



Twin Falls Planning & Zoning Commission Agenda

Tuesday, June 27, 2017, 6:00 PM

City Council Chambers
305 3rd Ave E
Twin Falls, ID 83301

Members -

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

Area of Impact: Ryan Higley, Steve Woods

- 1) Confirmation of Quorum/Call Meeting to Order
- 2) Consent Calendar
 - a) Approval of Minutes from the following meeting(s): June 13, 2017 PH
 - b) Approval of Findings of Fact and Conclusions of Law:
 - Ricki Lezamiz Commercial Subd (Pre-plat 06-13-17)
 - Zernickow, Jon (SUP 06-13-17)
 - Willie, Dan (SUP 06-13-17)
- 3) Items of Consideration
 - a) Request to consider the **Preliminary Plat** for TF Caswell Subdivision, approximately.09 (+/-) acres consisting of 2 lots located at 687 Blue Lakes Boulevard North c/o Harper-Leavitt Engineer, Inc..
 - b) Request to consider the **preliminary plat** for Sundance Subdivision, a PUD, consisting of 447 lots 5 tracts and 117.42 (+/-) acres located on the south side of 3600 North Road and west side of Blue Lakes Boulevard South. c/o EHM Engineers, Inc.
- 4) Public Hearings
 - a) Request for a **Special Use Permit** to construct a 3600 sq. ft. detached accessory building for personal residential use on property located at 1983 Brook Stone Drive in the City's Area of Impact. c/o Gary & Andrea Stahlecker (app. 2872)
 - b) Request for a **Special Use Permit** to operate a dance and music education studio as an indoor recreation facility with unlimited hours of operation-sleep overs on property located at 333-B Main Ave E. c/o Stephanie Johnson dba Ovation Performing Arts, LLC (app. 2873)
 - c) Request for a **Special Use Permit** to establish a dog & cat grooming/kennel business as a "Pet Resort" on property located at 304 4th Avenue West. Timothy Gardiner c/o Colby Ricks (app 2874)
 - d) Request for a **Special Use Permit** to construct a 1540 +/- sq. ft. detached accessory building for residential use on property located at 238 Fillmore Street. c/o David & Deborah Butler. (app 2875)

- e) Request for a **Special Use Permit** to expand by more than 25% an existing auto repair business on property located at 490 Washington Street South. Blue Lakes Auto Repair c/o Kevin Powers (app.2876)
- 5) General Input Public/Commission/Staff
- 6) Upcoming Meeting(s)
 - July 5, 2017 Work Session
 - July 11, 2017 Public Hearing
- 7) Adjournment

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Lisa A. Strickland (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 public meeting, the Chairman shall review the public hearing procedures, confirm a quorum is present and introduce staff present.
2. Individuals wishing to testify or speak before the Commission shall wait to be recognized by the Chairman, approach the microphone/podium, state their name, then commence with their comments. Following their statements, they shall write their name on the Sign-In record sheet(s) located on a separate table near the entrance of the chambers. The administrative assistant shall make an audio recording of each public meeting.
3. **The Applicant, or the spokesperson for the Applicant, shall make a presentation** on the application/request. No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing – WHICH IS A MINIMUM OF 15 DAYS PRIOR TO PUBLIC HEARING. **The applicant's presentation should include the following:**
 - A complete explanation and description of the request.
 - Why the request is being made.
 - Location of the Property.
 - Impacts on the surrounding properties and efforts to mitigate those impacts.

The Applicant is limited to 15 minutes, unless a written request for additional time is received and granted by the Chairman prior to commencement of the public meeting.

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

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



Twin Falls Planning & Zoning Commission Minutes

Tuesday, June 13, 2017, 6:00 PM

City Council Chambers
305 3rd Ave E
Twin Falls, ID 83301

Members -

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

Area of Impact: Ryan Higley, Steve Woods

1) Confirmation of Quorum/Call Meeting to Order

Commission Members Present: Frank, Dawson, Hall, Musser, Woods, Higley

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

2) Consent Calendar

a) Approval of minutes for the following meeting: May 23, 2017 PH

b) Findings of Fact Conclusions of Law:

Morning Sun Subd No. 10 (pre-plat 05-23-17)

Acorn Learning Center (SUP 05-23-17)

Port, Angie (SUP 05-23-17)

Motion:

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

Commissioner Higley seconded the motion. All members present voted in favor of the motion.

3) Items of Consideration

a) Request for consideration of the Ricki Lezamiz Commercial Subdivision **Preliminary Plat** consisting of 1.58 (+/-) acres and 2 lots located at the NW corner of Kimberly Road and Aspenwood Drive. c/o Sid Lezamiz on behalf of Ricki Lezamiz

Applicant Presentation:

Sid Lezamiz, the applicant stated he is here to request approval of a preliminary plat that is located at 2441 Kimberly Road. The intent is to create two lots. By platting this property it will allow each lot to be sold separately.

Staff Presentation:

Planner I O'Connor reviewed the request on the overhead and stated this request is part of the Phillips Commercial Subdivision recorded in 1994. Before 1994, it was used agriculturally according to historical aerial imagery. Mueller Auto received multiple SUP's to establish a Car Dealership and display pads – there was no auto repair onsite. In April 2016, an SUP was

granted to Sid Lezamiz to allow Auto Service/Repair on the northern portion of this lot, subject to conditions, see attached exhibit. The SUP has expired, however, as per Title 10; Chapter 13; Section 2.2(l) the applicant may ask the Commission to “re-establish” Special Use Permit #1391, as approved.

This is a request for preliminary plat of the Ricki Lezamiz Commercial Subdivision, a 1.567 +/- acre 2 lot commercial subdivision. The property is zoned C-1; Commercial. This request is to re-subdivide Lot 1 Block 2 of the Phillips Commercial Subdivision into two lots. This allows the ability to sell one or both of the lots to separate owners.

This is the first step of the plat approval process. A preliminary plat is presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

The plat is consistent with other subdivision development criteria in the area and is in conformance with the Comprehensive Plan, which designates this area as “Commercial.” Light to intense commercial uses are appropriate for this future land use designation.

Planner I O’Connor stated upon conclusion should the Commission approve the preliminary plat of the Ricki Lezamiz Commercial Subdivision, as presented, and subject to the following conditions:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable city code requirements and standards.

PZ Questions/Comments:

Commissioner Woods asked about the previous Special Use Permit for the lot and if the conditions apply to the plat. He wants to make sure the neighbors are still protected.

Planner I O’Connor explained the Special Use Permit is expired, if the applicant or someone else wants to construct the same building in the future on this lot for the same purpose they would have to come back through to re-activate the Special Use Permit.

Public Hearing: Opened & Closed

Deliberations Followed:

Commissioner Woods asked for more clarification.

Commissioner Frank explained the previous request for a different applicant for a specific use. This is a different application to plat the property. If this goes through and a use comes up on the property that requires a Special Use Permit the person will have to come back through for the Commission to review.

Commissioner Woods asked what the use was that came through for the Special Use Permit.

Planner I O'Connor explained that the SUP has expired and it was to construct an automobile service and repair business. It is currently in-active and if someone wants to operate an automobile service and repair at this location they will have to come back through for re-activation of the Special Use Permit and those conditions will have to be met.

Motion:

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

Approved, As Presented, With the Following Recommendations

1. Subject to final technical review and amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable city code requirements and standards.
- b) Request for consideration of the TF Caswell Subdivision **Preliminary Plat** consisting of .97 (+/-) acres and 2 lots located at 687 Blue Lakes Boulevard North c/o HLE, Inc.

WITHDRAWN-RESCHEDULED FOR JUNE 27,2016 P&Z PH

4) Public Hearings

- a) Request for the **Commission's recommendation on the Zoning Designation** for approximately 10.07 (+/-) acres proposed to be **Annexed** with a zoning designation of R-6 CRO; Residential; Multi Household District with a portion within the Canyon Rim Overlay District, currently zoned R-1 VAR CRO; Residential; Single Household District, on property located east of Harrison Street and north of Canyon Falls Drive extended aka 647 Pole Line Road East. c/o Rob Struthers on behalf of Susan & Katherine Breckenridge (app. 2865)

Applicant Presentation:

Katie Breckenridge, the applicant, stated they are here on behalf of her sister Susan Breckenridge to ask for an annexation and zoning change. This property has been farmed since 1905 by her family. A large portion of the farm was gifted to CSI many years ago and the property shown on the overhead is what is left of the original farmland. She provided a reviewed a copy of the easement and access agreement between the City of Twin Falls, Twin Falls Canal Company, Idaho Department of Transportation and herself. She displayed on the overhead a legal description of the bike path. The entrances were to be completed by the Idaho Department of Transportation. They have completed a conveyance plat to divide the property shown on the overhead and he sister wants to annex her portion so that she can sale it. Her sister lives in Santa Fe, New Mexico and does not want to return to Twin Falls. They are asking during the annexation process that the property be rezoned to R-6.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated the Commission hearing shall not consider comments on annexation and shall be limited to

the proposed development plan and zoning changes. Currently Parcel 1; 9.75 (+/-) acre lot, is zoned R-1 VAR CRO which is an area that could be served by City water and sewer services.

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Mixed Use." Mixed Use is a very broad category and encompasses an extensive list of land uses. However, Mixed Use areas are characteristically, pedestrian friendly, in that they provide that range of use while keeping the scale of development, human friendly. The requested rezone to R-6 fits the mixed-use designation since it encourages a more dense residential development, usually 10-20 dwelling units/acre, while surrounded by commercial zoning. Staff has determined the rezone request complies with the 2016 comprehensive plan.

Currently there are not any development plans for this property. The property is a conveyance plat which means that not development can occur until the property has been platted. There is also a portion on the north end of the property that is located within the Canyon Rim Overlay which would require a Zoning Development Agreement (ZDA). With both a preliminary plat and a potential ZDA process required for development of this property there will be multiple public meetings and opportunities for the Commission as well as the public to see what the plans are for development.

Senior Planner Spendlove stated upon conclusion should the Commission find the R-6 CRO Zoning Designation appropriate, as presented, they should forward a positive recommendation to the City Council.

PZ Questions/Comments:

Commissioner Higley asked for clarification on the density.

Senior Planner Spendlove explained the R-6 zone would allow for apartments 5 units or more but without a proposed development plan it is very difficult to give an exact number of units allowed. The Comprehensive Plan recommends usually 10-20 dwelling units per acre. He reviewed the allowed density for R-6 and R-4 on the overhead.

Zoning & Development Manager Carraway-Johnson explained a lot of communities have in their code the density per acre. The City of Twin Falls does not because we allow review by development, which allows for versatility in design.

Senior Planner Spendlove explained the minimum lots sizes for both zoning districts for single family, duplex, up to four-plex and multi-family.

Commissioner Higley stated that he is struggling with changing from R-1 VAR to the R-6 density especially with the access issues.

Commissioner Musser asked if the R-6 is how the property has to be developed or could it be developed using the R-4 or R-2 standards.

Senior Planner Spendlove explained that is correct.

Public Hearing: Opened

Senior Planner Spendlove read into the record a letter submitted by a citizen that has been filed in the application packet.

Tom Tucker, 822 Canyon Park Avenue, stated he would like for the area to be developed like

the Breckenridge Estates development. He used to live in Salt Lake City and had to monitor traffic reports to travel in that area, he was happy to move to Twin Falls to get away from the traffic issues. He asks that the area remain as it is.

Jim Stevens, 1881 Canyon Park Ct, representing the HOA for Breckenridge Estates No. 3, provided several petitions against this request. When he purchased his home he read the zoning designation for this property and had he known it was going to be rezoned to R-6 he wouldn't have purchased in this location. The R-6 zone is about apartments, he understands this area is designated as a mixed use on the Comprehensive Plan. The plan says that apartments can go in a mixed use area but it doesn't require that type of development. They love where they live, it is quiet, has minimal traffic except at certain times of the day. The two exits shown on this property is going to create a traffic congestion and noise issue. Please do not devastate the area by allowing for R-6 zoning designation.

Cindy Collins, 231 Riverview Dr, she stated that if you put all of the homes within Twin Falls between the size of 1400 and 4000 sq. ft. the same age as the homes in Breckenridge Estates sold for approximately \$111.83 per sq. ft. The homes in Breckenridge Estates sell for around \$133.46 per sq. ft. These prices are because of the quality of life this neighborhood provides, if the cost per sq. ft. is reduced to \$111.83 per sq. ft. that will have a \$4 million dollar impact on their area. She thinks a plan needs to be provided and the R-6 density is too high.

Annette Tucker, 822 Canyon Park Ave, provided petitions from neighbors against this request. Gerald Martens, property owner in Breckenridge Estates and Concept 91, explained this property needs to be developed, will be developed and should be developed. The concern is created by the unknown. The Breckenridge development required a master development plan, and that is what is lacking in this case. At an absolute minimum he thinks a ZDA should be required prior to a preliminary plat being submitted. Residential is an appropriate use because of the access available. A master development plan would answer a lot of questions.

Public Hearing: Closed

Deliberations Followed:

Ms. Breckenridge explained that she understands quality of life and she knows what this area looked like before all of the development. She also explained she has an obligation to her sister and at the same time wants to help the neighbors maintain a quality of life but she is not sure how to do both. She is willing to work with everyone to come up with an amicable solution.

Discussion Followed:

Commissioner Woods explained he would feel more comfortable with a plan.

Commissioner Higley explained he agrees, changing zoning density is a big deal an R-4 zoning is fairly dense and the lots in Breckenridge Estates are built on larger lots.

Commissioner Musser stated that without knowing who is going to buy it and develop the property it seems too early to ask for a plan. He also agreed the R-6 is probably too dense for this location.

Commissioner Frank asked for clarification on the recommendation process.

Senior Planner Spendlove explained the Commission is making a recommendation on the zoning designation.

City Attorney Wonderlich explained the Commission's responsibility is to make a recommendation on the zoning designation if it is annexed. The applicant can still proceed with their request, as presented. The City Council makes the final decision.

Commissioner Woods asked if the Commission can recommended a varied zoning designation as it moves from east to west or to ask for a ZDA

City Attorney Wonderlich explained he would not recommend that approach, and a ZDA requires a plan, without a plan there is no ZDA.

Commissioner Hall asked about the zoning designation for the Breckenridge Estates.

City Attorney Wonderlich explained the zoning for Breckenridge Estates is R-4.

Commissioner Higley explained it is zoned R-4 but was not built at that density.

Planner I O'Connor explained that the property in the CRO has to come through the ZDA process.

Senior Planner Spendlove explained the northern portion of the property would have to come through the ZDA process and if it is platted that will be seen by the Commission as well.

Commissioner Frank explained that he would suggest an R-4 and the does believe it will be developed at some point.

Commissioner Dawson agreed the R-4 matches it more.

Motion:

Commissioner Dawson made a motion to recommend an R-4 zoning designation to the City Council. Commissioner Musser seconded the motion. All members present voted in favor of the motion.

- b) Request for a **Special Use Permit** to construct a 4800 sq. ft. (+/-) detached accessory building on property located at 248 Pheasant Road. c/o EHM Engineers, Inc on behalf of Jon Zernickow (app. 2868)

Applicant Presentation:

Dave Thibault, EHM Engineers, Inc. representing the applicant explained that he is here to request a Special Use Permit to construct a detached accessory building east of the existing residence. The building will be used for personal storage and is larger than 1500 sq. ft.

Staff Presentation:

Planner I O'Connor reviewed the request on the overhead and stated this lot has been in agricultural use since at least 1950. Records indicate the s/f residence was built in 1959. The Residential developments to the South and East are part of the Golden Eagle Subdivision, which was recorded in the mid 2000's. The applicant purchased the property in November 2016.

On April 11th, this Commission forwarded a positive recommended to City Council for annexation of this 30 acre parcel with a zoning designation of R-4. City Council approved the annexation with the R-4 designation of the 30 +/- acres on May 8th. The ordinance has yet to be approved and published.

This is a request for a 4800 sf detached accessory building. The site is 30 +/- acres, zoned R-4

and is located at 248 Pheasant Road within the Area of Impact. Within the R-4 Zone a Special Use permit is required for any residential detached accessory building exceeding 1,000 sq. ft. in size. The applicant has stated this building will be used to store his RV's and other personal vehicles. Staff was also informed that the applicant is in the process of moving here, to oversee the construction of the proposed subdivision, which is in the preliminary review process, on the agricultural land surrounding this homestead. Staff has received an application to Plat the entire 30 acres. The "homestead" is shown on the proposed plat to remain a 2 +/- acre lot. However, as this plat is in the preliminary review process this request is shown on the entire 30 acre parcel.

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Town Neighborhood." Staff has determined this request complies with the 2016 comprehensive plan. The request is for personal residential use in a residential zone, and does not change the primary land use.

Per City Code 10-4-5.2(B)6a:

A Special Use Permit is required for a residential detached accessory building larger than 1,000 sq. ft. in the R-4 Zone.

Per City Code 10-11-1 thru 8:

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

The applicant does not believe there will be any additional impacts from this request as it will be for personal use, and it does not change the residential nature of the land. Staff does not anticipate an increase of negative impacts to this area with the approval of this request. Detached accessory buildings/garages are a common structure throughout the city, and though this request is for a larger sized building, if used as stated in the applicant's narrative, it will keep the applicant's personal RV's and other vehicles out of public view.

This detached accessory building is currently being constructed on 30 acres, however, this property is in the preliminary states of review for platting the 30 acre parcel into a residential subdivision. It does not appear the proposed location of the detached accessory building will cause detrimental impacts to current surrounding residences. Additionally, any future plat will not be approved which creates non-conforming buildings or structures.

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

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to personal residential use by the occupants of the home – no residential

- occupancy, business or commercial use within the detached accessory structure.
3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.

PZ Questions/Comments: None

Public Hearing: Opened & Closed

Deliberations Followed: Without Concerns

Motion:

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

- c) Request for a **Special Use Permit** to construct at 2520 sq. ft. (+/-) detached accessory building on property located at 4050 Canyon Ridge Drive. c/o EHM Engineers, Inc on behalf of Dan Willie (app. 2869)

Applicant Presentation:

Dave Thibault, EHM Engineers, Inc. representing the applicant explained that he is here to request a Special Use Permit to construct a detached accessory building. The building will be used for personal storage and is larger than 1500 sq. ft.

Staff Presentation:

Planner I O'Conner reviewed the request on the overheard and stated the proposed detached accessory building, if approved, will be constructed on a residential property consisting of three (3) parcel from Two (2) different Surveyed Plats, dating back to 1916 and 1977 respectively. The zoning was likely set in 1981 with the passage of Ordinance 2012, which set the zoning districts we currently use today.

This is a request to construct a 2,520 sq. ft. detached accessory building / garage. The site is 7.5 +/- acres, zoned SUI and is located at 4050 Canyon Ridge Dr within the Area of Impact. Within the SUI Zone a Special Use Permit is required for any residential detached accessory building exceeding 1,500 sf in size. The narrative states the applicant plans to use the building for RV storage with two parking bays and including drive through access, a shop, office space, an exercise room and a bathroom. The proposed detached accessory building, if approved, will be constructed on a residential property consisting of three (3) parcels from Two (2) different Surveyed Plats, dating back to 1916 and 1977 respectively. The elevations provided are residential in design and are intended to match the existing home. If the SUP is granted this evening, there should be a condition stating this detached accessory building shall remain a part of the existing residential property and may not be sold as a stand-alone structure.

Being that large accessory structures are common in this area, this request is appropriate for this zone.

Per City Code 10-4-2.2(B)6a:

A Special Use Permit is required for any accessory structure larger than 1,500 sq. ft. in the SUI Zone.

Per City Code 10-11-1 thru 8:

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

The applicant nor staff anticipate any negative impacts to the surrounding properties from this request.

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Rural Residential." Rural Residential is defined as having large lots with lots of open space providing a transition from heavy agriculture to low density residential. Staff has determined this request complies with the 2016 comprehensive plan.

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

1. Subject Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.
3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.
4. Subject to the detached accessory building remaining part of the existing residential property and may not be sold as a stand-alone residential detached accessory building.

PZ Questions/Comments: None

Public Hearing: Opened & Closed

Deliberations Followed: Without Concerns

Motion:

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

favor of the motion.

- d) Request for a **Special Use Permit** to establish a U-Haul Truck/Trailer rental business on property located at 677 Washington Street North. c/o Dan Chatterton on behalf of Joshua Evans (app. 2870) **WITHDRAWN BY APPLICANT**

5) General Input Public/Commission/Staff

6) Upcoming Meeting(s)

- a) June 27, 2017 Public Hearing
July 5, 2017 Work Session

7) Adjournment

Chairman Frank adjourned the meeting at 7:28 pm

Lisa A. Strickland, Administrative Assistant



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

In Re:)
)
Preliminary Plat Application,) FINDINGS OF FACT,
)
Ricki Lezamiz Commercial Subdivision) CONCLUSIONS OF LAW,
c/o Sid Lezamiz)
Applicant(s)) AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho at the **June 13, 2017** hearing for consideration of the preliminary plat of **Ricki Lezamiz Commercial Subdivision**, approximately **1.58 (+/-)** acres, to develop **2** lots located **NW corner of Kimberly Road and Aspenwood Drive aka 2441 Kimberly Road**, 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 requested approval of the preliminary plat of **Ricki Lezamiz Commercial Subdivision**, approximately **1.58 (+/-)** acres, to develop **2** lots located **NW corner of Kimberly Road and Aspenwood Drive aka 2441 Kimberly Road**

2. 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, **residential** ; to the south, **Kimberly Road/Cemetery**; to the east, **Commercial**; to the west, **Aspenwood/Commercial**

5. The City Engineering Office has reviewed the preliminary plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of

development. The developer will pay all costs of public improvements, including but not limited to streets, curb, gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

6. Any detrimental effects on the neighborhood would be ameliorated by observance of the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the Planning and Zoning Commission hereby makes the following

CONCLUSIONS OF LAW

1. The preliminary plat of the **Ricki Lezamiz Commercial** Subdivision, approximately **1.58 (+/-)** acres, to develop **2** lots located **NW corner of Kimberly Road and Aspenwood Drive aka 2441 Kimberly Road** is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water, sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The preliminary plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H) (2) (a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the Commission's attention, per Twin Falls City Code §10-12-2.3(H)(2)(e).

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

DECISION

The request for approval of the preliminary plat of **Ricki Lezamiz Commercial** Subdivision, approximately **1.58 (+/-)** acres, to develop **2** lots located **NW corner of Kimberly Road and Aspenwood Drive aka 2441 Kimberly Road** is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. 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.

CHAIRMAN-TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

1. **Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.**

DRAFT



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

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

SPECIAL USE PERMIT

Permit No.1434

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on **June 13, 2017** to **Jon Zernickow** whose address is **808 Norumbega Dr Monrovia, CA 91016** for the purpose of constructing a **4800 (+/-) sq. ft. detached accessory building on property located at 248 Pheasant Road** and legally described as **Sec 28 T 10 R 17 E 30A NW SW RP10S17E285400A**

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

This permit corresponds to Zoning Application No.2868

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.
3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.

CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

ADMINISTRATOR SIGNATURE

DATE

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

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

cc: Building Inspection



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

In Re:)
)
Special Use Permit, Application,) FINDINGS OF FACT,
)
) CONCLUSIONS OF LAW,
)
Jon Zernickow)
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 **June 13, 2017** for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of **constructing a 4800 (+/-) sq. ft. detached accessory building on property located at 248 Pheasant Road**, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit for the purpose of **constructing a 4800 (+/-) sq. ft. detached accessory building on property located at 248 Pheasant Road**
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: **May 29, 2017**
3. The property in question is zoned **R-4 (Aol)** 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, **Southwood Avenue/Residential**; to the east; **Residential**; and to the west, **Residential**.

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

CONCLUSIONS OF LAW

1. The application for a Special Use Permit for the purpose of **constructing a 4800 (+/-) sq. ft. detached accessory building on property located at 248 Pheasant Road** is consistent with the purpose of the **R-4 (AoI)** 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 **R-4 (Aol)** Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

11. The application for a Special Use Permit for the purpose of **constructing a 4800 (+/-) sq. ft. detached accessory building on property located at 248 Pheasant Road** should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

DECISION

1. The application for a Special Use Permit for the purpose of **constructing a 4800 (+/-) sq. ft. detached accessory building on property located at 248 Pheasant Road** is hereby granted, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

3. The Special Use Permit shall be issued, as presented.

CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

1. **Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.**
2. **Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.**
3. **Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.**

APPLICATION #2868
SUP# 1434



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

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

SPECIAL USE PERMIT

Permit No.1435

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on **June 13, 2017** to **Dan Willie** whose address is **4055 Canyon Ridge Drive Twin Falls, ID 83301** for the purpose of **construct at 2520 sq. ft. (+/-) detached accessory building on property located at 4050 Canyon Ridge Drive** and legally described as **Twin Falls Shoshone Falls Orchard Lt 16, Exc W 315.8' RPO7901000016C**

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

This permit corresponds to Zoning Application No.2869

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.
3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.
4. Subject to the detached accessory building remaining part of the existing residential property and may not be sold as a stand-alone residential detached accessory building.

CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

ADMINISTRATOR SIGNATURE

DATE

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

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

cc: Building Inspection



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

In Re:)
)
Special Use Permit, Application,) FINDINGS OF FACT,
)
) CONCLUSIONS OF LAW,
)
Dan Willie)
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 **June 13, 2017** for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of **construct at 2520 sq. ft. (+/-) detached accessory building on property located at 4050 Canyon Ridge 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 for the purpose of **construct at 2520 sq. ft. (+/-) detached accessory building on property located at 4050 Canyon Ridge Drive**
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: **May 29, 2017**
3. The property in question is zoned **SUI (Aol)** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Rural Residential** 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**.

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

CONCLUSIONS OF LAW

1. The application for a Special Use Permit for the purpose of **construct at 2520 sq. ft. (+/-) detached accessory building on property located at 4050 Canyon Ridge Drive** is consistent with the purpose of the **SUI (Aol)** 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 (Aol)** Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

11. The application for a Special Use Permit for the purpose of **construct at 2520 sq. ft. (+/-) detached accessory building on property located at 4050 Canyon Ridge 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 for the purpose of **construct at 2520 sq. ft. (+/-) detached accessory building on property located at 4050 Canyon Ridge 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 the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.
3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.
4. Subject to the detached accessory building remaining part of the existing residential property and may not be sold as a stand-alone residential detached accessory building.

APPLICATION #2869
SUP# 1435



Date: Tuesday, June 27, 2017
To: Planning and Zoning Commission
From: Steve O'Connor

Request:

Request to consider the **Preliminary Plat** for TF Caswell Subdivision, approximately .09 (+/-) acres consisting of 2 lots located at 687 Blue Lakes Boulevard North c/o Harper-Leavitt Engineer, Inc.

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: 0.97 +/- Acres
Jeff Likes ALC Architecture 1119 State Ste 120 Eagle, ID 83616 208.941.7261 Jeff@hleince.com	Current Zoning: C-1, Highway Commercial District	Requested Zoning: Preliminary Plat
	Comprehensive Plan: Mixed Use	Lot Count: 2 commercial Lots
	Existing Land Use: Commercial	Proposed Land Use: Preliminary Plat for Commercial Development
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: Caswell Ave; C-1; Retail Commercial, Fred Meyers	East: Blue Lakes Blvd N; C-1; Commercial
	South: C-1; Commercial, Centennial Square shopping center	West: C-1; Commercial, Centennial Square shopping center
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-11-1 thru 9, 10-12-1 through 4	

Approval Process:

As per Twin Falls City Code 10-12-2.3 Action on Preliminary Plat:

The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Commission. The action and the reasons for such action shall be stated in writing by the Administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the approved preliminary plat to the Council for its information and record.

Budget Impact:

As the request is for a Preliminary Plat, approval of this request will have negligible impact on the City budget.

Regulatory Impact:

Upon approval of a preliminary plat a final plat that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a

final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

History:

The Zoning history of this property is limited to Ordinance #2012, which established the districts we current enforce. The Polk directories indicate Intermountain Gas occupying the property as far back as 1965. Approximately 2 years ago, Intermountain Gas vacated the premises, the building was demolished and the new owner received a building permit to construct a restaurant on the corner. The wish to subdivide to allow another for commercial development.

Analysis:

The property is zoned C-1; Commercial Highway. This is a request to subdivide 0.97 acres +/- to allow for commercial development. The TF Caswell preliminary plat is for two (2) lots on this acreage. Currently a building exists on the northern portion of the property (proposed Lot 1). It is suspected the second lot will be sold and another building constructed.

This is the first step of the plat approval process. A preliminary plat is presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or wastewater services. The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Mixed Use." Mixed Use is a very broad category and encompasses an extensive list of land uses. However, Mixed Use areas are characteristically, pedestrian friendly, in that they provide that range of use while keeping the scale of development, human friendly. The requested Preliminary Plat meets the mixed-use designation since it encourages shared use parking and provides for infill development of a previously developed property.

Conclusion:

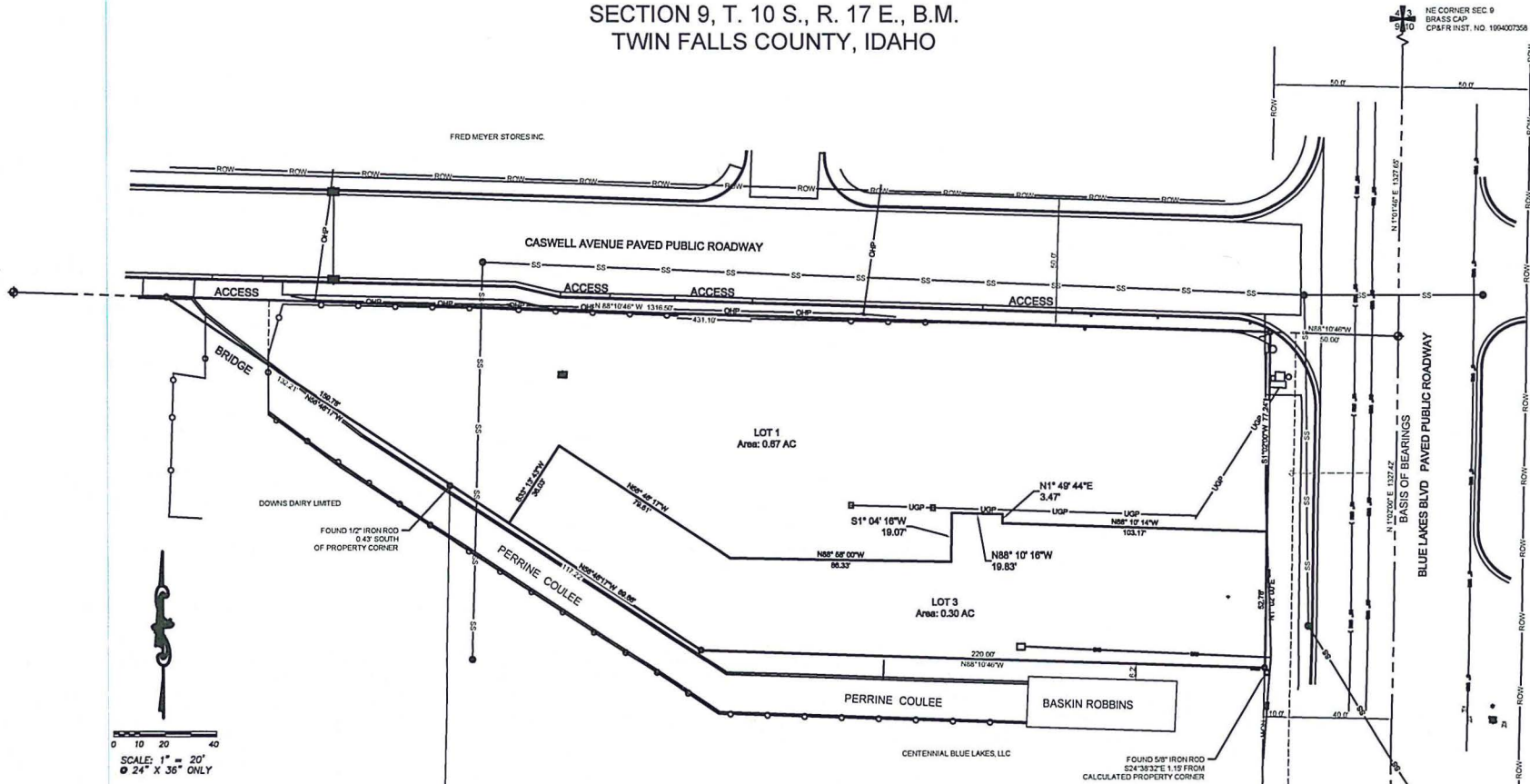
Staff recommends the commission approve the TF Caswell preliminary plat as presented, subject to the following condition:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

Attachments:

1. TF Caswell Attachments

TF CASWELL
PART OF THE SE 1/4 OF THE NE 1/4 OF
SECTION 9, T. 10 S., R. 17 E., B.M.
TWIN FALLS COUNTY, IDAHO



SCALE: 1" = 20'
 24" X 36" ONLY

VICINITY MAP

TITLE COMMITMENT INFORMATION

ALTA COMMITMENT FILE NO. 200408
 BY CHICAGO TITLE INSURANCE COMPANY
 EFFECTIVE DATE JULY 1, 2015 AT 7:30 AM

LEGEND

- SECTION CORNER CONTROL
- 1/16 Section Corner Control
- SET 1/2" IRON ROD WITH YELLOW PLASTIC CAP PLS 6350
- POUNCE 1/2" IRON ROD
- STORM DRAIN
- SANITARY SEWER MANHOLE
- WATER VALVE
- FIRE HYDRANT
- STORM DRAIN GRATE
- Underground Power
- Sanitary Sewer Line
- Natural Gas Line
- Chain Link Fence Line
- Storm Drain Line
- Overhead Power
- Water Line

LEGAL DESCRIPTION

SUBDIVISION BOUNDARY DESCRIPTION
 Part of SE 1/4 NE 1/4 Section 9, Township 10 South, Range 17 East, B.M., Twin Falls County, Idaho described as:
 Commencing at the NE corner of said SE 1/4 NE 1/4 point being 401'12"10"12" 1,327.42 feet from the E 1/4 of said Section thence along the north line of said SE 1/4 NE 1/4, N88°10'48"W 50.00 feet to the True Point of Beginning; Thence, S 01° 02' 00" W 130.00 feet; Thence, N 88° 10' 48" W 225.00 feet; Thence, N 58° 46' 17" W 249.43 feet; Thence S 88° 10' 48" E 431.10 feet to the POINT OF BEGINNING.

Parcel Contains 0.87 Acres

ABBREVIATIONS

P.O.B. = POINT OF BEGINNING
 B.M. = BENCH MARK
 (B) = RECORD DATA

SUBDIVISION INFORMATION

ADDRESS: 887 BLUE LAKES BLVD.
 TOTAL LOTS: 2
 AVERAGE SIZE: 0.87-0.30 ACRES
 TOTAL ACRES: 0.87 ACRES

OWNER / DEVELOPER

LATCO SO INC, A CALIFORNIA CORPORATION
 ROBERT LATIANO
 840 CALLE MODICA, STE 200
 SAN CLEMENTE, CALIFORNIA 92673
 949-785-2677

ENGINEERING/SURVEYING

HLE INC.
 600 WEST ADJACENT STREET
 BLACKFOOT, ID 83201
 (208) 345-1111
 LINDA JOLLEY, ENGINEER
 BRUCE D. JOLLEY, SURVEYOR

FLOOD PLANE INFORMATION

FLOOD ZONE CLASSIFICATION IS ZONE AO, PER COMMUNITY PANEL NO. 1808201870C WITH AN EFFECTIVE DATE OF SEPTEMBER 28, 2008.

CULINARY WATER

EACH LOT TO HAVE CULINARY WATER SERVICE FROM THE EXISTING CITY OF TWIN FALLS WATER SYSTEM.

SANITARY SEWER

LOTS TO HAVE SANITARY SEWER SERVICE FROM THE EXISTING TWIN FALLS SEWER SYSTEM.

ZONING

(C1) COMMERCIAL HIGHWAY

INTENDED USE

COMMERCIAL

SURVEYORS CERTIFICATE

I, Bryce D. Jolley, a Registered Professional Land Surveyor in the State of Idaho do hereby certify that this plan is an accurate representation of the survey completed by me or under my supervision.

Bryce D. Jolley, Surveyor License No. 5350
 Date: _____
 Bruce D. Jolley

LAND SURVEYING & DESIGN SERVICES
 800 W. Industrial Street • Blackfoot, Idaho 83201 • Office Phone: 208-762-7977 • Fax: 208-765-2999
 905 N. Capital Avenue • Idaho Falls, Idaho 83402 • Office Phone: 208-765-6212 • Fax: 208-765-0274
 405 LINDER STREET • FRUITLAND, IDAHO 83211 • Office Phone: 208-765-0274

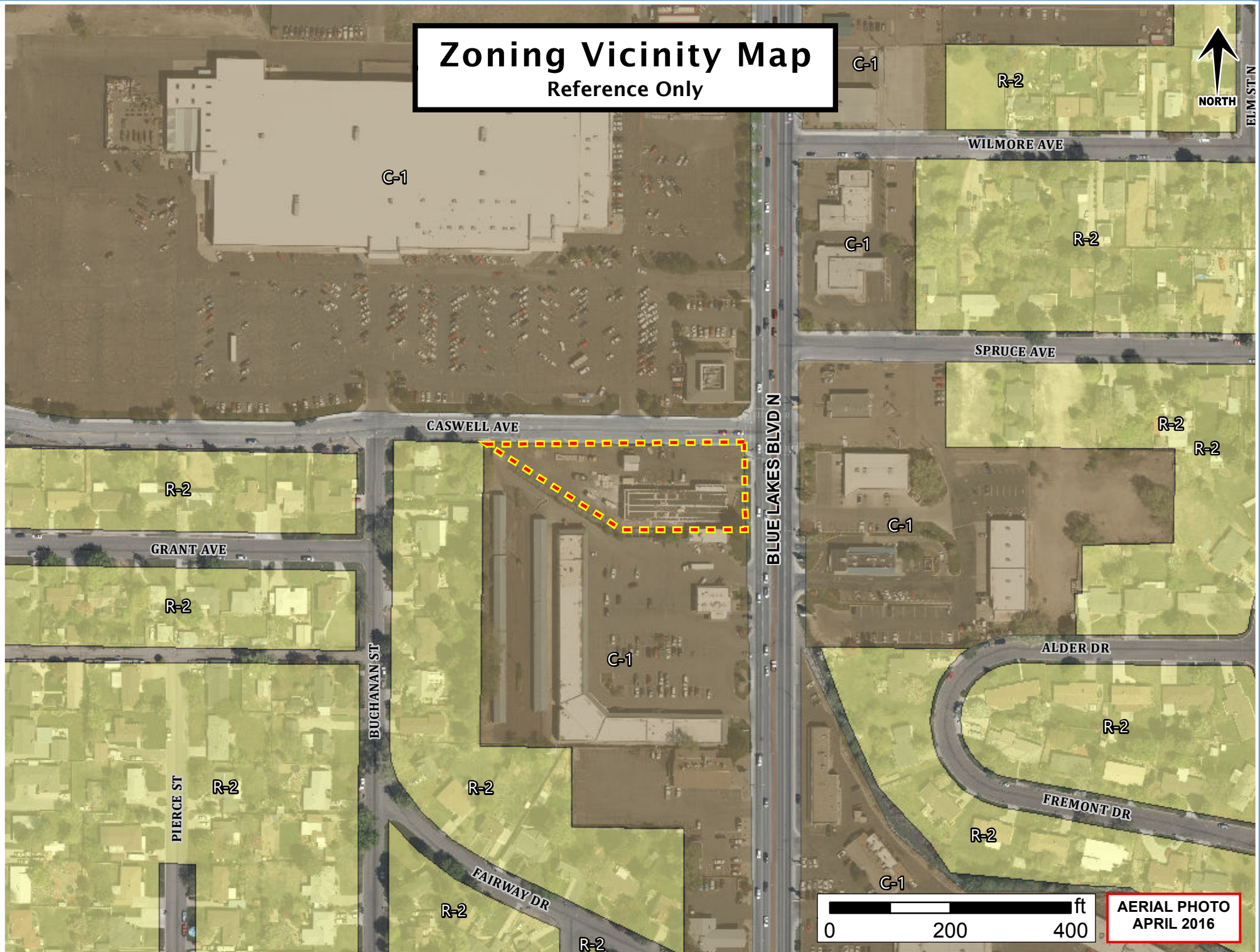
CHANG BY	DESIGN BY	CHECK BY
02	HLE	CDS
JOB NO. 2016-0102		
DATE: JULY, 8 2016		
REVISIONS	DATE	
UPDATED TITLE REPORT	2/10/16	

PRELIMINARY PLAT
TF CASWELL
TWIN FALLS, ID
TWIN FALLS COUNTY, IDAHO

SHEET NO. 1 OF 1

Zoning Vicinity Map

Reference Only



Aerial Map

Reference Only

748 BLUE L



SPRUCE AVE

719 BLUE L

708 BLUE L

CASWELL AVE

698 BUCHAN

690 BUCHAN

687 BLUE L

688 BLUE L

680 BUCHAN

BLUE LAKES BLVD N

664 BUCHAN

681 BLUE L

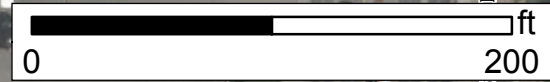
680 BLUE L

648 BUCHAN

667 BLUE L

628 BUCHAN

633 BLUE L



AERIAL PHOTO
APRIL 2016

Future Land Use Map

Reference Only



ELM ST N

WILMORE AVE

SPRUCE AVE

CASWELL AVE

BLUE LAKES BLVD N

GRANT AVE

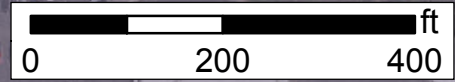
BUCHANAN ST

PIERCE ST

ALDER DR

FREMONT DR

FAIRWAY DR



AERIAL PHOTO
APRIL 2016



**NOTICE OF
PUBLIC MEETING**

**FOR MORE
INFO CALL
735.7267**

Public Notice Along Blue Lakes



Blue Lakes Frontage



NE Corner Looking SE



NW Corner and Parking Lot Entrance



SE Corner Looking NW



Date: Tuesday, June 27, 2017
To: Planning and Zoning Commission
From: Steve O'Connor

Request:

Request to consider the **preliminary plat** for Sundance Subdivision, a PUD, consisting of 447 lots 5 tracts and 117.42 (+/-) acres located on the south side of 3600 North Road and west side of Blue Lakes Boulevard South. c/o EHM Engineers, Inc.

Time Estimate:

Request to consider the Preliminary Plat for Sundance Subdivision, a PUD, 117.42 (+/-) acres, consisting of 446 residential lots and 5 tracts and located on the south side of 3600 North Road and west side of Blue Lakes Boulevard South. c/o EHM Engineers, Inc.

Background:

Applicant:	Status: Owner	Size: 117.42 +/- Acres
Sundance Partners, LLC c/o Gerald Martens 621 College Rd., Ste. 100 Twin Falls, ID 83301 gmartens@EHM.com 208.734.4888	Current Zoning: R-2 PUD (DRAFT Sundance PUD)	Requested Zoning: Preliminary Plat
	Comprehensive Plan: Town Neighborhood	Lot Count: 446 Proposed Single Family Lots, 5 Tracts - 1 City Lot for PI
	Existing Land Use: Agricultural	Proposed Land Use: Residential
Representative:	Zoning Designations & Surrounding Land Use(s)	
Tim Vawser EHM Engineers, Inc 621 College Rd., Ste. 100 Twin Falls, ID 83301 tvawser@ehminc.com 208.734.4888	North: R-4, R-4 Aol and R-1 VAR Aol; 3600 North Road-residential intersects with Harrison St S	East: R-1 VAR Aol, Agricultural
	South: R-1 VAR Aol , Residential; Highline Canal; AG Aol , Agricultural	West: High Line Canal; AG Aol , R-4, Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-4-R-2 Zone, 10-4—PUD/ZDA,10-12-1 through 4- Subdivision Regulations	

Approval Process:

As per Twin Falls City Code 10-12-2.3 Action on Preliminary Plat:

The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Commission. The action and the reasons for such action shall be stated in writing by the Administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the approved preliminary plat to the Council for its information and record.

Budget Impact:

As the request is for a Preliminary Plat, approval of this request will have negligible impact on the City budget.

Regulatory Impact:

Upon approval of a preliminary plat a final plat that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

History:

This property has been Agricultural in use since before 1950. It was likely zoned R-1 VAR in 1981 with the adoption of Ordinance 2012 but has remained agriculturally based. In September 2006, the commission heard and forwarded to the City Council a positive recommendation for a zoning designation of R-2 if the site was annexed.

City Council held a public hearing in September 2008 and approved the annexation with a zoning designation of R-2. In October 2008 Ordinance 2950 was signed and published for adoption, and the property annexed and rezoned at that time.

Also in October 2008 The Commission forwarded on a positive recommendation to rezone the subject property from R-2 to R-2 PUD. City Council approved the rezone in November 2008, and Ordinance 2955 was signed and published for adoption in December 2008.

The PUD agreement has not been adopted by the City Council at the time of this report.

Analysis:

The property is zoned R-2 PUD. This is a request for approval of the preliminary plat of Sundance Subdivision, a PUD. The proposed subdivision is 117.4 +/- acre site and consists of 446 residential lots. The number of lots has fluctuated from the beginning of the review process until now. This is common as staff works with the developer to review access, minimum lot sizes, utilities, and other various factors. The Preliminary plat included with the packet contains the 446 Residential lots, 8 tracts, and 1 City Lot for PI. The draft PUD Agreement is included in the staff report packet. The document will be presented to the City Council for approval at the time of final plat.

This is the first step of the plat approval process. A preliminary plat is presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste water services. The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system.

The plat is consistent with other subdivision development criteria and is in conformance with the Comprehensive Plan, which designates this area as "Town Neighborhood." Low to medium density residential use is appropriate for this future land use designation.

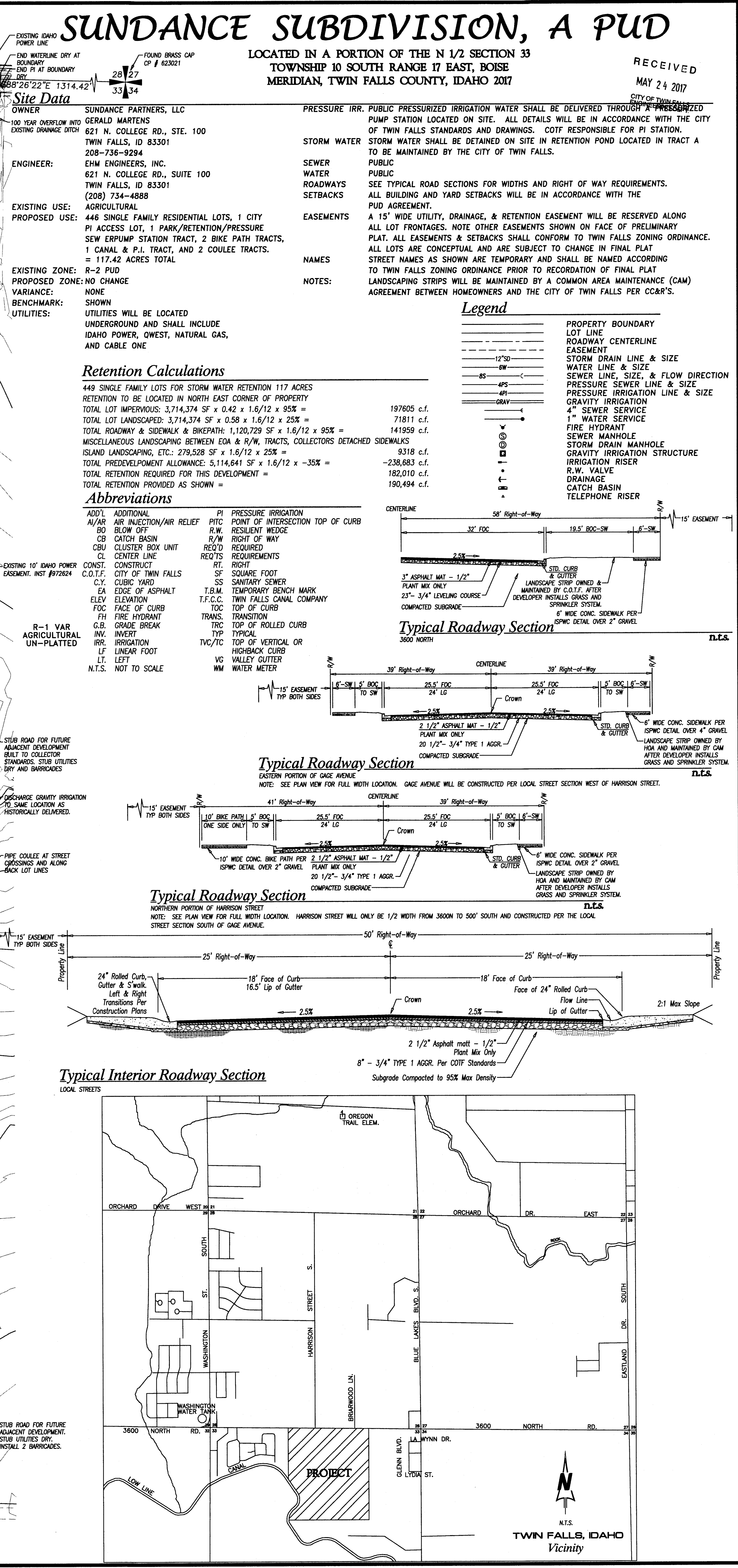
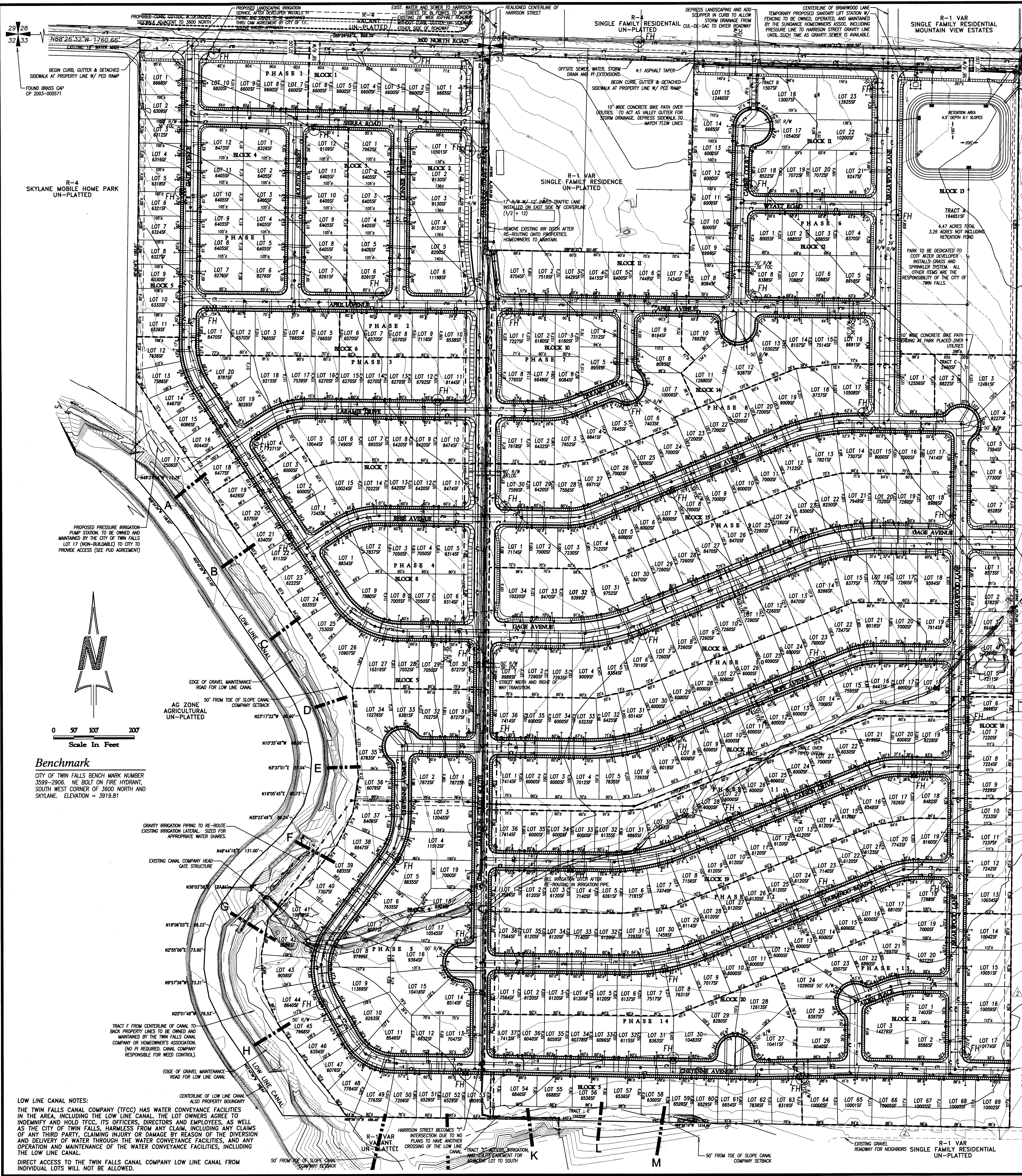
Conclusion:

Staff recommends the commission approve the preliminary plat of the Sundance Subdivision, a PUD, as presented, and subject to the following staff condition, and any others the Commission deems appropriate:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

Attachments:

1. Sundance Attachments



PRELIMINARY PLAT FOR SUNDANCE SUBDIVISION, A PUD

DO NOT SCALE DRAWINGS

REVISIONS:

NO.	DATE	DESCRIPTION
1	OCT. 27, 08	T. VITEK LATEST PRE-PLAT
2	DEC. 30, 08	T. VITEK LOT SIZES TO 10K & CITY LETTER OCT. 13
3	CIVIL SCIENCE LETTER	SEPT. 26, 2008
4	APRIL 16, 2009	JRS OCT. 7, 2009, TCV
5	FEB. 17, 2017	TCV

APPROVED: [Signature]

DESIGN: STAFF

SCALE: SHOWN

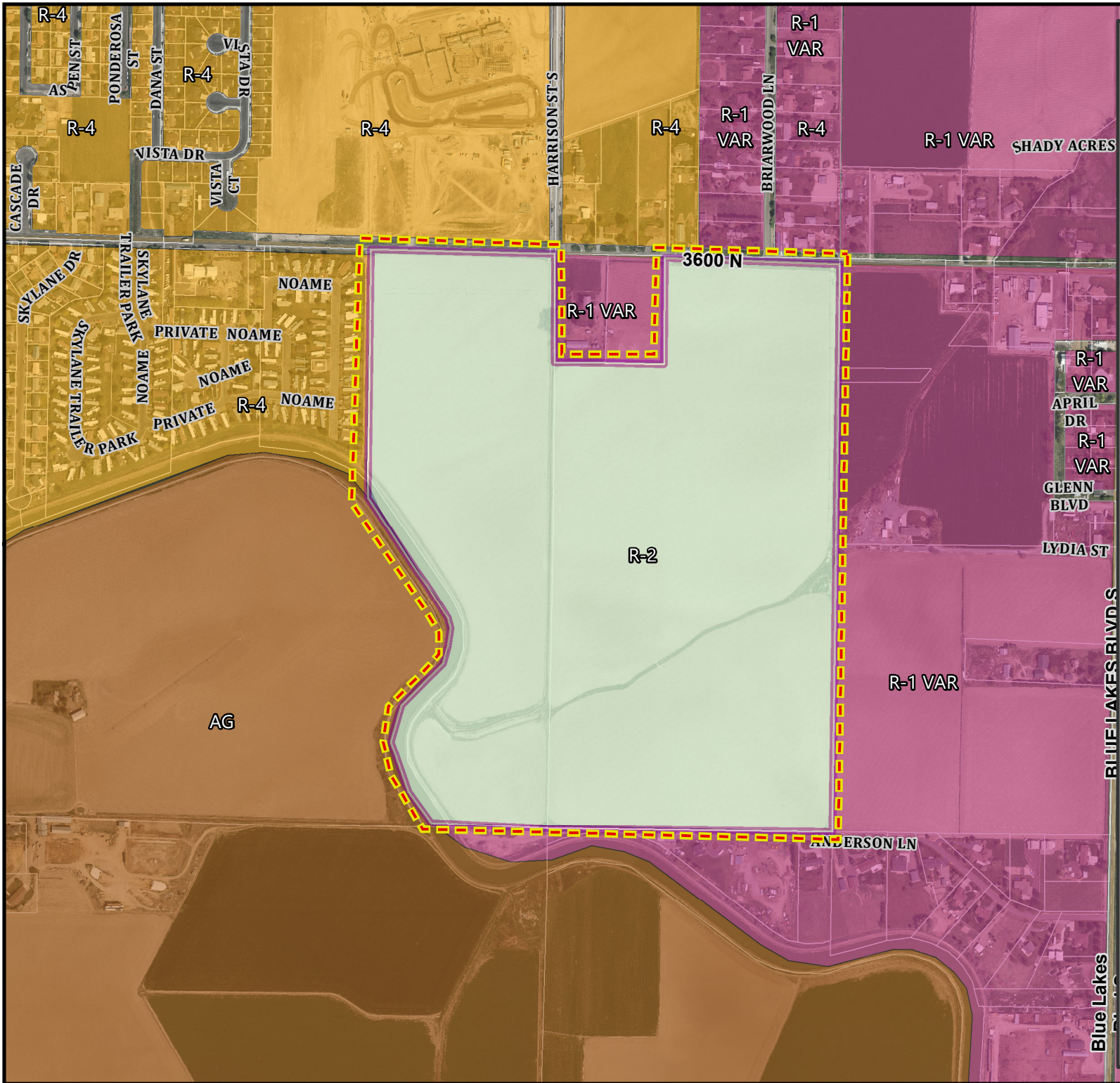
CAD FILE: 70-15MASTER

JOB NO.: 70-15

PRE-PLAT

Zoning Vicinity Map

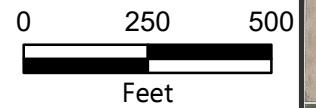
-  PUD
-  AG
-  R-1 VAR
-  R-2
-  R-4



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



Aerial Map



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

May 24, 2017

DRAFT

**SUNDANCE SUBDIVISION
R2 PLANNED UNIT DEVELOPMENT AGREEMENT**

THIS AGREEMENT made and entered into this _____ day of _____ 20__ by and between the CITY OF TWIN FALLS, a municipal corporation, State of Idaho P.O. Box 1907 Twin Falls, ID 83303-1907 (hereinafter called "City"), and SUNDANCE PARTNERS, LLC, (hereinafter called "Developer"), whose address is 621 North College Rd., Ste. 100, Twin Falls, ID 83301.

RECITALS:

WHEREAS, the Developer is the owner of the certain tract of land (the "Property"), in the City of Twin Falls, County of Twin Falls, State of Idaho, more particularly shown in Exhibit A, which contains the "Vicinity and Zoning Map" attached hereto which Property is south of 3600 North Road and east of Washington Street South, and is to be known as SUNDANCE SUBDIVISION PUD; and

WHEREAS, the City Council has required the Property to be developed as a Planned Unit Development (PUD) as a condition of annexation, and

WHEREAS, the Developer has made request of the City to develop a residential subdivision (the "Project") on the Property and has submitted to the City the Master Development Plan (Exhibit B) thereof which has been approved for development as an "R-2 Residential PUD" by the Planning and Zoning Commission and the City Council of the City; and

WHEREAS, the City, by and through its City Council, has agreed to the development of said Project within the City of Twin Falls, Idaho, subject to certain terms, conditions, and understandings, which terms, conditions and understandings are the subject of this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the Developer and the City agree as follows:

1. **NATURE OF THE AGREEMENT.** This agreement shall become part of the "R2, PUD" zone with respect to the Project upon its full execution and recording. The Developer and its assigns or successors in interest, as well as the City and its assigns or successors (if any), shall be bound by the terms and conditions contained therein.
2. **NATURE OF THE DEVELOPMENT.** It is agreed by the parties hereto that certain language and requirements pertaining to the "Project" shall be interpreted as follows:
 - A. **General Uses and Features.** The Project is a residential development based on an R-2 zoning designation with a Planned Unit Development (PUD) overlay. City owned and maintained storm water neighborhood

park, Homeowners Association owned and maintained sewage lift station and pressurized sewer main from lift station to discharge manhole, a lot dedicated to the City of Twin Falls for access to a regional pressure irrigation facility, piped Twin Falls Canal Company gravity irrigation lateral, utilities, and City owned improvements. Utilities include natural gas service, telephone, electrical, power, and television cable. City owned improvements include gravity sanitary sewers, City water, City pressurized irrigation, and City streets with curb, gutter, and sidewalks (see attached map of the Project, Exhibit B). Specific features and locations are as follows:

1. Tract A will be dedicated to the City as a "neighborhood park". Exhibit D
2. Upon execution of an acceptable agreement by the parties, Lot 17 Block 5 will be used by the City for access to a Regional Pressure Irrigation Facility.
3. Tracts B, C, D, E, and F will be dedicated to the Sundance Homeowners Association. Additional Tracts may be dedicated to the Sundance Homeowners Association upon identified need within future platting.
4. All Streets within development will have 20 feet front yard setbacks from street right of way.

B. Specific Uses – Permitted Uses

The Project shall be allowed all the Permitted Use detailed in City Code 10-4-4.2-(A), with the following inclusions:

Permitted Use – City of Twin Falls Regional Pressure Irrigation Facility restricted to Lot 17 Block 5.
The total number of lots shall not exceed 469 lots. (117.42 gross acres, 4.0 lots per gross area)

And with the following exclusion:

Prohibited Use – Duplex Dwellings

C. Special Uses

The Project shall be allowed to have applications sought for all the Special Uses detailed in City Code 10-4.4.2-(B).

The Project shall meet the Property Development Standards detailed in City Code 10-4-4.3, as of April 16, 2007, with the following modifications:

Modification – 10-4-4.3-(E)-2 a.

The Building line shall not be closer than five (5) feet to the property line.

Modification – 10-4-4.3-(E)-2 c.

Architectural projections of main buildings and attached accessory buildings shall not be closer than two and one-half (2 ½) feet to the property line.

D. General Subdivision Provisions

The Project shall meet the General Subdivision Provisions detailed in City Code 10-12, as of April 16, 2007, with the following modifications:

Modification – 10-12-3-13 Right of Way Requirements

Harrison Street south of 3600 North shall be a collector roadway to the intersection with the proposed Gage Loop, and residential street south of the above described intersection. The Proposed Gage Loop shall be a residential roadway West of the Harrison Street, Gage Loop Intersection and a collector roadway East of the Harrison Street, Gage Loop Intersection.

Modification – 10-12-5-3 Planned Unit Developments and Condominium Subdivisions, (D) Storage Areas.

The Project will not provide separate storage areas. The Project CCR's will allow for recreational vehicle parking on the individual lot.

Modification 10-12-5-3 Planned Unit Developments and Condominium Subdivisions, (F) Maintenance Building the Project will not provide a maintenance building. The Project CCRs will allow for individual storage sheds on the individual lot.

F. Phasing of Development. Developer shall be permitted to develop the Property in phases, so long as those phases are in compliance with the Master Plan (Exhibits B), this PUD Agreement, and an approved preliminary plat. Approval for each phase may be obtained by submission of a technically correct final plat for each phase to the City Council. The designation and location of specific uses on the Master Plan are conceptual and minor changes there from shall not provide basis for disapproval of any final plat. There shall be no minimum and three (3) year maximum time limit between phases.

3. STREET, SEWER, WATER, AND DRAINAGE IMPROVEMENTS. Developer shall be responsible for the design and construction of street, sewer, water, pressurized irrigation, and drainage systems on the Property (hereinafter "Improvements") as described herein in accordance with City Standards.

A. Improvement Plans. Developer shall, as to each phase of its development, file or cause to be filed with the City a complete set of plans for that development phase, showing all Improvements contemplated within that phase of the development (hereinafter "Improvement Plans"). The Improvement Plans and all Improvements thereon shall meet the approval of the City, which approval shall be given if such plans conform

to established City policies and ordinances, the Master Plan and this PUD Agreement.

- B. Improvement, Design and Construction. The Developer, at his expense, shall cause all Improvements shown on the Improvement Plans to be designed, constructed and installed consistent with the approved Improvement Plans except as otherwise provided therein. Notwithstanding the foregoing, nothing in this Agreement shall prohibit City participation in the cost or financing of improvements on the Property if mutually agreed to by the parties hereto.
- C. Phased Construction The Developer may install the Improvements at one time, or in phases, as the Developer shall determine at his sole discretion. Developer shall provide the City with written notification of the timing and scope of the phase, or phases, of said Improvements it intends to complete at that time. Developer agrees to make such modifications to construct any temporary facilities necessitated by such phased construction work as shall be reasonably required and approved by the City.
- D. Construction Supervision. The Developer shall use a registered professional engineer to supervise the construction; inspection and testing of the work as necessary, to ensure that all such Improvements are constructed in accordance with the approved Improvement Plans.
- E. Non-Compliance. In the event any of the Improvements are not consistent with the Improvement Plans, the City shall give written notice to Developer of said non-compliance. Developer shall cure said non-compliance within thirty (30) days of its receipt of notice or, in the case of non-compliance that will take in excess of thirty (30) days to cure, Developer shall commence to cure within (30) days of receipt of notice and diligently pursue the same to completion. In the event Developer fails to cure said non-compliance in the manner set for hereinabove, the City shall have the right to withhold the issuance of any future building permits and certificates of occupancy within only that phase of such "PUD" until such time as all requirements specified in this Section 3 have been complied with; provided, however, Developer shall have the right to appear before the City Council at any regular meeting after any building permits and certificates of occupancy shall have been withheld for reasons set forth in this paragraph and shall have the right to be heard as to why such building permits and certificates of occupancy shall have been withheld for reasons set forth in this paragraph and shall have the right to be heard as to why such building permits and certificates of occupancy would be issued. The City Council shall then, in good faith and in an objective manner, decide whether said building permits and certificates of occupancy should be issued, and its decision shall be final, except that the rights of the parties are preserved at law and equity.
- F. Fees. The Developer shall pay, or cause to be paid, to the City all applicable fees, if any, with regard to the installation of Improvements pursuant to the Improvement Plans. However, City water and sewer

connection and service charges shall be paid for by individual developers and users at the rates set by applicable City ordinances and resolutions.

- G. Maintenance of Improvements. The City hereby agrees to accept maintenance responsibility for the public improvements upon their completion to City Standards in accordance with current City policy.

4. PLATS. Developer agrees to file with City a preliminary plat, or plats in phases, prepared by a registered professional engineer/land surveyor, of the Property which is the subject of this Agreement. Preliminary and final plats for phases to be developed shall be submitted specifically identifying and dedicating all necessary public easements, open space, and mini park dedications, and those right-of-way the City agrees to accept herein and in the Standard Developer's Agreement. It is agreed that said plats and any amendments thereto must first be approved by the city if the final plat is in conformity with the approved preliminary plat.

5. INDIVIDUAL PARCEL DEVELOPMENT CRITERIA. The Property of any portion thereof shall be developed in accordance with criteria set forth in this Section.

A. Approval and Construction. All Improvements shall be constructed in accordance with engineered drawings and specifications, describing in reasonable detail the work to be performed, with drawings and specifications to first be approved by City, which approval shall not be unreasonably withheld.

B. Pump Irrigation Station Lot. Will be dedicated to the City of Twin Falls for use as access to a regional pump irrigation station. The City of Twin Falls will be responsible for all improvements to Lot 17, Block 5 and the Pump Station. Pump system appearance will meet conditions of this agreement.

The Developer intends to make a charitable contribution to the City of Twin Falls for the appraised value of Lot 17, Block 5. Such contribution shall occur upon transfer of ownership of Lot 17, Block 5. Developer agrees to convey title to Lot 17, Block 5 prior to recordation of phase one final plat.

C. Sanitary Sewer Pump Station. The Developer will construct a temporary sanitary sewer lift station on Tract A to pump to existing or proposed sewer pipeline west or north of the project. The design of the lift station will allow the disconnection and abandonment of the station and connection to a gravity sewer line on 3600 North, when available. The Developer will construct a force main from the lift station to the gravity sewer line. The lift station and force main from the lift station to the point of discharge, will be owned, operated, and maintained by the Sundance Homeowner's Association. The Association will contract with OMI or the City's current operating authority for the City's lift stations for the operation and maintenance of the station. When gravity sewer is available to the project, the City agrees to abandon the lift station and connect the project to the gravity sewer line.

D. Landscaping. Project landscaping includes landscaping and pressurized irrigation along 3600 North Road, hydro seeding and irrigation for the storm water detention pond "neighborhood park" dedication (Exhibit D), and standard park strip on the collector portions of Harrison Street South and the collector portions of Sundance Loop. Each property owner adjacent to Harrison Street and Sundance Loop shall install and maintain the landscaping and vegetation on his property and in the public rights-of-way adjacent thereto. Each property owner shall be required to utilize the Project's pressurized irrigation system or future systems as required by the City for their landscaped area.

E. Building Standards. Buildings and Improvements shall comply with the following standards:

1. Design Standards. Residences shall conform to applicable city codes and the requirements of the Sundance Home Owner's Association Conditions, Covenants, and Restrictions (CC&Rs).
2. Trash containers, outdoor storage and such facilities on the City dedicated parcels shall be visibly screened from roadways, residential areas and adjacent properties. Screening may consist of landscaping, masonry walls or vision barrier fencing. The Developer and City Planning and Zoning Department or its assigns shall approve screening.
3. Utilities. All on-site utility service lines located within a parcel shall be placed underground. Any transformer or terminal equipment provided within or immediately adjacent to the parcel shall be visibly screened from the view from streets, with screening material such as landscaping or other approved material. Relocation and burying of electrical lines does not apply to transmission lines currently located on the north and east boundary of the property.

F. Codes. All construction on the Property shall be to the standards established by applicable codes.

6. TIME LIMITATION. The "R-2 PUD" zone designation on the Property described in Exhibit E is expressly conditioned upon submission to the City Council and a final development plan of the first phase of development within two (2) years from the date hereof. The Developer may apply for two or more two-year extensions provided application is made in advance of the two-year expiration date. Approval shall not unreasonably be withheld.

7. STANDARD DEVELOPER'S AGREEMENT. It is understood and agreed by the parties hereto that Developer shall execute the City's Standard Developer's Agreement.

City and Developer recognize that in exchange for giving up substantial acreage for the pressurized irrigation facility, and the large impact it has on the residential area of the project, city is allowing R-2 PUD as proposed.

8. GENERAL PROVISIONS.

A. Cooperation. The parties hereto agree to cooperate each with the other. Developer shall submit to the City all plans, specifications, and working drawings required by the City.

B. Entire Agreement. This Agreement constitutes the entire agreement between the parties concerning the Property and Improvements described herein, and no amendment or modification to this Agreement shall be valid or effective unless reduced to writing and signed by the parties.

C. Applicable Law. This Agreement shall be construed in accordance with the laws of the State of Idaho.

D. Notices. If notices from one party to the other are desired or required hereunder, such notices shall be delivered or mailed to the party to receive such at its address last known to the sender of such notice. Notices shall be deemed received on the date of hand delivery or upon seventy-two (72) hours following deposit in the United States mail, if properly addressed, stamped and sent with "return receipt requested." On the date of this Agreement, the addresses of the parties are as follows:

Developer: Sundance Partners, L.L.C.
c/o Gerald Martens
621 N. College Rd., Ste. 100
Twin Falls, ID 83301

City: City of Twin Falls
P.O. Box 1907
Twin Falls, ID 83303-1907

E. Successors and Assigns. This Agreement shall be binding upon the successors, assigns and legal representatives of the parties hereto. Transfer of all or a portion of the Property shall create a notation releasing the transferor from obligations under this Agreement with respect to said transferred property.

F. Severability. In the event any portion of this Agreement is declared by a court of competent jurisdiction to be invalid, illegal, or unenforceable, such portion shall be deemed severed from this Agreement, and the remaining portions shall not be affected thereby.

G. Signatories. Each of the persons executing this Agreement hereby represents and warrants that he or she is duly authorized and empowered to so act on behalf of the entity for which he or she is signing, and that this Agreement is binding on, and enforceable against, such entity.

H. Effective Date. This Agreement shall become valid and binding only upon its approval by City, through its City Council, and upon its execution by the Mayor and the Developer.

I. Attorney Fees. In the event that either party should be required to retain an attorney to institute litigation because of the default or breach of the other, or to pursue any remedy provided by law, the party, which prevails in such litigation, shall be entitled to a reasonable attorney's fee.

J. Construction. Should any provision of this Agreement require judicial interpretation, the court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against one party, by reason of the rule of construction that a contract is to be construed more strictly against the person who himself, or through his agents, prepared the same, it being acknowledged that both parties have participated in the preparation hereof.

K. Attachments. All attachments to this Agreement and recitals are incorporated herein and made a part thereof as if set forth in full.

L. Captions. The captions, section and paragraph numbers appearing in this Agreement are inserted only as a matter of convenience and shall in no way affect interpretation of this Agreement.

IN WITNESS WHEREOF, the City has affixed its seal and caused these presents to be executed by its Mayor on the date above written.

ATTEST:

"CITY"
CITY OF TWIN FALLS

By: _____
City Clerk

By: _____
Mayor

"DEVELOPER"
SUNDANCE PARTNERS, L.L.C.

By: _____
Member

DRAFT

STATE OF IDAHO)
 ss.
County of Twin Falls)

On this _____ day of _____, 200____, before me, a Notary Public for said County and State, personally appeared _____, known or identified to me, to be the Member of SUNDANCE PARTNERS, L.L.C. that executed the said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

NOTARY PUBLIC FOR IDAHO
Residing at _____
My commission expires _____

LEGAL DESCRIPTION FOR
Proposed R-2 PUD Parcel

See Attached Exhibit E.

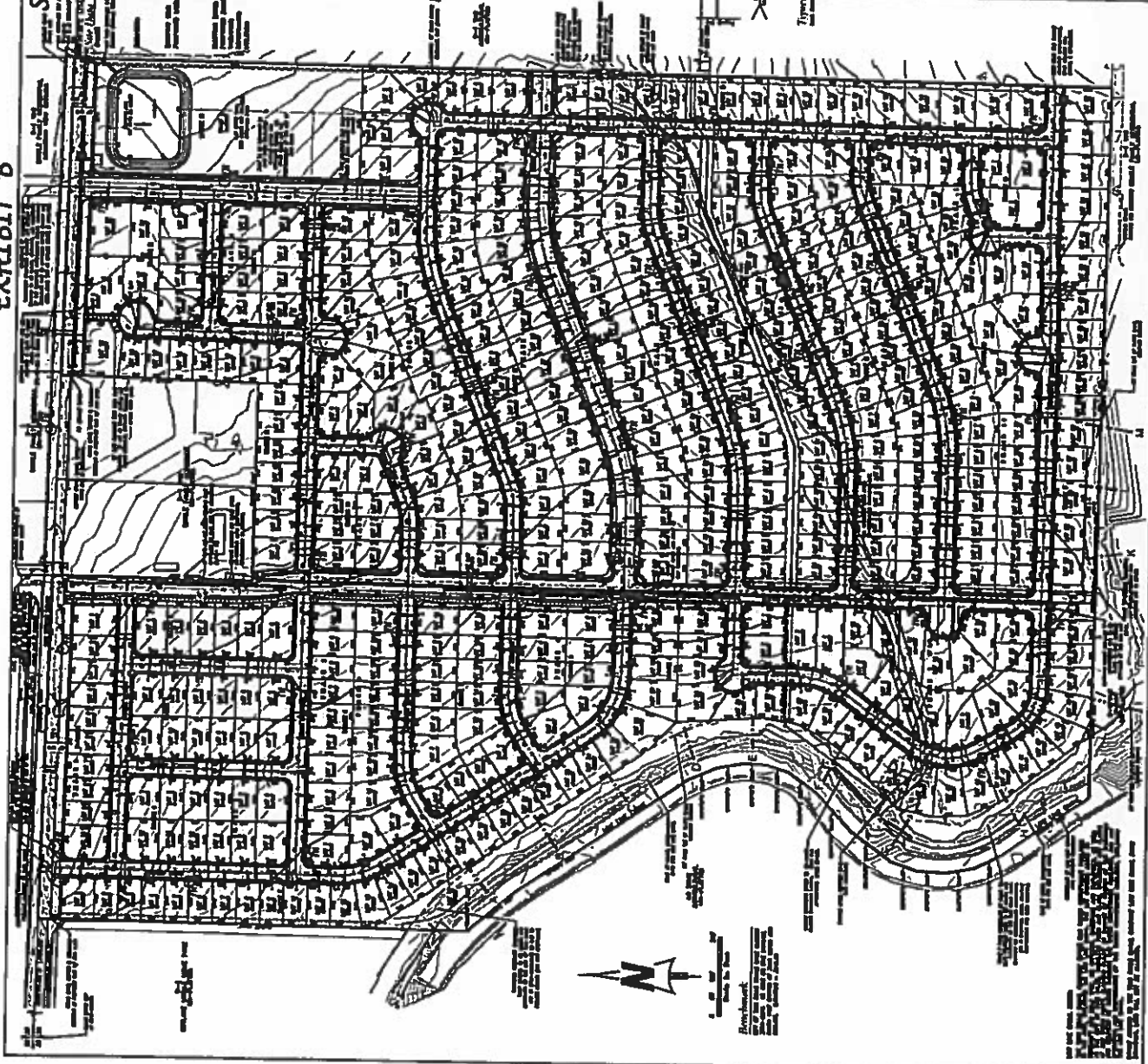
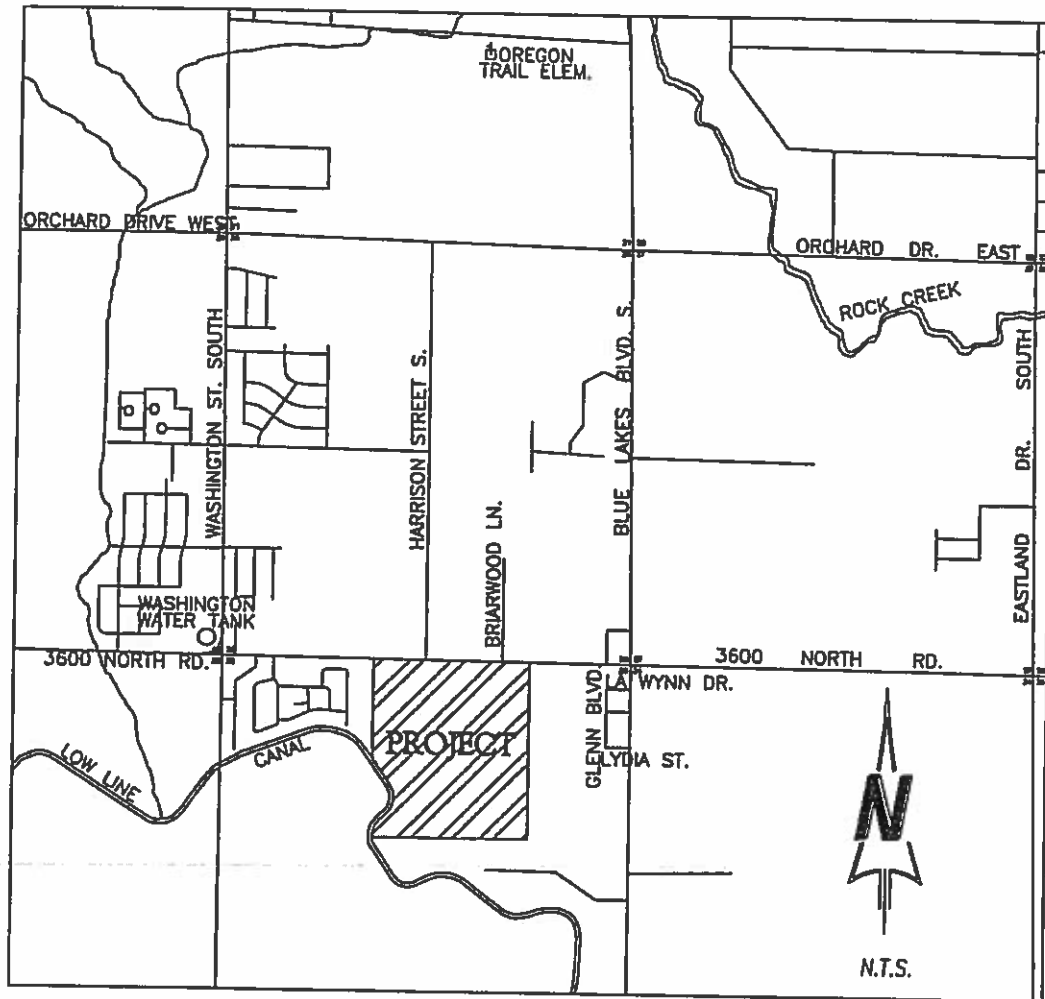


EXHIBIT A

VICINITY MAP & SURROUNDING ZONING MAP



TWIN FALLS, IDAHO

SUNDANCE SUBDIVISION
SECTION 33 T. 10S, R. 17E BM

VICINITY SKETCH

SCALE: N.T.S.

DATE: May 8, 2008

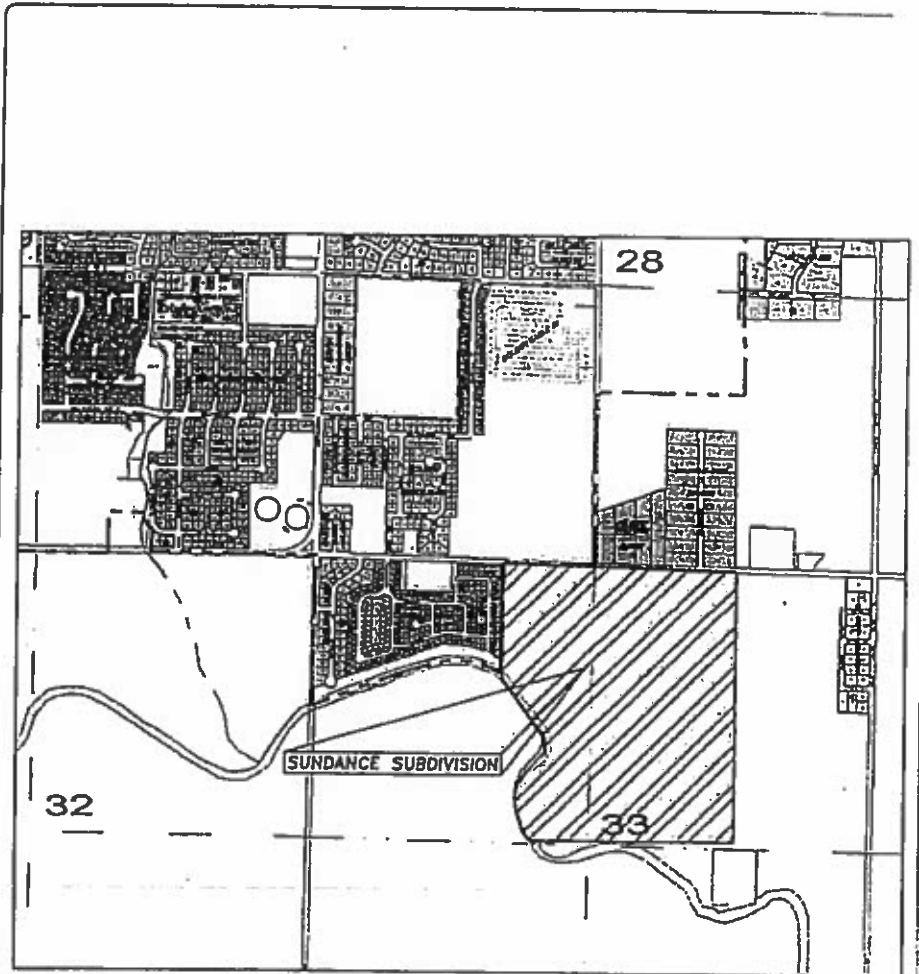
DWG PATH: 378-07riMASTER

JOB #: 378-07

BHM Engineers Inc.
ENGINEERS/SURVEYORS/PLANNERS
831 N. COLLEGE RD., SUITE 100
TWIN FALLS, IDAHO 83301
PH: 208 334 4288 FAX: 208 726 0846
E-MAIL: bhm@bhm.com

EXHIBIT C

SURROUNDING SUBDIVISIONS MAP SECTION 33, TOWNSHIP 10 SOUTH RANGE 17 EAST



TWIN FALLS, IDAHO

SUNDANCE SUBDIVISION
SECTION 33 T. 10S, R. 17E BM

SURROUNDING SUBDIVISIONS EXHIBIT C

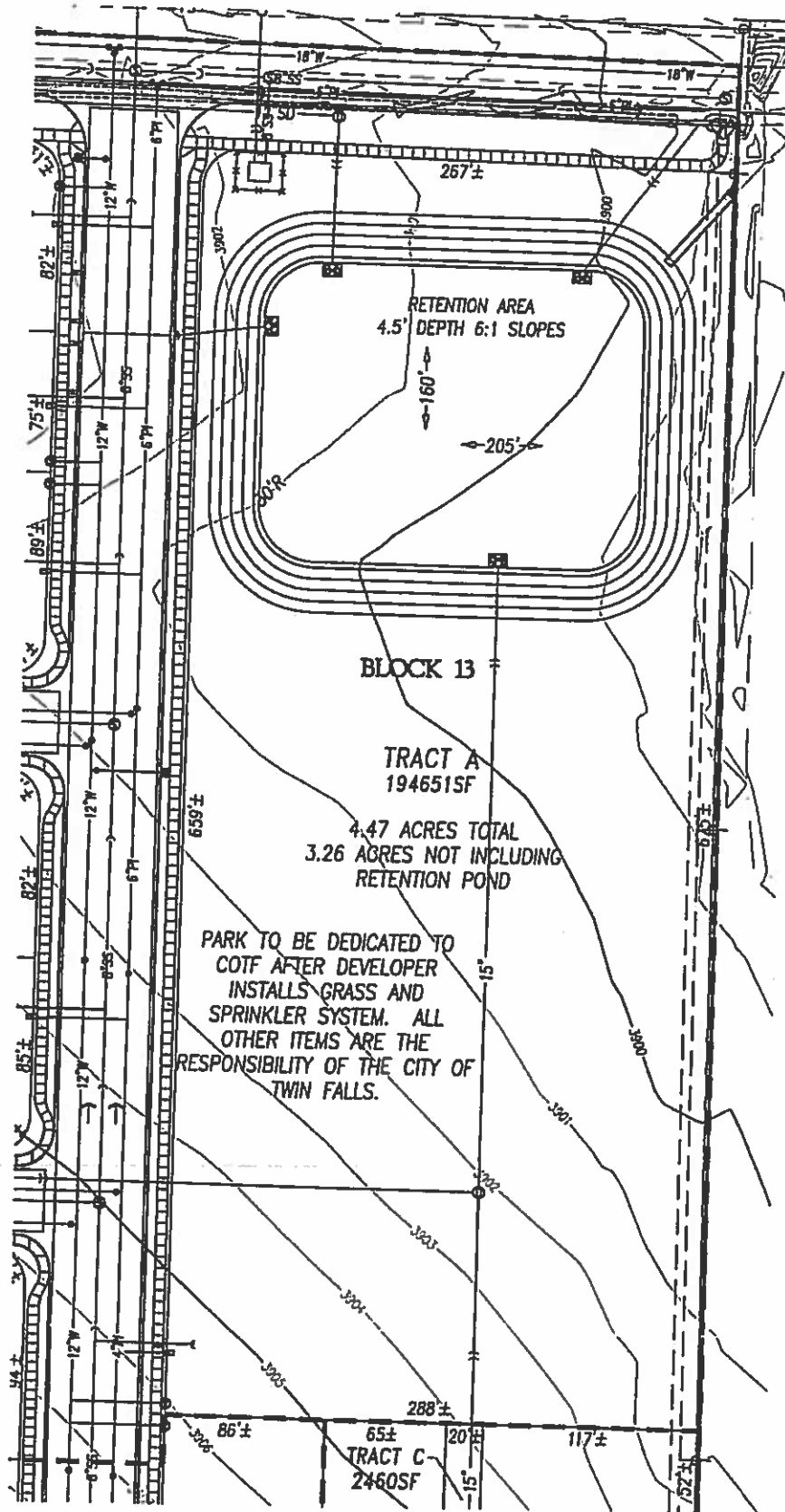
SCALE: N.T.S.

DATE: May 8, 2008

DWG PATH: 378-07nMASTER

JOB #: 378-07

BEA Engineers Inc.
201 W. 2nd St., Suite 100, Twin Falls, ID 83401
Phone: 208-338-1111 Fax: 208-338-1112
www.beaengineers.com



Neighborhood Park

EXHIBIT D

EXHIBIT E

Sundance Subdivision

Beginning at the North quarter corner of Section 33, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County Idaho, said point lies South 88°26'32" East 2629.25 feet from the North West Corner of Section 33 also being the REAL POINT OF BEGINNING,

Thence South 00°45'52" West 506.04 feet,
Thence South 89°00'22" East 501.05 feet,
Thence North 01°33'38" East 501.04 feet, to a point on the north line of Section 33
Thence along the Section line South 88°26'22" East 806.36 feet,
Thence South 00°42'22" West 2645.43 feet,
Thence North 88°56'19" West 1316.99 feet to center of Section 33,
Thence North 88°56'19" West 486.40 feet to the centerline of the Low Line Canal,
Thence along the centerline of the Low Line the following course:
North 33°43'59" West 268.64 feet,
Thence North 25°51'48" West 76.53 feet,
Thence North 09°57'56" West 73.31 feet,
Thence North 02°55'06" East 73.60 feet,
Thence North 19°06'03" East 69.23 feet,
Thence North 36°03'58" East 127.81 feet,
Thence North 46°44'18" East 131.00 feet,
Thence North 35°23'49" East 89.24 feet,
Thence North 16°05'45" East 60.73 feet,
Thence North 03°37'01" East 57.04 feet,
Thence North 10°35'48" West 68.09 feet,
Thence North 23°17'22" West 80.60 feet,
Thence North 33°43'29" West 517.02 feet,
Thence North 39°34'34" West 149.97 feet,
Thence North 49°31'14" West 11.78 feet,
Thence departing the Centerline of the Low Line Canal North 00°48'49" East 1092.61 feet to a point on the North line of Section 33
Thence along said section line South 88°26'32" East 868.59 feet to the REAL POINT OF BEGINNING.

The gross area contained as described above is 117.42 Acres.



May 23, 2017

City of Twin Falls
Engineering Department
P.O. Box 1907
Twin Falls, Idaho 83303

RECEIVED

MAY 24 2017

CITY OF TWIN FALLS
ENGINEERING DEPT.

Attn: Troy Vitek, P.E

RE: Sundance Subdivision - Preliminary Plat
Resubmittal Based on Meeting of 5-19-'17

Troy,

Please find accompanying six copies of the preliminary plat revised per our meeting on Friday. Also Included is an 8.5"x11" copy. Please forward this on to P&Z for scheduling before the commission.

You had several comments about Canal Company requirements and we will continue to work with the Canal Company to address any issues they have in relation to Tracts and/or easements. If easements are utilized, we will address any fencing issues the Canal Company may have at the time of platting each phase. I've added verbiage in the PUD agreement in regards to the possible need for additional tracts that may be place under HOA maintenance and control in case that is the route we need to go to satisfy TFCC.

We will need to further address the PUD agreement as mentioned in your previous review letter. The owners will want to move that forward as well and a copy is included for review. This has changed somewhat to account for the changing tract names, blocks, etc. The original PUD called for the city to be responsible for the pi station construction so that's something we'll need to work out as well. Gerald will want to negotiate the timing of the park dedication due to there being an option for something else on that portion of land. In the interim, we will add temporary retention basins with the submittal of plats and construction plans as we phase to the east.

Once you've had a chance to review the PUD agreement I would suggest another meeting with you and Planning to discuss additional needs. If you have any questions please feel free to contact Gerald or myself.

Sincerely,

Tim Vawser

621 North College Rd., Suite 100 • Twin Falls, Idaho 83301 • [208] 734-4888 • Fax [208] 734-6049
3501 W. Elder St., Suite 100 • Boise, Idaho 83705 • [208] 386-9170 • Fax [208] 386-9076

IN THE FIELDS OF:
PLANNING • SURVEYING • HIGHWAYS • WATER • SEWAGE • STRUCTURAL • SUBDIVISIONS • BRIDGES • ENVIRONMENTAL • QUALITY CONTROL • CONSTRUCTION MGMT.

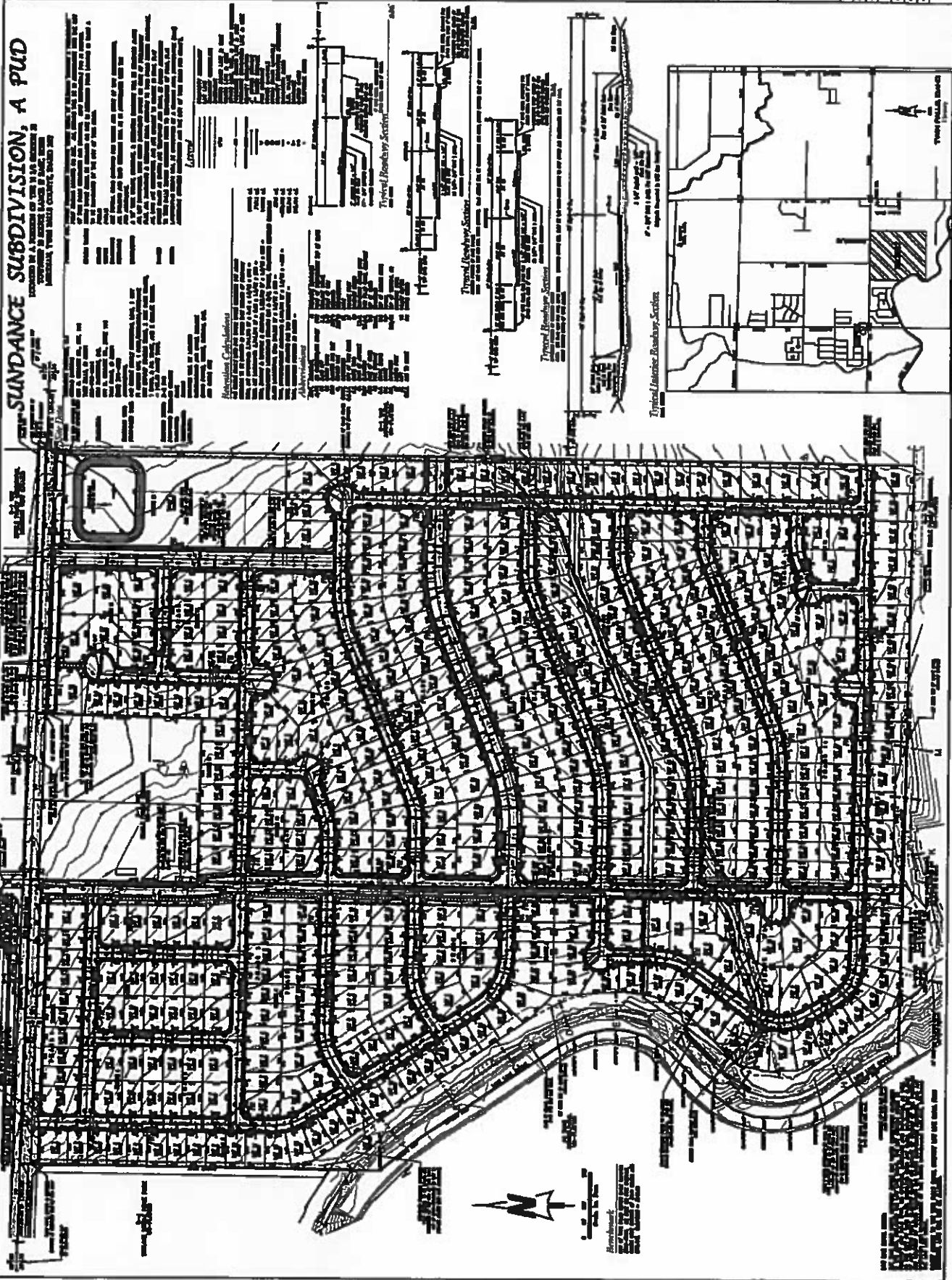
SUNDANCE SUBDIVISION, A PUD

DESIGNED BY A LICENSED CIVIL ENGINEER
 IN ACCORDANCE WITH THE
 PROVISIONS OF THE
 SUBDIVISION MAP ACT, R.S. 22-1-1

BMA
 ENGINEERS, INC.
 1000 N. 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 (303) 733-1100
 FAX (303) 733-1101
 WWW.BMAENGINEERS.COM

Preliminary Plat for SUNDANCE SUBDIVISION, A PUD

NO.	DESCRIPTION
1	PRELIMINARY PLAT
2	FINAL PLAT
3	REVISION
4	REVISION
5	REVISION
6	REVISION
7	REVISION
8	REVISION
9	REVISION
10	REVISION



SEE SHEET 2 OF 2

SEE SHEET 3 OF 3

SEE SHEET 4 OF 4

SEE SHEET 5 OF 5

SEE SHEET 6 OF 6

SEE SHEET 7 OF 7

SEE SHEET 8 OF 8

SEE SHEET 9 OF 9

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Public Notification Along Pheasant Rd



NW Corner looking SE



NE Corner looking SW



SE Corner looking NW



Date: Tuesday, June 27, 2017
To: Planning and Zoning Commission
From: Steve O'Connor

Request:

Request for a **Special Use Permit** to construct a 3600 sq. ft. detached accessory building for personal residential use on property located at 1983 Brook Stone Drive in the City's Area of Impact. c/o Gary & Andrea Stahlecker (app. 2872)

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: 117.42 +/- Acres
Sundance Partners, LLC c/o Gerald Martens 621 College Rd., Ste. 100 Twin Falls, ID 83301 gmartens@EHM.com 208.734.4888	Current Zoning: R-2 PUD (DRAFT Sundance PUD)	Requested Zoning: Preliminary Plat
	Comprehensive Plan: Town Neighborhood	Lot Count: 446 Proposed Single Family Lots, 5 Tracts - 1 City Lot for PI
	Existing Land Use: Agricultural	Proposed Land Use: Residential
Representative:	Zoning Designations & Surrounding Land Use(s)	
Tim Vawser EHM Engineers, Inc 621 College Rd., Ste. 100 Twin Falls, ID 83301 tvawser@ehminc.com 208.734.4888	North: R-4, R-4 Aol and R-1 VAR Aol; 3600 North Road-residential intersects with Harrison St S	East: R-1 VAR Aol, Agricultural
	South: R-1 VAR Aol , Residential; Highline Canal; AG Aol , Agricultural	West: High Line Canal; AG Aol , R-4, Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-4-R-2 Zone, 10-4—PUD/ZDA,10-12-1 through 4- Subdivision Regulations	

Approval Process:

As per Twin Falls City Code 10-12-2.3 Action on Preliminary Plat:

The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Commission. The action and the reasons for such action shall be stated in writing by the Administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the approved preliminary plat to the Council for its information and record.

Budget Impact:

As the request is for a Preliminary Plat, approval of this request will have negligible impact on the City budget.

Regulatory Impact:

Upon approval of a preliminary plat a final plat that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

History:

This property has been Agricultural in use since before 1950. It was likely zoned R-1 VAR in 1981 with the adoption of Ordinance 2012 but has remained agriculturally based. In September 2006, the commission heard and forwarded to the City Council a positive recommendation for a zoning designation of R-2 if the site was annexed.

City Council held a public hearing in September 2008 and approved the annexation with a zoning designation of R-2. In October 2008 Ordinance 2950 was signed and published for adoption, and the property annexed and rezoned at that time.

Also in October 2008 The Commission forwarded on a positive recommendation to rezone the subject property from R-2 to R-2 PUD. City Council approved the rezone in November 2008, and Ordinance 2955 was signed and published for adoption in December 2008.

The PUD agreement has not been adopted by the City Council at the time of this report.

Analysis:

The property is zoned R-2 PUD. This is a request for approval of the preliminary plat of Sundance Subdivision, a PUD. The proposed subdivision is 117.4 +/- acre site and consists of 446 residential lots. The number of lots has fluctuated from the beginning of the review process until now. This is common as staff works with the developer to review access, minimum lot sizes, utilities, and other various factors. The Preliminary plat included with the packet contains the 446 Residential lots, 8 tracts, and 1 City Lot for PI. The draft PUD Agreement is included in the staff report packet. The document will be presented to the City Council for approval at the time of final plat.

This is the first step of the plat approval process. A preliminary plat is presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste water services. The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system.

The plat is consistent with other subdivision development criteria and is in conformance with the Comprehensive Plan, which designates this area as "Town Neighborhood." Low to medium density residential use is appropriate for this future land use designation.

Conclusion:

Staff recommends the commission approve the preliminary plat of the Sundance Subdivision, a PUD, as presented, and subject to the following staff condition, and any others the Commission deems appropriate:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

Attachments:

1. Stahlecker Attachments

May 8, 2017

City of Twin Falls
Community Development Services
P.O. Box 1907
324 Hansen Street East
Twin Falls, ID 83303
RE: *Special Use Permit*

RE: Special Use Permit Application
Reason for request

To whom it may concern:

This special use permit application is for the building of a 60 x 60 oversized garage/shop. The purpose of this garage is for personal storage and maintenance of personal vehicles. There will be no anticipated traffic other than that of normal day to day comings and goings of the residents, Gary and Andrea Stahlecker, whom will reside at the residential structure on same lot legally described as Lot 19 Block 2 STONE RIDGE ESTATES SUBDIVISION. There will be no employees or set hours of operation.

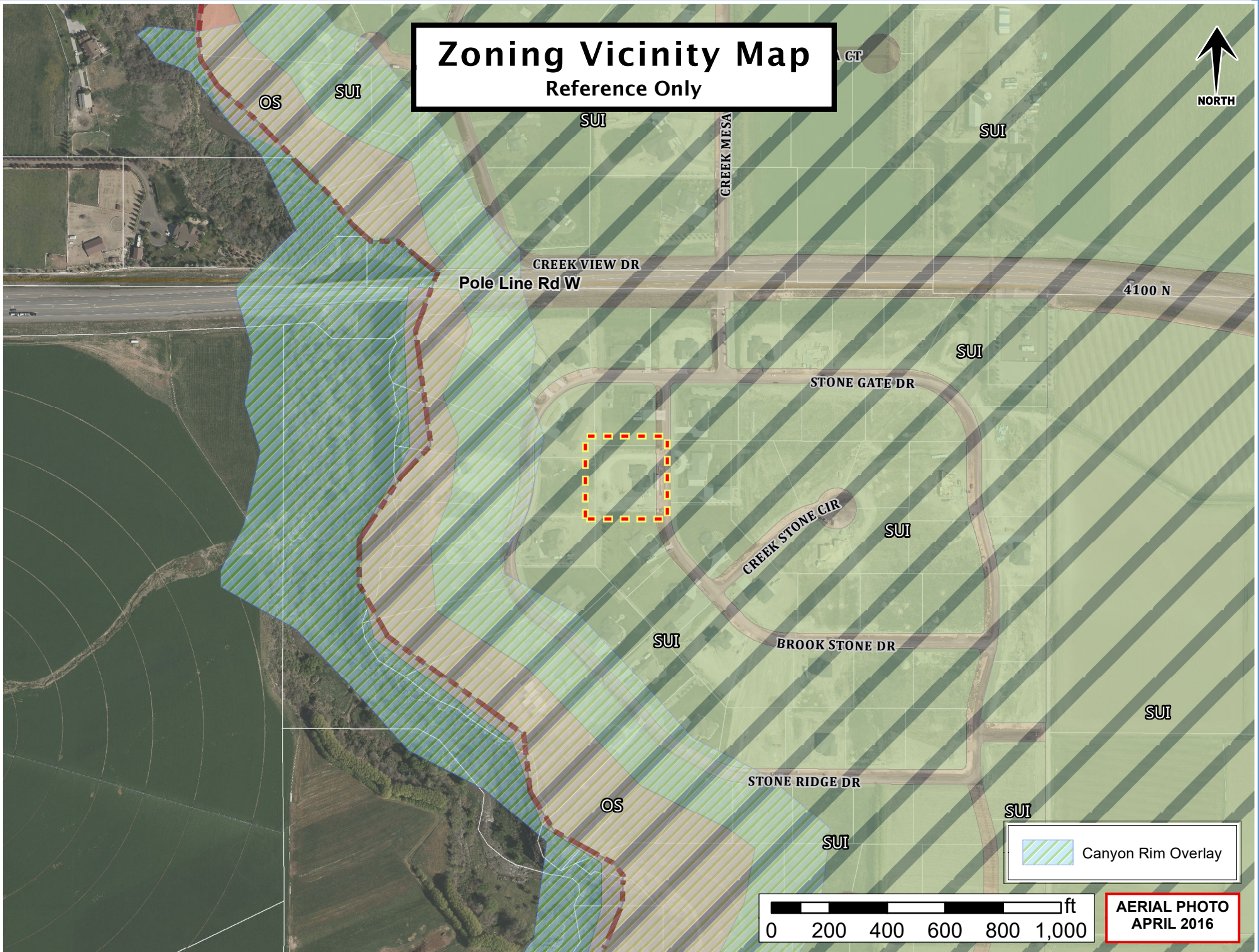
Effects on adjoining property owners will be minimal, if any at all. The garage allows for personal vehicles and other property to be stored out of the site of the public. The garage will have similar, if not matching, exterior colors and style. The garage will be tastefully constructed and match accordingly with the residential structure on said premises and in accordance with filed Declaration of CCR's filed in public record 2/18/2010 as Instrument No. 2010-003262. Adjoining property owner at Lot 2 Block 3 STONE RIDGE ESTATES SUBDIVISION has a similar structure on said property. The garage will provide a wind block to adjoining property as well as the property on which it sits. Glare will be minimal and no odor, obnoxious noise and/or vibration or fumes will be produced. Noise ordinances will be abided by and courtesy to neighbors will be respected.

Gary and Andrea Stahlecker



Zoning Vicinity Map

Reference Only



 Canyon Rim Overlay

0 200 400 600 800 1,000 ft

AERIAL PHOTO
APRIL 2016

Aerial Map

Reference Only



2190 STONE

2160 STONE

2136 STONE

1980 BROOK

1970 BROOK

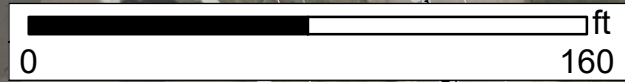
1511 CREEK

1983 BROOK

1971 BROOK

60'x60' SHOP

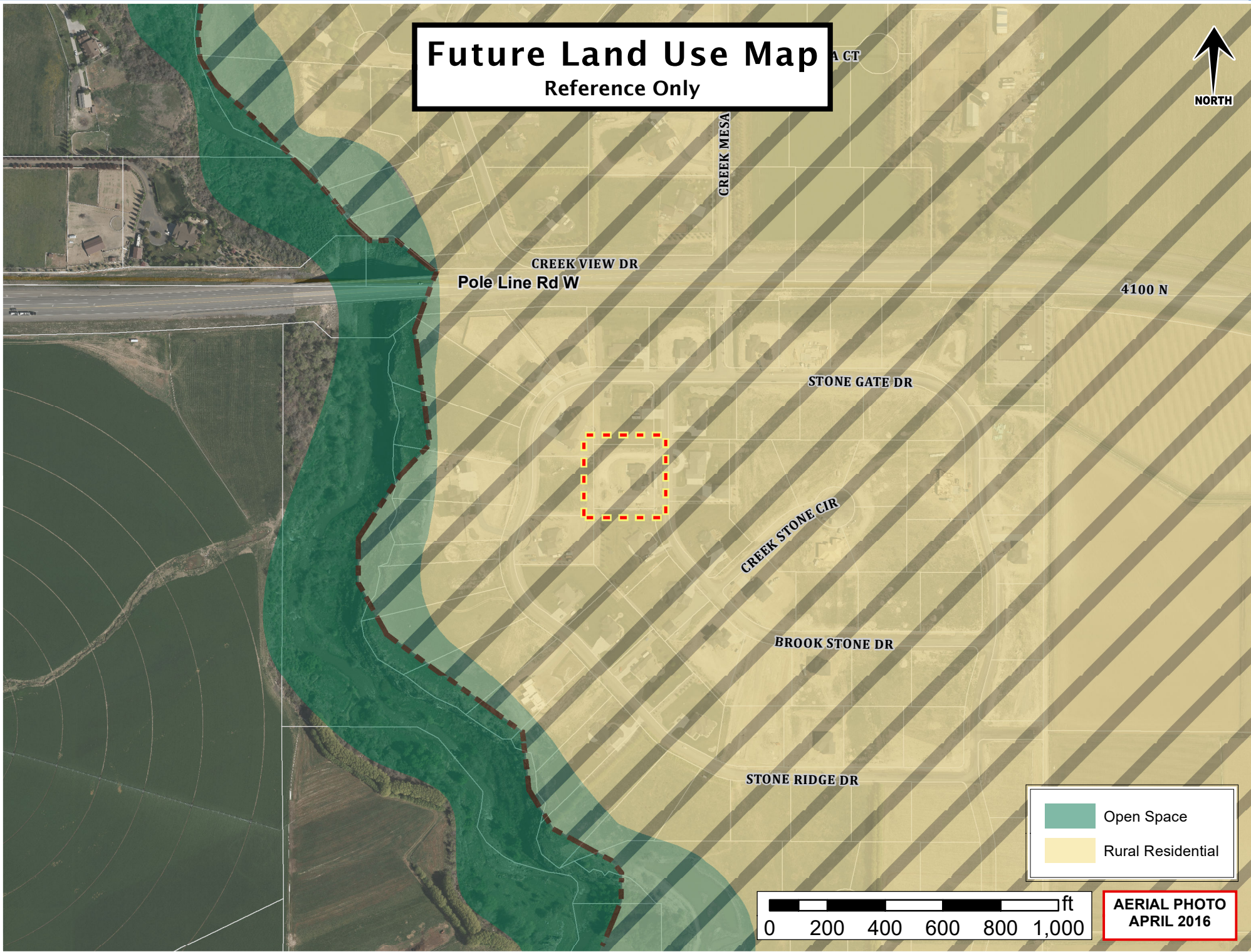
70' 0"



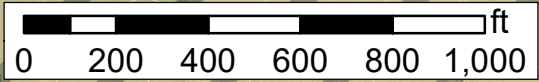
AERIAL PHOTO
APRIL 2016

Future Land Use Map

Reference Only



	Open Space
	Rural Residential



**AERIAL PHOTO
APRIL 2016**

[illegible]

N00°00'00"W 220.0'



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

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

SPECIAL USE PERMIT

Permit No.1374

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on August 25, 2015 to Gary and Andrea Stahlecker whose address is 1353 Ashley Drive Twin Falls, ID 83301 for the purpose of constructing a 2400 sq. ft. detached accessory building on property located at 1983 Brook Stone Drive in the City's Area of Impact and legally described as Twin Falls Stone Ridge Estates Subd Lot 19 Blk 2 RPO82810020190

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

This permit corresponds to Zoning Application No.2745

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with applicable City Code requirements and standards.
2. Subject to no business or residential occupancy within the structure.
3. Subject to detached accessory building using materials residential in nature and being built to be similar to the existing residence.



Kevin Huey (co-chair)
CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

2 September 2015
DATE

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

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

cc: Building Inspection



Public Notice Along Brookstone Dr



SW Corner Looking NE



NW Corner Looking SE



NE Corner Looking SW



Date: Tuesday, June 27, 2017
To: Planning and Zoning Commission
From: Steve O'Connor

Request:

Request for a **Special Use Permit** to operate a dance and music education studio as an indoor recreation facility with unlimited hours of operation-sleep overs on property located at 333-B Main Ave E. c/o Stephanie Johnson dba Ovation Performing Arts, LLC (app. 2873)

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: 3,030 sq. ft.
Stephanie Johnson Ovation Performing Arts, LLC PO Box T Twin Falls, ID 83303 stephanie@ovationpac.com	Current Zoning: CB, Central Commercial Business District with P-1 Parking Overlay	Requested Zoning: Indoor Recreation with extended hours
	Comprehensive Plan: Downtown	Lot Count: 1 Lot
	Existing Land Use: Office	Proposed Land Use: Indoor Recreation (Performing Arts Studio)
Representative:	Zoning Designations & Surrounding Land Use(s)	
	Northwest: CB with P-1; Offices	Northeast: CB with P-1; Bowling Alley "Indoor Recreation"
	Southeast: CB with P-1; Salon/Beauty Parlor	Southwest: Main Ave E; CB with P-1; Thrift Store & Miscellaneous Retail
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-7, 10-10-12, 10-11-1 thru 8	

Approval Process:

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

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit is void.

If an applicant or interested party appeals the decision of the Commission within fifteen (15) days from the

date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

Approval of this request will have a negligible impact on the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to establish a Performing Arts Studio on property located at 333 Main Ave E.

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

History:

This property was listed as a wholesale distribution center in 1950 and changed uses over the years. Prior to the applicant owning this property, it was an office building. SUP #0909 was approved on February 8th, 2005 for a dog-grooming establishment. Starting in December 2016 through March 2017 the P&Z department asked the Code Enforcement team to inspect all SUPs for to determine if they were active or not. SUP #0909 was inspected in February, and determined not to be active at that time. A building permit for an interior demolition was submitted in April 2017.

Analysis:

This site is zoned CB; Central Business with a P-1 parking overlay. This is a request to establish a Performing Arts Studio, to conduct dance and music classes. The CB zone requires a Special Use Permit for any Indoor Recreation establishment. The applicant stated in their narrative that the facility will have two (2) dance studios and one (1) piano studio for private lessons. The reason for the extended hours is for the very rare events where lessons may run over, or they have a special event for the students to include possible sleepovers. However, the regular hours of operation will be 8am to 9pm Monday through Saturday.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Downtown/High Density Residential." This designation has very wide-ranging land uses, and encourages redevelopment and infill. This request repurposes an existing building and brings a new establishment to the downtown area. Indoor Recreation, specifically the Performing Arts aspect for this request, falls in line with the "Entertainment and Arts" land use called out in the comprehensive plan. Therefore, staff has determined this request complies with the 2016 comprehensive plan.

Per City Code 10-4-7:

A Special Use Permit is required for any Indoor Recreation Facility.

Per City Code 10-10-12:

No off street parking is required for permitted uses, however parking could be required by the commission for any use that requires a SUP.

Per City Code 10-11-1 thru 8:

Required improvements include access, sight obscuring screening/fencing, parking, landscaping, drainage

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

The applicant nor staff anticipate any increase of detrimental or negative impacts from this request. It is also believed there is adequate public parking in the general area on the rare occasion of a “special event” taking place at this location.

Conclusion:

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

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

Attachments:

1. Johnson Attachments

To Whom It May Concern:

We are applying for a special use permit for our building located at 333-B Main Avenue East, Twin Falls. Until we recently acquired the building it housed multiple small office spaces for lease. Our planned renovations will provide Ovation Performing Arts with two dance floors and a piano studio for private lessons. Hours of operation may vary, but should rarely fall outside the hours of 8am-9pm Monday through Saturday. When class is in session, we may have up to 20 students in house at any given time. We will have 4 instructors and one administrative assistant employed at this location.

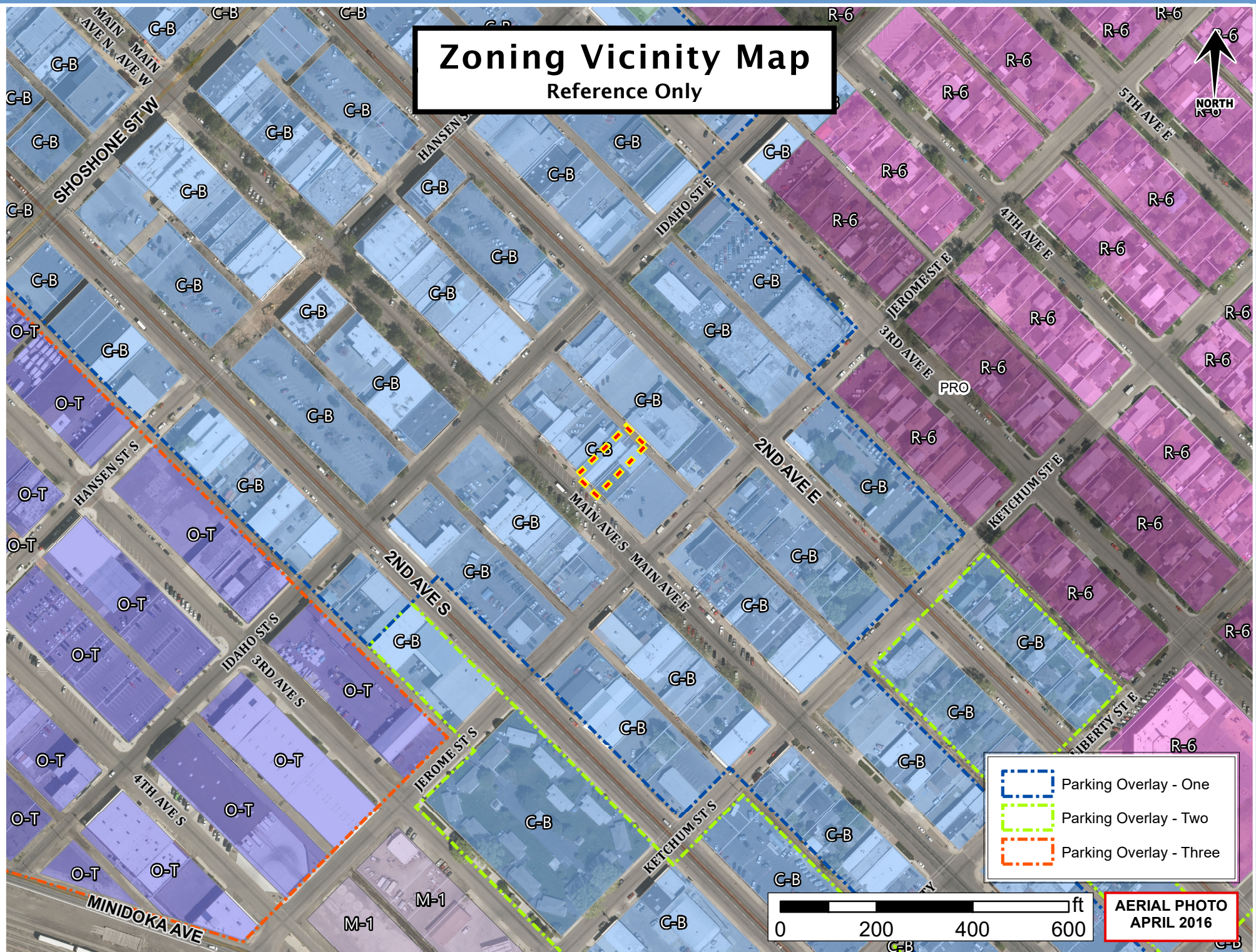
I would also like to apply for extended business hours of 8am to midnight, Monday through Saturday. Business will regularly conclude earlier, but on special occasions we may wish to extend opening hours for student parties and celebrations. On rare occasions, our staff may wish to host a sleepover for our students.

We will have piano and dance music playing during business hours. The walls are well insulated to deter noise transference. We believe the addition of these performing arts studios will positively affect the overall appeal of the downtown area.

A handwritten signature in black ink, reading "Stephanie Johnson". The signature is written in a cursive style with large, flowing loops.

Zoning Vicinity Map

Reference Only



- Parking Overlay - One
- Parking Overlay - Two
- Parking Overlay - Three

0 200 400 600 ft

AERIAL PHOTO
APRIL 2016

Aerial Map

Reference Only



303 MAIN A

319 MAIN A

323 MAIN A

327 MAIN A

331 MAIN A

333 MAIN A

347 MAIN A

340 2ND AV

352 2ND AV

320 MAIN A

330 MAIN A

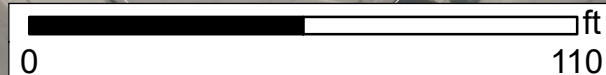
336 MAIN A

340 MAIN A

346
MAIN A

MAIN AVE
MAIN AVE

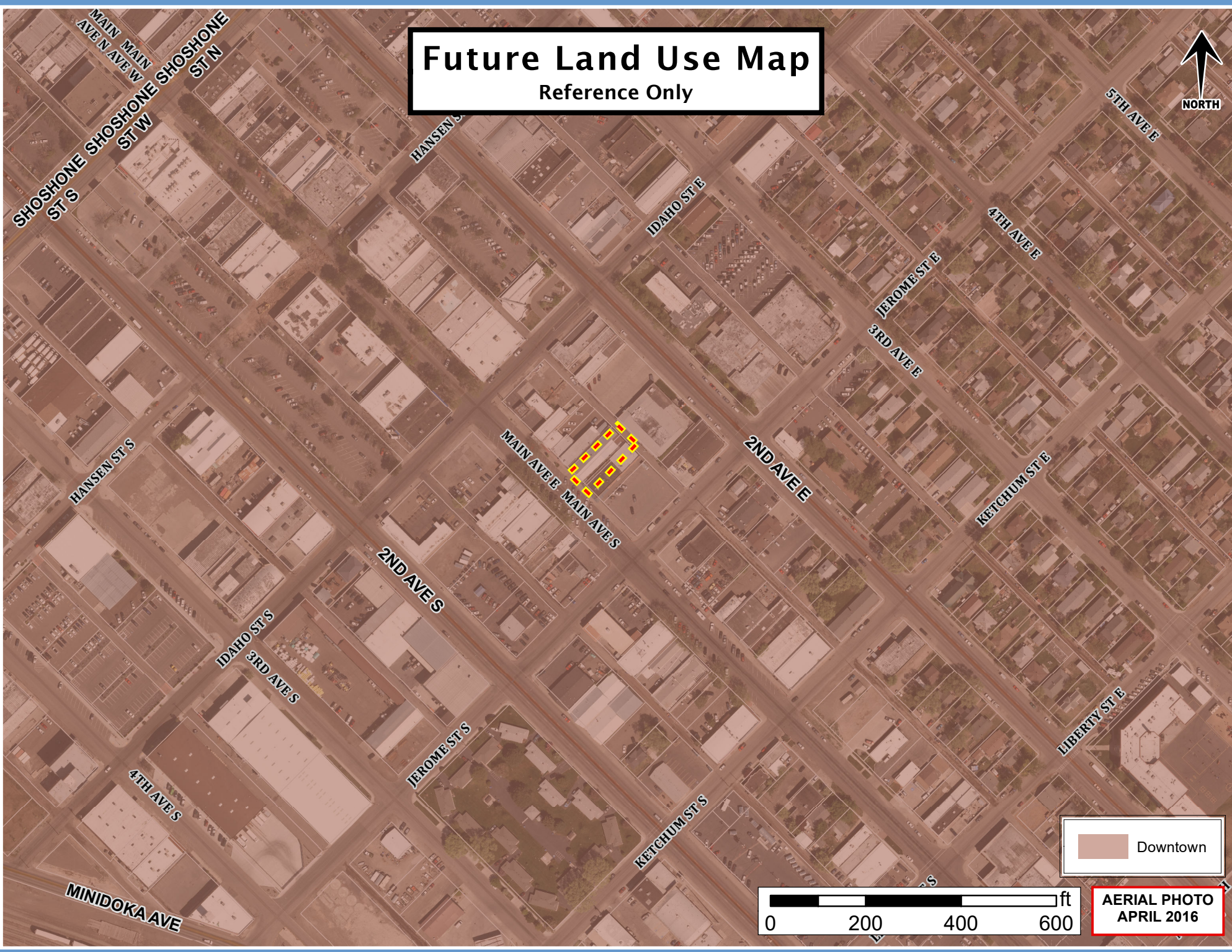
JEROME ST E



AERIAL PHOTO
APRIL 2016

Future Land Use Map

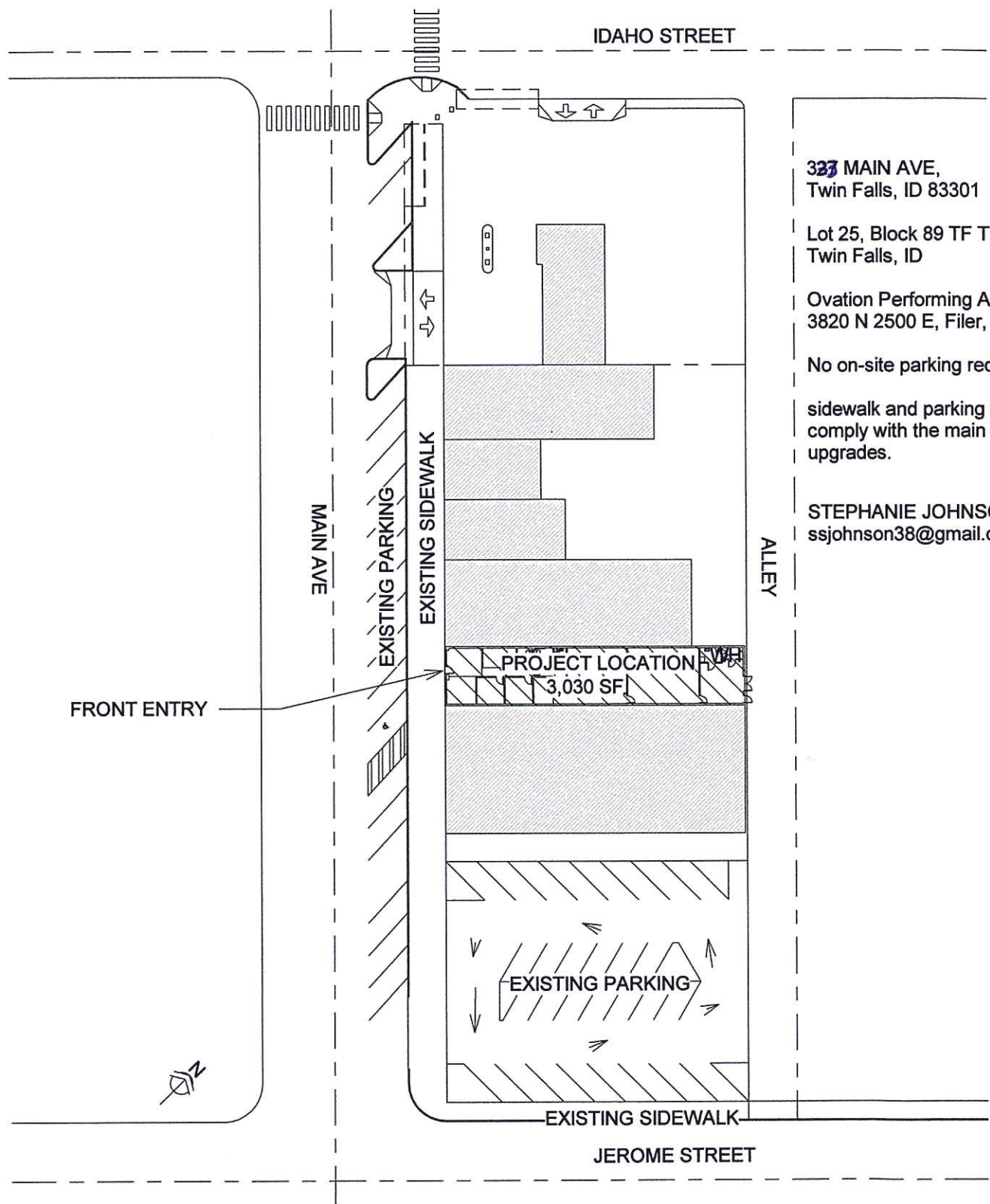
Reference Only



Downtown

0 200 400 600 ft

AERIAL PHOTO
APRIL 2016



337 MAIN AVE,
Twin Falls, ID 83301

Lot 25, Block 89 TF Townsite,
Twin Falls, ID

Ovation Performing Arts LLC
3820 N 2500 E, Filer, ID 83328

No on-site parking required.

sidewalk and parking shall
comply with the main ave
upgrades.

STEPHANIE JOHNSON
ssjohnson38@gmail.com

① SITE PLAN
1" = 60'-0"

Laughlin Ricks Architecture

architecture/planning

935 Shoshone Street North * Twin Falls, Idaho 83301

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



Public Notice Along Main Ave



Building Front



Main Ave S looking NE



Date: Tuesday, June 27, 2017
To: Planning and Zoning Commission
From: Steve O'Connor

Request:

Request for a **Special Use Permit** to establish a dog & cat grooming/kennel business as a “Pet Resort” on property located at 304 4th Avenue West. Timothy Gardiner c/o Colby Ricks (app 2874)

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: .39 +/- acres Lot; 10,150 Sq ft Bldg.
Timothy Gardiner PO Box 187 Sun Valley, ID 83353 208.726.9297 buck@mathercapital.com	Current Zoning: CB, Commercial Central Business District with P-2	Requested Zoning: Pet Resort/Kennel
	Comprehensive Plan: Downtown / High Density Residential	Lot Count: 5 ½ lots combined under one ownership and utilized as 1 property
	Existing Land Use: Plumbing Supply store	Proposed Land Use: Pet Resort/Kennel
Representative:	Zoning Designations & Surrounding Land Use(s)	
Colby Ricks Laughlin Ricks Architecture 935 Shoshone St. N. Twin Falls, ID 83301 208.736.8050 Colby.lra@gmail.com	North West: CB with P-2 ; Residential	North East: CB with P2 Overlay; Alley & Residential
	South East: Fairfield St W; M-2 with P-3 Overlay; Parking Area	South West: 4 th Ave W; CB with P-2; Commercial Business, Rush Truck Center AG Bldg.
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-7, 10-10-12, 10-11-1 thru 8, 10-13	

Approval Process:

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

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit is void.

If an applicant or interested party appeals the decision of the Commission within fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

Approval of this request will have a negligible impact on the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to proceed with establishing a Pet Resort/Kennel at property located at 304 4th Ave. W.

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

History:

Originally developed as an auto dealership in 1949, then an auto repair shop, soda bottling plant and finally a plumbing supply store. The zoning was likely set with Ordinance 2012, which established the current zones we use today.

Analysis:

The property is zoned CB with a P-2 parking overlay. There is an existing 10,150 sf building on the corner of 4th Ave W and Fairfield St W (3rd St W). This is a request to establish a “Pet Resort” for dogs and cats on property located at 304 4th Ave. West. A dog grooming/kennel establishment requires an SUP in the CB zone. The applicant has stated he wishes to restore the old warehouse on the property and convert it into a high-end pet resort to include overnight kenneling, day care and a pet training facility. The applicant states in his narrative that has done extensive research on the property and on the market viability of pet hotels. With the renewed investment from the city in downtown, the applicant stated he feels this location and building will display what old buildings can become. For complete details on the proposed operation, see the applicant’s narrative (Attachment #1).

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; “Grow With Us” designates this area as “Downtown/High Density Residential.” The uses can vary widely within this designation, from commercial retail and services to high density residential to civic and community uses. A Pet Resort/Kennel fits within this future land use designation as a commercial service. Therefore, staff determined this request complies with the 2016 comprehensive plan.

Per City Code 10-4-7:

A Special Use Permit is required to establish a Dog Kennel in the CB zone.

Per City Code 10-11-1 thru 8:

Required improvements include access, sight obscuring screening/fencing, parking, landscaping, drainage and storm water, etc.. As there are no internal site dimensions shown on the site plan staff is unable to determine if it meets code. These required improvements shall be evaluated and all applicable code requirements will be reviewed and enforced at the time of building permit submittal to ensure compliance.

In the applicant’s narrative, it is clear they have an understanding that noise and odor will be the biggest impacts to the surrounding area. The applicant has stated that “noise baffling” will be utilized inside the building. Outside play-area shall include sight-obscuring screening as per code and pets will be allowed outside only during the day and with a limited number of pets at one time. The commission may ask the applicant for clarification on what factor he will be using to determine what the “limited number” is.

Additionally, the applicant states in his narrative that all animals staying overnight will be inside their kennels by 7:00pm. Furthermore, the applicant ensures employees of the pet hotel will be adequately trained in proper hygienic procedures to minimize and mitigate any offensive odors , which will arise from an animal kennel.

Due to the proposed mitigating measures being taken by applicant and, suggested by staff, it is not anticipated this use will create overly burdensome impacts to neighboring properties.

Conclusion:

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to no pets outside between the hours of 7:00 PM to 7:00 AM.
3. Subject to no occupancy until the COO is issued.

Attachments:

1. Gardiner Attachments

304 4th Avenue West Special Use Permit Application

Timothy M. Gardiner

Reasons for Request:

The applicant proposes to convert an existing 10,150 +/- square foot industrial warehouse into a high-end “pet resort” including overnight kenneling, day care, and training. The proposed use falls under the definition of a “kennel” under the zoning district regulations and requires a special use permit.

In keeping with the city’s urban renewal efforts, it is the applicant’s intention to restore the building to its original economic utility and showcase its architectural detail.

- *The gentrification of this industrial building will augment the city’s efforts to “dress up” a declining neighborhood and bring new business into the area.*

Background Information:

The property is located in the original Twin Falls Town-Site. Typical of Twin’s early history as an agricultural distribution center, the subject property was once prime real estate in an industrial and warehousing district requiring rail access.

- *The property is in an area with a long history of industrial use.*
- *Historic neighborhood uses include: large truck sales and servicing, a creamery and dairy bottling plant, a tire retreading plant, various automobile repair shops and a variety of agricultural warehouses.*
 - *Warehousing “pets” is consistent with the district’s historic property use.*

With the cessation of World War II, Twin Falls cemented its reputation as the hub for south central Idaho. Downtown Twin was a vibrant retail and distribution center. Industrial development and agricultural services were the pillars of economic vitality. Downtown real estate was at a premium.

With the development of the interstate freeway to the north, (and the advent of interstate trucking), the demand for downtown and its rail- serviced properties suffered. The growth of Twin Falls exurbs left the downtown corridor in decline. Property’s that were once considered prime real estate, lost their economic viability. Vacancy and declining property values became the norm. The subject property was no exception, despite a rich and checkered history:

- *The subject property was originally developed in 1949 as a Studebaker automobile dealership.*
- *The demise of Studebaker Motors and the development of Blue Lakes Boulevard (closer to the Interstate) negatively impacted the property's utility.*
- *With the exodus of automobile dealers to bigger facilities on Blue Lakes Blvd., the property became economically obscelescent and fell into disrepair. The neighborhood struggled and vacancies gave way to urban blight.*
 - *No longer a showcase for automobile sales, the building languished as an auto repair shop, a Pepsi bottling plant and a plumbing supply warehouse.*
 - *Years of neglect extracted a toll on the building. Despite the property's wonderful architectural detail, the building today is a candidate for substantial rehabilitation or demolition.... the same issues that have become a metaphor for Old Town Twin Falls.*

Rich in history, Old Town holds incredible promise. An area in transition, it is starting to attract "green shoots"... The development of a new city hall augmented by an urban renewal district are combining to bring new life to the area. "Retro" development is taking hold. Fresh perspectives are combining with timeless architecture to create new "hip" business startups. Once again, downtown is open for business.

Our business plan combines thinking "outside the box" with a little history: We want to transform a decaying, historic warehouse into a modern repository....a state of the art pet resort.... a far cry from Studebakers, but warehousing nonetheless. Our end product is based models proven in major markets.

- *With the advent of dual income families and an aging population of baby boomers, a surge in pet ownership has given rise to a variety of new pet services.*
 - *High end "pet hotels" lead the list.*
-
- *Our refurbished warehouse will incorporate kenneling protocols unavailable in Idaho:*
 - *sound baffling;*
 - *segregated air delivery systems;*
 - *microbial resistant flooring;*
 - *state of the art cleaning systems,*
 - *electronic security,*
 - *fire suppression systems;*
 - *unmatched amenities;*
 - *a full service "resort"*

Our end use mirrors original development in our Old Town neighborhood... warehousing with the highest level of service.

This adaptation has multiple benefits:

- It gentrifies a blighted area with private investment.
- It expands downtown services and payroll;
- It maintains the history of the area by restoring a historic building, otherwise slated for demolition, and returning “upscale” to a downtrodden neighborhood;
- It promotes stewardship for downtown re-development and its four legged friends!

Business Operation:

The applicant is proposing to operate an overnight kennel (for both dogs and cats), doggie daycare, and pet spa.

All kennel facilities will be located within a closed building in an industrial area.
Consequently the proposed use is not detrimental to the safety or welfare of persons residing or working in the area,

- *All animals dropped off (and picked up) at the site will be leashed or in a carrier.*
- *The indoor spaces will contain state of the art “sound baffling” to eliminate pet stress, and to limit sound transmission in the neighborhood.*
- *All overnight boarding will be in the existing building within separate kennels for the dogs segregated by size and temperament.*
- *Cats will be in “cat condos” in the cat room, featuring a separate HVAC system.*
- *An indoor “gymnasium” will provide a play area for dogs approximating 3,400 square feet. The play area will be segregated by size and temperament.*
- *An outdoor play area approximating 4,000 square feet will be used on fair weather days to exercise dogs. This area may also be segregated by size and temperament.*

The public business hours are 7:00 a.m. to 6:00 p.m., seven days a week.

- *After 6:00 p.m. the facility will be locked and closed to the public.*
- *There will be 24-hour security to ensure the safety and monitoring of animals after hours.*
- *All pets will be placed in their kennels and the kennel areas will be closed at 7:00 pm.*
- *No pets will be allowed to move freely after hours.*

Staffing:

Staffing will be based on the number of pets at the pet resort.

- *The applicant expects to run 2 shifts daily with an average of 4 employees including a manager and three kennel technicians.*

Traffic Impacts:

Minimal:

- *Unlike a shopping mall, or entertainment venue, kennel traffic impacts are minimal.*
 - *Peak traffic centers around animal drop off or pick up, typically the early morning and early evening.*
 - *Mid day traffic impacts are negligible.*
 - *A pet resort is much like a child day care facility in that it generates very little traffic. It is not a destination location.*
 - *The traffic generated by a pet resort will not negatively impact the surrounding road network.*
 - *Adequate infrastructure is present to support any traffic generated by the proposed development.*

Adjacent Properties and Neighborhood Impact:

The properties in the immediate neighborhood are zoned industrial and central business. There are some older residential properties to the west.

The applicant is not proposing any radical exterior modifications to the building. His intention is to preserve as much of the buildings architectural integrity as possible.

Exterior items under consideration include:

- *Structural support to provide lateral stability for the masonry.*
- *New windows and masonry as needed.*
- *Ingress and egress issues for operational efficiency and compliance with today's life safety codes.*

Most redevelopment will deal with the building's structural support, interior finishes and mechanical systems.

Items under consideration include:

- *Segregated air delivery systems;*
- *Sound baffling to prevent animal stress and exterior noise transmission;*
- *Fire suppression systems;*
- *Electronic security monitoring;*
- *State of the art wet/dry cleaning systems;*
- *Microbial resistant flooring;*
- *Waste digesters.*

The applicant intends to use the adjacent vacant lot for an outdoor play yard for dogs. The play areas will be segregated by fencing and include a variety of athletic amenities and a pet grass elimination area. The play yard will only be used during operational hours, and will supplement the interior play yards developed within the building.

With the exception of the outdoor play area, **all kennel facilities will be located within a closed building in a historic industrial area.** Consequently the proposed use is not detrimental to the safety or welfare of persons residing or working in the area. The only evidence of our business activities will be during the operating hours of our exterior play yard.

- *Sound baffling systems will be incorporated to limit exterior noise transmission.*
- *Staff will be trained with the appropriate cleaning protocols to ensure the highest standard of hygiene for both the benefit of our guests and neighbors.*

Urban Development Considerations:

Benefits to the community include:

- Neighborhoods as a Basic Unit:
 - *Recognizing that neighborhoods are the basic component of any urban fabric, most urban planners strive to preserve and enhance their distinctiveness, identity and livability from the downtown core to the new growth areas. Kennels and related commercial services further the goal of creating complete neighborhoods to live, work, and play.*
- Child Care in Employment Centers:
 - *Most urban planners are advocates for child care facilities and/or programs that help attract and maintain a productive workforce and provide an accessible source of child care to area employees. A pet resort provides a support service, which benefits employees by providing daycare and overnight stays for canines and felines.*

Conclusion:

The special use permit requested by the applicant:

- Provides an important support service for employees and neighbor needing daycare, overnight stays, or grooming for their dogs and cats;
- The building will not change in character and will be required to meet all applicable building code requirements;
- A pet resort is appropriately located in an industrial area, and is consistent with the policies of the Twin Falls Zoning District Regulations.

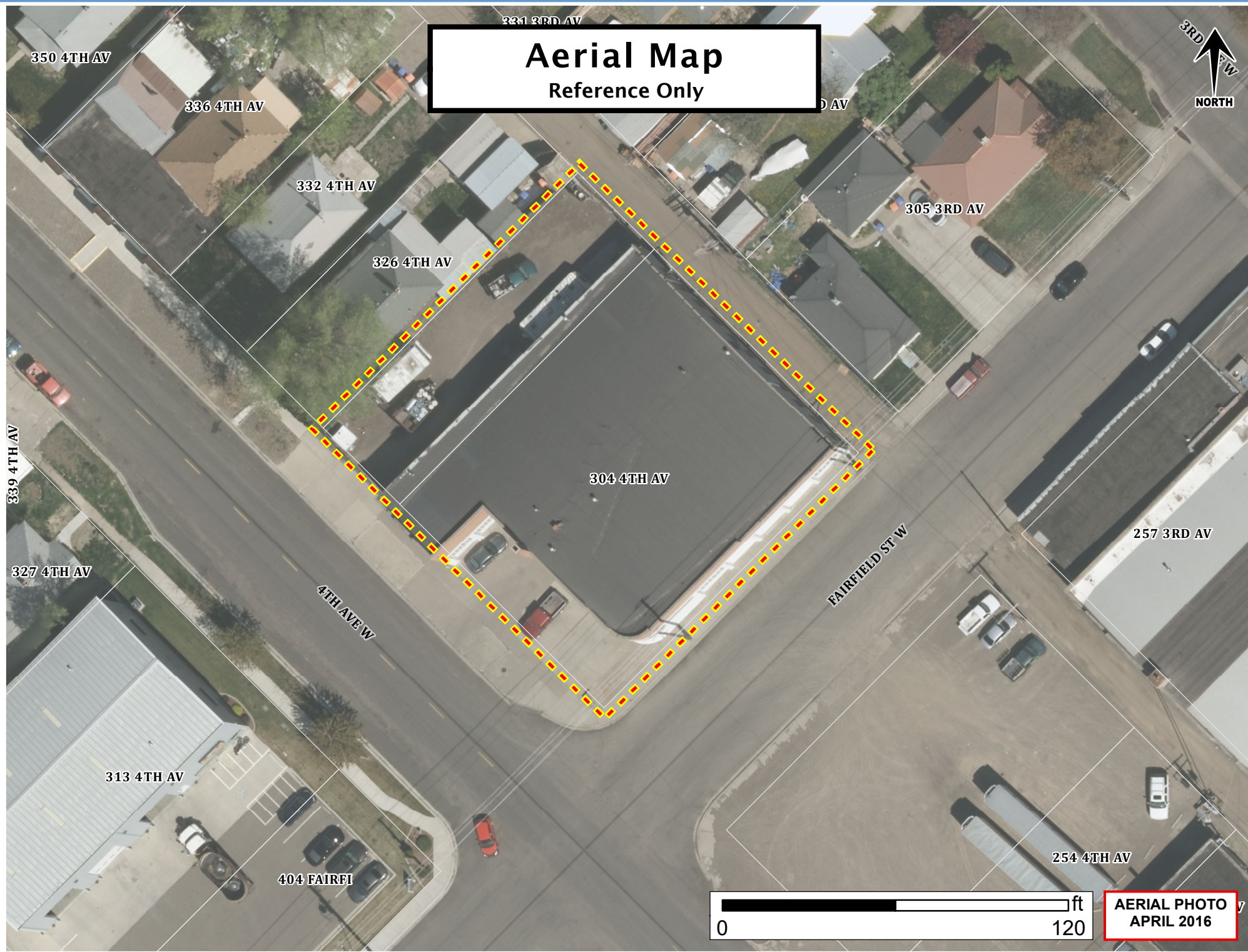
Reference Only



A scale bar showing distances in feet. The bar is marked from 0 to 1,000 feet in increments of 200. The segments are alternating black and white.

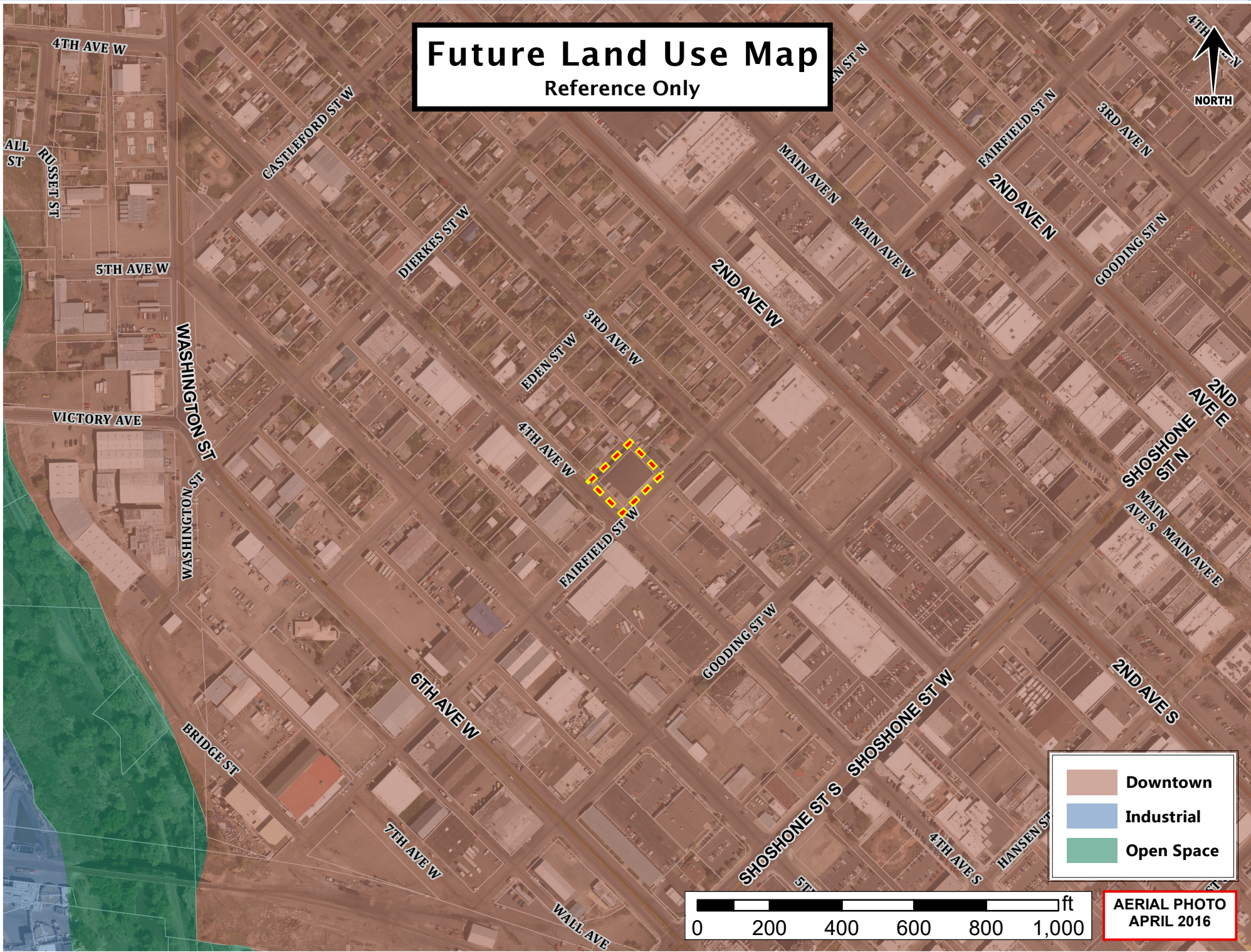
Aerial Map

Reference Only



Future Land Use Map

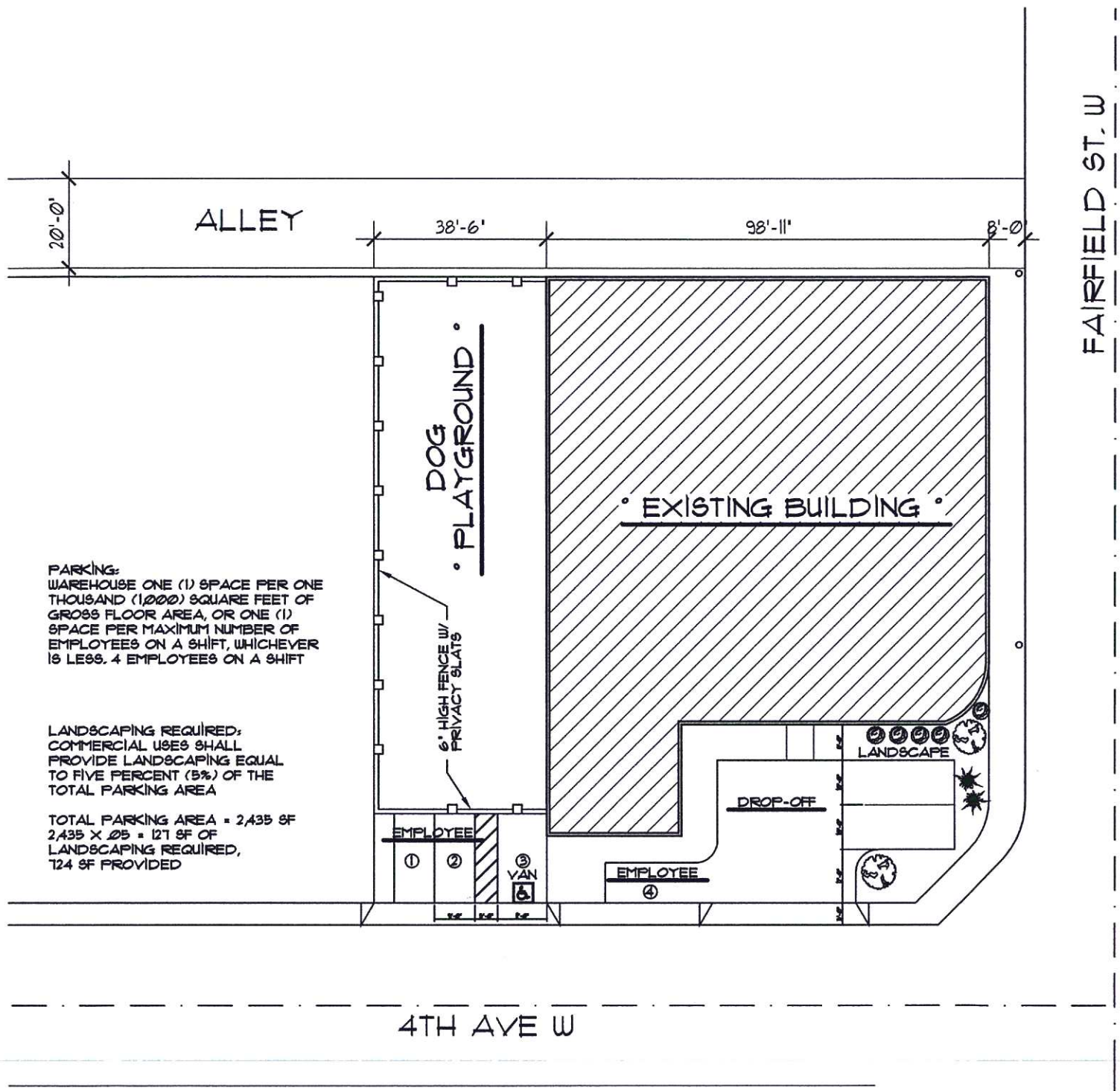
Reference Only



- Downtown
- Industrial
- Open Space

0 200 400 600 800 1,000 ft

AERIAL PHOTO
APRIL 2016



• **SITE PLAN** •
SCALE: 1/32" = 1'-0"

304 4TH AVE WEST
TWIN FALLS, ID 83301
SE 1/4 LOT 27, LOT 28 LOTS
29 THRU 32 BLOCK 129
TIMOTHY GARDNER
P.O. BOX 181
SUN VALLEY, ID 83353
208 726 9297
buckg@mathcapita.com

Laughlin Ricks Architecture
—architecture/planning—

935 Shoshone Street North
Twin Falls, Idaho 83301
(208) 736-8050 Fax: (208) 733-0950



Public Notice Along Fairfield St



Building Front 4th Ave



Building Front Fairfield St



Front of Proposed Dog Run



Rear of Proposed Dog Run



Date: Tuesday, June 27, 2017
To: Planning and Zoning Commission
From: Steve O'Connor

Request:

Request for a **Special Use Permit** to construct a 1540 +/- sq. ft. detached accessory building for residential use on property located at 238 Fillmore Street. c/o David & Deborah Butler. (app 2875)

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: .21 +/- acres
David & Deborah Butler 238 Fillmore St. Twin Falls, ID 83301 208.734.8978 Dabs8978@gmail.com	Current Zoning: R-2, Single Household or Duplex District	Requested Zoning: Detached accessory building larger than 1,000 sq. ft.
	Comprehensive Plan: Town Neighborhood	Lot Count: 1 Lot
	Existing Land Use: Residential	Proposed Land Use: Residential
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: R-2; Residential	East: R-2; Residential
	South: R-2; Residential	West: Fillmore St; R-2; Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-4, 10-11-1 thru 8, 10-13	

Approval Process:

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

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit is void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

Approval of this request will have a negligible impact on the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to construct a detached garage larger than 1,000 sq. ft. A special use permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

History:

238 Fillmore St is made up of lots 38, 39, and 40, Block 8 of Blue Lakes Addition Subdivision, recorded in 1917. The applicants purchased the property in 1987, and have lived there ever since.

Analysis:

The site is zoned R-2. The request is to remove existing detached accessory structures and construct a new 1,540 +/- sf detached accessory building including an attached outside patio area on property located at 238 Fillmore St. The R-2 zone requires an SUP for any detached accessory structure totaling more than 1,000 sq. ft. Detached garages are not uncommon in this area of town, and provide off street parking to the residents. The applicant states they will be demolishing the other accessory buildings once this one is complete.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Town Neighborhood." Town Neighborhoods supports mainly residential uses. A detached garage supports the primary function of the residential use for this request. Therefore, Staff has determined this application complies with the 2016 comprehensive plan.

Per City Code 10-4-4:

The R-2 district requires an SUP for any detached accessory building over 1,000 sq. ft.

Per City Code 10-11-1 thru 8:

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

The applicant nor staff anticipate any negative or detrimental effects from this request of the surrounding properties.

Conclusion:

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.
3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.

Attachments:

1. Butler Attachments

3. Color will co-ordinate with house

4. a. This project is to replace a 2 stall car port and ^{old} storage garage that is used only for storage. The car port has been taken down and the ^{storage} garage will be taken down when the other ~~things~~ car building is put up so storage items can be transferred.

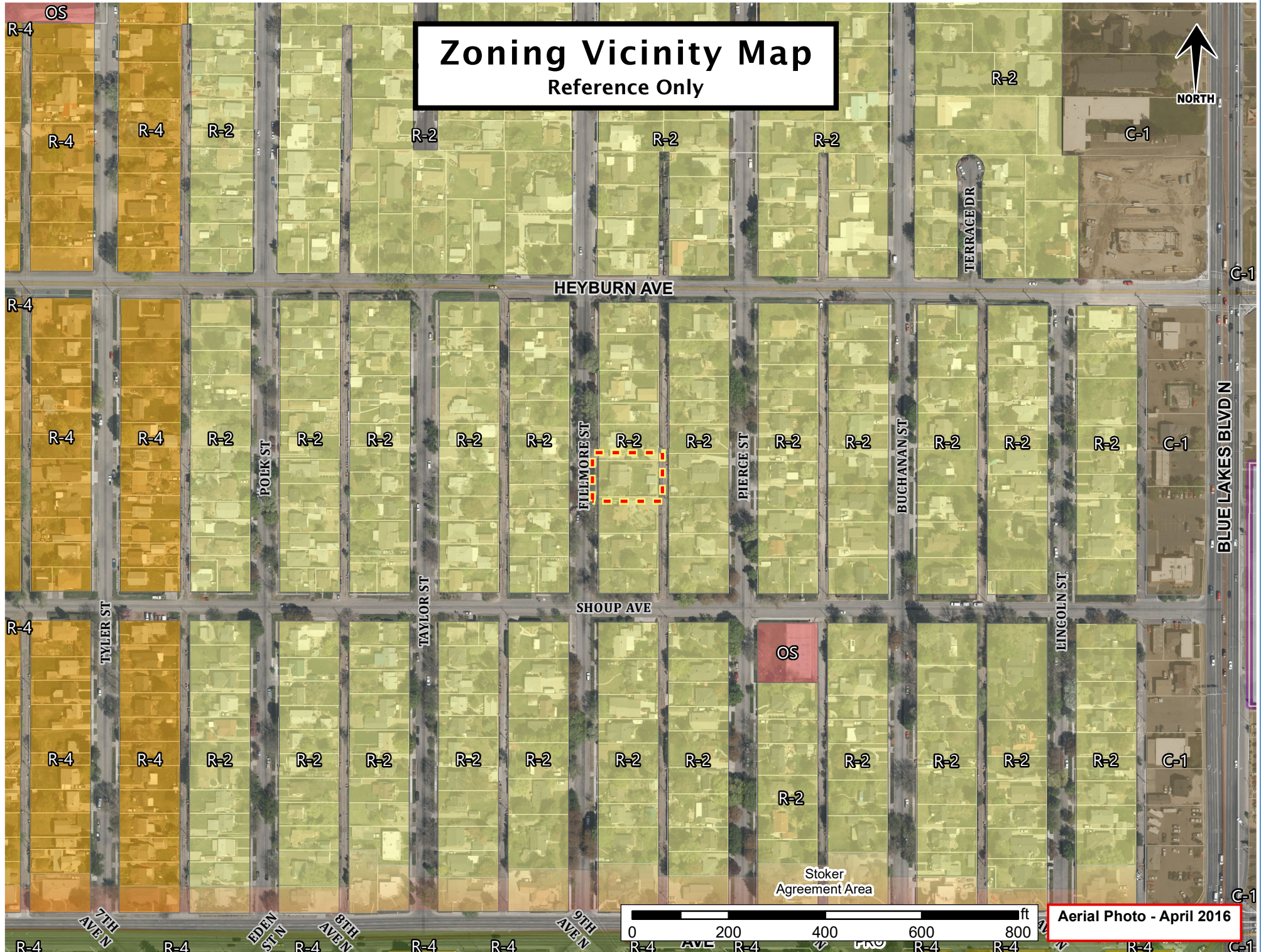
b. ~~no~~ This is residential so no change in hours, traffic, and no employees will be anticipated.

c. There should be no problems with noise, glare, odor, ^{or} fumes.

This should compliment and blend in with three close neighbors with garages. This helps us keep our cars off the street when parking.

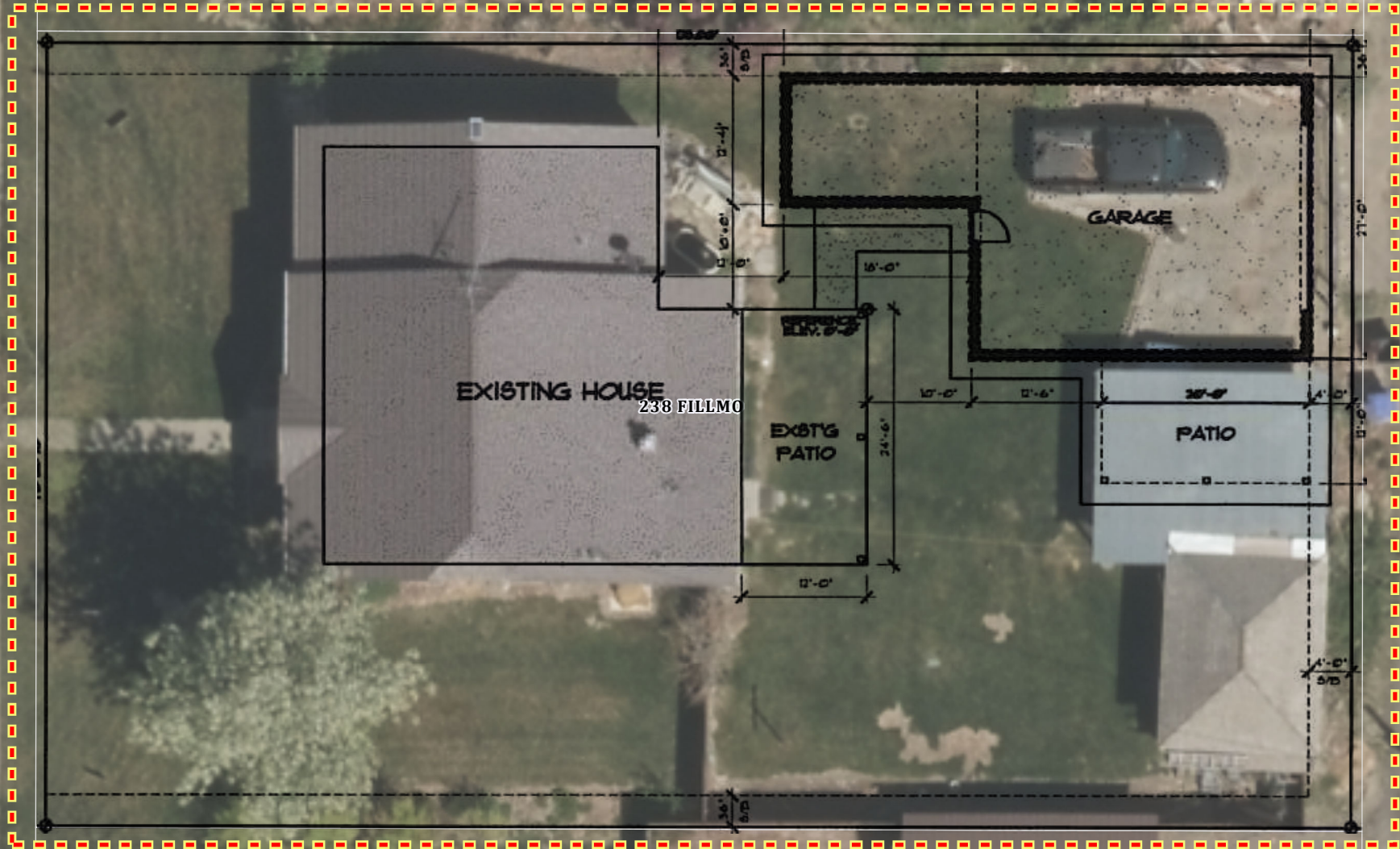
Zoning Vicinity Map

Reference Only



Aerial Map

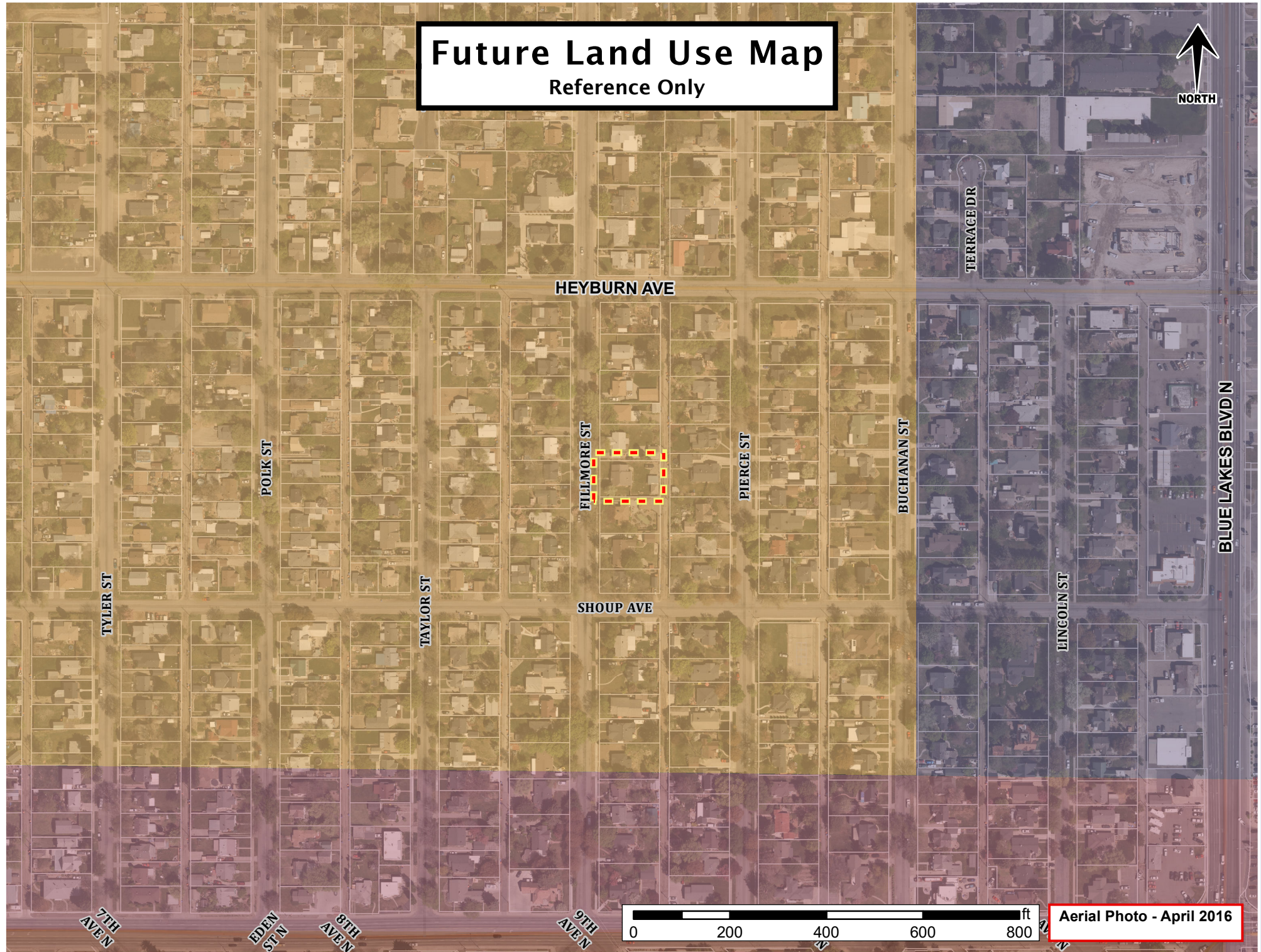
Reference Only



Aerial Photo - April 2016

Future Land Use Map

Reference Only



Aerial Photo - April 2016

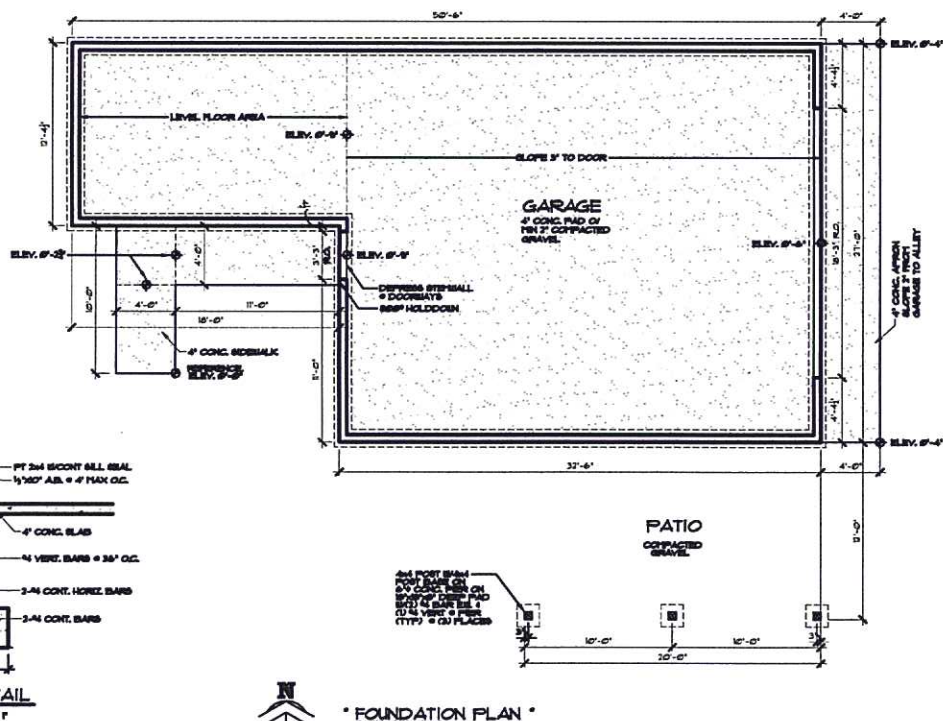
OWNERS: DEBBIE & DAVID BUTLER
238 FILMORE STREET
TWIN FALLS, IDAHO
LOT SIZE: (125'X150')
GARAGE ADDITION

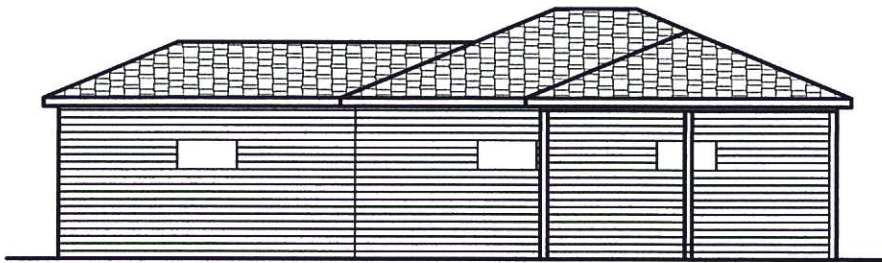
1. SITE, FOUNDATION & FLOOR PLANS
2. ROOF PLAN, ELEVATIONS & SECTION
3. BRACED WALL PLAN & WALL DETAIL

GARAGE	1301	SF.
PATIO	240	SF.
TOTAL	1541	SF.

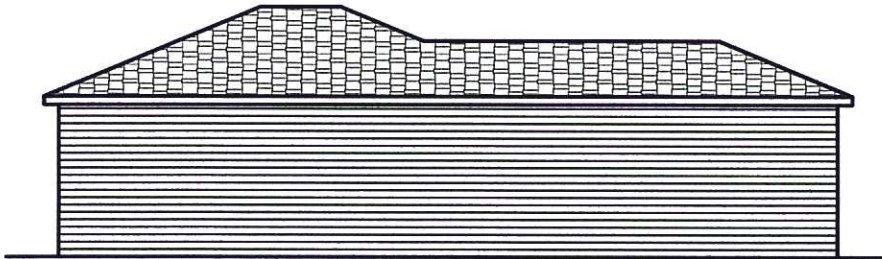
ALL STUDS TO BE (MIN) 2 DFLARCH
ALL CONCTETE TO BE (MIN) 2300 PSI
TYPICAL HEADER TO BE DBL 2x8

N/A GARAGE ADDITION

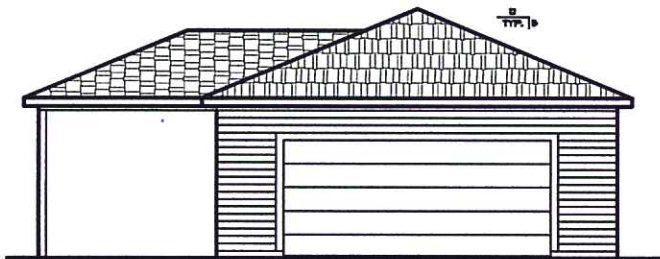




SOUTH ELEVATION



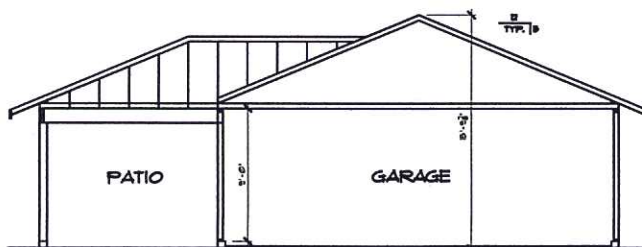
NORTH ELEVATION



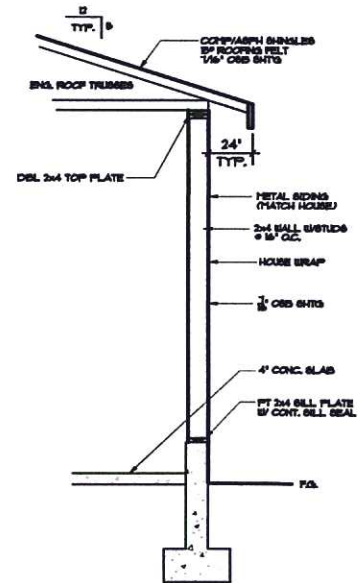
EAST ELEVATION



WEST ELEVATION

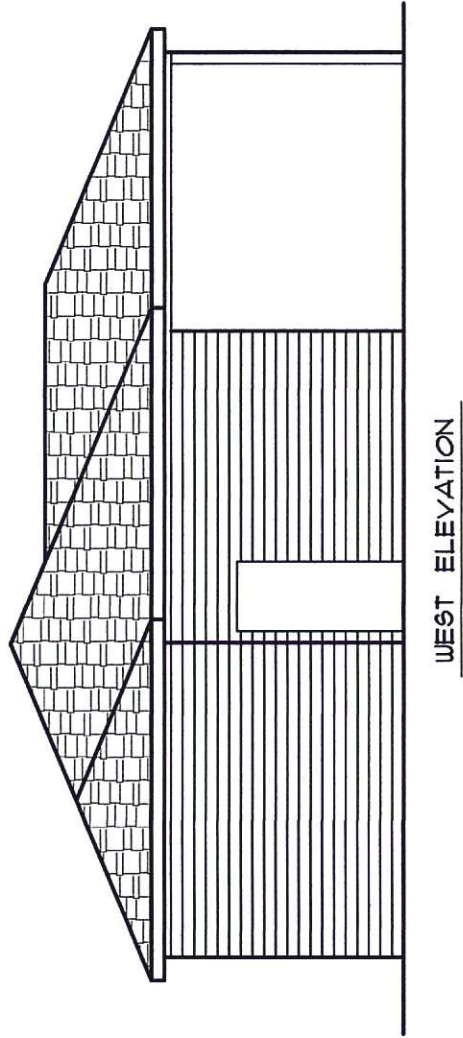
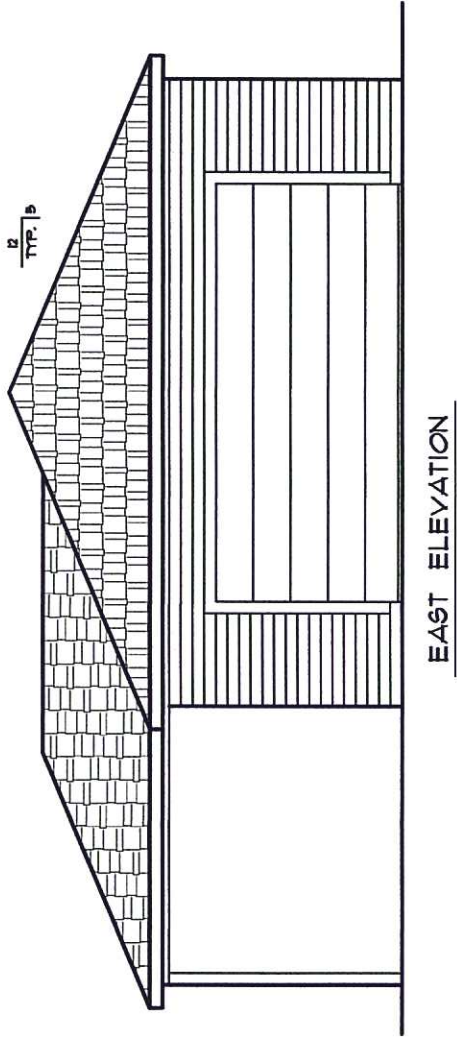


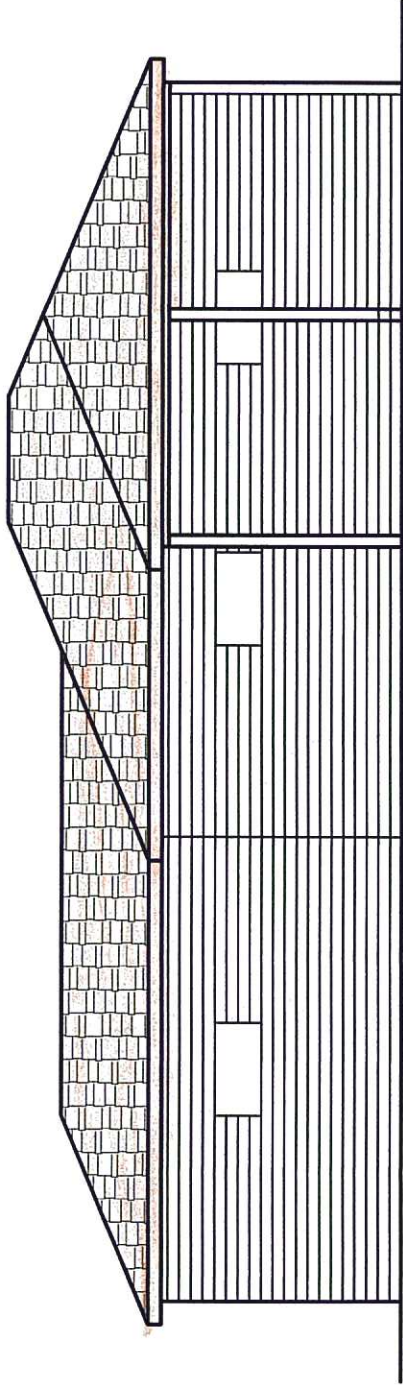
SECTION



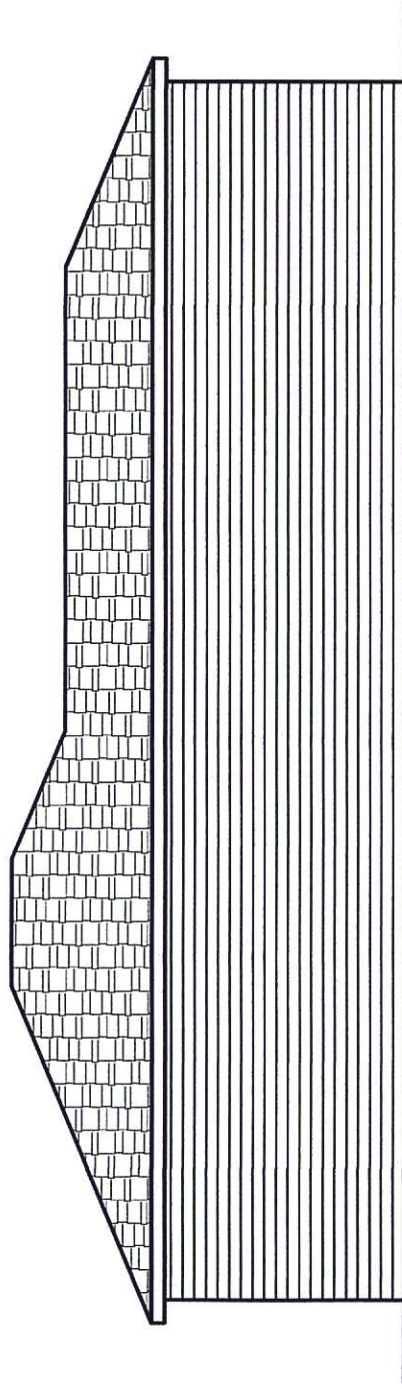
WALL DETAIL (TYP)

SCALE - 1/2"





SOUTH ELEVATION



NORTH ELEVATION



Date: Tuesday, June 27, 2017
To: Planning and Zoning Commission
From: Steve O'Connor

Request:

Request for a **Special Use Permit** to expand by more than 25% an existing auto repair business on property located at 490 Washington Street South. Blue Lakes Auto Repair c/o Kevin Powers (app.2876)

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: .80+/- acres
Blue Lakes Auto Repair c/o Kevin Powers 490 Washington St S. Twin Falls, ID 83301 208.734.6809	Current Zoning: M-1, Light Manufacturing District	Requested Zoning: Expansion of SUP by more than 25%
	Comprehensive Plan: Neighborhood Commercial	Lot Count: multiple parcels containing one business.
	Existing Land Use: Auto Repair	Proposed Land Use: Expansion of Auto Repair
Representative:	Zoning Designations & Surrounding Land Use(s)	
Nevin O'Berg C-N-R Construction, LLC 3894 N 3482 E Kimberly, ID 83341 208.358.3005 nevin@cnrconstruction.com	North: M-1, Large Implement Sales and Repair	East: R-4; Washington St S.; R-4; Residential
	South: M-1 AOI; Undeveloped Park Ave row; Agriculture	West: M-1, Large Implement Sales and Repair
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-9, 10-11-1 thru 8, 10-13-2	

Approval Process:

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

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit is void.

If an applicant or interested party appeals the decision of the Commission within fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

Regulatory Impact:

Approval of this request will allow the applicant to expand his current auto repair operation by more than 25%, on property located at 490 Washington St S.

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

History:

The applicant purchased this property in 1997. In August 1998, they were granted SUP #562, to operate an Auto Repair facility at 490 Washington St. South. Since then they have applied for, and were granted, two (2) more SUPs for expansions, one in April 2005, and another in January 2013, see attachments.

Analysis:

This property is zoned M-1; Light Industrial and is adjacent to Washington St S/Hwy 74. This is a request to expand an Auto Repair facility by more than 25% at 490 Washington St. South. City Code requires an SUP for auto repair in the M-1 zone, and any expansion by 25% or more of an operation, which requires an SUP. Blue Lakes Auto Repair has steadily grown over the years and requires more space and facilities for their employees and customers. The expansion will be done in phases to not disrupt any current operations. The original building, which will be demolished, is 48'x55', and will be replaced, at full build-out, by a 58'x104' building.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Neighborhood Commercial." Neighborhood Commercial is defined as; "... providing and supporting services and small scale commercial for the surrounding neighborhoods." An auto repair facility may fit this definition by supporting the needs of residents of the surrounding neighborhoods and by providing a car care and repair facility nearby. Staff has determined this request complies with the 2016 comprehensive plan.

Per City Code 10-13-2:

If an establishment required an SUP to operate and then proposes to expand by more than 25%, an additional SUP is required.

Per City Code 10-11-1 thru 8:

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

The applicant does not anticipate any detrimental increase of impacts, which are not already felt, from this expansion onto surrounding properties. The expansion will be minimal visually being that the expansion is going to be built to the rear of the property, and match the current design scheme. Though a larger facility will allow for more customers, Blue Lakes Auto Repair's location is along Washington St. S., a heavily trafficked route. Therefore, staff does not anticipate an increase of negative impacts from this request.

Conclusion:

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to non-operating, unregistered, or unlicensed vehicles, and all parts being stored indoors or behind a sight obscuring screened area.
3. Subject to this permit being issued to Blue Lakes Auto c/o Kevin Powers, any change in ownership will require a new SUP.
4. Dedication of right-of-way for Washington St. S. and Future Park Ave W. per Master Transportation Plan and as per City Engineer approval.
5. Subject to compliance with Special Use Permit #1282.

Attachments:

1. Blue Lakes Auto Repair Attachments

May 3, 2017

To: Whom It May Concern

From: Kevin R. Powers, 490 Washington Street S.

Blue Lakes Auto Repair continues to grow and expand. We have a need for more shop space to care for our clients and employees.

The plan is to demolish an existing shop building(s) that is approximately 48' x 55'. This will be replaced with a new shop addition that will be 58' x 104'. We intend to use this new building to expand the automotive repair shop and to provide area for restrooms and other employee spaces i.e. breakroom.

Due to the current use and the surrounding business's it won't impact our neighbors in any way. The new addition will not actually change the impact to our neighbors or the appearance of the ongoing business. This new addition will continue with our present color scheme as close as possible when using steel siding and roofing. The new addition will not cause undue noise, glare or odors.

The project will encompass different phases. Phase 1 is to build a 58 x 40 shop on the back of the property and move our mechanics into this area. Phase 2 is to demo the old block building. Phase 3 is to add onto the new 58 x 40 an additional 60'. When complete the addition will be 58' x 104' or a total of 6,032 sq. ft.

Our hours of operation are 8 A.M. to 5 P. M. Monday through Friday. We currently use a trash service provided by Magic Valley Waste Disposal. We anticipate continuing this service.

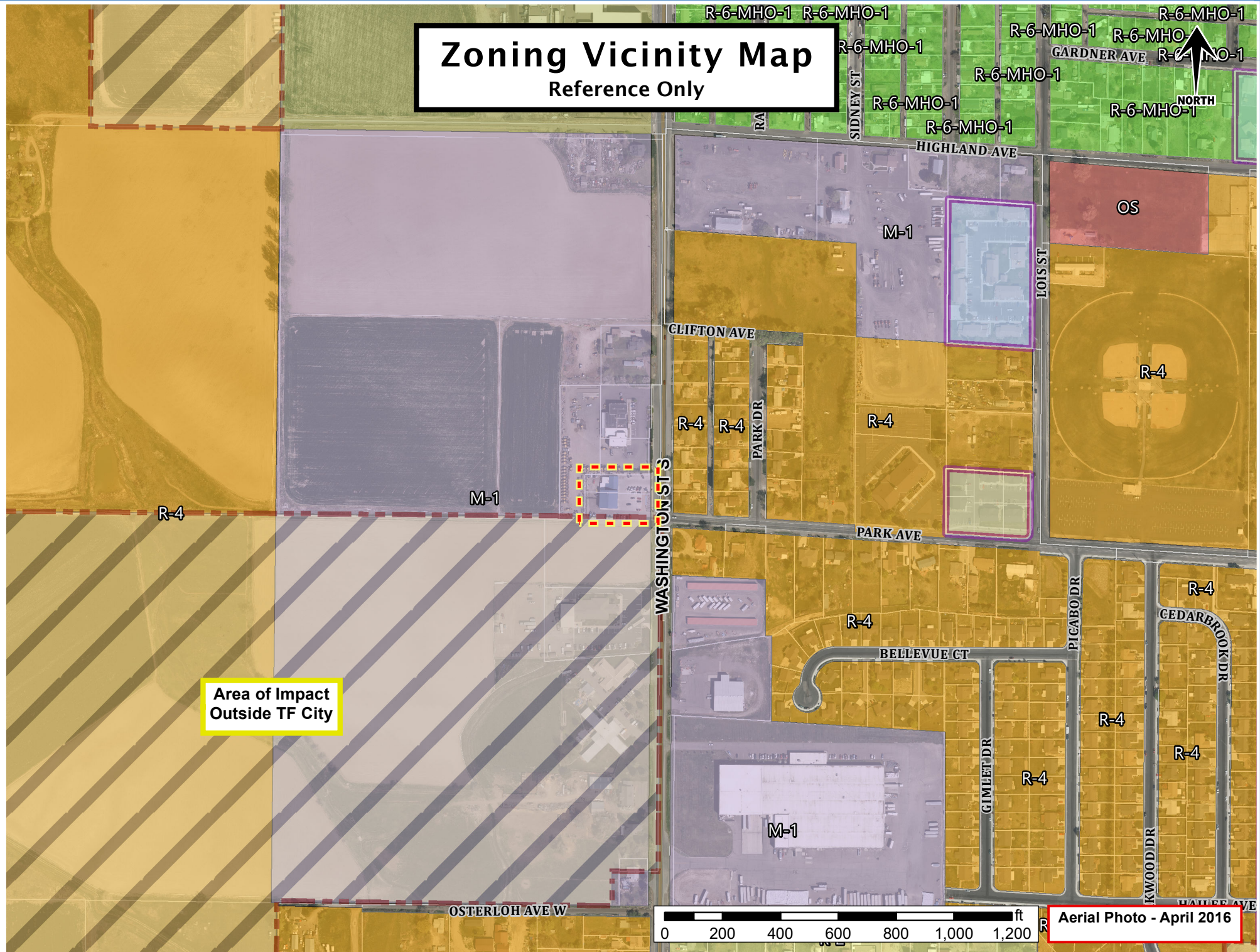
Thanks for your consideration of this request!

Kevin R. Powers, Owner Blue Lakes Auto Repair

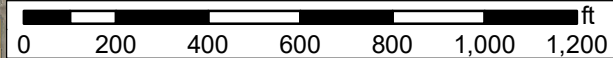


Zoning Vicinity Map

Reference Only



Area of Impact
Outside TF City



Aerial Photo - April 2016

Aerial Map

Reference Only



312 WASHIN

464 WASHIN

490 WASHIN

492 WASHIN

WASHINGTON ST S

433 WASHIN

445 WASHIN

457 WASHIN

469 WASHIN

481 WASHIN

491 WASHIN

436 PARK D

450 PARK D

456 PARK D

466 PARK D

478 PARK D

135 PARK A

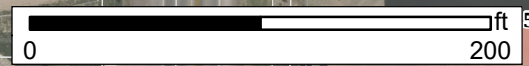
PARK AVE

513 WASHIN

142 PARK A

654 WASHIN

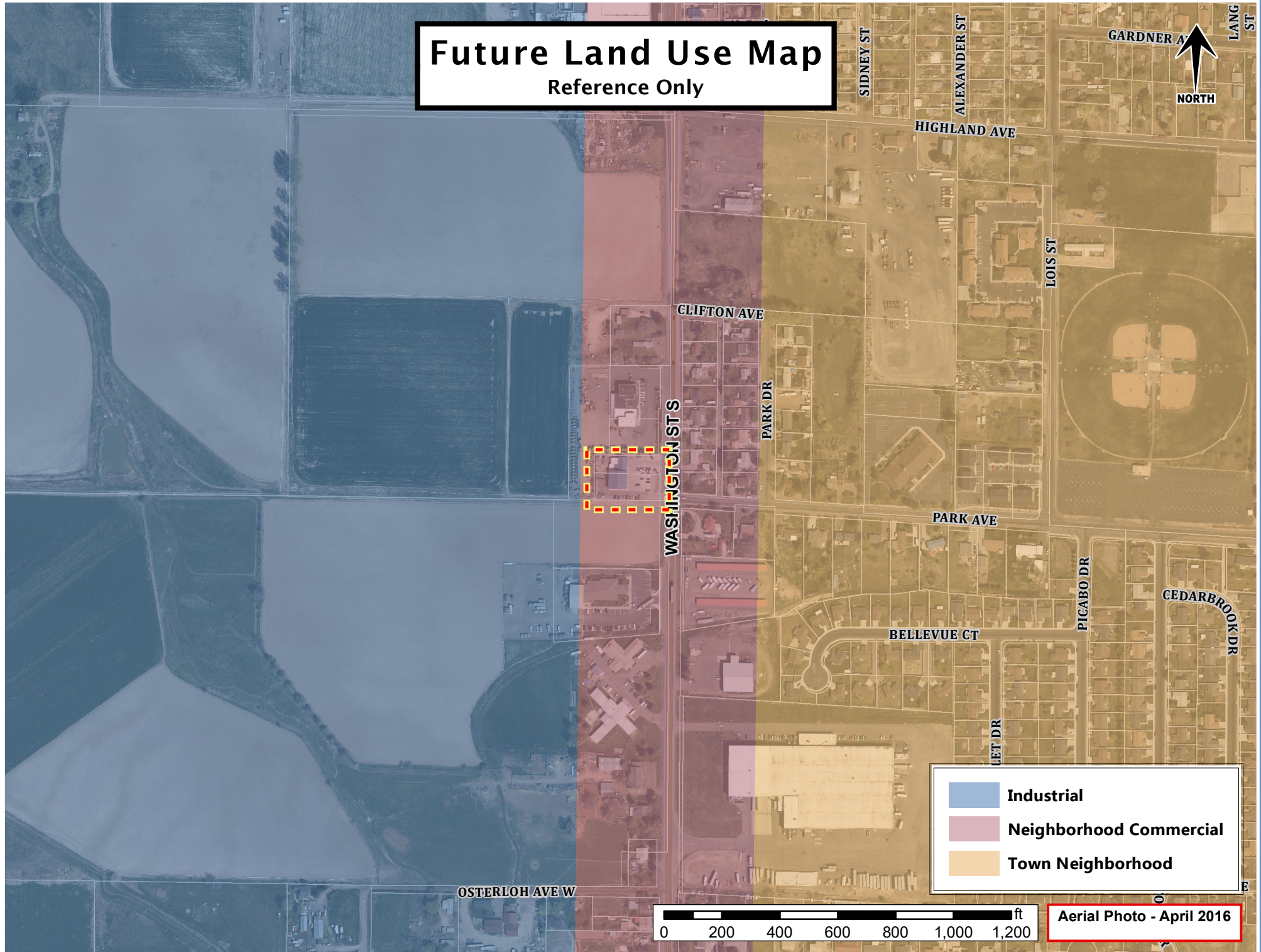
550 WASHIN



Aerial Photo - April 2016

Future Land Use Map

Reference Only



-  Industrial
-  Neighborhood Commercial
-  Town Neighborhood



Aerial Photo - April 2016

EL 101.87

P/L

154.4'

P/L

EL 100.29

EXISTING WATER
RETENTION

EXISTING CHAIN LINK
FENCE W/ PRIVACY SLATS

ENCLOSED HOLDING AREA

New Building
Phase 1

32'-0"

1'-0"

GRAVEL

EXISTING
3720 S.F.
BUILDING
100.0' EL.

Phase 2
NEW BUILDING
3560 S.F.
100.0' EL.

FIRE LANE

CHAIN LINK FENCE
W/ PRIVACY SLATS

EXISTING
ZONE
DRIVE

EXISTING
CONC. DRIVE

21 H/C

22

23

24

25

20

19

18

17

16

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12

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14

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6

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4

3

2

1

EXISTING
WATER RETENTION

EXISTING
PARKING

PAVERS

EXISTING LANDSCAPING

EXISTING SIDEWALK

155.0'

30'-0"

EXISTING WATER
RETENTION

EXISTING LAND

EL. 99.54

FIRE HYDRANT

EL. 99.80'

12'-0"

12'-0"

33'-0"

33'-0"

WASHINGTON ST. SOUTH



Google Earth

feet
meters

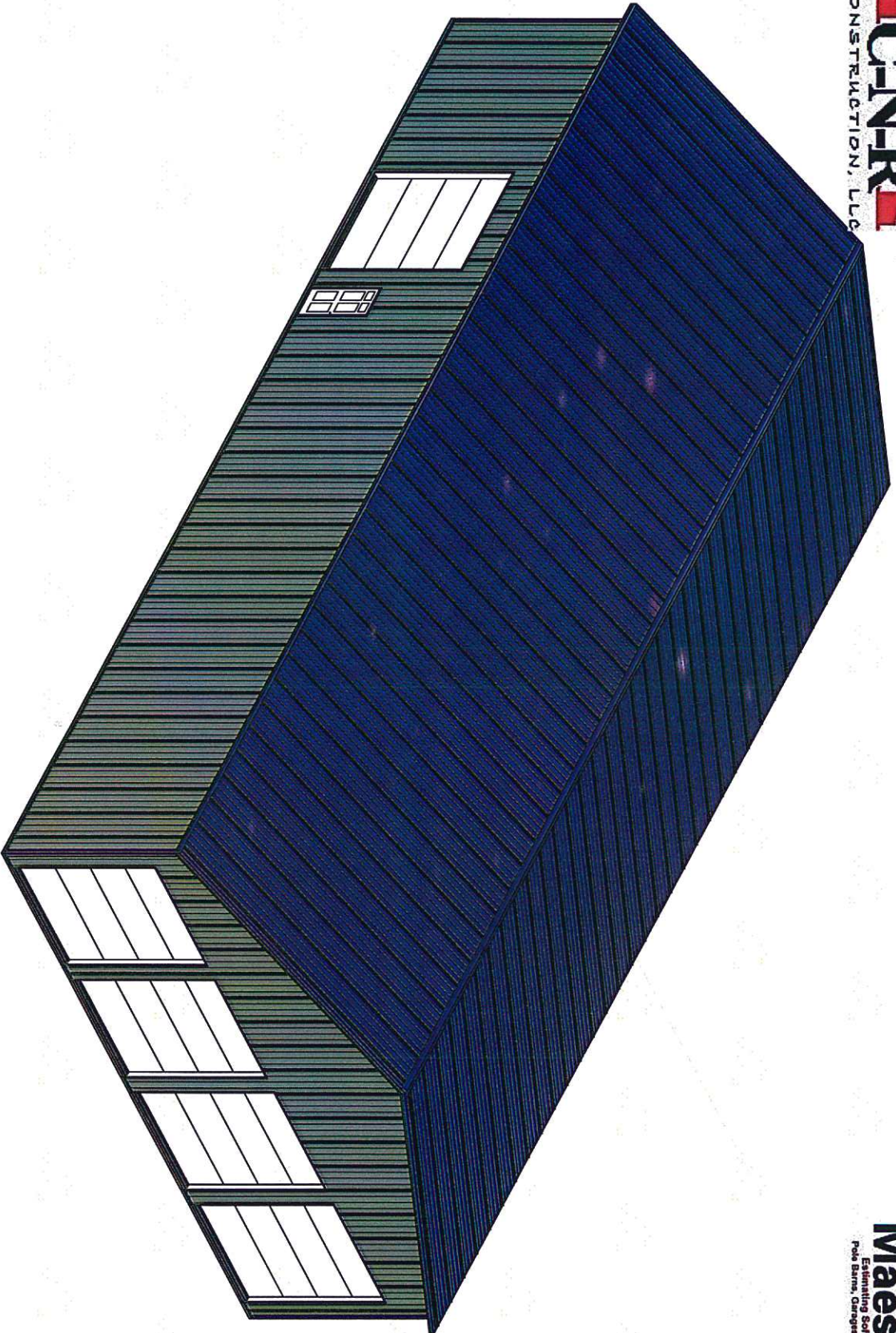




04 19 2017



04 19 2017





P.O. Box 1907 • 321 Second Avenue East • Twin Falls, Idaho 83303-1907 • Fax: (208) 736-2296

SPECIAL USE PERMIT

Permit No. 0562

Granted by the Twin Falls City Planning and Zoning Commission on August 11, 1998, to Kevin Powers whose address is 4027 N 3500 E, Kimberly, ID., for the purpose of operating an automobile repair shop on real property located at 490 Washington Street South and legally described as a parcel of land located in a portion of the SE ¼ NE¼ of Township 10 South, Range 17 East of the Boise Meridian, Twin Falls County, Idaho.

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

- 1) Compliance required with gateway arterial landscaping requirements - 10 feet behind the sidewalk.
- 2) Dedicate additional right-of-way to bring Washington Street South to master street plan width.
- 3) Construct curb, gutter, and sidewalk along Washington Street South.
- 4) Construct a six foot high screening fence adjacent to resident to the south.
- 5) No non-operating vehicles or vehicle parts allowed outside of a screened enclosure and landscaping to be completed within 12 months.



Chairman

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

Please contact the Building Department at 736-2238 for further information.

This permit corresponds to Application No. 1259



P.O. Box 1907321

Second Avenue East

Twin Falls, Idaho 83303-1907

Fax: (208) 736-2296

OFFICE OF THE PLANNING & ZONING DIRECTOR

208-735-7267

SPECIAL USE PERMIT

Permit No. 0918

Granted by the Twin Falls City Planning and Zoning Commission on April 12, 2005, to Kevin R. Powers whose address is 490 Washington Street South, for the purpose of expanding an existing auto service and repair business by more than 25% on real property located at 490 Washington Street South and legally described as part of parcel of land located in a portion of the SE¼ NE¼ of Township 10, Section 20 South, Range 17 East of the Boise Meridian.

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

- 1) All vehicles that require overnight stay are required to be stored within a sign obscuring fenced area or inside an enclosed building.
- 2) Assure compliance with all City zoning, building, and engineering and fire codes.
- 3) Dedicate 12 feet of right-of-way on Washington Street South.



Chairman

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

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

This permit corresponds to Application No. 1896



**CITY OF TWIN FALLS
Planning & Zoning Commission**

321 Second Ave E
Twin Falls, ID 83301
PH: 208-735-7267 FAX: 208-736-2641

SPECIAL USE PERMIT

**Void-year for implementation has expired
as of 12/2008 SUP no required as of Dec 2008**

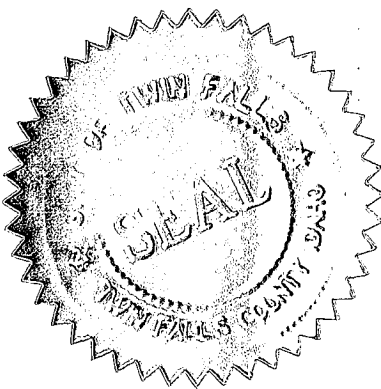
Permit No. 1070

Granted by the Twin Falls City Planning and Zoning Commission on January 8, 2008, to Blue Lake Auto whose address is 490 Washington Street South Twin Falls, ID 83301 for the purpose of operating a 30 sq. ft. message center sign on real property located at 490 Washington Street South, Twin Falls, ID 83301 and legally described as Twin Falls Acres Inside N 59.5 of SE 154' of SE SE NE (20-10-17)

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

This permit corresponds to Application No. 2187

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. Assure compliance with all requirements of Twin Falls City Code 10-9-2(L) and 10-9-2(Q)
3. Message Center sign may be installed and operated as presented, a 31 sq. ft., LED sign as part of a new freestanding sign with no animation or flashing.
4. The hours of operation of the message center sign to be consistent with the operation of the business.
5. Assure compliance with conditions of approval of SUP #0562 & SUP #0918



Chairman 

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

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

cc: Building Inspection



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

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

SPECIAL USE PERMIT
AMENDED 07-09-13

Permit No.1282

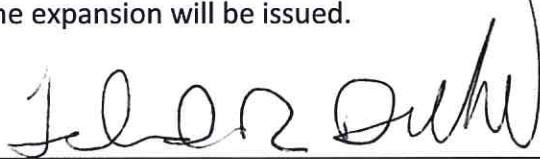
Granted by the Twin Falls City Planning and Zoning Commission, as presented on January 23, 2013 and as amended on July 9, 2013 to Blue Lakes Auto c/o Kevin Powers whose address is 490 Washington Street South Twin Falls, ID 83301 for the purpose of expanding and existing automobile repair business by more than 25% on property located at 490 Washington Street South and legally described as Twin Falls Acres Inside N 59.5' of SE 154' of SE SE NE (20-10-17)

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

This permit corresponds to Zoning Application No.2540

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. Assure compliance with conditions of SUP #0562 & SUP #0918, specifically the screening or storing of vehicles requiring overnight stays.~~
2. Dedication of right-of-way for Washington Street South, and the future development of Park Ave West, per Master Transportation Plan and as per City Engineer approval.
- ~~3. Subject to the vehicles that require overnight stay are stored within a sight obscuring fenced area or inside an enclosed building be in compliance by July 30, 2013.~~
3. Subject to non-operating, un-registered, or un-licensed vehicles and all parts being stored indoors or behind a sight obscured screened area; to be in compliance by July 30th 2013.
4. Subject to this permit being issued to Blue Lakes Auto, c/o Kevin Powers. Any change in ownership will require a renewal of this Special Use Permit.
5. Subject to the two (2) lots at 490 & 492 Washington Street South being combined by survey and a new warranty deed being recorded. The recorded warranty deed shall be provided to the City of Twin Falls before a final Certificate of Occupancy for the expansion will be issued.




CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

7-23-2013
DATE

ing purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. All facilities must comply with all Building and Fire Code Regulations.

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

cc: Building Inspection



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

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

SPECIAL USE PERMIT

Permit No.1282

Granted by the Twin Falls City Planning and Zoning Commission, as presented on January 23, 2013 to Blue Lakes Auto c/o Kevin Powers whose address is 490 Washington Street South Twin Falls, ID 83301 for the purpose of expanding and existing automobile repair business by more than 25% on property located at 490 Washington Street South and legally described as Twin Falls Acres Inside N 59.5' of SE 154' of SE SE NE (20-10-17)

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

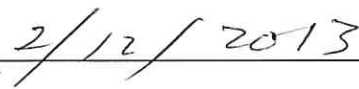
This permit corresponds to Zoning Application No.2540

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. Assure compliance with conditions of SUP #0562 & SUP #0918, specifically the screening or storing of vehicles requiring overnight stays.
3. Dedication of right-of-way for Washington Street South, and the future development of Park Ave West, per Master Transportation Plan and as per City Engineer approval.
4. Subject to the vehicles that require overnight stay are stored within a sight obscuring fenced area or inside an enclosed building be in compliance by July 30, 2013.





CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION



DATE

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

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

cc: Building Inspection



NE Corner of Property - Washington St S Frontage



SE Corner of Property - Washington St S and Park (Undeveloped)



SW Corner - Screened Area Behind Shop



NW Corner - Screened Area Behind Shop