Commissioner Frank encourages the City to work with the applicant with regards to the Ash Street improvements.

Motion:

Commissioner Musser made a motion to approve the request, as presented, with staff recommendations. Commissioner Munoz 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.
 2. Subject to construction of the building and site plan being consistent with the submitted drawings/elevations, as presented.
 3. Subject to all exterior building and parking lot lighting being downward facing and/or shielded to preclude the light source being visible on neighboring residential properties.
2. Requests the Commission's recommendation on a [Zoning Title Amendment](#) to amend Title 10-Chapter 13-Section-1; by adding a subsection (c) requiring a Certificate of Appropriateness be granted by the Historic Preservation Commission prior to exterior modifications or applying for a building permit for modifications or new development of properties located within the Twin Falls Downtown Historic District, the Twin Falls City Park Historic District and the Warehouse Historic Overlay District. Nancy Taylor on behalf of the Historic Preservation Commission (app. 2832)

Applicant/Staff Presentation:

Nancy Taylor, Chairperson for the Historic Preservation Commission, stated that she is here to request a Zoning Title Amendment. There is a Warehouse District in place with codified Design Guidelines. This request if approved would identify Historic Downtown District and City Park District and codify Design Guidelines for those areas of town as well. The amendment to the code if approved would then allow

the Historic Preservation Commission the opportunity to review a project for a Certificate of Appropriateness. If an applicant disagrees with a decision made by the Historic Preservation Commission the code would allow an appeal to be made to the City Council. The plan is not to tell the business/property owners what to do but to help maintain the historic appearance of the buildings. The guidelines would be in place so the Historic Preservation Commission could assist anyone through the process. This will be especially beneficial with the Historic Downtown Revitalization Project and historic preservation is good business. Their goal is to try to maintain the buildings Historic Integrity.

PZ Questions/Comments:

- Commissioner Munoz asked about enforcement if there is not a building permit process.
- Zoning & Development Manager Carraway-Johnson explained that Senior Planner Spendlove and Building Inspector Laux are involved closely with people that want to make changes to buildings in the downtown townsite and they will be making sure to get this information to these property owners.
- Senior Planner I Spendlove explained this would be enforced through Title 10, staff would watch for changes to properties.
- Commissioner Frank explained this will probably addressed by complaint also.
- Commissioner Munoz stated he has seen some shady work done to buildings that didn't require a permit that takes away from the historical integrity.
- Senior Planner I Spendlove stated he thinks there is going to be a heavy educational element to this process. The Historic Preservation Commission has invited people to multiple events and discussions to review the design guidelines. There will be a time where people have to be brought up to speed on the requirements but at the same time, there will also be some self-policing that occurs. It will require a partnership between staff and the property owners. The other positive to this change is that the New City Hall will be located in this area, which will allow staff to be more aware of things going on in this area of town.
- Commissioner Woods stated that sometimes it is impractical to salvage an historic building. Who makes the decision on making the improvements vs demolition of the building.
- Senior Planner I Spendlove explained that staff and the Historic Preservation Commission would provide the applicant with the guidelines to assist them in making their decision on what to do with the building.
- Commissioner Woods asked about the avenue for appeal.
- Planner I Weeks explained an appeal can be made to the City Council. In the guidelines there are multiple steps to the renovation process and if demolition is necessary that is an option. The Commission understands, and if an applicant presents something that fits well in the guidelines their not opposed. If a new building is being constructed there are guidelines to help them design a building that fits the historical character of the area. There are also guidelines to help someone make the decision on the viability of a building. The State Historic Preservation Office is also a resource for the Historic Preservation Commission to help make recommendations if necessary.
- Ms. Taylor explained the Commission does not make decisions in a vacuum, there are multiple resources for the Commission when assistance is needed. There are also two categories of buildings

Planning & Zoning Commission Minutes

January 24, 2017

in the historic districts contributing and non-contributing. A contributing building is one that has maintained its historic character and contributes to the history of the district, a non-contributing building may be one that was built later and does not have any historic character that contributes to the historic district. For example Poindexter's is a non-contributing building vs the Orpheum Theater which is a contributing building. These two categories also play a part in the decision making process. The next step is to look at what can be saved and if it is feasible to try and save the building. The other clarification that needs to be made is that just because a building has been recognized as historic on the National Historic Registry it doesn't mean you can't do anything to the building. You can do lots of things to building we would just like to help the changes be positive and help maintain the character of the historic district. These decisions are not made lightly and without careful consideration of all the facts.

- Commissioner Musser asked about the length of time for the Certificate of Appropriateness process.
- Planner I Weeks explained this is not a public hearing item and does not require publication in the paper. The item does have to be scheduled for a public meeting in front of the Historic Preservation Commission, and they meet once a month, however it is not impossible to schedule a special meeting if need be to get someone through the process quicker. There is no application fee.
- Commissioner Musser asked if the appropriateness is defined and clear.
- Planner I Weeks explained that is what the design guidelines were created for, so that it is not subjective and the plans can be looked at objectively.

Public Hearing: **Opened**

Lucy Wills, member of the Historic Preservation Commission, stated this is very important to the members of the Historic Preservation and she asked that the Commission give a positive recommendation.

Public Hearing: **Closed**

Closing Statements:

Ms. Taylor stated historic preservation is good business.

Deliberations Followed:

- Commissioner Woods stated his only concern is that there should be some oversight to prevent a citation where it is difficult for someone to develop a building that is vacant creating an unsafe situation for the public.
- Commissioner Munoz stated that during the Comprehensive Plan discussion the community made it clear that they want to grow but they also want to preserve the history of Twin Falls. Preserving the character of the buildings seems to be important to the community. As for the concerns Commission Woods brought up, even if a building is new a façade can be designed to look historic. The guidelines are available for the people to review before they begins design and construction. The chance of being delayed or the Historic Preservation Commission stopping progress is minimal. He does understand and old vacant building is worse than a building that is occupied and maintained.

Planning & Zoning Commission Minutes

January 24, 2017

- Commissioner Frank stated that he is in total support of this request and he would like to see some of the metal facades removed from the buildings downtown and it will help with the preservation of the older buildings downtown.
- Commissioner Grey explained his concern originally was what was appropriate and what is feasible may create some conflict. After reviewing all the recommendations if a landowner wants to demo a building there is nothing to stop that from happening.
- Commissioner Frank stated the visual appearance is what the Commission looks at when helping someone through this process.
- Commissioner Woods asked about the recent request for a Climbing Gym located along Shoshone Street, would they be required to go through this process.
- Ms. Taylor explained that this building is being constructed in the Warehouse Historic District and did have to go through this process for a Certificate of Appropriateness and they received their Certificate of Appropriateness.
- Zoning & Development Manager Carraway-Johnson clarified that the City already has the Warehouse Historic District where the Certificate of Appropriateness is required, this request is just adding the two other districts and codifying it into the code under an ordinance.
- Commissioner Woods said knowing this is already in place for the Warehouse District puts his mind at ease.
- Senior Planner Spendlove reminded the Commission that this is a recommendation that moves forward to the City Council.

Motion:

Commissioner Woods made a motion to recommend approval of the request, as presented, to the City Council. Commissioner Musser seconded the motion. All members present voted in favor of the motion.

[Recommend Approval, As Presented, to the City Council](#)

City Council Public Hearing February 21, 2017

V. GENERAL PUBLIC INPUT: None

VI. ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

Commissioner Frank stated he wanted to recognize that the Historic Preservation Commission has spent a lot of time working on these guidelines and he thanks the Commission for their efforts. Zoning & Development Manager Carraway-Johnson explained that one of the things we see quite often is the community's interest in preserving our history. The guidelines we have in place now serve only the Warehouse Historic District Overlay area this offers people an information on how to bring their building back to historic character for that era. This codifies the guidelines, and if someone came in and wanted to restore an old building to look, similar to what it did when it was built in the 1920's we wouldn't know how to help them without the guidelines. The documents are a gift and will provide a service for the community.

Announcement: Commissioner Dawson had a baby girl Friday, January 20, 2017 she weighed 7lbs. 11 oz. 20 in. long and named her Dawson Taylor Titus.

Planning & Zoning Commission Minutes
January 24, 2017

Commissioner Woods showed on the overhead a photo of the equipment that has been parked at an equipment rental facility located on Addison Avenue East for which the Commission granted a Special Use Permit. He is aware there is nothing in the code that controls what goes on behind the screening fence however, he feels this is something the Commission may need to discuss in the future.

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

1. Work Session-[February 1, 2017](#)
2. Public Hearing- [February 14, 2017](#)

VIII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 7:00 PM

Lisa A Strickland
Administrative Assistant
Planning & Zoning Department

DRAFT



**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.1419

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on January 24, 2017 to Chasewood Partners, LTD c/o JUB Engineers on behalf of Carls Jr. whose address is P.O. Box 1036 Centerville, UT 84014 for the purpose of a drive through window in conjunction with a restaurant with extended hours of operation on property located at 292 Blue Lakes Boulevard North and legally described as Twin Falls Ashton's Addn W 110' of N 60' S 67.77 EXC E 120' & EXC HWY LOT 9 BLOCK 1 RPT0121001009DA

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.2833

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 construction of the building and site plan being consistent with the submitted drawings/elevations, as presented.
3. Subject to all exterior building and parking lot lighting being downward facing and/or shielded to preclude the light source being visible on neighboring residential properties.

CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

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



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

In Re:)
)
Special Use Permit, Application,) FINDINGS OF FACT,
)
) CONCLUSIONS OF LAW,
Chasewood Partners, Ltd)
c/o JUB Engineers, Inc.) AND DECISION
Applicant(s))

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on January 24, 2017 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of drive through window in conjunction with a restaurant with extended hours of operation on property located at 292 Blue Lakes Boulevard 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 drive through window in conjunction with a restaurant with extended hours of operation on property located at 292 Blue Lakes Boulevard North
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: December 22, 2016
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 Mixed Use 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, Commercial/Residential/Heyburn Avenue East; to the south, Commercial; to the east; Residential/Ash Street North; and to the west, Commercial/Blue Lakes Boulevard North.

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

CONCLUSIONS OF LAW

1. The application for a Special Use Permit for the purpose of drive through window in conjunction with a restaurant with extended hours of operation on property located at 292 Blue Lakes Boulevard 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 drive through window in conjunction with a restaurant with extended hours of operation on property located at 292 Blue Lakes Boulevard 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 City Planning and Zoning Commission hereby enters the following

DECISION

1. The application for a Special Use Permit for the purpose of drive through window in conjunction with a restaurant with extended hours of operation on property located at 292 Blue Lakes Boulevard North is hereby granted, 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, as presented.

CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

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 construction of the building and site plan being consistent with the submitted drawings/elevations, as presented.
3. Subject to all exterior building and parking lot lighting being downward facing and/or shielded to preclude the light source being visible on neighboring residential properties.

APPLICATION #2833
SUP# 1419



Public Hearing: **TUESDAY, FEBRUARY 14, 2017**

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove, Senior Planner

Editor: Renee V. Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM III-1

Request: Consideration of the **Reactivation of Special Use Permit #1332**, granted on September 23, 2014 to operate a new restaurant/deli with a drive-through window at 1925 Fillmore Street with extended hours of operation. c/o Tina F. Luper/Neilsen & Company. (app. 2674)

Time Estimate: Staff presentation will be five (5) +/- minutes.

Background:

Applicant/Property Owner:	Status: Owner/developer	Size: .92 (+/-) acres/3910 (+/-) sf Building
Geronimo, LLC 2733 East Parleys Way, Suite 300 Salt Lake City, UT 84109 801-201-9172 j_stokes@woodburycorp.com	Current Zoning: C-1 PUD	Requested Zoning: Special Use Permit to allow a fast food restaurant with drive-thru window and extended retail hours
	Comprehensive Plan: Commercial/Retail	Lot Count: 1 pad site
	Existing Land Use: Developing Commercial Center	Proposed Land Use: Fast Food Restaurant operating with a drive-thru window and extended retail hours
Representative:	Zoning Designations & Surrounding Land Use(s)	
Tina F. Luper Director of Operations Neilsen & Company PO Box 5478 Twin Falls, Idaho 83303-5478 C 208-421-8296 tina.luper@neilsenco.com	North: C-1 PUD; Dick's Sporting Goods	East: C-1 PUD; Idaho Central Credit Union, Fillmore Street - Private
	South: C-1 PUD; Zion's Bank, Fillmore Street - Private	West: C-1 PUD; Parking lot and undeveloped parcels
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8.2(B)6a, 10-4-8.2(B)10j, 10-7-13, 10-11-1 thru 8, 10-13-2-2, Canyon Park West (Amended) C-1 Planned Unit Development Agreement, & Design Guidelines for Canyon Park West	

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.

Special uses which have not been established within one year of the date of issuance of the special use permit, may be reviewed by the commission to determine if the facts and circumstances have changed; the commission may call for a new special use permit application.

Budget Impact:

Approval of this request will not have a negligible impact on the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to apply for a building permit to operate a restaurant/deli with a drive-through window and extended hours of operation which are outside permitted retail hours of operation of 7:00 am to 10:00 pm as outlined in City Code.

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:

City Council approved the Zoning District Change and Zoning Map Amendment from R-1 43,000 to C-1 PUD for approximately 14.07 acres of land located north/northwest of the intersection of Blue Lakes Boulevard North and Canyon Springs Road in the City's Area of Impact on December 19, 1994.

The final plat for Canyon Park West Subdivision was approved by Council on June 12, 1995. The final plat was recorded on June 17, 1998.

City Council approved the Zoning District Change and Zoning Map Amendment from C-1 and OS to C-1 OS PUD for approximately 12 acres located north of Bridgeview Boulevard and east of Blue Lakes Boulevard North and from R-1 43,000 to C-1 PUD for approximately 4.1 acres of land located north of the 2000 block of Fillmore Street and east of Canyon Springs Road, and approximately 2.1 acres of land located west of the 2000 block of Blue Lakes Blvd N and north of the 2100 block of Fillmore Street on February 7, 2000.

The final plat for Canyon Park North Subdivision was approved by Council on February 22, 2000 with conditions. The final plat was recorded on November 29, 2000.

On January 25, 2007 the Citizen Design Review Committee approved a development plan to allow a 10-story hotel/convention center on the rim within the Canyon Park North project. This project was not constructed.

The Council later approved a Zoning District Change and Zoning Map Amendment combining both Canyon Park North and Canyon Park West developments and plats into one PUD and one plat. The rezone was for the same zoning but with a different development plan. Rezoned from C-1 PUD and SUI PUD to C-1 CRO PUD.

The Council approved ORD #3043 on April 9, 2012 vacating that portion of Fillmore Street within this development.

The Planning and Zoning Commission approved the Canyon Park Amended – PUD Subdivision on April 10, 2012. The Council approved the final plat on June 4, 2012. The final plat was recorded on December 23, 2013.

The Planning and Zoning Commission granted Special Use Permit #1332 on September 23, 2014 subject to conditions.

Analysis:

This request is to reactivate Special Use Permit #1332, granted on September 23, 2014 to allow a new restaurant with a drive-through window and extended hours of operation from 6AM to 11PM. Per City Code 10-13-2.2(I), if a special use is not established within one year from approval, the Commission may review the permit. The Commission can then determine if the surrounding area has changed significantly enough to call for a new special use permit or they can grant a reactivation. Below is the original staff report analysis:

"The property is zoned C-1 CRO PUD. The request is to operate a new restaurant/deli with a drive-through window at 1925 Fillmore Street. The C-1 CRO zone requires a Special Use Permit for any facility to operate with a drive-through window. The applicant is also requesting to operate from six o'clock A.M to eleven o'clock P.M. The C-1 CRO zone requires a Special Use Permit to operate

outside the hours of 7:00 am to 10:00 pm. The Canyon Park West (Amended) C-1 PUD Agreement does not waive the Special Use Permit process for extended retail hours of operation or the drive-through window.

The applicant submitted a request for a SUP to allow a drive-through window and extended business hours of 6:00 A.M to 11:00 P.M. The site is in a commercial area that will serve highway traffic, nearby hotels and other commercial businesses. The applicant does not anticipate any significant impacts to neighboring businesses.

Per City Code 10-4-8:

Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) AM to ten o'clock (10:00) PM require a special use permit in the Commercial Highway District (C-1). The C-1 Zone is intended to provide commercial activities of various sizes from large retail stores to small specialty shops with residential opportunities for persons wishing to work and live in a unified environment. The C-1 PUD Agreement does not waive the special use permit process for extended retail hours of operation.

Per City Code 10-11-1 thru 8:

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

Per City Code 10-7-13:

Any facility with drive-through windows are required to comply with minimum requirements for vehicle stacking. Fast food restaurants and drive-in banks require nine (9) spaces or such other number as approved by Planning and Zoning Commission, but no less than six (6). All others are required to have six (6) spaces. The proposed site plan is indicating six (6) spaces. The drive-through window will be located on the south side of the building along Fillmore Street. The lights of the vehicles waiting in the drive-through lane will be shining into oncoming traffic. The commission may wish to place a condition on the Special Use Permit that additional landscaping be placed to buffer the lights of the waiting vehicles.

Possible Impacts:

The neighboring properties are currently mostly undeveloped. There are currently restaurants and banks located in the immediate area. These various businesses may not be greatly impacted by these proposed extended hours. A full review of parking and required site improvements for compliance with all applicable codes and regulations will be completed at the time of building permit process."

New Analysis:

The parking/stacking code was amended in August 2014. Current City Code 10-10 now regulates parking spaces and drive-thru requirements. The currently applicable city codes are summarized as follows:

Per City Code 10-10-6: Restaurants in multi-tenant buildings or with drive-thru's are required to have 1 parking space per 100 square feet of floor area, including outdoor seating areas.

Per City Code 10-10-10: Restaurants with drive-thru's are required to have 5 stackings spaces from the first winder, order board or other stopping point. Additionally, a minimum nine foot (9') wide

escape lane shall be provided for any drive-thru facility. Escape lanes may be part of a circulation aisle.

Conclusion:

The Commission granted the request, as presented on September 23 2014, and 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 hours of operation being no earlier than 6:00 a.m. and no later than 11:00 p.m.
3. Subject to additional trees and shrubs to create a visual buffer from the roadway along Fillmore Street, to be approved by staff.

The applicant requests to reactivate Special Use Permit #1332, granted on September 23, 2014 to allow a new restaurant with a drive-through window and extended hours of operation from 6AM to 11PM. Approval of the reactivation will allow applicant to proceed as originally approved on September 23, 2014. Denial of reactivation will require the applicant to apply for a new Special Use Permit following todays standards.

Attachments:

1. Original Narrative – Tina F. Luper
2. Original Site Plan
3. Original Building Elevations
4. Reactivation letter
5. Current Zoning Vicinity
6. Current Aerial Map
7. Current Site Plan
8. Canyon Park Amended Subdivision Plat

GERONIMO, LLC SPECIAL USE PERMIT APPLICATION

Reason for Request

The reason for request is to allow operation of a facility with a drive-thru window as required by Twin Falls City Code. The proposed facility will have one station to provide service to customers in their vehicles.

Hours of Operation

Drive-thru hours will be no earlier than 5:00 AM or later than 11:00 PM.

Number of Employees

Maximum number of employees will be 12.

Traffic

Anticipated traffic will be approximately 40 vehicles per hour.

Impacts to Adjoining Properties

1. All adjoining properties are commercial. This proposed facility with the drive-thru is totally comparable with existing and proposed adjacent users.
2. The proposed facility and drive-thru window will not create any objectionable odor, glare, noise, or otherwise cause objectionable impacts to neighboring properties.
3. All lighting will be compatible with neighboring uses. Lighting for this facility will comply with the lighting standards outlined in the Canyon Park PUD agreement.

NOTES

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF TWIN FALLS DESIGN AND CONSTRUCTION STANDARDS.
2. ALL DIMENSIONS ARE FROM FACE OF CURB TO FACE OF CURB UNLESS OTHERWISE NOTED.

Vicinity Map

LEGEND

- LOT LINE
- EASEMENT LINE
- PROPOSED CURB & CUTTER
- PROPOSED FIRE LANE
- PROPOSED LANDSCAPE AREAS
- L.S. EASE.

SCALE: 1"=40'
 NOTE: DRAWING SIZE 8 1/2" x 11"

OVERALL PARKING SUMMARY

BUILDING AREA	3,910 S.F.
REGULAR PARKING	40 STALLS
ACCESSIBLE PARKING (REQUIRED=2)	2 STALLS
PARKING REQUIRED	40 STALLS
TOTAL PARKING PROVIDED	42 STALLS

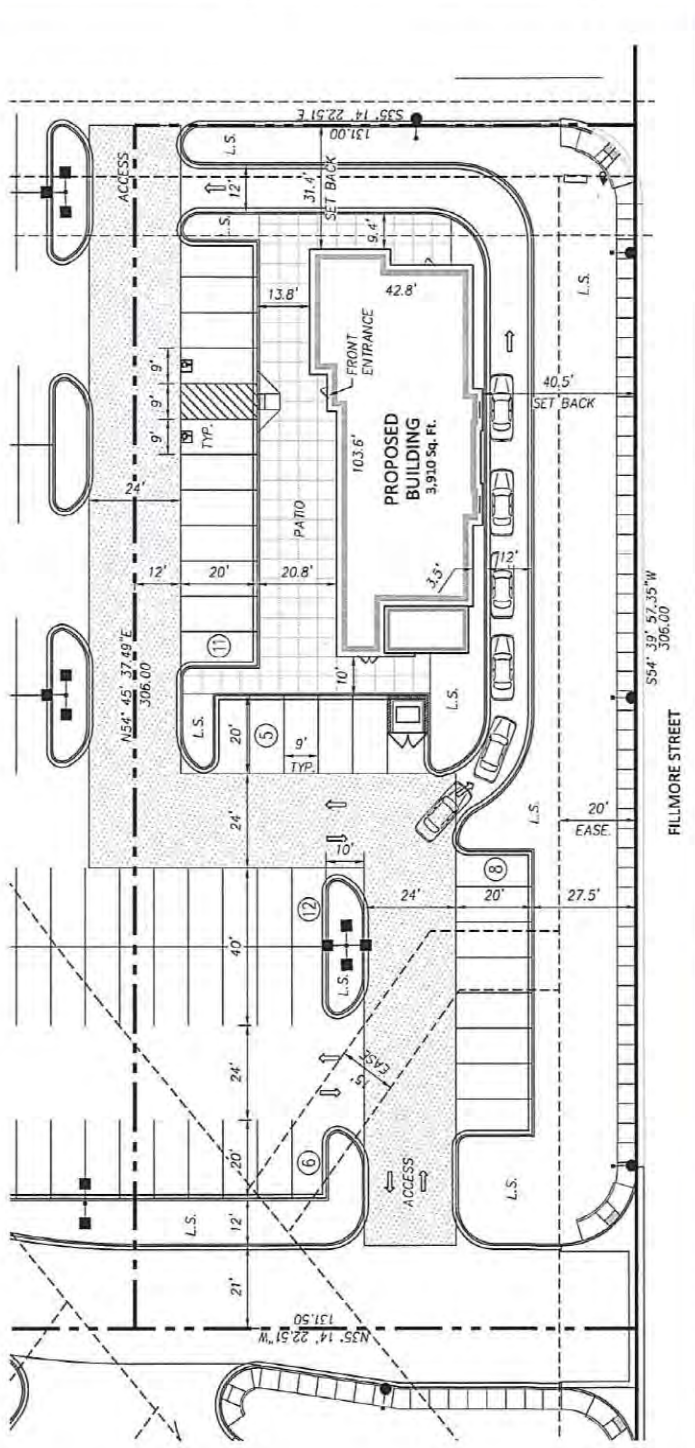
OVERALL LAND USE SUMMARY

ITEM	SQ. FT.	ACRES	%
BUILDING AREA	3,910	0.09	9.73
LANDSCAPE AREA	26,518	0.61	66.03
IMPERVIOUS AREA	9,735	0.22	24.24%
*TOTAL AREA (LOT ONLY)	40,163	0.92	100.0%

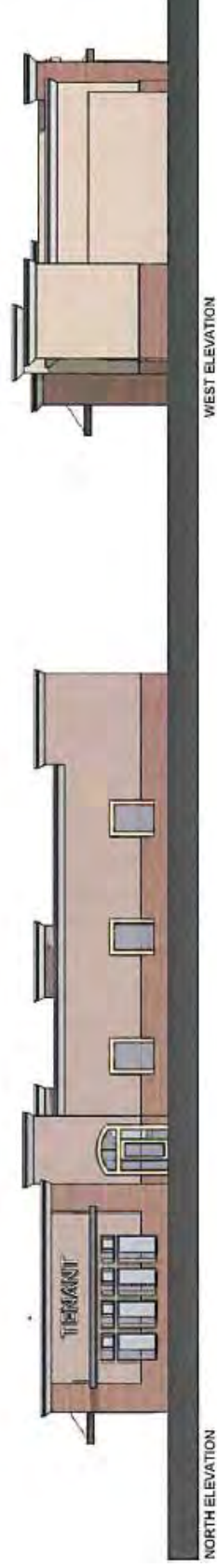
*TOTAL LAND USE AREA SHOWN IS FOR LOT AREAS ONLY

DEVELOPER / OWNER
 GERONIMO LLC
 2733 EAST PARLEYS WAY, STE 300
 SALT LAKE CITY, UTAH 84109
 CONTACT: LYNN WOODBURY
 OFFICE: (801) 485-7770

CANYON PARK AMENDED SUBDIVISION
 A PORTION OF LOT 5 OF CANYON PARK
 AMENDED SUBDIVISION LOCATED IN A
 PORTION OF SW 1/4 SW 1/4 AND GOVT.
 LOT 5, SECTION 14, T14N, R9E, S10E,
 RANGE 14 EAST, BOISE, TWIN
 FALLS COUNTY, IDAHO.



GERONIMO
PAD BUILDING CONCEPT
SINGLE-TENANT W/ DRIVE THRU
COLOR ELEVATIONS



Jonathan Spendlove

From: Jonathan Spendlove
Sent: Wednesday, January 25, 2017 4:28 PM
To: Renee Carraway
Subject: FW: Canyon Park West Pad 5 Drive Through SUP
Attachments: Geronimo_ 1925 South Fillmore Drive Through Approval 11_5_2014 (2).pdf

From: Tina Luper [mailto:tina.luper@neilsenco.com]
Sent: Wednesday, January 25, 2017 4:01 PM
To: Jonathan Spendlove <JSpendlove@tfid.org>; 'Jeff Stokes' <j_stokes@woodburycorp.com>
Cc: tina.luper@neilsenco.com
Subject: Canyon Park West Pad 5 Drive Through SUP

Jonathan,

As per our conversation earlier this afternoon, we would like to initiate the process to reactivate the drive through special use permit #1332 (attached) issued for Pad 5 within the Canyon Park West Subdivision.

Please let us know if you need any additional information and once scheduled, what date this will be considered by Planning & Zoning.

Thank you,
Tina

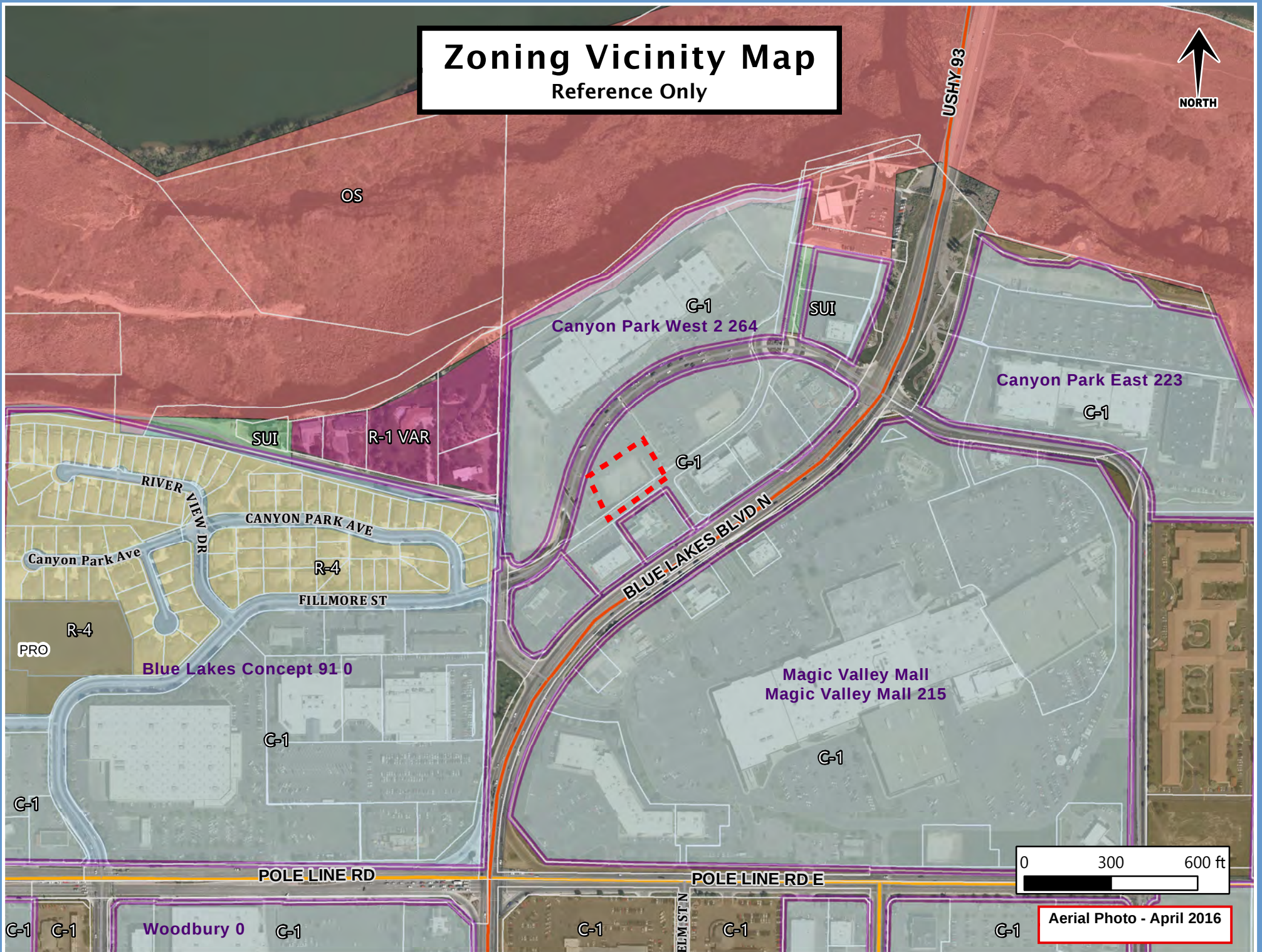


Tina F. Luper
Director of Operations
C (208) 421-8296
F (208) 485-3594
P.O. Box 5478
Twin Falls, Idaho 83303-5478
tina.luper@neilsenco.com

[Spam](#)
[Phish/Fraud](#)
[Not spam](#)
[Forget previous vote](#)

Zoning Vicinity Map

Reference Only

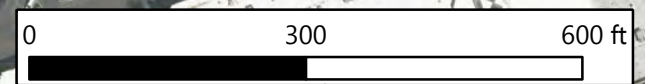


0 300 600 ft

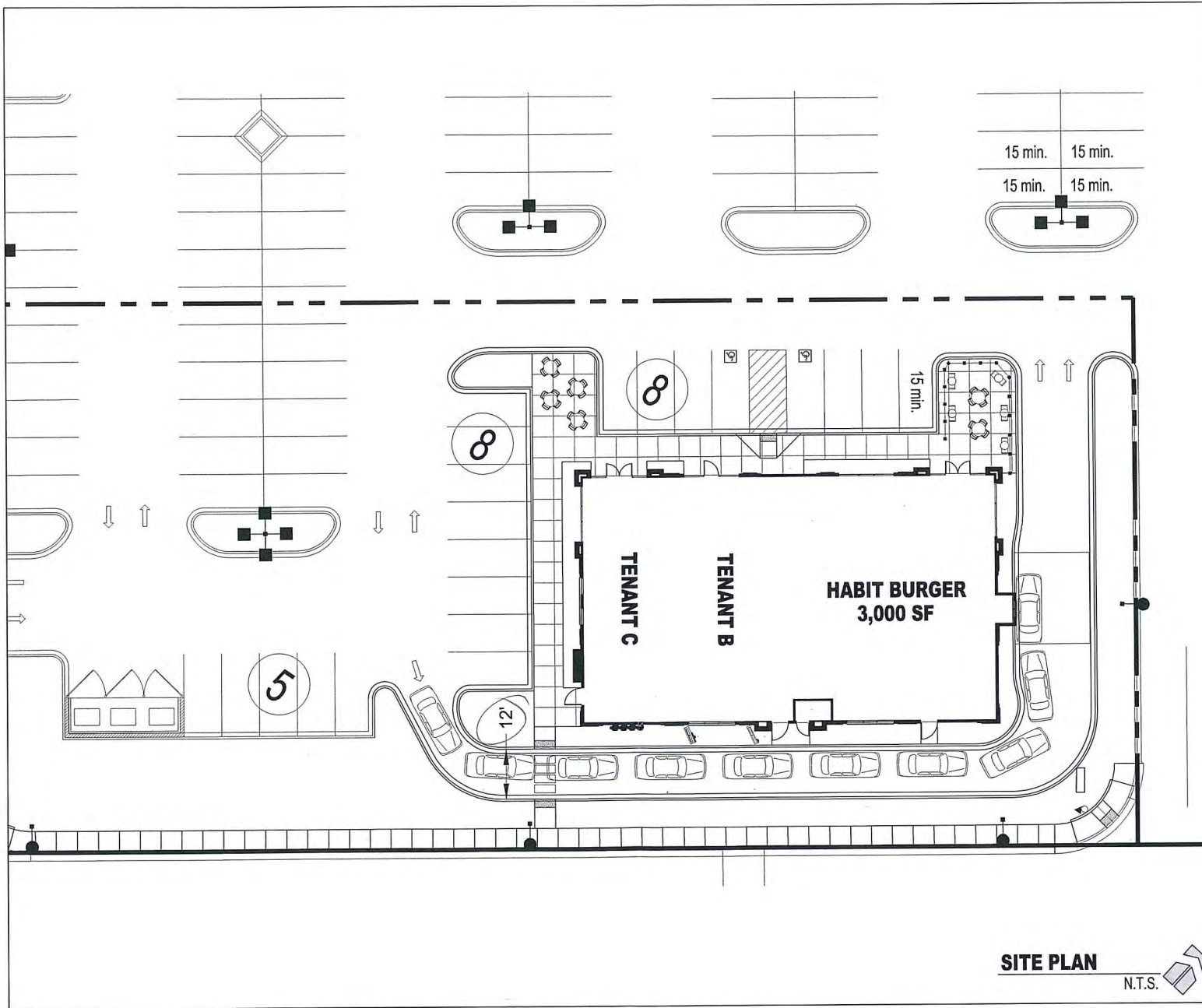
Aerial Photo - April 2016

Aerial Map

Reference Only



Aerial Photo - April 2016



SITE PLAN

N.T.S.

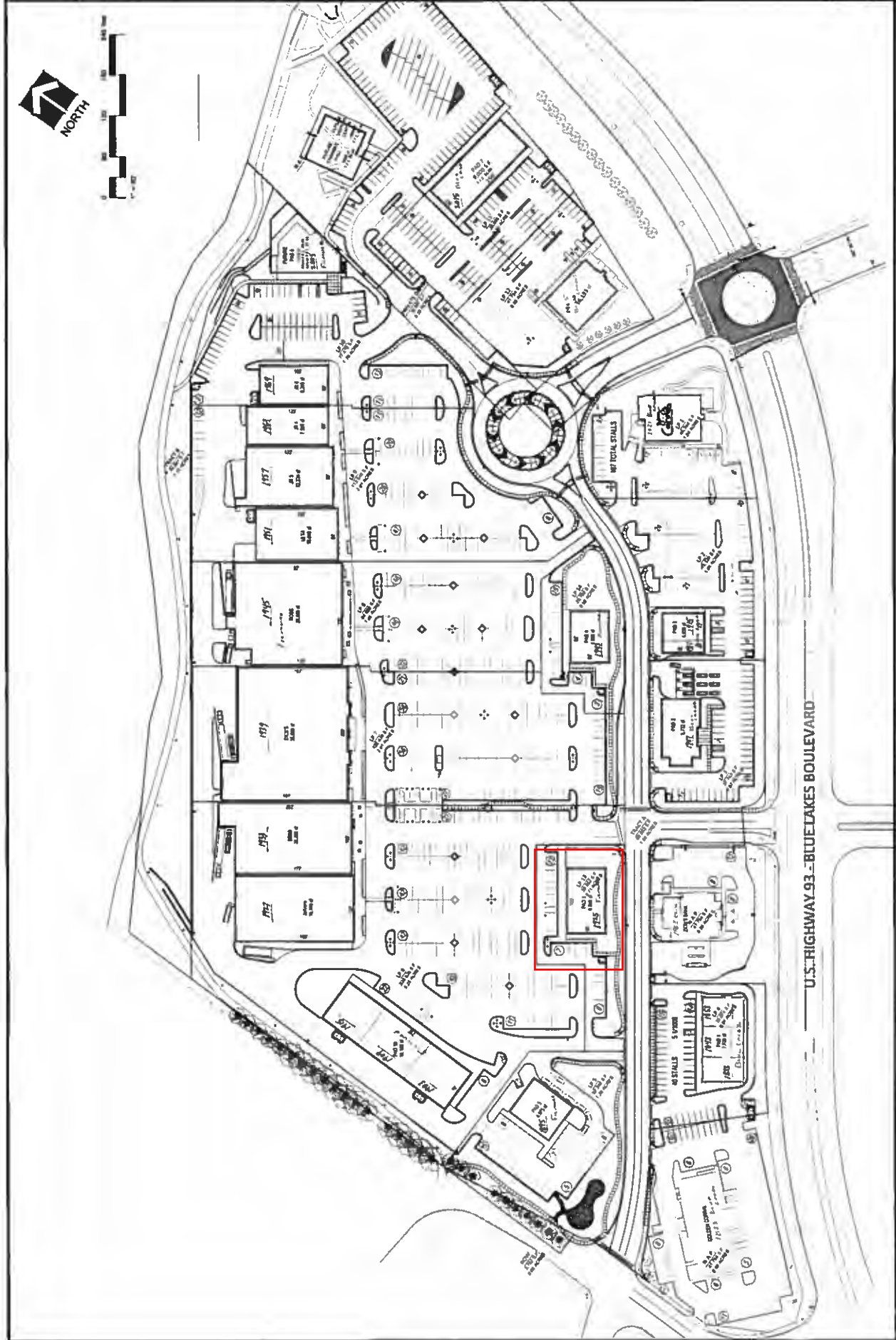
CANYON PARK WEST
PAD 5 A-4
FILLMORE STREET
TWIN FALLS, ID

DATE
01/04/17
DRAWN BY
TANNERS

SITE



1	DESIGNATION	DATE
2		
3		
4		
5		
6		
7		
8		
9		
10		



U.S. HIGHWAY 93 - BLUE LAKES BOULEVARD



Preliminary Presentation: Tuesday February 14th, 2017

Public Hearing: Tuesday, February 28, 2017

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove, Sr Planner

Editor: Renee Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM III-2

Request: **Preliminary ZDA presentation** requesting the Commission's recommendation on an **Annexation with a Zoning District Change & Zoning Map Amendment** from R-4 CRO AoI to M-1 CRO ZDA for 7.5 (+/-) acres to allow a Storage Unit Facility, an outdoor RV & Vehicle storage yard and a truck rental business (U-Haul) with Display Pad Sites on property located at 403 Grandview Drive. c/o Mojo, LLC-Gregg Olsen (app. 2836)

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: ~7.57+/- ac.
MOJO, LLC Greg Olsen 485 Grandview Dr Twin Falls, ID 83301 208.280.3000 Grego.73@gmail.com	Current Zoning: R-4 & R-4 CRO, Residential Medium Density District with a portion adjacent to the Rock Creek Canyon in the AOI	Requested Zoning: M-1 with CRO ZDA
	Comprehensive Plan: Industrial/Flex/Employment	Lot Count: 1 parcel
	Existing Land Use: Temp outdoor vehicle & R.V. Storage, vacant drive in theater	Proposed Land Use: Office, indoor storage, indoor/outdoor R.V. and vehicle storage, U-Haul Rentals & Vehicle Display
Representative:	Zoning Designations & Surrounding Land Use(s)	
Scott Allen J-U-B Engineers, Inc. 115 Northstar Avenue Twin Falls, ID 83301 208.432.2416 sallen@jub.com	North: R-6 PUD & OS, Religious Facility & Jubilee House; Women's Shelter home, and Rock Creek Canyon	East: OS, Rock Creek Canyon
	South: C-1 PUD & R-4 AoI; Muni Storage Facility/U-Haul Rental, and Screen Print, Embroidery shop and Golf Course	West: R-4, Grandview Drive; open pasture & mobile home park to the NW
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-9, 10-4-19, 10-6-1, 10-11-1 thru 8, 10-14-1 thru 7	

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 presentation to the Planning and Zoning Commission and the Public a preliminary review. The Commission and Public are allowed to give suggestions and ask questions of the applicant about the proposed project. A public hearing shall be held before the Commission for a recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request.

Budget Impact:

No impact to budget from this presentation.

Regulatory Impact:

The Commission makes no decision at this time. After a public hearing, a recommendation from the Planning and Zoning Commission for the requested change will allow the request to proceed to the City Council for a decision.

History:

The Grand-Vu Drive-In Theater operated from 1952 to 2013. The property has been vacant since that time. Ordinance 2012 was passed in 1981, creating the zoning districts we currently use, and zoned various properties within City Limits. Zoning designations were assigned at that time, or when areas were annexed or became part of the Area of Impact upon an amendment to the Area of Impact Agreement with the county.

The applicant purchased the vacant Grand-Vu Drive-In Theater property in March of 2016. He is applying to annex and rezone the property to allow development of the site under a ZDA in order to expand his current storage and rental business that is just south of this property.

Analysis:

This is a preliminary presentation of a request for Annexation with a Zoning District Change and Zoning Map Amendment from R-4 CRO (AOI) to M-1 CRO ZDA 7.57(+/-) acres to allow for the development of an indoor storage facility to include, indoor/outdoor R.V. and vehicle storage, and U-Haul Rentals & Display.

City Code requires that the applicants make a preliminary presentation to the Commission and to the public. This presentation allows the Commission and the public to become familiar with the proposed planned development project prior to the actual public hearing. The Commission can also give suggestions to the applicants on the project outside of the hearing process. No action is taken at the presentation meeting.

A public hearing regarding this request will be heard at the regularly scheduled Planning and Zoning Commission public meeting [Tuesday, February 28, 2017](#). Further staff analysis will be provided at that time.

Conclusion:

Staff makes no recommendation at this time.

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

Supplemental Information
for
MOJO, L.L.C. – Annexation with ZDA Zoning District Change Application
for
Property Located at 403 Grandview Drive

Item 4f) Reason for the request:

The applicant is requesting an annexation and rezone on the subject property to allow for development and expansion of an existing storage rental facility. The proposed storage uses shall include indoor general storage, indoor vehicle and r.v. storage, covered vehicle and r.v. storage, outdoor vehicle and r.v. storage and U-Haul vehicle storage. The property was formerly utilized as a drive-in theater. All remaining theater structures shall be demolished and removed from the property during construction of the site.

Item 4g) i-Statement on how the zoning change relates to the Comprehensive Plan:

The recently adopted Comprehensive plan denotes the future land use of the property, and surrounding properties, as "Industrial/Flex/Employment". The proposed use, storage rental units and outdoor vehicle and r.v. storage, is a non-residential use that meets the intent of the Industrial component of the Comprehensive Plan future land use designation.

Item 4g) ii-Distance to City Limits boundary, all sides:

The current city limit line is located immediately adjacent to the south, west and east property lines of the subject property, and approximately 1,600 feet to the north along Addison Avenue.

Item 4g) iii-Statement on the compatibility with the surrounding area:

The present use of the property located immediately west of the site is open space/pasture land, to the northwest is a developed trailer park, to the north is a church and the Jubilee House, to the northeast and east is Rock Creek Canyon and a golf course, and to the south is open space, a government office / storage shop, a retail business and a storage rental business. The annexation / rezone, if and when approved, will allow the applicant to construct storage rental units and outdoor storage spaces. It should be noted that the applicant developed, and currently owns and operates, the storage rental facility located immediately south of the subject property. The

proposed use is a quiet land use, provides a secure site for all storage unit, and outdoor space, renters, can be designed to prohibit light trespass onto neighboring properties and will not produce any glare, odors, or negative impacts to surrounding properties. It should also be noted that the proposed land use will have minimal impact to the existing public roadways, sewer infrastructure and potable water system.

Item 4g) iv – An explanation of the intended use / development of the property:

The proposed storage rental uses shall include a storage unit that can be converted for future storage facility office, indoor general storage, indoor vehicle and r.v. storage, covered vehicle and r.v. storage, outdoor vehicle and r.v. storage and U-Haul vehicle storage. The project shall be developed in phases. Construction timing for each phase shall be dictated by market demand.

The west portion of the site is currently being allowed to temporarily house vehicles and r.v.'s while the adjacent storage facility is expanding. The ZDA, when approved, will allow this temporary use to become an outright permitted use.

A deferral agreement, similar to the approved deferral agreement for the adjacent storage facility, will be submitted for all construction items located within the public right of way along Grandview Drive, inclusive of roadway widening, approach construction, curb, gutter and sidewalk installation and pressure irrigation infrastructure extension.

Landscaping along Grandview Drive shall be a Xeriscape design to help promote water conversation. Said design shall meet the city landscape requirements for trees and shrubs. Two display pad sites, for U-Haul vehicles, shall be included near the facility entryway.

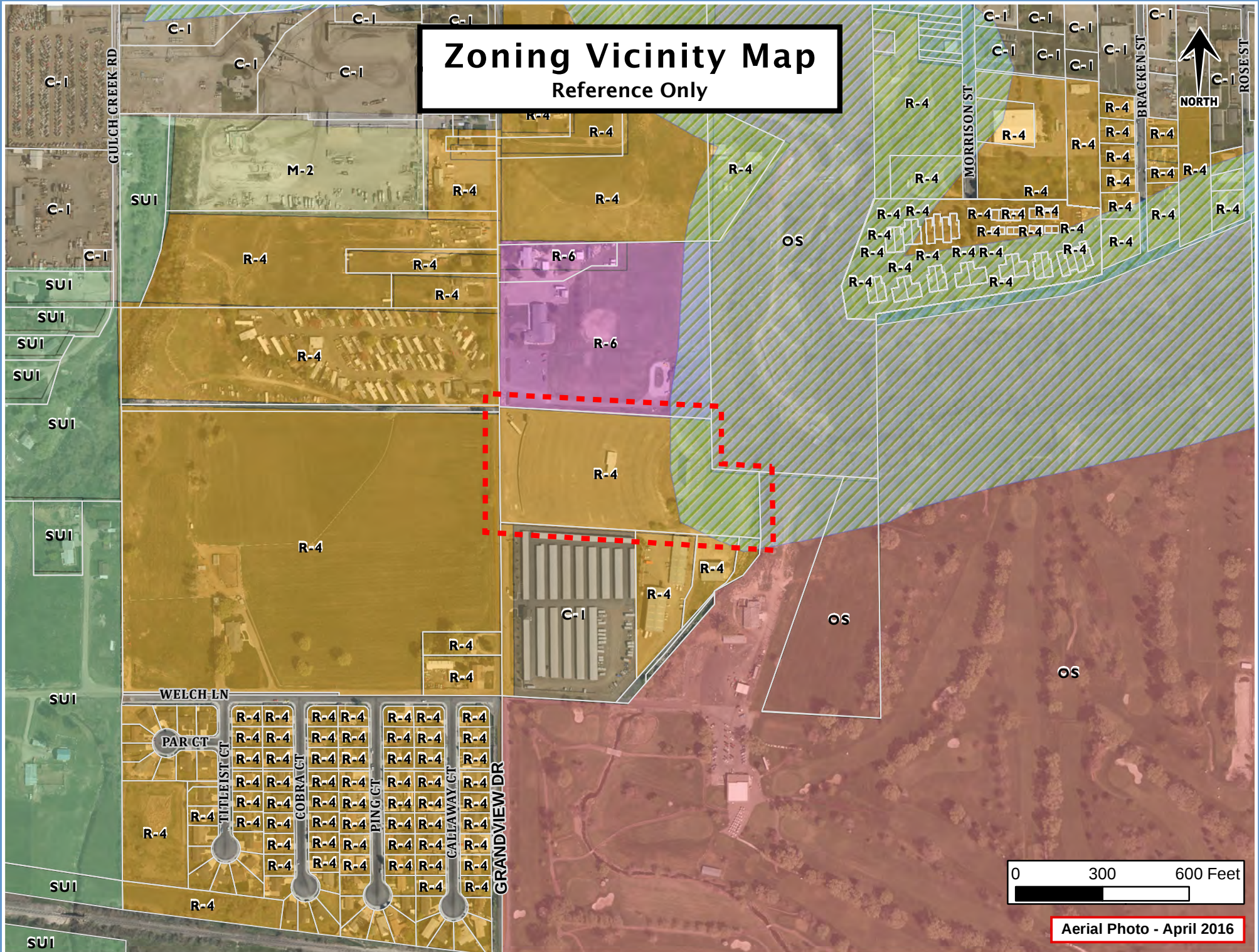
All proposed buildings shall be constructed of similar color and building materials / types as the adjacent storage facility located to the south. The proposed buildings will be taller to facilitate r.v. storage. Some covered r.v. storage spaces may be constructed, which will not be fully enclosed, and will provide similar architectural features as adjacent storage facility structures.

Item 4g) v-A list of requested exceptions for specific for specific uses and/or development standards:

See attached ZDA document for list of requested zoning exceptions.

Zoning Vicinity Map

Reference Only



Aerial Photo - April 2016

Aerial Map

Reference Only



GRANDVIEW DR

0

300

600 Feet

Aerial Photo - April 2016

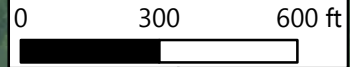
Future Land Use Map

Reference Only

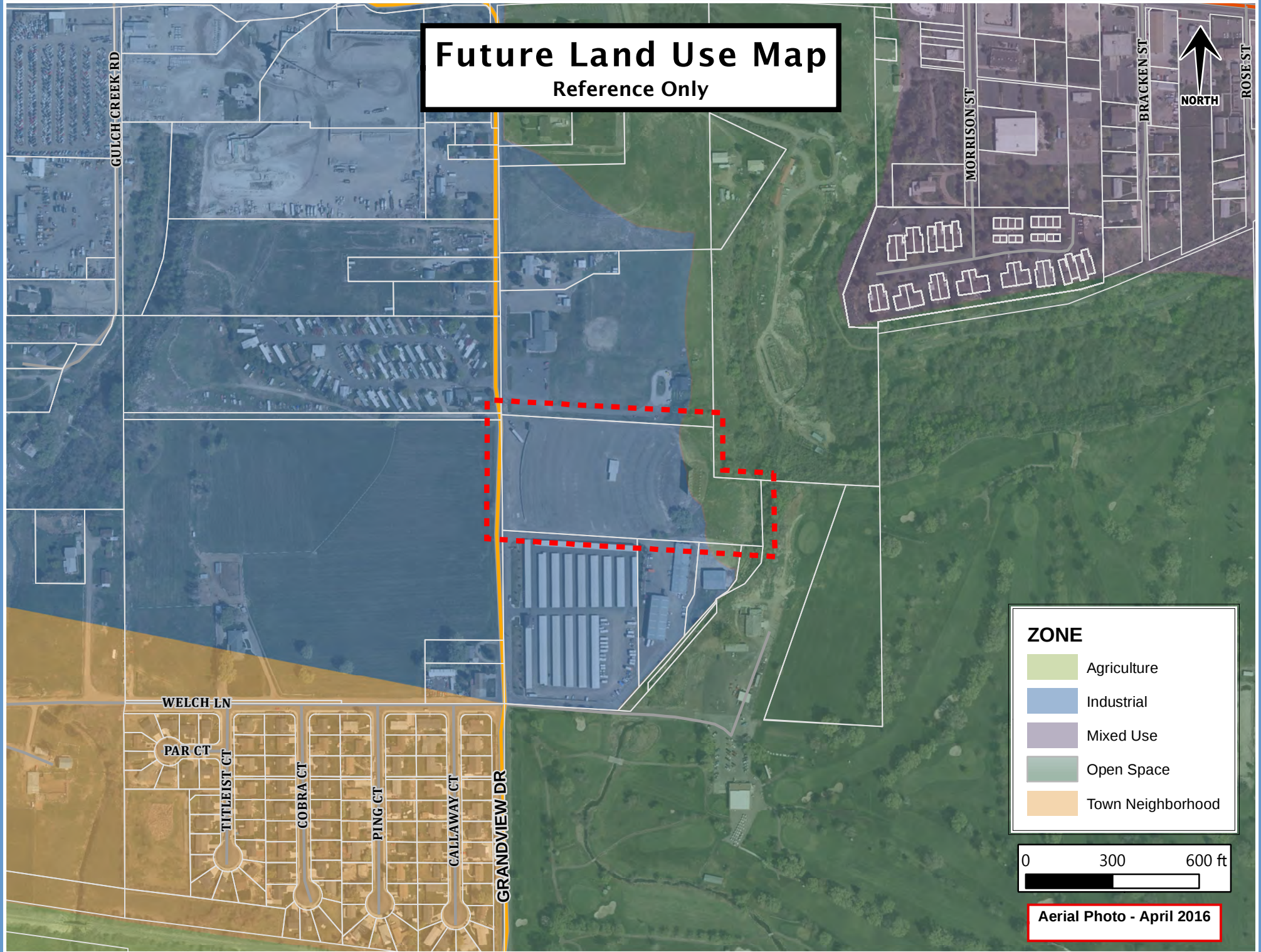


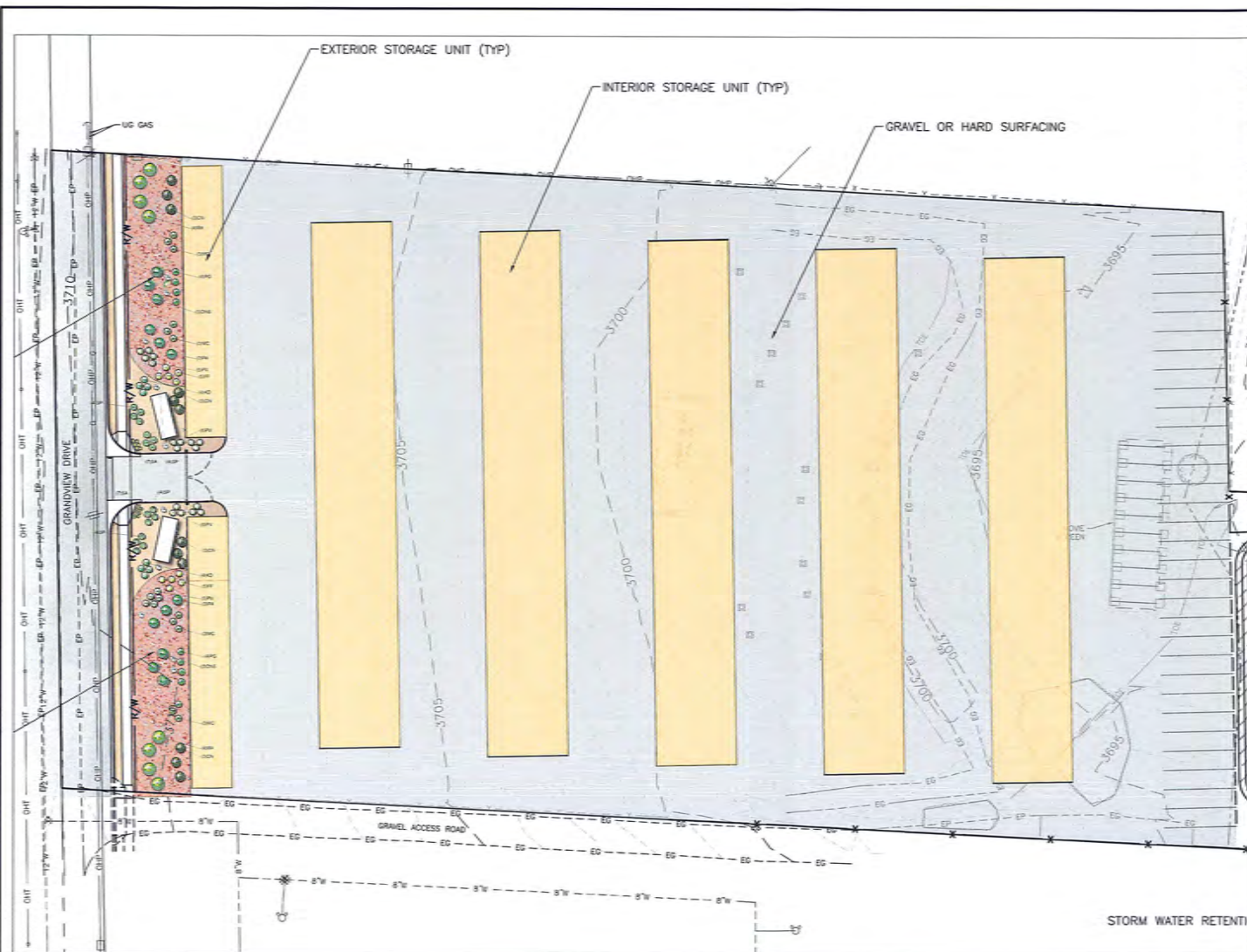
ZONE

-  Agriculture
-  Industrial
-  Mixed Use
-  Open Space
-  Town Neighborhood



Aerial Photo - April 2016





TREE LEGEND (TOTAL PLANT COUNT)

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	HYDROZONE	SPECIAL NOTES
DN	PRUNUS MODICA WANDER SENTINEL	WANDER SENTINEL	12	5 TALL	LOW	

SHRUB LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	HYDROZONE	SPECIAL NOTES
SP	CARYOPHTERIS - CLANDONENSIS	BLUE MIST SPIREA	10	1 GAL	LOW	
VD	CORNUS SERICEA VELVET	VELVET'S DWARF RED-OVER ODOURWOOD	8	2 GAL	MODERATE	
RA	RAHUS ARONICATA 'SPD-LOW'	SPD-LOW BUNIC	8	1 GAL	LOW	
PA	PRUNUS MODICA 'SLOWGROW'	SLOWGROW WANDER SENTINEL	8	2 GAL	LOW	

GRASSES LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	HYDROZONE	SPECIAL NOTES
FF	CAULOPHYLLIS ACUTIFLORA	FEATHER REED GRASS	10	1 GAL	LOW	
PD	MISCANTHUS SINENSIS	POPCORNE GRASS	8	1 GAL	MODERATE	
PI	MISCANTHUS SINENSIS	POPCORNE GRASS	22	1 GAL	LOW	
MC	MISCANTHUS SINENSIS	DWARF WANDER GRASS	12	1 GAL	LOW	

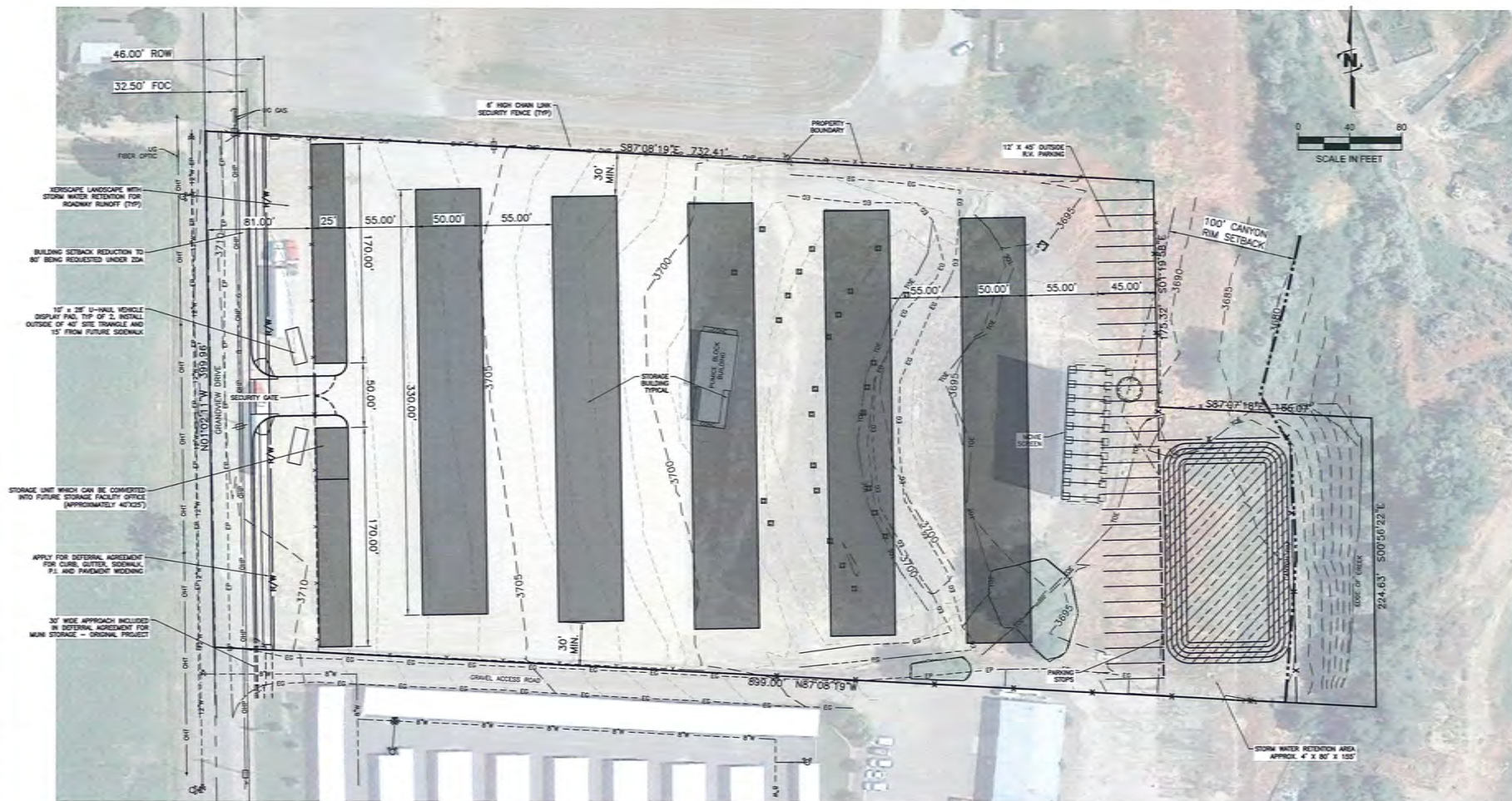
PERENNIAL LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	HYDROZONE	SPECIAL NOTES
SA	SEDUM SPECTABILE	AUTUMN JOY SEDUM	14	1 GAL	MODERATE	

SITE MATERIALS

SYMBOL	SITE MATERIAL	QUANTITY	SPECIAL NOTES
	3/4" GRAY CRUSHED GRAVEL	1,000 SQ FT (80 CU YD)	LOCATED WHERE SPECIFIED
	2" TAN COBBLE	8,000 SQ FT (100 CU YD)	LOCATED WHERE SPECIFIED
	2" TAN COBBLE	8,000 SQ FT (100 CU YD)	LOCATED WHERE SPECIFIED
	LARGE LANDSCAPE BOULDERS	10	

ISSUE DATE: 01-10-2017 PROJECT NUMBER: ID17001 PLAN INFORMATION: 811 BLUE STAKES OF UTAH 1-800-652-4111 www.bluestakes.org		PROJECT INFORMATION: 381 MINI STORAGE 403 GRANDVIEW DRIVE TWIN FALLS, IDAHO		DEVELOPER / PROPERTY OWNER / CLIENT: MOJO, LLC DESIGNER: J.U.B. ENGINEERS 3450 N. TRIUMPH BLVD. SUITE 102 LEHI, UTAH 84043 (801) 960-2698 www.jubdesigngroup.com		LANDSCAPE ARCHITECT / PLANNER: PKJ DESIGN GROUP 3450 N. TRIUMPH BLVD. SUITE 102 LEHI, UTAH 84043 (801) 960-2698 www.pkjdesigngroup.com		LICENSE STAMP: JTA KSA TM LANDSCAPE PLAN PRELIMINARY PLANS NOT FOR CONSTRUCTION LP-COLOR	
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LEGEND

- ⊗ WATER VALVE
- ⊕ FIRE HYDRANT
- ⊕ POWER POLE
- ⊕ TELEPHONE POLE
- ⊕ GUY ANCHOR
- ⊕ BOLLARD
- ⊕ SIGN - AS NOTED
- ⊕ ELECTRICAL BOX
- ⊕ TREE

LINE LEGEND

- APPROXIMATE BOUNDARY
- P/E
- PERMANENT EASEMENT
- FENCE
- EG
- EDGE OF GRAVEL
- EP
- EDGE OF PAVEMENT
- TOE
- TOE OF SLOPE OR DITCH
- G
- GAS LINE
- W
- WATER LINE (SIZE AS INDICATED)
- OHP
- OVERHEAD POWER
- OHT
- OVERHEAD TELEPHONE

BENCH MARK:

TOP OF BOLT STAMPED "B" ON FIRE HYDRANT AT THE SW CORNER OF GRANDVIEW DRIVE & WELCH LANE
 TFCBW #3846-2781, ELEVATION 3717.35, NORTHING 9968.79, EASTING 9954.36

NOTE:

- UTILITY LOCATIONS ARE APPROXIMATE ONLY. NO EXCAVATION SHALL OCCUR UNTIL DIGLINE OR PRIVATE UTILITY COMPANIES HAVE ACCURATELY FIELD LOCATED AND MARKED SITE UTILITIES.
- BUILDING SIZES AND LAYOUT PLAN IS SUBJECT TO CHANGE IN FUTURE IF APPROVED BY CITY PRIOR TO CONSTRUCTION ACTIVITIES.
- SECURITY LIGHTING SHALL BE EITHER POLE OR BUILDING MOUNTED AND SHALL BE SCREENED/SHELDED AND DIRECTIONAL LIGHTING.

PRELIMINARY
 PLANS

NOT FOR
 CONSTRUCTION

REVISIONS
 THIS DOCUMENT AND THE DESIGN AND CONSTRUCTION INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF JUB ENGINEERS, INC. AND ARE NOT TO BE USED IN ANY MANNER WITHOUT THE WRITTEN AUTHORIZATION OF JUB ENGINEERS, INC.

MOJO, LLC
 GRANDVIEW DRIVE-IN THEATER PROPERTY
 PRELIMINARY MASTER PLAN
 403 GRANDVIEW DRIVE
 CITY OF TWIN FALLS, TWIN FALLS COUNTY, IDAHO

FILE: 14-03-2017 11:37 AM
 JUB PROJECT # 14-03-2017
 DRAWN BY: JUB
 CHECKED BY: JUB
 AT FALL SIZE IF NOT ONE
 LAST MODIFIED: 14-03-2017

SHEET NUMBER:

1 of 1



COLOR PALETTE FOR WEST EXTERIOR STORAGE UNIT, COLORED TRIM AND CONCRETE FINISH



COLOR PALETTE FOR INTERIOR STORAGE UNITS, COLORED METAL TRIM, DOORS AND SIDING

NOTE: SEE ATTACHED BUILDING ELEVATIONS FOR PROPOSED BUILDING DETAILS



Public Hearing: **Tuesday February 14th, 2017**

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove, Senior Planner

Editor: Renee V. Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM III-3

Request: **Preliminary ZDA presentation** requesting the Commission's recommendation on **Zoning District Change & Zoning Map Amendment** from R-2 PRO PUD and R-1 VAR PUD to R-2 PRO ZDA for 7.75 (+/-) acres to develop a planned commercial and professional development on property located on the northwest corner of Cheney Drive and Madrona Street North, a portion of the Eastpark PUD #213. c/o EHM Engineers, Inc.-Dave Thibault on behalf of Andrew Jarvis (app. 2841)

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: ~7.74+/- ac.
Andrew Jarvis 1411 Falls Ave E. Ste 1131 Twin Falls, ID 83301 208.308.6908 aztecjarvis@gmail.com	Current Zoning: R-2 PRO PUD, Residential Low Density District with Professional Office Overlay, R-1 VAR PUD , Residential Single Household District	Requested Zoning: R-2 PRO ZDA
	Comprehensive Plan: Town Neighborhood and Mixed Use	Lot Count: 1 lot
	Existing Land Use: vacant	Proposed Land Use: Commercial Retail & Professional Office Subdivision
Representative:	Zoning Designations & Surrounding Land Use(s)	
Dave Thibault 621 N. College Rd., Ste 100 Twin Falls, ID 83301 dthibault@ehminc.com	North: C-1 PUD, Bridgeview Blvd/Madrona St N; Home Depot; undeveloped commercial property	East: R-1 VAR PUD, Undeveloped Vacant
	South: R-1 VAR PUD, Cheney Dr; Stoneybrook Neighborhood	West: C-1 PUD, Locust St N; Vacant
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-4, 10-4-18, 10-6-1, 10-11-1 thru 8, 10-14-1 thru 7	

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 presentation to the Planning and Zoning Commission and the Public a preliminary review. The Commission and Public are allowed to give suggestions and ask questions of the applicant about the proposed project. A public hearing shall be held before the Commission for a recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request.

Budget Impact:

No impact to budget from this presentation.

Regulatory Impact:

The Commission makes no decision at this time. After a public hearing, a recommendation from the Planning and Zoning Commission for the requested change will allow the request to proceed to the City Council for a decision.

History:

Lot 1 is currently under the Eastpark PUD which was recorded in September 1998. The PUD zoned Lot 1 R-1 VAR PUD and R-2 PRO PUD at that time. Lot 1 was created with the Interstate Amusement Subdivision, a conveyance plat, which comprises the eastern half of the southwestern block of the Eastpark PUD and was recorded In November 2007.

Analysis:

This is a preliminary presentation of a request for a Zoning District Change and Zoning Map Amendment from R-2 PRO PUD and R-1 VAR PUD to R-2 PRO ZDA 7.74(+/-) acres to allow for the planned development of a mixed use; commercial/retail and professional office project.

City Code requires that the applicants make a preliminary presentation to the Commission and to the public. This presentation allows the Commission and the public to become familiar with the proposed planned development project prior to the actual public hearing. The Commission can also give suggestions to the applicants on the project outside of the hearing process. No action is taken at the presentation meeting.

On February 2, 2017 staff requested the applicant/engineer to provide a Master Landscaping Plan and a Master Sign Plan by Monday, February 6, 2017. As of today staff has not received these documents.

A public hearing regarding this request will be heard at the regularly scheduled Planning and Zoning Commission public meeting [Tuesday, February 28, 2017](#). Further staff analysis will be provided at that time.

Conclusion:

Staff makes no recommendation at this time.

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



October 20, 2016

City of Twin Falls
Attn: Renee Carraway-Johnson
P.O. Box 1907
324 Hansen Street E
Twin Falls, ID 83303

RE: Eastpark #3 Rezone Request

Dear Renee,

Please consider this a formal request to consider the proposed rezone of property located within Residential Single House District (R1-VAR) Zone. The subject property is currently an undeveloped lot between Cheney Drive and Bridgeview Boulevard, West of Madrona, and East of Locust in Twin Falls, Idaho 83301. Mr. Andrew Jarvis is the owner's representative for Pineford Falls, LLC, and intends to develop this property. He is applying for a Residential Professional Office Overlay District (R2-PRO) rezone of this property. The purpose of this request is to provide a zoning overlay that will allow the development and growth of this commercial business.

The parcel to the west of the subject property is R2-PRO PUD zone. The parcel to the north of the subject property is R4-PRO PUD zone and the parcel to the east of the subject property is R1-VAR PUD zone.

The subject property is currently an undeveloped lot. There is access to utilities. The plan for development of the subject property will include the construction and development of commercial and professional lots.

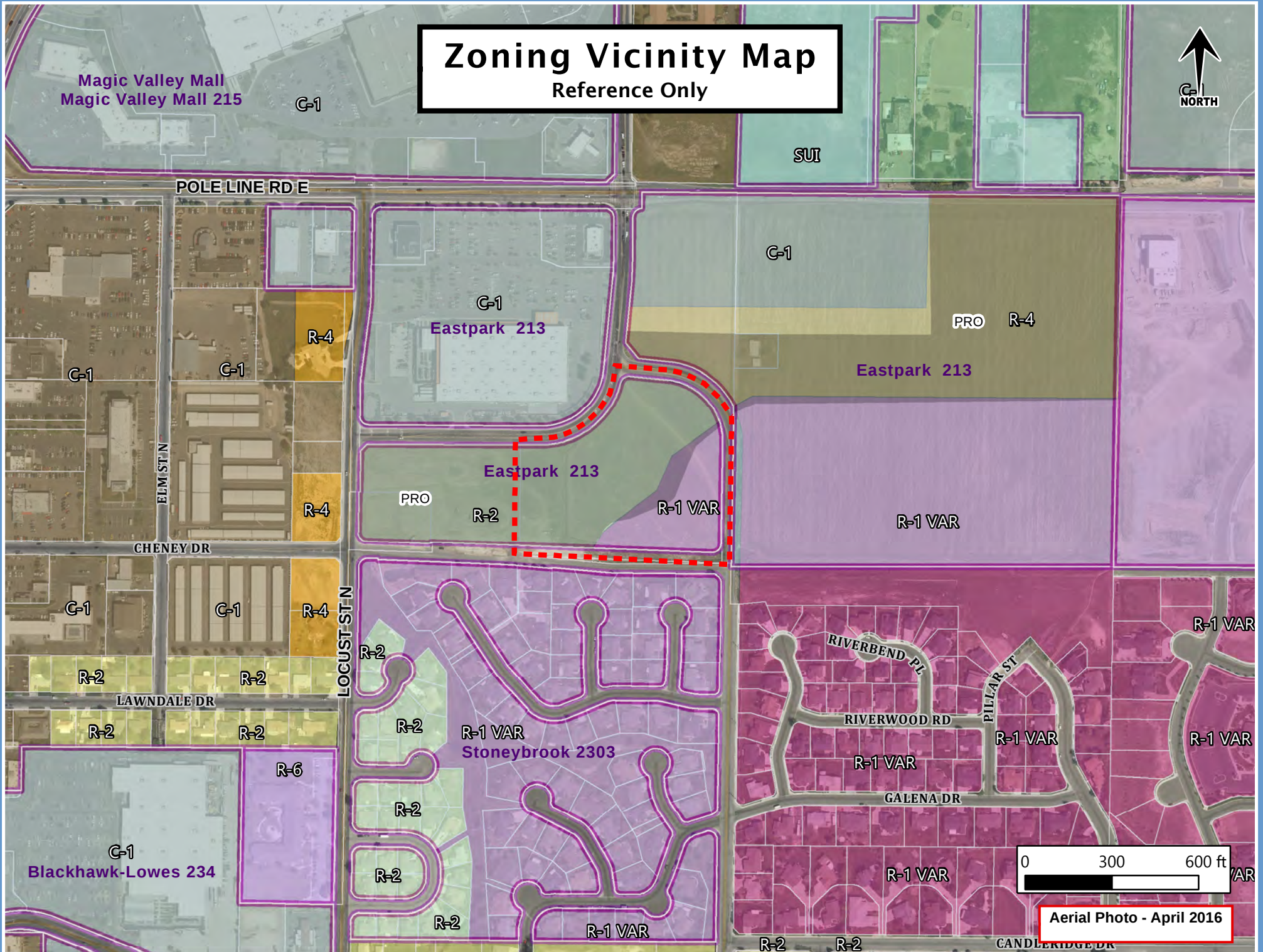
Thank you for your assistance in this matter. Do not hesitate to contact me with any questions regarding this application. Please notify me of the time and date for the scheduled hearing.

Sincerely,

David Thibault, P.E.
EHM Engineers, Inc.

Zoning Vicinity Map

Reference Only



Aerial Map

Reference Only



LOCUST ST N

BRIDGEVIEW BLVD

CHENEY DR

MADRONA ST N

BROOKFIELD CT

STONECREST CT

WATERFALL CT

LAWNDALE DR

RIVERBEND PI

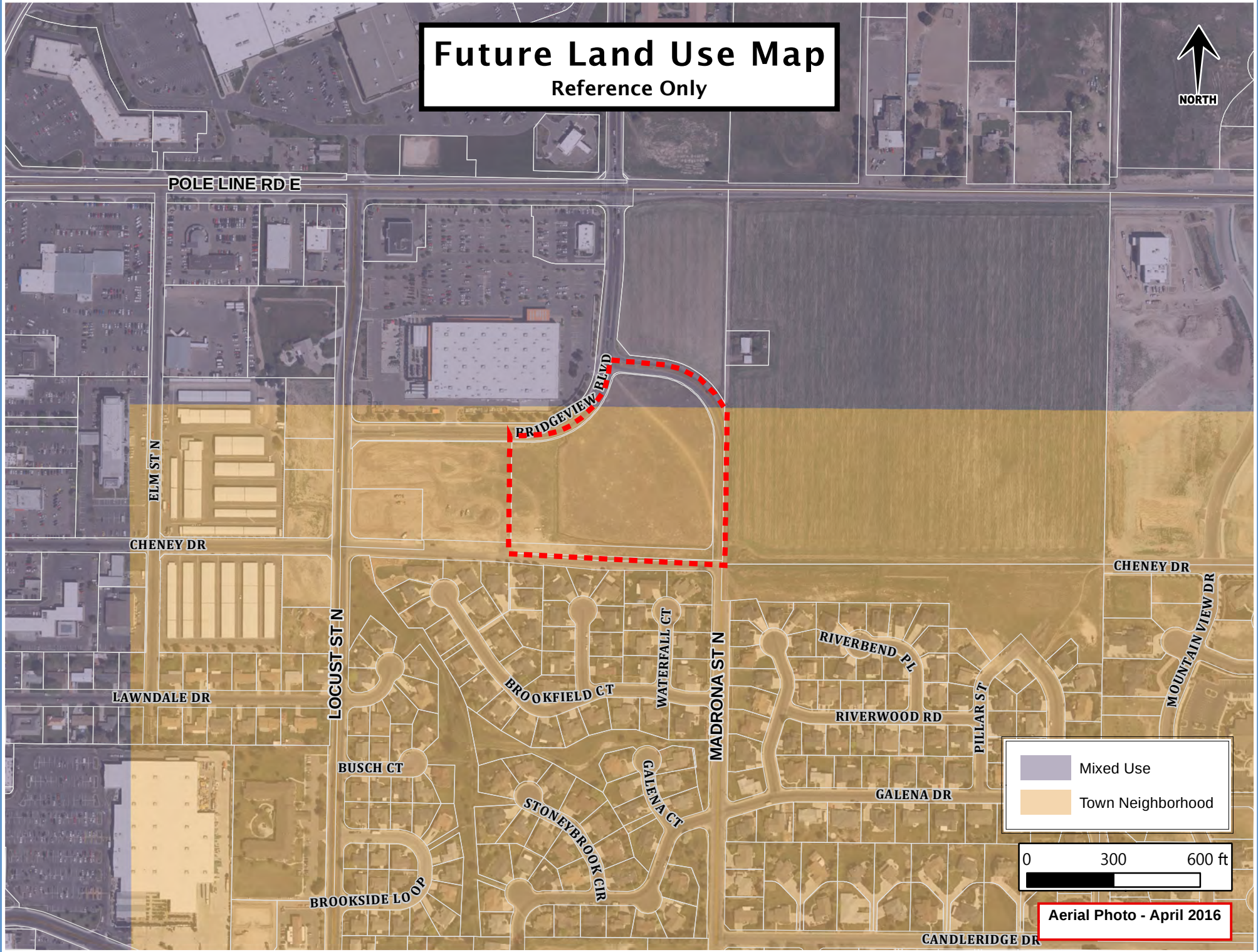
RIVERBEND PI

0 300 600 ft

Aerial Photo - April 2016

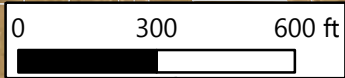
Future Land Use Map

Reference Only



Mixed Use

Town Neighborhood



Aerial Photo - April 2016



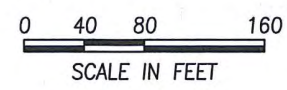
**EASTPARK PROFESSIONAL
SUBDIVISION NO. 3**
A Zoned Development Agreement
A Re-subdivision and Re-Numbering of Lot 1,
INTERSTATE AMUSEMENT SUBDIVISION
Located In
Gov't. Lot 3, Section 3
Township 10 South, Range 17 East, Boise Meridian
Twin Falls County, Idaho
2017



PERIMETER LANDSCAPING TREE/SHRUB COUNT
(LANDSCAPING ALONG BRIDGEVIEW BLVD., CHENEY DR.,
MADRONA STREET N.)

TREES	SHRUBS
22	58

RECEIVED
FEB 02 2017
CITY OF TWIN FALLS
PLANNING & ZONING



EHM Engineers, Inc.
REGISTERED PROFESSIONAL ENGINEERS
Engineers / Surveyors / Planners
621 North College Road, Suite 100, Twin Falls, Idaho 83301
P (208) 734-4888 Fax (208) 734-4609 web: ehminc.com

MASTER DEVELOPMENT PLAN
for
EASTPARK PROFESSIONAL SUBDIVISION NO. 3

DO NOT SCALE DRAWINGS
CONTRACTOR SHALL VERIFY ALL
DIMENSIONS AND CONDITIONS AT THE
JOB SITE AND NOTIFY THE ENGINEER
ANY DISCREPANCY, ERRORS, OMISSIONS
OR O.C. - CHANGES BEFORE
BEGINNING OR FABRICATING ANY WORK

APPROVED
DESIGN
DRAWN
DATE 7/20/20
SCALE AS SHOWN
SHEET NO. 239-16
SHEET

EXHIBIT







Rabobank
Agriculture Finance

1115





A photograph of a single-story commercial building with a tan stucco upper half and a stone veneer lower half. The building has a dark grey gabled roof. The central entrance is a dark door with a sign above it. There are several windows on either side of the entrance, some with dark shutters. A white pickup truck is parked on the right side of the building. In the foreground, there is a paved parking lot with white lines and a blue handicapped parking symbol. The sky is clear and blue.

**GEM STATE
REALTY**

1411 Falls Ave E
Suite 1000 A













Public Hearing: **Tuesday, February 14th, 2017**

To: Planning and Zoning Commission

Presenter: Steve O'Connor, Planner

Editor: Renee Carraway-Johnson, Zoning Administrator

Authors: Steve O'Connor & Jonathan Spendlove

AGENDA ITEM IV-1

Request: Request for a **Special Use Permit** to allow an expansion of an existing shelter home facility by the addition of new residence on property located at 485 Addison Avenue West. c/o Valley House-Sharon Breshears (app. 2835)

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: ~.97 ac +/-
Sharon Breshears Valley House P.O. Box 774 Twin Falls, ID 83301 208.734.7736 vhhshealter@qwestoffice.net	Current Zoning: C-1; Commercial Highway District	Requested Zoning: To utilize the current residential building as a transitional house.
	Comprehensive Plan: Mixed Use	Lot Count: A portion of Lots 9 & 10, Kerns Subdivision
	Existing Land Use: Residential	Proposed Land Use: Shelter Home/Transitional House (Residential)
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: C-1; Addison Ave W- Auto Dealership, Restaurant, Retail,	East: C-1, Barry's Equipment Rental
	South: R-4 with a portion within the CRO, Residential	West: C-1; Rose St- Valley House - Residential Transitional Housing
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8.2(9), 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 not have a negligible impact on the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to proceed with utilizing an existing residential structure as transitional housing expanding Valley House's operation.

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 was originally lot 9 & 10 of the Karn's Subdivision in 1940. In 2003 a portion of Lots 9 & 10 was re platted and recorded as the Jurgens Subdivision. There were several residences on the remaining portions of Lots 9 & 10, Karn's Sub up until a few years ago. When the buildings were deemed uninhabitable due to lack of services, the owner chose to demolish most of them. This southernmost house was not demolished and is the subject of this application.

Analysis:

This application is for a Special Use Permit to operate a Shelter Home in the C-1 zone, to expand Valley House's operation along Rose St. The applicant has stated that Valley House is adding a second phase to their homeless shelter program by adding short-term transitional housing for women and families. They need to renovate the residential house located on the east side of Rose St., to house 12 women at one time. This is an expansion of their operation, which currently occupies the west side of Rose Street. The additional services are not expected to cause a significant increase of negative impacts.

Per City Code 10-4-8:

Shelter homes require a Special Use Permit to operate in the C-1 zone.

Per City Code 10-11-1 thru 8:

Required improvements include access, curb, gutter, sidewalk, drainage, landscaping, trash enclosure, parking, lighting, 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 existing operation in the area, and no significant issues reported for this type of use, the renovation of the subject house to expand Valley House's operation is not expected to cause significant impacts to the surrounding properties or area. Currently no sidewalk exists along Rose Street connecting this project to the greater public sidewalk network along Addison Ave West. A condition requiring sidewalk along this property would be appropriate. The applicant has expressed the desire to build these improvements when they develop the portion of property to the North.

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 installing curb/gutter/sidewalk, along Rose Street by April 1, 2020, or during development of adjacent property to the North, whichever occurs first.

Attachments:

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

Valley House Homeless Shelter and Transitional Housing

Valley House was established in 1995 by a group of concerned citizens who saw the need for a homeless shelter in the SC Idaho region. Valley House is a 501 C-3 non-profit organization whose mission is to work with a wide range of community services to provide motivated homeless persons the help they need to become self-sufficient, while advocating for policies that help reduce homelessness. We are governed by a working board of concerned business men & women from the Magic Valley. Our office staff consists of a full time executive director, 1 full-time assistant director, a full time basement coordinator, a part-time bookkeeper and 2 part-time repair persons.

Valley House is the **only** shelter of its kind in SC eight county area. We provide shelter to low income, disadvantaged motivated homeless persons who have found themselves in need of a hand up not a hand out. In addition, our doors are open to mentally and disabled individuals finding themselves homeless and needing temporary housing, and assistance in independent living. Our program provides the tools needed to live a productive, self-sufficient life. We offer classes which include parenting, drug awareness, budgeting, nutrition and cooking along with family counseling, mentoring, tutoring, housing, and employment assistance. Valley House works with CSI and other job training programs to help further our clients' education (GED, etc.) and job readiness. We offer a children's daycare and youth developmental program, food and clothing assistance. We are not a traditional homeless shelter. Our "guests" must be out of the shelter during the day time looking for a job or making contacts as recommended by our staff. They are required to clean, do their own laundry, watch their own children, budget, set up personal savings accounts, attend group meetings, etc. We have a "NO TOLERANCE RULE" for drugs, consumption of alcohol. We do not tolerate child or spouse abuse.

In 2015, Valley House served over 4,000 individuals. Of that number were 1300 children. Without the Valley House these families and children would have no place to turn. Valley House Homeless Shelter has the capacity to shelter up to 90 persons a night. Our shelter facility consists of 12 family units and a main house for women that includes 14 beds.

In 2009, Valley House was approached by our County Commissioners about the possibility of the Valley House leasing 26 apartments from the county for transitional housing ... (Valley House leases 4 of these apartments for \$50 a month to Health and Welfare for their Mental Health clients). Our partnership with the TF County Commissioners allowed the Valley House to begin a very successful transitional housing program for our families. Once our families are financially stable with permanent employment, they are able to move into their own apartment at Martin Street. This is a 2 year program. It gives our families the time to establish their credit, gain self-sufficiency and become a productive Magic Valley citizen.

Rents from our Martin Street apartments allows us the funds needed for families and individuals finding themselves in a homeless situation in the evenings and on the week-ends. Valley House has partnered with the TFPD and TFCSD in an After-hours Emergency Program. The police and sheriff's departments are now able to send these families to select motels until Valley House staff can further assess their situations. Valley House supplies the funds needed to pay motel stays, purchase a bus ticket, tank of gas, food box or whatever is needed to get them where they need to be. In most cases, we are able to transition them into the Valley House.

Valley House is undertaking an exciting venture! We are adding a second phase to our homeless shelter program with short term transitional housing for women and families. This will be such an important part of our program to help our clients gain self-sufficiency. *The first step in this process will be to renovate an existing home that is located on an adjacent property on Rose Street that will house 12 single women at a time. This transitional program will give them an additional 6 months to establish themselves back into the community, rebuild their credit by paying back bills of rent and utilities. Along with our homeless shelter, this will give us the capacity and opportunity to house up to 100 single women in one year's time. We will then continue to build 2-five-plexes for transitional housing for our families. This will potentially double our shelter capacity.

Valley House strives to offer a safe, positive drug-free environment where homeless families with children can find hope and the resources needed to better their lives. We could not do this great work without our community supporters.

The renovation of the existing home should not have a large impact to the traffic, number of employees. There is not anticipation of additional noise, glare, odor, or any other impact to the adjoining properties. Valley House has properties adjoining this project.

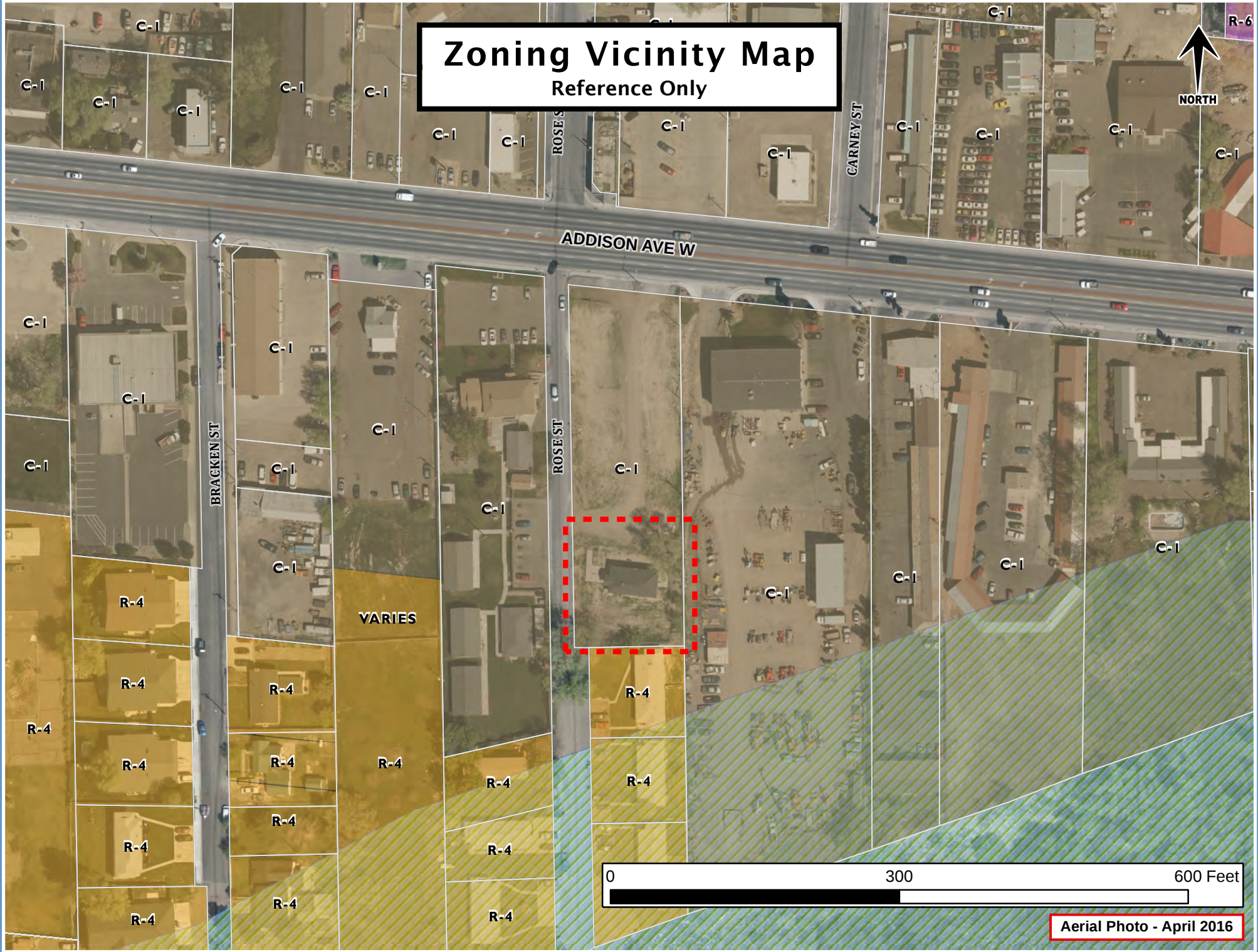
Sincerely,

A handwritten signature in cursive script, appearing to read "S. Breshears".

Sharon Breshears
Executive Director
Valley House Homeless Shelter
208-734-7736 office
208-734-8086 fax
Vhhshelter@qwestoffice.net

Zoning Vicinity Map

Reference Only



Aerial Photo - April 2016

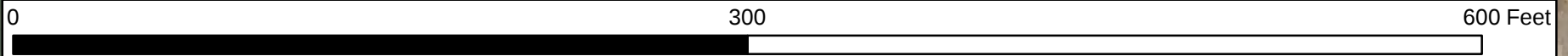
Aerial Map

Reference Only



CARNEY ST

ROSE ST



Aerial Photo - April 2016

ADDISON AVE

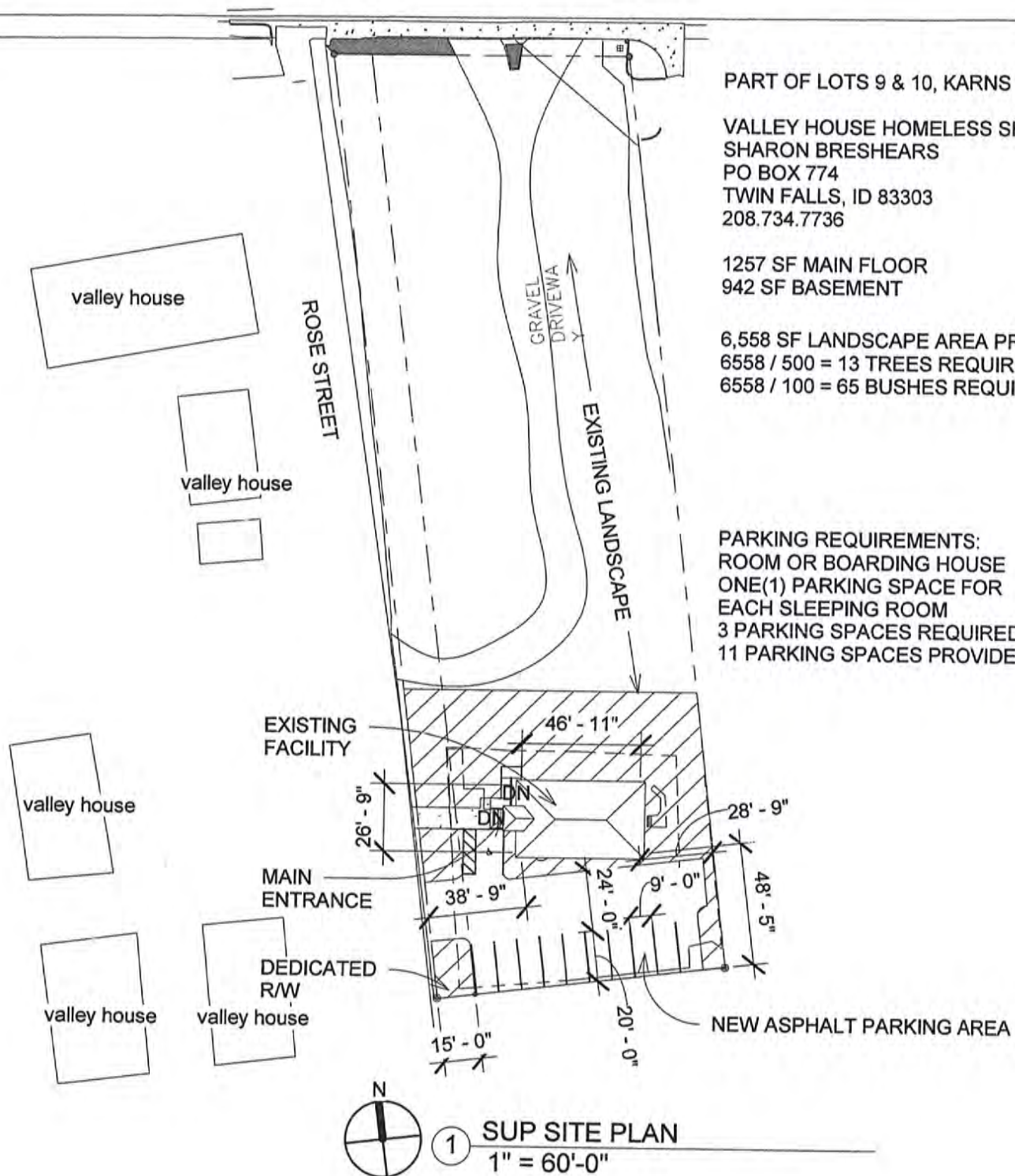
PART OF LOTS 9 & 10, KARNS SUBDIVISION

VALLEY HOUSE HOMELESS SHELTER
SHARON BRESHEARS
PO BOX 774
TWIN FALLS, ID 83303
208.734.7736

1257 SF MAIN FLOOR
942 SF BASEMENT

6,558 SF LANDSCAPE AREA PROVIDED
 $6558 / 500 = 13$ TREES REQUIRED
 $6558 / 100 = 65$ BUSHES REQUIRED

PARKING REQUIREMENTS:
ROOM OR BOARDING HOUSE
ONE(1) PARKING SPACE FOR
EACH SLEEPING ROOM
3 PARKING SPACES REQUIRED
11 PARKING SPACES PROVIDED



Laughlin Ricks Architecture

architecture/planning

935 Shoshone Street North * Twin Falls, Idaho 83301

(208) 736-8050 Fax: (208) 733-0950





Addison Ave W., Public Notice Sign



Public Notice Sign



Public Hearing: **TUESDAY FEBRUARY 14, 2017**

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove, Senior Planner

Editor: Renee Carraway-Johnson, Zoning Administrator

Authors: Steve O'Connor & Jonathan Spendlove

ITEM IV-2

Request: Request for a **Zoning Title Amendment** to Twin Falls City Code Title 10; Chapter 4; to delete the special use permit requirement to allow an indoor recreation facility within 10-4-7.2(B), 10-4-8.2(B), 10-4-9.2(B), 10-4-10.2(B) and 10-4-13.2(B) Zoning Districts. City of Twin Falls c/o Planning & Zoning Department (app. 2831)

Time Estimate:

The Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	
City of Twin Falls Planning and Zoning Department 324 Hansen St E PO Box 1907 Twin Falls, Idaho 83303-1907 208-735-7267	Requested Zoning: Request for a Zoning Title Amendment to Twin Falls City Code Title 10; Chapter 4; to delete the special use permit requirement to allow an indoor recreation facility within 10-4-7.2(B), 10-4-8.2(B), 10-4-9.2(B), 10-4-10.2(B) and 10-4-13.2(B) Zoning Districts.
Representative:	
Jonathan Spendlove Senior Planner City of Twin Falls	Applicable Regulations: 10-4-7, 10-4-8, 10-4-9, 10-4-10, 10-4-13, 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. Upon approval by the City Council an ordinance is later approved and codified.

History:

Since the adoption of Ord 2012, the Land Uses identified in the various Zoning Districts have been largely unchanged. As growth continues, business models will change to meet the demands of consumers. Hours of operation are shifting and new, unforeseen, categories or types of recreation have developed in the time since 1981 to meet those demands.

Historically speaking, the Commission has reviewed and approved approximately 2 dozen Indoor Recreation Facilities in the past 10 years. Approximately half of these were in the C-1 Zoning District. The remainder fell into the CB, OT, and Manufacturing Districts. Also very few if any requests to operate a retail/trade establishment outside 7am to 10pm, have been denied.

This ZTA has come before the Commission before, on January 10th, 2017, at which time staff was asked to gather more information and input from the Twin Falls Police Department about noise disturbances. The requested information will be presented in the Analysis of this Staff Report.

Analysis:

This request is to amend multiple City Code sections;

- 1) To delete the special use permit requirement to allow an indoor recreation facility within CB, C-1, M-1, M-2, and OT Zoning Districts. On occasion, Indoor Recreation Facilities have been synonymous with “Clubs” that serve alcohol. This proposed change will not eliminate the requirement for a Special Use Permit to sell Alcohol within 300’ of a residence. As a result, Staff feels the movement of Indoor Recreation Facilities from Special Uses to Permitted Uses will have minimal impact to the overall compatibility of Indoor Recreation type uses with surrounding properties. The special use requirement will be removed from the appropriate zoning district and the land use will be identified as a permitted use in the appropriate zoning district.

To be clear, this amendment request will not alter or change the “Disturbance of the Peace” clause. The establishment can still have legitimate complaints levied against them if such a business creates a disturbance that warrants a complaint.

After analyzing calls for service over the previous year, there were a total of fifty-four (54) calls that cited the Disorderly Conduct Statute (18-6409). This statute is as follows:

“Every person who maliciously and willfully disturbs the peace or quiet of any neighborhood, family or person, by loud or unusual noise, or by tumultuous or offensive conduct, or by threatening, traducing, quarreling, challenging to fight or fighting, or fires any gun or pistol, or uses any vulgar, profane or indecent language within the presence or hearing of children, in a loud and boisterous manner, is guilty of a misdemeanor.”

Of the 54 calls reported last year, one (1) was reported at a commercial property. The other 53 calls were for residential properties.

Additional research was conducted into similarly sized Cities throughout Idaho; it was found the large majority of them address noise complaints in this similar way. Some quote the Statute directly, as we have, and others have added clauses with time frames and declare noises a disturbance if they are audible within a nearby residence, or in the middle of the road one hundred (100) feet from the subject property or noise source.

It is the Zoning Departments perspective, noise disturbances are better addressed by the Criminal Code via the Police Department and their highly trained officers. This way, the response to the complaint can be addressed on-site in real time. If the complaint results in a Zoning Violation, the recourse is a Title 10 Violation which can take weeks to resolve.

Conclusion:

The Commission may recommend the zoning title amendment as requested, recommend a modification of the amendment as presented (this will require another public hearing before the Commission), or recommend the amendment be denied.

Attachments:

- 1- Draft Zoning Title Amendment included below:
- 2- Portion of the Jan 10, 2017 P&Z minutes

Moving indoor Recreation from Special Use to Permitted Use in Non-Residential Districts

Commercial Central Business (CB) 10-4-7.2 – (A) – 11

...

[a. Indoor Recreation](#)

10-4-7.2 – (B) – 12

...

~~d. Indoor Recreation~~

Commercial Highway (C1) 10-4-8.2 – (A) – 11

...

[f. Indoor Recreation](#)

10-4-8.2 – (B) – 12

...

~~d. Indoor Recreation~~

Light Manufacturing (M1) 10-4-9.2 – (A) – 11

...

[f. Indoor Recreation](#)

10-4-9.2 – (B) – 14

...

~~d. Indoor Recreation~~

Heavy Manufacturing (M2) 10-4-10.2 – (A) – 13

...

[e. Indoor Recreation](#)

10-4-10.2 – (B) – 12

...

~~d. Indoor Recreation~~

Old Town (OT) 10-4-13.2 – (A) – 11

...

a. Indoor Recreation

10-4-13.2 – (B) – 10

...

~~b. Indoor Recreation~~

~~Deleting Hours of operation for Retail Establishments.~~

~~Commercial Central Business (CB) 10-4-7.2 (B) 10~~

...

~~j. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) AM to ten o'clock (10:00) PM~~

~~k. j. sporting vehicles and motorcycles — sales and/or rentals.~~

~~l. k. Storage unit rentals~~

~~m. l. Tire Shops~~

...

~~Commercial Highway (C1) 10-4-8.2 (B) 10~~

...

~~j. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) AM to ten o'clock (10:00) PM~~

~~k. j. sporting vehicles and motorcycles — sales and/or rentals.~~

~~l. k. Storage unit rentals~~

~~m. l. Tire Shops~~

...

~~Old Town (OT) 10-4-13.2 (B) 8~~

...

~~d. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) AM to ten o'clock (10:00) PM~~

~~e. e. sporting vehicles and motorcycles — sales and/or rentals.~~

~~f. f. Storage unit rentals~~

...



MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
January 10, 2017 6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Danielle Dawson Tom Frank Kevin Grey Gerardo "Tato" Muñoz Ed Musser Christopher Reid Jolinda Tatum
Chairman Vice-Chairman

AREA OF IMPACT:

Ryan Higley Steve Woods

ATTENDANCE

CITY LIMIT MEMBERS

PRESENT

Frank
Grey
Muñoz
Musser
Tatum

ABSENT

Dawson
Reid

AREA OF IMPACT MEMBERS

PRESENT

Higley
Woods

ABSENT

CITY STAFF: Carraway-Johnson, O'Connor, Spendlove, Strickland, Vitek

I. CALL MEETING TO ORDER:

Chairman Frank called the meeting to order at 6:00 P.M. He confirmed there was a quorum present and introduced City Staff.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **12-13-16 PH**
2. Approval of Findings of Fact and Conclusions of Law:
 - LeMyone (Pre-plat 12-13-16) • Pillar Falls Plaza (Pre-plat 12-13-16)
 - Westpark Commercial Subd No. 10 (Pre-plat 12-13-16) • Goode Motor (SUP 12-13-16)
 - LineX-Bland (SUP 12-13-16)

Motion:

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

Unanimously Approved

III. ITEMS OF CONSIDERATION:

1. Request of the Commission's consideration to reinstate/extend the completion dates placed on SUP #1384, granted to Susan Petruzzelli on January 12, 2016 to operate a 24-hour gas station in conjunction with a retail business on property located at 303 Main Ave E.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated Special Use Permit #1384 was granted on January 12, 2016 subject to several conditions. Conditions placed on a special use permit require completion prior to operation unless otherwise stated. Three of the conditions placed on the special use permit for this permit included coordination and construction of improvements concurrent with the Main Street Revitalization Project.

In January 2016 the Main Street Revitalization project was in full swing and had an anticipated completion of January 2017. Since then, additional items have been added to the Main Street Revitalization Project

**Planning & Zoning Commission Minutes
January 10, 2017**

and deadlines have been pushed back approximately one year with an anticipated completion date of January 2018.

As the deadlines for the Main Street Revitalization Project improvements have been pushed back, this resulted in Mrs. Petruzzelli's project also being pushed back. There are electrical, plumbing and sign permits submitted for review. The applicant, Susan Petruzzelli has been in contact with staff regarding the conditions and has been continually working to accomplishing them over the past year.

Staff believes the conditions placed on the special use permit are still appropriate. However, the dates placed on the conditions will be exceeded prior to accomplishing the conditions thus rendering the special use permit potentially void.

Twin Falls City Code Title 10; Zoning & Subdivision Regulations, Section 13; Zoning Permits, Section 2.2; Special Use states:

***Per City Code 10-13-2.2(I):** "...Special uses which have not been established within one year of the date of issuance of the special use permit, may be reviewed by the commission to determine if the facts and circumstances have changed; the commission may call for a new special use permit application."*

The commission is tasked with reviewing the facts and circumstances of this case, along with the surrounding area, and determine if there have been substantial changes to the area, which could merit calling for a new Special Use Permit.

Senior Planner Spendlove stated upon conclusion stated staff recommends that the Commission review and act on the attached request to reactivate/extend the dates contained in Special Use Permit #1384, as proposed, to be concurrent with the Main Street Revitalization Project construction schedule.

PZ Questions/Comments:

- Commissioner Munoz stated he would like to know if this could, be more open ended to allow the project to move forward as needed.
- Senior Planner Spendlove stated that the date was initially established because of the uncertainty of the Urban Renewal Plan.
- Zoning & Development Manager Carraway-Johnson explained that the commission could motion to approve the extension of the permit and amend it to proceed in conjunction with the URA Renewal Project.

Public Hearing: [Opened & Closed No Public Present](#)

Deliberations Followed: [Without Concerns](#)

Motion:

Commissioner Munoz made a motion to reinstate/extend the special use permit and to amend the permit to state the conditions are to be completed in conjunction with the URA Renewal Project. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

[Approved, With the Following Amended 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 Westerly approach on Main Street being removed, per City Engineering standards, prior to commencing business operations.

**Planning & Zoning Commission Minutes
January 10, 2017**

3. Subject to an agreement between the URA and the applicant for the design and construction schedule of the curb, gutter, and sidewalk adjacent to this property being signed by both parties and provided to staff **upon completion of the agreement with the Urban Renewal Agency.**
4. Subject to all parking and maneuvering areas being hard-surfaced, **upon completion of the Urban Renewal Project**; OR per the timeline outlined in the agreement with the URA, whichever is first.
5. Subject to the permanent curb, gutter, and sidewalk improvements for the entire site being installed, inspected and approved as per City Engineering Standards, **upon completion of the Urban Renewal Project**; OR per the timeline outlined in the agreement with the URA, whichever comes first.

IV. PUBLIC HEARINGS:

1. Request for a **Zoning Title Amendment** to Twin Falls City Code Title 10; Chapter 4; to delete the special use permit requirement to allow permitted retail/trade uses operating outside the hours of seven o'clock AM to ten o'clock PM within the 10-4-7.2(B), 10-4-8.2(B) and 10-4-13.2(B) Zoning Districts; and to delete the special use permit requirement to allow an indoor recreation facility within 10-4-7.2(B), 10-4-8.2(B), 10-4-9.2(B), 10-4-10.2(B) and 10-4-13.2(B) Zoning Districts. City of Twin Falls c/o Planning & Zoning Department (app. 2831)

Staff Presentation:

Senior Planner Spendlove reviewed the request and stated historically speaking, the Commission has reviewed and approved approximately 2 dozen Indoor Recreation Facilities in the past 10 years. Approximately half of these were in the C-1 Zoning District. The remainder fell into the CB, OT, and Manufacturing Districts. Also very few if any requests to operate a retail/trade establishment outside 7am to 10pm, have been denied.

This request is to amend multiple City Code sections;

- 1) To delete the special use permit requirement to allow permitted retail/trade uses operating outside the hours of seven o'clock AM to ten o'clock PM within the CB, C-1, and OT zoning districts. This request stems from the overall change towards a 24-hour community that our City has experienced in the last 10-15 years. As the employment landscape changes towards shift work for our major employers (St. Luke's, Chobani, Clif Bar, Independent Meat, Amalgamated Sugar, Jayco, Glanbia, and others) ancillary services and retail operations catering to shift workers have altered their operations in order to be successful. Since this code amendment only applies to the retail side of operations, it is not expected to have an extreme impact on the overall community. The special use requirement will be removed from the appropriate zoning district and the land use will be identified as a permitted use in the appropriate zoning district.
- 2) To delete the special use permit requirement to allow an indoor recreation facility within CB, C-1, M-1, M-2, and OT Zoning Districts. On occasion, Indoor Recreation Facilities have been synonymous with "Clubs" that serve alcohol. This proposed change will not eliminate the requirement for a Special Use Permit to sell Alcohol within 300' of a residence. As a result, staff feels the movement of Indoor Recreation Facilities from Special Uses to Permitted Uses will have minimal impact to the overall compatibility of Indoor Recreation type uses with surrounding properties. The special use

Planning & Zoning Commission Minutes
January 10, 2017

requirement will be removed from the appropriate zoning district and the land use will be identified as a permitted use in the appropriate zoning district.

To be clear, these amendment request will not alter or change the “Disturbance of the Peace” clause. The establishment can still have legitimate complaints levied against them if such a business creates a disturbance that warrants a complaint in the same manner as it is currently.

Senior Planner Spendlove stated upon conclusion the Commission may recommend the zoning title amendment as requested, recommend a modification of the amendment as presented (this will require another public hearing before the Commission), or recommend the amendment be denied.

PZ Questions/Comments:

Commissioner Woods stated that one of the visions for downtown Twin Falls is to have apartments above the businesses will this change in hours of operation have a negative impact this plan.

- Senior Planner Spendlove explained that people would have knowledge before moving into an apartment above a business that the business exists. There are also other types of businesses that could operate outside of these hour that do not include retail, this change will not impact these types of businesses.
- Commissioner Grey explained he thinks this will be an opportunity for growth downtown.
- Zoning & Development Manager Carraway-Johnson stated currently out of all of the special use permits that we have approved for extended retail hours, there has only been one that has come through for revocation. This was because of disturbance and the police department addressed the concerns. This code section can be very inhibiting and uncooperative with businesses and the community has evolved. Both of these potential changes were discussed with the Commission with a recommendation to move forward.
- Commissioner Munoz clarified that indoor recreation facilities did not have regulations for hours of operation and noise disturbance is still enforceable by the Police Department.
- Commissioner Frank stated he has no issues with the amendment to the hours of operation and asked about the disturbance of the peace.
- Zoning & Development Manager Carraway-Johnson explained that approximately 20 years ago there were some bars that came through that had conditions with decibel levels but it is fairly complicated to enforce.
- Commissioner Frank explained that may be true however with the special use permit process it gave the Commission and the neighbors the opportunity for discussion about noise control.
- Zoning & Development Manager Carraway-Johnson explained that she is no aware of how to us a meter to determine decibel levels nor the training to determine what decibel level is appropriate. The police have always taken care of the disturbances.
- Commissioner Frank explained that making this amendment takes away the opportunity to have a discussion with the business and with the neighbors.
- Commissioner Grey stated there is not a decibel listed in the code.
- Commissioner Munoz stated maybe what needs to happen is a noise ordinance needs to be in place. He also agrees with the fact that the businesses would rather not apply for a Special Use Permit.
- Zoning & Development Manager Carraway-Johnson clarified that this discussion seems to be directed towards clubs, however indoor recreation covers gyms, bingo halls, video games etc. so all of these businesses have to come through the this public hearing process and it can encumber them.
- Commissioner Frank asked if entertainment venues could be excluded from this amendment. He is uncomfortable with the way this proposal.

Planning & Zoning Commission Minutes
January 10, 2017

- Commission Grey clarified that if there is a light ordinance maybe a noise ordinance should be in place too.
- Senior Planner Spendlove clarified that there seems to be a few uses that the Commission wants to regulate however, our definition for indoor recreation facility encompasses more than just these few uses that create concerns. The majority of the businesses that come through this process for this type of use are not the few that the commission has concerns with, they are gyms, yoga studios and are then delayed for 6-8 weeks unnecessarily.
- Commissioner Munoz asked if there could be a 300' clause added to the amendment similar to the Special Use Permit for consuming alcohol on premises. This would give the people that live around the property a chance to speak out for or against the request.
- Senior Planner Spendlove explained there is a fine line where we can end up over regulating a business.
- Commissioner Grey stated he feels like the 1% that are being discussed could be addressed better with a noise ordinance.
- Zoning & Development Manager Carraway-Johnson explained that the Commission can table this discussion and staff can have someone from the police department speak about the concerns involving disturbance of the peace.
- Commissioner Frank stated he would feel more comfortable understanding the action plan and the tools the police have to address the Commissions concerns before removing the Special Use Permit requirement.
- Commissioner Grey stated he would like some information about the Special Use Permits that we have allowed an indoor recreation facility and if there have been any complaints.
- Senior Planner Spendlove explained staff has not received any complaints and the police department work very closely with Planning & Zoning to keep the department informed of any land uses that are creating problems.
- Commissioner Munoz explained that if the police department has issues with a land use and there is not a Special Use Permit there is no recourse for addressing the problem.
- Senior Planner Spendlove explained that if there is a disturbance of the peace the officers have a means to address the concern. The businesses have to operate within a standard.
- Zoning & Development Manager Carraway-Johnson explained that perhaps the definition for indoor recreation facility should be revised.
- Commissioner Grey explained that the bad things can occur with or without a Special Use Permit.
- Commissioner Frank stated it seems staff is comfortable with the amendment.
- Senior Planner Spendlove explained that the businesses that are not operating within a certain standard don't last either.
- Commissioner Grey stated he does like having input from the neighbors when a business is going to be next to their residence because the neighbors may have some concerns that staff and the Commission have not considered. As for the two amendments this evening he would like to separate the two and table the indoor recreation facility discussion until they can have more information from the police department.
- Commissioner Frank stated he would support the hours of operation amendment, the hours now may prevent retail from occurring however, and it does not stop retails businesses from having other activities outside of those hours, such as freight delivery and stocking of shelves.

Public Hearing: **Opened & Closed No Public Present**

Deliberations Followed:

Commissioner Grey explained he is going to separate the two items pending feedback from the police department on the indoor recreation facility amendment.

**Planning & Zoning Commission Minutes
January 10, 2017**

Motion:

Commissioner Grey made a motion to recommend approval of the zoning title amendment to delete the special use permit requirement to allow permitted retail/trade uses operating outside the hours of seven o'clock AM to ten o'clock PM within the 10-4-7.2(B), 10-4-8.2(B) and 10-4-13.2(B) Zoning Districts and to table the request to delete the special use permit requirement to allow an indoor recreation facility within 10-4-7.2(B), 10-4-8.2(B), 10-4-9.2(B), 10-4-10.2(B) and 10-4-13.2(B) Zoning Districts for additional information. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

V. GENERAL PUBLIC INPUT: No Public Present

VI. ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

- Zoning & Development Manager Carraway-Johnson stated that there are four applicants for the Commission Vacancies. The deadline for people to apply is January 17 and the goal is to have the vacancies filled by the first meeting in March.
- City Council Update: The request for a rezone to ZDA for Westpark Partners, LLC was approved along with the vacation request from St. Luke's. The ordinances should be approved in the near future for both of these items.
- Staff Update: On December 25, 2016 Jonathan Spendlove was promoted to Senior Planner.

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

1. Public Hearing-**January 24, 2017**
2. Work Session-**February 1, 2017**

VIII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 6:53 PM

Lisa A Strickland
Administrative Assistant
Planning & Zoning Department