



Twin Falls Planning & Zoning Commission Agenda

Tuesday, April 9, 2019, 6:00 PM

203 Main Ave East
Twin Falls, ID 83301

Members -

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

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: March 26, 2019
 - b) **ACTION ITEM:** Approval of Findings of Fact and Conclusions of Law:
 - Joe and Jana Mabey
 - Glenn Earl
- 3) Items of Consideration
 - a) **INFORMATIONAL:** Preliminary Presentation for a Zoning Development Change and Zoning Map Amendment from R-4 to R-6 on property located at the 100 & 200 Block of Caswell Avenue West, Fireside Subdivision on behalf of Dr. David Kemp c/o EHM Engineers. (PZ18-0097)
By: Steve O'Connor, City Planner
- 4) Public Hearings
 - a) **ACTION ITEM:** Request for a Special Use Permit to allow a Religious Facility on property located at the southwest portion of the 1400 N block of Sun Way on behalf of Believers Church. (PZ19-0019)
By: Brock Cherry, City Planner
 - b) **ACTION ITEM:** Request for a Special Use Permit to allow Dog Grooming and/or kennels on property located at 314 2nd Avenue E on behalf of Jay and Shelly Fort. (PZ19-0020)
By: Brock Cherry, City Planner
- 5) Upcoming Meeting(s)
 - a) **INFORMATIONAL:** Tuesday, April 23, 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 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

Chairperson Titus called the meeting to order at 06:00 pm.

A quorum was present.

Members Attending: Titus, Bolton, Musser, Kelley, Detweiler, Hawkins

Staff Attending: Spendlove, Ebersole, Cherry, O'Connor, Vitek

2) Consent Calendar

Vice Chairperson Kelley made a motion to approve the consent calendar, as presented. Commissioner Musser seconded the motion.

Consent Calendar was approved by a vote of three (3) in favor and three (3) abstentions.

a) Approval of Minutes from the following meeting: 03/12/19

b) 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

Due to technical difficulties, a break was taken at 6:05 pm.

Meeting resumed at 6:45 pm.

3) Items of Consideration

4) Public Hearings

- a) 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)

Staff Presentation:

City Planner Steve O'Connor presented the 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)

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.

Perrine Point was platted and recorded in May 2008.

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. 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.

Applicant Presentation:

Tim Vawser, EHM Engineers, Inc., representative for applicant, presented the request to vacate the right of ways and easements within Blocks 5, 6, 7 and 8 of the Perrine Point Subdivision. Mr. Vawser gave a history of the development. The original development was platted by a different developer and sold to the current owners. The entitlements were already in place and the current layout it is very congested.

He stated the applicant's intent is to vacate the existing easements and right of ways to rebuild for multi-family units with a better layout. The applicants will come back for a PUD agreement

amendment in the future for more flexibility with the development. Mr. Vawser stated they are only in the vacation process for now and are asking the commission for recommendation of approval to City Council.

PZ/Questions & Comments:

- Commissioner Bolton asked for clarification on the plan for the development.
- Mr. Vawser stated the plans at this time for the portion of the development in question.
- Chairperson Titus asked staff about the process for rededication of the streets back to city with vacation of right of way.
- City Planner O'Connor clarified the process of vacating the right of ways and easements, giving the developers the opportunity to expand the lots for multifamily size units.
- Mr. Vawser expanded the explanation for vacating right of way and easements. Creating temporary easements for access to the lots. The easements will be relocated and recorded as a new easement. City will have access to all of the corridors that they originally had.
- City Planner O'Connor stated the right of way will go away, but easement access will stay until development plan is presented. Developer will create new easements around the new development that is more conducive to traffic and utility flow. (Condition #2)
- Chairperson Titus asked about the current zoning of the properties.
- City Planner O'Connor stated the zoning is R-6 PUD.
- Chairperson Titus asked about roads surrounding around the development are constructed right now.
- City Planner O'Connor stated the roads are not constructed right now.
- Commissioner Detweiler asked if Silver Creek Rd. is stubbed right now.
- City Planner O'Connor stated Silver Creek Rd and Fieldstream Rd are both stubbed and will be continued with new development.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

Motion:

Commissioner Bolton made a motion to recommend approval to City Council of the 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., as presented, with staff recommendations. (PZ19-0016)
Commissioner Detweiler seconded the motion.

Unanimously approved

- b) 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)

Staff Presentation:

City Planner Cherry presented the 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)

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 residence on the subject property was first built in 1922. The residence was then substantially remodeled in 1959.

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.

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.

Applicant Presentation:

Applicant Glenn Earl, presented his request for a Special Use Permit to build a shop for his fifth wheel and outdoor toys. He stated he will comply with the requirements of the commission.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

Motion:

Commissioner Kelley made a motion to approve the 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), as presented with staff recommendations.
Commissioner Musser seconded the motion.

Unanimously approved

- c) 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)

Staff Presentation:

City Planner Cherry presented the request for 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)

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

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.

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 Mabey presented her request for a Special Use Permit for a home occupation. The applicant stated they have a current engraving business. She would like to expand business to engrave on firearms and needs the Special Use Permit per the ATF. The new addition to the business will have no affect to neighbors, as there will be minimal traffic, with customer drop off and pick up only.

PZ/Questions & Comments:

- Commissioner Musser asked for confirmation of what will happen at the business.
- Ms. Mabey clarified they may receive guns for customers and there will be a transfer for customers.
- Commissioner Musser asked about storing weapons for customers.
- Ms. Mabey stated they are not storing weapons for customers.
- Commissioner Bolton asked about parking accommodations and is the reason for the Special Use Permit for a chain of custody.
- Ms. Mabey stated there is curb across street for parking. She clarified the transfer process.
- Commissioner Detweiler asked if weapon repair is being done on property and for clarification on the number of customers being seen a week.
- Ms. Mabey stated there is no weapon repair on property and they may see twenty (20) people a week.
- Chairperson Titus asked if there will be discharging of weapons on property.
- Ms. Mabey stated there is no discharge of weapons on location.
- City Planner Cherry stated discharge of firearms is not allowed in the city.
- PZ Spendlove clarified the weapons transfer has to take place at the business address on license listed with ATF.

Public Hearing: Opened and closed without input

Discussions Followed: without concern

Motion:

Commissioner Hawkins motioned to approve the Special Use Permit to allow a Home Occupation on property located at 828 Maurice Street on behalf of Joe and Jana Mabey. (PZ19-0018), as presented with staff recommendations.

Commissioner Kelley seconded the motion.

Unanimously approved

5) Upcoming Meeting(s)

a) Worksession Wednesday, April 3, 2019 at noon

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

PZ Director Spendlove reviewed the vote from City Council on the hotel from the March 18 meeting. He reviewed the changed and added elements to the design that the Planning and Zoning Commission did not see when the hotel was presented.

6) Adjournment

The meeting adjourned at 07:14 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>Glenn Earl</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 March 26, 2019 for public hearing pursuant to public notice as required by law for a Special Use Permit to allow a detached accessory building greater than 1000 sq. ft. on property located at 177 Orchard 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 Request a Special Use Permit to allow a detached accessory building greater than 1000 sq. ft. on property located at 177 Orchard Drive.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: March 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, Vacant/Orchard Drive; to the east, Residential; and to the west, Residential.
5. Relevant criteria and standards for consideration of this application are set forth in Sections 10-4-4.2 (B), 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 Request a Special Use Permit to allow a detached accessory building greater than 1000 sq. ft. on property located at 177 Orchard Drive 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 Request a Special Use Permit to allow a detached accessory building greater than 1000 sq. ft. on property located at 177 Orchard Drive 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 Request a Special Use Permit to allow a detached accessory building greater than 1000 sq. ft. on property located at 177 Orchard Drive 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 personal use only – no commercial activity.

APPLICATION # **PZ19-0017**



**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. PZ19-0017

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on **March 26, 2019** to **Glenn Earl** whose address is **177 Orchard Drive** to allow a detached accessory building greater than 1000 sq. ft. on property located at 177 Orchard Drive and legally identified with the following Parcel ID: **RPT001072516080T**

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 personal use only – no commercial activity.

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>Joe and Jana Mabey)</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 26, 2019 for public hearing pursuant to public notice as required by law for a Special Use Permit to allow a Home Business on property located at 828 Maurice 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 allow a Home Business on property located at 828 Maurice Street.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: March 7, 2019.
3. The property in question is zoned R-4 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, 10-4-5.2, 10-11-1 to 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 allow a Home Business on property located at 828 Maurice Street is consistent with the purpose of the R-4 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 Business on property located at 828 Maurice 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 allow a Home Business on property located at 828 Maurice 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 # **PZ19-0018**



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. PZ19-0018

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on **March 26, 2019** to **Joe and Jana Mabey** whose address is **828 Maurice Street** to allow a Home Occupation at property located at 828 Maurice Street and legally identified with the following Parcel ID: **RPT3561000006DT**.

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.



Date: Tuesday, April 9, 2019
To: Planning and Zoning Commission
From: Planning & Zoning Department

INFORMATIONAL

Request:

Preliminary Presentation for a Zoning Development Change and Zoning Map Amendment from R-4 to R-6 on property located at the 100 & 200 Block of Caswell Avenue West, Fireside Subdivision on behalf of Dr. David Kemp c/o EHM Engineers. (PZ18-0097)

Time Estimate:

10 - 15 minutes between staff and the applicant

Background:

This is a preliminary presentation of a request for a Zoning Map Amendment from R-4 to R-6 ZDA on property located at the 100 & 200 blocks of Caswell Avenue West.

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

A public hearing regarding this request will be heard at the regularly scheduled Planning and Zoning Commission public meeting April 23rd, 2019. Further staff analysis will be provided at that time.

Approval Process:

Per Twin Falls City Code 10-6-1.4(E) Approval of a ZDA Sub-District requires a preliminary presentation to the Planning and Zoning Commission for a review of the proposed changes. The Commission is allowed and may grant the public the ability, to ask questions and give suggestions to the applicant about the proposed project during the preliminary presentation. A public hearing shall be held before the Commission for a recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request.

Budget Impact:

Regulatory Impact:

N/A

History:

N/A

Analysis:

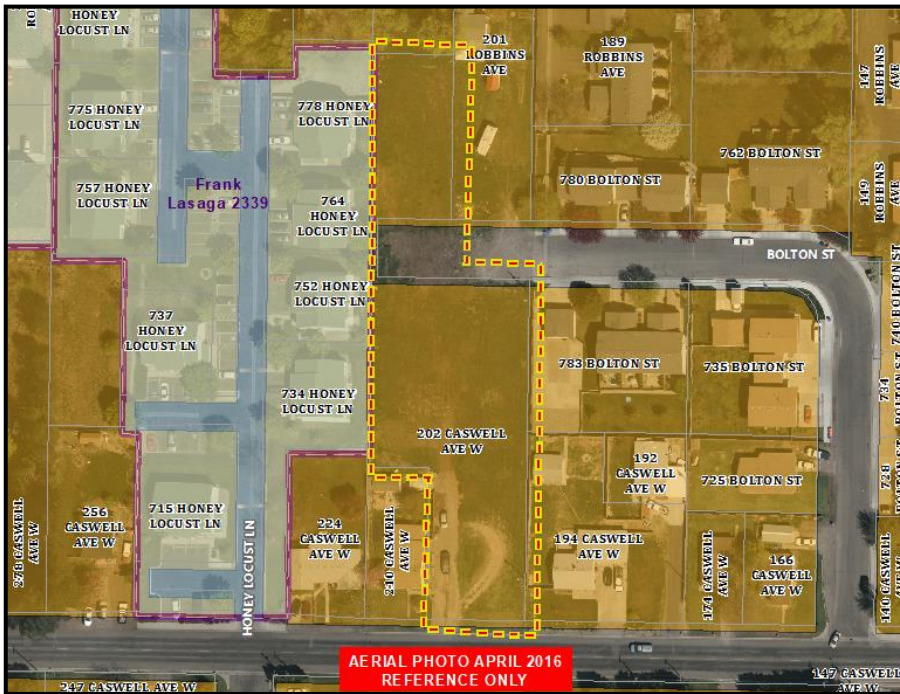
N/A

Conclusion:

Staff makes no recommendation at this time.

Attachments:

1. PZ18-0097 Prelim ZDA Staff Report
2. 1 - Vicinity Map
3. 2 - Narrative
4. 3 - MDP
5. 4 - Elevatioins
6. 5 - Photos



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Steve O'Connor, City Planner

Request: Preliminary presentation for a Zoning Map Amendment from R-4 to R-6 ZDA on property located at the 100 & 200 blocks of Caswell Avenue West.

Application: PZ18-0097

Public Meeting: April 9th, 2019

Analysis

This is a preliminary presentation of a request for a Zoning Map Amendment from R-4 to R-6 ZDA on property located at the 100 & 200 blocks of Caswell Avenue West.

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

A public hearing regarding this request will be heard at the regularly scheduled Planning and Zoning Commission public meeting April 23rd, 2019. Further staff analysis will be provided at that time.

Approval Process

Per Twin Falls City Code 10-6-1.4(E) Approval of a ZDA Sub-District requires a preliminary presentation to the Planning and Zoning Commission for a review of the proposed changes. The Commission is allowed, and may grant

the public the ability, to ask questions and give suggestions to applicant about the proposed project during the preliminary presentation. A public hearing shall be held before the Commission for a recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request.

Applicable Regulations or Codes

Per City Code 10-6-1 A preliminary presentation of the request is required before a public hearing in front of the Planning & Zoning Commission.

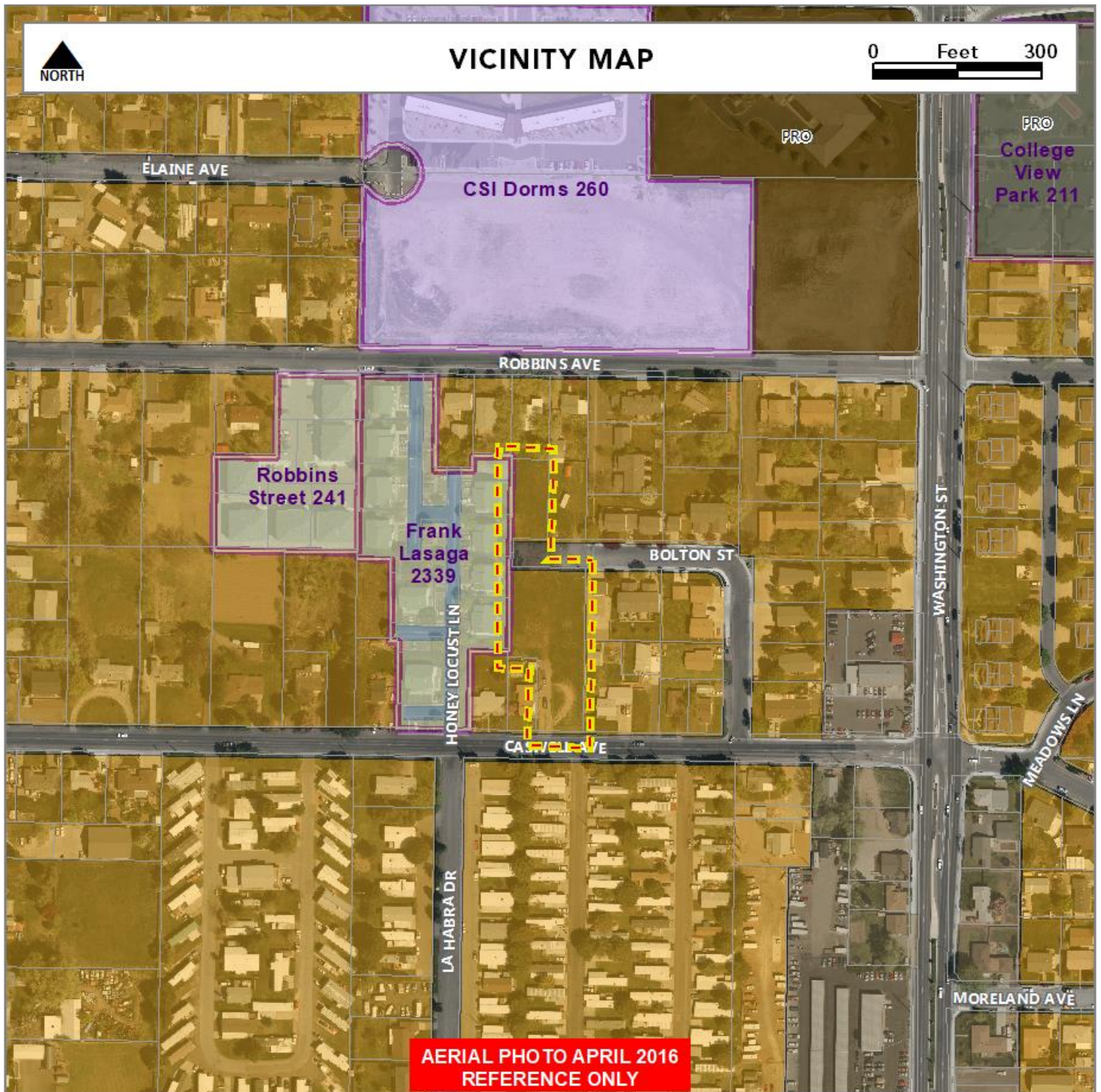
Conclusion

Staff makes no recommendation at this time.

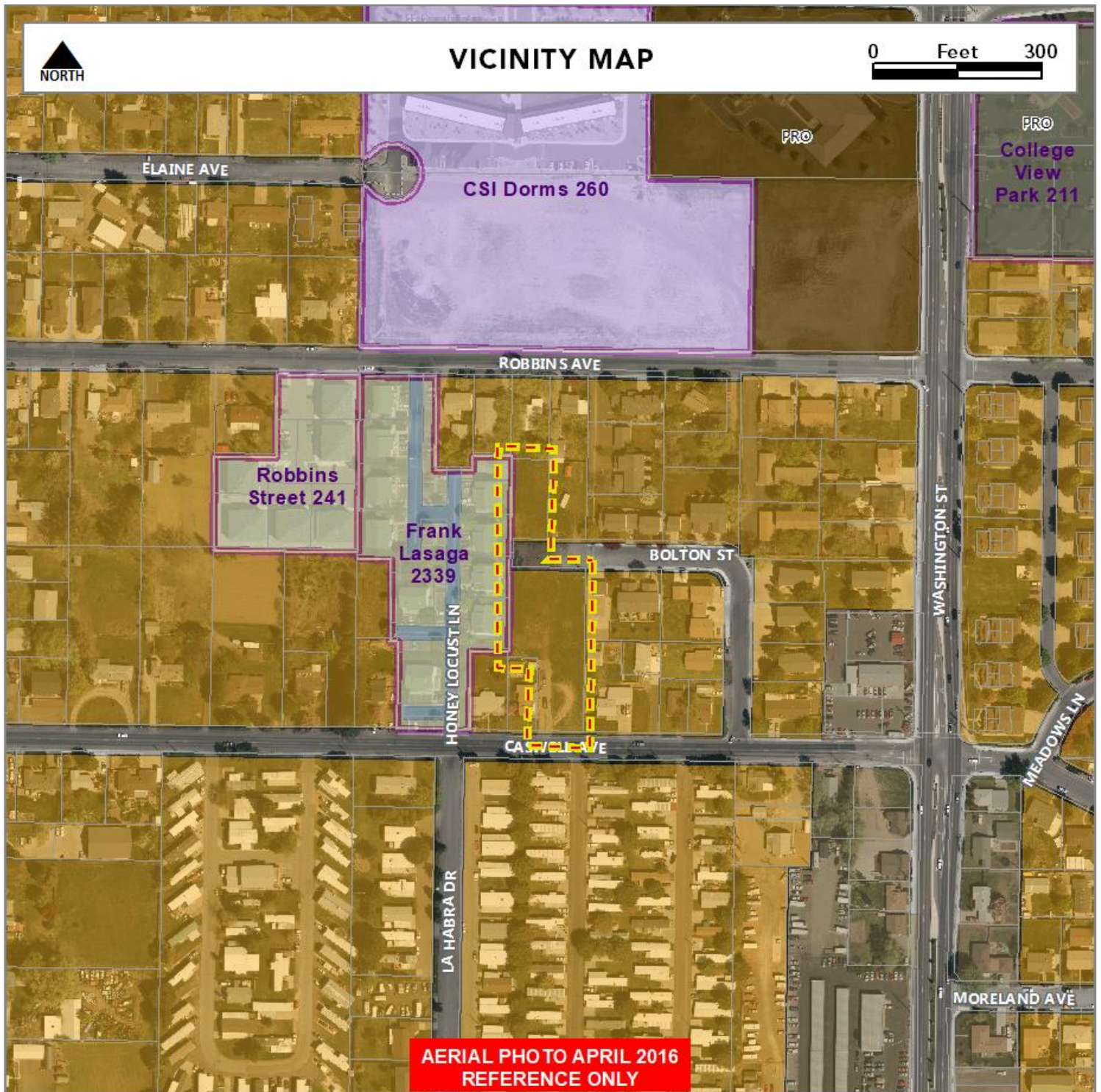
Attachments

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

Public Meeting: April 9th, 2019



PRO	R-4	Current Zoning: R-4	Existing Land Use: Vacant
PUD	R-6	Comprehensive Plan: Town Neighborhood	Proposed Land Use: Multi Family
C-1		Surrounding Zoning Designations & Land Use(s)	
		North: R-4; Residential	East: R-4; Residential
		South: Caswell Ave W.; R-4; Residential	West: R-4 PUD; Residential Multi-Family
		Applicable Regulations	
		10-4-6, 10-6-1, 10-11	



PRO	R-4	Current Zoning: R-4	Existing Land Use: Vacant
PUD	R-6	Comprehensive Plan: Town Neighborhood	Proposed Land Use: Multi Family
C-1		Surrounding Zoning Designations & Land Use(s)	
		North: R-4; Residential	East: R-4; Residential
		South: Caswell Ave W.; R-4; Residential	West: R-4 PUD; Residential Multi-Family
		Applicable Regulations	
		10-4-6, 10-6-1, 10-11	

Supplemental Information Supporting
A ZDA Request for Dr. David Kemp

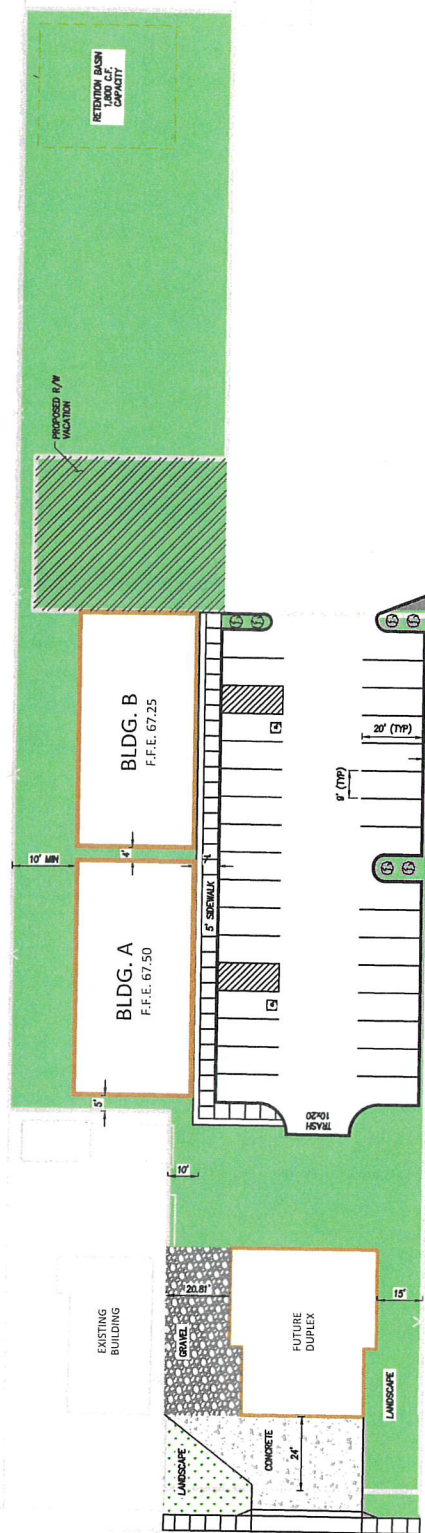
This is a formal request to establish a zoning designation agreement upon and across property owned by Dr. David Kemp at the end of Bolton Street in Twin Falls, Idaho. The R-6 ZDA is requested to permit the construction of 4-plex units and multiple household dwelling units (5 units or more) within the project.

This request is consistent with the comprehensive plan for the City of Twin Falls which identifies the area as town neighborhoods. Within the comprehensive plan the description for town neighborhoods includes contiguous and clustered developments which are primarily residential in character. The proposed project is neighbored by 4-plex developments to the west and north and duplexes have been established to the east. Single family residential development neighbors the subject property to the south. The properties which neighbor the project are zoned R-4 reserved for medium density residential. The proposal to rezone with R-6 ZDA designation is compatible with adjacent multi-family developments and neighboring residential uses.

The proposed project includes the development of three story 6-plex units on the property. Associated parking, utilities, stormwater retention, and landscaping areas are included on the property. The proposal for three-story 6-plex configuration will allow for more open space on the site. The accompanying ZDA language clarifies the specific code changes and requests.



Located In
Lot 3, Fireside Subdivision
In
NE 1/4 NE 1/4, Section 8
Township 10 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho
2018



BOLTON STREET

CASWELL AVENUE
WEST

PARKING SUMMARY:

NEW BUILDINGS = 12,000 SF
EXIST'G PARKING SPACES = 30 (2 ADA - PER COFF STANDARDS)
PROPOSED SPACES = 2
TOTAL PROPOSED SPACES = 32

SITE EXHIBIT DR. KEMP TWIN FALLS, ID



EHM Engineers, Inc.
BUILDING THE FUTURE ON A FOUNDATION OF EXCELLENCE

Engineers / Surveyors / Planners
621 North College Road, Suite 100 Twin Falls, Idaho 83301
p (208)-734-4888 fax (208)-734-6049 web: ehminc.com

JOB NO.:	333-18
APPROVED D. THIBAUT	
DESIGN	DESIGN
DRAWN	MERANDER
DATE	2018.12.12
SCALE	SHOWN
TYPE	

Sheet No.:

1







East Side Looking W



SW Corner Looking NE



Date: Tuesday, April 9, 2019
To: Planning and Zoning Commission
From: Brock Cherry, Planner, City Planner

ACTION ITEM

Request:

Request for a Special Use Permit to allow a Religious Facility on property located at the southwest portion of the 1400 N block of Sun Way on behalf of Believers Church. (PZ19-0019)

Time Estimate:

Five (5) minutes for Staff and Applicant Presentation; Five (5) to (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:

N/A

Regulatory Impact:

NA

History:

Per City and County records the property has been utilized for agricultural uses and has not been developed.

Analysis:

This is a request to allow a Religious Facility on property located at the southwest portion of 1400 N block of Sunway. The subject property is located in the Suburban-Urban Interface (SUI) Zoning District.

The applicant is proposing a religious facility to be constructed in phases that will accommodate both family and youth programs. The primary religious facility and corresponding development is anticipated to utilize a maximum of six (6) acres.

The anticipated hours of the primary religious facility will be Sundays between 8:00 A.M. and 10:00 P.M. Other associated uses of the religious facility will be between 8:00 A.M. and 10:00 P.M. Monday through Saturday.

Staff notes that the site plan provided by the applicant does not meet all City Code regulations. The applicant will be expected to comply with City Standards during the Building Permit Review process.

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 a signed deferral agreement for the roadway improvements along Sunway Drive (N 2700 E).
3. Subject to dedication of right of way along Sunway Drive (N 2700 E).
4. Subject to Cheney Drive being constructed when any property within three hundred (300) feet of future Cheney Drive roadway is developed or utilized for non-agricultural purposes.

Attachments:

1. PZ19-0019 Staff Report
2. 1 - Vicinity Map
3. 2 - Narrative
4. 3 - Site Plan
5. 4 - Elevations
6. 5 - Photos
7. PZ19-0019 Schubert Ranch letter
8. Shubert Ranch Fence Clarification Letter



Comprehensive Staff Report

To: Planning & Zoning Commission
 Presenter: Brock Cherry, City Planner
 Request: A **Special Use Permit** to allow a Religious Facility on property located at the southwest portion of 1400 N block of Sunway.

Application: PZ19-0019

Applicant & Representative:

Believers Church

100 E. Avenue D.

Jerome, Idaho 83338

208-404-1737

clay@believerschurchidaho.com

Public Hearing: April 9th 2019

Analysis

This is a request to allow a Religious Facility on property located at the southwest portion of 1400 N block of Sunway. The subject property is located in the Suburban-Urban Interface (SUI) Zoning District.

The applicant is proposing a religious facility to be constructed in phases that will accommodate both family and youth programs. The primary religious facility and corresponding development is anticipated to utilize a maximum of six (6) acres.

The anticipated hours of the primary religious facility will be Sundays between 8:00 A.M. and 10:00 P.M. Other associated uses of the religious facility will be between 8:00 A.M. and 10:00 P.M. Monday through Saturday.

Staff notes that the site plan provided by the applicant does not meet all City Code regulations. The applicant will be expected to comply with City Standards during the Building Permit Review process.

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 property has been utilized for agricultural uses and has not been developed upon.

Applicable Regulations or Codes

Per City Code 10-4-2, a special use permit is required to allow the "Religious Facility" use in the SUI Zone.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Rural Residential". The Rural Residential area is designed to provide a transition from agricultural land located on the outskirts of the City.

Site design in the Rural Residential area should integrate agricultural and open spaces. Being that the applicant is developing in phases and the entirety of the property is not being developed Staff believes that the applicants requests satisfies the "Rural Residential" designation.

Per the 2009 Master Transportation Plan the adjacent roadway (Sunway Drive) is an arterial roadway. Staff believes that the current transportation infrastructure will accommodate the requested use.

Therefore, staff has determined this request is in compliance with City Master Plans.

Potential Impacts

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

Public Hearing: April 9th 2019

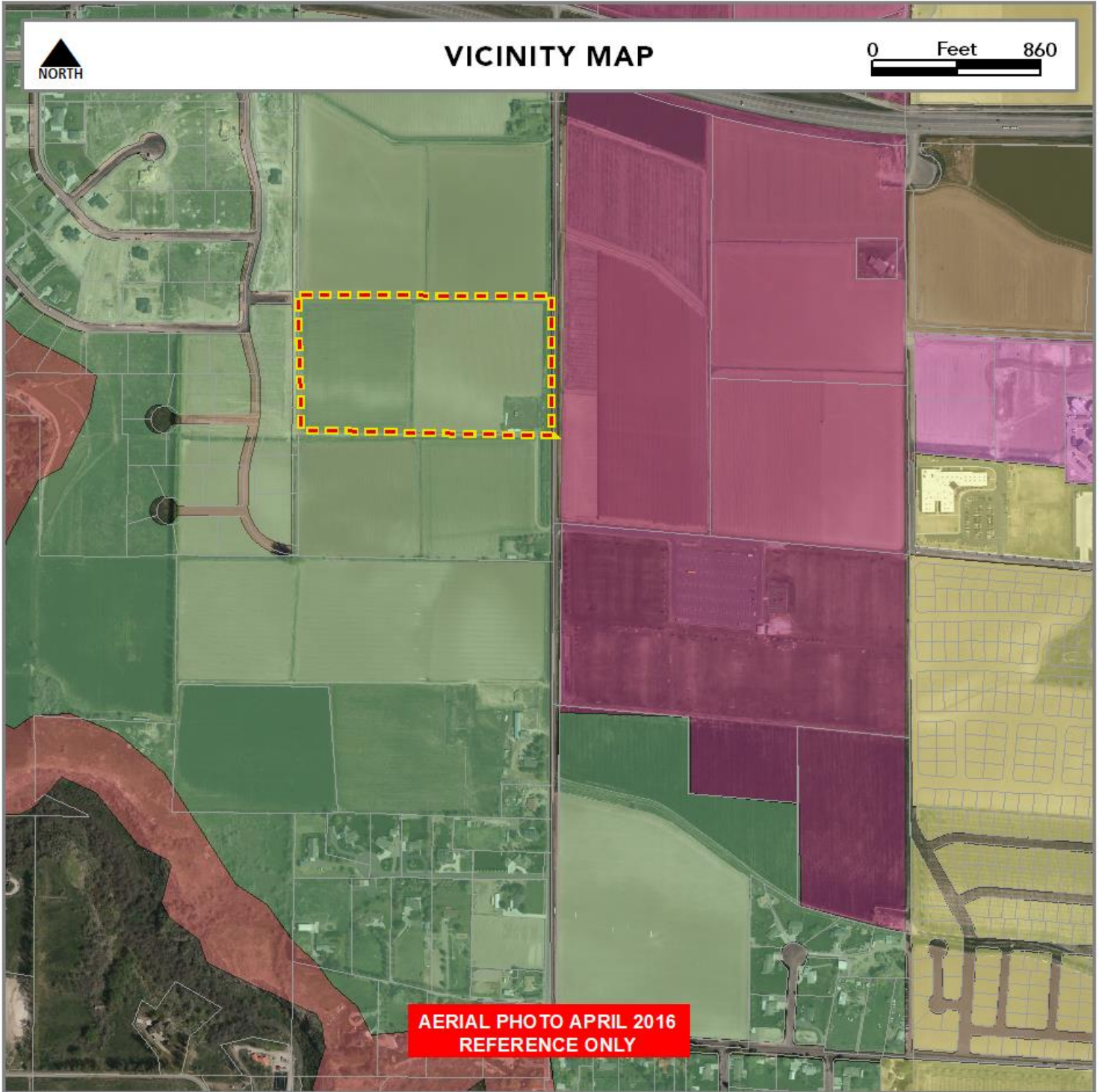
Conclusion

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 a signed deferral agreement for the roadway improvements along Sunway Drive (N 2700 E).
3. Subject to dedication of right of way along Sunway Drive (N 2700 E).
4. Subject to Cheney Drive being constructed when adjacent property is developed.

Attachments

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



C-1	R-2
OS	R-6
R-1 VAR	SUI

Current Zoning: SUI	Existing Land Use: Vacant
Comprehensive Plan: Rural Residential	Proposed Land Use: Religious Facility
Surrounding Zoning Designations & Land Use(s)	
North: SUI, Agricultural	East: R-1 VAR, Agricultural
South: SUI, Residential - Agricultural	West: SUI, Residential
Applicable Regulations	
10-1-4, 10-1-5, 10-4-2, 10-7-12, 10-10-11, 10-11-1 thru 8, 10-13	

REASON FOR REQUEST

The reason is to allow a phased construction of a church and related church family and youth programs. The church will be on a portion of a 20+ acre parcel to be owned by the Believers Church. The Church and supporting faculties will utilize a maximum of 6 acres. The balance of the land will be utilized for residential uses developed to zoning standards when developed.

Hours of Use

The primary use as a worship facility will be on Sundays between 8:00 am and 10:00 pm. All other uses will be between 8:00 am and 10:00 pm, Monday thru Saturday.

Traffic

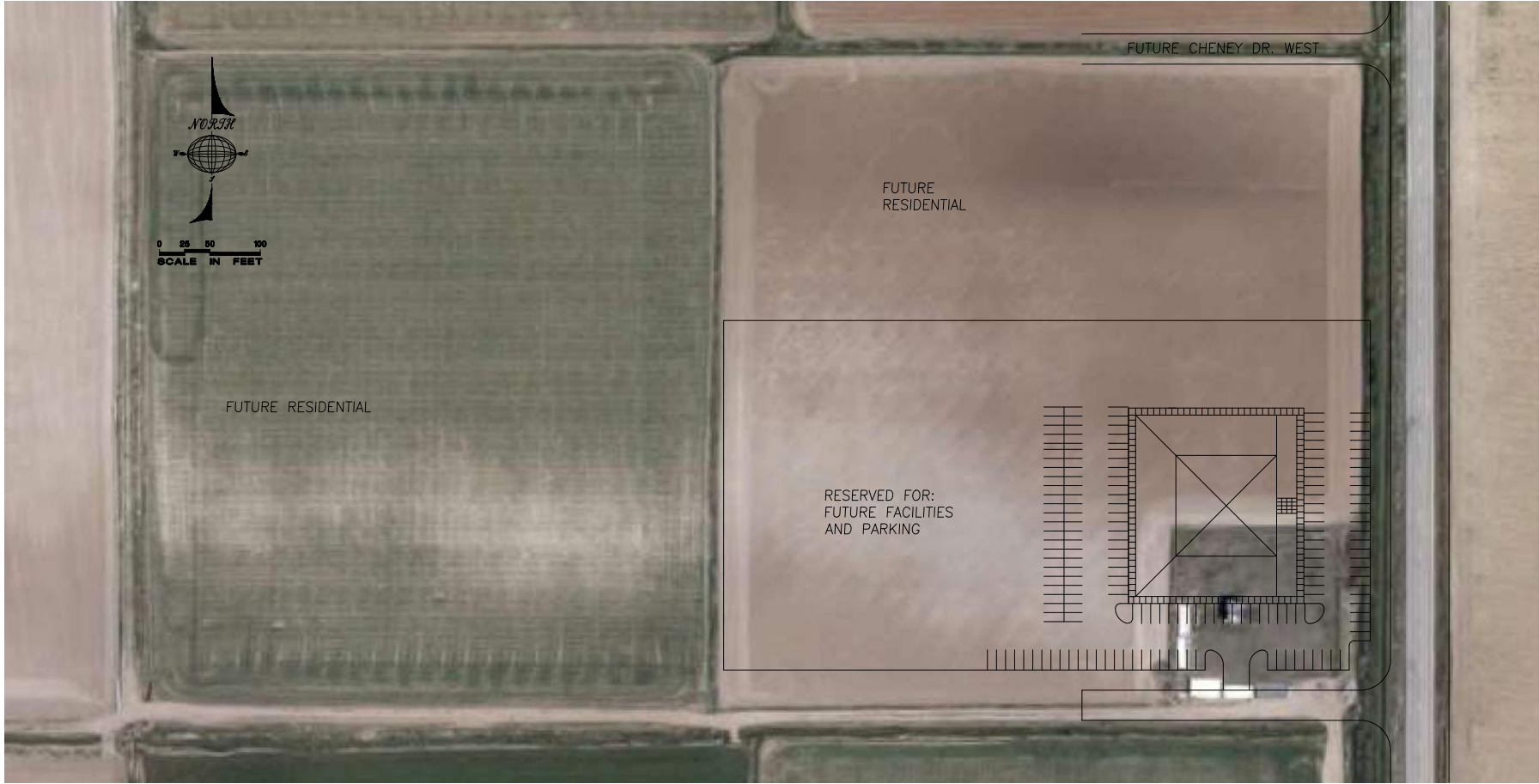
Traffic generated will be limited to those attending church services and other church related events.

Employees

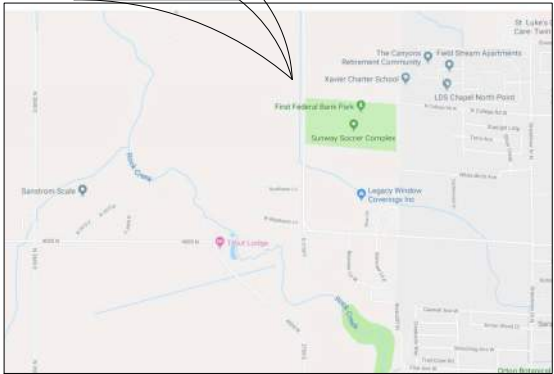
Total number of full time employees will be 3. Additional services may be provided by church members on as need basis.

Impact on Adjacent Property

The church operation will created no odors, glare, noise, fumes, vibrations or other negative impacts to adjacent properties. The use will be compatible with surrounding uses.



PROJECT LOCATION



SITE PLAN
for
BELIEVERS CHURCH
TWIN FALLS, IDAHO

DO NOT SCALE DRAWINGS
CONTRACTOR SHALL VERIFY ALL
CONDITIONS AND DIMENSIONS AT
THE JOB SITE AND NOTIFY THE
ENGINEER OF ANY DISCREPANCIES,
ERRORS, OMISSIONS, OR DIS-
CREPANCIES BEFORE BEGINNING
OR FABRICATING ANY WORK.

STAMP

APPROVED	G. MARTENS
DESIGN	G. MARTENS
DRAWN	C. STOCKTON
DATE	3/21/2019
SCALE	AS SHOWN
DWG. NO.	LAYOUT
SHEET	







Clay Ramirez
Lead Pastor
Believers Church
208-293-8740
clay@believerschurchidaho.com



SE Corner looking NW



NW Corner looking SW

March 30, 2019

CITY OF TWIN FALLS
Planning & Zoning Department
203 Main Avenue East
P.O. Box 1907
Twin Falls, ID 83301-1907

RE: Believers Church
(app. PZ19-0019)

As owners of property adjacent to the Believers Church's request to allow a Religious Facility on property immediately south of our farm, we ask that the following issues be addressed by the Commission during the Special Use Permit request process.

In addition to the usual considerations for an "assembly use" development—number and type of structures and their intended purposes both initially and in future phases; potential commercial enterprises that may take place on the property; noise and crowd control for potential outdoor activities—the following two concerns are particular to our current long-time farming operation:

- Fencing be provided by Subject Property Owner along the approximately one-quarter (1/4) mile northern boundary of the subject property to assure safety and to prevent construction debris, foot traffic and trash from blowing/crossing onto our farmland.
- A "nuisance" clause be incorporated in the permit's conditions stating that common and ordinary farming practices on Schubert Ranch LLC farmground—including but not limited to plowing, planting, irrigating, threshing, harvesting, hauling, manure spreading, chemical application, weed burning and grazing of animals—NOT be considered NUISANCES that we or our agents must ameliorate or assume liability for.

We urge you to consider the issues listed above and the impacts on current long-time agricultural uses/practices that may be created by potential development of surrounding properties.

Respectfully,

Sherry Schubert McAllister

Schubert Ranch LLC

Sherry Schubert McAllister, Manager

1651 Sunway Dr. N.

Twin Falls, ID 83301

208-736-2050

From: Sherry McAllister <mcallistersh@yahoo.com>
Sent: Tuesday, April 2, 2019 11:11 AM
To: Brock Cherry <BCherry@tfid.org>
Subject: Believers Church request

City of Twin Falls

Planning & Zoning Department

Re: Believers Church (app. PZ19-0019)

Pursuant to your request for a fencing recommendation for the Believers Church request for a Special Use Permit bordering Schubert Ranch LLC property, I attach the following photos, two of which are from a property in close proximity to the Subject Property--Sunway Soccer Complex--and a third, along the property line between the two properties in question.

#100-4869 shows existing Soccer Field fencing along its eastern boundary. Posts are 10 feet apart to which 2in X4in patterned wire is attached. One can see farmland on the left of the fence and the soccer field is on the right. The fence stands approx. 4 feet high.

.

#100-4870 is a closup of the fencing material. The view is from inside the Soccer Field through the fence across adjacent farmland bounded by a subdivision.

#100-4867 shows Twin Falls Canal Co. Lateral 38 with two headgates, one for Subject Property and one for Schubert Ranch. The ditches running west from them define the boundary between Subject Property current farmland on the left and Schubert Ranch farmland on the right with a subdivision along the western boundary of the properties.

Schubert Ranch LLC believes that the soccer field situation makes a good comparison to our current situation and is a good example of the type of fencing adequate to promote the safety of large groups of varied ages. The hazards of a large canal might also be a consideration for fencing.

Respectfully,

Schubert Ranch LLC

Sherry Schubert McAllister, Manager



#100-4869

#100-4869 shows existing Soccer Field fencing along its eastern boundary. Posts are 10 feet apart to which 2in X4in patterned wire is attached. One can see farmland on the left of the fence and the soccer field is on the right. The fence stands approx. 4 feet high.



#100-4870

#100-4870 is a closeup of the fencing material. The view is from inside the Soccer Field through the fence across adjacent farmland bounded by a subdivision.



#100-4867

#100-4867 shows Twin Falls Canal Co. Lateral 38 with two headgates, one for Subject Property and one for Schubert Ranch. The ditches running west from them define the boundary between Subject Property current farmland on the left and Schubert Ranch farmland on the right with a subdivision along the western boundary of the properties.



Date: Tuesday, April 9, 2019
To: Planning and Zoning Commission
From: Brock Cherry, Planner, City Planner

ACTION ITEM

Request:

Request for a Special Use Permit to allow Dog Grooming and/or kennels on property located at 314 2nd Avenue E on behalf of Jay and Shelly Fort. (PZ19-0020)

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:

N/A

Regulatory Impact:

NA

History:

Per City and County records the primary building on the subject property was built in 1963. The subject property was most recently operated as a retail smoke shop and market.

Analysis:

This is a request to allow a dog grooming and/or kennels service on property located at 314 2nd Avenue East. The subject property is located in the Commercial Business (C-B) and P-1 Parking Overlay Districts.

The applicant intends to provide dog grooming services including bathing, brushing, hair trimming, and nail trimming. The intended hours will be Monday through Friday 7:30 A.M. to 6:00 P.M. and Saturdays 8:00 A.M to 5:00 P.M. It is anticipated that services will be provided for ten (10) to thirty (30) customers per day. There will be three (3) employees on site with the potential to have five (5) employees total.

The applicant has stated in their narrative that they will provide approximately nine (9) parking spaces with both off and on street options.

Staff has determined that the request meets both City Code and Comprehensive Plan requirements.

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 PZ19-0020
2. 1 - Vicinity Map
3. 2 - Narrative
4. 3 - Site Plan
5. 4 - Photos



Comprehensive Staff Report

To: Planning & Zoning Commission
Presenter: Brock Cherry, City Planner
Request: A **Special Use Permit** to allow a dog grooming and/or kennels service on property located at 314 2nd Avenue East.
Application: PZ19-0020
Applicant & Representative:
Jay & Shelly Fort
310 2nd Avenue East
Twin Falls, ID 83301
208-733-0674
jayfort@cableone.net

Public Hearing: April 9th, 2018

Analysis

This is a request to allow a dog grooming and/or kennels service on property located at 314 2nd Avenue East. The subject property is located in the Commercial Business (C-B) and P-1 Parking Overlay Districts.

The applicant intends to provide dog grooming services including bathing, brushing, hair trimming, and nail trimming. The intended hours will be Monday through Friday 7:30 A.M. to 6:00 P.M. and Saturdays 8:00 A.M. to 5:00 P.M. It is anticipated that services will be provided for ten (10) to thirty (30) customers per day. There will be three (3) employees on site with the potential to have five (5) employees total.

The applicant has stated in their narrative that they will provide approximately nine (9) spaces with both off and on street parking options.

Staff has determined that the request meets both City Code and Comprehensive Plan requirements.

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 building on the subject property was built in 1963. The subject property was most recently operated as a retail smoke shop and market.

Applicable Regulations or Codes

Per City Code 10-4-7, A special use permit is required to operate a dog grooming and/or kennels service within the C-B Zoning District.

Per City Code 10-10-12, No off street parking is required for outright permitted uses. Additional off street parking may be required through the

special use permit process by the Planning & Zoning Commission.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Downtown". The "Downtown" designation is meant to provide a diverse mix of retail, services, and entertainment. Staff determines that the proposed use meets the "Downtown" designation.

Per the 2009 Master Transportation plan the subject property is adjacent to local roadways (2nd Avenue and Idaho Street) which Staff anticipates will effectively accommodate the requested use.

Potential Impacts

The applicant and staff do not anticipate a significant increase of detrimental impacts from this request on the surrounding properties being that dog grooming operations will be indoors.

Public Hearing: April 9th, 2018

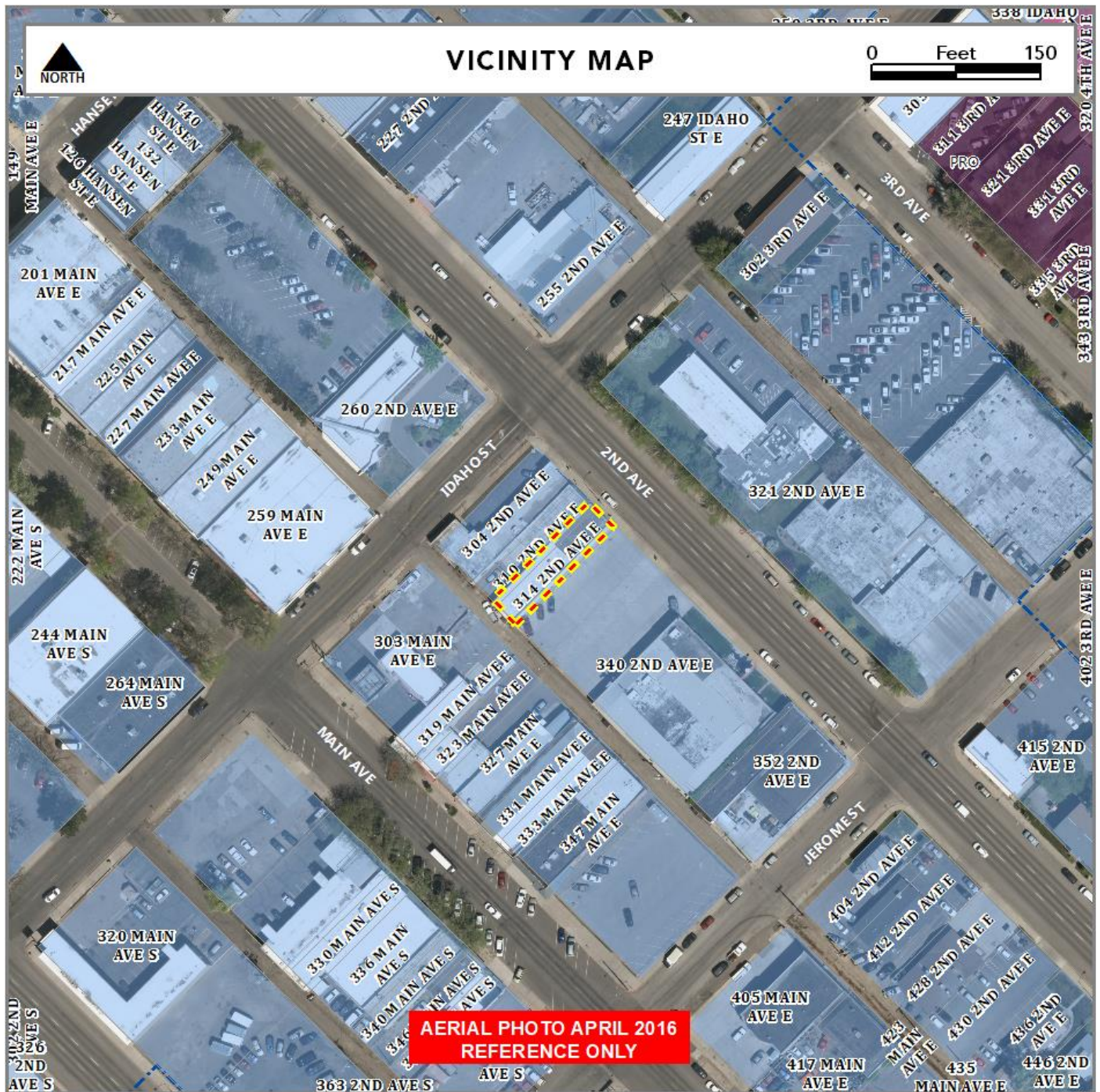
Conclusion

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



	P1 Overlay		R-6	Current Zoning: C-B	Existing Land Use: Retail
	PRO			Comprehensive Plan: Downtown	Proposed Land Use: Dog Grooming and/or Kennels Service
	C-B			Surrounding Zoning Designations & Land Use(s)	
				Northeast: 2 nd Avenue East	Northwest: C-B, Retail
				Southeast: Off Street Parking Lot	Southwest: C-B, Off Street Parking & Fuel Station
				Applicable Regulations	
				10-1-4, 10-1-5, 10-4-7, 10-7-12, 10-10-12, 10-11-1 thru 8, 10-13	

Special Use Permit Application:

Dapper Doggy Day Spaw & Boutique

Jay & Shelly Fort (Magic Valley Blinds, LLC)

314 2nd Ave E

Twin Falls, ID 83301

We are requesting a Special Use Permit to open and run a dog grooming business at 314 2nd Ave E.

We currently own The Blind Store next door to that address at 310 2nd Ave E.

Our daughter is a certified dog groomer and has a dog grooming business (Dapper Doggies By Stephanie) that she operates out of A Box of Barks at 456 Madrin Street in Twin Falls.

Since the store next to us closed we started looking into the option of moving our daughter to this location to continue her operation and grow the business.

This would allow us to assist in running and growing the business as well as get her closer to her son that currently spends the days with us while she is working.

We are planning on offering all dog grooming services, including bathing & drying, brushing, hair trimming & styling, & nail trimming.

We are planning on our hours of operation to be:

Sunday – Closed

Monday – Friday: 7:30 am to 6 pm

Saturday: 8 am to 5pm

We expect customer traffic to be between 10 and 30 people a day as we grow the business.

We will start with just our daughter and us, but expect to grow the business to approximately 5 employees (including us and our daughter).

This location is perfect for us since it is next door to our existing business and the only other businesses that would have any potential impact is the landlord and Magic Bowl that is across their parking lot from this building.

It is surrounded by:

1. 2nd Ave E - Front
2. Magic Bowl Parking Lot – South/East
3. Alternative Stone – Back of the same building (landlords business)
4. The Blind Store – North/West

The only potential issues that would come from this type of business is:

1. Noise from dog barking – only the landlord and us are close enough for this to be a concern
2. Odor – Wet dog and dog feces and urine:
 - a. Since the openings are in the front (2nd Ave) and back (landlords business) this would not be an issue for anyone else.
 - b. The dogs are quickly dried, and the shampoo used gives them a nice scent so the wet dog odor is very minor and short time.
 - c. Most dogs are only with us for the duration of the bathing and grooming so accidents are minimal although they do happen.
 - d. Standard operation is to thoroughly clean up and disinfect after any accidents so odor is minimized.
3. Parking – For our parking plan, we have enough space behind our existing business (The Blind Store) to park up to 6 vehicles. This is more than enough for us and our employees. There are 3 spaces in front of the buildings to handle customer flow plus additional on street parking up the street. Our expected traffic flow is low compared to most business and they tend to space out arrival and pick up times based on their dogs grooming appointment times. – We also are negotiating with Magic Bowl to have use of a portion of their parking lot if needed. Their business hours of operation are different from ours so we can effectively share the space.
4. In reviewing the location and permitted business in this central business zone, we decided to move forward with this request since dog grooming is a business type that can be allowed but requires a special use permit, and there are multiple instances of a special use permit issued for this type of business within the central business zoned areas.

We would like to thank the planning and zoning commission for their time and for their consideration of our request.

Respectfully,



Jay & Shelly Fort

2nd Avenue East

North

No Parking Area

Street Parking

Sidewalk

25' Front Door

(Proposed)
Dapper
Doggy
Day
Spaw
&
Boutique
(Leased
Space
24' x 57')

M
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N
G

Vacant
Office

The
Blind
Store

Rented
Office

The
Blind
Store
Parking

Alternative
Stone
(Property
Owner's
Business)

Rented
Office

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1
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5
ft

Alley

Property Owner
Martin Serrano
1405 Clearwater Way
Twin Falls, ID 83301
208-948-0918

Dapper Doggy Day Spaw Site Plan Scale: 1 3/8" = 25'



Front Facade of Subject Property