



Twin Falls Planning & Zoning Commission Agenda

Tuesday, March 26, 2019, 6:00 PM

203 Main Ave East
Twin Falls, ID 83301

Members -

City Limits: Danielle Titus, Chairperson; Craig Hawkins; Ed Musser; Carolyn Bolton; Curtis Hansen; Craig Kelley, Vice-Chair; VACANT

Area of Impact: Ryan Higley; David Detweiler

- 1) Confirmation of Quorum/Call Meeting to Order
- 2) Consent Calendar
 - a) **ACTION ITEM:** Approval of Minutes from the following meeting: 03/12/19
 - b) **ACTION ITEM:** Approval of Findings of Fact and Conclusions of Law:
 - Pamela Holt
 - Carleen Duncan
 - Bearded Axe
 - David Wilcox
 - The Circus
 - Country Auto
 - Doug Vollmer, WS&V
- 3) Items of Consideration

None
- 4) Public Hearings
 - a) **ACTION ITEM:** Request to Vacate platted easements and dedicated right of way within the Perrine Point Subdivision (Blocks 5, 6, 7, 8) located at the 1000 block of Falls Avenue West on behalf of Tres Gringos c/o EHM Engineers, Inc. (PZ19-0016)
By: Steve O'Connor, City Planner
 - b) **ACTION ITEM:** Request a Special Use Permit to allow a detached accessory building greater than 1000 sq. ft. on property located at 177 Orchard Drive on behalf of Glenn Earl. (PZ19-0017)
By: Brock Cherry, City Planner
 - c) **ACTION ITEM:** Request a Special Use Permit to allow a Home Occupation on property located at 828 Maurice Street on behalf of Joe and Jana Mabey. (PZ19-0018)
By: Brock Cherry, City Planner
- 5) Upcoming Meeting(s)
 - a) **INFORMATIONAL:** Worksession Wednesday, April 3, 2019 at noon

b) **INFORMATIONAL:** Tuesday, April 9, 2019 at 6:00 pm

6) Adjournment

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

CITY OF TWIN FALLS

PLANNING & ZONING COMMISSION

Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor or Chair shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council or Planning & Zoning Commission shall wait to be recognized by the Mayor or Chair, approach the microphone/podium, state their name, and then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the staff. The staff shall make an audio recording of the Public Hearing.
 3. A City Staff Report shall summarize the application and history of the request.
 4. The Applicant, or the spokesperson for the Applicant, will make a presentation on the application/request (request). No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing. The 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.**
 5. Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor or Chairman.
 6. The City Council or Planning & Zoning Commission may ask questions of staff or the applicant pertaining to the request.
 7. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor or Chair may limit public testimony to no less than two (2) minutes per person.
 - **Individuals are not permitted to give their time to other speakers.**
 - **However, five (5) or more individuals that received written notice of the public hearing may appoint, by written petition, a spokesperson. The written petition must be received at least 72 hours prior to the hearing and must be granted by the Mayor or Chair. The spokesperson shall be limited to 15 minutes.**
 - **Written comments, including e-mail, received by 12:00 p.m. on the date of the hearing shall be either read into the record or displayed to the public on the overhead projector.**
 8. Following the Public Testimony, the applicant is permitted five (5) minutes to respond.
 9. Following the Public Testimony and Applicant's response, Council or Commission members, as recognized by the Mayor or Chair, shall be allowed to question the Applicant, Staff or anyone who has testified. Responses shall be limited to answering the questions asked. The Mayor or Chair may limit the time permitted for the answer.
 10. The Mayor or Chair shall close the Public Hearing. The City Council or Planning & Zoning 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 Mayor or Chairman.



Twin Falls Planning & Zoning Commission Minutes

Tuesday, March 12, 2019, 6:00 PM

203 Main Ave East
Twin Falls, ID 83301

Members -

City Limits: Danielle Titus, Chairperson; Craig Hawkins; Ed Musser; Carolyn Bolton; Curtis Hansen; Craig Kelley, Vice-Chair

Area of Impact: Ryan Higley; David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Commissioner Higley called the meeting to order at 06:03 pm.

A quorum was present.

Members present: Higley, Hawkins, Hansen, Kelley, Musser

Staff Present: Ebersole, Spendlove, Strickland, Cherry, O'Connor, Vitek, Nope

2) Consent Calendar

Commissioner Hansen made a motion to approve the consent calendar, as presented.

Commissioner Hawkins seconded the motion.

Consent Calendar Approved 3-0-2

- a) Approval of Minutes from the following meeting: February 26, 2019

3) Items of Consideration

a) Nomination of Planning and Zoning Chairperson

Jonathan Spendlove facilitated the nominations for Chairman and Vice Chairman of the P&Z Commission.

Commissioner Higley motioned to nominate Commissioner Danielle Titus for Chairperson.
Commissioner Kelley seconded the motion.

Unanimously approved

Commissioner Hawkins motioned to nominate Commissioner Kelley for Vice Chairperson.
Commissioner Higley seconded the motion.

Unanimously approved

4) Public Hearings

- a) Request for a Special Use Permit to operate a Home Occupation at property located at 1333 Bitterroot Drive on behalf on Carleen M. Duncan. (PZ19-0007)

Commissioner Hawkins recused himself from this item.

Staff Presentation:

City Planner Steve O'Connor presented the applicant's request for a Special Use Permit to operate a Home Occupation at property located at 1333 Bitterroot.

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

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, 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.

The property was platted in 1998 and development occurred shortly thereafter.

This is a request to establish a Home Occupation for Massage Therapy, on property located at 1333 Bitterroot Dr. The property is zoned R-2 PUD and per the R-2 zone and PUD #205 a home occupation requires a Special Use Permit.

The home is accessed via a driveway, on a separate lot, from Bitterroot Dr. which is shared with three (3) other residences. The applicant stated she only sees 4 to 5 clients in any day and there is a thirty plus (30+) minute break in between to accommodate customer parking. The driveway on the applicants own property is rather large and is able to handle an extra vehicle to prevent any conflicts with the neighbors on the shared driveway.

If the Commission approves this request as presented, then staff recommends the following conditions.

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to customers parking on lot 20 only, and no parking on lot 19 of the Grove Estates Subdivision.

Applicant presentation:

Applicant Duncan presented her request to have a home occupation as a therapeutic massage therapist. She would like to relocate her office to her home. She stated that she sees 4-5 clients

per day, Monday - Friday. Applicant stated she leaves a 30 minute window between clients, with only one car at her location at a time. Her clients would park in her driveway, with the applicant parking in the garage. She stated that she has an older clientele that would be no threat to the neighborhood.

PZ/Questions & Comments:

- Commissioner Hansen asked for clarification on the location of the lot.
- City Planner O'Connor clarified that the house is on Lot 20, while the common driveway is Lot 19.

Public Hearing: Opened

- Citizen Donna Newberry, Twin Falls, is not in favor of the applicant's request. Her concern is that the residential area becoming commercial.
- Citizen Pat Herman, Twin Falls, is not in favor of the applicants request due to a concern of increased traffic, noise, and safety issues in the area. She is concerned of damage to the cul-de-sac from clients leaving the area.
- Citizens Juan and Lorena Ramirez, Twin Falls, are not in favor of the applicant's request. They have a concern about noise and loss of their quiet neighborhood. They are next door neighbors to applicant and worry they will lose their privacy.
- Citizen Pat Anderson, Twin Falls, is not in favor of the applicant's request. She is concerned if one home business is allowed in neighborhood, more will follow and impact property values.
- Citizen Phil Tucker, Twin Falls, is not in favor of the applicant's request. His concern is the amount of traffic the business will generate, but respects applicants desire to have home business.
- Citizen June Messman, Twin Falls, is not in favor of the applicants request due to increased traffic.
- Citizen Scott Clites, Twin Falls, is not in favor of the applicant's request. He is concerned that the business would result in a decrease in his home value. He is concerned it will set a precedent for more home businesses coming into neighborhood.
- Citizen Ben Woodbury, Twin Falls, is not in favor of the applicant's request. His concern is that there is not enough room for a turnaround for customers and increased traffic in the neighborhood. He believes this is not the best neighborhood for a home business.
- Citizen Beth Wantik, Twin Falls, is not in favor of the applicant's request. She believes this would be detrimental to neighborhood property improvements of the driveway and landscaping, incurring additional expenses to homeowners to repair driveway. She believes, if the SUP is approved, the driveway repair costs should go to the applicant.
- Citizen Jayne Fischer, Twin Falls, is in favor of the applicant's request. She believes the applicant's clients would be respectful of the neighborhood and noted that a large family moving into that house would have more vehicles and cause more traffic than the traffic the applicant's clients will in a day. She knows the applicant to be respectable and clean and will not harm cul-de-sac.

- Citizen Linda Roundtree, Twin Falls, is in favor of the applicant's request. The applicant previously worked in her salon and was always very professional and quiet. She knows the applicant only sees one client at a time. She is also a current client.
- An email was shown onscreen from a citizen who is opposed to the applicant's request.

Public Hearing: Closed

Closing statement:

Applicant Duncan stated the newspaper delivery people have put the tire marks/lines in the common landscaping. She addressed the concern for the increase in traffic by noting that there will be less traffic with her home business than when her husband was making 6 - 10 trips out of the cul-de-sac a day.

Discussions Followed:

- Commissioner Higley asked if this is a public road and are there covenants the city enforces in this neighborhood.
- City Planner O'Connor stated it is a public road and the city does not enforce covenants.
- Commissioner Higley asked for clarification on the parking condition and the number of clients seen a day.
- City Planner O'Connor stated that the condition allows for clients to park on her driveway only.
- Applicant Duncan stated there are 4-5 clients on most days.
- Commissioner Higley stated it is important to realize this is a public street and a family could move in with more cars would generate more traffic than this business. He also stated any other home based business in area would have to come before the Commission for a Special Use Permit.
- Commissioner Hansen also stated it is a public street and that five (5) additional cars is not excessive. Speeding issues can be taken up with police. He feels they must take Item 4 on the Special Use Permit requirements into consideration- private driveway could be disturbed with business.
- Commissioner Musser stated the commission needs to respect wishes of neighborhood.
- Commissioner Higley stated the condition on the permit only allows for parking in her driveway. Neighbors can file complaint if conditions are not complied with and SUP can be revoked.

Motion:

Commissioner Hansen moved to approve the request for a Special Use Permit to operate a Home Occupation at property located at 1333 Bitterroot Drive. Commissioner Higley seconded the motion.

Motion declined by a vote of two (2) votes in favor, two (2) votes not in favor, and one (1) abstention.

10 minute break was taken

Commissioner Hawkins returned to seat after break.

- b) Request for a Special Use Permit to operate an Indoor Recreation Facility at property located at 246 3rd Avenue South on behalf of Luke Mickelson/Bearded Axe. (PZ19-0008)

Staff Presentation:

City Planner Brock Cherry presented the applicant's request for a Special Use Permit to operate an Indoor Recreation Facility at property located at 246 3rd Avenue South.

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

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, 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.

Per City and County records the subject property was constructed in 1977 as a warehouse/storage building. Currently the building is being used as storage.

This is a request to allow an indoor recreational facility on property located at 246 3rd Avenue South. The subject property is located within the Old Town (O-T) Zoning, Historic Warehouse Overlay (WHO), and Parking District 3 Overlay (P-3) Districts.

The applicant intends to operate a recreational/competitive axe throwing venue. The proposed use will consist of approximately twenty (20) throwing lanes, a manager's office, sales counter, and other ancillary business components.

The anticipated business hours will be Monday through Thursday from 8 A.M. to 10:00 P.M. and Friday through Saturday from 8:00 A.M. to 12:00 A.M. The proposed use will employ approximately five (5) to ten (10) employees.

If the Commission approves this request as presented, then staff recommends the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to off street parking not being required for the proposed use.

Applicant presentation:

Applicant Luke Mickelson presented his request for a Special Use Permit for the Bearded Axe Indoor Recreational Facility. The facility will have axe throwing lanes and a party room for groups. The facility will be open to all ages. The applicant is excited about downtown location as a way for more people to enjoy downtown.

PZ/Questions & Comments:

- Commissioner Musser asked applicant how the business plans to control alcohol use prior to customers coming into the establishment.
- Applicant Mickelson stated safety is their number one priority. Staff will fully train participants on axe throwing. Intoxicated persons will not be allowed to participate. The establishment will not be serving alcohol.

Public Hearing: Opened And Closed Without Input**Discussions Followed: Without Concerns****Motion:**

Commissioner Hansen made a motion to recommend approval of the request for a Special Use Permit to operate an Indoor Recreation Facility at property located at 246 3rd Avenue South. Commissioner Musser seconded the motion.

Unanimously approved, with the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
 2. Subject to off street parking not being required for the proposed use.
- c) Request for a Variance from the street centerline setbacks for Fillmore Street and Caswell Avenue for property located at the north east corner of Fillmore Street and Caswell Avenue on behalf of David Wilcox c/o EHM Engineers, Inc. (PZ19-0009)

Staff Presentation:

PZ Director Jonathan Spendlove presented the applicant's request for a Variance from the street centerline setbacks for Fillmore Street and Caswell Avenue for property located at the north east corner of Fillmore Street and Caswell Avenue.

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

The Commission shall make a decision on the request within thirty (30) days after the public hearing.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings

of Fact, 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.

In 1999, the City Council passed Ordinance 2620 updating the Centerline Setback distances for Fillmore and Caswell to their current figures. In that same year, the Fred Meyer Subdivision was reviewed, and later approved and recorded as part of a re-platting of existing lots.

This is a request for a Variance from the Street Centerline Setbacks on two collector roadways (Caswell Ave. & Fillmore St.). Typically Centerline Setbacks are in place for the purpose of future roadway lane expansions.

Current FEMA Floodplain maps designate the majority of the property within a floodway. In order to avoid disturbance of the mapped floodway, the applicant has asked for a variance from the centerline setbacks.

If the Variance is granted, the Property Line Setbacks will still be enforced, and the availability for future roadway lane expansions can still be met with the current Right of Way dedication and setback area in front of any future building.

If the Commission approves this request as presented, then staff recommends the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

PZ/Questions & Comments:

- Commissioner Higley asked if city owns the area to widen road.
- PZ Director Spendlove pointed out where the right-of way is on Fillmore and Caswell. The proposed building will not be built in the right of way.
- Commissioner Hawkins asked if building is being built into the flood plain.
- PZ Director Spendlove stated the proposed building is not in flood plain. The building will be built on private property and meets the property line setback. The applicant is asking for reduction of the centerline not to exceed private property line.
- Commissioner Hansen asked if side lines for Fillmore and Caswell corners will be affected.
- PZ Director Spendlove stated they will need to meet the setbacks and may need to be addressed if the road is widened in the future.
- Commissioner Musser asked if applicant own other property where the applicant could move building back and be back and still be out of floodplain. Is there an option to elevate building to be able to build into the floodplain?
- PZ Director Spendlove reviewed the lot that the applicant owns. He explained there are regulations that would make it difficult for the applicant from building into the floodplain, even with an elevated building.

Applicant presentation:

David Thibault, EHM Engineers, representing applicant, presented applicants request for variance of centerline setback. There are two (2) setbacks (property line, centerline from collector street) that apply to this property. The two streets don't function as collector streets at this time. Applicant is asking for setback reduction to utilize more of the property. 65% of the lot is in floodplain. They have met with city staff to determine appropriate request for variance. The proposed building would be used for office and retail space, appropriate to current C1 zoning.

PZ Questions/Comments:

- Commissioner Higley asked Mr. Thibault to clarify why the applicant is not able to build into the floodplain.
- Mr. Thibault answered building into floodplain would push waters elsewhere onto other properties. There is ample parking. The cost of building into the floodplain would increase costs of 25- 50 %.
- Commissioner Higley asked if the building is a single story.
- Mr. Thibault stated CCR's and covenants precludes them from building anything taller than 23 feet.

Public Hearing: Opened

- Applicant David Wilcox explained intent for building. Speaking to floodplain was drawn 32 years ago reflecting old Blue Lakes mall. The floodplain is not applicable any longer. They are trying to build around the floodplain.
- Jared Heward, future tenant of building, variance would allow more space, and is necessary to have his business as part of building.

Public Hearing: Closed**Discussions Followed: Without Concerns****Motion:**

Commissioner Hawkins made a motion to recommend approval of the request for a Variance from the street centerline setbacks for Fillmore Street and Caswell Avenue for property located at the north east corner of Fillmore Street and Caswell Avenue as presented, with staff recommendations. Commissioner Musser seconded the motion.

Unanimously approved, with the approved condition:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
- d) Request for a Special Use Permit to operate an Indoor Recreation Facility at property located at 324 Hansen Street on behalf of The Circus, LLC (PZ19-0010)

Staff Presentation:

City Planner Brock Cherry presented the applicant's request for a Special Use Permit to operate an Indoor Recreation Facility at property located at 324 Hansen Street.

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

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, 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.

Per City and County records the primary building on the subject property was built in 1926. Most recently the City of Twin Falls occupied the building from 2007 to 2018.

This is a request for a special use permit to allow an indoor recreational facility on property located at 324 Hansen Street. The subject property is located within the Commercial Business (C-B) Zoning District and P-1 Parking Overlay.

The primary use of the property is a Cultural Facility (Museum/Arts Center) which is outright permitted in the C-B Zoning District. Additionally, applicant intends to occasionally allow the subject property be used for public assembly purposes (receptions/school dances/social gatherings) which is also outright permitted.

However, the applicant is requesting with this application to operate an indoor recreational facility which provides professional dance instruction and group exercise classes. General hours of operation will be from 7:00 AM to 9:00 PM.

Staff determines that the requested use is in compliance with both the City Zoning Ordinance and the Comprehensive Plan.

If the Commission approves this request as presented, then staff recommends the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Applicant Presentation:

Applicant Joshua Olsen presented the request for a Special Use Permit for The Circus. This building will be used as a multi-use cultural facility. There will be two studios of instruction for

the community. The Circus will cater to all ages. The facility will be available to public for dances, receptions, and a local artist venue. The applicant is asking for a Special Use Permit to allow for expansion of services and activities. There will be a locally excavated mammoth located at the facility to be used for research local and regional archaeological use for local college students and public viewing.

PZ/Questions & Comments:

- Commissioner Higley asked about parking issues and where public parking is located.
- PZ Director Spendlove outlined the public parking in the area.

Public Hearing: Opened

- Citizen Robert Starr, Twin Falls, neighboring business owner, is concerned about parking. The parking lot in front of his business is a private lot, not for the public use.

Public Hearing: Closed

Applicant Closing Statement:

Applicant Olsen stated he is willing to work with neighbors to do everything in his power to make sure any parking issues are addressed right away and wants to make this work for everyone.

Discussions Followed: Without Concerns

Motion:

Commissioner Hawkins made a motion to recommend approval of the request for a Special Use Permit to operate an Indoor Recreation Facility at property located at 324 Hansen Street. Commissioner Hansen seconded the motion.

Unanimously approved, with the following condition:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

- e) Request for a Special Use Permit to operate an Automobile Sales and Repair and/or Service facilities at property located at 430 Blue Lakes Blvd North of behalf on Country Auto, Inc. c/o JUB Engineers. (PZ19-0011)

Staff Presentation:

City Planner Brock Cherry presented Request for a Special Use Permit to operate an Automobile Sales and Repair and/or Service facilities at property located at 430 Blue Lakes Blvd North.

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

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, 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.

Per City and County records the southern building on the subject property was built in 1984 and was most recently operated by "Moxie Java". The northern building (as shown on the Vicinity Map) has been demolished and was last operated as "Asian Massage".

This is a request to allow an Automobile sales and repair or service facility at 430 Blue Lakes Boulevard North. The subject property is located in the Commercial Highway (C-1) Zoning District.

The applicant intends to operate a used car lot, beginning with an inventory of 35-40 vehicles. Hours of operation will be Monday through Friday from 9:00 A.M. to 6:00 P.M., Tuesday 9:00 A.M. to 8:00 P.M., and Saturday 10:00 A.M. to 4:00 P.M. The applicant plans to have two (2) to four (4) employees on site at all times.

Staff determines that the requested use is compliant with City Zoning Code and the Comprehensive Plan.

If the Commission approves this request as presented, then staff recommends the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Applicant Presentation:

Applicant Brian Glodowski presented his request for a Special Use Permit for an automobile sales facility. Applicant stated he runs a clean operation. His current lot in Jerome would be used for any auto storage. Twin Falls location would be a sales lot only.

PZ/Questions & Comments:

Commissioner Higley asked the applicant for clarification of display area.
Applicant clarified display area.

Public Hearing: Opened and Closed Without Input

Discussions Followed:

- Commissioner Musser asked staff about front landscaping on Blue Lakes Boulevard.
- City Planner Cherry reviewed arterial landscaping requirements and stated on the site plan, the applicant has assured staff they will comply with the requirements.
- Commissioner Higley asked where the office will be located compared to the vehicle display area.
- City Planner Cherry clarified the vehicle display and office areas.
- Applicant Glodowski stated parking to the north leave open for customer parking spaces and display the vehicles to the south. He verified the customer parking for businesses in the rear of complex are directly in front of the rear building.
- PZ Director Spendlove clarified there is enough parking designated for all businesses.

Motion:

Commissioner Hansen made a motion to recommend approval of the operate an Automobile Sales and Repair and/or Service facilities at property located at 430 Blue Lakes Blvd North. Commissioner Hawkins seconded the motion.

Unanimously approved, with the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

- f) Request to Vacate platted easements within Canyon Park Subdivision located at the 2000 block of Neilsen Point Place on behalf of Geronimo, LLC c/o EHM Engineers, Inc. (PZ19-0012)

Commissioner Hansen recused himself from this item.

Staff Presentation:

City Planner Steve O'Connor presented the applicant's request to Vacate platted easements within Canyon Park Subdivision located at the 2000 block of Neilsen Point.

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

The subject easement is part of lot 6 in the Canyon Park Subdivision Plat, recorded in December 2013.

This is a request to vacate a public utility easement to reroute existing utilities outside of the

proposed building pad. The developer would like this vacated to prepare for future development. The city does not have a building plan submitted as to what that development will be. As this easement is shown on a plat it must go through the public process to vacate it. The applicant has provided all the required letters of approval from the various utility owners, and all have agreed to the vacation. However, if a utility company has existing utilities they have indicated a new one shall be provided as a condition of their approval.

Below is a list of existing utilities:

1. Cable One
2. Century Link
3. Idaho Power
4. Intermountain Gas
5. PMT

The commission is tasked with recommending approval, approval with conditions, denial or you may table for more information. Should the Commission recommend approval, Staff recommends the following conditions.

1. Subject to the recordation of a new utility easement/s for all existing utilities, prior to official vacation of the platted easement.

Applicant Presentation:

David Thibault, EHM Engineers, representing applicant, presented the applicant's request for vacation of current public easements for realignment for preparation of future development. Applicant has reached out to utility owners. Applicant has reviewed staff conditions and finds the conditions acceptable.

PZ/Questions & Comments:

- Commissioner Musser asked if the easement is vacated does commission have to determine new easement.
- Mr. Thibault stated his understanding before the utilities sign off on relinquishment of their easement, utility relocation will have to be determined by applicant. Vacation paperwork will not be recorded until that time.

Public Hearing: Opened And Closed Without Input

Discussion Followed: Without Concerns

Motion:

Commissioner Musser made a motion to recommend approval of the request to Vacate platted easements within Canyon Park Subdivision located at the 2000 block of Neilsen Point Place. Commissioner Higley seconded the motion.

Motion recommended approval to City Council by a vote of four (4) in favor, zero (0) not in favor, and one (1) abstention, with the following conditions:

1. Subject to the recordation of a new utility easement/s for all existing utilities, prior to official vacation of the platted easement.
- g) Request for a Special Use Permit to construct multiple fourplex buildings on a single lot at 1265 Cheney Drive West on behalf of WS&V, LLC c/o EHM Engineers. (PZ19-0013)

Commissioner Hansen returned to seat.

Staff Presentation:

City Planner Brock Cherry presented the applicant's request for a Special Use Permit to construct multiple fourplex buildings on a single lot at 1265 Cheney Drive West.

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

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, 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.

The property became part of the WS&V PUD #268 in 2014. Available records indicate the subject property has been used for agricultural production.

This is a request to allow a fourplex multifamily development on a single lot located at 1265 Cheney Drive West. The subject property is zoned Residential Multi-Household (R-6) District Professional Office Overlay (PRO) Planned Unit Development (WS&V PUD).

The applicant is proposing nine (9) fourplex buildings (36 units) be constructed on a single lot on the subject property. The applicant intends to provide sixteen (16) three (3) bedroom units and twenty (20) two (2) bedroom units.

Staff has determined that the request is compliant with both City Zoning Code and the Comprehensive Plan if certain conditions of approval are required.

If the Commission approves this request as presented, then staff recommends the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. The eastern half of the roadway of Creekside Way be built with curb, gutter, and sidewalk from Cheney Drive to Xavier Charter School prior to receiving Certificate of Occupancy.

Applicant Presentation:

Tim Vawser, EHM Engineers, representing applicant, presented the applicant's request. All four-plex units will be built on one lot. Mr. Vawser stated the pictures being displayed are shown as ideas of potential styles. Mr. Vawser outlined the lots of the subdivision. He stated the area to the south of the property has been bought by Xavier Charter School for expansion. He is asking for rewording to condition #2 to be stated to allow a hard walkway surface or curb, gutter, and sidewalk due to the unknown of Xavier Charter School's plans for expansion.

PZ/Questions & Comments:

- Commissioner Higley asked for clarification on the request for leeway on condition #2 for the sidewalks.
- Commissioner Hansen asked for clarification on hard surface materials.
- PZ Director Spendlove stated the commission can add another condition #3 to state the applicant must put in a temporary all weather pathway to be determined by City Engineer instead of modifying condition #2.

Public Hearing: Opened And Closed Without Input

Discussions Followed: Without Concerns

Motion:

Commissioner Musser made a motion to recommend approval of the request, with conditions approved by the Commission.

Commissioner Higley seconded the motion.

Unanimously approved

Approved, with the following amended conditions

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. The eastern half of the roadway of Creekside Way be built with curb, gutter, and sidewalk from Cheney Drive to Xavier Charter School prior to receiving Certificate of Occupancy.
3. The applicant must put in a temporary all weather pathway to be determined by the City Engineer.

5) Upcoming Meeting(s)

a) Tuesday, March 26, 2019

6) Adjournment

The meeting adjourned at 8:24 pm

Kelli Ebersole, Administrative Assistant



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

In Re:	)	
	)	
<u>Special Use Permit</u> , Application,	)	FINDINGS OF FACT,
	)	
<u>Doug Vollmer, WS&V, LLC</u>	)	CONCLUSIONS OF LAW,
<u>c/o EHM Engineers</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on March 12, 2019 for public hearing pursuant to public notice as required by law for a Special Use Permit to construct multiple fourplex buildings on a single lot located at 1265 Cheney Drive West, 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 to construct multiple fourplex buildings on a single lot located at 1265 Cheney Drive West.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: February 21, 2019.
3. The property in question is zoned R-6 PRO PUD pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Town Neighborhood 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, Vacant; to the south, Vacant; to the east; Nursing/Rest Home; and to the west, Vacant.
5. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-4-8, 10-7-12, 10-10-11, 10-11-1 thru 8, and 10-13-2.2, Twin Falls City Code.

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 to construct multiple fourplex buildings on a single lot located at 1265 Cheney Drive West is consistent with the purpose of the R-6 PRO PUD 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 SUI 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 to construct multiple fourplex buildings on a single lot located at 1265 Cheney Drive West 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 to construct multiple fourplex buildings on a single lot located at 1265 Cheney Drive West 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 continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. The eastern half of the roadway of Creekside Way be built with curb, gutter, and sidewalk from Cheney Drive to Xavier Charter School prior to receiving Certificate of Occupancy.
3. The applicant must put in a temporary all weather pathway to be determined by the City Engineer.

APPLICATION # PZ19-0013



CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT
203 Main Avenue East
P.O. Box 1907
Twin Falls, Idaho 83303-1907
Phone: 208-735-7267 Fax: 208-736-2641

SPECIAL USE PERMIT

Permit No. **PZ19-0013**

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on **March 12, 2019** to **Doug Vollmer, WS&V** whose address is **PO Box 566, Twin Falls, ID 83301** for a Special Use Permit to construct multiple fourplex buildings on a single lot located at 1265 Cheney Drive West and legally identified with the following Parcel ID: **RPT59780010040T**

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. The eastern half of the roadway of Creekside Way be built with curb, gutter, and sidewalk from Cheney Drive to Xavier Charter School prior to receiving Certificate of Occupancy.
3. The applicant must put in a temporary all weather pathway to be determined by City Engineer.

Chairman 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.



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

In Re:	)	
	)	
<u>Special Use Permit</u> , Application,	)	FINDINGS OF FACT,
	)	
<u>Country Auto, Inc.</u>	)	CONCLUSIONS OF LAW,
<u>c/o JUB Engineers</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on March 12, 2019 for public hearing pursuant to public notice as required by law for a Special Use Permit to operate an Automobile Sales and Repair and/or Service facilities at property located at 430 Blue Lakes Blvd 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 to operate an Automobile Sales and Repair and/or Service facilities at property located at 430 Blue Lakes Blvd North.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: February 21, 2019.
3. The property in question is zoned C-1 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Commercial 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, Finance/Investment Office; to the south, Eating Place; to the east; Retail & Finance/Investment Office; and to the west, Retail & Eating Place.
5. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-4-8m 10-7-12, 10-10-11, 10-11-1 thru 8, and 10-13, Twin Falls City Code.

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 to operate an Automobile Sales and Repair and/or Service facilities at property located at 430 Blue Lakes Blvd 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 SUI 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 to operate an Automobile Sales and Repair and/or Service facilities at property located at 430 Blue Lakes Blvd 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 to operate an Automobile Sales and Repair and/or Service facilities at property located at 430 Blue Lakes Blvd 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 continued compliance with all local, state, and federal code requirements and other standards as applicable.

APPLICATION #PZ19-0011



CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT
203 Main Avenue East
P.O. Box 1907
Twin Falls, Idaho 83303-1907
Phone: 208-735-7267 Fax: 208-736-2641

SPECIAL USE PERMIT

Permit No. **PZ19-0011**

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on **March 12, 2019** to **Ryan and Darynn Glodowski, dba Country Auto, Inc.** whose address is **430 Blue Lakes Blvd. N.** for a Special Use Permit to operate an Automobile Sales and Repair and/or Service facilities at property located at 430 Blue Lakes Blvd North, and legally identified with the following Parcel ID: **RPT6021000007AA**.

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Chairman 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.



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

In Re:	)	
	)	
<u>Special Use Permit, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Rebekah & Joshua Olsen, The Circus, LLC</u>	)	CONCLUSIONS OF LAW,
<u>Applicant(s)</u>	)	
	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on March 12, 2019 for public hearing pursuant to public notice as required by law for a Special Use Permit to operate an Indoor Recreation Facility at property located at 324 Hansen Street, 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 to operate an Indoor Recreation Facility at property located at 324 Hansen Street.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: February 21, 2019.
3. The property in question is zoned C-B pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Downtown 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 northwest, Retail Trade and Services; to the south, Retail Trade; to the northeast; Detached Single Household; and to the southeast, Professional Office.
5. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-4-7, 10-11-17 thru 8, and 10-12-2, Twin Falls City Code.

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 to operate an Indoor Recreation Facility at property located at 324 Hansen Street is consistent with the purpose of the C-B 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 SUI 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 to operate an Indoor Recreation Facility at property located at 324 Hansen Street 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 to operate an Indoor Recreation Facility at property located at 324 Hansen Street 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 continued compliance with all local, state, and federal code requirements and other standards as applicable.

APPLICATION # PZ19-0010



CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT
203 Main Avenue East
P.O. Box 1907
Twin Falls, Idaho 83303-1907
Phone: 208-735-7267 Fax: 208-736-2641

SPECIAL USE PERMIT

Permit No. **PZ19-0010**

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on **March 12, 2019** to **Rebekah & Joshua Olsen, dba The Circus LLC** whose address is **324 Hansen Street** for a Special Use Permit to operate an Indoor Recreation Facility at property located at 324 Hansen Street and legally identified with the following Parcel ID: **RPT0001059017AT**

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Chairman 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.



CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT
203 Main Avenue East
P.O. Box 1907
Twin Falls, Idaho 83303-1907
Phone: 208-735-7267 Fax: 208-736-2641

VARIANCE

Permit No. **PZ19-0009**

Granted by the Twin Falls City Planning and Zoning Commission on **March 12, 2019** to **David Wilcox c/o EHM Engineers, Inc.** whose address is **621 North College Rd., Suite 100** for a Variance from the street centerline setbacks for Fillmore St and Caswell Ave. for property located at the north east corner of Fillmore St and Caswell Ave and legally described as **RP082910010010T**.

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

1. Subject to site plan amendments as required By Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Chairman 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.



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

In Re:)
)
Variance, Application,) FINDINGS OF FACT,
)
) CONCLUSIONS OF LAW,
David Wilcox,)
c/o EHM Engineers, Inc.) AND DECISION

Applicant(s)

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on March 12, 2019 for public hearing pursuant to public notice as required by law for a Variance from the street centerline setbacks for Fillmore St and Caswell Ave. for property located at the north east corner of Fillmore St and Caswell Ave, 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 Variance from the street centerline setbacks for Fillmore St and Caswell Ave. for property located at the north east corner of Fillmore St and Caswell Ave.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: March 12, 2019.
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 Town Neighborhood 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 Business; to the south, Caswell Ave, Residential; to the east, Commercial Business; to the west, Fillmore St., Professional Office.

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

CONCLUSIONS OF LAW

1. The application for a Variance from the street centerline setbacks for Fillmore St and Caswell Ave. for property located at the north east corner of Fillmore St and Caswell Ave 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. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district as required by Twin Falls City Code 10-13-2.1(C)4a.

3. That a literal interpretation of the provisions of this Title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Title as required by Twin Falls City Code 10-13-2.1(C)4b.

4. That special conditions and circumstances do not result from the actions of the applicant as required by Twin Falls City Code 10-13-2.1(C) 4c.

5. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Title to other lands, structures or buildings in the same district as required by Twin Falls City Code 10-13-2.1(D) 4d.

6. That a literal enforcement of the provisions of this Title would result in unnecessary hardship. For purposes of this Section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship as required by Twin Falls City Code 10-13-2.1(D) 4e.

7. The application for a Variance from the street centerline setbacks for Fillmore St and Caswell Ave. for property located at the north east corner of Fillmore St and Caswell Ave should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and 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 Variance from the street centerline setbacks for Fillmore St and Caswell Ave. for property located at the north east corner of Fillmore St and Caswell Ave 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 Variance shall be granted.

CHAIRMAN-TWIN FALLS CITY PLANNING & ZONING
COMMISSION

DATE

"EXHIBIT NO. A"

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

APPLICATION # **PZ19-0009**



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

In Re:	)	
	)	
<u>Special Use Permit, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Luke Mickelson, Bearded Axe</u>	)	CONCLUSIONS OF LAW,
<u>Applicant(s)</u>	)	
	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on March 12, 2019 for public hearing pursuant to public notice as required by law for a Special Use Permit to operate an Indoor Recreation Facility at property located at 246 3rd Avenue South, 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 to operate an Indoor Recreation Facility at property located at 246 3rd Avenue South.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: February 21, 2019.
3. The property in question is zoned Old Town (O-T) pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Downtown 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 northwest, Parking Lot; to the southwest, Parking Lot; to the northeast, Retail; and to the southeast, Professional Services & Indoor Recreational Facility.
5. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-4-13, 10-14-23 and 10-10-12, Twin Falls City Code.

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 to operate an Indoor Recreation Facility at property located at 246 3rd Avenue South.

is consistent with the purpose of the O-T Old Town 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 SUI 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 to operate an Indoor Recreation Facility at property located at 246 3rd Avenue South, 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 to operate an Indoor Recreation Facility at property located at 246 3rd Avenue South, 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 continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to off street parking not being required for the proposed use.

APPLICATION # PZ19-0008



CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT
203 Main Avenue East
P.O. Box 1907
Twin Falls, Idaho 83303-1907
Phone: 208-735-7267 Fax: 208-736-2641

SPECIAL USE PERMIT

Permit No. **PZ19-0008**

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on **March 12, 2019** to **Luke Mickelson, Bearded Axe** whose address is **246 3rd Avenue South** for a Special Use Permit to operate an Indoor Recreation Facility and legally identified with the following Parcel ID: **RPT0001119026AA**

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to off street parking not being required for the proposed use.

Chairman 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.



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

In Re:	)	
	)	
<u>Special Use Permit</u> , Application,	)	FINDINGS OF FACT,
	)	
<u>Pamela Holt</u>	)	CONCLUSIONS OF LAW,
Applicant(s)	)	
	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on Tuesday, February 26, 2019 for public hearing pursuant to public notice as required by law for a Special Use Permit to allow a Home Occupation at property located at 661 Crestview Dr., 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 to allow a Home Occupation at property located at 661 Crestview Dr.,
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: Thursday, February 7, 2019.
3. The property in question is zoned R-2 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Town Neighborhood in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, Residential; to the south, Residential; to the east; Residential; and to the west, Residential.
5. Relevant criteria and standards for consideration of this application are set forth in Sections 10-2-1, 10-11-1 to 8, 10-4-4.2 and 10-13-2.2, Twin Falls City Code.

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 to allow a Home Occupation at property located at 661 Crestview Dr., is consistent with the purpose of the R-2 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 SUI 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 to allow a Home Occupation at property located at 661 Crestview Dr., 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 to allow a Home Occupation at property located at 661 Crestview Dr., 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 continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to no more than four (4) dogs being on the subject property at one time.

APPLICATION # PZ19-0005



CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT
203 Main Avenue East
P.O. Box 1907
Twin Falls, Idaho 83303-1907
Phone: 208-735-7267 Fax: 208-736-2641

SPECIAL USE PERMIT

Permit No. PZ19-0005

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on **Tuesday, February 26, 2019** to **Pamela Holt** whose address is **661 Crestview Drive** to all a Home Occupation and legally identified with the following Parcel ID: **RPT22010020050T**.

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to no more than four (4) dogs being on the subject property at one time.

Chairman 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.



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

In Re:	)	
)	)	
<u>Special Use Permit</u> , Application	)	FINDINGS OF FACT,
	)	
	)	CONCLUSIONS OF LAW,
<u>Carleen M. Duncan, dba Bodyworks by Carleen</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on **March 12, 2019** for public hearing pursuant to public notice as required by law for a Special Use Permit to operate a Home Occupation at property located at 1333 Bitterroot Drive, 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 to operate a Home Occupation at property located at 1333 Bitterroot Drive, specifically to relocate her massage services into her home.
2. Applicant intends on providing services, Monday through Friday, but will not have more than one customer on the premises at a time.
3. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: **February 21, 2019.**
4. The property in question is zoned **R-2 PUD** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Town Neighborhood** in the duly adopted Comprehensive Plan of the City of Twin Falls.
5. The existing neighboring land uses in the immediate area of this property are: to the north, Residential; to the south, Residential; to the east; Residential; and to the west, Residential.
6. The property in question shares a private "cul-de-sac-like" driveway with three (3) other residences.

7. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-4-4, 10-11-1 through 8, and 10-13, Twin Falls City Code.

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

CONCLUSIONS OF LAW

1. The proposed use constitutes a special use as established by zoning requirements for the R-2 PUD Zone. *See* Twin Falls City Code ("TFCC") 10-13-2.2(D)1.
2. The proposed use is not harmonious with, nor is it in accordance with, the objective of the R-2 PUD zone. *See* TFCC 10-13-2.2(D)2.
3. The operation of the proposed use will change the essential character of the area. *See* TFCC 10-13-2.2(D)3.
4. The proposed use will be disturbing to existing or future neighboring uses. *See* TFCC 10-13-2.2(D)4.
5. The proposed use will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services. *See* TFCC 10-13-2.2(D)5.
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. *See* TFCC 10-13-2.2(D)6.
7. The proposed use will increase traffic activity to the area, however, the proposed use will not be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors. *See* TFCC 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. *See* TFCC 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. *See* TFCC 10-13-2.2(D)9.

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 to operate a Home Occupation at property located at 1333 Bitterroot Drive is hereby denied.

CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

APPLICATION # PZ19-0007



Date: Tuesday, March 26, 2019
To: Planning and Zoning Commission
From: Planning & Zoning Department

ACTION ITEM

Request:

Request to Vacate platted easements and dedicated right of way within the Perrine Point Subdivision (Blocks 5, 6, 7, 8) located at the 1000 block of Falls Avenue West on behalf of Tres Gringos c/o EHM Engineers, Inc. (PZ19-0016)

Time Estimate:

Approximately 15-20 minutes between staff and the applicant.

Background:

N/A

Approval Process:

All procedures will follow the process as described in TF City Code: 10-16-1 Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns.

The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

Budget Impact:

N/A

Regulatory Impact:

Approval of this request will remove the limitation, or entitlement, for the specific area, as described on the Plat. This area will become private property, and subject to current rules and regulations for taxes, zoning code compliance, and development.

History:

Perrine Point was platted and recorded in May 2008.

Analysis:

This is a request to vacate the rights of way and easements within Blocks 5, 6, 7 and 8 of the Perrine Point Subdivision. The purpose of the request is to remove the undevelopable area for future development. At the time a new development plan is presented new easements will be dedicated by separate deed for public access and utilities.

We have received all the required letters from the appropriate utility companies. Only Twin Falls Canal

Company has existing infrastructure and will agree to a new easement once a new lateral is piped and or rerouted to standard.

Please review Vacation Exhibit (attachment #3) for a better understanding of the request.

Conclusion:

Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to City Engineer and Fire Marshal approved permanent Public Access and Utility easements to replace the platted Right of Way and easements.

Attachments:

1. PZ19-0016 Staff Report
2. 1 - Vicinity Map
3. 2 - Narrative
4. 3 - Vacation Exhibit
5. 4 - Photos



Comprehensive Staff Report

To: Planning & Zoning Commission
 Presenter: Steve O'Connor, City Planner
 Request: To **Vacate** platted easements and dedicated right of way within the Perrine Point Subdivision (Blocks 5, 6, 7, 8) located at the 1000 block of Falls Avenue West.
 Application: PZ19-0016
 Applicant & Representative:
 Tres Gringos
 c/o EHM Engineers, Inc.
 621 North College Rd.
 Twin Falls, ID 83301
 208.734.4888
 gmartens@ehminc.com

Public Hearing: March 26th, 2018

Analysis

This is a request to vacate the rights of way and easements within Blocks 5, 6, 7 and 8 of the Perrine Point Subdivision. The purpose of the request is to remove the undevelopable area for future development. At the time a new development plan is presented new easements will be dedicated by separate deed for public access and utilities.

We have received all the required letters from the appropriate utility companies. Only Twin Falls Canal Company has existing infrastructure and will agree to a new easement once a new lateral is piped and or rerouted to standard.

Please review Vacation Exhibit (attachment #3) for a better understanding of the request.

Approval Process

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council

that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

History

Perrine Point was platted and recorded in May 2008.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area s Town Neighborhood. The surrounding streets are residential per the Transportation Master Plan. Therefore staff has determined this request complies with the associated mater plans

Regulatory Impacts

Approval of this request will remove the limitation, or entitlement, for the specific area, as described on the Plat. This area will become private property, and subject to current rules and regulations for taxes, zoning code compliance, and development.

Conclusion

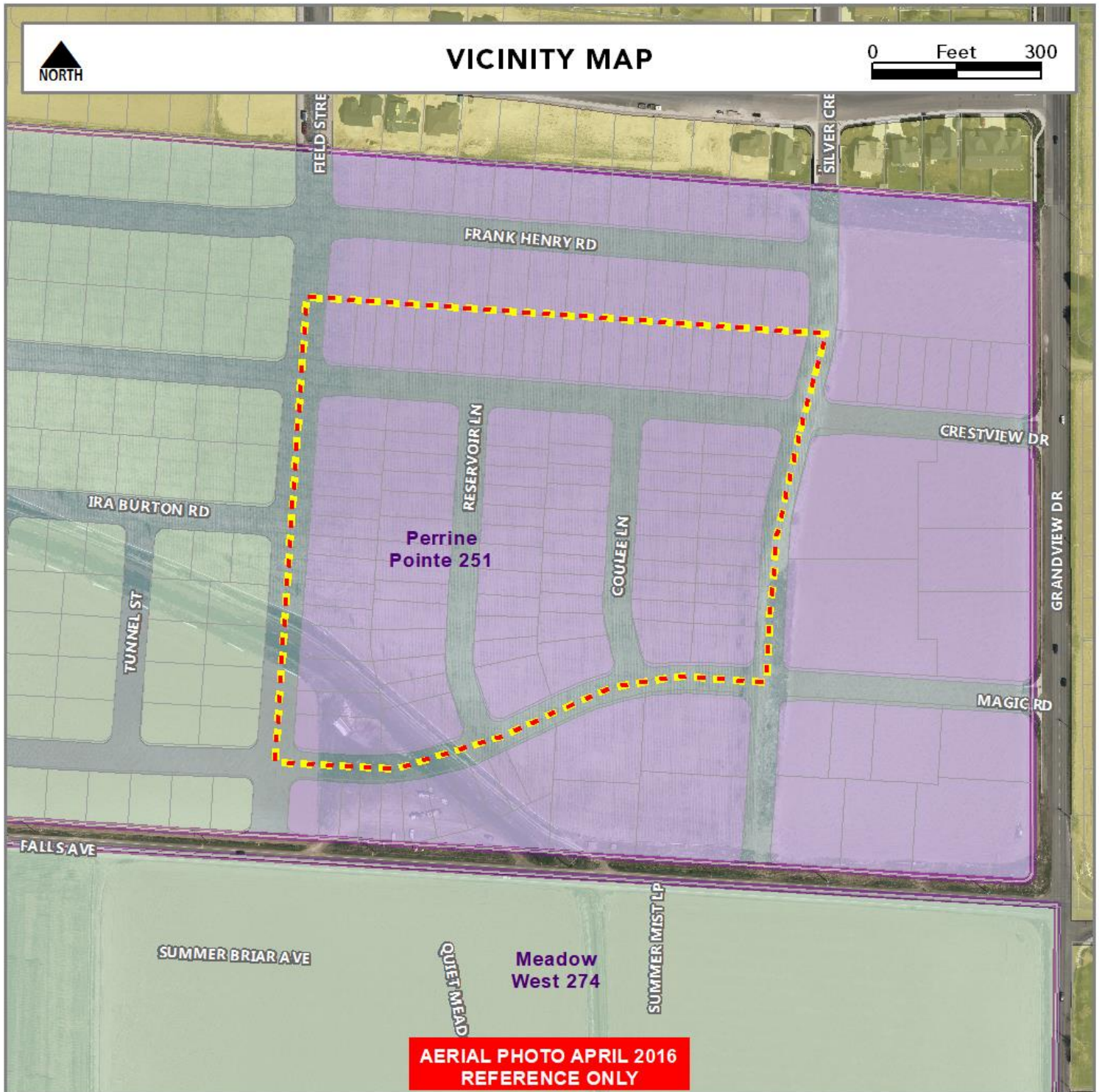
Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. **Subject to City Engineer and Fire Marshal approved permanent Public Access and Utility easements to replace the platted Right of Way and easements.**

Attachments

1. Vicinity Map
2. Narrative
3. Vacation Exhibit
4. Photos

Public Hearing: March 26th, 2018



- PUD
 R-6
 R-2

Current Zoning: R-6 PUD

Comprehensive Plan: Town Neighborhood

Existing Land Use: Vacant

Proposed Land Use: Residential

Surrounding Zoning Designations & Land Use(s)

North: R-6 PUD; Vacant

East: Silver Creek Rd.; R-6 PUD; Vacant

South: Magic Rd.; R-6 PUD; Vacant

West: R-2 PUD; Vacant

Applicable Regulations

10-1-4, 10-1-5, 10-16-1

Perrine Point
Vacation Request

Tres Gringos, LLC is requesting the vacation of road rights of way and easements as noted on the accompanying exhibit and land description within Blocks 5, 6, 7, and 8 of Perrine Point Subdivision. The reason for the request is to remove the hard boundaries that exist by those non-encroachable lines thereby providing a flexibility of parcel lines that can then be relocated as needed into a phased multi-family development. Once development plans are in place and approved, new easements will be dedicated by separate deed to facilitate public utilities and public access.

The property is located adjacent to north of Falls Avenue West and west of Grandview Drive. No negative effects are anticipated for adjacent properties as this area is within the interior of the platted subdivision. This property was platted for higher density residential development and with the recent increase in need for multi-family housing the potential to provide that at this site seemed logical. The roadways surrounding this site will be retained and extended to provide access and utilities to this site.

Shaded area is the area for the vacation request



NORTH

0 30 60 120
SCALE IN FEET

Blocks 5, 6 & 7 and
Lots 13 through 34, Block 8
Perrine Point Subdivision
In
S² SE⁴, Section 6
Township 10 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho
2019

Curve Table

CURVE #	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRG
C1	89°57'26"	20.00'	31.40'	28.27'	19.89'	S40°22'02"E
C2	80°15'42"	20.00'	28.02'	25.78'	16.86'	N54°31'24"E
C3	99°44'18"	20.00'	34.82'	30.58'	23.72'	N35°28'36"W
C4	90°52'04"	20.00'	31.72'	28.50'	20.31'	S49°13'12"W
C5	17°10'10"	125.00'	37.46'	37.32'	18.87'	S4°47'55"E
C6	82°49'48"	20.00'	28.91'	26.46'	17.64'	S54°47'54"E
C7	9°28'52"	525.00'	86.87'	88.78'	43.54'	S79°02'47"W
C8	87°41'21"	20.00'	30.61'	27.71'	19.21'	N30°27'40"E
C9	17°10'10"	175.00'	52.44'	52.25'	26.42'	S4°47'55"E
C10	89°07'56"	20.00'	31.11'	28.07'	19.70'	N40°46'48"W
C11	80°52'04"	20.00'	31.72'	28.50'	20.31'	S49°13'12"W
C12	21°48'57"	125.00'	47.59'	47.31'	24.09'	S70°18'18"E
C13	96°49'37"	20.00'	33.80'	29.92'	22.54'	S66°26'36"E
C14	6°30'31"	475.00'	53.96'	53.93'	27.01'	N68°23'51"E
C15	88°40'54"	20.00'	31.30'	28.21'	19.89'	N26°48'40"E
C16	21°48'57"	175.00'	66.63'	66.23'	33.72'	S70°18'18"E
C17	89°07'56"	20.00'	31.11'	28.07'	19.70'	N40°46'48"W
C18	90°02'34"	20.00'	31.43'	28.29'	20.01'	S49°37'58"W
C19	4°45'28"	325.00'	26.99'	26.98'	13.50'	N12°00'49"E
C20	10°05'14"	375.00'	66.02'	65.94'	33.10'	S8°49'47"W
C21	90°00'00"	20.00'	31.42'	28.28'	20.00'	N48°47'10"E
C22	28°38'35"	525.00'	262.45'	259.73'	134.03'	S79°27'53"W
C23	28°38'01"	475.00'	257.38'	254.92'	121.22'	N79°27'36"E
C24	90°50'05"	20.00'	31.71'	28.49'	20.28'	S40°48'21"E

Line Table

LINE #	BEARING	DISTANCE
L1	S13°23'00"E	65.64'
L2	S13°23'00"E	61.82'
L3	S18°01'47"E	64.33'
L4	S65°08'36"W	38.72'
L5	S18°01'47"E	72.15'

PRELIMINARY

NOTES:

ALL LOT LINES WILL BE PROJECTED TO THE CENTERLINE OF THE RIGHT-OF-WAYS AFTER THEY HAVE BEEN VACATED.

Exhibit

A Portion Perrine Point Subdivision to be
Vacated

JOB NO.	080-08
APPROVED	
DESIGN	
DRAWN	CSJ
DATE	JANUARY 2015
SCALE	As Shown
Y 080-08 CTRL_CSD	
Sheet No.	

1



SE Corner looking NW



NE Corner looking SE



NW Corner Looking SE



SE Corner looking NW



Date: Tuesday, March 26, 2019
To: Planning and Zoning Commission
From: Brock Cherry, Planner, City Planner

ACTION ITEM

Request:

Request a Special Use Permit to allow a detached accessory building greater than 1000 sq. ft. on property located at 177 Orchard Drive on behalf of Glenn Earl. (PZ19-0017)

Time Estimate:

Five (5) minutes for Staff and Applicant presentation; Ten (10) minutes for Commission questions, deliberation, and decision.

Background:

NA

Approval Process:

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

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, 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:

Regulatory Impact:

NA

History:

Per City and County records, the primary residence on the subject property was first built in 1922. The residence was then substantially remodeled in 1959.

Analysis:

This is a request to construct a detached accessory building larger than 1000 sq. ft. (approx. 1,140 sq. ft.) on property located at 177 Orchard Drive. The subject property is located within the R-2 (Residential Single Household or Duplex) Zoning District.

The applicant has stated the proposed accessory building will be used for personal storage. The site plan and elevations submitted indicate that the accessory building will have two (2) garage bays and gray steel siding. The accessory building will be located at the rear of the property.

Staff determines that the applicant's request is in accordance with City Code and City Comprehensive Plans.

Conclusion:

If the Commission approves this request as presented, then staff recommends the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to personal use only – no commercial activity.

Attachments:

1. PZ19-0117 Staff Report
2. 1 - Vicinity Map
3. 2 - Narrative
4. 3 - Site Plan
5. 4 - Elevations
6. 5 - Photos



Comprehensive Staff Report

To: Planning & Zoning Commission
 Presenter: Brock Cherry, City Planner
 Request: A **Special Use Permit** to construct a detached accessory building larger than 1000 sq. ft. on property located at 177 Orchard Drive.
 Application: PZ19-0117
 Applicant:
 Glenn Earl
 177 Orchard Drive
 Twin Falls, ID 83301
 208-731-7772

Public Hearing: March 26th 2019

Analysis

This is a request to construct a detached accessory building larger than 1000 sq. ft. (approx. 1,140 sq. ft.) on property located at 177 Orchard Drive. The subject property is located within the R-2 (Residential Single Household or Duplex) Zoning District.

The applicant has stated the proposed accessory building will be used for personal storage. The site plan and elevations submitted indicate that the accessory building will have two (2) garage bays and gray steel siding. The accessory building will be located at the rear of the property.

Staff determines that the applicant's request is in accordance with City Code and City Comprehensive Plans.

Approval Process

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application. The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, 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.

History

Per City and County records, the primary residence on the subject property was first built in 1922. The residence was then substantially remodeled in 1959.

Applicable Regulations or Codes

Per City Code 10-4-4.2(B), an SUP is required for any detached accessory buildings exceeding 1,000 sq. ft. within the R-2 Zone.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Town Neighborhood". Staff recognizes that detached accessory building such as storage shops are often ancillary to residential uses. Therefore, staff has determined this request is in compliance with the 2016 comprehensive plan.

Potential Impacts

The applicant and staff do not anticipate an increase of detrimental impacts from this request on the surrounding properties.

Conclusion

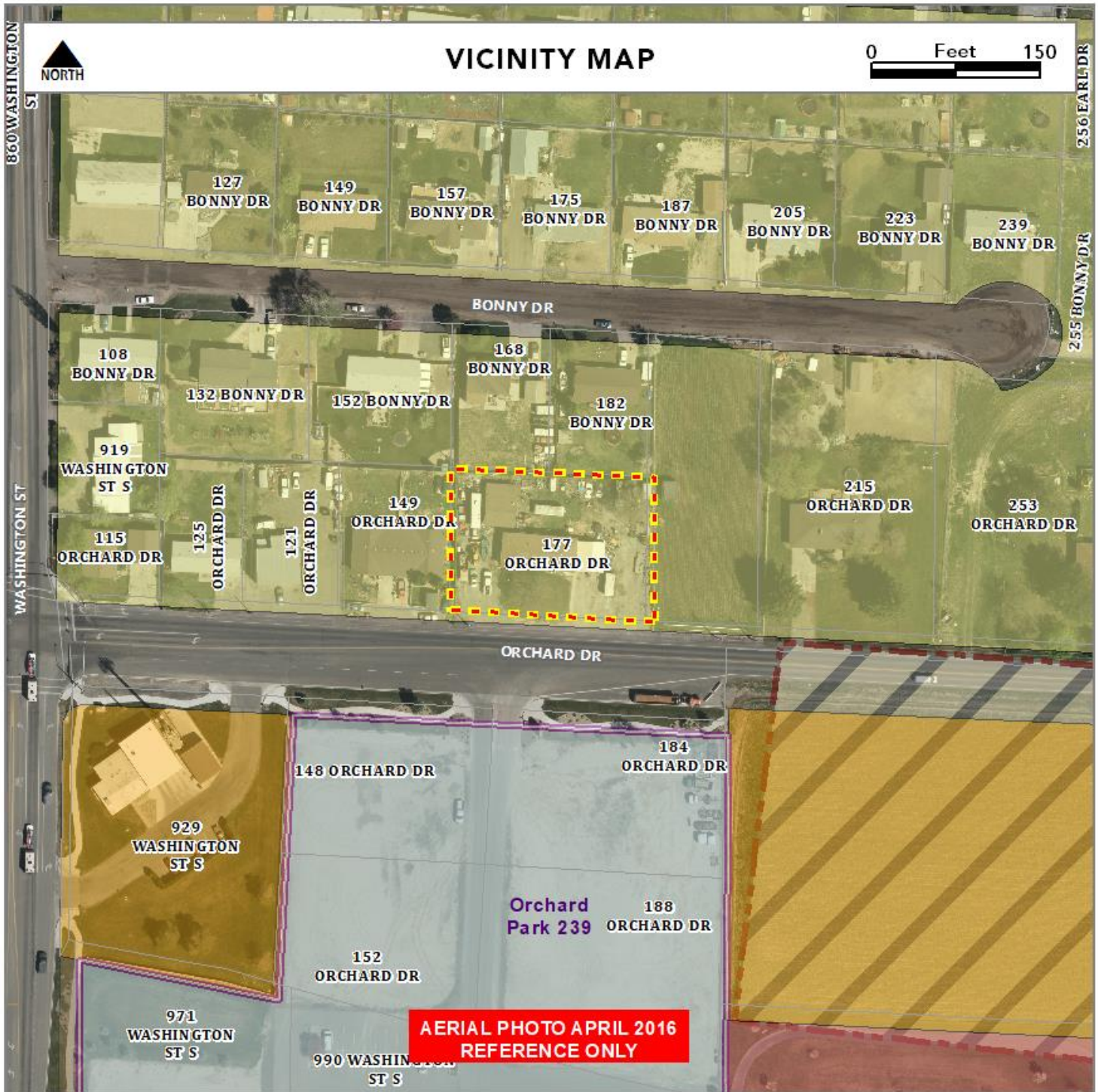
If the Commission approves this request as presented, then staff recommends the following conditions.

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to personal use only – no commercial activity.

Attachments

1. Vicinity Map
2. Narrative
3. Site Plan
4. Elevations
5. Photos

Public Hearing: March 26th 2019



- | | | | |
|--|-----|--|-----|
| | PUD | | R-2 |
| | C-1 | | R-4 |
| | OS | | AOI |

Current Zoning: R-2
Comprehensive Plan: Town
Neighborhood

Existing Land Use: Residential

Surrounding Zoning Designations & Land Use(s)

North: R-2, Residential

East: R-2, Residential

South: C-1 PUD, Vacant

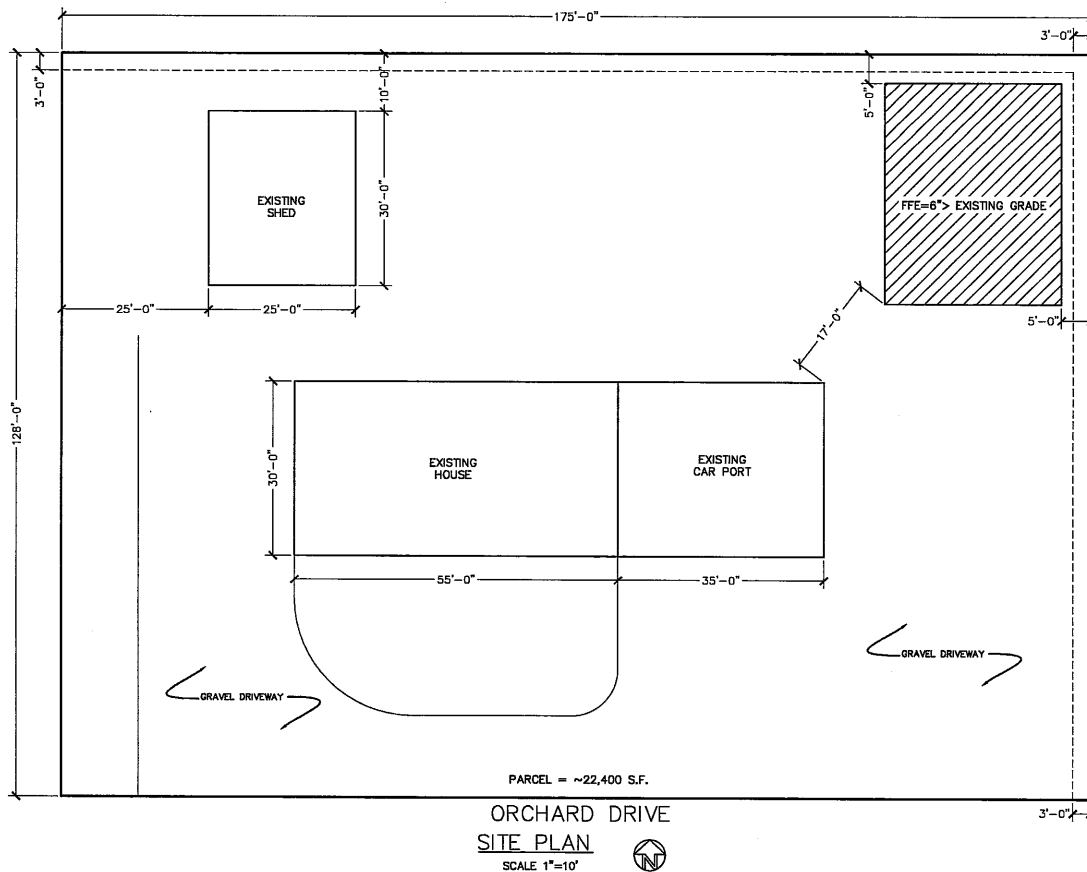
West: R-2, Residential

Applicable Regulations

10-4-4.2(B)

I would like to Build A 1140 sq Foot Shop.
The Shop will Located AT THE REAR OF MY PROPERTY.
The Shop will Be used For Personal use only.
No Commercial uses will take place inside the Shop,
The outside of Shop will Be Gray Steel Siding.

Shu Encl



LEGEND

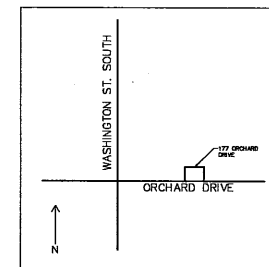
PROPERTY LINE

NEW SHOP

EASMENT & SETBACK



PROPOSED SHOP
FOR
GLENN EARL
LOCATED AT
177 ORCHARD DRIVE
TWIN FALLS, TWIN FALLS COUNTY, IDAHO



VICINITY MAP
NTS

NOTES

1. SOIL IS ASSUMED CLAY @ 1500 PSF
2. CORD UTILITIES W/OWNER
3. SLOPE ALL SOIL MIN 6" IN 10'-0" FROM BLDG

TABLE OF CONTENTS

- 1 - SITE PLAN
- 2 - FOUNDATION
- 3 - FRAMING PLAN
- 4 - ROOF FRAMING PLAN
- 5 - ELEVATIONS

MJ DRAFTING
& DESIGN

GLENN
EARL

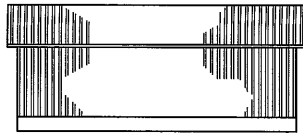
DR. BY: MJ

30-JAN-2019

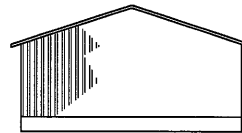
SITE PLAN

SHEET

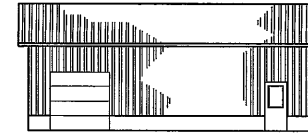
1



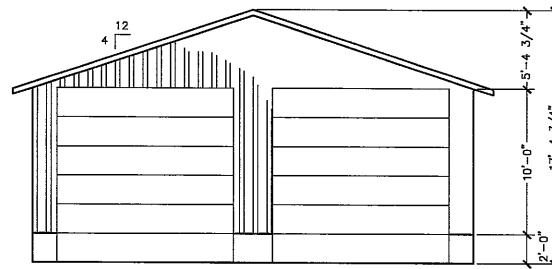
EAST ELEVATION
SCALE $\frac{1}{8}"=1'-0"$



NORTH ELEVATION
SCALE $\frac{1}{2}"=1'-0"$



WEST ELEVATION
SCALE $\frac{1}{8}"=1'-0"$



SOUTH ELEVATION
SCALE $\frac{1}{2}"=1'-0"$

MJ DRAFTING
& DESIGN

GLENN
EARL

DR. BY: MJ

30-JAN-2019

ELEVATIONS

SHEET

5



Front Facade of Subject Property



Approximate Location of
Proposed Accessory Building

Proposed Accessory Building Location



Date: Tuesday, March 26, 2019
To: Planning and Zoning Commission
From: Brock Cherry, Planner, City Planner

ACTION ITEM

Request:

Request a Special Use Permit to allow a Home Occupation on property located at 828 Maurice Street on behalf of Joe and Jana Mabey. (PZ19-0018)

Time Estimate:

Five (5) minutes for Staff and Applicant presentation; Ten (10) minutes for Commission questions, deliberation, and decision.

Background:

NA

Approval Process:

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

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, 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:

Regulatory Impact:

NA

History:

Per County and City records the subject property was built in 1924.

Analysis:

This is a request to allow a Home Occupation for a Federal Firearms Licensed Transfer business located at 828 Maurice Street. The subject property is located within the R-4 (Residential Medium Density) Zoning District.

The applicant intends to operate regularly from 8:00 A.M. to 5:00 P.M. The applicant intends to serve approximately twenty (20) customers a week. It is anticipated that deliveries (USPS, UPS, & FedEx) will be made to the subject property daily.

Staff determines that the applicant's request is in accordance with City Code and City Comprehensive Plans.

Conclusion:

If the Commission approves this request as presented, then staff recommends the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Attachments:

1. SUP Staff Report PZ19-0018
2. 1 - Vicinity Map
3. 2 - Narrative
4. 3 - Site Plan
5. 4 - Photos



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Brock, City Planner

Request: A **Special Use Permit** to allow a Home Occupation located at 828 Maurice Street.

Application: PZ19-0018

Applicant:

Joe & Jana Mabey

828 Maurice Street

Twin Falls, ID 83301

208-420-4811

jmengravingllc@gmail.com

Public Hearing: March 26th 2019

Analysis

This is a request to allow a Home Occupation for a Federal Firearms Licensed Transfer business located at 828 Maurice Street. The subject property is located within the R-4 (Residential Medium Density) Zoning District.

The applicant intends to operate regularly from 8:00 A.M. to 5:00 P.M. The applicant intends to serve approximately twenty (20) customers a week. It is anticipated that deliveries (USPS, UPS, & FedEx) will be made to the subject property daily.

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History

Per County and City records the subject property was built in 1924.

Applicable Regulations or Codes

Per City Code 10-4-5.2, a Special Use Permit is required in the R-4 Zoning District for a Home Occupation.

Per City Code 10-2-1, the home occupation area cannot be larger than 400 square feet.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Town Neighborhood". The Town Neighborhood designation allows for residential home occupations.

The 2009 Master Transportation Plan designates the subject property's surrounding roadways as residential streets (Maurice Street, Kimes Avenue & 8th Avenue) and a collector (9th Avenue East). It is anticipated that the existing transportation infrastructure will accommodate the proposed use.

Potential Impacts

The applicant and staff do not anticipate a significant increase of detrimental impacts from this request on the surrounding properties

Conclusion

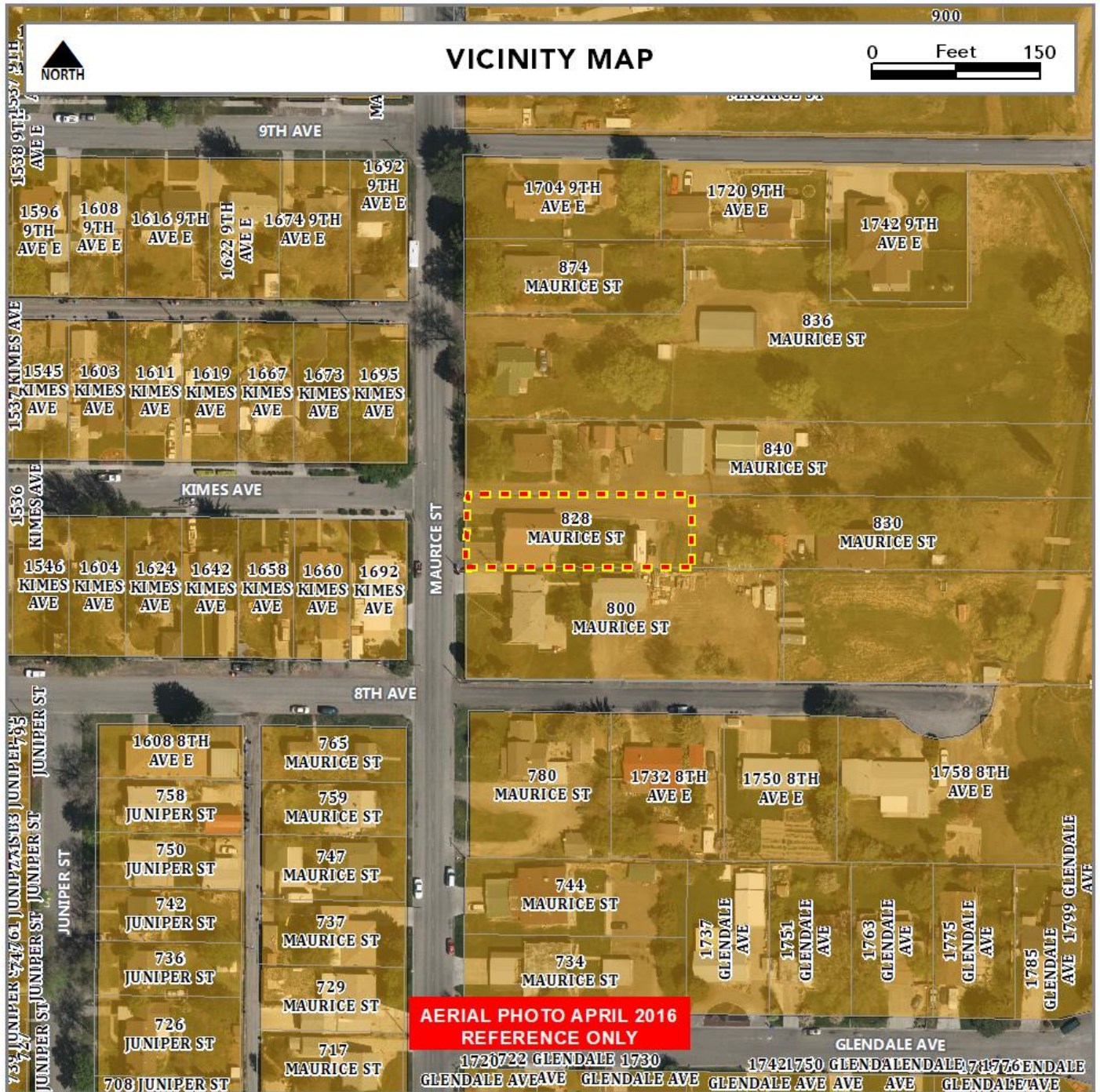
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1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Attachments

1. Vicinity Map
2. Narrative
3. Site Plan
4. Photos

Public Hearing: March 26th 2019



R-4

Current Zoning: R-4

Comprehensive Plan: Town
Neighborhood

Existing Land Use: Residential

Proposed Land Use: Home
Occupation

Surrounding Zoning Designations & Land Use(s)

North: R-4, Residential

East: R-4, Residential

South: R-4, Residential

West: R-4, Residential

Applicable Regulations

10-2-1, 10-4-5.2, 10-11-1 to 8, 10-13-2-2

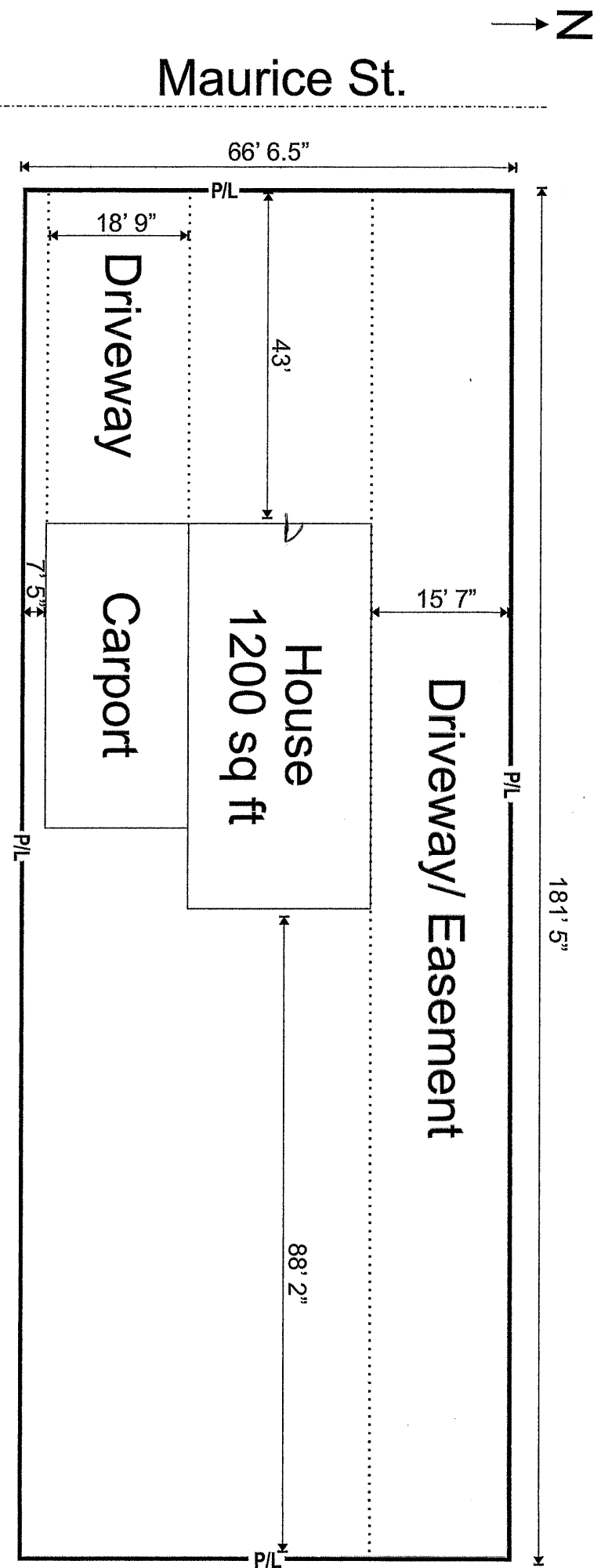
4 A. We are requesting the special use permit due to the ATF's requirement that FFL transfers be done on the premises of 828 Maurice St. Twin Falls, ID 83301

4 B.

- I. Hours of operation will be 8-5 Monday thru Friday any business conducted outside that time will be by appointment.
- II. We are anticipating that USPS, UPS, and FedEx will be stopping daily and about 20 customers a week.
- III. The only employees will be the owners Joe & Jana Mabey

4 C.

- I. Our operation should have no effect on adjoining properties due to noise.
- II. Our operations should have no glare to effect adjoining properties.
- III. Our operations should have little to no odor to affect the adjoining properties everything is filtered through a fume extractor with no exterior vents.
- IV. Fumes are filtered through an extractor with no exterior vent so there will not be fumes or vibrations.
- V. This business should be compatible with this location with minimal traffic and little to no effect on adjoining properties.



Scale: 1" = 20'

Joe & Jana Mabey
828 Maurice St.
Twin Falls, ID
(208) 420-4811
(208) 420-7855

